



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

Chloe Eudaly, Commissioner  
Rebecca Esau, Director  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** February 14, 2018  
**To:** Interested Person  
**From:** Brandon Rogers, Land Use Services  
503-823-7597 / [Brandon.Rogers@portlandoregon.gov](mailto:Brandon.Rogers@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 March 16, 2018**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-227881 LDP, in your letter. It also is helpful to address your letter to me, Brandon Rogers. You can also e-mail your comments to me at my e-mail address identified above.

### **CASE FILE NUMBER: LU 17-227881 LDP**

**Applicant:** Mike Susak  
6663 SW Beaverton-Hillsdale Hwy #194  
Portland OR, 97225

**Owner:** DK Homes LLC  
12259 SE Greiner Ln  
Happy Valley, OR 97086-6260

**Site Address:** 13840 SE KNIGHT ST  
**Legal Description:** TL 4100 0.34 ACRES, SECTION 14 1S 2E  
**Tax Account No.:** R992143810  
**State ID No.:** 1S2E14DD 04100  
**Quarter Section:** 3644  
**Neighborhood:** Pleasant Valley, contact Steve Montgomery at [foxtrotlove@hotmail.com](mailto:foxtrotlove@hotmail.com)  
Powellhurst-Gilbert, contact at [pgnaboard@gmail.com](mailto:pgnaboard@gmail.com)

**Business District:** None  
**District Coalition:** East Portland Neighborhood Office, contact Victor Salinas at 503-823-6694.

**Plan District:** Johnson Creek Basin  
**Zoning:** Residential 5,000 (**R5**) with the "a" Alternative Design Density overlay zone.

**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 proposes a three-parcel partition of a 15,000 square-foot site into three parcels for development of a corner-lot duplex and two single dwellings. Water and sanitary sewer service will be provided by public mains located within SE 138<sup>th</sup> Place and SE Knight Street. Driveway access will be provided by connections to both streets. The site contains trees subject to the tree preservation standards of Chapter 33.630. The existing house is proposed to be removed. The applicant proposes to pay the Local Transportation Impact Charge (LTIC) in lieu of constructing street improvements along the SE Knight Street frontage of the site. The applicant will construct sidewalk corridor frontage improvements along the SE 138<sup>th</sup> Place frontage of the site.

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 three 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 August 25, 2017 and determined to be complete on date.

#### **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.

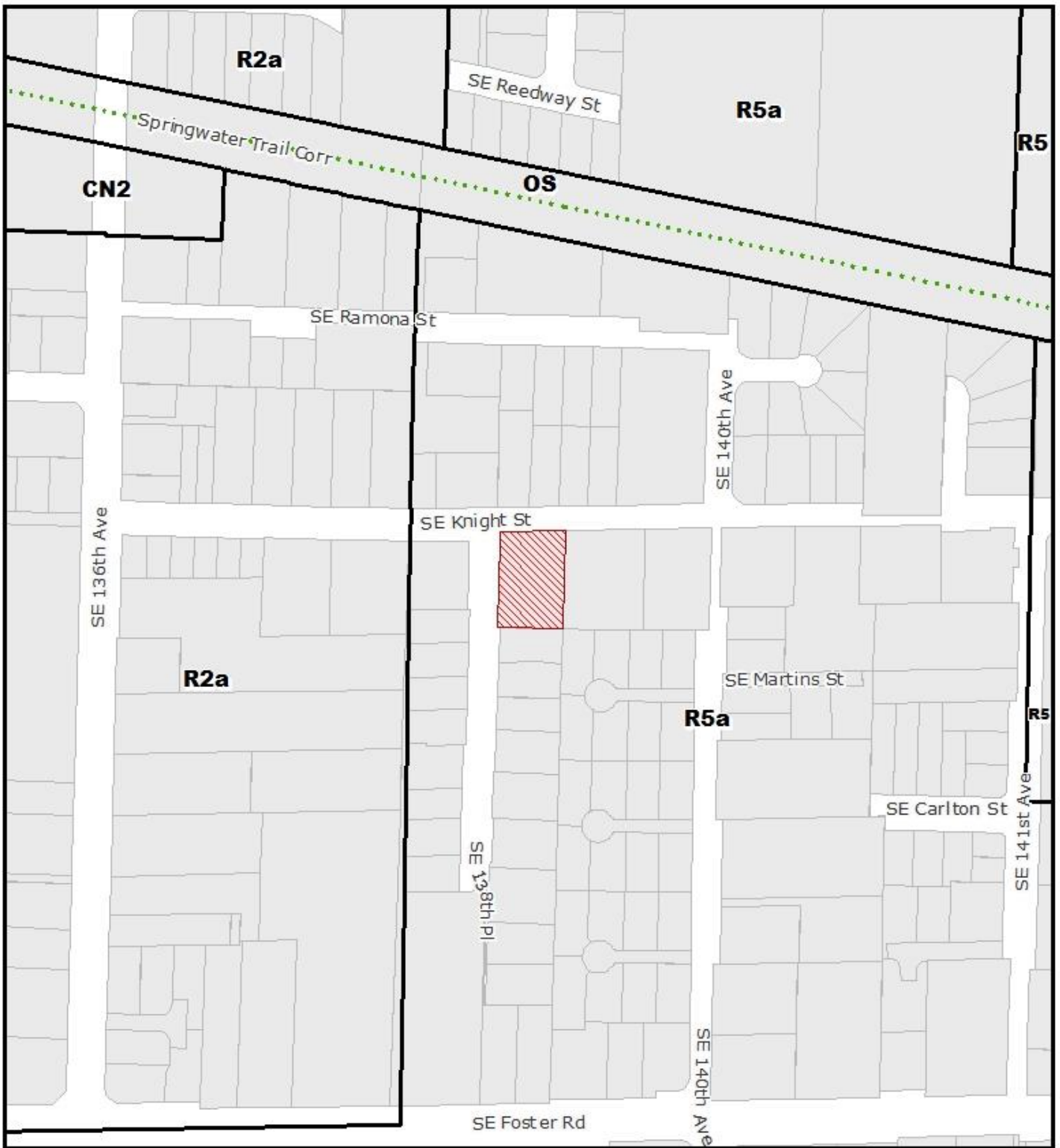
**APPEAL PROCESS**

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



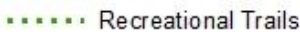
# ZONING



THIS SITE LIES WITHIN THE:  
JOHNSON CREEK BASIN PLAN DISTRICT



Site

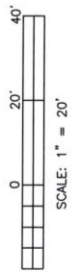


Recreational Trails

File No.	LU 17-227881 LDP
1/4 Section	3644
Scale	1 inch = 200 feet
State ID	1S2E14DD 4100
Exhibit	B Aug 29, 2017

# TENTATIVE PARTITION PLAT

A TRACT OF LAND,  
 LOCATED IN THE SE 1/4 OF SECTION 14, T1S, R2E,  
 W.M., CITY OF PORTLAND, MULTNOMAH COUNTY,  
 OREGON.  
 SCALE: 1" = 20' DATE: DECEMBER 19, 2017

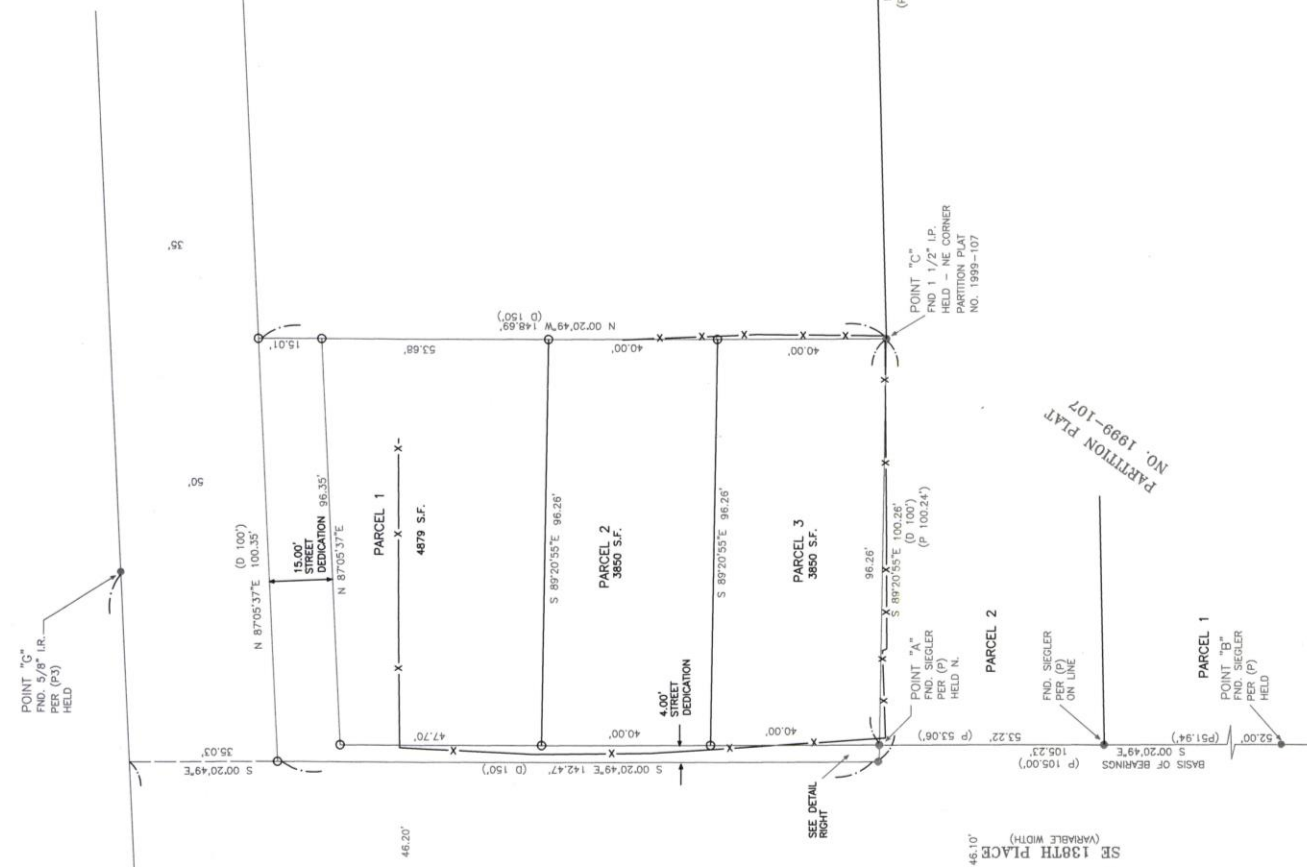
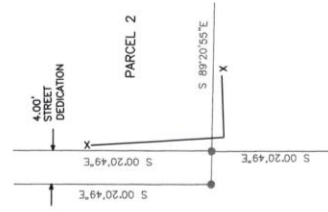


POINT "F"  
 FND. 5/8" I.R.  
 PER (P3)  
 HELD

(SN 58104 182.84')  
 S 87°05'37"W 182.99'  
 137.99'

SE KNIGHT STREET  
 (VARIABLE WIDTH)

DETAIL:  
 SCALE 1" = 10'



### LEGEND:

- FND. SURVEY MONUMENT AS INDICATED.
- I.R. IRON ROD
- I.P. IRON PIPE
- TO BE SET 5/8" BY 30" I.R. WITH ORANGE PLASTIC CAP MARKED, "MANWELL LS 57148" ON 2-09-2017
- SIEMER FND. 5/8" I.R. W/IPC MARKED "SIEMER" PER PARTITION PLAT NO. 1999-107
- FND. FOUND
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS
- ( ) RECORD DATA AS INDICATED
- (D) DOCUMENT NO. 2001-128508 MULTNOMAH COUNTY DEED RECORDS
- (P) PARTITION PLAT NO. 1999-107
- (P3) PARTITION PLAT NO. 1999-107

SE 138TH PLACE  
 (VARIABLE WIDTH)

PARTITION PLAT  
 NO. 1999-107

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

OREGON  
 FEBRUARY 8, 2000  
 MICHAEL LEE MANWELL  
 LS 57148

RENEWALS: 12-31-18

**REVISED 2-8-19**

MICHAEL LEE MANWELL

Professional Land Surveyor  
 2847 SE 18TH CIRCL  
 GRESHAM, OREGON 97080  
 (503) 661-5270