

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 20, 2013

To: Interested Person

From: Sean Williams, Land Use Services

503-823-7612 / Sean.Williams@portlandoregon.gov

NOTICE OF A TYPE II 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 28 days, **we need to receive your written comments by 5 p.m. on June 10, 2013**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-144231 AD, in your letter. It also is helpful to address your letter to me, Sean Williams.

CASE FILE NUMBER: LU 13-144231 AD

Applicant: John Gessner

Two Rivers Consulting 1136 NE Beech Street Portland, OR 97212

Owner: Prescott Morris LLC

Po Box 18056

Portland, OR 97218-0056

Site Address: 1307 N Kilpatrick Street

Legal Description: BLOCK 15 LOT 15&16, FAIRPORT

 Tax Account No.:
 R267901920

 State ID No.:
 1N1E10CB 09300

Quarter Section: 2229

Neighborhood: Kenton, contact Steve Rupert at 503-317-6573.

Business District: Kenton Business Association, contact Jessie Burke at 971-404-

9673.Interstate Corridor Business Association, contact Alexsandra

Johnson at 503-735-4420.

District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at

503-823-4099.

Plan District: North Interstate

Zoning: High Density Residential (RH) w/ Design (d) and Aircraft Landing Zone

(h) Overlays

Case Type: Adjustment (AD)

Procedure: Type II, an administrative decision with appeal to the Adjustment

Committee.

Proposal:

The applicant is requesting an adjustment to the minimum lot dimension requirements for multi-dwelling structures or development in the RH zone (33.612.200) for Tract 1 of an associated lot confirmation and property line adjustment (13-144229 PR). The resultant size of Tract 1 would yield a minimum density of 3 units. Therefore, an adjustment is necessary to allow a deviation from the minimum lot dimensions of this tract that may accommodate multi-dwelling development in the future.

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 **33.805.040 A.-F., Approval Criteria for 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 April 26, 2013 and determined to be complete on **May 16, 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.portlandonline.com.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Adjustment Committee. 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.

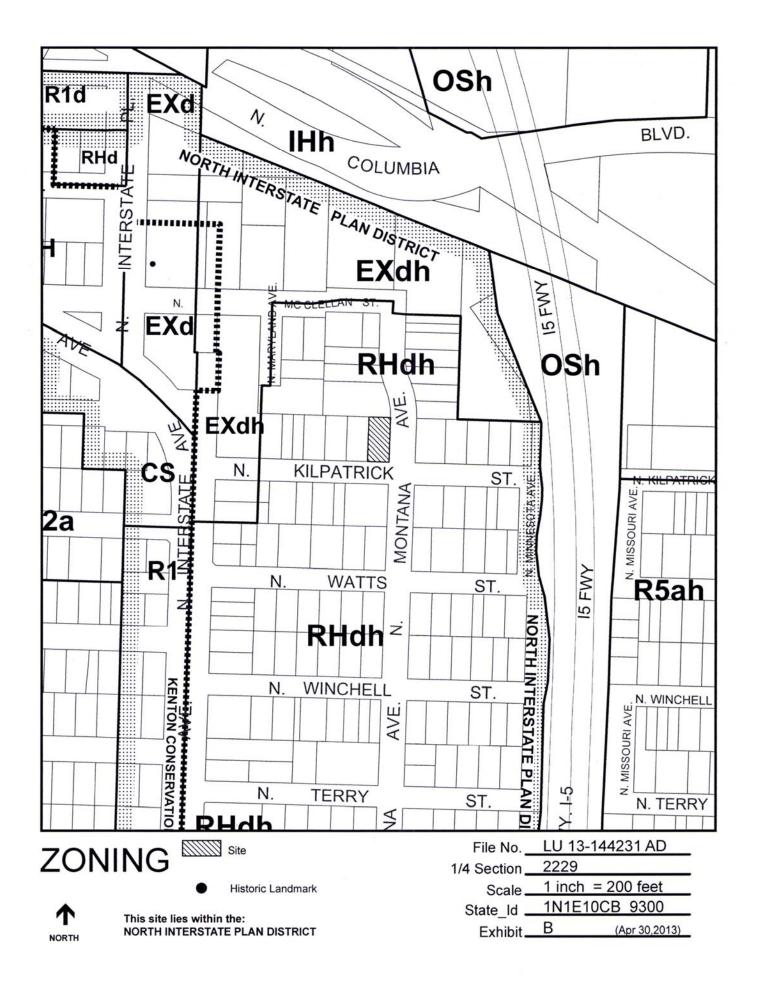
APPEAL OF THE FINAL CITY DECISION

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 Site Plan



LINE ADJUSTMENT OF SU PROPOSED HO PROPERTY RECORD THE PURPOSE OF THIS SURVEY IS TO MONUMENT A PROPOSED PROPERTY LINE ADJUSTMENT RETVIENDELLOYS I SAND TO PE CROCK IT, STARPORT BLOCKS 14-15-16-7 AS SHOWN. FOR MY BASIS OF BEARMS I HELD RECORD DE SAND MORTH BST 1552 WEST) ALOND THE MORTH UP OF CE BLOCK IS AS SHOWN OF MECODIO OF SURVEY NO. SEADS BENYERS FOUND MONUMENTS LABELED. AS SHOWN OF YAND "B: I. FIRTHER HELD THE BENYERS FOUND MONUMENTS LABELED. AS POINTS "A AND "B: I. FIRTHER HELD THE PERFERENCE SLAFF STORY FOR THE ALIQUAMENT OF N. KLIDATHICK STREET AND N. MONTAMA AVENUE, WHICH FIT THE FOUND AND HELD MONUMENTS W. AND "C". I THEN LOCATED THE NEW ADJUSTED LINE PER MY CLIENTS DIRECTION AND AS APPROVED BY THE CITY OF PORTLAND PLANNING DEPARTMENT. OF BEARING NARRA TIVE

REFERENCE SURVEYS & DEEDS:

TRACT AREAS ORIGINAL LOT 16 = 2,578 SQ.FT

NEW TRACT 1 = 2,830 SQ.FT.

MULTNOMAH COUNTY

DATE FILED

REGISTER NUMBER

WITHIN LOTS 1 AND 2, BLOCK 15, "FAIRPORT BLOCKS 14-15-16-17", LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 10, TOWNSHIP 1 NORTH,

DATE OF SURVEY: MARCH 11, 2013 DATE OF SURVEY MONUMENTATION: RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, CITY OF PORTLAND, MULTNOMAH COUNTY, STATE OF OREGON CITY OF PORTLAND PLANNING DEPARTMENT



