



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

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Date: August 11, 2017
To: Interested Person
From: Brandon Rogers, Land Use Services
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NOTICE OF A TYPE Ix DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 17-133463 LC

GENERAL INFORMATION

Applicant: Nathan Arnold/Faster Permits
14334 NW Eagleridge Lane
Portland, OR 97229
503-438-8113 / NATHAN@FASTERPERMITS.COM

Owner: Greg Perrin/Columbia Redevelopment
4605 NE Fremont St #104
Portland OR 97213
503-200-8730 / greg@columbiaredevelopment.com

Site Address: 6826 N KNOWLES AVE
Legal Description: BLOCK 6, LOT 10-12, ARBOR LODGE
Tax Account No.: R032701150
State ID No.: 1N1E16BC 08900
Quarter Section: 2327
Neighborhood: Arbor Lodge, contact Nate Young at alna.nate@gmail.com.
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

Zoning: Residential 5,000 (R5) with the "a" Alternative Design Density overlay zone.

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

Proposal: The applicant proposes to consolidate lots 10 and 11 of the Arbor Lodge subdivision into a single lot by removing the lot line between lots 10 and 11. A new plat will be recorded to accomplish the proposed Lot Consolidation. The proposal is related to a separate application for a Property Line Adjustment at the site, which is not part of this review.

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 33.675.300, Lot Consolidation Standards.**

ANALYSIS

Site and Vicinity: The 10,900 square-foot site is developed with a single-family residence and is a corner lot. The topography of the site is primarily level, with an elevation change of approximately two feet across the site. The surrounding neighborhood is developed primarily with detached, single family houses. Waud Bluff natural area is located approximately 675 feet west of the site, and Arbor Lodge Park is located approximately 1,000 feet east of the site. N Knowles Street is developed with paving, detached sidewalks with a park strip and street trees and paved sidewalks. N Saratoga Street consists of a graveled surface, with no paving and no sidewalks.

Zoning: Residential, 5,000 (R5). The R5 designation is one of the City's single-dwelling zones which is intended to preserve land for housing and to promote housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency and Neighborhood Review: A Notice of Proposal in your Neighborhood was mailed on March 24, 2017.

Agency Review: Several Bureaus and agencies have responded to this proposal. Please see Exhibits E for details. The comments are addressed under the appropriate criteria for review of the proposal. BES, Life Safety, PBOT, Urban Forestry and the Portland Water Bureau do not object to the project.

Neighborhood Review: One written response has been received from notified property owner in response to the proposal. No response was received from the Arbor Lodge Neighborhood Association.

Staff Response: The response received from the neighbor (Exhibit F.1) expresses concerns regarding future development at the site. The site is in the Residential 5,000 (R5) zone. The existing house is proposed to remain at the site. A Property Line Adjustment (PLA) application is pending approval once this Lot Consolidation has been completed. The Lot Consolidation is required to facilitate the PLA. A detached, single-dwelling may be developed on the site once the Lot Consolidation plat has been recorded and the PLA approved.

ZONING CODE APPROVAL CRITERIA

LOT CONSOLIDATIONS

33.675.010 Purpose

This chapter states the procedures and regulations for removing lot lines within a site to create one lot. The regulations ensure that lot consolidation does not circumvent other requirements of this Title, and that lots and sites continue to meet conditions of land use approvals. The lot consolidation process described in this chapter is different from (and does not replace) the process used by the county to consolidate lots under one tax account. A tax consolidation does not affect the underlying platted lots. A lot consolidation results in a new plat for the consolidation site.

33.675.050 When These Regulations Apply

A lot consolidation may be used to remove lot lines within a site. The applicant may also choose to remove such lot lines through a land division. A lot consolidation may be required by other provisions of this Title.

33.675.100 Review Procedure

- A. Generally.** Lot consolidations are reviewed through Type I procedure.
- B. Sites in PUDs or PDs.** If any portion of the site is within a Planned Unit Development (PUD) or Planned Development (PD), an amendment to the PUD or PD is also required. The amendment to the PUD or PD must be reviewed concurrently with the lot consolidation.

Findings: The site is not involved in any past or proposed Planned Unit Development or Planned Developments. Therefore, the requested lot consolidation review has been reviewed under the Type I procedure.

33.675.300 Approval Standards for a Lot Consolidation. A lot consolidation must meet the following standards:

A. Lots. Consolidated lots must meet the standards of Chapters 33.605 through 33.615, with the following exceptions:

1. Lot dimension standards.

- a. **Minimum lot area.** If the area of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot area requirements;
- b. **Maximum lot area.** If any of the lots within the lot consolidation site are larger than the maximum lot area allowed, the lot consolidation site is exempt from maximum lot area requirements;
- c. **Minimum lot width.** If the width of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot width requirements;
- d. **Minimum front lot line.** If the front lot line of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum front lot line requirements;
- e. **Minimum lot depth.** If the depth of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot depth requirements.

Findings: The proposed site is in the R5 zone. Approval standards 1.a through 1.e are related to the required lot dimensions and creation of a consolidated parcel that will either meet the lot dimension standards of the zone or meet the listed exceptions. The proposed consolidated lot meets the lot dimension standards of the R5 zone as shown in the following table (this information is found in Table 610-2 of the Zoning Code):

	R5 Zone Requirement	Lot 1 (after consolidation)
Minimum Lot Area	3,000 square feet	7,266 square feet
Maximum Lot Area	8,500 square feet	
Minimum Lot Width*	36 feet	66.66 feet
Minimum Front Lot Line	30 feet	66.66 feet
Minimum Lot Depth	50 feet	109 feet

* Width is measured at the minimum front building setback line

As noted herein, the proposed consolidated lot meets the standards of 1.a through 1.e.

- 2. Maximum density. If the consolidation brings the lot consolidation site closer to conformance with maximum density requirements, the consolidation does not have to meet maximum density requirements;**

Findings: The maximum density of the consolidated lot is $(7,266/5,000) = 1.45 = 1$ unit. The site is developed with one single-family dwelling. Therefore, the maximum density will not be exceeded by consolidating the historic lots that currently make up this site.

- 3. Lots without street frontage. If the lot consolidation consolidates lots that do not have street frontage with a lot that has street frontage, the consolidation does not have to meet minimum density and maximum lot area requirements;**

Findings: Both lots in the lot consolidation site have street frontage, therefore this standard does not apply.

- 4. Through lots. If any of the existing lots within the lot consolidation site are through lots with at least one front lot line abutting an arterial street, then the consolidated lot may be a through lot;**

Findings: The existing lots within the lot consolidation site are not through lots and proposed consolidated Lot 1 will not be a through lot. Therefore, this standard does not apply.

- 5. Split zoning. If any of the existing lots within the lot consolidation site are in more than one base zone, then the consolidated lot may be in more than one base zone.**

Findings: This site contains only one zoning designation; therefore, the consolidated lot will not have split zoning. This standard does not apply.

- B. Conditions of land use approvals. Conditions of land use approvals continue to apply, and must be met.**

Findings: There are no previous land use cases for this site, therefore this standard does not apply.

DEVELOPMENT STANDARDS


Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The applicant proposes to consolidate lots 10 and 11 of the Arbor Lodge subdivision into a single lot by removing the lot line between lots 10 and 11. No City Bureaus raised objection to the proposal. As discussed above, the requested lot consolidation has been reviewed and shown to be able to meet all the required standards for lot consolidations as laid out in Section 33.675.300.

ADMINISTRATIVE DECISION

Approval of a Lot Consolidation to consolidate lots 10 and 11 of the Arbor Lodge subdivision into a single lot by removing the lot line between lots 10 and 11., as illustrated by Exhibit C.1, signed and dated August 11, 2017

Decision rendered by:  on August 9, 2017
By authority of the Director of the Bureau of Development Services

Decision mailed August 11, 2017

Staff Planner: Brandon Rogers

About this Decision. This land use decision is **not a permit** for development. **THE SIGNED FINAL PLAT MUST BE RECORDED WITH MULTNOMAH COUNTY DEED RECORDS WITHIN 90 DAYS OF THE DATE OF THIS DECISION November 6, 2017, OR THIS DECISION WILL BECOME NULL AND VOID.** Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on March 10, 2017, and was determined to be complete on March 21, 2017.

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. Therefore; this application was reviewed against the Zoning Code in effect on March 10, 2017.

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 waived or extended at the request of the applicant. In this case, the applicant requested that the 120-day review period be extended by 120 days. Therefore, unless further extended by the applicant, the 120-day period ends on November 16, 2017.

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

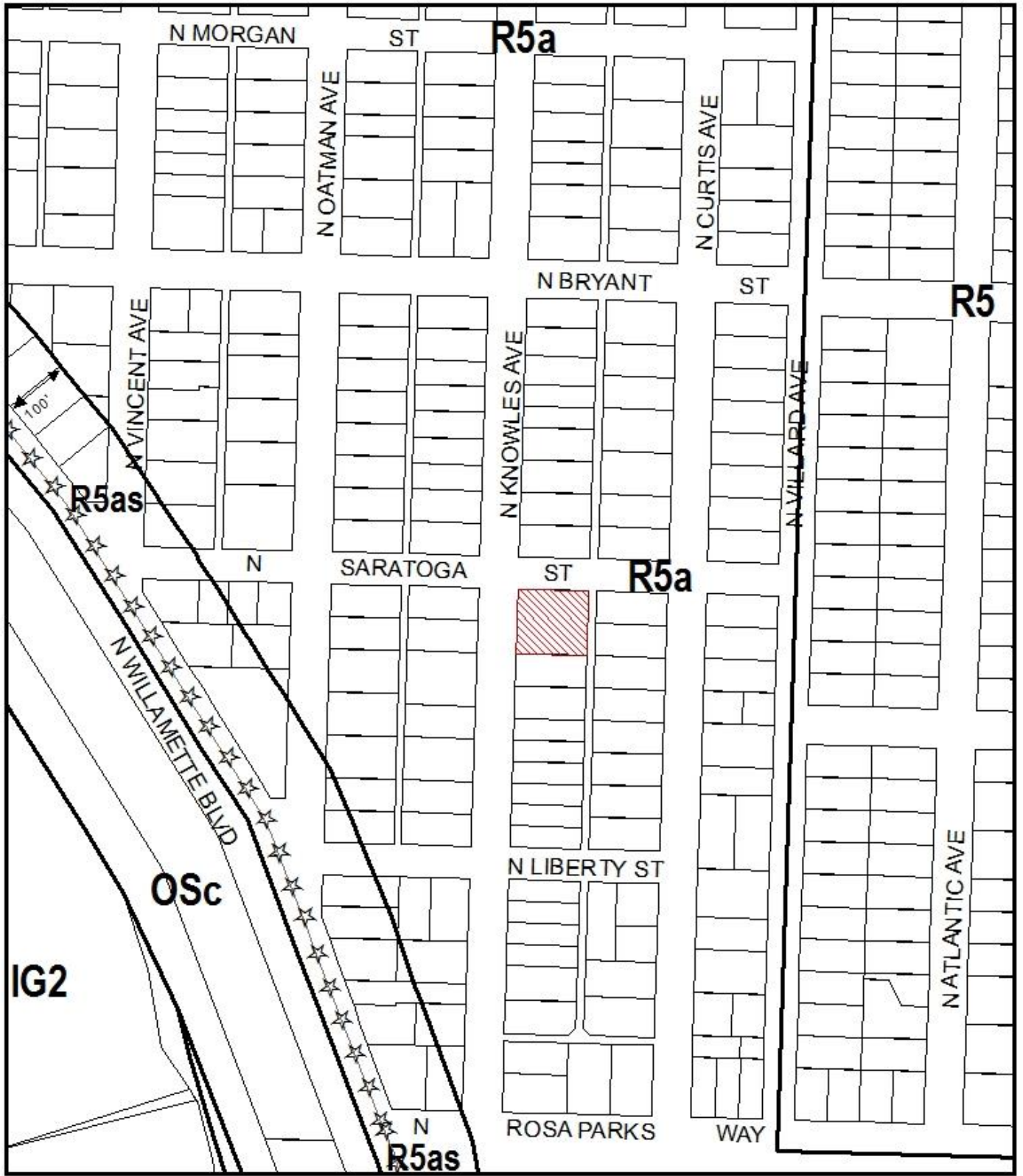
The file and all evidence on this case is available for your review by appointment. Please contact the receptionist at 503-823-7967 to schedule an appointment. Copies of all information in the file can be obtained for a fee equal to the cost for such services. You may also find additional information 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

Recording the Final Plat. The signed plat must be recorded by the applicant with the County Deed Records within 90 days following approval by the Bureau of Development Services or the approval will be null and void.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Approved Plat (attached)
 - 2. Supplemental Survey
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Bureau of Parks, Forestry Division
 - 7. Life Safety
- F. Correspondence:
 - 1. Brian Hoenig, March 27, 2017
- G. Other:
 - 1. Original LU Application
 - 2. 120-Day Extension Request



ZONING



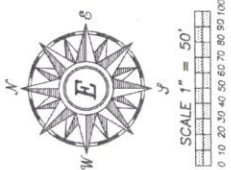
- Site
- ☆ Recreational Trails

File No.	<u>LU 17-133463 LC</u>
1/4 Section	<u>2327</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E16BC 8900</u>
Exhibit	<u>B (Mar 14, 2017)</u>

PARTITION PLAT NO.

A REPLAT OF LOTS 10 AND 11, BLOCK 6, "ARBOR LODGE", SITUATED IN THE N.W. 1/4 OF SECTION 16, T.1N., R.1E., W.M., CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
 MARCH 1, 2017

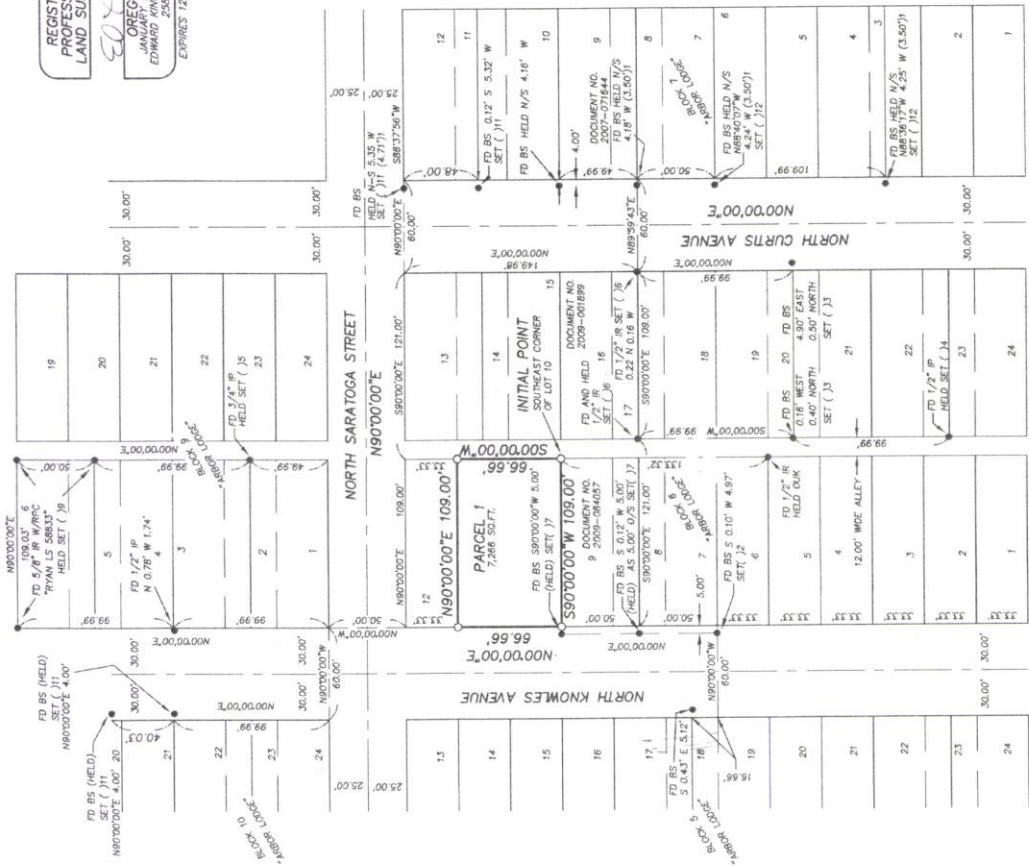
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 EMERIO
 JAMES W. EMERIO, 1983
 EDWARD WING PHELPS
 2506
 EXPIRES 12-31-18



BASIS OF BEARINGS
 THIS SURVEY IS UNDISTURBED, WITHIN THE
 THE BASIS OF BEARINGS MARKING THE NORTHWEST AND NORTHEAST CORNERS OF LOT
 LOT 6, BLOCK 6, "ARBOR LODGE" PER SURVEY NUMBER 65133, MULTNOMAH
 COUNTY SURVEY RECORDS.

SURVEY NARRATIVE
 THE PURPOSE OF THIS SURVEY IS TO ESTABLISH THE BOUNDARY LINES FOR LOTS
 10 AND 11, BLOCK 6, "ARBOR LODGE", FOR THE PURPOSE OF CREATING A 1
 1 ESTABLISHED THE WESTERLY CORNER OF BLOCK 6 BY HOLDING THE FOUND BRASS
 SCREWS NEAR THE NORTHWEST CORNER OF LOT 9 AND THE BRASS SCREW NEAR
 THE NORTHEAST CORNER OF LOT 10. THE SURVEY LINES WERE RUN WESTERLY OF THE
 EASTERY RIGHT OF WAY LINE OF NORTH KNOWLES AVENUE.
 1 ESTABLISHED THE MID LINE OF LOTS 8 AND 17 BY HOLDING THE BRASS SCREW
 4.18 FEET WEST OF THE MID POINT OF THE WESTERLY LINE OF LOT 8, BLOCK 7,
 "ARBOR LODGE" PER DOCUMENT NUMBERS 2009-084057 AND 2009-001888,
 1 THEN ESTABLISHED THE NORTH LINE OF SAID LOT 11 AND THE SOUTH LINE OF
 SAID LOT 10 AT PLAT AND DEED DISTANCES.
 1 THE SURVEY LINES WERE ESTABLISHED AT PLAT DISTANCES FROM
 THE ESTABLISHED EASTERLY RIGHT OF WAY LINE OF NORTH KNOWLES AVENUE.

- LEGEND**
- FD DENOTES FOUND
 - W/PC DENOTES WITH YELLOW PLASTIC CAP
 - W/PC DENOTES WITH RED PLASTIC CAP
 - IR DENOTES IRON ROD
 - IP DENOTES IRON PIPE
 - N DENOTES NORTH
 - W DENOTES WEST
 - E DENOTES EAST
 - S DENOTES SOUTH
 - OUK DENOTES ORIGIN UNKNOWN
 - BS DENOTES BRASS SCREW
 - (M) DENOTES SURVEY NUMBER IN REFERENCES
 - DENOTES MONUMENT FOUND AS NOTED
 - DENOTES 2.0" X 3.0" IRON ROD SET WITH YELLOW PLASTIC CAP INBRED "EMERIO DESIGN" SET
 - SN DENOTES SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS
 - PP DENOTES PARTITION PLAT



- REFERENCES**
- (1) SN 82169
 - (2) SN 4592
 - (3) SN 31523
 - (4) SN 31524
 - (5) SN 26883
 - (6) SN 22531
 - (7) SN 2014-73
 - (8) SN 65135
 - (9) SN 16588
 - (10) SN 16588
 - (11) SN 16588
 - (12) SN 8488

EMERIO
Design

8265 SW NAMURIS AVE, SUITE 180
 BEAVERTON, OREGON 97008
 TEL: (503) 635-9482
 FAX: (503) 635-9482
 www.emeriodesign.com
 JOB NUMBER 434-003

CASE NO. **LU17-132463LC**
 EXHIBIT **C.1**

PARTITION PLAT NO. _____

A REPLAT OF LOTS 10 AND 11, BLOCK 6, "ARBOR LODGE", SITUATED IN THE
N.W. 1/4 OF SECTION 16, T.1N., R.1E., W.M., CITY OF PORTLAND, MULTNOMAH
COUNTY, OREGON
MARCH 1, 2017

CITY OF PORTLAND APPROVALS
APPROVED THIS 11TH DAY OF AUGUST 2017

BY: *[Signature]*
BY: TRAVANON SOBERS
CITY OF PORTLAND - PLANNING DIRECTOR DELEGATE

APPROVED THIS 1ST DAY OF AUGUST 2017

BY: *[Signature]*
CITY OF PORTLAND - CITY ENGINEER'S DELEGATE

MULTNOMAH COUNTY APPROVALS

APPROVED THIS _____ DAY OF _____ 20____

COUNTY SURETOR, MULTNOMAH COUNTY, OREGON

BY: _____
ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY O.R.S.
92.005 HAVE BEEN PAID AS OF _____ 20____

DIRECTOR, DIVISION OF ASSESSMENT AND TAXATION, MULTNOMAH COUNTY,
OREGON

BY: DEPUTY _____

STATE OF OREGON)
COUNTY OF MULTNOMAH) SS

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR
RECORD AND RECORDED

AS PARTITION PLAT NO. _____ AT _____ O'CLOCK _____ M.
COUNTY RECORDING OFFICE

BY: DEPUTY _____

DOCUMENT NO. _____

SURVEYOR'S CERTIFICATE

I, EDWARD KING PHELPS, HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE
LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 10 AND 11, BLOCK 6, "ARBOR LODGE", A DULY RECORDED PLAT, MULTNOMAH COUNTY
PLAT RECORDS, SITUATED IN THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 NORTH,
RANGE 1 EAST, MULTNOMAH COUNTY, OREGON, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEING BY THE INITIAL POINT, A 3/8" x 1/4" IRON ROD WITH PLASTIC YELLOW CAP
MARKED "MPTD 100000", BEING THE SOUTHWEST
CORNER OF SAID LOT 10, BEING 133.32 FEET FROM THE 1/2" IRON PIPE MARKING THE SOUTHEAST CORNER OF
LOT 6, BLOCK 6, "ARBOR LODGE", THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 10,
S10°00'00"E, 133.32 FEET FROM THE 1/2" IRON PIPE MARKING THE SOUTHEAST CORNER OF
SAID LOT 10, TO THE POINT OF BEGINNING, THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, N00°00'00"E, 46.66 FEET TO
THE NORTHWEST CORNER OF SAID LOT 11, THENCE LEAVING SAID RIGHT OF WAY LINE AND
WEST RIGHT OF WAY LINE OF 9' 11.00 FEET WIDE ALLEY IN SAID BLOCK 6, THENCE ALONG
SAID WEST RIGHT OF WAY LINE AND THE EASTERLY LINE OF SAID LOTS 10 AND 11,
S00°00'00"W, 86.66 FEET TO THE INITIAL POINT.

CONTAINING 7.266 SQUARE FEET.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature]
OREGON
JANUARY 10, 1993
EDWARD KING PHELPS
2886
EXPIRES 12-31-18

EMERIO
Design

8285 SW NIMBUS AVE, SUITE 180
BEAUMONT, OREGON 97008
TEL: (503) 746-8812
www.emeriodesign.com
JOB NUMBER 434-003

DECLARATION
KNOW ALL PEOPLE BY THESE PRESENTS THAT COLUMBIA REDEVELOPMENT, LLC,
A LIMITED LIABILITY COMPANY, HAS CAUSED THE PARTITION PLAT
HEREIN TO BE PREPARED AND THE PROPERTY PARTITIONED AS SHOWN ON THE ANNEXED
MAP IN ACCORDANCE WITH THE PROVISIONS OF O.R.S. CHAPTER 92.

COLUMBIA REDEVELOPMENT, LLC
GREG PERROK, PRESIDENT OF THE MANAGER
STATE OF OREGON)
COUNTY OF MULTNOMAH) SS

THIS CERTIFIES THAT ON THIS 17TH DAY OF JULY 2017
BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR SAID STATE AND
COUNTY OF MULTNOMAH, OREGON, GREG PERROK, PRESIDENT OF COLUMBIA
REDEVELOPMENT, LLC, HAS CAUSED THE PARTITION PLAT
HEREIN TO BE PREPARED AND THE PROPERTY PARTITIONED AS SHOWN ON THE ANNEXED
MAP IN ACCORDANCE WITH THE PROVISIONS OF O.R.S. CHAPTER 92.

[Signature]
NOTARY PUBLIC SIGNATURE
HELENE STEINER
NOTARY PUBLIC (PRINT NAME)
COMMISSION NO. 930477
MY COMMISSION EXPIRES JULY 14, 2018

PLAT NOTES
1. THIS PARTITION PLAT IS SUBJECT TO THE CONSTRAINTS
IMPOSED BY THE CITY OF PORTLAND IN CASE FILE LU
17-133463 LP