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: April 21, 2011

To: Interested Person

From: Sean Williams, Land Use Services
503-823-7612 / Sean.Williams@portlandoregon.gov

NOTICE OF A TYPE II 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 28 days, **we need to receive your written comments by 5 p.m. on May 12, 2011**. Please mail or deliver your comments to the address above, and include the Case File Number, LU 11-125651 TR, in your letter. It also is helpful to address your letter to me, Sean Williams.

CASE FILE NUMBER: LU 11-125651 TR

Applicant: Vic Remmers
Tolman Woods LLC
735 SW 158th Avenue, Suite 180
Beaverton, OR 97006

Representative: Ryan O'Brien
Planning & Land Design
1862 NE Estate Drive
Portland, OR 97124

Site Address: 7601 SE Tolman Street

Legal Description: Lot 1 of PP 2011-14
Tax Account No.: R926603840, R649620530
State ID No.: 1S2E17DC 06000, 1S2E17DC
Quarter Section: 3638
Neighborhood: Mt. Scott-Arleta, contact Marla Turner at 503-887-9075.
Business District: Eighty-Second Avenue, contact Ken Turner at 503-484-6225.
District Coalition: Southeast Uplift, contact Leah Hyman at 503-232-0010.
Plan District: None
Zoning: Residential 2,500 (R2.5) w/ Alternative Design Density Overlay (a)
Case Type: Tree Review (TR)
Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal:
The applicant is proposing to change the tree preservation plan that was approved through land division case LU 10-138381 LDP. This previously approved and recorded partition created 3 parcels through which the preservation of 2 trees, a 12" and 24" Douglas fir, was required on Parcel 1. Preservation of these trees is conflicting with planned construction of this lot (10-

185779 RS). Therefore, in lieu of preserving these trees, the applicant is proposing to plant trees throughout the lots created as a part of the land division. This proposal may be approved if the revised method of tree preservation will continue to meet Chapter 33.630, Tree Preservation.

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 **33.853.040, Approval Criteria for Tree Review**.

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 April 1, 2011 and determined to be complete on April 18, 2011.

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

- Approve the proposal.
- Approve the proposal with conditions.
- 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 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. 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.portlandonline.com.

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.

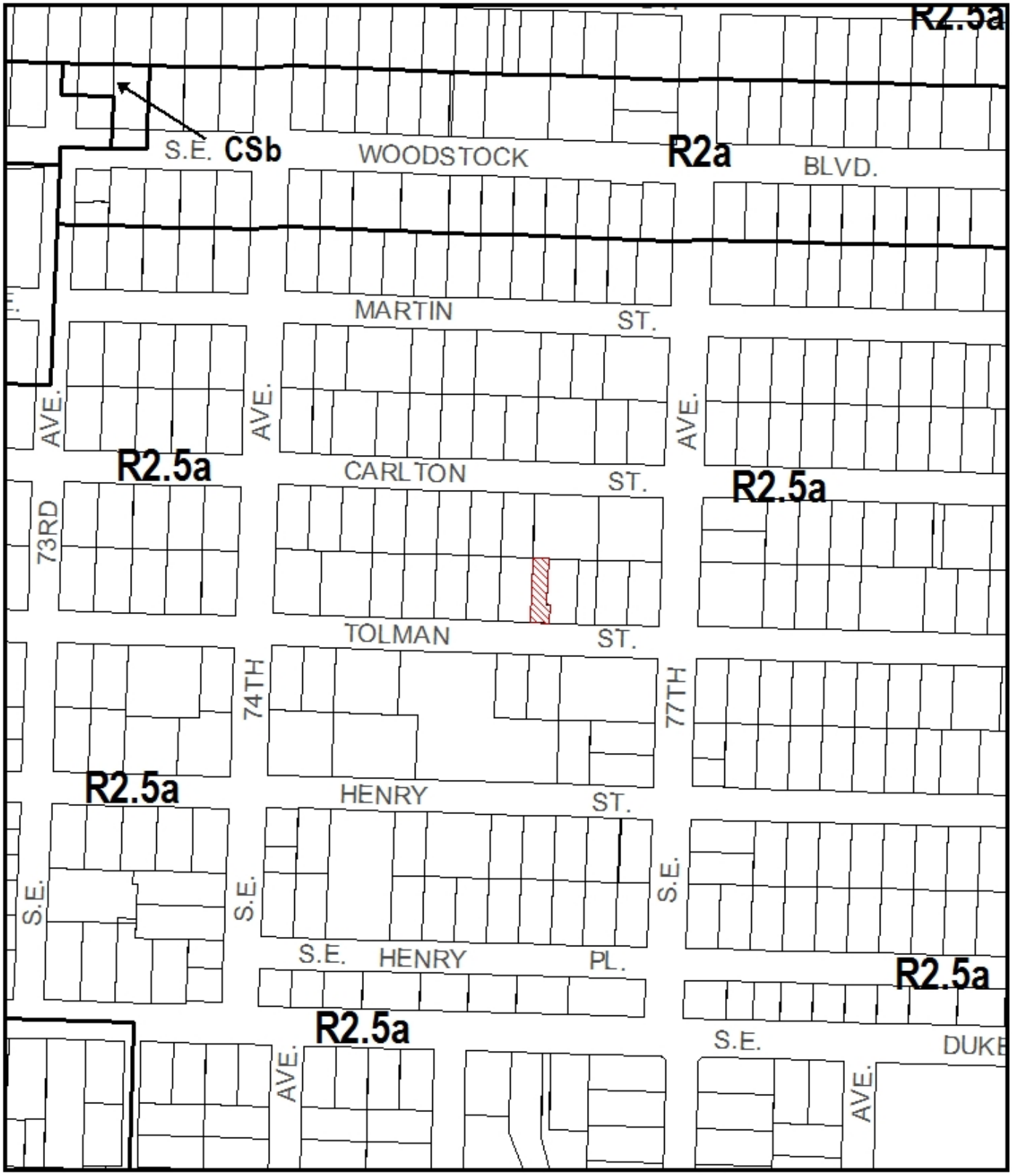
There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

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

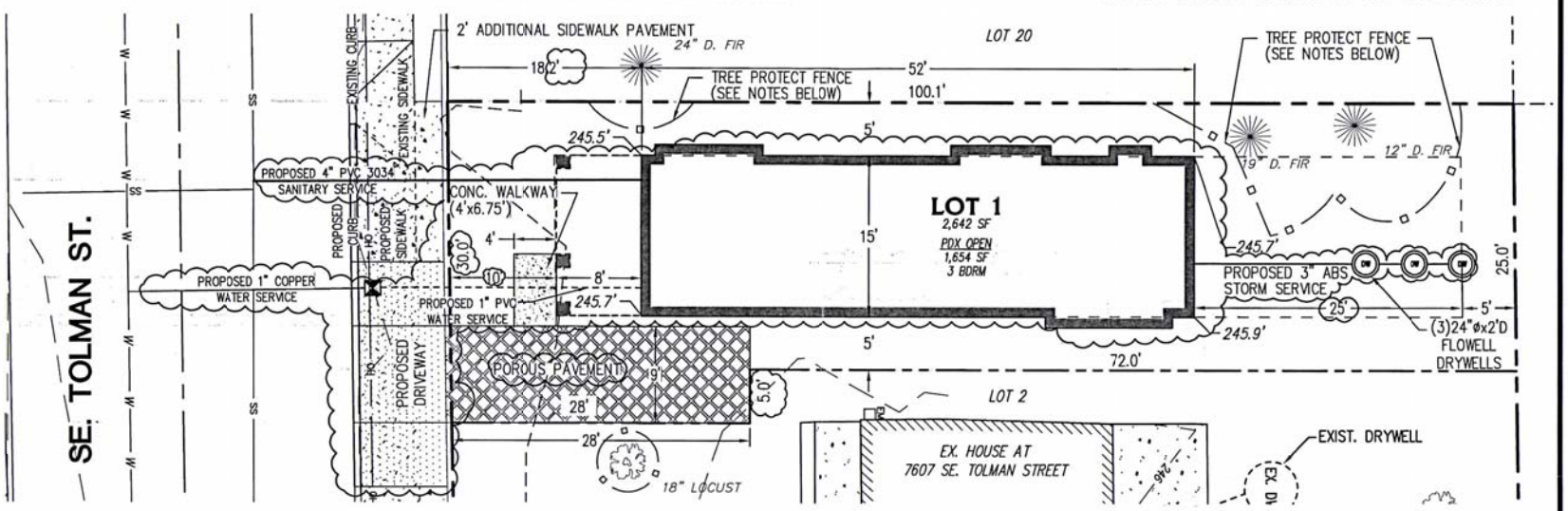
Site

NORTH

File No.	LU 11-125651 TR
1/4 Section	3638
Scale	1 inch = 200 feet
State_Id	1S2E17DC 6000
Exhibit	B (Apr 08,2011)

TREE PROTECTION AREA FOR THE 24" DOUGLAS FIR ON THE ADJACENT PROPERTY IS THE TREE CROWN WHICH IS 10' EXCEPT FOR 6' ADJACENT TO THE PROPOSED HOUSE.

PER WALT KNAPP, CERTIFIED ARBORIST, TREE PROTECTION AREA FOR THE 12" DOUGLAS FIR IN THE REAR YARD IS 10' EXCEPT 4' ADJACENT TO EX. 19" FIR TREE TO BE REMOVED.



NOTES:

ZONE: R2.5
BLDG COVERAGE: 35.8%
IMPERVIOUS AREA: 1.365 SF

SETBACKS
FRONT 10'
SIDE 5'
REAR 5'

ALL GRADE AND PROPERTY LINES ARE ESTIMATES OF CURRENT LOCATIONS.

ALL DIMENSIONS AND SQUARE FOOTAGE ARE APPROXIMATE FIGURES.

DRIVEWAY MAY DIFFER DUE TO LOCATION OF UTILITY BOXES, STREET LIGHTS AND OTHER SITE CONDITIONS

DRYWELLS SHALL BE LOCATED A MINIMUM OF 10' FROM BUILDINGS AND A MINIMUM OF 5' FROM PROPERTY LINES AS MEASURED FROM THE CENTER OF DRYWELL

—— □ —— TREE PROTECTION FENCE

TREE PROTECTION FENCE TO BE 6' TALL CHAIN LINK FENCE, SECURED BY 8' STEEL RAIL POSTS EMBEDDED MIN 24", MAX POST SPACING 10'.

WORK OCCURRING BENEATH THE DRIPLINE OF THE TREE SHOULD BE PERFORMED UNDER THE DIRECTION OF THE PROJECT ARBORIST. THE PROJECT ARBORIST WILL BE AVAILABLE DURING CONSTRUCTION TO PROVIDE RECOMMENDATIONS, OVERSIGHT, AND DOCUMENTATION OF WORK ADJACENT TO PROTECTED TREES, AS NEEDED. DIGGING THAT IS NECESSARY BENEATH THE DRIPLINE OF THESE TREES SHOULD BE PERFORMED USING HAND-TOOLS. THE ARBORIST WILL EVALUATE THE NUMBER, SIZE, LOCATION, AND CONDITION OF ANY REVEALED ROOTS, AND PROPOSE METHODS TO MINIMIZE IMPACTS TO THE TREES. THIS CAN INCLUDE ROOT PRUNING, TUNNELING, OR OTHER APPROACHES.

EVERETT
CUSTOM HOMES

EMERIO Design
6107 SW MURRAY BLVD. SUITE 147
BEAVERTON, OREGON 97008
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FAX: (503) 539-9592
www.emeriodesign.com

SITE PLAN (LOT 1)
TOLMAN PARTITION

TAX LOT 6000 (R312778)
T1S R2E, SECTION 17 DC
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

PROJECT NO. 124-011
REV. DATE: 11/23/10
DRAWN BY: rmw
SHEET No. 1 of 1

LU11-125651 TR