City of Portland, Oregon
Bureau of Development Services
Land Use Services

1900 SW 4th Avenue, Suite 5000
Portland, Oregon 97201
503-823-7300
Fax 503-823-5630
TTY 503-823-6868
www.portlandonline.com/bds

Date: January 13, 2010

To: Interested Person

From: Sean Williams, Land Use Services
503-823-7612 / sean.williams@ci.portland.or.us

NOTICE OF A TYPE I 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 12, 2010**. Please mail or deliver your comments to the address above, and include the Case File Number, LU 09-170647 LDP, in your letter. It also is helpful to address your letter to me, Sean Williams.

CASE FILE NUMBER: LU 09-170647 LDP

Applicant: Gabe Genauer
Carrington Barrs
Barge Development, LLC
4245 NE Alberta Court
Portland, OR 97218

Site Address: 6026 NE 57th Avenue
Legal Description: EXC S 73' OF E 5'-W 100' OF LOT 2 BLOCK 7, KILLINGSWORTH GARDENS
Tax Account No.: R450002900
State ID No.: 1N2E18DA 03800
Quarter Section: 2436
Neighborhood: Cully, contact Steve Yett at 503-282-3251.
Business District: None
District Coalition: Central Northeast Neighbors, contact Alison Stoll at 503-823-3156.
Plan District: None
Zoning: Residential 5,000 (R5) w/ Aircraft Landing Zone Overlay (h)
Case Type: Land Division Partition (LDP)
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:
The applicants are requesting to partition the subject property into two parcels of approximately 6,649 (Parcel 1) and 7,408 (Parcel 2) square feet. Existing improvements consist of a single family dwelling that will remain within proposed Parcel 2. Utilities are available to serve the development from both NE 57th Avenue and NE Ainsworth Street. A row of Port-Orford Cedars in the northeast corner of the lot will be retained for compliance with tree preservation requirements.

This partition is reviewed through a Type I 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).

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 10, 2009 and determined to be complete on January 8, 2010.

DECISION MAKING PROCESS
The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and either:

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

We will mail you a copy of our decision only if you comment in writing to us at the City of Portland Bureau of Development Services, 1900 SW Fourth Ave., Suite 4500, Portland, OR 97201. There will be no public hearing.

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.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of 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.

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.

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 550 Capitol St. NE, Suite 235, Salem, OR 97301. 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).

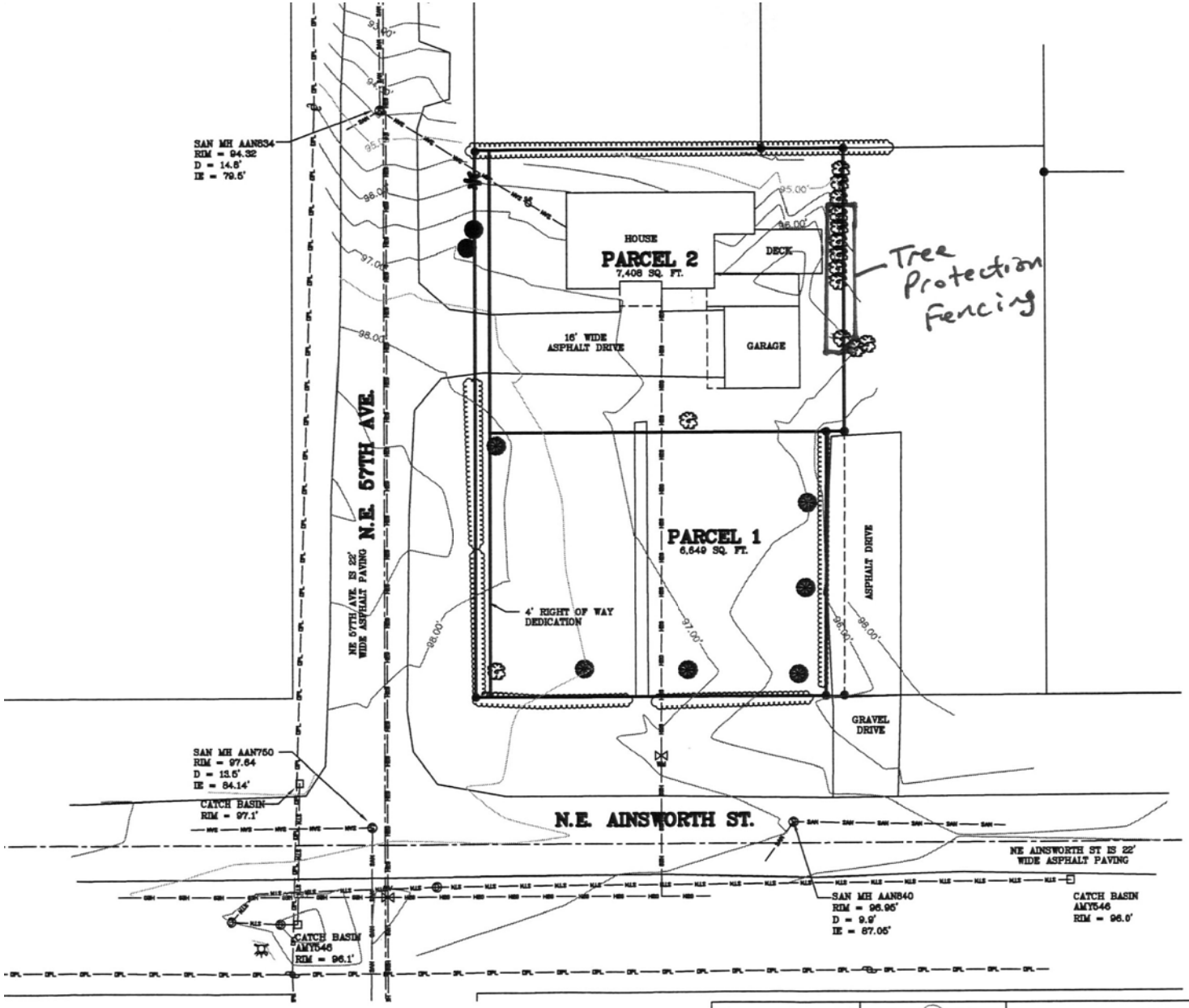
Enclosures:
Zoning Map
Site Plan

ZONING

Site

NORTH

File No.	LU 09-170647 LDP
1/4 Section	2436
Scale	1 inch = 200 feet
State_Id	1N2E18DA 3800
Exhibit	B (Nov 12,2009)



LEGEND:

- = WATER METER
- = WATER VALVE
- = CLEANOUT
- = UTILITY POLE
- = SANITARY SEWER MANHOLE
- = STORM SEWER MANHOLE
- = FIRE HYDRANT
- = SANITARY SEWER LINE
- = WATER LINE
- = GAS LINE
- = OVERHEAD UTILITY LINE
- = TREE AS NOTED
- = HEDGE

ELEVATION NOTE:

ELEVATIONS AND CONTOURS ARE BASED ON AN ASSUMED DATUM.

GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
1 inch = 20 ft.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 19, 1993
DONALD D WALLACE JR
2601
RENEWAL DATE 6/30/08

K.L.S. SURVEYING INC.
1224 ALDER STREET
VERNONIA, OR 97064
(503)429-6115

TOPOGRAPHIC SURVEY FOR
BARGE DEVELOPMENT LLC
IN BLOCK 7, KILLINGSWORTH GARDNES
IN THE SE 1/4 OF SECTION 18,
T1N, R2E, W.M.
MULTNOMAH COUNTY, OREGON
SCALE 1" = 20' SEPTEMBER 16, 2009

DRAWN BY: DDW | FIELD: DDW/SND | EQUIPMENT: GTS300/RANGER | JOB No. 09-125 TOPO | PROJECT No. 09-125 | REVISED: DEC. 21, 2009