



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** October 14, 2016  
**To:** Interested Person  
**From:** Jason P. McNeil, Land Use Services  
503-823-5398 / [Jason.McNeil@Portlandoregon.gov](mailto:Jason.McNeil@Portlandoregon.gov)

## **NOTICE OF A TYPE II 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 28 days, **we need to receive your written comments by 5 p.m. on November 4, 2016.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-246883 AD, in your letter. It also is helpful to address your letter to me, JP McNeil. You can also e-mail your comments to me at my e-mail address identified above.

## **CASE FILE NUMBER: LU 16-246883 AD**

**Applicant:** Vitaly Zagoruyko,  
21807 SE Ankeny St  
Gresham, OR 97030

**Owner:** Lyubov Voytsekhovskaya,  
5738 SE Knight St  
Portland, OR 97206

**Site Address:** 5744 SE KNIGHT ST

**Legal Description:** LOT 1, PARTITION PLAT 2006-182  
**Tax Account No.:** R649867250  
**State ID No.:** 1S2E18DA 12701  
**Quarter Section:** 3636

**Neighborhood:** Woodstock, contact Terry Griffiths at 503-771-0011.  
**Business District:** Woodstock Community Business Association, contact Ann Sanderson at [anndango@gmail.com](mailto:anndango@gmail.com).  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.

**Plan District:** None  
**Zoning:** R5  
**Case Type:** AD, Adjustment  
**Procedure:** Type II, an administrative decision with appeal to the Adjustment Committee.

**PROPOSAL:**

The applicant is proposing to remove the required parking space on the site (Parcel 1 on the attached site plan). They would like to extinguish the easement over the neighboring property that provides access from the alley to the parking space on the rear of Parcel 1. This easement was put in place by a previous land division review, LU 06-106694 ZC LDP. The Portland Zoning Code states that one parking space is required per residential unit (Section 33.266.110.B). An Adjustment is therefore necessary to reduce the required parking space from one space to zero spaces. No new residential development or construction is proposed.

**RELEVANT APPROVAL CRITERIA:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. of Section 33.805.040, Adjustment Approval Criteria, have been met. This includes a criterion addressing how the adjustment will equally or better meet the purpose of the regulation to be modified. The purpose of the Minimum Required Parking Spaces is as follows:

*The purpose of required parking spaces is to provide enough on-site parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. Sites that are located in close proximity to transit, have good street connectivity, and good pedestrian facilities may need little or no off-street parking. Multidwelling development that includes a large number of units may require some parking to support existing and future uses in the area and serve residents and guests, especially those with disabilities. Parking requirements should be balanced with an active pedestrian network to minimize pedestrian, bicycle and vehicle conflicts as much as possible. (PZC 33.266.110.A)*

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 September 21, 2016 and determined to be complete on October 10, 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](http://www.portlandonline.com).

**APPEAL PROCESS**

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Adjustment Committee. 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.

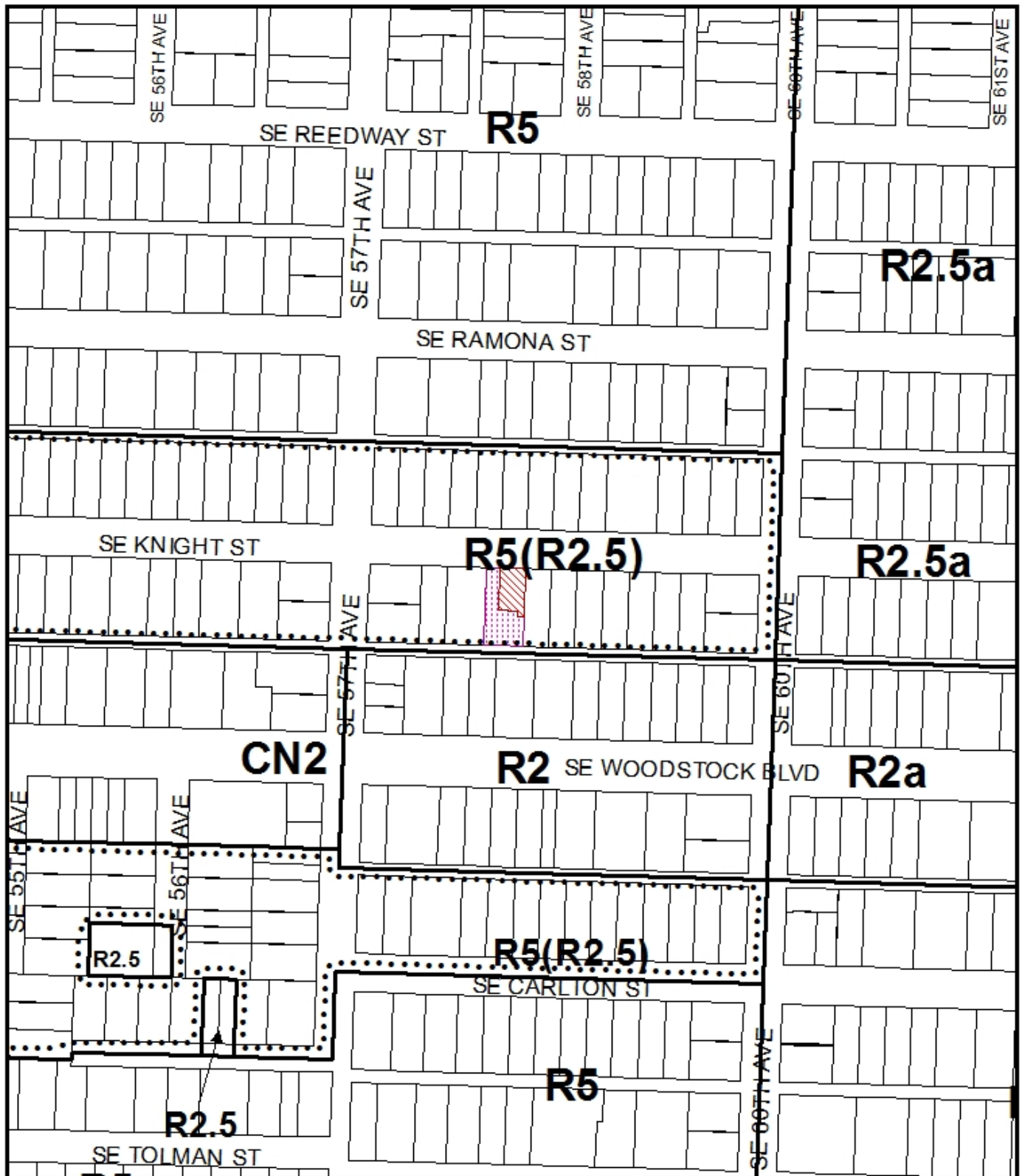
**APPEAL OF THE FINAL CITY DECISION**

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  
Site Plan



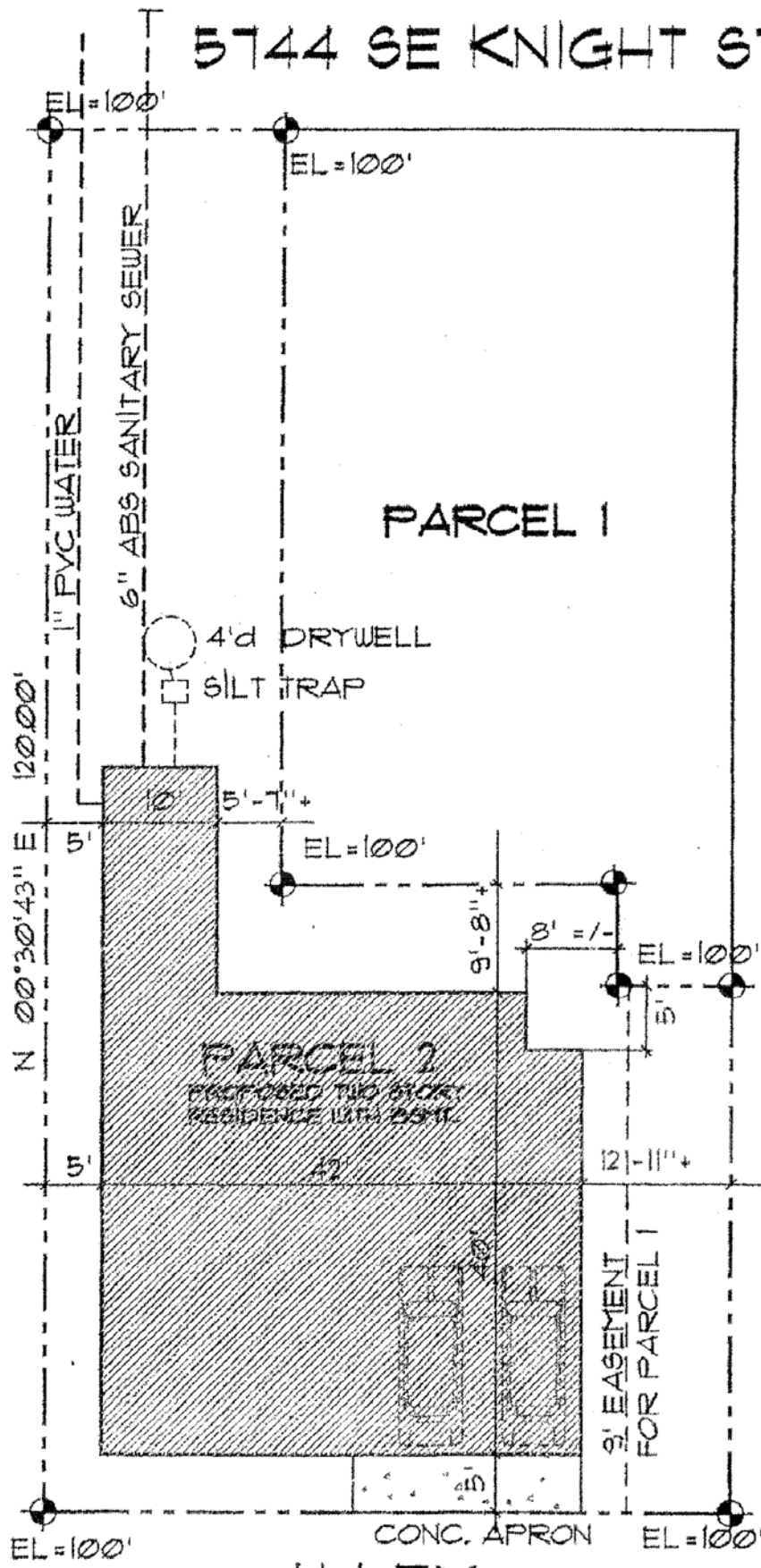
# ZONING

-  Site
-  Also Owned Parcels



File No. LU 16-246883 AD  
 1/4 Section 3636  
 Scale 1 inch = 200 feet  
 State Id 1S2E18DA 12701  
 Exhibit B (Sep 27, 2016)

5744 SE KNIGHT ST.



ALLEY

**SITE PLAN**

SCALE: 1" = 10'

