



City of Portland, Oregon

Bureau of Development Services

Land Use Services

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

Date: May 16, 2014

To: Interested Person

From: Lois Jennings, Land Use Services

503-823-2877

NOTICE OF A TYPE IX DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has **approved** a proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website http://www.portlandonline.com/bds/index.cfm?c=46429. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 14-110756 LC

GENERAL INFORMATION

Applicant: Kevin Partain / Urban Visions Planning Services, Inc.

223 NE 56th Ave / Portland OR, 97213

Owner: Chales F. Thomas III / Eden Enterprises LLC

5505 SW Delker Road / Tualatin, OR 97062-9710

Surveyor: Centerline Concepts Land Surveying, Inc

729 Molalla Ave Suite 1 & 2 / Oregon City, OR 97045

Site Address: 5200 N PRINCETON ST

Legal Description: East 12 ft. of Lot 8, Lot 9 and 10, BLOCK 51 of UNIVERSITY PK

Tax Account No.: R851302780

State ID No.: 1N1E07DD 01500

Quarter Section: 2224

Neighborhood: University Park, Tom Karwaki at chair@universityparkneighbors.org

Business District: North Portland

District Coalition: North Portland Neighborhood Serv, Mary Jaron Kelley at 503-823-

4099.

Zoning: R5- High Density Single Family Residential Zone

Case Type: LC –Lot Consolidation Review

Procedure: Type Ix, an administrative decision with appeal to the Oregon Land

Use Board of Appeals (LUBA).

Proposal: The applicant proposes to eliminate an original platted lot line through a lot consolidation process. This lot consolidation if approved will consolidate (replat) the East 12 feet of Lot 8 and Lot 9, Block 51 of University Park into one parcel. The lot consolidation is in preparation for a future property line adjustment with abutting Lot 10 under the same ownership. The property line adjustment is not part of this review.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are Zoning Code Section 33.675.300, Lot Consolidation Standards.

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.

ANALYSIS

Site and Vincinity: The site is on the corner of N. Princeton Street and N. Hodge Avenue and is developed with a single family home. Both streets are classified as local service streets which are improved with sidewalks and curbs. The surrounding neighborhood is primarily modest $1-1\frac{1}{2}$ story homes on lots ranging from 2,500 to 11,000 square feet in area. Portsmouth Park is north of the site.

Zoning: The site is situated in a **Single Dwelling Residential 5,000** (R5) zone. The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: Several Bureaus have responded to this proposal and have no objections to this proposal. Please see Exhibits "E" for details.

Neighborhood: A Notice of Proposal in your Neighborhood was mailed on Februay 18, 2014. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

LOT CONSOLIDATIONS

33.675.010 Purpose

This chapter states the procedures and regulations for removing lot lines within a site to create one lot. The regulations ensure that lot consolidation does not circumvent other requirements of this Title, and that lots and sites continue to meet conditions of land use approvals. The lot consolidation process described in this chapter is different from (and does not replace) the process used by the county to consolidate lots under one tax account. A tax consolidation does not affect the underlying platted lots. A lot consolidation results in a new plat for the consolidation site.

33.675.050 When These Regulations Apply

A lot consolidation may be used to remove lot lines within a site. The applicant may also choose to remove such lot lines through a land division. A lot consolidation may be required by other provisions of this Title.

33.675.100 Review Procedure

- A. Generally. Lot consolidations are reviewed through Type Ix procedure.
- B. Sites in PUDs or PDs. If any portion of the site is within a Planned Unit Development (PUD) or Planned Development (PD), an amendment to the PUD or PD is also required. The amendment to the PUD or PD must be reviewed concurrently with the lot consolidation.

Findings: The site is not involved in any past or proposed Planned Unit Development or Planned Developments. Therefore, the requested lot consolidation review has been reviewed under the Type Ix procedure.

Approval Standards for a Lot Consolidation 33.675.300 Standards

A lot consolidation must meet the following standards:

A. Lots. Consolidated lots must meet the standards of Chapters 33.605 through 33.615, with the following exceptions:

1. Lot dimension standards.

- Minimum lot area. If the area of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot area requirements;
- b. Maximum lot area. If any of the lots within the lot consolidation site are larger than the maximum lot area allowed, the lot consolidation site is exempt from maximum lot area requirements;
- c. Minimum lot width. If the width of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot width requirements;
- d. Minimum front lot line. If the front lot line of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum front lot line requirements;
- e. Minimum lot depth. If the depth of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot depth requirements.

Findings: The proposed site is in the R5 zone. Approval standards 1.a through 1.e are related to the required lot dimensions and creation of a consolidated parcel that will either meet the lot dimension standards of the zone or meet the listed exceptions. The proposed consolidated lot meets the lot dimension standards of the R5 zone as shown in the following table (this information is found in Table 610-2 of the Zoning Code):

	R5 Zone	Parcel 1
	Requirement	(after consolidation)
Minimum Lot Area	3,000 square feet	4,993 square feet
Maximum Lot Area	8,500 square feet	
Minimum Lot Width*	36 feet	45 feet
Minimum Front Lot	30 feet	45.33 feet
Line		
Minimum Lot Depth	50 feet	110.15 feet

^{*} Width is measured at the minimum front building setback line

As noted herein, the proposed consolidated lot meets the standards of 1.a through 1.e.

2. Maximum density. If the consolidation brings the lot consolidation site closer to conformance with maximum density requirements, the consolidation does not have to meet maximum density requirements;

Findings: The maximum density of the consolidated lot is one unit. The site is developed with one single-family dwelling. Therefore the maximum density will not be exceeded by consolidating the historic lots that currently make up this site.

3. Lots without street frontage. If the lot consolidation consolidates lots that do not have street frontage with a lot that has street frontage, the consolidation does not have to meet minimum density and maximum lot area requirements;

Findings: All lots in the lot consolidation site have street frontage, therefore this standard does not apply.

4. Through lots. If any of the existing lots within the lot consolidation site are through lots with at least one front lot line abutting an arterial street, then the consolidated lot may be a through lot;

Findings: The existing lots within the lot consolidation site are not through lots and proposed consolidated Lot 1 will not be a through lot. Therefore this standard does not apply.

Split zoning. If any of the existing lots within the lot consolidation site are in

more than one base zone, then the consolidated lot may be in more than one base zone.

Findings: This site contains only one zoning designation, therefore the consolidated lot will not have split zoning. This standard does not apply.

B. Conditions of land use approvals. Conditions of land use approvals continue to apply, and must be met.

Findings: There are no previous land use cases for this site, therefore this standard does not apply.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The applicant proposes to consolidate historically platted lots into one parcel, including the East 12 feet of Lot 8 and Lot 9, Block 51 of University Park. No City Bureaus raised objection to the proposal.

As discussed above, the requested lot consolidation has been reviewed and shown to be able to meet all the required standards for lot consolidations as laid out in Section 33.675.300.

ADMINISTRATIVE DECISION

Approval of a Lot Consolidation to create one parcel from the historic East 12 feet of Lot 8 and Lot 9, Block 51 of University Park into one parcel, as illustrated by Exhibit C.1, signed and dated May 8, 2014.

Decision rendered by:

By authority

_ on May 8, 2014.

By authority of the Director of the Bureau of Development Services

Decision mailed May 16, 2014

Staff Planner: Lois Jennings

About this Decision. This land use decision is not a permit for development. THE SIGNED FINAL PLAT MUST BE RECORDED WITH MULTNOMAH COUNTY DEED RECORDS WITHIN 90 DAYS OF THE DATE OF THIS DECISION (August 12, 2014), OR THIS DECISION WILL BECOME NULL AND VOID. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on January 28, 2014, and was determined to be complete on **February 14, 2014**.

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. Therefore this application was reviewed against the Zoning Code in effect on February 14, 2014. 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 waived or extended at the request of the applicant. Unless further extended by the applicant, **the 120 days will expire on: June 13, 2014.** In this case, the applicant did extend the 120-day review period for an additional 90 days to allow for recording of the Lot Consolidation Plat (See attached Exhibit G.4). This 90 day extension will expire on **September 11, 2014**.

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

The file and all evidence on this case is available for your review by appointment. Please contact the receptionist at 503-823-7967 to schedule an appointment. Copies of all information in the file can be obtained for a fee equal to the cost for such services. You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of the Portland Zoning Code, by visiting the City's homepage on the Internet at www.portlandonline.com.

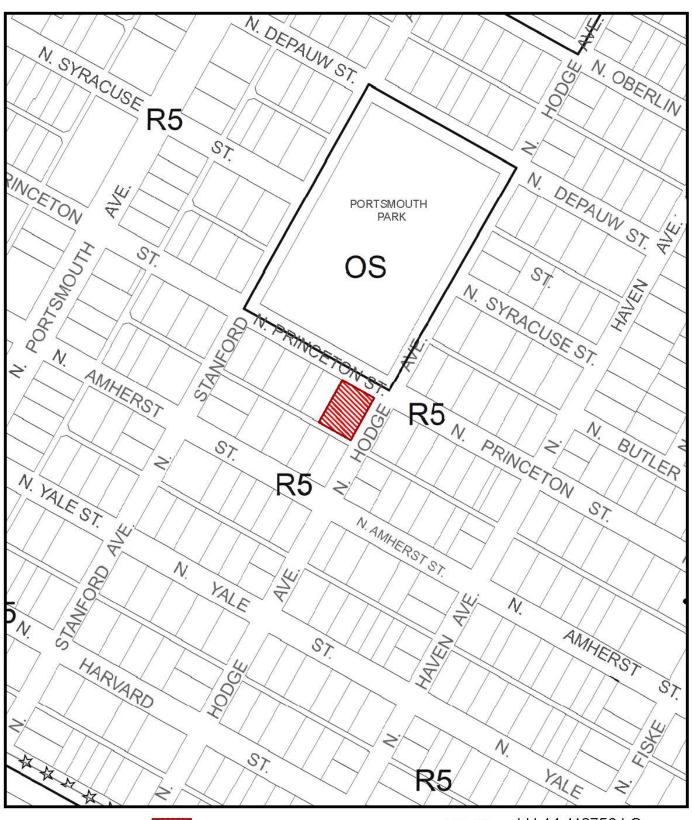
Recording the Final Plat. The signed plat must be recorded by the applicant with the County Deed Records within 90 days following approval by the Bureau of Development Services or the approval will be null and void.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's
 - 1. Narrative Addressing Approval Criteria
 - 2. Original University Park Subdivision Plat
 - 3. Legals of Existing Lots
 - 4. Deed History
 - 5. Lot Consolidation Plat/Supplemental Survey showing Existing Development on Site
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Approved Plat (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Bureau of Parks, Forestry Division
 - 7. Life Safety Section of BDS
- F. Correspondence: None
- G. Other:
 - 1. Original LU Application
 - 2. Title Report
 - 3. Multnomah County Redlines of Lot Consolidation Plat
 - 4. Extension to 120-day clock by applicant dated May 6, 2014 via e-mail

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



ZONING Site



Historic Landmark

NORTH

File No.	LU 14-110756 LC	
1/4 Section	2224	
Scale_	1 inch = 200 feet	
State Id _	1N1E07DD 1500	
Exhibit_	B (Jan 31,2014)	

PARTITION PLAT NO

Piotted: M: \PROJECTS\RENAISSANCE-PRINCETON-N-5200\dwg\PARTITION.dwg CENTERLINE CONCEPTS R - RECORD DISTANCES & BECHNOS
R - RECORD - A RECORD RESPONSE TO THE STATE OF THE S LAND SURVEYING, INC.
729 MOLALIA AVE., SUITE 1 & 2
ORECON CITY, ORECON 97045
PHONE 503.650.0188 FAX 503.650.0189 HEREBY CERTIFY THIS IS A TRUE AND EXACT COPY OF THE CRIGINAL PARTITION PLAT A FOUND BRASS SCREW IN LEAD IN CONCRETE WALK ORIGIN AS NOTED SET 5/8" x 30" BROW RUD W/ RED
PLASTIC CAP MARKED "CENTERLINE CONCEPTS"
ON APPRL 3, 2014 I CERTIFY THAT THIS PLAT WAS PREPARED USING HP PRODUCT #51640A ON WAF FILM FOUND 5/8" IRON ROD W/ YELLOW PLASTIC CAP MARKED "LATHROP LS 2671" FROM SN 61856 VALID THROUGH DECEMBER 31, 2015 A REPLAT OF LOT 9 AND A PORTION OF LOT 8, BLOCK 51, "UNIVERSITY PARK"
LOCATED IN THE S.E. 1/4 SECTION 7, T.IM., R.1E., W.M.
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
APRIL 3, 2014 SCALE 1"=60'
PLANNING FILE NO. LU 14—110756 LC
SHEET 1 OF 2 PROFESSIONAL LAND SURVEYOR NOVEMBER 30, 2007 JAMES BURTON BROWN 60379 GRAPHIC SCALE FOUND MONUMENT AS NOTED TEGEND: 60 SMAN THE OR COLORS 7.14" SET IN S3 HELD FOR SOUTHWEST I LINE SET IN UNIVERSITY PARK BLOCK 61 THE STATE OF THE WAY 107 12 A PRINCEDU SPECT 107 6 / (10 1.7° m) | BLOCK 62 | 0.06" SET IN SV 0833 7 005 SET N SN 04316
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GRIGH UNGODIN 7(15 M . 5\$, FE.]? PARCEL 1 UNIVERSITY PARK BLOCK 52 100H N 1000H N OT 13 FALLS S 1624'30" E 0.26" SET IN SN 07036 UNIVERSITY PARK 101 IA LOT 15 / BLOCK 51) 101 16 / UNIVERSITY PARK BLOCK 50 N. Market Street LOT 19 , 30NAN OBOMVIS Tables Marante is BOOOF IN 5954'47 107 N SI DIKNOWN FALLS N 4035'36" ENT UNIVERSITY PARK BLOCK 45 PARCEL 1 SCALE 1" = 30" SOUTHWEST CORNER N 2730'47" E 0.17" FD IN ST OPEGN UNKNOWN

NARRATIVE:

1. THE PURPOSE OF THIS SURVEY IS TO ESTABLISH THE BOUNDARIES AND UNDILLENT A ONE PARCEL PARTITION PLAT OF LOT 9 AND THE EAST 12.00 FEET OF LOT 8, BLOOK S1, "LUNIVERSITY PARK", MULTHOMAH COUNTY PLAT RECORDS.

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ACKNOWLEDGEMENT:

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SURVEYOR'S CERTIFICATE:

LOT 8 AND THE EAST 12.00 FEET OF LOT & BLOCK 51, "DANKERSTY PARK" LOCATED WITH ES 174 OF SECTION 7, T.M., R.E., WA., CIT OF POPILAND, MELTINOMAH COMMY, OREGON, BEING MORE. PARTICULARY P. 025978ED AS FELLONS.

SAND TRACT OF LAND CONTAINS 4,993 SOUARE FEET OR 0.11 ACRES.

APPROVALS:

REPLAT OF LOT AND A PORTION OF LOT 8, BLOCK 51, "UNIVERSITY PARK"
LOCATED IN THE S.E. 1/4 SECTION 7, T.1N., R.1E., W.M.,
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
APPRIL 3, 2014
PLANNING FILE NO. LU 14-110756 LC
SHEET 2 OF 2

PARTITION PLAT NO.

CITY OF PORTLAND LAND DINSTON CAST FILE LU 14-110755 LC

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2014 CITY OF PORTLAND, CITY ENGINEER'S DELFCATE APPROVED THIS 29TH OF APPLIL

20 DAY OF COUNTY SURVEYOR.

MULTNOMAH COUNTY OREGON

BY

ALL TARES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY ORS. 92.009 HAY BEEN PAO AS OF DRECORD, DIVISION OF ASSESSMENT & TAXATON MALE THOMAN COUNTY, OREGON

DEPUTY

STATE OF OPECON SS COUNTY OF MULTNOWAH SS

2

COUNTY RECORDING OFFICE

DEPUTY DOCUMENT NO:

4-21-201

SIGNED ON:

NOVEMBER BUSINESS BLOWN 60379 PROFESSIONAL LAND SURVEYOR

I CERTIFY THAT THIS PLAT WAS PREPARED USING HP PRODUCT JESTGAGA ON WAF FILM VALID THROUGH DECEMBER 31, 2015

CENTERLINE CONCEPTS

PIOTTOCH. N. \PROJECTS\RENAISSANCE-PRINCETON-N-5200\dwg\PARTITION. dwg LAND SURVEYING, INC.
729 MOLALLA AVE. SUITE 1 & 2
00REGON CITY, ORECON 97045
PHONE 903.650.0189
FAX 503.056.0189

14-110756LC

PLAT NOTES:
1. THIS PLAT IS SUBJECT TO THE CONDITIONS JUPOSED BY THE CITY OF POPILAND IN CASE FILE NO. LU 14-110756 LC.