



**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:** March 13<sup>th</sup>, 2018  
**To:** Interested Person  
**From:** William Piro, Land Use Services  
503-823-6039 | [william.piro@portlandoregon.gov](mailto:william.piro@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 April 12, 2018**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-278684 LDP, in your letter. It also is helpful to address your letter to me, William Piro. You can also e-mail your comments to me at my e-mail address identified above.

### **CASE FILE NUMBER: LU 17-278684 LDP**

**Applicant:** Kevin Partain, Urban Visions Planning Services, Inc.  
223 NE 56th Ave  
Portland OR 97213  
(503) 421-2967 | [kevinp@gorge.net](mailto:kevinp@gorge.net)

**Owner(s):** Ying Zhang  
5486 NW 131st Ave  
Portland, OR 97229  
(503) 267-0246 | [maytoday@hotmail.com](mailto:maytoday@hotmail.com)

**Site Address:** 12648 SE KELLY ST

**Legal Description:** TL 7300 0.30 ACRES, SECTION 11 1S 2E  
**Tax Account No.:** R992112270  
**State ID No.:** 1S2E11BC 07300  
**Quarter Section:** 3343  
**Neighborhood:** Powellhurst-Gilbert, contact at [pgnaboard@gmail.com](mailto:pgnaboard@gmail.com)  
**Business District:** Midway, contact [info@midwaybusiness.org](mailto:info@midwaybusiness.org).  
**District Coalition:** East Portland Neighborhood Office, contact Victor Salinas at 503-823-6694.

**Plan District:** Johnson Creek Basin  
**Zoning:** Single Dwelling Residential 2,500 (R2.5) with Alternative Design Density "a" 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 is proposing to partition a 12,949-square foot property into 3 parcels. The project will consist of partial right-of-way improvements abutting Parcels 1, 2, and 3 including a new standard 6-foot sidewalk, 4.5-foot planter strip, and a 0.5-foot curb. Additionally, Parcel 1 is proposing access to parking from a new 9-foot wide driveway approach and Parcel 2 and 3 will gain access to parking from new 24-foot wide driveway approach. The existing house will remain on Parcel 2; however, the attached garage will be removed. Water and sanitary sewer services are proposed from existing utilities located within SE Kelly Street. Stormwater will be managed on each parcel by drywells. The applicant has proposed to retain two large Douglas Fir trees (*Pseudotsuga menziesii*) to address the tree preservation requirements of Chapter 33.630.

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 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 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 December 4, 2017 and determined to be complete on March 8, 2018.

**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.

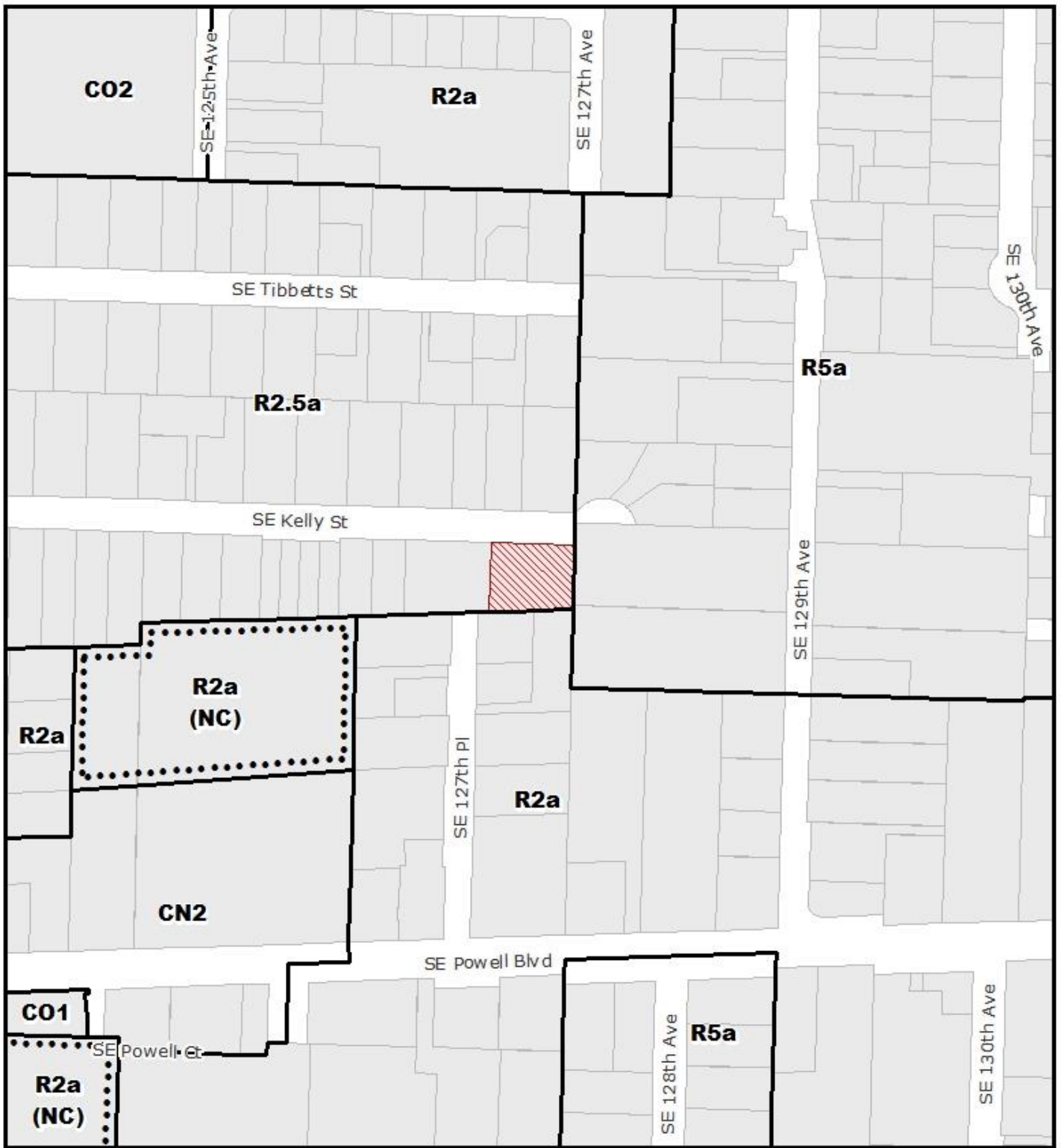
**APPEAL PROCESS**

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

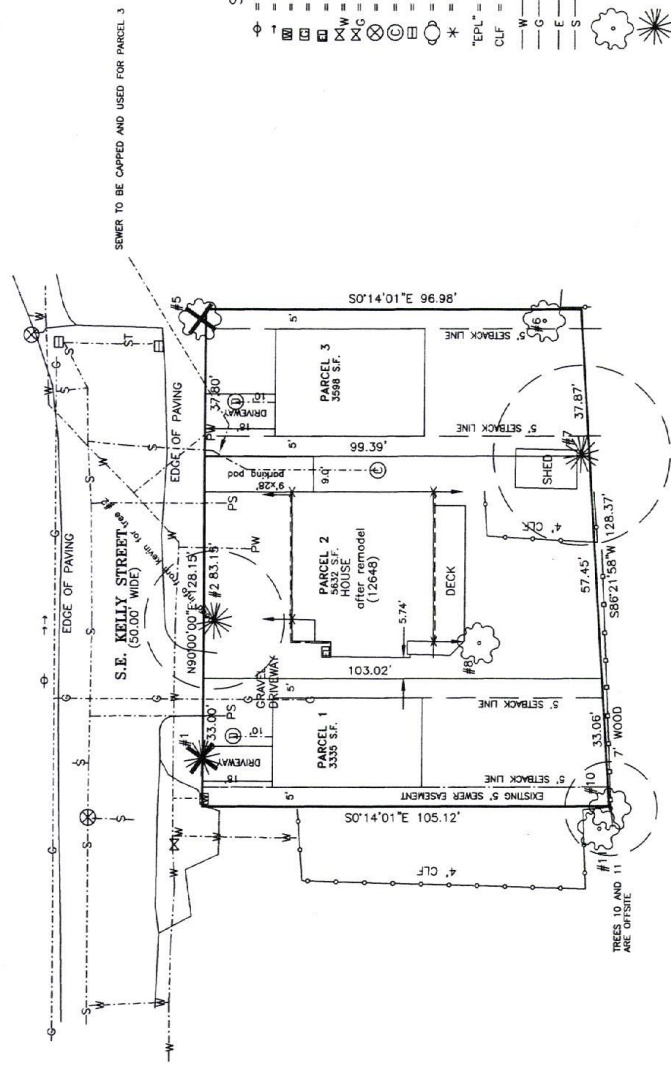
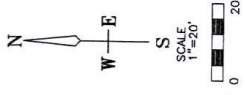


# ZONING



THIS SITE LIES WITHIN THE:  
JOHNSON CREEK BASIN PLAN DISTRICT

File No.	LU 17-278684 LDP
1/4 Section	3343
Scale	1 inch = 200 feet
State ID	1S2E11BC 7300
Exhibit	B Dec 08, 2017



- SYMBOLS**
- ⊕ = POWER POLE
  - ⊖ = GUY ANCHOR
  - ⊙ = WATER METER
  - ⊚ = GAS METER
  - ⊛ = ELECTRIC METER
  - ⊜ = WATER VALVE
  - ⊝ = GAS VALVE
  - ⊞ = MANHOLE
  - ⊟ = CLEAN OUT
  - ⊠ = CATCH BASIN
  - ⊡ = FIRE HYDRANT
  - ⊢ = DOWN SPOUTS
  - ⊣ = GO TO GROUND
  - ⊤ = "EPL" = LINE TO CONFIRM
  - ⊥ = CHAINLINK FENCE
  - W— = WATER LINE
  - G— = GAS LINE
  - E— = ELECTRIC LINE
  - S— = SAN. SEWER
  - ⊙ (with leaf) = DECIDUOUS TREE
  - ⊙ (with star) = CONIFER TREE
  - ⊙ (with circle) = NEW DRYWELL

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 25, 1980  
JOE H. FERGUSON  
2445

RENEWAL DATE 12/31/17

17-278684-LDP

DATE: OCTOBER 9, 2017  
JOB NO. 17-154  
DRAFTED 10.9.17

REVISED: 1.24.2018  
REVISIONS

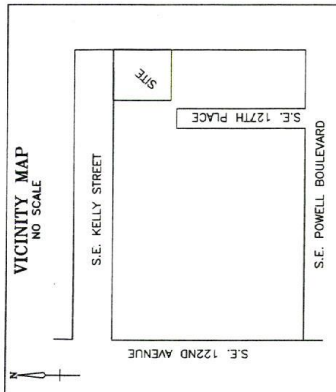
SHEET 1 OF 1

CLIENT:  
YING ZHANG  
5486 NW 134TH AVENUE  
PORTLAND, OR 97229

**PROPOSED CONDITIONS MAP**  
TAX LOT 7390, SITUATED IN THE NE 1/4 OF SECTION 11, T.15. R.2E., W.4E.  
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

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

LU 17-278684 LDP



NOTE: ELEVATION DATUM IS ASSUMED