



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

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**Date:** February 17, 2011  
**To:** Interested Person  
**From:** Kate Green, Land Use Services  
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**NOTICE OF A TYPE II<sub>x</sub> DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has **approved** a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 10-111052 LDS**

**GENERAL INFORMATION**

**Applicant:** Ken Yu, Kaly Construction & Design Inc  
2738 SE 82nd Avenue, #101  
Portland OR 97266

**Surveyor:** Joe H Ferguson, Ferguson Land Surveying  
646 SE 106th Avenue  
Portland OR 97216

**Property Owners:** Chun Xia Kwong and Kenneth K Kwong  
4835 Commercial Street SE  
Salem OR 97302

**Site Address:** 8729 SE Ellis Street

**Legal Description:** TL 2700 0.29 ACRES, SECTION 16 1S 2E  
**Tax Account No.:** R992161420  
**State ID No.:** 1S2E16CA 02700  
**Quarter Section:** 3639

**Neighborhood:** Lents, David Hyde at 503-772-1376  
**Business District:** Foster Area, Nancy Chapin at 503-313-1665  
**District Coalition:** East Portland Neighborhood Office, Richard Bixby at 503-823-4550

**Zoning:** Multi-Dwelling Residential 2,000 (R2)  
Alternative Design Density Overlay (a)

**Case Type:** Land Division-Subdivision (LDS)  
**Procedure:** Type II<sub>x</sub>, administrative decision with appeal to the Hearings Officer

**Proposal:** The applicant proposes to divide an approximately 12,698 square foot (*noted in the original notice as 12,784 square foot*) property into 4 lots for detached houses. Right-of-way dedications are proposed as follows: a 16-foot wide dedication along the SE Ellis frontage, and a 20.5-foot (*noted in the original notice as 20-foot*) wide dedication along the SE 87<sup>th</sup> Court frontage. *The revisions to the lot area are based on revisions to the survey, and the change in the right-of-way width for SE 87<sup>th</sup> Court is based on the requirements of Portland Transportation and the Bureau of Environmental Services.*

The existing house and all trees on the property are proposed to be removed. This subdivision proposal is reviewed through a Type Ix 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:

**33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones.**

## FACTS

**Site and Vicinity:** The subject site is a 12,784 square foot rectangular lot, on the northeast corner of SE Ellis Street and SE 87<sup>th</sup> Court. The site is generally flat, and is currently developed with a 1904, one-story residence with a basement.

The site is situated in an established residential area, however, most of the nearby development consists of single dwelling residences, and does not reflect the scale or density allowed by the current R2 zoning. The nearby residential area is generally bordered by the I-205 freeway to the east, commercial and employment districts along SE Foster to the south and SE 82<sup>nd</sup> Avenue to the west, and by Lents Park to the north.

Within 2 blocks of the site, there is a great deal of variability in the lots sizes. Lots to the east, north and west are in the R2 zone and range in size from 3,200 to 13,000 square feet. Lots to the south, across SE Ellis Street, are in a higher density multi-dwelling zone (R1) and range in size from 4,000 to 14,000 square feet

More recent development in the area includes multi-dwelling development in the R2 and R1 zoned properties.

### Infrastructure:

- **Streets** – The site has frontage on SE Ellis Street and SE 87<sup>th</sup> Court. At this location, as outlined in the response from Portland Transportation, SE Ellis is classified as a Community Transit street, a City Bikeway and a Local Service street for all other modes in the City's Transportation System Plan (TSP). SE 87<sup>th</sup> Court is classified as Local Service streets for all transportation modes in the TSP. SE Ellis is currently improved with 20-foot of paving within a 40-foot right-of-way (no curb or sidewalk). SE 87<sup>th</sup> Court is currently an unimproved, 12-foot wide right-of-way with gravel surfacing. Parking is not currently allowed on either frontage.

Tri-Met provides transit service directly in front of the site on SE Ellis via Bus Line 10, and on SE Foster approximately 400 feet from the site on SE Foster Boulevard via Bus Line 14

See findings for Criterion K and L for additional details about transportation issues.

- **Water Service** – There is an existing 12-inch CI water main in SE Ellis that serves the existing house, and may potentially be used to provide service to Lot 1. A new main extension will be required in SE 87<sup>th</sup> Court to serve to proposed Lots 2, 3, and 4. See Criterion L for additional details.
- **Sanitary Service** - There is an existing 24-inch public combination sewer located in SE Ellis Street and an existing 8-inch public sanitary-only line in SE 87<sup>th</sup> Court. See Criterion L for additional details.

**Zoning:** The zoning for the property is **Multi-Dwelling Residential 2,000 (R2)** with an **Alternative Design Density (a)** overlay.

The R2 zone is a low density multi-dwelling zone. The major types of new development will be duplexes, townhouses, rowhouses and garden apartments. These housing types are intended to be compatible with adjacent houses. Generally, R2 zoning will be applied near Major City Traffic Streets, Neighborhood Collector and District Collector streets, and local streets adjacent to commercial areas and transit streets.

The purpose of the Alternative Design Density Overlay Zone is to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The concept for the zone is to allow increased density for development that meets additional design compatibility requirements.

The proposal is within the density standards allowed by right in the R2 zone, and does not include increased density, which could be allowed through the a-overlay provisions.

**Land Use History:** City records indicate there are no prior land use reviews for this site.

**Agency Review:** Several Bureaus have responded to this proposal and relevant comments are addressed under the applicable approval criteria. Please see Exhibits “E” for details.

**Neighborhood Review:** A *Notice of Proposal in Your Neighborhood* was mailed on **September 20, 2010**. Two written responses have been received from notified property owners.

In one letter, a neighbor notes concerns about the need for frontage improvements on SE 87<sup>th</sup> Court.

*Staff response: SE 87<sup>th</sup> Court is required to be improved with a paved roadway, stormwater facilities, sidewalk, street trees, and street lighting. Additional details about required street improvements are provided in Criteria K and L, below.*

Another letter from two neighbors notes concerns about the following:

- fencing along a shared property line to secure their dog
- controls to limit construction impacts (dust, debris, and noise) and to maintain access to onsite parking and garbage, mail, etc services
- street lighting to help deter crime and vandalism

*Staff response: The applicant has been provided a copy of the neighbors’ letter to foster communication between the parties about changes to or the installation of additional fencing, and construction activities.*

*Fencing is not required as part of the land division review or for new single dwelling houses. There are some screening provisions that apply if exterior garbage and recycling areas or mechanical equipment are proposed, per Zoning Code section 33.120.255. If fencing is proposed, it must comply with the standards in the R2 zone, per Zoning Code section 33.120.285.*

*Erosion control measures are required throughout construction to minimize dust and soil movement off the site, and must conform to approved plans and city code. Construction times allowed by the City of Portland’s noise code (Portland City Code, Title 18), including noise generated by equipment warm-up and maintenance, are 7 AM – 6 PM Monday through Saturday.*

*According to Portland Transportation, as part of the right-of-way improvements on SE 87<sup>th</sup> Court, a light fixture will be installed on an existing pole on the west side of SE 87<sup>th</sup> Court, across from the subject site. Additional information about street improvements is provided in Criteria K and L, below.*

## ZONING CODE APPROVAL CRITERIA

### APPROVAL CRITERIA FOR LAND DIVISIONS IN OPEN SPACE AND RESIDENTIAL ZONES

**33.660.120** *The Preliminary Plan for a land division will be approved if the review body finds that the applicant has shown that all of the following approval criteria have been met.*

Due to the specific location of this site, and the nature of the proposal, some of the criteria are not applicable. The following table summarizes the criteria that are not applicable. Applicable criteria are addressed below the table.

Criterion	Code Chapter/Section and Topic	Findings: Not applicable because:
C	33.631 - Flood Hazard Area	The site is not within the flood hazard area.
D	33.632 - Potential Landslide Hazard Area	The site is not within the potential landslide hazard area.
E	33.633 - Phased Land Division or Staged Final Plat	Not applicable. These standards only apply to land divisions in the RF through R2.5 zones.
F	33.634 - Recreation Area	Not applicable. The minimum required density is less than 40 units.
H	33.636 - Tracts and Easements	No tracts or easements have been proposed or will be required.
J	33.640 - Streams, Springs, and Seeps	No streams, springs, or seeps are evident on the site outside of environmental zones.
L	33.654.110.B.2 - Dead end streets	No dead end streets are proposed.
	33.654.110.B.3 - Pedestrian connections in the I zones	The site is not located within an I zone.
	33.654.110.B.4 - Alleys in all zones	No alleys are proposed or required.
	33.654.120.C.3.c - Turnarounds	No turnarounds are proposed or required.
	33.654.120.D - Common Greens	No common greens are proposed or required.
	33.654.120.F - Alleys	No alleys are proposed or required.
	33.654.120.G - Shared Courts	No shared courts are proposed or required.
	33.654.130.D - Partial rights-of-way	No partial public streets are proposed or required.

### Applicable Approval Criteria are:

**A. Lots. The standards and approval criteria of Chapters 33.605 through 33.612 must be met.**

**Findings:** Chapter 33.612 contains the density and lot dimension requirements applicable in the R3 through IR zones. The applicant is proposing 4 single-dwelling lots.

The total site area shown on the applicant's survey is 12,698 square feet. Site area devoted to streets is subtracted from the total site area in order to calculate the minimum and maximum density. The applicant will be required to dedicate 20.5 feet along the SE 87<sup>th</sup> Court frontage and 16 feet along the SE Ellis Street frontage, for a total dedication of approximately 4,229 square feet of site area for right-of-way purposes (as described later in this report). Therefore, the resulting lot size for calculating density is  $12,698 - 4,229 = 8,469$  square feet.

In this case, Lots 1 through 4 are proposed for single dwelling development. Therefore, the density requirements for this site are calculated as follows:

Minimum = 3 units, based on the following:

$8,429$  (net site area)  $\div$   $2500$  (minimum density from Table 120-3) =  $3.37$  (which rounds down to a minimum of 3 units, per 33.930.020.A).

Maximum = 4 units, based on the following:

$8,429$  (net site area)  $\div$   $2000$  (maximum density from Table 120-3) =  $4.21$  (which rounds down to a maximum of 4 units, per 33.930.020.B).

The applicant is proposing 4 lots, so the density standards are met.

The dimensions of the proposed lots as compared to the required lot dimension requirements are shown in the following table (this information is found in Chapter 33.612 of the Zoning Code):

	<b>R2 Zone Requirement</b>	<b>Proposed Lot 1</b>	<b>Proposed Lot 2</b>	<b>Proposed Lot 3</b>	<b>Proposed Lot 4</b>
<b>Lots for Detached Houses</b>					
Minimum Lot Area (square feet)	1,600	2065	2134	2134	2136
Minimum Lot Width* (feet)	25	35	36	36	36
Minimum Lot Depth (feet)	none	58.73	58.73	58.73	58.73
Minimum Front Lot Line (feet)	25	35	36.34	36.34	36.41

\*Width is measured from the midpoints of the side lot lines.

The findings above show that the applicable density and lot dimension standards are met. As such, this criterion is met.

**B. Trees. The standards and approval criteria of Chapter 33.630, Tree Preservation, must be met.**

**Findings:** The regulations of Chapter 33.630 preserve trees and mitigate for the loss of trees. Certain trees are exempt from the requirements of this chapter.

An arborist report has been provided, which includes an inventory of the trees within the land division site (Exhibit A.1). In this case, the arborist notes only one tree, a 20-inch sycamore maple, is subject to these standards. All other trees have been exempted because they are too small, unhealthy, a nuisance species, or located partially off the property.

The 20-inch sycamore maple is located within an area where new street improvements will be required to for SE 87<sup>th</sup> Court. Without this tree available for preservation, the applicant cannot meet any of the tree preservation options in 33.630.100. Instead, the applicant proposes to use the mitigation options of 33.630.300.

To mitigate for the removal of the 20-inches of tree diameter, the applicant proposes to install 7.5 inches of additional tree diameter (five 1.5-inch diameter trees) on the proposed lots. The arborist recommends the installation of small trees given to the size of the proposed lots (less than 2,500 square feet). However, since trees must already be provided on each lot to meet the tree standard for new residential development (Zoning Code section 33.248.020.H), which requires a minimum of 3-inches of tree diameter to be installed on each of the proposed lots; it may not be practical to install additional trees as proposed.

Additionally, new street trees will be installed as part of the right-of-way improvements along the site's frontages, so there are limited opportunities to install more trees on the lots or in abutting rights-of-way.

However, if the applicant made a contribution to the City's Tree Fund, this would allow for the installation of trees in the watershed in which the site is located (Johnson Creek watershed), and those trees will help absorb air pollutants and contamination, and contribute to the City's general beauty. This is consistent with the purpose of the tree preservation regulations. The cost to purchase and plant trees is determined each year by the Urban Forester based on current market prices per inch for materials, labor, and maintenance. At this time, the requirement is \$300 per inch of tree to be installed.

With a condition that the applicant must contribute funds for 10-inches of tree diameter, prior to final plat, this will help to effectively mitigate the removal of the 20-inches of tree diameter, by replacing 50 percent of the tree diameter removed, and serve to equally meet the purpose of the Tree Preservation regulations. With the implementation of this condition, this criterion will be met.

Therefore, with the condition noted above for mitigation, the criteria will be met.

**G. Clearing, Grading and Land Suitability. The approval criteria of Chapter 33.635, Clearing, Grading and Land Suitability must be met.**

*The approval criteria of Chapter 33.635 are found in two groups – clearing and grading, and land suitability.*

**33.635.100 – Clearing and Grading**

- A. Existing contours and drainage patterns of the site must be left intact wherever practicable. Where alteration to existing drainage patterns is proposed, it must not adversely impact adjacent properties by significantly increasing volume of runoff or erosion;**
- B. Clearing and grading should be sufficient for construction of development shown on the Preliminary Clearing and Grading Plan;**
- C. Clearing and grading should be limited to areas of the site that are reasonably necessary for construction of development shown on the Preliminary Clearing and Grading Plan;**
- D. Topsoil must be preserved on site to the extent practicable for use on the site after grading is complete; and**
- E. Soil stockpiles must be kept on the site and located in areas designated for clearing and grading as much as is practicable.**

**Findings:** The regulations of Chapter 33.635 ensure that the proposed clearing and grading is reasonable given the infrastructure needs, site conditions, tree preservation requirements, and limit the impacts of erosion and sedimentation to help protect water quality and aquatic habitat.

In this case, the site is primarily flat, and is not located within the Potential Landslide Hazard Area, and no trees are required to be preserved. As such, no significant clearing or grading will be required on the site to make the new lots developable.

The required street improvements and associated stormwater systems will be limited to those areas within the existing and newly dedicated rights-of-way. As outlined in Criteria K and L, these improvements must comply with the public works requirements of the City Engineer, which will include provisions for erosion control throughout the construction period.

Based on these factors, this criterion is met.

**33.635.200 – Land Suitability**

**Where geologic conditions or historic uses of the site indicate a hazard may exist, the applicant must show that the proposed land division will result in lots that are suitable for development. The applicant may be required to make specific improvements in order to make the lots suitable for their intended uses and the provision of services and utilities.**

**Findings:** The site is currently in residential use, and there is no record of any other use in the past. The applicant has proposed to remove the existing house and redevelop the site. In order to ensure that the new lots are suitable for development, a permit must be obtained and finalized for demolition of all structures on the site, prior to final plat approval. In addition, although the site was connected to the public sanitary sewer system in 1951, there is no City record that the old cesspool on the site was decommissioned at that time. Therefore, as noted in the response from Site Development, at the time of the demolition permit, the applicant must submit a cesspool disclaimer form as part of the plan review process.

With this condition, the new lots can be considered suitable for development, and this criterion will be met.

**I. Solar access. If single-dwelling detached development is proposed for the site, the approval criteria of Chapter 33.639, Solar Access, must be met.**

**Findings:** The solar access regulations encourage variation in the width of lots to maximize solar access for single-dwelling detached development and minimize shade on adjacent properties.

The subject site is on a corner and fronts on both SE Ellis Street (an east-west street) and SE 87<sup>th</sup> Place (a north-south street). To meet the solar access standards, the widest lots should be on the east or west side a north-west street. Proposed Lots 2, 3, and 4 are the widest lots, and these are interior lots on the east side of SE 87<sup>th</sup> Place. Additionally, the narrowest lot should be on the north side of an east-west street. Lot 1 is the narrowest lot and it is on the northeast corner of the intersecting streets. Based on these factors, the solar access standards are met.

**K. Transportation impacts. The approval criteria of Chapter 33.641, Transportation Impacts, must be met; and,**

*The relevant approval criteria of Chapter 33.641 are found in the two paragraphs below.*

**33.641.020. The transportation system must be capable of safely supporting the proposed development in addition to the existing uses in the area. Evaluation factors include: street capacity and level-of-service; vehicle access and loading; on-street parking impacts; the availability of transit service and facilities and connections to transit; impacts on the immediate and adjacent neighborhoods; and safety for all modes.**

**33.641.030. The applicant may meet the criterion in Section 33.641.020, above, by including mitigation measures as part of the land division proposal. Mitigation measures must be acceptable to the City Engineer and may include providing transportation demand management measures, an access management plan, constructing streets or bicycle, pedestrian, or transit facilities on or off the site or other capital improvement projects such as traffic calming devices.**

**Findings:** The regulations of Chapter 33.641 allow the traffic impacts caused by dividing and then developing land to be identified, evaluated, and mitigated for if necessary. Small land divisions involving only a few dwelling units may not require a formal transportation impact study, while it might be required for larger projects (Title 17 includes technical standards describing when a more formal study is required).

As noted in the Site and Vicinity descriptions, the site's frontages along SE Ellis Street and SE 87<sup>th</sup> Court are not developed to current standards. Portland Transportation has determined that street dedication, paving, curb, and sidewalk improvements must be made in order to ensure that travel for all modes is possible. To accommodate these improvements, as well as associated stormwater facilities discussed later in this report, additional right-of-way must be dedicated along the site's frontage. With these improvements, Portland Transportation finds the 4 additional dwellings can be served without having any significant impact on the level of service provided. As outlined in the response from Portland Transportation (Exhibit E.2), this determination is based on the following:

*The proposed four residential units will generate vehicular trips into the surrounding transportation system. To account for these new residential units, estimates are noted below of the expected increase in average daily and weekday AM and PM peak hour vehicle trip ends, based on empirical observations at other similar developments. These observations are summarized in the standard reference manual, Trip Generation, 7th Edition, published by the Institute of Transportation Engineers (Reference 4). The proposed land division will create four total lots to accommodate three new detached single-family residential units (the existing house on the site is proposed to be demolished; there will be four new homes on the site). The proposed land division is expected to generate 30 additional daily vehicle trips and 3 new trips into the surrounding transportation system during the morning and afternoon peak hours of travel. The additional peak hour trips may distribute in any direction to connect to the broader transportation network in the area, including to*

*the west towards SE Foster and SE 82<sup>nd</sup> Avenue and to the east towards SE 92<sup>nd</sup> Avenue and I-205 Freeway. Given the numerous opportunities to connect to major arterial streets and a major freeway, it is expected that trips generated by the proposed subdivision will distribute evenly throughout the broader transportation system; not one of the area's intersections is anticipated to receive the majority of the 3 new trips during the AM or PM peak hour of travel.*

*PBOT identifies the intersections of SE Ellis/ SE Foster, SE Ellis/ SE84<sup>th</sup>, SE Ellis/ SE 87<sup>th</sup>, SE Ellis/ SE 92<sup>nd</sup>, SE 87<sup>th</sup>/ SE Foster and SE 82<sup>nd</sup>/ SE Foster as the area's intersections most likely to be impacted by vehicle trips expected to be generated by the proposed subdivision. It is noted that the majority of the intersections identified above, are stop-controlled, but unsignalized. Only the intersections of SE 87<sup>th</sup>/ SE Foster and SE 82<sup>nd</sup>/ SE Foster are signalized. The noted intersections are not expected to drop below the City's performance standards with the addition of the 3 peak hour trip in the morning and afternoon, since the peak trips are not likely to distribute towards only one of the identified intersections and given the street classifications of the identified streets and the recognized capacity of said intersections. A detailed traffic analysis was not prepared due to the recognition that the insignificant expected number of new vehicle trips will not appreciably affect operation of nearby roadways and intersections and because daily variations in traffic volumes are far more significant than the potential impacts of the development.*

*This information, which PBOT finds acceptable and can support, indicates that there is currently sufficient capacity at the project area's intersections, and there will continue to be sufficient capacity in the future to accommodate the expected vehicle trips generated by the proposed subdivision. This is further supported by the majority of Local Service streets in the surrounding area which are designed to accommodate low volumes of vehicle trips.*

*With regard to vehicle access and loading, the proposed frontage improvements along the site's frontages, and specifically the significant improvements along SE 87<sup>th</sup> Court, will facilitate access to the new homes and will be built to City Right-of-Way standards. The proposed shared driveways along SE 87<sup>th</sup> Court are on a Local Service street with low traffic volumes and low speeds; this is the preferred access street given the higher classifications along SE Ellis. Adequate intersection sight distance, as measured by using industry standards, exists in both directions along SE Ellis from the proposed intersection with SE 87<sup>th</sup> Court. The submitted plans for the proposed development show paired driveways for the four dwelling units. Presumably, the driveways will lead to a single-car garage in each unit, therefore there will be on-site parking provided to minimize impacts to on-street parking. Given the limited right-of-way width of SE 87<sup>th</sup> Court, even after the required street improvements are constructed, the street will not be wide enough to accommodate on-street parking. Given the existing conditions of the unimproved 12-foot right-of-way, where parking is also not allowed, there will be no impacts related to on-street parking in relation to the proposed development. Convenient transit service is available along SE Ellis (via Tri-Met Bus line # 10) and along SE Foster (via Tri-Met Bus line # 14), within short distances from the subject site. The current low traffic volumes in the local transportation system are not expected to change significantly by the vehicle trips to be generated by the proposed subdivision. Since the area roadways and intersections are not currently operating at capacity, the addition of a minimal number of trips will have negligible impacts to the immediate and surrounding neighborhoods. The construction of SE 87<sup>th</sup> Court along the site's frontage will improve and facilitate vehicle passage for residents/property owners north of the site. Upon completion of new sidewalks along the site's SE Ellis and SE 87<sup>th</sup> Court frontages, pedestrian passage throughout the area will be enhanced. Bicyclists are expected to share the roadway with vehicles, and with low volume streets in the area, bicycle travel can be accommodated.*

*Considering the aforementioned evaluation factors, PBOT found that the transportation system is capable of safely supporting the proposed development in addition to the existing uses in the area.*

With the conditions of approval described above, this criterion is met.

**L. Services and utilities. The regulations and criteria of Chapters 33.651 through 33.654, which address services and utilities, must be met.**

**Findings:** Chapters 33.651 through 33.654 address water service standards, sanitary sewer disposal standards, stormwater management, utilities and rights of way. As shown by the findings below, the Services and Utilities criteria will be met.

Water: The water standards of 33.651 have been verified. An existing 12-inch water main is available in SE Ellis Street. The site has an existing water service from that main. The estimated static water pressure range for this location is 66 psi to 83 psi at the proposed service location elevations of approximately 220 ft. This service may potentially be used to provide water to Lot 1. A Water Bureau review for fixture count will need to be completed at the time of submittal of the building permit for this lot to determine the appropriate service and meter size. If a service and or meter size is upgrade is required, all applicable costs will be the responsibility of the applicant. To ensure service is available to Lots 2, 3, and 4, the applicant must make arrangements to extend a new water main in SE 87<sup>th</sup> Court. In order to meet the standards of 33.651 and the technical requirements of Title 21, appropriate plans and assurances must be provided to the Portland Water Bureau prior to final plat approval. See Exhibit E-3 for more details.

Sanitary Sewer: The sanitary sewer standards of 33.652 have been verified. There is an existing 24-inch public combination sewer located in SE Ellis Street and an existing 8-inch public sanitary-only line in SE 87<sup>th</sup> Court.

The existing house is connected to the line in SE Ellis, which must be capped as part of the demolition permit for the house. BES notes that the applicant proposes to use the existing service for Lot 1. Additional documentation and some modifications to the existing line may be required to provide service to Lot 1. In addition, a new service branch will be required to the main in SE 87<sup>th</sup> Court to serve Lots 2, 3, and 4. See Exhibit E-1 for more details.

Stormwater Management: The technical standards of Chapter 33.653 related to stormwater management have been verified. The findings below for the Stormwater Management Approval Criteria of 33.653.020 incorporate a discussion of how the technical standards have been satisfied by the applicant's stormwater proposal.

**33.653.020 Stormwater Management Approval Criteria**

- A. If a stormwater tract is proposed or required, an adequate amount of land and an appropriate location must be designated on the Preliminary Plan; and**
- B. The application must show that a stormwater management system can be designed that will provide adequate capacity for the expected amount of stormwater.**

**Findings:** No stormwater tract is proposed or required. Therefore, criterion A is not applicable.

The City of Portland requires that stormwater from development be cleaned and disposed of in a manner that meets the requirements of the City's Stormwater Management Manual. In order to meet this approval criterion, land division proposals must demonstrate an approved method of cleaning (water quality treatment), detention (delayed release), and an approved disposal point.

In addition to determining appropriate treatment and disposal methods by working through the hierarchy in the Stormwater Management Manual, stormwater facilities must be sized, through engineering calculations, to accommodate the expected amounts of stormwater.

The applicant has proposed the stormwater management methods described below, and the Bureaus have responded as follows (Exhibits E-1 and E-5):

- **Public Street Improvements:** As a condition of this land use approval, Portland Transportation requires the applicant to dedicate right-of-way and improve the frontages of the site to City standards, with paved roadway, curbs and sidewalks (discussed earlier in

this report). Stormwater from these new impervious areas will be directed into planters located adjacent to the new sidewalk. BES has confirmed that the proposed planters are adequate to provide infiltration for the quantity of water generated from the new impervious areas, and the proposed dedication should be sufficient to accommodate these stormwater facilities within the public right-of-way.

BES requires a Public Works Permit for the construction of the stormwater facilities in the rights-of-way. The applicant must provide engineered designs and financial guarantees of performance prior to final plat approval.

- **Lots 1-4:** Stormwater from these lots will be directed to individual drywells that will treat the water and slowly infiltrate it into the ground. Site Development has noted there is no known geotechnical reason to limit infiltration of stormwater, and BES has indicated conceptual approval of the drywells.

With the conditions of approval described above, the stormwater management criteria are met.

### **Right of Way Approval Criteria**

Chapter 33.654 contains standards and approval criteria for rights of way. Due to the location of this site, and the type of street that is proposed, some of the criteria are not applicable. The following table summarizes the applicability of each criterion.

<b>Code Section</b>	<b>Topic</b>	<b>Applicability Findings</b>
<b>33.654.110.B.1</b>	<b>Through streets and pedestrian connections</b>	<b>Applicable - See findings below</b>
33.654.110.B.2	Dead end streets	Not applicable - No dead end streets are proposed.
33.654.110.B.3	Pedestrian connections in the I zones	Not applicable - The site is not located within an I zone.
33.654.110.B.4	Alleys in all zones	Not applicable – No alleys are proposed or required.
<b>33.654.120.C.1</b>	<b>Width of the street right-of-way</b>	<b>Applicable - See findings below.</b>
33.654.120.C.3.c	Turnarounds	Not applicable – No turnarounds are proposed or required.
33.654.120.D	Common Greens	Not applicable – No common greens are proposed or required.
<b>33.654.120.E</b>	<b>Pedestrian Connections</b>	<b>Applicable - See findings below.</b>
33.654.120.F	Alleys	Not applicable – No alleys are proposed or required.
33.654.120.G	Shared Courts	Not applicable – No shared courts are proposed or required.
<b>33.654.130.A</b>	<b>Utilities</b>	<b>Applicable - See findings below.</b>
33.654.130.B	Extension of existing public dead-end streets and pedestrian connections	Not applicable – There are no existing public dead-end street or pedestrian connections adjacent to the site.
33.654.130.C	Future extension of proposed dead-end streets and pedestrian connections	Not applicable – No street extensions are required to serve abutting sites that are further dividable.
33.654.130.D	Partial rights-of-way	Not applicable – No partial public streets are proposed or required.
33.654.130.E	Ownership of Alleys	Not applicable- No alleys are proposed or required.

#### **Applicable Approval Criteria are:**

**33.654.110.B.1 Approval criterion for through streets and pedestrian connections in OS, R, C, and E Zones. In OS, R, C, and E zones, through streets and pedestrian connections are required where appropriate and practicable, taking the following into consideration:**

- Through streets should generally be provided no more than 530 feet apart, and pedestrian connections should generally be provided no more than 330 feet apart. Through street and pedestrian connections should generally be at least 200 feet apart;**

- b. **Where the street pattern in the area immediately surrounding the site meets the spacing of subparagraph a., above, the existing street pattern should be extended onto the site;**
- c. **Characteristics of the site, adjacent sites, and vicinity, such as: (1) Terrain; (2) Whether adjacent sites may be further divided; (3) The location of existing streets and pedestrian connections; (4) Whether narrow frontages will constrain creation of a through street or pedestrian connection; (5) Whether environmental overlay zones interrupt the expected path of a through street or pedestrian connection; and (6) Whether existing dwelling units on- or off-site obstruct the expected path of a through street or pedestrian connection. Alternative locations or designs of rights-of-way should be considered that avoid existing dwelling units. However, provision of through streets or pedestrian connections should take precedence over protection of existing dwelling units where the surrounding transportation system will be significantly affected if a new through street or pedestrian connection is not created;**
- d. **Master street plans for the area identified in Goal 11B of the Comprehensive Plan;**
- e. **Pedestrian connections should take the most direct route practicable. Users should be able to see the ending of the connection from the entrance point, if possible.**

**Findings:** Portland Transportation has noted that there are no street connections identified in the Portland Master Street Plan, and the spacing for public through streets is generally met in the area.

However, Portland Transportation finds the spacing for public pedestrian connections is not met. To meet this requirement, a pedestrian connection should be provided through the lots north of the subject site; however, due to the location of existing development on those properties, Portland Transportation notes it is not feasible to provide this connection.

In any event, with the dedications and improvements required along both frontages, paved roadways and new sidewalks will provide direct vehicular and pedestrian access to each proposed lot. With the implementation of conditions to provide those improvements, this criterion will be met.

**33.654.120.C.1 Approval criterion for width of the right-of-way. The width of the local street right-of-way must be sufficient to accommodate expected users, taking into consideration the characteristics of the site and vicinity, such as the existing street and pedestrian system improvements, existing structures, and natural features.**

**33.654.120.E. Approval criterion for the width of pedestrian connections. The width of the pedestrian connection right-of-way must be sufficient to accommodate expected users and provide a safe environment, taking into consideration the characteristics of the site and vicinity, such as the existing street and pedestrian system improvements, existing structures, natural features, and total length of the pedestrian connection. As much as is possible, the users should be able to stand at one end of the connection and see the other end.**

**Findings:** As noted previously, additional right-of-way will be provided through dedications along the SE Ellis and SE 87<sup>th</sup> Court frontages.

Portland Transportation has noted the size of the dedications is based on the following:

*SE Ellis: At this location, according to City records, SE Ellis is improved with 20-foot of paving within a 40-foot right-of-way (no curb or sidewalk). To match the curb line established with a recent street job east of the subject site, the applicant was previously advised that a 15-ft dedication of property for right-of-way purposes would be required along the site's SE Ellis frontage to accommodate a 15-foot wide sidewalk corridor made up of a 0.5-foot curb/ 8-foot stormwater management swale/ 6-foot sidewalk/ 0.5-foot setback to the property line. Street lighting and street*

*trees may also be required. The applicant has shown a 16-foot wide dedication of property on the submitted site plan to accommodate the above referenced necessary sidewalk corridor.*

*SE 87<sup>th</sup> Court: At this location, according to City records, SE 87<sup>th</sup> Court is an unimproved, 12-foot wide right-of-way. PBOT has previously advised the applicant that property dedication will be required to accommodate necessary right-of-way improvements along the site's SE 87<sup>th</sup> Court frontage. To facilitate 2-way vehicular passage and to allow for sufficient Fire Bureau emergency vehicle access and to accommodate the necessary right-of-way required for the necessary water main extension (required by the Water Bureau), the applicant will be required to construct 20-foot of paving along the length of the SE 87<sup>th</sup> Court frontage. At 20-foot in width, on-street parking will not be allowed.*

*For lots located in the R2 zone district along Local Service streets, the City's Pedestrian Design Guide recommends an 11-foot wide pedestrian corridor comprised of a 0.5-foot curb, 4-foot planter area, 6-foot sidewalk and 0.5-foot setback to the property line. The applicant will be required to construct this sidewalk corridor along the site's SE 87<sup>th</sup> Court frontage.*

*To accommodate the required roadway paving and sidewalk corridor, the applicant will be required to dedicate a minimum width of 19-foot of property along the SE 87<sup>th</sup> Court frontage of the site.*

The applicant has shown a 20.5-ft wide dedication of property on the submitted site plan to accommodate the above referenced necessary street construction and sidewalk corridor along SE 87<sup>th</sup> Court.

Portland Transportation has indicated these dedications and associated improvements will provide sufficient width to meet current city requirements for the existing streets and pedestrian system. With the conditions outlined above, these criteria will be met.

### **Utility Location, Extension of Streets, Partial Rights of Way**

#### **33.654.130 Additional Approval Criteria for Rights-of-Way**

- A. Utilities. Utilities must be located within rights-of-way or utility easements that are adjacent to rights-of-way to the maximum extent practicable. Utility easements up to 15 feet in width may be required adjacent to rights-of-way.**

**Findings:** Utilities are defined in the Zoning Code as telephone, cable, natural gas, electric, and telecommunication facilities. At this time no specific utility easements adjacent to the rights-of-way have been identified as being necessary. Any easements that may be needed for private utilities that cannot be accommodated within the right-of-way can be provided on the final plat. As such, this criterion is met.

## **DEVELOPMENT STANDARDS**

**General Information about Development Standards and Approval Criteria.** The Zoning Code contains two types of regulations: Development standards and Approval criteria.

**Approval criteria,** such as those listed earlier in this report, are administered through a land use review process. Approval criteria are regulations where the decision-maker must exercise discretion to determine if the regulation is met. Public notice is provided and public comments received that address the approval criteria are addressed in the decision.

**Development Standards.** Development standards are clear and objective regulations (for example: building setbacks; number of required parking spaces; and maximum floor area). Compliance with development standards is reviewed as part of the administrative permitting process and are not considered to be discretionary reviews. Development standards that are not relevant to the land division review, have not been addressed in the review, but will have to be met at the time that each of the proposed lots is developed.

**Existing development.** The applicant is proposing to remove all of the existing structures on the site, so the division of the property will not cause the structures to move out of conformance or further out of conformance with any development standard applicable in the R2 zone. Therefore, this land division proposal can meet the requirements of 33.700.015.

## OTHER TECHNICAL REQUIREMENTS

Technical decisions have been made as part of this review process. These decisions have been made based on other City Titles, adopted technical manuals, and the technical expertise of appropriate service agencies. These related technical decisions are not considered land use actions. If future technical decisions result in changes that bring the project out of conformance with this land use decision, a new land use review may be required. The following is a summary of technical service standards applicable to this preliminary partition proposal.

Bureau	Code Authority	Topic	Contact Information
Water Works	Title 21	Water availability	503-823-7404 <a href="http://www.water.ci.portland.or.us/">http://www.water.ci.portland.or.us/</a>
Environmental Services	Title 17; 2008 Stormwater Manual	Sewer availability Stormwater Management	503-823-7740 <a href="http://www.bes.ci.portland.or.us/">http://www.bes.ci.portland.or.us/</a>
Fire Bureau	Title 31 Policy B-1	Emergency Access	503-823-3700 <a href="http://www.fire.ci.portland.or.us/">http://www.fire.ci.portland.or.us/</a>
Transportation	Title 17, Transportation System Plan	Design of public street	503-823-5185 <a href="http://www.trans.ci.portland.or.us/">http://www.trans.ci.portland.or.us/</a>
Development Services	Titles 24 -27, Admin Rules for Private Rights of Way	Building Code, Erosion Control, Flood plain, Site Development & Private Streets	503-823-7300 <a href="http://www.bds.ci.portland.or.us.">http://www.bds.ci.portland.or.us.</a>

As authorized in Section 33.800.070 of the Zoning Code conditions of approval related to these technical standards have been included in the Administrative Decision on this proposal.

The applicant must meet the requirements of the Fire Bureau in regards to fire apparatus access, addressing, and aerial fire department access.

As noted in the Fire Bureau response: *Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, and an unobstructed vertical clearance of not less than 13 feet 6 inches. When a fire hydrant is located on fire department access road, the road width must be increased to 26 feet within 20 feet of the fire hydrant.*

*In addition, aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet in height. Aerial fire apparatus road width may be reduced to not less than 20 feet (no parking allowed) when the building being served is fully sprinklered and access to the building face is from at least 2 directions. The sprinkler system shall be of a greater design than the minimum specified by the OSSC. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.*

To ensure adequate fire apparatus access, "No Parking" signs must be installed on both sides of SE 87<sup>th</sup> Court—and the signs must be shown on the plans for the Public Works Permit. These requirements are based on the technical standards of Title 31 and Fire Bureau Policy B-1.

## CONCLUSIONS

The applicant has proposed a 4 lot subdivision for detached houses, as shown on the attached preliminary plan (Exhibit C.1). As discussed in this report, the relevant standards and approval criteria have been met, or can be met with conditions.

There were neighborhood concerns raised about construction activities and changes to fencing. To address these issues, the letters from the neighbor's have been provided to the applicant to foster direct communication about these matters. In addition, as noted in the Neighborhood Review section above, construction activities on the private lots and in the public rights-of-way must be conducted in accordance with city approved plans, including erosion controls, and as allowed in the city noise regulations regarding construction hours and maximum sound levels.

In addition, the other primary issues identified with this proposal are:

- Demolition of the existing house and a cesspool disclaimer
- Frontage improvements on SE Ellis and SE 87<sup>th</sup> Court
- Public utility improvements
- Tree mitigation
- Fire apparatus access and addressing

With conditions of approval that address these requirements this proposal can be approved.

## **ADMINISTRATIVE DECISION**

**Approval** of a Preliminary Plan for a 4-lot subdivision, that will result in 4 lots for detached houses, with one unit per lot, and right-of-way dedications along SE Ellis Street and SE 87<sup>th</sup> Court, as illustrated with Exhibit C.1, subject to the following conditions:

### **A. The final plat must show the following:**

1. The applicant shall meet the street dedication requirements of the City Engineer for SE 87<sup>th</sup> Court and SE Ellis Street. The required right-of-way dedication must be shown on the final plat.

### **B. The following must occur prior to Final Plat approval:**

#### **Streets**

1. The applicant shall meet the requirements of the City Engineer for right of way improvements along the frontage of SE 87<sup>th</sup> Court and SE Ellis Street. The applicant shall provide plans and financial assurances to the satisfaction of the Bureau of Transportation Engineering and Development Review, the Fire Bureau, and the Bureau of Environmental Services for required street frontage improvements.

#### **Utilities**

2. The applicant shall meet the requirements of the Site Development Section of the Bureau of Development Services regarding a cesspool disclaimer as part of the demolition permit for the existing house.
3. The applicant shall meet the requirements of the Water Bureau for providing plans and financial assurances for the water main extension in SE 87<sup>th</sup> Court.

#### **Existing Development**

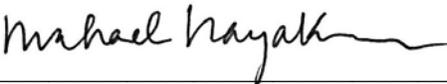
4. A finalized permit must be obtained for demolition of the existing residence on the site and capping the existing sanitary sewer connection. Note that Title 24 requires a 35-day demolition delay period for most residential structures. As noted in Condition C.3, the applicant must also submit a cesspool disclaimer form as part of the demolition permit review process to the satisfaction of the Site Development Section of the Bureau of Development Services.

**Other requirements**

5. The applicant must pay into the City Tree Fund the amount equivalent to 10 inches of trees. Payment must be made to the Bureau of Development Services, which administers the fund for the Parks Bureau.

**C. The following conditions are applicable to site preparation and the development of individual lots:**

1. The applicant must provide a fire accessway for aerial fire department access, and addressing of structures to the satisfaction of the Fire Bureau.

**Staff Planner: Kate Green****Decision rendered by:**  **on February 15, 2011**

By authority of the Director of the Bureau of Development Services

**Decision mailed February 17, 2011**

**About this Decision.** This land use decision is **not a permit** for development. A Final Plat must be completed and recorded before the proposed lots can be sold or developed. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on February 11, 2010, and was determined to be complete on August 10, 2010.

*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. Therefore this application was reviewed against the Zoning Code in effect on February 11, 2010.

*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 waived or extended at the request of the applicant. In this case, the applicant requested that the 120-day review period be extended on several occasions for a total of 150 days, per Exhibit G.7). Unless further extended by the applicant, **the 120 days will expire on: May 6, 2011.**

**Note: Some of the information contained in this report was provided by the applicant.** As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review,

any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**Appealing this decision.** This decision may be appealed to the Hearings Officer, which will hold a public hearing. Appeals must be filed **by 4:30 PM on March 3, 2011** at 1900 SW Fourth Avenue. Appeals may be filed Tuesday through Friday on the first floor in the Development Services Center until 3 PM. After 3 PM and on Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Assistance in filing the appeal is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 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) .

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Hearings Officer is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301 or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Hearings Officer an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the land division.** The final land division plat **must** be submitted to the City **within three years** of the date of the City's final approval of the preliminary plan. This final plat must be recorded with the County Recorder and Assessors Office after it is signed by the Planning Director or delegate, the City Engineer, and the City Land Use Hearings Officer, and approved by the County Surveyor. **The approved preliminary plan will expire unless a final plat is submitted within three years of the date of the City's approval of the preliminary plan.**

**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).**

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Arborist Report (October 12, 2009)
  - 2. Stormwater Report (January 31, 2011; January 12, 2011, August 31, 2010, August 2, 2010)
  - 3. Perc Test Report (May 5, 2010)
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Plan Set 3: Preliminary Site Plan (reduced copy attached; full size plan in case file)
  - 2. Plan Set 3: Preliminary Engineering Plans (reduced copy in case file)
  - 3. Plan Set 2
  - 4. Plan Set 1
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Portland Transportation
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. Site Development
- F. Correspondence:
  - 1. David Hyde, (email) September 20, 2010, concerns about improvements for SE 87<sup>th</sup> Court
  - 2. Stacy M Bodle and Jessica Meyer, (letter) October 18, 2010, concerns about fencing and construction activities
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research: None, no prior city records of land use cases
  - 3. Letter to applicant re: incomplete application
  - 4. Site photos from March 5, 2010 site visit
  - 5. Aerial photo, city GIS
  - 6. Communications to/from applicant re: lot size, lot of record
  - 7. Review timeline extensions



# ZONING

 Site



File No.	LU 10-111052 LDP
1/4 Section	3639
Scale	1 inch = 200 feet
State Id	1S2E16CA 2700
Exhibit	B (Feb 11, 2011)

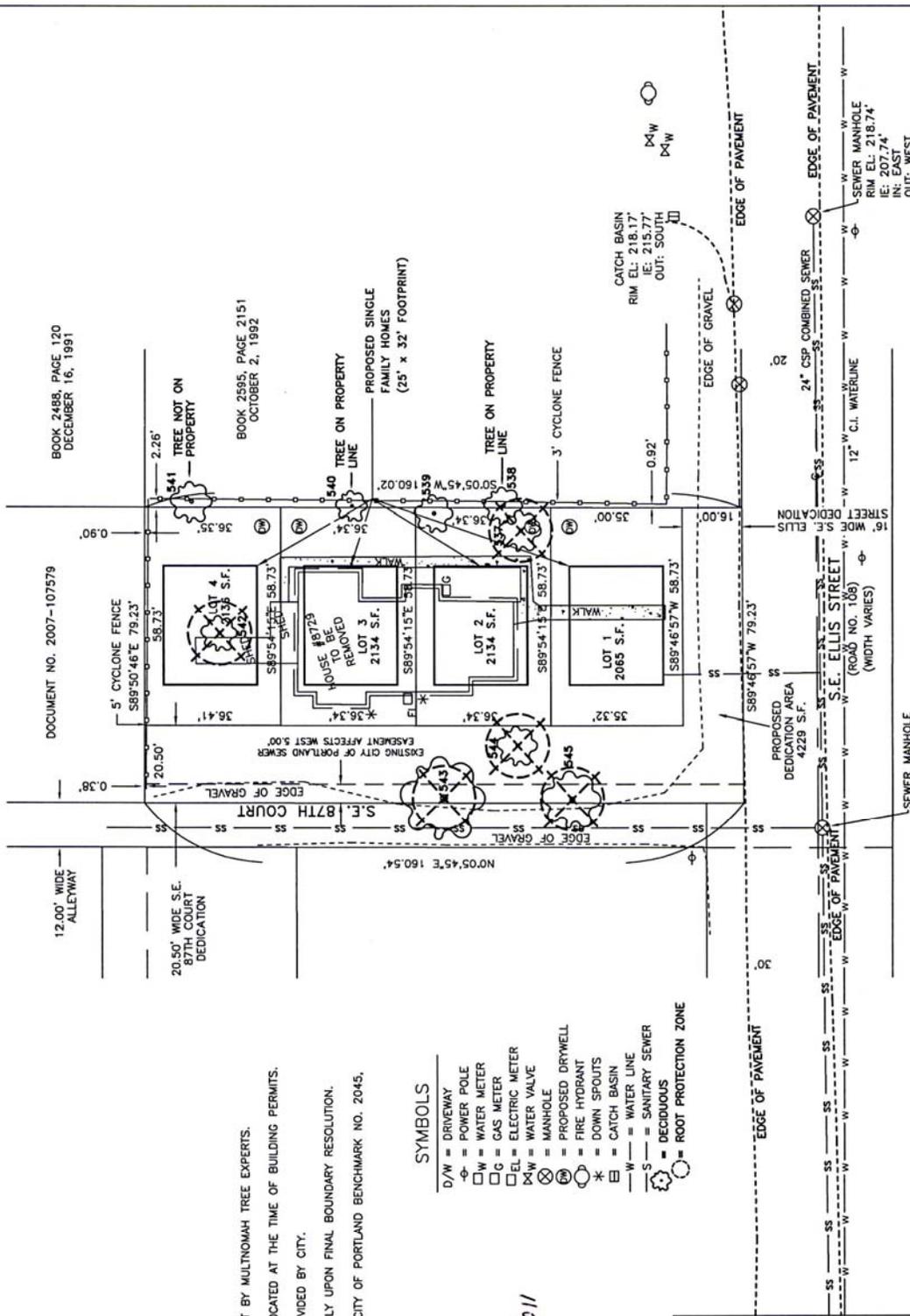
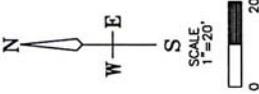
Submitted 1.13.2011  
reduced copy

Plan Set 3: Preliminary  
Site Plan

**SITE PLAN**

A TRACT OF LAND

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 16, T.1S., R.2E., W.M.,  
IN THE CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON  
DATE: JANUARY 13, 2011



BOOK 2485, PAGE 120  
DECEMBER 16, 1991

BOOK 2585, PAGE 2151  
OCTOBER 2, 1992

DOCUMENT NO. 2007-107579

**NOTES:**

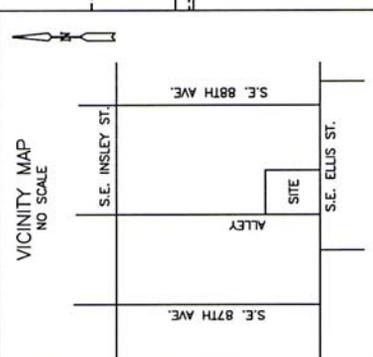
- ZONE IS R2.
- FOR TREE INFORMATION SEE TREE REPORT BY MULTNOMAH TREE EXPERTS.
- DRYWELLS AND OTHER UTILITIES TO BE LOCATED AT THE TIME OF BUILDING PERMITS.
- UTILITIES ARE DRAWN FROM MAPPING PROVIDED BY CITY.
- DIMENSIONS AND AREAS MAY VARY SLIGHTLY UPON FINAL BOUNDARY RESOLUTION.
- ELEVATION CHANGE IS LESS THAN 2.00'. CITY OF PORTLAND BENCHMARK NO. 2045.
- ELEVATION IS 220.12

**SYMBOLS**

- D/W = DRIVEWAY
- ⊕ = POWER POLE
- ⊖ = WATER METER
- ⊕ = GAS METER
- ⊕ = ELECTRIC METER
- ⊕ = WATER VALVE
- ⊕ = MANHOLE
- ⊕ = PROPOSED DRYWELL
- ⊕ = FIRE HYDRANT
- ⊕ = DOWN SPOUTS
- ⊕ = CATCH BASIN
- ⊕ = WATER LINE
- ⊕ = SANITARY SEWER
- ⊕ = DECIDUOUS
- ⊕ = ROOT PROTECTION ZONE

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
OREGON  
JULY 13, 1999  
JOHN A. MCCOY  
RENEWAL DATE 12/31/12

EXHIBIT C-1  
CASE NO. 10-111052



CLIENT: KALY CONST.  
8729 S.E. ELLIS ST.  
PORTLAND, OR 97266

Ferguson Land Surveying, Inc.  
646 S.E. 106TH AVENUE, PORTLAND, OR 97216  
Phone (503) 408-0601 Fax (503) 408-0602

SHEET NO. 1 OF 1  
JOB NO. 09-083 SITE E  
DRAFTED: 1/13/11 JM