



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

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www.portlandoregon.gov/bds

Date: April 16, 2013
To: Interested Person
From: Douglas Hardy, Land Use Services
503-823-7816 / Douglas.Hardy@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has **approved with conditions** a proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 13-112855 AD

GENERAL INFORMATION

Applicant: Kevin Partain, consultant / Urban Visions / 503-421-2967
223 NE 56th Avenue / Portland, OR 97213

Charles Thomas, property-owner / Eden Enterprises
5505 SW Delker Road / Portland, OR 97062

Site Address: 1333 NW 24th Avenue

Legal Description: Block 11, Lot 3-5, Goldsmiths Add
Tax Account No.: R331301900
State ID No.: 1N1E33BB 10600
Quarter Section: 2927
Neighborhood: Northwest District, contact John Bradley at 503-313-7574
Business District: Nob Hill, contact Mike Conklin at 503-226-6126
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212
Zoning: R1 – Multi-Dwelling Residential 1,000
Case Type: Adjustment (AD)
Procedure: Type II, Administrative decision with appeal to Adjustment Committee

PROPOSAL

The 15,000 square foot subject site is comprised of three legally platted lots that are each 5,000 square feet in size, and currently developed with a two and one-half story residential structure. The applicant is proposing (under separate review) a Lot Confirmation and Property Line Adjustment that will reorient the lot lines and change the lot sizes to 6,600 square feet (Adjusted Lot 4), 4,400 square feet (Adjusted Lot 3), and 4,000 square feet (Adjusted Lot 5) (see Exhibit C.1). The existing residential structure will remain on the Adjusted Lot 4, with the remaining two adjusted lots each developed with a single-dwelling residence and accessory dwelling unit. Because the site is located in an R1 Multi-Dwelling zone, any changes to the lots requires maintaining a minimum potential residential density of 10 dwelling units. Under the proposed development scenario, Adjusted Lots 3 and 5 will each be built out with a total of two dwelling units, with Adjusted Lot 4 assigned a total of 6 dwelling units. (The six dwelling units on Adjusted Lot 4 represent only potential development should the existing house be demolished in the future.)

One of the approval criteria for the Property Line Adjustment requires demonstrating that all standards of the Zoning Code will be met, including minimum required lot dimensions. Because Adjusted Lot 4 may accommodate multi-dwelling development in the future (up to six dwelling units), the minimum required lot dimension for Adjusted Lot 4 is 10,000 square feet, with a minimum lot width and front line length of 70 feet. **The applicant is therefore requesting an Adjustment to reduce the minimum required lot size for Adjusted Lot 4 from 10,000 square feet to 6,600 square feet, and to reduce the minimum required lot width and front lot line length (along NW 24th Avenue) from 70 feet to 60 feet.**

RELEVANT APPROVAL CRITERIA

In order to be approved, this proposal must comply with the Adjustment Review approval criteria of Chapter 33.805.040.A-F of the Portland Zoning Code.

ANALYSIS

Site and Vicinity: The 15,000 square foot site is located at the southwest corner of NW 24th Avenue and NW Pettygrove Street. The site is currently developed with a two and one-half story residential structure that is located in the northeast portion of the site, with its front door oriented to NW 24th Avenue. A single-car garage is located in the northwest corner of the site and accessed from NW Pettygrove Street. Mature trees, largely deciduous, are located on the western one-half on the site. The surrounding area, within a one block radius, is developed with a mixture of one to two-story detached and attached single-dwellings, as well as two to three-story multi-dwelling structures. Nearby lots within the R1 zone are typically less than 10,000 square feet in size, with lot widths and front lot line lengths less than 70 feet.

Zoning: The subject site is located in a Multi-Dwelling Residential 1,000 (R1) zone. The use regulations of the Multi-Dwelling zones are intended to create and maintain higher density residential neighborhoods. The six multi-dwelling zones are distinguished primarily by density and development standards. The development standards work together to create desirable residential areas by promoting aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities. The development standards generally assure that new development will be compatible with the City's character. At the same time, the standards allow for flexibility for new development. The R1 zone is a medium density multi-dwelling zone that allows approximately 43 units per acre. Allowed housing is characterized by one to four story buildings. The major type of new housing development will be multi-dwelling structures (condominiums and apartments), duplexes, townhouses, and rowhouses. Generally, R1 zoning will be applied near Neighborhood Collector and District Collector streets, and local streets adjacent to commercial areas and transit streets.

Land Use History: City records indicate one prior land use review was approved for the site. In 1978, a Conditional Use was approved with conditions to allow the establishment of a Residential Care Facility (Group Living) for up to eight girls (CU 083-78). The review also approved a variance (what would today be called an Adjustment) to reduce the required off-street parking from two spaces to one space. The applicant indicates the current proposal is to convert the structure back to a single-dwelling unit.

Agency Review: A Notice of Proposal was mailed February 21, 2013. The following City bureaus have responded with no issues or concerns:

- Portland Bureau of Transportation (E.1); and
- Bureau of Development Services Site Development Review Section (E.2).

The Bureau of Environmental Services responded with concerns regarding the reduction in the minimum lot size for Adjusted Lot 4, and the potential impacts this may have on the ability to meet stormwater management requirements if this site is redeveloped (Exhibit E.3). To address this, BES recommends a condition of approval that requires at the time of building permit review for development on Adjusted Lot 4 submission of plans that identify a stormwater

management facility that meets BES stormwater management requirements, including but not limited to on-site infiltration and setback requirements.

The Water Bureau responded with the no issues regarding the requested land use review (Exhibit E.4), but provided the following comments that will apply at the time of building permit review:

There is a 5/8 inch metered service (Serial #21110642, Account #2956619000) and a 1 inch metered fire service (Serial #94047561, Account #2956618900) which provides water to the existing house at this location from the existing 6 inch CI water main in NW Pettygrove Street. If any building permits are required for the existing house on the proposed [Adjusted Lot 4], City Code 21.12.010 will require any new building construction, remodeling or additions to an existing building, or any construction that will need water, to have a water service and meter of appropriate size installed within the public right-of-way and within the specific property boundary/frontage for which it will serve. A Water Bureau review for fixture count will need to be submitted by the applicant at the time of submittal of the building permit to appropriately size the water service and meter for this location. If a water meter and or service upsized is required, all applicable costs will be the responsibility of the applicant.

There are currently no existing water services to the proposed [Adjusted Lots 3 and 5]. There is water available to the proposed [Adjusted Lot 4] from the existing 6 inch CI main in NW Pettygrove Street and to the proposed [Adjusted Lot 3] from the existing 10 inch CI main in NW 24th Avenue. For [Adjusted Lots 3 and 5], City Code 21.12.010 will require any new building construction, or any construction that will need water, to have a water service and meter of appropriate size installed within the public right-of-way and within the specific property boundary/frontage for which it will serve. A Water Bureau review for fixture count will need to be submitted by the applicant at the time of submittal of the building permit to appropriately size the water service and meter for this location. All applicable costs will be the responsibility of the applicant.

The Bureau of Development Services Life Safety Plans Examiner has no concerns with the requested land use review, but noted the proposed site plan did not dimension distance of structure to proposed interior lot lines (Exhibit E.5). The Plans Examiner noted that if any of the conditions identified below occur, a building permit will be required and these issues will need to be addressed:

- Exterior walls less than three feet to a property line shall be one-hour fire-rated with no openings allowed; and
- Roofs and eaves may project not closer than two feet to a property line; eaves less than three feet to a property line must be protected on the underside as required for one-hour fire-rated construction.

[BDS Staff Comment: The scaled plans submitted by the applicant indicate the existing house on Adjusted Lot 4 will be set back between 10 and 12 feet from the common side lot line with Adjusted Lot 3, and will be set back approximately 40 feet from the common lot line with Adjusted Lot 5.]

The Fire Bureau responded with no concerns regarding the proposal, and noted that future development on the tracts will be required to meet all Fire Code requirements (Exhibit E.6).

Portland Parks & Recreation/Urban Forestry Division responded with the following comments (Exhibit E.7):

- City Code Title 20.40 requires a street tree review for new construction projects, and improvements to existing structures that exceed \$25,000 in value.
- Street trees will be required along all public street frontages during building permit application. Street trees required for residential sites are to be two inch caliper in size.

- Mitigation for the loss of existing right-of-way trees will be required if construction designs require removal. A written permit from the City Forester is required to remove, destroy, cut, break, or injure, any tree of any size in or upon any street, park, or public area as detailed in Title 20.40.090 D.
- At this time, all existing trees on private property that are 12 inches in diameter and greater may not be removed unless specifically permitted through Title 33 or through a written permit issued from the City Forester as detailed in Title 20/Chapter 20.42.

Neighborhood Review: One written response was received from a neighbor who resides directly south of the subject site (Exhibit F.1). The neighbor is supportive of the Adjustment as long as two conditions are placed on the approved adjustment: 1) Any structure built on Adjusted Lot 3 be set back from NW 24th Avenue by the same distance as his house and that of his neighbors (approximately 20 to 30 feet); and 2) Excavation on Adjusted Lot 3 shall not occur within the drip line of two trees located close to the common side lot line. [BDS Staff Comment: While these are important issues that can affect the appearance of the neighborhood, there is no nexus between the suggested conditions and the requested land use review. The requested Adjustment is to reduce the minimum lot size for the lot (Adjusted Lot 4) on which the existing house is built. The Adjustment is not modifying any development standards that apply to Adjusted Lot 3. BDS acknowledges the concerns raised by the neighbor, and has encouraged the neighbor and the applicant to discuss the issues raised in the letter outside of the land use review process.]

An additional letter was received from the adjacent neighbor directly west of the subject site (Exhibit F.2). This neighbor questioned the accuracy of the property line location between the subject site and her lot. [BDS Staff Comment: The applicant did submit into the record a plan (Exhibit C.1) prepared by a registered surveyor that identifies the dimensions of the subject site and location of all property lines (including the three platted lots that comprise the 15,000 square foot site). This survey reflects the Multnomah County tax map (Exhibit G.4).]

No written response was received from either the notified Neighborhood Association or District Coalition. However, the applicant submitted a letter from Bruce Howard, with Renaissance Homes, that states he met with the Northwest District Association and that they expressed support for the proposal as it will help preserve a large existing home on the site, as well mature trees immediately to the rear of the house (Exhibit A.2).

ZONING CODE APPROVAL CRITERIA

33.805.010 Purpose of Adjustments The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

33.805.040 Adjustment Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. stated below, have been met.

- A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

Findings: The applicant is requesting an Adjustment from the minimum lot dimension standards to reduce the minimum required lot size of the proposed Adjusted Lot 4 from 10,000 square feet to 6,600 square feet, and to reduce the minimum required lot width and

front lot line width from 70 feet to 60 feet. The purpose for requiring minimum lot dimensions, as stated in Zoning Code Section 33.612.200.A, is as follows:

These standards ensure that:

- *Each lot has enough room for development that meets all the requirements of the zoning code;*
- *Lots are an appropriate size and shape so that development on each lot can be oriented toward the street as much as possible;*
- *The multi-dwelling zones can be developed to full potential; and*
- *Housing goals for the City are met.*

With conditions of approval that are identified below, the requested Adjustment equally meets the intent of this purpose statement based on the following findings:

- Under separate review, the applicant will be requesting a Lot Confirmation and Property Line Adjustment that reconfigures the three existing platted lots that comprise the site. These lots will have an area of 6,600 square feet (Adjusted Lot 4), 4,400 square feet (Adjusted Lot 3), and 4,000 square feet (Adjusted Lot 5). The applicant proposes two detached dwelling units each on Adjusted Lots 3 and 5, and in order to meet the minimum required density of 10 units on the overall site, proposes to assign a potential of six dwelling units to Adjusted Lot 4. The six units on Adjusted Lot 4 would be required only if the existing house on this lot was demolished and subsequently redeveloped.

Building six units in the future on Adjusted Lot 4 would require the development of either a multi-dwelling structure or multi-dwelling development. Zoning Code Section 33.612.200, Table 612-1, requires a minimum lot size of 10,000 square feet, with a minimum lot width and front lot line width of 70 feet, when developing a site with a multi-dwelling structure or multi-dwelling development. While Adjusted Lot 4 will have a lot area of only 6,600 square feet, with a lot width and front lot line width of 60 feet, the site is large enough to accommodate six units. This conclusion is based on the maximum allowed density allowed by the R1 zone. In the R1 zone, a maximum density of one unit per 1,000 square feet is allowed. The 6,600 square foot lot size proposed for Adjusted Lot 4 would allow up to six dwelling units on this site. Additionally, given the floor area of the existing house on Adjusted Lot 4, (at 3,124 square feet according to Multnomah County tax records), six units could even be accommodated within the existing house. Furthermore, standards of the R1 zone allow a building coverage of up to 3,960, with a building height up to 45 feet (approximately four stories). With these standards, redevelopment of the 6,600 square foot site could easily accommodate six dwelling units and still meet requirements of the R1 zone.

- Because Adjusted Lot 4 will be a corner lot, any future development on the lot will be oriented to one of the two streets, as is intended by the lot dimension standards. The existing house on the site will be unaltered by the requested reduction to the lot dimensions, and will continue to be oriented to NW 24th Avenue.

As noted above, the proposed lot dimensions for Adjusted Lot 4 will be able to accommodate the level of density intended for the R1 zone. However, to ensure that the minimum required density of 10 units (for the beginning 15,000 square foot lot) is met over time, a condition of approval will require that in the future should the house be demolished, a minimum of six units must be provided on Adjusted Lot 4. If the house is damaged or destroyed by fire or other causes beyond the control of the owner, the requirements of Zoning Code Section 33.258.060.B.2.b regarding required density will apply. Additionally, in order to ensure the density requirements for Adjusted Lots 3 and 5 are met, a condition of approval will require both a minimum and maximum residential density on these two lots of two dwelling units. These conditions will ensure

that the residential densities on this multi-dwelling zoned site and the housing goals of the City will continue to be met.

- BES has concerns regarding the reduction in the minimum lot size for Adjusted Lot 4, and the potential impacts this may have on the ability to meet stormwater management requirements if this site is redeveloped (Exhibit E.3). To address this, BES recommends a condition of approval that requires at the time of building permit review for development on Adjusted Lot 4 submission of plans that identify a stormwater management facility that meets BES stormwater management requirements, including but not limited to on-site infiltration and setback requirements.

Based on these finding and with the conditions of approval, the proposal will be consistent with stated purpose of the regulation being adjusted, and this criterion is met.

- B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and

Findings: Because the site is located in a residential zone, the applicant must demonstrate that the proposal will not significantly detract from the livability or appearance of the surrounding residential area. The proposal will meet this criterion based on the findings, below.

As indicated in the findings for Approval Criterion A, above, the reduction in the lot dimensions for Adjusted Lot 4 will still allow for this lot to accommodate the desired density of development in this multi-dwelling zone. The six units that are required on this lot through a condition of approval are consistent with the density standards of the R1 zone. Additionally, reducing the lot dimensions for Adjusted Lot 4 below those required for multi-dwelling development allows the construction of two single dwellings (each with an accessory dwelling unit) on the remaining lots (Adjusted Lots 3 and 5). The resulting development pattern on the site, a mixture of multi-dwelling and single-dwelling development, mirrors the development pattern and housing types found on lots in the immediate neighborhood. Furthermore the Adjustment allows the existing home on the site, constructed in 1904 and listed as a Rank III property in the City's *Historic Resource Inventory*, to be retained.

As the proposal will not significantly detract from the livability or appearance of the residential area, this criterion is met.

- C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and

Findings: As the applicant is requesting an Adjustment only to the minimum lot dimension standards, this criterion is not applicable.

- D.** City-designated scenic resources and historic resources are preserved; and

Findings: City-designated scenic resources are identified on the Official Zoning Maps with a lower case "s," and historic resources are identified either with a dot or as being within the boundaries of a Historic or Conservation district. There are no such designations on the subject site or in the defined vicinity.

While not a historically-designated property (i.e., a historic or conservation landmark), as noted above the existing house on Adjusted Lot 4 is listed as a Rank III property in the City's *Historic Resource Inventory*. Properties included in the *Historic Resource Inventory* are determined to have potential historical and architectural significance. Additional

documentation and evaluation is generally required before City designation or National Register listing is warranted for many of these properties.

The Adjustment request is intended to allow the retention of this significant house, while still maintaining the required densities of the R1 Multi-Dwelling zone. The Adjustment request is therefore supportive of the City's historic resource program, and this criterion is met.

- E.** Any impacts resulting from the adjustment are mitigated to the extent practical.

Findings: The only potential adverse impact associated with the requested Adjustment is the ability of the proposal to meet the required density requirements of the R1 zone over time. To address this issue, a condition of approval will require that should the existing house on Adjusted Lot 4 ever be demolished, any redevelopment must contain a minimum of six dwelling units. Similarly, for the remaining two tracts, a condition of approval will require that a minimum and maximum density of two dwelling units be maintained on these lots. These conditions ensure that the minimum required and maximum allowed residential densities intended for this zone are maintained.

With the conditions of approval, this criterion is met.

- F.** If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable.

Findings: The site is not located in an environmental zone. Therefore, this criterion does not apply.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The proposal to reduce the minimum required lot dimensions for Adjusted Lot 4, with conditions of approval, meets the applicable Adjustment criteria. The request will equally meet the stated intent of the lot dimension regulations with a condition that establishes the minimum and maximum residential density requirements for the individual tracts, and a condition that addresses future stormwater management requirements. The proposal will not adversely impact the appearance or livability of the surrounding residential area, but rather will result in a development that more closely reflects existing development patterns.

ADMINISTRATIVE DECISION

Approval of an Adjustment to the minimum lot dimensions (Zoning Code Section 33.612.200, Table 612-1) for Adjusted Lot 4 from 10,000 square feet with a lot width and front line width of 70 feet to 6,600 square feet with lot width and front lot line with of 60 feet, as identified in Exhibit C.1, signed and dated April 12, 2013, and subject to the following conditions:

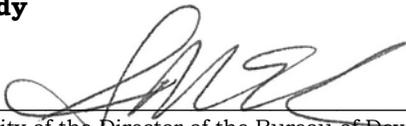
- A. As part of the building permit application submittal, the following development-related condition (B through D) must be noted on each of the four required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 13-112855 AD." All requirements

must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

- B. Should the existing house located on Adjusted Lot 4 be demolished, a minimum of six dwelling units must be provided on this lot. If the house is damaged or destroyed by fire or other causes beyond the control of the owner, the requirements of Zoning Code Section 33.258.060.B.2.b regarding allowed density will apply.
- C. For Adjusted Lots 3 and 5, the required minimum and maximum residential density shall be two dwelling units per lot.
- D. At the time of building permit review for development on Adjusted Lot 4, a plan must be submitted that identifies a stormwater management facility that meets BES stormwater management requirements, including but not limited to on-site infiltration and setback requirements.

Note: This Adjustment Review does not approve a Land Division, Lot Confirmation or Property Line Adjustment that would establish the three adjusted lots considered under this review and identified in Exhibit C.1. A separate review will be required to establish the three adjusted lots identified in Exhibit C1.

Staff Planner: Douglas Hardy

Decision rendered by:  **on April 12, 2013.**
By authority of the Director of the Bureau of Development Services

Decision mailed: April 16, 2013

About this Decision. This land use decision is **not a permit** for development. 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 5, 2013, and was determined to be complete on February 21, 2013.

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 5, 2013.

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 extended the 120-day review period 17 days. Unless further extended by the applicant, **the 120 days will expire on July 8, 2013.**

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 Adjustment Committee, which will hold a public hearing. Appeals must be filed **by 4:30 PM on April 30, 2013**, at 1900 SW Fourth Avenue. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3:00 PM and 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 call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

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 Adjustment Committee 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 Adjustment Committee an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, the final decision may be recorded on or after **May 1, 2013**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- **By Mail:** Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

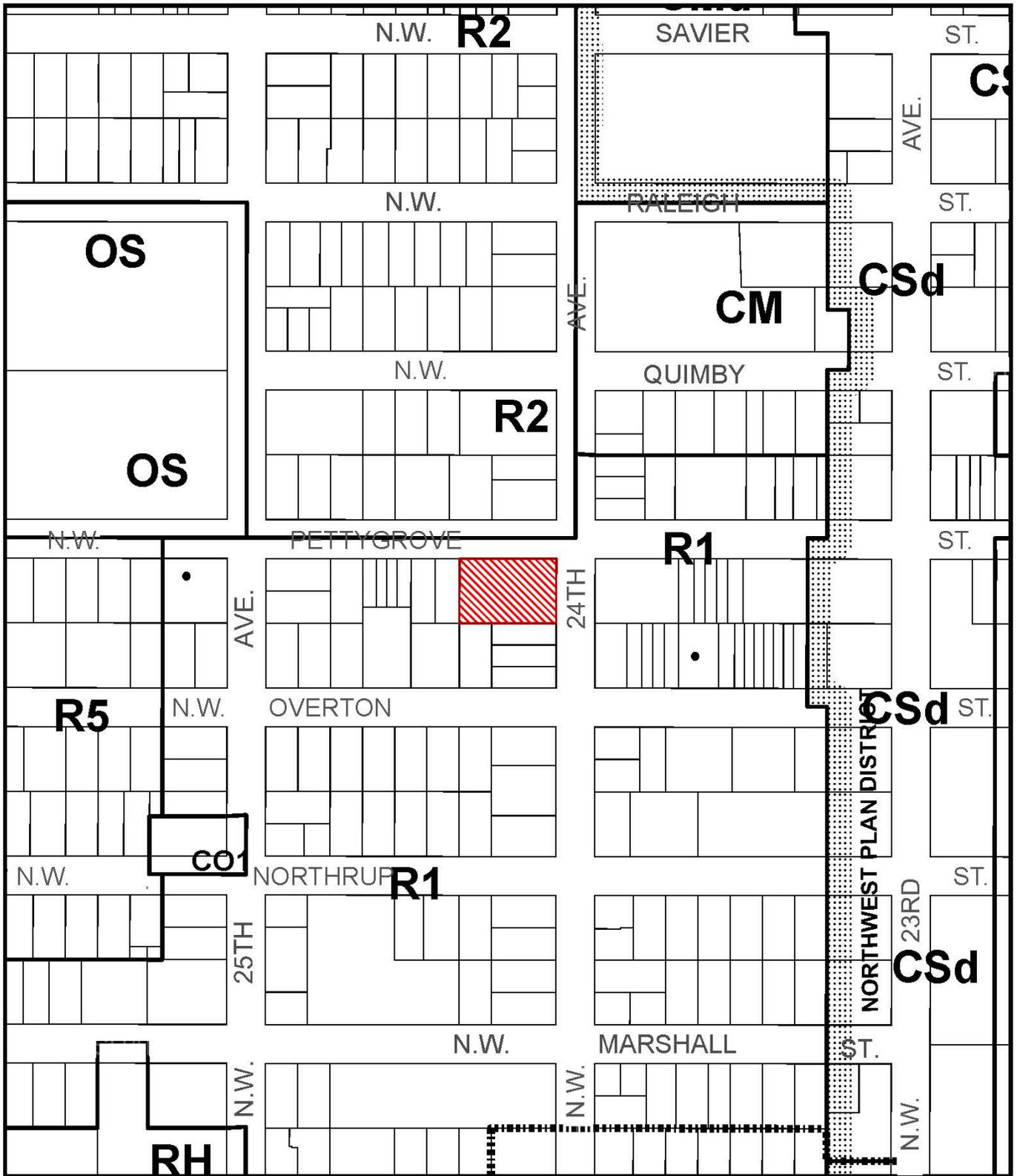
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 1. Written narrative, received February 19, 2013
 2. Letter from Bruce Howard, Renaissance Homes
 3. Photos of site and vicinity
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Existing Conditions and Tentative Plan (attached)
 2. Record of Survey for Lot Confirmation and Property Line Adjustment
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Portland Bureau of Transportation
 2. Bureau of Development Services Site Development Review Section
 3. Bureau of Environmental Services
 4. Water Bureau
 5. Fire Bureau
 6. Bureau of Development Services/Life Safety Plans Examiner
 7. Portland Park & Recreation/Urban Forestry Division
- F. Correspondence:
 1. Letter from Paddy Tillett, dated March 10, 2013
 2. Letter from Penelope Larsen, received March 14, 2013
- G. Other:
 1. Original LU Application
 2. Listing in the City of Portland *Historic Resource Inventory*
 3. Letter of Incompleteness, dated February 14, 2013
 4. Multnomah County Tax Map
 5. E-mail from Kevin Partain requesting delay in issuing decision, received March 17, 2013

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
-  Historic Landmark



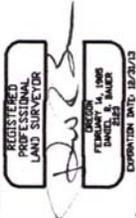
File No. LU 13-112855 AD
 1/4 Section 2927
 Scale 1 inch = 200 feet
 State_Id 1N1E33BB 10600
 Exhibit B (Feb 05, 2013)

EXISTING CONDITIONS AND TENTATIVE PLAN FOR PROPOSED LOT CONFIRMATION AND PROPERTY LINE ADJUSTMENT, LOTS 3, 4 AND 5, BLOCK 11 GOLDSMITHS ADDITION TO THE CITY OF PORTLAND

SITUATED IN THE NW 1/4 OF SECTION 33 T.1N., R.1E. W.M. MULTNOMAH CO., OREGON

MARY ASSOCIATES
 18615 E. BURNSIDE STREET
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DATE DRAWN: DECEMBER 10, 2012
 DRAWING NO. 12116REV C
 ACCOUNT NO. 12116
 REVISED: JANUARY 22, 2013



COMPUTER DATE 12/20/12

ZONING: R1

DATE: 12/20/12

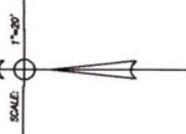
PARCEL DATA:
 LOTS 3, 4 AND 5, BLOCK 11, GOLDSMITHS ADDITION TO THE CITY OF PORTLAND AND AS LOCATED AS DOCUMENT NO. 2012-130836, MULTNOMAH COUNTY CADD RECORDS.

RECORD MAP:
 CITY OF PORTLAND 2" MASS DISC, 84 NO. 2855 SW CORNER NW MORTGAGE AND NW 24TH AVENUE, ELEVATION = 116.84 COP DATUM

NOTES & LEGEND:

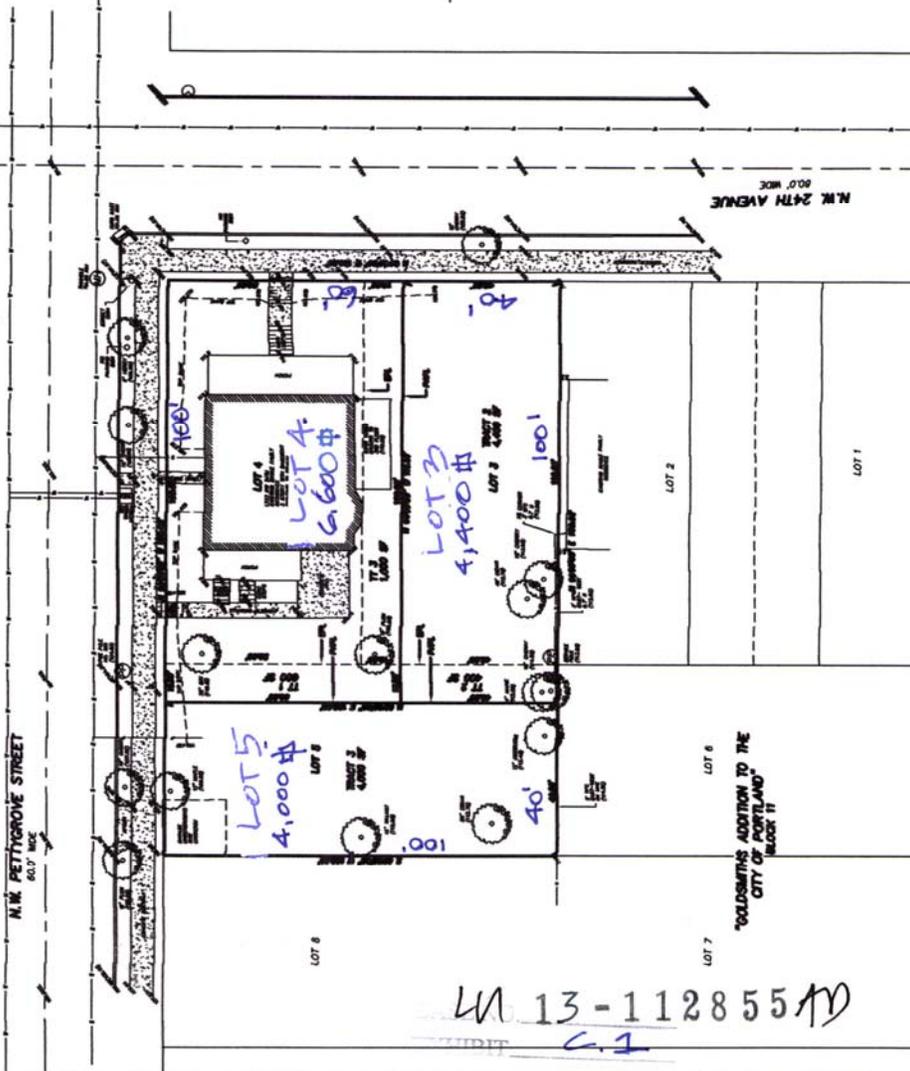
- * DENOTES WATER METER
- * DENOTES POWER POLE
- * DENOTES 1.5 X 2.5 CURB INLET
- * DENOTES SANITARY SENDER MANHOLE
- * DENOTES FIRE HYDRANT

- "123.45" DENOTES SPOT ELEVATION (ELEVATION IS AT DECIMAL POINT)
- "123.45" DENOTES GROUND ELEVATION (ELEVATION IS AT DECIMAL POINT)
- "123.45" DENOTES TOP BANK ELEVATION (ELEVATION IS AT DECIMAL POINT)
- "(123.45)" DENOTES GROUND ELEVATION AT ITEM NOTED (ELEVATION IS AT DECIMAL POINT & TOP-CURB)
- "123.45" DENOTES TOP CURB ELEVATION (ELEVATION IS AT DECIMAL POINT)
- "123.45" DENOTES CENTERLINE ELEVATION (ELEVATION IS AT DECIMAL POINT)
- "123.45" DENOTES OUTER ELEVATION (ELEVATION IS AT DECIMAL POINT)
- "WC" DENOTES WIRE FENCE
- "-A-" DENOTES WIRE FENCE
- "-H-" DENOTES WATER LINE
- "-S-" DENOTES SENDER LINE
- "EXP" DENOTES EXISTING PROPERTY LINE
- "PAK" DENOTES PROPOSED ADJUSTED PROPERTY LINE
- "SQ" DENOTES SQUARE FEET
- "T" DENOTES TRANSFER TRACT.



Approved
 City of Portland
 Bureau of Development Services
 Planner *[Signature]*
 Date 4-12-13

This approval applies only to the reviews requested and is subject to all conditions of approval.
 Additional zoning requirements may apply.



LN 13-112855 AD
 C.1