



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

FROM CONCEPT TO CONSTRUCTION

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**Date:** May 12, 2015  
**To:** Interested Person  
**From:** Brandon Rogers, Land Use Services  
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## **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 mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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 15-114833 LDP**

#### **GENERAL INFORMATION**

**Applicant:** Kevin Partain  
223 NE 56th Ave / Portland, OR 97213

**Owner:** Vladimir Ozeruga  
PO Box 11778 / Portland OR 97211

**Site Address:** 3914 N GANTENBEIN AVE

**Legal Description:** BLOCK 24 LOT 10, CENTRAL ALBINA  
**Tax Account No.:** R146804040  
**State ID No.:** 1N1E22DC 02200  
**Quarter Section:** 2630  
**Neighborhood:** Boise, contact Stephen Gomez at 503-819-8268.  
**Business District:** North-Northeast Business Assoc, contact Joice Taylor at 503-841-5032.

**District Coalition:** Northeast Coalition of Neighborhoods, contact [info@necoalition.org](mailto:info@necoalition.org)  
**Zoning:** Residential, 2,500 (R2.5) with the "a" Alternative Design Denstiy overlay zone.

**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 has requested approval of a land division of a 5,000 square foot site to create two 2,500 square foot parcels for development of two attached homes. The parcels are 25-foot wide narrow lots meeting the regulations of Portland Zoning Code Section 33.611.200.C.2. Water and sewer services will be provided from existing services located in N Gantenbein Street. Vehicle access is from the alley. Stormwater management will be

provided by on-site drywells. The site does not contain any trees subject to tree preservation requirements.

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:** In order 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 currently developed with a single family residence that will be removed prior to approval of the final plat. The site is level and does not contain any trees subject to tree preservation. The surrounding neighborhood is developed with a mix of single and multiple family residences, with commercial uses located along N Williams Avenue. SEI Academy/Unthank Park, a charter school and park, are located within three blocks of the site. The surrounding street grid is well developed, with paved streets and sidewalks.

### Infrastructure:

- **Streets** – At this location N Gantenbein Street is classified as a Local Service Streets for all modes. It is improved with a 12-ft sidewalk corridor with a 4-6-2 configuration. One driveway serves the existing residence. Tri-Met provides transit service approximately 200 feet to the east at N Vancouver Avenue.
- **Water Service** – There is an existing 6-inch water main in N Gantenbein Avenue. The existing house is served by a 5/8-inch metered service from this main.
- **Sanitary Service** - There is an existing 16-inch public combination sewer line in N Gantenbein Avenue.
- **Stormwater Disposal** – There is no public storm-only sewer currently available to this property.

**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 **March 23, 2015**. No response was received from the Neighborhood Association. One written response has been received from an abutting property owner in response to the notice (Exhibit F.1). A staff response is provided below.

- **Noise caused by demolition and construction activities.**

**Staff Response:** Portland City Code Title 18, Noise Control, sets maximum permissible sound levels related to construction activities and equipment. Additionally, Title 18 limits the days and hours for construction activities. Noise complaints are managed by the Portland Office of Neighborhood Involvement Noise Control Program, who may be reached at 503-823-7350 or by email at [noise@portlandoregon.gov](mailto:noise@portlandoregon.gov). There are no land division approval criteria related to noise.

## 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 or outside of the environmental zone 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	Select one: The proposed development is for something other than single-dwelling detached homes.  Maintaining existing development on the site limits new parcel configuration (33.610.200 supercedes 33.639).  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 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 33.611 contains the density and lot dimension requirements applicable in the R2.5 zone. The maximum density is one unit per 2,500 square feet. Minimum density is one unit per 5,000 square feet based on 80 percent of the site area. The calculations result in a maximum density of 2 units and a minimum required density of 1 unit. The applicant is proposing two single dwelling parcels. 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		25	100	25
Parcel 2	2,500		25	100	25

\* 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.

Narrow Lots

Both parcels are 25 feet wide, which is 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.

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

The purpose of Lot dimension regulations are as follows:

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, demonstrating that the proposed lots can accommodate a reasonably sized house 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 narrow lots are compatible with existing lots because the neighborhood exhibits several lots that are narrower than 36-feet, including 8 parcels within the R2.5 zone that are 25 feet wide on the Zoning Map (Exhibit B). Two of these narrow lots are located adjacent to the north of the 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; therefore, this standard does not apply.

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

- The site abuts an improved alley, and the applicant has proposed to provide vehicle access to all the lots from the alley. A condition of approval requires vehicle access from the alley.

***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***

- No garages are proposed. The applicant has proposed paved parking pads for each parcel accessed from the alley. However, garages accessed from the alley would also meet this requirement.

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

- No driveways or garages facing N Gantenbein Avenue are proposed; therefore this requirement can be met at the time of development.

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 garage 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. 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. The Development Review Section of the Portland Bureau of Transportation (PBOT) has reviewed the application (Exhibit E.2) 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.

- **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 site is only 100-ft north of the east/west N Failing Street. Connectivity requirement do not apply.

- **Vehicle Access/Loading**

The new lot will have a driveway to provide access to parking and loading from the existing alley.

- **On-Street Parking Impacts**

The new lots will have at least one on-site parking space and parking provide via the alley, the on-street parking spaces on N Gantenbein will be increased by one space as a result of closing the existing driveway. Impacts to the on-street parking supply should be minimal.

- **Availability of Transit**

Tri Met Bus Line #44 is available to serve the site with a stop at N Williams and N Beach.

- **Neighborhood Impacts**

The site is being developed with a new single-family residence in compliance with the existing R2.5 zoning. In addition, existing standard frontage improvements including removing the existing driveway will reduce the potential for conflicts between pedestrians and vehicles.

- **Safety for All Modes**

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

PBOT has reviewed and concurs with the information supplied and available evidence. No mitigation is necessary for the transportation system to be capable of safely supporting the proposed development in addition to the existing uses in the area. These 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:** 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 Bureau has responded that an unpaid water bill must be paid prior to approval of the final plat. 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. The applicant has proposed individual drywells that will treat the water and slowly infiltrate it into the ground for each parcel. 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.</p>
<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. In addition, the site is not within an area that has an adopted Master Street Plan, so criterion d. does not apply. For the reasons described above, this criterion is met.</p>
<p><b>33.654.120.B &amp; C Width &amp; elements of the right-of-way</b> – See Exhibit E.2 for bureau comment</p> <p>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. Portland Transportation has not identified or been made aware of any factors related to this proposal that lead to a conclusion other than that one additional dwelling can be safely served by this existing street without having any significant impact on the level of service provided.</p> <p>At this location N Gantenbein Street is classified as a Local Service Streets for all modes. It is improved with a 12-ft sidewalk corridor with a 4-6-2 configuration. The frontage improvements will include closing the existing driveway and replacing a dead street tree with new trees per the requirements of the City Forester as conditions of building permit approvals. If a majority of the sidewalk is in need of repair, it must be constructed with a 4.5-6-1.2 configuration to provide a standard planting strip for the new street trees. Otherwise, per TRN 1.22, the existing configuration may remain. Vehicle access is proposed via the existing paved 15-ft wide alley. On-site parking pads must be set back a minimum of 5-ft from the alley property line to provide 20-ft of back up distance. A condition of approval will require the minimum 5-foot setback. With this condition of approval, this criterion is met.</p>
<p><b>33.654.130.A - Utilities (defined as telephone, cable, natural gas, electric, etc.)</b></p> <p>Any easements that may be needed for private utilities that cannot be accommodated within the adjacent right-of-ways 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.</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.
- All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every 3 lineal feet of foundation. (33.110.240.C.2.d(1)).
- Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios. (33.110.240.C.2.d(2)).

**Existing development that will remain after the land division.** The applicant is proposing to remove all of the existing structures on the site. Therefore, 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 hydrant flow from the nearest fire hydrant or obtaining an approved Fire Bureau appeal to this requirement; fire apparatus access, including aerial access. These requirements are based on the technical standards of Title 31 and Fire Bureau Policy B-1.
- The Urban Forestry division of Portland Parks requires the applicant to show street tree planting on the building permit site plans.



## CONCLUSIONS

The applicant has proposed a two 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: development standards for narrow lots, planting of street trees at the time of development, five-foot setback for parking pads accessed by the alley. With conditions of approval that address these requirements this proposal can be approved.

## ADMINISTRATIVE DECISION

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

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

1. 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 D.2 below. The recording block(s) shall, at a minimum, include language substantially similar to the following example: "A Declaration of Maintenance Agreement for (name of feature) has been recorded as document no. \_\_\_\_\_, Multnomah County Deed Records.

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

### Utilities

1. 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.
2. The applicant shall satisfy the water bureau's requirement for payment of the past due water account at this site.

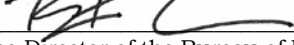
### Existing Development

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.

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

1. The applicant must meet the Fire Bureau requirements for addressing and aerial fire department access. Aerial access applies to buildings that exceed 30 feet in height from the fire access as measured to the bottom of the eave of the structure or the top of the parapet for a flat roof.
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. Please refer to the final plat approval report for details on whether or not this requirement applies.
3. Vehicular access to Parcels 1 and 2 shall be from the abutting public alley. Curb cuts are not permitted from N Gantenbein Avenue. On-site parking pads shall be set back a minimum of 5-ft from the rear property line to provide 20-ft of back up distance.
4. Street Tree planting must be shown on the building permit site plans.

**Staff Planner: Brandon Rogers**

**Decision rendered by:**  **on May 8, 2015**  
By authority of the Director of the Bureau of Development Services

**Decision mailed May 12, 2015**

**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 February 4, 2015, and was determined to be complete on **March 12, 2015**.

*Zoning Code Section 33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on February 4, 2015.

*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: July 10, 2015**.

**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).

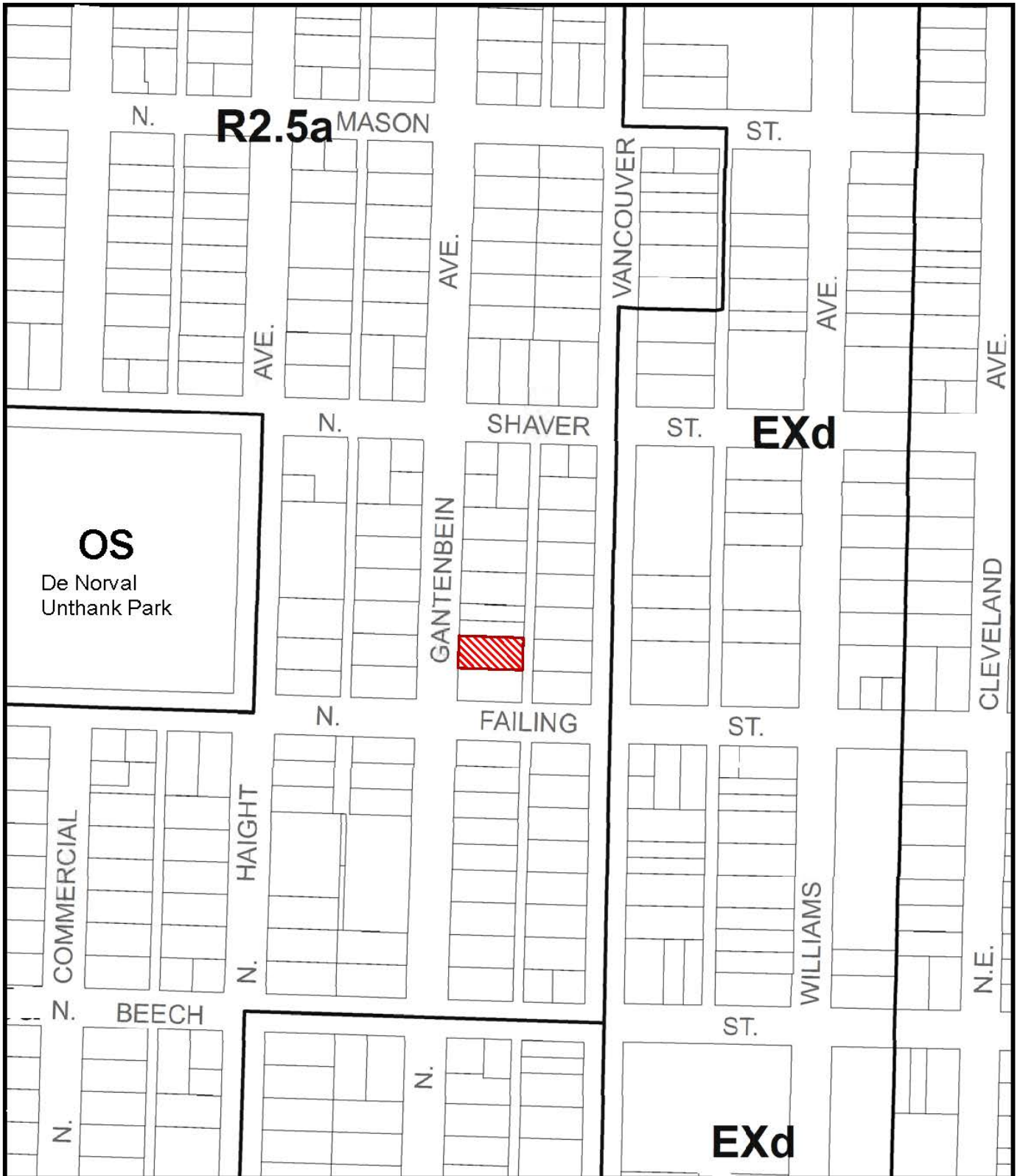
**Recording the land division.** The final land division plat **must** be submitted to the City **within three years** of the date of the City's final approval of the preliminary plan. This final plat must be recorded with the County Recorder and Assessor's Office after it is signed by the Planning Director 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. Original Submittal
  - 2. Applicant's Response to Incomplete Letter
  - 3. Revised Submittal
  - 4. Simplified Stormwater Report
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Preliminary Land Division Plan/Proposed and Existing Conditions Plan (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. Life Safety Section of BDS
  - 7. Portland Parks & Recreation, Urban Forestry Division
- F. Correspondence:
  - 1. Judy Chang, Received March 24, 2015
- G. Other:
  - 1. Original Land Use Application
  - 2. Incomplete Letter

**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

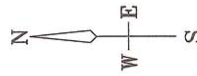


Site



NORTH

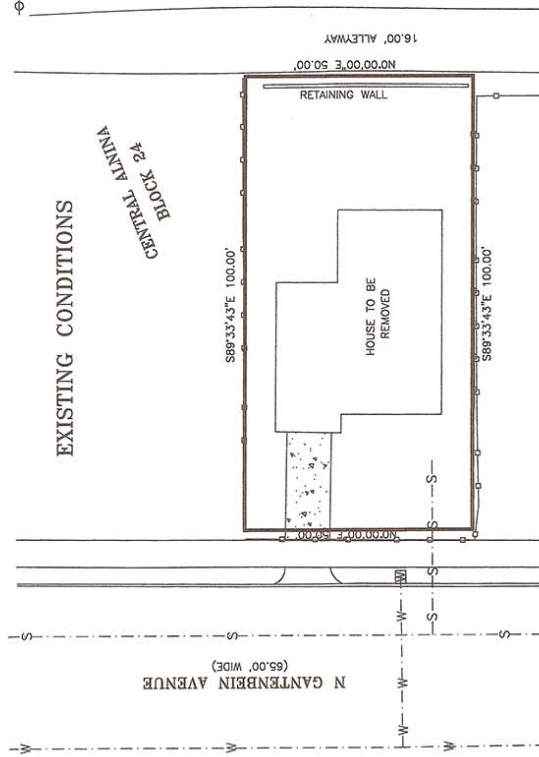
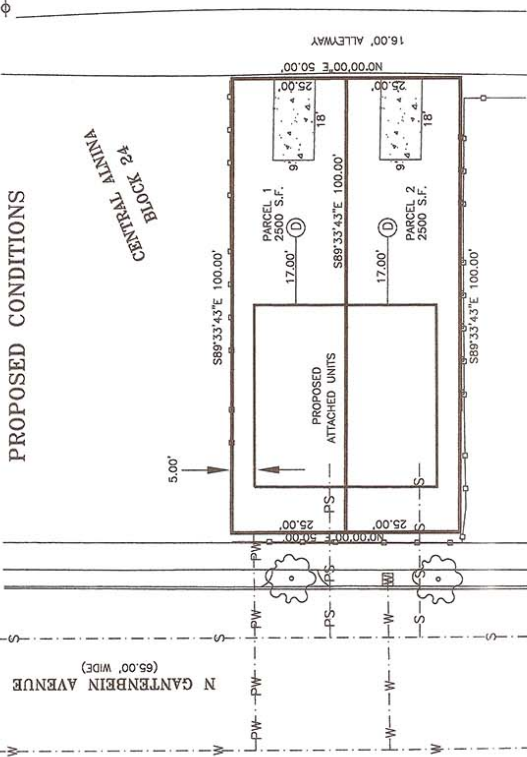
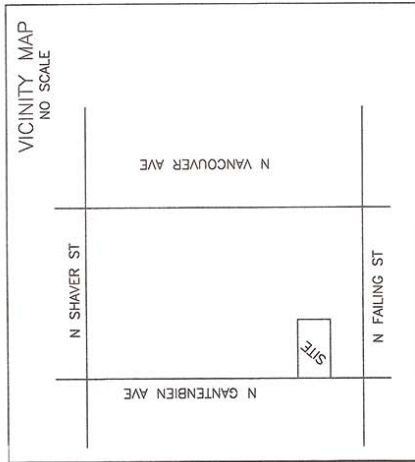
File No. LU 15-114833 LDP  
 1/4 Section 2630  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E22DC 2200  
 Exhibit B (Feb 06, 2015)



SCALE  
1" = 20'  
0 20

**SYMBOLS**

- ⊕ = POWER POLE
- ⊙ = GUY ANCHOR
- ⊞ = WATER METER
- ⊞ = GAS METER
- ⊞ = ELECTRIC METER
- ⊞ = WATER VALVE
- ⊞ = GAS VALVE
- ⊞ = MANHOLE
- ⊞ = PROPOSED DRYWELL
- ⊞ = CATCH BASIN
- ⊞ = FIRE HYDRANT
- ⊞ = DOWN SPOUTS
- W — = WATER LINE
- G — = GAS LINE
- E — = ELECTRIC LINE
- S — = SAN. SEWER
- PS — = PROPOSED SAN. SEWER
- PW — = PROPOSED WATER LINE
- ⊙ = PROPOSED 1.5" DIA. CASCARA STREET TREE



**Ferguson Land Surveying, Inc.**  
 646 SE 106TH AVE. PORTLAND, OR 97216  
 Phone (503) 408-0601 Fax (503) 408-0602  
 www.FergusonLandSurveying.com

**SITE PLAN**

LOT 10, BLOCK 24, "CENTRAL ALBINA"  
 IN THE 001<sup>ST</sup> SECTION SW, T.1N., R.1E., W.M.  
 CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

PORTLAND REDEVELOPMENT  
 VLADIMIR OZERUBA  
 PO BOX 13728  
 PORTLAND, OR 97211

DATE: JANUARY 21ST, 2015

REVISIONS  
 REVISIONS  
 REVISIONS

JOB NO. 15-005  
 DRAFTED 1/26/15

SHEET 1 OF 1

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*[Signature]*

OREGON  
 JULY 25, 1880  
 JOE H. FERGUSON  
 2445

RENEWAL DATE 12/31/15

REC'D 3-12-15  
 REV 1/15/15

CASE NO. 15-119833-000  
 EXHIBIT C.1