



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

Ted Wheeler, Mayor  
Rebecca Esau, Director  
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Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** October 5, 2018  
**To:** Interested Person  
**From:** Lois Jennings, Land Use Services  
503-823-2877 or [lois.jennings@portlandoregon.gov](mailto:lois.jennings@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 November 5, 2018.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 18-174737 LDP, in your letter. It also is helpful to address your letter to me, Lois Jennings. You can also e-mail your comments to me at my e-mail address identified above. Please note that all correspondence received will become part of the public record.

### **CASE FILE NUMBER: LU 18-174737 LDP**

**Applicant** Mark Lisac | Lisac Brothers Construction Inc.  
PO Box 2422 | Clackamas OR 97015

**Owner:** St Louis Six LLC & Lisac Brothers Construction Inc.  
PO Box 2184 | Lake Oswego, OR 97035

**Representative:** Chris Goodell of AKS Engineering & Forestry, LLC  
12965 SW Herman Rd. Ste. 100 | Tualatin OR 97062  
Phone #: 503-563-6151 or [chrisg@aks-eng.com](mailto:chrisg@aks-eng.com)

**Site Address:** 7428 N ST LOUIS AVE

**Legal Description:** TL 12500 0.20 ACRES, SECTION 01 1N 1W  
**Tax Account No.:** R961010300  
**State ID No.:** 1N1W01CD 12500  
**Quarter Section:** 2021

**Neighborhood:** St. Johns, contact Angel Drinkwine at [angeldrinkwine@gmail.com](mailto:angeldrinkwine@gmail.com);  
Rachel Hill at [sjnalu@gmail.com](mailto:sjnalu@gmail.com)

**Business District:** St. Johns Business Boosters, contact Mike Johnson at 503-784-8020 &  
St. Johns Center for Opportunity, contact [info@stjohnsopportunity.org](mailto:info@stjohnsopportunity.org).

**District Coalition:** North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

**Plan District:** St. Johns  
**Zoning:** CS-Commercial Storefront with a “d”-Design 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 to divide the existing vacant property into two (2) parcels. Parcel 1 will be 3,770 s.f in area and Parcel 2 will be 4,425 s.f. in area. The existing underground tanks will be decommissioned per Department of Environmental Quality and other City requirements. No trees exist on the property. The plans show a 3-ft. right-of-way dedication along N. St. Louis Avenue and a 2.5-ft. right-of-way dedication along the alley. The applicant received an approval of Public Works Alternative Review (18-162780 PW) to not improve the alley, but to sign waivers of remonstrance for future participation in a local improvement district and the right-of-way dedication.

The applicant states that future development on these parcels will be for multi-family residential structures, as reflected in the proposed improvement plan and the community design standards (33.218) will be utilized at the time of development. No on-site parking is being proposed for the future development, since the site is within 500 feet of frequent transit service and the number of dwelling units will be less than 30 units.

This partition is reviewed through a Type Ix land use review because: (1) the site is in a commercial, employment, or industrial 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 33.662.110).

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 (2 Parcels). 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 33.662.120, Approval Criteria for Land Divisions in Commercial, Employment, and Industrial 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 May 21, 2018 and determined to be complete on October 2, 2018.

The zoning map indicates the site is zoned CS since this land division application is vested in the zoning and zoning code in effect at the time the application was submitted on May 21, 2018. The current zoning of the site, as of May 24, 2018 @ 1 PM is CM2-Mixed Use Neighborhood.

#### **DECISION MAKING PROCESS**

The Bureau of Development Services will make a decision on this proposal. After we consider your comments we will do one of the following:

- Approve the proposal;
- Approve the proposal with conditions; or
- Deny the proposal.

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.

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.

The file and all evidence on this case are available for your review by appointment by making a request online or contacting me.

- Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. Copies of all information in the file can be obtained for the cost of making copies during the appointment.
- If you would like to request a copy of the file online, please visit <https://www.portlandoregon.gov/bds/54732>. The fee for this service varies based on the size of the case file and how long it would take to scan or copy documents.
- I can provide some information over the phone or through email.

Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandoregon.gov](http://www.portlandoregon.gov).

#### **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.

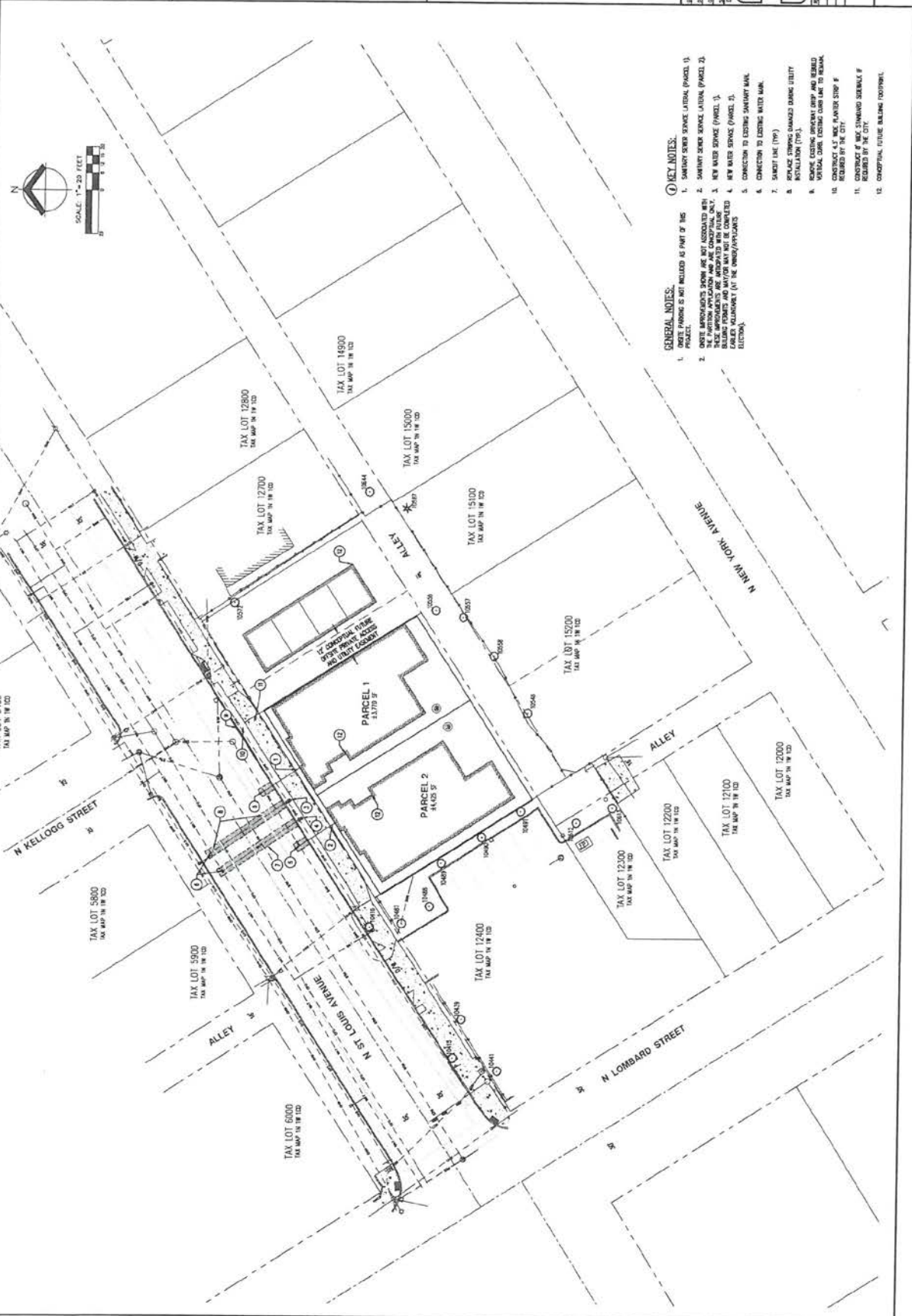
**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**

#### **Enclosures:**

Zoning Map

Site Plan





- GENERAL NOTES:**
1. EXISTING UTILITIES ARE NOT SHOWN AS PART OF THIS PROJECT.
  2. ALL UTILITIES SHOWN ARE NOT ASSOCIATED WITH THE EXISTING UTILITIES SHOWN ON THE TAX MAP. THESE UTILITIES ARE ANTICIPATED TO BE INSTALLED EARLY ALIGNMENT AT THE INDICATED LOCATIONS.
  3. ALL UTILITIES SHOWN ARE NOT ASSOCIATED WITH THE EXISTING UTILITIES SHOWN ON THE TAX MAP. THESE UTILITIES ARE ANTICIPATED TO BE INSTALLED EARLY ALIGNMENT AT THE INDICATED LOCATIONS.
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  12. ALL UTILITIES SHOWN ARE NOT ASSOCIATED WITH THE EXISTING UTILITIES SHOWN ON THE TAX MAP. THESE UTILITIES ARE ANTICIPATED TO BE INSTALLED EARLY ALIGNMENT AT THE INDICATED LOCATIONS.
- KEY NOTES:**
1. SANITARY SEWER SERVICE LATERAL (PARCEL 1).
  2. SANITARY SEWER SERVICE LATERAL (PARCEL 2).
  3. NEW WATER SERVICE (PARCEL 1).
  4. NEW WATER SERVICE (PARCEL 2).
  5. CONNECTION TO EXISTING SANITARY MAIN.
  6. CONNECTION TO EXISTING WATER MAIN.
  7. STREET LINE (179).
  8. REPLACE EXISTING DAMAGED SANITARY UTILITY (PARCEL 1).
  9. REPLACE EXISTING DAMAGED SANITARY UTILITY (PARCEL 2).
  10. REPLACE EXISTING DAMAGED SANITARY UTILITY (PARCEL 1).
  11. REPLACE EXISTING DAMAGED SANITARY UTILITY (PARCEL 2).
  12. REPLACE EXISTING DAMAGED SANITARY UTILITY (PARCEL 1).
  13. REPLACE EXISTING DAMAGED SANITARY UTILITY (PARCEL 2).
  14. CONTRACT AS PER PLASTER STOP #.
  15. CONTRACT AS PER STAIRWELL SUBMITTAL #.
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