



**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:** June 19, 2017  
**To:** Interested Person  
**From:** Jason McNeil, Land Use Services  
503-823-5398 | [Jason.McNeil@portlandoregon.gov](mailto:Jason.McNeil@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 July 19, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-157592 LDP, in your letter. It also is helpful to address your letter to me, Jason McNeil. You can also e-mail your comments to me at my e-mail address identified above.

### **CASE FILE NUMBER: LU 17-157592 LDP**

**Applicant/Owner:** Vladimir Yurkovskiy | Craft Construction  
14653 SE Berry Cane Lane  
Damascus, OR 97089-7259  
503-997-3096 | [craftinc7@comcast.net](mailto:craftinc7@comcast.net)

**Site Address:** 7418 SE EVERGREEN ST  
**Legal Description:** E 60' OF W 85' OF S 80' OF LOT 8, GASTON TR  
**Tax Account No.:** R307600880  
**State ID No.:** 1S2E20AB 12700  
**Quarter Section:** 3738

**Neighborhood:** Brentwood-Darlington, contact [bdlanduse@gmail.com](mailto:bdlanduse@gmail.com).  
**Business District:** Eighty-Second Ave of Roses Business Association, contact Nancy Chapin at [nchapin@tsgpdx.com](mailto:nchapin@tsgpdx.com)  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.

**Zoning:** Residential 5,000 (R5) with Alternative Design Density Overlay (a) overlay  
**Case Type:** Land Division Partition (LDP)  
**Procedure:** Type IX, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA)

#### **Proposal:**

The applicant is proposing a 2-lot land division on the site for attached dwelling units. The proposal employs provisions of Subsection 33.110.240.E *Alternative Development Options*, which allows one extra unit of density when attached houses are proposed on a corner lot.

Each parcel would be 1,940 square feet in size and 40 feet wide. The driveway for Parcel 1 would come from SE Evergreen Street, while Parcel 2 would be served by SE 74<sup>th</sup> Ave.

A previous home on the site was demolished in 2009, and the site is currently vacant. The applicant proposes to remove two of three existing trees; one is described as a dying 39" dbh Douglas fir, and the other is described as a 6" dbh pear tree.

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 2 units of land. 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 April 20, 2017 and determined to be complete on June 12, 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.

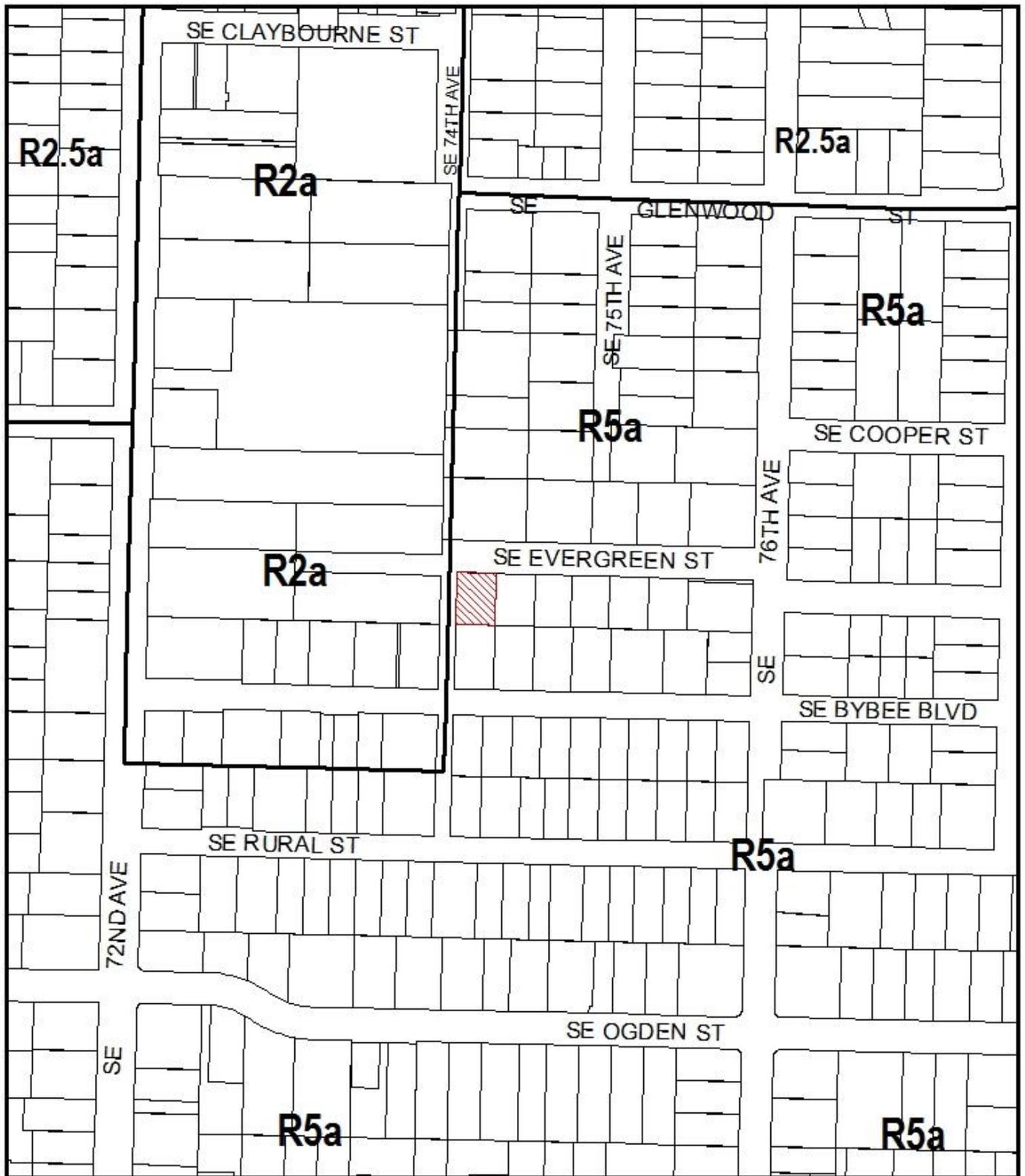
**APPEAL PROCESS**

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



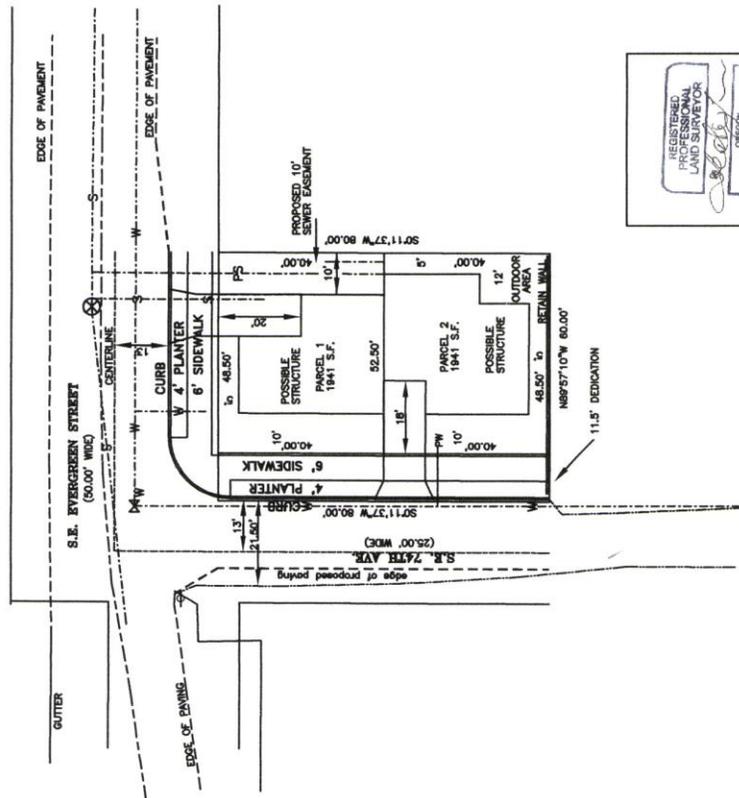
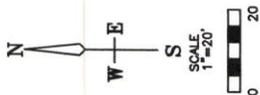
# ZONING

 Site



File No. LU 17-157592 LDP  
 1/4 Section 3738  
 Scale 1 inch = 200 feet  
 State\_Id 1S2E20AB 12700  
 Exhibit B (Apr 24, 2017)

44 17-157592-



- SYMBOLS**
- ⊕ = POWER POLE
  - ⊙ = GUY ANCHOR
  - ⊞ = WATER METER
  - ⊞ = GAS METER
  - ⊞ = ELECTRIC METER
  - ⊞ = WATER VALVE
  - ⊞ = GAS VALVE
  - ⊞ = MANHOLE
  - ⊞ = PROPOSED DRYWELL
  - ⊞ = CATCH BASIN
  - ⊞ = FIRE HYDRANT
  - ⊞ = DOWN SPOUTS
  - \* = LINE TO CONFORM
  - W— = WATER LINE
  - G— = GAS LINE
  - E— = ELECTRIC LINE
  - S— = SAN. SEWER
  - ☼ = DECIDUOUS TREE
  - ☼ = CONIFER TREE



**Ferguson Land Surveying, Inc.**  
 646 SE 106TH AVE. PORTLAND, OR 97216  
 Phone (503) 408-0601 Fax (503) 408-0602  
 www.FergusonLandSurveying.com

**PROPOSED CONDITIONS**  
 EAST 80.00' OF THE WEST 80.00' OF THE SOUTH 80.00' OF LOT 1, SECTION TRACT  
 SITUATED IN THE NE 1/4, SECTION 20, T.15. S.2 E. 1 W.1.  
 CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

CRAFT CONSTRUCTION & DRYWALL  
 VLADIMIR YURKOVSKIY  
 14853 SE BERRY CAME WAY  
 DAMASCUS, OR 97089

JOB NO. 17-025  
 DRAFTED 03.16.17  
 REVISIONS  
 REVISION  
 REVISION  
 SHEET 1 OF 1

DATE: MARCH 17, 2017  
 REVISION MARCH 23, 2017