



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: June 11, 2010
To: Interested Person
From: Kate Green, Land Use Services
503-823-5868 / kategreen@portlandoregon.gov

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

The Bureau of Development Services has **denied** 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 10-102101 LDP

GENERAL INFORMATION

Applicant: Robert Evenson, Robert Evenson Associates
6249 SW Canyon Court
Portland OR 97221

Property Owners: Robert S and Margaret B Evenson
1530 SW Skyline Boulevard
Portland OR 97221-2503

Site Address: 1530 SW Skyline Boulevard

Legal Description: TL 2900 1.67 ACRES, SECTION 06 1S 1E
Tax Account No.: R991063090
State ID No.: 1S1E06DB 02900
Quarter Section: 3224

Neighborhood: Sylvan-Highlands, contact Dave Malcolm at 503-221-7903
Southwest Hills Residential League, contact Nancy Seton at 503-224-3840

Business District: None
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212

Plan District: Northwest Hills - Skyline
Other Designations: Potential Landslide Hazard, 20% Slopes, Streams, Metro Title 13 Ranking-High Value, Greenscape Street, Wildfire Hazard

Zoning: Multi-Dwelling Residential 2000 (R2)
Scenic Resource overlay (s)

Case Type: Land Division Partition (LDP)
Procedure: Type IIx, an administrative decision with appeal to the Hearings Officer

Proposal: The applicant proposes to divide a 74,537 square foot site to create 3 parcels. Parcel 1 will retain the existing house and will be approximately 7,822 square feet. Parcel 2 will be approximately 6,529 square feet, and it will accommodate future single or multi-housing units. Parcel 3 will be approximately 60,186 square feet and it will accommodate 14 residential units (the applicant indicates these may be condominiums or apartments). Parcel 3 is also proposed to include a 38,500 square foot "tree preservation and drainage reserve".

This partition proposal is reviewed through a Type IIX procedure because: (1) the site is in a residential zone; (2) 2 to 3 lots are proposed; and (3) the property is within a Potential Landslide Hazard Area (see 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010).

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found in Section(s):

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

ANALYSIS

Site and Vicinity: The subject property is situated on a steep wooded lot above the Sylvan interchange north of the Sunset Highway (State Highway 26). The site has frontage on SW Skyline Boulevard, which is improved with a two-lane paved roadway, with no curb or sidewalk in this location. The property is currently developed with a single-dwelling residence, built in 1999 and located near the southwest corner of the site. The balance of the site is forested and undeveloped. There is currently one driveway entering the site that provides access to off-street parking for the existing house.

At least 2 open stream channels cross through the site, flowing from north to south. The stream originates in the canyon north of the site and flows through a culvert beneath SW Skyline Boulevard onto the subject site. Other seeps and springs are located on the site, as mentioned in a Geologic Hazards Report (Exhibit A.1) provided by the applicant.

The site is adjacent to multi-dwelling zoned property to the east, commercial development to the south, and single-dwelling development to the west and north. Tri-Met provides transit service approximately 1,200 feet from the site with a stop at SW Skyline and the Sunset Highway (Highway 26) via bus #58.

Zoning: The site is located in the **Multi-Dwelling Residential 2,000 (R2)** zone, which is generally applied near streets with the following designations: Major City Traffic, Neighborhood Collector, District Collector; and local streets adjacent to commercial areas and transit streets. Allowed housing types are intended to be compatible with adjacent houses.

The site also has a **Scenic Resource (s) overlay** designation. This overlay zone is intended to protect significant scenic resources identified in the Scenic Resources Protection Plan. At this location, the noted scenic resource is SW Skyline, which is identified as a Scenic Corridor (SD 23-21) for a 3-mile section between the Sunset Highway and W Burnside. Development on the property is subject to the standards for Scenic Corridors (33.480.040.B).

The site is also within the **Northwest Hills Plan District-Skyline Subdistrict**. The purpose of the plan district is to protect sites with sensitive and highly valued resources and functional values, and the subdistrict includes requirements for land divisions or planned developments on sites 5 acres or larger. None of the plan district or subdistrict regulations are applicable to the pending application.

Land Use History: City records indicate that prior land use reviews include the following:

- ZP 5403 (90-023639): no information available
- ZP 6413 (90-024670): no information available
- 97-00056 MP (97-014102): 3-lot partition-approved with conditions; final plat-denied
- 97-01028 AD (97-015074): Adjustment to reduce front building and garage entrance setback-approved with conditions
- 09-103016 LDP: Land Division for 3 lots-withdrawn

Agency and Neighborhood Review: A Notice of Proposal in your Neighborhood was mailed on **May 3, 2010**.

1. Agency Review: Several agencies have responded to this proposal. Please see Exhibits E for details. The comments are addressed under the appropriate criteria for review of the proposal.

2. Neighborhood Review: One written response has been received from the Sylvan-Highlands Neighborhood Association, which notes general support for the applicant's proposal to relocate the drainageway, and locate the building on Parcel 3 as far away as possible.

City staff findings regarding the proposed stream re-routing are addressed in Criterion B, D, G, H, J and L, below. Findings regarding the placement of structures on the site are addressed in Criteria B, D, G, H, and J.

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.

The relevant criteria are found in Section **33.660.120 [A-L], Approval Criteria for Land Divisions in Open Space and Residential Zones**. 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 applicability of each criterion.

Criterion	Code Chapter	Topic	Applicability Findings
A	33.612	Lots	Applicable - See findings below
B	33.630	Trees	Applicable - See findings below.
C	33.631	Flood Hazard Area	Not applicable - The site is not within the flood hazard area, which is land in the 100-year floodplain as defined by the federal Emergency Management Agency (FEMA). See Land Suitability for discussion about flood zone issues related to the stream channels located on the site.
D	33.632	Potential Landslide Hazard Area	Applicable - See findings below.
E	33.633	Phased Land Division or Staged Final Plat	Not applicable - A phased land division or staged final plat has not been proposed.
F	33.634	Recreation Area	This is not required when the minimum density for the site is less than 40 units.
G	33.635.100	Clearing and Grading	Applicable - See findings below.
G	33.635.200	Land Suitability	Applicable - See findings below.
H	33.636	Tracts and Easements	Applicable - See findings below.
I	33.639	Solar Access	Not Applicable - 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	Applicable - See findings below.
K	33.641	Transportation Impacts	Applicable - See findings below
L	33.651 - 33.654	Services and Utilities	Applicable - See findings below

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 lot dimension requirements applicable in the Multi-dwelling zones. These density and lot dimension requirements ensure that lots are consistent with the desired character of each zone while allowing lots to vary in size and shape provided the planned intensity of each zone is respected.

Density Standards: Density standards match housing density with the availability of services and with the carrying capacity of the land in order to promote efficient use of land, and maximize the benefits to the public from investment in infrastructure and services. These standards promote development opportunities for housing and promote urban densities in less developed areas. Maximum densities ensure that the number of lots created does not exceed the intensity planned for the area, given the base zone, overlay zone, and plan district regulations. Minimum densities ensure that enough dwelling units can be developed to accommodate the projected need for housing.

When single-dwelling or duplex development is proposed for some or all of the site, the applicant must show how the proposed lots can meet minimum density and not exceed the maximum density stated in Table 120-3. When development other than single-dwelling or duplex development is proposed, minimum and maximum density must be met at the time of development

The total site area shown on the applicant's survey is 74,537 square feet. Generally, site area devoted to streets is subtracted from the total site area in order to calculate the minimum and maximum density. In this case, no new streets or public street dedications are proposed. Therefore, the total site area is used to calculate density, as follows:

Minimum = 74,537 square feet (total site area) ÷ 1 unit/2500 square feet (minimum density from Table 120-3) = 29.91 (which rounds up to a minimum of 30 units, per 33.930.020.A).

Maximum = 74,537 square feet (total site area) ÷ 1 unit/2000 square feet (maximum density from Table 120-3) = 37.26 (which rounds down to a maximum of 37 units, per 33.930.020.B).

Because Parcel 1 is already developed with a single-dwelling, and Parcel 2 is proposed to be developed with one dwelling unit, the remainder of the minimum density for the site as a whole must be met on Parcel 3 at the time of development.

The applicant has noted that the density proposed on Parcel 3 is 14, for the total density on the subject site of 16. The applicant notes this amount density is all that is achievable on the property, due to the steep slope of the site. However, the Landslide Hazards Study (Exhibit A.1) provided by the applicant does not address density, other than to note that the multi-family housing is proposed on the third parcel; and the applicant has not demonstrated why it is not feasible to provide additional density on the proposed parcels.

Several standards allow for some reduction in density, as follows: The Tree Preservation regulations (33.630.400.B) allow for a slight reduction in the density, if necessary to protect trees; however the maximum reduction allowed for land divisions of 2 to 10 lots is 1 unit, and that is allowed provided trees to be preserved are placed in a tree preservation tract. Additionally, the Streams, Springs, and Seeps standards (33.640.200.D) allow minimum density to be waived in order to better meet these standards.

However, as noted in the finding for Criterion B, Tree Preservation, Criterion D, Potential Landslide Hazard Area, Criterion H, Tracts and Easements, and Criterion J, Streams, Springs, and Seeps insufficient information has been provided to demonstrate how these criteria are met. Similarly, the applicant has not demonstrated how the minimum density provisions will be met on the proposed parcels.

Lot Dimensions: The lot dimension requirements ensure that: (1) Each lot has enough room for development that meets all the requirements of the zoning code; (2) Lots are an appropriate size and shape so that development on each lot can be oriented toward the street as much as possible; (3) The multi-dwelling zones can be developed to full potential; and (4) Housing goals for the City 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):

	R2 Zone Requirement	Proposed Parcel 1 (existing house)	Proposed Parcel 2 (single-dwelling)	Proposed Parcel 3 (multi-dwelling)
Lots for Multi-Dwelling Development				
Minimum Lot Area (square feet)	4,000	-----	-----	60,186**
Minimum Lot Width* (feet)	33	-----	-----	300+
Minimum Lot Depth (feet)	70	-----	-----	290+
Minimum Front Lot Line (feet)	30	-----	-----	30
Lots for Detached Houses				
Minimum Lot Area (square feet)	1,600	7,822	6,529	-----
Minimum Lot Width* (feet)	25	100	87	-----
Minimum Lot Depth (feet)	none	75	75	-----
Minimum Front Lot Line (feet)	25	140	87	-----

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

**The applicant’s Preliminary Plat (Exhibits C.1) show a “tree preservation and drainage reserve” on Parcel 3, which is to comprise approximately 38,500 square feet of this lot; however, the Portland Zoning Code regulations regarding tree preservation and drainageways do not include provisions for “reserves”, such as that proposed. The Utility Easements/Supplemental Survey Plan (Exhibit C.5) shows a “Proposed Private Storm Drainage Easement for the benefit of Parcels 1 and 2” in the same location as the “tree preservation and drainage reserve” on Parcel 3. The applicant’s intent in proposing such a feature, or how that “reserve” or easement will address the approval criteria that are applicable to the proposal is unclear.

Based on the foregoing, the lot dimensions can be met with the proposed layout of the parcels; however, the applicant has not demonstrated how the density provisions will be satisfied. Therefore, this criterion is not 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. Trees to be preserved must be within a tract, which meets specific standards, or shown on a tree preservation plan, as specified in Section 33.248.065.

The applicant has submitted an inventory of the trees within the land division site, which notes the type, trunk diameter, and “dripline” of each tree (Exhibit C.4). The applicant notes that none of the trees on the site are “exempt”, and approximately 41 percent of the trees are proposed to be retained within a “tree and drainage reserve”, shown along the south end of proposed Parcel 3. While this amount of tree preservation would comply with the tree preservation standard (Option 1), which requires at least 35 percent of the total tree diameter on the site to be preserved, no root protection boundaries are designated for any of the trees. Additionally, the Grading and Erosion Control Plan (Exhibit C.3) does not include the grading that would likely be warranted for the proposed new pipe, outfall, and stream re-routing that is shown on the Proposed Improvement Plan (Exhibit C.2). Nor does that plan include any information about the grading that could be warranted for the required right-of-way improvements (addressed in more detail in Criterion K, below). So the full extent of the grading and associated potential impacts to the protection of the noted trees does not appear to be clearly represented.

Additionally, the applicant has not demonstrated how the tree preservation requirements of the Scenic overlay will be met along SW Skyline Boulevard, with the proposed building placement.

Based on these factors, it is not possible to determine how the noted trees will be protected and preserved; and neither the tree preservation tract or tree preservation plan requirements are met. Therefore, this criterion is not met.

D. Potential Landslide Hazard Area. If any portion of the site is in a Potential Landslide Hazard Area, the approval criteria of Chapter 33.632, Sites in Potential Landslide Hazard Areas, must be met.

33.632.100 Landslide Hazard Area Approval Criterion

The following approval criterion must be met: Locate the lots, buildings, services and utilities on the safest part of the site so that the risk of a landslide affecting the site, adjacent sites, and sites directly across a street or alley from the site, is reasonably limited.

Determination of whether the proposed layout and design reasonably limits the risk of a landslide will include evaluation of the Landslide Hazard Study and will take into consideration accepted industry standards for factor of safety. Alternative development options including alternative housing types and reduced density may be required in order to limit the risk to a reasonable level.

Findings: The entire site is located within the Potential Landslide Hazard Area. The approval criteria state that the lots, buildings, services, and utilities must be located on the safest part of the site so that the risk of a landslide affecting the site, adjacent sites, and sites directly across a street or alley from the site is reasonably limited.

Site Development reviewed the landslide hazard study (LHS), Geologic Hazard Report for the Skyline Condominiums Project, dated October 22, 2009, prepared by Professional Services Industries (PSI), and finds the proposed drainageway relocation has not been designed by a professional engineer and has not yet been demonstrated to be feasible for this site. The LHS documents several shallow landslide scarps in the vicinity of the proposed outfall relocation (PSI Fig. 5). Site Development does not recommend creation of a new surface channel to convey stormwater on steep slopes and in areas prone to shallow landslides. The LHS recommended a specialist in waterway restoration be consulted for input regarding construction in and around the drainage way in order to gain control of water and sediment, no additional reports regarding this consultation have been provided.

Furthermore, as outlined in the response from Bureau of Environmental Service, the applicant must resolve the requirements pertaining to the culvert(s) and drainageway(s), and makes necessary changes to the proposed layout and design of the project, and submit revised geotechnical engineering details to address this criterion. Based on these factors, Site Development finds that insufficient design information has been provided by the applicant to confirm the Sylvan-Highlands Neighborhood Association (SHNA) assumptions that relocation can be done safely and in accordance with all applicable rules and laws.

Additionally, the LHS does not address the proposal to extend a private sewer across a steep slope prone to shallow landslides, and no grading or geotechnical engineering for the proposed private sewer lines has been provided. Similarly, no grading plan or geotechnical information has been provided to address the required frontage improvements along SW Skyline Boulevard.

The applicant's narrative uses this criterion to justify not meeting minimum density on the site. However, the landslide hazard study makes no mention of the need to reduce density and the number of units on the site due to levels of risk.

Based on these factors, the applicant has not provided sufficient geotechnical evaluation of the grading for the proposed realignment of the stream channel, the installation of the proposed private sanitary sewer service, the proposed stormwater management facilities and disposal points, the required street improvements, or the required tree protection. As such, this criterion is not 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, there are over 495 trees, 2 streams and an unidentified number of seeps and springs, on the property. It also has steep grades (over 20%) and is located in the Potential Landslide Hazard area. Therefore, the clearing and grading associated with preparation of the lots must occur in a way that will limit erosion concerns and assure that the waterways and trees to be preserved will not be disturbed.

As noted in the responses from Site Development and BES, the applicant proposes significant grading on the north portion of proposed Parcel 3, in order to re-route an existing drainage channel into a culvert and fill the existing channel. The feasibility of this is not supported in the documentation provided by the applicant; nor is it consistent with the regulations regarding streams, seeps, and springs, as noted in the findings for Criterion J, below.

Also, as noted in the response from Portland Transportation, right-of-way improvements will be required, which may necessitate grading and stormwater management, and no information has been provided to demonstrate the extent of work necessary for these improvements is feasible.

Instead of orienting development adjacent to SW Skyline, where access to services are more readily available, and grading could be more localized, the proposal calls for extensive grading and the installation of fill, which will significantly alter existing contours and drainage patterns. None of the grading for the drainageway or fill is shown on the proposed Grading and Erosion Control Plan (Exhibit C.3). Zoning Code Section 33.730.060.D requires proposed contours to be shown. Furthermore, without complete details about the extent of grading on the site and abutting right-of-way, it is not possible to verify if the grading will occur outside of the root zone of the trees that must be protected, or if stormwater will be effectively managed from each parcel and the street.

As such, the applicant has not demonstrated that existing contours and drainage patterns of the site have been left intact, where practical; or that the grading has been limited to only those areas necessary for development. Therefore, this criterion is not 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.

The site is currently in residential use, and there is no record of any other use in the past. However, as noted above, the site is located in a land slide hazard area, and the applicant has not demonstrated that the property can be developed in accordance with the landslide hazard regulations, as noted in Criterion D, above.

Additionally, the site is bisected by 2 open channels, and an unidentified number of seeps and springs, and the applicant has not provided a delineation of these features to address what bearing the geologic conditions at the site may have on the development potential of the proposed parcels. Site Development also notes that watercourses draining one acre or more are designated as Unidentified Watercourse Flood Zones; and, as such, a floodway width of no less than 15-feet would need to be provided, per Portland City Code-Section 24.50.050.I.

Until these issues are sufficiently addressed and resolved, the applicant has not demonstrated that the proposed parcels are suitable for development. Accordingly, this criterion is not met.

H. Tracts and easements. The standards of Chapter 33.636, Tracts and Easements must be met;

33.636.100 Requirements for Tracts and Easements

A. Ownership of tracts. Tracts must be owned as follows unless otherwise specified in this Title or the land use decision:

- 1. The owners of property served by the tract, or by any other individual or group of people. When the tract is owned by more than one person it must be held in common with an undivided interest;**
- 2. The Homeowners' Association for the area served by the tract;**
- 3. A public or private non-profit organization; or**
- 4. The City or other jurisdiction.**

B. Maintenance agreement. The applicant must record with the County Recorder a maintenance agreement that commits the owners or owners' designee to maintain all elements of the tract or easement; however, facilities within the tract or easement that will be maintained by a specified City agency may be recorded in a separate maintenance agreement. The maintenance agreement must be approved by BDS and the City Attorney in advance of Final Plat approval and must be submitted to the County Recorder to be recorded with the Final Plat. For a Planned Development not done in conjunction with a land division, the maintenance agreement must be submitted to the County Recorder to be recorded prior to issuance of the first building permit related to the development.

Findings: As noted in the findings for Criterion J, below, the stream channels and seeps on the site must be located within a tract(s). Additionally, as noted in Criterion B, above, if minimum density is to be reduced by 1 dwelling unit, through a Modification of the Tree Preservation Requirements (per 33.630.400.B), trees preserved must be in a tree preservation tract.

Additionally, the applicant has proposed easements for vehicular and pedestrian access to Parcel 3, and for a sanitary sewer connection to serve Parcel 3, as shown on Exhibit C.1. However, no documentation has been provided to demonstrate that such easements are in place or have been recorded and can guarantee these areas are available to serve this parcel.

Also an easement would be needed to provide the stormwater disposal for Parcels 1 and 2 over Parcel 3, as is has been shown on Exhibit C.2.

The applicant has not designated the required tract(s) or easement(s), or ownership thereof. Nor have the necessary maintenance agreements been provided for the easement required on the adjacent properties. Therefore, the applicant has not demonstrated how these requirements will be met. As such, this criterion is not met.

J. Streams, springs, and seeps. The approval criteria of Chapter 33.640, Streams, Springs, and Seeps, must be met;

33.640.200 Stream, Spring, and Seep Standards

A. Preservation in a tract. Streams, springs, and seeps must be preserved in a tract as follows:

- 1. The edges of the tract must be at least 15 feet from the edges of the stream, spring, or seep. The edges of a seep or spring are determined through a wetland delineation, performed by an environmental scientist, and approved by BDS. If one or more wetland characteristics are absent from the resource, the delineation will be based on the wetland characteristics present. The edges of a stream are defined as the top-of-bank. Where the edge of the stream, spring, or seep is less than 15 feet from the edge of the site, the tract boundary will be located along the edge of the site;**
- 2. Existing structures within the area described in Paragraph A.1 may be excluded from the tract;**
- 3. Exception. Where the tract required by Paragraph A.1 would preclude compliance with the front lot line requirements of Chapters 33.610 through .615, the stream, seep, or stream may be in an easement that meets the other requirements of Paragraph A.1.**

B. Development allowed in the tract or easement. The following development, improvements, and activities are allowed in the tract or easement:

- 1. Disturbance associated with discharging stormwater to the stream channel, if BES has determined that the site's storm water cannot discharge to a storm sewer and BDS has determined that on-site infiltration is not an option;**
- 2. Removal of non-native invasive species with hand held equipment;**
- 3. Planting of native vegetation listed on the Portland Plant List when planted with hand held equipment;**
- 4. Erosion control measures allowed by Title 10 of Portland City Code;**
- 5. Construction of required driveway connections or required connections to services when there is no practicable alternative to locating the driveways or service connections within the tract or easement; and**
- 6. Maintenance and repair of existing utilities, services, and driveways;**

C. When tract or easement may be crossed by a right-of-way. Public or private rights of way may cross the seep, spring, or stream tract or easement if the following approval criteria are met:

- 1. There is no reasonable alternative location for the right-of-way;**
- 2. The applicant has demonstrated that it is possible to construct street improvements within the right-of-way that will meet all of the following:**
 - a. The street improvements will not impede the flow of the stream, spring, or seep;**
 - b. The street improvements will impact the slope, width, and depth of the stream channel, spring, or seep to the minimum extent practicable; and**
 - c. The street improvements will not impede fish passage in a stream, spring, or seep has been identified by the Oregon Department of Fish and Wildlife as fish-bearing.**

D. Minimum density. Minimum density is waived in order to better meet these standards.

Findings: In this case, the Geologic Hazards Report (Exhibit A.1, page 8) submitted with the application indicates the presence of seeps, springs, and streams on the site, and recommends that a specialist in waterway restoration be consulted for input regarding construction in and around the drainageway (Exhibit A.1, page 9). The applicant is required to preserve these features within a tract(s) meeting the standards of 33.640.200.A above. The tract(s) must be identified on the plat, and a maintenance agreement must be executed for that tract(s), per the standards of 33.640.200.B.

Additionally, as noted in the response from BES, the Oregon Department of State Lands and the US Army Corps of Engineers have specific and different regulatory roles designed to protect the

waters within and on Oregon's boundaries. Construction, excavation, or filling in Oregon's waters, which includes intermittent streams and wetlands, may require authorization (a permit) from one or both agencies.

As noted previously, the delineated location and boundaries of the seeps, springs, and streams have not been provided; nor has a tract(s) been provided for these features. Accordingly, since no tract(s) has been identified, the applicant has not demonstrated that these requirements are met. As such, this criterion is not 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 require 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).

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.

The site has approximately 256 feet of frontage on SW Skyline Boulevard, which is currently improved with a 22-foot wide paved roadway within a 70-foot right-of-way (with no curb or sidewalk) at this location. The street is classified as a Neighborhood Collector, City Bikeway, City Walkway, and a Community Main and Greenscape street in the City's Transportation System Plan (TSP). It is also a Local Service street for the Transit mode.

Portland Transportation does not have any concerns regarding the proposed development in reference the street capacity/level of service evaluation factor, since the level of development required to meet minimum density is within the level anticipated by the R2 zone, which could be built on the site, by right, with no consideration for any impacts on the transportation system or any otherwise transportation-related issues. Therefore, Portland Transportation expects the transportation system will be able to support the existing development in the area as well as the proposed development.

With regard to facilities for all modes, the City's Pedestrian Design Guide recommends a 12-foot wide sidewalk corridor for lots situated along a City Walkway, and zoned R2. The corridor is to be comprised of a 0.5-foot curb/4-foot planter/6-foot sidewalk/1.5-foot setback to the property line. In this case, Portland Transportation will not require the applicant to provide standard improvements along this site frontage, due to the topography within and beyond the right-of-way, the location of existing development, environmentally sensitive areas, and stormwater management challenges limiting the opportunity for the recommended corridor. However, to provide some improvement to facilitate pedestrian and bicycle passage across the subject site's frontage, Portland Transportation will require the applicant to extend the asphalt-paved shoulder along the frontage of Proposed

Parcel 2 to match the shoulder depth (as closely as possible) of the existing asphalt-paved shoulder along the frontage of Proposed Parcel 1. Said shoulder widening in front of Parcel 2 may involve the construction of a retaining wall(s), which may trigger the need for a guardrail.

Without the benefit of plans depicting said improvement, Portland Transportation staff cannot determine with certainty, whether or not either the retaining wall or guardrail will be necessary. The improvements along the right-of-way will trigger stormwater management requirements which will need to be addressed with the Bureau of Environmental Services. Therefore, until plans are provided to depict the noted improvements, and any associated improvements (retaining walls, stormwater management facilities, etc), it is not possible to conclude that 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 outlined in the findings below, the Services and Utilities for sanitary and stormwater requirements are not met. As such this criterion is not met.

- The water standards of 33.651 have not been verified. An existing 4-inch cast iron water main in SW Skyline serves the existing residence. The Water Bureau notes that Parcels 2 and 3 must have separate metered services, per City code 21.12.010, which requires all new building construction that will need water to have a water service/meter installed in the public-right-of-way and within the specific property boundary/frontage. Additionally, due to the high water pressure range (above 80 psi) at this location, a PRV (Pressure Regulating Valve) will be required to be installed on the private property side of the water meter, per State of Oregon and City of Portland plumbing code, by a licensed plumber. The meter and service size will be determined by the Water Bureau based upon unit fixture count at the time of submittal of the building permit. All applicable costs will be the responsibility of the applicant.

In addition, Portland Fire notes that a fire hydrant is required to provide fire protection for the proposed structures, and new fire hydrants must be provided on a 6-inch line, yet only a 4-inch water line is available along the site frontage. Based on information from the Water Bureau staff, on June 4, 2010, the applicant would be required to upgrade the 4-inch water main between the existing 12-inch main (approximately 300-350 feet west of the site) and the subject site. Until a utility plan is provided to demonstrate how the water main extension and fire hydrant requirement can be met, the water services cannot be confirmed. See Exhibits E.3 and E.4 for more details.

- The sanitary sewer standards of 33.652 have not been verified. Parcel 1 has an existing public sanitary sewer service from an 8-inch public sanitary-only gravity main in SW Skyline. However, Parcel 2 may require a private pump sewerage system to provide a connection to a gravity branch in SW Skyline. Pumping sanitary disposal to the public sanitary-only sewer in SW Skyline may also be an option for Parcel 3. The applicant notes that sanitary services for Parcel 3 can be directed to a public sanitary sewer line in SW Canyon via an existing private sanitary easement. However, BES has extensively reviewed City plumbing records, County plat records, and private easement information that was provided by the applicant, and determined that the information provided does not confirm the location of an existing private sanitary connection for the Skyline Condos development, nor does it document existing private sanitary easements through the lots to the south of this site. Additionally, the Dye Test prepared by Locates Down Under Inc (Exhibit A.4) does not provide the field notes, site plan, or signatures required to confirm the sanitary connection. Furthermore, the utility plan (Exhibit C.5) notes a future easement is proposed over the adjacent properties; however, the applicant has not demonstrated that such an easement has been established with the neighboring property owners to confirm this sanitary sewer connection is possible. Therefore, the applicant has not shown a feasible sanitary connection. Sufficient sanitary connection documentation and plans and elevations from a licensed engineer that shows how Parcels 2 and 3 would be connected to a public sanitary sewer system must be provided in order to approve this method of sanitary disposal. See Exhibit E.1 for more details.

- The technical standards of Chapter 33.653 related to stormwater management have not been verified. The findings below for the Stormwater Management Approval Criteria of 33.653.020 incorporate a discussion of 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: 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.

The applicant notes that stormwater management is to be provided on site, utilizing stormwater planters that connect to the onsite drainageway. However, as noted previously, the boundaries of the drainageways have not be designated on the plans, so it is not possible to verify how the planters will connect to the drainageway(s); or if and where easements or tracts will be warranted for those connections. For instance, a private storm drainage easement(s) over Parcel 3 for the benefit of Parcels 1 and 2 would be warranted for the proposed disposal shown on C.2; however, none has been identified. Similarly, insufficient details have been provided to demonstrate how stormwater management and disposal will be provided for Parcel 3. As outlined in detail in the responses from Site Development and BES, the site plan and information submitted with the proposal do not demonstrate a feasible stormwater management plan.

Furthermore, Portland Transportation will require the applicant to improve the frontage of the site by widening the shoulder along the site's frontage (as discussed earlier in this report). However, no information about how stormwater from this new impervious area will be managed or disposed of has been provided.

Due to insufficient and incomplete information, the applicant has not demonstrated that a feasible stormwater management system will be provided for the right-of-way or the individual parcels. Therefore, this criterion is not 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.

Code Section	Topic	Applicability Findings
33.654.110.B.1	Through streets and pedestrian connections	Applicable - See findings below
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.
33.654.120.C.1	Width of the street right-of-way	Applicable - See findings below.
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.
33.654.120.E	Pedestrian Connections	Not applicable - There are no pedestrian connections proposed or required.
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.
33.654.130.A	Utilities	Applicable - See findings below.

Code Section	Topic	Applicability Findings
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:

- a. 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: As noted in the response from Portland Transportation, the City’s connectivity goals are not satisfied in this section of the city. However, Portland Transportation further notes that due to the topography in the general area, and that of the subject site, as well as existing development patterns in the vicinity, extending a public street or pedestrian connection through the subject site is not feasible or practicable. Based on these factors, Portland Transportation has noted no concerns about connectivity or locations of rights-of-way. For the reasons described above, this criterion is 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.

Findings: As noted in the findings for Criterion K, above, additional paving will be required along the site frontage on SW Skyline, in order to improve pedestrian and bicyclist passage along this section of the roadway. However, the paving improvements may trigger additional grading, tree removal (on the private property and public right-of-way), and stormwater management requirements. As noted in the response from Urban Forestry, the large trees within the right-of-way adjacent to the site must be protected or their removal fully mitigated. Grading and utility plans and a geotechnical report must be provided to demonstrate how the extent of these changes

for the right-of-way improvements will meet the related approval criteria. The applicant has not provided plans or reports to satisfactorily address these requirements. As such, this criterion is not 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. Any easements that may be needed for private utilities that cannot be accommodated within the public right-of-way 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.

- B. Extension of existing public dead-end streets and pedestrian connections. Existing public dead-end streets and pedestrian connections adjacent to the site must be extended onto the site as needed to serve the site.**
- C. Future extension of proposed dead-end streets and pedestrian connections. Where the land division site is adjacent to sites that may be divided under current zoning, dead-end streets and pedestrian connections must be extended to the boundary of the site as needed to provide future access to the adjacent sites. The following factors are considered when determining if there is a need to make provisions for future access to adjacent sites. A need may exist if:**
- 1. The site is within a block that does not comply with the spacing standards or adopted street plan of the Transportation Element of the Comprehensive Plan; or**
 - 2. The full development potential of adjacent sites within the block will not be realized unless a more complete street system is provided to improve access to those sites.**

Findings: As discussed under the findings for 33.654.110.C, there is no practicable opportunity to provide a through connection from the site, so there is no need to extend a street through the site. Therefore, Portland Transportation determined these criteria do not apply.

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.

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.**

Among the various development standards that will be applicable to this lot, the applicant should take note of:

Existing development that will remain after the land division. The existing development on the site will remain and be located on Parcel 1. The division of the property may not cause the structures to move out of conformance or further out of conformance to any development standard applicable in the R2 zone. Per 33.700.015, if a proposed land division will cause conforming development to move out of conformance with any regulation of the zoning code, and if the regulation may be adjusted, the land division request must include a request for an adjustment (Please see section on Other Technical Standards for Building Code standards.)

In this case, there are several Zoning Code standards that relate to existing development on the site:

- Minimum Setbacks—The existing house identified to remain on the site must meet the required Zoning Code setbacks from the proposed new lot lines. Alternatively, existing buildings must be set back from the new lot lines in conformance with an approved Adjustment or other Land Use Review decision that specifically approves alternative setbacks. The existing house will be at least 15 feet from the new property line. Therefore, the required setbacks are being met. To ensure this standard continues to be met at the final plat stage, the final plat must be accompanied by a supplemental survey showing the location of the existing building relative to the adjacent new lot lines.

With the condition noted above, this 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 http://www.water.ci.portland.or.us/
Environmental Services	Title 17; 2008 Stormwater Manual	Sewer availability Stormwater Management	503-823-7740 http://www.bes.ci.portland.or.us/
Fire Bureau	Title 31 Policy B-1	Emergency Access	503-823-3700 http://www.fire.ci.portland.or.us/
Transportation	Title 17, Transportation System Plan	Design of public street	503-823-5185 http://www.trans.ci.portland.or.us/
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 http://www.bds.ci.portland.or.us.

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; access specifications; fire hydrant spacing; addressing; no parking signs; turning radius; driving surfaces; and aerial fire department access. These requirements are based on the technical standards of Title 31 and Fire Bureau Policy B-1.

- The applicant must meet the requirements of Urban Forestry for tree protection and/or mitigation of trees in the right-of-way. This requirement is based on the standards of Title 20.

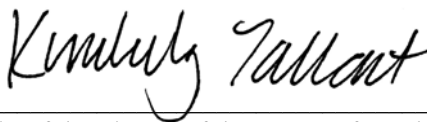
CONCLUSIONS

The applicant has proposed a 3 lot partition, as shown on the attached preliminary plan (Exhibit*). As discussed in this report, due to insufficient information, none the applicable approval criteria have been met. As outlined in Portland Zoning Code-Section 33.800.060, the burden of proof is on the applicant to show that the approval criteria are met. The burden is not on the City or other parties to show that the criteria have not been met. Based on the findings throughout this report, the applicant has not met this burden. Therefore the proposal should be denied.

ADMINISTRATIVE DECISION

Denial.

Staff Planner: Kate Green



Decision rendered by: _____ **on June 9, 2010**

By authority of the Director of the Bureau of Development Services

Decision mailed June 11, 2010

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 January 12, 2010, and was determined to be complete on April 29, 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 January 12, 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 did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: August 28, 2010.**

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 June 25, 2010** at 1900 SW Fourth Avenue. 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. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. 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 .

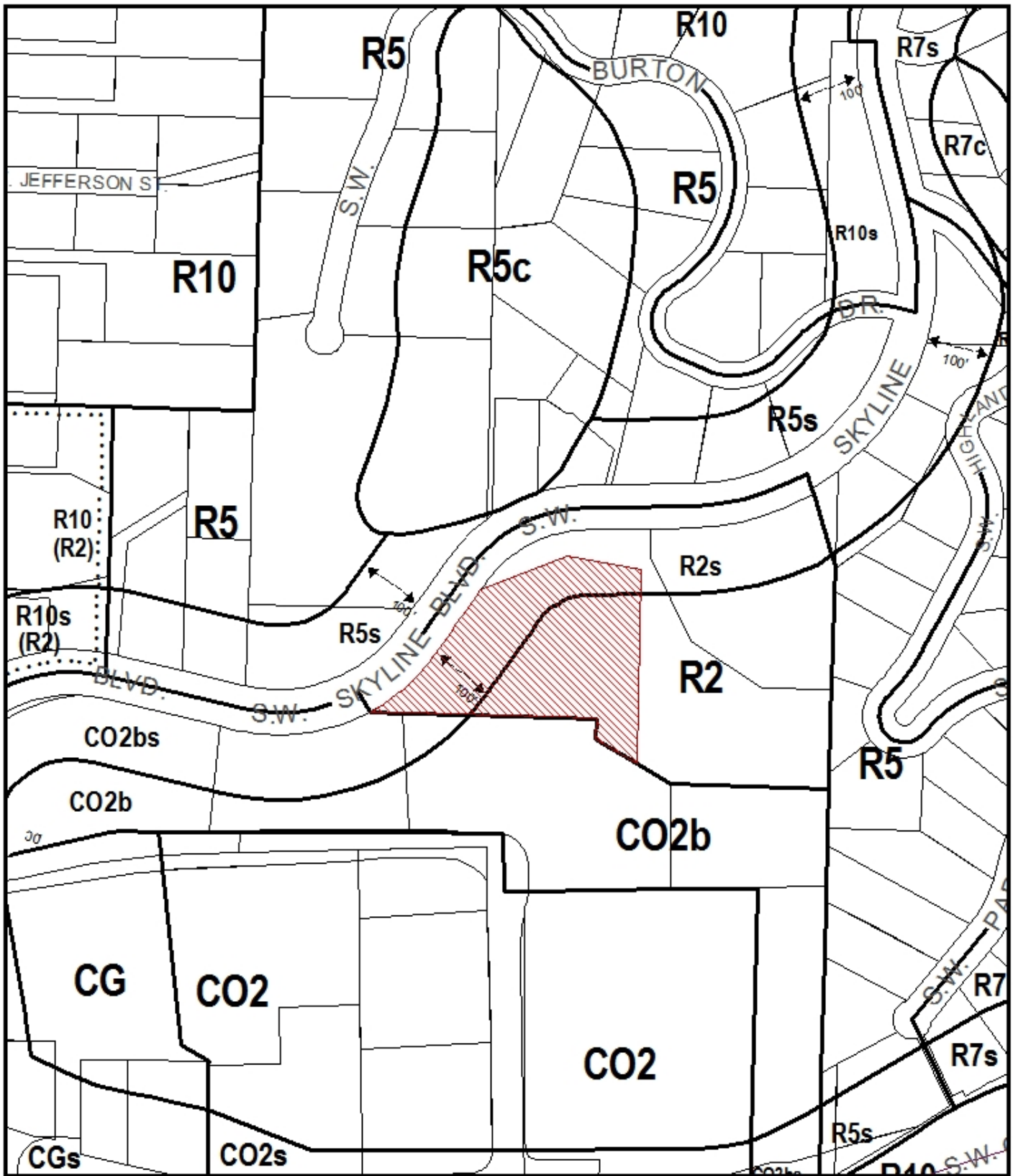
Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Hearings Officer is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing 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.

EXHIBITS
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Geologic Hazards Report, October 22, 2009, Professional Services Industries (PSI)
 - 2. Preliminary Submittal Drainage Memorandum, April 21, 2010, WH Pacific
 - 3. Supplemental Narrative, February 24, 2010
 - 4. Updated Narrative, responses to completeness issues, April 20, 2010
 - 5. Additional Narrative/Plan Revisions, April 29, 2010
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Preliminary Plat (attached)
 - 2. Proposed Improvement Plan/Utility Plan
 - 3. Grading/Erosion Control Plan
 - 4. Tree Preservation Plan & Private Stormwater Reserve
 - 5. Utility Easements/Supplemental Survey
 - 6. Utility Easements Over Neighboring Properties/Aerial Photo
 - 7. Existing Conditions Plan
 - 8. Initial Plan Submittal (full size and reduced copies)
- 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
 - 6. Urban Forestry
 - 7. Life Safety
- F. Correspondence:
 - 1. Sylvan-Highlands Neighborhood (delivered by applicant), dated April 14, 2010, re: supportive of proposal to place stream in culvert, and locate new multi-dwelling building over existing stream channel
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. Letter to applicant re: incomplete application
 - 4. Emails to/from applicant re: updated materials, review timeline
 - 5. Site Photos

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

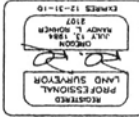


This site lies within the:
NORTHWEST HILLS PLAN DISTRICT

File No.	LU 10-102101 LDP
1/4 Section	3224
Scale	1 inch = 200 feet
State_Id	1S1E06DB 2900
Exhibit	B (Jan 14, 2010)

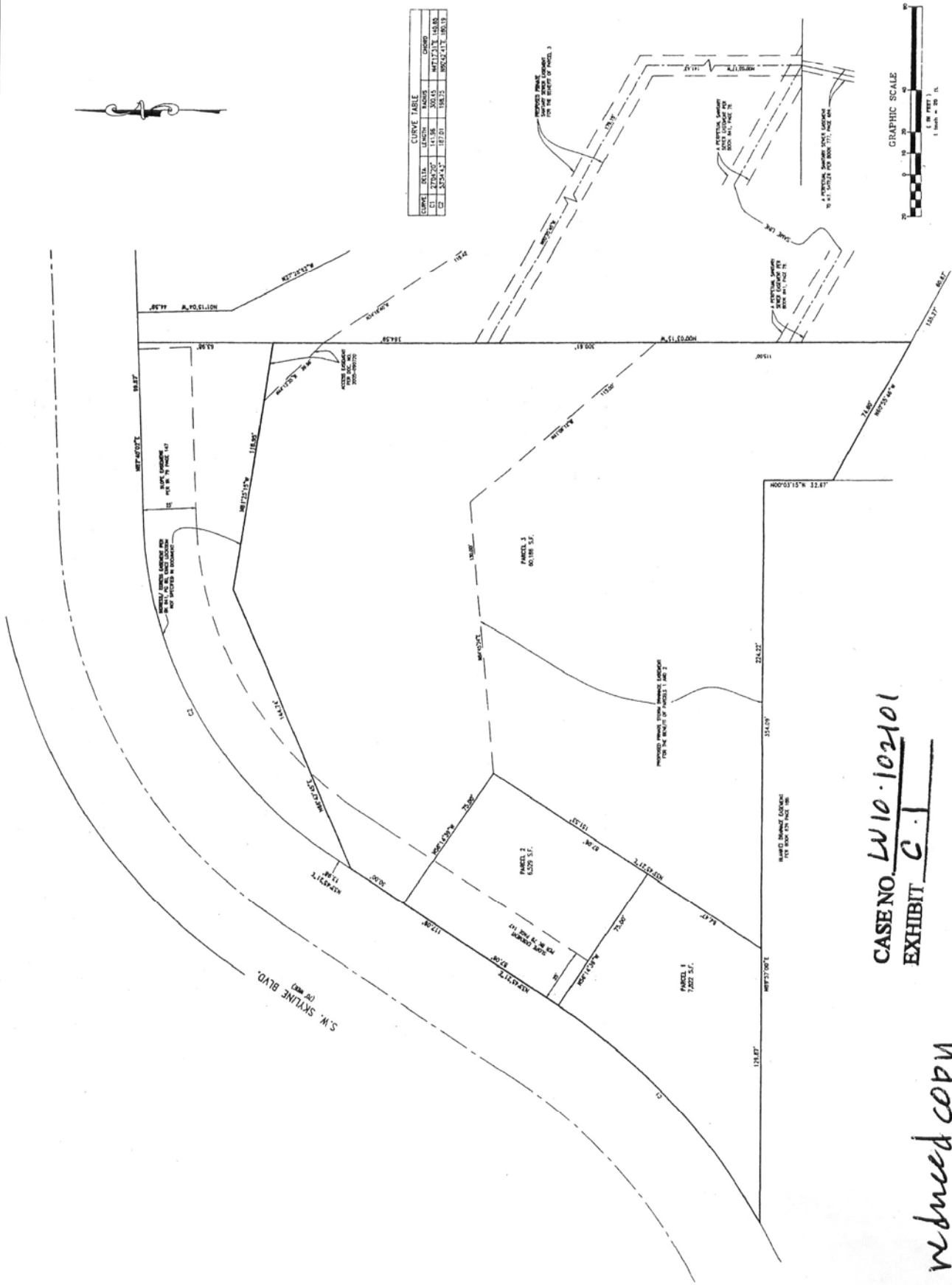


W.B. WELLS
 ENGINEER
 4230 NE FREMONT STREET
 PORTLAND, OREGON 97213
 PHONE 503-288-1400 FAX 503-288-1408
 E-MAIL: WELLS@WELLS-ENGINEERS.COM



ROBERT EVENSON ASSOCIATES
 FROM
PRELIMINARY PLAT
 1620 S.W. SKYLINE BLVD.
 CITY OF PORTLAND, COUNTY OF MULTNOMAH, STATE OF OREGON
 LOCATED IN THE SE 1/4 OF SECTION 8, T15 S1E, W1E

DATE: 04/27/09	SCALE: 1"=200'
PROJECT: 102101	DATE: 07-10-09
12/7/08 - RECORD PLAT & STAKE EASEMENT	
AND 1000' FRONT SETBACK FROM SKYLINE	
4/23/08 - APPROVED STAKE FROM GRAY FIRM	
REVISIONS	



CASE NO. LW10-102101
 EXHIBIT C-1

reduced copy