



**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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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** September 3, 2019  
**To:** Interested Person  
**From:** Timothy Novak, Land Use Services  
503-823-5395 / [Timothy.Novak@portlandoregon.gov](mailto:Timothy.Novak@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 October 18, 2019.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-184538 LDP, in your letter. It also is helpful to address your letter to me, Timothy Novak. 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 19-184538 LDP**

**Applicant:** Peter F Fry,  
303 NW Upton Terrace #1b  
Portland OR 97210  
(503) 703-8033  
[peter@finleyfry.com](mailto:peter@finleyfry.com)

**Owner:** Lido Investment Group Llc  
3416 Via Oporto #301  
Newport Beach, Ca 92663

**Owner's Agent:** Eric Paine,  
Lido Investment Group  
3416 Via Oporto #301  
Newport Beach Ca 92663

**Site Address:** 4515 NE 118TH AVE

**Legal Description:** BLOCK 2 E 125.26' OF LOT 10, SANDY ROAD VILLAS  
**Tax Account No.:** R744700670  
**State ID No.:** 1N2E22AD 01600  
**Quarter Section:** 2542

**Neighborhood:** Parkrose Neighborhood Assoc., contact EPNO at 503-823-4550.

**Business District:** Parkrose Business Association, contact parkrosebusinessassociation@gmail.com, Historic Parkrose Business Association, contact at [info@historicparkrose.com](mailto:info@historicparkrose.com) or 503-964-7807

**District Coalition:** East Portland Community Office, contact Victor Salinas at 503-823-6694.

**Plan District:** None

**Zoning:** R5 – Residential 5,000  
‘h’ – Aircraft Landing Zone  
‘x’ – Portland International Airport Noise Impact Zone

**Case Type:** LDP

**Procedure:** Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

To divide the existing 13,125 square-foot lot into two parcels for detached single-family dwellings. There are two existing houses on the lot. The proposal is to divide the lot so that each house is on its own lot. Proposed Parcel 1, which will be the corner lot, will be 7,506 square feet in area. Proposed Parcel 2, which will have frontage on NE 118<sup>th</sup> Avenue, will be 5,646 square feet in area. The applicants propose to preserve all existing trees on the property that are 6” or greater in diameter. Parking is proposed to remain unchanged, with an access easement allowing the driveway for the house on Parcel 2 to cross the proposed property line.

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 lots. 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 June 26, 2019 and determined to be complete on August 27, 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).

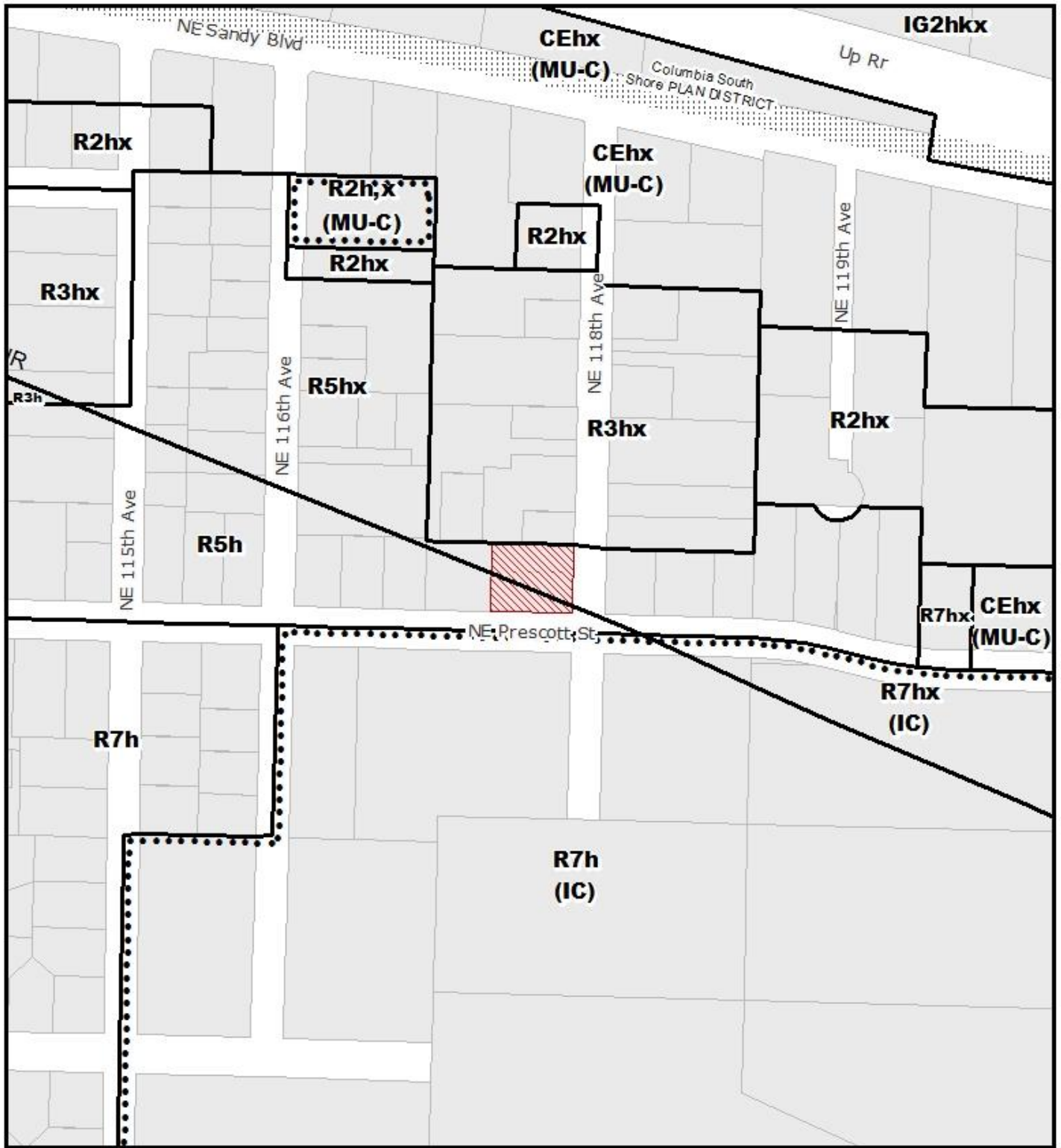
#### **APPEAL PROCESS**

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**   
NORTH

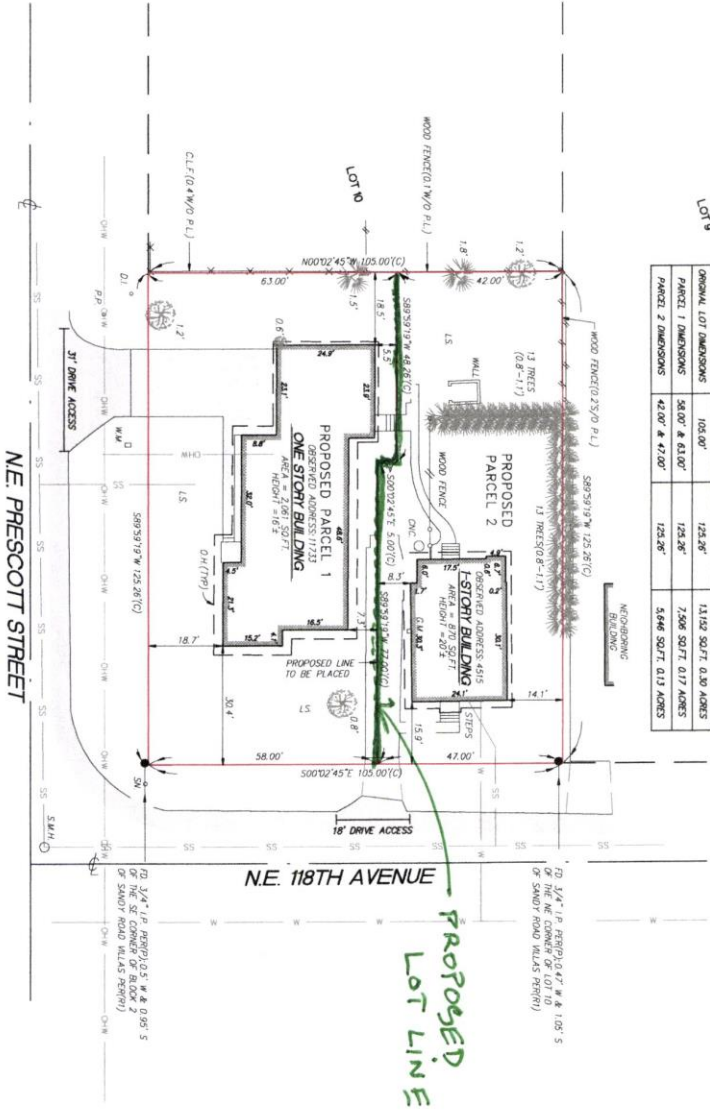
 Site

File No.	LU 19-184538 LDP
1/4 Section	2542,2642
Scale	1 inch = 200 feet
State ID	1N2E22AD 1600
Exhibit	B Jul 01, 2019

PRELIMINARY LAND DIVISION PLAN

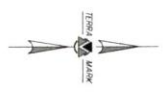
A REPLAT OF A PORTION OF LOT 10, BLOCK 2, SANDY ROAD WILKS, SITUATED IN THE N.E. 1/4 SECTION 22, TOWNSHIP 1 NORTH, RANGE 2 EAST, W.M. WILKOMAH COUNTY, OREGON MAY 15, 2019

PERCENTY TABLE with columns: LOT, WIDTH, LENGTH, AREA. Includes data for LOT 9, PARCEL 1, and PARCEL 2.



PROPOSED LOT LINE

LEGEND and various symbols for survey data: CALCULATED DATA, AS-BUILT, FENCE, DRIVE, etc.



TERAMARK logo and contact information for Michael A. Hoffmann, Registered Professional Land Surveyor.

Project information table with fields for DATE, SCALE, JOB NO., DRAWN BY, CHECKED BY, and SHEET number.