



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

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

Date: March 5, 2018
To: Interested Person
From: Kate Green, Land Use Services
503-823-5868/Kate.Green@portlandoregon.gov

NOTICE OF A TYPE II 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 28 days, **we need to receive your written comments by 5 p.m. on March 26, 2018.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-289808 TR, in your letter. It also is helpful to address your letter to me, Kate Green. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 17-289808 TR

Applicant: Nathan Arnold / Faster Permits / (503) 438-8113
2000 SW 1st Avenue, Suite 420
Portland OR 97201

Property Owner: Gene Pukhalsky
6122 SE Jenne Road
Portland OR 97236-1645

Site Address: 6122 SE JENNE ROAD
Legal Description: LOT 53 TL 1900, JENNELYND AC
Tax Account No.: R428506400
State ID No.: 1S3E18CD 01900
Quarter Section: 3647

Neighborhood: Pleasant Valley / Steve Montgomery at foxtrotlove@hotmail.com
Business District: Midway / info@midwaybusiness.org
District Coalition: East Portland Neighborhood Office / Victor Salinas at 503-823-6694

Zoning: Single Dwelling Residential 10,000 (R10)
Plan District: Johnson Creek Basin - South
Other Designations: Landslide Hazard
Case Type: Tree Review (TR)
Procedure: Type II, an administrative decision with appeal to the Hearings Officer

Proposal: The applicant requests a **Tree Review** to allow for changes to the tree preservation requirements (Condition D.1) approved as part of a prior Land Division review (LU 13-211305 LDS) for the property. Condition D.1 requires the preservation and protection of 16 trees numbered 4, 6 through 12, 17 through 20, 27, 28, 51, and 52. Now, instead of retaining Trees

28, 51 and 52, the applicant proposes to retain two other trees, identified as Trees 3 and 13 on the attached tree exhibit.

As part of the Tree Review, the applicant also requests removal of several trees (Trees 5, 53 and 54), which do not meet the Johnson Creek Basin Plan District standards for removal (33.537.125).

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are: 33.853.040, Tree Review.

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 29, 2017 and determined to be complete on March 1, 2018.

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; or
- 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.portlandonline.com.

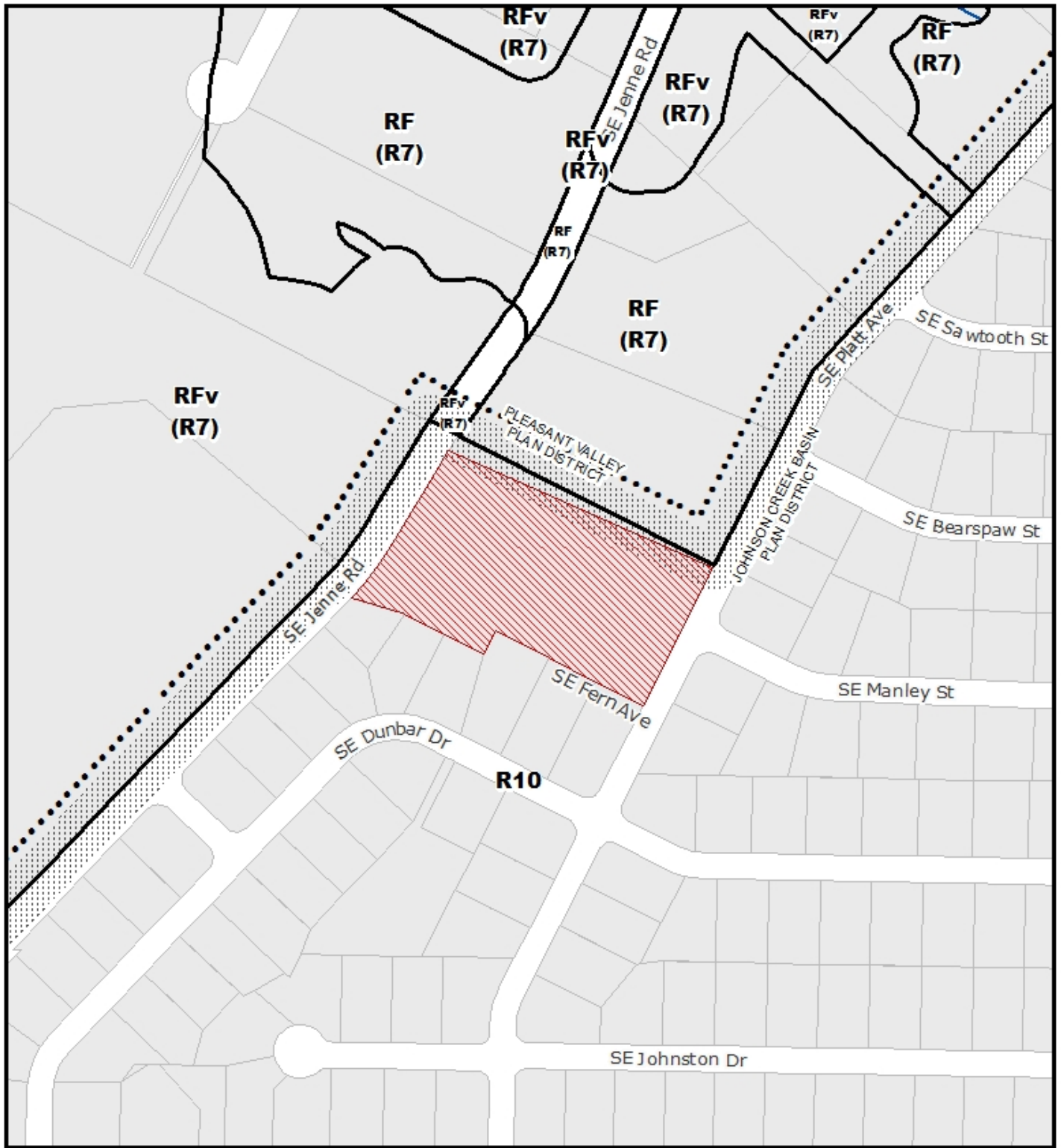
APPEAL PROCESS: If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how 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, Oregon 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, Tree Exhibit



ZONING

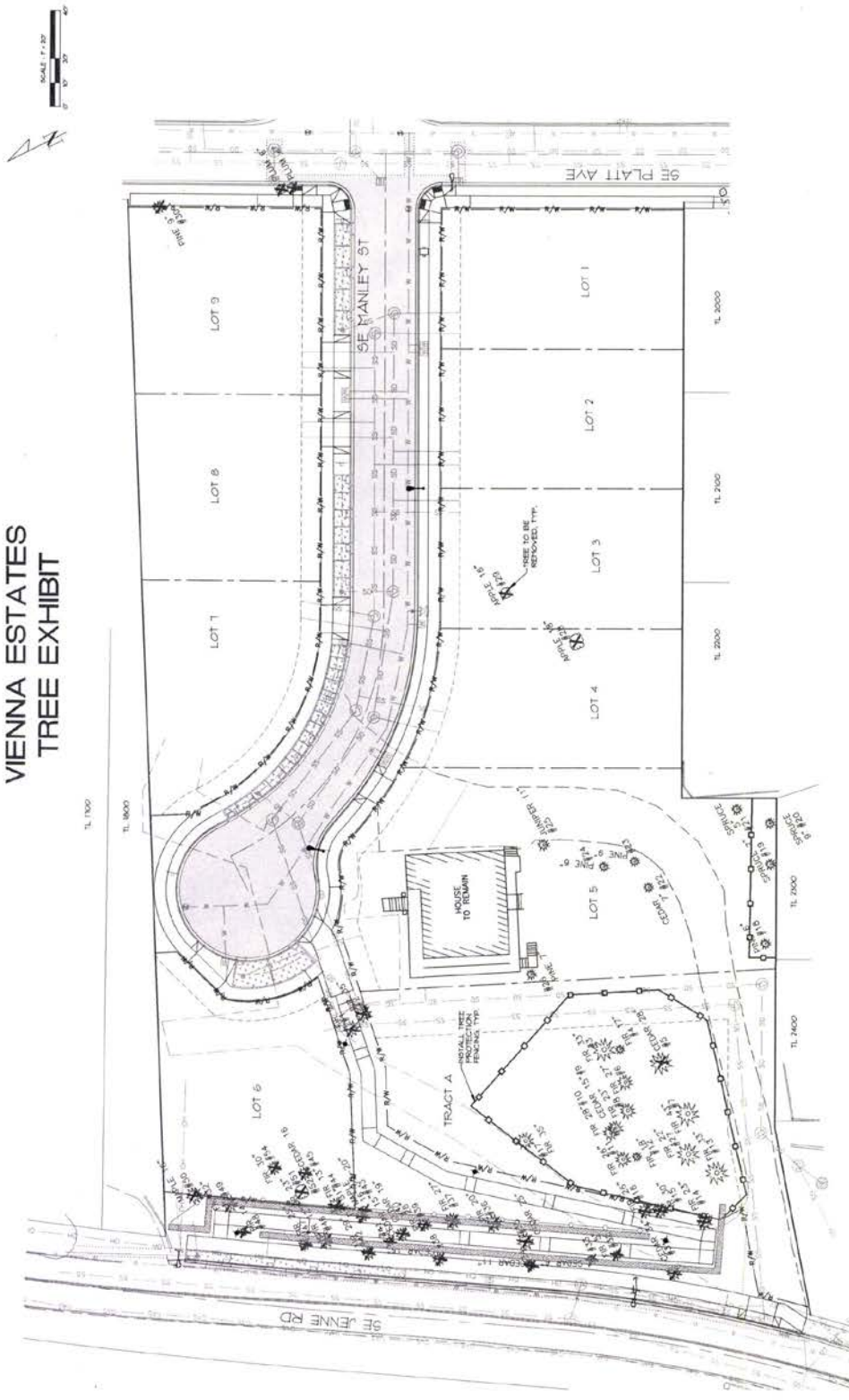


THIS SITE LIES WITHIN THE:
JOHNSON CREEK BASIN PLAN DISTRICT
SOUTH SUBDISTRICT

- Site
- Stream

File No.	LU 17-289808 TR
1/4 Section	3647
Scale	1 inch = 200 feet
State ID	1S3E18CD 1900
Exhibit	B Jan 03, 2018

VIENNA ESTATES TREE EXHIBIT



PROJECT NO. EP012 PROJECT NAME TH0023 SHEET NO. 1 OF 1		VIENNA ESTATES TREE EXHIBIT TLR 15-211005-LD5	
SURVEYOR & PLANNERS, Inc. 3075 E. 11th Avenue, Suite 100 Denver, CO 80202 PHONE: (303) 755-4100 FAX: (303) 755-4101		U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY DEPARTMENT	
BUREAU OF ENVIRONMENTAL SERVICES INDI FISH WILLIAM F. IVINS, P.E. CHIEF ENGINEER		BUREAU OF TRANSPORTATION STATE HIGHWAY STEVE DUNNICK, P.E. CITY ENGINEER	
APPROVALS: SEE CITY ENGINEER SEE CHIEF ENGINEER SEE PROFESSIONAL ENGINEER SEE STATE ENGINEER		SEE 1997 TRAK, TRUSTEE SEE 1997 TRAK, TRUSTEE SEE 1997 TRAK, TRUSTEE SEE 1997 TRAK, TRUSTEE	
DRAWN BY: [] CHECKED BY: [] DATE: []		FINAL MAP DATA DATE: []	
REVISIONS: NO. DATE DESCRIPTION			

15-13-05090M TR 2/2018 8:48 AM - STATIONING
 LU 17-289808 TR