



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

Dan Ryan, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portland.gov/bds

Date: October 11, 2021
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 20-223886 LDP

GENERAL INFORMATION

Applicant: Dmitry Shmelev,
6048 SE Knapp St
Portland OR 97206
Contact: 971-331-6457 or ds19033@gmail.com

Owners: Aleksandr Beglets,
3728 NE 115th Ave
Portland, OR 97220
Contact: 971-255-9922 or begletsalex@gmail.com

Valentin Kozhokar,
10642 NE Shaver St
Portland OR 97220
Contact: 503-853-1120 or valentink1981@yahoo.com

Site Address: 11343 NE WYGANT ST

Legal Description: BLOCK 66 LOT C EXC E 38.19', PARKROSE & RPLT
Tax Account No.: R647314740
State ID No.: 1N2E22AC 02300
Quarter Section: 2542

Neighborhood: Parkrose Neighborhood Assoc., contact at parkroseneighbors@gmail.com.
Business District: Historic Parkrose Business Association, contact at 503-964-7807
District Coalition: East Portland Community Office, contact at 503-823-4550.

Plan District: None

Zoning: RM1- Residential Multi-Dwelling

Overlays: “h”-Aircraft Landing Zone and “x”-Portland International Airport Noise Impact Zone

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 site into three (3) parcels for residential development. The existing house will be altered to remain on Parcel 2, which will be 3,320 s.f. in area. Parcel 1 will be 2,675 s.f. in area and Parcel 3 will be 3,051 s.f. in area. Parcels 1 and 3 will be available for single dwelling or duplex development. The applicant proposes a single dwelling home with an accessory dwelling unit on Parcel 3 to meet minimum density. Six trees on the site are subject to the tree preservation standard. The applicant’s preliminary site and utility plan shows services (sanitary, stormwater and water) will be provided for each lot.

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 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 found under:

- **Section 33.660.120 Approval Criteria for Land Division in Open Space and Residential Zones**

FACTS

Site and Vicinity: The existing one-level house is located on an interior lot on the north side NE Wygant street. There is an existing driveway which provides vehicle access to the site from NE Wygant street. Pedestrians may access the house from NE Wygant Street via a walkway which leads to the covered porch entryway to the house. A wooden fence creates a border around the landscaped yard. Deciduous trees and shrubs exist within the yard. NE Wygant street is a paved roadway with no curb or sidewalks. A gravel shoulder along NE Wygant street provides parking along both sides of the street.

The surrounding area is developed with single-family residences with a mixture of apartments within the neighborhood. Directly southwest of the site on Wygant is a religious institution, where sidewalks, stormwater facility and curb are in place. Zoning surrounding the site is RM1- Residential Multifamily. Then the zoning changes further south of the site along NE Prescott to R5-single family residential and then directly north changes to CE- Commercial Employment zoning along NE Sandy Boulevard. More commercial and industrial businesses are located along NE Sandy Boulevard. Parkrose High School is to the southeast of the site on NE Shaver Street. The nearest parks within this neighborhood include Senns Dairy Park at 11208 NE Prescott or Luuwit View Park at NE 127th & NE Fremont Street. Tri-Met provides transit service on NE Sandy Blvd via Bus line 21 and Bus Line #73 on NE 122nd Avenue.

Infrastructure:

- **Streets** –The site has approximately 92 feet of frontage on NE Wygant Street. There is one driveway entering the site that serves the existing house on the site.

NE Wygant Street is a 60-ft. wide right-of-way (ROW) with an approximate 22-24-ft. wide asphalt paved roadway with no curb or sidewalk. At this location, NE Wygant street is classified per the Transportation System Plan as a Neighborhood Walkway, Minor Emergency Response Street, and a Local Service Street for all other transportation modes.

- **Water Service** – There is an existing 8-inch water main in NE Wygant Street. The existing house is served by a 5/8 inch metered service from this main. The applicant is proposing to utilize this existing service for future development on Parcel 1, which is discussed later in this report under 33.651.
- **Water Bureau Fire Flow Information:** The nearest fire hydrant is west of NE 115th Avenue in NE Wygant Street. This fire hydrant has a fire flow of 2,500 gpm at 20 psi residual.
- **Sanitary Service** - There is an existing 8-inch concrete (CSP) public sanitary only sewer in NE Wygant Street (BES as-built# 4194). The existing house is currently connected to the sanitary only sewer in NE Wygant Street. The existing sanitary line would cross the proposed new lot line, this is further discussed later in this report under 33.652.
- **Water Main and Sewer Main Locations:** A water main is located between the proposed development site and the sanitary only main in NE Wygant St. Any new connection(s) to the sewer main will cross the water main and will therefore require a [Water Utility Protection Plan](#). Sanitary laterals must meet required separation distances according to the Water Bureau.
- **Stormwater Disposal** – There is no public storm-only sewer currently 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.

Zoning: Residential Multi-Dwelling 1—The RM1 zone is a low-scale multi-dwelling zone that allows multi-dwelling residential development up to a maximum FAR of 1 to 1 and requires a minimum density of 1 unit per 2,500 square feet of site area.

Aircraft Landing Zone – The “h” overlay limits the height of structures and vegetation in the vicinity of the Portland International Airport. The height limit for this site is based on the base zone of RM1.

Portland International Airport Noise Impact Zone – The “x” overlay provides additional criteria to reduce the impact of aircraft noise on development within the noise impact area surrounding the Portland International Airport.

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 **June 9, 2021** 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:
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.
H	33.636 - Tracts and Easements	No tracts or easements have been proposed or will be required.
I	33.639 - Solar Access	All the proposed parcels are interior lots (not on a corner). In this context, solar access standards express no lot configuration preference.
J	33.640 - Streams, Springs, 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 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 33.612 contains the lot dimension and density standards that apply to the multi-dwelling and IR zones.

The density and lot dimension requirements are based on the type of development proposed. When single-dwelling or duplex development is proposed for some or all of the site, the applicant must show how the minimum density standards can be met; and the site area devoted to streets is deducted for the density calculations. Density for all other development must be met at the time of development.

The applicant is proposing single-dwelling development on Parcels 1-3 and the proposal includes a street right-of-way dedication. The applicant is proposing to alter the existing house to be retained on Parcel 2. The applicant is proposing to develop an accessory dwelling unit with the future house on Parcel 3 to meet the minimum density requirements.

The applicant provided an existing conditions survey (Exhibit A.6) and preliminary site & conceptual improvement plan (Exhibit C.1), which reflects the site area. Based on these factors, the tables below summarize the required and proposed density and lot dimensions and the corresponding development type(s):

Minimum Density:

Zone	Minimum Density (Table 120-3)	Initial Site Area (square feet)	Area deducted for streets, (square feet)	Density Calculation Area (square feet)	Required Minimum Density	Proposed Minimum Density
RM1	1 unit/2,500 sf	9,136 s.f.	91.81	9,044s.f./2500	3.6 rounds up to 4 units	4

The applicant's narrative (Exhibit A.10 & A.11) and preliminary site & conceptual improvement plan (Exhibit C.1) are proposing to meet the minimum density by constructing an accessory dwelling unit with a house on future Parcel 3 (Exhibit A.7 & C.1), thereby meeting minimum density requirement of 4 units. Therefore, to ensure that minimum density requirements of the land division site will be met, a condition must be applied, as follows: At the time of development of Parcel 3 a minimum of two units is required.

Minimum Lot Dimensions:

As shown in the table below and on the preliminary land division site plan (Exhibit C.1), each parcel meets the minimum lot dimension standards for the proposed development type, noted in **bold**, and for the other noted development types, which are also allowed.

Minimum Lot Dimensions & Development Type:

RM1 Zone (Table 612-1)	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Front Lot Line (feet)
Detached Houses / Duplexes	1,600	25	none	25
Attached Houses/Attached Duplexes	1,600	15	none	15
Triplexes / Fourplexes	2,000	33	50	30
Parcel 1				
▪ Detached house/Duplex	2,675	27	98.5	27.15
Parcel 2 -Existing Detached House to remain				
▪ Detached house/Duplex	3,320	33.6	98.5	33.69
▪ Triplex/Fourplex				
Parcel 3				
▪ Detached house/Duplex	3,051	30.9	98.5	30.97

Based on these factors and with the noted condition, the applicable lot standards and minimum density requirements 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 eleven (11) existing trees on the subject site (Exhibit A.6). In order to identify which trees are subject to these requirements, the applicant provided a tree survey (Exhibit A.6) that shows the location and size of trees on and adjacent to the site. The applicant also provided an arborist report with a tree inventory (Exhibit A.4 & A.9) 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, six of the eleven trees, which provide a total of 131-inches of tree diameter are subject to the tree preservation requirements of this chapter. The applicant is proposing (Exhibit A.10, A.11 & A.12) to preserve two (#6 and #7) of the six trees. The two trees being proposed to be preserved are the following:

- 57-inch dbh – Red Maple- identified as Tree #6
- 29-inch dbh – Dogwood -identified as Tree #7

Specifically, the applicant proposes to retain all the trees that are 20 or more inches and 86 inches of the total tree diameter, which is 65% of the total tree diameter, so the proposal complies with Option #1 of the tree preservation standard below.

Options to meet the Tree Preservation Standards (33.630.100) include:

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.

Option 2: Preserve at least 75 percent of the trees that are 20 or more inches in diameter and at least 25 percent of the total tree diameter on the site.

Option 3: Preserve at least 50 percent of the trees that are 20 or more inches in diameter and at least 30 percent of the total tree diameter on the site.

Option 4: All the trees are less than 20 inches in diameter and at least 35 percent of the total tree diameter is being preserved.

The arborist and applicant have chosen to preserve these two healthy trees which are greater than 20-inches in diameter and are located on the property which will have the least impact from the future development on the site. The proposed root protection zones for the trees to be retained will allow for the type of development anticipated in the RM1 zone

Due to the location of two of the three dogwood trees on the site they will be removed. Tree #1-a 12-inch Dogwood will be impacted by the future street frontage improvements on NE

Wygant Street and Tree #5- another 12-inch Dogwood is adjacent to the existing attached garage that will be removed and will be within the future building footprint area for Parcel 1. Tree #7 a 29-inch Dogwood tree is being preserved on Parcel 2 with the existing house. Tree #6, a 57-inch Red Maple will be preserved on Parcel 1.

The arborist report notes that alternative root protection zone (Exhibit A.4, & A.9) will be at the drip line of these trees. However, no specific dimension was provided as part of the original arborist report for the dripline of these trees. The original arborist report mentions tree protection fencing being set at 25-feet from the rear fence line (A.4 & A.9), but that tree preservation plan did not reflect a full tree protection plan for these trees. A revised arborist report (Exhibit A.14) discusses the removal of the attached garage and an alternative root protection plan notes again a 25-ft. root protection area and same tree preservation plan (Exhibit A.17 & A.18) was submitted showing tree # 6-Red Maple Tree being partially protected, but no specific dimension for the 29-inch Dogwood tree or tree protection plan for the Dogwood. The tree preservation plan (Exhibit A.17 & A.18) did not reflect a complete tree protection plan for both trees. Therefore, the City has modified the Tree Preservation Plan to show a tree protection plan to preserve both trees during development (Exhibit C.1). Prior to approval of the building permit to alter the existing house, the building permit plans must show both trees being preserved and prior to final plat approval, the applicant's supplemental survey must reflect this tree protection fencing in place for both trees. Due to the size and proximity of construction activity, prior to final plat approval the arborist must provide an updated arborist report stating the health of the 57-inch Red Maple tree after the alteration of the existing house has been completed. Title 11 requires a 6-ft. high chain link fence to be installed for tree protection. If at the time of development a different building footprint is shown, the applicant may provide a more specific tree preservation plan at the time of building permit application.

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

In order to ensure that future owners of Parcels 1, 2 and 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 these must be carried out in conformance with the Tree Preservation Plan (Exhibit C.1)).

At the time of development of Parcel 1, the Title 11-Tree Code provisions, will require a specific amount of site area for tree planting based on the size of the property and the scale of the development. Tree #6, being retained as part of this review, may be applied toward meeting those Title 11 requirements for Parcel 1. Tree #7-29-inch Dogwood is being retained as part of this review is being counted toward tree density for the existing house being retained on Parcel 2.

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 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 (Exhibit C.1). The applicant also provided an arborist report (Exhibit A.4, A9, & A.14) that addresses how to protect the roots of the trees on the site that will be preserved. With a condition that the tree protection being in place at the time development per the Tree Preservation plan (Exhibit C.1). 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. City records show there is an old septic system that was abandoned, but not decommissioned at the time the house was connected to the public sewer system. The applicant must decommission the system. 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.

The applicant is proposing to remove the garage that is attached to the existing house, to redevelop a portion of the site and create Parcel 1. A building permit is required to alter the house and make Parcel 1 suitable for development. In order to ensure that the new lots are suitable for development, a permit must be obtained and finalized for the alteration of the existing house. Tree protection per Exhibit C.1 for trees #6 and #7 is required to be in installed prior to construction starting to alter the house and the building plans must include the tree preservation plan. With these conditions, the new lots can be considered suitable for development, and this criterion is met.

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

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.

Findings: 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 & E.2a for full details) below:

Street Capacity and Levels of Service

The current proposal will result in an increase of 3 single-family residences and an ADU. These residences can be expected to generate 30 daily vehicle trips with 3 trips occurring in each of the AM and PM Peak Hours. Additional units could be constructed by right under the existing multi-family zoning. This small increase in peak hour vehicles will not have significant impact on intersection levels of service or street capacity. No mitigation is needed.

Connectivity

The site is approximately 200-ft west of an existing north/south street. Connectivity standards are not applicable.

Vehicle Access/Loading

The new lots will have driveways to provide access to parking and loading.

On-Street Parking Impacts

The new lots will have at least one on-site parking space with potentially an additional space in front of the garage. Impacts to the on-street parking supply should be minimal.

Access Restrictions

There are no access restrictions

Availability of pedestrian and bicycle networks

The site is in an area with a typical street grid pattern common to Portland's older neighborhoods. Traffic volumes and speeds allow all modes to share the roadway

Availability of Transit

Tri Met Bus Line #2 is available to serve the site at Division/122nd, and the #73 at Prescott/115th

Neighborhood Impacts

The site is being developed with net increase of 3 new single-family residences and an ADU to meet minimum density in compliance with the existing RM1 zoning. In addition, standard frontage improvements including sidewalks will reduce the potential for conflicts between pedestrians and vehicles.

Safety for All Modes

New sidewalks along the site frontages will provide adequate pedestrian facilities. Vehicle volumes and speed a low enough on this section of NE Wygant that bicycles can safely share the roadway with vehicle traffic.

The existing street frontage on NE Wygant Street currently does 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 street dedication and sidewalk improvements along NE Wygant's frontage, PBOT concludes the transportation system will be capable of supporting the proposed development in addition to the existing uses. Therefore, 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 & E.4 for detailed bureau comments.

The Water Bureau has indicated that service is available to the site from the 8-inch water in NE Wygant Street.

The existing house is served by a 5/8-inch metered domestic service from this main. As a result of the proposed land division, the water line that provides service to the existing home on Parcel 2 will no longer be located entirely on the same lot as the home. Title 21 requires that the water service connection be located along the frontage of the lot to be served. Water service connections are not allowed by means of an easement. The existing 5/8-inch metered domestic service being used for the existing house at this time appears to be within the frontage of future Parcel 1 and therefore may be used for the future development on Parcel 1. Parcel 3 will receive water service from the 8-inch main

Therefore, prior to final plat, the water service for the existing home must be relocated, so that the service connection will be located along the frontage of the Parcel 2 with the existing house. A new water service and plumbing permit from the new water service to the existing house must be finalized prior to final plat approval.

Fire Bureau has reviewed the fire flow information (Exhibit A.16) and determined the nearest fire hydrant has adequate capacity.

With the condition noted above, the water service standards of 33.651 have been verified.

33.652 Sanitary Sewer Disposal Service standards – See Exhibit E.1 and E.1a 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 submitted a site utility plan (Exhibit A.7 & C.1) and this utility plan was reviewed by the Bureau of Environmental Services (BES).

Bureau of Environmental Services (BES) reviewed the proposal and comments are summarized below:

Proposed Development: Parcel 1 will be served by the existing connection to the sanitary-only sewer in NE Wygant St within its frontage that is currently serving the existing home to remain on Parcel 2. Parcel 2 and Parcel 3 will be served by new separate connections to the sanitary-only sewer in NE Wygant St within their respective frontages.

Existing Development: According to City records, the existing home on proposed Parcel 2 is currently connected to the sanitary-only sewer in NE Wygant St via a lateral located approximately 26 feet east of the manhole in NE Wygant St. This indicates that the existing lateral will cross the proposed new lot line and be within the frontage of Parcel 1. Therefore prior to final plat approval the applicant must:

- Cap the existing lateral to provide future service to Parcel 1 and establish a new service lateral for the existing house on Parcel 2 to the sewer in NE Wygant St. For capping and establishing new service, the work must be completed, and the applicant must obtain finalized plumbing and connection permits prior to final plat approval.

With the recommended conditions of approval, BES staff finds the applicant's proposed sanitary sewer service acceptable for the purpose of reviewing the preliminary land division application against the sanitary sewer disposal approval criterion

With the conditions noted above, the sanitary sewer service standards of 33.652 have been verified.

33.653.020 & .030 Stormwater Management criteria and standards – See Exhibits E.1 and E.1a

No stormwater tract is proposed or required. Therefore, criterion A is not applicable.

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

Stormwater Management for Individual Lots:

The applicant has submitted a preliminary site conceptual improvement & utility plan for stormwater management (Exhibit A.7 & C.1) and Simplified Approach Stormwater report (Exhibit A.5):

Bureau of Environmental Services (BES) comments are summarized below:

Proposed conceptual development on Parcel 1 and 3: BES Staff reviewed the project's Simplified Approach stormwater report (11-20-2020, 2016 SWMM version), which includes Simple Pit infiltration test results of over 7 inches per hour on this site. The applicant proposes to infiltrate runoff from the development for each new parcel onsite via a drywell for each site that can meet minimum setbacks as established in the facility design standards and Table 2-1 of the 2020 SWMM.

Existing Development -Parcel 2: Although the submitted existing conditions site plan shows a downspout for the home to remain, it is not clear how stormwater is being managed. Historic plumbing permits show stormwater from the structures are discharging to drywell(s), one which appears to be behind the garage. Based on the submittal, the home is being modified and it appears the stormwater system may need to be modified as well.

Prior to final plat approval, the applicant must demonstrate that the stormwater management for existing development on Parcel 2 will meet applicable SWMM requirements and will not be impacted by the proposed lot lines, as described below:

- The applicant must document the location of the stormwater disposal system serving the existing structure to confirm whether it will be located entirely within Parcel 2 and meet all required setbacks.
- If necessary, the applicant will be required to retrofit the stormwater facilities for the existing structure on Parcel 2 according to SWMM standards, with all required permits finalized, prior to final plat approval.

Public Right-of-Way Stormwater Management:

Public Street Improvements: Per Public Works Permit (PWP) # EP645, stormwater from the public right-of-way will be managed with the installation of vegetated infiltration planters in NE Wygant St. The agency has confirmed that the proposed swale is of a size and proposed design that is adequate to provide infiltration for the quantity of water generated from the new impervious areas. BES Development Engineering approved the Concept Development plans (i.e. 30% design) for right-of-way stormwater improvements on 8/23/21. To accommodate this stormwater facility within the public right-of-way, a dedication along the frontage of the site must be provided on the final plat. BES requires a Public Works Permit for the construction of such a vegetated infiltration planter swale. The applicant must provide engineered designs and financial guarantees of performance prior to final plat approval.

Prior to final plat, the applicant must submit a revised supplemental utility plan depicting the proposed location of the public stormwater facilities (and any other necessary changes to the private sanitary and stormwater utility locations) as what was approved through the PWP differs from the submitted Preliminary Plan Map.

Bureau of Environmental Services (BES) determined with the conditions noted above the proposed stormwater management plan is acceptable for reviewing the land division against the stormwater management approval criterion.

With the conditions noted above, these criteria and standards can be 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 does not meet the noted spacing requirements. The existing development on the adjacent property to the west, coupled with retaining the existing house on this property, precludes a future north/south pedestrian connection or north/south street connection in the middle of this block.

Portland Bureau of Transportation provided the following comment: The land division site is approximately 200-ft west of an existing north/south street (NE 115th Avenue).

In addition, the site is not within an area that has an adopted Master Street Plan, so criterion d. does not apply.

For the reasons described above, this criterion is met.

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

In reviewing this land division, PBOT 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.

At this location, NE Wygant street is classified per the Transportation System Plan as a Neighborhood Walkway, Minor Emergency Response Street, and a Local Service Street for all other transportation modes.

Existing Conditions: NE Wygant Street: NE Wygant Street is a 60-ft. right-of-way with an approximate 22-24-asphalt paved center strip with no curbs or sidewalks along this frontage.

Standard Improvements:

In the RM1 zone for Neighborhood Walkway, Minor emergency Response Street, the City's a Pedestrian Design Guide recommends for a 60-ft. ROW to accommodate a 32-ft. wide roadway with parking on both sides, and a 15 ft. sidewalk corridor on each side.

PBOT Findings:

N.E. Wygant street is improved with a paved center strip roadway, and a gravel shoulder on both sides. There are no curbs, planter strips, or sidewalks. In reviewing this land division, PBOT 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.

This proposal triggers the requirements for frontage improvements that meet current City standards (Title 17.88.020). The applicant has received approval for 30% public works concept plans prior to tentative plat approval. A 1-ft dedication is required. The improvements shall include additional paving as needed, curb located 16-ft from the right-of-way (ROW) centerline, 8-ft public stormwater facility or other method determined by BES, 6-ft sidewalk, 0.5-ft frontage zone, with street trees and street lighting as needed. The dedications and a financial guarantee shall be conditions of final plat approval

In this case PBOT has determined that roadway pavement, curb and sidewalk improvements must be made in order to ensure that safe pedestrian travel is possible to and from the proposed development. To accommodate these improvements, as well as an associated stormwater facility discussed earlier in this report, additional right-of-way must be dedicated along the frontage of the site. With those improvements, the proposed additional dwellings units and existing dwelling units can be safely served by this existing street without having any significant impact on the level of service provided.

With the conditions noted above regarding financial assurances for the frontage improvements with the required right-of-way dedication be shown on the final plat, this criterion is met.

33.654.120. H – Street Trees see Exhibit E.6 & E.6a for specific 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 process or public works process.

Existing Street Conditions:

- NE Wygant Street: The site has approximately 91.8-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.

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 reviews 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.

Urban Forestry has no objection to this land division proposal.

This criterion is met.

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

Any easements that may be needed for private utilities that cannot be accommodated within the adjacent right-of-ways can be provided on the final plat. At this time no specific utility easements adjacent to the right-of-way have been identified as being necessary. 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

Among the various development standards that will be applicable to this lot, the applicant should take note of:

- 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. Eaves may project up to one foot into the reduced side setback. 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.

The preliminary plan is showing a reduced setback for the internal lot lines of these parcels, as required. If future development is for detached houses, the reduced setback may be applied as shown on the preliminary plan.

Existing development that will remain after the land division. The existing development on the site will remain and be located on Parcel 2. 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 RM1 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 (33.120.220 and 33.120.270.D) – The existing house identified to remain on the site must meet the required Zoning Code setbacks from the proposed new lot lines. At this time the existing house would straddle the new proposed lot line. The minimum 5-ft. side setback standard is not met. The existing house that will remain on Parcel 2 currently does not meet this standard.

The applicant is proposing to alter the existing house to meet setbacks by removing the attached garage. The preliminary plan shows the existing house will be altered to meet the 5-ft. setback from the new west interior lot line and at least a minimum of 3-ft. on east new side property line to meet the 33.120.270.D. allowance to reduce the internal lot line to 3-feet. A building permit is required to alter the house. Prior to final plat approval, the applicant must obtain and receive a final inspection for a building permit to alter the existing house to meet the setback. Once the work is completed the surveyor will survey in the altered house to the new proposed lot lines on a supplemental survey and submit the survey prior to final plat approval showing setback standard being met for the existing house to remain on Parcel 2. To ensure this standard will be met once the house is altered at the time of final plat stage, the final plat must be accompanied by a supplemental survey showing the location of the altered building relative to the adjacent new lot lines.

- Required Off-Street Parking – The existing house currently has on-site parking within the existing attached garage. As a result of this land division, the parking space for the existing house is being removed by the applicant to create Parcel 1. No on-site parking will be provided for existing house. The Portland Zoning Code does not require off-street parking on sites that are less than 500 feet from a transit street with 20-minute peak-hour bus or sites within 1500-ft. or less from a Transit Station. This site is on the Portland Bureau of Transportation Map that meets this service threshold (Exhibit G.6). Tri-Met provides transit service is within 500-ft. from the site on Sandy Boulevard via Bus line # 21 and provides peak-hour service meeting this requirement. As a result, no replacement parking is required for the existing house being retained on Parcel 2.

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.

- A building permit is required for the alteration to the existing house. The Life Safety Section of BDS notes a separate building permit is required for work proposed and the proposal must be designed to meet applicable building code. This requirement is based on 2017 Oregon Residential Building Code (ORSC), henceforward referred to as the Building Code & Title 24.
- 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.

CONCLUSIONS

The applicant has proposed a three- parcel partition for detached housing development, 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 Red Maple (#6) and Dogwood (#7) will be required to be preserved to meet the tree preservation requirements. The 29-inch Dogwood (#7) being preserved will also count towards tree density requirement being met for the existing house being retained on Parcel 2. Future owners of Parcel 1-3 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.

NE Wygant Street currently does not meet City's Pedestrian Standards. The applicant is required to improve NE Wygant Street to City Standards and has submitted a public works permit for the improvements along this frontage. Prior to final plat approval, PBOT and BES require financial assurances for the frontage improvements associated to this public works permit and a minimum of 1-foot street dedication be shown on the final plat survey.

To ensure the site is suitable for the future development the septic system will be required to be decommissioned and the existing house altered to be completely on Parcel 2. The existing house straddles both Parcel 1 and Parcel 2. A building permit is required to alter the existing house to be completely on Parcel 2 and meet Title 33 development standards. Bureau of Environmental Services and Water Bureau are requiring existing utilities (water/sewer) lines to be capped and a new service to be provided for the house within its new frontage on Parcel 2. Due to the house being altered to be retained on Parcel 2, the applicant will need to demonstrate the stormwater management system meets BES requirements at the time of final plat.

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

ADMINISTRATIVE DECISION

Approval of a Preliminary Plan for a three-parcel partition, as illustrated with Exhibit C.1, subject to the following conditions:

- A. Supplemental Plan.** A supplemental plan shall be submitted with the final plat survey for Land Use Review and Bureau of Environmental Services(BES) review and approval. That plan must portray how the conditions of approval listed below are met. In addition, the supplemental plan must show the location of the following:
- The surveyed location of any buildings or accessory structures on the site at the time of the final plat application;
 - The surveyed location of any driveways and off-street vehicle parking areas on the site at the time of the final plat application;
 - A revised supplemental utility plan for BES review depicting the actual location of the public stormwater facilities (as reflected on the public works plans), new sanitary sewer connection and stormwater location for existing house being modified to be retained on Parcel 2.
 - The surveyor must survey in the exact location of the altered house to be retained on Parcel 2 to show compliance with Title 33 development standards.
 - Any other information specifically noted in the conditions listed below.

B. The final plat must show the following:

1. The applicant shall meet the street dedication requirements of the City Engineer for NE Wygant Street. 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 C.8 below. The recording block(s) shall, at a minimum, include language substantially similar to the following example: “An Acknowledgement of Land Use Review Conditions for Tree Preservation” has been recorded as document no. _____, Multnomah County Deed Records.”

C. 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 shall submit an application for a Public Works Permit and provide plans and financial assurances to the satisfaction of the Portland Bureau of Transportation and the Bureau of Environmental Services for required street frontage improvements and required street trees required by Urban Forestry.

Utilities

2. The applicant shall meet the requirements of the Water Bureau concerning relocation of the water service connection to the existing home. A plumbing permit for the new water line on private property to the existing house must be obtained and receive a final approval prior to final plat approval.
3. The applicant shall meet the requirements of Bureau of Environmental Services (BES) to disconnect the sanitary sewer lateral for the existing house on Parcel 2. A new sanitary sewer connection to the main in NE Wygant street must be established

within the frontage of Parcel 2 for the existing house being retained on Parcel 2. All required permits for this work must be finalized.

Existing Development

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.
5. The applicant must meet the requirements of Bureau of Environmental Services (BES) for the stormwater system for the existing house to remain on Parcel 2. Documentation of the location of the stormwater disposal system for the altered existing house shall be submitted to the Bureau of Environmental Services. The location of any existing or required stormwater systems serving the altered existing home must be shown on the Supplemental Plan Specifically, the gutters and downspouts must direct water to an approved disposal point that meets setback requirements from the new lot lines. If modifications to the system are required by BES, the applicant must obtain finalized plumbing permits for this work prior to final plat approval.
6. The applicant must obtain a finalized building permit for modifications to the existing house that will remain on proposed Parcel 2 that demonstrate compliance with building code requirements and zoning code setback standard in relation to the proposed new lot lines (33.120.220 or 33.120.270.D). The permit plans must include the note: *This permit fulfills requirements of Condition C.7 of LU 20-223886 LDP.* All trees required to be preserved must be protected per the approved tree preservation plan and Condition D.1 below.

Other

7. Prior to final plat approval and once the applicant has completed altering the existing house (final inspection of building permit) retained on Parcel 2. To ensure the health and viability of the trees required to be preserved were retained during this alteration the applicant have the arborist provide a new arborist report stating the health of Tree #6- 57-inch Red Maple tree.

Required Legal Documents

8. The applicant shall execute an Acknowledgement of Tree Preservation Land Use Conditions that notes tree preservation requirements that apply to Parcels 1-3 . A copy of the approved Arborist Report (A.9 & A.14) & City modified Tree Preservation Plan (Exhibit C.1) must be included as an Exhibit to the Acknowledgement. The acknowledgment shall be recorded with Multnomah County and referenced on the final plat.

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

1. Development on Parcels 1-3 shall be in conformance with the City Modified Tree Preservation Plan (Exhibit C.1) and the applicant's arborist report (Exhibit A.9 & A.14). Specifically, trees identified as Tree #6, Red Maple (57- inch dbh) and Tree # 7 a Dogwood (29-inch dbh) are required to be preserved, with the root protection zones indicated on Exhibit C.1. Tree protection fencing is required along the root protection zone of each tree 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. A revised arborist report is required to be submitted if encroachment is different than the arborist report submitted (Exhibit A.9 & A.14). The revised arborist report must meet the Tree Protection Specifications of 11.60.030.

2. The minimum density and allowed housing types for the lots in this land division area as follows:
 - a) Parcel 1 has a minimum density of one unit and an allowed housing type of attached/detached house or attached/detached duplex.
 - b) Parcel 2 has a minimum density of one unit and an allowed housing type of attached/detached house, attached/detached duplex, triplex or fourplex.
 - c) Parcel 3 has a minimum density of two units and an allowed housing type of attached/detached house or attached/detached duplex.
3. These parcels are eligible to utilize Section 33.120.270 which allows a reduced 3-foot side setback on lot lines internal to the land division site for detached houses only. If Parcel 2 is redeveloped in the future with something other than a detached house then it is required to meet setbacks as required by Title 33.
4. The applicant must meet the Fire Bureau requirements for addressing and aerial fire department access. Aerial access applies to buildings that exceed 30 feet in height from the fire access as measured to the bottom of the eave of the structure or the top of the parapet for a flat roof.

Staff Planner: Lois Jennings

Decision rendered by: SBeeckman **on October 8, 2021**
 By authority of the Director of the Bureau of Development Services

Decision mailed October 11, 2021

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 December 11, 2020, and was determined to be complete on June 4, 2021.

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 December 11, 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 requested that the 120-day review period be extended by 245 day (Exhibit A.19). Unless further extended by the applicant, **the 120 days will expire on: June 4, 2022.**

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.**

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Narrative addressing approval criteria
 - 2. Plans
 - 3. Deed information
 - 4. Arborist Report by A Beautiful Tree & Garden LLC
 - 5. Stormwater SIM report
 - 6. Existing Condition Survey submitted 06.01.21
 - 7. Revised Preliminary plan submitted 06.01.21
 - 8. Revised Tree Preservation plan submitted 06.01.21
 - 9. Arborist report by A beautiful Tree & Garden submitted 06.01.21
 - 10. Applicant's response to incomplete letter
 - 11. Revised Narrative addressing approval criteria submitted 06.01.21
 - 12. Revised Tree Preservation Plan submitted 06.04.21
 - 13. E-mail from applicant dated 06.04.21 deeming application complete
 - 14. Addendum Arborist report submitted 08.09.21
 - 15. Applicant's e-mail in response to outstanding issues 08.09.21
 - 16. Fire Hydrant information submitted 08.09.21
 - 17. Revised Tree Preservation Plan submitted 09.13.21
 - 18. Tree Preservation plan with arborist signature submitted 09.13.21
 - 19. 120-day Extension request submitted on 06.04.21
 - 20. Additional Deed Information
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Preliminary Land Division Site Plan with conceptual improvement, utility, and tree preservation plan (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services (BES)
 - a. BES addendum dated 08.24.21
 - 2. Portland Bureau of Transportation Engineering and Development Review (PBOT)
 - a. PBOT memo dated 09.13.21
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Bureau of Parks, Forestry Division
 - a. Revised Urban Forestry Memo dated 08.19.21
 - 7. Life Safety Section of BDS
 - a. Revised Life Safety memo dated 07.09.21
- F. Correspondence: None
- G. Other:
 - 1. Original Land Use Application
 - 2. Expedited Land Division Acknowledgement form signed
 - 3. Incomplete Letter
 - 4. 180-day Warning Letter
 - 5. Outstanding Issues Memo dated 07.15.21
 - 6. Site Map with overlay of PBOT frequent transit service on it

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).