



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: November 19, 2012
To: Interested Person
From: Kate Green, Land Use Services
503-823-5868 / Kate.Green@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 December 19, 2012.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 12-137248 LDP, in your letter. It also is helpful to address your letter to me, Kate Green.

CASE FILE NUMBER: LU 12-137248 LDP

Applicant: Gerald Engler
2075 SW First Avenue, Suite 2E
Portland OR 97201

Property Owner: Wholesale Real Estate LLC/Sage Equities LLC
52 Galen Street
Lake Oswego OR 97035-2301

Site Address: 3222 SE 170TH AVENUE

Legal Description: TL 3000 0.31 ACRES, SECTION 07 1S 3E
Tax Account No.: R993072080
State ID No.: 1S3E07BD 03000
Quarter Section: 3347

Neighborhood: Centennial, contact Louise Cody at 503-252-4302
Business District: None
District Coalition: East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550

Zoning: Single Dwelling Residential 7,000 (R7)
Case Type: Land Division-Partition (LDP)
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal: The applicant proposes a **Land Division-Partition** to divide an approximately 13,600 square foot lot into 2 parcels. The existing house and shed will be removed. Parcel 1 will be approximately 5,453 square feet in area. Parcel 2 will be approximately 8,053 square feet and will be a flag lot.

Two trees are proposed to be retained; a western red cedar on Parcel 1, and a Douglas fir on Parcel 2. Water and sanitary sewer services are proposed via connections to public lines in SE 170th Avenue. An onsite drywell is proposed on each parcel for stormwater management. An access easement is proposed along the pole of the flag lot.

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 within a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (such as an Adjustment, Design Review, or Environmental 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 of land (2 parcels). Therefore this land division is considered a partition.

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of *Title 33*. The relevant criteria are found in **Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential 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 May 2, 2012 and the applicant requested the application be deemed complete on **October 29, 2012**.

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 Avenue, 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.

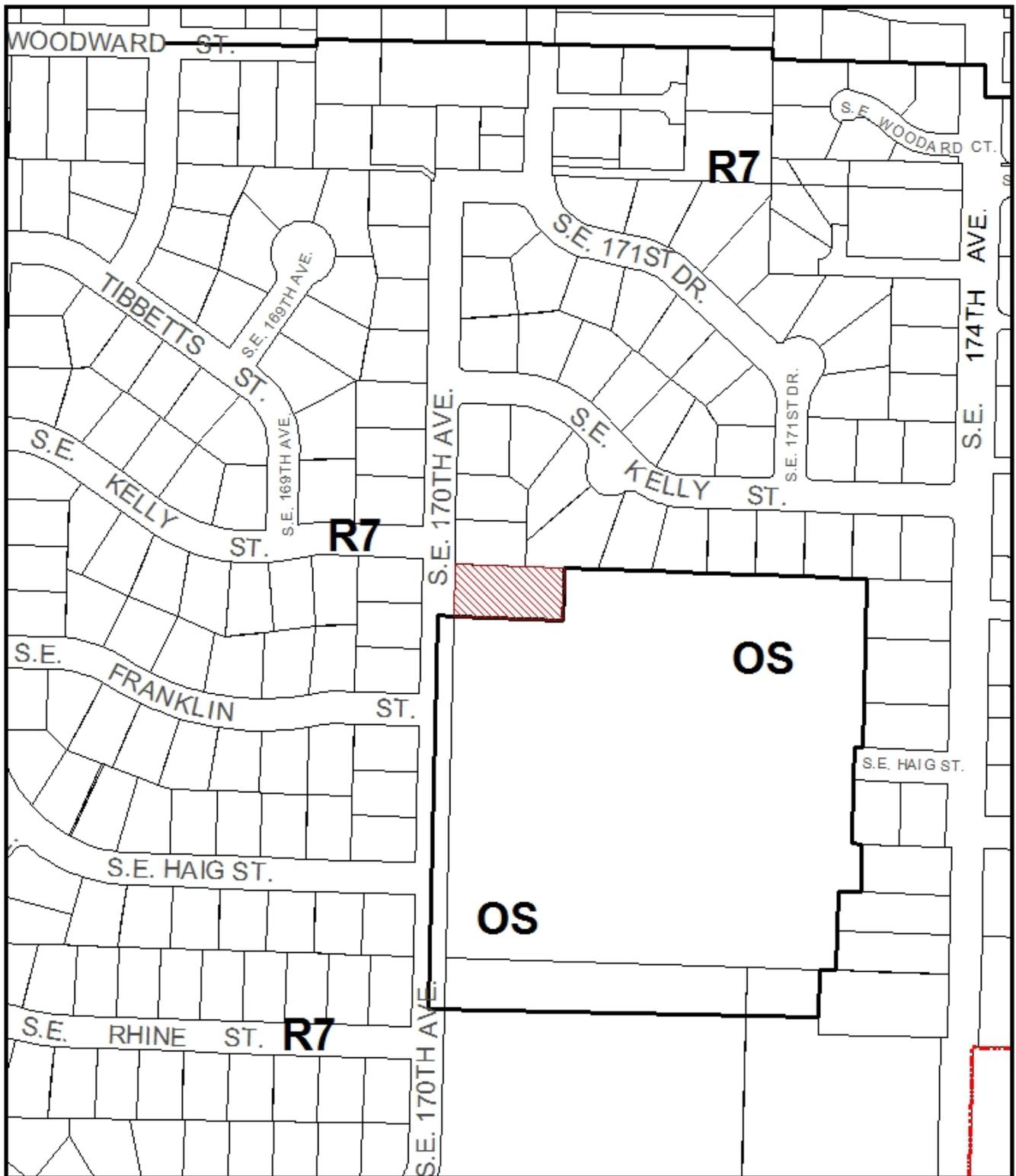
ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

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
Preliminary Plat
Conceptual Improvement Plan



ZONING

 Site

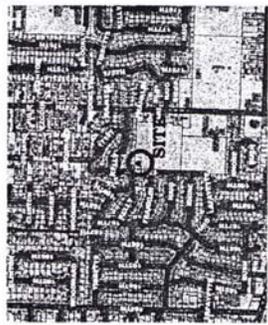


NORTH

File No.	<u>LU 12-137248 LDP</u>
1/4 Section	<u>3347</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S3E07BD 3000</u>
Exhibit	<u>B (May 07,2012)</u>

SE 170TH PARTITION

VICINITY MAP



N.T.S.

DRAWINGS:

1. COVER SHEET / VICINITY MAP / PRELIMINARY PLAN
2. EXISTING CONDITIONS PLAN
3. PRELIMINARY IMPROVEMENT PLAN
4. TREE PRESERVATION PLAN

APPLICANT: WHOLESAL PROPERTIES LLC
 32 GALEWOOD, OREGON, 97035
 PHONE: 503-227-0440

PROPOSAL: 2-LOT PARTITION
 R-7

LAND USE: 0.31 ACRES

SIZE: FIELD SURVEY BY MB WELLS & ASSOCIATES

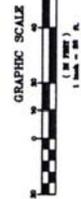
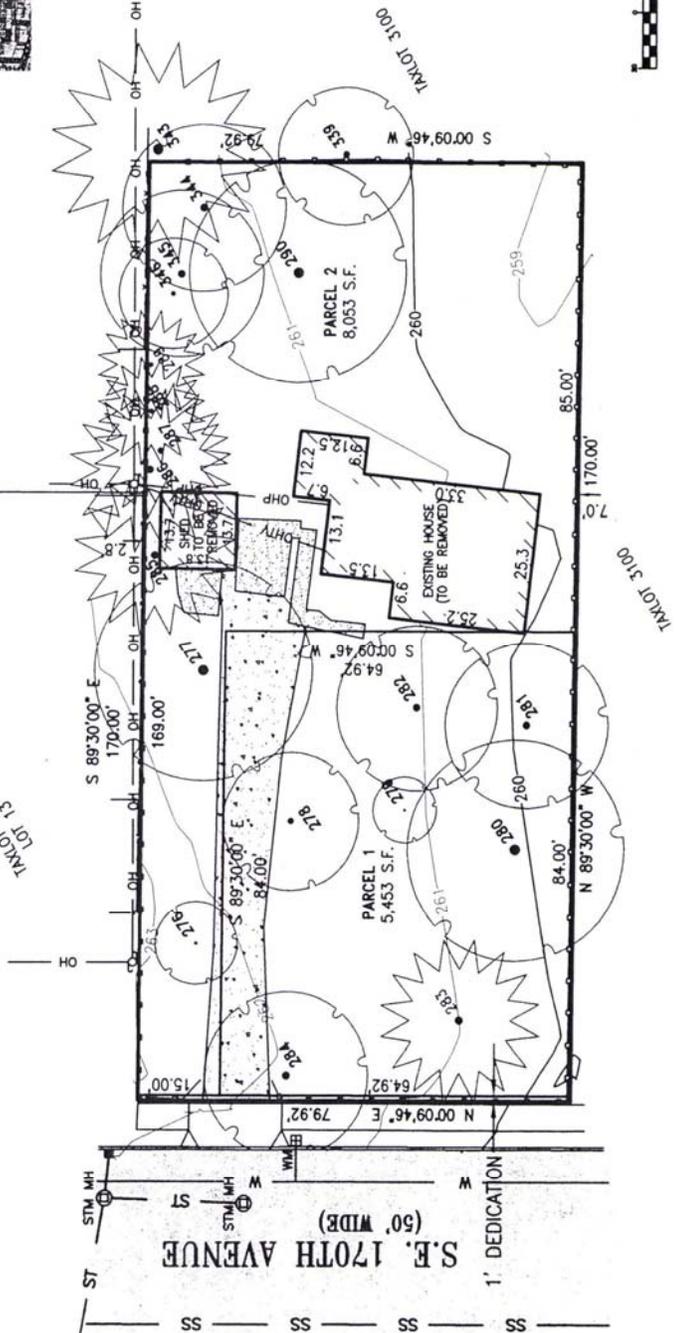
LEGAL: TAX LOT 3000 OF TAX MAP 153E 0780

DESCRIPTION: CITY OF PORTLAND

STORM AND SANITARY SEWER: CITY OF PORTLAND

FIRE: CITY OF PORTLAND

WATER:



MB WELLS & ASSOCIATES
 1000 NE 10TH AVE, SUITE 200
 PORTLAND, OREGON 97232
 PHONE: 503-227-0440
 FAX: 503-227-0441
 WWW.MBWELLS.COM

PRELIMINARY LAND DIVISION
 WHOLESAL PROPERTIES LLC

PRELIMINARY PLAN
 DATE: 12-13-2012
 DRAWN BY: [Name]
 CHECKED BY: [Name]

NO.	DATE	DESCRIPTION
1	12-13-2012	PRELIMINARY PLAN
2	12-13-2012	PRELIMINARY PLAN
3	12-13-2012	PRELIMINARY PLAN
4	12-13-2012	PRELIMINARY PLAN
5	12-13-2012	PRELIMINARY PLAN
6	12-13-2012	PRELIMINARY PLAN
7	12-13-2012	PRELIMINARY PLAN
8	12-13-2012	PRELIMINARY PLAN
9	12-13-2012	PRELIMINARY PLAN
10	12-13-2012	PRELIMINARY PLAN

DATE: 12-13-2012
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: AS SHOWN
 SHEET 1 OF 4

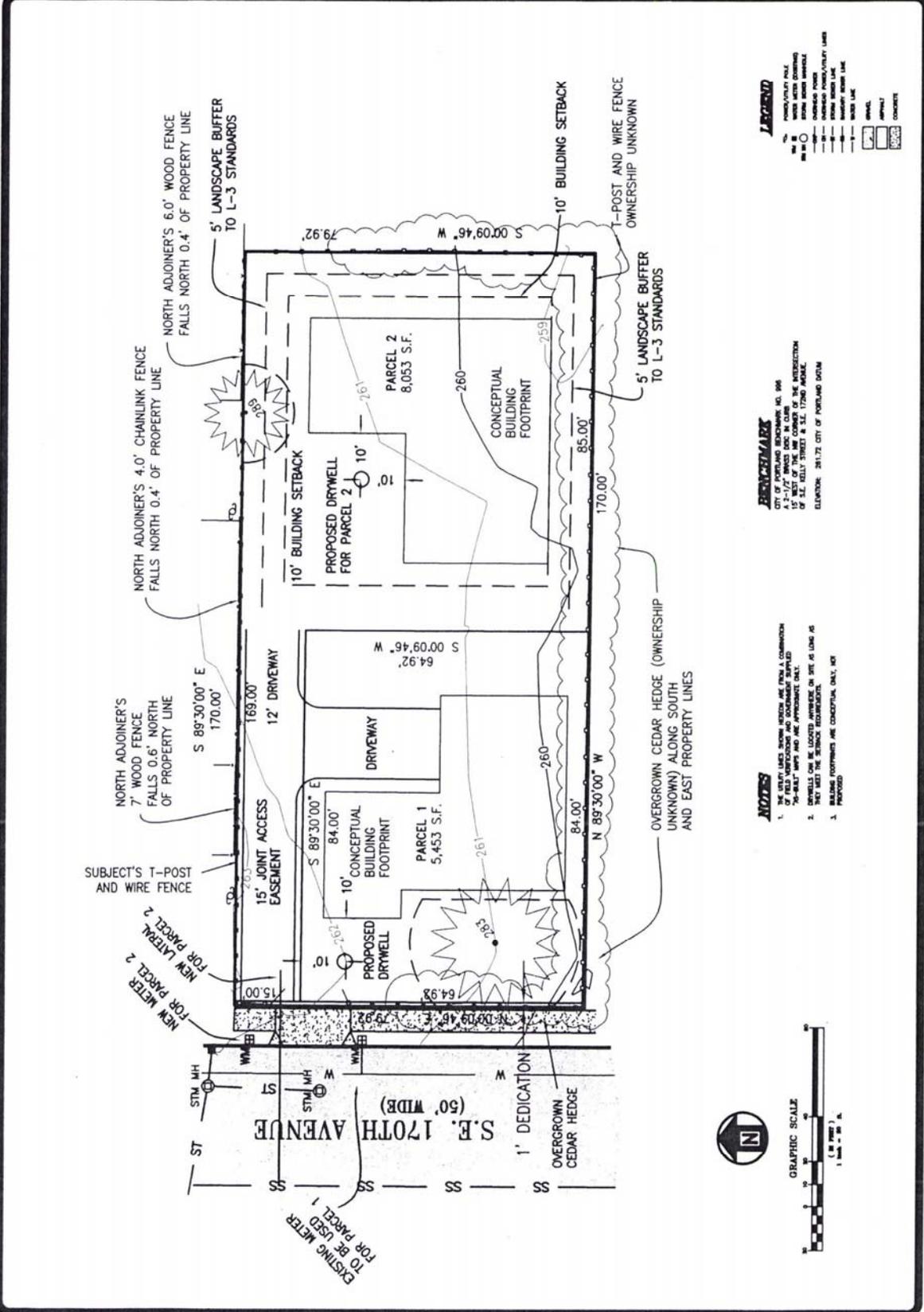
12.137248 LPP



WHOLESALE PROPERTIES LLC
IMPROVEMENT PLAN



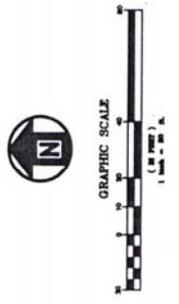
DATE: 08-11-2011
 PROJECT: 12-137248 LDP
 SHEET 3 OF 4



- LEGEND**
- PROPERTY LINE
 - FENCE
 - HEDGE
 - SETBACK
 - EASEMENT
 - CONCEPTUAL BUILDING FOOTPRINT
 - CONCEPTUAL DRIVEWAY
 - CONCEPTUAL DRYWELL
 - T-POST AND WIRE FENCE
 - LANDSCAPE BUFFER
 - OVERGROWN CEDAR HEDGE
 - DEDICATION
 - JOINT ACCESS
 - DRIVEWAY
 - PROPERTY
 - UNOWNED
 - UNKNOWN

BENCHMARK
 CITY OF PORTLAND BENCHMARK NO. 704
 3-1/2" BROAD SIDE IN CURB
 INTERSECTION
 OF S.E. KELLY STREET & S.E. 170th AVENUE
 ELEVATION: 281.72 CITY OF PORTLAND DATA

- NOTES**
1. THE EXISTING LINES SHOWN HEREON ARE FROM A COMPARISON OF FIELD SURVEYS AND AVAILABLE MAPS.
 2. THE EXISTING LINES ARE APPROXIMATE ONLY.
 3. THE EXISTING LINES ARE SUBJECT TO CHANGE OR DEVIATION AS SHOWN ON THE AS BUILT AS SHOWN.
 4. ALL DIMENSIONS ARE CONCEPTUAL ONLY. SEE PARCEL 1.



12-137248 LDP