



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**  
FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** March 20, 2017  
**To:** Interested Person  
**From:** Shawn Burgett, City Planner  
503-823-7618 / [shawn.burgett@portlandoregon.gov](mailto:shawn.burgett@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 4/19/2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-109252 LDP, in your letter. It also is helpful to address your letter to me, Shawn Burgett. You can also e-mail your comments to me at my e-mail address identified above.

## **CASE FILE NUMBER: LU 17-109252 LDP**

**Applicant:** Kevin Partain  
223 NE 56th Ave  
Portland, OR 97213-3705

**Owner:** David Sideras  
P O Box 19115  
Portland, OR 97280

**Site Address:** Vacant lot directly west of 9636 SE Knight St.

**Legal Description:** BLOCK 9 LOT 9, CLEMSON ADD  
**Tax Account No.:** R162901520  
**State ID No.:** 1S2E16DB 04100  
**Quarter Section:** 3640  
**Neighborhood:** Lents, contact Judy Low at [pmsi\\_92@hotmail.com](mailto:pmsi_92@hotmail.com)  
**Business District:** Lents Grown Bussiness Association.  
**District Coalition:** East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.

**Plan District:** Johnson Creek Basin

**Zoning:** R1a (Multi-Family Residential 1,000 sq. ft. with "a" alternative design overlay zone)

**Case Type:** LDP (Land Division Partition)  
**Procedure:** Type IIx, an administrative decision with appeal to the Hearings Officer.

**Proposal:**

The applicant is proposing a 2-lot land division for attached dwelling units on the vacant site. Both proposed parcels will measure approximately 1,512 sq. ft. The applicant is proposing driveway access from SE 96<sup>th</sup> Avenue. It should be noted, the site is located in the 100 year floodplain.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

- **Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones.**
- **Section 33.537.100.150.A-E, Approval Criteria for Johnson Creek Basin Plan District, Floodplain standards.**

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 January 23, 2017 and determined to be complete on March 10, 2017.

**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](http://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.

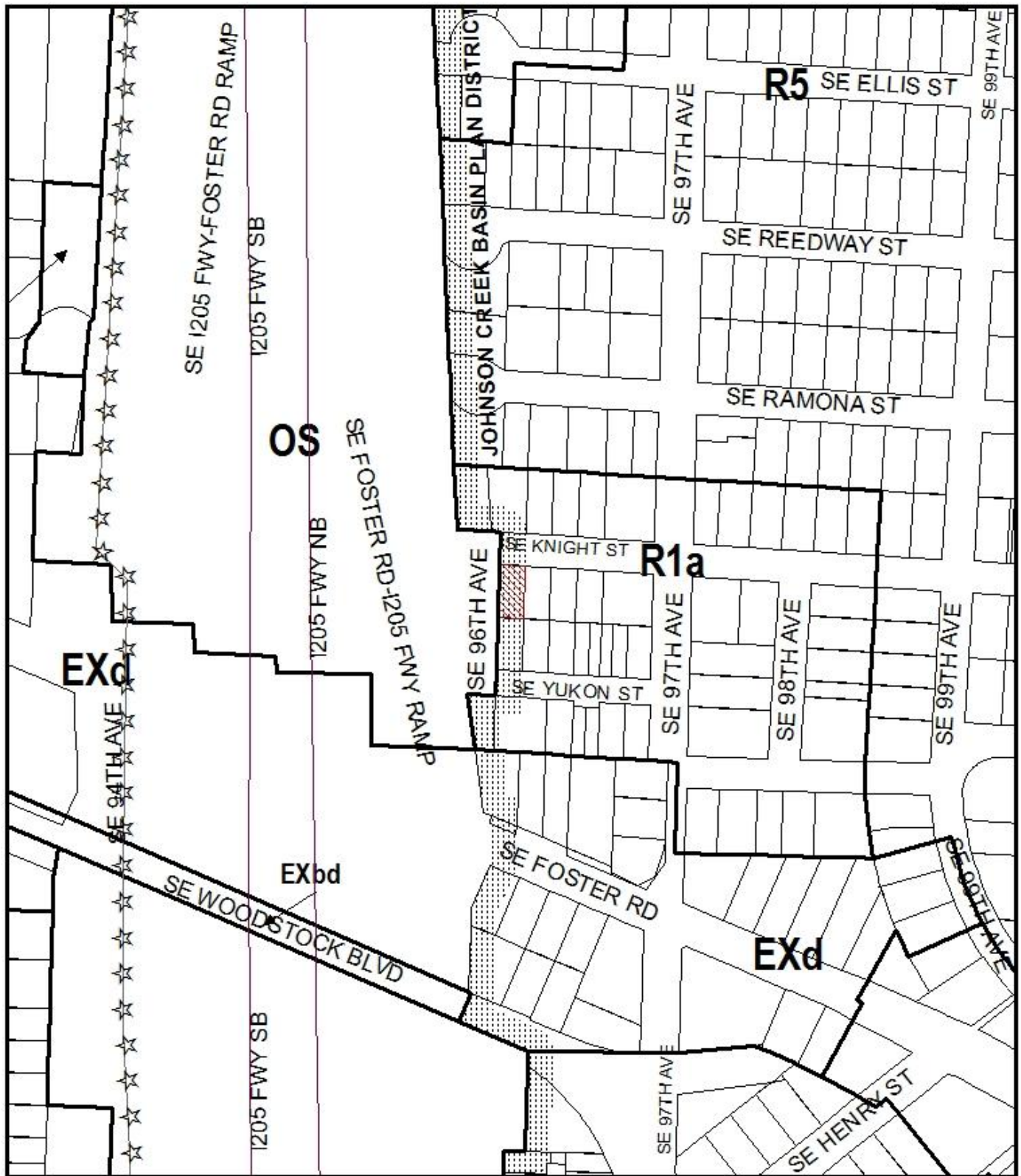
**APPEAL OF THE FINAL CITY DECISION**

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  
Site Plan



# ZONING

-  Site
-  Recreational Trails

This site lies within the:  
JOHNSON CREEK BASIN PLAN DISTRICT



File No.	LU 17-109252 LDP
1/4 Section	3640
Scale	1 inch = 200 feet
State_Id	1S2E16DB 4100
Exhibit	B (Mar 16, 2017)

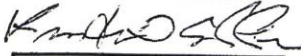
# PRELIMINARY PLAN

(TAX LOT 1S2E16DB 4100)

LOT 9, BLOCK 9 "CLEMSON ADDITION"  
CITY OF PORTLAND, MULTNOMAH COUNTY, OR

MARCH 8, 2017

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JULY 26, 1985  
KENNETH D. GRIFFIN  
2147

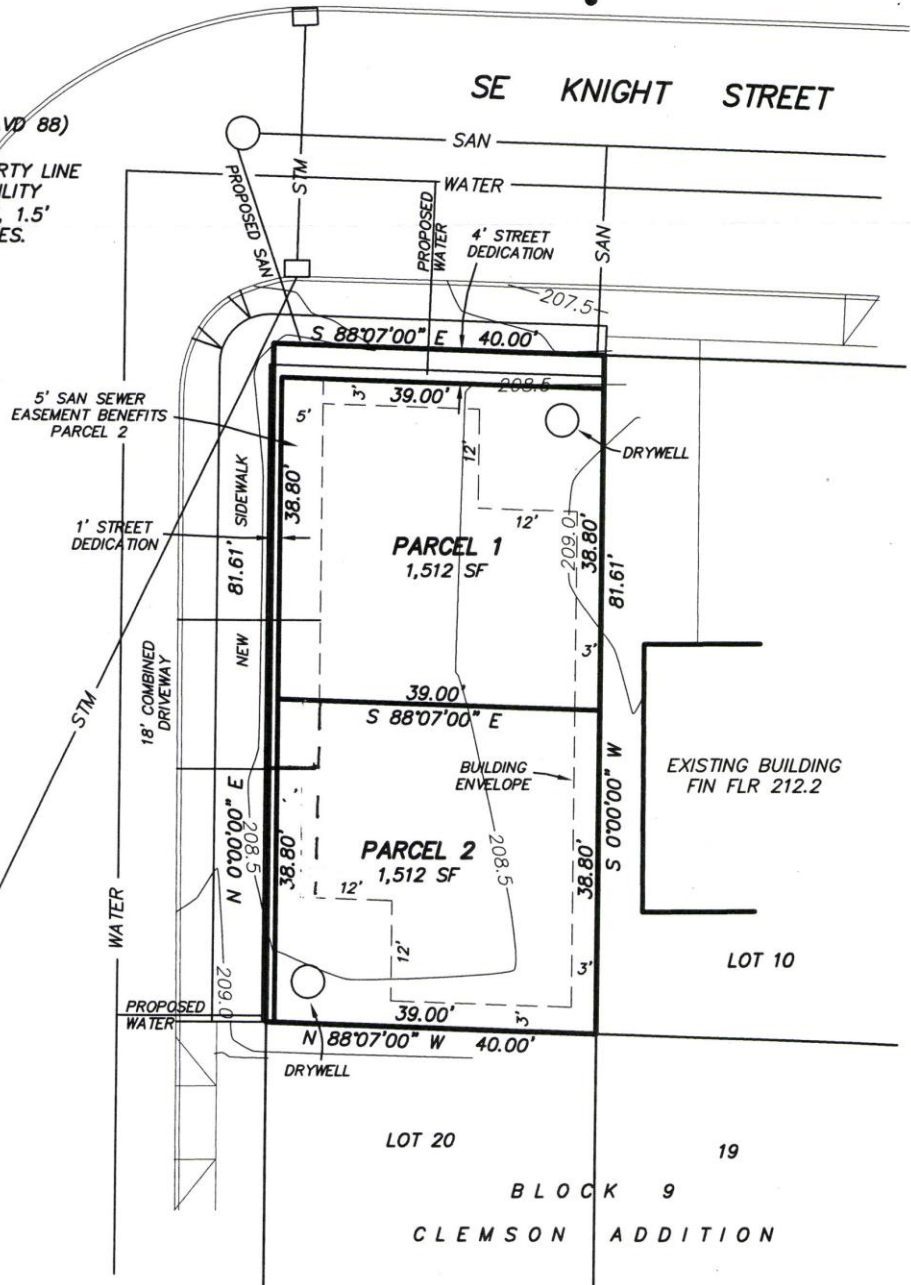
RENEWS: 6/30/17

1. 100YR FLOOD EL = 209.0 (NAVD 88)
2. DRYWELL LOCATED 10' FROM STRUCTURE & 5' FROM PROPERTY LINE MEASURED TO CENTER OF FACILITY
3. NEW 4' PLANTER, 6' SIDEWALK, 1.5' BUFFER ALONG BOTH FRONTAGES.

US HIGHWAY I-205



1" = 20'



GRIFFIN LAND SURVEYING INC.

6107 SW MURRAY BLVD. #409  
BEAVERTON, OR. 97008  
(503) 201-3116