



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: May 6, 2013
To: Interested Person
From: Kate Green, Land Use Services
503-823-5868 / Kate.Green@portlandoregon.gov

NOTICE OF A TYPE IIx 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 42 days, **we need to receive your written comments by 5 p.m. on June 5, 2013**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-124339 LDP AD AD, in your letter. It also is helpful to address your letter to me, Kate Green.

CASE FILE NUMBER: LU 13-124339 LDP AD

Applicant: Kevin Partain, Urban Visions
223 NE 56th Avenue
Portland OR 97213

Property Owner: Richard Kassebaum,
16081 S Moore Road
Oregon City OR 97045-9340

Site Address: 2623 SE FRANCIS STREET

Legal Description: BLOCK 4 LOT 9 S 10' OF LOT 10, EVANSTON

Tax Account No.: R260300380

State ID No.: 1S1E12CB 07500

Quarter Section: 3433

Neighborhood: Creston-Kenilworth Tyler King at 503-735-5818

Business District: Greater Brooklyn, contact David Weislogel at 503-872-9320

District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010

Zoning: Single Dwelling Residential 2,500 (R2.5)

Case Type: Land Division-Partition (LDP)
Adjustment Review (AD)

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 6,000 square foot property into 3 parcels. The existing house is proposed to remain on Parcel 1, which will be approximately 2,688 square feet in area. The balance of the site will be divided

into two parcels for attached houses using an Alternative Development Option (33.110.240.E), which allows an additional unit of density on a corner lot.

The applicant also requests two **Adjustments** for the existing house:

- One Adjustment is to eliminate the requirement for an onsite parking space for the house, since the current parking space is within the area that is now proposed to become Parcel 2.
- The other Adjustment is to allow the front setback for the existing house to be reduced. Though no changes are proposed to the house at this time, the SE Francis frontage is currently considered a side lot line, and that frontage will become the front lot line, if the proposed lot layout is approved. In the R2.5 zone, the minimum required front setback is 10 feet. The existing house is located 8 feet and the eaves 6 feet from the lot line along SE Francis, so the applicant has requested this Adjustment to allow the existing house to remain in its present location.

This partition is reviewed through a Type IIX procedure because: (1) the site is in a residential zone; (2) 10 or fewer lots are proposed; and (3) a concurrent review (Adjustment Review) is 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 (3 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**, and in Section **33.815.040, Adjustments**.

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 March 7, 2013 and determined to be complete on May 1, 2013.

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

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

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.

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.

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. Additional

information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.ci.portland.or.us.

APPEAL PROCESS: If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

APPEAL OF THE FINAL CITY DECISION: After an appeal hearing, the review body decision may be appealed 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 that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it that may also preclude an appeal to LUBA on that issue.

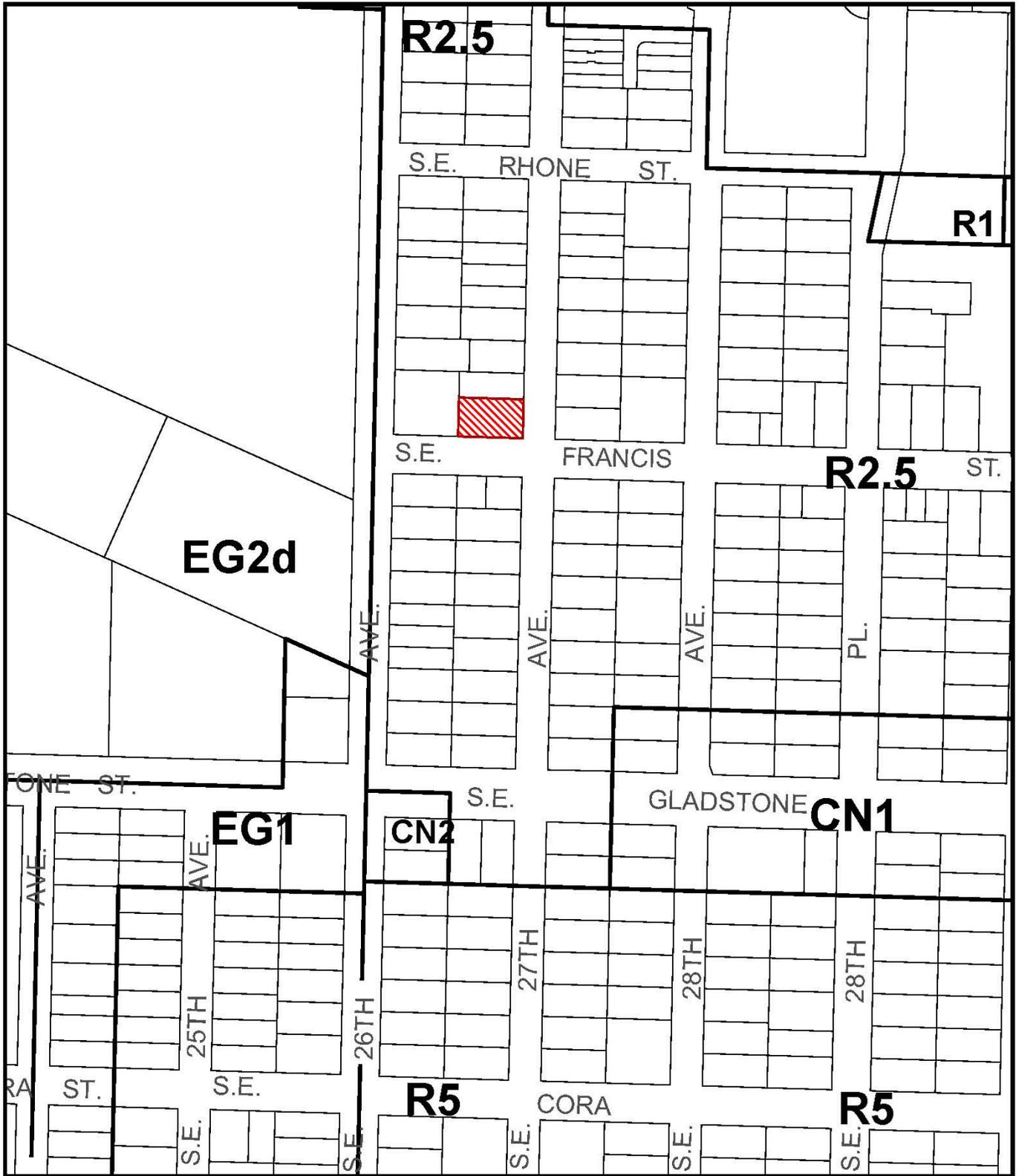
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Enclosures:

Zoning Map

Existing Conditions Site Plan

Proposed Site Plan



ZONING



Site



NORTH

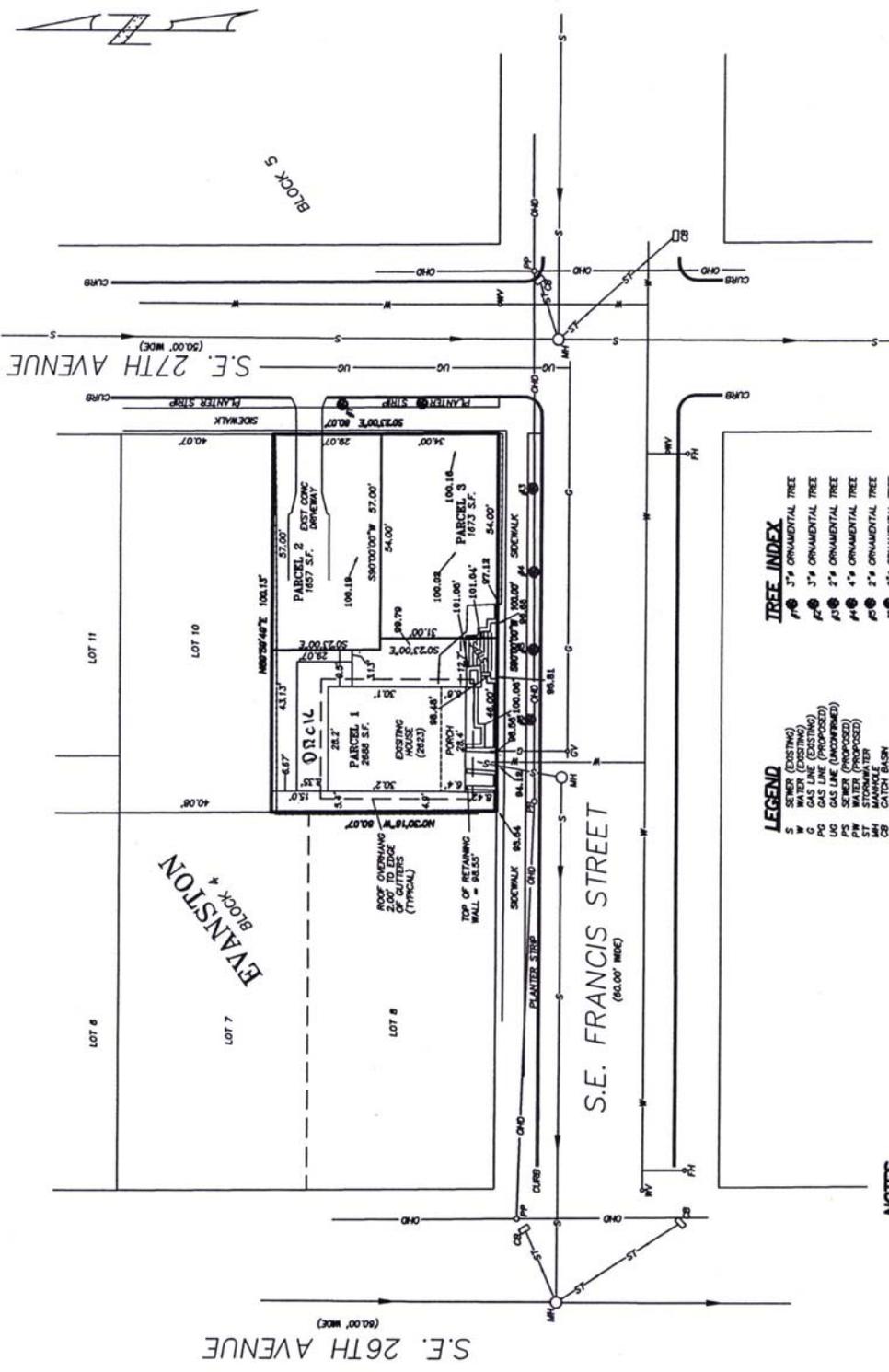
File No. LU 13-124339 LDP,AD

1/4 Section 3433

Scale 1 inch = 200 feet

State_Id 1S1E12CB 7500

Exhibit B (Mar 08,2013)



PROJECT: EXISTING CONDITIONS MAP

LOCATION: LOT 9 & PART OF LOT 10, BLOCK 4, EVANSTON SW 1/4 OF SECTION 12, T.15S., R.1E., W.M. CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

CLIENT: RICHARD KASSEBAUM

DATE: JANUARY 22, 2013

SITE: 2623 SE FRANCIS ST. PORTLAND, OR

SCALE: 1" = 20'

JOB NUMBER: 13-6171

TOWNSHIP SURVEYORS, L.L.C.
1416 WASHINGTON STREET, OREGON CITY, OR 97045
(503)-566-4916

- LEGEND**
- S SEWER (EXISTING)
 - W WATER (EXISTING)
 - G GAS (EXISTING)
 - OG GAS LINE (PROPOSED)
 - UG GAS LINE (UNCOMPRESSED)
 - PS SEWER (PROPOSED)
 - SW WATER (PROPOSED)
 - MF MANHOLE
 - MM MANHOLE
 - MA MANHOLE
 - FI FIRE HYDRANT
 - HY HYDRANT
 - OV OVERHEAD LINES
 - OP OVERHEAD POLE
 - CP CONCRETE PILE
 - EX CONCRETE
 - POW POWER POLE
 - CONC CONCRETE
 - POWY PROPOSED DRIVEWAY
 - POWY PROPOSED DRIVEWAY
 - RET RETAINING WALL
 - RELK RELK SPOT ELEVATION
- TREE INDEX**
- P 3" ORNAMENTAL TREE
 - P 3" ORNAMENTAL TREE
 - A 2" ORNAMENTAL TREE
 - A 4" ORNAMENTAL TREE
 - P 2" ORNAMENTAL TREE
 - P 2" ORNAMENTAL TREE

NOTES

SUBCONTRACTORS TO SPECIFY EXACT LOCATION OF UTILITY LATERALS.

STORMWATER MANAGEMENT WILL BE TO PLAINING STANDARDS WHEN BUILDING PLANS ARE FINALIZED.

SETBACKS IS SHOWN AS THE SHORTEST DISTANCE BETWEEN BUILDING CORNER AND EXISTING PROPERTY LINE.

TRACT OF LAND DESCRIBED IN DOC. NO. 2012-123860, MULTNOMAH COUNTY DEED RECORDS AND SHOWN AS TAX LOT 7500 ON CURRENT MULTNOMAH COUNTY ASSESSOR'S MAP; IS 1E 10CB

ZONE: R2.5

TOTAL EXISTING AREA = 8070 S.F.

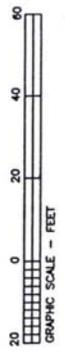
REGISTERED PROFESSIONAL LAND SURVEYOR

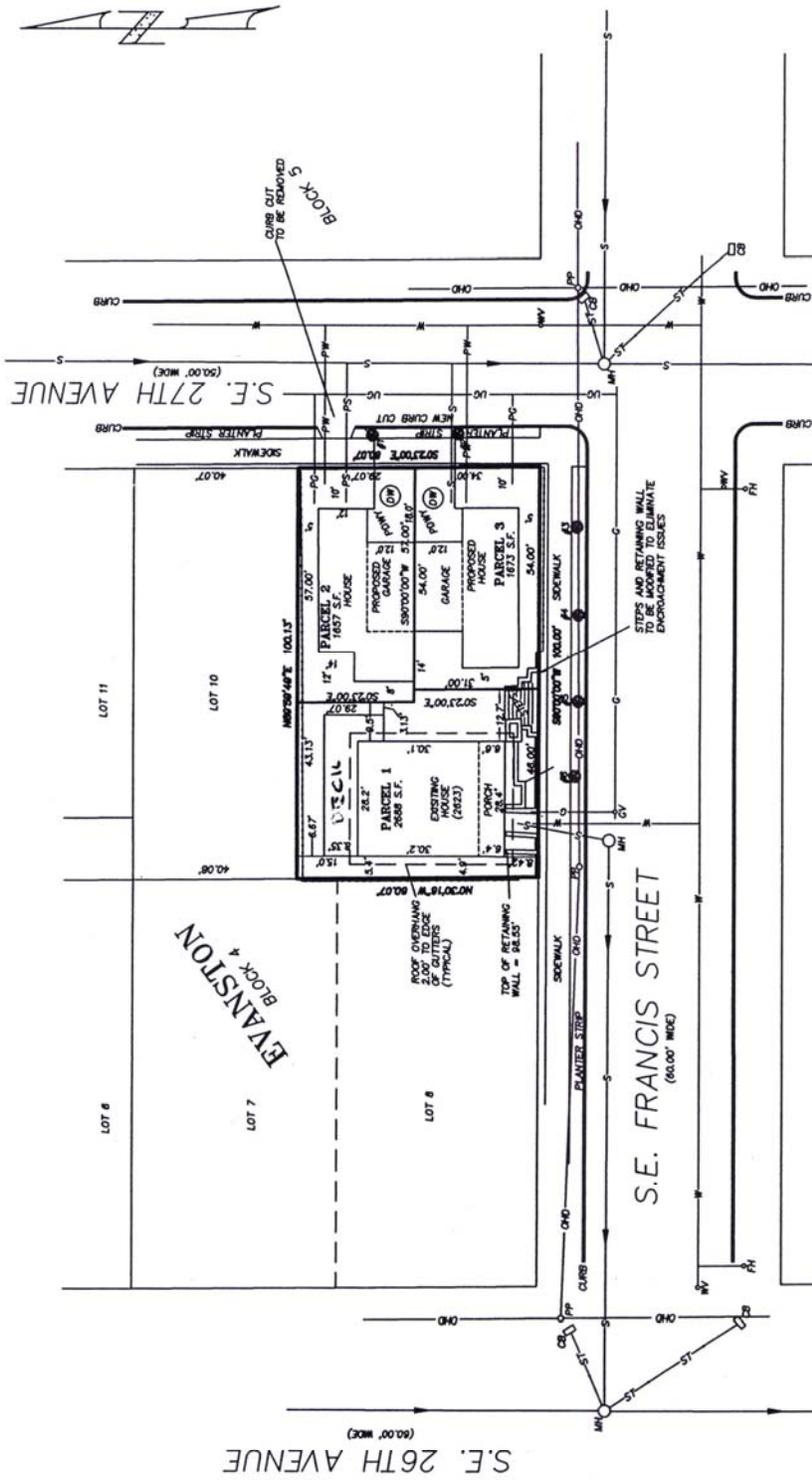
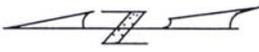
OREGON

JULY 11, 2008

LEE E. BROWN

EXPIRES 6/30/14





- LEGEND**
- S SEWER (EXISTING)
 - W WATER (EXISTING)
 - G GAS LINE (EXISTING)
 - PG GAS LINE (PROPOSED)
 - UG GAS LINE (UNCOMPRISED)
 - PR WATER (PROPOSED)
 - ST STORMWATER
 - CB CATCH BASIN
 - MM MANHOLE
 - WV WATER VALVE
 - GV GAS VALVE
 - PP POWER POLE
 - S.F. SQUARE FEET
 - EXT. POWER POLE
 - CONC CONCRETE
 - FRY FINISHED DRIVEWAY
 - RETAINING WALL
 - SPOT ELEVATION
 - PROPOSED DRIVEWAY
 - PROPOSED BUILDING SETBACK

- TREE INDEX**
- P1 3" ORNAMENTAL TREE
 - P2 3" ORNAMENTAL TREE
 - P3 2" ORNAMENTAL TREE
 - P4 4" ORNAMENTAL TREE
 - P5 2" ORNAMENTAL TREE
 - P6 2" ORNAMENTAL TREE

NOTES

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SETBACK IS SHOWN AS THE SHORTEST DISTANCE BETWEEN BUILDING CORNER AND EXISTING PROPERTY LINE.

TRACT OF LAND DESCRIBED IN DOC. NO. 2012-12389A, MULTNOMAH COUNTY DEED RECORDS AND SHOWN AS LOT 10, BLOCK 4, EVANSTON, MULTNOMAH COUNTY, OREGON, ASSESSOR'S MAP 15 1E 1208.

ZONE: R2.5

TOTAL EXISTING AREA = 6010 S.F.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON

JULY 11, 2008

LEE A. SPURGEON

65603LS

EXPIRES 6/30/14

PROJECT: PROPOSED SITE PLAN	
LOCATION: LOT 9 & PART OF LOT 10, BLOCK 4, EVANSTON SW 1/4 OF SECTION 12, T.1S., R.1E., W.M., CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON	
CLIENT: RICHARD KASSEBAUM	DATE: JANUARY 22, 2013
SITE: 2623 SE FRANCIS ST. PORTLAND, OR	SCALE: 1" = 20'
TOWNSHIP SURVEYS, L.L.C.	
1416 WASHINGTON AVENUE, PORTLAND, OR 97203	
JOB NUMBER: 13-6171	
OR REGISTRATION NUMBER: 65603LS	

