



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

FROM CONCEPT TO CONSTRUCTION

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

Date: December 23, 2013
To: Interested Person
From: Rachel Whiteside, Land Use Services
503-823-7605 / Rachel.Whiteaside@portlandoregon.gov

NOTICE OF A TYPE Ix 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 January 22, 2014**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-231534 LDP, in your letter. It also is helpful to address your letter to me, Rachel Whiteside.

CASE FILE NUMBER: LU 13-231534 LDP

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

Owner: Exceptional Homes by Andre
14237 Bridge Ct
Lake Oswego, OR 97034-2177

Site Address: 3835 NE 16TH AVE

Legal Description: BLOCK 7 LOT 1, DIXON PL
Tax Account No.: R210500810
State ID No.: 1N1E23DC 07700
Quarter Section: 2632

Neighborhood: Sabin Community Assoc., contact Rachel Lee at 503-964-8417.
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321.
District Coalition: NE Coalition of Neighborhoods, contact Claire Adamrick at 503-388-9030.

Plan District: None
Zoning: R5 – Single-Dwelling Residential

Case Type: LDP – Land Division (partition)

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

Proposal:

The applicant proposes to divide the 5,950 square foot lot into two parcels for attached single-family homes under the provision of code section 33.110.240.E that allows for one extra unit of density on corner lots in the R5 zone. The proposed parcels are approximately 29.75 feet in width and 2,975 square feet in area. A demolition permit has already been issued for the existing dwelling.

Water and sanitary service for both parcels are proposed from the existing mains in NE 16th Avenue. Stormwater from future development is proposed to be managed through individual drywells onsite. Both NE Failing Street and NE 16th Avenue are fully improved with curbs, planter strips, and sidewalks.

This partition is reviewed through a Type Ix 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. 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 November 22, 2013 and determined to be complete on December 18, 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.

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

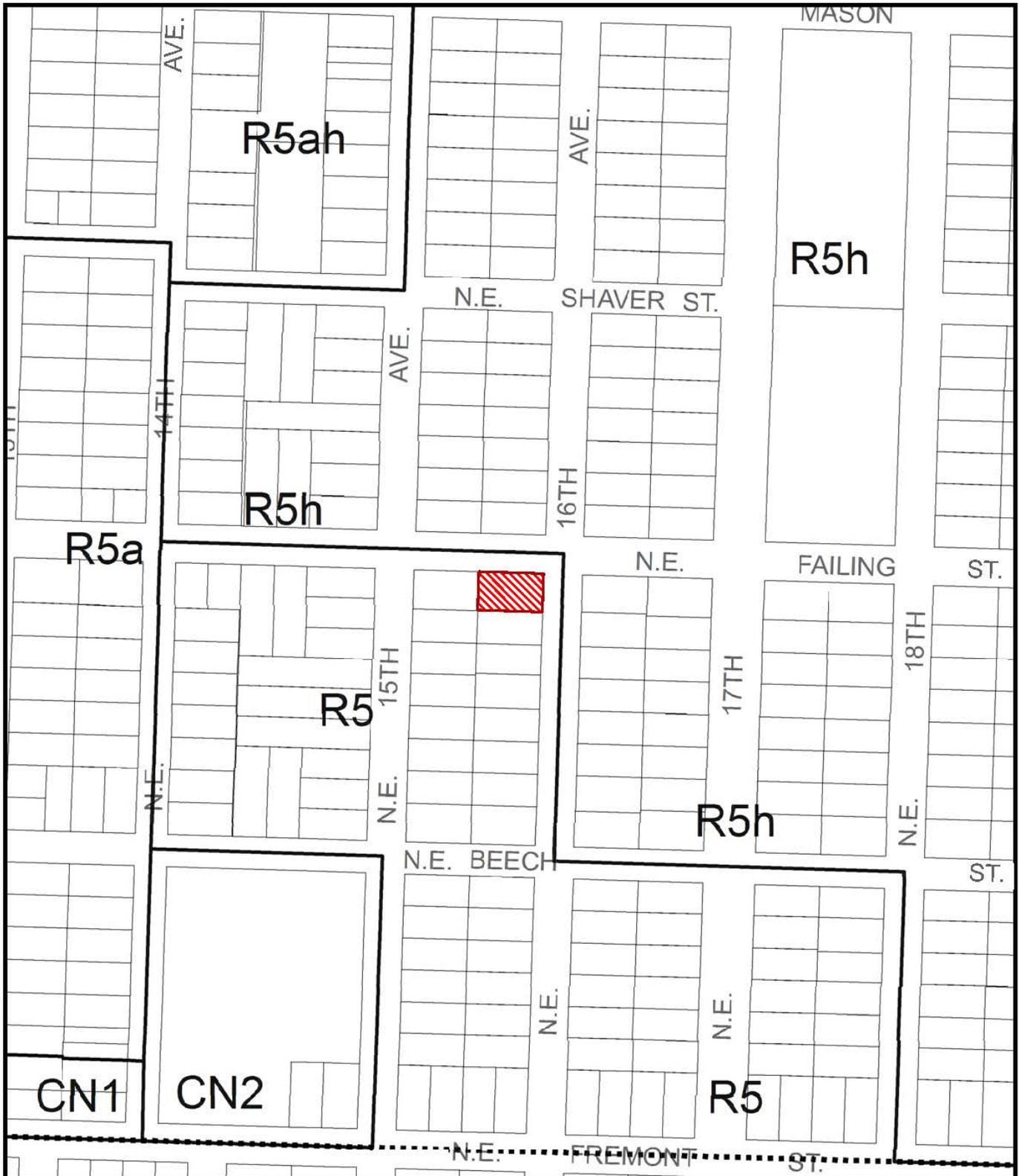
If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St. NE, Suite 330, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to 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. LU 13-231534 LDP
 1/4 Section 2632
 Scale 1 inch = 200 feet
 State_Id 1N1E23DC 7700
 Exhibit B (Dec 02, 2013)

**EXISTING CONDITIONS, SITE UTILITY
PLAN & TENTATIVE PLAN, PROPOSED PARTITION
PLAT - LOT 1, BLOCK 7, DIXON PLACE**

SITUATED IN THE SE 1/4 OF SECTION 23, T.1N., R.1E., W.M
MULTNOMAH CO., OREGON

MARX ASSOCIATES
18815 E. BURNSIDE STREET
PORTLAND, OR 97233
TEL: 503-866-8550
FAX: 503-866-8550
EMAIL: DALE@MARXASSOC.SNET

DATE DRAWN: OCTOBER, 2013
DRAWING NO. 13083XC
ACCOUNT NO. 13083
REVISED: NOVEMBER 19, 2013
REVISED: DECEMBER 17, 2013

ZONING:
RS

SITE SIZE:
5950 SQUARE FEET

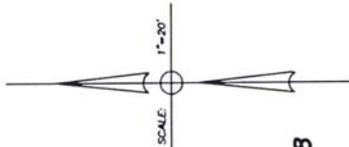
PARCEL DATA:
LOT 1, BLOCK 7, DIXON PLACE, MULTNOMAH COUNTY PLAT
RECORDS.

BENCH MARK:
CORNER OF 7' BRASS DISC, BM NO. 18315, 1.0' WEST, LINK
CORNER OF 1.5" X 1.5" ALUMINUM AND THE FALLING STREET, ELEVATION =
154.303, CIP DATUM

NOTES & LEGEND:

- "M" DEPICTS WATER METER
- "P" DEPICTS POWER POLE
- "S" DEPICTS 1.5 X 2.5 CURB INLET
- "SM" DEPICTS SANITARY SENSER OR STORM SENSER MANHOLE
- "D" DEPICTS DOWNSPOUT TO SPLASHPROOF EXCEPT AS NOTED
(ARROW INDICATES DIRECTION OF FLOW)
- "DM" DEPICTS PROPOSED DRYWELL
- "123.456" DEPICTS GROUND ELEVATION
(ELEVATION IS AT DECIMAL POINT)
- "(123.456)" DENOTES GROUND ELEVATION AT ITEM NOTED
(ELEVATION IS AT DECIMAL POINT)
- "123.45(123.05)" DENOTES TOP CURB ELEVATION (GUTTER ELEVATION)
(ELEVATION IS AT DECIMAL POINT OF TOP CURB)
- "123.4510" DENOTES TOP CURB ELEVATION
(ELEVATION IS AT DECIMAL POINT)
- "123.4501" DENOTES CENTERLINE ELEVATION
(ELEVATION IS AT DECIMAL POINT)
- "123.45001" DENOTES GUTTER ELEVATION
(ELEVATION IS AT DECIMAL POINT)
- "BDFC" DENOTES BOARD FENCE
- "-0-" DENOTES BOARD FENCE
- "CLFC" DENOTES CHAIN LINK FENCE
- "-0-" DENOTES CHAIN LINK FENCE
- "MFC" DENOTES WIRE FENCE
- "-X-" DENOTES WIRE FENCE
- "-W-" DENOTES WATER LINE
- "-S-" DENOTES SEWER LINE
- "-SS-" DENOTES STORM SENSER LINE
- "-PS-" DENOTES PROPOSED SENSER LINE
- "-PW-" DENOTES PROPOSED WATER LINE
- "MCH" DENOTES WHEEL CHAIR RAMP
- "SF" DENOTES SQUARE FEET
- "MNSFF" DENOTES PROPOSED NEW SINGLE FAMILY RESIDENCE

NOTE: UTILITY LOCATIONS ARE FROM CITY OF PORTLAND
AS-BUILT INFORMATION OR FIELD TIES. ACTUAL LOCATIONS
SHOULD BE VERIFIED BEFORE CONSTRUCTION.

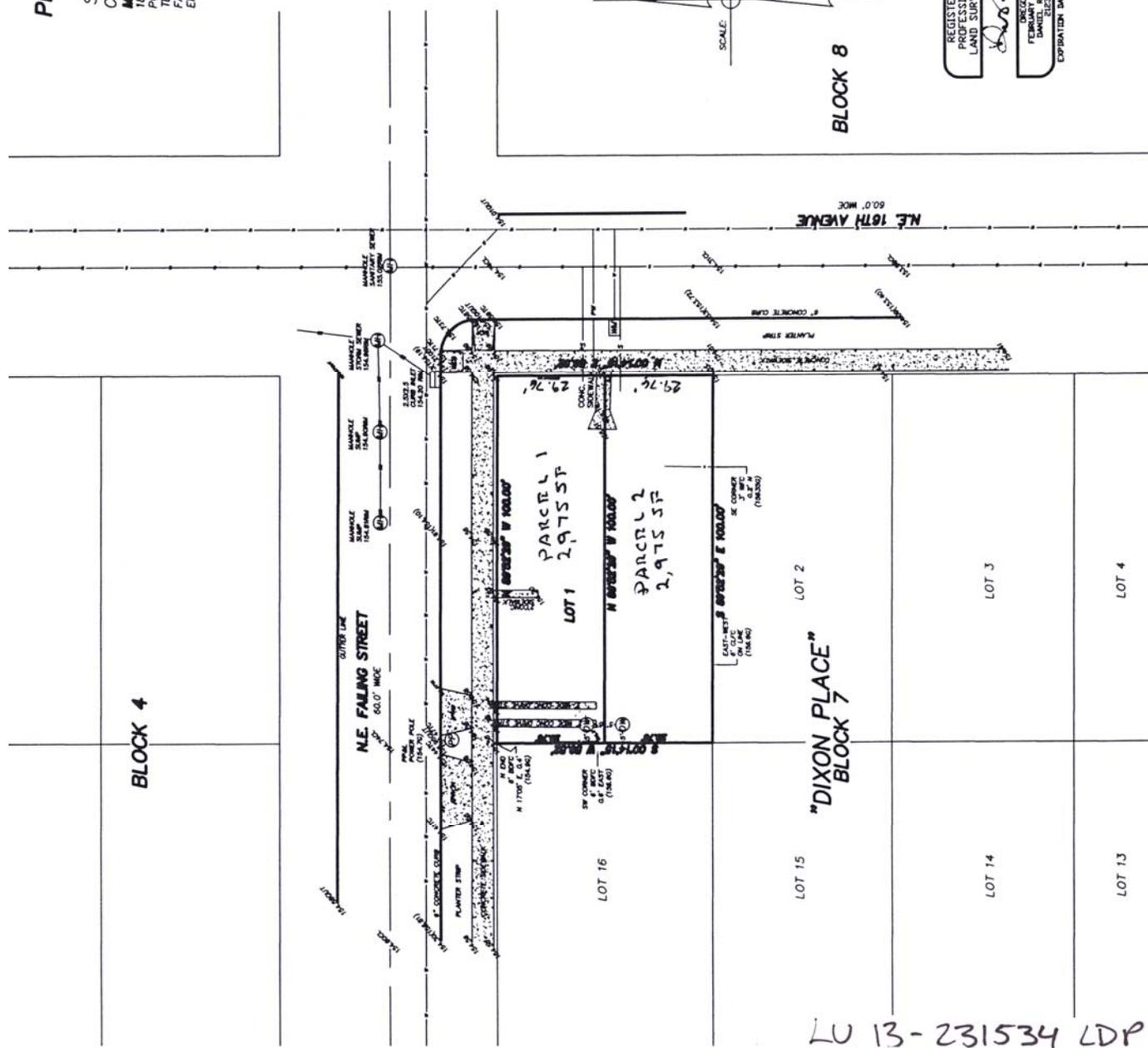


BLOCK 8

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
FEBRUARY 14, 1998
DANIELS
EXPIRATION DATE 12/31/13



LU 13-231534 LDP