



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

FROM CONCEPT TO CONSTRUCTION

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

Date: October 4, 2016
To: Interested Person
From: Lois Jennings, Land Use Services
503-823-2877 or lois.jennings@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 November 3, 2016.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-232167 AP, in your letter. It also is helpful to address your letter to me, Lois Jennings. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 16-232167 AP

Applicant/Owner: Henry B. Shapiro
2529 SE 32nd Avenue
Portland, OR 97202
Phone#: 646-734-2792 or hnrshapiro@gmail.com

John B Melcher and Thandose Kalinda
2523 SE 32nd Ave
Portland, OR 97202

Representative: Benjamin Schonberger, Winterbrook Planning
310 SW 4th Avenue, Suite 1000
Portland, OR 97204
503-827-4422 or ben@winterbrookplanning.com

Site Address: 2529 SE 32ND AVE

Legal Description: LOT 1, PARTITION PLAT 2007-188; LOT 2, PARTITION PLAT 2007-188
Tax Account No.: R649877490 and R649877500
State ID No.: 1S1E12BA 03301, 1S1E12BA 03302
Quarter Section: 3333

Neighborhood: Richmond, contact Douglas Klotz at 503-233-9161.
Business District: Division-Clinton Business Association, contact at 503-706-3730.
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.

Zoning: R2.5 -Detached or Attached Single Family (1 unit per 2,500 s.f.)

Case Type: AP -Land Division Amendment
Procedure: Type IIX, an administrative decision with appeal to the Hearings Officer.

Proposal: The applicant would like to create an off-street parking space for the existing house with the address of 2529 SE 32nd Avenue, legally described as Lot 2 of Partition Plat 2007-188. Both lots, Lot 1 and 2 of Partition Plat 2007-188 were created and approved by the City under land use case file # LU 06-168836 LDP AD. Both of these lots were below the minimum lot width of 36 feet wide and therefore considered narrow lots. Lots less than 36 feet wide were required to meet specific standards as part of the land division approval criteria. One of the standards was “If the lot does not have vehicle access from an alley, then there must be at least 15 contiguous feet of uninterrupted curb space on the abutting street for each lot being created”. To ensure this standard continued to be met at the time of development a condition of approval, C.1, was included as part of the Hearings Officer’s Decision for LU 06-168836 LDP AD. Condition C.1 specifically states “Lot 1 and Lot 2 must each have a minimum of 15 feet of uninterrupted curb space preserved along each lot’s frontage”. A minimum of 15-feet of uninterrupted curb space is unable to be met, with the applicant’s proposal to create an on-site parking space. The applicant is requesting a land division amendment to delete Condition C.1 of LU 06-168836 LDP AD of a 2007 Hearings Officer’s decision for a two lot minor 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 sections(s):

- **33.660.320.B.Approval Criteria for other Changes.** All other changes to the Preliminary Plan must meet the following approval criteria:
 1. The proposed changes are not substantial enough, singly or in combination, to warrant a new review of the entire preliminary plan.
 2. The approval criteria addressed by the approval of the Preliminary Plan can still be met, with the appropriate conditions of approval.
- **33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones. Specifically: 33.660.120.A Lots (33.611-R2.5)
33.660.120.J Transportation Impacts**

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 26, 2016 and determined to be complete on September 28, 2016.

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 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, Oregon 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.

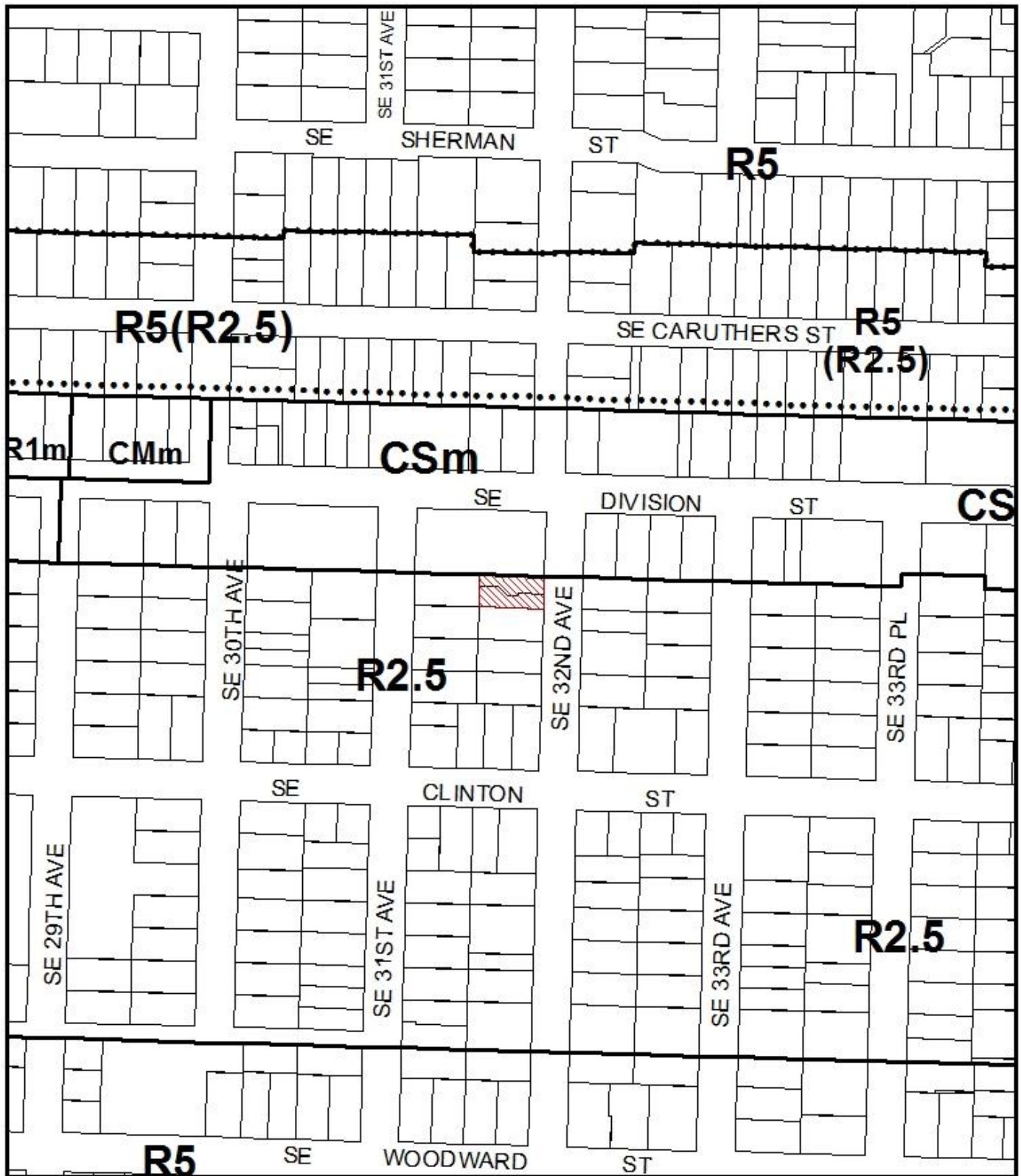
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Enclosures:

Zoning Map

Existing Conditions Site Plan

Proposed Site Plan showing on-site parking space

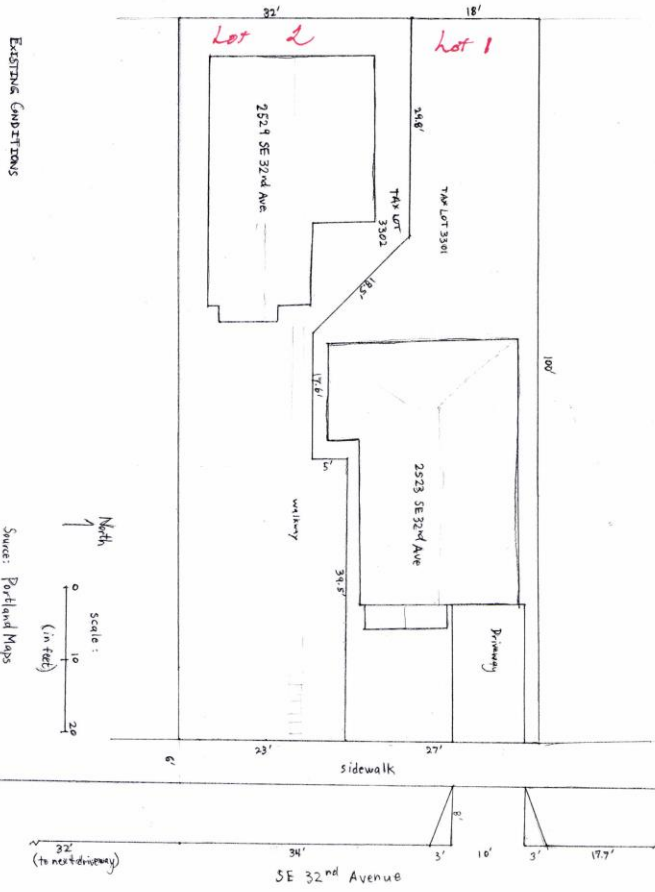


ZONING

 Site



File No.	<u>LU 16-232167 AP</u>
1/4 Section	<u>3333</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E12BA 3302</u>
Exhibit	<u>B</u> (Aug 30, 2016)

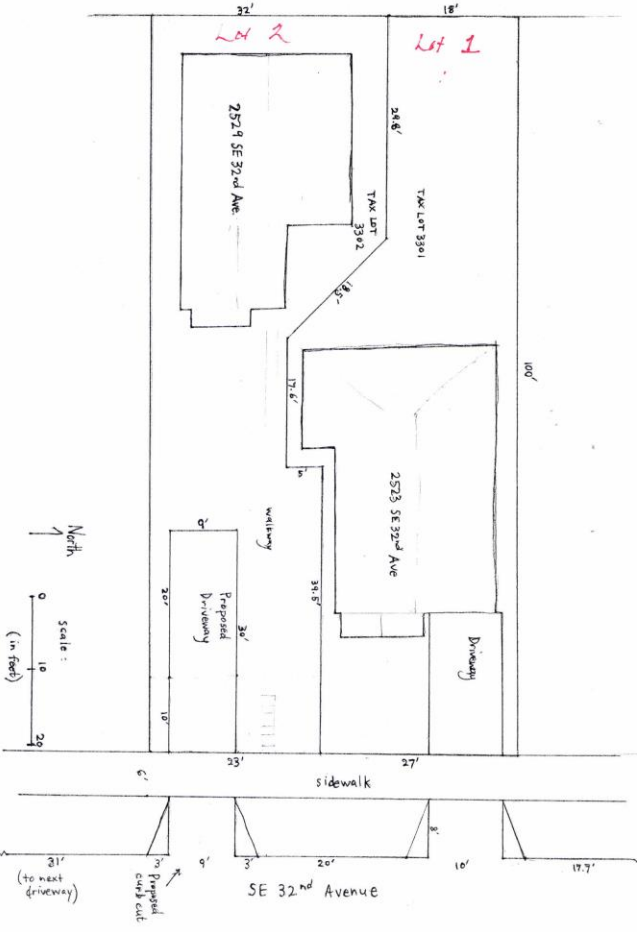


City of Portland
 Received on
 SEP 28
 File No. 16-233157-AP

Existing Conditions
Site Plan

CIVIL FOR 3110
 RECEIVED
 ON
 SEP 28
 602
 ALL 16-232167 AP

Proposed Conditions



Proposal Site Plan