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: April 25, 2011

To: Interested Person

From: Sean Williams, Land Use Services
503-823-7612 / Sean.Williams@portlandoregon.gov

NOTICE OF A TYPE IIx 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 10-174812 LDS

GENERAL INFORMATION

Applicant: Vic Remmers
Missouri Cottage LLC
735 SW 158th Avenue
Beaverton, OR 97006

Representative: Ryan Obrien
Planning & Land Design LLC
1862 NE Estate Drive
Hillsboro, OR 97124

Site Address: 3804 N Missouri Avenue

Legal Description: BLOCK 27 LOT 10, MULTNOMAH
Tax Account No.: R223719, R223720 & R223721
State ID No.: 1N1E22CC 01500, 01600, 01700
Quarter Section: 2629
Neighborhood: Boise, contact Ellen Cusick at 503-544-8688.
Business District: Historic Mississippi, contact Bridgit Beasley Danner at 503-281-5497.
District Coalition: Northeast Coalition of Neighborhoods, contact Shoshana Cohen at 503-823-4575.
Plan District: None
Other Designations: Mississippi Conservation District
Zoning: Residential 2,000 (R2) w/ Alternative Design Density Overlay (a)
Case Type: Land Division Subdivision (LDS)
Procedure: Type IIx, an administrative decision with appeal to the Hearings Officer.

Proposal:
The applicant is proposing to subdivide three contiguous tax accounts into a total of 6 equally sized lots of 2,500 square feet. The existing single family dwelling will be removed. A 46-inch Western Red Cedar will be retained for compliance with tree preservation standards.

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 6 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**.

FACTS

Site and Vicinity: The site is located on the east side of N Missouri Avenue in the middle of a block flanked by N Failing and N Beech Street. Existing improvements consist of a shed and single family dwelling that will be removed and is currently under a demolition delay review (10-171565 RS/10-171628 PR) due to its status as a contributing structure within the Mississippi Conservation District. Fourteen trees were identified within the land division site subject to preservation standards. The site is relatively flat and sits approximately 4-6 feet above the street grade. Property in the immediate vicinity is zoned Multi-Dwelling and primarily developed with detached single family homes. Employment and Commercial zoning is located one block to the east along the N Mississippi Avenue corridor and I-5 is located one block to the west.

NOTE: Since the Revised Notice of Proposal sent on February 3, 2011 the applicant has decided to not provide on site parking for the proposed lots. There is no minimum parking requirement for sites located les than 500 feet from a transit street with 20-minute peak hour service. As indicated below, frequent transit service is provided on N Mississippi Avenue approximately 390 feet from the site. Therefore, on-site parking is not required. Since on site parking will no longer be provided, the alley is no longer proposed or required to be improved. Please disregard any mention of improvements associated with the alley in the Bureau of Environmental services and Transportation responses (Exhibit E.1/E.2).

Infrastructure:

- **Streets –** The site has approximately 150 feet of frontage on N Missouri Avenue. At this location, N Missouri Avenue is classified as a local service street for all modes in the TSP. Tri-Met provides <u>frequent</u> transit service approximately 390 feet from the site on N Mississippi Avenue via Bus #4. Parking is currently allowed on both sides of N Missouri Avenue. At this location, N Missouri Avenue is improved with a 36 foot paved roadway surface and pedestrian corridor that consists of a 4 foot planter, 6 foot sidewalk and 2 foot setback to private property (4-6-2) within a 60 foot right-of-way.

- **Water Service –** There is an existing 8-inch CI water main in N Missouri Avenue. The existing house is served by a 5/8-inch metered service from the main.

- **Sanitary Service -** There is an existing 14-inch clay public combined gravity sewer in N Missouri Avenue.

Zoning: The R2 designation is one of the City's multi-dwelling zones which is intended to create and maintain higher density residential neighborhoods. The zone implements the comprehensive plan policies and designations for multi-dwelling housing.

The "a" overlay is intended to allow increased density that meets design compatibility requirements. It focuses development on vacant sites, preserves existing housing stock, and

encourages new development that is compatible with the surrounding residential neighborhood. This land division proposal is not using any of the provisions of the "a" overlay.

The Mississippi Conservation District denotes an area with common historic values significant to the neighborhood and seeks to contribute to the preservation of significant features of Portland's development history. New development and exterior modifications to existing development must meet the Community Design Standards (Chapter 33.218) or are subject to historic design review.

Land Use History: City records indicate the following prior land use reviews for this site:

- **LU 10-182913 LDP:** Proposal for a two-parcel partition. This case was withdrawn as the applicant opted to apply for a 6-lot subdivision as opposed to three 2-parcel partitions.

- **LU 10-196817:** Historic design review for 6 single dwelling detached houses with modification to reduce side yard setback to 3 feet for all interior property lines, and 4 foot side yards for two exterior side lot lines. This case was withdrawn. The community design standards (33.218) may be used for future development.

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 December 3, 2010. A Revised Notice of Proposal was mailed on February 3, 2011 to address the additional property added to the proposal. One written response (Exhibit F.1) has been received from a notified property owner in response to the proposal. Relevant concerns expressed in the written correspondence include the historic designation of structures on the property proposed for removal and the presence of established fruit trees.

Response: The existing house located on the property is designated a contributing structure in this conservation district. The applicant has applied for a demolition delay review (10-171628 PR) to demolish this structure. The purpose of the demolition delay review is to delay the demolition of this structure for 120 days to allow time for consideration of alternatives such as restoration, relocation, or architectural salvage. In regards to the fruit trees on the site, the applicant has submitted an arborist report (Exhibit A.2) which has identified a majority of these trees as being exempt from preservation standards as they are diseased in a manner that threatens continued viability.

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	A phased land division or staged final plat has not been proposed.

	Plat	
F	33.634 - Recreation Area	The proposed density is less than 40 units.
H	33.636 - Tracts and Easements	No tracts or easements have been proposed or will be required.
I	33.639 - Solar Access	All of the proposed parcels are interior lots (not on a corner). In this context, solar access standards express no lot configuration preference.
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.E - Pedestrian Connections	There are no pedestrian connections 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 6 single family lots for detached housing. Single-dwelling development is proposed for the entire site; therefore the proposed lots can meet minimum density and not exceed the maximum density stated in Table 120-3. Minimum density in the R2 zone is one unit per 2,500 square feet and the maximum density is one unit per 2,000 square feet. The total site area shown on the applicant's survey is 15,000 square feet. Therefore, the site has a minimum required density of 6 units and a maximum density of 7 units.

The lot dimensions required and proposed are shown in the following table:

R2	Minimum lot area (square feet)	Minimum lot width (feet)	Minimum lot depth (feet)	Minimum front lot line (feet)
Detached Houses	1,600	25	none	25
Lots 1-6	2,500	25	100	25

* Width is measured from the midpoints of opposite lot lines.

The findings above show that the applicable density and lot dimension standards are met. Therefore 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.

The applicant has submitted an arborist report that inventories the trees within the land division site, evaluates their condition and specifies root protection zones (Exhibit A.2). 14 trees have been identified within the land division site of which, 12 have been exempted because they are a nuisance species, dead or unhealthy.

The total non-exempt tree diameter on the site is 62 inches. The applicant proposes to preserve a 46-inch Western Red Cedar, which equates to 74 percent of the total non-exempt tree diameter on the site. This proposal complies with Option 1 of the tree preservation standards, which requires at least 35 percent of the total tree diameter on the site to be preserved. The applicant has provided a Proposed Site Plan showing the preserved tree and the required root protection zone (Exhibit C.1).

In order to ensure that future owners of the lots are aware of the tree preservation requirements, the applicant must record an Acknowledgement of Tree Preservation Requirements at the time of final plat.

This criterion is met, subject to the condition that development on Lots 3 and 4 be carried out in conformance with the Proposed Site Plan (Exhibit C.1) and the applicant's arborist report (Exhibit A.2) and an acknowledgement of tree preservation requirements is recorded with the final plat.

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

Findings:
Clearing and Grading
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. Therefore, no significant clearing or grading will be required on the site to make the new lots developable. In addition, there are no trees required to be preserved in the areas where new development on the site is anticipated. This criterion is met.

Land Suitability
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 garage 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 and sewer capping prior to final plat approval. With this condition, the new lots can be considered suitable for development, and this criterion is met.

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

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

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. Chapters 33.651 through 33.654 address water service standards, sanitary sewer disposal standards, stormwater management and utilities and rights of way. The criteria and standards are met as shown in the following table:

33.651 Water Service standard - See Exhibit E.3 for detailed bureau comments.

The water standards of 33.651 have been verified. Water is available to serve the proposed development from the water main in N Missouri Avenue. Lot 2 has an existing water service from that main.

33.652 Sanitary Sewer Disposal Service standards - See Exhibit E.1 for detailed comments.

The sanitary sewer standards of 33.652 have been verified. There is an existing an existing 14-inch clay public combined gravity sewer in N Missouri Avenue that can serve the sanitary needs of the proposed lots.

33.653.020 & .030 Stormwater Management criteria and standards– See Exhibits E.1 & E.5

BES has verified that the stormwater management system can be designed that will provide adequate capacity for the expected amount of stormwater. The applicant has proposed the following stormwater management methods:

- **Lots 1-6:** Stormwater from these lots will be directed to individual drywells that will treat the water and slowly infiltrate it into the ground. Each of these lots has sufficient area for a stormwater facility that can be adequately sized and located to meet setback standards, and accommodate water from a reasonably-sized home. The Bureau of Environmental Services has indicated conceptual approval of the drywells.

33.654.110.B.1 -Through streets and pedestrian connections
33.654.130.B - Extension of existing public dead-end streets & pedestrian connections
33.654.130.C - Future extension of proposed dead-end streets & pedestrian connections

Generally, through streets should be provided no more than 530 feet apart and at least 200 feet apart. The block on which the subject property is located is flanked by east/west through streets N Failing and N Beech Street and north/south through streets N Missouri and N Michigan Avenue. N Failing and N Beech Street have a distance between them of approximately 350 feet and N Missouri and N Michigan Avenue have a distance between them of approximately 215 feet. The spacing goal for public through streets is satisfied on the subject block. In addition, the site is not within an area that has an adopted Master Street Plan, so criterion d. does not apply. Portland Transportation has no concerns relative to connectivity or locations of rights-of-way associated with the proposed land division.

For the reasons described above, this criterion is met.

33.641 – Transportation Impacts – 33.641.020 and 33.641.030
33.654.120.B & C Width and elements of the street right-of-way
33.654.130.D Partial Rights of way

The Portland Bureau of Transportation has reviewed a transportation impact analysis (Exhibit A.3) for this proposal and has provided a response (Exhibit E.2) which is summarized below:

Using standard traffic engineering methods, calculations and analyses, which are acceptable to PBOT, and based on observed volumes and delays, the TIS concluded that the area intersections noted above are currently operating well within capacity, even under peak hour conditions. The addition of site traffic from the proposed subdivision (four AM peak hour trips and five PM peak hour trips) will have a negligible effect on traffic volumes and the area's intersections will continue to operate acceptably with the addition of the site trips. The Oregon Transportation Planning Rule (TPR) OAR 660-012-0060, adopted March 2005, requires transportation facilities that have a "significant affect" to be mitigated to either meet the minimum acceptable performance standard or not worsen the performance of an existing transportation facility that is projected to perform below the minimum acceptable performance standard. Acceptable level-of-service for unsignalized intersections that are under City of Portland authority is LOS "E" or better. The intersections on N Missouri are projected to continue to operate at LOS "A" during the morning and evening peak hours, and the intersections on N Mississippi are projected to continue to operate at LOS A/B during the

morning and evening peak hours. Based on the observations and analysis, the area streets and unsignalized intersections are currently operating acceptably and will continue to operate acceptably per City of Portland standards upon completion of the proposed development. Therefore, no operational mitigation is proposed.

In reviewing this land division, Portland Transportation relies on accepted civil and traffic engineering standards and specifications to determine if existing street improvements for motor vehicles, pedestrians and bicyclists can safely and efficiently serve the proposed new development. Portland Transportation has not identified or been made aware of any factors related to this proposal that lead to a conclusion other than that the proposed development can be safely served by this existing street without having any significant impact on the level of service provided.

This criterion is met.

33.654.130.A - Utilities (defined as telephone, cable, natural gas, electric, etc.)

Any easements that may be needed for private utilities that cannot be accommodated within the adjacent right-of-ways can be provided on the final plat. At this time no specific utility easements adjacent to the right-of-way have been identified as being necessary. Therefore, this criterion is met.

DEVELOPMENT STANDARDS

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.

Future Development

- Detached Houses: Section 33.120.270.D of the Zoning Code allows reduced side setbacks (3-feet from property lines) for detached houses in the multi-dwelling zones on lots that are at least 25 feet wide. This allowance only applies to the setbacks that are interior to the site. The setbacks around the perimeter of the land division site are that of the base zone. This proposal is eligible to use these provisions. **To take advantage of this allowance the reduced side setbacks must be shown on a supplemental survey for the land division at the time of final plat approval.**

- Community Design Standards: The land division site is located within the Mississippi conservation District. Therefore, new development and exterior modifications to existing development must meet the Community Design Standards (Chapter 33.218) or are subject to historic design review.

Existing development that will remain after the land division. 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 and Topic	Contact Information
Water Bureau	Title 21 - Water availability	503-823-7404 www.portlandonline.com/water
Environmental Services	Title 17; 2008 Stormwater Manual Sewer availability & Stormwater Management	503-823-7740 www.portlandonline.com/bes
Fire Bureau	Title 31 Policy B-1 - Emergency Access	503-823-3700 www.portlandonline.com/fire
Transportation	Title 17, Transportation System Plan Design of public street	503-823-5185 www.portlandonline.com/transportation
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 www.portlandonline.com/bds

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 aerial fire Department access roads. This requirement is based on the technical standards of Title 31 and Oregon Fire Code.

CONCLUSIONS

The applicant has proposed a 6-lot subdivision, 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. The primary issues identified with this proposal are: tree preservation and transportation impacts.

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

ADMINISTRATIVE DECISION

Approval of a Preliminary Plan for a 6-lot subdivision, that will result in 6 single dwelling lots for detached housing as illustrated with Exhibit C.1, subject to the following conditions:

A. The final plat must show the following:

1. A recording block for the Acknowledgement of Tree Preservation Requirements as required by Condition B.2 below. The recording block shall, at a minimum, include language substantially similar to the following example: "An Acknowledgement of Tree Preservation Requirements has been recorded as document no. _____, Multnomah County Deed Records."

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

Existing Development

1. 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. The site plan for the demolition permit must show all trees to be preserved and root protection zones as shown on Exhibit C.1. All demolition work must be in conformance with the recommendations in the applicant's arborist report (Exhibit A.2).

Required Legal Documents

2. The applicant shall execute an Acknowledgement of Tree Preservation Requirements that notes tree preservation requirements that apply to Lots 3 and 4. A copy of the approved Tree Preservation Plan must be included as an Exhibit to the Acknowledgement. The acknowledgment shall be recorded with Multnomah County and referenced on the final plat.

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

1. Development on Lots 3 and 4 shall be in conformance with the Proposed Site Plan (Exhibit C.1) and the applicant's arborist report (Exhibit A.2). Specifically, the 46-inch Western Red Cedar is required to be preserved, with the root protection zones indicated on Exhibit C.1. Tree protection fencing is required along the root protection zone of each tree to be preserved. The fence must be 6-foot high chain link and be secured to the ground with 8-foot metal posts driven into the ground. Encroachment into the specified root protection zones may only occur under the supervision of a certified arborist. Planning and Zoning approval of development in the root protection zones is subject to receipt of a report from an arborist, explaining that the arborist has approved of the specified methods of construction, and that the activities will be performed under his supervision.

2. The applicant must provide a fire access way that meets the Fire Bureau requirements related to aerial fire department access. Aerial access applies to buildings that exceed 30 feet in height as measure to the bottom of the eave of the structure or the top of the parapet for a flat roof.

Staff Planner: Sean Williams

Decision rendered by: _____ **on April 21, 2011**
By authority of the Director of the Bureau of Development Services

Decision mailed: April 25, 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 September 10, 2010, and was determined to be complete on December 1, 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 September 10, 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 waived the 120-day review period, as stated with Exhibit G.4.

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 May 9, 2011** at 1900 SW Fourth Ave. Appeals may be filed Tuesday through Friday on the first floor in the Development Services Center until 3 p.m. After 3 p.m. 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 and information on fee waivers 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 .

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.

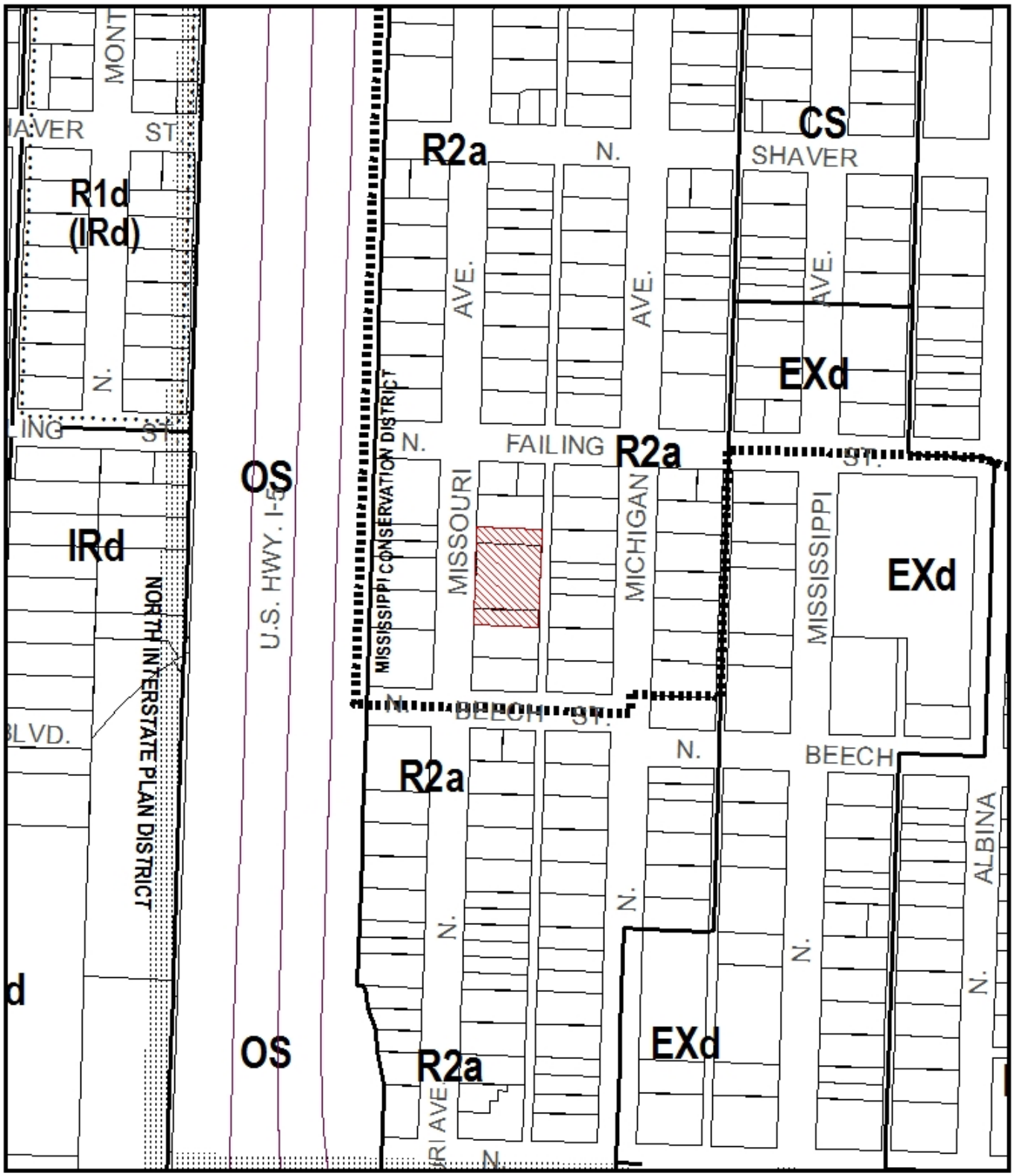
Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Hearings Officer an opportunity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

EXHIBITS
NOT ATTACHED UNLESS INDICATED

A. Applicant's Statement
   1. Land Division Approval Criteria
   2. Arborist Report
   3. Traffic Impact Analysis
   4. Infiltration testing
B. Zoning Map (attached)
C. Plans/Drawings:
   1. Proposed Site Plan (attached)
   2. Existing Conditions Plan
D. Notification information:
   1. Mailing list
   2. Mailed notice (12/3/10)
   3. Mailed notice (2/3/11)
E. Agency Responses:
   1. Bureau of Environmental Services
   2. Bureau of Transportation Engineering and Development Review
   3. Water Bureau
   4. Fire Bureau
   5. Site Development Review Section of BDS
   6. Bureau of Parks, Forestry Division
   7. Life Safety Plans Examiner
F. Correspondence:
   1. Marlene and Armando Olveda (12/17/10)
G. Other:
   1. Original LU Application
   2. Site History Research
   3. Incomplete letter
   4. Request for extension of 120-day review period
   5. Neighborhood Contact

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).



ZONING

Site

File No.	LU 10-174812 LDP
1/4 Section	2629
Scale	1 inch = 197 feet
State_Id	1N1E22CC 1500
Exhibit	B (Feb 01,2011)

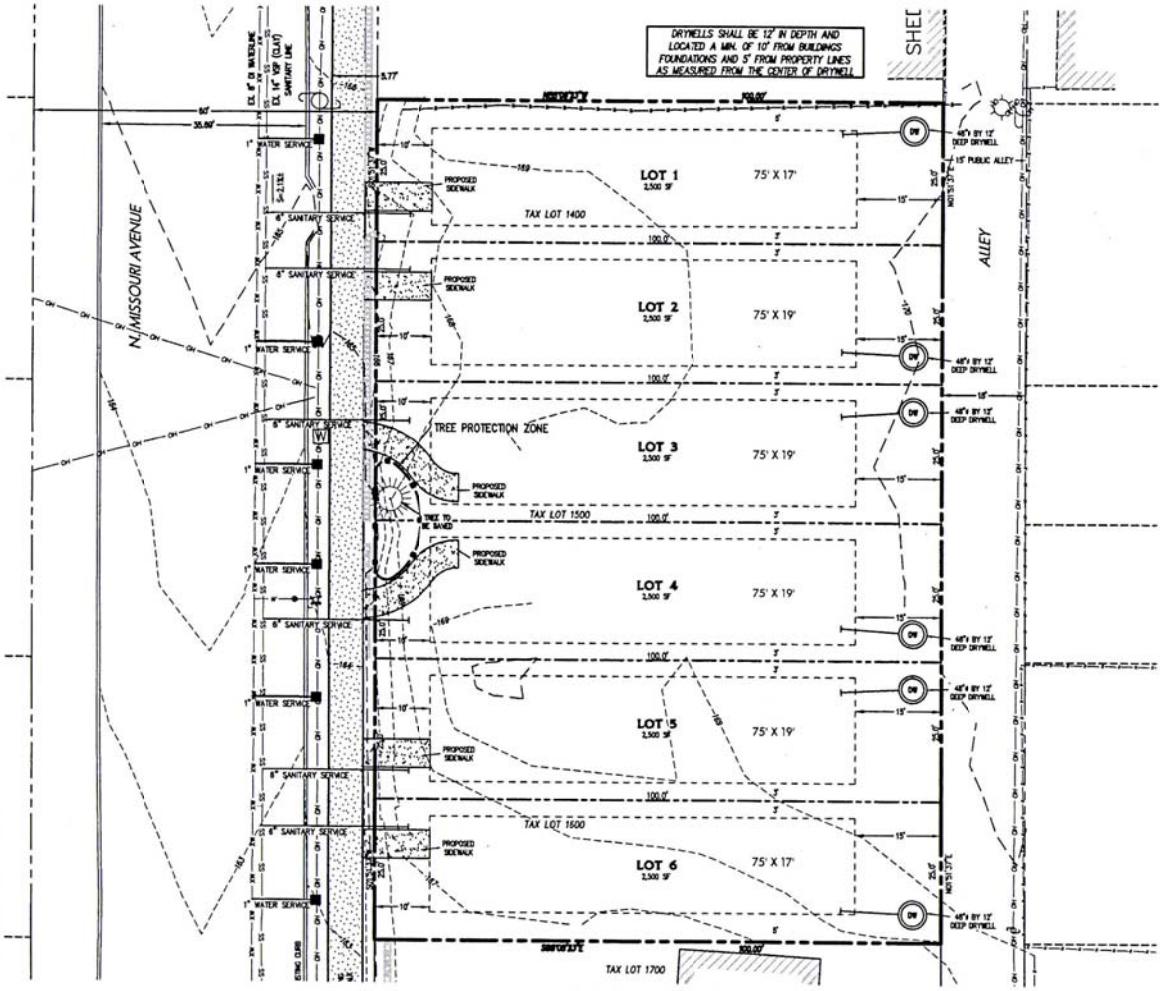
NORTH

This site lies within the:
MISSISSIPPI CONSERVATION DISTRICT

MISSOURI COTTAGES

PRELIMINARY PLAT

CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON



PROPOSED SITE PLAN

SCALE: 1" = 10'

R2a ZONE

FOR DETACHED HOUSES

25'-MINIMUM LOT WIDTH
1600 SF-MINIMUM LOT AREA
NONE-MINIMUM LOT DEPTH

TAX LOT 1400, 1500 AND 1600

PROPERTY OWNER & DEVELOPER
MISSOURI COTTAGE, LLC
735 SW 158TH AVENUE, SUITE 180
BEAVERTON, OR 97006
503-985-8422

BUILDING ENVELOPES

MISSOURI COTTAGE LLC
LOT 6, LOT 8 AND LOT 10
BLOCK 27 "MULTNOMAH"
SW 1/4 OF SW 1/4 OF SECTION 22, T.1N, R.1E
CITY OF PORTLAND - MULTNOMAH COUNTY

PROPOSED SITE PLAN
FOR
MISSOURI COTTAGES

REVISIONS

NO.	DATE	DESCRIPTION
1	01/04/11	REVISION PER RTAN 0'

EMERIO Design

SHEET 1 OF 2

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