



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

FROM CONCEPT TO CONSTRUCTION

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

Date: November 8, 2016
To: Interested Person
From: Shawn Burgett, Land Use Services
503-823-7618 / 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 mailed copy of this document is only a summary of the decision. 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 16-123917 LDP

GENERAL INFORMATION

Applicants: Sarah Radelet
Strata Land Use Planning
Po Box 90833
Portland, OR 97290

Bob Pierce
Pierce Development LLC
2106 NW 7th Ave
Camas, Wa 98607

Owner: Daniel Kalenichenko
Riverside Carpentry LLC
13707 SE Willingham Ct
Clackamas, OR 97015

Site Address: 7466 N VAN HOUTEN AVE

Legal Description: BLOCK 3 N 1/2 OF LOT 19-21, PORTSMOUTH
Tax Account No.: R669900580
State ID No.: 1N1E07DA 08500
Quarter Section: 2224
Neighborhood: University Park, contact Tom Karwaki at karwaki@yahoo.com.
Business District: None
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

Zoning: R2.5 (Single Family Residential 2,500)
Case Type: LDP (Land Divison 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 to construct attached houses on lots measuring 2,752 sq ft. in site area. The existing home on the site will be demolished. Both lots are considered narrow lots since the proposed lot width (27.5 feet wide) is less than the 36 ft. minimum standard for the zone. Proposed Parcel 1 will utilize the abutting alley for vehicle access to the rear of the new lot, while Parcel 2 is proposing vehicle access from N Van Houten Avenue via a new driveway connection.

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 N Van Houten Avenue and an unimproved alley running parallel to the site along its northern property boundary. The existing house which is being demolished on the site was built in 1924. The development surrounding the site is primarily made up of a mix of residential and commercial development. The property directly north of the site (across the alley) zoned for Commercial Development and currently has an existing commercial use located on it abutting N Lombard Street. The adjacent properties to the east, west and south are all in existing residential uses.

Infrastructure:

- **Streets** –The site has approximately 55 feet of frontage on N Van Houten Avenue and approximately 100 feet of frontage along the adjacent alley that runs parallel to the site. At this location, N Van Houten Avenue is classified as a Local Service Street for all other modes in the Transportation System Plan (TSP). Tri-Met provides transit service approximately 125 feet from the site along N Lombard Street via bus line number 75.

N Van Houten Avenue includes a 4-foot wide planter area and curb, 5-foot sidewalk and 0.5-foot buffer at the back of the sidewalk (4-5-0.5 configuration).

- **Water Service** – There is an existing 4-inch water main in N Van Houten. There is an existing 5/8-inch metered service from this main that may be potentially used by Parcel 1.
- **Sanitary Service** - There is an existing 6-inch public combination sewer line located in N Van Houten Avenue that will be extended to the 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.

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 **August 29, 2016**. No written response has been received from the Neighborhood Association 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:
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 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. 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)
R2.5 Zone	1,600	NA	36	40	30
Parcel 1	2,752 square feet		27.5 feet**	100 feet	27.5 feet**
Parcel 2	2,752 square feet		27.5 feet**	100 feet	27.5 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 Lots

Parcels 1 and 2 are 27.5 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.

On balance, the proposed lots will have dimensions that are consistent with the purpose of this section.

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. Therefore they have demonstrated that the proposed lot(s) can accommodate a reasonably sized house and garage 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 33 feet wide accommodating detached single family residential development are located along N Portsmouth Avenue approximately 160 feet east from the subject site. In addition, two lots approximately 33 feet wide accommodating detached single family residential development are located along N Bowdoin St. approximately 160 feet west 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; 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 unimproved alley, and the applicant has proposed (and will be required) to provide vehicle access to Parcel 1 from the alley. However, because the abutting alley is not improved to city standards, improvements must be made to allow for safe vehicle access.

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 Parcel 2 (parcel which does not have alley access) will be built with a house that is greater than 22 feet in width and will be able

to accommodate a garage that will occupy no more than 50% of the length of the street facing façade. The garage limitation standards of Subsection 33.110.253.E can be met. As indicated above, Parcel 1 will utilize the existing alley and provide parking in the rear of the lot.

60 percent landscaping requirement for attached houses

- Parcel 1 can meet the narrow lot standards because the applicant proposes to utilize the existing alley to provide vehicle access to the rear of this parcel. Because there will be no paved vehicle areas at the front of Parcel 1, the applicant can landscape at least 60 percent of the area between the front lot line and the front building line.
- Parcel 2 will have an individual driveway that is approximately 9 feet wide. This Parcel is 27.5 feet wide, which will still allow for the 60% standard to be met in the area not devoted to driveway pavement.

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

- Parking is proposed. Therefore, alley access and the garage limitation requirements described above must be met.

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. City records do not show that the septic system on the site was decommissioned at the time the house was connected to the public sewer system. Prior to final plat approval, the applicant must decommission the system and obtain final approval of a decommissioning permit.

With these conditions, 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, the City's Transportation System Plan classifies N Van Houten as a Local Service street for all modes.

The applicant should be aware of the following: the information below is derived from City GIS. This evaluation is not implied to be more accurate than the sources that the information was obtained from. For accurate r.o.w. information, a survey will be necessary. At this location, N Van Houten is improved with approx 24-ft of paving and a 10-5-3 sidewalk corridor within a 60-ft wide r.o.w. (this information is actually consistent with the applicant's submitted surveyed information). The site also abuts what appears to be an unimproved 13-ft wide alley.

For Local Service classified streets abutting R2.5-zoned sites, the City's Pedestrian Design Guide requires an 11-ft wide sidewalk corridor comprised of a 0.5-ft curb, 4-ft wide furnishing zone, 6-ft wide sidewalk and 0.5-ft wide frontage zone. Although the existing sidewalk corridor conditions do not satisfy the above referenced standard (the sidewalk width is 1-ft shy of what it should be), the site and existing conditions satisfy the provisions of Administrative Rule TRN-1.22. Accordingly, no r.o.w. improvements or property dedication will be triggered by the proposed project *along the site's N Van Houten frontage*.

Street Capacity and Levels of Service

The minimal expected added vehicle trips (1 AM peak hour trips/1 PM peak hour trips/10 total new daily trips) into the local transportation system will not adversely impact the operations of area intersections. PBOT has no concerns with regard to any of the other evaluation factors; on-street parking demand does not appear to be significant in the area (houses include long enough driveways and garages sized to accommodate multiple vehicles); nearby transit service nor any other mode of travel will not be adversely impacted by the proposed project. The transportation system is capable of safely supporting the proposed development in addition to existing uses in the area.

Vehicle Access/Loading

The applicant is advised that pursuant to Zoning Code Section 33.611.200.C.2.c, "if the lot abuts a public alley, then vehicle access must be from the alley – this requirement will be imposed as a condition of approval of the land division". Accordingly, since access to Proposed Parcel 1 must be taken from the abutting alley, the applicant will be required to improve the alley as follows:

- a. From the back of the existing sidewalk, the alley shall be paved with concrete for a distance of 38-ft (this will result in slightly less than 500 sf of impervious surface which will avoid triggering compliance with the City's Stormwater Management Manual).
- b. From the end of the new concrete paving to the eastern property line of the site, the applicant must grade/gravel the alley.

The applicant is advised that there must be 20-ft of maneuvering room from the back of the required parking pad or garage (on Proposed Parcel 1) to the north (opposite) side of the alley.

PBOT has no objections to the proposed land division, subject to the following conditions of approval:

1. Access to any proposed on-site parking space for Parcel 1 shall be taken from the abutting alley. In relation to the expected Building Permit for the new house on Parcel 1, the applicant shall improve the abutting alley to the satisfaction of the City Engineer including
 - a. From the back of the existing sidewalk, the alley shall be paved with concrete for a distance of 38-ft (this will result in slightly less than 500 sf of impervious surface which will avoid triggering compliance with the City's Stormwater Management Manual).
 - b. From the end of the new concrete paving to the eastern property line of the site, the applicant must grade/gravel the alley.

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: 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.
Parcels 1 and 2 will be served by new connections to a new public sewer to be extended in N Van Houten within its frontage. The applicant is required to extend a public sewer to provide individual connection locations. Under Public Works Permit (PWP) #EP295, BES Development Engineering approved the Concept Development plans (i.e. 30% design) for the sewer extension on 9/28/16; therefore BES finds that sanitary sewer can be made available to Parcels 1 and 2. Prior to final plat approval BES will require approved plans, a financial guarantee, receipt of all outstanding fees, and a signed permit document. With this condition of approval, the sanitary sewer service standards of 33.652 have been verified.
33.653.020 & .030 Stormwater Management criteria and standards – See Exhibits E.1
No stormwater tract is proposed or required. Therefore, criterion A is not applicable. The applicant has proposed the following stormwater management methods: Parcels 1 and 2: 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.

33.654.110.B.1 Through streets and pedestrian connections

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.

The site is within the Portland Master Street Plan for the North District. No through street or pedestrian connections are proposed at this location. Therefore, the proposal is consistent with the master street plan.

For the reasons described above, this criterion is met.

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

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 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.

- The applicant must meet the requirements of the Fire Bureau in regards to addressing requirements, 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. The following must occur prior to Final Plat approval:

Utilities

1. The applicant shall meet the requirements of the Bureau of Environmental Services (BES) for extending a public sewer main in N Van Houten St. The public sewer extension requires a Public Works Permit, which must be initiated and at a stage acceptable to BES prior to final plat approval. As part of the Public Works Permit, the applicant must provide engineered designs, and performance guarantees for the sewer extension to BES prior to final plat approval.

Existing Development

2. A finalized permit must be obtained for demolition of the existing residence and detached garage on the site and capping the existing sanitary sewer connection. (if the demo includes a primary residential structure. Note: Title 24 requires a 35-day demolition delay period for most residential structures.
3. The applicant shall meet the requirements of the Site Development Section of the Bureau of Development Services for the decommissioning the septic system on the site.

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

1. Parcels 1 and 2 must be developed with attached dwelling units.
2. Vehicular access to Parcel 1 must be from the abutting public alley. Curb cuts are not permitted from N Van Houten Avenue.
3. At the time of building permit for Parcel 1, the applicant shall meet requirements of the City Engineer for right of way improvements within the abutting public alley.

4. 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.

Staff Planner: Shawn Burgett

Decision rendered by: *S. Burgett* **on November 4, 2016**

By authority of the Director of the Bureau of Development Services

Decision mailed November 8, 2016

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 19, 2016, and was determined to be complete on August 19, 2016.

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 19, 2016.

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 days will expire on: 12/17/16.**

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.

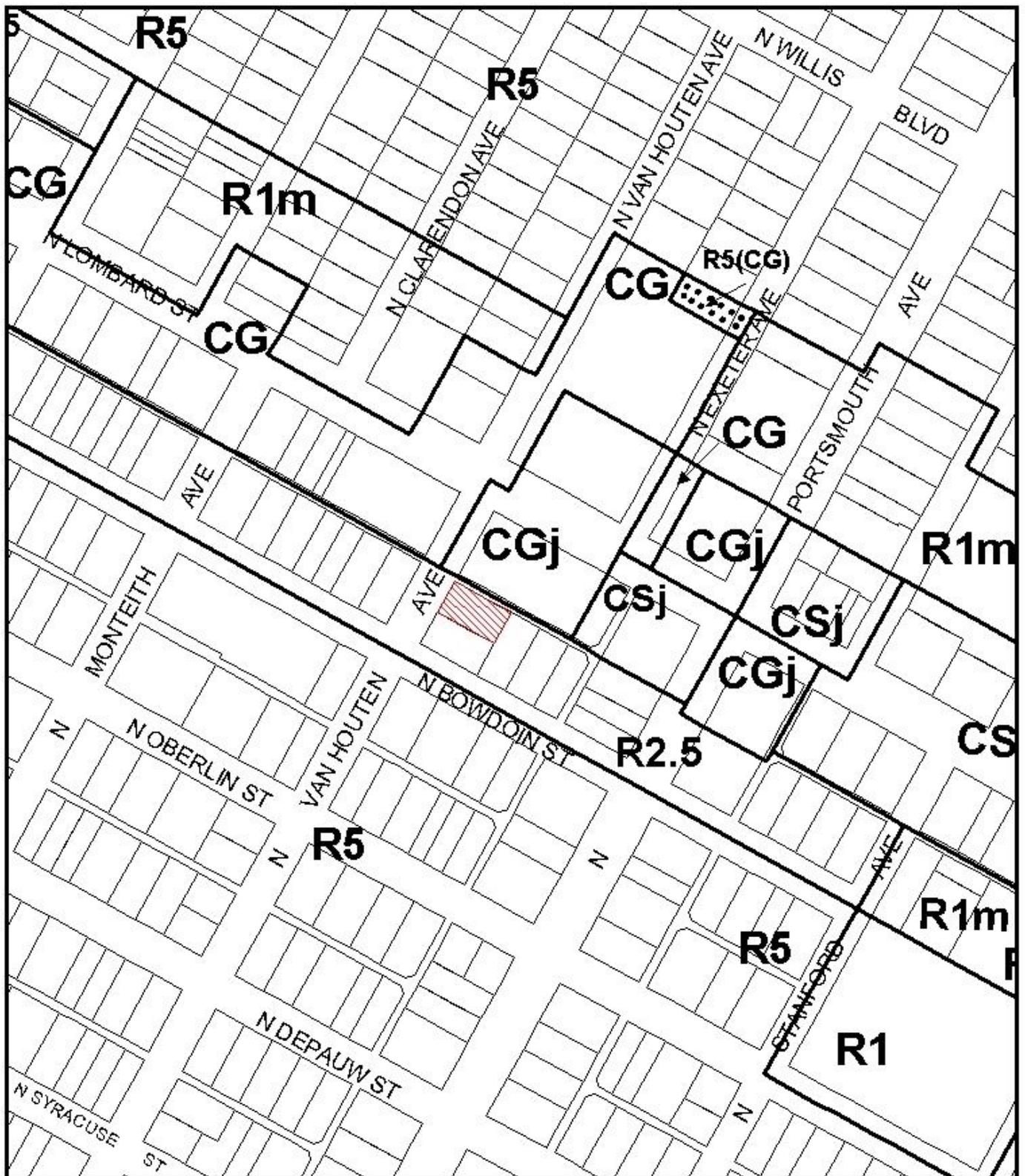
Recording the land division. The final land division plat **must** be submitted to the City **within three years** of the date of the City's final approval of the preliminary plan. This final plat must be recorded with the County Recorder and Assessors Office after it is signed by the Planning Director 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. Narrative dated 2/19/16
 - 2. Arborist report dated 1/28/16
 - 3. Fire Flow documentation
 - 4. Site Plan submitted 2/19/16
 - 5. Elevations submitted 2/19/16
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Existing Conditions Survey
 - 3. Plat survey
- 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: (none received)
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter dated
 - 3. Land Use History

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).

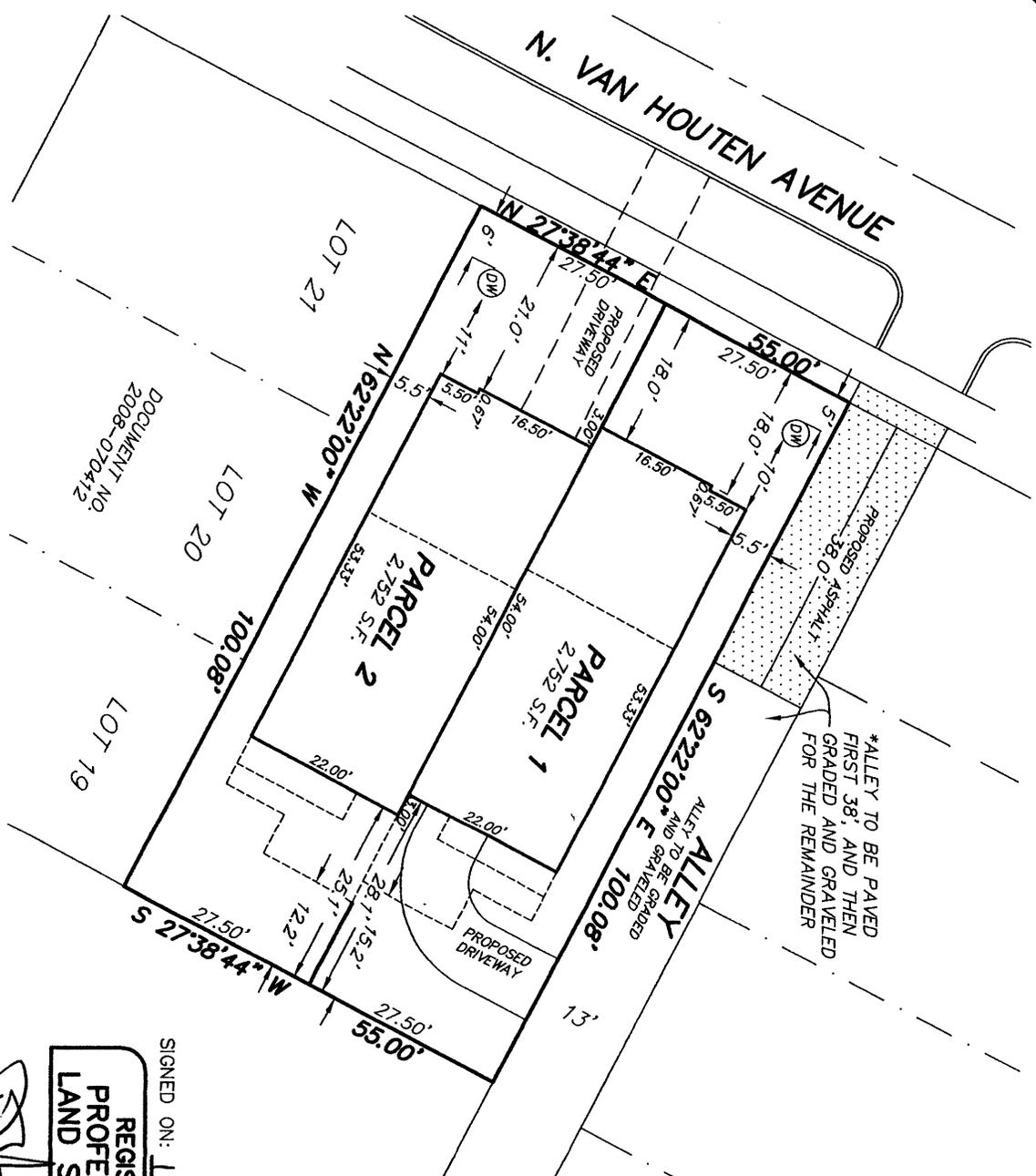


ZONING

 Site



File No. LU 16-123917 LDP
 1/4 Section 2224
 Scale 1 inch = 200 feet
 State_Id 1N1E07DA 8500
 Exhibit B (Feb 23, 2016)



DOCUMENT NO.
2008-070412

*ALLEY TO BE PAVED
FIRST 38' AND THEN
GRADED AND GRAVELED
FOR THE REMAINDER



SIGNED ON: 16 Aug 16

REGISTERED
PROFESSIONAL
LAND SURVEYOR
TOBY G. BOLDEN
JULY 13, 2004
60377LS
OREGON

RENEWS: DECEMBER 31, 2017

CLIENT: DWELL DEV.
ORIG. DATE: 1-27-16
DRAWN BY: RLC
SHEET No. 1 OF 1

SITE PLAN
7466 N. VAN HOUTEN AVE
CITY OF PORTLAND, MULTNOMAH COUNTY, OR
SCALE: 1"=20'

CENTERLINE CONCEPTS
LAND SURVEYING, INC.
729 MOLALLA AVE., SUITE 1 & 2
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

CASE NO. 16-123917
EXHIBIT C-1