



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

Date: October 18, 2019
To: Interested Person
From: Diane Hale, Land Use Services
503-823-7705 / Diane.Hale@portlandoregon.gov

NOTICE OF A TYPE IIx 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 42 days, **we need to receive your written comments by 5 p.m. on November 18, 2019.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-222497 LDS, in your letter. It also is helpful to address your letter to me, Diane Hale. 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 19-222497 LDS

Applicant's Representative: Danelle Isenhart, Emerio Design (503) 880-4979
6445 SW Fallbrook Pl #100 / Beaverton OR, 97008

Applicant/Owner: Slavik Dezhnyuk, Dez Development LLC
10117 SE Sunnyside Rd, Suite# F1123 / Clackamas OR, 97015

Site Address: **3735 N Vancouver Ave, 3725 N Vancouver Ave**

Legal Description: BLOCK 25 LOT 5, CENTRAL ALBINA; BLOCK 25 LOT 6, CENTRAL ALBINA

Tax Account No.: R146804170, R146804180
State ID No.: 1N1E22DC 11100, 1N1E22DC 11000
Quarter Section: 2630
Neighborhood: Boise, contact boiselanduse@gmail.com
Business District: Soul District Business Association, contact at info@nnebaportland.org,
Williams Vancouver Bus. Assoc., contact info@williamsdistrict.com

District Coalition: Northeast Coalition of Neighborhoods, contact Laura Becker at 503-388-6088.

Plan District: None
Zoning: R2.5a – Single Family Residential 2,500 with an “a” Alternative Design Density Overlay

Case Type: LDS – Land Division Subdivision
Procedure: Type IIx, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant is proposing a 4-lot subdivision for this 10,000 square foot interior site (2 existing lots make up the site), with 4 new narrow lots for attached housing. Narrow lots can be approved if they meet the requirements of 33.611.200.C.2. The lots are proposed to be 25 feet wide and 2,500 sq feet in area each. The existing development will be removed. Vehicle access to the new lots is proposed from the alley that abuts the site to the west, and off-street parking is proposed for all four homes. There are no regulated trees on the site. The applicant will be required to reconstruct the frontage improvements along N Vancouver Avenue to City standards with the future building permits, to include an 8-foot wide sidewalk and 4-foot planter strip.

This subdivision proposal is reviewed through a Type IIx procedure because: (1) the site is in a residential zone; and (2) four to ten lots are proposed (see 33.660.110).

For purposes of State Law, this land division is considered a subdivision. To subdivide land is to divide an area or tract of land into four or more lots within a calendar year, according to ORS 92.010. ORS 92.010 defines "lot" as a single unit of land created by a subdivision of land. The applicant's proposal is to create 4 units of land (4 lots). Therefore, this land division is considered a subdivision.

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 September 5, 2019 and determined to be complete on October 10, 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.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

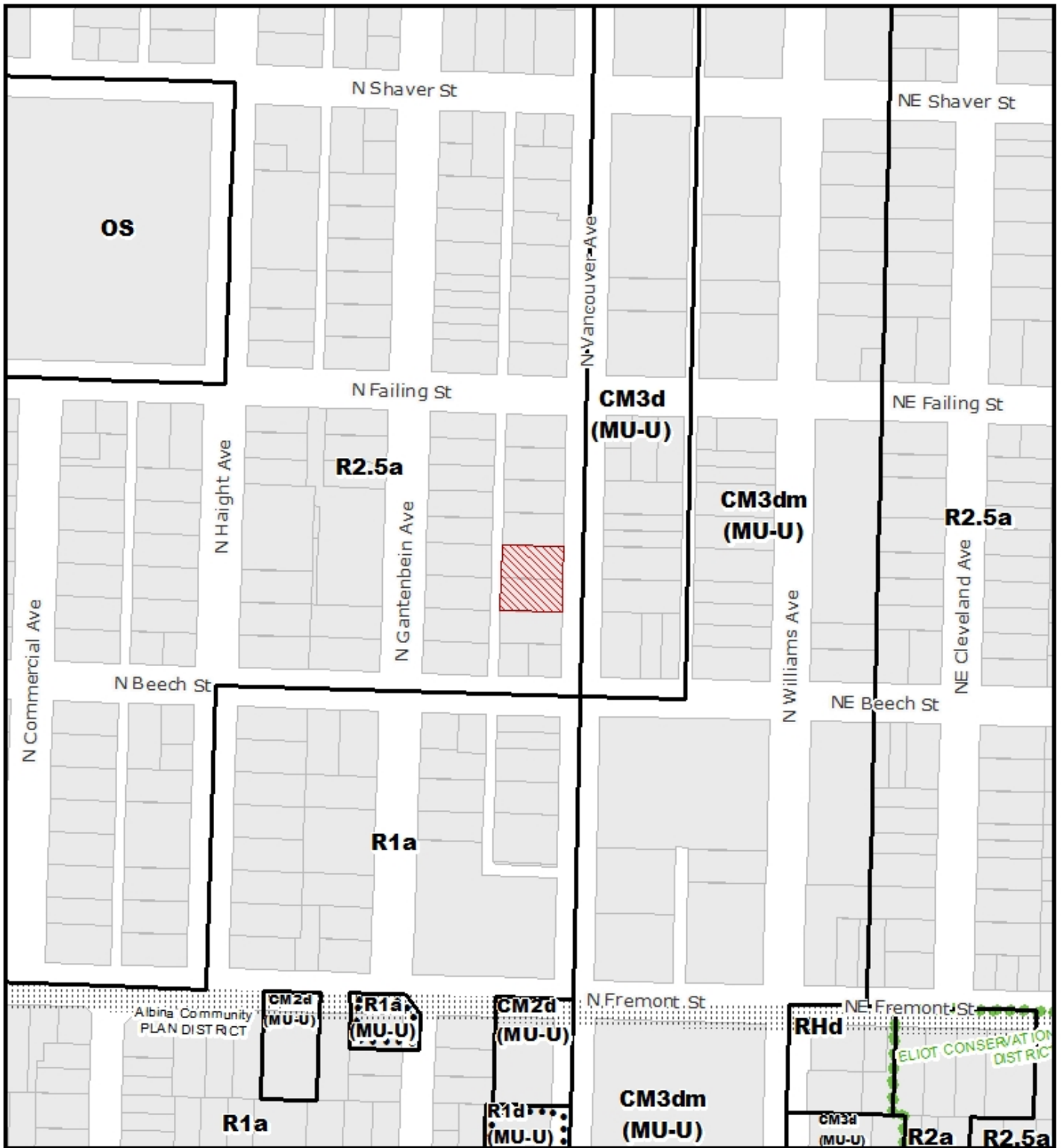
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed 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 that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that may also 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 - 222497 LDS
1/4 Section	2630
Scale	1 inch = 200 feet
State ID	1N1E22DC 11000
Exhibit	B Sep 09, 2019

