



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

Dan Ryan, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-6983
TTY: (503) 823-6868
www.portland.gov/bds

Date: September 29, 2020
To: Interested Person
From: Lois Jennings, Land Use Services
503-865-6433 or lois.jennings@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 20-144970 LDP

GENERAL INFORMATION

Applicants: Daniel Silvey for DBS Group Llc
PO Box 96
Tualatin, OR 97062
Phone# 503-201-8537 or danielsilvey@kniprealty.com

Danelle Isenhardt, Emerio Design
6445 SW Fallbrook Pl #100
Beaverton OR 97008
Phone: 503-746-8812 or danelle@emeriodesign.com

Owner: DBS Group Llc
PO Box 96
Tualatin, OR 97062-0096

Site Address: 4642 NE SUMNER ST

Legal Description: LOT 14, BOUNDARY AC
Tax Account No.: R094100340
State ID No.: 1N2E19BB 13300
Quarter Section: 2535

Neighborhood: Cully, contact David Sweet at 503-493-9434.
Business District: None
District Coalition: Central Northeast Neighbors, contact Alison Stoll at 503-823-2778.

Plan District: None

Zoning:	R5-Single-Dwelling Residential (1 unit per 5,000 s.f.) with an “h”-Aircraft Landing Zone 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 to divide the subject property into three (3) parcels. The existing house with attached garage/shop will be removed. Parcel 1 will be 4,501 s.f., Parcel 2 will be 4,714 s.f. and Parcel 3 will be 4,703 s.f. in area. Parcels 2 and 3 will be developed with a detached single dwelling. Parcel 1 will be developed with a duplex by utilizing the alternative development provision of the code Section 33.110.240.E which allows an extra unit to be developed on a corner lot. The applicant is proposing to preserve two trees, a Douglas Fir (#5) and a Port Orford Cedar (#6), which straddle the southern property line of Parcel 3 and the adjacent property. The applicant’s preliminary site and utility plan shows how services (sanitary, stormwater and water) will be provided for each lot.

Portland Bureau of Transportation (PBOT) notes NE Sumner Street and NE 47th Place currently are not improved to City’s right-of-way standards along both street frontages and will require street dedication. NE Sumner Street is a local street and qualifies for the Local Transportation Infrastructure Charge (LTIC). The owner will be required to pay the Local Transportation Infrastructure Charge (LTIC) and execute street and storm sewer waivers of remonstrance for future improvements along this frontage through a Local Improvement District project. Frontage improvements will be required along NE 47th Place to bring the street and corner into compliance with City street standards.

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 three 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 approval criteria are:

- **33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones.**

FACTS

Site and Vicinity: This site is a corner lot on the south side of NE Sumner Street and NE 47th Place. The existing single-level house is connected to the garage/shop by a small breezeway, which is not reflected on the site plan. This structure is currently being removed from the site under building permit #20-141726 RS. A chain link fence borders the exterior of the property. Tree protection fencing has been installed to protect existing trees on the site.

The surrounding area is mostly 1 to 1 ½ story single-family residences, with a few duplexes mixed into the neighborhood. Directly west of the site is the Sumner Street Community Garden. Zoning directly south of the site is R5 and then changes to R7 directly to the east and approximately 250-ft. north of this property. Commercial and Multi-family development is located along NE 42nd Avenue approximately 1,300-ft. to the west and NE Killingsworth street approximately 1,000-ft. to the north of this site. Fern Hill Park is the nearest park north of this site at 6100 NE 37th Avenue and may be accessed from NE 42nd Avenue. Tri-

Met provides transit service on NE 42nd via Bus Line #75 or on NE Killingsworth Street via Bus line #75.

- **Streets:** The site has approximately 80-ft. of frontage on NE Sumner Street and approximately 180ft. of frontage along NE 47th Place. There is an existing driveway entering the site which serves the existing house from NE Sumner Street.

NE Sumner Street is a 50-ft. wide Right-of-Way (ROW) improved with an approximate 24-28-ft. wide paved roadway with no curb or sidewalk. At this location, NE Sumner Street is classified as a City Bikeway and Local Service street for all other transportation modes.

NE 47th Place is a 30-ft. wide Right-of-Way (ROW) with a 20-ft. wide paved roadway with a curb only along this site's frontage and on the east side of the street there is a sidewalk and curb established. No parking is allowed along the west side of NE 47th Place within this block area. NE 47th Place is classified as a Local Service Street for all modes of transportation per the Transportation System Plan (TSP).

Transit service is provided by the #75 TriMet Bus line on NE 42nd Avenue to the west of the site or by #72 TriMet Bus line on NE Killingsworth Street to the north of the site.

- **Water Service:** There is an existing 6-inch cast iron (CI) water main located within the furnishing zone a few feet behind the curb on NE Sumner Street. The existing house is served by a 5/8" metered on a 3/4-inch service from this 6-inch CI water main. There is an 8-inch cast iron (CI) water main located in NE 47th Place.
- **Water Bureau Fire Flow Information:** The hydrant at 4642 NE Sumner Street is estimated to flow at 1,700 gpm with a minimum residual pressure of 20 psi. Another fire hydrant is located near 5204 NE 47th Avenue is estimated flow of 1,400 gpm at the minimum 20 psi residual pressure. Flowing simultaneously, these two fire hydrants can provide a combined flow of 3,200 gpm with a system residual pressure set to 20 psi.
- **Sanitary Service:** There is an 8-inch public PVC sanitary only sewer in NE Sumner Street and NE 47th Place (BES as-built# 4415).
- **Stormwater Disposal:** There are no public storm-only sewers available to this property. The applicant is proposing to provide on-site stormwater management facility for the proposed development, which is discussed later in this report under 33.653.030.

There is an existing public underground injection control (UIC) "sump" system in NE Sumner Street and NE 47th Place that manages public stormwater runoff for this street frontage. Stormwater from private development cannot be discharged to UIC systems.

Zoning: The R5 -Residential 5,000 zone is intended to foster the development of single-dwelling residences on lots having a minimum area of 3,000 square feet, with minimum width and depth dimensions of 36 and 50 feet, respectively. Newly created lots must have a maximum density of 1 lot per 5,000 square feet of site area.

The "h"-Aircraft Landing Zone overlay limits the height of structures and vegetation in the vicinity of the Portland International Airport. Though in residential zones, structures are regulated by the base zone height limits rather than the height limits of this overlay.

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

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

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **August 3, 2020**. No written responses have been received from the Neighborhood Association. The City did receive a written response from a notified property owner in response to this proposal. The neighbor’s concerns about the retaining the Douglas Fir Tree (identified as #5) are summarized below:

- Health and stability of tree will be impacted by the future development being constructed on the site.
- Future owners of Parcel 3 will not be aware of tree preservation requirements and their future home development projects may impact the stability and health of tree.
- Tree limbs and other debris falling from the Douglas Fir Tree creates tensions between neighbors

Staff Response: The tree preservation standards and approval criteria are addressed in this report under Section 33.660.120.B.

The arborist report provided by the applicant shows the Douglas Fir Tree and the Port Orford can be preserved and its health maintained during construction of the future development on future Parcel 3. Future owners of Parcel 3 will be made aware of these two trees being required to be preserved since an Acknowledgement of Tree Preservation Land Use Conditions legal document will be recorded with the final plat and referenced as a note on the plat.

Maintenance and protection of the trees is the ongoing responsibility of the property owners.

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 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:
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.
J	33.640 - Streams, Springs, Seeps and Wetlands	No streams, springs, seeps or wetlands are evident on the site add if site has e-zoning 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 zone	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 33.610 contains the density and lot dimension requirements applicable in the R5 zone. Based on the applicant's survey (Exhibit C.2), the site area is 15,336 square feet in area prior to the street dedication. The maximum density in the R5 zone is one unit per 5,000 square feet. Therefore, maximum density is $15,336/5000 = 3$ as maximum density. Minimum density is one unit per 5,000 square feet based on 80 percent of the site area. Minimum density is $15,336 \times .80 = 12,268/5000 = 2.4$ which rounds down to 2 units.

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)
R5 Zone	3,000	8,500	36	50	30
Parcel 1		4,501	58	77.4	57.87
Parcel 2		4,714	60.96	77.3	60.96
Parcel 3		4,703	60.96	77.2	60.96

* 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.

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

B. Trees. The standards and approval criteria of Chapter 33.630, Tree Preservation, must be met.

Findings: The regulations of Chapter 33.630 require that trees be considered early in the design process with the goal of preserving high value trees and, when necessary, mitigating for the loss of trees.

To satisfy these requirements, the applicant must provide a tree plan that demonstrates, to the greatest extent practicable, the trees to be preserved provide the greatest environmental and aesthetic benefits for the site and the surrounding area. The tree plan must also show that trees are suitable for preservation, considering the health and condition of the tree and development impacts anticipated. Tree preservation must be maximized, to the extent practicable, while allowing for reasonable development considering the intensity of development allowed in the zone and site constraints, including existing utility easements and requirements for services and streets.

Trees that are healthy, native and non-nuisance species, 20 or more inches in diameter and in tree groves are the highest priority for preservation. Additional considerations include trees that are slower growing native species, buffering natural resources, preventing erosion and slope destabilization and limiting impacts on adjacent sites.

Some trees are exempt from the requirements of this chapter, if they are unhealthy, a nuisance species, within 10 feet of a building to remain on the site, within an existing right-of-way, or within an environmental zone.

There are six (6) existing trees on the subject site. In order to identify which trees are subject to these requirements, the applicant provided a tree survey (Exhibit C.3) that shows the location and size of trees on and adjacent to the site. The applicant also provided an arborist report (Exhibit A.5 & A.10) that identifies each tree, its condition and suitability for preservation or its exempt status and specifies a root protection zone and tree protection measures for each tree to be preserved.

Based on this information, five of the six trees, which provide a total of 73-inches of tree diameter are subject to the tree preservation requirements of this chapter. The applicant is proposing to preserve two (#5 and #6) of the five trees. Trees #5 and #6 straddle the southern property line of this site. The two trees being proposed to be preserved are the following:

- 29-inch dbh – Douglas Fir (*Pseudotsuga menziesii*)- identified as Tree #5
- 17-inch dbh – Port Orford Cedar (*Chamaecyparis lawsoniana*) -identified as Tree #6

Both trees are located on the southern property line of Parcel 3 where a new single-family residence will be developed as reflected on Exhibit C.2. The revised arborist report submitted (Exhibit A.10) recommended that the south foundation footing of any structure adjacent to tree #5 be hand excavated. Also, that if any roots are encountered that the foundation be adjusted to bridge the roots. The builder has indicated that a slab on grade be built. It is recommended that a qualified arborist be on call during the hand excavation of the south footing near tree #5. The scraping for the slab will require on-site supervision by a qualified arborist. The scraping will be done by hand and machine. The hand digging of the footing and uncovering of roots will guide which excavation technique is used and where in the scraping process hand digging or machine digging will be feasible..." The report also recommends that the south foundation footing of any structure adjacent to tree #5 be hand excavated and if any roots are encountered that the foundation be adjusted.

Due to a neighbor's concern about the impact the new construction would have on Tree #5, City staff requested Urban Forestry to conduct a peer review of the submitted Arborist Reports (A.5 and A.10). Urban Forestry recommended an arborist be on site when they are scrapping for the slab/excavating/digging the holes for foundation/footings adjacent to these trees. Having an arborist on-site during these activities will ensure any roots under 4-inches are pruned cleanly, and if a root over 4-inches is encountered the location of the footing be altered to reduce the impacts to these roots. Urban Forestry also recommended two inches of mulch be laid down within the Root Protection Zone (RPZ) of tree #5 within the tree protection fence to help protect and accommodate the development of the remaining

root system of Tree #5. The foundation should be set back from the Tree Protection Fence to allow room for excavation and for forms to be placed. In response to these recommendations from Urban Forestry an amended tree protection plan was submitted by the applicant on August 26, 2020 (Exhibit A.13). To ensure the amended tree protection is fully complete prior to final plat approval all the arborist reports will be condensed into one arborist report with the amended tree protection plan, so there is no confusion in the future. Also to ensure whoever develops on Parcel 3 will follow the recommendations of this arborist report and have an arborist on site, the applicant shall submit a copy of the contract for those services prior to permit issuance and a final report from the arborist documenting the inspections and verifying the viability of the trees prior to the City's final inspection of the building permit for the new residence on Parcel 3. This final report from the arborist will be provided to the Land Division Land Use Planner prior to the final inspection. With these conditions both of these trees (#5 and #6) can be retained and will remain healthy and viable to be preserved when Parcel 3 is developed.

The trees #5 and #6 proposed for preservation are in good condition, include native/non-nuisance species. The proposed root protection zones for the trees to be retained will allow for the type of development anticipated in the R5 zone. By preserving the 29-inch Douglas Fir (#5), a 100 percent of the trees that are 20 or more inches will be retained and with tree #6 – 17-inch Port Orford Cedar being retained a total of 46-inches tree diameter is preserved, so the proposal complies with Option #1:

Option 1: Preserve all the trees that are 20 or more inches in diameter and at least 20 percent of the total tree diameter on the site.

Based on these factors, no additional mitigation is warranted to satisfy the approval criteria.

In order to ensure that future owners of Parcel 3 are aware of the tree preservation requirements, the applicant must record an Acknowledgement of Tree Preservation Land Use Conditions, at the time of final plat. The acknowledgement must identify that development on Parcel 3 must be carried out in conformance with the Tree Preservation Plan (Exhibit C.2 & C.3) and the complete Arborist Report submitted at time of final plat.

At the time of development, the individual parcels must also meet the Title 11-Tree Code provisions, which require a specific amount of site area for tree planting based on the size of the property and the scale of the development. The trees to be retained as part of this review may be applied toward meeting those Title 11 requirements for Parcel 3.

With the implementation of the conditions outlined above, 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 slightly sloped and is not located within the Potential Landslide Hazard Area. The applicant has submitted a Preliminary Clearing and Grading Plan (Exhibit C.4) that shows minimal grading necessary to allow for adequate grades for the proposed street improvements along NE 47th Place through the public works permitting process. It reflects the existing house and detached garage/shop being removed from the site.

This preliminary grading and erosion control plan depicts existing and proposed elevation contours, soil stockpile areas, undisturbed areas consistent with the root protection zones of trees to be preserved, per the applicant's Tree Preservation Plan, and the overall limits of disturbed area which will allow for future residential development on the site.

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 has ever been 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.

The applicant has proposed to remove the existing structures 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, sewer capping and decommissioning of the septic system prior to final plat approval.

With these conditions, the new lots can be considered suitable for development, and this criterion is met.

I. Solar access. If single-dwelling detached development is proposed for the site, the approval criteria of Chapter 33.639, Solar Access, must be met.

Findings: The solar access regulations encourage variation in the width of lots to maximize solar access for single-dwelling detached development and minimize shade on adjacent properties.

Parcel 1 is a corner lot on the south side of the intersection, and there are no solar access width preferences for this lot orientation. Parcels 2 and 3 are interior lots on the west side of a north-south street and are the widest lots, which is in accordance with the solar access regulations. This criterion is therefore met.

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

33.641.020, Traffic Impacts, Approval Criterion

- A.** The transportation system must be capable of 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; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated as required by 33.641.020.B
- B.** Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.

The Development Review Section of the Portland Bureau of Transportation (PBOT) has reviewed the application against the evaluation factors and comments/findings are summarized (see Exhibit E.2) below:

Findings: The applicant provided a written narrative addressing the transportation approval criteria above. The applicant proposes to remove the existing house and garage in order to divide the 15,315 square foot property into three lots; a 4,501 sq. ft. corner lot (proposed Parcel 1); and a 4,714 sq. ft. middle lot (proposed Parcel 2) and a 4,703 sq. ft. southern lot (proposed Parcel 3) both fronting onto NE 47th Ave. The proposed corner parcel will retain its existing driveway location on NE Sumner while also installing an additional driveway on NE 47th Ave for the proposed duplex. PBOT policy states that corner lots are allowed to have individual driveways located on a separate frontage if both streets are classified *Local Service* and the driveways meets all other dimensional and locational requirements, such as distance from the intersection. The proposed plan complies with these requirements. The two remaining parcels are not required to have a shared driveway, in which individual driveways are also proposed. For this section of NE 47th, on-street parking is not permitted abutting the site. With the addition of each home will be provided an on-site parking area, so there are no anticipated on-street parking impacts to the surrounding area.

Based upon trip generation estimates from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition, the new proposed parcel is projected to generate one additional morning and one evening trip, for approximately ten daily trips each. The net addition of two single-family residence added to the transportation system resulting from the development will not adversely impact the operations of area intersections, as the proposed development adds negligible trips to the transportation network compared to existing volumes in the area and is consistent with the zoning of the property. Therefore, the transportation system is capable of safely supporting the proposed development in addition to existing uses in the area and capable of maintaining acceptable levels of service.

The subject site is located within four TriMet bus service lines: *75-Lombard/42nd*, *72-Killingsworth, 24-Fremont, and 71-60^t*, all of which are within a mile from the site. For bicycles, the surrounding low-volume, *Local Service* neighborhood streets allows for a safe and comfortable environment for cyclists within the roadway, which leads to more developed bicycles routes in either direction of the site. The existing sidewalk network in the area is partially complete, although generally not up to City standards in some areas. However, the proposal includes improving the NE 47th Place frontage with an 11-ft City standard pedestrian corridor for the length of the site, contributing to the connectivity of the neighborhood. Therefore, the resulting proposed development will not negatively impact transit access or other transportation modes and will enhance pedestrian environment and safety.

The existing street frontages on NE Sumner Street and NE 47th Place currently do not meet City standards. The right-of-way dedication and improvements to the sidewalk corridor are further discussed further under Criterion L. 33.654.

As such, with the condition noted above for improvements along NE 47th Place frontage, PBOT concludes the transportation system will be capable of supporting the proposed development in addition to the existing uses. Therefore, these criteria are me

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 exists and is available to the site, as noted on page 3 of this report. The Water Bureau reviewed the applicant's site utility plan (Exhibit C.2) and notes there is a 6-inch cast iron main located within the furnishing zone a few feet behind the curb on NE Sumner Street. A water main relocation is not required because construction over the main is less than 20 feet in length. If an existing service is not used for the new development, it must be removed.

The Fire Bureau has reviewed and verified the Fire Flow information (Exhibit A.6) from the nearest fire hydrant has adequate capacity to serve the proposed development.

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 (BES) has indicated that service is available to the site, as noted on page 3 of this report. The applicant's site utility plan (Exhibit C.2) shows the future development on Parcels 1-3 will be served by individual connections to the sanitary - only sewers in NE 47th Place and NE Sumner Street within the frontages of each parcels.

BES determine the applicant's proposal for sanitary service acceptable for the purpose of reviewing the preliminary land division application against the sanitary sewer disposal standard and approval criterion.

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 Bureau of Environmental Services (BES) has reviewed tis land division proposal.

Stormwater Management for Individual Lots:

The applicant has proposed the following stormwater management methods (Exhibit C.2 & A.3):

- **Parcels 1, 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.

Bureau of Environmental Services (BES) reviewed the applicant's stormwater management plan and Simplified Approach Stormwater report that describes infiltration test results of 3-inches per hour on the site. BES determined the proposed stormwater management plan (Exhibit C.2) is acceptable for reviewing the land division against the stormwater management approval criterion and standards. This stormwater management standard is verified, and criterion is met.

Public Right-of-Way Stormwater Management: As a condition of this land use approval, the Bureau of Transportation requires the applicant to improve the NE 47th Place frontage of the site to City standards (discussed earlier in this report). Street dedication and a new sidewalk is required, but the curb already exists. 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.

BES understands the applicant has elected to pay the Local Transportation Infrastructure Charge (LTIC) for NE Sumner Street. Public right-off-way (ROW) improvements will not be

constructed along frontage of NE Sumner Street at this time. To ensure in the future that stormwater runoff from public right-of-way improvements will be managed to the standards of SWMM and Sewer and Drainage Design Manual in the future along this frontage BES requires the applicant to pay into Local Transportation Infrastructure Charge (LTIC) and provide stormwater waivers of remonstrance prior to final plat approval.

With the above listed conditions, BES staff determined for the purpose of this land division proposal the Stormwater runoff from public right-of-way improvements meets the stormwater management standards and approval criterion.

The stormwater standards have been verified and criterion met.

33.654.110.B.1 Through streets and pedestrian connections – See Exhibit E.2 for bureau comment

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.

PBOT provides the following comments: The site is located at an intersection of established rights-of-way, within the typical grid pattern of an established neighborhood and many redundant connections surrounding the property, therefore additional connections are not practical at this location.

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 Bureau of Transportation (PBOT) comments are summarized below:

At this location NE Sumner Street is classified as a City Bikeway and Local Service for all other modes of transportation per the City's Transportation System Plan (TSP). NE 47th Place is classified as Local Service for all modes of transportation per TSP.

NE Sumner Street: NE Sumner Street is improved with an approximate 24-28-ft. paved roadway with no curbs and sidewalks within a 50 ft. wide right-of-way (ROW). For a local service street within an R5 zone, the City's Pedestrian Design Guide recommends a 48-ft. ROW to accommodate a 26-ft. wide roadway with parking on both sides, and a 11 ft. sidewalk corridor on each side, comprised of a 0.5-ft./4-ft. wide furnishing zone/6-ft. wide sidewalk/0.5-ft. frontage zone.

The existing frontage lacks curbs and sidewalks and none of the frontages have been improved on NE Sumner street. NE Sumner Street currently does not meet City standards. PBOT notes the Local Transportation Infrastructure Charge (LTIC) applies to NE Sumner Street at this location. The Local Transportation Infrastructure Charge (LTIC) is a fund designed to provide improvements to unimproved streets citywide, as authorized by the Portland City Council Ordinance 187681. LTIC allows the applicant of a land use review to either build the required street improvements or pay into the LTIC fund.

Payment of the charge will exempt the property from the requirements to construct transportation improvements to current City standards (except the ADA corner). The charge for LTIC is based on the zone and linear foot of qualifying street frontage. If chosen, prior to final plat approval the applicant/owner will be required to make Payment into LTIC and to execute street and stormwater waivers of remonstrance and comply with all other applicable City Code provisions, administrative rules and policies.

PBOT gave the applicant the choice to make the improvements along this frontage or to make

a payment into the Local Transportation Infrastructure Charge (LTIC) and execute street and storm sewer waivers of remonstrance for participation in future street and storm sewer improvements prior to final plat approval. The owner/applicant chose to make a payment to LTIC and will execute street and storm sewer waivers of remonstrance for participation in a future Local Improvement District (LID).

NE 47th Place: NE 47th Place is improved with a 20-ft. wide paved roadway, with only a curb along this frontage and a 5-ft curb tight sidewalk on the east side of the street, within a 30-ft. right-of-way. For a local service street within an R5 zone, the City's Pedestrian Design Guide recommends a 11-ft. wide pedestrian corridor comprised of a 0.5-ft. curb, 4-ft. wide furnishing zone, 6-ft. wide sidewalk, and a 0.5-ft. wide frontage zone. The abutting pedestrian corridor does not meet City standards.

PBOT notes the applicant will be required to dedicate property and to reconstruct the pedestrian corridor along NE 47th Place's site frontage to City standards, including constructing the corner to meet ADA requirements. The applicant had applied for a Public Works Alternative (20-132192 PW) to install a curb tight sidewalk at this location rather than the standard configuration, however this request was denied. Therefore, a dedication of sufficient property to accommodate an 11-ft pedestrian corridor (approx. 8-ft) is required to be provided and shown on the final plat to bring NE 47th Place into conformance with City standards. A Public Works Permit will be required for these sidewalk improvements along this frontage.

The Corner: Further, then submitted plans showed the proposed sidewalk terminating at the corner. The existing corner does have a curb, however no pavement or ADA ramps. By installing the sidewalk corridor along NE 47th Ave, a corner ramp will be required to also installed, designed to meet current ADA standards and be reviewed through the Public Works permit process.

Prior to final plat approval, the applicant will be required to show the required street dedication on the final plat and submit a Public Works Permit and provide plans and financial assurance for the street frontage improvements required along NE 47th Place (including ADA corner ramp). The applicant has submitted a public works permit, 20-164384 WT, application which is currently under review at this time, the plans must achieve 30% concept approval and the financial assurances must be provided prior to final plat approval.

In this case, the applicant has chosen to pay the LTIC charge for the street frontage along NE Sumner Street of this project. When the street is to be improved, it would be likely be part of a larger Local Improvement District (LID) project. Having the owners executing street and stormwater waivers of remonstrance ensures participation in such a Local Improvement District in the future. Therefore, the applicant will be required to sign street and storm sewer waivers of remonstrance (for participation in future street and storm sewer improvements) and pay the Local Transportation Infrastructure Charge prior to final plat approval. PBOT determined the existing street system is capable of serving the existing users and proposed new development. With the conditions of approval described above, this criterion is met.

33.654.120.H – Standards for Street Trees – see Exhibit E.6 for bureau comments

The City Forester reviews this land division proposal for its impact on existing trees, heritage trees, street tree requirements and related mitigation, in accordance with Title 11, Tree Code. One street tree must be planted or retained for each full increment of 25 linear feet (11.50.060.C.1). Street trees are required to be planted through building permit

Existing Street Conditions:

- NE Sumner Street: The site has approximately 78-ft. of street frontage. The right-of-way is improved with pavement, with no curbs, no planter strip or sidewalks. There are no overhead high voltage power lines. There are no street trees.
- NE 47th Place: The site has approximately. of street frontage. The right-of-way is

improved with pavement, curb, planter strip and no sidewalk along this frontage. There are overhead voltage power lines. There are six existing street trees in good condition.

Urban Forestry comments are summarized below:

Street Tree Planting (11.50.060.C) and Street Tree Preservation (11.50.040): The applicant provided a conceptual street tree planting. Urban Forestry will review removal of existing street trees and planting of new street tree species as part of the public works permit for frontage improvements required by PBOT. Street trees will be required to be planted through the public works permit or building permit review.

A fee is required for loss of street tree planting locations. Each street tree requires 25 linear feet for planting. Prior to lot division there is room for seven street trees to be planted. After the proposed lot division there is room for six street trees. To address the loss of one street tree planting space, a payment to the Tree Fund will be required. Payment (fee in lieu) will be required prior to final plat approval.

With a condition a payment for fee in lieu of planting for 1.5-inches (1 tree x 1.5 inch x \$450= \$675.00 currently), for the loss of one street tree space, be made prior to final plat approval, 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-way 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.

Existing Development: The applicant is proposing to remove all of the existing structures (house with detached garage/shop) 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.

Future Development

The applicant is proposing to develop a duplex on Parcel 1, the corner lot, which exceeds the maximum density normally allowed for the site. However, the future development, a duplex, on Parcel 1 is allowed under the provision in 33.110.240.E, which allows one extra unit in a conjunction with a duplex on a corner lot. The additional unit is allowed on a corner lot in a R5 zone provided that the lot area is at least 4500 square feet in area.

- Duplexes on Corner Lots—The following are additional development standards required for development of a duplex utilizing Section 33.110.240.E (see code for specifics)
 1. The address and main entrance of each unit must be oriented to a separate street frontage.
 2. The exterior finish material must be the same, or visually match in type, size and placement.
 3. The predominant roof pitch must be the same.
 4. Roof eaves must project the same distance from the building wall.
 5. Trim must be the same in type, size and location.

6. Windows must match in proportion and orientation.

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.

- Building Code (Life Safety Section of BDS Exhibit E.7): The existing house with attached garage/shop is being proposed to be removed from the site, which triggers a building permit. A building permit has been issued to remove these existing structures under permit number 20-141726 RS. A final inspection of this permit is required prior to final plat approval. These requirements are based on the technical standards of the Oregon Residential Specialty Code (ORSC), henceforth Building Code.
- The applicant at the time of development must meet the requirements of the Fire Bureau regarding 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.
- Driveways & Curb Cuts (Section 17.28): Curb cuts and driveway construction must meet the requirements in Title 17. The Title 17 driveway requirements will be enforced during the review of building permits or public works permits.

CONCLUSIONS

The applicant has proposed a three-parcel partition, that will result in three standard single-dwelling lots, Parcels 1-3, 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.

A Douglas Fir (#5) and Port Orford Cedar (#6) along the southern property line of Parcel 3 will be preserved. A neighbor raised concerns about the impact of development will have on the Douglas Fir. An Arborist is required to be on-site during certain aspects of construction for development on Parcel 3. To ensure the arborist report is followed, the applicant shall submit a copy of the contract for those services prior to permit issuance and a final report from the arborist documenting the inspections and verifying the viability of the trees prior to the City's final inspection of the building permit for the new residence on Parcel 3. Future owners of Parcel 3 will be made aware of these two trees being required to be preserved since

an Acknowledgement of Tree Preservation Land Use Conditions will be recorded with the final plat and attached to the property records.

The existing sidewalk corridor along these streets, NE Sumner and NE 47th Place are not in conformance with the City's Pedestrian Design Guideline Standards. The applicant will be required to improve NE 47th Place to City Standards, which includes additional street dedication along this frontage and an ADA ramp at the corner intersection. Portland Bureau of Transportation (PBOT) accepted the applicant choosing to pay the LTIC charge with executing street and storm waivers of remonstrance to participate in a future Local Improvement District for NE Sumner Street and determined the existing streets can support the additional units proposed.

To ensure the site is suitable for the future development the septic system will be required to be decommissioned, the existing sanitary sewer line capped, and the existing structure(s) (house/garage/shop) on the site will be removed from the site with the required permits.

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

ADMINISTRATIVE DECISION

Approval of a Preliminary Plan for a three (3) parcel partition that will result in three standard residential lots as illustrated with Exhibit C.1, subject to the following conditions:

A. The final plat must show the following:

1. The applicant shall meet the street dedication requirements of the City Engineer. The required right-of-way dedication must be shown on the final plat.
2. A recording block for each of the legal documents such as maintenance agreement(s), acknowledgement of special land use conditions, or Declarations of Covenants, Conditions, and Restrictions (CC&Rs) as required by Condition B.5 below. The recording block(s) shall, at a minimum, include language substantially similar to the following example: "An Acknowledgement of Tree Preservation Land Use Conditions has been recorded as document no. _____, Multnomah County Deed Records."

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

Streets

1. The applicant shall pay the Local Transportation Infrastructure Charge (LTIC) as it applies to NE Sumner Street frontage and complete street and storm sewer waivers of remonstrance (for future street and storm sewer improvements) as required by the City Engineer. Waiver forms and instructions will be provided to the applicant during the final plat review process.
2. The applicant shall meet the requirements of the City Engineer for right-of-way improvements along the site's street frontage, including the corner ADA ramp. The applicant shall submit an application for a Public Works Permit and provide plans and financial assurances to the satisfaction of the Portland Bureau of Transportation (see Exhibit E.2 for specific details).

Existing Development

3. A finalized permit must be obtained for demolition of the existing structure(s) (residence with garage/shop) on the site and capping the existing sanitary sewer connection. The site plan for the demolition permit must show all trees to be preserved and root protection zones as per the approved tree preservation plan, recommended by the arborist report. Tree Protection must be installed in accordance with the approved tree preservation plan and arborist report as required by Condition C.1.

4. 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.

Required Legal Documents

5. The applicant shall execute an Acknowledgement of Tree Preservation Land Use Conditions that notes tree preservation requirements that apply to Parcel 3. A copy of the approved Tree Preservation Plan and final arborist report (condition B.6) must be included as an Exhibit to the Acknowledgement. The acknowledgment shall be referenced on and recorded with the final plat.

Other requirements

6. The applicant must submit a complete arborist report which reflects peer recommendations of Urban Forestry and the amended tree protection plan (Exhibit A13), tree table (Exhibit A.5 & A.10) and service contract (Exhibit A.13).
7. The applicant must pay into the City Tree Preservation and Planting Fund [Street Trees – Fee in Lieu of Planting and Establishment (per inch)] the amount equivalent to 1.5 inches of trees for the loss of available street tree planting area. Payment must be made to the Bureau of Development Services, who administers the fund for the Parks Bureau.

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

1. Removal of the existing structure(s) (house with attached garage/shop accessory structure) must be in compliance with the approved Tree Preservation Plan (Exhibit C.3) and Arborist Report (Exhibit A.10).

Development on Parcel 3 shall be in conformance with the Tree Preservation Plan and the applicant's arborist report (per Condition B.6), unless a new arborist report is submitted at the time of development on the lot. At the time of building permit application for development on Parcel 3, the applicant shall submit a copy of the contract for those arborist services prior to permit issuance and a final report from the arborist documenting the inspections and verifying the viability of the trees prior to the City's final inspection of the building permit for the new residence on Parcel 3. This final report from the arborist will be provided to the Land Division Land Use Planner prior to the final inspection.

Specifically, trees numbered #5 -Douglas Fir and #6- Port Orford are required to be preserved, with the root protection zones indicated on Exhibit C.3 and the arborist report, per Condition B.6. Tree protection fencing is required along the root protection zone specified in the arborist report and shown on the tree preservation plan for the trees #5 and #6 required to be preserved. The fence must be 6-foot high chain link and be secured to the ground with 8-foot metal posts driven into the ground. Encroachment into the specified root protection zones may only occur as per the approved arborist report. Prior to final inspection and occupancy of the new house on Parcel 3 a final arborist report must be submitted.

2. The applicant shall meet the requirements of the City Engineer for right-of-way improvements along the frontage of Parcels 1-3.
3. 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.

ANALYSIS

Staff Planner: Lois Jennings

Decision rendered by: S Beckman on September 25, 2020
By authority of the Director of the Bureau of Development Services

Decision mailed September 29, 2020

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 6, 2020, and was determined to be complete on July 29, 2020.

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 6, 2020.

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 26, 2020.**

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

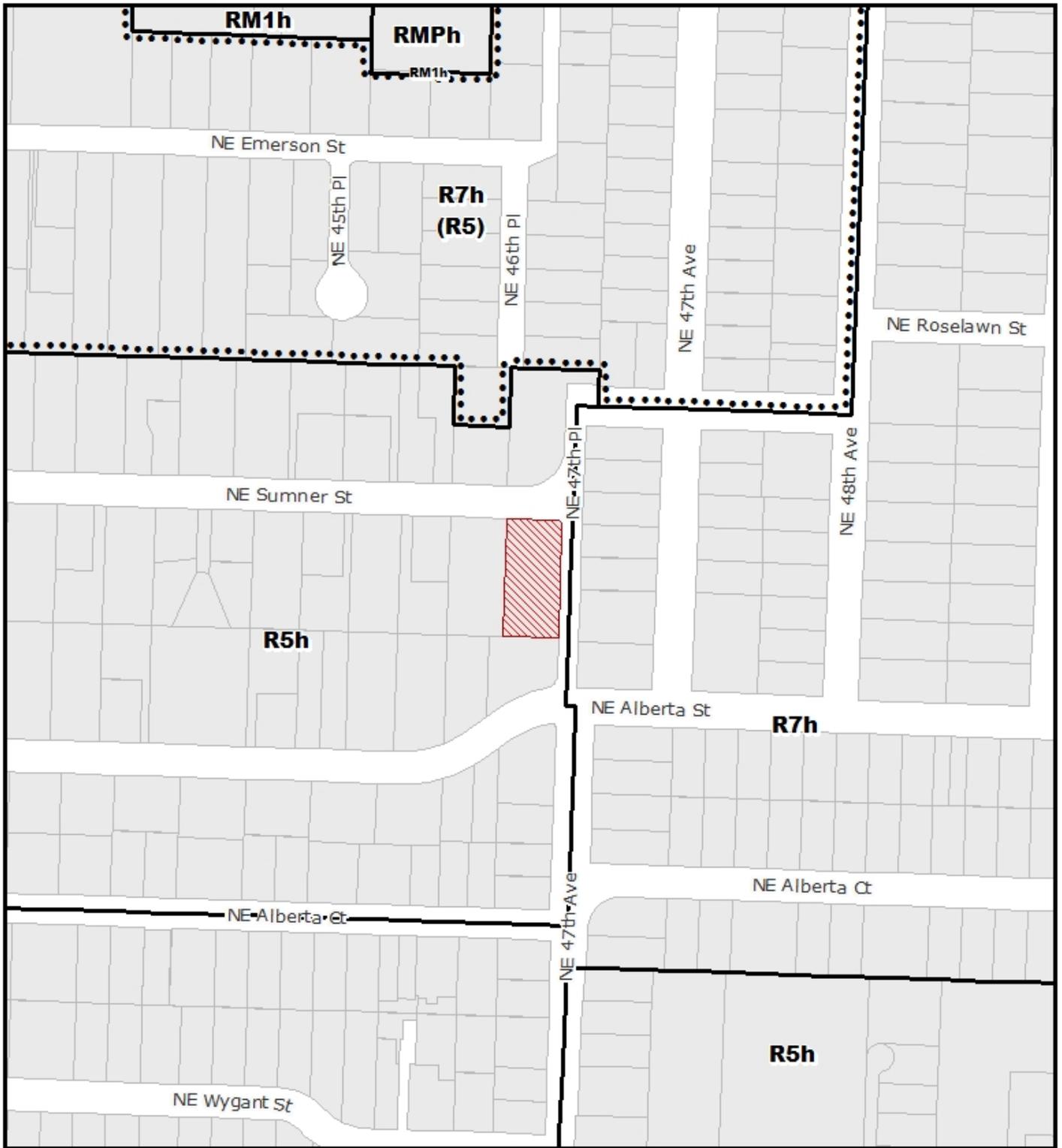
plat must be recorded with the County Recorder and Assessors Office after it is signed by the Planning Director or delegate, the City Engineer, and the City Land Use Hearings Officer, and approved by the County Surveyor. **The approved preliminary plan will expire unless a final plat is submitted within three years of the date of the City's approval of the preliminary plan.**

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Original submittal of all information submitted in May
 - 2. Narrative Addressing Approval Criteria
 - 3. Simplified Approach Form & Infiltration testing form for stormwater
 - 4. Deed Information
 - 5. Original Arborist report submitted
 - 6. Fire Flow Information & Fire Sprinkler Information from Water Bureau
 - 7. July 29, 2020 Revised Plans Submitted in response to incomplete letter
 - 8. Applicant's cover letter in response to incomplete letter
 - 9. Legal Document regarding authority to sign
 - 10. Revised Arborist Report submitted July 29, 2020
 - 11. August 7, 2020 Revised Plans Submitted
 - 12. August 11, 2020 Revised Plans Submitted to show accurate street dedication
 - 13. Amended Arborist Report for Tree Protection Plan and Service Contract submitted on August 26, 2020
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Preliminary Land Division Site Plan (attached)
 - 2. Preliminary Site Improvement and Utility Plan with Tree Preservation Plan
 - 3. Existing Conditions survey and demo plan with Approved Tree Preservation Plan
 - 4. Preliminary Grading & Erosion Control plan
- 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. Raymond Scott McBeth letter sent via e-mail in August 2020
- G. Other:
 - 1. Original Signed Land Use Application Form
 - 2. Acknowledgment of Expedited
 - 3. Incomplete Letter dated June 3, 2020
 - 4. BDS LUS Memo to applicant dated September 4, 2020
 - 5. Urban Forestry Peer Review comments of Arborist Report
 - 6. E-mail communication between applicant/owner from May – September 2020

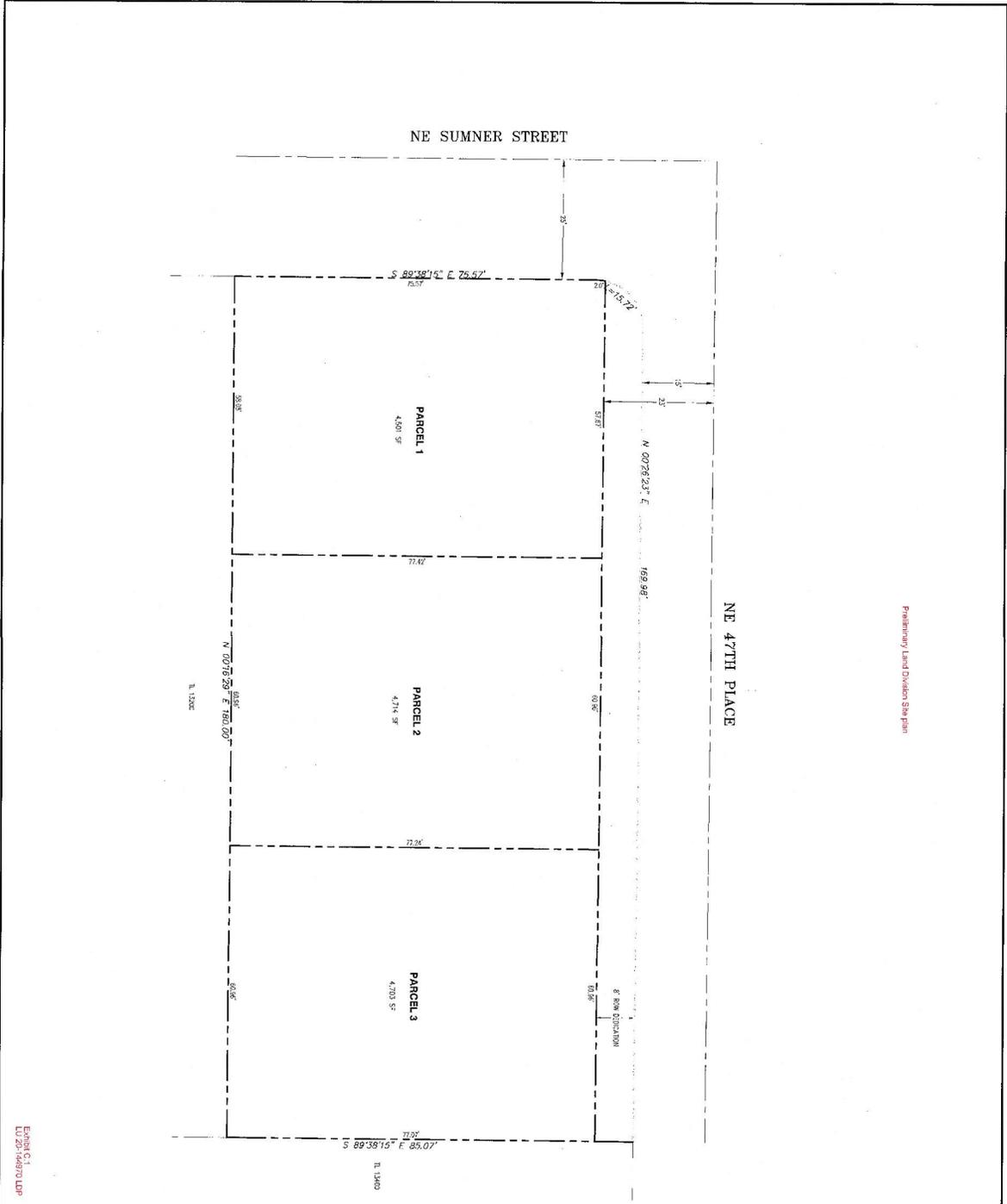
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING  NORTH

 Site

File No.	LU 20 - 144970 LDP
1/4 Section	2535
Scale	1 inch = 200 feet
State ID	1N2E19BB 13300
Exhibit	B May 18, 2020



Preliminary Land Division Statement

NE 47TH PLACE

NE SUMNER STREET

PARCEL 1
4,500 SF

PARCEL 2
4,714 SF

PARCEL 3
4,703 SF

ZONE
R50
SETBACKS
FRONT: 10 FT.
GARAGE: 18 FT.
REAR: 5 FT.
SIDE: 5 FT.

LEGEND
PROPERTY LINE
ADJACENT/ABUTTING LOT LINE
GENERAL LOT LINE



EXHIBIT C-1
L 25-19870 LDP

8-10-2020
PROFESSIONAL
LAND SURVEYOR
LAND DIVISION
JENNIFER K. COOK
REGISTERED PROFESSIONAL
LAND SURVEYOR
EXPIRES 12-31-23

SHEET
3 OF 5

EMERIO
Design
6445 SW FALLBROOK PLACE, SUITE 100
BEVERLY HILLS, OREGON 97005
TEL: (503) 746-8812
FAX: (503) 638-9500
www.emeriodesign.com

REVISIONS	
NO.	DESCRIPTION

PRELIMINARY PLAT

4642 NE SUMNER STREET
3-PARCEL PARTITION
TAX MAP T1N R2E 19BB
TAX LOT 13300
PORTLAND, OREGON