



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

FROM CONCEPT TO CONSTRUCTION

Charlie Hales, Mayor  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
www.portlandoregon.gov/bds

**Date:** April 15, 2013  
**To:** Interested Person  
**From:** Sean Williams, Land Use Services  
503-823-7612 / Sean.Williams@portlandoregon.gov

**NOTICE OF A REVISED TYPE I PROPOSAL IN YOUR NEIGHBORHOOD**

**This revised notice is being sent to correct the proposed size of Parcel 2 as 4,456 square feet and not 2,035 square feet as indicated in the original notice dated April 9, 2013.**

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 May 9, 2013.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-111620 LDP, in your letter. It also is helpful to address your letter to me, Sean Williams.

**CASE FILE NUMBER: LU 13-111620 LDP**

**Applicant(s):** Mark Dane / Mark Dane Planning, INC.  
13630 SW Butner Road / Beaverton, OR 97005  
  
Samson Chueng / AAV One LLC  
8733 SE Division Street, #201 / Portland, OR 97266-1470

**Owner:** Tim George  
7661 SE Division Street / Portland, OR 97206-1057

**Site Address:** 7661 SE Division Street

**Legal Description:** TL 2200 0.21 ACRES, SECTION 05 1S 2E  
**Tax Account No.:** R992050590  
**State ID No.:** 1S2E05DC 02200  
**Quarter Section:** 3238  
**Neighborhood:** Montavilla, contact Lewis Scholl at 503-258-0312.  
**Business District:** None  
**District Coalition:** Southeast Uplift, contact Bob Kellett at 503-232-0010.  
**Plan District:** None  
**Zoning:** Residential 2,000 (R2) w/ Alternative Design Density Overlay (a)  
**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 is proposing to partition the subject property into three parcels of approximately 2,057 (Parcel 1), 4,456 (Parcel 2) and 1,957 (Parcel 3) square feet in size.**

Existing development consists of a single family home that will be retained within Parcel 2. No trees subject to preservation standards are located within the land division site. Stormwater management is proposed via individual infiltration facilities. Sidewalk improvements will be required along both the site's SE Division Street and SE 77<sup>th</sup> Avenue frontages.

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 3 units of land. 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 February 1, 2013 and determined to be complete on April 5, 2013.

**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**

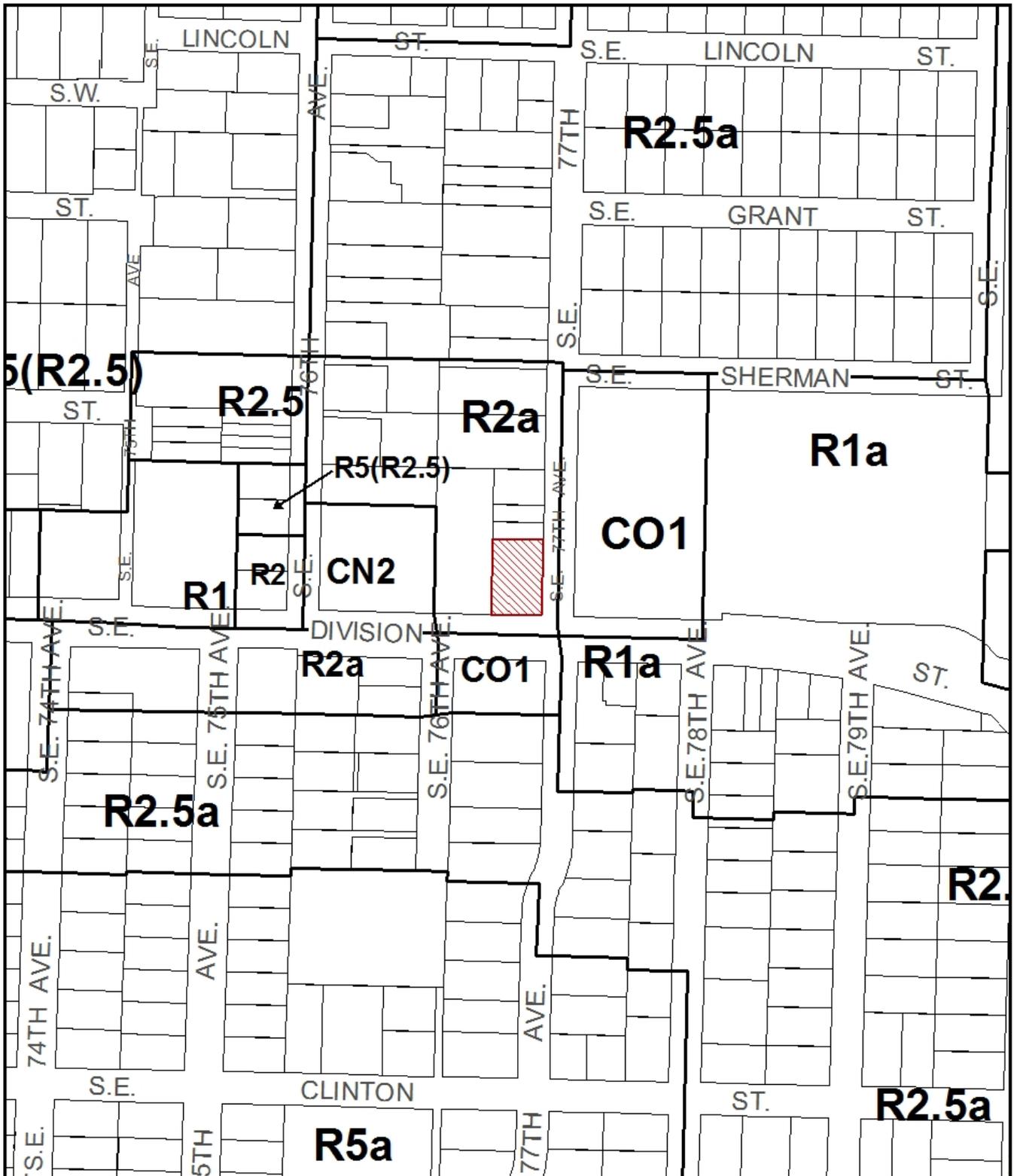
If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal 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



NORTH

File No.	<u>LU 13-111620 LDP</u>
1/4 Section	<u>3238</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S2E05DC 2200</u>
Exhibit	<u>B</u> (Feb 01,2013)

**TOPOGRAPHIC/SITE SURVEY**    OCTOBER 26, 2012  
 FOR: PALACE CONSTRUCTION  
 BEING TAX LOT 2200, MAP 1S-2E-5DC  
 IN THE SE 1/4 SEC. 5, T.2S., R.2E., W.M.  
 CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

**NOTES:**

- ELEVATION DATUM IS CITY OF PORTLAND FROM BENCH MARK NO. 2088A  
 A BRASS DISK AT THE NW CORNER OF SE SHERMAN ST. AND SE 77TH  
 AVE. WITH AN ELEVATION OF 257.51 FEET.
- THE BOUNDARIES AS SHOWN ON THIS MAP ARE APPROXIMATE ONLY. THIS  
 MAP DOES NOT REPRESENT A SURVEY TO BE RECORDED, BUT WAS DONE FOR  
 SITE/TOPO INFORMATION ONLY.
- THIS SURVEY IS MADE FOR THE ORIGINAL PURCHASER OF THE SURVEY ONLY.  
 ANDY PARK & ASSOCIATES, INC. ASSUMES NO LIABILITY FOR INFORMATION  
 FROM ANY OTHER INSTITUTIONS OR SUBSEQUENT PURCHASERS  
 OF THE PROPERTY.
- SURVEY IS VALID ONLY IF PRINT HAS SEAL AND SIGNATURE OF SURVEYOR.
- THE UNDERGROUND UTILITIES AS SHOWN ON THIS MAP HAVE BEEN  
 LOCATED FROM FIELD SURVEY OF ABOVE GROUND STRUCTURES AND AS  
 INDICATED BY THE SURVEYOR'S NOTES. THE SURVEYOR HAS NO GUARANTEE  
 THAT THE UNDERGROUND UTILITIES SHOWN COMPARE TO THE CURRENT  
 AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES  
 NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT  
 LOCATION AS SHOWN ON THIS MAP. THE SURVEYOR HAS NO LIABILITY FOR  
 INFORMATION FROM ANY OTHER INSTITUTIONS OR SUBSEQUENT PURCHASERS  
 LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.  
 THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND  
 UTILITIES.
- SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR  
 CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE  
 CONCERNING THE PRESENCE OR ABSENCE OF HAZARDOUS MATERIALS  
 OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. NO  
 ATTEMPT WAS MADE TO VERIFY THE TITLE OF THE PROPERTY. NO ATTEMPT  
 WAS MADE TO VERIFY THE TITLE OF THE PROPERTY. NO ATTEMPT WAS MADE IN  
 THIS SURVEY TO SHOW SUCH MATTERS THAT MAY AFFECT TITLE.

**REGISTERED PROFESSIONAL LAND SURVEYOR**  
 OREGON  
 ANDY PARK AND ASSOCIATES, INC.  
 16057 BOONVILLE FERRY ROAD  
 PORTLAND, OREGON 97235  
 PH: 503.835.3241  
 FAX: 503.835.3241  
 LICENSE NO. 100077  
 EXPIRES: JUNE 30, 2014

**GRAPHIC SCALE**



**NOTES**

ZONING: R-5  
 PROPERTY ID: 031218  
 STATE ID: 152836C 200  
 ACCOUNT NO. 894205990  
 PARCEL SIZE: 0.21 ACRES

**APPLICANT**

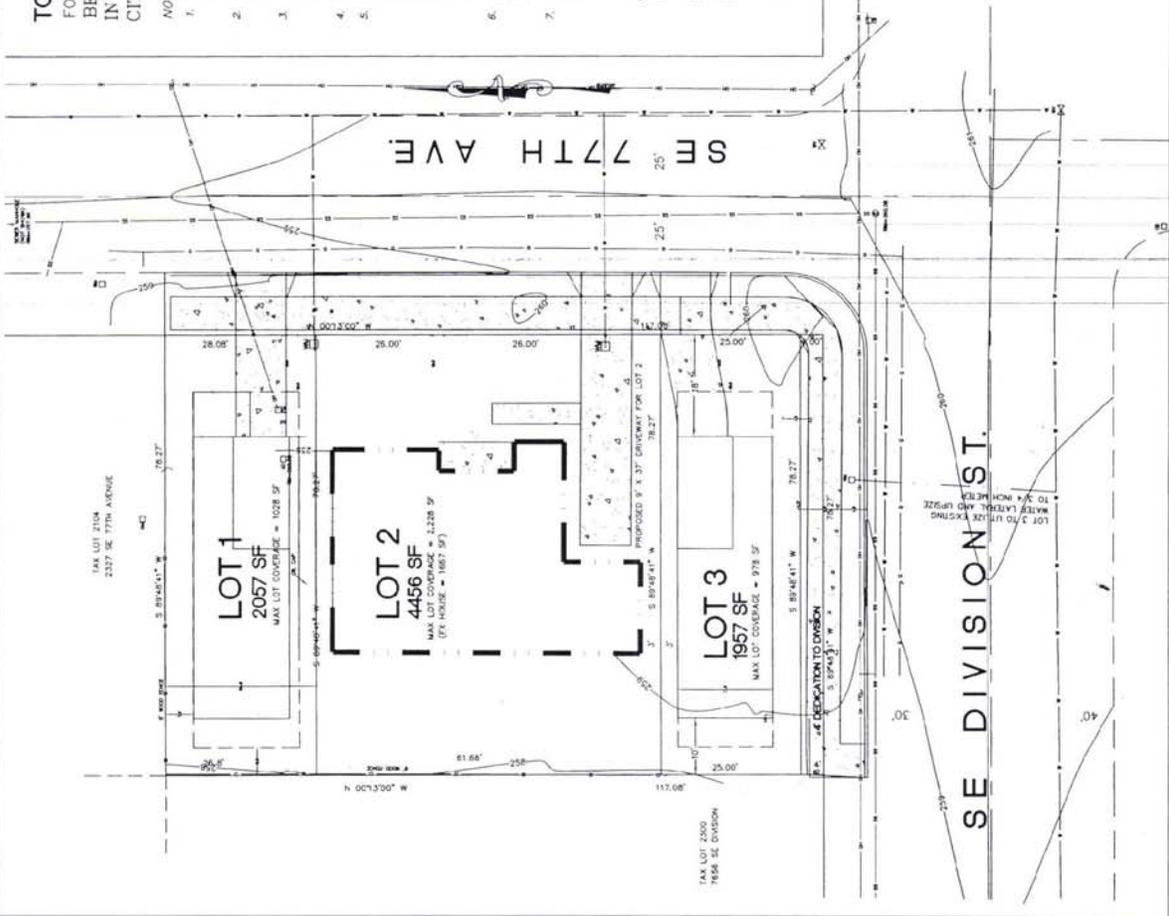
**OWNER**  
 THE GIBBERT COMPANY  
 1700 SW 10TH AVENUE  
 PORTLAND, OREGON 97205

**LAND PLANNER**

MALCOLM W. HARRIS, INC.  
 1780 SW BUTLER ROAD  
 BEAVERTON, OREGON 97005  
 PH: 503.766.1100  
 FAX: 503.766.1100

**LEGEND:**

- WATER METER
- WATER VALVE
- CATCH BASIN
- AREA DRAIN
- GAS METER
- UTILITY POLE
- ELECTRIC METER
- WATER LINE
- NATURAL GAS LINE
- SANITARY SEWER LINE
- OVERHEAD UTILITY LINES
- SPOT ELEVATION GROUND
- SPOT ELEVATION EDGE OF CONCRETE
- SPOT ELEVATION FINISHED FLOOR
- SPOT ELEVATION TOP OF CURB



**THREE PARCEL PARTITION  
 PRELIMINARY SITE PLAN  
 7661 S.E. DIVISION  
 PALACE CONSTRUCTION**

PROJECT NO:  
**SAM-002**  
 FILE:  
 DATE: 10/30/12  
 DESIGNED: MD  
 DRAWN: MD

TOWNSHIP/RANGE/SECTION  
 1S 1 11BB  
 COUNTY  
 MULTNOMAH  
 TAX LOTS  
 2200

SHEET TITLE  
 PRELIMINARY  
 PLAN

SHEET NUMBER  
**D3**