



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

Carmen Rubio, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7310
TTY: (503) 823-6868
www.portland.gov/bds

Date: January 11, 2023
To: Interested Person
From: Timothy Novak, Land Use Services
503-823-5395 / 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 February 10, 2023. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 22-197241 RP, in your e-mail. If you do not have access to e-mail, please telephone the planner listed above about submitting comments. Please note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 22-197241 RP

Applicant: Kevin Partain | *Urban Visions*
6180 Trout Creek Ridge Rd | Mt Hood/Parkdale, OR. 97041
(503) 421-2967 | kevinp@gorge.net

Owners: The Heiling Family Joint Living Trust
3056 NE Rocky Butte Rd | Portland, OR. 97220

Party of Interest: Theresa Marshall
3102 NE Rocky Butte Rd | Portland, OR. 97220

Site Address: 3056, 3102 NE ROCKY BUTTE RD, and the vacant lot between them.

Legal Description: BLOCK 3 LOT 13, OLYMPUS ESTATES; BLOCK 3 LOT 14, OLYMPUS ESTATES; BLOCK 3 LOT 15, OLYMPUS ESTATES

Tax Account No.: R626801640, R626801660, R626801680

State ID No.: 1N2E28AC 01500, 1N2E28AC 01600, 1N2E28AC 01700

Quarter Section: 2740

Neighborhood: Madison South, contact Trsitian Isaac at t.rominemann@gmail.com

Business District: Parkrose Business Association, contact parkrosebusinessassociation@gmail.com

District Coalition: Central Northeast Neighbors, contact Alison Stoll at alisons@cnncoalition.org

Plan District: Rocky Butte

Other Designations:

Zoning: R7cphz – (R7) Residential 7,000
 (c) Environmental Conservation overlay
 (p) Environmental Protection overlay
 (h) Aircraft Landing overlay
 (z) Constrained Sites overlay

Case Type: (RP) Replat

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

Proposal:

A replat can be used to remove or reconfigure lot lines within a site to combine into no more than three lots. The owners propose to replat three platted lots (the site) into two parcels, with the owners of Lots 13 and 15 each incorporating approximately half of Lot 14 into their property. Proposed Parcel 1 (3102 NE Rocky Butte Rd) will be 19,047 square feet; proposed Parcel 2 (3056 NE Rocky Butte Rd) will be 18,600 square feet. No new development is proposed at this time.

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 **33.675.300 Replat Approval Criteria**.

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 October 26, 2022 and determined to be complete on January 6, 2023

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.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

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
Replat Survey