



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

Ted Wheeler, Mayor
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Date: May 24, 2017
To: Interested Person
From: Lois Jennings, Land Use Services
503-823-2877 or lois.jennings@portlandoregon.gov

**NOTICE OF VACATION OF PUBLIC UTILITY
EASEMENTS AND A TYPE Ix LAND USE REVIEW (LUR)
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 23, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-164682 LC, 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 17-164682 LC

Applicant: David Greenidge | National Urban Housing & Economic Community Development Corporation (NUHECDC)
5425 NE 27th Avenue
Portland, OR 97211
503-477-7387 or david@nuhecdc.org

Representative: Andrew Montgomery, Architect | Terraforma Architecture
645 SW Viewmont Drive
Portland, OR 97225
503-296-0076 or apm@terraform.b12

Owner: National Urban Housing & Economic Community Development
11321 SW Naeve Street
Tigard, OR 97224

Site Address: 10859 E BURNSIDE ST

Legal Description: LOTS 1-5, BURNSWICK STATION
Tax Account No.: R121550250
State ID No.: 1N2E34CA 08405
Quarter Section: 3041

Neighborhood: Hazelwood, contact Arlene Kimura at 503-252-9429.

Business District: Gateway Area Business Association, contact Paul Wild at paul.wild@mhcc.edu

District Coalition: East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.

Plan District: East Corridor Plan District

Zoning: R2- Low Density Multi-Dwelling Zone with an “a”-Alternative Design Density overlay and “d”-Design Density overlay

Case Type: Lot Consolidation (LC)

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

DECISION MAKING PROCESS:

Proposal to vacate public utility easements: A Land Division located at 10859 E. Burnside was approved by the City in June of 1999 under case file #LUR 98-01087 SU AD, to create 4 attached housing lots and one multi-family dwelling lot. The final plat for this subdivision is known as Burnswick Station and was recorded with Multnomah County Deeds & Record on June 29, 1999 (Book 1243 Page 18).

These lots were encumbered by public utility easements that do not conform to the layout of proposed lot consolidation plat and restrict the future multi-family development layout on the site. The proposed lot consolidation plat will replace Lots 1-5 of Burnswick Station subdivision plat and would remove existing easements for utilities.

You are being notified per Oregon State Statute (ORS 92.185(4)), that these easements will be vacated with the recordation of the proposed Lot Consolidation Plat. Any utility company that desires to maintain an easement as delineated on Burnswick Station plat must notify in writing the governing body of the City of Portland within 14 days of this mailing per the ORS listed above.

Lot Consolidation Proposal: The applicant proposes to consolidate Lots 1, 2, 3, 4 and 5 of Burnswick Station subdivision into one parcel (as shown on lot consolidation plat survey attached). This lot consolidation will remove the requirement of the prior land division approval which restricts development to be specifically attached housing on current Lots 1-4 and allow multi-family development to occur on the complete site. As part of this replat into one parcel the lot consolidation plat will vacate all private easements (pedestrian, storm, sanitary, natural gas, access) and public utility easements as shown on Burnswick Station plat and remove conditions of approval of the land division. The vacation of these easements will allow for multi-family development to occur on this new parcel without these encumbrances. New multi-family development will be subject to the code in effect at the time of permit.

Relevant Approval Criteria:

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

- Zoning Code Section 33.675.300, Lot Consolidation 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 May 2, 2017 and determined to be complete on May 22, 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.

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.

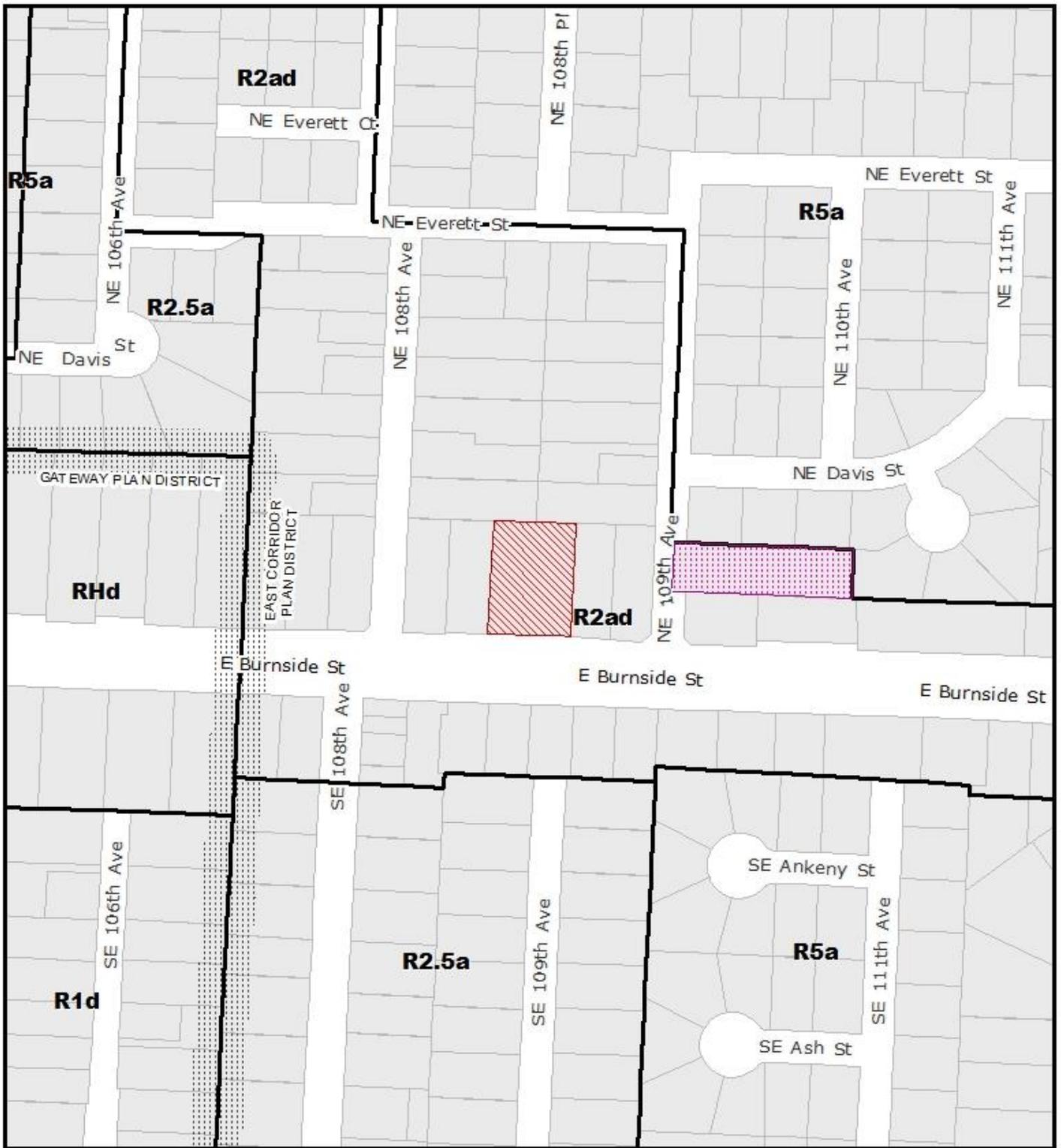
APPEAL PROCESS

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
Burnswick Station Plat (showing easements)
Lot Consolidation Plat Survey



ZONING 
 THIS SITE LIES WITHIN THE:
 EAST CORRIDOR
 PLAN DISTRICT

-  Site
-  Also Owned Parcels

File No.	LU 17-164682 LC
1/4 Section	3041
Scale	1 inch = 200 feet
State ID	1N2E34CA 8405
Exhibit	B May 09, 2017

