



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

FROM CONCEPT TO CONSTRUCTION

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

Date: October 7, 2016
To: Interested Person
From: Susan Ellis, Land Use Services
503-823-5361 / susan.ellis@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 November 7, 2016.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-144753 LDP in your letter. It also is helpful to address your letter to me, Susan Ellis. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 16-144753 LDP

Applicant: Michael Susak
6663 SW Beaverton-Hillsdale Hwy #194
Portland, OR 97225
503-888-2333

Owner: DK Homes LLC
PO Box 90277
Portland, OR 97290-0277

Site Address: 7835 SE RAYMOND ST

Legal Description: LOT 11 TL 7000, MARYSVILLE
Tax Account No.: R543500760
State ID No.: 1S2E17AA 07000
Quarter Section: 3538
Neighborhood: Foster-Powell, contact Shawn Morgan at 503-622-3933.
Business District: Eighty-Second Ave of Roses Business Association, contact Nancy Chapin at nchapin@tsgpdx.com
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.
Plan District: None
Zoning: R2.5a (Single-Dwelling Residential 2500 with an Alternative Design Density overlay zone)
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 remove the existing home on this 10,000 square foot lot and divide it into three parcels: one at 3,520 square feet, and two at 3,240 square feet each. Because these lots do not meet the 36-foot lot width standard of the R2.5 zone, they are considered “narrow lots” and must meet additional approval criteria. The applicant’s arborist has determined that there are 15 trees on this site, 13 of which are exempt from tree preservation because they are nuisance species. These nuisance trees straddle the property line of the school to the west so with permission from the School District, the applicant proposes to remove them. Also proposed for removal is one of the two “non-exempt” trees on the site which is a 26-inch wide Douglas Fir. The 25-inch wide Black Walnut at the rear of proposed Parcel 1 will be preserved per the arborist recommendation.

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 three units of land (3 lots). 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 April 4, 2016 and determined to be complete on September 30, 2016.

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.

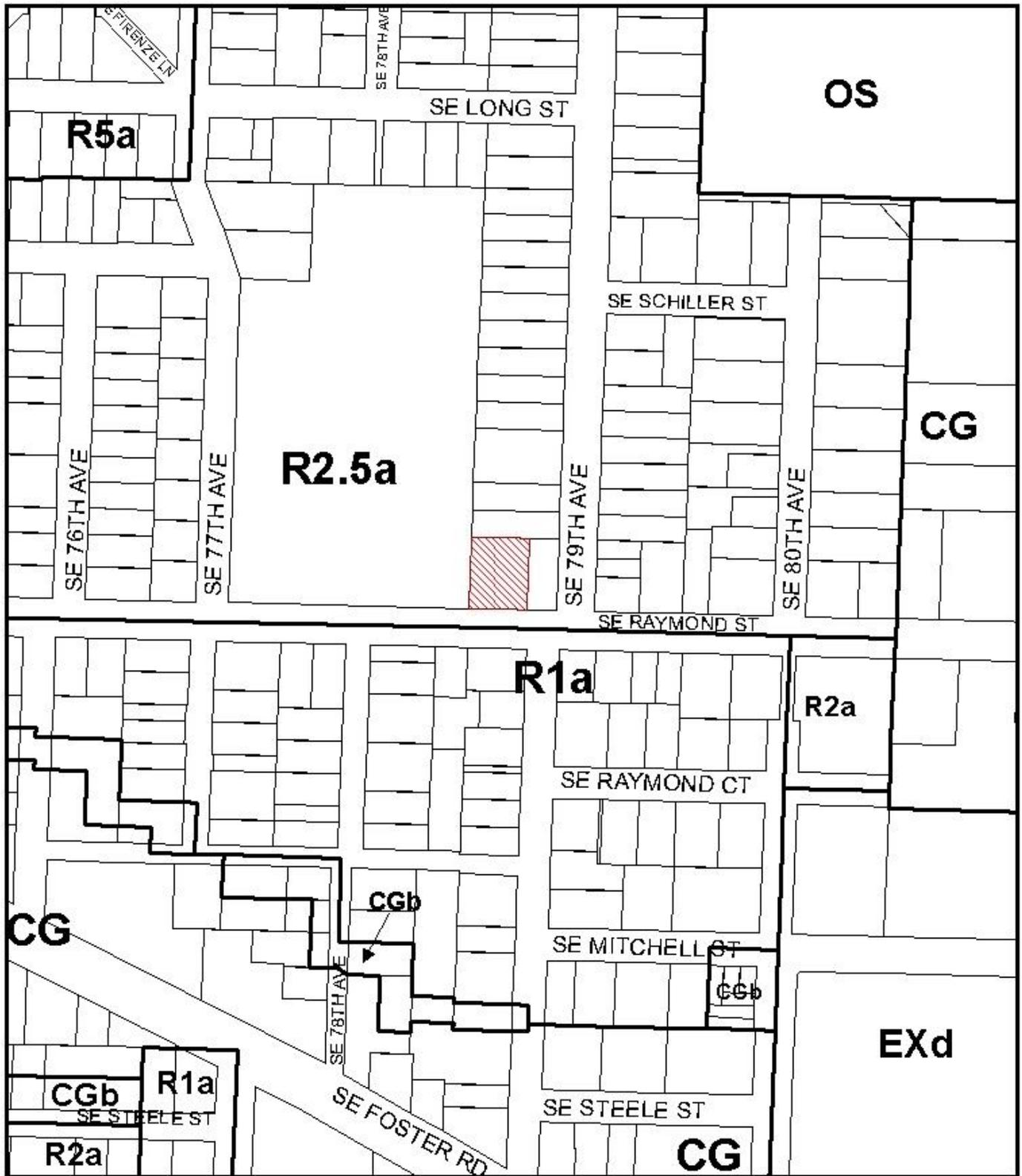
APPEAL PROCESS

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 97301-1283. 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.

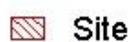
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Enclosures:

Zoning Map
Site Plan
Tree Preservation Plan



ZONING



File No. LU 16-144753 LDP
 1/4 Section 3538
 Scale 1 inch = 200 feet
 State_Id 1S2E17AA 7000
 Exhibit B (Apr 05, 2016)

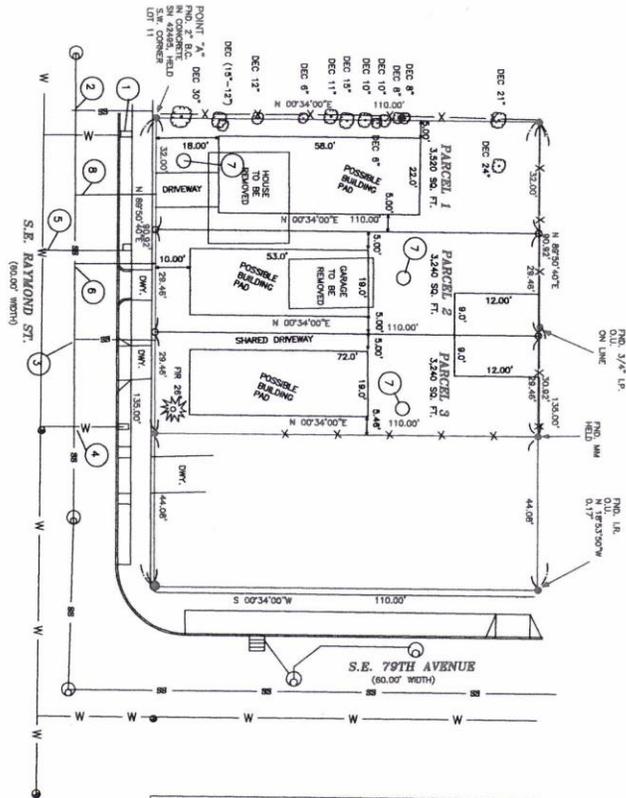
EXISTING CONDITIONS PLAN
POSSIBLE PROPOSED DEVELOPMENT

A PORTION OF LOT 11
 "MAYSVILLE"
 NE 1/4 SEC 17, T1S, R2E, W4E
 CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
 SEPTEMBER 26, 2018 SCALE: 1" = 20'



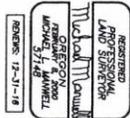
LEGEND

- FND. MONUMENT AS NOTED
- TO BE SET 6/8" X 3/4" IRON ROD WITH ORANGE PLASTIC CAP INSCRIBED
- MM MANWELL US 57148 ON
- MM ORANGE PLASTIC CAP INSCRIBED "MANWELL US 57148" PER SN 84697
- S.N. SURVEY NUMBER MULTNOMAH COUNTY
- R.O. FOUND
- B.C. BRASS CAP
- B.C. BRONZ UNKNOWN
- I.P. IRON PIPE
- O.U. IRON ROD
- S.O. FT. SQUARE FEET
- P DATA PER PLAT OF "TR GROOVE"

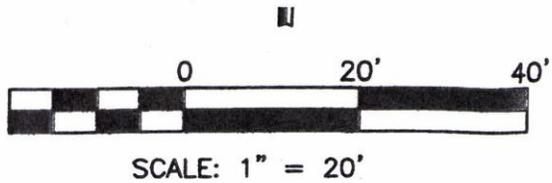


UTILITY NOTES:

- 1 EXIST. WATER MAIN TO SERVICE PANEL 1
- 2 EXIST. SEWER MAIN LAY. TO SERVICE PANEL 1
- 3 EXIST. SEWER LAY. TO SERVICE PANEL 3
- 4 EXIST. WATER MAIN TO SERVICE PANEL 2
- 5 NEW SEWER LAY. TO SERVICE PANEL 2
- 6 EXIST. WATER MAIN TO SERVICE PANEL 2
- 7 EXIST. WATER MAIN TO SERVICE PANEL 2
- 8 NEW SEWER LAY. TO SERVICE PANEL 1



MICHAEL LEE MANWELL
 Professional Land Surveyor
 2847 SE 18TH CIRCLE
 GRESHAM, OREGON 97080
 (503) 661-5270
 Email: mmanwell@mls.com



Tree Preservation Plan

(per arborist report)



Indicates nuisance species to be removed with permission from adjacent owner.

