



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 20, 2013
To: Interested Person
From: Kathy Harnden, Land Use Services
503-823-7318 / Kathy.Harnden@portlandoregon.gov

NOTICE OF A TYPE IIx PROPOSAL IN YOUR NEIGHBORHOOD

We found out today that the original mailing was not legible. **There are no changes other than the mail date and written comment period.**

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 42 days, **we need to receive your written comments by 5 p.m. on December 20, 2013.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-209049 LDP, in your letter. It also is helpful to address your letter to me, Kathy Harnden.

CASE FILE NUMBER: LU 13-209049 LDP

Property Owner and Applicant: Stan Anderson
Baird Street Development LLC
3560 SW Alice St
Portland OR 97219

Site Address: 3671 SW Baird St

Legal Description: BLOCK 1 LOT 13, BRUGGER VIEW
Tax Account No.: R111000140
State ID No.: 1S1E29BD 03400
Quarter Section: 3925

Neighborhood: Multnomah, contact Susan Rudloff at 503-358-2316.
Business District: None
District Coalition: Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.
Zoning: Single Dwelling Residential 5,000 (R5)

Case Type: Land Division Partition (LDP)
Procedure: Type IIx, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant proposes a **Land Division-Partition** to divide an approximately 10,777 square-foot lot into two parcels. A house was removed from the site between 2005 and 2006. Parcel 1 will be adjacent to SW Baird and will contain approximately 3,671 square feet. Parcel 2 will have approximately 6,263 square feet and will be a "flag" lot with access through a 110-foot

long “pole” from SW Baird Street. There are five trees on the site ranging in size from 6 to 58 inches. Three trees are to be removed, including the 58-inch cottonwood. Two incense cedars (7 and 8-inches in diameter) are to be retained on the site. Tree mitigation is proposed in order to comply with the Tree Preservation Chapter. A 15-foot wide public street dedication is required by the Bureau of Transportation, as shown on the Proposed Development Site Plan.

Relevant Approval Criteria:

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, and in Section 33.815.040, Adjustments.

This partition is reviewed through a Type IIX procedure because: (1) the site is in a residential zone; (2) 10 or fewer lots are proposed; and (3) the site is located within a Potential Landslide Hazard Area (see 33.660.110.B).

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). ORS 92.010 defines “parcel” as a single unit of land created by a partition of land. The applicant’s proposal is to create 2 units of land (2 parcels). Therefore this land division is considered a partition.

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 24, 2013 and determined to be complete on November 14, 2013.

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.ci.portland.or.us.

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.

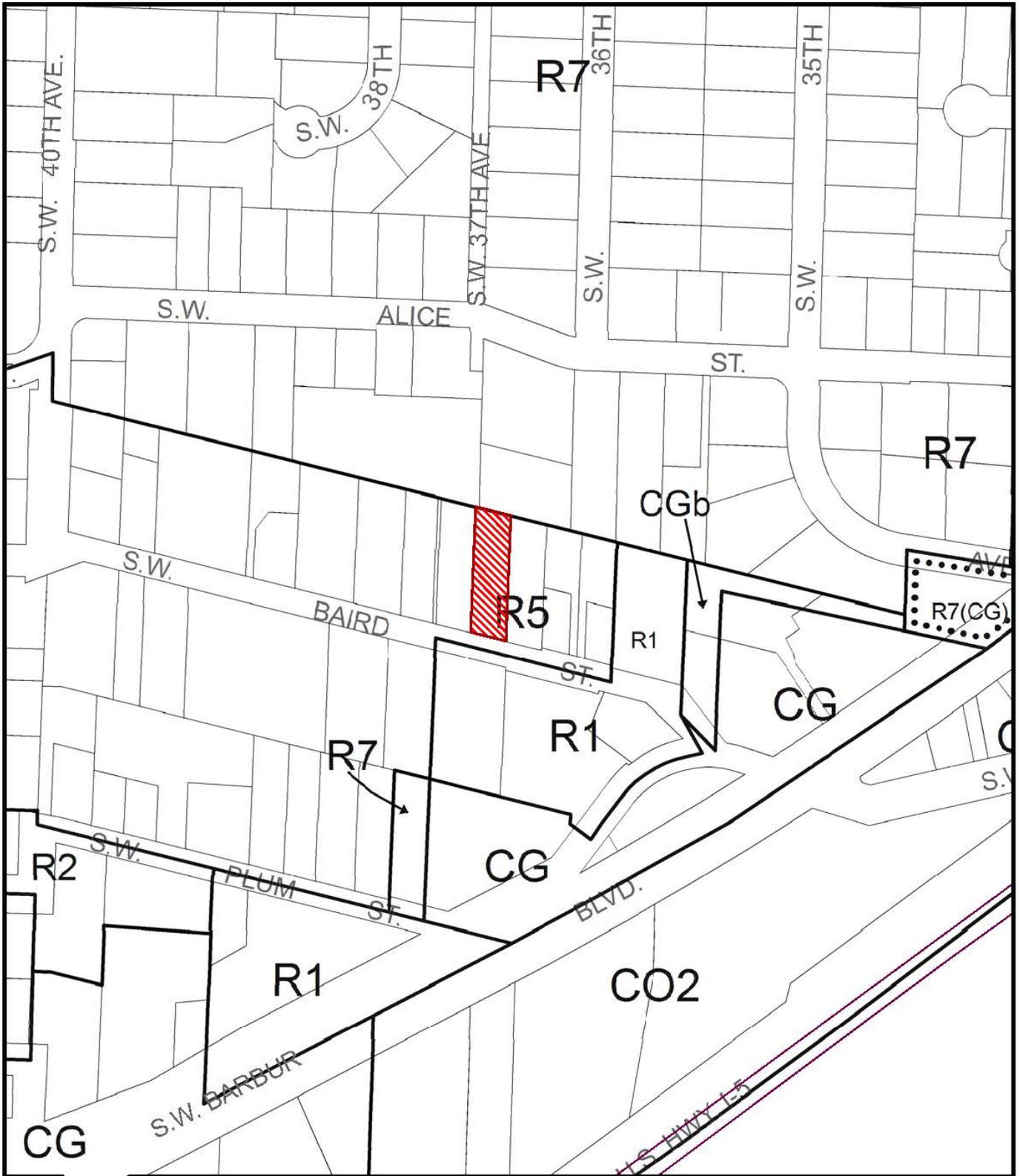
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St. NE, Suite 330, 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



File No. LU 13-209049 LDP
 1/4 Section 3925
 Scale 1 inch = 200 feet
 State_Id 1S1E29BD 3400
 Exhibit B (Sep 26, 2013)

PROPOSED PLAT

LOT 13, BLOCK 1, "BRUGGER VIEW"
 IN THE SE 1/4 OF THE NW 1/4 OF SECTION 29, T. 1 S., R. 1 E., W.M.
 CITY OF PORTLAND
 MULTNOMAH COUNTY
 OREGON
 APRIL 10, 2013
 SCALE 1" = 20'



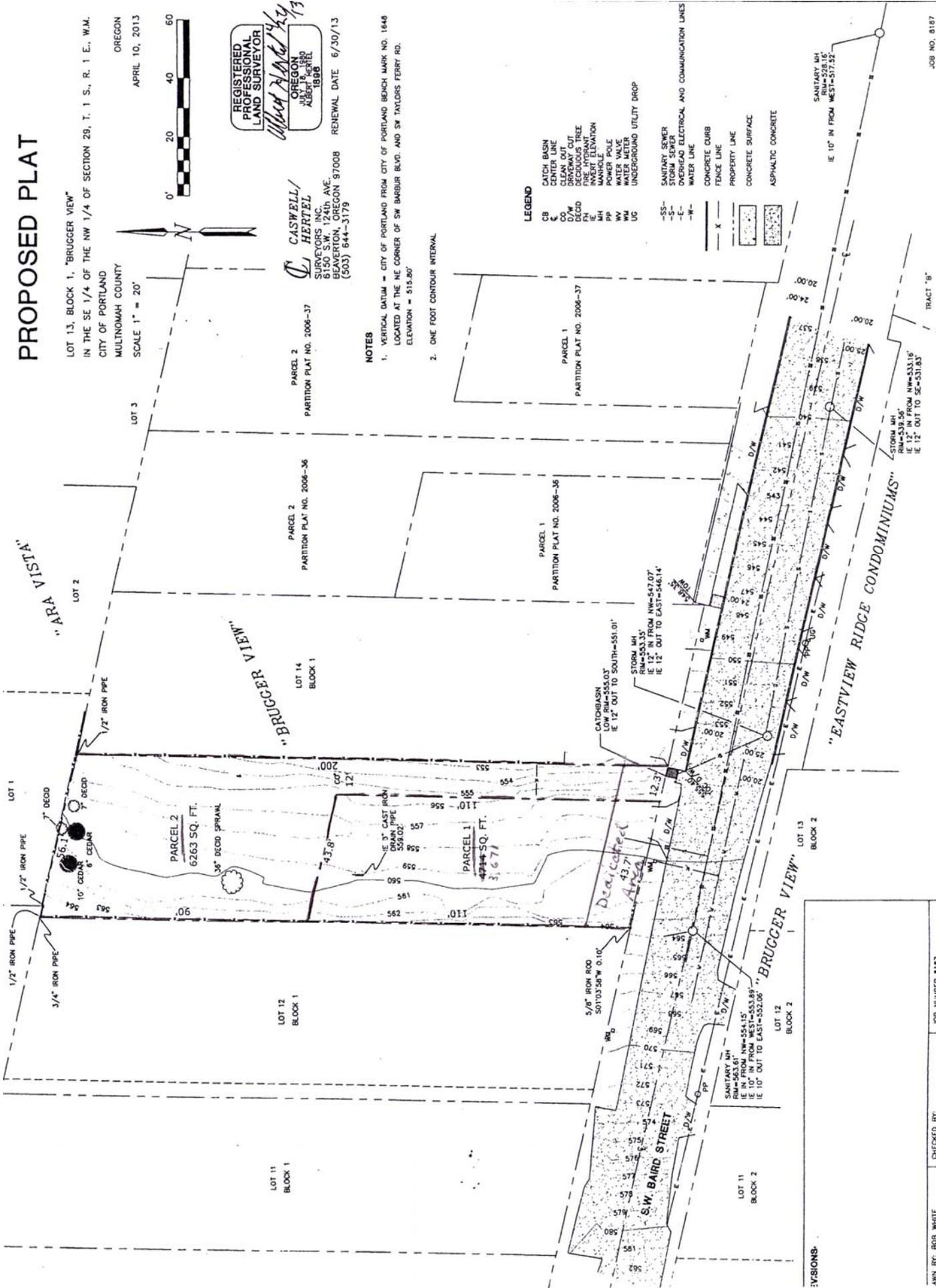
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Albert Hertzel
 OREGON
 ALBERT HERZEL
 1886

CASWELL/
 HERZEL
 SURVEYORS INC.
 6150 S.W. 124th AVE.
 BEAVERTON, OREGON 97008
 (503) 644-3179
 RENEWAL DATE 6/30/13

NOTES
 1. VERTICAL DATUM = CITY OF PORTLAND FROM CITY OF PORTLAND BENCH MARK NO. 1648
 LOCATED AT THE NE CORNER OF SW BARBUR BLVD. AND SW TAYLORS FERRY RD.
 ELEVATION = 515.80'
 2. ONE FOOT CONTOUR INTERVAL

LEGEND

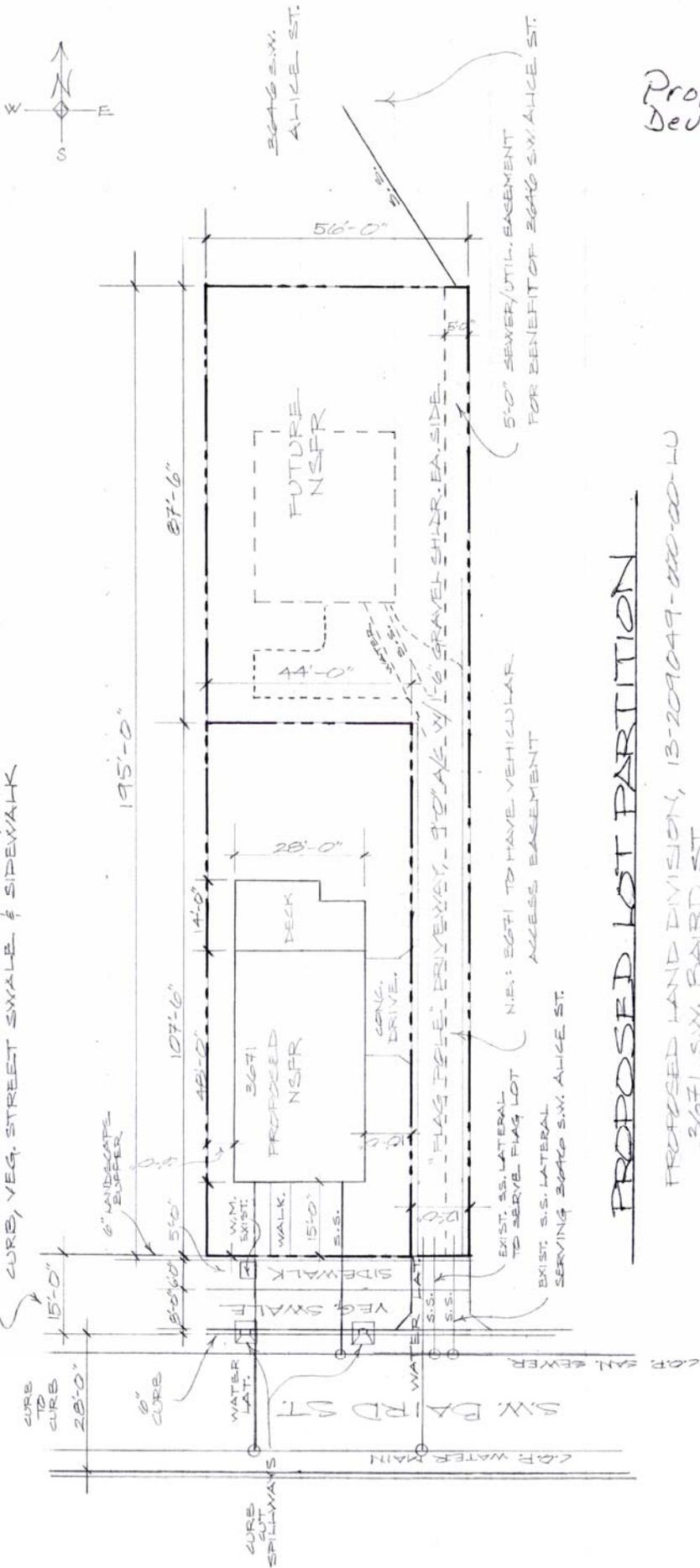
- CB CATCH BASIN
 - CL CENTER LINE
 - CO CLEAN OUT
 - D/W DRAINAGE WAY CUT
 - FE FENCE
 - FL FLOOR FINISH ELEVATION
 - FM FIRE MANDIBLE
 - HW HOLE
 - MA MANHOLE
 - WV WATER VALVE
 - WM WATER METER
 - UC UNDERGROUND UTILITY DROP
-
- SS- SANITARY SEWER
 - S- SANITARY SEWER
 - E- OVERHEAD ELECTRICAL AND COMMUNICATION LINES
 - W- WATER LINE
-
- X CONCRETE CURB
 - FENCE LINE
 - PROPERTY LINE
 - CONCRETE SURFACE
 - ASPHALTIC CONCRETE



AWN BY: BOB WHITE | CHECKED BY: | JOB NUMBER 8187 | JOB NO. 8187

10-24-2013

DEDICATED TO CITY OF PORTLAND W/ CONSTRUCTED CURB, VEG. STREET SWALE & SIDEWALK



Proposed Development

SCALE: 1/8" = 10'-0"

PROPOSED LOT PARTITION

PROPOSED LAND DIVISION, 13-209049-000-00-LU
3671 SW ALICE ST.

BAIRD STREET DEVELOPMENT, LLC
3600 SW ALICE ST.
PORTLAND, OR 97216

STAN ANDERSON, OWNER
CELL: 503-901-1009