

City of Portland, Oregon Bureau of Development Services

Land Use Services

FROM CONCEPT TO CONSTRUCTION

Charlie Hales, Mayor Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868

www.portlandoregon.gov/bds

Date: April 29, 2013

To: Interested Person

From: Kathy Harnden, Land Use Services

503-823-7318 / Kathy.Harnden@portlandoregon.gov

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 May 29, 2013. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 12-106656 LDP, in your letter. It also is helpful to address your letter to me, Kathy Harnden.

CASE FILE NUMBER: LU 12-106656 LDP

Applicant/Owner: Damir Karin

PO Box 90277

Portland, OR 97290-0277

Contact: Joe Ferguson

Ferguson Land Surveying, Inc.

646 SE 106th Avenue Portland, OR 97216

Site Address: 5530 SE Rural St.

Legal Description: BLOCK 5 LOT 4, GILTNER-WHITE PK

Tax Account No.: R318201850 **State ID No.:** R32E19AC 01400

Quarter Section: 3736

Neighborhood: Brentwood-Darlington, contact Eric Wikoff at 503-704-2396.

Business District: Woodstock Community Business Association, contact Sean Daugherty at

503-754-2636.

District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.

Plan District: None **Other Designations:** None

Zoning: R5a – Residential 5000 with the Alternative Design Density (a) Overlay

Zone

Case Type: LDP – Land Division Partition

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

Board of Appeals (LUBA).

Proposal:

The applicant proposes to divide this property into two parcels, both fronting on SE Rural Street. Both Parcel's 1 and 2 will be 50 feet wide by 96 feet deep, or 4,800 square feet in area. Both water and sewer will be accessed from mains in SE Rural. Stormwater will be retained in drywells located in the right of way portions of the driveways.

There are two trees on the site: one 15-inch diameter Norway maple, which is considered a nuisance species, and one 8-inch flowering dogwood, both of which will be removed in order to develop the site. The arborist's "Tree Mitigation Plan" recommended that two 1.5 inch trees be planted somewhere on the site.

Relevant Approval Criteria:

To be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are:

• 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 January 24, 2012 and determined to be complete on July 31, 2012.

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.

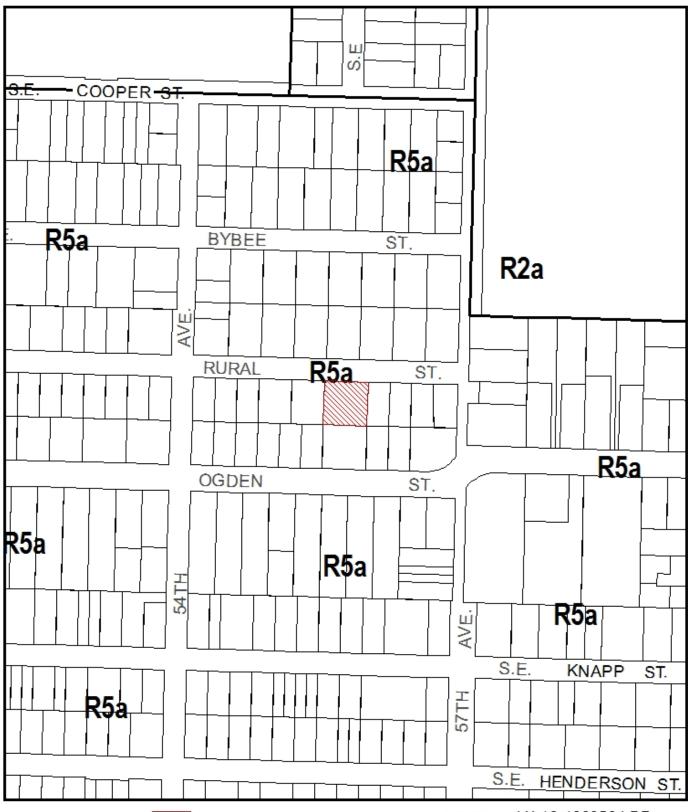
APPEAL PROCESS

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 12-106656 LDP
1/4 Section	3736
	1 inch = 200 feet
State Id	1S2E19AC 1400
Exhibit _	_

EXISTING CONDITIONS

LOT 4, BLOCK 5, "GILTNER-WHITE PARK"

IN THE NE 1/4, SECTION 19, T.1S., R.2.E., W.M.
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

