



City of Portland  
**Bureau of Development Services**  
Land Use Services Division

1900 SW Fourth Ave. Suite 5000  
Portland, Oregon 97201  
Telephone: 503-823-7300  
TDD: 503-823-6868  
FAX: 503-823-5630  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** October 9, 2008  
**To:** Interested Person  
**From:** Staci Monroe, Land Use Services  
503-823-7870 / [Staci.Monroe@ci.portland.or.us](mailto:Staci.Monroe@ci.portland.or.us)

**NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 08-101378 DZM - DESIGN REVIEW FOR NEW DUPLEX WITH A MODIFICATION**

**GENERAL INFORMATION**

**Applicant:** Greg & Anna Hyde (owners)  
3110 SE Rex Street  
Portland, OR 97202-8574

**Representative:** Jeff Dood (architect), 503-235-0228  
Urbaspace LLC  
538 SE 20th Avenue Suite C  
Portland, OR 97214

**Site Address:** 1548 SE TENINO STREET

**Legal Description:** SELLWOOD; LOT 17 BLOCK 68  
**Tax Account No.:** R752711300  
**State ID No.:** 1S1E23DC 15300  
**Quarter Section:** 3832  
**Neighborhood:** Sellwood-Moreland, contact Paul Notti at 503-234-3570.  
**Business District:** None  
**District Coalition:** Southeast Uplift, contact Cece Hughley Noel at 503-232-0010.  
**Plan District:** None  
**Zoning:** R2ad – Multidwelling Residential 2,000 with an Alternative Design Density and Design overlays

**Case Type:** DZM – Design Review with a Modification  
**Procedure:** Type II, an administrative decision with appeal to the Design Commission.

**Proposal:**

The applicant seeks Design Review to construct a new duplex at 1552 SE Tenino. The proposal includes removing the existing house and constructing a two-story duplex building with both entrances and garage doors facing the street. The front elevation would contain a shared covered front porch, two projecting bays on the upper façade and decorative columns flanking

the garages and porch. An uncovered 2<sup>nd</sup> floor balcony is proposed on the rear of the building for each unit. The building materials will consist of painted horizontal hardiplank composite siding with a 0'-7" reveal, stained cedar shingles on the upper front bays and asphalt composition roof shingles. The windows will be vinyl while the front and garage doors will be wood. Details on the duplex include 0'-6" wood trim around all windows, doors and building edges, recessed windows, a 1'-0" wide belly band on the side elevations and decorative wood porch columns and railings.

Modification requests [PZC 33.825.040]:

1. Increase the 50% maximum length of the street-facing garage wall to 57% of the width of the façade (PZC 33.120.28.E).

New development in "d" Design overlay district that cannot meet the Community Design Standards of Chapter 33.218 requires Design Review.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The relevant approval criteria are:

- Community Design Guidelines
- PZC 33.825.040 Modification Through Design Review

## ANALYSIS

**Site and Vicinity:** The 5,000 SF site is located on the south side SE Tenino Street within the Sellwood Moreland Neighborhood. SE Tacoma is 2 blocks north of the property while SE 13<sup>th</sup> and SE 17<sup>th</sup> are the major transit access streets located east and west of the site, respectively. The site is currently developed with a small 714 SF house which is proposed to be demolished to clear the site for the new duplex. The immediate neighborhood consists mostly of single family residence with a couple of duplex units located on some of the corner lots. High density development is found just south of the site off of Umatilla. The surrounding zoning is for multidwelling development although much of the older single dwelling housing stock remains.

**Zoning:** The R2 (Multidwelling Residential 2,000) zone allows multi-dwelling residential development up to a maximum density of one unit per 2,000 square feet of site area, and requires a minimum density of one unit per 2,500 square feet of site area. Newly created lots in the R2 zone must be at least 4,000 square feet in area for multi-dwelling development, 1,600 square feet for development with attached or detached houses, and 4,000 square feet for development with duplexes. Minimum lot width and depth standards may apply.

The "a" (Alternative Design Density) overlay is intended to allow increased density that meets design compatibility requirements. It focuses development on vacant sites, preserves existing housing stock, and encourages new development that is compatible with the surrounding residential neighborhood.

The "d" (Design) overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review.

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

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed July 9, 2008. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Water Bureau
- Fire Bureau

- Bureau of Parks-Forestry Division

The Plan Review Section of BDS responded with the following comment (see Exhibit E-1 for additional details):

- Based on the information provided, there appears to be no conflicts between this proposal and applicable building codes for the purpose of obtaining an LU approval.
- Permit required - A separate Building Permit is required for the construction work proposed and the construction must be designed to meet all applicable building codes, ordinances and accepted engineering practices. More information regarding building code requirements can be obtained by visiting the Bureau of Development Services Development Services Center -1900 SW 4th Ave, 1st floor, between the hours of 7:30 AM and 3:00 PM Monday through Friday and also 5:00 PM to 7:30 PM Thursday evening (no appointment necessary.) Building Code information is also available online at: <http://www.portlandonline.com/bds/>, or by calling (503) 823-1456.
- Exterior wall and opening protection - Exterior walls less than three feet to a property line shall be one-hour fire-rated construction with no openings allowed. Roofs and eaves may project not closer than two feet to a property line. Eaves less than three feet to a property line must be protected on the underside as required for one-hour fire-rated construction. ORSC R302.1
- The issuance of a permit to demolish a single family residence or a duplex in a Residential Zone is subject to a 35-day delay, beginning when the demolition permit application is received and intake fees are paid. Additional requirements apply. City of Portland Code 24.55.200

The Bureau of Transportation Engineering responded with the following comment (see Exhibit E-2 for additional details):

Portland Transportation/Development Review (Portland Transportation) has reviewed the application for its potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, Title 33, Title 17, and for potential impacts upon transportation services.

- STREET CLASSIFICATION - At this location, SE Tenino Street is designated as a Local Service street for all modes in the City's Transportation System Plan.
- DESIGN REVIEW APPROVAL CRITERIA - There are no applicable transportation related approval criteria associated with the proposed project.
- TITLE 17 REQUIREMENTS - Transportation System Development Charges (Chapter 17.15)
- System Development Charges (SDCs) may be assessed for this development. The applicant can receive an estimate of the SDC amount prior to submission of building permits by contacting Rich Eisenhauer at (503) 823-6108.
- Driveways and Curb Cuts (Section 17.28) - Curb cuts and driveway construction must meet the requirements in Title 17. Portland Transportation staff exhaustively analyzed the proposed duplex project for its potential impacts to on-street parking and ADA accessibility in the area. Given the proposed separated driveway configuration, there was potential for the elimination of one or more on-street parking spaces as well the potential to disrupt the pathway for disabled citizenry. However, taking into account the location of the driveways on the abutting lots east and west of the site, and given the additional off-street parking space that will be gained by the proposed development, the loss of one on-street parking space is determined to be insignificant. Further, given the sidewalk configuration along the frontage of the site with a wide planter area, ADA accessibility will not be impacted by the proposed driveway configuration. The Title 17 driveway requirements will be enforced during the review of building permits and Portland Transportation will support the proposed separated driveways.

- Street Improvements (Section 17.88.010) - It is typical Portland Transportation procedure to review existing roadway configurations by referring to City GIS database resources in order to determine the necessary dedications and/or improvements related to proposed land use cases. City staff may receive different information from the applicant's engineer with regard to the existing condition of the subject roadways based on the actual survey of the site.
- The site's street frontage along SE Tenino is made up of a 24-ft wide paved surface within a 60-ft right-of-way. The site's existing 11-6-1 sidewalk corridor exceeds the recommended 0.5-4-6-0.5 sidewalk corridor in the City's Pedestrian Design Guide. Therefore, there is no requirement for property dedication or frontage improvements related to the requested Design Review.
- RECOMMENDATION - Portland Transportation has no objections to the proposed Design Review.

The Site Development Section of BDS responded with the following comment (see Exhibit E-3 for additional details):

- Site Development has no objection to the proposed site design. On-site infiltration of stormwater is feasible at this location, and the proposed drywell is acceptable. As noted on demolition permit 07-181919-RS, decommissioning of the existing on-site sewage disposal system is required as this property is not connected to the public sewer system.

The Bureau of Environmental Services responded with the following comment (see Exhibit E-4 for additional details):

- BES has no objections to the proposed project. Please be aware, the Stormwater Management Manual requires that stormwater runoff from new or redeveloped impervious area be managed on-site through surface infiltration facilities to the maximum extent practicable. Roof runoff may be managed in drywells or soakage trenches (if on-site infiltration is approved by BDS Site Development). Pollution reduction is required for all non-rooftop runoff, and all runoff that is not infiltrated on site. Stormwater runoff from parking lot, driveway and other ground-level impervious surface must be treated by means of vegetated surface facilities with overflow directed to an appropriate disposal location. A disposal location for stormwater must be identified for any size development.
- BDS Site Development has indicated that on-site infiltration is feasible at this location and has no objections to the proposed drywell. Therefore, BES concurs that the proposed site design is acceptable.
- The building permit for this development project is currently being reviewed under permit #08-181878-RS

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on July 9, 2008 2008. One written response has been received from the Neighborhood Association and a property owner in response to the proposal.

- Reid Kells & Hanna Richards-Baker, Sellwood-Moreland Improvement League Land Use Coordinator & resident, 8210 SE 13<sup>th</sup> Avenue, Portland, OR 97202, stating their appreciation to review the proposal and wish the developer luck in their endeavor.

## ZONING CODE APPROVAL CRITERIA

### (1) Design Review - Chapter 33.825

#### Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be

compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

### **Section 33.825.055 Design Review Approval Criteria**

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

**Findings:** The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval if the Community Design Standards cannot be met. Because of the site's location, the applicable design guidelines are the Community Design Guidelines.

### **Community Design Guidelines**

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

*Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.*

**P1. Community Plan Area Character.** Enhance the sense of place and identity of community plan areas by incorporating site and building design features that respond to the area's unique characteristics and neighborhood traditions;

**D7. Blending into the Neighborhood.** Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

**Findings for P1 & D7:** The site is located within the Tacoma Street Subarea of the Sellwood-Moreland Community Plan Area. The identity of this area is characterized as an urban village with a rich mixture of land uses, a variety of housing types and an emphasis on residential areas around business districts. The new duplex is located 1 block south of Tacoma Street and 1-1/2 blocks west of SE 17<sup>th</sup> Avenue both commercial zones with businesses. The new duplex not only provides diversity to this neighborhood it adds density within close proximity of the adjacent commercial areas enhancing the urban village character.

The design of the duplex incorporates characteristics of the established neighborhood to blend in the older architecture and details of existing houses. The massing of the duplex is reminiscent of a traditional foursquare with symmetrical features and boxy proportions. Ganging the front entrances under a single porch provides greater compatibility with the single family residences on the street. The 0'-6" building trim, recessed windows and horizontal siding are details which have been incorporated to better blend in the new development with the older residences.

*These guidelines are therefore met.*

**P2. Historic and Conservation Districts.** Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area's historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

**Findings:** The site is not located within a designated historic or conservation district, therefore, this guideline is not applicable.

**D1. Outdoor Areas.** When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;

**D3. Landscape Features.** Enhance site and building design through appropriate placement, scale, and variety of landscape features.

**Findings for D1 and D3:** The duplex covers approximately 45% of the 5,000 SF site, therefore more than half of the area is open space. The two driveways allow a paved surface that is safe for active uses such as basketball or other activities. The remainder of the site will provide landscaping in the form of grass, trees and shrubs. The 28'-0" deep rear yard will contain grass and trees and is large enough for any number of outdoor activities. The trees both in the front and rear yards will provide shade during the hotter months of the year. The arborvitae along the base of the porch in the front yard will soften the front façade along the street. *These guidelines are therefore met.*

**D2. Main Entrances.** Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

**Findings:** Both main entrances have been ganged towards the middle of the front façade. Locating them adjacent to one another allows for a single large covered porch that dominates that front façade of the building. The porch is 17'-0" in length and 6'-0" deep providing a generous outdoor area for the residents that is consistent with the large front porches on the existing single family residences in neighborhood. A 5'-6" wide paved path leads the pedestrian from the sidewalk to the front entrances for safe and direct access. The porch columns and railings are detailed in wood with cornice molding, a tripartite design and pyramid caps on the newel posts. The design and features of the porch provide interest to the duplex building and help to break down its mass and scale. *This guideline is therefore met.*

**D4. Parking Areas and Garages.** Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

**Findings:** The majority of garages within the neighborhood are single car and rather small detached structures. The location varies with some tucked behind the residence and others up closer towards the street. In order to reduce the impact of two garages on a front façade the garage doors have been recessed 10'-0" behind the front porch and 4'-0" behind the front building wall. Overall, the garage entrances are 25'-0" from the front lot line providing sufficient room for a vehicle to safely park in the driveway without overhanging in to sidewalk and preventing pedestrian conflicts. Other details such as windows within the garage doors and extending the porch cover above the garages further help to integrate the garages into the building. These elements contribute to breaking down the massing of the front façade offering a more compatibly scaled residential structure in this neighborhood. *This guideline is therefore met.*

**D5. Crime Prevention.** Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

**Findings:** The front façade of the duplex consists of both front doors, numerous windows, including on the garage doors and a large 6'-0" deep front porch. All of these elements provide visibility to the street and more opportunities for the residents to engage with the activities on the sidewalk encouraging passive surveillance of the street and the neighborhood thereby reducing the likeliness of crime. *This guideline is therefore met.*

**D6. Architectural Integrity.** Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

**D8. Interest, Quality, and Composition.** All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

**Findings for D6 & D8:** The duplex building has incorporated numerous quality details that make it compatible with the existing single family homes in the neighborhood and a design that is interesting to view and well composed. The boxy floor plan with large front porch and projecting upper bays are reminiscent of the foursquare residential type that exists within the neighborhood. The materials chosen and finer details on the duplex provide depth and articulation. The windows will be recessed at least 0'-3" from the wall to provide a shadow line that help define the openings in the building and provide architectural relief. In addition, the Empire Pacific 4200 Series vinyl window has an over thickness of 3-3/4" which is more consistent with the profile of a wood window. The 0'-6" trim around all openings and building edges help to break down the façade and highlight the building elements. The 1'-0" wide belly band along the side elevations reduce the scale of the 2 story end walls. The wood front doors and garages contain a tripartite design traditional of craftsman style represented within the established neighborhood. The front porch design with its decorative columns and pyramid topped newels provide detailing that adorn the front, street-facing façade of the residence.

The building materials, including the hardiplank siding, asphalt composition roof shingles, vinyl windows and wood doors and porch detailing, are all durable materials that can be maintained over the years to ensure their permanence.

*These guidelines are therefore met.*

## **(2) Modification Requests Through Design Review – Chapter 33.846**

### **33.846.070 Modifications Considered During Design Review**

The approval criteria for modifications considered during historic design review are:

- A.** Better meets design review approval criteria. The resulting development will better meet the approval criteria for design review than would a design that meets the standard being modified; and
- B.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

Modifications Requested through Design Review:

**Modification #1- Length of Street-Facing Garage Wall: Increase the 50% maximum length of the street-facing garage wall to 57% of the width of the façade (PZC 33.120.28.E).**

**Purpose:** *The standards:*

- Together with the window and main entrance standards, ensure that there is a physical and visual connection between the living area of the residence and the street;

- Ensure that the location and amount of the living area of the residence, as seen from the street, is more prominent than the garage;
- Prevent garages from obscuring the main entrance from the street and ensure that the main entrance for pedestrians, rather than automobiles, is the prominent entrance;
- Provide for a more pleasant pedestrian environment by preventing garages and vehicle areas from dominating the views of the neighborhood from the sidewalk; and
- Enhance public safety by preventing garages from blocking views of the street from inside the residence.

**Findings:** Under the standard the 40'-0" wide structure has a garage wall length maximum of 20'-0". The length of the each garage wall is 11'-6" with an overall length of 23'-0", which 57% of the street-facing façade. The following design elements have been incorporated to reduce the impact of two garages on the front façade and therefore meet the intent of this standard:

- Garage doors have been recessed 10'-0" behind the front porch and 4'-0" behind the front building wall allowing the main entrances to project closer to the street.
- Overall, the garage entrances are 25'-0" from the front lot line providing sufficient room for a vehicle to safely park in the driveway without overhanging in to sidewalk and preventing pedestrian conflicts.
- Details such as windows within the garage doors and extending the porch cover above the garages further integrate the garages into the building reducing their visual impact.
- The 17'-0" wide front porch in the middle of the front wall helps to break up the garage walls into two smaller planes.

The modification better meets Community Design Guidelines D2 (Main Entrances) and D4 (Parking Areas and Garages) by allowing the main entrances to be prominent feature on the front street-facing façade by providing a large covered porch and setting back the garage entrances 10'-0" from the porch. *This modification therefore warrants approval.*

## DEVELOPMENT STANDARDS

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 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.

## CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposed duplex design complements the architectural character within the established neighborhood and provides a cohesive composition with quality materials. The proposal meets the applicable design guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of a duplex residential building and the following Modification:

1. Increase the 50% maximum length of the street-facing garage wall to 57% of the width of the façade (PZC 33.120.28.E).

Per the approved site plans, Exhibits C-1 through C-6, signed and dated 10/7/08, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.6. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-101378 DZ. No field changes allowed."

Decision rendered by:  on **October 7, 2008**

By authority of the Director of the Bureau of Development Services

**Decision mailed: October 9, 2008**

**Staff Planner: Staci Monroe**

**About this Decision.** This land use decision is **not a permit** for development. 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 January 8, 2008, and was determined to be complete on **July 7, 2008**

*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 January 8, 2008.

*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 waived the 120-day review period, as stated with Exhibit (Exhibit E-3).

**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.

**Appealing this decision.** This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on October 23, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3

p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 503-823-7967 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](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **October 24, 2008 – (the day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- **By Mail:** Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034  
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**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:

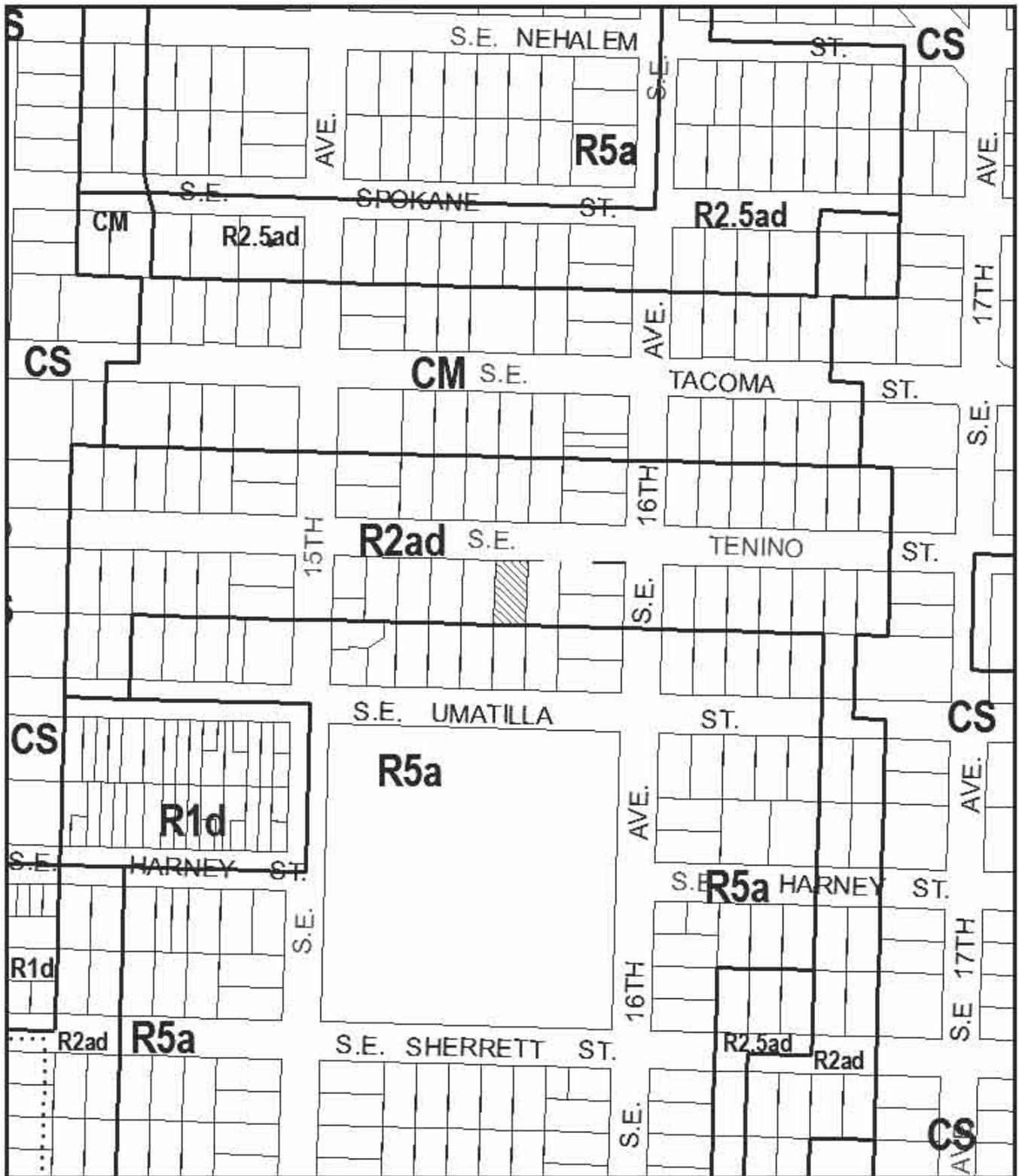
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

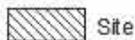
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Building Elevations (attached)
  - 3. Floor Plans
  - 4. Porch, Window and Trim Details
  - 5. Front Door Detail
  - 6. Window Detail
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Plan Review Section of BDS
  - 2. Bureau of Transportation Engineering
  - 3. Site Development Review Section of BDS
  - 4. Bureau of Environmental Services
- F. Correspondence:
  - 1. Reid Kells & Hanna Richards-Baker, Sellwood-Moreland Improvement League Land Use Coordinator & resident, 8210 SE 13<sup>th</sup> Avenue, Portland, OR 97202, stating their appreciation to review the proposal and wish the developer luck.
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research
  - 3. 120-Day Waiver

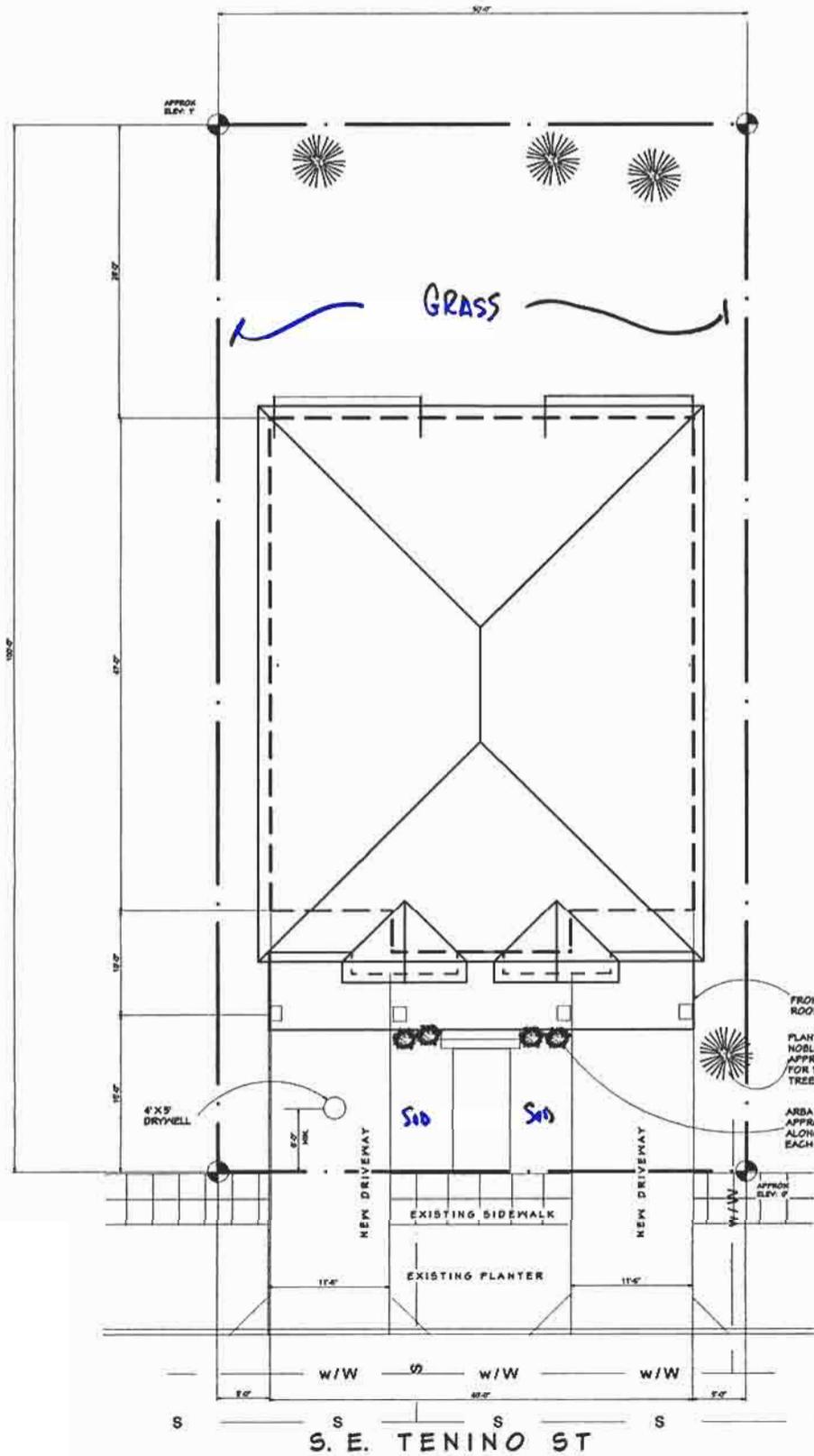
**The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).**



# ZONING



File No.	<u>LU 08-101378 DZ</u>
1/4 Section	<u>3832</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E23DC 15300</u>
Exhibit	<u>B</u> (Jan 10, 2008)



\*Approved\*

City of Portland - Bureau of Development Services

Primer 8/26/08 Date 10/7/08

\* This approval applies only to the reviews requested and is subject to the conditions of approval. Additional zoning requirements may apply.

# SITE PLAN

SCALE: 1/10 = 1' - 0"



CASE NO. 08-101378 024  
 EXHIBIT C-1

**ALL DETAILS REQUIRED**

\*Approved\*  
City of Portland - Bureau of Development Services

Planner: SNM Date: 10/7/08

\* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

SHADES AND POLYMER PAINTS

1. FASCIA

2. UPPER GABLE IN BAY TO GABLE END OF HOUSE

3. GABLE END ROOFING

4. ALL WINDOWS TO BE SHOWN AS OPEN

5. ALL WINDOWS TO BE BLACK FRAME WITH NO SHIMS

6. ALL WINDOWS TO BE BLACK FRAME WITH NO SHIMS

7. ALL WINDOWS TO BE BLACK FRAME WITH NO SHIMS

8. ALL WINDOWS TO BE BLACK FRAME WITH NO SHIMS

9. ALL WINDOWS TO BE BLACK FRAME WITH NO SHIMS

10. ALL WINDOWS TO BE BLACK FRAME WITH NO SHIMS

11. ALL WINDOWS TO BE BLACK FRAME WITH NO SHIMS

12. ALL WINDOWS TO BE BLACK FRAME WITH NO SHIMS

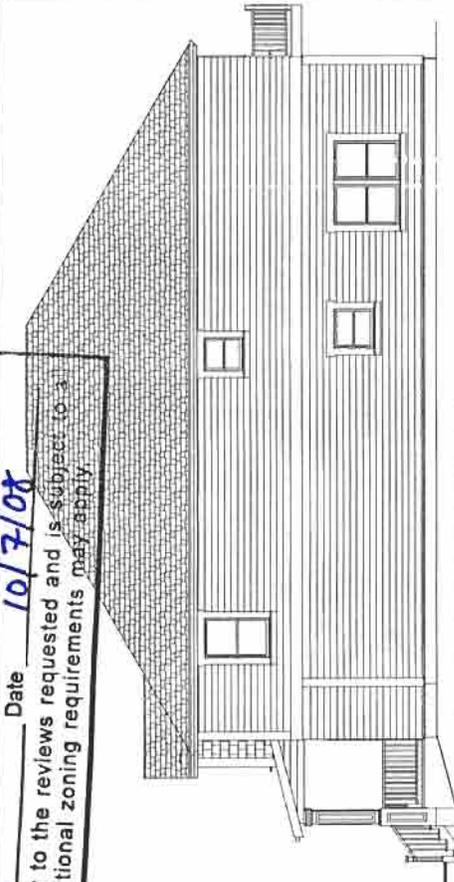
13. ALL WINDOWS TO BE BLACK FRAME WITH NO SHIMS

14. ALL WINDOWS TO BE BLACK FRAME WITH NO SHIMS

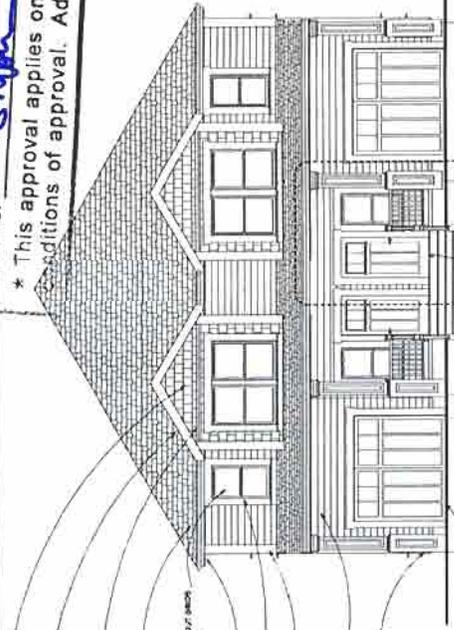
15. ALL WINDOWS TO BE BLACK FRAME WITH NO SHIMS

16. ALL WINDOWS TO BE BLACK FRAME WITH NO SHIMS

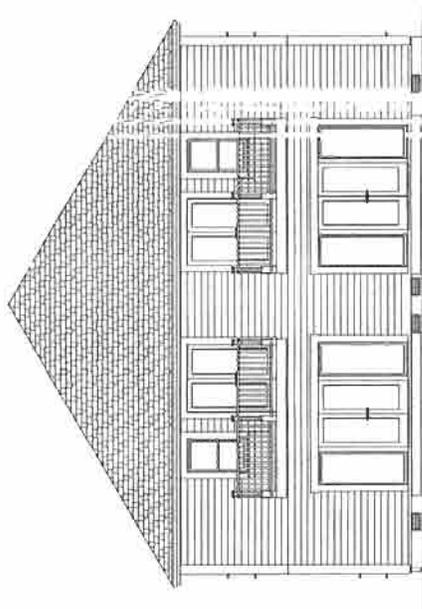
17. ALL WINDOWS TO BE BLACK FRAME WITH NO SHIMS



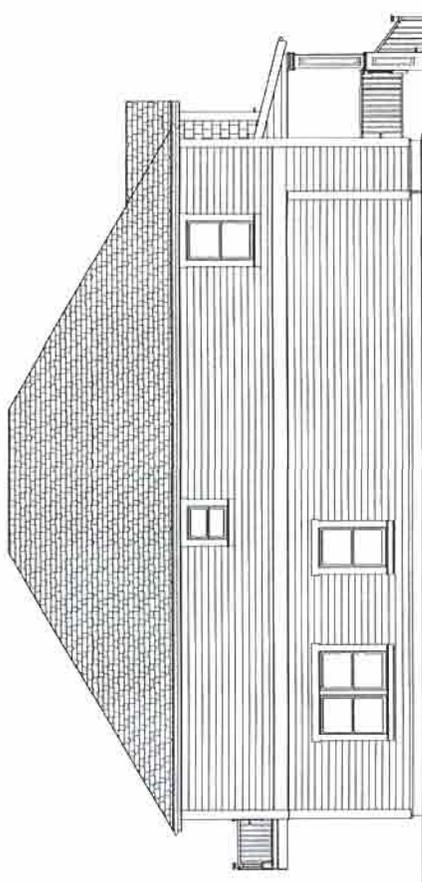
WEST ELEVATION  
SCALE: 1/4" = 1'-0"



NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



EAST ELEVATION  
SCALE: 1/4" = 1'-0"

URBA Space  
1566 SE 20TH, C. PORTLAND OR 97214  
503-235-0228 phtx



1552 SE TENINO  
PORTLAND, OR

HYDE DUPLEX

9/30/2008

1

CASE NO. 08-101378D2H  
EXHIBIT C-2