



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

FROM CONCEPT TO CONSTRUCTION

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**Date:** March 24, 2014  
**To:** Interested Person  
**From:** Shawn Burgett, Land Use Services  
503-823-7618 / [shawn.burgett@portlandoregon.gov](mailto:shawn.burgett@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. Information on how to do so is included at the end of this decision.

### **CASE FILE NUMBER: LU 13-234530 LDP**

#### **GENERAL INFORMATION**

**Applicant:** Zachery Strachan  
Brooklyn's Best Design Company, LLC.  
3325 SE 12th Ave  
Portland, OR 97202

**Site Address:** 3614 NE RODNEY AVE

**Legal Description:** BLOCK 15 LOT 14, ALBINA HMSTD  
**Tax Account No.:** R010503450  
**State ID No.:** 1N1E22DD 17400  
**Quarter Section:** 2630  
**Neighborhood:** Boise, contact Stephen Gomez at 503-819-8268.  
**Business District:** North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321.  
**District Coalition:** Northeast Coalition of Neighborhoods, contact Claire Adamsick at 503-388-9030.  
**Zoning:** R2.5a (Single Family Residential 2,500 square feet with "a" alternative design density overlay)  
**Case Type:** LDP (Land Division Partition)  
**Procedure:** Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

#### **Proposal:**

The applicant is proposing a 2-lot land division resulting in two 2,500 square foot lots for attached housing. The existing house on the site will be demolished.

#### **Relevant Approval Criteria:**

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

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.

## ANALYSIS

**Site and Vicinity:** The site is located on an interior lot with frontage along NE Rodney Avenue. The house on the site was built in 1907. The development surrounding the site is primarily made up of single family residential type development.

### Infrastructure:

- **Streets** –The site has approximately 50 feet of frontage on NE Rodney Avenue. At this location, NE Rodney Avenue is classified as a Local Service Street for all other modes in the Transportation System Plan (TSP). Tri-Met provides transit service approximately 260 feet from the site along NE Fremont Street via bus line number 24.

NE Rodney Avenue includes a 4-foot wide planter area and curb, 6-foot sidewalk and 2-foot buffer at the back of the sidewalk (4-6-2 configuration).

- **Water Service** – There is an existing 8-inch water main in NE Rodney Avenue. There is an existing 5/8-inch metered service from this main that may be potentially used by Parcel 2.
- **Sanitary Service** - There is an existing 8-inch public combination sewer line located in NE Rodney Avenue. According to City records, there is an existing lateral in NE Rodney Avenue that will be available for development on this site.
- **Stormwater Disposal** – There is no public storm-only sewer available to the site. The applicant has proposed onsite infiltration within drywells for each of the proposed structures.

**Zoning:** The R2.5 designation is one of the City’s single-dwelling zones which is intended to preserve land for housing and to promote housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing.

The “a” overlay is intended to allow increased density that meets design compatibility requirements. It focuses development on vacant sites, preserves existing housing stock, and encourages new development that is compatible with the surrounding residential neighborhood. This land division proposal is not using any of the provisions of the “a” overlay.

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

**Agency Review:** Several Bureaus have responded to this proposal and relevant comments are addressed under the applicable approval criteria. Exhibits “E” contain the complete responses.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **February 7, 2014**. One written response has been received from the Neighborhood Association in response to the proposal.

**Neighborhood response:** The Neighborhood Association response expressed concern about the demolition of the historic home located on the subject site and proposed several alternative land division configurations that would create an additional lot on the site while retaining the existing house (Exhibit F-1). In summary, the letter emphasized that the historic housing located in the neighborhood are a “unique attraction” and they should be “preserved and enhanced” rather than demolished.

**BDS response:** The Zoning Code does not regulate the preservation of the existing home under the relevant approval criteria. The house does not have a landmark designation and is not within a historic district. However, it should be noted that the neighborhood letter was forwarded on to the applicant for review.

## 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:
B	33.630 – Tree Preservation	No significant trees or trees in excess of 6 inches in diameter are located fully on the site.
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	All of the proposed parcels are interior lots (not on a corner). In this context, solar access standards express no lot configuration preference.
J	33.640 - Streams, Springs, and Seeps	No streams, springs, or seeps are evident on the site outside of environmental zones.
L	33.654.110.B.2 - Dead end streets	No dead end streets are proposed.
	33.654.110.B.3 - Pedestrian connections in the I zones	The site is not located within an I zone.
	33.654.110.B.4 - Alleys in all zones	No alleys are proposed or required.
	33.654.120.C.3.c - Turnarounds	No turnarounds are proposed or required.
	33.654.120.D - Common Greens	No common greens are proposed or required.
	33.654.120.E - Pedestrian Connections	There are no pedestrian connections proposed or required.
	33.654.120.F – Alleys	No alleys are proposed or required.
	33.654.120.G - Shared	No shared courts are proposed or required.

	Courts	
	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. 611 contains the density and lot dimension requirements applicable in the R2.5 zone. Maximum density in the R2.5 zone is one unit per 2,500 square feet. The site is approximately 5,000 square feet in area and has a maximum density of 2 lots. The applicant is proposing two single family lots. The density standards are therefore met.

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

	Min. Lot Area (square feet)	Max. Lot Area (square feet)	Min. Lot Width* (feet)	Min. Depth (feet)	Min. Front Lot Line (feet)
<b>R2.5 Zone</b>	1,600	NA	36	40	30
Parcel 1	2,500 square feet		25 feet**	100 feet	25 feet**
Parcel 2	2,500 square feet		25 feet**	100 feet	25 feet**

\* Width is measured by placing a rectangle along the minimum front building setback line specified for the zone. The rectangle must have a minimum depth of 40 feet, or extend to the rear of the property line, whichever is less.

\*\* Parcel 1 and 2 are considered “narrow lots” please see discussion below

Narrow lot standards

Parcels 1 and 2 are each 25 feet wide — narrower than the minimum width for the R2.5 zone, as shown in the table above. The Zoning Code, however, allows narrower lots if the future development can meet the regulations of 33.611.200.C for the R2.5 zone.

***Consistent with the Purpose of Lot Dimension Regulations***

The lot dimension requirements ensure that: (1) each lot has enough room for a reasonably-sized attached or detached house; (2) lots are of a size and shape that development on each lot can meet the development standards of the R2.5 zone; (3) lots are not so large that they seem to be able to be further divided to exceed the maximum allowed density of the site in the future; (4) each lot has room for at least a small, private outdoor area; (5) lots are wide enough to allow development to orient toward the street; (6) each lot has access for utilities and services; (7) lots are not landlocked; (8) lots don't narrow to an unworkable width close to the street; and (9) lots are compatible with existing lots while also considering the purpose of this chapter.

The applicant has demonstrated that the proposed Parcels 1 and 2 are consistent with the purpose of lot dimension regulations for the following reasons:

- The applicant has provided an example of a building footprint that meets all applicable setback requirements and is oriented towards the street. Therefore they have demonstrated that the proposed lot(s) can accommodate a reasonably sized house and parking pad while meeting the development standards of the zoning code.
- The applicant has provided a preliminary utility plan that demonstrates that each lot has access for utilities and services
- The proposed lots are not landlocked nor do they narrow to an unbuildable width close to the street
- The proposed lots are compatible with existing lots in the area within the R2.5 zone, exceeding the minimum lot area in the zone of 1,600 square feet. For example, two lots approximately 25 feet wide accommodating detached single family residential development are located along NE Cleveland Avenue approximately 160 feet from the subject site. In addition, two lots approximately 25 feet wide accommodating attached single family residential development are located along NE Mallory Avenue approximately 325 feet from the subject site.

***The minimum width for lots that will be developed with detached houses may not be reduced below 25 feet***

- The lots will be developed with attached houses; however, the proposed parcels are both at least 25 feet wide.

***If the narrow lot abuts an alley, then vehicle access is allowed only from the alley***

- The site does not abut an alley; therefore this requirement does not apply.

***Lots must be configured so that development on the site will be able to meet the garage limitation standard of Subsection 33.110.253.E at the time of development***

- The applicant has demonstrated, with Exhibit C-1 that each lot will be built with a house that has vehicle access from the street. A garage is not proposed on either lot. The proposed homes will be set back 28 feet, which will allow the new homes to accommodate onsite parking in front of each proposed home outside of the 10 foot front setback.

***60 percent landscaping requirement for attached houses***

- The applicant has indicated that the lots will be developed with attached houses with 9 foot driveways, which leaves plenty of room to meet the 60 percent landscaping requirement at the time of development on this site.

***If parking is not required, alley access and garage limitation requirements do not have to be met if a covenant is provided.***

- Parking is required. Therefore, alley access and the garage limitation requirements described above must be met. The applicant has proposed parking on site using parking pads (9' by 18') outside of the 10 foot front setback.

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

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

**Findings:**

***Clearing and Grading***

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

In this case, the site is primarily flat and is not located within the Potential Landslide Hazard Area. Therefore, no significant clearing or grading will be required on the site to

make the new lots developable. In addition, there are no trees required to be preserved in the areas where new development on the site is anticipated. This criterion is met.

### **Land Suitability**

The site is currently in residential use, and there is no record of any other use in the past. The applicant has proposed to remove the existing house and redevelop the site. In order to ensure that the new lots are suitable for development, a permit must be obtained and finalized for demolition of all structures on the site and sewer capping prior to final plat approval. With this condition, the new lots can be considered suitable for development, and this criterion is met.

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

**Findings:** The transportation system must be capable of safely supporting the proposed development in addition to the existing uses in the area. The Development Review Section of the Portland Bureau of Transportation has reviewed the application for its potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, and for potential impacts upon transportation services.

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.

At this location, NE Rodney Ave is classified as a Local Service Street for all modes. It is improved with a 12-ft sidewalk corridor with a 4-6-2 configuration. The current configuration is within 1-ft of the current standard and meets the exemptions of TRN 1.22. No dedications and or street improvements are required. Most of the sidewalk will likely have to be reconstructed when closing the existing driveways and constructing new driveways.

### **Street Capacity and Levels of Service**

The proposal will result in a net increase of 1 single-family residence. This residence can be expected to generate 10 daily vehicle trips with 1 trip occurring in each of the AM and PM Peak Hours. This small increase in peak hour vehicles will not have significant impact on intersection levels of service or street capacity. No mitigation is needed.

### **Connectivity**

The existing east/west street grid meets connectivity standards.

### **Vehicle Access/Loading**

The new lot will have a driveway to provide access to parking and loading from each lot.

### **On-Street Parking Impacts**

The new lots will have at least one on-site parking space with an additional space between the proposed home and the front property line. Impacts to the on-street parking supply should be minimal.

Sidewalks along both sides of the area streets provide adequate pedestrian facilities. Given the low vehicle speeds and volumes on NE Rodney, cyclists can safely share the roadway.

Based on these requirements, this criteria are 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:** 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:

<p><b>33.651 Water Service standard</b> – See Exhibit E.3 for detailed bureau comments.</p> <p>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.</p>
<p><b>33.652 Sanitary Sewer Disposal Service standards</b> – See Exhibit E.1 for detailed comments.</p> <p>The Bureau of Environmental Services has indicated that 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.</p>
<p><b>33.653.020 &amp; .030 Stormwater Management criteria and standards</b> – See Exhibits E.1</p> <p>No stormwater tract is proposed or required. Therefore, criterion A is not applicable.</p> <p>The applicant has proposed the following stormwater management methods</p> <ul style="list-style-type: none"> <li>• <b>Parcels 1 and 2:</b> Stormwater from these lots will be directed to individual drywells that will treat the water and slowly infiltrate it into the ground. Each of these lots has sufficient area for a stormwater facility that can be adequately sized and located to meet setback standards, and accommodate water from a reasonably-sized home. BES has indicated conceptual approval of the drywells with a supplemental survey showing setbacks from the attached house to the drywells can be met.</li> </ul>
<p><b>33.654.110.B.1 Through streets and pedestrian connections</b></p> <p>Generally, through streets should be provided no more than 530 feet apart and at least 200 feet apart. The block on which the subject property is located meets the noted spacing requirements.</p> <p>The site is within the Portland Master Street Plan for the Northeast District. No through street or pedestrian connections are proposed at this location. Therefore, the proposal is consistent with the master street plan.</p> <p>For the reasons described above, this criterion is met.</p>

## DEVELOPMENT STANDARDS

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

### Future Development

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

- Narrow Lots-- development on Parcels 1 and 2 will be subject to the following standards at the time of development permitting:
  - Height of the structures will be limited to 1.5 times the width of the structure, per 33.110.215.B.2; and
  - Garages: where the street facing façade of a unit is less than 22 feet long, an attached garage is not allowed as part of that façade, per 33.110.253.E.3.b

**Existing development that will remain after the land division.** The applicant is proposing to remove all of the existing structures on the site, so the division of the property will not cause the structures to move out of conformance or further out of conformance with

any development standard applicable in the R2.5 zone. Therefore, this land division proposal can meet the requirements of 33.700.015.

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

## OTHER TECHNICAL REQUIREMENTS

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

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

- The applicant must meet the requirements of the Fire Bureau in regards to addressing requirements; ensuring adequate fire hydrant spacing or installing a new hydrant; ensuring adequate hydrant flow from the nearest fire hydrant or obtaining an approved Fire Bureau appeal to this requirement; if required, recording an Acknowledgement of Special Land Use Conditions that requires the provision of internal fire suppression sprinklers; meeting fire apparatus access, including aerial access. These requirements are based on the technical standards of Title 31 and Fire Bureau Policy B-1.

## 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.

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

## ADMINISTRATIVE DECISION

**Approval** of a Preliminary Plan for a 2 parcel partition, that will result in two narrow lots as illustrated with Exhibit C-1, subject to the following conditions:



**A. Supplemental Plan.** Three copies of an additional supplemental plan shall be submitted with the final plat survey for BES review and approval. The supplemental plan must show the location of the following:

- The proposed general location of future building footprints and stormwater facilities for each of the vacant lots.

Any other information specifically noted in the conditions listed below

**B. The final plat must show the following:**

1. If required, a recording block for each of the legal documents such as maintenance agreement(s), acknowledgement of special land use conditions, or Declarations of Covenants, Conditions, and Restrictions (CC&Rs) as required by Condition C.4 below. The recording block(s) shall, at a minimum, include language substantially similar to the following example: "An Acknowledgement of Special Land Use conditions" as been recorded as document no. \_\_\_\_\_, Multnomah County Deed Records."

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

1. The applicant shall provide information to the satisfaction of the Fire Bureau that Fire Hydrant spacing is adequate. If necessary, the applicant shall meet the requirements of the Fire Bureau for installing a new fire hydrant. The applicant must contact the Water Bureau, Development Services Department at 503-823-7368, for fee installation information related to the purchase and installation of fire hydrants. The applicant must purchase the hydrant and provide verification to the Fire Bureau that the Water Bureau will be installing the required fire hydrant, with the required fire flow and pressure.
2. The applicant shall meet the requirements of the Fire Bureau for ensuring adequate hydrant flow from the nearest hydrant. The applicant must provide verification to the Fire Bureau that Appendix B of the Fire Code is met, the exception is used, or provide an approved Fire Code Appeal prior final plat approval.

**Existing Development**

3. A finalized permit must be obtained for demolition of the existing residence on the site and capping the existing sanitary sewer connection. Note that Title 24 requires a 35-day demolition delay period for most residential structures.

**Required Legal Documents**

4. If required, per Conditions B.1 or B.2 above, the applicant shall execute an Acknowledgement of Special Land Use conditions, requiring new residential development to contain internal fire suppression sprinklers, per Fire Bureau Appeal no \*. The acknowledgement 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. The applicant must meet the addressing requirements of the Fire Bureau for Parcels 1 and 2. The location of the sign must be shown on the building permit.
2. If required, the applicant will be required to meet any requirements identified through a Fire Code Appeal/install residential sprinklers in the new dwelling units on Parcels 1 and 2. Please refer to the final plat approval report for details on whether or not this requirement applies.
3. The applicant must provide a fire access way that meets the Fire Bureau requirements related to aerial fire department access. Aerial access applies to buildings that exceed 30

feet in height as measure to the bottom of the eave of the structure or the top of the parapet for a flat roof.

**Staff Planner: Shawn Burgett**

**Decision rendered by:** S. Burgett **on March 20, 2014**  
By authority of the Director of the Bureau of Development Services

**Decision mailed March 24, 2014**

**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 December 4, 2013, and was determined to be complete on **January 31, 2014**.

*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 December 4, 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. **The 120 day deadline is May 31, 2014.**

**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. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandonline.com](http://www.portlandonline.com).

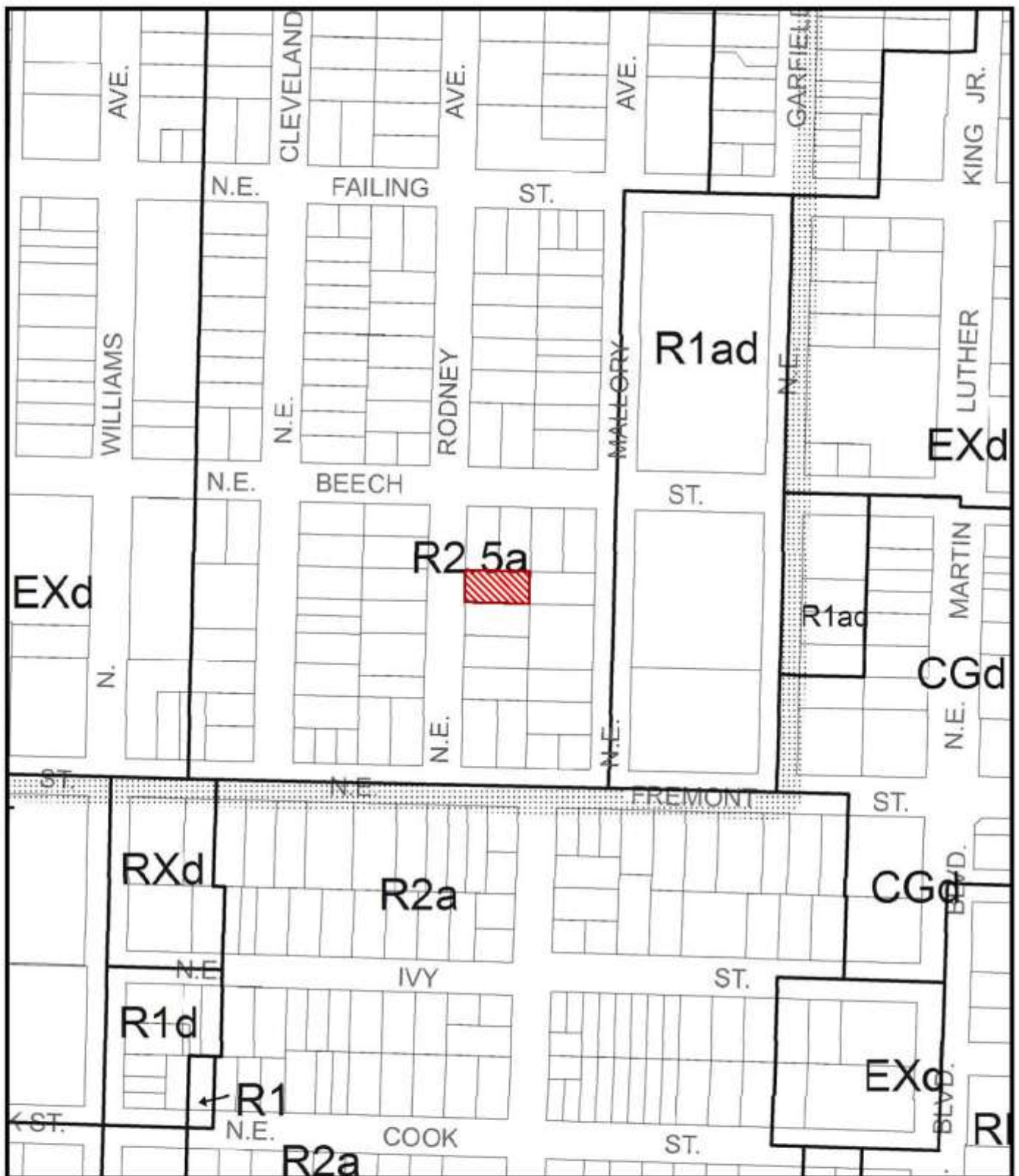
**Recording the land division.** The final land division plat **must** be submitted to the City **within three years** of the date of the City's final approval of the preliminary plan. This final plat must be recorded with the County Recorder and Assessors Office after it is signed by the Planning Director 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. Applicants Narrative
  - 2. Simplified approach
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Site Survey (attached)
- 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. Bureau of Parks, Forestry Division
  - 7. Life Safety
- F. Correspondence:
  - 1. Ted Buehler/Stephen Gomez, Boise Neighborhood Association
- G. Other:
  - 1. Original LU Application
  - 2. Incomplete Letter dated 1/3/14

**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).**



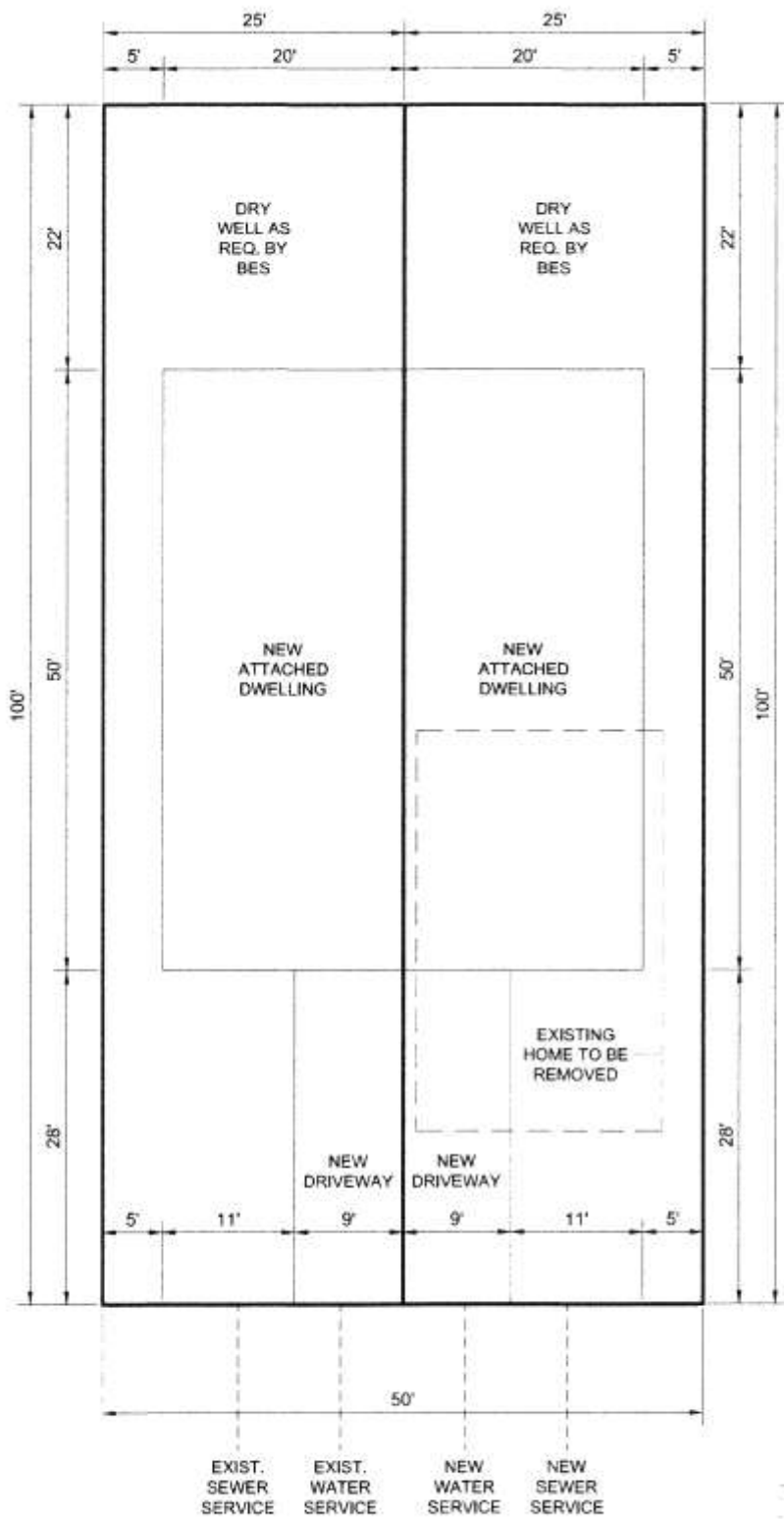
# ZONING



Site



File No.	LU 13-234530 LDP
1/4 Section	2630
Scale	1 inch = 200 feet
State Id	1N1E22DD 17400
Exhibit	B (Dec 09, 2013)



**ATTACHED HOUSING IMPROVEMENT PLAN**

13-234530  
C-1

Date: 1/3/14  
Revision: 1  
Scale: 1/16" = 1'-0"

**3614 NE RODNEY  
PROPOSED IMPROVEMENT PLAN**

**A-1**

DRAWN BY: [ ]  
 CHECKED BY: [ ]  
 DATE: 11-19-23  
 SCALE: 1"=40'  
 PLOT DATE: 11-23-23  
 JOB NO: 13-111  
 FILE: P-03-11033-111-01-00

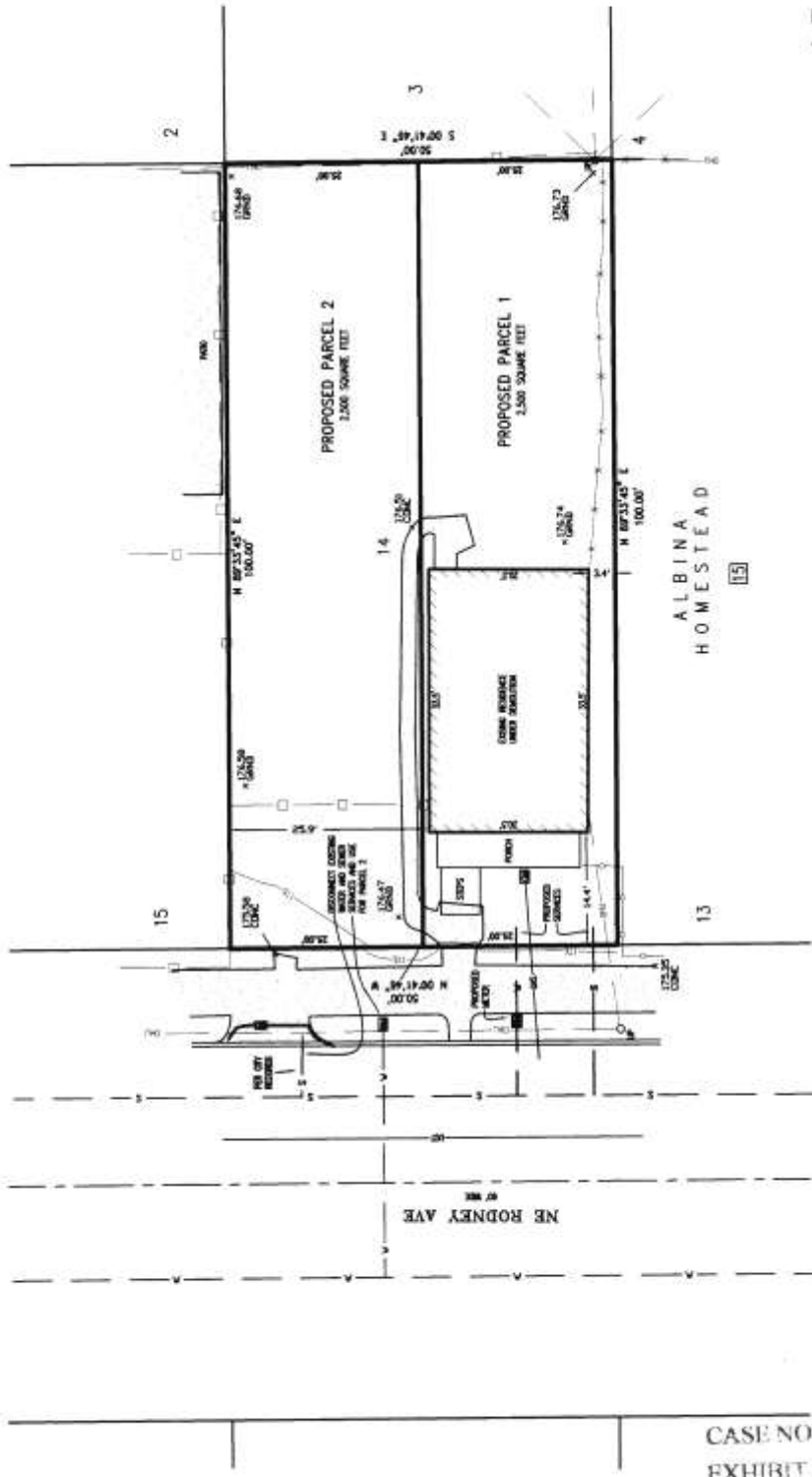
THIS SURVEY AND ALL THE RIGHTS HEREIN ARE THE PROPERTY OF W.B. WELLS & COMPANY, INC. AND WILL REMAIN THE PROPERTY OF W.B. WELLS & COMPANY, INC. UNLESS OTHERWISE SPECIFIED.

**BROOKLYN'S BEST DESIGN CO.**

**SUPPLEMENTAL SURVEY**



SHEET 1 OF 1



13-234530  
 11-23-23  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 W.B. WELLS  
 STATE OF NEW YORK  
 LICENSE NO. 10000

THE UNDERGROUND UTILITIES SHOWN HEREIN ARE FROM A COMBINATION OF FIELD SURVEY AND RECORDS. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE AREA AND HAS FOUND NO OTHER UTILITIES. THE SURVEYOR DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS APPROXIMATELY LOCATED THE UNDERGROUND UTILITIES.

- LEGEND**
- H- SHOWN UTILITIES
  - U- UNDERGROUND UTILITIES
  - G- GROUND
  - C- CITY RECORD
  - M- METERS
  - P- PLY
  - C- CONCRETE
  - S- SIDE WALK
  - T- TRAIL
  - D- DRIVE
  - B- BENCHMARK
  - O- OPEN

**BENCHMARK**  
 CITY OF BROOKLYN, NEW YORK  
 BENCH MARK AT THE CORNER OF NE  
 ALBINA AND NE RODNEY AVE  
 ELEVATION = 111.00' TOP OF CURB



CASE NO. 13-234530  
 EXHIBIT C-2  
 LW 13-234530 LDP