



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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TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: April 23, 2015
To: Interested Person
From: Diane Hale, Land Use Services
503-823-7705 / Diane.Hale@portlandoregon.gov

NOTICE OF A TYPE Ix DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has **approved** a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 14-255426 LC

GENERAL INFORMATION

Applicant: Kevin Partain, Urban Visions
223 NE 56th Ave / Portland, OR 97213-3705 / (503) 421-2967

Owner: Elizabeth A Doherty / 6738 N Haven Ave / Portland, OR 97203

Site Address: 6738 N HAVEN AVE

Legal Description: BLOCK 66 LOT 1-3, UNIVERSITY PK
Tax Account No.: R292050
State ID No.: 1N1E18AA 00900
Quarter Section: 2324
Neighborhood: University Park, contact Tom Karwaki at chair@universityparkneighbors.org

Business District: None
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

Zoning: R5 (Single Dwelling Residential, 5,000 square feet)
Case Type: LC (Lot Consolidation)
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant proposes to consolidate historic lots 1 and 2, Block 66 of University Park into one parcel. This lot consolidation is part of an overall proposal with a Property Line Adjustment and Lot Confirmation (reviewed as a separate application) to create two parcels from the existing corner lot. There are three underlying historic lots at this site; therefore historic lots 1 and 2 must be consolidated into one parcel. Future development is not part of this review and has not been submitted to the City at this time.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are Zoning Code section 33.675.300, Lot Consolidation Standards.

ANALYSIS

Site and Vicinity: The site is a 10,000 square foot corner lot that contains a single family house built in 1928 and a detached garage. N Haven Avenue and N Harvard Street are both improved with sidewalks and curbs. The area is generally surrounded by single family development. The University of Portland is located 1 block to the south.

Zoning: Single Dwelling Residential, 5,000 square feet. The R5 designation is one of the City's single-dwelling zones, which are intended to preserve land for housing and to promote housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency and Neighborhood Review: A Notice of Proposal in your Neighborhood was mailed on January 29, 2015.

1. **Agency Review:** Several Bureaus and agencies have responded to this proposal. Please see Exhibits E for details. The comments are addressed under the appropriate criteria for review of the proposal.
2. **Neighborhood Review:** Two written responses have been received from or on behalf of notified property owners in response to the proposal (See exhibits F.1 and F.2). The responses included questions about the development that will occur on the site, concerns about the lot consolidation proposal involving property other than the subject site, and a request to remain informed about future development. Staff clarified the proposal for commenter's, which seemed to address the concerns, and noted that future development is not part of this review. People who provide comments will receive notice of this decision. For additional information regarding future development, neighbors can use the property address to view development-related permit activity at portlandmaps.com.

ZONING CODE APPROVAL CRITERIA**LOT CONSOLIDATIONS****33.675.010 Purpose**

This chapter states the procedures and regulations for removing lot lines within a site to create one lot. The regulations ensure that lot consolidation does not circumvent other requirements of this Title, and that lots and sites continue to meet conditions of land use approvals. The lot consolidation process described in this chapter is different from (and does not replace) the process used by the county to consolidate lots under one tax account. A tax consolidation does not affect the underlying platted lots. A lot consolidation results in a new plat for the consolidation site.

33.675.050 When These Regulations Apply

A lot consolidation may be used to remove lot lines within a site. The applicant may also choose to remove such lot lines through a land division. A lot consolidation may be required by other provisions of this Title.

33.675.100 Review Procedure

- A. **Generally. Lot consolidations are reviewed through Type I procedure.**

B. Sites in PUDs or PDs. If any portion of the site is within a Planned Unit Development (PUD) or Planned Development (PD), an amendment to the PUD or PD is also required. The amendment to the PUD or PD must be reviewed concurrently with the lot consolidation.

Findings: The site is not involved in any past or proposed Planned Unit Development or Planned Developments. Therefore, the requested lot consolidation review has been reviewed under the Type Ix procedure.

Approval Standards for a Lot Consolidation

33.675.300 Standards

A lot consolidation must meet the following standards:

A. Lots. Consolidated lots must meet the standards of Chapters 33.605 through 33.615, with the following exceptions:

1. Lot dimension standards.

- a. **Minimum lot area. If the area of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot area requirements;**
- b. **Maximum lot area. If any of the lots within the lot consolidation site are larger than the maximum lot area allowed, the lot consolidation site is exempt from maximum lot area requirements;**
- c. **Minimum lot width. If the width of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot width requirements;**
- d. **Minimum front lot line. If the front lot line of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum front lot line requirements;**
- e. **Minimum lot depth. If the depth of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot depth requirements.**

Findings: The proposed site is in the R5 zone. Approval standards 1.a through 1.e are related to the required lot dimensions and creation of a consolidated parcel that will either meet the lot dimension standards of the zone or meet the listed exceptions. The proposed consolidated lot meets the lot dimension standards of the R5 zone as shown in the following table (this information is found in Table 610-2 of the Zoning Code):

| | R5 Zone Requirement | Lot 1 (after consolidation) |
|------------------------|----------------------------|------------------------------------|
| Minimum Lot Area | 3,000 square feet | 6,667 square feet |
| Maximum Lot Area | 8,500 square feet | |
| Minimum Lot Width* | 36 feet | 66.67 feet |
| Minimum Front Lot Line | 30 feet | 66.67 feet |
| Minimum Lot Depth | 50 feet | 100 feet |

* Width is measured at the minimum front building setback line

As noted herein, the proposed consolidated lot meets the applicable standards of Chapters 33.605 through 33.615.

As noted herein, the proposed consolidated lot meets the applicable standards of 33.605-33.615.

- 2. Maximum density. If the consolidation brings the lot consolidation site closer to conformance with maximum density requirements, the consolidation does not have to meet maximum density requirements;**

Findings: The maximum density of the consolidated lot is $(6,667/5,000) = 1.33 = 1$ unit. The site is developed with one single-family dwelling unit. Therefore the maximum density will not be exceeded by consolidating the historic lots that currently make up this site.

- 3. Lots without street frontage. If the lot consolidation consolidates lots that do not have street frontage with a lot that has street frontage, the consolidation does not have to meet minimum density and maximum lot area requirements;**

Findings: Both lots in the lot consolidation site have street frontage, therefore this standard does not apply.

- 4. Through lots. If any of the existing lots within the lot consolidation site are through lots with at least one front lot line abutting an arterial street, then the consolidated lot may be a through lot;**

Findings: The existing lots within the lot consolidation site are not through lots and proposed consolidated Lot 1 will not be a through lot. Therefore this standard does not apply.

- 5. Split zoning. If any of the existing lots within the lot consolidation site are in more than one base zone, then the consolidated lot may be in more than one base zone.**

Findings: This site contains only one zoning designation; therefore the consolidated lot will not have split zoning. This standard does not apply.

- B. Conditions of land use approvals. Conditions of land use approvals continue to apply, and must be met.**

Findings: There are no previous land use cases for this site; therefore this standard does not apply.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The applicant proposes to consolidate historic Lots 1 & 2 of Block 66, University Park, into one parcel. No City Bureaus raised objection to the proposal.

As discussed above, the requested lot consolidation has been reviewed and shown to be able to meet all the required standards for lot consolidations as laid out in Section 33.675.300.

ADMINISTRATIVE DECISION

Approval of a Lot Consolidation to create one parcel of historic lots 1& 2 of Block 66, University Park into one parcel, as illustrated by Exhibit C.1, signed and dated April 15, 2015.

Decision rendered by: Kimberly Tallant **on April 15, 2015**
By authority of the Director of the Bureau of Development Services

Decision mailed April 23, 2015

Staff Planner: Diane Hale

About this Decision. This land use decision is **not a permit** for development. **THE SIGNED FINAL PLAT MUST BE RECORDED WITH MULTNOMAH COUNTY DEED RECORDS WITHIN 90 DAYS OF THE DATE OF THIS DECISION (BY JULY 14, 2015), OR THIS DECISION WILL BECOME NULL AND VOID.** Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on December 31, 2014 , and was determined to be complete on **January 27, 2015.**

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. Therefore this application was reviewed against the Zoning Code in effect on December 31, 2014.

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 waived or extended at the request of the applicant. In this case, the applicant requested a 28-day extension. The 120-day review period will end on June 24, 2015.

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

The file and all evidence on this case is available for your review by appointment. Please contact the receptionist at 503-823-7967 to schedule an appointment. Copies of all information in the file can be obtained for a fee equal to the cost for such 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.

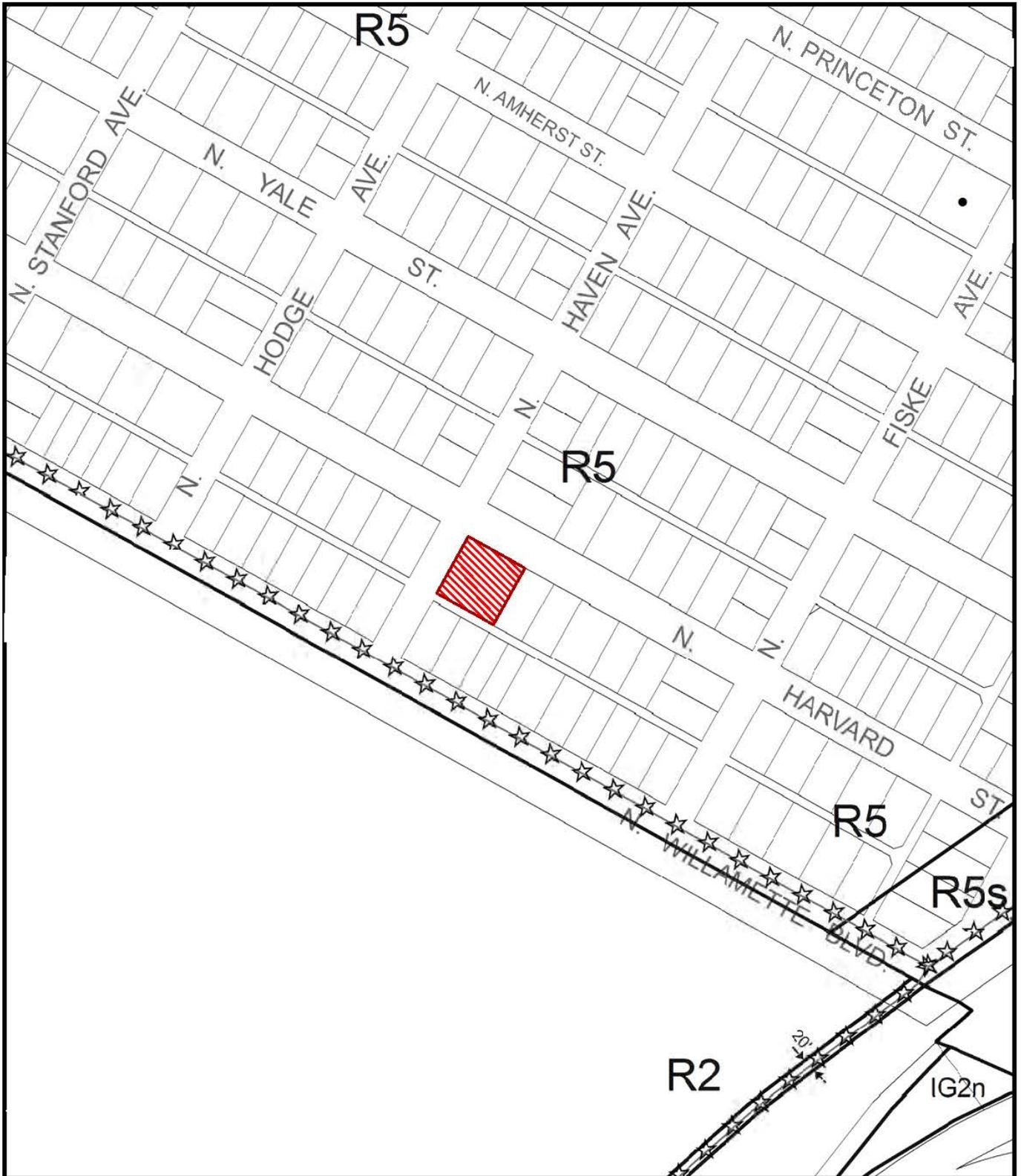
Recording the Final Plat. The signed plat must be recorded by the applicant with the County Deed Records within 90 days following approval by the Bureau of Development Services or the approval will be null and void.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Applicant's Original Submittal – December 31, 2015
 - 2. Applicant's Statement – March, 25, 2015
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Approved Plat (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services and Bureau of Transportation Engineering and Development Review
 - 2. Water Bureau
 - 3. Fire Bureau, Site Development Review Section of BDS, Bureau of Parks Forestry Division, Life Safety
- F. Correspondence:
 - 1. Tim Boyles, Emails from 2/5/15, 2/15/15 and 2/17/15
 - 2. Mary Mack, 2/12/15
- G. Other:
 - 1. Original LU Application
 - 2. Extension Request, March 25, 2015
 - 3. Extension Request, April 6, 2015

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



ZONING



Site



Recreational Trail



NORTH

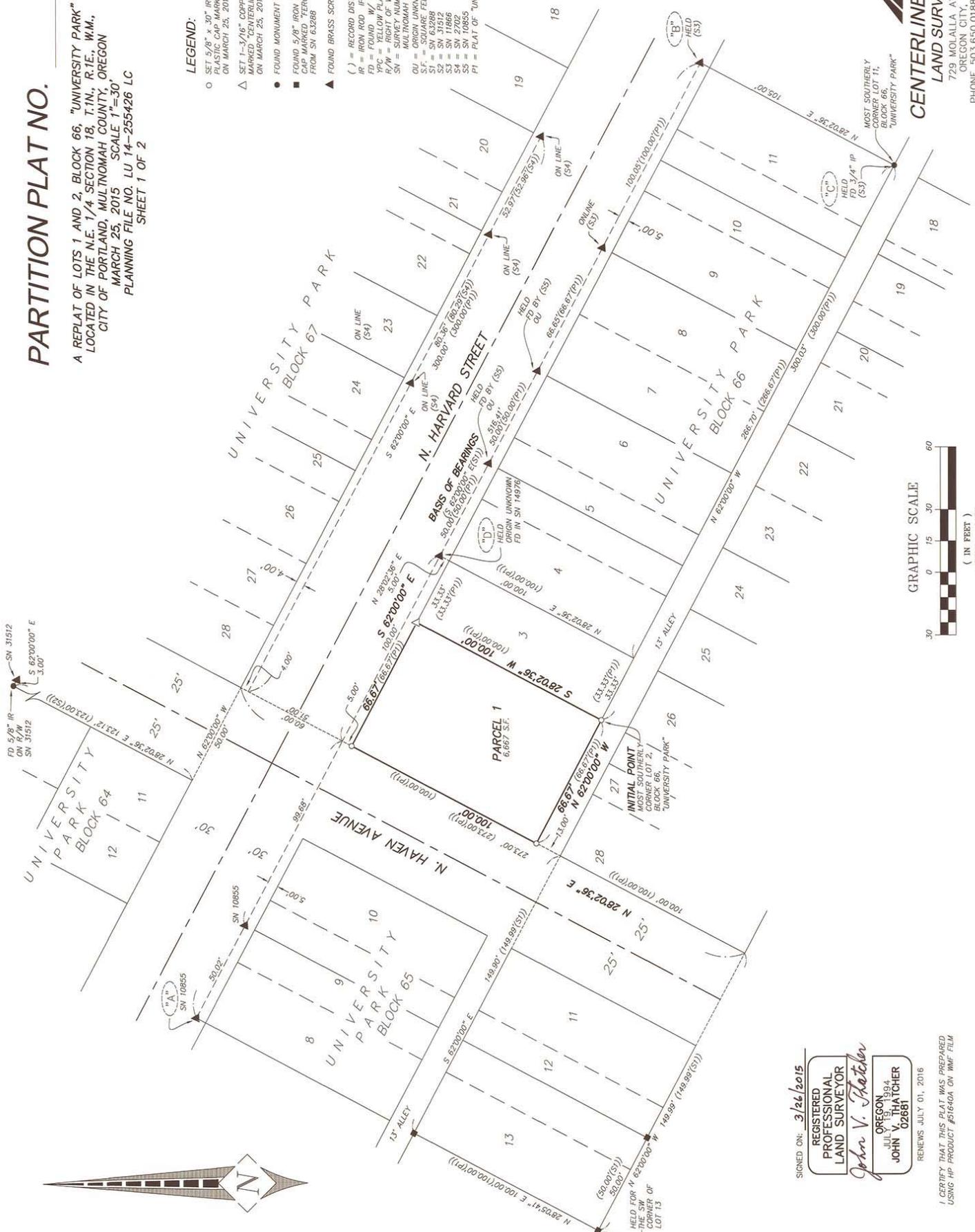
File No. LU 14-255426 LC
 1/4 Section 2324
 Scale 1 inch = 200 feet
 State_Id 1N1E18AA 900
 Exhibit B (Jan 02,2015)

PARTITION PLAT NO.

A REPLAT OF LOTS 1 AND 2, BLOCK 66, "UNIVERSITY PARK"
 LOCATED IN THE N.E. 1/4 SECTION 18, T.1N., R.1E., W.M.,
 CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
 MARCH 25, 2015 SCALE 1"=30'
 PLANNING FILE NO. LU 14-255426 LC
 SHEET 1 OF 2

LEGEND:

- SET 5.0" x .30" IRON ROD W/ RED PLASTIC CAP MARKED "CENTERLINE CONCEPTS" ON MARCH 25, 2015
- △ SET 1.5" x .625" COPPER DISC (BERNVSEN BPT) MARKED "CENTERLINE CONCEPTS" ON MARCH 25, 2015
- FOUND MONUMENT AS NOTED
- FOUND 5.0" IRON ROD W/ RED PLASTIC CAP MARKED "TERGULSON LS 2445" FROM SN 6.3288
- ▲ FOUND BRASS SCREW AS NOTED
- () = RECORD DISTANCES & BEARINGS
- IR = IRON ROD
- FD = FOUND W/F = WITH
- YPC = YELLOW PLASTIC CAP
- R/W = RIGHT OF WAY
- SN = SURVEY NUMBER
- QU = ORIGINAL QUANTITY SURVEY RECORDS
- S.F. = SQUARE FEET
- S1 = SN 6.3288
- S2 = SN 3192
- S3 = SN 2702
- S4 = SN 10855
- S5 = SN 10855
- PI = PLAT OF "UNIVERSITY PARK"



CENTERLINE CONCEPTS
LAND SURVEYING, INC.
 729 MOLALLA AVE., SUITE 1 & 2
 OREGON CITY, OREGON 97045
 PHONE 503.650.0188 FAX 503.650.0189



PLOTTED-M: \PROJECTS\RENAISSANCE-HAVEN ST--N-6738\DWG\PARTITION.DWG

SIGNED ON: 3/26/2015

REGISTERED PROFESSIONAL LAND SURVEYOR
John V. Thatcher
 JOHN V. THATCHER
 02681

RENEWS JULY 01, 2016

I CERTIFY THAT THIS PLAT WAS PREPARED USING HP PRODUCT #51640A ON IMMF FILM

PARTITION PLAT NO. _____

A REPLAT OF LOTS 1 AND 2, BLOCK 66, "UNIVERSITY PARK"
LOCATED IN THE N.E. 1/4 SECTION 18, T.1N., R.1E., W.M.,
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
PLANNING FILE NO. LU 14-255426 LC
SHEET 2 OF 2

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO ESTABLISH AND MONUMENT
THE BOUNDARIES OF SAID LOTS 1 AND 2, BLOCK 66, PER THE PLAT RECORDS OF MULTNOMAH COUNTY.

FOR THE BASIS OF BEARINGS, I HELD THE LINE BETWEEN THE
FOUND MONUMENTS AT "A" AND "B", HOLDING THE BEARING OF
SOUTH 82°00'00"W. MONUMENT "A" WAS SET IN SN 11865, AND THE FOUND
MONUMENT AT "B" WAS SET IN SN 11866.

FOR THE NORTHEASTERLY LINE OF SAID BLOCK 66, I HELD 5.00
FEET SOUTHWESTERLY OF AND PARALLEL WITH THE LINE BETWEEN
THE FOUND MONUMENTS AT "A" AND "B".

FOR THE SOUTHWESTERLY LINE OF SAID LOTS 1 AND 2, I HELD
PLAT DISTANCE OF 100.00 FEET SOUTHERLY OF AND PARALLEL
WITH THE ESTABLISHED NORTHEASTERLY LINE.

FOR THE SOUTHEASTERLY LINE OF LOT 3, SAID BLOCK 66 I HELD
PARALLEL WITH THE LINE BETWEEN THE FOUND MONUMENTS AT
"B" AND "C". THROUGH THE FOUND MONUMENT AT "D". THE
FOUND MONUMENTS AT "B" AND "C" WERE SET IN SN 11866 AND
MONUMENT AT "D" WAS FOUND IN SN 14876, THE
ORIGIN IS UNKNOWN.

FOR THE NORTHEASTERLY LINE OF SAID LOTS 1, 2 AND 3, I HELD
RESPECTIVE PLAT DISTANCES ORTHWESTERLY OF AND PARALLEL
WITH THE ESTABLISHED SOUTHEASTERLY LINE OF SAID LOT 3.
ADDITIONAL MONUMENTATION AS SHOWN HEREON VERIFIES BOTH
RIGHT OF WAYS.

DECLARATION:

KNOW ALL PEOPLE BY THESE PRESENTS THAT ME, JOHN F. DOHERTY
AND ELIZABETH ANN DOHERTY, THE OWNERS OF THE LAND
REPRESENTED ON THE ANNEKED MAP, AND MORE PARTICULARLY
HEREBY DECLARE THE ANNEKED MAP TO BE A CORRECT MAP OF THE
PARTITION OF SAID PROPERTY AND THAT WE HAVE CAUSED THIS
PARTITION PLAT TO BE PREPARED AND THE PROPERTY PARTITIONED AS
SHOWN IN ACCORDANCE WITH THE PROVISIONS OF CHAPTERS 332
SERIES, RELEVANT STATUTES. THIS PLAT IS SUBJECT TO RESTRICTIONS
AS NOTED HEREON.


JOHN F. DOHERTY

ELIZABETH ANN DOHERTY

ACKNOWLEDGEMENT:

STATE OF OREGON }
COUNTY OF Bronxville } SS
KNOW ALL PEOPLE BY THESE PRESENTS, ON THIS 3rd DAY OF
April, 2015, BEFORE ME A NOTARY PUBLIC IN AND FOR
SAID STATE AND COUNTY, PERSONALLY APPEARED JOHN F. DOHERTY AND
ELIZABETH ANN DOHERTY, WHO BEING DULY SWORN, DID SAY THAT THEY
KNOW THE CONTENTS OF THE FOREGOING INSTRUMENT,
AND THAT THEY EXECUTED SAID INSTRUMENT FREELY AND VOLUNTARILY.


STACY BAILEY
NOTARY SIGNATURE
COMMISSION NO.: 925971
MY COMMISSION EXPIRES: March 13, 2018

PLAT NOTES:

1. THIS PLAT IS SUBJECT TO THE CONDITIONS IMPOSED BY
THE CITY OF PORTLAND IN CASE FILE NO. LU 14-255426
LC

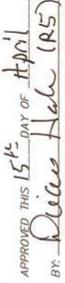
SURVEYOR'S CERTIFICATE:

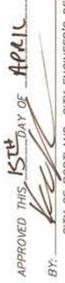
I, JOHN V. THATCHER, HEREBY CERTIFY THAT I HAVE CORRECTLY
SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LAND
BEING DESCRIBED AS FOLLOWS:

LOTS 1 AND 2, BLOCK 66, "UNIVERSITY PARK" LOCATED IN THE N.E.
1/4 OF SECTION 18, T.1N., R.1E., W.M., CITY OF PORTLAND,
MULTNOMAH COUNTY, OREGON, BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, SAID POINT BEING A SET 5/8
INCH BY 30 INCH IRON ROD WITH A RED PLASTIC CAP MARKED
"CENTERLINE CONCEPTS" AT THE MOST SOUTHERLY CORNER OF LOT
2, BLOCK 66, UNIVERSITY PARK, SAID CORNER BEARS N62°00'00"W
SOUTHERLY CORNER OF LOT 1, CITY OF PORTLAND, MULTNOMAH COUNTY,
OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
THENCE N82°00'00"W ALONG THE SOUTHWESTERLY LINE OF SAID
LOTS 2 AND 1, 66.67 FEET TO A SET 5/8 INCH BY 30 INCH IRON
ROD WITH A RED PLASTIC CAP MARKED "CENTERLINE CONCEPTS"
AT THE MOST WESTERLY CORNER OF SAID LOT 1; THENCE
N82°02'36"E ALONG THE NORTHWESTERLY LINE OF SAID LOT 1,
100.00 FEET TO A RED PLASTIC CAP MARKED "CENTERLINE CONCEPTS"
NORTHEASTERLY CORNER THEREOF; THENCE S82°00'00"E ALONG THE
NORTHEASTERLY LINE OF SAID LOTS 1 AND 2, 66.67 FEET TO A
SET 5/8 INCH BY 30 INCH IRON ROD WITH A RED PLASTIC CAP
MARKED "CENTERLINE CONCEPTS" AT THE MOST EASTERLY CORNER
OF SAID LOT 2; THENCE S28°02'36"W ALONG THE SOUTHEASTERLY
LINE OF SAID LOT 2, 100.00 FEET TO THE INITIAL POINT.
SAID TRACT OF LAND CONTAINS 6,667 SQUARE FEET.

APPROVALS:

CITY OF PORTLAND LAND DIVISION CASE FILE LU 14-255426 LC
APPROVED THIS 15th DAY OF April, 2015
BY: 
CITY OF PORTLAND, PLANNING DIRECTOR'S DELEGATE

APPROVED THIS 15th DAY OF April, 2015
BY: 
CITY OF PORTLAND, CITY ENGINEER'S DELEGATE

APPROVED THIS _____ DAY OF _____, 2015
COUNTY SURVEYOR,
MULTNOMAH COUNTY OREGON

BY: _____ DEPUTY

STATE OF OREGON }
COUNTY OF MULTNOMAH } SS
I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS
RECEIVED FOR RECORD AND RECORDED _____, 2015
AT _____ O'CLOCK _____M., AS PARTITION PLAT NO. _____

COUNTY RECORDING OFFICE

BY: _____ DEPUTY

DOCUMENT NO: _____

SIGNED ON: 3/26/2015
REGISTERED
PROFESSIONAL
LAND SURVEYOR

JOHN V. THATCHER
JUL 19 1984
OREGON
JOHN V. THATCHER
02681

RENEWS JULY 01, 2016
I CERTIFY THAT THIS PLAT WAS PREPARED
USING HP PRODUCT #51640A ON WNF FILM


CENTERLINE CONCEPTS
LAND SURVEYING, INC.
729 MOLALLA AVE., SUITE 1 & 2
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189
PLOTTED-M:\PROJECTS\RENAISSANCE-HAVEN_ST-N-673B\DWG\PARTITION.DWG