



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

Ted Wheeler, Mayor  
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:** February 22, 2019  
**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 25, 2019**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 18-269869 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. Please note that all correspondence received will become part of the public record.

### **CASE FILE NUMBER: LU 18-269869 LDP**

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

**Owner:** Andre Koshuba/Keystone LLC  
14237 Bridge Ct  
Lake Oswego, OR 97034

**Site Address:** 4424 SE ELLIS ST  
**Legal Description:** BLOCK 92 LOT 1, WOODSTOCK  
**Tax Account No.:** R928906050  
**State ID No.:** 1S2E18CB 11100  
**Quarter Section:** 3635  
**Neighborhood:** Woodstock, contact Sage Jensen at [sage.wna@gmail.com](mailto:sage.wna@gmail.com)  
**Business District:** Woodstock Community Business Association, contact [norberg@myexcel.com](mailto:norberg@myexcel.com)  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.  
**Zoning:** Residential 5,000 (R5)  
**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 two-parcel partition of a 10,000 square-foot site. Parcel 1 is proposed to be 4,900 square feet in area and contains the existing house. Parcel 2 is proposed to be 5,100 square feet in area and is proposed to be developed with a detached house. Water is provided from existing utilities located in SE Ellis Street and SE 45<sup>th</sup> Avenue. Sanitary sewer services are provided by existing utilities located in SE 45<sup>th</sup> Avenue. Driveway access for Parcel 1 is existing and connects to SE Ellis Street. Driveway access for parcel 2 is proposed from SE 45<sup>th</sup> Avenue. The site contains trees subject to the tree preservation standards of Title 33.

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 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 November 26, 2018 and determined to be complete on February 4, 2019.

#### **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)

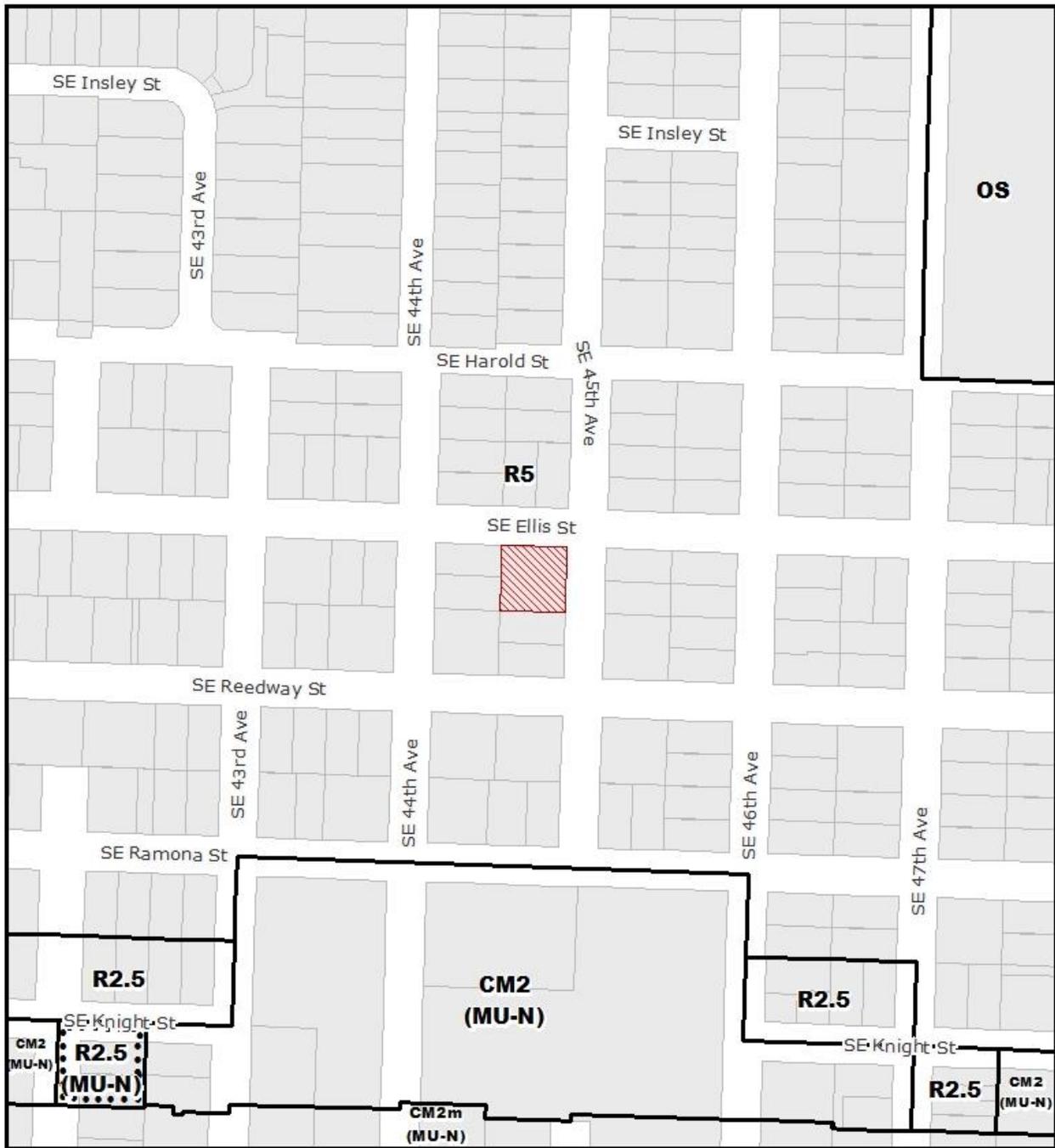
**APPEAL PROCESS**

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:**

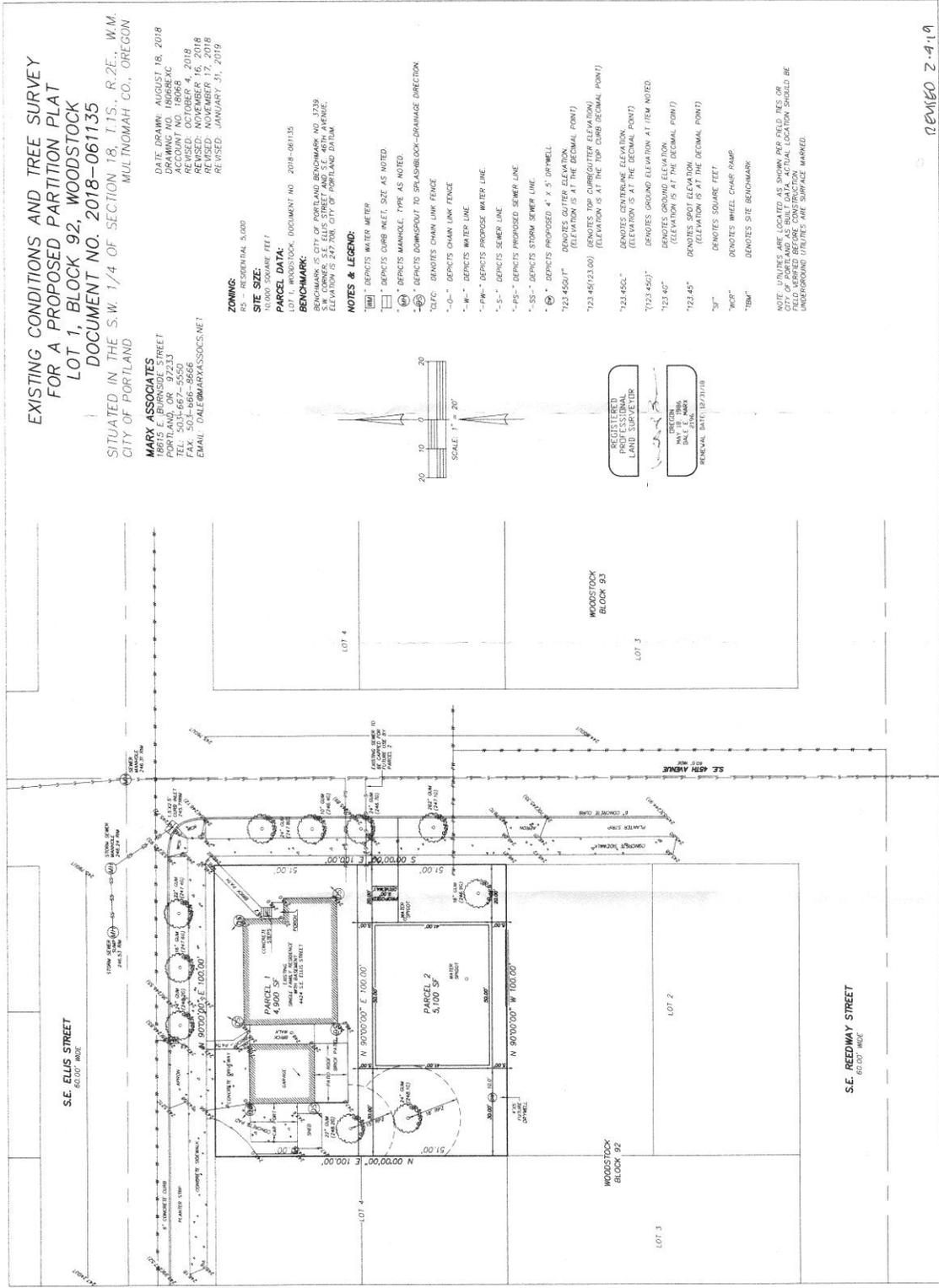
Zoning Map  
Site Plan



# ZONING



File No.	LU 18-269869 LDP
1/4 Section	3635
Scale	1 inch = 200 feet
State ID	1S2E18CB 11100
Exhibit	B Nov 29, 2018



**EXISTING CONDITIONS AND TREE SURVEY  
FOR A PROPOSED PARTITION PLAT  
LOT 1, BLOCK 92, WOODSTOCK  
DOCUMENT NO. 2018-061135**

SITUATED IN THE S.W. 1/4 OF SECTION 18, T.1S., R.2E., W.M.  
MULTINOMAH CO., OREGON

**MARY ASSOCIATES**  
18615 E. BURNSIDE STREET  
PORTLAND, OR 97233  
TEL: 503-666-2211  
FAX: 503-666-2868  
EMAIL: DALE@MARYASSOCIATES.NET

DATE DRAWN: AUGUST 18, 2018  
DRAWING NO. 1808BRC  
PROJECT NO. 1808BRC  
REVISIONS:  
REVISED: OCTOBER 4, 2018  
REVISED: NOVEMBER 16, 2018  
REVISED: NOVEMBER 17, 2018  
REVISED: JANUARY 31, 2019

**ZONING:**  
RS  
RESIDENTIAL 5,000

**SITE SIZE:**  
10,600 SQUARE FEET

**PARCEL DATA:**  
LOT 1, WOODSTOCK, DOCUMENT NO. 2018-061135

**BENCHMARK:**  
BENCHMARK IS CITY OF PORTLAND BENCHMARK NO. 7329  
ELEVATION IS 247.708, CITY OF PORTLAND DATUM

**NOTES & LEGEND:**

- TM-- DEPicts WATER METER
- DEPicts CURB INLET, SIZE AS NOTED
- ⊙-- DEPicts MANHOLE, TYPE AS NOTED
- ⊖-- DEPicts DOWNSPOUT TO SPASHBLOCK--DRAINAGE DIRECTION
- CLC-- DEPicts CHAIN LINK FENCE
- G-- DEPicts CHAIN LINK FENCE
- W-- DEPicts WATER LINE
- PW-- DEPicts PROPOSED WATER LINE
- S-- DEPicts SEWER LINE
- PS-- DEPicts PROPOSED SEWER LINE
- SS-- DEPicts STORM SEWER LINE
- ⊕-- DEPicts PROPOSED 4" X 5' DRYWELL
- ⊕-- DEPicts GUTTER ELEVATION (ELEVATION IS AT THE DECIMAL POINT)
- ⊕-- DEPicts TOP CURB(GUTTER ELEVATION) (ELEVATION IS AT THE TOP CURB DECIMAL POINT)
- ⊕-- DEPicts FINISH GRADE ELEVATION (ELEVATION IS AT THE DECIMAL POINT)
- ⊕-- DEPicts GROUND ELEVATION AT ITEM NOTED (ELEVATION IS AT THE DECIMAL POINT)
- ⊕-- DEPicts GROUND ELEVATION AT FINISH GRADE (ELEVATION IS AT THE DECIMAL POINT)
- ⊕-- DEPicts SQUARE FEET
- ⊕-- DEPicts WHEEL CHAIR RAMP
- ⊕-- DEPicts SITE BENCHMARK

**REGISTERED  
LAND SURVEYOR**

**DALE E. MARY**  
NO. 1808  
EXPIRES 12/31/18

**MULLEN BATT (12/31/18)**

NOTE: UTILITIES ARE LOCATED AS SHOWN PER FIELD TIES OR CITY OF PORTLAND AS BUILT DATA. ACTUAL LOCATION SHOULD BE VERIFIED BY FIELD SURVEY. UNDERGROUND UTILITIES ARE SURFACE MARKED.

REVISED 2-4-19