



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** September 15, 2011  
**To:** Interested Person  
**From:** Sue Donaldson, Land Use Services  
503-823-7618 / [Sue.Donaldson@portlandoregon.gov](mailto:Sue.Donaldson@portlandoregon.gov)

**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 17, 2011.** Please mail or deliver your comments to me, Sue Donaldson, at the address above, and include the Case File Number, **LU 11-149655 LDP**, in your letter.

**CASE FILE NUMBER: LU 11-149655 LDP**

**Applicant:** Encore Development  
105 W Clarendon St  
Gladstone, OR 97027-2334

**Representative:** Mark Dane,  
Mark Dane Planning Inc.  
13005 SW Foothill Dr  
Portland, OR 97225

**Site Address:** 6425 SE 15TH AVE

**Legal Description:** S 50' OF LOT 3&4 BLOCK 24, TOLMAN TR  
**Tax Account No.:** R836602090  
**State ID No.:** 1S1E14DC 20200  
**Quarter Section:** 3631

**Neighborhood:** Sellwood-Moreland, contact Mat Millenbach at 503-239-1134.  
**Business District:** Westmoreland, contact Tom Brown at 53-381-6543.  
**District Coalition:** Southeast Uplift, contact Leah Hyman at 503-232-0010.

**Plan District:** None  
**Other Designations:** None

**Zoning:** R5a - Single dwelling residential, 5000 with Alternative Design Density overlay  
**Case Type:** LDP – Land Division Partition

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

**Proposal:**

The applicant proposes to divide a 5000 square foot corner lot into two parcels for attached houses. The existing house will remain on Parcel 1, which will be 2970 square feet. A second house will be constructed on Parcel 2, which will be attached to the rear of the existing house. Parcel 2 will be 2036 square feet. One parking space is proposed for each lot.

The applicant proposes to use the *Duplexes and attached houses on corners* provision in the *Alternative Development Options* section of the *Zoning Code (33.110.240.E)*. Units must be designed so that each one is oriented towards a different street in order to create the appearance of one house when viewed from either street.

This partition is reviewed through a Type I land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities or services are proposed with a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (*such as an Adjustment or Design Review*) are requested or required (*see 33.660.110*).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (*see ORS 92.010*). *ORS 92.010* defines "*parcel*" as a single unit of land created by a partition of land. The applicant's proposal is to create 2 units (parcels) of land. Therefore this land division is considered to be a partition.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of *Title 33*. The relevant approval criteria are found in **Section 33.660.120 Approval Criteria for Land Divisions in Residential and Open Space 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 June 17, 2011 and determined to be complete on September 13, 2011.

**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 are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. 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](http://www.portlandonline.com).

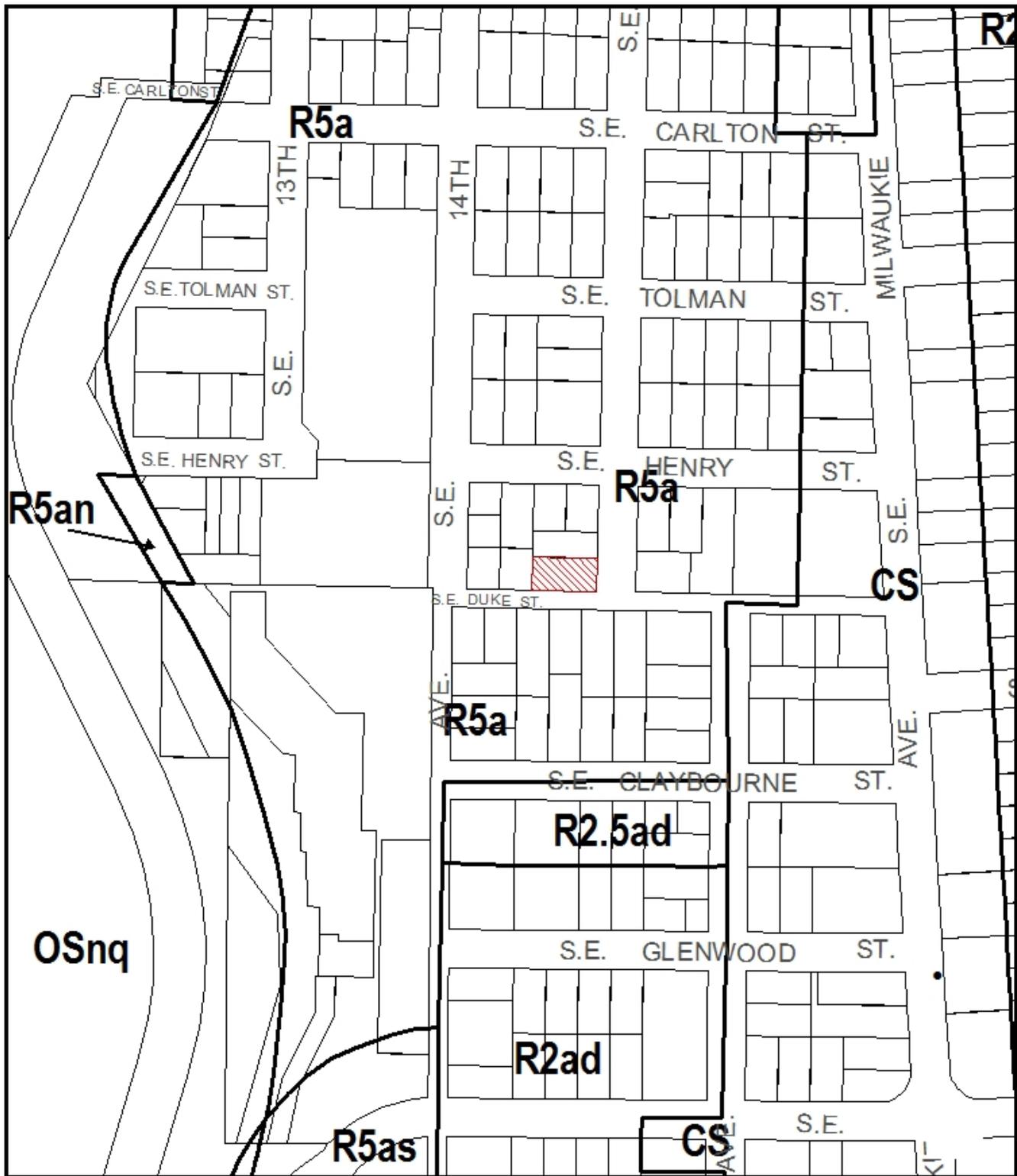
ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

**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



File No.	<u>LU 11-149655 LDP</u>
1/4 Section	<u>3631,3632</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E14DC 20200</u>
Exhibit	<u>B (Jun 23,2011)</u>

