



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

Ted Wheeler, Mayor  
Rebecca Esau, Interim Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** May 23, 2017  
**To:** Interested Person  
**From:** Lois Jennings, Land Use Services  
503-823-2877 or [lois.jennings@portlandoregon.gov](mailto:lois.jennings@portlandoregon.gov)

## **NOTICE OF A TYPE Ix 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 45 days, **we need to receive your written comments by 5 p.m. on June 22, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-135811 LDP, 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 17-135811 LDP**

**Applicant:** Steve Buckles, Surveyor | Reppeto & Associates Inc  
12730 SE Stark St  
Portland OR 97233  
503-408-1502 or [steve@reppetosurveying.com](mailto:steve@reppetosurveying.com)

**Owners:** Timothy P. Brown & Brandon T. Brown  
1409 NE 17<sup>th</sup> Avenue  
Portland, OR 97232

**Site Address:** 3637 & 3641 N MISSOURI AVE

**Legal Description:** BLOCK 33 LOT 3, MULTNOMAH  
**Tax Account No.:** R591905710  
**State ID No.:** 1N1E22CC 04200  
**Quarter Section:** 2629  
**Neighborhood:** Boise, contact [boiselanduse@gmail.com](mailto:boiselanduse@gmail.com)  
**Business District:** North-Northeast Business Assoc, contact at [chair@nnebaportland.org](mailto:chair@nnebaportland.org)  
**District Coalition:** Northeast Coalition of Neighborhoods, contact Jessica Rojas at 503-388-5030.

**Zoning:** R2 –Low Density Multi-Family zone with “a”-Alternative Design Density overlay  
**Case Type:** LDP\_Land Division Partition

**Procedure:** Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:** The applicant is proposing a two (2) lot minor partition on the site for attached housing lots. Currently permits were issued to construct a duplex and detached garage on this property under permit # 2016-199584 RS and 2016-199599 RS. Construction has started for developing the site. A duplex per the zoning code is a building that contains two primary dwelling units on one lot. An Attached House is defined as a dwelling, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units.

This land division will allow each dwelling unit to be on its own lot. Parking for each of the units will be provided off the alley within a detached garage. A flow-through planter is being proposed for on-site stormwater management for the future development. If the land division is approved to create attached housing lots, a building permit will be required to convert the duplex into an attached house and to have an Accessory Dwelling Unit (ADU) above the garage.

This partition is reviewed through a Type Ix land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities, or services are proposed within a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (such as an Adjustment, Design Review, or Environmental Review) are requested or required (see 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010). ORS 92.010 defines "parcel" as a single unit of land created by a partition of land. The applicant's proposal is to create two lots. Therefore, this land division is considered a 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 **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 March 15, 2017 and determined to be complete on May 18, 2017

#### **DECISION MAKING PROCESS**

The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and either:

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

**We will mail you a copy of our decision only if you comment in writing to us at the City of Portland Bureau of Development Services, 1900 SW Fourth Ave., Suite 4500, Portland, OR 97201.** There will be no public hearing.

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.

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. 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](http://www.portlandonline.com).

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.

#### **APPEAL PROCESS**

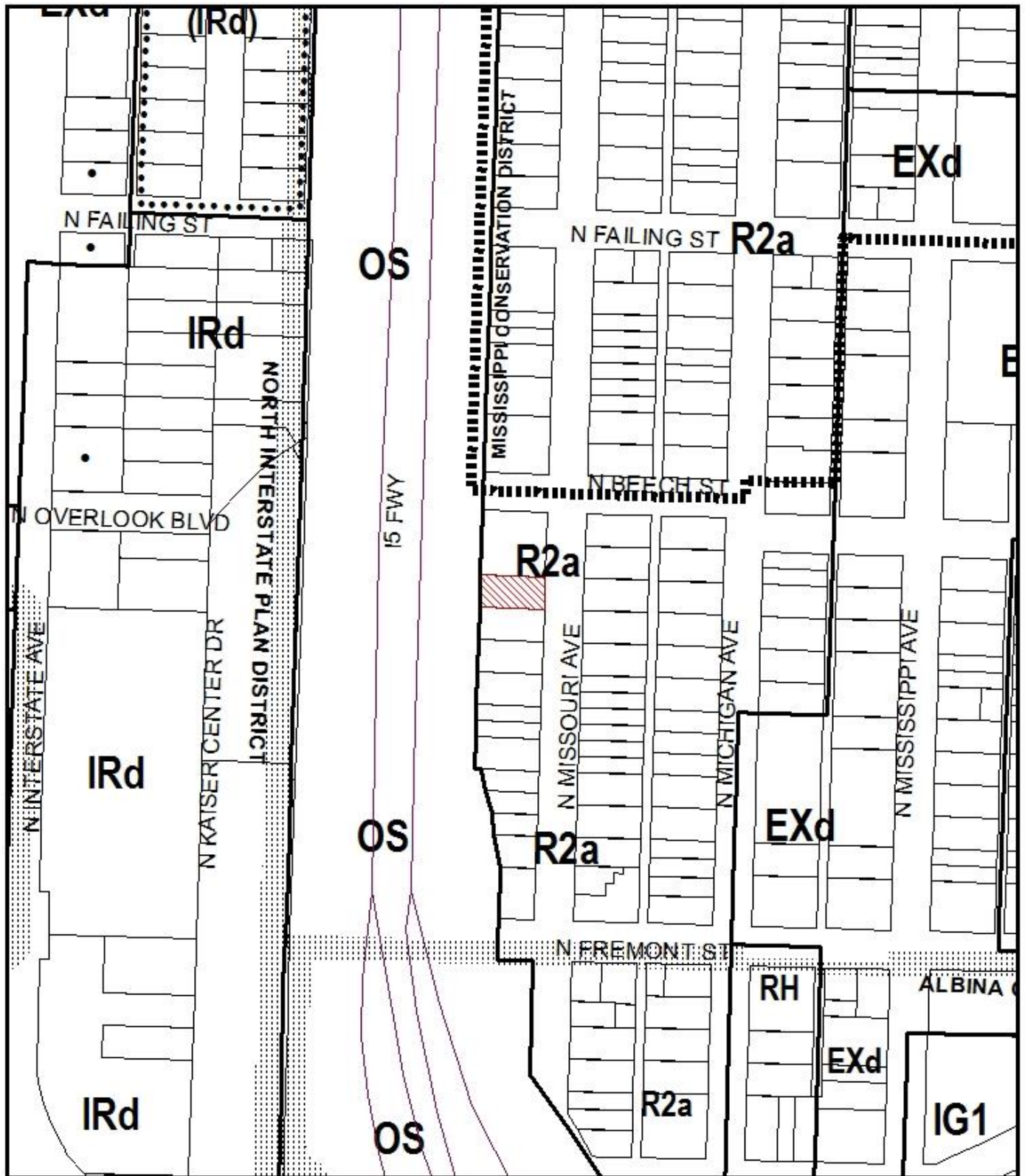
If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may 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
-  Historic Landmark



File No.	LU 17-135811 LDP
1/4 Section	2629
Scale	1 inch = 200 feet
State_Id	1N1E22CC 4200
Exhibit	B (Mar 21, 2017)

# PRELIMINARY UTILITY AND SITE PLAN

A REPLAT OF LOT 3, BLOCK 33, MULTNOMAH, SITUATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

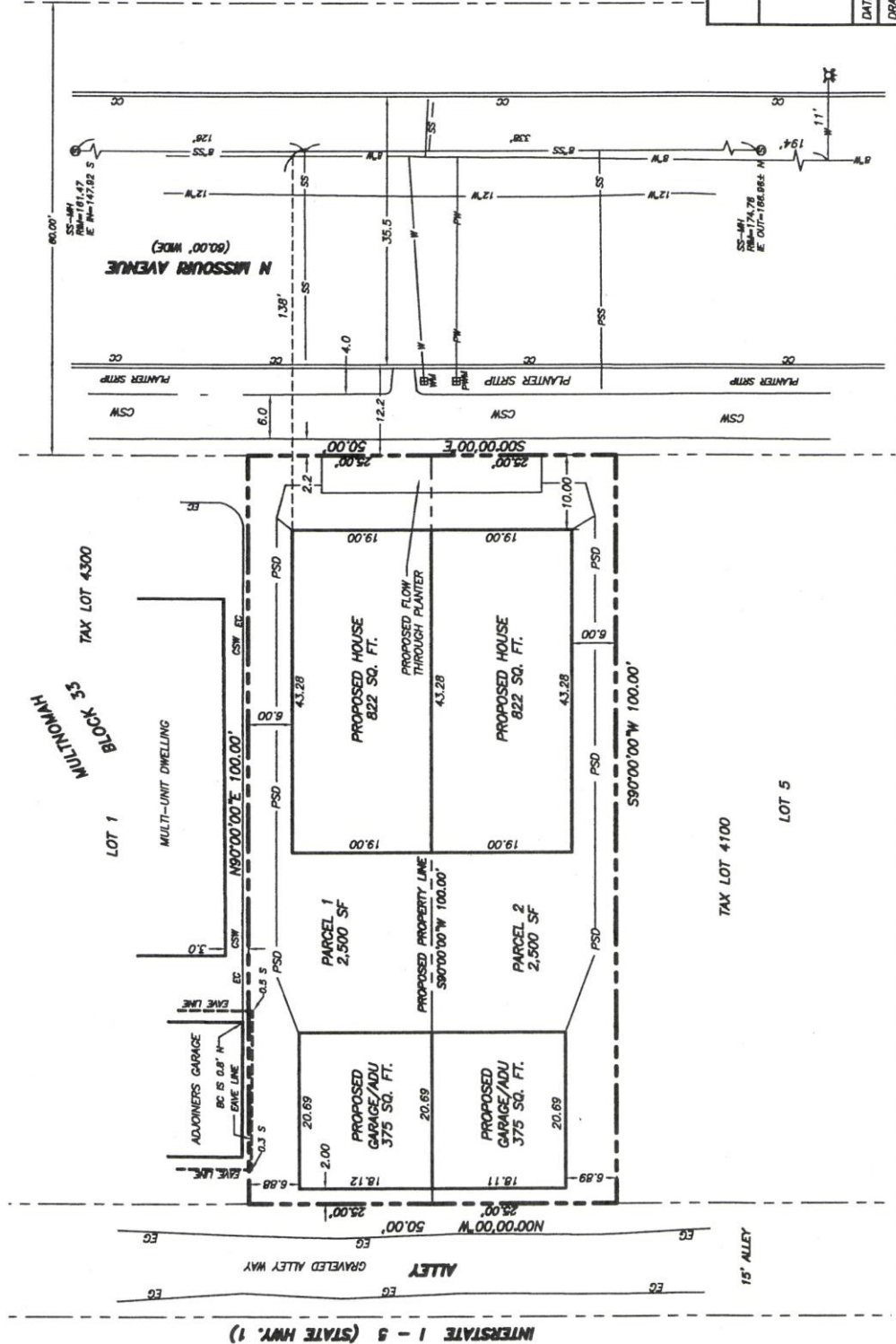
DATE: MAY 15, 2017 SCALE: 1"=10'-NONE  
FOR: BRANDON BROWN

## NOTES

1. ALL TREES ON THE SUBJECT SITE ARE EXEMPT OR WILL BE REMOVED. THE TREES THAT ARE NOT EXEMPT CANNOT BE PRESERVED DUE TO DEVELOPMENT OF THE SITE. THE MITIGATION OPTION WILL BE USED. SEE THE TREE PLAN BY MULTNOMAH TREE EXPERTS-LDA-A MINIMUM OF 4 NEW 1.5" DBA TREES WILL BE PLANTED.
2. THE EXISTING SANITARY SEWER SERVICE AND THE EXISTING WATER SERVICE WILL BE USED FOR THE NEW HOUSE ON PARCEL 1.
3. A FLOW THRU PLANTER WILL BE INSTALLED TO MANAGE THE ON-SITE STORM WATER RUNOFF. SEE SHEET C1 BY EMERO DESIGN.
4. THE NEAREST FIRE HYDRANT IS LOCATED 34.3 FEET, AS TRAVELED, FROM THE FURTHEST POINT OF BUILDING DEVELOPMENT. SAID FIRE HYDRANT DOES NOT EXCEED THE MAXIMUM REQUIRED DISTANCE TO THE FURTHEST POINT OF DEVELOPMENT.
5. NEW FIRE HYDRANT IS NOT REQUIRED.
6. THE BUILDING COVERAGE HAS BEEN REDUCED TO 2394 SQUARE FEET, WHICH IS BELOW THE ALLOWED MAXIMUM OF 2500 SQUARE FEET.

## LEGEND

- ⊙ = SANITARY SEWER MANHOLE
- BB = WATER METER
- BC = BUILDING CORNER
- CC = CONCRETE CURB
- CSW = CONCRETE SIDEWALK
- EG = EDGE OF GRAVEL
- EQ = EDGE OF GRASS
- FL = PROPERTY LINE
- PSS = PROPOSED SEWER SERVICE
- PW = PROPOSED WATER SERVICE
- SF = SQUARE FEET
- SS = SANITARY SEWER LINE
- WM = WATER METER



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Stephen P. Buckles*  
JULY 15, 2004  
STEVEN P. BUCKLES  
RENEW: 12/31/17

**REPETTO & ASSOCIATES, INC.**  
LAND SURVEYORS

Phase 123, Building C  
12730 SE Stark Street  
Portland, Oregon 97233  
Phone: (503) 408-1507  
Fax: (503) 408-2370

DATE: MAY 15, 2017 FILE: BT6008-SITE.DWG  
DRAWN BY: SPD JOB NO. 16008