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: November 5, 2013

To: Interested Person

From: Shawn Burgett, Land Use Services
503-823-7618 / shawn.burgett@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 December 5, 2013**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-201083 LDP, in your letter. It also is helpful to address your letter to me, Shawn Burgett.

CASE FILE NUMBER: LU 13-201083 LDP

Applicant: Douglas Macleod
Blue Sky Property NW
2251 SE Caruthers St#5
Portland OR 97206

Owner: Christopher Ostlund
Plm Group Llc % Ozlund Enterprises Inc.
4550 Kruse Way #125
Lake Oswego OR 97035

Site Address: 4738 SE 28TH AVE

Legal Description: LOT 8, SCHILLER ROW
Tax Account No.: R747990400
State ID No.: 1S1E13BB 03009
Quarter Section: 3533
Neighborhood: Reed, contact Gabe Headrick at gabe.headrick@reedneighborhood.org
Business District: Greater Brooklyn, contact David Weislogel at 503-872-9320.
District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.

Zoning: R2.5 (Single Family Residential 2,500 square feet)
Case Type: LDP (Land Division Partition)
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:
The applicant is proposing a 2 lot land division on the site. Proposed Parcel 1 will measure 4,738 square feet and retain the existing house. Proposed Parcel 2 will measure 2,200 square feet and will allow new single family residential development in the future. The applicant has proposed to preserve a large spruce tree in the southwest corner of proposed parcel 1 in order to meet the Zoning Code's Tree Preservation (33.630) requirements.

Relevant Approval Criteria:
In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are:

- Section 33.660.120, Approval Criteria for Land Divisions in Commercial, Employment and Industrial 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 September 5, 2013 and determined to be complete on October 31, 2013.

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.

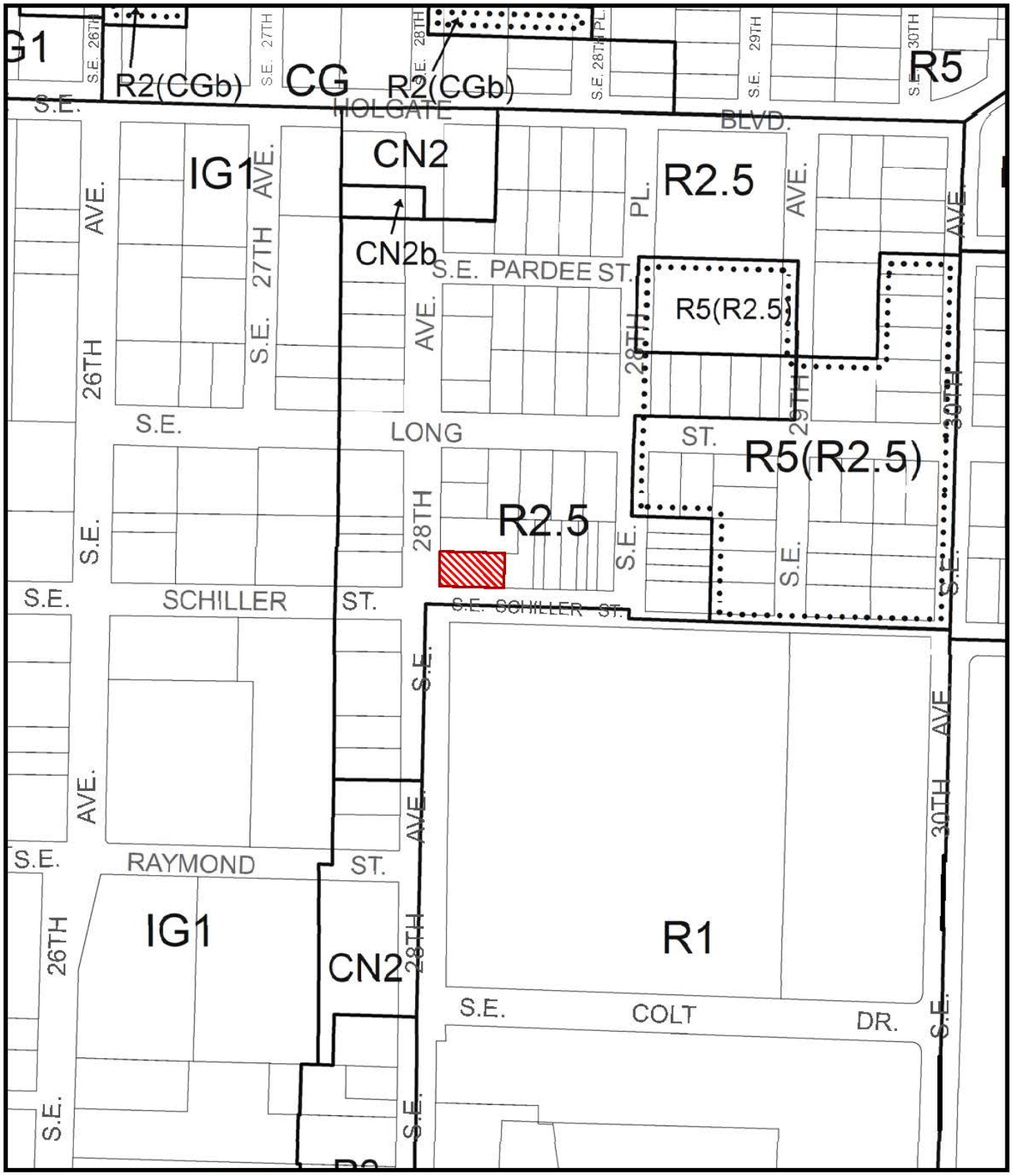
The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file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



ZONING

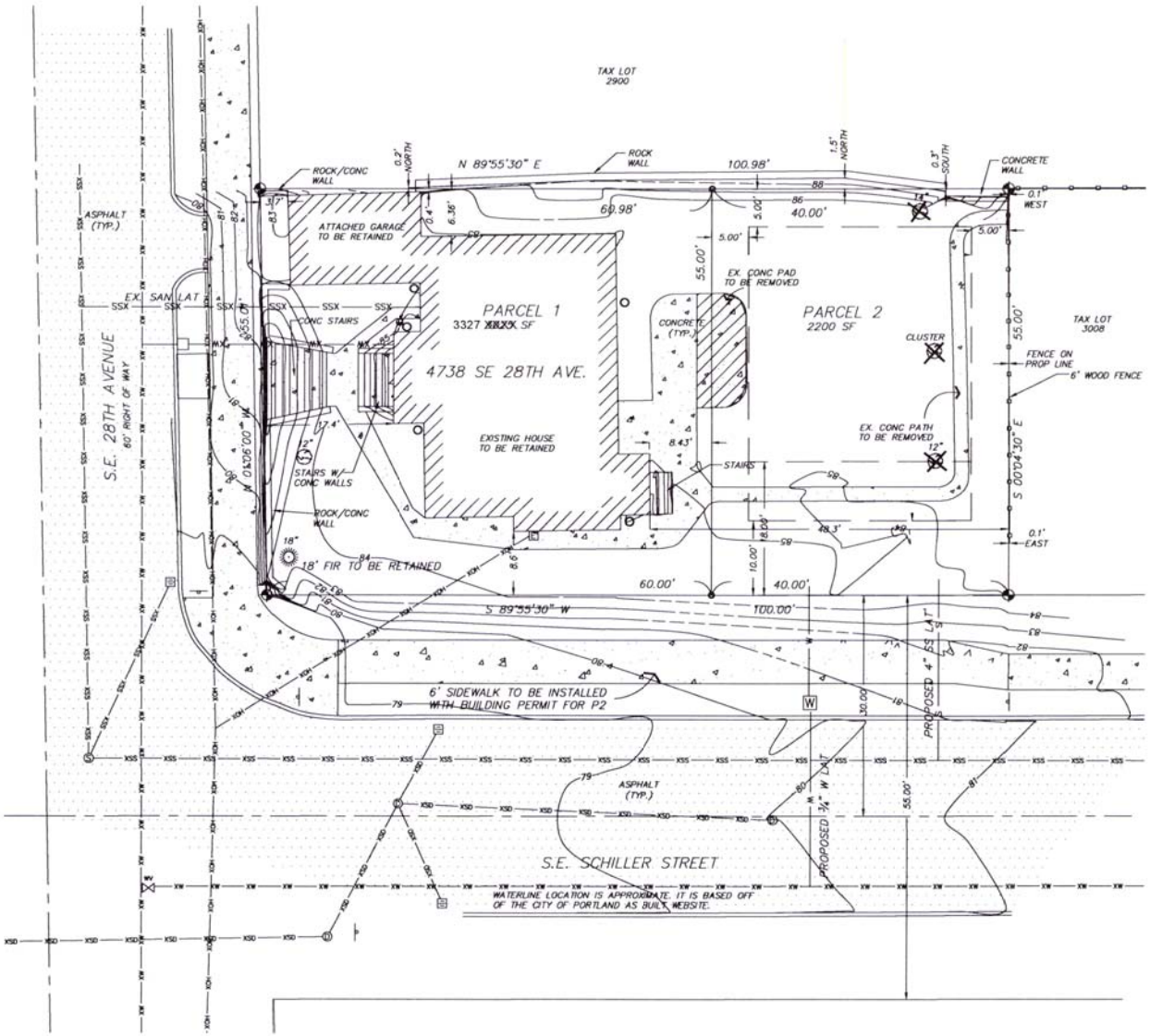
Site

NORTH

File No. LU 13-201083 LDP
1/4 Section 3533
Scale 1 inch = 200 feet
State_Id 1S1E13BB 3009
Exhibit B (Sep 09,2013)

PROPOSED PARTITION PLAN

LOCATED IN THE
TAX LOT 3009
N.W. 1/4 SECTION 13, T.1S., R.1E., W.M.,
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
JULY 3, 2013 SCALE 1"=10'



4738 SE 28TH AVENUE PARTITION

SURVEY NOTES:

THE DATUM FOR THIS SURVEY IS BASED UPON CITY OF PORTLAND BENCHMARK NUMBER 3554, BEING A BRASS DISC ON TOP OF CURB AT THE SW CORNER OF THE INTERSECTION OF S.E. RAYMOND STREET AND S.E. 28TH AVENUE. THE ELEVATION IS 74.991', COP DATUM.

A TRIMBLE S6-SERIES ROBOTIC INSTRUMENT WAS USED TO COMPLETE A CLOSED LOOP FIELD TRAVERSE.

AREA OF SUBJECT PARCEL: 5,527 S.F. OR 0.13 ACRES

THE BASIS OF BEARINGS FOR THIS SURVEY IS PER MONUMENTS FOUND AND HELD PER THE PLAT OF "SCHILLER ROW", RECORDS OF MULTNOMAH COUNTY.

THE PURPOSE OF THIS SURVEY IS TO RESOLVE AND DETERMINE THE PERIMETER BOUNDARY OF THE SUBJECT PROPERTY, TO SHOW ALL PERTINENT BOUNDARY ISSUES AND ENCROACHMENTS. NO PROPERTY CORNERS WERE SET IN THIS SURVEY.

NO WARRANTIES ARE MADE AS TO MATTERS OF UNWRITTEN TITLE, SUCH AS ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE, ETC.

LEGEND:

Some Symbols shown may not be used on map

- DECIDUOUS TREE
- EVERGREEN TREE
- STORM SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- CATCH BASIN
- SANITARY SEWER MANHOLE
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- BOLLARD
- GAS VALVE
- GAS METER
- SIGN
- MAILBOX
- UTILITY POLE
- LIGHT POLE
- ELECTRIC METER
- DOWN SPOUT
- UTILITY AND LIGHT POLE
- GUY WIRE
- TRAFFIC SIGNAL POLE
- ELECTRICAL POWER PEDESTAL
- COMMUNICATIONS PEDESTAL
- COMMUNICATIONS MANHOLE
- OVERHEAD LINE
- GAS LINE
- ELECTRICAL LINE
- COMMUNICATIONS LINE
- SANITARY SEWER LINE
- STORM DRAIN LINE
- WATER LINE
- FENCELINE
- ELECTRIC RISER
- UTILITY RISER
- OIL FILLER CAP
- EX. TREE TO BE REMOVED

GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
1 inch = 10 ft.

SIGNED ON: 9-4-2013

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
NOVEMBER 30, 2007
JAMES BURTON BROWN
60379

VALID THROUGH DECEMBER 31, 2013

CENTERLINE CONCEPTS
LAND SURVEYING, INC.
729 MOLALLA AVE., SUITE 1 & 2
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

Plotted: C:\Users\Mark\Desktop\28TH & SCHILLER.dwg

LU 13-201083LDP