



**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](http://www.portlandoregon.gov/bds)

**Date:** March 27, 2014  
**To:** Interested Person  
**From:** Stacey Castleberry, Land Use Services  
503-823-7586 / [Stacey.Castleberry@portlandoregon.gov](mailto:Stacey.Castleberry@portlandoregon.gov)

## **NOTICE OF A TYPE IIx 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 42 days, **we need to receive your written comments by 5 p.m. on April 25, 2014**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-230950 LDS, in your letter. It also is helpful to address your letter to me, Stacey Castleberry.

## **CASE FILE NUMBER: LU 13-230950 LDS**

**Applicant/Owner:** Darren Lilla & Tanja Olson  
3355 SE 16<sup>th</sup> Avenue  
Portland, OR 97202

**Consultant:** Bedsaul/Vincent Consulting, LLC  
**Attention:** Bruce Vincent  
416 Laurel Avenue, #3  
Tillamook, OR 97141

**Project Engineer:** Sisul Engineering  
**Attention:** Tim Sisul  
375 Portland Avenue  
Gladstone, OR 97027

**Site Address:** 3355 SE 16<sup>th</sup> Avenue  
**Legal Description:** BLOCK 4 LOT 2&3, FEURERS ADD  
**Tax Account No.:** R276900480  
**State ID No.:** 1S1E11AC 12000  
**Quarter Section:** 3332  
**Neighborhood:** Brooklyn Action Corps, Hotline at 503-241-4540.  
**Business District:** Greater Brooklyn, contact David Weislogel at 503-872-9320.  
**District Coalition:** Southeast Uplift, contact Bob Kellett at 503-232-0010.  
**Plan District:** None  
**Zoning:** **R 2.5** -- Residential 2,500  
**Case Type:** **LDS** -- Land Division Subdivision  
**Procedure:** Type IIx, an administrative decision with appeal to the Hearings Officer.

**Proposal:** The applicant is proposing to subdivide the subject property into four lots ranging in size from 2,131 to 3,008 square feet. Existing development consists of the existing house,

garage, patio, pond and driveway that will be demolished. Stormwater management is proposed via a new drywell on each lot. Water and sanitary sewer services are available in both SE Pershing Street and SE 16<sup>th</sup> Avenue, to serve the proposed development. Of the 11 trees greater than 6 inches in diameter that exist on the site, the applicant is proposing to retain 2 trees, and to plant 12 trees.

This subdivision proposal is reviewed through a Type IIx procedure because: (1) the site is in a residential zone; (2) four to ten dwelling units are proposed, not including accessory dwelling units (see 33.660.110).

For purposes of State Law, this land division is considered a subdivision. To subdivide land is to divide an area or tract of land into four or more lots within a calendar year, according to ORS 92.010. ORS 92.010 defines "lot" as a single unit of land created by a subdivision of land. The applicant's proposal is to create 4 units of land (4 lots). Therefore this land division is considered a subdivision.

**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 21, 2013 and determined to be complete on March 18, 2014.

#### **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](http://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.

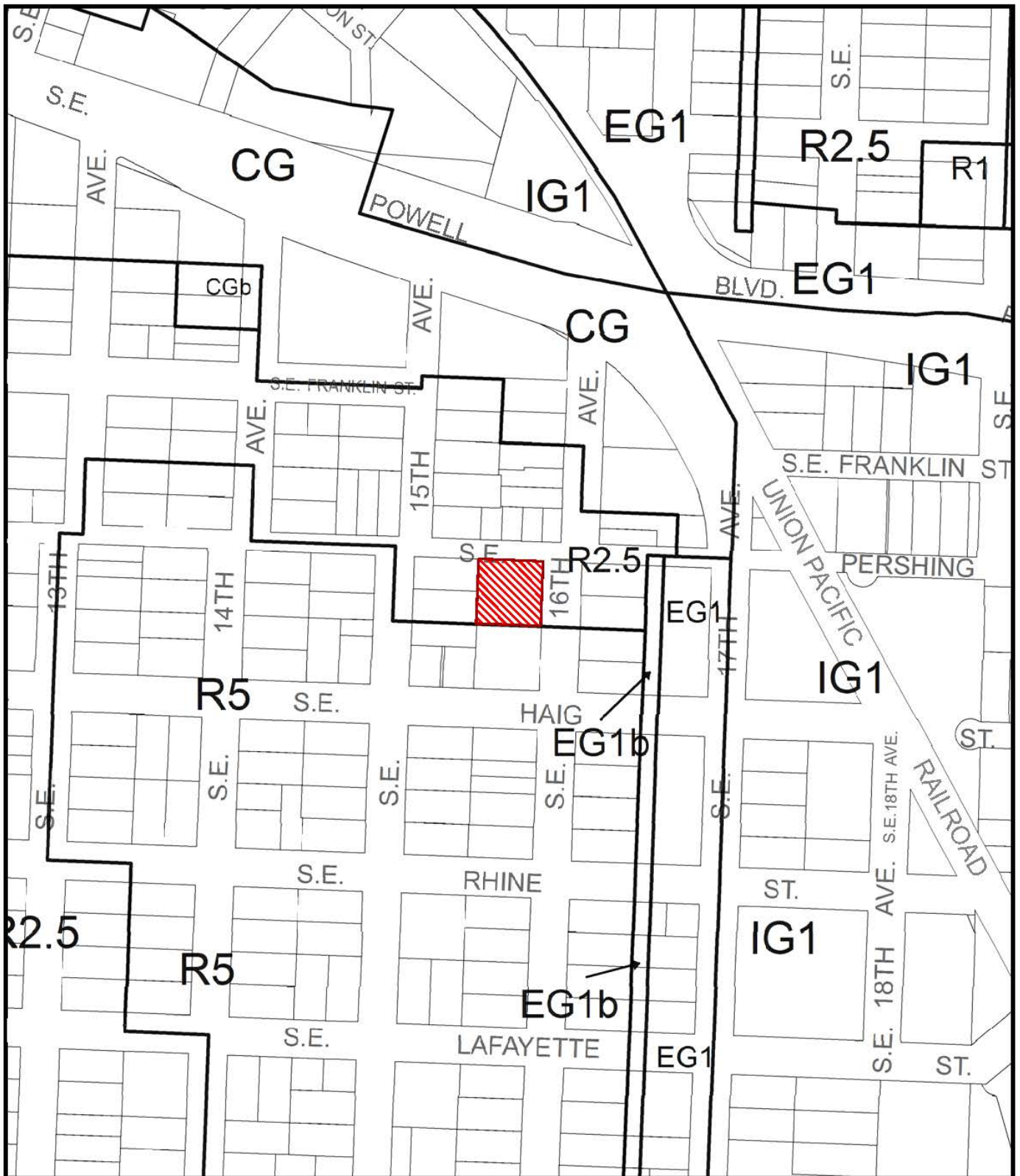
**APPEAL OF THE FINAL CITY DECISION**

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 97301-1283. 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 13-230950 LDS  
 1/4 Section 3332  
 Scale 1 inch = 200 feet  
 State\_Id 1S1E11AC 12000  
 Exhibit B (Nov 25, 2013)

# EXISTING CONDITIONS MAP

LOTS 2 AND 3, BLOCK 4, "FEURERS ADDITION"  
 N.E. 1/4 SECTION 11, T.1S., R.1E., W.M.,  
 CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON  
 JULY 16, 2013 SCALE: 1"=20'

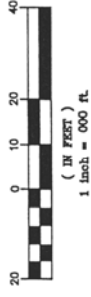
**SURVEY NOTES:**  
 THE DATUM FOR THIS SURVEY IS BASED UPON CITY OF PORTLAND BENCHMARK NUMBER 638, BEING A BRASS DISC ON TOP OF CURB ON THE N.E. CORNER OF S.E. 14TH AVENUE AND S.E. PINE STREET.  
 A TRIMBLE S5-SERIES ROBOTIC INSTRUMENT WAS USED TO COMPLETE A CLOSED LOOP FIELD TRAVERSE.  
 AREA OF SUBJECT PARCEL: 10,000 S.F. OR 0.23 ACRES  
 THE BASIS OF BEARINGS FOR THIS SURVEY IS PER MONUMENTS FOUND, AND HELD PER RECORDS OF THE CITY OF PORTLAND, OREGON, RECORDED UNDER PRIVATE SURVEY NUMBER 48171, RECORDS OF MULTNOMAH COUNTY.  
 THE PURPOSE OF THIS SURVEY IS TO RESSURVEY AND DETERMINE THE PERMETER BOUNDARY OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, AND 8 OF "FEURERS ADDITION" BLOCK 4, AND TO SHOW ENCHANGMENTS, NO PROPERTY CORNERS WERE SET IN THIS SURVEY.  
 NO WARRANTIES ARE MADE AS TO MATTERS OF UNWRITTEN TITLE, SUCH AS ADVERSE POSSESSION, STOPPEL, ACCEDENCE, 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
- 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
- PROPERTY CORNER

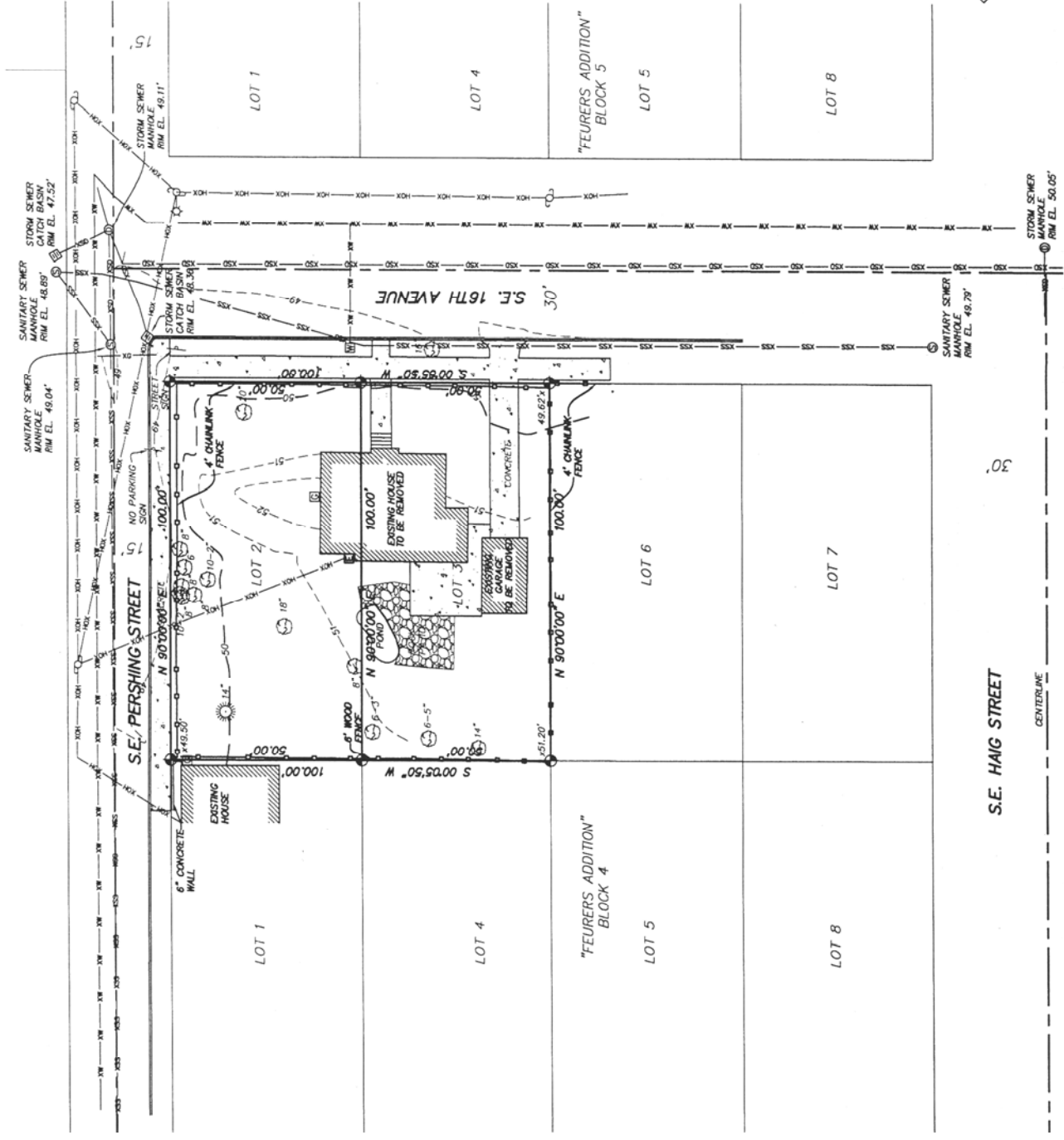
**GRAPHIC SCALE**



SIGNED ON: 12-8-2013  
**REGISTERED PROFESSIONAL LAND SURVEYOR**  
 OREGON NOVEMBER 2007  
 JAMES BROWN  
 803379  
 VALID THROUGH DECEMBER 31, 2013

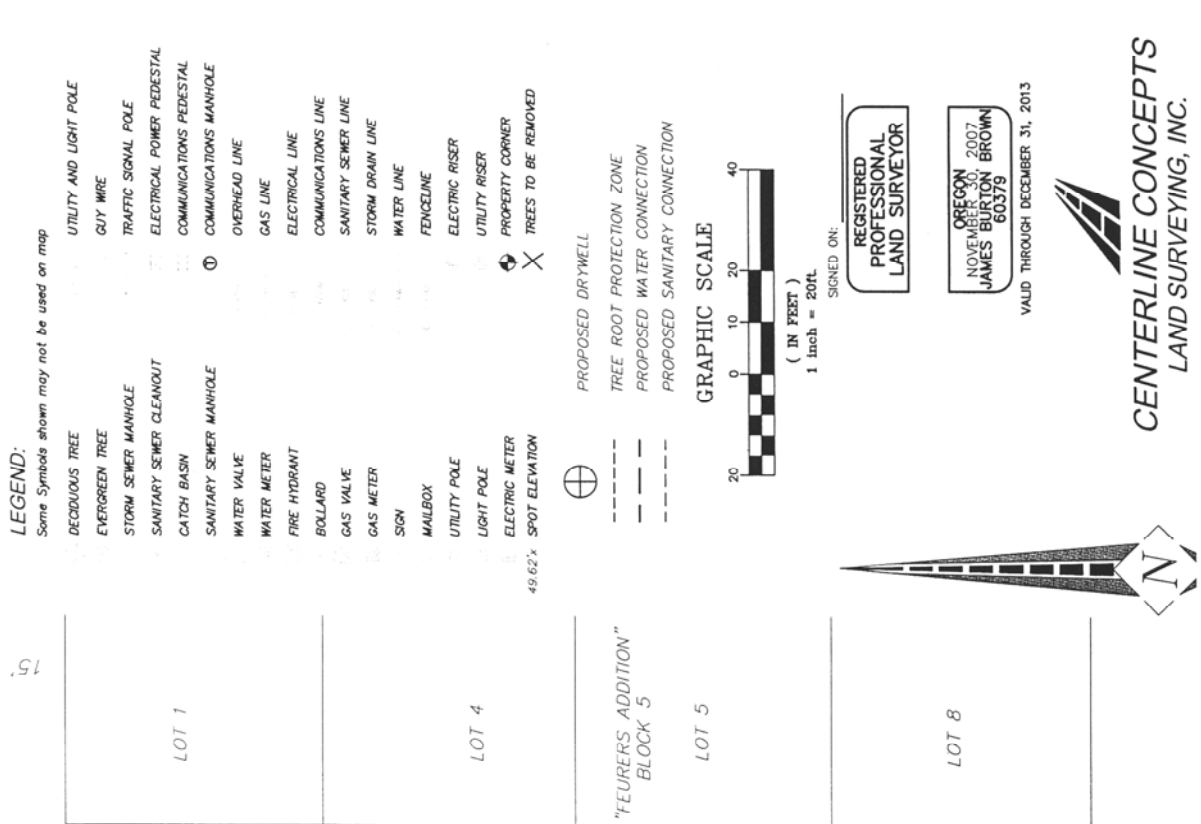
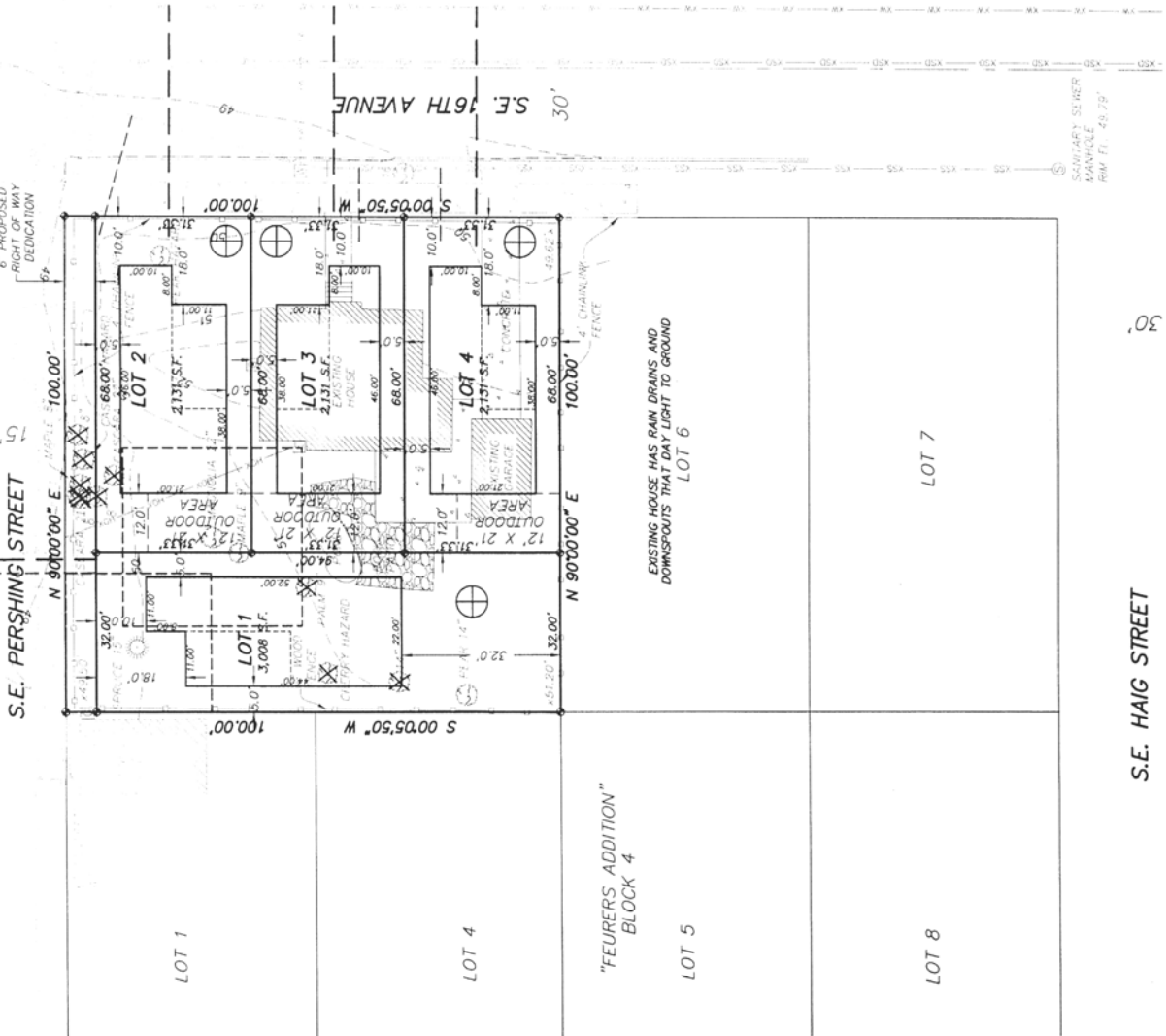


**CENTERLINE CONCEPTS**  
 LAND SURVEYING, INC.  
 729 MOLALLA AVE., SUITE 1 & 2  
 OREGON CITY, OREGON 97045  
 PHONE 503.650.0188 FAX 503.650.0189



LOTS 2 AND 3, BLOCK 7, FEURERS ADDITION  
 LOCATED IN THE N.E. 1/4 SECTION 11, T.1S., R.1E., W.M.,  
 CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON  
 OCTOBER 3, 2013 SCALE: 1"=20'

BEING A BRASS DISC ON TOP OF CURB ON THE N.E. CORNER OF S.E. 14TH AVENUE AND  
 S.E. RHINE STREET.  
 A TRIMBLE S8-SERIES ROBOTIC INSTRUMENT WAS USED TO COMPLETE A CLOSED LOOP FIELD  
 TRAVERSE.  
 AREA OF SUBJECT PARCEL: 10,000 S.F. OR 0.23 ACRES  
 THE BASIS OF BEARINGS FOR THIS SURVEY IS PER MONUMENTS FOUND AND HELD PER  
 RECORD OF SURVEY RECORDED UNDER PRIVATE SURVEY NUMBER 42171, RECORDS OF  
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 OF THE SUBJECT PROPERTY, TO SHOW ALL PERTINENT BOUNDARY ISSUES AND  
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- ELECTRIC METER
- SPOT ELEVATION
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- COMMUNICATIONS LINE
- SANITARY SEWER LINE
- STORM DRAIN LINE
- WATER LINE
- FENCELINE
- ELECTRIC RISER
- UTILITY RISER
- PROPERTY CORNER
- TREES TO BE REMOVED

- ⊕ PROPOSED DRYWELL
- TREE ROOT PROTECTION ZONE
- PROPOSED WATER CONNECTION
- PROPOSED SANITARY CONNECTION

GRAPHIC SCALE



SIGNED ON:

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

OREGON  
 NOVEMBER 30, 2007  
 JAMES BURTON BROWN  
 60379

VALID THROUGH DECEMBER 31, 2013



**CENTERLINE CONCEPTS**  
 LAND SURVEYING, INC.