



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

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Date: October 18, 2018
To: Interested Person
From: JP McNeil, Land Use Services
503-823-5398 / Jason.McNeil@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 18-174939 LDP

GENERAL INFORMATION

Applicant: Kevin Partain | Urban Visions
223 NE 56th Ave | Portland, OR 97213
kevinp@gorge.net | 503-421-2967

Owner: Andre Kashuba | Keystone LLC
14237 Bridge Ct | Lake Oswego, OR 97034

Site Address: 0205 SW NEBRASKA ST

Legal Description: BLOCK 23 LOT 2, SOUTHERN PORTLAND
Tax Account No.: R780204570
State ID No.: 1S1E15CD 07900
Quarter Section: 3629

Neighborhood: South Portland NA., contact Jim Gardner at 503-227-2096.
Business District: South Portland Business Association, contact info@southportlanddba.com.
District Coalition: Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592.

Zoning: R5 – Residential 5,000
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 two-lot partition of this 5,000 square foot site. The partition would result in two 2,500 square foot parcels for attached houses using the provision for an additional unit of residential density on corner lots found in Zoning Code Section

33.110.240.E. The existing house on the site would be demolished. The one tree on-site (a 14-inch plum) has been declared exempt from regulation as a dying tree by the applicant's arborist and will be removed. Stormwater would be managed on-site with flow-through planters that overflow to the public sewer system. One off-street parking space is proposed on each lot.

Relevant Approval Criteria:

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 two 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 approval 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 relatively flat with a gently slope to the northwest and is presently occupied by a single dwelling unit constructed in 1893. The West Hills rise steeply just to the west of the site across SW Corbett Avenue. The surrounding area is primarily comprised of single dwelling development of one and two stories with some multidwelling development and institutional uses mixed in. The John's Landing commercial district is located a few blocks east of the site.

Infrastructure:

Streets –The site has approximately 100 feet of frontage on SW Corbett Avenue and 50 feet of frontage of on SW Nebraska Street. There is one driveway entering the site from SW Corbett that serves the existing house on the site. At this location, both SW Corbett Avenue and SW Nebraska Street are classified as Transit Access Streets, City Bikeways, City Walkways, and Local Service Streets for all other modes, including traffic, in the Transportation System Plan (TSP). Tri-Met provides transit service adjacent to the site via Bus Lines 35, 43, and 12.

Both SW Corbett Avenue and SW Nebraska Street have a 36-foot curb-to-curb paved surface within a 60-foot right-of-way with parking on both sides. Along the 12-foot wide site frontage of SW Corbett, the pedestrian corridor includes a 5-foot wide planter area, curb, 6-foot sidewalk and a 1-foot wide buffer at the back of the sidewalk (5-6-1 configuration). The 12-foot wide pedestrian corridor along SW Nebraska is a 4-6-2 configuration.

Water Service – There is an existing 8-inch CI water main in SW Corbett Avenue and a 24-inch steel main in SW Nebraska Street. The existing house is served by a 5/8-inch metered service from the main in SW Corbett.

Sanitary Service - There is an existing 12-inch VSP public combination sewer line in SW Nebraska Street and an 8-inch VSP public combination sewer line in SW Corbett Avenue.

Stormwater Disposal – There is no public storm-only sewer currently available to this property.

Zoning: The R5 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 **July 31, 2018**. One written response has been received from a notified property owner in response to the proposal. The concerns raised are summarized and addressed by staff below.

- Attached Houses on Corners: A neighbor objected to allowing attached houses on a corner at this location due to concerns that the main entrances would not be oriented to different street frontages as required by the Zoning Code and that the proposed attached houses would not be compatible with the existing surrounding development.

Staff Response: The applicant's site plan shows conceptual building footprints to demonstrate that the new parcels could feasibly support development that meets Zoning standards if the Land Division to be approved. The site plan does not show where the main entrances would be located on the proposed homes; however, staff finds that the main entrances could feasibly be located on opposite street frontages as required by the Code. Main entrance requirements and other building design standards will be reviewed as part of the building permit process, at which time the applicant will be required to meet all standards.

Tree Preservation: The neighbor also disputed the findings of the applicant's arborist that the 14" plum tree on the site is in poor enough health to be deemed "dying" and therefore exempt from the tree preservation requirements.

Staff Response: The applicant's arborist states that the plum tree is suffering from root disease and is listing and being held up by a fence. Generally, BDS staff defer to the expertise of the licensed arborist when an arborist report is submitted. In this case, on a site visit conducted in July, staff found the findings of the arborist to be credible.

- Street Improvements: The neighbor is concerned that the stormwater planter proposed for stormwater management and right-of-way improvements would occur in the right-of-way adjacent to their property.

Staff Response: Stormwater will be managed on-site and will be discharged to the combined public sewer. There will be no above-ground stormwater infrastructure located off-site as part of this proposal. Additionally, the applicant will not be required to construct street improvements along SW Nebraska Street, which is the street the neighbor's property fronts on.

- Parking: The neighbor raised the issue of the availability of on-street parking in the surrounding area.

Staff Response: The applicant is proposing one off-street parking space on each new lot, which is two more on-street parking spots than is currently provided at this site. Additionally, due to the proximity of frequent transit adjacent to the site, the Zoning Code does not require any off-street parking at this site. The Bureau of Transportation (PBOT) has evaluated the transportation impacts at this site, including parking, which is discussed further under Section K, below. A shared driveway will be required that will help mitigate potential parking impacts.

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	All trees on the site are exempt from the tree preservation requirements
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	The proposed development is for something other than single-dwelling detached homes.
J	33.640 - Streams, Springs, and Seeps	No streams, springs, or seeps are evident on the site.
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 33.610 contains the density and lot dimension requirements applicable in the RF through R5 zones. Based on the applicant's survey, the site area is 5,000 square feet. The maximum density in the R5 zone is one unit per 5,000 square feet. Minimum density is one unit per 5,000 square feet based on 80 percent of the site area.

The site has a maximum density of one (1) unit and a minimum required density of one (1) unit. The applicant is proposing two (2) single dwelling parcels, which exceeds the maximum density normally allowed for the site. However, Parcels 1 and 2 are proposed for attached houses under the provision in 33.110.240.E, which allows one extra unit in conjunction with attached houses on corner lots. Therefore, an additional lot is allowed provided Parcels 1 and 2 are developed with attached houses.

With a condition of approval limiting the development on Parcels 1 and 2 to attached houses, the density standards are 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)
Original lot before division in R5 zone	4,500	NA	NA	NA	NA
Original lot before division	5,000		50	100	50
New attached housing lots meet R2.5 Zone dimensions	1,600	NA	36	40	30
Parcel 1	2,500		50	50	50
Parcel 2	2,500		50	50	50

* 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.

Attached Houses on Corner Lots

Parcels 1 and 2 are smaller than would normally be allowed in the R5 zone. As described above, these lots are being created through a provision that allows attached houses on corner lots. To use this code provision the original lot before the division must be at least 4,500 square feet.

As shown in the table above, taken together (before the division), the required lot dimension requirements are met. Proposed Parcels 1 and 2 each exceed the minimum lot dimension standards. Therefore, the corner lot may be divided to create Parcels 1 and 2 as proposed.

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, septic decommissioning, 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. Mitigation may be necessary to reduce impacts.

The Development Review Section of the Portland Bureau of Transportation (PBOT) has reviewed the application against the evaluation factors and has provided the following findings (see Exhibit E.2):

The applicant proposes to divide one parcel into two parcels on which one single-family home currently exists. One new single-family dwelling will be constructed on the new parcel, thereby increasing the total number of dwellings on the parcels by one. According to the ITE Trip Generation Manual, 9th Edition, one new single-family dwelling is expected to generate nearly ten trips per day, including one additional trip during the morning peak hour and one additional trips during the evening peak hour. The proposed development is therefore not expected to significantly impact street capacity or level-of-service. The proposed development includes at least one off-street parking space on each parcel and thereby minimizes negative impacts to on-street parking. The applicant is required to provide a shared driveway between 18 and 20-ft in width, which will also minimize negative impacts to on-street parking. Stops for buses #35, #43, and #12 are located less than 500-ft from the proposed development; sufficient transit service and facilities are provided to serve existing and proposed development. The surrounding street network is gridded and provides sidewalk corridors with furnishing zones. Right of ways in the area that are low-volume, including SW Nebraska, and a bicycle path along the Willamette River, provide sufficient bicycle access. The proposed development is expected to result in relatively few impacts on the transportation system, and few negative impacts on immediate and adjacent neighborhoods.

PBOT has reviewed and concurs with the information supplied. With the condition of approval that the applicant provide a shared driveway of 18-20 feet in width at the time of building permit, these criteria are met. No other 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.

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.

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.

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.

Public Street Improvements: The only public street improvements associated with this Land Division is the reconstruction of an existing sidewalk in the pedestrian corridor along SW Corbett Avenue where a curb, sidewalk, and paved street already exist. BES has indicated that the sidewalk must be constructed so that it will slope towards the planter strip, allowing the stormwater runoff from the sidewalk to be deposited in a vegetated area, which meets the requirements of the Stormwater Management Manual.

Parcels: Stormwater from these lots will be directed into flow-through planters that remove pollutants and suspended solids. The water will drain from the planters to the existing combination sewer in SW Corbett Avenue and SW Nebraska Street. Each lot has sufficient size for individual planter boxes, and the Bureau of Environmental Services has indicated that the treated water can be directed to the existing combination sewers in SW Corbett Avenue and SW Nebraska Street.

33.654.110.B.1 Through streets and pedestrian connections

Generally, through streets should be provided no more than 530 feet apart and pedestrian connections should be provided no more than 330 feet apart. Through streets and pedestrian connections should generally be at least 200 feet apart.

The site is situated on a corner and therefore would not be an appropriate location for an additional through pedestrian or vehicle connection.

The site is within the Portland Master Street Plan for the Southwest District. Though the block where the site is situated does not meet the recommended street spacing standards, there are no recommended connections identified at this location in the master street plan. Therefore, the proposal is consistent with the master street plan.

For the reasons described above, this criterion is met.

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

In reviewing this land division, Portland Transportation relies on accepted civil and traffic engineering standards and specifications to determine if existing street improvements for motor vehicles, pedestrians and bicyclists can safely and efficiently serve the proposed new development. Portland Transportation has indicated that SW Nebraska street is currently improved in a manner that is sufficient to serve the expected users. 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.

SW Corbett Avenue is improved with a paved roadway, curbs, planter strips, and sidewalks. In reviewing this land division Portland Transportation has determined that the sidewalk must be reconstructed to meet ADA standards and ensure that safe pedestrian travel is possible within the proposed development. With those improvements, one additional dwelling can be safely served by this existing street without having any significant impact on the level of service provided.

With the conditions of approval described above, this criterion is met.

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

Any easements that may be needed for private utilities that cannot be accommodated within the adjacent 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.

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:

- Attached Houses on Corner Lots-- special requirements apply to development on new lots created using the provisions of Section 33.110.240.E.
 1. The address and main entrance of each house must be oriented to a separate street frontage.
 2. Development on Parcel 1 must be oriented toward the SW Corbett Avenue and development on Parcel 2 must be oriented toward SW Nebraska Street.
 3. The height of the two units must be within 4 feet of each other
 4. The exterior finish material must be the same, or visually match in type, size and placement.
 5. The predominant roof pitch must be the same.
 6. Roof eaves must project the same distance from the building wall.
 7. Trim must be the same in type, size and location.
 8. Windows must match in proportion and orientation.
- Accessory Dwelling Units - Accessory Dwelling Units (ADUs) are not allowed to be added to attached houses in the R20 through R5 zones that were built using the regulations of 33.110.240.E, Duplexes and Attached Houses on Corners.

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 R5 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	Title 17 – Sewer Improvements

www.portlandonline.com/bes	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 11 –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 regard to addressing requirements; ensuring adequate hydrant flow from the nearest fire hydrant or obtaining an approved Fire Bureau appeal to this requirement; and 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.2). 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:

- Attached houses on a corner lot
- Demolition of the existing house
- Septic decommissioning
- Shared driveway to preserve on-street parking
- Sidewalk reconstruction to meet ADA standards
- Fire Bureau requirements for addressing, access, and hydrant flow

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

ADMINISTRATIVE DECISION

Approval of a Preliminary Plan for a 2-parcel partition, that will result in two parcels for attached housing, as illustrated with Exhibit C.2, 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 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

2. 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. Additionally, the City's Deconstruction ordinance applies to houses built in 1916 or earlier and/or designated historic resources.

3. The applicant shall meet the requirements of the Site Development Section of the Bureau of Development Services for 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 may only be developed with attached houses meeting the development standards of Section 33.110.240.E.
2. On-site parking, if provided, must be accessed by a shared driveway that is 18-20 feet in width or as approved through the PBOT design exception process.
3. The applicant shall meet the requirements of the City Engineer for right of way improvements along the frontage of SW Corbett Avenue to meet ADA requirements. The applicant must construct improvements with development on the parcels.
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: Jason P. McNeil

Decision rendered by:  **on October 16, 2018**
By authority of the Director of the Bureau of Development Services

Decision mailed October 18, 2018

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 May 21, 2018 and was determined to be complete on July 23, 2018.

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 May 21, 2018.

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: November 20, 2018.**

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 Submittal
 - 1. Applicant Narrative
 - 2. Arborist Report
 - 3. Stormwater Report
 - 4. Stormwater Infiltration Form
 - 5. Revised Arborist Report
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Original Site Plan
 - 2. Revised Site 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. Bureau of Parks, Forestry Division
 - 7. Life Safety Section of BDS

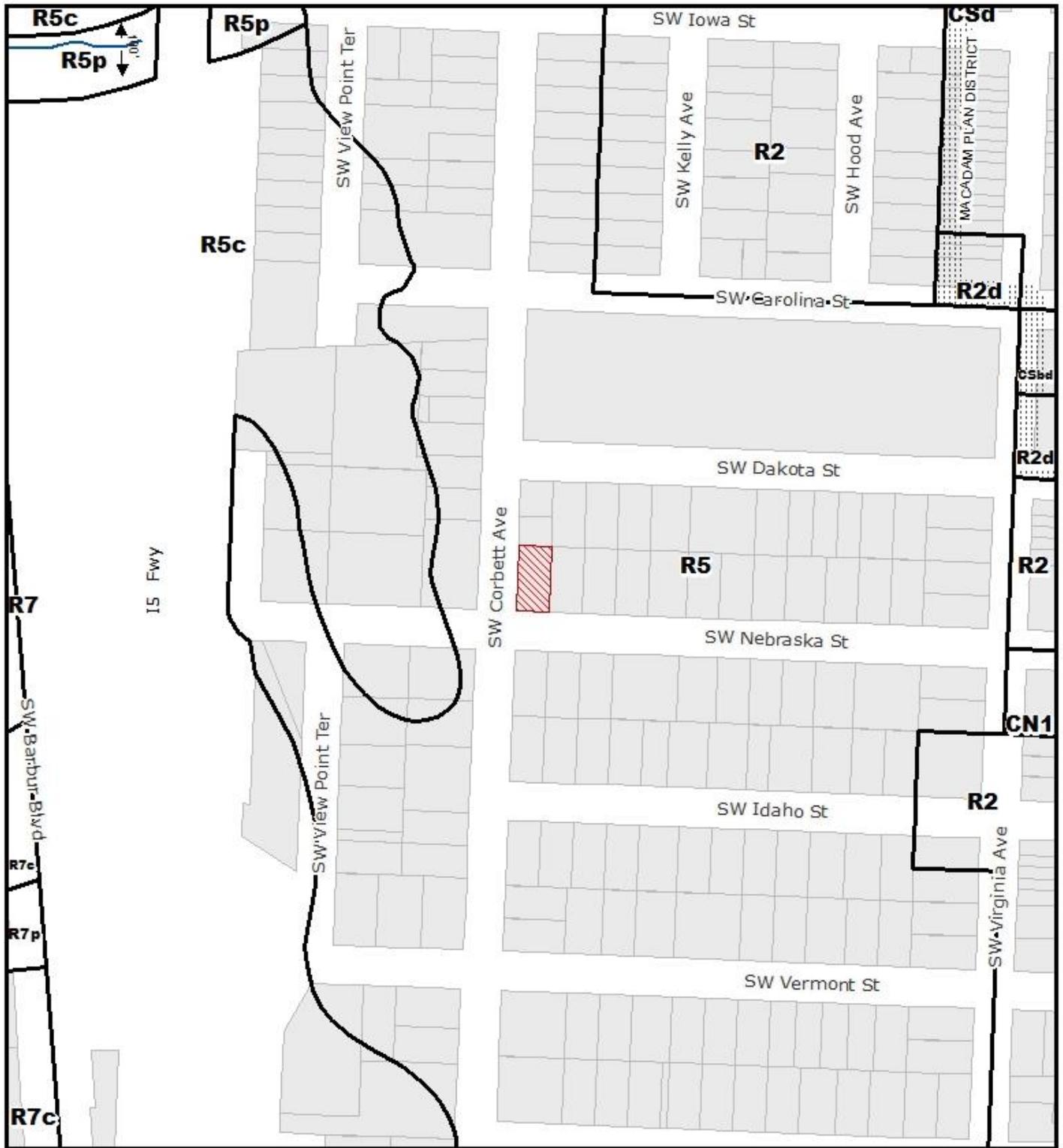
F. Correspondence:

1. Ron Ferguson (neighbor), 8/21/18, concerns about corner lot provision, tree preservation, parking

G. Other:

1. Original LU application
2. Expedited Land Division Acknowledgement form
3. Incomplete letter bureau responses

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  NORTH

 Site
 Stream

File No.	LU 18-174939 LDP
1/4 Section	3629
Scale	1 inch = 200 feet
State ID	1S1E15CD 7900
Exhibit	B May 24, 2018

**PROPOSED IMPROVEMENT PLAN
FOR A PROPOSED PARTITION PLAT,
LOT 2, BLOCK 23
SOUTHERN PORTLAND,
PER DOCUMENT NO. 2012-072743**

SITUATED IN THE S.W. 1/4 OF SECTION 15, T.1S., R.1E., W.M.
MULINOMAH CO., OREGON
CITY OF PORTLAND

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FAX: 503-866-8668
EMAIL: DALE@MARYASSOCIATES.NET

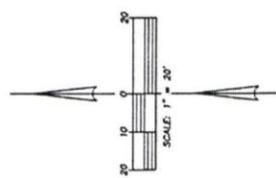
DATE DRAWN: MAY 15, 2018
DRAWING NO. 180279P
PROJECT NO. 180279P
REVISED: JULY 18, 2018

ZONING
RS - RESIDENTIAL 5,000
SITE SIZE
5,000 SQUARE FEET
PARCEL DATA
LOT 2, BLOCK 23, SOUTHERN PORTLAND,
PER DOCUMENT NO. 2012-072743
BENCH MARK
CITY OF PORTLAND 2" BRASS DISC, IN NO. 11, IN CURB RETURN, NE
CORNER OF LOT 2, BLOCK 23, SOUTHERN PORTLAND, ELEVATION -
84.816 CIP DATUM

NOTES & LEGEND

- 1. 12" DEPICTS WATER METER
- 2. 6" DEPICTS SANITARY SEWER MANHOLE
- 3. 6" DEPICTS POWER POLE
- 4. 6" DEPICTS WATER VALVE
- 5. 6" DEPICTS DOWNSPOUT TO DRAIN
- 6. 6" DEPICTS DOWNSPOUT TO SURFACE
- 7. 6" DEPICTS FIRE HYDRANT
- 123.1" DEPICTS SPOT ELEVATION (ELEVATION IS AT DECIMAL POINT)
- 123.45C" DEPICTS GROUND ELEVATION (ELEVATION IS AT DECIMAL POINT)
- 123.45(123.03)" DEPICTS GROUND ELEVATION AT ITEM NOTED (ELEVATION IS AT DECIMAL POINT OF TOP CURB ELEVATION/GUTTER ELEVATION)
- 123.45(123.03)" DEPICTS TOP CURB ELEVATION/GUTTER ELEVATION (ELEVATION IS AT DECIMAL POINT OF TOP CURB)
- 123.45(123.03)" DEPICTS CENTERLINE ELEVATION (ELEVATION IS AT DECIMAL POINT)
- 123.45(123.03)" DEPICTS GUTTER ELEVATION (ELEVATION IS AT DECIMAL POINT)
- 123.45(123.03)" DEPICTS BOARD FENCE
- 123.45(123.03)" DEPICTS BOARD FENCE
- 123.45(123.03)" DEPICTS WATER LINE
- 123.45(123.03)" DEPICTS SEWER LINE
- 123.45(123.03)" DEPICTS PROPOSED WATER LINE
- 123.45(123.03)" DEPICTS PROPOSED SEWER LINE

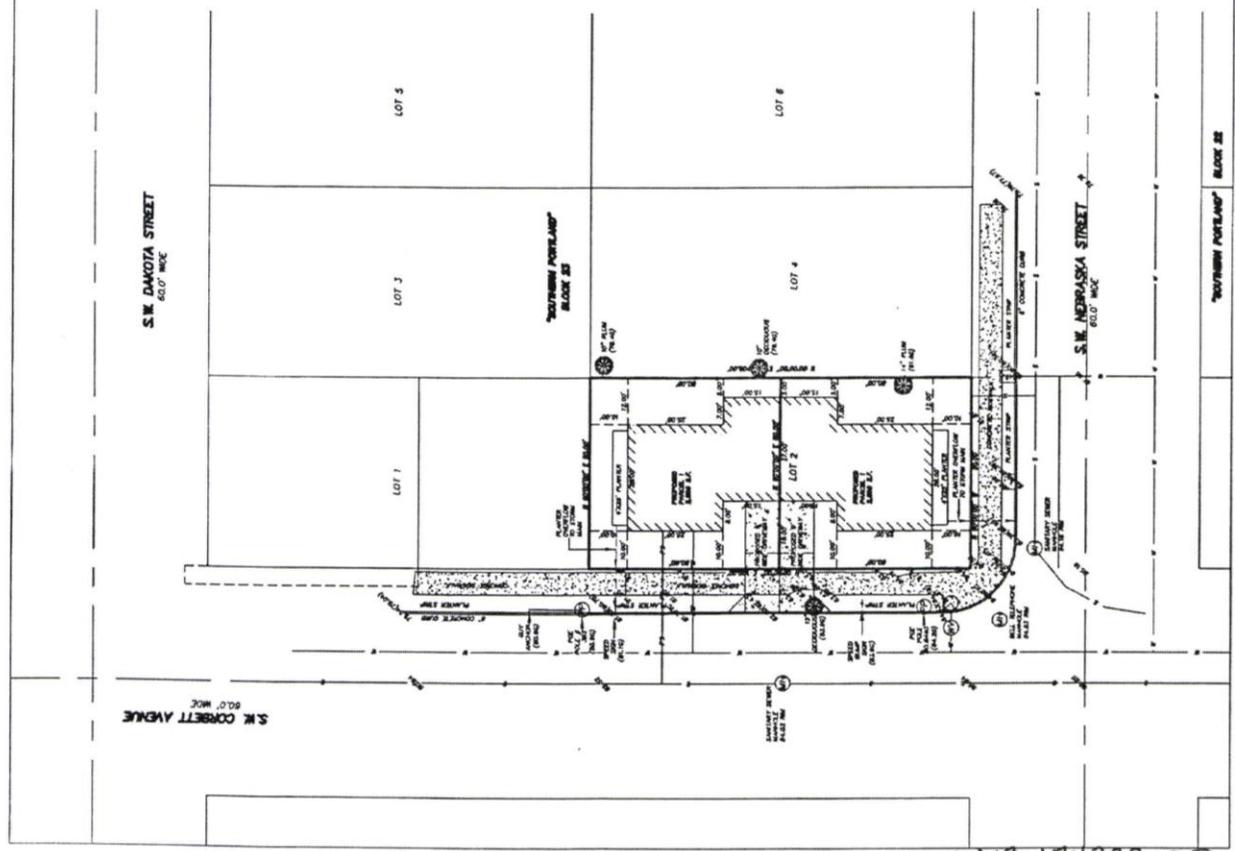
NOTE: UTILITIES ARE LOCATED AS SHOWN PER FIELD USE OR CITY OF PORTLAND AS BUILT DATA. ACTUAL LOCATION SHOULD BE FIELD VERIFIED BEFORE CONSTRUCTION.



REGISTERED
PROFESSIONAL
LAND SURVEYOR
[Signature]
EXPIRES 12/31/19
DALE M. BAKER
EXPIRES 12/31/19

RECEIVED

JUL 28 2018



CASE NO. 18-174939 LDP
EXHIBIT C.2