



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

Chloe Eudaly, Commissioner
Rebecca Esau, Interim Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: June 28, 2017
To: Interested Person
From: JP McNeil, Land Use Services
503-823-5398 / 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 28, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-116801 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 17-116801 LDP

Applicant: Donald Pozarycki,
7148 SE 66th Ave
Portland, OR 97206
503-467-6220 | Paz@Udupdx.Com

Owner: M O Financial Associates Llc
2000 NE 42nd Ave #D Pmb 158
Portland, OR 97213

Site Address: 845 N SUMNER ST

Legal Description: SUB TRACT K BLOCK 1 LOT 14, M PATTONS & SUB
Tax Account No.: R520704610
State ID No.: 1N1E22BA 08900
Quarter Section: 2529
Neighborhood: Humboldt, contact HNAnews@gmail.com.
Business District: North-Northeast Business Assoc, contact at chair@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Jessica Rojas at 503-388-5030.

Zoning: R2.5a – Residential 2,500 with the “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-parcel land division on this 6,000 square foot lot resulting in two (2) 3,000 square foot parcels. The existing home on the site will be removed and the two new parcels will be made available for new attached housing. Both parcels are narrow lots as the proposed width (30 feet) is smaller than the minimum width for the zone (36 feet). There are several large trees located on the site. The applicant is proposing to preserve the three Western Red Cedars at the rear of Parcel 1 in order to meet Tree Preservation requirements. Due to this site's proximity to a frequent service bus line, off-street parking is not required at this location; however, the applicant is proposing attached garages for the new homes.

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 approval 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 February 7, 2017 and determined to be complete on June 21, 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.

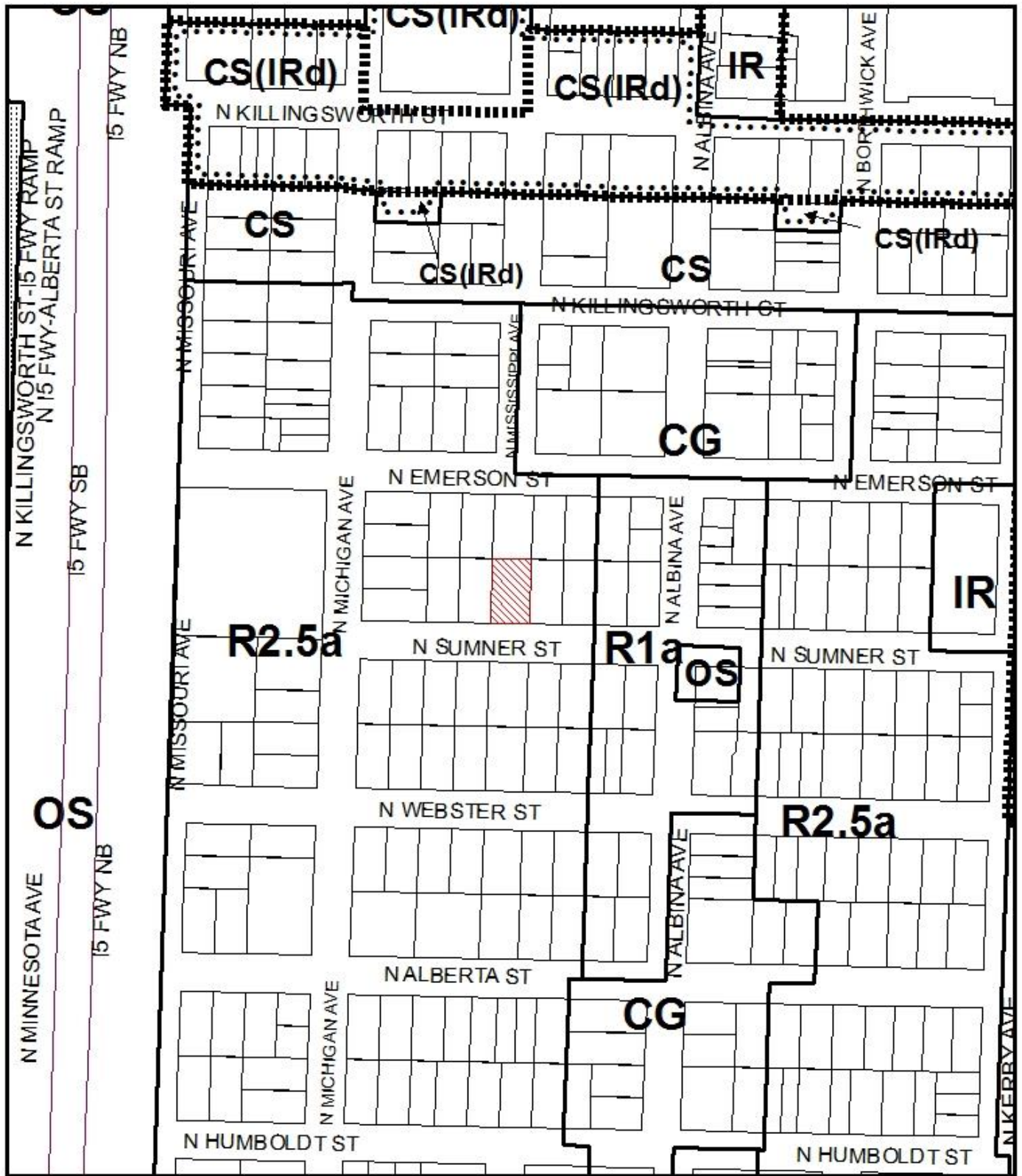
APPEAL PROCESS

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
Site Plans



ZONING

 Site



File No. LU 17-116801 LDP
 1/4 Section 2529
 Scale 1 inch = 200 feet
 State_Id 1N1E22BA 8900
 Exhibit B (Feb 09, 2017)

SITE PLAN

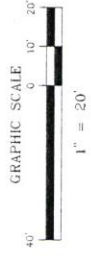
LOT 14, BLOCK 1 OF
 "SUBDIVISION OF TRACT 'K',
 M. PATTONS TRACT"
 SITUATED IN THE NW 1/4
 SECTION 22, T.1N., R.1E., W.M.,
 CITY OF PORTLAND,
 MULTNOMAH COUNTY, OREGON

DATUM:

HORIZONTAL:
 BASIS OF BEARING IS N490000.00E ALONG THE NORTH LINE OF N. SUMNER
 STREET PER SURVEY NUMBER 55109, MULTNOMAH COUNTY SURVEY
 RECORDS

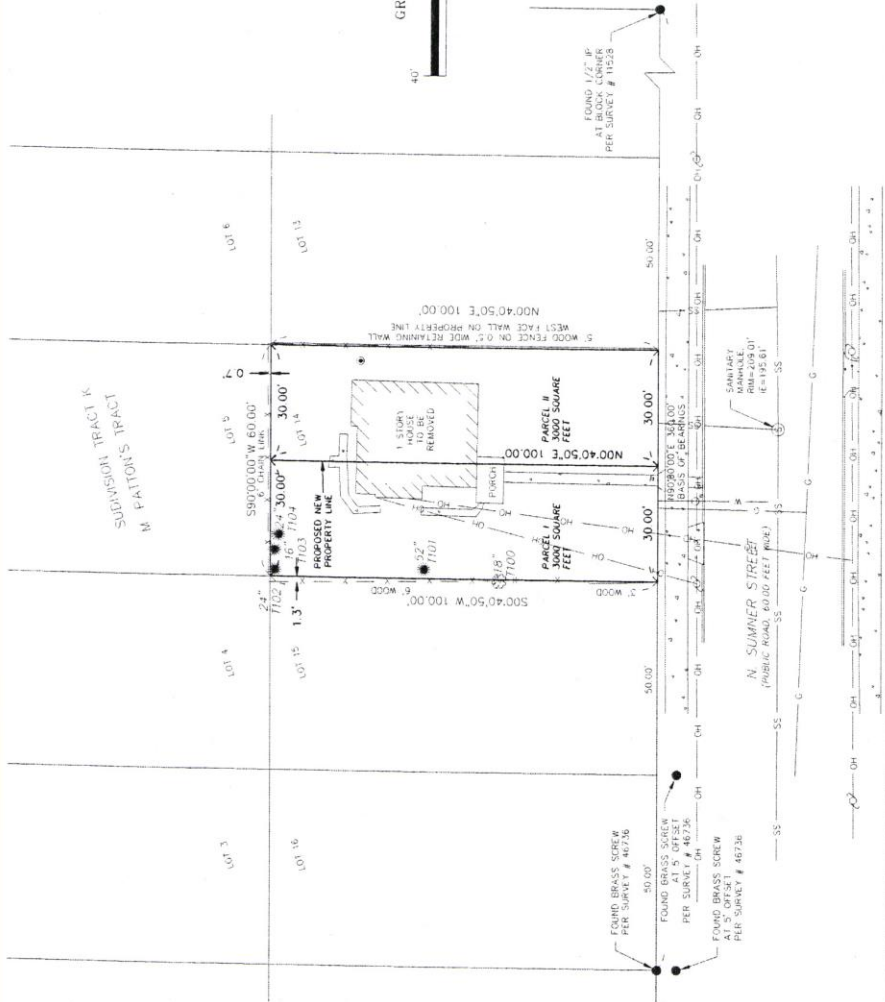
VERTICAL:

2 1/2" BRASS DISK
 IN THE CURB RETURN AT THE NW CORNER OF THE
 INTERSECTION OF BERSON ST. AND ALBINA AVE.



LEGEND:

- ⊕ POWER POLE
- ⊕ WATER METER
- ⊕ SANITARY SEWER MANHOLE
- ⊕ SANITARY SEWER CLEANOUT
- 14" CONIFER TREE WITH SIZE AND TAG NUMBER
- 14" DECIDUOUS TREE WITH SIZE AND TAG NUMBER
- FOUND MONUMENT
- SUBJECT PROPERTY
- STAZARD CURB
- FENCELINE
- WATER LINE
- OVERHEAD POWER LINE
- SANITARY SEWER LINE
- GAS LINE
- ▨ BUILDING
- CONCRETE SURFACE



UTILITY STATEMENT:

THE UTILITIES SHOWN ON THIS MAP ARE LOCATED FROM APPARENT
 SURFACE FEATURES OR FROM RECORDS. THE LOCATION OF UTILITIES
 OTHER THAN POWER LINES AND GAS LINES IS NOT GUARANTEED BY
 THIS SURVEY. THE LOCATION OF UTILITIES SHOWN ON THIS MAP IS
 BASED ON THE LOCATION OF SURFACE FEATURES OR RECORDS. THE
 MARKS ON THE GROUND ARE COLORED CODED AND TYPICALLY RESULT FROM
 OUR CALL TO THE "ONE CALL" UTILITY LOCATION CENTER.
 WE MAKE NO GUARANTEE TO THE ACCURACY OR COMPLETENESS OF ANY
 UTILITY INFORMATION SHOWN ON OUR MAP. WE HAVE NO INFORMATION TO
 VERIFY THE LOCATION OF UTILITIES SHOWN ON THIS MAP. THE
 SURFACE FEATURES OR THAT THE POINT MARKS ARE ACCURATELY LOCATED.

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

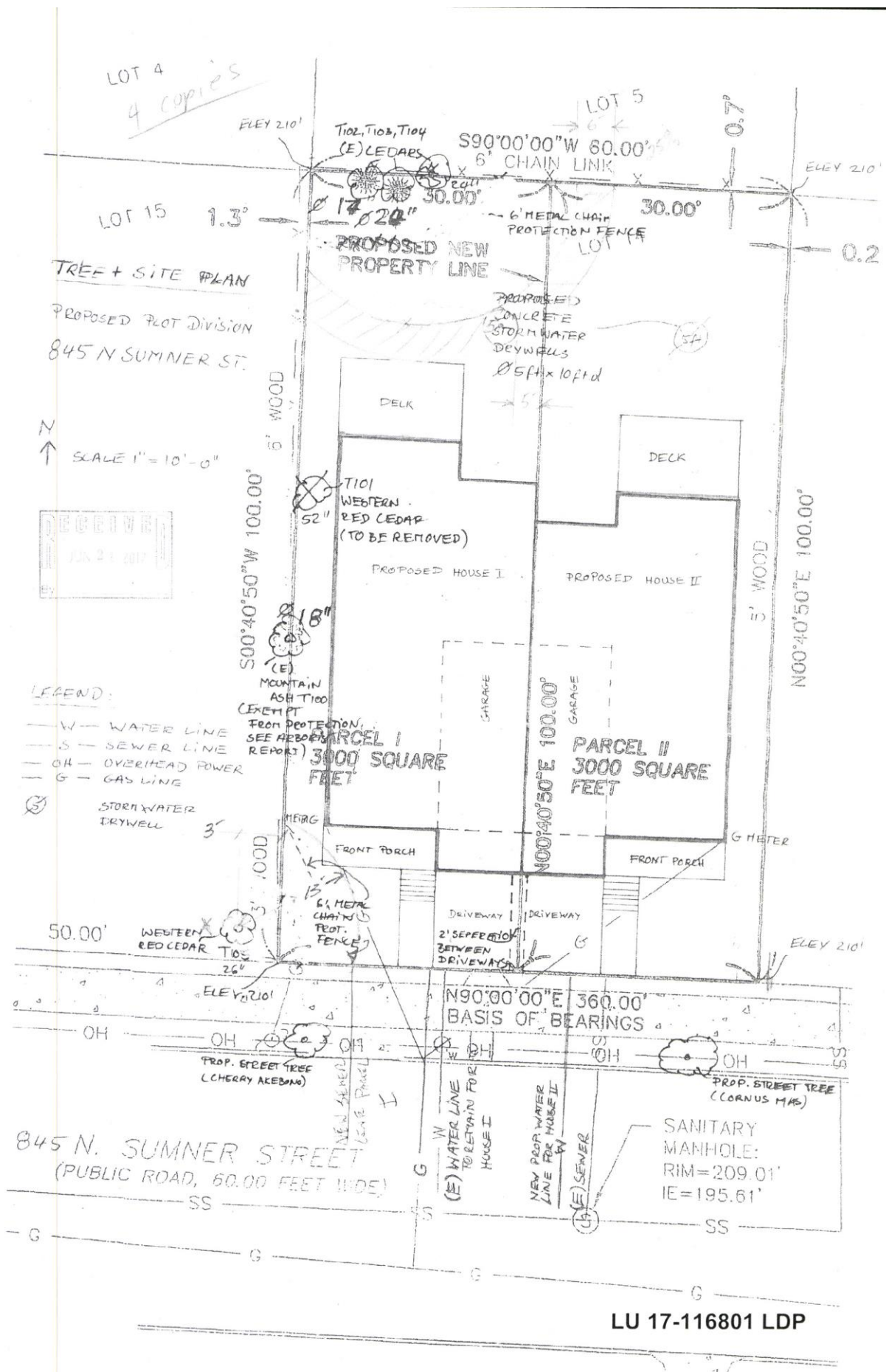
THOMAS G. NELSON
 #2351
 RENEWAL 12/31/18

SURVEYED FOR:
 WALTER POZARSKI
 8110 BERSON STREET
 PORTLAND, OR

Tom Nelson & Associates, L.L.C.
 4830 NE SUNNY BLVD., SUITE 200
 PORTLAND, OREGON 97213
 PHONE: (503) 239-1933
 FAX: (503) 239-1962



DATE: JUNE 2, 2017
 PROJECT NO.: 17040
 DRAWN BY: SOORR
 SHEET: 1 OF 1



LU 17-116801 LDP