



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

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Date: May 29, 2019
To: Interested Person
From: Shawn Burgett, City Planner
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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 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 18-274627 LDP

GENERAL INFORMATION

Applicant: Mark Dane | Mark Dane Planning Inc
14631 SW Millikan Way, Ste 6 | Beaverton, OR 97006
E-mail: markdaneplanning@gmail.com

Owners: James F. Azumano & Lois C. Azumano
PO Box 210 | Tolovana Park, OR 97145

Site Address: 8011 N ST LOUIS AVE

Legal Description: TL 1500 0.16 ACRES, SECTION 01 1N 1W
Tax Account No.: R961010220
State ID No.: 1N1W01CD 01500
Quarter Section: 2021
Neighborhood: St. Johns, contact Sheryl Lyons at sjnalu@gmail.com
Business District: None
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

Plan District: St. Johns
Zoning: R1d (Multi-Family Residential 1,000 sq. ft. with "d" design overlay)
Case Type: LDP (Land Division Partition)
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant is proposing a 3-lot land division on the 7,327 sq. ft. site. The existing house and detached accessory dwelling unit will remain on Lot 1 which will measure 4,337 sq. ft. in area. Detached dwelling units are proposed on Lots 2 and 3 measuring between 1,289-1,301 sq. ft. in area.

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 3 units of land (3 Parcels). 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 flat and has an existing house and accessory dwelling unit located on it. The site is surrounded by a mix of single family residential and multi-dwelling residential development, including a large apartment complex located directly east of the site (across N St. Louis Ave).

Infrastructure:

- **Streets** –The site has approximately 96 feet of frontage on N St. Louis Avenue, 90 feet frontage on N Leonard St. and 70 feet of frontage along N Central St. There is one driveway entering the site from N Leonard St. that serves the existing house and accessory dwelling unit on the site.

At this location, N St. Louis Ave is classified as a Neighborhood Collector, Transit Access Street, City Bikeway, City Walkway within a pedestrian district, Major Emergency Response Street, and a Local Service Street for all other modes. It is improved with a 12-ft sidewalk corridor with a 4-6-2 configuration.

N Leonard St is classified as a Local Service Street for all modes within a pedestrian district. There appears to be 12-ft from the face of the curb to the property line. There is no sidewalk.

N Central St is classified as a City Walkway within a pedestrian district, and a Local Service Street for all other modes. It is improved with a 12-ft sidewalk corridor with a 5-5-2 configuration

Tri-Met provides transit service adjacent to the site along N St Louis Ave via Bus 11.

- **Water Service** – There is an existing 8-inch CI water main in N Central Avenue. In addition, per City GIS there is an existing water main in N St. Louis Ave and N Leonard St. The existing house is served by a metered service from the main in N St. Louis Ave.
- **Sanitary Service** - There is an existing 15-inch public combination sewer line in N Leonard St. and an existing 8-inch combined main in N Central St.
- **Stormwater Disposal** – There is no public storm-only sewer currently available to this property.

Zoning: The R1 designation is one of the City’s multi-dwelling zones which is intended to create and maintain higher density residential neighborhoods. The zone implements the comprehensive plan policies and designations for multi-dwelling housing.

The “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development must meet the Community Design Standards (Chapter 33.218) or are subject to design review.

Land Use History: City records indicate there are prior land use reviews for this site.

- **LU 13-201874 AD:** Approval of Adjustments for the Accessory Dwelling unit (ADU) shown on Parcel 1 to the following requirements:

Adjustments 1 and 2. Adjustments to Code Section 33.120.220 B –

- to reduce the west front setback from three feet to one foot, three inches, and
- to reduce the east side setback (from the property line on the east side of the north stem of the L), from five feet to three feet, eight inches.

Adjustment 3. Adjustment to Code Section 33.205.030 D.1, to waive the requirement that the ADU be located at least 60 feet from the second (west) front property line or be located behind the house.

Adjustment 4. Adjustment, to Code Section 33.205.030 C.7, to allow the siding on the ADU to be different than the siding on the primary residence, using horizontal siding with a six-inch reveal, instead of an eight-inch reveal.

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 15, 2019**. No written responses have been received from the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

APPROVAL CRITERIA FOR LAND DIVISIONS IN OPEN SPACE AND RESIDENTIAL ZONES

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

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

Criterion	Code Chapter/Section and Topic	Findings: Not applicable because:
B	33.630 – Tree Preservation	No trees in excess of 6 inches in diameter are located fully or partially on the site, or the trees are nuisance species or exempt due to poor condition.
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	Not applicable. These standards only apply to land divisions in the RF through R2.5 zones.
F	33.634 - Recreation Area	Not applicable. The proposed density is less than 40 units.
H	33.636 - Tracts and Easements	No tracts or easements have been proposed or will be required.

I	33.639 - Solar Access	Maintaining existing development on the site limits new parcel configuration (33.610.200 supercedes 33.639).
J	33.640 - Streams, Springs, Seeps and Wetlands	No streams, springs, seeps or wetlands 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.
	33.655 - School District Enrollment Capacity	The proposal is for less than 11 lots or is not in the David Douglas School District.

Applicable Approval Criteria are:

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

Findings: Chapter 33.612 contains the density and lot dimension requirements applicable in the R3 through IR zones. The applicant is proposing 3 lots for detached dwelling units

Single-dwelling or duplex development is proposed for some or all of the site, therefore the applicant must demonstrate how the proposed lots meet the minimum density and not exceed the maximum density stated in Table 120-3 at the time of the preliminary plan review.

Minimum density in the R1 zone for sites less than 10,000 sq. ft. in area is one unit per 2,000 square feet and the maximum density is one unit per 1,000 square feet. The total site area shown on the applicant's survey is 7,327 square feet.

The site has a minimum required density of 4 units and a maximum density of 7 units.

In this zone, there are no minimum lot area requirements for lots designated for attached houses, detached houses, or duplexes. For this reason, it is necessary to condition the minimum and maximum density allowance on each lot in the land division, to avoid

development on the site or further division of lots that would result in non-compliance with the overall density requirements of the site.

Because Lots 2 and 3 will each be developed with one dwelling unit, the remainder of the minimum density for the site as a whole must be met on Lot 1 which has an existing single-family home and accessory dwelling unit, for a total of two units.

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

R1	Minimum lot area (square feet)	Minimum lot width (feet)	Minimum lot depth (feet)	Minimum front lot line (feet)
Detached Houses	none	25	none	25
Parcel 1	4,737	58.3	90	58.3
Parcel 2	1,289	35	37	35
Parcel 3	1,301	35	37	25

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

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

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

Findings: 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.

Additionally, where geologic conditions or historic uses of the site indicate that a hazard may exist, the applicant must show that the proposed land division will result in lots that are suitable for development. The applicant may be required to make specific improvements to make the lots suitable for their intended uses and the provision of services and utilities.

Clearing and Grading: 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. Although the site is currently connected to the public sanitary sewer, there is an old septic system on the site. The City has no record that this facility was ever decommissioned. Prior to final plat, the applicant must meet the requirements of the Site Development Section of the Bureau of Development Services for the decommissioning of this facility. With this condition, the new lots can be considered suitable for new development, and this criterion 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: safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced and measures to mitigate impacts may be necessary.

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 proposal will result in a net increase of 2 single-family residences. These residences can be expected to generate 20 daily vehicle trips with 2 trips 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.

Vehicle Access/Loading

The new lots will use their frontage for access

On-Street Parking Impacts

The new lots will each have one on-site parking space. The lot with the residence to be retained will have two on-site parking spaces. Impacts to the supply of on-street parking should be minimal.

Availability of Transit

Tri Met Bus Line #44 is available to serve the site at N St Louis and N Lombard.

Neighborhood Impacts

The site is being developed with two new two single-family residences in compliance with the existing R1 zoning. In addition, standard frontage improvements including sidewalks 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. There are bike lanes in N St Louis Ave. Given the low vehicle speeds and volumes on NE N Leonard and N Central cyclists can safely share the roadway.

RECOMMENDATION

No objection to approval subject to the frontage improvements constructed to current City standards under a separate public works permit per the requirements of the City Engineer as a condition of final plat approval. A bond and contract ensuring the improvements will be constructed shall also be a condition of final plat approval.

NOTE: The sidewalks along N Central St shall be reconstructed to current City standards as conditions of building permit approvals.

This criterion is 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 3 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 3 of this report.

As a result of the proposed land division, the existing sewer connection that serves the house and accessory dwelling unit (ADU) on Lot 1 will cross over Lots 2 and 3 to reach the sewer main in N Central street. The applicant must cap the existing sewer connections and establish a new service for the house and ADU located entirely on Lot 1. All required plumbing permits must receive final inspection approval prior to Final Plat approval.

With this condition, the sanitary sewer service standards of 33.652 have been verified. This criterion is met.

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 2 and 3:** Stormwater from these lots will be directed to individual drywells that will treat the water and slowly infiltrate it into the ground. Each of these lots has sufficient area for a stormwater facility that can be adequately sized and located to meet setback standards and accommodate water from a reasonably-sized home. BES has indicated conceptual approval of the drywells.
- **Parcel 1 (the lot with the existing house and ADU):** Stormwater from the existing dwelling and ADU is managed by downspouts to splashblocks which appear to meet setback distances from the proposed new property lines. The applicant should be aware that stormwater discharged to splashblocks should discharge 2 feet from slab on grade, 6 feet from foundations with basements, 5 feet from property lines and 10 feet from all neighboring structures.

This criterion is met.

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 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 and 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

At this location, N St Louis Ave is classified as a Neighborhood Collector, Transit Access Street, City Bikeway, City Walkway within a pedestrian district, Major Emergency Response Street, and a Local Service Street for all other modes. It is improved with a 12-ft sidewalk corridor with a 4-6-2 configuration. The applicant received approval of a Public Works Alternative Review to leave the existing sidewalk in its' current condition (19-134758 PW) with a condition that the applicant demonstrate the existing utility pole located at the corner of N St Louis and N Leonard is appropriately located within the furnishing zone and does not conflict with the alignment of the new sidewalk to be constructed in N Leonard through the public Works Process.

N Leonard St is classified as a Local Service Street for all modes within a pedestrian district. It is improved with a curb but lacks a sidewalk along the site frontage. There appears to be 12-ft from the face of the curb to the property line. Current City standards are for a 12-ft sidewalk corridor with a 4.5-6-1.5 configuration. As a condition of final plat approval, the applicant will be required to construct the sidewalk to current City standards.

N Central St is classified as a City Walkway within a pedestrian district, and a Local Service Street for all other modes. It is improved with a 12-ft sidewalk corridor with a 5-5-2 configuration. Current City standards are for a 12-ft sidewalk with a 4.5-6-1.5 configuration. As a condition of building permit approvals, the applicant will be required to reconstruct the sidewalk to current City standards. No dedications are needed for the above improvements

PBOT has no objection to approval subject to the frontage improvements constructed to current City standards under a separate public works permit per the requirements of the City Engineer as a condition of final plat approval. A bond and contract ensuring the improvements will be constructed shall also be a condition of final plat approval. The sidewalks along N Central St shall be reconstructed to current City standards as conditions of building permit approvals

This criterion is met, with the conditions noted above.

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. Therefore, this criterion is met.

DEVELOPMENT STANDARDS

Development standards that are not relevant to the land division review, have not been addressed in the review. Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 11 can be met, and those of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

Future Development

- Detached Houses- Section 33.120.270.D of the Zoning Code allows reduced side setbacks (3-feet from property lines) for detached houses in the multi-dwelling zones on lots that are at least 25 feet wide. This allowance only applies to the setbacks that are interior to the site. The setbacks around the perimeter of the land division site are that of the base zone. This proposal is eligible to use these provisions. **To take**

advantage of this allowance the reduced side setbacks must be shown on a supplemental survey for the land division at the time of final plat approval.

- The site is located in the Design “d” overlay. The “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development must meet the Community Design Standards (Chapter 33.218) or are subject to design review.

Existing development that will remain after the land division. The existing development on the site will remain and be located on Parcel 1. The division of the property may not cause the structures to move out of conformance or further out of conformance to any development standard applicable in the R1 zone. Per 33.700.015, if a proposed land division will cause conforming development to move out of conformance with any regulation of the zoning code, and if the regulation may be adjusted, the land division request must include a request for an adjustment (Please see section on Other Technical Standards for Building Code standards.)

In this case, there are several Zoning Code standards that relate to existing development on the site:

- Minimum Setbacks – The existing house identified to remain on the site must meet the required Zoning Code setbacks from the proposed new lot lines. Alternatively, existing buildings must be set back from the new lot lines in conformance with an approved Adjustment or other Land Use Review decision that specifically approves alternative setbacks. The existing house will be 3.6-4.3 feet from the new property line (2.4’ to eave). Therefore, the required setbacks are being met. To ensure this standard continues to be met at the final plat stage, the final plat must be accompanied by a supplemental survey showing the location of the existing building relative to the adjacent new lot lines.

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 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, using the exception for sprinklers or obtaining an approved Fire Bureau appeal to this requirement and providing an Acknowledgement of Special Land Use Conditions if the exception is used or an appeal is granted; aerial fire apparatus access. These requirements are based on the technical standards of Title 31 and the 2016 Fire Bureau Code.
- The applicant must meet the requirements of Urban Forestry for street tree planting in the existing planter strips prior to final plat approval.

Existing Street Conditions

N Leonard St: The site has approximately 90 feet of street frontage. The right-of-way is improved with pavement and curbs only. There are overhead high voltage power lines. There are no street trees.

N St Louis Ave: The site has approximately 95 feet of street frontage. The right-of-way is improved with pavement, curbs, planting strip, and sidewalks. There are overhead high voltage power lines. There are two street trees, both of which are dead or dying and are less than 3" DBH.

N Central St: The site has approximately 70 feet of street frontage. The right-of-way is improved with pavement, curbs, planting strip, and sidewalks. There are no overhead high voltage power lines. There are two street trees, both of which are dead and under 3" DBH.

The applicant has not provided a conceptual street tree planting plan. One street tree must be planted or retained for each full increment of 25 linear feet (11.50.060.C.1). Street trees must be planted at a minimum 1.5 caliper inches.

Urban Forestry has no objections to the proposal subject to the following conditions of approval: Street Tree Planting prior to final plat approval. This requirement is based on the standards of Title 11.

- The applicant must meet the requirements of Life Safety (Exhibit E.7) as follows:

Life Safety Plan Review does not object to the approval of this proposal. Prior to approval of the final plat, the applicant must address the following building code issues:

1. The eaves at the existing structure are located less than 3'-0" from the proposed property line and do not appear to meet the requirements of Section R302.1, which requires a 1-hour fire-rating to the underside of the eave.
2. The guardrail at the exterior basement stairs do not appear to meet the requirements of Section R302.1. A guardrail located less than 3'-0" from the property line must be constructed with a listed one-hour fire rating from the ground to guardrail height.

CONCLUSIONS

The applicant has proposed a 3-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: Sidewalk improvements, relocation of existing sewer line, septic decommission and new street trees and building code issues.

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

ADMINISTRATIVE DECISION

Approval of a Preliminary Plan for a 3-parcel partition, that will result in 3 single dwelling lots as illustrated with Exhibit C.1 subject to the following conditions:

A. Supplemental Plan. Three copies of an additional supplemental plan shall be submitted with the final plat survey for Land Use Review and approval. That plan must portray how the conditions of approval listed below are met. In addition, the supplemental plan must show the surveyed location of the following:

- Any buildings or accessory structures on the site at the time of the final plat application;
- Any driveways and off-street vehicle parking areas on the site at the time of the final plat application;
- The reduced side setbacks allowed under 33.120.270.D
- Any other information specifically noted in the conditions listed below.

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

Streets

1. The applicant shall meet the requirements of the City Engineer for right of way improvements along the site's street frontage. The applicant must obtain an approved Public works permit from the Portland Bureau of Transportation to install the required sidewalk corridor. A bond and contract ensuring the improvements will be constructed shall be required prior to final plat approval.

The improvements along the N Leonard St. frontage abutting Parcel 1, where the existing house will be retained, must be constructed prior to final plat approval. The improvements along the frontage of the undeveloped lot(s) may be constructed with development on each lot as per the City Engineer's discretion.

Utilities

2. The applicant shall meet the requirements of the Fire Bureau for ensuring adequate hydrant flow from the nearest hydrant. The applicant must provide verification to the Fire Bureau that Appendix B of the Fire Code is met, the exception is used, or provide an approved Fire Code Appeal prior to final plat approval.

Existing Development

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.
4. The applicant shall meet the requirements of the Bureau of Environmental Services concerning relocation of the sanitary sewer service connection to the existing home and accessory dwelling unit on Parcel 1.
5. The applicant must obtain a finalized building permit for modifications to the existing house that will remain on proposed Parcel 1 to comply with building code requirements to the satisfaction of the Life Safety Section of BDS for the following items:

-Fire rating of eaves less than 3'-0" from the proposed property line.

-Fire rating of guardrail at the exterior basement stairs located less than 3'-0" from the property line.

The permit plans must include the note: *This permit fulfills requirements of Condition C.5 of LU 18-274627 LDP.*

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: July 8, 2019.**

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.

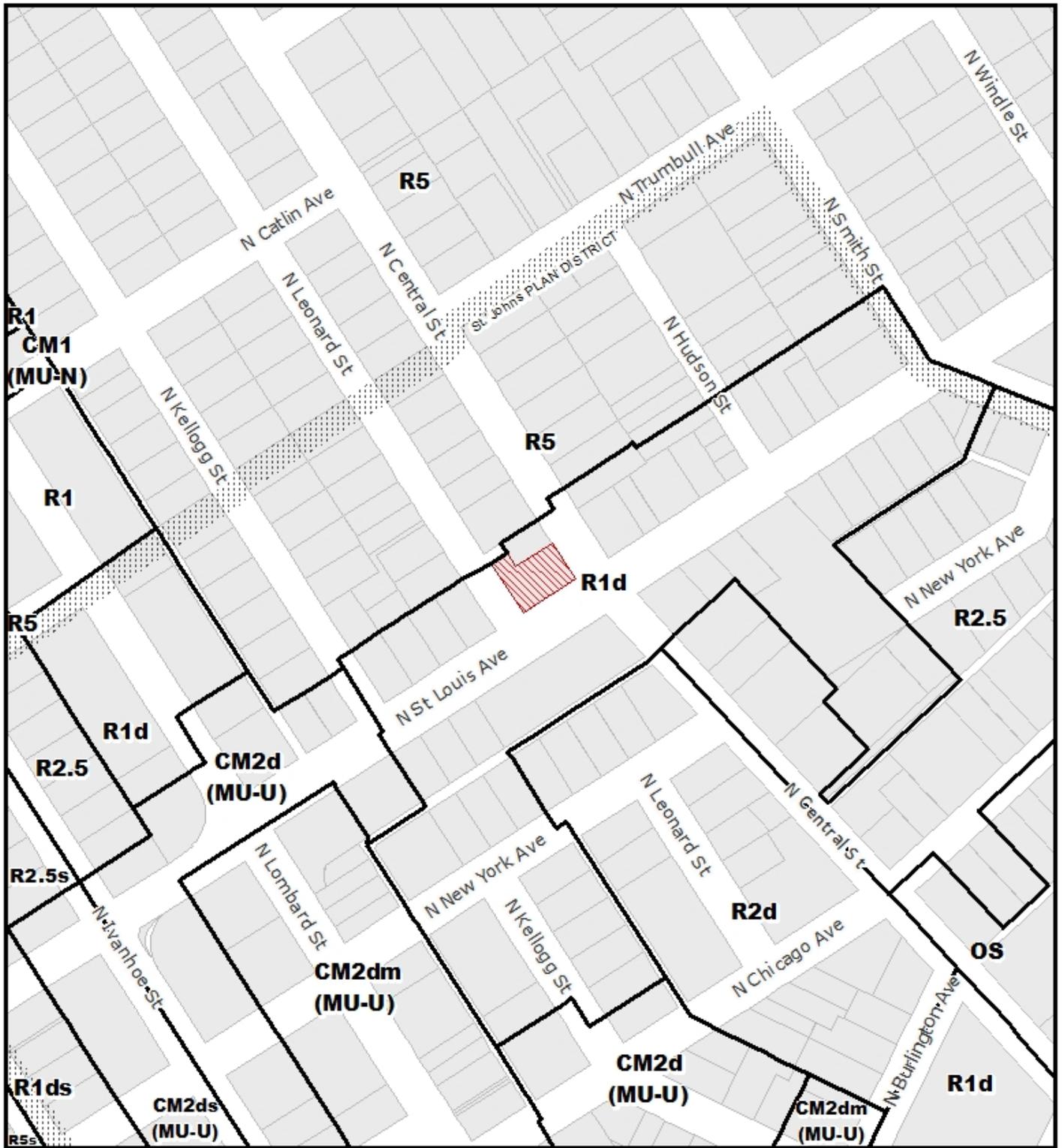
Recording the land division. The final land division plat **must** be submitted to the City **within three years** of the date of the City’s final approval of the preliminary plan. This final plat must be recorded with the County Recorder and Assessors Office after it is signed by the Planning Director 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. Applicants narrative submitted 12/6/18
 - 2. Expediated Land Division Acknowledgement
 - 3. Early Neighborhood Notification documentation
 - 4. SIM approach submitted 12/6/18
 - 5. Deed info
 - 6. Original site plan submitted 12/6/18
 - 7. Stamped survey submitted 12/6/19
 - 8. Revised narrative submitted 3/8/19
 - 9. Revised SIM form dated 4/11/19
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. 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
- F. Correspondence: (None Received)
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter dated 1/4/19
 - 3. Public works Alternative review committee (19-134758 PW)
 - 4. LU_13_201874 AD

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

THIS SITE LIES WITHIN THE:
ST. JOHNS PLAN DISTRICT

File No.	LU 18-274627 LDP
1/4 Section	2021
Scale	1 inch = 200 feet
State ID	1N1W01CD 1500
Exhibit	B Mar 12, 2019

18-274627
 CASE NO. G-1
 EXHIBIT

MARK DANE PLANNING
 1500 SW BURNER ROAD
 PORTLAND, OREGON 97205
 (503) 327-7147
 www.markdaneplanning.com

PROPOSED IMPROVEMENTS PLAN

8011 N. ST. LOUIS, PORTLAND OREGON
 8011 N. ST. LOUIS, PORTLAND OREGON

PROJECT NO. SAM-010
 FILED FOR RECORD
 DATE 05/13/2013
 COUNTY CLATSOP
 TOWNSHIP 30S
 RANGE 12S
 MERIDIAN 48W
 SECTION 15
 COUNTY MULTNOMAH
 TAX LOTS 10700
 SHEET TITLE: IMPROVEMENTS & PLANS
 SHEET NUMBER: P1

Notes:
 PROPERTY ID: R323684
 STATE ID: IN1W01CD 1500
 ACCOUNT NO: R967010220
 ZONING: R1C
 PARCEL SIZE: .16AC (6,970 SF)

- LEGEND:
- DRYWELL
 - WATER METER
 - ELECTRIC METER
 - GAS METER
 - CATCH BASIN
 - IRRIGATION BOY
 - WATER VALVE
 - HYDRANT
 - SLASH PAD
 - ⊗ DOWN SCOUT
 - ⊗ TEST PIT LOCATION
 - ⊗ WATER LINE
 - NATURAL GAS LINE
 - SANITARY SEWER LINE
 - WOOD FENCE LINE
 - CHAINLINK FENCE LINE
 - OVERHEAD POWER LINE
 - ⊙ SANITARY SEWER MANHOLE
 - ASPHALT SURFACE
 - CONCRETE SURFACE
 - GRAVEL SURFACE

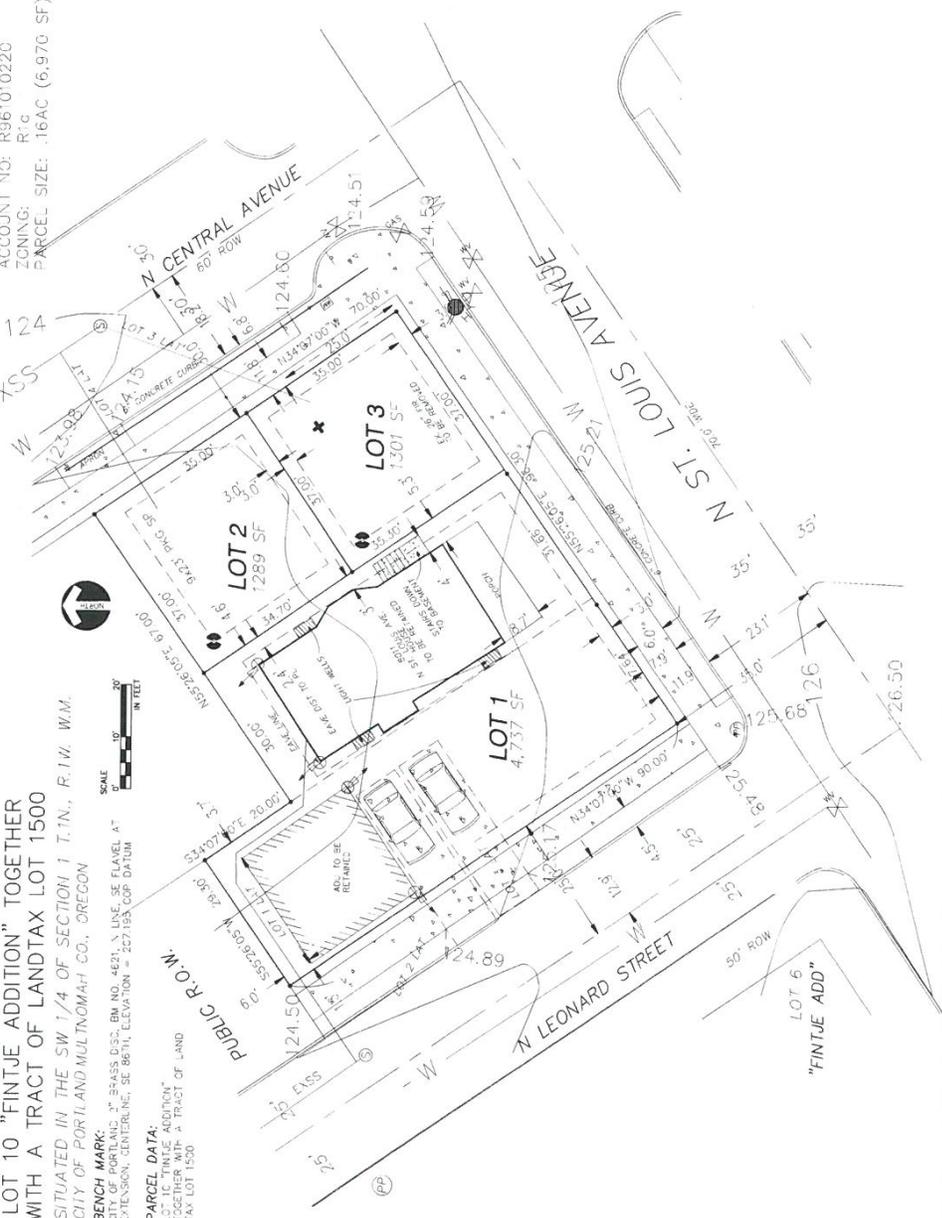
8011 N. ST. LOUIS SUBDIVISION

LOT 10 "FINTJE ADDITION" TOGETHER WITH A TRACT OF LAND TAX LOT 1500
 SITUATED IN THE SW 1/4 OF SECTION 1 T. 1N., R. 11W. W.M.
 CITY OF PORTLAND AND MULTNOMAH CO., OREGON



BENCH MARK:
 3" BRASS D.S.D. BM NO. 4821, N. LINE, SE FLAVEL AT EXTENSION, CENTERLINE, SE 86°11', ELEVATION = 207.193 COP DATUM

PARCEL DATA:
 LOT 10 "FINTJE ADDITION" TOGETHER WITH A TRACT OF LAND TAX LOT 1500



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 PORTLAND, OREGON 97205
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