



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

Chloe Eudaly, Commissioner  
Rebecca Esau, Interim Director  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** April 21, 2017  
**To:** Interested Person  
**From:** William Piro, Land Use Services  
503-823-6039 / [William.Piro@portlandoregon.gov](mailto:William.Piro@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 May 21, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-100635 LDS, in your letter. It also is helpful to address your letter to me, William Piro. You can also e-mail your comments to me at my e-mail address identified above.

## **CASE FILE NUMBER: LU 17-100635 LDS**

**Applicant:** Kevin Partain, Urban Visions  
223 NE 56th Ave  
Portland, OR 97213

**Property Owner:** Thomas Stout  
P O Box 196  
Clackamas, OR 97015

**Representative:** Jim Kosta, BW Construction, Inc.  
11749 SE Rhone St  
Portland, OR 97266

**Site Address:** 14024 SE Center St

**Legal Description:** TL 6000 0.58 ACRES, SECTION 11 1S 2E  
**Tax Account No.:** R992112030  
**State ID No.:** 1S2E11DD 06000  
**Quarter Section:** 3444  
**Neighborhood:** Powellhurst-Gilbert, contact at [pgnaboard@gmail.com](mailto:pgnaboard@gmail.com)  
**Business District:** Midway, contact [info@midwaybusiness.org](mailto:info@midwaybusiness.org).  
**District Coalition:** East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.

**Plan District:** Johnson Creek Basin  
**Zoning:** Single-Dwelling Residential 5,000 (R5a), with Alternative Design Density Overlay (a)

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

**Proposal:** The applicant is proposing to subdivide a 25,057 square foot property into 4 lots and a street dedication for SE Gladstone Street. The existing pole barn will be removed, and the proposed lots will be built with single dwelling houses.

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 4 units of land (4 lots). Therefore this land division is considered a subdivision.

**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 January 5, 2017 and determined to be complete on April 19, 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**

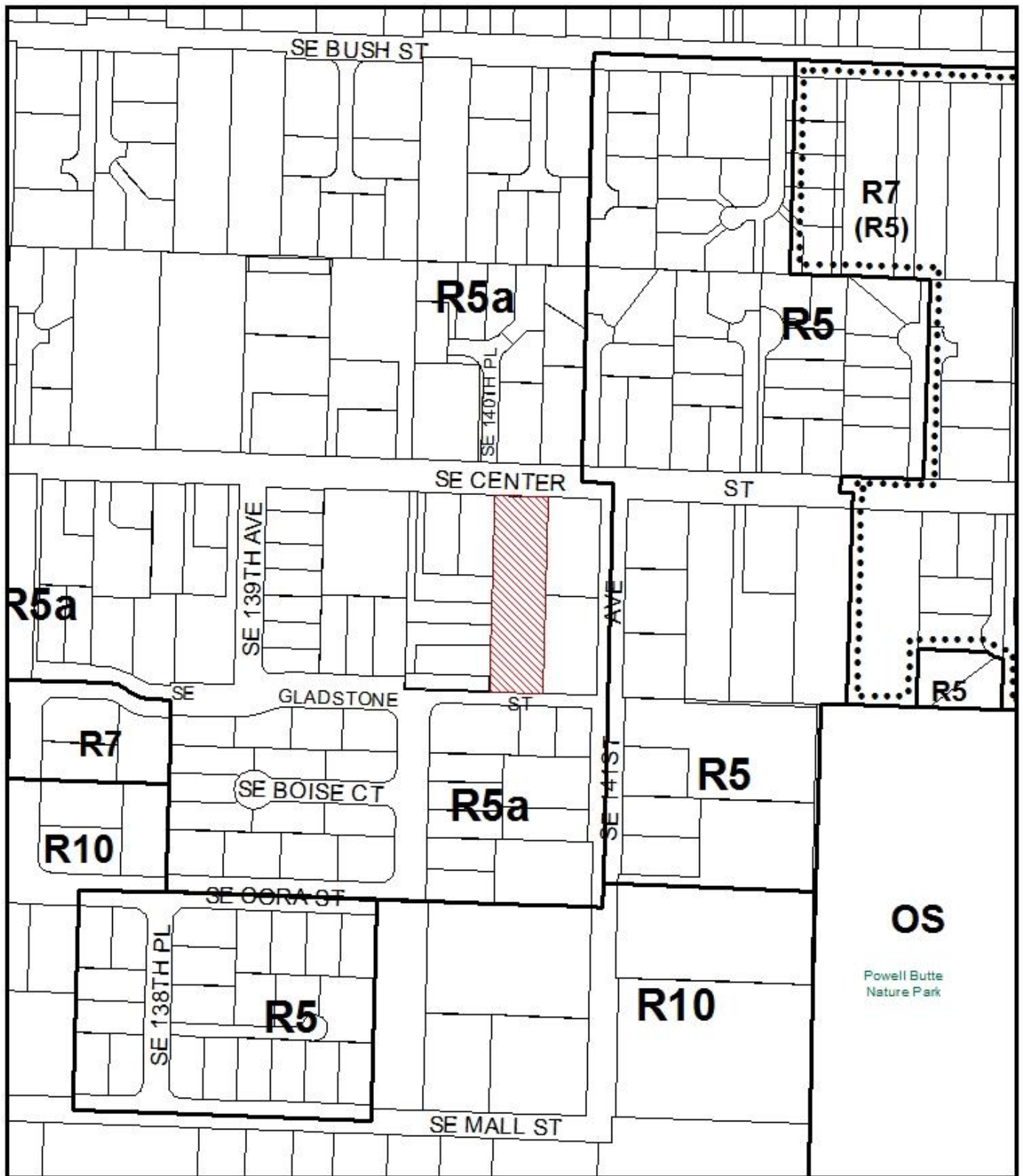
After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment 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

Preliminary Plat



# ZONING

 Site



This site lies within the:  
JOHNSON CREEK BASIN PLAN DISTRICT

File No. LU 17-100635 LDS  
 1/4 Section 3444  
 Scale 1 inch = 200 feet  
 State\_Id 1S2E11DD 6000  
 Exhibit B (Jan 10, 2017)

**TENTATIVE PLAN,  
EXISTING CONDITIONS AND TREE SURVEY FOR  
A PROPOSED SUBDIVISION,  
DOCUMENT NO. 2016-045500 TRACT**

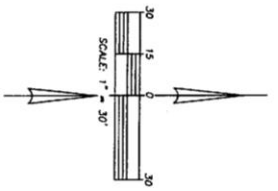
SITUATED IN THE S.E. 1/4 OF SECTION 11, T.1S, R.2E., W.M.  
CITY OF PORTLAND  
MULTNOMAH CO., OREGON

**MARY ASSOCIATES**  
16615 E. BIRKENSTONE STREET  
PORTLAND, OR 97233  
TEL: 503-667-5550  
FAX: 503-666-8666  
EMAIL: DALE@MARYASSOCIATES.NET

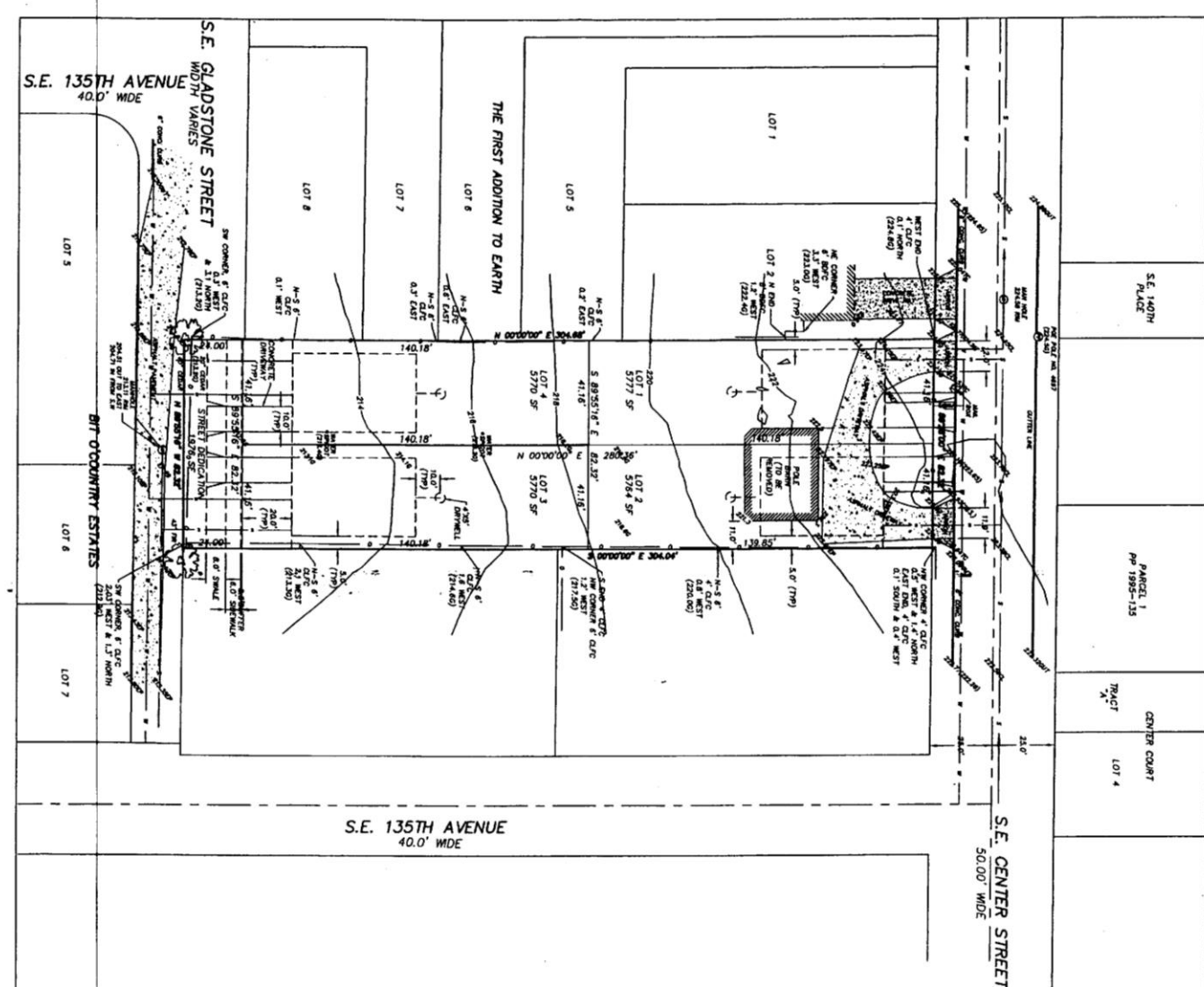
DATE DRAWN: MAY 13, 2016  
DRAWING NO. 160126X  
ACCOUNT NO. 16032  
REVISED JUNE 3, 2016  
REVISED DECEMBER 22, 2016  
REVISED APRIL 11, 2017

**ZONING:**  
R50  
SITE SIZE:  
24,007 SQUARE FEET  
**PARCEL DATA**  
DOCUMENT NO. 2016-045500  
**BENCHMARK:**  
BENCHMARK IS CITY OF PORTLAND BENCHMARK NO. 4306, 5' AVENUE. ELEVATION IS 226.176. CITY OF PORTLAND DATA.

**NOTES & LEGEND:**  
[Symbol] DENOTES WATER METERS  
[Symbol] DENOTES MANHOLE  
[Symbol] DENOTES POWER POLE  
[Symbol] DENOTES BOARD FENCE  
[Symbol] DENOTES BOARD FENCE  
[Symbol] DENOTES CHAINLINK FENCE  
[Symbol] DENOTES CHAINLINK FENCE  
[Symbol] DENOTES WATER LINE  
[Symbol] DENOTES WATER LINE  
[Symbol] DENOTES SINKER LINE  
[Symbol] DENOTES SINKER LINE  
[Symbol] DENOTES PROPOSED SINKER LINE  
[Symbol] DENOTES EXISTING PROPERTY LINE  
[Symbol] DENOTES GUTTER ELEVATION (ELEVATION IS AT THE DECIMAL POINT)  
[Symbol] DENOTES TOP CURB/GUTTER ELEVATION  
[Symbol] DENOTES CENTERLINE ELEVATION (ELEVATION IS AT THE DECIMAL POINT)  
[Symbol] DENOTES GROUND ELEVATION AT ITEM NOTED  
[Symbol] DENOTES SPOT ELEVATION (ELEVATION IS AT THE DECIMAL POINT)  
[Symbol] DENOTES EDGE PAVEMENT ELEVATION (ELEVATION IS AT THE DECIMAL POINT)  
[Symbol] DENOTES SQUARE FEET  
[Symbol] DENOTES DOWNSPOUT TO SURFACE



NOTE: UTILITIES ARE LOCATED AS SHOWN PER FIELD TIES OR CITY OF PORTLAND AS BUILT DATA. ACTUAL LOCATION SHOULD BE FIELD VERIFIED BEFORE CONSTRUCTION.



SE. 140TH PLACE	PARCEL 1 PP 1993-135	CENTER COURT TRACT A	LOT 4
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