



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

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

**Date:** November 20, 2017  
**To:** Interested Person  
**From:** JP 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 December 20, 2017.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-251246 LDP, in your letter. It also is helpful to address your letter to me, JP McNeil. You can also e-mail your comments to me at my e-mail address identified above.

### **CASE FILE NUMBER: LU 17-251246 LDP**

**Applicant:** Debbie Cleek | The Bookin Group  
1140 SW 11th Ave #500 | Portland, OR 97205  
[Cleek@bookingroup.com](mailto:Cleek@bookingroup.com) | (503) 789-3211

**Owners:** Carson Mead  
5273 NE 16th Ave | Portland, OR 97211-4423

**Representative:** Geoffrey Gibson  
117 Cortland Ave | San Francisco, CA 94103

**Site Address:** 5273 NE 16TH AVE  
**Legal Description:** BLOCK 20 LOT 16, VERNON  
**Tax Account No.:** R860703980  
**State ID No.:** 1N1E23AB 11200  
**Quarter Section:** 2532

**Neighborhood:** Vernon, contact Carson Mead at [carson.mead@gmail.com](mailto:carson.mead@gmail.com).  
**Business District:** Soul District Business Association, contact at [outreach@nnebaportland.org](mailto:outreach@nnebaportland.org)  
**District Coalition:** Northeast Coalition of Neighborhoods, contact Jessica Rojas at 503-388-5030.  
**Zoning:** R2.5ah – Residential 2,500 with the ‘a’ Alternative Design Density and the ‘h’ Aircraft Landing Overlay Zones  
**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 5,000-square foot site, resulting in a new parcel of 3,254 square feet (Parcel 1) and one of 1,746 square feet (Parcel 2). There is an existing single dwelling home on Parcel 1 that will remain. An accessory dwelling unit (ADU) is currently being constructed on Parcel 2 under building permit 17-126416 RS. The applicant

proposes to convert that ADU to a primary dwelling if this Land Division application is approved. The Bureau of Environmental Services is requiring the applicant to extend the sanitary sewer main in NE Emerson Street to serve the new dwelling on Parcel 2. There are no regulated trees located on the site to be preserved.

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 October 4, 2017 and determined to be complete on date November 8, 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.

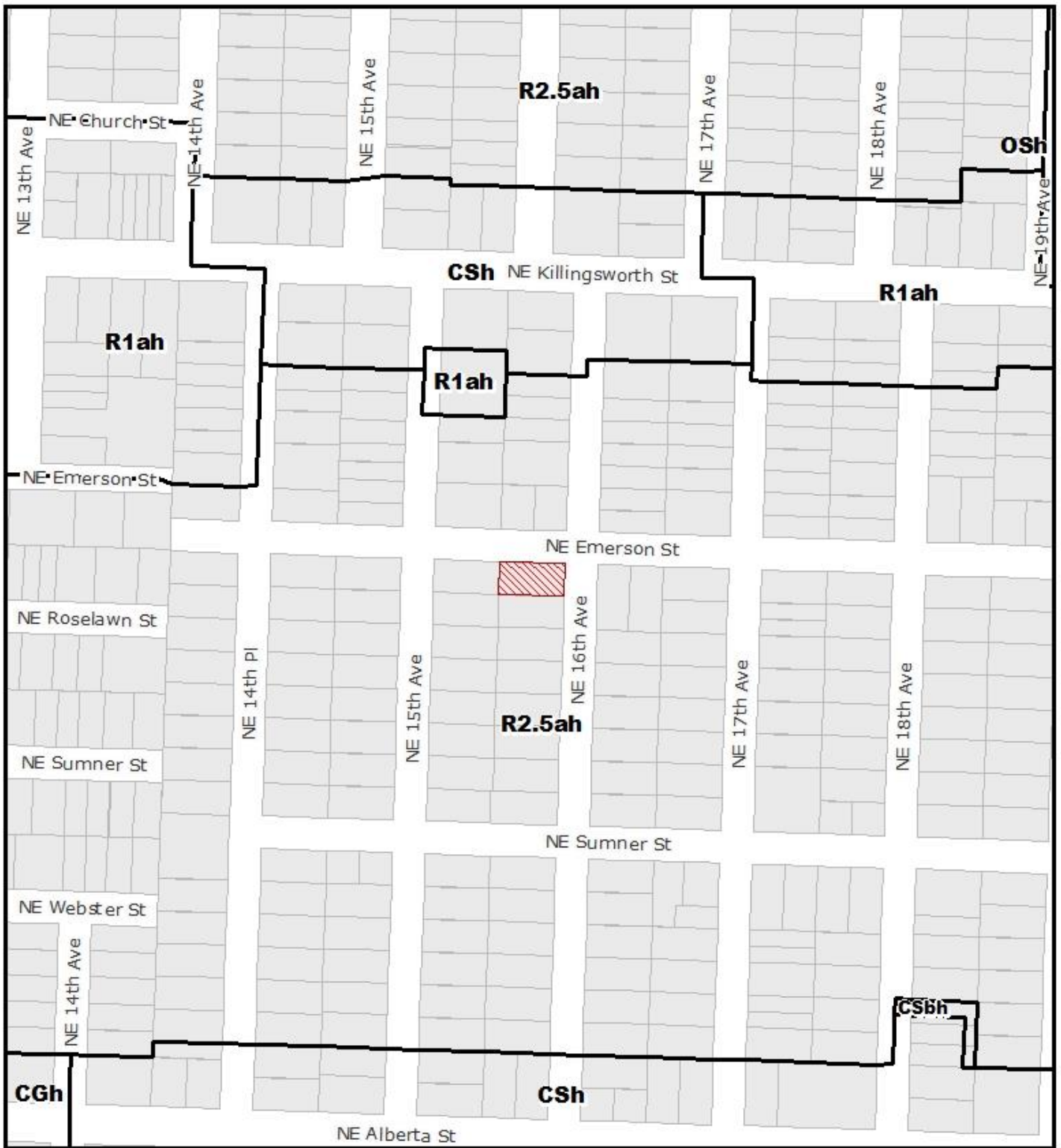
**APPEAL PROCESS**

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**   
NORTH

 Site

File No.	LU 17-251246 LDP
1/4 Section	2532
Scale	1 inch = 200 feet
State ID	1N1E23AB 11200
Exhibit	B Oct 09, 2017



**EXISTING CONDITIONS AND TREE SURVEY  
FOR A PROPOSED PARTITION PLAT,  
LOT 16, BLOCK 20, VERNON**

SITUATED IN THE N.E. 1/4 OF SECTION 23, T.1N., R.1E., W.M.  
MULTNOMAH CO., OREGON  
CITY OF PORTLAND

**MARK ASSOCIATES**  
18615 E. BURNSIDE STREET  
PORTLAND, OR 97233  
TEL: 503-667-5530  
FAX: 503-666-8666  
EMAIL: DALE@MARKASSOCIATES.NET

DATE DRAWN: JULY 25, 2017  
DRAWING NO. 160742PC  
ACCOMMODATION: SEPTEMBER 21, 2017  
REVISED: SEPTEMBER 21, 2017  
REVISED: NOVEMBER 2, 2017

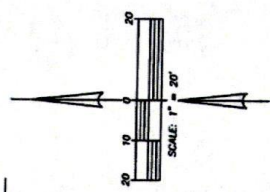
**ZONING**  
R2.5 - RESIDENTIAL 2,500  
**SITE AREA**  
5,000 SQUARE FEET  
**PARCELS BATTER**  
LOT 16, BLOCK 20, VERNON  
**BENCHMARKS**

BENCHMARK IS CITY OF PORTLAND BENCHMARK NO. 3023  
N.E. CORNER AT CURB RETURN, NE 16TH AVENUE AND N.E.  
DATUM STREET. ELEVATION IS 226.02. CITY OF PORTLAND  
DATUM.

**NOTES & LEGEND:**

- 1" = 20' DENOTES WATER METER.
- 1" = 20' DENOTES CURB W/LET. SIZE AS NOTED.
- 1" = 20' DENOTES MANHOLE.
- 1" = 20' DENOTES POWER POLE.
- 1" = 20' DENOTES WATER VALVE.
- 1" = 20' DENOTES BOARD FENCE.
- 1" = 20' DENOTES BOARD FENCE.
- 1" = 20' DENOTES BOARD RAIL FENCE.
- 1" = 20' DENOTES BOARD FENCE.
- 1" = 20' DENOTES CHAIN LINK FENCE.
- 1" = 20' DENOTES CHAIN LINK FENCE.
- 1" = 20' DENOTES WATER LINE.
- 1" = 20' DENOTES PROPOSED WATER LINE.
- 1" = 20' DENOTES SEWER LINE.
- 1" = 20' DENOTES PROPOSED SEWER LINE.
- 1" = 20' DENOTES STORM SEWER LINE.
- 1" = 20' DENOTES GAS VALVE.
- 1" = 20' DENOTES GAS LINE.
- 1" = 20' DENOTES GUTTER ELEVATION.  
(ELEVATION IS AT THE DECIMAL POINT)
- 1" = 20' DENOTES TOP CURB/GUTTER ELEVATION  
(ELEVATION IS AT THE DECIMAL POINT)
- 1" = 20' DENOTES CENTERLINE ELEVATION  
(ELEVATION IS AT THE DECIMAL POINT)
- 1" = 20' DENOTES GROUND ELEVATION AT ITEM NOTED.  
(ELEVATION IS AT THE DECIMAL POINT)
- 1" = 20' DENOTES SPOT ELEVATION.  
(ELEVATION IS AT THE DECIMAL POINT)
- 1" = 20' DENOTES SQUARE FEET.
- 1" = 20' DENOTES DOWNSPOUT TO SURFACE.
- 1" = 20' DENOTES DOWNSPOUT TO DRAIN.
- 1" = 20' DENOTES WHEEL CHAIR RAMP.

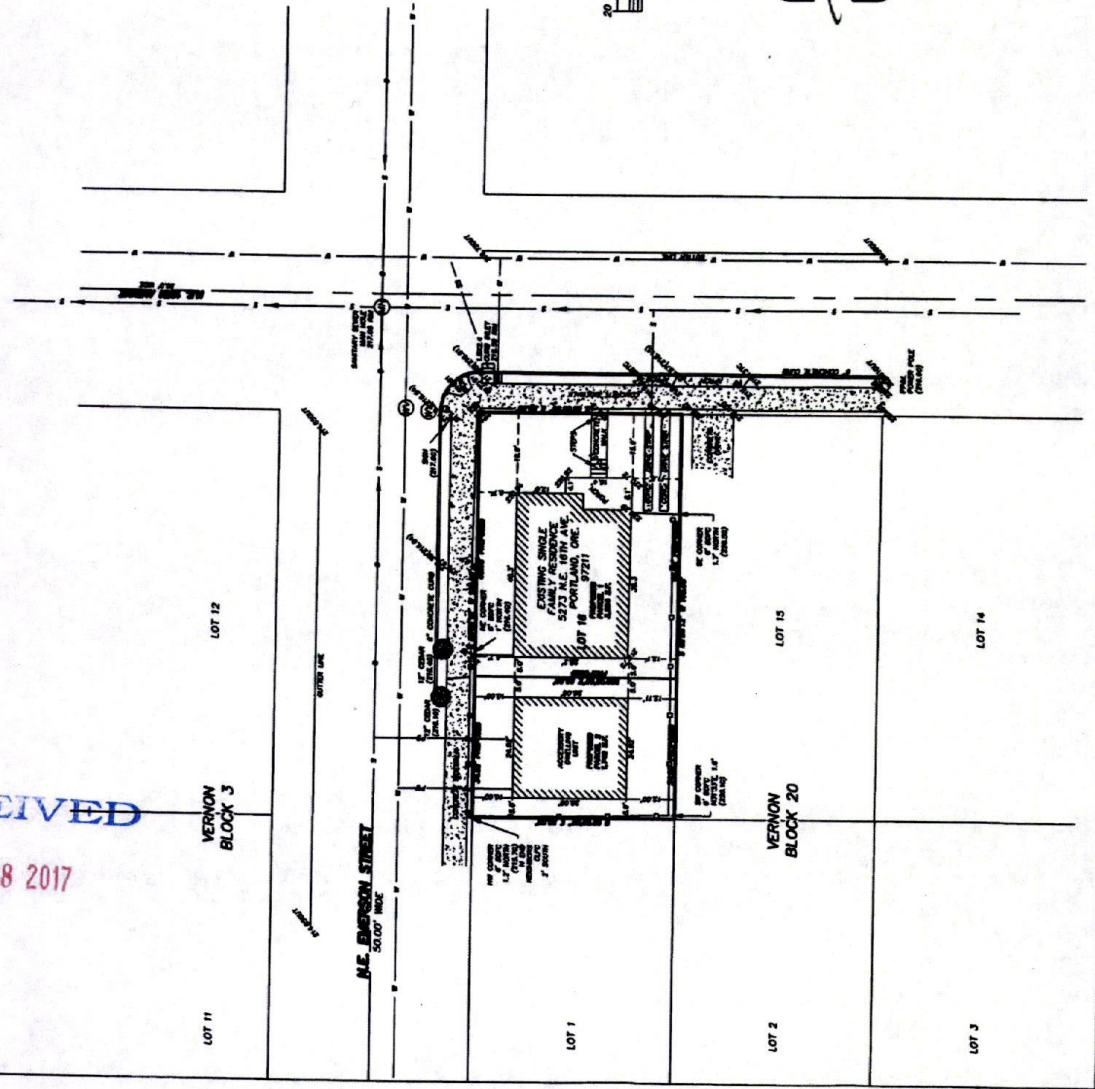
NOTE: UTILITIES ARE LOCATED AS SHOWN PER FIELD TIES OR  
FIELD MEASUREMENTS. FIELD DATA, ACTUAL LOCATION SHOULD BE  
FIELD-VERIFIED BEFORE ANY CONSTRUCTION. UNDERGROUND UTILITIES ARE SURFACE MARKED.



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Dale*  
DALE W. HARRIS  
EXPIRES 12/31/2017  
EXPIRATION DATE: 12/31/17

RECEIVED

NOV 08 2017



LU 17-051846 LDP