



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: October 28, 2013
To: Interested Person
From: Kathy Harnden, Land Use Services
503-823-7318 / Kathy.Harnden@portlandoregon.gov

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

The Bureau of Development Services has **approved** a proposal in your neighborhood. The reasons for the decision are included in 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 it to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 13-190639 LDP

GENERAL INFORMATION

Owners: Sandra Aung and Chris Twitty
13783 Pine Needles Drive / Del Mar, CA 92014

Applicants: Mark Person and Teeg Mackai / WB Wells & Associates, INC.
4230 NE Fremont St / Portland, OR 97213

Site Address: 1605 SE CLINTON ST

Legal Description: BLOCK 1 LOT 1, MADELINE **Tax Account No.:** R524200010
State ID No.: 1S1E11AB 05000 **Quarter Section:** 3332
Neighborhood: Hosford-Abernethy, contact Joanne Stainbrook at 503-231-9245.
Business District: Division-Clinton Business Assoc, Darice Robinson at 503-233-1888.
District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.
Other Designations: City Bikeway
Zoning: Residential 2,000 (R2)
Case Type: Land Division Partition (LDP)
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant proposes to divide the subject site into two parcels of approximately 2,986 square feet (Parcel 1) and 2,014 square feet (Parcel 2). Existing development consists of a single family home that will be retained on Parcel 1. Sanitary sewer for Parcel 2 is proposed to connect to the main in SE 16th Avenue. The applicant proposes drywells for stormwater detention and treatment. A 34 inch Douglas fir tree is located in the southwest corner of the site and will be retained.

This partition is reviewed through a Type Ix land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities, or services are proposed within a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (such as an Adjustment, Design Review, or Environmental Review) are requested or required (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). ORS 92.010 defines “parcel” as a single unit of land created by a partition of land. The applicant’s proposal is to create 2 units of land. Therefore this land division is considered a partition.

Relevant Approval Criteria:

To be approved, this proposal must comply with the approval criteria of *Title 33*. The relevant criteria are found in **Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones**.

FACTS

Site and Vicinity: The site is located on the northeast corner of the intersection of SE Clinton Street and SE 16th Avenue. Existing development consists of a house, originally constructed in 1905, and garage that will be removed. The surrounding area is fully developed with houses ranging from the same period to more modern construction. There is a New Seasons grocery located about 5 blocks to the northeast, and several more commercial buildings one block to the southwest. A naturopath clinic and grocers with apartments on the 2nd floor is located kitty-corner of the site.

Infrastructure:

- **Streets** – The site has approximately 50-feet of frontage on SE Clinton Street and 100-feet of frontage on SE 16th Avenue. At this location, both SE Clinton Street and SE 16th Avenue are classified as Local Service Streets for all modes in the Transportation System Plan (TSP). Both streets are improved with 36-foot paved roadway surfaces and 12-foot wide pedestrian corridors that consist of 4-foot planters, 6-foot sidewalks and 2-foot setbacks to private property (4-6-2) within a 60-foot right of way. Tri-Met provides frequent bus service approximately two blocks (333 feet) north of the site on SE Division Street, via Bus #4. Parking is currently allowed on both sides of both streets.
- **Water Service** – There is an existing 8-inch CI water main in SE 16th that provides service to the existing house on proposed Parcel 1. Any future upgrades or remodels to the existing house will trigger a requirement for updating the existing water service and installing a meter of appropriate size in the right of way. The main in SE 8th is available to provide service to proposed Parcel 2.
- **Sanitary Service** - There is an existing public 10-inch clay combined sewer located in SE 16th Avenue, and a public 6-inch clay combined sewer in SE Clinton Street. The existing house has service from the main in SE 16th and may continue using that service. Service for proposed Parcel 2 can be via a new connection lateral within its frontage, which is also the main in SE 16th Avenue.

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

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

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

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **September 13, 2013**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

APPROVAL CRITERIA FOR LAND DIVISIONS IN OPEN SPACE AND RESIDENTIAL ZONES

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

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

Criterion	Code Chapter/Section and Topic	Findings: Not applicable because:
C	33.631 - Flood Hazard Area	The site is not within the flood hazard area.
D	33.632 - Potential Landslide Hazard Area	The site is not within the potential landslide hazard area.
E	33.633 - Phased Land Division or Staged Final Plat	A phased land division or staged final plat has not been proposed.
F	33.634 - Recreation Area	The proposed density is less than 40 units.
H	33.636 - Tracts and Easements	No tracts or easements have been proposed or will be required.
I	33.639 - Solar Access	Maintaining existing development on the site limits new parcel configuration (33.610.200 supersedes 33.639).
J	33.640 - Streams, Springs, and Seeps	No streams, springs, or seeps are evident on the site outside of environmental zones.
L	33.654.110.B.2 - Dead end streets	No dead end streets are proposed.
	33.654.110.B.3 - Pedestrian connections in the I zones	The site is not located within an I zone.
	33.654.110.B.4 - Alleys in all zones	No alleys are proposed or required.
	33.654.120.C.3.c - Turnarounds	No turnarounds are proposed or required.
	33.654.120.D - Common Greens	No common greens are proposed or required.
	33.654.120.E - Pedestrian Connections	There are no pedestrian connections proposed or required.
	33.654.120.F - Alleys	No alleys are proposed or required.
	33.654.120.G - Shared Courts	No shared courts are proposed or required.
	33.654.130.B - Existing public dead-end streets and pedestrian connections	No public dead-end streets or pedestrian connections exist that must be extended onto the site.
	33.654.130.C - Future extension of dead-end streets and pedestrian connections	No dead-end street or pedestrian connections are proposed or required.
	33.654.130.D - Partial rights-of-way	No partial public streets are proposed or required.

Applicable Approval Criteria are:

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

Findings: Chapter 33.612 contains the density and lot dimension requirements applicable in the R3 through IR zones. The applicant is proposing 2 single family parcels.

Single-dwelling development is proposed for the entire site; therefore the proposed lots must meet minimum density and not exceed the maximum density stated in Table 120-3.

Minimum density in the R2 zone is one unit per 2,500 square feet and the maximum density is one unit per 2,000 square feet. The total site area shown on the applicant's survey is 5,000 square feet. The site has a minimum required density of 2 units and a maximum density of 2 units.

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

R2	Minimum lot area (square feet)	Minimum lot width (square feet)	Minimum lot depth (square feet)	Minimum front lot line (square feet)
Detached Houses	1,600	25	none	25
Parcel 1	2,986	50.0	59.72	50.0
Parcel 2	2,014	40.28	50.0	40.28

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

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

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

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

An arborist report was provided that inventoried trees (1) within the land division site, evaluated its condition and specified root protection zone (Exhibit A.2). There is only one tree on the site, a 34-inch diameter Douglas fir tree, located in the southwest corner of the site on proposed Parcel 1, the new parcel that contains the existing house that is to remain. The existing house is 14 feet from the trunk and a chain link fence surrounds the tree from the south and west.

The inventory identifies the following trees on the site:

Tree #	Species	Diameter (inches)	Exempt? (per 33.630.030)	To be retained?
1	Douglas Fir	34	No	Yes

The applicant proposes to preserve Tree 1, which is 100 percent of the total non-exempt tree diameter on the site. This proposal therefore complies with Option 1 of the tree preservation standards, which requires at least 35 percent of the total non-exempt tree diameter on the site to be preserved. Because there will be no development activity on Parcel 1 due to the retention of the existing house; because of the existing chain-link fence around the site; and because of the tree's distance of more than 50 feet from potential development on Proposed Parcel 2, the tree's root zone is adequately protected.

To ensure that future owners of the parcels are aware of the tree preservation requirements, the applicant must provide an Acknowledgement of Tree Preservation Requirements and record this document at the time of final plat.

To ensure this tree is retained on the site, a scaled Supplemental Plan that shows the existing house location, the existing fence to remain, the tree's location, and lists it as a tree to be preserved on the site, is required at the time of Final Plat review.

This criterion is met, subject to the conditions that any development on Parcels 1 and 2 be carried out in conformance with both the Tree Preservation Plan (Exhibit C.1) and the applicant's arborist report (Exhibit A.2), that a Supplemental Plan showing the tree's

location and any other required information, and that an acknowledgement of tree preservation requirements is submitted for review and recorded with the final plat.

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

Findings:

Clearing and Grading

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

In this case the site is primarily flat, and is not located within the Potential Landslide Hazard Area. Therefore, no significant clearing or grading will be required on the site to make the new lots developable. In addition, the only tree on the site is located on proposed Parcel 1, where the existing house is to be retained, and no grading will occur within 50 feet of the 34-inch diameter tree. Therefore, this criterion is met.

Land Suitability

The site is currently in residential use, and there is no record of any other use in the past. The existing house was built circa 1905 with a cesspool located in the northern half of the lot, although the site is currently connected to the public sanitary sewer. The City has no record that this facility was ever decommissioned. Prior to final plat approval, the applicant must meet the requirements of the Site Development Section of the Bureau of Development Services for the decommissioning of this facility. With this condition, the new lots can be considered suitable for new development, and this criterion will be met.

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

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

Findings: The regulations of Chapter 33.641 allow the traffic impacts caused by dividing and then developing land to be identified, evaluated, and mitigated for if necessary. Chapters 33.651 through 33.654 address water service standards, sanitary sewer disposal standards, stormwater management, utilities and rights of way. The criteria and standards are met as shown in the following table:

33.651 Water Service standard – See Exhibit E.3 for detailed bureau comments.
The Water Bureau has indicated that service is available to the site, as noted on page 2 of this report. The water service standards of 33.651 have been verified.
33.652 Sanitary Sewer Disposal Service standards – See Exhibit E.1 for detailed comments.
The Bureau of Environmental Services has indicated that public service is available to the site, as noted on page 2 of this report. The sanitary sewer service standards of 33.652 have been verified.
33.653.020 & .030 Stormwater Management criteria and standards – See Exhibit E.1
No stormwater tract is proposed or required. Therefore, criterion A is not applicable.
The existing house that will be located on proposed Parcel 1 has downspouts that discharge roof runoff to splash blocks. The Bureau of Environmental Services (BES) has indicated that modifications to this system will not be required.
Stormwater from Parcel 2 will be directed to an individual drywell that will treat the water and slowly infiltrate it into the ground. This lot has sufficient area for a stormwater facility

that can be adequately sized and located to meet setback standards, and accommodate water from a reasonably-sized home. The Bureau of Environmental Services has indicated conceptual approval of the drywell.

The land division application did not provide a proposed footprint for future development on proposed Parcel 2. To ensure there will be adequate space available for both the future house and the required drywell, a supplemental plan must be provided at the time of final plat review that depicts the footprint of the proposed future house and the drywell location, along with all required setbacks.

33.641 – Transportation Impacts – 33.641.020 and 33.641.030

33.654.120.B & C Width & elements of the right-of-way – See Exhibit E.2 for bureau comment

In reviewing this land division, Portland Transportation relies on accepted civil and traffic engineering standards and specifications to determine if existing street improvements for motor vehicles, pedestrians and bicyclists can safely and efficiently serve the proposed new development. In this case, Portland Transportation determined that curb and sidewalk improvements must be made in order to ensure that safe pedestrian travel is possible within the proposed development.

Both frontages are improved with a 12-ft sidewalk corridor with a 4-6-2 configuration. Current City standards, however, require a slightly smaller, 11-ft corridor with a 4.5-6-0.5 configuration. As a condition of final plat approval, therefore, the applicant must reconstruct the sidewalks to have a 4.5-6-1.5 configuration which meets the site's current 12-foot wide corridor. Or the applicants can appeal this requirement through the Public Works appeal process, to receive approval to leave the existing sidewalks in their current configuration.

To meet this standard, one of two different conditions must be met: 1) curb and sidewalk improvements must be made in conformance with Portland Transportation's current requirements. This condition requires that the proposed improvements be shown on a Supplemental Plan submitted with the Final Plat application, and the applicant must provide a financial guarantee for reconstruction of the sidewalk for corner Parcel 1 to a 4.5-6-1.5 configuration.

Or, 2) the applicants must apply for a Public Works Appeal which would allow the current sidewalk configuration to remain in place. If the public works appeal is granted for both parcels, reconstruction of the sidewalk for Parcel 2 would not be a condition of building permit approval. In this case, a copy of the approved appeal must be submitted with the building permit application.

With implementation of either condition of approval 1 or 2, as described above, this criterion will be met.

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

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

DEVELOPMENT STANDARDS

Development standards that are not relevant to the land division review, have not been addressed in the review, but will have to be met at the time that each of the proposed lots is developed.

Existing development that will remain after the land division. The existing house 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 33.70.015, 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 an 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 that is 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 5 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 line.
- **Accessory Structures** – In this zone, accessory structures are not allowed on a lot without a primary structure. Therefore, in order for the proposed new lots to meet this standard, all accessory structures on Proposed Parcel 2 must be removed prior to final plat. Demolition permits are required. The applicant must provide documentation prior to final plat approval that all required demolition permits have received final inspection. To ensure that this standard is met, a condition of approval is necessary
- **Required Off-Street Parking** – A partially paved parking pad and garage provide parking for the existing house that will be located on Parcel 1. As a result of this land division, the parking space for the existing house will be located on a different parcel, and will no longer be available to Parcel 1. The Portland Zoning Code does not require off-street parking on sites that are less than 500 feet from a transit street with 20-minute peak-hour bus, streetcar, or light-rail service. Tri-Met provides transit service approximately 335 feet north of the site on SE Division via bus number 4, which meets this requirement. As a result, no replacement parking is required for Parcel 1.

With the conditions noted above, this land division proposal can meet the requirements of Chapter 33.700.015.

OTHER TECHNICAL REQUIREMENTS

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

Bureau	Code Authority and Topic
Development Services/503-823-7300 www.portlandonline.com/bds	Title 24 – Building Code, Flood plain Title 10 – Erosion Control, Site Development Administrative Rules for Private Rights-of-Way
Environmental Services/503-823-7740 www.portlandonline.com/bes	Title 17 – Sewer Improvements 2008 Stormwater Management Manual
Fire Bureau/503-823-3700 www.portlandonline.com/fire	Title 31 Policy B-1 – Emergency Access
Transportation/503-823-5185 www.portlandonline.com/transportation	Title 17 – Public Right-of-Way Improvements Transportation System Plan
Urban Forestry (Parks)/503-823-4489 www.portlandonline.com/parks	Title 20 – Street Trees and other Public Trees
Water Bureau/503-823-7404 www.portlandonline.com/water	Title 21 – Water availability

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.

- At the time of final plat, the applicant must meet the requirements of the Fire Bureau in regard to addressing and ensuring adequate hydrant flow from the nearest fire hydrant or obtain an approved Fire Bureau appeal to this requirement. This requirement is based on the technical standards of Title 31 and Fire Bureau Policy B-1.
- The applicant must meet the requirements of Urban Forestry for street tree planting at the time of building permit review. This requirement is based on the standards of Title 20.40.
- Existing trees 12 inches in diameter or larger on private property may not be removed without an approved written permit issued by the City Forester.

CONCLUSIONS

The applicant has proposed a 2-parcel partition, as shown on the attached preliminary plan (Exhibit C.1). As discussed in this report, the relevant standards and approval criteria have been met, or can be met with conditions. The primary issues identified with this proposal are:

- Decommissioning of a cesspool
- Acknowledgement of Tree Preservation and Tree Protection Plan
- Right-of-way dedication and sidewalk corridor improvements
- Fire Bureau hydrant flow and spacing
- Addressing
- Existing building setbacks, and
- Accessory structure removal.

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

ADMINISTRATIVE DECISION

Approval of a Preliminary Plan for a 2-parcel partition, that will result in one standard lot and one flag lot, as illustrated with Exhibit C.1, and subject to the following conditions:

A. Supplemental Plan. Three copies of an additional supplemental plan shall be submitted with the final plat survey for review and approval. 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:

- Any buildings, accessory structures and fences on the site at the time of the final plat application;
- The location of the existing 34-inch Douglas fir tree;
- The proposed general location of future building footprints and stormwater facilities for Parcel 2;
- Any other information specifically noted in the conditions listed below;

B. The final plat must show the following:

1. A recording block for each of the legal documents such as an acknowledgement of tree preservation requirements as required by Condition C.7, below. The recording block(s) shall, at a minimum, include language substantially similar to the following example: "An Acknowledgement of Tree Preservation Requirements" has been recorded as Document No. _____, Multnomah County Deed Records."

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

Streets

1. The applicant shall meet the requirements of the City Engineer for right of way improvements along the site's street frontages. The applicant must obtain an approved Right of Way permit from the Portland Bureau of Transportation to reconstruct the required sidewalk corridors. The improvements along the frontage of Parcel 1, where the existing house will be retained, must be constructed prior to final plat approval. The improvements along the frontage of the undeveloped lot may be constructed with development on the lot as per the City Engineer's discretion.
2. A financial guarantee shall be provided to the satisfaction of the City Engineer to ensure that sidewalk improvements are constructed along Parcel 1, the proposed lot with the existing house; subject to any requirements of a public works appeal of this condition.
3. If sidewalk reconstruction conditions are successfully appealed, a copy of the approved public works appeal must be submitted with the final plat application.

Utilities

4. The applicant shall meet the requirements of the Site Development Section of the Bureau of Development Services for the decommissioning of the existing sanitary sewer system on the site.
5. The applicant shall meet the requirements of the Fire Bureau for ensuring adequate hydrant flow and hydrant spacing.

Existing Development

6. The applicant must plant street tree(s) along all public street frontages adjacent to Parcels 1 and 2. Street trees will be selected from the City's approved street tree list. Tree size requirements for residential sites are to be 2-inch caliper. The applicant shall contact Urban Forestry at 503-823-4018 prior to selecting trees to discuss the species of trees that are permitted and to obtain the planting permit. Urban Forestry must inspect and approve the newly planted trees during building permit review and approval.
7. Demolition of the existing garage is required. The applicant must provide documentation prior to final plat approval that all required demolition permits have received final inspection.


Required Legal Documents

8. The applicant shall execute an Acknowledgement of Tree Preservation Requirements that notes tree preservation requirements that apply to Parcel 1. A copy of the approved Tree Preservation Plan must be included as an exhibit to the acknowledgement. The acknowledgment shall be recorded with Multnomah County and referenced on the final plat.

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

1. Any development or future redevelopment on Parcel 1 shall be in conformance with the Tree Preservation Plan (Exhibit C.1) and the applicant's arborist reports (Exhibit A.1). Specifically, Tree 1, a 34-inch diameter Douglas fir, the only tree on the site, is required to be preserved, with the root protection zones indicated on Exhibit C.1.

Staff Planner: Kathy Harnden

Decision rendered by:  on October 23, 2013
By authority of the Director of the Bureau of Development Services

Decision mailed: October 28, 2013

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 August 8, 2013, and was determined to be complete on September 13, 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 August 8, 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 did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: December 6, 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.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, 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.

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.

Recording the land division. The final land division plat **must** be submitted to the City **within three years** of the date of the City's final approval of the preliminary plan. This final plat must be recorded with the County Recorder and Assessors Office after it is signed by

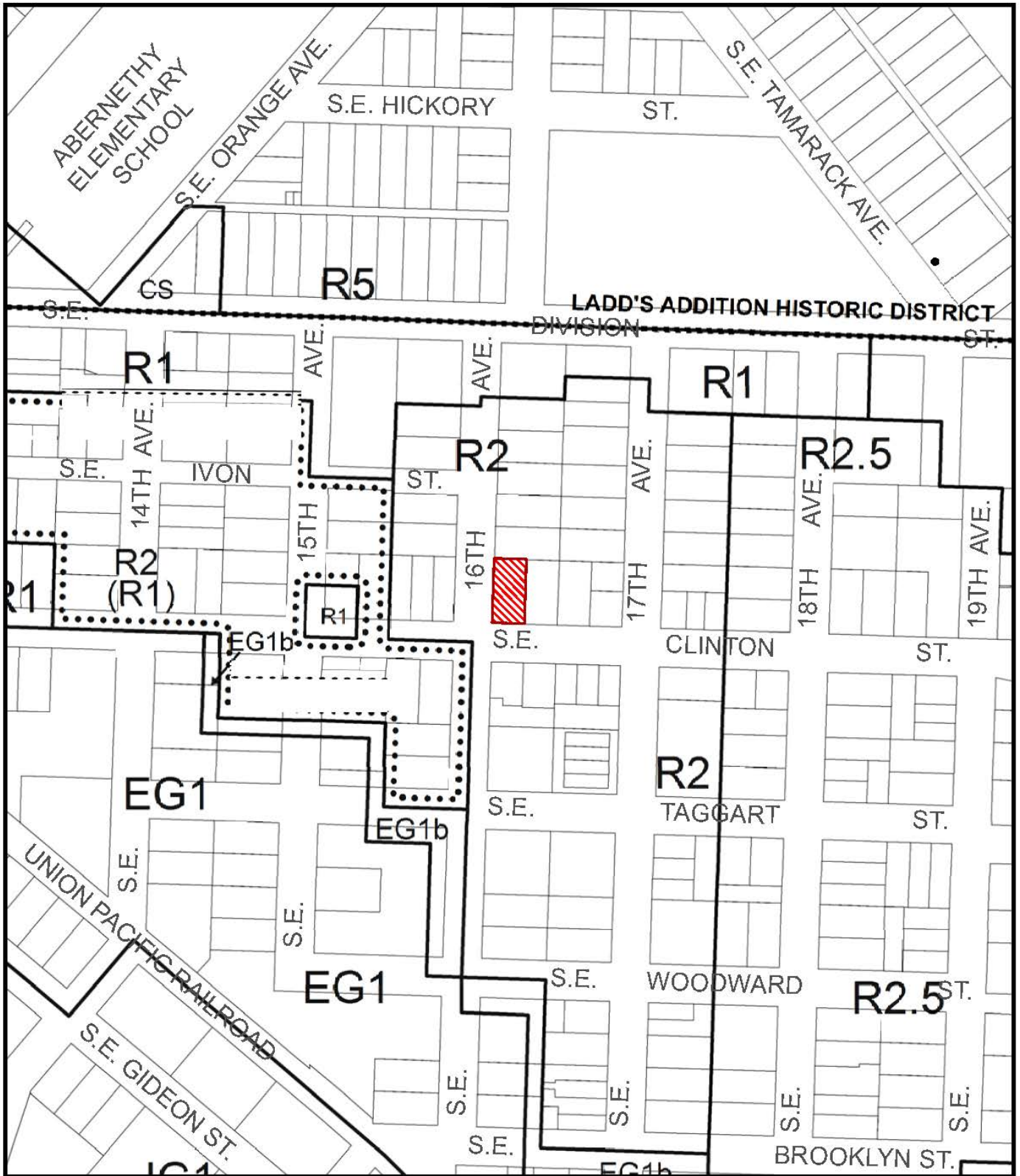
the Planning Director or delegate, the City Engineer, and the City Land Use Hearings Officer, and approved by the County Surveyor. **The approved preliminary plan will expire unless a final plat is submitted within three years of the date of the City's approval of the preliminary plan.**

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Land Division Approval Criteria
 - 2. Arborist Report
 - 3. Stormwater Infiltration Report
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Preliminary Plat (attached)
 - 2. Tree Preservation (attached)
 - 3. Full size plan set
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Urban Forestry
 - 7. Life Safety
- F. Correspondence: (none received)
- G. Other:
 - 1. Original LU Application

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING



Site



File No.	LU 13-190639 LDP
1/4 Section	3332
Scale	1 inch = 200 feet
State_Id	1S1E11AB 5000
Exhibit	B (Aug 12, 2013)



PRELIMINARY IMPROVEMENT PLAN
AUNG PARTITION
 FOR
SANDRA AUNG
 CITY OF PORTLAND, OREGON

REGISTERED PROFESSIONAL LAND SURVEYOR
 SANDRA AUNG
 JULY 15, 2008
 DOCKTON, OREGON
 EXPIRES 12-31-14

SANDRA AUNG
 12750 PINE NEEDLES DR
 BELLEVUE, WA 98007
 206-460-4061

REVISIONS	
NO.	DESCRIPTION

DESIGNED BY: SAJ
 DRAWN BY: SAJ
 CHECKED BY: SAJ
 FILE NO. 13-CORBAZE-010
 PLOT DATE: 07-25-13
 JOB NO. 13-008
 © W.B. WELLS 2008
SHEET 3 OF 4

LEGEND

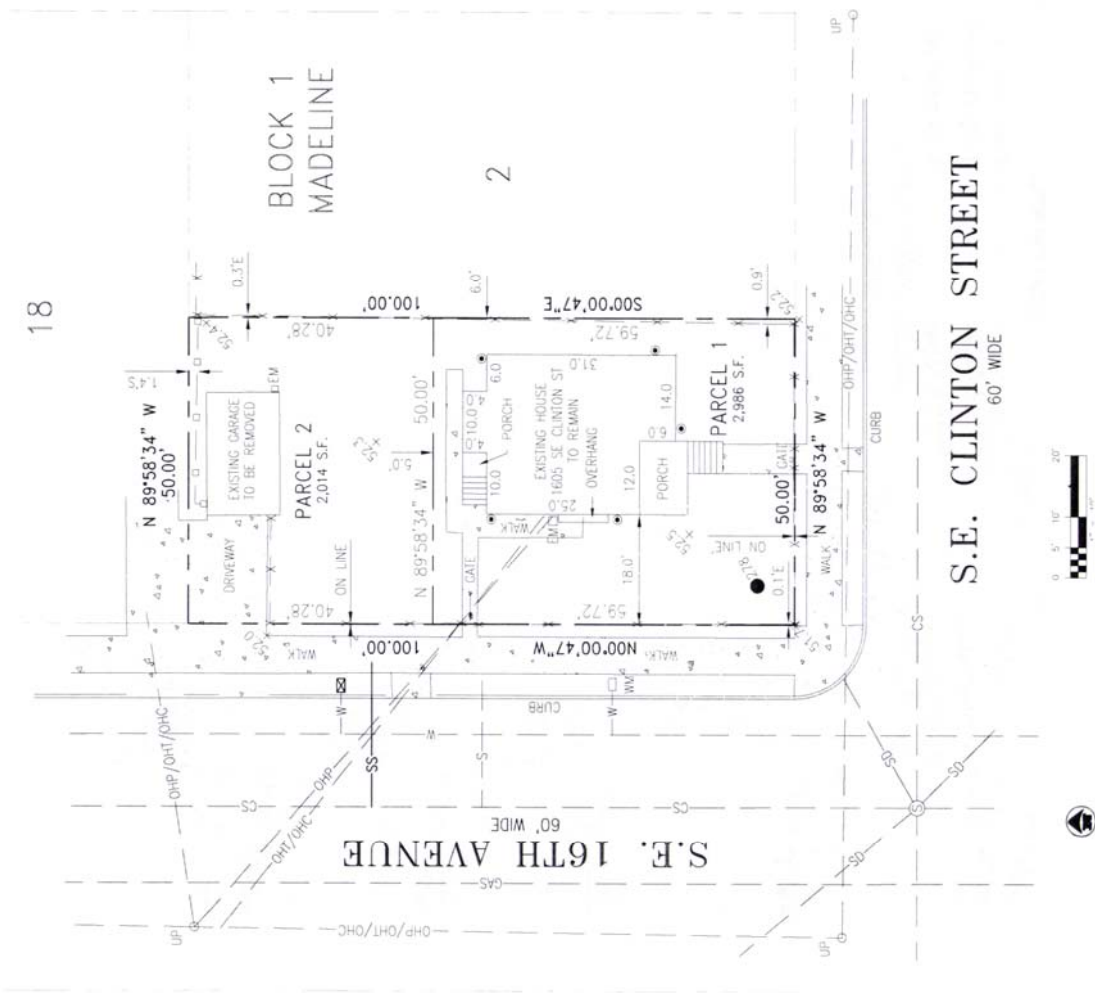
- GAS LINE
- EXISTING CONCRETE SEWER LINE AND W/P
- EXISTING OVERHEAD CABLE TELEVISION LINE
- EXISTING OVERHEAD POWER LINE AND W/P
- EXISTING OVERHEAD TELEPHONE LINE
- EXISTING WATER LINE & METER
- EXISTING 4" HIGH CHAIN LINK FENCE
- EXISTING 6" HIGH WOOD FENCE (OWNER'S/SP/SP/ LINDSAY)
- EXISTING 8.0" W.
- EXISTING LOT LINE
- PROJECT BOUNDARY
- PROPOSED LOT LINE
- PROPOSED SANITARY SEWER LATERAL
- PROPOSED AUTOMETER & SERVICE LINE
- DOWN SPOUT TO SPASH CURB
- UP UTILITY POLE
- CONCRETE
- ASPHALT
- SPOT ELEVATION

NOTE:
 ALL DOWNSPOUTS HAVE BEEN DISCONNECTED AND
 HAVE BEEN DIRECTED TO SPASHBLOCKS

NOTE

1. SPOT ELEVATIONS ARE BASED ON C.O.P. BENCH MARK #322
 E.L. = 54.522.
2. THE UTILITY LINES SHOWN HEREON ARE FROM A COMBINATION
 OF FIELD SURVEYING AND DOCUMENT SUPPLIED
 BY THE APPLICANT AND ARE NOT GUARANTEED.
3. THE SITE IS ZONED R-2 (LOW DENSITY RESIDENTIAL)

TOTAL SITE AREA
 5,000 S.F.
 0.111 ACRES



2013-190639 LDP
 Exhibit C.1

W.B. WELLS
 & Associates, Inc.
 REGISTERED PROFESSIONAL
 LAND SURVEYORS
 420 NE FREMONT STREET
 PORTLAND, OREGON 97232
 PHONE: 503-224-1113
 FAX: 503-224-1117
 WWW: www.wb-wells.com

TREE PRESERVATION PLAN

AUNG PARTITION

FOR
 SANDRA AUNG
 CITY OF PORTLAND, OREGON

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JULY 17, 1959
 DOUGLAS FIR 5487
 EXPRES 12-31-14

SANDRA AUNG
 1575 NW NEIGHBORS BLVD.
 PORTLAND, OR 97227
 503-266-4601

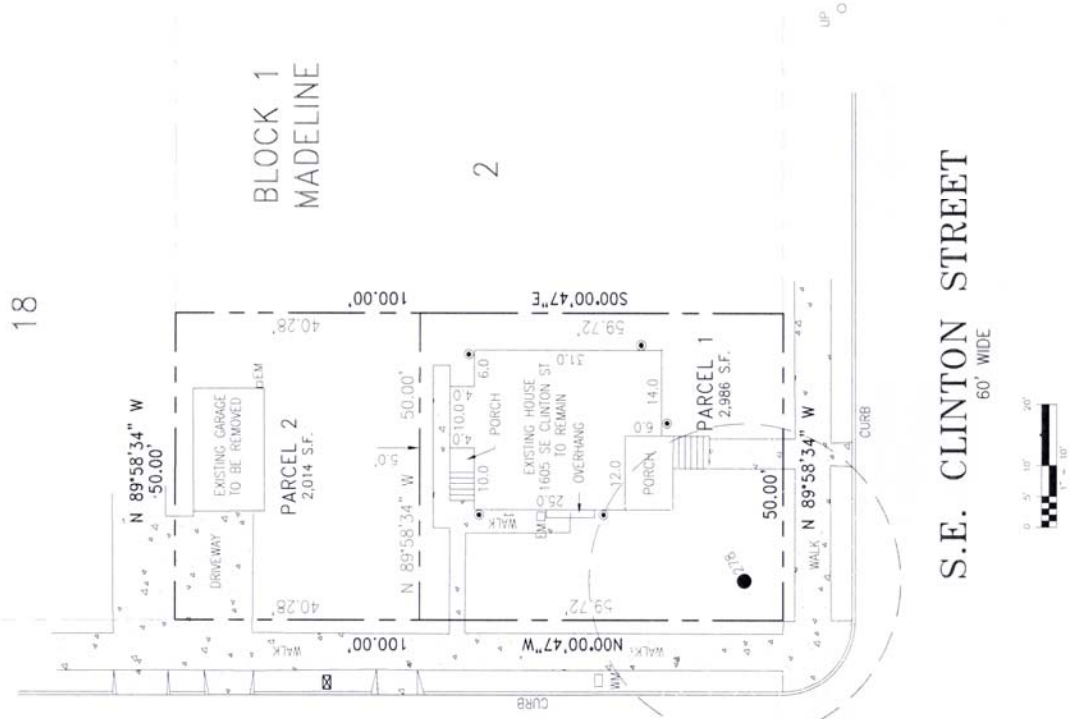
NO.	TRUNK SIZE	TYPE	IR DRIP	CONDITION/COMMENT
278	34"	P S I	DOUGLAS FIR 50"	PROTECT WITH EXISTING FENCE.

DESIGNED BY: [Blank]
 DRAWN BY: AMJ
 CHECKED BY: DTM
 FILE ID: 13-CARRIASE.DWG
 PLOT DATE: 07-25-13
 JOB NO.: 13-058
 © W.B. WELLS 2013

TREE TABLE

NO.	TRUNK SIZE	TYPE	IR DRIP	CONDITION/COMMENT
278	34"	P S I	DOUGLAS FIR 50"	PROTECT WITH EXISTING FENCE.

NOTE: IF SOMETHING TREE NOTES ABOVE WILL BE PRESERVED
 S - SAWHORN TREE
 P - PLANTED TREE
 I - TREE INCLINED TOWARD + 34"
 --- ROOT PROTECTION ZONE



1413-190639 KDP
 Exhibit C.2