



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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TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: December 4, 2018
To: Interested Person
From: William Piro, Land Use Services
503-823-6039 / 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 January 3, 2018**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 18-211213 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. Please note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 18-211213 LDP

Applicant: Nathan Szytel
8011 N New York Ave | Portland, OR 97203
(823) 334-7964 | tszytel@gmail.com

Thomas Szytel,
8011 N New York Ave | Portland, OR 97203
(503) 807-2017 | nszytel@gmail.com

Representative: Mark Dane | Mark Dane Planning
12725 SW Glenhaven St. | Portland, OR 97225
(503) 503-3327167

Site Address: 8011 N. New York Avenue

Legal Description: BLOCK 4, LOT 1, COURT PL
Tax Account No.: R182300670
State ID No.: 1N1W01CD 14400
Quarter Section: 2021
Neighborhood: NPNS, St. Johns, contact at sjnal@gmail.com
Business District: St. Johns Business Boosters, contact Mike Johnson at 503-206-8633.
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.
Plan District: St. Johns
Other Designations: None

Zoning:	Multi-Dwelling Residential 2,000 (R2) Design Overlay Zone (d)
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 6,675-square foot site into two parcels. Parcel 1 will be 3,953-square feet and Parcel 2 will be 2,722-square feet. The applicant is proposing to retain the existing house on Parcel 1 and will configure Parcel 2 for future duplex development in order to comply with minimum density requirements for the site. The subject property is located approximately 100-feet from a transit street with peak hour service provided by Bus No. 4 on N. St. Louis Avenue and is therefore not required to provide parking. The applicant has indicated that replacement parking for Parcel 1 will not be provided and Parcel 2 will gain access to onsite parking via the N. St. Louis Avenue-New York Ave Alley. The existing curb-cut abutting the alley, which provides access to the existing garage on Parcel 2, will be closed. Pedestrian corridor improvements will be required along N. Central Street and will include a 6-foot sidewalk separated from the curb by a 4-foot furnishing zone. In addition, the sidewalk will be required to include a new universally accessible ramp to comply with ADA standards. No dedication is required for these improvements. Sanitary sewer and water service for Parcel 1 will continue to be taken from N. Central Street and stormwater will continue to be managed from existing downspouts routed to splashblocks. The applicant proposes new sanitary sewer and water services for Parcel 2 from N. Central Street and a new drywell to manage stormwater.

There is only one tree onsite, a 12-inch Dogwood (*Cornus florida*), that is subject to tree preservation requirements. This tree is located on Parcel 2 within the proposed duplex building envelope. The applicant has indicated that it is impracticable to save this tree due the proposed development. The applicant has indicated that they will either provide additional tree plantings or make payment into the City's Tree Planting and Preservation Fund to mitigate.

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.

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 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 July 31, 2018 and determined to be complete on November 29, 2018.

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.

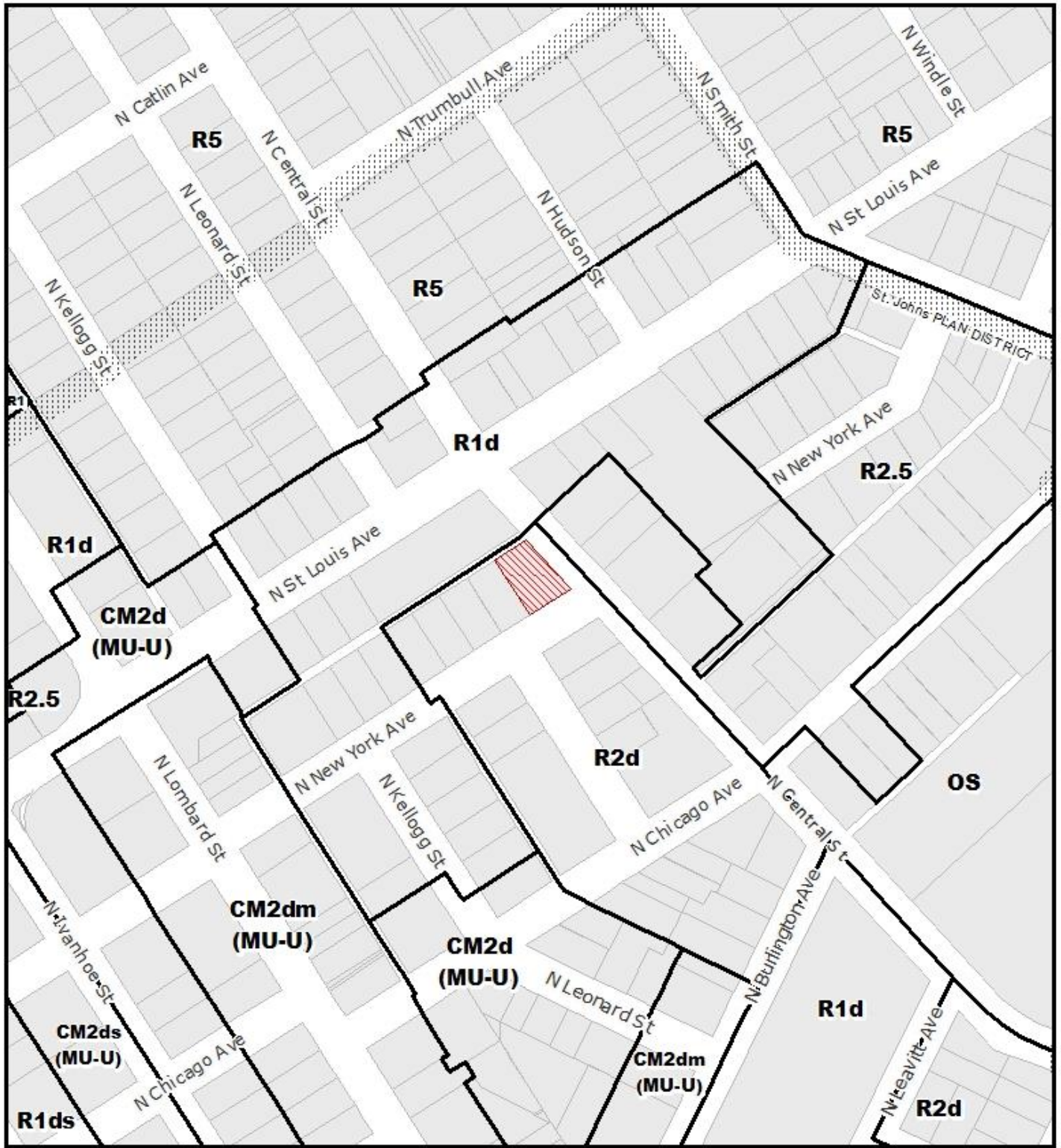
APPEAL PROCESS

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

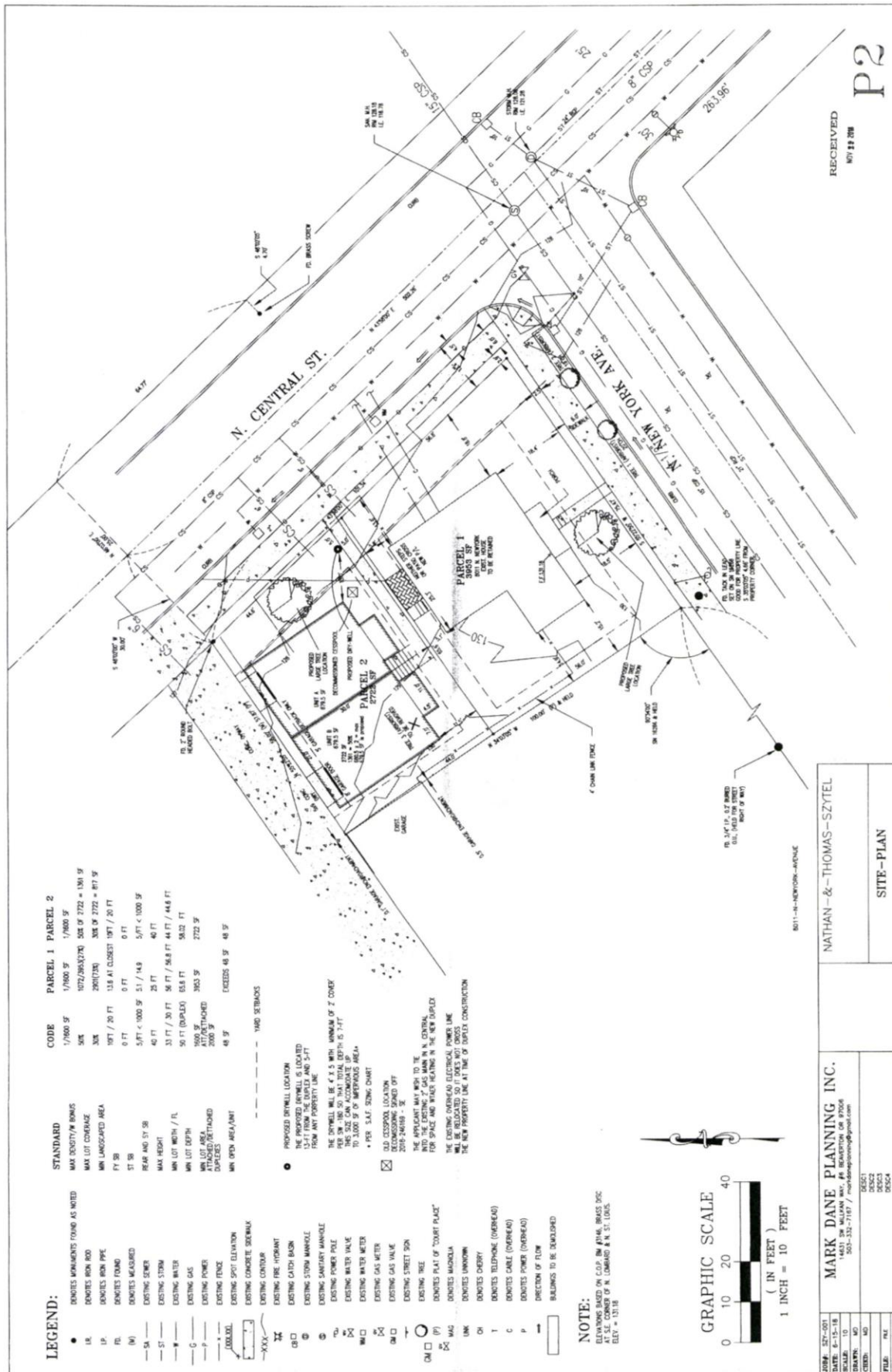


THIS SITE LIES WITHIN THE:
ST. JOHNS PLAN DISTRICT



Site

File No.	LU 18-211213 LDP
1/4 Section	2021
Scale	1 inch = 200 feet
State ID	1N1W01CD 14400
Exhibit	B Aug 02, 2018



RECEIVED
MAY 22 2008
P2

LEGEND:

- DENOTES BENCHMARKS FOUND AS NOTED
- EL DENOTES IRON ROD
- LP DENOTES IRON PIPE
- FL DENOTES IRON PIPE
- (M) DENOTES MANHOLE
- SA DENOTES SAND
- ST DENOTES STEEL
- W DENOTES WATER
- G DENOTES GAS
- P DENOTES POWER
- ATT/DENOTES ATTACHED
- EX DENOTES EXISTING
- PROJ DENOTES PROPOSED
- CONC DENOTES CONCRETE
- XXX DENOTES CONTOUR
- HT DENOTES HYDRANT
- GB DENOTES GROUND BASIN
- EM DENOTES EXISTING MANHOLE
- SM DENOTES SANDY MANGROVE
- PO DENOTES POWER POLE
- WV DENOTES WATER VALVE
- WM DENOTES WATER METER
- GM DENOTES GAS METER
- GV DENOTES GAS VALVE
- ES DENOTES EXISTING STREET SIGN
- TR DENOTES TREE
- (P) DENOTES PLANT OF "TOWN PLANT"
- DK DENOTES DRAINAGE
- UN DENOTES UNKNOWN
- CH DENOTES CHERRY
- T DENOTES TELEPHONE (OVERHEAD)
- C DENOTES CABLE (OVERHEAD)
- P DENOTES POWER (OVERHEAD)
- AR DENOTES ARROW
- DIR DENOTES DIRECTION OF FLOW
- BL DENOTES BUILDINGS TO BE DEMOLISHED

STANDARD

MAX POSITIVE BANKS
1/1000 SF
50%
107279.54 SF
2722.41 SF

MIN LOT COVERAGE
30%
32181.86 SF
924.72 SF

MIN LANDSCAPED AREA
10%
10727.95 SF
312.72 SF

MIN LOT WIDTH
30 FT
0 FT
0 FT

REAR YARD SETBACK
5 FT
5 FT
5 FT

MAX HEIGHT
45 FT
45 FT
45 FT

MIN LOT DEPTH
33 FT
33 FT
33 FT

MIN LOT AREA
1000 SF
1000 SF
1000 SF

MIN OPEN AREA/AMT
2000 SF
2000 SF
2000 SF

CODE

1/1000 SF
50%
30%
10%
30 FT
45 FT
33 FT
1000 SF
2000 SF
48 SF

PARCEL 1

17600 SF
107279.54 SF
32181.86 SF
10727.95 SF
0 FT
5 FT
45 FT
33 FT
1000 SF
2000 SF
48 SF

PARCEL 2

17600 SF
107279.54 SF
32181.86 SF
10727.95 SF
0 FT
5 FT
45 FT
33 FT
1000 SF
2000 SF
48 SF

PROPOSED SETBACK LOCATION
1.5 FEET FROM ALL BOUNDARIES IS LOCATED FROM ANY PROPERTY LINE

THE SETBACK WILL BE 4.5 FEET WITH MINIMUM OF 2 FEET CLEARANCE FROM THE SETBACK TO THE CENTERLINE OF THE DRIVEWAY

FOR SALE SETBACK CHART

3-D. EXISTING LOCATION
2012-240169 - SE

THE APPLICANT MAY WISH TO THE EXISTING 7" GAS MAIN IN N. CENTRAL ST. AND WHAT LOCATIONS IN THE NEAR BY ORDER THE EXISTING OVERHEAD ELECTRICAL POWER LINE

THE NEW PROPERTY LINE AT TIME OF BIDDING CONSTRUCTION

NOTE:
ELEVATIONS BASED ON C.O.P. IN 1746 BRASS DISC
ELEV. 4.1018

GRAPHIC SCALE
0 10 20 40
(IN FEET)
1 INCH = 10 FEET

1011-H-NEWTON-MODULE

NATHAN - & - THOMAS - SZTYEL

MARK DANE PLANNING INC.
1011-H-NEWTON-MODULE
302-332-7187 / markdaneplanning@gmail.com

DATE:	6-15-18
SCALE:	AS SHOWN
DRAWN:	MD
CHECK:	MD
FILE:	PL
PLAT:	PLAT

SITE PLAN