City of Portland, Oregon
Bureau of Development Services
Land Use Services

1900 SW 4th Avenue, Suite 5000
Portland, Oregon 97201
503-823-7300
Fax 503-823-5630
TTY 503-823-6868
www.portlandonline.com/bds

Date: September 15, 2009

To: Interested Person

From: Sue Donaldson, Land Use Services
503-823-7618 / pksued@ci.portland.or.us

NOTICE OF A TYPE I PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 45 days, **we need to receive your written comments by 5 p.m. on October 15, 2009**. Please mail or deliver your comments to the address above, and include the Case File Number, *LU 09-147026 LDP*. It also is helpful to address your letter to me, Sue Donaldson.

CASE FILE NUMBER: LU 09-147026 LDP

Applicant: Joseph S Elkhal,
11320 SE Flavel St
Portland, OR 97266-5917

Representative: Richard Lathrop,
8124 SE Taylor Ct
Portland, OR 97215

Site Address: 451 SE 160TH AVE

Legal Description: LOT 1, PARTITION PLAT 2002-56
Tax Account No.: R649822210
State ID No.: 1N2E36DD 03201
Quarter Section: 3046

Neighborhood: Glenfair, contact Frank Rinella at 503-256-5399.
Business District: Gateway Area Business Association, contact Fred Sanchez at 503-256-3910.
District Coalition: East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.
Plan District: East Corridor
Other Designations: None

Zoning: CS
Case Type: LDP
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:
Applicant is proposing to divide this 13,704 square foot parcel into two lots. The site is a corner lot in the Commercial Storefront (CS zone). Existing development includes a 10 unit apartment building and a dental clinic. Parking for both uses is available on site. New development is not proposed.

This partition is reviewed through a Type I land use review because: (1) fewer than four lots are proposed; (2) none of the lots, utilities or services proposed are within a Potential Landslide Hazard or Flood Hazard Area and (3) no other concurrent land use reviews (such as an Adjustment or Environmental Review) are requested or required (see 33.660.110).

Relevant Approval Criteria:
In order to be approved, this proposal must comply with the approval criteria of Title 33 the zoning code. The relevant approval criteria are:

- 33.662.120, Approval criteria for Land Divisions in Commercial, Employment and Industrial Zones.

Zoning Code Section *33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. This application was submitted on July 29, 2009 and determined to be complete on September 10, 2009.

DECISION MAKING PROCESS
The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and either:

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

We will mail you a copy of our decision only if you comment in writing to us at the City of Portland Bureau of Development Services, 1900 SW Fourth Ave., Suite 4500, Portland, OR 97201. There will be no public hearing.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

The file and all evidence on this case is available for your review by appointment. Please contact the support staff at our office, 1900 SW Fourth Ave., Suite 5000, 503-823-7967, to schedule a time. Copies of information in the file can be obtained for a fee equal to the City's cost for providing those copies. I can provide some information over the phone.

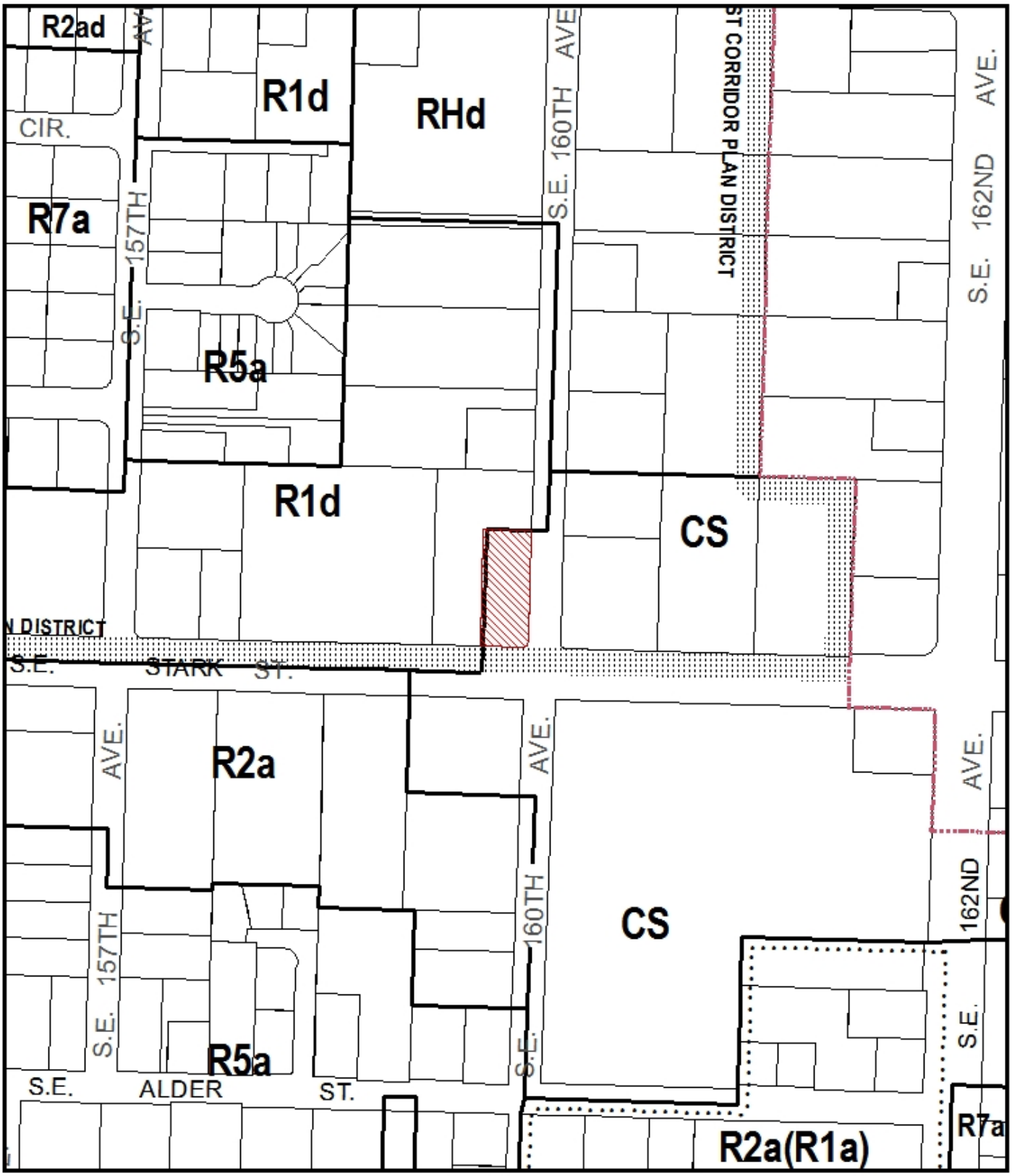
ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of the Portland Zoning Code, by visiting the City's homepage on the Internet at www.portlandonline.com.

APPEAL PROCESS
If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Enclosures: Zoning Map
Site Plan



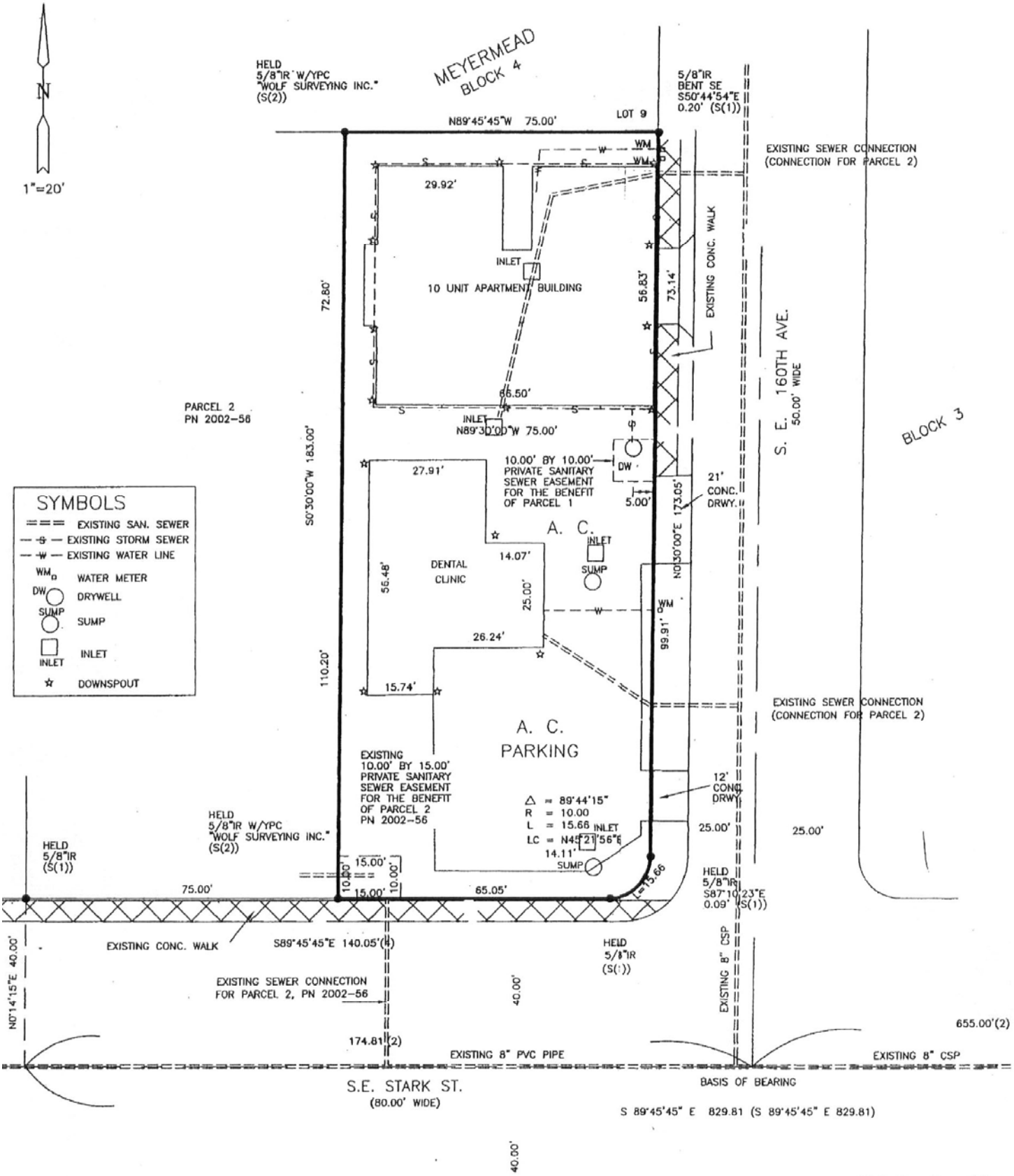
ZONING

Site

NORTH

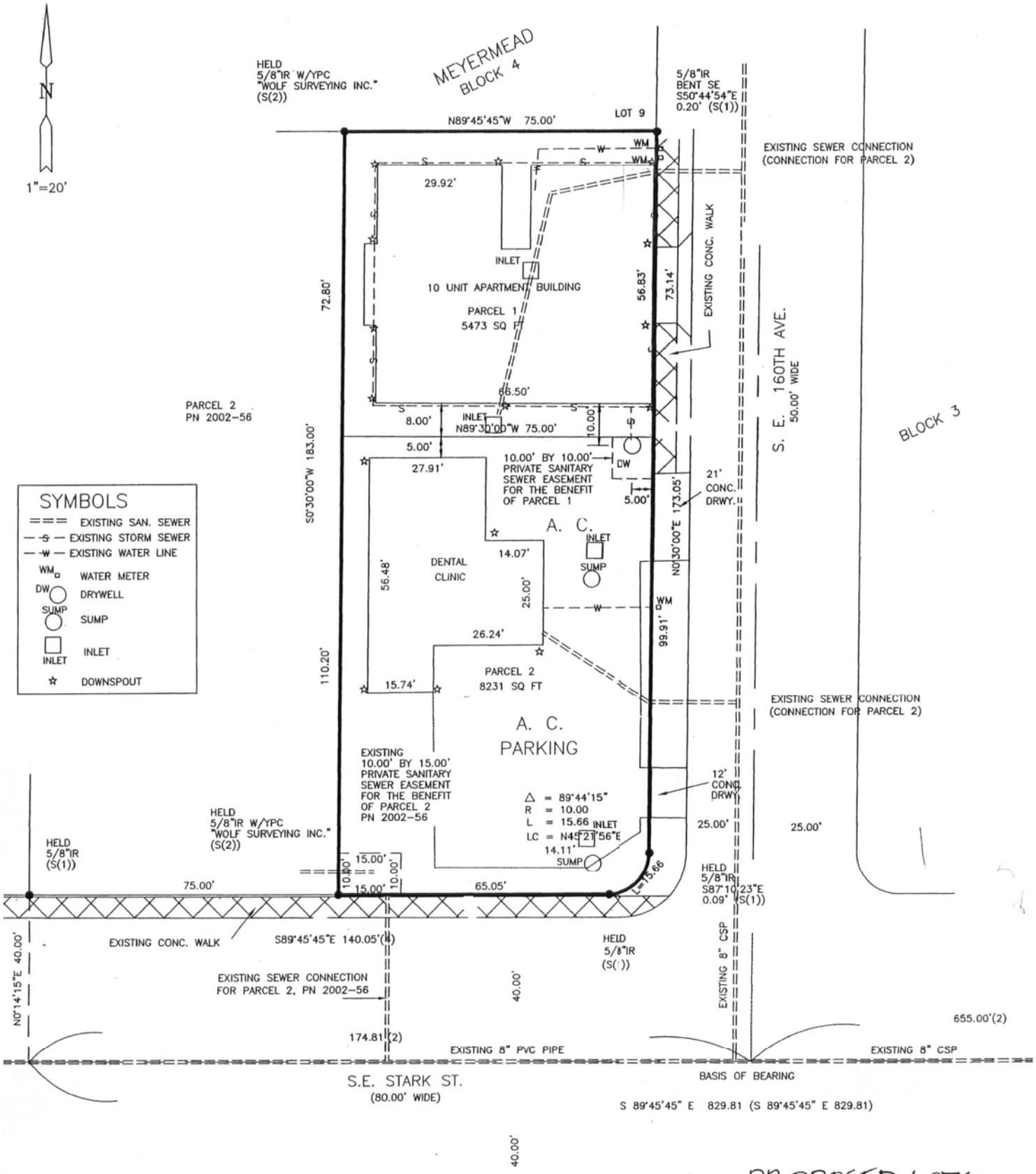
This site lies within the:
EAST CORRIDOR PLAN DISTRICT

File No.	LU 09-147026 LDP
1/4 Section	3046,3146
Scale	1 inch = 200 feet
State_Id	1N2E36DD 3201
Exhibit	B (Jul 29,2009)



Existing Conditions

09-147026



PROPOSED LOTS

09-147026