City of Portland, Oregon
Bureau of Development Services
Land Use Services

1900 SW 4th Avenue, Suite 5000
Portland, Oregon 97201
503-823-7300
Fax 503-823-5630
TTY 503-823-6868
www.portlandonline.com/bds

Date: 28 October, 2009
To: Interested Person
From: Sue Donaldson, Land Use Services
503-823-7618 / pksued@ci.portland.or.us

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 November 27, 2009**. Please mail or deliver your comments to the address above, and include the Case File Number, LU 09-139067 LDP, in your letter. It also is helpful to address your letter to me, Sue Donaldson.

CASE FILE NUMBER: LU 09-139067 LDP

Applicant: Bahram Rostamian,
3830 SW Caldew St
Portland, OR 97209

Site Address: 3705 SW Pomona St

Legal Description: TL 6700 LOT 21&22 BLOCK 29, CANCEL INTO R302388 / WEST PORTLAND PK; BLOCK 29 LOT 21-26 TL 6600, WEST PORTLAND PK

Tax Account No.: R894605460, R894605470

State ID No.: 1S1E32BA 06700, 1S1E32BA 06600

Quarter Section: 4125

Neighborhood: West Portland Park, contact Rob Shirley at 503-293-1010.

Business District: None

District Coalition: Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.

Plan District: None

Other Designations: Potential landslide hazard area
Zoning: R7 - Single dwelling residential 7000
Case Type: LDP - Land Division Partition

Procedure: Type IIx, an administrative decision with appeal to the Hearings Officer.

Proposal:
The applicant is proposing to partition the subject property into two lots for attached housing using the corner lot provisions of 33.110.240 E. Parcel 1 will be approximately 4996 square feet and Parcel 2 will be approximately 4658 square feet. The existing single family dwelling on the site will be removed. An existing 30 inch Douglas fir tree located within Parcel 2 (at the corner pf SW Pomona & 37th Ave) will be preserved in accordance with tree preservation standards.

This partition proposal is reviewed through a Type IIx procedure because: (1) the site is in a residential zone; (2) two lots are proposed; (3) the site is located within a Potential Landslide Hazard area

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).

Relevant Approval Criteria:

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

- **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 June 25, 2009 and determined to be complete on October 23, 2009

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 and low-income individuals appealing a decision for their personal residence may qualify for an appeal fee waiver.

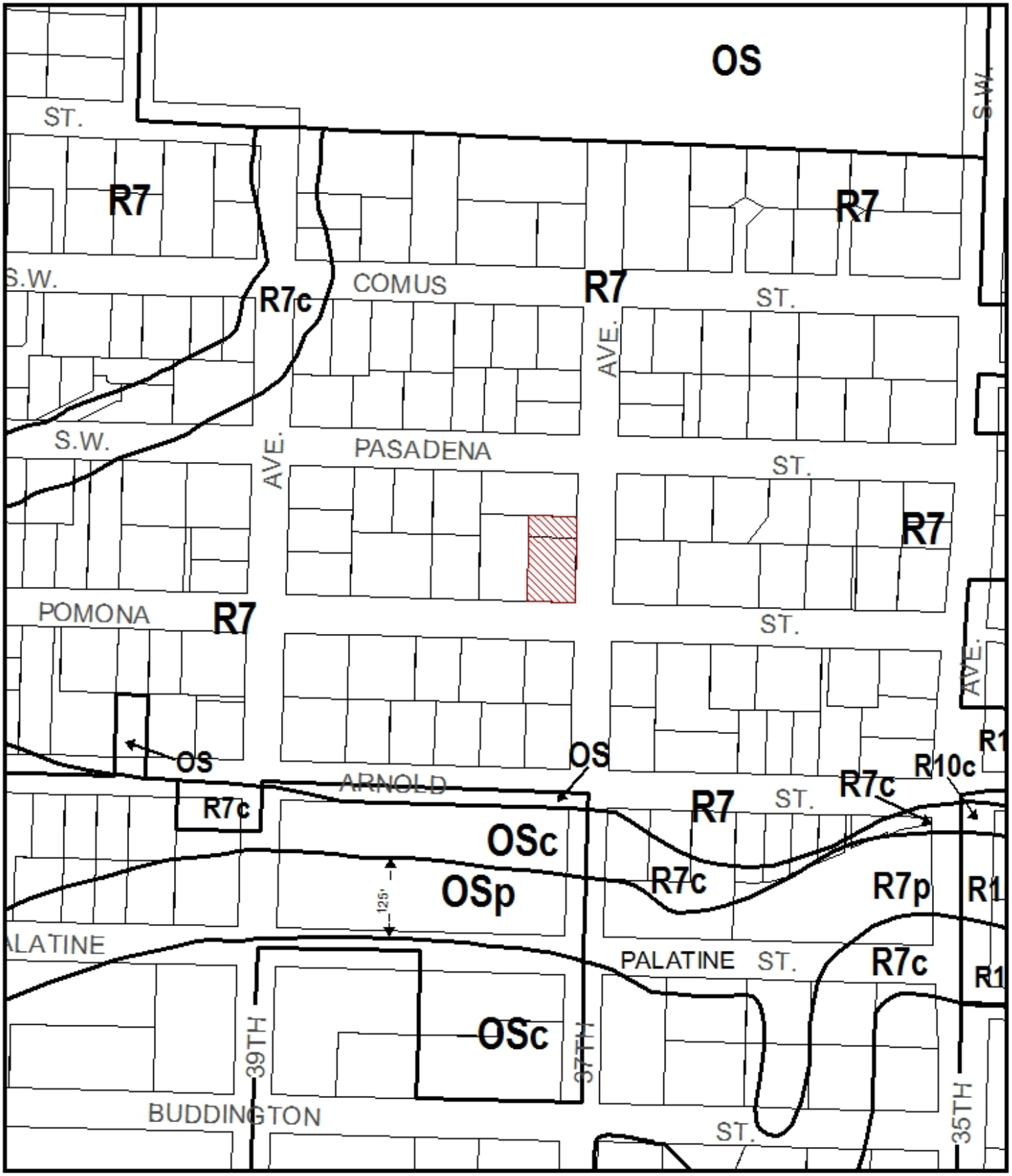
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, 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 & Utility Plan

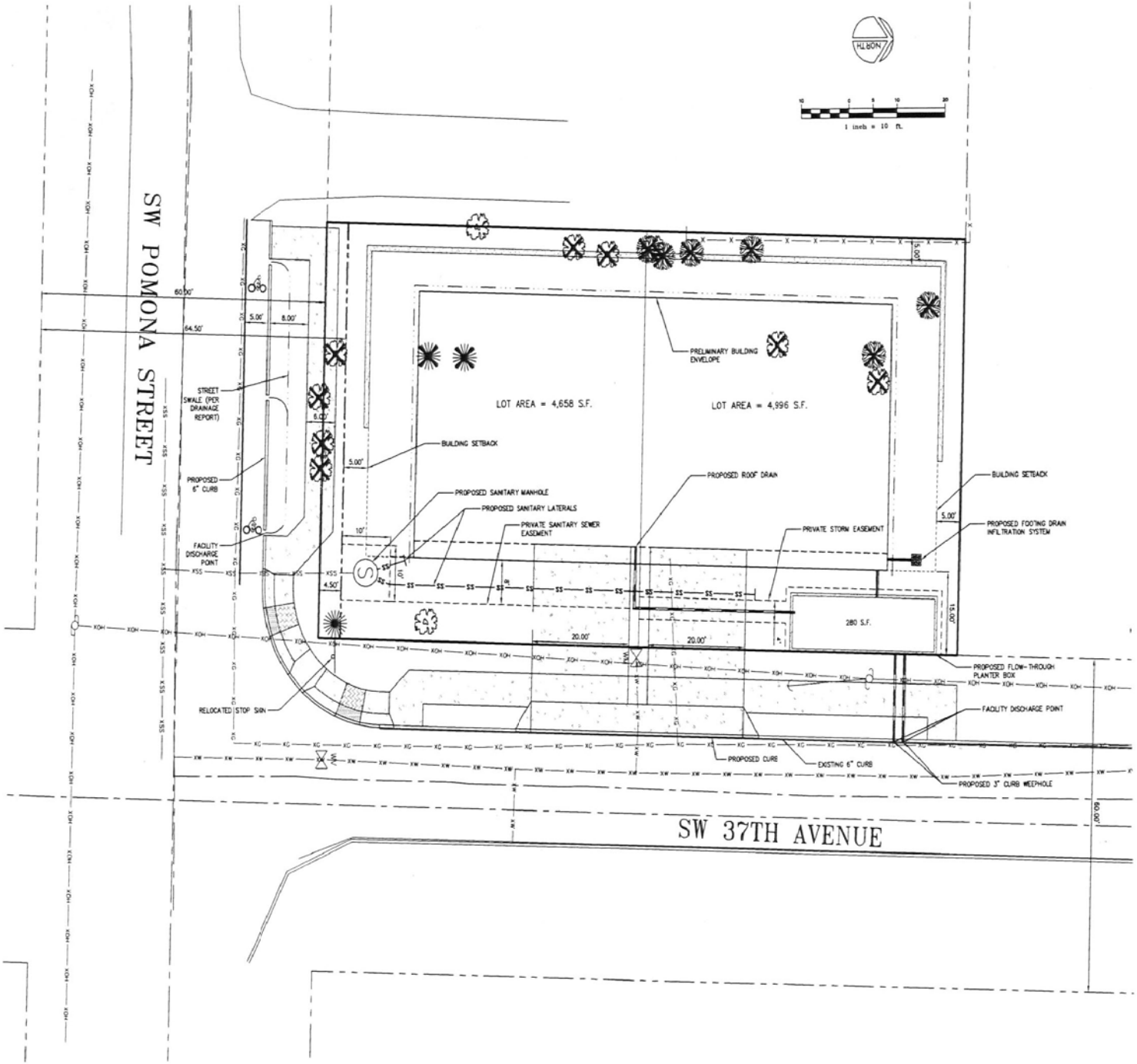


ZONING

Site

NORTH

File No.	LU 09-139067 LDP
1/4 Section	4125
Scale	1 inch = 200 feet
State_Id	1S1E32BA 6600
Exhibit	B (Jul 01,2009)



LEGEND – EXISTING AND PROPOSED FEATURES

- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING SANITARY LINE
- EXISTING WATER LINE
- EXISTING OVERHEAD UTILITY LINE
- EXISTING GAS LINE
- EXISTING RIGHT OF WAY
- EXISTING TREES TO BE REMOVED
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING WATER METER
- EXISTING OVERHEAD UTILITY POLE
- EXISTING OVERHEAD UTILITY GUY ANCHOR
- EXISTING SANITARY SEWER CLEANOUT
- EXISTING STORM CATCH BASIN
- PROPOSED EASEMENT
- PROPOSED RIGHT OF WAY
- PROPOSED POURED IN PLACE RETAINING WALL

NW ENGINEERS
Engineering & Planning
10075 SW Tigard Street, Suite 100
Tigard, OR 97224
503 601 8402 - Fax
503 601 8403

FOR: ROSTAMIAN BAHRAM

SITE: TAX MAP 1S1E32BA
TAX LOT 6600
PORTLAND, OREGON

POMONA & 37TH AVE

N0127
PRELIMINARY SITE AND UTILITY PLAN

	REVISION	BY	DATE
1			
2			
3			
4			
5			
6			
7			

DESIGNED RDT
DRAWN SPC
REVIEWED RDT
SUBMITTAL

PSIT 1 OF 2