



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: February 22, 2017
To: Interested Person
From: Brandon Rogers, Land Use Services
503-823-7597 / Brandon.Rogers@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 March 24, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-286857 LDS, in your letter. It also is helpful to address your letter to me, Brandon Rogers. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 16-286857 LDS

Applicant: Kevin Partain/Urban Visions
223 NE 56th Ave
Portland, OR 97213

Owner: Jay Webster Rentals LLC
9230 SE Clay St
Portland, OR 97216

Contract Purchaser: Clint Weiler/Ground Breakers Construction & Development, Inc
6045 SE Stark St
Portland OR 97215

Site Address: 12004, 12008, 12010, 12040 SE Mill Ct
Legal Description: LOT 11, TL 4800, 4900, 5000, D & O LITTLE HMS SUB 1.
Tax Account No.: R202501680, R202501700, R202501720, R202501720
State ID No.: 1S2E03DA 04800, 04900, 05000.
Quarter Section: 3242
Neighborhood: Mill Park, contact Doug Reed at dougrhomes@aol.com.
Business District: Midway, contact info@midwaybusiness.org.
District Coalition: East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.

Zoning: Residential 3,000 (R3) with the "a" Alternative Design Density overlay zone.

Case Type: Land Division Subdivision (LDS)
Procedure: Type IIx, an administrative decision with appeal to the Hearings Officer

Proposal: The applicant proposes to divide the 35,550 square foot site into nine parcels for development of detached single family homes. Access to each lot is proposed from SE Mill Ct. Sanitary sewer and water will be provided from existing mains located in SE Mill Ct. On-site storm water management will be provided by individual drywells. The site contains trees subject to tree preservation standards and approval criteria. The proposal will require removal of all existing development at the site.

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 9 units of land. 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 December 15, 2016 and determined to be complete on February 17, 2017.

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.

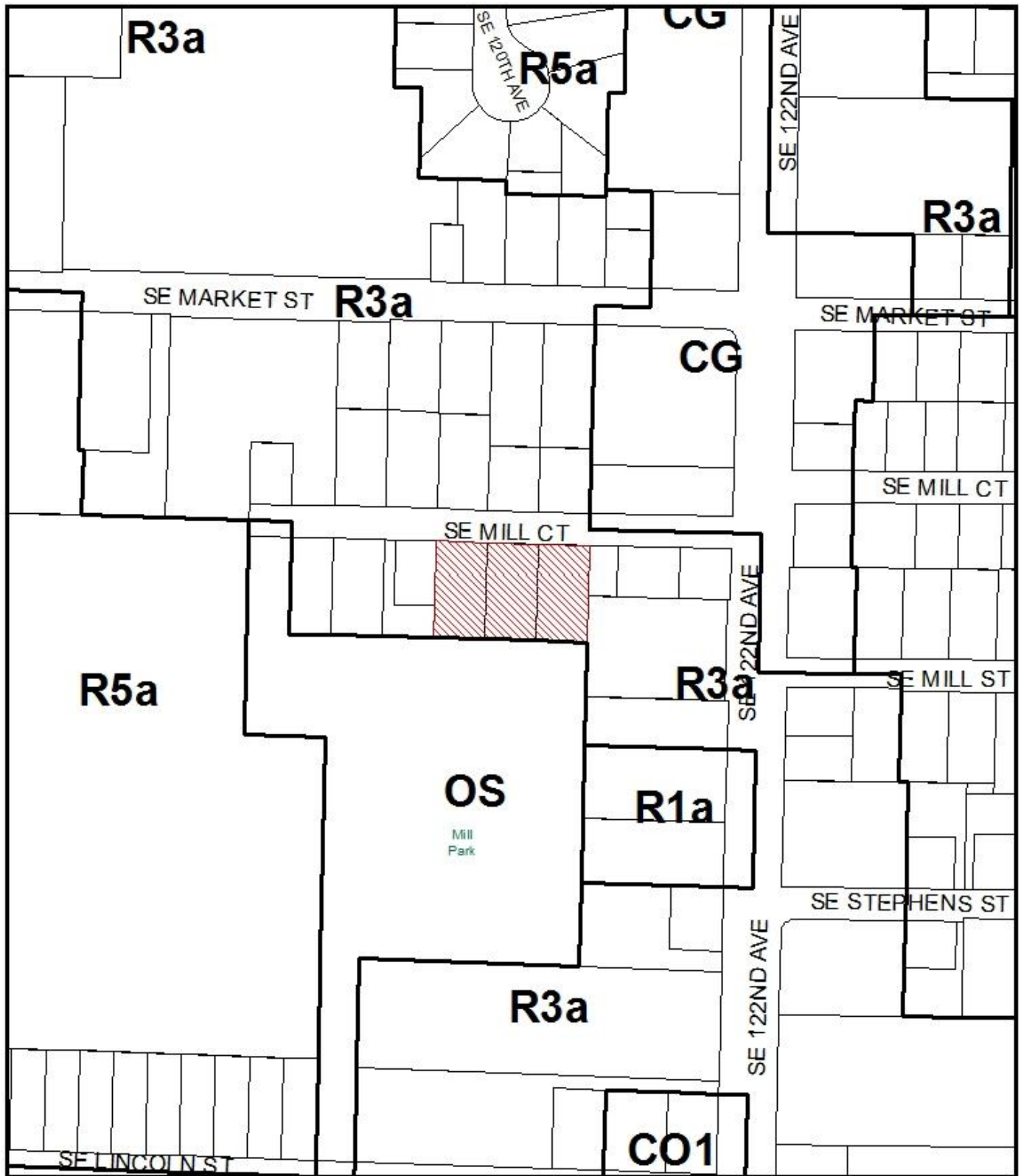
APPEAL OF THE FINAL CITY DECISION

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 97301-1283. 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



File No. LU 16-286857 LDS
 1/4 Section 3242
 Scale 1 inch = 200 feet
 State_Id 1S2E03DA 4800
 Exhibit B (Dec 22, 2016)

7-16-17

- NOTES**
1. VERTICAL DRAIN: CITY OF PORTLAND, BASED FROM CITY OF PORTLAND BENCHMARK NO. 4348 LOCATED IN THE WEST CORNER OF S.E. 122ND AVE. ON THE CENTERLINE EXTENSION OF S.E. MILL STREET, ELEV. 503.83'
 2. THE WATER LINE LOCATION WAS ESTABLISHED BY SOLICITING THE AS-BUILT RECORD DRAWING FOR THE WATER MAINS UNDER THE ROAD.
 3. ALL EXISTING UTILITY LOCATIONS SHOULD BE FIELD VERIFIED FOR EXACT LOCATIONS.
 4. ALL TREES OUTSIDE OF THE ROOT PROTECTION ZONE ARE TO BE REMOVED (NOTED AS TRS).

LEGEND

PROPOSED TREE PLANTING

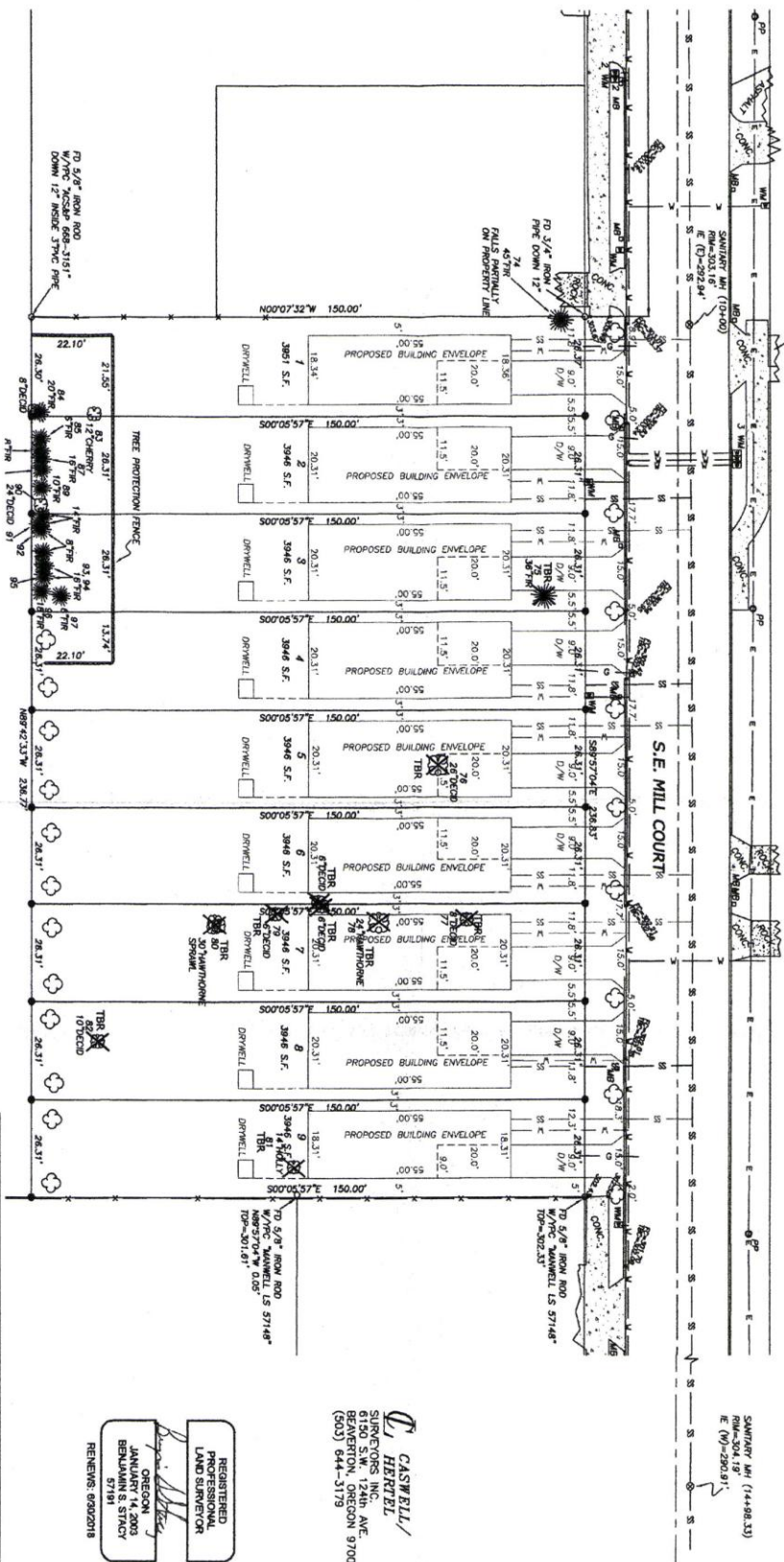


PROPOSED PLAT

of
"COLLEEN'S HOMES"

FOR GROUND BREAKERS CONSTRUCTION & DEVELOPMENT
 IN LOT 11 TRULSHAWITT & DANMAN'S LITTLE HOMES
 IN THE SE 1/4 OF SECTION 3, T. 15S, R. 2E, W.M.
 TOWNSHIP 15N, RANGE 2E, COUNTY OF CLATSOP, OREGON
 SCALE: 1"=200' NOVEMBER 17, 2016

0 10 20 30 40



REVISIONS:

01/20/2017 - ADDED ARBONIST TREE NUMBERS, NOTE 4 AND LABELED TREES TO BE REMOVED (TRM), ADDED TREES TO BE PLANTED, REVERSED DRIVEWAY (D/W) LOCATIONS

DRAWN BY: BENJAMIN STACY CHECKED BY: JOB NUMBER: 0033

REGISTERED PROFESSIONAL LAND SURVEYOR
 JAMES M. STACY
 57191
 REVISIONS: 09020016

CASWELL / HERTEL
 SURVEYORS INC.
 277 W. 12TH AVE.
 BENTON, OREGON 97008
 (503) 644-3179