

Bureau of Development Services - Land Use Services Division
Refund Request Form for Void/Withdrawn/Cancelled Application/Case/Appointments

PLANNER: Complete Upper Section of this form. Submit form to Section or Division Manager for authorization.

Today's Date: 5/2/17

Intake Date: 4/14/17

To: BDS Administration Section, A/P

From: Cassandra Ballew

(Required if case 6+ months old)

Approved by Manager: Kara Fioravanti

Digitally signed by Kara Fioravanti
Date: 2017.05.12 11:56:34 -0700

Division Manager:

Case Number: 17-153156 DZM

Refund of Service Bureau Fees:

▪ Reviewed by Service Bureaus ☒ No (100% refund) ☐ Yes (No Refund)

* If over \$1,000 dollars has been paid to PBOT, Section Manager check with PBOT for possible partial refund.

Refund of Hearings Officer Fee

▪ Did hearing occur? ☒ No (100% refund) ☐ Yes (No Refund)

Write an explanation on the lines provided below. Your explanation will go into TRACS. If there are concurrent reviews, and one or more are withdrawn, **identify which reviews are withdrawn. Special Refund Instructions.**

The applicant has decided to utilize the community design standards and decided to withdraw his application for design review. There is a copy of his request in the application folder.

Is the case now considered inactive? ☐ No ☒ Yes If yes, please attach the case file.

Please check the appropriate situation.

☒ **(A) Unnecessary fees/Review** When a fee is accepted for a land use review that is later found to not be required, a full refund of all land use review fees for the unnecessary review will be given. If there are concurrent reviews, identify in the explanation box above which review is being withdrawn.

☐ **(B) Errors** - When an error is made in calculating a fee, overpayment will be refunded.

☐ **(C) Void Land Use Review or Final Plat** (Zoning Code Section 33.730.060.A.2.d) - The fee is non-refundable.

☐ **(D) Withdrawn Application**

Application Withdrawn:	Percent Refund of LUS Fee
1. Early Assistance Appointment	
<input type="checkbox"/> At least 7 days prior to the appointment.	50% of LUS fee
2. Final Plat	
<input type="checkbox"/> After staff sends the first redlines or plat comments to the customer.	50% of LUS fee
<input type="checkbox"/> After staff sends the second redlines or plat comments to the customer.	25% of LUS fee
3. Land Use Review - Type I, II or IIx	
<input type="checkbox"/> Before the Notice of Proposal is sent to P&D.	75% of LUS fee (amount retained should not be less than \$200 or more than \$1,500)
<input type="checkbox"/> After the Notice of Proposal is sent to P&D, but before staff sends the Notice of Decision to P&D.	25% of LUS fee (amount retained should not be less than \$300 or more than \$4,000)
4. Land Use Review - Type III or IV	
<input type="checkbox"/> Before the Request for Response is sent to the infrastructure bureaus.	75% of LUS fee (amount retained should not be less than \$400 or more than \$2,000)
<input type="checkbox"/> After the Request for Response is sent to the infrastructure bureaus, but before the Notice of Public Hearing is sent to P&D.	50% of LUS fee (amount retained should not exceed \$7,000)
<input type="checkbox"/> After the Notice of Public Hearing is sent to P&D, but before the staff recommendation is published.	30% of LUS fee (amount retained should not exceed \$10,000)

Pre-application Conference	
<input type="checkbox"/> Before the staff sends the conference information to the infrastructure bureaus.	75% of LUS fee
<input type="checkbox"/> After staff sends the conference information to the infrastructure bureaus, but at least 7 days prior to the conference.	50% of LUS fee
<input type="checkbox"/> Within 6 days prior to the conference.	25% of LUS fee

☐ (E) Appeal Fees

Full refund if the following are met:

1. Type III – Appellant prevailed, and no new evidence presented at appeal hearing.
2. Type II, IIX and III – Appellant prevailed by:
 - a. overturning the lower decision-maker's decision; or
 - b. persuading the appellate decision-maker to modify the lower decision-maker's decision in the appellant's favor for one or more of the reasons identified in the appeal.

It is not necessary for the appellant to prevail on all of the issues raised. Prevailing on just one issue is sufficient.

☐ (F) No refund (They do not qualify for any of the partial refunds provided for in D above)

1. Appeal fees are nonrefundable, except as provided for in Subsection E.

☐ (G) Letter waiving LUS Fee (fees waived by Director) Amount reduced \$_____/_____% Attached waiver letter.

☐ (H) Special Circumstances/Refund arrangements per Division Manager or Section Manager.

☐ (I) Public Registry (PR)

- ☐ LUS 100% Refund -Unnecessary fees or review
- ☐ LUS 75% Refund - Completeness check only, check sheet NOT sent or completed
- ☐ LUS 50% Refund - First checksheet sent, minimal staff time spent, bureau comments returned
- ☐ LUS 25% Refund- Second checksheet sent, comprehensive staff review

EMAIL THIS FORM TO LUS TECHS AFTER ALL FIELDS ABOVE FILLED IN AS NEEDED.
FIELDS BELOW WILL BE FILLED IN BY THE LUS TECHS.

LUS TECH STAFF: Initial and date after data entry: ejd				Date: 5/17/17
Refunds:				
Fee Code	324	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	% 100	Refund of \$1,453.00
Fee Code	375	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	% 100	Refund of \$2,389.00
Fee Code	404	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	% 100	Refund of \$115.00
Fee Code	1090	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	% 100	Refund of \$578.00
Fee Code	2457	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	% 100	Refund of \$945.00
Fee Code	2457	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	% 100	Refund of \$945.00
Fee Code	2504	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	% 100	Refund of \$100.00
Fee Code	2524	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	% 100	Refund of \$5,250.00
Fee Code		<input type="checkbox"/> Full <input type="checkbox"/> Partial	%	Refund of \$
Fee Code		<input type="checkbox"/> Full <input type="checkbox"/> Partial	%	Refund of \$

Please process a refund in the amount of \$ 11,775.00 to:

Company Name

Contact Person

Mailing Address

City/State/Zip

Original Payment Type

- ☒ Check
- ☐ Cash
- ☐ Card

Vendor # Authorization #

Ballew, Cassie

From: Fioravanti, Kara
Sent: Monday, May 01, 2017 8:55 PM
To: Michael Susak
Cc: Stokes, Kathleen; Ballew, Cassie
Subject: Re: Design Review at 13208 NE Glisan Street: 17-153156 DZM

Thank you, Michael. Cassie will process the full refund of your DZM application. Good luck with your project!

Sent from my iPad

On May 1, 2017, at 4:31 PM, Michael Susak <SUSAKPROPERTIES@msn.com> wrote:

Hello Kara,

I spoke with Kathleen Stokes and Cassandra Ballew last week in regard to the above referenced property. I had attended an early assistance meeting with Kathleen a few weeks ago where it was determined we should submit for design review (which I did the following week). Between the time of the meeting, and drafting the final notes, Kathleen became aware of some new information that changed how our project would be looked at. Given this new information, we feel we can meet community design standards and submit this project for building permits conventionally. We would like to withdraw our application for design review, and receive full refund. Thank you for your help in this matter.

Best regards,

Mike Susak
(503) 888-2333

Sent from my Windows Phone



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

Chloe Eudaly, Commissioner
Rebecca Esau, Interim Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

April 27, 2017

Michael Susak
Brokers Trust Realty
6663 SW Beaverton Hillsdale, Hwy #194
Portland, OR 97225

Re: Land Use Review LU 17-153156 DZM – New 10 Single Family Home Development

Dear Michael Susak:

The Bureau of Development Services received your application for a Design Review w/ Modifications located at 13208 NE GLISAN ST on April 14, 2017. Your case has been assigned to me, Cassandra Ballew. In order to continue to review your application, additional information is needed. Once you submit this information, your application will be considered complete, and I will proceed with a full review of your proposal. Up to this point, your application has been reviewed only to determine if all required information has been submitted. The application has not been fully reviewed to determine if it meets the relevant approval criteria, however some issues you may want to consider are identified in Section II below.

I. Information Necessary to Complete Application

The following information must be submitted before your proposal can be evaluated:

1. *Proceeding with Design Review or Community Design Standards.* In our phone conversation on April 21, you indicated that your design team has not yet decided whether to continue with the current review. The option of utilizing community design standards through the permit review process was discussed as an alternative path. Staff recommends the path of using standards as a way forward if the desire is to reduce costs and timing. Please notify staff when a decision has been reached on whether or not to proceed with this review. Until that time we will hold off on a full review and consider the application incomplete.

Please feel free to call or email if you have any questions.

II. Time to Complete Application

The Portland Zoning Code allows you up to 180 days to complete your application. Since the 180-day period began on the day we received the application, the deadline to make your application complete is **Wednesday, October 11, 2017**.

III. Determination of a Complete Application

The application will be determined complete when you have submitted:

1. All of the requested information included in Section I, above. If you cannot provide all of the requested information at one time and intend to submit additional information, please include a written statement with each separate submittal indicating that you still intend to provide the additional missing information by the **Wednesday, October 11, 2017** deadline, **or**
2. Some of the requested information included in Section I, above, and a written statement that no additional information will be provided; **or**

3. A written statement that none of the requested information included in Section I, above, will be provided.

Please be aware that not submitting the requested information may result in your application being denied. The information is needed to demonstrate the approval criteria are met. Once the application is deemed complete, review of your application can proceed using the information you have provided.

Your application will be approved if it meets the relevant land use review approval criteria. It is your responsibility to document how the approval criteria are met. The items listed above will help provide that documentation.

Voiding of Application

If your application is not complete by **Wednesday, October 11, 2017**, it will be voided, and the application fee will not be refunded. The City's land use review procedures are outlined in Chapter 33.730 of the Portland Zoning Code.

Please contact me if you have any questions about this letter. My telephone number is **503-823-7252**, and my e-mail address is Cassandra.Ballew@portlandoregon.gov. You may mail correspondence to me at the Bureau of Development Services, Suite 5000, 1900 SW Fourth Avenue, Portland, OR 97201. If you deliver the requested material in person, please bring it to the **fifth** floor receptionist at 1900 SW Fourth Avenue. Please label all correspondence and materials you submit with the case number LU 17-153156.

Sincerely,



Cassandra Ballew, Planner
Land Use Services Division

cc: Ruth Bennett

Ballew, Cassie

From: Ballew, Cassie
Sent: Thursday, April 27, 2017 4:37 PM
To: 'susakproperties@msn.com'
Subject: Design Review at 13208 NE Glisan Street: 17-153156 DZM
Attachments: LU 17-153156 HR_INCOM (APR27).pdf

Hello Michael,

I am the planner assigned to your land use review at 13208 NE Glisan Street. This email is to follow up on our conversation from last week on whether your team would like to proceed with Design Review or with standards. Attached please find an incomplete letter which references that before we can do a full review of the project, this item will need to be resolved. I also noticed that in the description of the project there was a mention of a modification to Community Design Standards. A modification to these standards is prohibited, as per 33.218.015.B. If you decide to proceed with this review, we can discuss reimbursement for this fee for the modification.

Please also note that Neighborhood Notification is required for this project. If you proceed with either Design Review or Standards this item will need to be resolved. Please visit the following link at our website for more information on this process: <https://www.portlandoregon.gov/bds/article/71923>

Please feel free to call or email if you have any questions. I will be out this afternoon but back tomorrow.

Thank you,

Cassie Ballew, LEED AP BD+C

City Planner | Design & Historic Resource Review Team

City of Portland | Bureau of Development Services | Land Use Services Division
1900 SW 4th Avenue | Ste. 5000 | Portland, OR 97201

p: 503-823-7252 | **f:** 503-823-5630

e: Cassandra.Ballew@portlandoregon.gov

w: www.portlandoregon.gov/bds

Work Hours: Tuesday through Friday, 7:00 am to 4:30 pm
Every other Monday, 7:00 am to 3:30 pm

Ballew, Cassie

From: Fioravanti, Kara
Sent: Thursday, April 20, 2017 5:59 PM
To: Ballew, Cassie
Subject: FW: NE Glisan project feedback

From: Fioravanti, Kara
Sent: Wednesday, April 19, 2017 5:00 PM
To: Stokes, Kathleen <Kathleen.Stokes@portlandoregon.gov>
Subject: Re: NE Glisan project feedback

Thanks! Hopefully they use standards :)

Sent from my iPad

On Apr 19, 2017, at 4:55 PM, Stokes, Kathleen <Kathleen.Stokes@portlandoregon.gov> wrote:

Kara, This is in regards to LU 17-153156 DZ for 13208 NE Glisan. I had an EA with them to look at Com DZ Standards on April 5th. I told them that all of the detached residential units were subject to the requirement that they cannot be set back more than 25 feet from the street lot line (33.218.110 B.). Douglas told me, when proofing my EA summary notes, that Rebecca had made a call on that standard and that we were only applying it to one building, not all of them. I called and told them that and they had already applied for the DZ since they could not meet the standards, due to that one issue. Now they are considering possible changes to other less substantial elements that may allow them to use the standards. I said to email me and I would forward it, so that the case could be held without being deemed complete and then, if they decide to use the standards, they could withdraw and get a refund. Thanks! Kathleen

From: Michael Susak [<mailto:SUSAKPROPERTIES@msn.com>]
Sent: Wednesday, April 19, 2017 3:24 PM
To: Stokes, Kathleen <Kathleen.Stokes@portlandoregon.gov>
Subject: RE: NE Glisan project feedback

Hi Kathleen,

In light of the recent decision we discussed today as it affects the development of the property on NE Glisan, would you be able to find out who was assigned the design review I submitted last week? We may decide to go a different route, making design review unnecessary. I could then contact them to discuss how we will proceed. Thank you.

Best regards,

Mike Susak
(503) 888-2333

Sent from my Windows Phone

From: [Stokes, Kathleen](#)
Sent: 3/29/2017 9:05 AM
To: [Michael Susak](#)
Cc: kymcad@gmail.com; [Jones Dan](#); [Ruth Bennett](#)
Subject: RE: NE Glisan project feedback

Michael, The six-foot separation is not a Zoning Code regulation. It is a rule in the building codes that is followed by the Fire/Life-Safety Plans Examiners. I knew of it, but am not familiar with all of the intricacies of how it is applied or how exemptions are approved. That is why I called that department and their recommendation was to apply for a preliminary Life-Safety meeting. Kathleen

From: Michael Susak [<mailto:SUSAKPROPERTIES@msn.com>]
Sent: Tuesday, March 28, 2017 1:22 PM
To: Stokes, Kathleen <Kathleen.Stokes@portlandoregon.gov>
Cc: kymcad@gmail.com; Jones Dan <dkjones321@comcast.net>; Ruth Bennett <rbbennett53@comcast.net>
Subject: Fw: NE Glisan project feedback

Hi Kathleen,

Our architect had a question as to where in the code it references a 6' distance between structures? I have cc'd her to this email, or you can contact her directly. Thank you. This in reference to the early assistance meeting for 13208 NE Glisan project (10 small house multifamily development).

Best regards,

Mike Susak
(503) 888-2333

Sent from [Outlook](#)

From: Kym Nguyen <kymcad@gmail.com>
Sent: Tuesday, March 28, 2017 12:56 PM
To: Michael Susak
Cc: Ruth Bennett; Jones Dan
Subject: Re: NE Glisan project feedback

oh, we already know those code. Can you ask her cite me the code where she state the building have to be 6 foot in between?

Kym Nguyen Principal
Concept Design & Associates

(503) 515.7418

Design Exceptionally . Plan responsibly. Build Safely. Live Well

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On Tue, Mar 28, 2017 at 12:50 PM, Michael Susak <SUSAKPROPERTIES@msn.com> wrote:

Hi Michael. Below is the link to the information on the Preliminary Life Safety Meeting. Also, as you requested, the information on Community DZ Standards is in this link <https://www.portlandoregon.gov/bps/?c=34561&a=533055> and the main entrance standard is in 33.218.110.G. This section (33.218.110) is the only part of the Community DZ Standards that applies to your proposal. Kathleen

From: Stokes, Kathleen
Sent: Thursday, March 23, 2017 11:48 AM
To: Stokes, Kathleen <Kathleen.Stokes@portlandoregon.gov>
Subject: Preliminary Life Safety Meeting info

<https://www.portlandoregon.gov/bds/article/94545>

Kathleen Stokes, City Planner II
Land Use Services Division
Bureau of Development Services
City of Portland
1900 SW 4th Avenue, Suite 5000
Portland OR 97201

[503-823-7843](tel:503-823-7843)
Kathleen.stokes@portlandoregon.gov
Office hours: 8:30 - 6:00 M-F (Alternate Mondays off)

Sent from [Outlook](#)

From: Kym Nguyen <kymcad@gmail.com>
Sent: Tuesday, March 28, 2017 12:49 PM
To: Michael Susak
Cc: Ruth Bennett; Jones Dan
Subject: Re: NE Glisan project feedback

Michael,

On your email, there are no links from Katherine.

Kym Nguyen Principal
Concept Design & Associates

(503) 515.7418

P.O. BOX 8464

Portland, OR 97207-8464

www.knstudiopdx.com

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On Thu, Mar 23, 2017 at 4:46 PM, Michael Susak <SUSAKPROPERTIES@msn.com> wrote:

Hi Kym,

Below is a copy of an e-mail I received from the planner assigned to our early assistance meeting. She had some immediate concerns that she thought would be better to deal with now, than cover in the meeting. In order for us to use the amenity bonus, we must adhere to the "Community Design Standards" for the area. One of those standards is that the pedestrian connector (sidewalk) be 6' wide instead of 5'. We need to have 6' between structures instead of 4. The plans we gave her show stairs on the side of the building, these protrude 3' into the 4' on the site plan. This will not pass, it might if there was 6'. Also, she references the code below as requiring that all units face the street. This, I was told at the counter was not a requirement, is apparently something we have to do... So please take a look at the link she provided for the code reference, and also look up the community design standards for the base zone, and what else is required in the East Corridor Plan District. They will be paying attention to this. Also confirmed that it is the case we only need 10% amenity bonus, and building 2 units as 3 bedroom will work (I think Ruth may like them all to be 3 - makes sense to sell as condos). She also requested that we provide a landscape plan, as well as a set of full-size plans. The ones printed were quite small, and hard for her to read. She encouraged us to see a preliminary life-safety planner as well, with the tight spaces, she thought a plans examiner would have some things they would want as well. There is a link to the application for that below.

Thanks.

Best,

Mike

Sent from [Outlook](#)

Hi Michael. Below is the link to the information on the Preliminary Life Safety Meeting. Also, as you requested, the information on Community DZ Standards is in this link <https://www.portlandoregon.gov/bps/?c=34561&a=533055> and the main entrance standard is in 33.218.110.G. This section (33.218.110) is the only part of the Community DZ Standards that applies to your proposal. Kathleen

From: Stokes, Kathleen
Sent: Thursday, March 23, 2017 11:48 AM
To: Stokes, Kathleen <Kathleen.Stokes@portlandoregon.gov>
Subject: Preliminary Life Safety Meeting info

<https://www.portlandoregon.gov/bds/article/94545>

Kathleen Stokes, City Planner II
Land Use Services Division
Bureau of Development Services
City of Portland
1900 SW 4th Avenue, Suite 5000
Portland OR 97201

[503-823-7843](tel:503-823-7843)

Kathleen.stokes@portlandoregon.gov

Office hours: 8:30 – 6:00 M-F (Alternate Mondays off)

Butenschoen, Mary

From: Tallant, Kimberly
Sent: Tuesday, April 18, 2017 11:12 AM
To: Butenschoen, Mary
Cc: Fioravanti, Kara; Monroe, Staci
Subject: RE: Quick Q

Hi Mary,

Since we already took it in, let's just move forward with the processing and get it to Kara to assign. The Neighborhood Contact requirement can be identified in the incomplete letter as something that needs to be completed before the application is deemed complete.

The city attorneys have said that once we take in/accept the application we don't have the authority to void it or kick it back to the applicant due to neighborhood contact not being met. So we will always need to process and list it as an incomplete item.

Thanks.

Kimberly Tallant
Interim Land Use Service Division Manager
City of Portland - Bureau of Development Services
1900 SW Fourth Avenue, Suite 5000
Portland, OR 97201

kimberly.tallant@portlandoregon.gov - email
503-823-0977 - phone

Work Hours: Monday through Friday, 8:00 am to 5:00 pm

From: Butenschoen, Mary
Sent: Tuesday, April 18, 2017 9:45 AM
To: Tallant, Kimberly <Kimberly.Tallant@portlandoregon.gov>
Cc: Fioravanti, Kara <Kara.Fioravanti@portlandoregon.gov>; Monroe, Staci <Staci.Monroe@portlandoregon.gov>
Subject: Quick Q

Hello Kim,

A Design Review case was taken in, set up, paid for and submitted on Friday. I have been working on completing its intake to give to Kara for planner assignment. Unfortunately, this is a site/project which requires the Neighborhood Contact before submitting for Land Use Review. Case # LU 17-153156 DZM. It's in the "a" overlay in the Outer Southeast Community Plan Area and the project will create more than three dwelling units. The requirement was not met, and the tech didn't notice it at set up.

In the past – if a case has made it this far without someone noticing – the case has continued in the process BUT that requirement has been an Incomplete item. However, I'm not sure if that is the practice for each case in these situations and want to be sure we are clear.

Do you want me to just put a comment in TRACS, a sticky note on the folder, and pass it on to Kara for planner assignment? OR

Would it be best to "kill" the submittal, give it back to the applicant, start processing their refund (or hold their money) and have them come resubmit after they meet that requirement?

Kara isn't here. I asked Tim and Staci. They thought incomplete item was ok. I just want to be certain that we are doing what is best for all involved. Staci wants to be sure we stay "development-friendly", which I'm 100% on board with, BUT, I also don't want the neighborhood and coalition to have any heartburn over this.

If it helps – I've discussed it with the tech who set it up. She understood how I arrived at that requirement being needed, and she will check for it in the future and not accept cases until the requirement has been met.

I look forward to hearing back from you soon.

Thanks,

Mary Butenschoen, Development Services Technician II
City of Portland - Bureau of Development Services
Land Use Services Division, Records Management Team
1900 S.W. 4th Ave, Suite 5000
Portland, OR 97201
mary.butenschoen@portlandoregon.gov - email
503.823.7695 - phone

Office Hours: Monday-Friday 7:00am-3:00pm

I think neighborhood
contact requirement
needed to be made
before submitting.
I emailed kim to see
what she wants us to
do ... incomplete item? or
kill it & start over? nary



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

Chloe Eudaly, Commissioner
Rebecca Esau, Interim Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

BDS – Early Assistance Land Use Planner Response

Date: April 12, 2017

To: Michael Susak, Susak Properties
6663 SW Beaverton-Hillsdale Hwy. #194
Portland, OR 97225

From: Kathleen Stokes, City Planner
503-823-7843, Kathleen.Stokes@portlandoregon.gov

Case File: EA 17-134443

Location: 13208 NE Glisan St
Property ID: R109342

Proposal: 10 single family home units, 3 bedroom, with tuck under garages proposed. Existing home to remain, so total of 11 units proposed. Questions regarding development feasibility, use of Community Design Standards, use of Amenity Bonuses.

Limitation This letter serves as a summary of the information we discussed at the Early Assistance appointment on April 5, 2017, and is intended to highlight preliminary requirements and next steps. This summary is advisory and preliminary in nature, and is neither a complete land use review nor a final decision regarding the project. This summary is based on the preliminary information you provided BDS staff. I have not supplemented or independently verified this information. Additionally, no site visit was conducted, notice was not provided to neighbors, and a full plan check of applicable development standards was not completed. Any future land use review application for your proposed project must include the necessary plans, elevations, detail drawings, a narrative addressing the approval criteria, and fees.

The information provided at your appointment was based on the current Zoning Code. It is possible that the code could change before you apply and those changes could affect your proposal. Your land use review application will be reviewed based on the Zoning Code in effect when you submit your application.

Summary of Proposal: Develop 20,931 square-foot site with a total of 11 units, using amenity bonus for the extra unit. Units would each have an attached garage for parking. Structures are proposed to face driveway, except for Unit 1, which would face the NE Glisan street frontage. Applicant wishes to use Community Design Standards instead of Design Review, if possible.

Zoning: R2ad (Residential 2,000, Low Density Multi-Dwelling with Alternative Design Density Overlay and Design Overlay. The site is also in the East Corridor Plan District

Relevant Land Use History: The City has no records of any previous land use reviews for this site.

A. Key Issues Applicable to this Project/Site:

- The applicable community design standards for this site are found in [Zoning Code Section 33.218.110](#), which can be accessed with this link. One of these standards (33.218.110 B.) states

that primary buildings must not be set back from the front lot line more than 25 feet. At the meeting, you were informed that this standard is not met with the current proposal, because each of the detached residential units in this proposal is considered to be a "primary building."

In discussions following the meeting, I found that a determination had been previously made by BDS LUS Division Supervisor, Rebecca Esau, that in situations like you have proposed, where there are numerous units on a deep narrow parcel, that the standard can be applied and found to be met if one unit is set back no more than 25 feet from the front lot line. This potentially resolves the issue that was raised at the meeting in regard to the proposed layout of the development on this site.

- Other design standards may also require modifications to the proposed plans. If the design standards are not met, the "d" overlay would require that the proposal be approved through Design Review. The additional design standards that are of concern in the proposed design include:
 - Three feet of foundation landscaping is required along the street facing elevations (33.218.110 A.).
 - Front elevations of more than 750 square feet (which is the street-facing elevation, even if it is functionally the side of the building) must be broken into smaller planes of 500 square feet or less (33.218.110 E.).
 - The main entrance of each primary structure must face the street lot line. An exception allows the entrance to face a shared landscaped court. There must be a porch at all main entrances that face the street. There are also further details on the porch details that need to be considered (33.218.110 G.).
 - Each window must be square or vertical. Horizontal window openings may only be created through groupings of 2 or more vertical windows (33.218.110 K.).
 - Exterior stairs, other than those leading to a main entrance, must be at least 40 feet from all streets. Fire escapes must be at least 40 feet from all streets (33.218.110 O.).
 - In addition, the proposed plans must show an adequate level of detail to determine that other standards, such as roof pitch, foundation material, exterior finish materials, trim and eaves are in accordance with the requirements of the Community Design Standards.
- The Neighborhood Contact Requirement applies to this proposal. [Zoning Code Section 33.700.025](#) states that, in the multi-dwelling zones, whenever 4 or more housing units are being proposed on a site that is in either an "a" or a "d" overlay zone, the following contact procedures must be followed:
 1. The applicant must contact the neighborhood association for the area, by registered or certified mail, to request a meeting. A copy of this request must also be sent by registered or certified mail to the district neighborhood coalition. Meeting request forms are available at the Development Services Center. Applicants are encouraged to include conceptual site plans, building elevations, and any other information that supports their proposal. The request letter must summarize the proposed development, the purpose of the meeting, and describe the following timelines.

The neighborhood association should reply to the applicant within 14 days and hold a meeting within 45 days of the date of mailing the request. If the neighborhood association does not reply to the applicant's letter within 14 days, or hold a meeting within 45 days, the applicant may request a land use review or building permit without further delay. If the neighborhood requests the meeting within the time frame, the applicant must attend the meeting. The applicant may attend additional meetings on a voluntary basis. The neighborhood may schedule the meeting with its board, the general membership, or a committee.

2. After the meeting and before applying for the land use review or building permit, the applicant must send a letter by registered or certified mail, to the neighborhood association and district neighborhood coalition. The letter will explain changes, if any, the applicant is making to the proposal.
 3. Copies of letters required by this subsection, and registered or certified mail receipts, must be submitted with the application for land use review or building permit.
 4. The application must be submitted within one year from the date of sending the initial letter required in paragraph C.1., or the neighborhood contact process must be restarted.
- Amenity Bonus – The proposal calls for 3 bedroom units, which would provide a bonus, in accordance with [Zoning Code Section 33.120.265](#), that is more than sufficient to allow the additional density that is requested. Please note that, in order to use the amenity bonuses, applicable development standards of the Base Zone and the Plan District must be met. No Adjustments or Modifications through Design Review for these standards may be requested when using an amenity bonus.
 - “a” overlay density allowance – A different path to gaining additional density (other than using the amenity bonuses that were discussed above) is set out in [Zoning Code Section 33.405](#), the Alternative Design Density or “a” Overlay. This overlay offers the ability to gain 50% more density than is allowed by the base zone if the applicant voluntarily has the project reviewed through a Type III Design Review. Note that this review is more expensive and has a longer time frame than the Type II Design Review that would be required for the proposal if the Community Design Standards are not met. The additional density that is allowed through this provision of the “a” overlay cannot be used in combination with the amenity bonuses of Code Section 33.120.265. For Design Review, the project would be reviewed against the [Community Design Guidelines](#), which are different than the Community Design Standards. No other options in this chapter appear to be applicable to this proposal.

B. Responses to Additional Questions You Asked:

- If the plan is not modified to meet the Community Design Guidelines, a Type II Design Review would be required. This review process is assigned to development proposals that are for sites, such as this one, which are located within the boundaries of the Outer Southeast Community Plan area and are not within the boundaries of the Gateway Design District. Information on the Design Review process type and approval criteria are found in [Zoning Code Section 33.825](#). The [Community Design Guidelines](#) serve as the approval criteria for the design review. The fees for the review are based on the cost of the project. The fees that apply are those for [Tier G, Type II Design Review](#). Note that the fee chart accessed through this link will be updated July 1, 2017 and this may cause a change in fees. The general guideline for the timeframe for a Type II land use review is described in this Zoning Code Section ([33.700.730.020](#)). While we always attempt to adhere to this timeframe, many things may occur that make a review take longer. Oregon State Law requires that we make a final local decision within 120 days of the date that a land use review application is deemed to be complete.
- There are additional standards that apply to this proposal. Relevant development standards of the following Zoning Code sections must be met or else an exception must be approved through either an Adjustment Review or a Modification through Design Review. (Note that the amenity bonuses of 33.120.265 may not be used if there are exceptions requested for any of these development standards. The list below notes some areas of these Code Sections that you should pay particular attention to for aspects of this proposal:
 - The East Corridor Plan District, [Zoning Code Section 33.521](#) (Note that pedestrian connections must be 6 feet wide, per 33.521.240).
 - The R2 Multi-Dwelling Residential Base Zone, [Zoning Code Section 33.120](#) This code section contains standards for setbacks, height, building coverage, required outdoor areas and

minimum landscaped areas, among other potential options and/or requirements. (Please note that standards that only apply to houses, attached houses and duplexes do not apply to this proposal because the detached units on this property are not considered to be "houses." A house is a primary unit on its own lot and not multiple detached units on the same lot. Instead, the units in the proposal are considered to be multi-dwelling development).

- Parking and Loading, [Zoning Code Section 33.266](#) Development Standards in this chapter apply to any vehicle areas on the site, whether they are required or nonrequired. This chapter also contains the requirements for bicycle parking and the development standards that must be met for required and nonrequired bicycle parking spaces.
- Landscaping, [Zoning Code Section 33.248](#). This code section includes the descriptions of the various levels of landscaping that are called out in the requirements in other Code chapters (eg. L2, L3, F2, etc.) This chapter also includes the planting requirements for interior parking lot landscaping (P1). Details include information on various landscaping issues, including required plant materials and regulations for installation and maintenance and for mitigation and restoration plantings.

- **Tree Code Requirements**

This proposal is subject to [City Title 11: Trees](#). The proposed project must meet both the preservation and density standards of Title 11. Please see below for specific requirements for each.

- **11.50.040 Tree Preservation Standards**

Title 11 requires tree preservation measures for trees 12 inches or larger in diameter. Your permit must include a tree plan showing the size, location and species of all trees six inches or larger on the site (specified species of trees between 6 and 12 inches in diameter may count toward tree preservation standards). If there are no trees 12 inches or larger on the site, please include a note to that effect on your site plan.

The standard requires that **one-third** of trees 12 inches or larger in diameter located completely or partially on the site must be preserved. As an alternative to meeting the tree preservation requirements, you may elect to pay a fee-in-lieu to the Tree Planting and Preservation Fund per required tree at the time of permit review.

For removal of non-exempt trees below the one-third preservation requirement with a diameter of 12 inches or larger, but less than 36 inches, a graduated scale is used to determine the payment amount. Based on the current fee schedule, the fees are \$1,200-\$2,400 per tree removed.

For removal of non-exempt trees with a diameter of 36 inches or larger, an "inch-per-inch mitigation" payment is required. Based on the current fee schedule, fees start at \$10,800 for removal of a 36-inch diameter tree and increase at \$300 per additional diameter inch of tree removed. Applicants must post a notice on-site and send a notice to the neighborhood association and district coalition 45 days prior to development permit issuance for removal of non-exempt trees with a diameter of 36 inches or larger.

Additionally, certain affordable housing projects, as defined by the Portland Housing Bureau, are exempt from the fee in-lieu of preservation for removal of non-exempt trees with a diameter of 36 inches or larger.

Staff Note: No tree information was provided with this proposal, so I cannot determine whether the preservation standard is met.

- **11.50.050 Tree Density Standards (Tree Planting Requirements)**

Title 11 requires trees to be planted to provide a canopy equivalent to 20% of the site area.

Trees that are preserved may count toward the planting requirement, but they must be preserved in accordance with Chapter 11.60 (see above).

This site is 20,931 square feet in area, so 4,187 square feet of tree area is required. Please refer to the Plant Materials chapter of the Tree and Landscaping Manual for tree sizes:

<http://www.portlandoregon.gov/bds/index.cfm?a=71964>

Large trees count as 1,000 square feet of area, medium trees as 500 square feet, and small trees as 300 square feet. Note per Table 50-2 that minimum planting areas are also required based on the size of the tree.

Please show the size, location and species of all trees proposed to be preserved and planted on your site plan. If trees are proposed to be preserved to meet this standard, please show and label the required tree protection area and fence materials on your site plan.

As an alternative to meeting the tree planting requirements, you may elect to make a payment to the Tree Planting and Preservation Fund at the time of permit review. The rate is \$450 per 500 square feet of tree canopy.

Staff Note: No tree information was provided with this proposal, so I cannot determine whether the density standard is met.

When you are ready to submit an application you may do so in the Development Service Center. Please see the BDS Website at <http://www.portlandoregon.gov/bds/37988> for hours of operation.

Please contact me with questions regarding this letter, or if I can be of further assistance as you move forward with your proposal.

Sincerely,

Kathleen Stokes, City Planner
Kathleen.Stokes@portlandoregon.gov
503-823-7843

Handouts and Additional Information:

- Zone Map
- Zoning Code (found at www.portlandonline.com/zoningcode)
- Additional information and application forms are also available on-line at <http://www.portlandoregon.gov/bds/35881>.
- Land Use Services Fee Schedule (found at <http://www.portlandoregon.gov/bds/article/67127>)
- Electric Service Requirements. Information on electric service requirements for properties served by PGE can be found at the following link: http://www.portlandgeneral.com/business/builders_developers/electrical_service_requirements.aspx; and information on electric service requirements for properties served by Pacific Power can be found at the following link: <http://www.pacificpower.net/con/esr.html>.

Please note that the service requirements included in these links may not cover all requirements associated with your project. Applicants should contact the PGE Service Coordinator at 503-736-5450 or the Pacific Power Business Center at 888-221-7070 to identify issues that are specific to your project and to coordinate electric service requirements.

PGE requires minimum clearances from electric wires, conductors and cables. Please be aware of these clearances by calling PGE at 503-736-5450. For more information, go to the following link: [PGE Minimum Clearance Requirements](#).



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

FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner
Rebecca Esau, Interim Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds



City of Portland, Oregon - Bureau of Development Services

1900 SW Fourth Avenue • Portland, Oregon 97201 | 503-823-7300 | www.portlandoregon.gov/bds



Land Use Review Application

File Number: 17-15315-6 DZ

FOR INTAKE, STAFF USE ONLY

Date Rec 4/14/17 by AP

☐ Type I ☐ Type IX ☒ Type II ☐ Type IIX ☐ Type III ☐ Type IV

LU Reviews DZ

[Y] ☒ Unincorporated MC

[Y] [N] Flood Hazard Area (LD & PD only)

[Y] [N] Potential Landslide Hazard Area (LD & PD only)

* NOT IN DOGAMI OR 100 YR FLOODPLAIN

Qtr Sec Map(s) 3044 Zoning R2a,d

Plan District East Corridor

Historic and/or Design District None / d'overlay

Neighborhood Hazelwood

District Coalition EPNO

Business Assoc Gateway Area

Related File # EA17-134443 APPT

APPLICANT: Complete all sections below that apply to the proposal. Please print legibly.

Development Site

Address or Location 13208 NE Glisan

Cross Street 13th

Sq. ft./Acreage • 48 Acres

Site tax account number(s)

R 109342

R

R

R

R

R

Adjacent property (in same ownership) tax account number(s)

R

R

R

Describe project (attach additional page if necessary)

Building Multi-Family development of 10 SFR + existing house.

Pre-submittal - EA 17-134443 Kathleen Stokes

MOD 33.218.110 Landscaping

2 mod @ 94500

33.120.232

mod to community design std.

Describe proposed stormwater disposal methods

Drywells

Identify requested land use reviews

Design Review
Type II, Tier G

• **Design & Historic Reviews** - For new development, provide project valuation.

For renovation, provide exterior alteration value.

AND provide total project valuation.

\$ 1,500,000 ←

\$ 50,000

\$ 1,550,000

• **Land Divisions** - Identify number of lots (include lots for existing development).

New street (public or private)?

N/A
☐ yes ☒ no

continued / over 1

Applicant Information

- Identify the primary contact person, applicant, property owner and contract purchaser. Include any person that has an interest in your property or anyone you want to be notified. Information provided, including telephone numbers and e-mail addresses, may be included in public notices.
- For all reviews, the applicant must sign the Responsibility Statement.
- For land divisions, all property owners must sign the application.

What contact below do you want recording documents sent to: Applicant

PRIMARY CONTACT, check all that apply ☒ Applicant ☐ Owner ☐ Other

Name Michael J Susak Signature [Signature]
Company/Organization Brokers Trust Realty
Mailing Address 6663 SW Beaverton Hillsdale Hwy #194
City Portland State OR Zip Code 97225
Day Phone (503) 888-2333 FAX _____ email Susakproperts@msn.com
Check all that apply ☒ Applicant ☐ Owner ☐ Other

Name Ruth Bennett Signature _____
Company/Organization _____
Mailing Address 3315 SE Riverwood Ln.
City Vancouver State WA Zip Code 98683
Day Phone _____ FAX _____ email _____
Check all that apply ☐ Applicant ☒ Owner ☐ Other

Name Kym Nguyen Signature _____
Company/Organization Concept Home Design
Mailing Address PO Box 8464
City Portland State OR Zip Code 97707
Day Phone (503) 515-7418 FAX _____ email Kymcad@gmail.com
Check all that apply ☐ Applicant ☐ Owner ☒ Other Architect

Name _____ Signature _____
Company/Organization _____
Mailing Address _____
City _____ State _____ Zip Code _____
Day Phone _____ FAX _____ email _____

Responsibility Statement As the applicant submitting this application for a land use review, I am responsible for the accuracy of the information submitted. The information being submitted includes a description of the site conditions. I am also responsible for gaining the permission of the owner(s) of the property listed above in order to apply for this review and for reviewing the responsibility statement with them. If the proposal is approved, the decision and any conditions of the approval must be recorded in the County Deed Records for the property. The City of Portland is not liable if any of these actions are taken without the consent of the owner(s) of the property. In order to process this review, City staff may visit the site, photograph the property, or otherwise document the site as part of the review. I understand that the completeness of this application is determined by the Director. By my signature, I indicate my understanding and agreement to the Responsibility Statement.

Print name of person submitting this application Michael J. Susak
Signature [Signature]
Phone number (503) 888-2333 Date 4-11-17

planner -

Kathleen Stokes did
EA, when they were looking
to meet community design
standards, but EA summary
not done yet & I'm
trying to understand why
they asked for a mod
to community design standards
Please see me to explain.

no narrative
submitted.

fyi.

Mary

* And they didn't meet
the Requirement of
neighborhood contact.

See comments in

TRACS.

& See Kim & my email
(printed & included here).

Tax - Mary



CITY OF
PORTLAND, OREGON
BUREAU OF DEVELOPMENT SERVICES
1900 SW 4th Ave., Suite 5000
Portland, OR 97201



RECEIPT #: 1988586

4/14/2017

Site Address: 13208 NE GLISAN ST

IVR Number: 3999546

Permit Number: 17-153156-000-00-LU

Land Use Review

APPLICANT SUSAK PROPERTIES *MICHAEL SUSAK*

Phone: (503) 888-2333

Fee Code	Fee Description	Fee Amount	Paid to Date	Balance	This Transaction	New Balance
1090	Site Development - Land Use Reviews	\$578.00				
2457	Design Rvw-Modifications	\$945.00				
2457	Design Rvw-Modifications	\$945.00				
2504	Life Safety Review - Land Use	\$100.00				
2524	Design / Historic Review Type G	\$5,250.00				
324	BES Land Use Rvw-Engineering	\$1,453.00				
375	PBOT Design Review (Type III)	\$2,389.00				
404	Water Available Plan Rvw - Type C	\$115.00				
Bill #4107319	Sub Total	\$11,775.00	\$0.00	\$11,775.00	\$11,775.00	\$0.00
TOTAL		\$11,775.00	\$0.00	\$11,775.00	\$11,775.00	\$0.00

Shaded items indicate fees not yet calculated.

*** Fees marked with an asterisk are due at application.**

PAYOR

RUTH BENNETT

Phone:

Payment #: 1988586

Method of Payment: 1219 ck ruth bennett

Receipt By: Regina Birch

CITY CONTACT

Phone:

E-Mail:

Fax: (503) 823-4172

Notice: This document is not a permit. This document may not represent all fees owing for this permit. All fees are subject to change based on new or corrected information. For more information, consult your City of Portland Contact listed above.



ZONING

 Site

File No. LU 17-153156 DZM

1/4 Section 3044

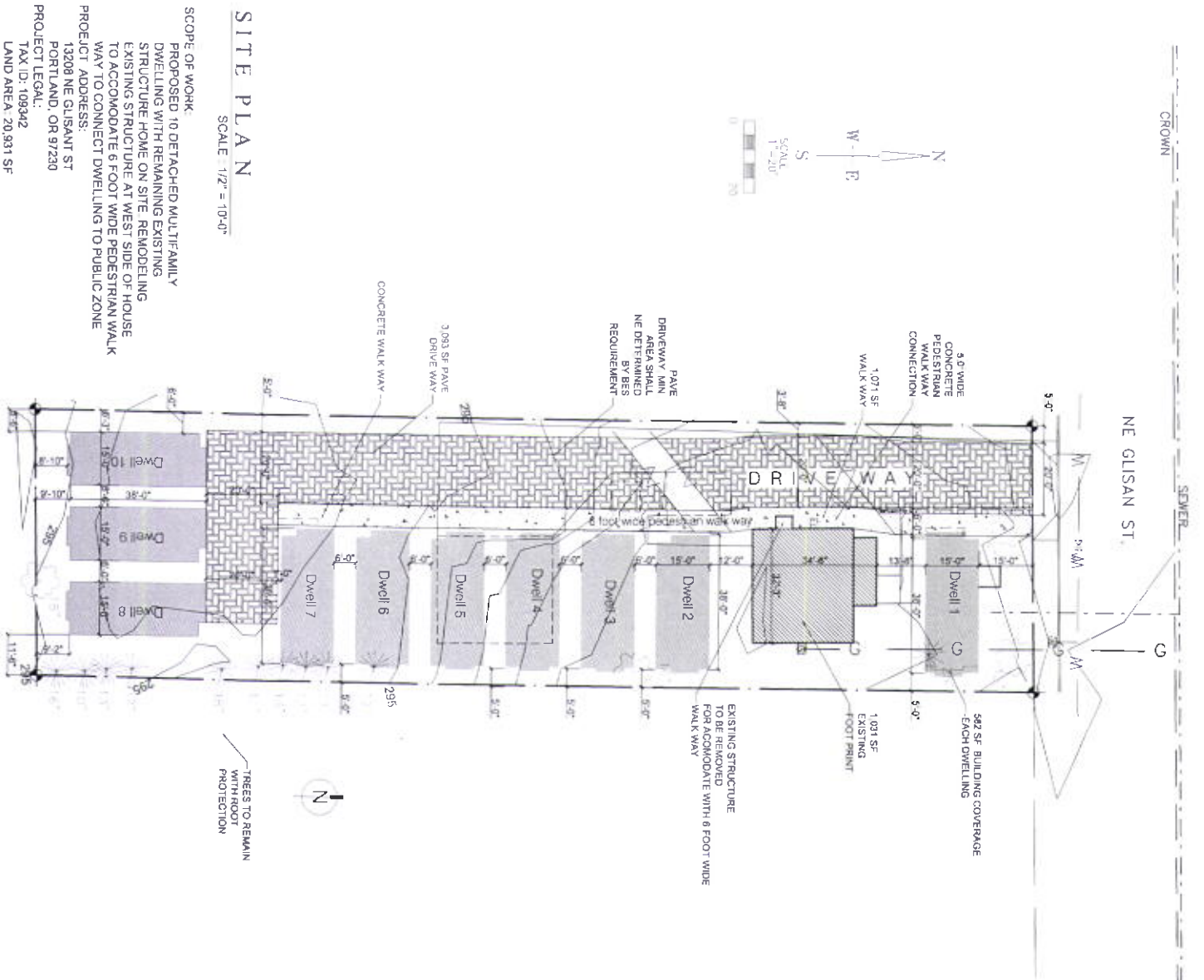
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Exhibit B (Apr 18, 2017)



This site lies within the:
EAST CORRIDOR PLAN DISTRICT



SITE PLAN

SCALE 1/2" = 10'-0"

SCOPE OF WORK

PROPOSED 10 DETACHED MULTIFAMILY DWELLING WITH REMAINING EXISTING STRUCTURE HOME ON SITE. REMODELING EXISTING STRUCTURE AT WEST SIDE OF HOUSE TO ACCOMMODATE 6 FOOT WIDE PEDESTRIAN WALK WAY TO CONNECT DWELLING TO PUBLIC ZONE

PROJECT ADDRESS:

13208 NE GLISAN ST
PORTLAND, OR 97230

PROJECT LEGAL:

TAX ID: 109342
LAND AREA: 20,931 SF

SITE PLAN Proposed Development

CONCEPT
Design & Associates

PO BOX 8464 - PORTLAND - OREGON 97207
PHONE: 503-515-7418

© 2011 Copyright

www.knstudiopdx.com

Project Name: Detached Single Family On Multifamily Zone
Project Location: NE Glisan St Portland, Or

Owner: RB Barnett Enterprises LLC

Scale: 1/2" = 10'-0"

Drawn By: KN

Project Number: 17-85

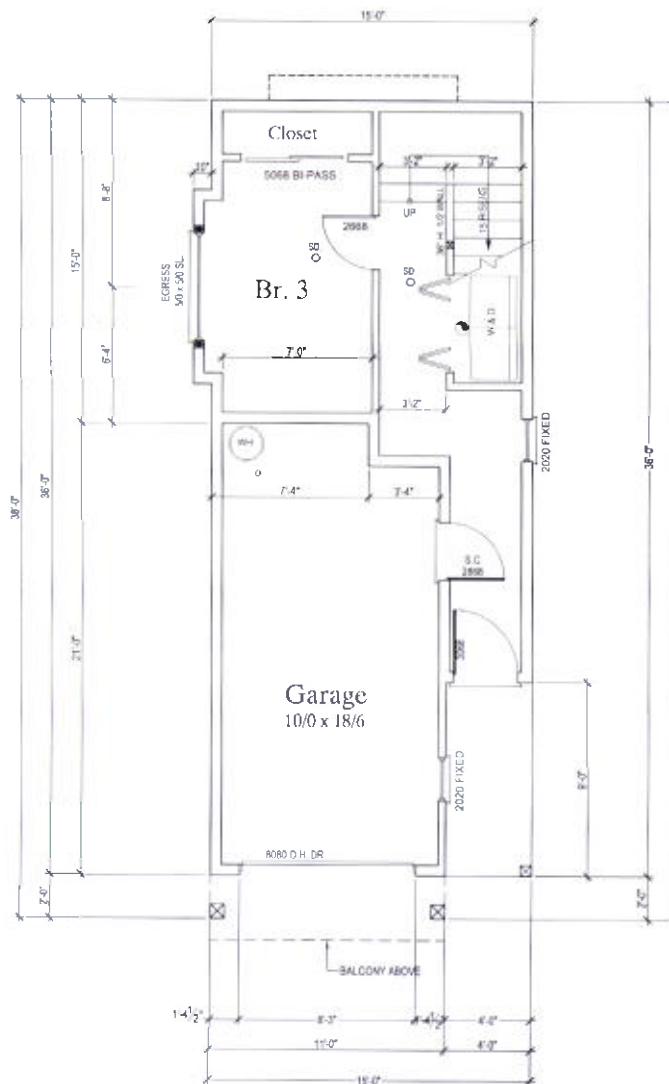
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Sheet Number:

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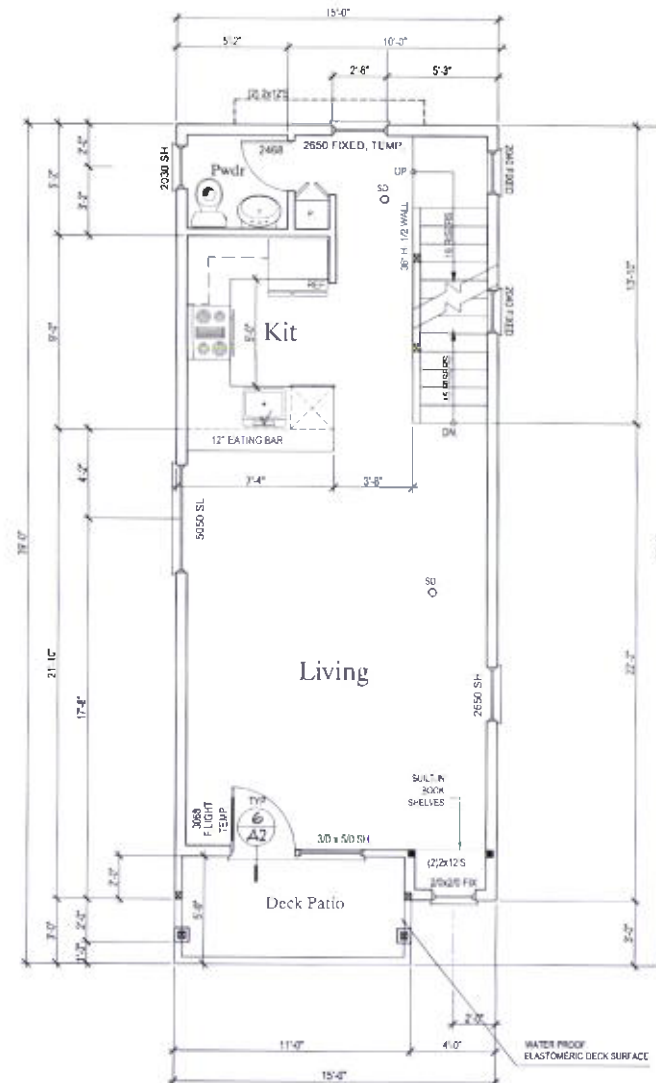
LU 17-15 3156 D2M



1ST FLOOR PLAN

LIVING AREA: 290 SF
GARAGE: 216 SF

SCALE: 1/8" = 1'-0"



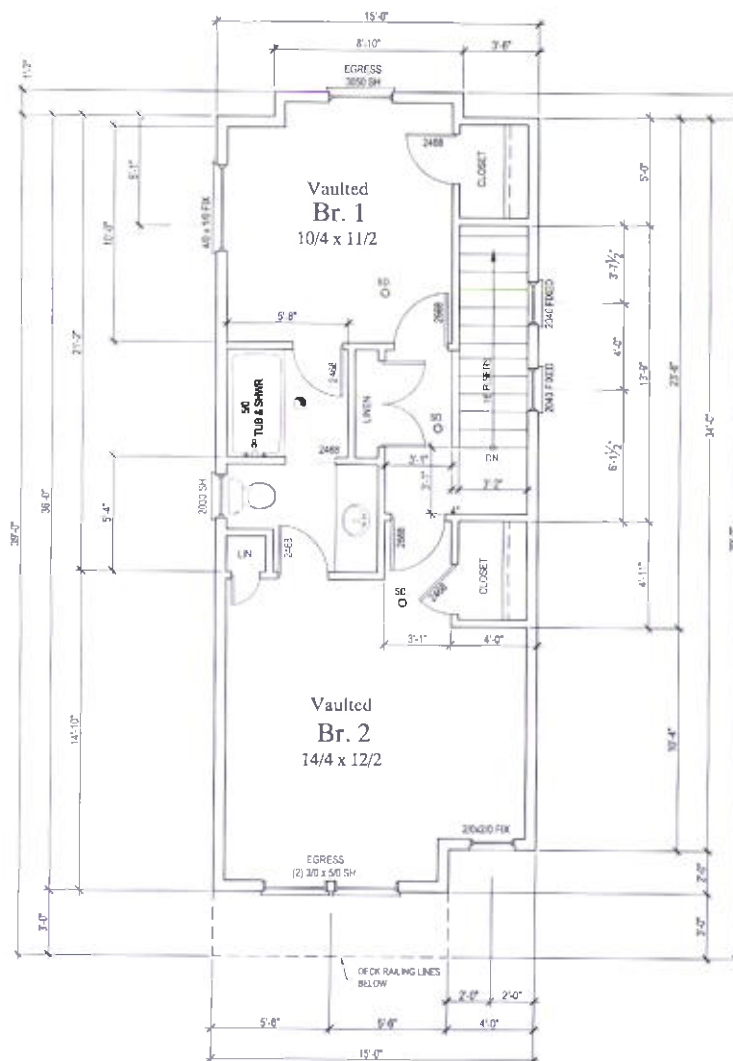
2ND FLOOR PLAN

LIVING AREA: 471 SF

SCALE: 1/8" = 1'-0"

PROJECT NAME
Detached Single Family
On Multifamily Zone
PROJECT ADDRESS
NE Gilson St
Portland, Or.
OWNER
RB Bennett Enterprise LLC

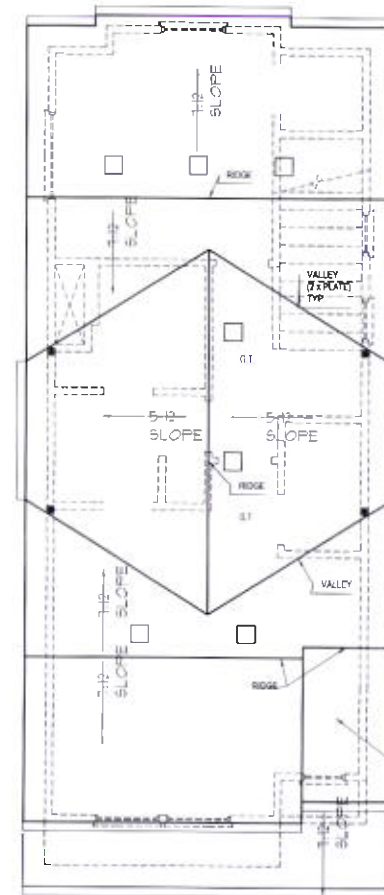
Drawn & Checked By	KN
Project Number	17-85
Issue Date	04-03-2017
Original File Name	17185xPLAN.DWG
Sheet Number	



3RD FLOOR PLAN

LIVING AREA: 509 SF

SCALE : 1/8" = 1'-0"



ROOF PLAN

SCALE : 1/8" = 1'-0"

PROJECT NAME
Detached Single Family
On Multifamily Zone

PROJECT ADDRESS
NE Glisan St
Portland, Or

OWNER
RB Bennett Enterprise LLC

Rev: 01

Drawn & Checked By

KN

Project Number

17-85

Issue Date

04-03-2017

Drawing File Name

17185xPLAN.DWG

Sheet Number

CONCEPT
Design & Associates

PO BOX 844 - PORTLAND OREGON 97207
PHONE 503.515.7418

www.knslupdx.com

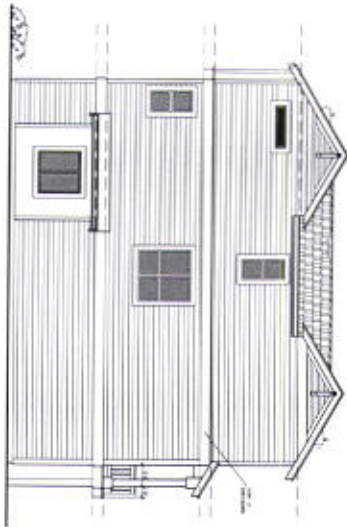
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3RD FLOOR PLAN, ROOF PLAN

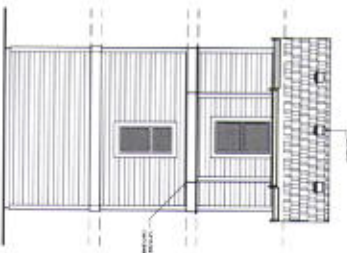
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TYPICAL DWELLING, 2 TO 10

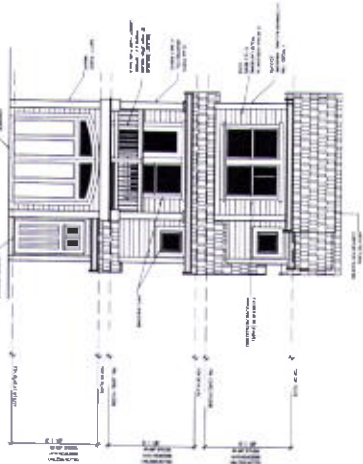
LU 17-15 3156 D2M



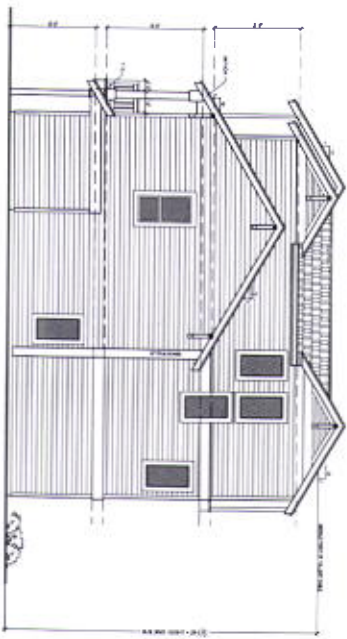
NORTH ELEV. - TYPICAL LEFT SIDE
BUILDING 2 TO 10
SCALE: 1/8" = 1'-0"



EAST ELEV.-TYPICAL REAR
BUILDING 2 TO 10
SCALE: 1/8" = 1'-0"



WEST ELEV.- TYPICAL FRONT
BUILDING 2 TO 10
SCALE: 1/8" = 1'-0"



SOUTH ELEV. - TYPICAL REAR
BUILDING 2 TO 10
SCALE: 1/8" = 1'-0"

EXTERIOR BUILDING ELEVATIONS

PROJECT NAME
Detached Single Family
On Multifamily Zone
NE Gilman St
Portland, OR

ARCHITECT
RB Barnett Enterprises LLC

DATE
04-03-2017

PROJECT NUMBER
17-85

DATE
04-03-2017

PROJECT FILE NAME
17185XPLAN.DWG

FILE NUMBER

CONCEPT
Design & Associates

PO BOX 8464 - PORTLAND - OREGON 97207
PHONE: 503-315-2418

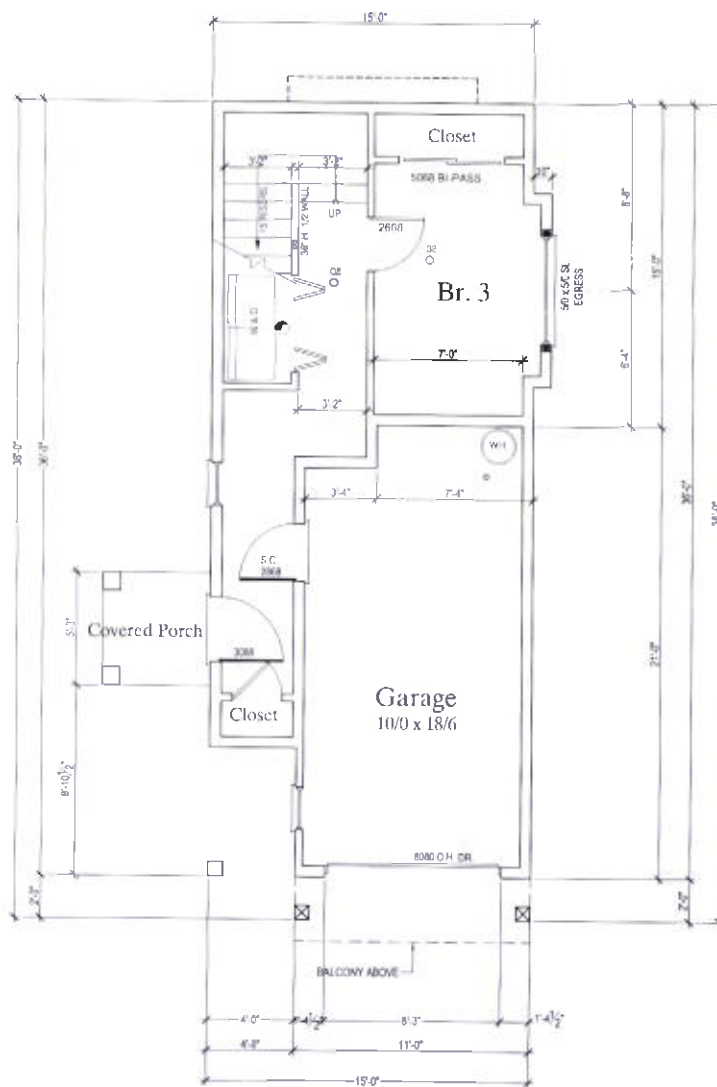
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TYPICAL DWELLING, 2 TO 10

A3

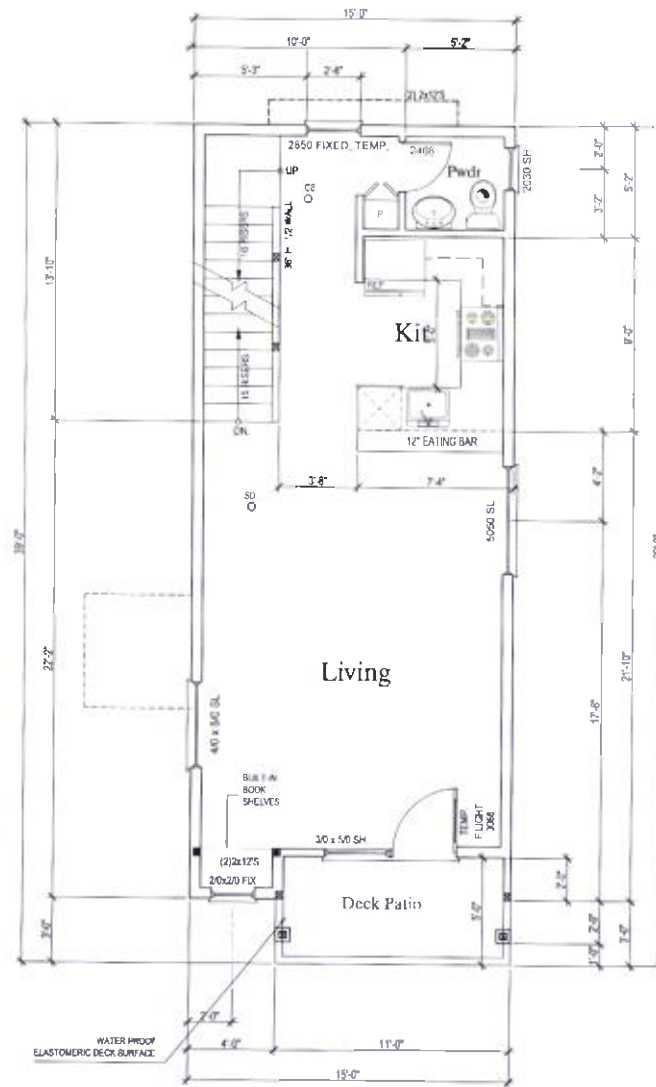
LA 17-153156 D2M



1ST FLOOR PLAN

LIVING AREA: 290 SF
GARAGE: 216 SF
TOTAL LIVING AREA: 1,270 SF

SCALE: 1/8" = 1'-0"



2ND FLOOR PLAN

LIVING AREA: 471 SF

SCALE: 1/8" = 1'-0"

MAIN FLOOR PLAN, 2ND FLOOR PLAN

PROJECT NAME:
Detached Single Family
On Multifamily Zone

PROJECT ADDRESS:
NE Glisan St
Portland, Or.

OWNER:
RB Bennett Enterprise LLC

Architect:

Architect:

Architect:

Architect:

Architect:

Architect:

Architect:

Architect:

Architect:

Architect:

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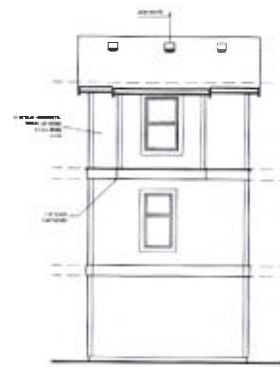
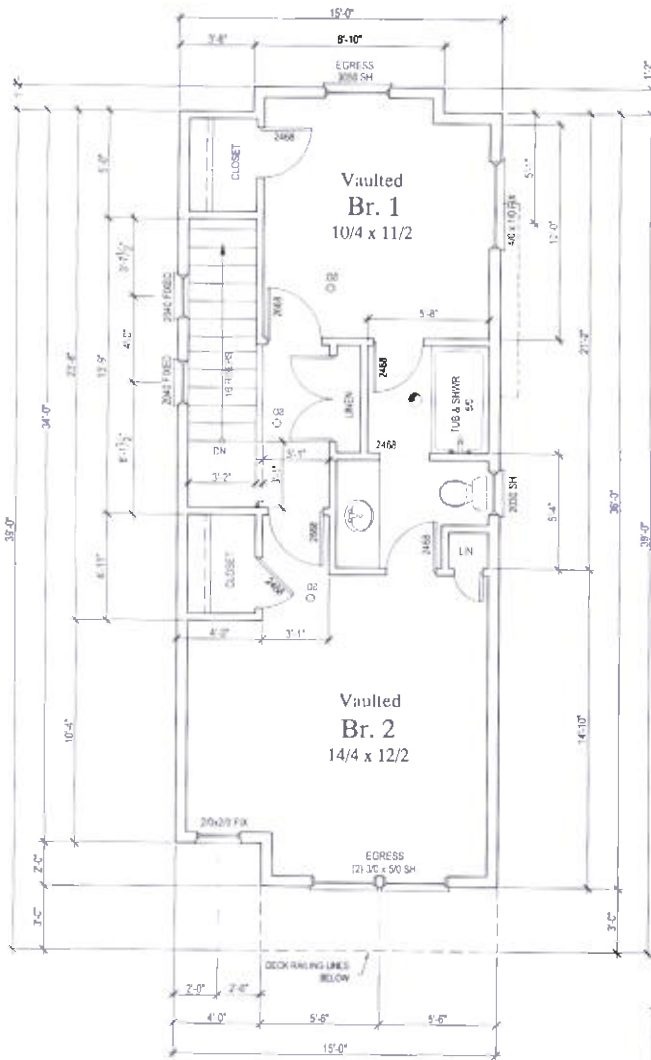
Architect:

Architect:

A4

DWELLING 1

LU 17-15 3156 DZM



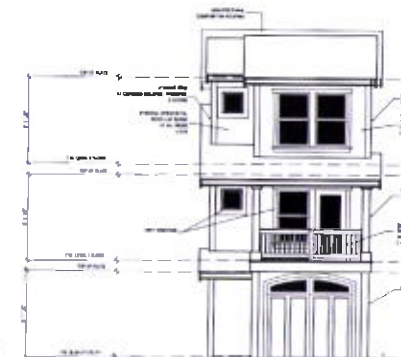
EAST ELEV.
BUILDING 2 TO 10
SCALE: 1/8" = 1'-0"



SOUTH ELEV.
BUILDING 2 TO 10
SCALE: 1/8" = 1'-0"



NORTH ELEV. - FRONT FACING GLISAN ST
SCALE: 1/8" = 1'-0"



WEST ELEV.
BUILDING 2 TO 10
SCALE: 1/8" = 1'-0"

**3RD FLOOR PLAN
EXTERIOR BUILDING
ELEVATIONS**

PROJECT NAME:
Detached Single Family
On Multifamily Zone
PROJECT ADDRESS:
NE Glisan St
Portland, Or
OWNER:
RB Bannell Enterprise LLC

Drawn & Plotted By	KN
Project Number	17-85
Issue Date	04-03-2017
Drawing File Name	17185xPLAN.DWG
Sheet Number	

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DWELLING 1

LU 17-15 3156 D7M