



City of Portland
Bureau of Development Services
Land Use Services Division

1900 SW Fourth Ave. Suite 5000
Portland, Oregon 97201
Telephone: 503-823-7300
TDD: 503-823-6868
FAX: 503-823-5630
www.portlandonline.com/bds/

Date: September 17, 2008
To: Interested Person
From: John Cole, Land Use Services
503-823-3475 / ColeJA@ci.portland.or.us

NOTICE OF A FINAL PLAT DECISION

CASE FILE NUMBER: FP 04-018606, FINAL PLAT

Applicant Info: Phillip B Stoinoff,
Hoff Construction
4737 NE Wasco
Portland, OR 97213

Site Address: 5006 NE SIMPSON ST
Legal Description: W 75' OF LOT 1 BLOCK 5, ZWAHLEN HOME SITES
Tax Account No.: R937902760
State ID No.: 1N2E18CD 03100
Quarter Section: 2435
Neighborhood: Cully
Zoning: R5h
Case Type: FP - Final Plat Review
Procedure: An Administrative Decision

Proposal: The Preliminary Plan for LU 04-018606 LDP was approved by the *Bureau of Development Services on Jul 14, 2004. That decision approved a land division to create 3 lots, with lot areas ranging from 3,750 square feet to 7,250 square feet in area .

The applicant has submitted the proposed Final Plat to the Bureau of Development Services (BDS) for approval. This final technical review ensures that the Final Plat conforms with the approved Preliminary Plan and with the conditions of approval imposed by the review body. This review is not an opportunity to add or change conditions of approval, or to review other issues.

Neighborhood Review: A notice of this final proposal was mailed on March 16, 2007. No written comments were received by the Bureau of Development Services in response to this notice.

Compliance with Approval Standards

As required by Oregon Revised Statutes (ORS 92.040), Final Plats must be reviewed under the approval criteria and standards in effect at the time that the original Land Division application

was submitted. In order to be approved, this proposal must comply with the Final Plat approval standards currently found in Section 33.663.220 of Title 33, the Portland Zoning Code.

As shown by the attached Final Plat Status Report (Exhibit A) the Final Plat proposal complies with all of the Approval Standards of Section 33.663.220. This requirement is met.

Compliance with Conditions of Approval

In order to be approved, this proposal must also show compliance with all applicable conditions of approval imposed with City approval of the Preliminary Plat decision.

As shown by the attached Final Plat Status Report (Exhibit A) the Final Plat proposal complies with all of the conditions of approval of the Preliminary Plat decision. This requirement is met.

ADMINISTRATIVE DECISION

Approval of the Final Plat for a Land Division to create # parcels, as indicated by City signatures on the Final Plat (Exhibit C.1, attached).

Staff Planner: John Cole

Decision rendered by:  on September 10, 2009
By Authority of the Director of the Bureau of Development Services

Decision mailed September 17, 2008

This decision is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

Recording the land division final plat. The plat must be submitted to the County Recorder to be recorded within 90 days of the final plat decision date, or the final plat will expire.

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-8230625 (TTY 503-823-6868).

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Final Plat Status Report (attached)
- B. Zoning Map (attached)
- C. Plans
 - 1. Preliminary Plan (attached)
 - 2. Final Plat (attached)
- D. Notification Information
 - 1. Mailed Notice

2. Mailing List

E. Agency Responses:

1. Site Development Section of BDS
2. PDOT RWA

F. Other:

1. Final Plat Application
2. Original Land Use Decision



FINAL PLAT STATUS REPORT
Approved

Folder # **FP 04-018606**
Address **5006 NE SIMPSON ST**
Review Date **September 10, 2008**

To: **Phillip B Stoinoff**
HOFF CONSTRUCTION
4737 NE Wasco
Portland, OR 97213

From: **John Andrew Cole, Planner**
Land Use Services Division
Phone: 503-823-3475
E-mail: coleja@ci.portland.or.us

The checklist below indicates that all conditions have been met.

FINAL PLAT SURVEY CORRECTIONS

Met	Requirement	Status
<input checked="" type="checkbox"/>	Your Final Plat survey has been routed to the service bureaus for review. They have approved the submitted draft documents	Please submit two mylar sets to me for subsequent distribution and signatures

STATUS OF CONDITIONS OF APPROVAL

Met	Condition of Approval	Status
A. Supplemental Survey		
<input checked="" type="checkbox"/>	Three copies of an additional supplemental plan shall be submitted with the final plat survey. That plan must portray how the conditions of approval listed below are met. In addition, the supplemental plan must show the surveyed location of the following 1) any buildings or accessory structures on the site at the time of the final plat application; 2) any driveways and off-street vehicle parking areas on the site at the time of the final plat application; and 3) any other information specifically noted in the conditions listed below.	Met. per July 30, 2008 e-mail from Site Development
B. The Final Plat must show the following		
<input checked="" type="checkbox"/>	1. The Applicant shall meet the requirement of the City Engineer for right of way improvements to NE 50th Avenue and NE Jarrett Street. The Applicant shall provide plans and financial assurances to the satisfaction of the Bureau of Transportation Engineering and Development for required street frontage improvements.	Met. Per City Engineer's signature
<input checked="" type="checkbox"/>	2. The Applicant shall meet the requirement of the Bureau of Environmental Services for public stormwater management improvements within the of NE 50th Avenue and NE Jarrett Street rights of way . The Applicant shall provide plans and financial assurances to the satisfaction of the Bureau Environmental Services for these improvements.	Met. Per City Engineer's signature
<input checked="" type="checkbox"/>	3. Street and storm sewer waivers of remonstrance (for future street and storm sewer improvements along Parcel 1's NE Simpson Street Frontage) shall be submitted as required by the City Engineer.	Met. Per City Engineer's signature

CASE NO. FP 04-018606
EXHIBIT A

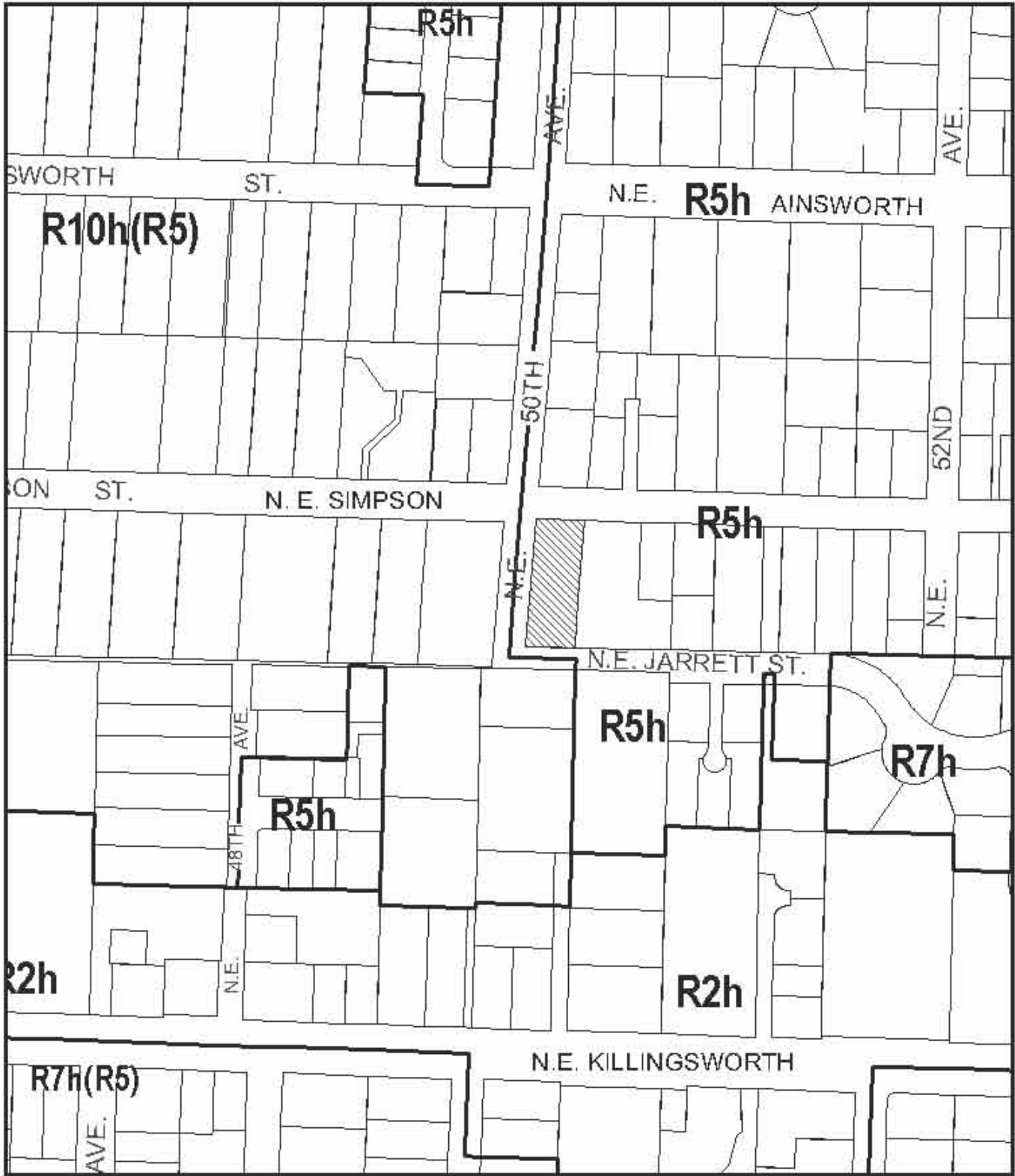
<input checked="" type="checkbox"/>	4. Documentation of the stormwater disposal systems for the existing houses shall be submitted to the Site Development Section of the Bureau of Development Services. The location of any existing or required stormwater systems serving the existing home must be shown on the Supplemental Plan. The Applicant must meet the requirements of the Site Development Section of the Bureau of Development Services in regards to stormwater management. If modifications to the existing system are required then finalized plumbing permits must be obtained and presented at time of final plat.	Met. Per July 30 th e-mail from Site Development in File.
<input checked="" type="checkbox"/>	5. Each lot must be shown to have a means of access and individual connection to a public sanitary sewer, as approved by the Bureau of Development Services.	Met

C. The following must occur prior to Final Plat approval

<input checked="" type="checkbox"/>	1. Clearing, grading and development on lot 1 shall conform with the tree preservation plan and arborist report (see attached exhibits C-1 and A-2). Trees #7 and #8 shall be preserved as specified in the arborist report. A certified arborist shall be on-site for supervision of any encroachment into an approved root protection zone.	Ongoing responsibility
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COMPLIANCE WITH FINAL PLAT APPROVAL STANDARDS

Met	Approval Standard	Status
<input checked="" type="checkbox"/>	Conformance with Preliminary Plan: The Final Plat must conform to the approved Preliminary Plan. Allowed variations are specified in Section 33.663.200 of the Zoning Code.	Met. Minor revisions still required see above
<input checked="" type="checkbox"/>	Conditions of Approval: The Final Plat must comply with all conditions of approval that apply to the Final Plat.	Met. As shown above,.
<input checked="" type="checkbox"/>	Services: All services must meet the requirements of the City Code.	Met. The City service bureaus have determined that all service requirements are met.
<input checked="" type="checkbox"/>	Dedications, tracts and easements: All dedications of property to the City or the public must be shown on the Final Plat, and must be made at the time the Final Plat is recorded. All tracts and easements must be shown on the Final Plat and the requirements of Chapter 33.636, Tracts and Easements, must be met.	Met. No dedications, tracts or easements were required with this plat so this approval standard does not apply.
<input checked="" type="checkbox"/>	Sureties: All sureties, including performance guarantees and improvement guarantees, required by the Portland City Code must be approved by the appropriate City bureau prior to Final Plat approval.	Met. See above
<input checked="" type="checkbox"/>	Maintenance Agreements and Covenants and Restrictions (CC&Rs): All maintenance agreements and CC&Rs must be reviewed and approved by the Bureau of Development Services and the City Attorney prior to Final Plat approval and must be submitted to the County Recorder to be recorded with the Final Plat within 90 day of the Final Plat approval.	No maintenance agreements or CC&Rs were required with this plat so this approval standard does not apply.



ZONING



Site

ZONING IN EFFECT AT TIME
OF PRELIMINARY PLAN
Contact DSC for current zoning

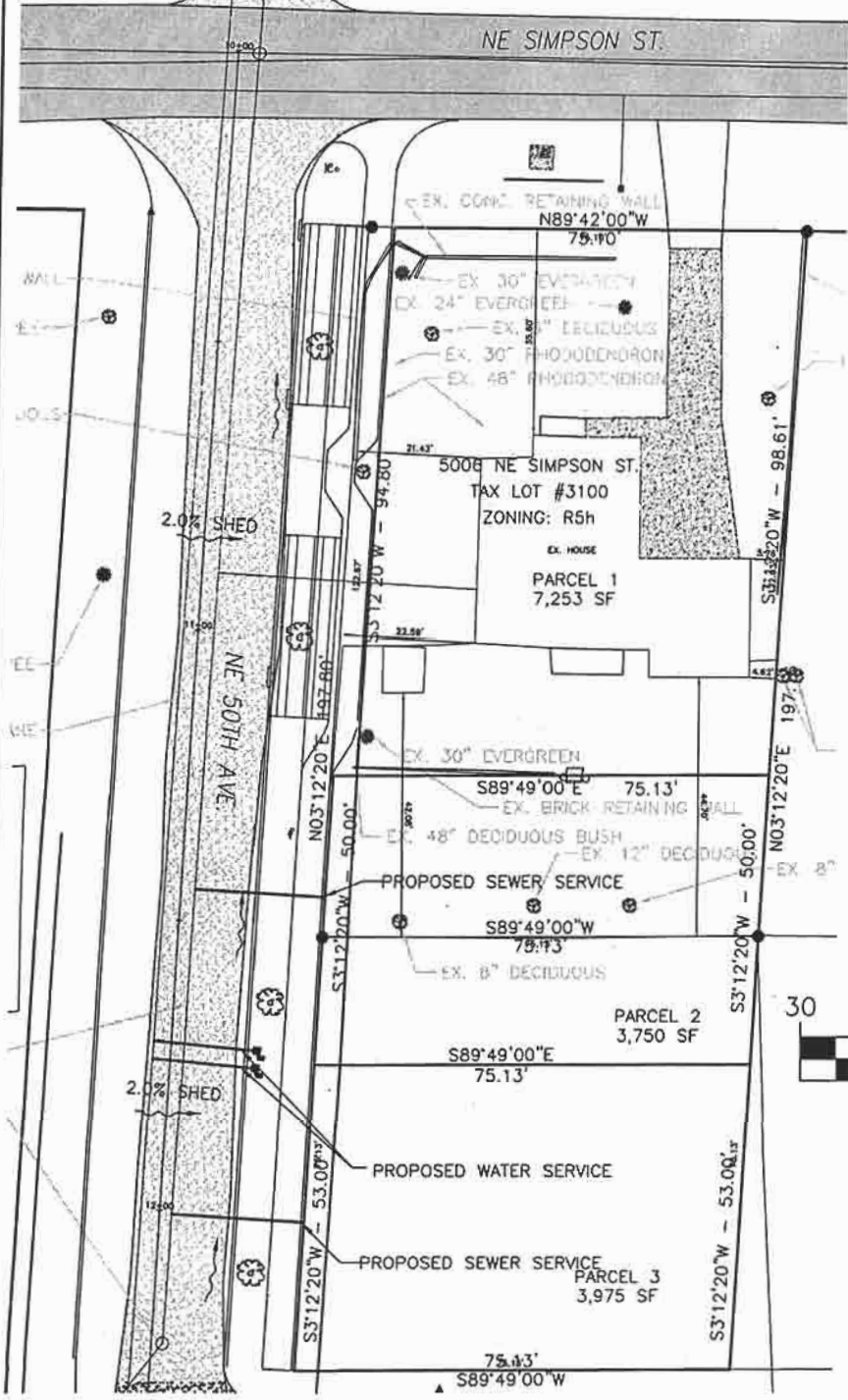


NORTH

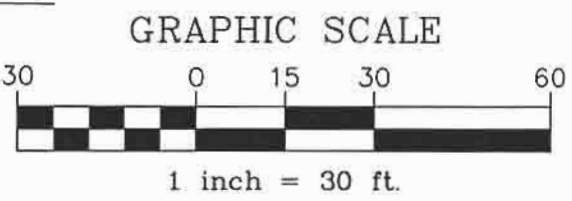
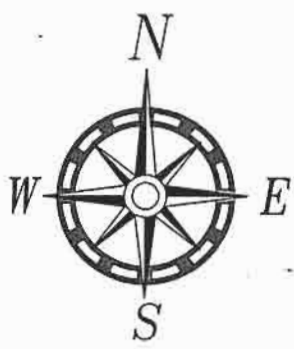
File No.	<u>FP 04-018606</u>
1/4 Section	<u>2435</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N2E18CD 3100</u>
Exhibit	<u>B</u> (Feb 09, 2007)

RECEIVED
 FEB 08 2007
 By

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Thomas P. Swart
 OREGON
 JULY 17, 1977
 THOMAS P. SWART
 2312
 RENEWABLE: 6-30-2008



5014 NE SIMPSON ST. TAX LOT #3000 ZONING R5h 5,172 SF



5006 NE SIMPSON ST. TAX LOT #3000 ZONING R5h 5,172 SF
 EXHIBIT
 CASE NO.
 CASE NO. 04-018606
 EXHIBIT C-1

CSA
 Consulting Engineers
 321 SW 4th AVE.
 4th Floor
 PORTLAND, OREGON 97204
 (503) 228-3848

5006 NE SIMPSON ST.
 PRELIMINARY LOT PLAN

Designed by:	Date:	Job No.
CLIENT	03-26-04	04-285
Drawn by:	Scale:	FIGURE
CLE	1" = 30'	1 of 1
	Dwg. NAME	

LEGEND & NOTES:

SET 5/8" x 30" IRON ROD W/IPC
 INSCRIBED "CSA CONSULT. ENGRS."
 FOUND MONUMENT AS NOTED
 NUMBER
 WITH / YELLOW PLASTIC CAP
 FOUND
 SURVEY NUMBER
 SURVEY NUMBER
 SQUARE FEET
 RECORD DATA PER SN 45264,
 MULTNOMAH COUNTY SURVEY RECORDS
 MEASURED DISTANCE
 COURSES NOT OTHERWISE CLARIFIED BY
 THE LEGEND ARE MEASURED BY THIS
 SURVEY. PLATS AND DEEDS REFERENCED
 HEREON ARE RECORDS OF MULTNOMAH COUNTY

SCALE: 1" = 30'

N.E. SIMPSON STREET
 (ROAD NO. 1465)



N.E. JARRETT STREET
 WIDTH VARIES

CONSENT AFFIDAVIT

A PARTITION PLAT CONSENT AFFIDAVIT BY UGANK, BENEFICIARY UNDER DEED OF TRUST RECORDED IN DOCUMENT NO. 2008-101521 HAS BEEN RECORDED IN DOCUMENT NO. _____ OF THE MULTNOMAH COUNTY DEED RECORDS.

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO PARTITION THAT TRACT OF LAND CONVEYED TO ANDREW AND HILDA WESTLAND BY DEED RECORDED JULY 09, 1942, IN BOOK 895, PAGE 594 MULTNOMAH COUNTY DEED RECORDS AND DESCRIBED AS THE WEST 75.00 FEET OF LOT 1, BLOCK 5, ZWAHLEN HOME SITES.

RECORDED AND HELD MONUMENTS "A", "B", "C" AND "D" FROM SN 45264, AND HELD MONUMENTS "E" AND "F" FOR THE BASIS OF BEARINGS. COMPUTED HELD MONUMENTS "G" AND "H" RECORD BEARING AND DISTANCE SOUTHERLY FROM MONUMENT "C" PER SN 45264, COMPUTED DISTANCE SOUTHERLY FROM MONUMENT "D" PER SN 45264, COMPUTED DISTANCE SOUTHERLY FROM MONUMENT "E" SOUTHERLY EXTENSION OF LINE "A" - "D" AT RECORD DISTANCE FROM MONUMENT "D" HELD THE 1/2" IRON PIPE FOUND AT MONUMENT "A" FOR THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 5, ZWAHLEN HOME SITES.

SURVEYOR'S CERTIFICATE:

I, STANLEY P. JENSEN, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ATTACHED PARTITION PLAT, SAID LAND BEING DESCRIBED AS FOLLOWS:

THE WEST 75.00 FEET OF LOT 1, BLOCK 5, "ZWAHLEN HOME SITES", SITUATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 36N, RANGE 12E, EAST WILLAMETTE MERIDIAN, CITY OF PORTLAND, COUNTY OF MULTNOMAH, STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, A FOUND 1/2 INCH IRON PIPE, SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 89°39'23" EAST, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 75.07 FEET TO THE NORTHEAST CORNER OF SAID WEST 75.00 FEET OF LOT 1; THENCE SOUTH 031°22'20" WEST ALONG THE EAST LINE OF SAID WEST 75 FEET OF LOT 1, A DISTANCE OF 197.18 FEET TO THE NORTH RIGHT-OF-WAY LINE OF N.E. JARRETT STREET; THENCE SOUTH 89°49'12" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 75.08 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF N.E. 50TH AVENUE (BEING 50.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID JARRETT STREET); THENCE ALONG THE RIGHT-OF-WAY LINE A DISTANCE OF 197.89 FEET TO THE INITIAL POINT. CONTAINING 14,810 SQUARE FEET.

DECLARATION:

KNOW ALL PEOPLE BY THESE PRESENTS THAT HOFF CONSTRUCTION, LLC, AN OREGON LIMITED LIABILITY COMPANY, THE OWNER OF THE LANDS REPRESENTED ON THE ANNEXED MAP AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, DOES HEREBY DECLARE THE ANNEXED MAP TO BE A TRUE AND CORRECT MAP OF THE PARTITION OF SAID PROPERTY AND HAS CAUSED THIS PARTITION PLAT TO BE PREPARED AND THE PROPERTY PARTITIONED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92 OF THE OREGON REVISED STATUTES AND DOES HEREBY DEDICATE THE PROPERTY SHOWN FOR STREET DEDICATION TO THE PUBLIC FOR USE FOREVER.

HOFF CONSTRUCTION, LLC, AN OREGON LIMITED LIABILITY COMPANY
 BY PHILIP STOROFF, MEMBER

ACKNOWLEDGMENT:

STATE OF OREGON }
 COUNTY OF MULTNOMAH }
 THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON
August 18, 2008, BY PHILIP STOROFF

NOTARY SIGNATURE
Mary P. Cruickshank

NOTARY PUBLIC - OREGON
MARY P. CRUICKSHANK

COMMISSION NO. 64047 390637

MY COMMISSION EXPIRES: April 6 2008 April 3 2009

MONUMENTS NOTES

- A. 1/2" IRON PIPE HELD FOR THE N.W. CORNER OF LOT 1, BLOCK 5, ZWAHLEN HOME SITES.
- B. 5/8" IRON ROD SN 45264
- C. 5/8" IRON ROD SN 45264
- D. 5/8" IRON ROD SN 45264

PARTITION PLAT NO.

A REPLAT OF A PORTION OF LOT 1, BLOCK 5, "ZWAHLEN HOMESITES" LOCATED IN THE S.W. 1/4 OF SECTION 18, T1N. R2E. OF THE WILLAMETTE MERIDIAN, CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON.
 CITY OF PORTLAND PLANNING CASE FILE NO. LU 04-018606 LDP
 AUGUST 7, 2008

APPROVALS:

APPROVED THIS 10th DAY OF September, 2008
 BY blm jbl
 CITY OF PORTLAND PLANNING DIRECTOR'S DELEGATE

APPROVED THIS 10th DAY OF September, 2008
 DEDICATION ACCEPTED UNDER ORDINANCE NO. 165059.
 BY Cherie M. Kudaly
 CITY OF PORTLAND CITY ENGINEER'S DELEGATE

APPROVED THIS _____ DAY OF _____, 200____
 COUNTY SUEVOR _____
 MULTNOMAH COUNTY, OREGON

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID AS OF _____, 200____
 DIRECTOR, DIVISION OF ASSESSMENT AND TAXATION
 MULTNOMAH COUNTY, OREGON

STATE OF OREGON }
 COUNTY OF MULTNOMAH }
 I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT
 WAS RECEIVED FOR RECORD AND RECORDED ON _____, 200____
 AT _____ O'CLOCK _____ M.

AS PARTITION PLAT NO. _____
 COUNTY RECORDING OFFICE
 BY _____ DEPUTY
 DOCUMENT NO. _____

THIS PLAT SUBJECT TO THE CONDITIONS IMPOSED BY THE CITY OF PORTLAND IN CASE FILE NO. LU 04-018606 LDP



RENEWAL DATE 6-30-2009

PREPARED FOR HOFF CONSTRUCTION LLC.
 LU 04-018606 LDP FREDRICK ZUBER III
 CSA 04-285PP.DWG

CSA
Consulting Engineers
 2895 BEAVERCREEK RD
 OREGON CITY, OR 97045
 (503) 228-3848

CASE NO. FP04-018606
 EXHIBIT C2