



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

FROM CONCEPT TO CONSTRUCTION

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

Date: November 1, 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 December 2, 2013.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-187794 LDS, in your letter. It also is helpful to address your letter to me, Kate Green.

CASE FILE NUMBER: LU 13-187794 LDS

Applicant: Mark Lisac/Lisac Brothers Construction Inc
PO Box 2422
Clackamas OR 97015

Property Owners: Lisac Brothers Construction Inc
PO Box 2422
Clackamas OR 97015

Ronnie Wilson/Wilson Construction Company, LLC
PO Box 1489
Clackamas OR 97015

Contact Person: Chris Goodell/AKS Engineering And Forestry
13910 SW Galbreath Drive/Suite 100
Sherwood OR 97140

Site Address: 7116 N Montana Avenue
Legal Description: BLOCK 15 LOT 7&8 S 1/2 OF LOT 9, GOOD MORNING ADD
Tax Account No.: R332303090
State ID No.: 1N1E15BB 09900
Quarter Section: 2329
Neighborhood: Arbor Lodge/Nate Young/503-679-9929
Business District: Interstate Corridor Business Association/Alexsandra Johnson/503-735-4420
District Coalition: North Portland Neighborhood Services/Mary Jaron Kelley/503-823-4099
Zoning: High Density Residential (RH)
Design (d) overlay

Plan District: North Interstate
Case Type: Land Division/Subdivision (LDS)
Procedure: Type IIx, an administrative decision with appeal to the Hearings Officer

Proposal: The applicant proposes a **Land Division/Subdivision** to divide an approximately 9,130 square foot lot into 8 parcels with a tract for a private street/shared court. The applicant indicates the existing development will be removed and the site will be redeveloped with attached houses. Each lot will be approximately 680 square feet in size.

This subdivision proposal is reviewed through a Type IIx procedure because: (1) the site is in a residential zone; (2) four to ten dwelling units are proposed, not including accessory dwelling units (see 33.660.110).

For purposes of State Law, this land division is considered a subdivision. To subdivide land is to divide an area or tract of land into four or more lots within a calendar year, according to ORS 92.010. ORS 92.010 defines "lot" as a single unit of land created by a subdivision of land. The applicant's proposal is to create 9 units of land (8 lots and 1 tract). Therefore, this land division is considered a subdivision.

Additionally, since the site is located within a Design (d) overlay, all new development on the site must comply with Community Design Standards (33.218) or it will be subject to Design Review (33.420). The applicant has indicated the project will be designed to meet the Community Design Standards. Compliance with these standards will be evaluated at the time of building permits or, in the event the standards are not met, through a separate land use review process.

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 August 1, 2013 and determined to be complete on October 29, 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

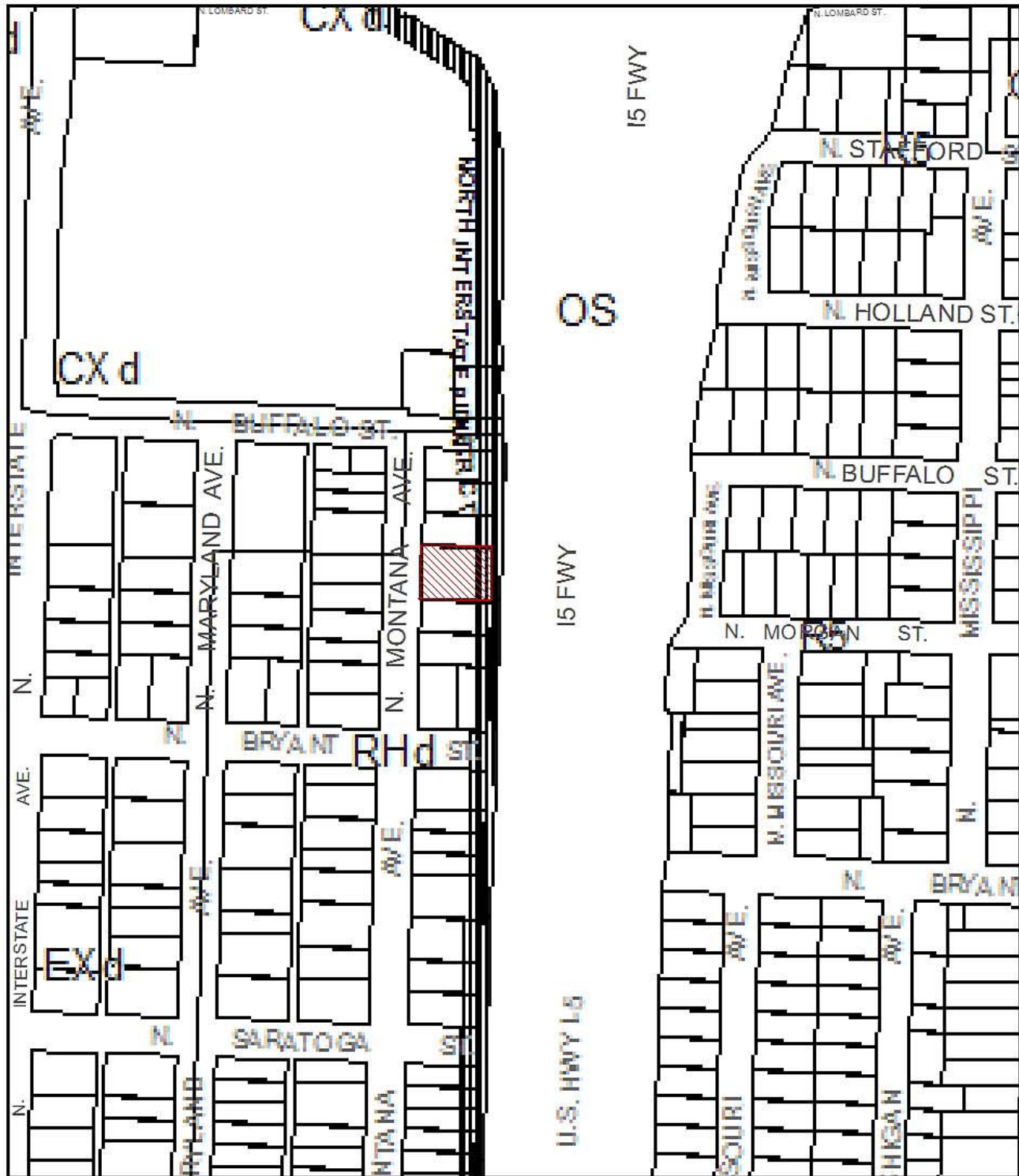
decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review 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 775 SUMMER ST NE, SUITE 330, SALEM, OR 97301-1283. 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, Preliminary Plat, Conceptual Development/Landscape Plan



ZONING

 Site



This site lies within the:
NORTH INTERSTATE PLAN DISTRICT

File No.	LU 13-187794 LDS
1/4 Section	2329
Scale	1 inch = 200 feet
State_Id	1N1E15BB 9900
Exhibit	B (Aug 05, 2013)

PRELIMINARY
(LAND DIVISION)
SUBDIVISION PLAT

MONTANA ROW
OREGON

PORTLAND



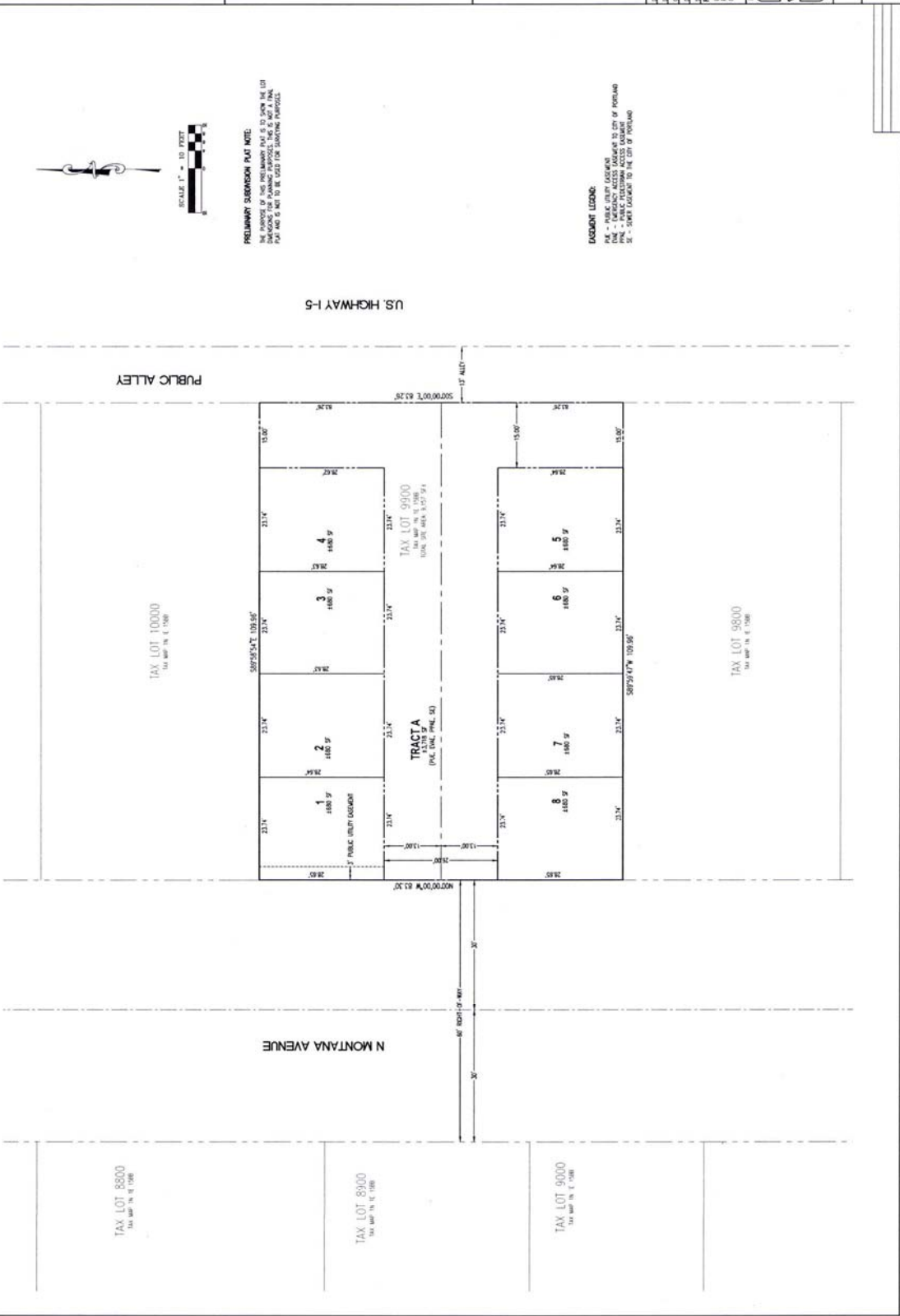
AKS
ENGINEERING & PLANNING
1910 S GARDEN ST.
PORTLAND, OREGON 97201
PHONE: (503) 251-8788
FAX: (503) 251-8789

REGISTERED
LAND SURVEYOR
STATE OF OREGON
NO. 12345
EXPIRES 12/31/2025

PREPARED FOR:
LOCAL GOVERNMENT
CLERK OF COUNTY
CLATSOP, OREGON

PLAT NUMBER
3558

3



PRELIMINARY SUBDIVISION PLAT NOTE:
NO PORTION OF THIS PRELIMINARY PLAT IS TO BE USED FOR ANY OTHER PURPOSES OR FOR ANY OTHER PURPOSES. THIS IS NOT A FINAL PLAT AND IS NOT TO BE USED FOR RECORDING PURPOSES.

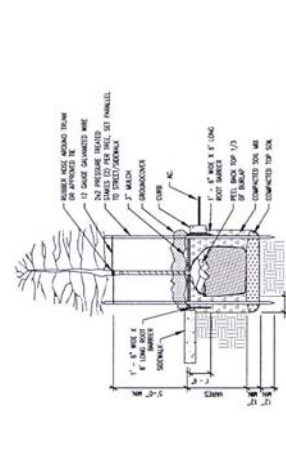
EXHIBIT LEGEND:
1 - PUBLIC UTILITY ACCESS EXHIBIT
2 - PUBLIC UTILITY ACCESS EXHIBIT
3 - PUBLIC UTILITY ACCESS EXHIBIT
4 - PUBLIC UTILITY ACCESS EXHIBIT

PRELIMINARY LANDSCAPE AND TREE MITIGATION PLAN

MONTANA ROW
 PORTLAND, OREGON
 WASHINGTON COUNTY TRA MAP 14 121 020



AKS ENGINEERING & PLANNING
 1010 NE 10TH AVENUE, SUITE 200
 PORTLAND, OREGON 97232
 PHONE: (503) 255-8888
 FAX: (503) 255-8889
 LICENSE NO. 111-14202-01
 DATE: 10/17/17



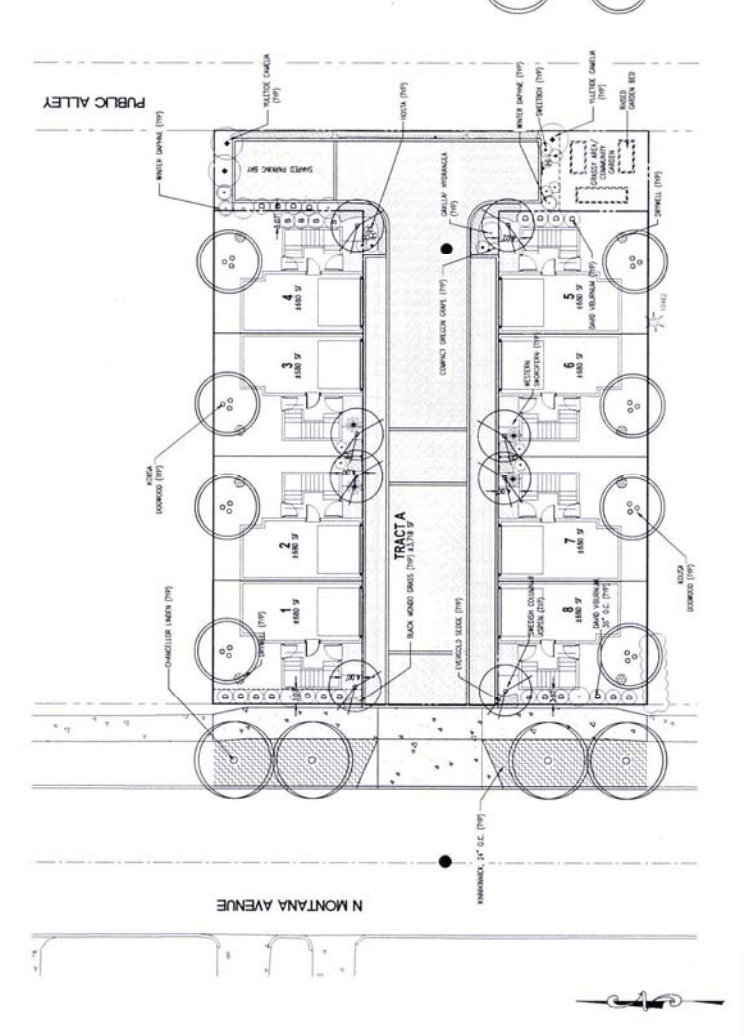
- 1 TYPICAL STREET TREE PLANTING DETAIL**
- NOTE: 1. ALL DIMENSIONS UNLESS OTHERWISE NOTED TO STREET AND SIDEWALK SHALL BE IN FEET AND INCHES. 2. ALL DIMENSIONS UNLESS OTHERWISE NOTED SHALL BE IN FEET AND INCHES. 3. ALL DIMENSIONS UNLESS OTHERWISE NOTED SHALL BE IN FEET AND INCHES. 4. ALL DIMENSIONS UNLESS OTHERWISE NOTED SHALL BE IN FEET AND INCHES.

PLANT LEGEND

SYMBOL	SPACING	COMMON NAME	SCIENTIFIC NAME	LOCATION	SIZE	SPACING
(Circle with dot)	12' x 12'	OVOCYDANUS AMODIUM	SCOTLAND	BB	2' DIA.	45' SPACING
(Circle with dot)	12' x 12'	CONIUM MACULATUM	ROCKY MOUNTAIN	BB	2' DIA.	45' SPACING
(Circle with dot)	12' x 12'	POPULUS TREMULA TRICHX	SMITHS COLUMNAR APPEX	BB	1.5' DIA.	45' SPACING

SPERM AND GYMNOGAMETOPHYTES

SYMBOL	SPACING	COMMON NAME	SCIENTIFIC NAME	LOCATION	SIZE	SPACING
(Circle with dot)	12' x 12'	AMERICAN WOODS	AMERICAN WOODS	BB	2' DIA.	45' SPACING
(Circle with dot)	12' x 12'	CANE PLANT	TALENT CANYON	BB	4-5'	45' SPACING
(Circle with dot)	12' x 12'	EVERETT STEEL	EVERETT STEEL	BB	1' DIA.	18' O.C.
(Circle with dot)	12' x 12'	WINTER SHAWNEE	WINTER SHAWNEE	BB	1' DIA.	45' SPACING
(Circle with dot)	12' x 12'	ROSA	ROSA	BB	1' DIA.	18' O.C.
(Circle with dot)	12' x 12'	WILLOW	WILLOW	BB	1' DIA.	45' SPACING
(Circle with dot)	12' x 12'	WILLOW	WILLOW	BB	1' DIA.	45' SPACING
(Circle with dot)	12' x 12'	WILLOW	WILLOW	BB	1' DIA.	45' SPACING
(Circle with dot)	12' x 12'	WILLOW	WILLOW	BB	1' DIA.	45' SPACING
(Circle with dot)	12' x 12'	WILLOW	WILLOW	BB	1' DIA.	45' SPACING
(Circle with dot)	12' x 12'	WILLOW	WILLOW	BB	1' DIA.	45' SPACING



- NOTES:**
- PLANTING PLAN IS PRELIMINARY AND BASED ON EXISTING CONDITIONS. PLANTING SPECIFICATIONS, INCLUDING TREE SPECIES, PLANTING DATE, AND PLANTING METHOD, SHALL BE DETERMINED BY THE LANDSCAPE ARCHITECT PRIOR TO THE DESIGN OF THE PLANTING. LANDSCAPE ARCHITECT SHALL PROVIDE PLANTING SPECIFICATIONS FOR ALL PLANTS TO BE PLANTED. PLANTING SHALL BE IN ACCORDANCE WITH STANDARD SPECIFICATIONS FOR PLANTING.
 - ALL PLANTS SHALL BE PLANTED IN ACCORDANCE WITH THE PLANTING SPECIFICATIONS. PLANTS SHALL BE PLANTED IN ACCORDANCE WITH THE PLANTING SPECIFICATIONS. PLANTS SHALL BE PLANTED IN ACCORDANCE WITH THE PLANTING SPECIFICATIONS.
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