



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

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Date: December 2, 2010
To: Interested Person
From: Sue Donaldson, Land Use Services
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**NOTICE OF A TYPE II_x 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 10-129890 LDP

GENERAL INFORMATION

Applicant: Magdalena Pisica,
6248 SW Hamilton Street
Portland, OR 97221-1238

Representative: Andrew Stamp,
4248 Galewood Street
Lake Oswego, OR 97035

Site Address: 6248 SW Hamilton Street

Legal Description: BLOCK 1 LOT 4&13 TL 2100, RALEIGH HILLS
Tax Account No.: R685300080
State ID No.: 1S1E18BB 02100
Quarter Section: 3423

Neighborhood: Bridlemile, contact Karen Tabata at 503-292-4377.
Business District: None
District Coalition: Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.

Plan District: None

Zoning: R10 - Residential 10,000

Case Type: LDP -Land Division Partition
Procedure: Type II_x, - Administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant proposes to divide an existing 21,180 square foot property into two parcels. Parcel 1, where the existing residence will remain, is proposed to be 11,674 square feet. Parcel 2 is proposed to be 9,350 square feet and will be available for construction of a detached house.

This partition is reviewed through a Type IIX land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) the site is located within a Potential Landslide Hazard (see 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (see ORS 92.010). ORS 92.010 defines “*parcel*” as a single unit of land created by a partition of land. The applicant’s proposal is to create 2 units (parcels) of land. Therefore this land division is considered to be a partition.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of *Title 33*. The relevant approval criteria are found in *Section 33.660.120 Approval Criteria for Land Divisions in Residential and Open Space Zones*.

FACTS

Site and Vicinity: The site is located on the south side of SW Hamilton Street, which has two lanes and a posted speed of 30 miles per hour. The site slopes down to the southeast toward a small stream east of the site. There is an environmental conservation “c” overlay zone to the east of the site over the part of the creek that is still above ground.

The existing house on the site was built in 1924 and was converted to an adult foster home in 2005 (*permit 05-123834 ET*). A two-story addition was permitted (06-170153 RS) and constructed in 2006. The owners demolished the existing house and the addition was the only structure left on the property. The City issued a Stop Work order and required the owner to obtain the correct permits for new single dwelling development on the site (08-105522 RS). The house is currently under inspection.

Infrastructure:

Streets – The site has approximately 163 feet of frontage on SW Hamilton Street. At this location, SW Hamilton Street is classified as a Neighborhood Collector, Community Transit street, City Walkway and a City Bikeway and a Local Service Street for all other transportation modes in the City’s Transportation System Plan. Along the site frontage the street is improved with paving and gravel shoulders. On the north side of the street there are discontinuous sections of curb and sidewalk. There is one driveway entering the site that serves the existing house.

Water Service- An existing 12-inch DI water main is available in SW Hamilton Street which is available to serve the proposed development.

Sanitary Service- There is an existing 8-inch CSP public sanitary only sewer line in SW Hamilton Street.

Stormwater – There is an existing storm-only sewer on the north side of SW Hamilton Street

Zoning: The R10 designation is one of the City’s single-dwelling zones which are intended to preserve land for housing and to promote housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing. Adult foster homes are allowed in the R10 zone if they meet the requirements for household living. The *Portland Zoning Code* (33.910) defines *household* as

One or more persons related by blood, marriage, legal adoption or guardianship, plus not more than 5 additional persons, who live together in one dwelling unit; or one or more handicapped persons as defined in the Fair Housing Amendments Act of 1988, plus not more than 5 additional persons, who live together in one dwelling unit.

Adult foster home operations and facilities are regulated and licensed by the Oregon Department of Human Services, Seniors and People with Disabilities Division.

Land Use History: City records indicate that prior land use reviews include the following:

LU 07-172215 LDP (HO 4080024): The project proposed in 2007 is the same one proposed for the current land division. The decision was approved but the Bridlemile Neighborhood Association appealed the decision. The appellant prevailed because the Hearings Officer found that the criteria in 33.641.20 (Transportation Impacts Approval Criteria) were not satisfied.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on July 9, 2010. A total of four written responses have been received from notified property owners in response to the proposal. Issues raised in the letters to BDS included:

1. The use of adult foster homes in single-dwelling zones affect property values and neighborhood character
2. Transportation and safety-related impacts related to deliveries and services, transit, school buses and fire and rescue access, level of existing use, lack of sidewalks on SW Hamilton Street and SW Scholls Ferry Road, visitor parking, disaster/evacuation routes, speeding (despite speed bumps), location of fire hydrant; merging onto SW Scholls Ferry Road.
3. Poorly draining soils and additional stormwater runoff
4. Record of violations and nuisances on the property, including failure to finalize permits, barking dog and construction work outside of approved hours.

Staff Response

1. Adult foster homes are an allowed use in residential zones, based on the definition of household living in the *Portland Zoning Code* (see *Facts*, above). *Oregon Administrative Rules* also define zoning for adult foster homes (OAR 309-040-0330), which specify that, “No city or county may impose any zoning requirement on the establishment and maintenance of an Adult Foster Home in these [residential] zones that is more restrictive than that imposed on a single-family dwelling in the same zone.” The proposed partition will create one additional residential lot. The owner of the lot can construct a single dwelling unit on the lot that meets all the relevant standards for the zone, including allowed uses.
2. The following response is a quotation for the Hearings Officer decision (HO 4080024), in reference to the same concerns for the previous case (LU 07-172215 LDP):

The Portland Department of Transportation has indicated that adding one additional lot should not have a significant impact on transportation in the area (see findings relating Transportation Impacts, below). If adjacent neighbors are concerned about increased parking in the area PDOT has suggested contacting the City’s Permit Parking Program at 503-823-5412, or Transportation’s Parking Control office at 503-823-5266 to discuss permit parking possibility or parking enforcement issues along SW Hamilton Street.” (page 3)
3. Stormwater: The applicant’s proposed stormwater planter is discussed later in the report under *L, Services and Utilities*. Issues related to Potential Landslide Hazard and Land Suitability are discussed under sections D. and G, later in this report.
4. Permit History: The applicant was advised that neighbors have concerns about the past land use and permitting history. The applicant has responded to past and current concerns by providing updates to staff on progress with finalizing permits and other service issues, some of which will not be required until the final plat stage (i.e. water service). According to City records, the permits and required inspections appear to be up-to-date and there are no open Code Compliance cases.

Agency Review: Several Bureaus and agencies have responded to this proposal. Please see *Exhibits E* for details. The comments are addressed under the appropriate criteria for review of the proposal.

ZONING CODE APPROVAL CRITERIA

APPROVAL CRITERIA FOR LAND DIVISIONS IN OPEN SPACE AND RESIDENTIAL ZONES

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

The relevant criteria are found in **Section 33.660.120 [A-L], Approval Criteria for Land Divisions in Open Space and Residential Zones**. Due to the specific location of this site, and the nature of the proposal, some of the criteria are not applicable. **The following table summarizes the criteria that are not applicable.** Applicable criteria are addressed below the table.

Criterion	Code Chapter	Topic	Applicability & Findings
B	33.630	Trees	Not Applicable – There are no trees on the site that are 6 inches in diameter or larger.
C	33.631	Flood Hazard Area	Not applicable - The site is not within the flood hazard area.
E	33.633	Phased Land Division or Staged Final Plat	Not applicable - A phased land division or staged final plat has not been proposed.
F	33.634	Recreation Area	Not applicable - This is not required where the proposed density is less than 40 units.
I	33.639 -	Solar Access	All of the proposed parcels are interior lots (not on a corner). In this context, solar access standards express no lot configuration preference.
J	33.640	Streams, Springs, & Seeps	Not applicable – There are no streams, springs, or seeps on the site
L	33.654.110.B.2	Dead end streets	No dead end streets are proposed.
	33.654.110.B.3	Pedestrian connections in the I zones	The site is not located within an I zone.
	33.654.110.B.4	Alleys in all zones	No alleys are proposed or required
	33.654.120.C.3.c	Turnarounds	No turnarounds are proposed or required
	33.654.120.D	Common Greens	No common greens are proposed or required
	33.654.120.E	Pedestrian Connections	There are no pedestrian connections proposed or required
	33.654.120.F	Alleys	No alleys are proposed or required
	33.654.120.G	Shared Courts	No shared courts are proposed or required
	33.654.130.D	Partial rights-of-way	No partial public streets are proposed or required

Applicable Approval Criteria are:

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

Findings: Chapter 33.610 contains the density and lot dimension requirements applicable in the RF through R5 zones. These density and lot dimension requirements ensure that lots are consistent with the desired character of each zone while allowing lots to vary in size and shape provided the planned intensity of each zone is respected.

Density Standards

Density standards match housing density with the availability of services and with the carrying capacity of the land in order to promote efficient use of land, and maximize the benefits to the public from investment in infrastructure and services. These standards promote development opportunities for housing and promote urban densities in less developed areas. Maximum densities ensure that the number of lots created does not exceed the intensity planned for the area, given the base zone, overlay zone, and plan district regulations. Minimum densities ensure that enough dwelling units can be developed to accommodate the projected need for housing. Maximum allowed densities in the R10 zone can be found in Table 610-1. The method used to calculate density depends on whether a street is created as part of the land division, and whether the site is subject to certain environmental constraints.

In this case, a street is not proposed or required and the site is within the potential landslide hazard area. Therefore, the maximum and minimum density for this site is as follows:

Minimum = (21,180 square feet – entire site area if in landslide hazard area (8655 sq. ft.) \times 0.80) \div 10,000 square feet = 1.1, which rounds down to a minimum of 1 lot (per 33.930.020.A)

Maximum = 21,180 square feet \div 10,000 square feet = 2.11, which rounds down to a maximum of 2 lots (per 33.930.020.B).

This criterion is met because the applicant is proposing two lots.

Lot Dimensions

The lot dimension requirements ensure that: (1) each lot has enough room for a reasonably-sized house and garage; (2) lots are of a size and shape that development on each lot can meet the development standards of the Zoning Code; (3) lots are not so large that they seem to be able to be further divided to exceed the maximum allowed density of the site in the future; (4) each lot has room for at least a small, private outdoor area; (5) lots are compatible with existing lots; (6) lots are wide enough to allow development to orient toward the street; (7) lots don't narrow to an unbuildable width close to the street; (8) each lot has adequate access from the street; (9) each lot has access for utilities and services; and (10) lots are not landlocked.

	R10 Zone Requirement	Proposed Lot 1	Proposed Lot 2
Minimum Lot Area	6,000 sq. ft.	11,674 sq. ft.	9,350 sq. ft.
Maximum Lot Area	17,000 sq. ft.		
Minimum Lot Width*	50 ft.	89.81 ft.	73.54 ft.
Minimum Lot Depth	60 ft.	130 ft.	127.5 ft.
Minimum Front Lot Line	30 ft.	89.81 ft.	74 ft.

* Width is measured by placing a rectangle along the minimum front building setback line specified for the zone. The rectangle must have a minimum depth of 40 feet, or extend to the rear of the property line, whichever is less.

Findings: The table above shows that the proposed two lots meet the dimension standards. The first, second and fourth purposes of the lot dimension requirements are satisfied because the proposed lots allow for residences that are reasonably sized, that meet or can meet the development standards and that have space for the required private outdoor area. The lots are not large enough to be further subdivided and are larger than the minimum size allowed in the zone. Both lots are oriented towards the street and have access to utilities and services. They are not landlocked and are of a uniform size and shape allowing for configurations and densities typical of R10 development. Therefore this criterion is met.

33.632.100 Landslide Hazard Area Approval Criterion

The following approval criterion must be met: Locate the lots, buildings, services and utilities on the safest part of the site so that the risk of a landslide affecting the site, adjacent sites, and sites directly across a street or alley from the site, is reasonably limited.

Determination of whether the proposed layout and design reasonably limits the risk of a landslide will include evaluation of the Landslide Hazard Study and will take into consideration accepted industry standards for factor of safety. Alternative development options including alternative housing types and reduced density may be required in order to limit the risk to a reasonable level.

Findings: A portion of this site is located within the Potential Landslide Hazard Area. The approval criteria state that the lots, buildings, services, and utilities must be located on the safest part of the site so that the risk of a landslide affecting the site, adjacent sites, and sites directly across a street or alley from the site is reasonably limited.

In order to evaluate the proposal against this criteria, the applicant has submitted a geotechnical evaluation of the site and proposed land division, prepared by a Certified Engineering Geologist and a Geotechnical Engineer (Exhibit A.4). That report was evaluated by

the Site Development Division of the Bureau of Development Services, the City agency that makes determinations regarding soil stability.

The geotechnical evaluation indicates that the risk of potential landslide hazard at the site is relatively low, given the soil composition, topography, and other risk factors. The proposed land division will result in lots, buildings, services, and utilities that will not significantly increase the risk of landslide potential on the site or other properties in the vicinity of the site. The applicant's proposed method of stormwater disposal is flow-through planters with overflow to the public storm sewer as discussed later in this report under the findings for *Stormwater Management Approval Criteria*. Site Development has concurred with the findings of the applicant's geotechnical report (see Exhibit E.5) and has not requested conditions of approval.

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

The approval criteria of Chapter 33.635 are found in two groups – clearing and grading, and land suitability.

33.635.100 – Clearing and Grading

- A. *Existing contours and drainage patterns of the site must be left intact wherever practicable. Where alteration to existing drainage patterns is proposed, it must not adversely impact adjacent properties by significantly increasing volume of runoff or erosion;*
- B. *Clearing and grading should be sufficient for construction of development shown on the Preliminary Clearing and Grading Plan;*
- C. *Clearing and grading should be limited to areas of the site that are reasonably necessary for construction of development shown on the Preliminary Clearing and Grading Plan;*
- D. *Topsoil must be preserved on site to the extent practicable for use on the site after grading is complete; and*
- E. *Soil stockpiles must be kept on the site and located in areas designated for clearing and grading as much as is practicable.*

Findings: The regulations of *Chapter 33.635* ensure that the proposed clearing and grading is reasonable given the infrastructure needs, site conditions, tree preservation requirements, and limit the impacts of erosion and sedimentation to help protect water quality and aquatic habitat. This site is partially located within the Potential Landslide Hazard area and slopes down toward the southeast. Therefore, clearing and grading for proposed new development must occur in a way that limits erosion and ensures slope stability. The applicant has not submitted a preliminary clearing and grading plan but did submit a *Landslide Hazard Report* (Exhibit A.2) which states that there is a very low slope stability hazard because of the gentle slope and is therefore suitable for development. Site Development responded the report to be satisfactory. The study, dated 9/18/07, was reviewed when the previous land use applicant was submitted. It included a lot specific land hazard reconnaissance and did not identify any significant landslide hazards on site. BES has responded that the Cascade soils in this area are poorly drained and can become saturated during the rainy season and therefore recommends that all disturbed areas be planted with native shrubs to protect slope and soils stability and to minimize erosion (see Exhibit E.1).

Mass grading will not be required. Excavation for the foundations of the proposed house will be required as well as trenching for utilities. Stormwater runoff from the lots will be managed by flow-through planters that drain to the public storm sewer in SW Hamilton Street. Therefore, there will be no impact to adjacent properties due to runoff. BES has found the proposed methods to be acceptable. Documentation included a detailed grade analysis showing acceptable connections to the public storm sewer that will allow for sufficient coverage of utility lines (see Exhibit E.1).

33.635.200 – Land Suitability

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

Findings: The site is currently in residential use, and there is no record of any other use in the past. As described above the site to the southeast, at a 10% to 12% slope, towards Fanno Creek east of the site. The *Geologic Hazard Reconnaissance Study*, referred to in the previous section, states that, “In our opinion, risk of landslide and slope stability concerns is negligible due to the relatively low local slope gradients on the site and adjacent area.” Therefore, there are no anticipated land suitability issues and the new lots can be considered suitable for new development. This criterion is met.

H. Tracts and easements. *The standards of Chapter 33.636, Tracts and Easements must be met;*

33.636.100 Requirements for Tracts and Easements

A. Ownership of tracts. *Tracts must be owned as follows unless otherwise specified in this Title or the land use decision:*

1. *The owners of property served by the tract, or by any other individual or group of people. When the tract is owned by more than one person it must be held in common with an undivided interest;*
2. *The Homeowners’ Association for the area served by the tract;*
3. *A public or private non-profit organization; or*
4. *The City or other jurisdiction.*

Findings: No tracts are proposed or required for this land division, so *Criterion A* does not apply.

B. Maintenance agreement. *The applicant must record with the County Recorder a maintenance agreement that commits the owners or owners’ designee to maintain all elements of the tract or easement; however, facilities within the tract or easement that will be maintained by a specified City agency may be recorded in a separate maintenance agreement. The maintenance agreement must be approved by BDS and the City Attorney in advance of Final Plat approval and must be submitted to the County Recorder to be recorded with the Final Plat. For a Planned Development not done in conjunction with a land division, the maintenance agreement must be submitted to the County Recorder to be recorded prior to issuance of the first building permit related to the development.*

Findings: The following easements are proposed and/or required for this land division:

- A Private Storm Sewer Easement is required across the relevant portions of Parcel 2 for a flow-through planter that will provide stormwater disposal for the house on Parcel 1.

As stated in Section 33.636.100 of the Zoning Code, a maintenance agreement will be required describing maintenance responsibilities for the easement described above and facilities within that area. This criterion can be met with the condition that a maintenance agreement is prepared and recorded with the final plat. In addition, the plat must reference the recorded maintenance agreement with a recording block, substantially similar to the following example:

“A Declaration of Maintenance agreement for (name of feature) has been recorded as document no.____, Multnomah County Deed Records.”

With the conditions of approval discussed above, this criterion is met.

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

L. Services and utilities. *The regulations and criteria of Chapters 33.651 through 33.654, which address services and utilities, must be met.*

Findings: The regulations of Chapter 33.641 allow the traffic impacts caused by dividing and then developing land to be identified, evaluated, and mitigated for if necessary. Chapters 33.651 through 33.654 address water service standards, sanitary sewer disposal standards, stormwater management, utilities and rights of way. The criteria and standards are met as shown in the following table:

33.651 Water Service standard *See Exhibit E-3 for detailed bureau comments.*

The water standards of 33.651 have been verified. There is an existing 12-inch DI main in SW Hamilton Street. Parcel 2 may obtain service from this main using the existing 1-inch metered service that now serves the house on Parcel 1. Because water services may not cross property lines, new water service will be required to be installed in the public right-of-way within the street frontage of Parcel 2 to serve the existing house. The Water Bureau has required the applicant to submit proof of connection and a finalized plumbing inspection report for the new water service. The required information has been submitted as required (see *Exhibit E.8*). This requirement is met.

33.652 Sanitary Sewer Disposal Service standards - *See Exhibit E-1 for detailed comments.*

The sanitary sewer standards of 33.652 have been verified. There is an existing 8-inch CSP sanitary only sewer line in SW Hamilton Street that can serve the sanitary needs of the proposed lots. A new sanitary lateral will serve Parcel 1. BES has verified that the required permits have been approved for the new line. The preliminary plan shows that Parcel 2 will get sanitary service from the existing lateral that used to serve the demolished house. Connection to the public sewer must follow BES's *Rules of Connection* and meet the standards of the City of Portland's *Sewer and Drainage Facilities Design Manual* prior to Final Plat approval.

33.653.020 & .030 Stormwater Management criteria and standards – *See Exhibits E-1 & E-5*

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

Lots: The applicant has proposed using flow-through planters for both houses. A stormwater flow-through planter was required for the house on Parcel 1 (under 08-105522 RS) but will now be located on Parcel 2 because the existing storm-only sewer on the north side of SW Hamilton Street appears to be too shallow for connection to Parcel 1. The planter is located within a 10-foot wide private stormwater easement that runs along the west property boundary and then along the north property boundary. The applicant has not explained why the easement is all the way along the new lot line. It should cover only the portions of Parcel 2 needed to ensure that the facility can be maintained. The easement must be revised during the final plat process to cover only the area necessary. This will be included in the conditions related to the easement, discussed below. The stormwater line from the planter proposed on Parcel 2 will connect to the line from Parcel 1 at a private storm-only manhole at the northeast corner of Parcel 2 and from there will be directed to the existing manhole near the corner of SW Hamilton Street and SW Semler Way. The easement and proposed utility lines must be shown on the supplementary as-built plan prior to final plat approval. In addition, the private stormwater easement that is sized to cover only the area necessary to maintain the planter, must be shown on the final plat. A covenant for the storm easement across Parcel 2 for the benefit of Parcel 1 will be required to be recorded with the final plat.

Note: BES's August 4, 2010 response required the building permit (RS 08-105522 RS) for the reconstructed house on Parcel 1 to be revised prior to construction of the planter. This requirement has been met and the planter has been constructed and approved.

33.654.110.B.1 -Through streets and pedestrian connections**33.654.130.B - Extension of existing public dead-end streets & pedestrian connections****33.654.130.C - Future extension of proposed dead-end streets & pedestrian connections****Connectivity and Locations of Rights (33.654.110)**

No street connections have been identified in the vicinity of this property in the Portland Master Street Plan document. The spacing requirements for public through streets are not met in this area along the segment of SW Hamilton wherein the subject site is located. However, given the pre-existing block and lot pattern as well as locations of existing development, and the lack of potential for redeveloping other lots in the vicinity, directing the applicant to provide right-of-way for any public street connection would not be in the best or more feasible location.

The City's pedestrian connection goal of generally providing such a connection no more than 330-ft is also not met within the subject block. However, for the same reasons noted above, a pedestrian connection would be more appropriately located elsewhere in the area.

Portland Transportation has no concerns relative to connectivity or locations of rights-of-way associates with the proposed land division partition.

Design of Rights-of-way (33.654.120)

Street improvements will not be required along the site's frontage. See 654.120.C.1 below.

Partial Rights-of-Way or Extensions (33.654.130.B-D) There are no partial rights-of-way nor are there any configurations that allow for future extensions of streets or pedestrians connections in the area.

33.641 – Transportation Impacts – 33.641.020 and 33.641.030

33.654.120.C.1 Width of the street right-of-way

Street capacity and level-of-service

Findings: Per *Portland Policy Document TRN-10.27 - Traffic Capacity Analysis for Land Use Review Cases*: For traffic impact studies required in the course of land use review or development, the following standards apply:

1. For signalized intersections, adequate level of service is LOS D, based on a weighted average of vehicle delay for the intersection.
2. For stop-controlled intersections, adequate level of service is LOS E, based on individual vehicle movement.

The industry standard is to measure street capacity and level-of-service (LOS) only at intersections during the critical time period, such as AM or PM peak hour. Although capacity is a part of the LOS, the City of Portland's performance standards are defined only by LOS, which is defined by average vehicle delay. The City does not have performance standards for any of the other evaluation factors.

For the purposes of this analysis, PBOT staff will first address the capacity of the local transportation system's nearby intersections. In his 2007 decision on *LU 07-172215 LDP*, the City's Hearings Officer defined the "transportation system" as including streets and intersections most immediately affected by the anticipated vehicle trips generated by the proposed partition. The Hearings Officer found the streets and intersections most immediately affected to include SW Hamilton between SW Shattuck (to the east) and SW Scholls Ferry (to the west), and the intersections of SW Hamilton/SW Shattuck and SW Hamilton/Scholls Ferry.

In relation to the subject partition request, the applicant submitted a *Traffic Impact Study (TIS)* prepared by Lancaster Engineering. The *TIS* describes the SW Hamilton/SW Shattuck intersection as a four-way stop controlled (stop signs) intersection. A supplemental flashing red indicator is also in place over the intersection. Each intersection has a single, shared travel lane. The *TIS* describes the SW Hamilton/SW Scholls Ferry intersection as having stop controls (stop signs) on the eastbound and westbound Hamilton St approaches. The northbound and southbound approaches are free-flowing and have left-turn lanes within the median area on SW Scholls Ferry. Using standard transportation engineering methods, calculations and analyses, which are acceptable to PBOT, and based on observed volumes and delays, the *TIS* concluded that most of the area intersections including that of SW Hamilton/Shattuck and SW Hamilton/Scholls Ferry are currently operating well within capacity, even under peak hour conditions. The addition of site traffic from the proposed partition (one peak hour trip) will have a negligible effect on traffic volumes and the area's intersections will continue to operate acceptably with the addition of the site trips.

Regarding the street capacity component of the evaluation factors, the City's Hearings Officer found (in his 07 decision) that "*the street capacity evaluation factor is intended to address the street capacity of SW Hamilton prior to the addition of one more single family residence, and then address the street capacity impacts of adding the single family residence.*" The Hearings Officer also found that "*there was no evidence in the record as to (1) the street capacity of SW Hamilton, (2) current vehicular trips on the street and, (3) the impact upon the current street capacity of the addition of 10 more daily vehicular trips generated by the parcel proposed in this case.*" In conclusion, the Hearings Officer found that unless there is evidence of street capacity in the record, as noted, that he could not make a finding that the transportation system can safely support the proposed development (and existing uses).

Respecting the Hearings Officer's previous decision on this matter, and recognizing his interpretation of the applicable evaluation factors, in analyzing development proposals throughout the land use review process, PBOT does not have performance measures to consider in regard to street capacity. As noted previously, the industry standard is to measure street capacity and level-of-service (LOS) only at intersections during the critical time period, such as AM or PM peak hour. However, given the Hearings Officer's previous assessment, PBOT offers the following analysis

relative to street capacity.

SW Hamilton has a two lane cross-section with a posted speed of 30 mph. Partial curbs and sidewalks are in place on the north side of the roadway in vicinity of the site (no curbs or sidewalk exists in the vicinity of the site on the south side of the street) and speed humps have been installed east and west of the subject site as traffic calming devices for the road. The *Highway Capacity Manual 2000 (HCM)*, published by the Transportation Research Board, provides detailed analysis procedures for determining capacity and level of service on roadways and at intersections. According to the HCM, the capacity of a two-lane highway is 1,700 passenger cars per hour (pc/h) for each direction of travel. In practice, roadway segments in urban and suburban environments are rarely explicitly evaluated for capacity, since intersections contain conflict points where different vehicle movements must yield. Unless additional lanes are provided at intersections to compensate for capacity lost to conflicts, the area intersections will reach capacity far before the connecting roadway segment.

Based on City historical count data, SW Hamilton currently carries up to 6,100 vehicles per **day**, which equates to approximately 610 vehicles per hour during the peak hour of travel (peak hour of travel trips is generally 10% of the daily number of generated trips). This is well within the capacity of the roadway as noted above (of 1,700 cars per hour per lane or 3,400 cars per hour in both directions). The addition of the site trips (whether taken as a daily number [10 trips] or a peak hour number [1 trip]) from the proposed use will have no significant impact on the operation of the roadway.

Vehicle access and loading

The proposal to create an additional single-dwelling residential lot will also result in at least one on-site parking space, as required by the Zoning Code. Access to the new lot, as is with the existing house that will be retained on Parcel 1, will be via SW Hamilton. Many other property owners/residents along SW Hamilton also access the street from their lots, and it appears that numerous houses along the street are oriented and developed in a manner that only allows other nearby residents to back out into the street. It appears that there is sufficient area on Proposed Parcel 2 to allow vehicles to maneuver and exit the new lot in a forward motion.

Given the minor grade change between the site and SW Hamilton, the submitted *TIS* included a sight distance analysis conducted from the two existing site access points on SW Hamilton. From PBOT's perspective, as identified in our previous review in 2007 (and supported by the Hearings Officer), line of sight issues generally relate to conditions of the road (turns, curves, grade, etc.). A look into City database resources, suggests that there is an approximate grade of 5% (and less) along this segment of Hamilton and that Hamilton is primarily straight (geometrically). We did not agree with previous assertions that there is a (traditional) line of sight issue in this situation. If there are concerns about line of sight due to existing hedges or vegetation along Hamilton, it is quite possible that this vegetation lies along the right-of-way, and there is a PDOT resource number that anyone can call [503-823-SAFE] to address these types of issues.

With regard to the *TIS* findings, using industry standard measurement standards published by AASHTO, there is sufficient sight distance from the existing west access driveway but not from the east access driveway. Aside from an on-site recommendation, the *TIS* recommends that the existing vegetation on the east side of the driveway should be cleared to provide a continuous line of sufficient sight distance. PBOT will require that the applicant cut back the existing vegetation from both driveways to provide a 15-ft clear visibility triangle.

It should be noted that in his 2007 decision on the previous partition request on the subject site, that the City's Hearings Officer was able to make an affirmative finding relative to this evaluation factor given the information that was in the record at the time (which did not include the applicant's submitted *TIS*).

On-street parking impacts

SW Hamilton is not currently constructed to accommodate parking along the street. There are segments of SW Hamilton with gravel shoulders wide enough to allow for a handful of vehicles to be parked, including along the frontage of the subject site, but in general, there are limited on-street parking opportunities along SW Hamilton. Parking a vehicle other than that of the subject site's owner is not a suitable parking area for other nearby properties. The creation of one additional single-family residential lot is not expected to result in impacts to on-street parking since opportunities for on-street parking are currently very limited.

The City's Hearings Officer was able to make an affirmative finding relative to this evaluation factor in his 2007 decision on the previous partition request on the subject site. In that decision, the Hearings Officer wrote that "keeping in mind that the permitted use is residential (10 trips per day), the same use as all other residential uses along SW Hamilton, the Hearings Officer found that there was evidence in the record to suggest that the partition, as proposed, would not create significant on-street parking demands. The Hearings Officer found evidence in the record that the subject partition, if approved, would be required to have one on-site parking space; the same as all other residential uses in the area.

The Hearings Officer found *no* credible evidence in the record (i.e. accident rates) to support the (then) appellant's and (then) opponent's safety risks argument. The Hearings Officer found that staff had properly considered the on-street parking impacts evaluation factor, and that on-street parking demands created by approval of the partition would not create an unsafe situation.

Transit Service

Tri-Met route 55 (Hamilton) provides limited bus service on weekdays between 3:00 pm and 8:00 pm. There is a stop in front of the subject site. Transit service is also available along SW Beaverton-Hillsdale Hwy on routes 56 (Scholls Ferry Rd) and 61 (Marquam Hill/Beaverton). The nearest stops are approximately ½ mile from the subject site. The Hearings Officer previously found that the existing transit service would adequately and safely service the existing and proposed development.

Impacts on the immediate and adjacent neighborhoods

As analyzed and noted previously, traffic volumes on area roadways and area intersections are not expected to be impacted as a result of the additional single-family residential lot proposed by the applicant. Since area roadways and intersections are not currently operating at capacity, the addition of 10 new daily vehicle trips generated by the proposed single-dwelling residential lot, will have no noticeable impacts to immediate and adjacent neighborhoods. No operational or safety problems have been identified.

The Hearings Officer, in his previous decision, concurred with staff that vehicles backing out from residences along SW Hamilton do not constitute an unreasonable safety risk to pedestrians, bicyclists or vehicular traffic. The Hearings Officer also concurred with staff's assessment that there was sufficient sight distance in either direction to allow vehicles safe access. Despite these findings, the Hearings Officer found that without street capacity information and level of service evidence in the record, he was unable to make a fully informed decision with respect to neighborhood impacts. As noted above, the evidence in the record for the subject partition request indicates that the transportation system, including SW Hamilton and area intersections, is currently operating acceptably and will continue to with the addition of the insignificant number of vehicle trips generated by the proposed partition. Accordingly, the trips expected to be generated by the proposed partition will not have any impacts to the immediate or adjacent neighborhoods.

Safety for all modes

The applicant's submitted TIS contains several elements to address this evaluation factor. The TIS includes a crash history for the segment of SW Hamilton between SW Scholls Ferry and SW Shattuck in order to determine whether there are existing safety hazards that require improvements. There were six total reported crashes during the Jan/04 -Dec/08 five-year analysis period (two turning movements, two backing movements, one sideswipe-overtaking collision and one fixed object crash). Of the reported crashes, three occurred at the SW Hamilton/Scholls Ferry intersection. Intersection crashes are typically evaluated based on crash rates in addition to the total number of crashes in order to account for the varying levels of traffic experienced at different intersections. Crash rates less than 1-2 crashes per million entering vehicles are generally not considered to be indicative of significant safety hazards. The crash rate at the SW Hamilton/Scholls Ferry intersection was calculated to be 0.08 crashes per million entering vehicles. The other three crashes occurred at three separate intersections between SW Scholls Ferry and Shattuck, along SW Hamilton. The crash rates at these intersections were calculated to be 0.25 crashes per million entering vehicles. Based on crash data analysis, no significant hazards were identified and no safety mitigations are warranted.

As discussed previously, a sight distance analysis was also conducted to ascertain the safety of the transportation system. With the minor trimming of the existing hedge along the site's frontage, sufficient sight distance will be achieved in both directions from both of the site's driveways.

SW Hamilton currently has limited facilities for pedestrians and bicycle use. This is not unusual for

existing roadways in this part of the City, particularly on low-speed streets. Sidewalks are generally preferred to be in place on nearly all roadways, the lack of sidewalks and bike lanes is not necessarily indicative of safety deficiencies. SW Hamilton has partial curbs and sidewalks on the north side of the street in vicinity of the subject site. However, there are no curbs or sidewalks on the south side of the street, close to the site. Vehicular traffic travelling along SW Hamilton is subject to the 30 mph posted speed, but travels at slower speeds due to a series of speed humps that must be crossed at regular intervals along the roadway. There are speed humps located approximately 100-ft west of the subject site and 140-ft east of the subject site. Based on the safety history of SW Hamilton, there have been no reported collisions involving non-vehicular traffic on the roadway with the most recent five year reporting timeline. With no sidewalks, unpaved shoulders typically provide a path for pedestrians. However, given the low speeds of vehicular travel in the near vicinity, pedestrians and bicyclists may also choose to travel along the edge of the paved roadway.

Width of right-of-way (654.120.C.1)

At this location, *according to City records*, SW Hamilton is a 50-foot right-of-way and is improved with a 22-foot wide paved roadway section, lacking a curb and sidewalk. The existing condition of the street frontage along SW Hamilton does not satisfy current City standards. However, given the R10 zoning along this section of SW Hamilton, there are only a couple of additional opportunities for further re-development east or west of the subject site. With limited potential for an increase in density along the street, requiring the applicant to provide frontage improvements would result in an isolated upgrade, with no opportunities to complete a sidewalk corridor. Therefore, in lieu of requiring street improvements, Portland Transportation will require the applicant to submit Street and Storm Sewer Waivers of Remonstrance for participation in any future local improvement district (should one be formed).

In summary, PBOT has considered the proposed partition request to create one additional single-dwelling residential lot, and reviewed the submitted Traffic Impact Study. PBOT concurs with the analyses, the manner in which they were conducted and the conclusions reached therein. Taking each of this approval criterion's evaluation factors into consideration, PBOT finds that the transportation system is capable of safely supporting the proposed development in addition to the existing uses in the area with two conditions. PBOT will require that the applicant cut back the existing vegetation from both driveways to provide a 15-ft clear visibility triangle and require submission of Street and Storm Sewer Waivers of Remonstrance.

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

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

OTHER TECHNICAL REQUIREMENTS

Technical decisions have been made as part of this review process. These decisions have been made based on other City Titles, adopted technical manuals, and the technical expertise of appropriate service agencies. These related technical decisions are not considered land use actions. If future technical decisions result in changes that bring the project out of conformance with this land use decision, a new land use review may be required. The following is a summary of technical service standards applicable to this preliminary partition proposal.

Bureau	Code Authority	Topic	Contact Information
Water Works	Title 21	Water availability	503-823-7404 http://www.water.ci.portland.or.us/
Environmental Services	Title 17; 2008 Stormwater Manual	Sewer availability Stormwater Management	503-823-7740 http://www.bes.ci.portland.or.us/
Fire Bureau	Title 31 Policy B-1	Emergency Access	503-823-3700 http://www.fire.ci.portland.or.us/
Transportation	Title 17, Transportation System Plan	Design of public street	503-823-5185 http://www.trans.ci.portland.or.us/

Bureau	Code Authority	Topic	Contact Information
Development Services	Titles 24 –27, Admin Rules for Private Rights of Way	Building Code, Erosion Control, Flood plain, Site Development & Private Streets	503-823-7300 http://www.bds.ci.portland.or.us .

As authorized in Section 33.800.070 of the Zoning Code conditions of approval related to these technical standards have been included in the Administrative Decision on this proposal.

- Urban Forestry has not required street tree planting due to unsuitable planting conditions along the site frontage. This requirement is based on the standards of Title 20.
- Building plans for this project must include a detailed site utility plan, which shows proposed and existing sanitary connections and stormwater management that meets the requirements of the *Stormwater Management Manual* in effect at the time building permits are submitted.

DEVELOPMENT STANDARDS

General Information about Development Standards and Approval Criteria. The Zoning Code contains two types of regulations: Development standards and Approval criteria.

Approval criteria, such as those listed earlier in this report, are administered through a land use review process. Approval criteria are regulations where the decision-maker must exercise discretion to determine if the regulation is met. Public notice is provided and public comments received that address the approval criteria are addressed in the decision.

Development Standards: Development standards are clear and objective regulations (for example: building setbacks; number of required parking spaces; and maximum floor area). Compliance with development standards is reviewed as part of the administrative permitting process and are not considered to be discretionary reviews. Development standards that are not relevant to the land division review, have not been addressed in the review, but will have to be met at the time that each of the proposed lots is developed.

Existing development that will remain after the land division. The existing development on the site will remain and be located on Parcel 1. The division of the property may not cause the structures to move out of conformance or further out of conformance to any development standard applicable in the R5 zone. Per 33.700.015, if a proposed land division will cause conforming development to move out of conformance with any regulation of the zoning code, and if the regulation may be adjusted, the land division request must include a request for an adjustment (*Please see section on Other Technical Standards for Building Code standards*).

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

- **Minimum Setbacks** – The existing house identified to remain on the site must meet the required Zoning Code setbacks from the proposed **new** lot lines. Alternatively, existing buildings must be set back from the new lot lines in conformance with an approved Adjustment or other Land Use Review decision that specifically approves alternative setbacks. The setbacks for the existing house appear to meet required setbacks. To ensure this standard continues to be met at the final plat stage, a supplemental survey showing the location of the existing building relative to the adjacent new lot lines will be required.
- **Paved Vehicle Area** - The existing house to remain on Parcel 1 has a garage and driveway. The new property boundary for the existing house appears to be in conformance with the standard in 33.266.120.C.3(a) which limits the amount of vehicle area paving to 40% between the front lot line and the front building line. The house on Parcel 2 will be required to meet this requirement at the building permit stage.

CONCLUSIONS

The applicant has proposed a two-lot partition, substantially in conformance with a proposal submitted in 2008, which was appealed and subsequently denied by the Hearings Officer because there was insufficient evidence in the record about the street capacity of SW Hamilton Street or the level of service of relevant streets and intersections. For this application, the applicant has submitted a traffic impact study to address deficiencies in findings for the approval criteria of 33.641.020 and .030.

Letters from neighbors and the Neighborhood Association have raised several issues related to the use (household living – adult foster care) and its impact on safety and livability. Outstanding permits relating to the construction of a new building that has replaced the previous structure on the site have also raised concerns about impacts of the use.

Applicants have completed requirements related to water service and stormwater for the reconstructed residence, some of which would normally be addressed as conditions of final plat approval, but are appropriately dealt with at the preliminary approval stage because the house on proposed Parcel 1 is currently operating as an adult foster care facility. However, the regulations governing adult foster care facilities are state mandates and therefore not within the scope of this land use review.

ADMINISTRATIVE DECISION

Approval of a Preliminary Plan for a two-lot partition that will result in two standard lots-as illustrated with Exhibit C-1, subject to the following conditions:

- A. Supplemental Plan.** Three copies of an additional supplemental plan shall be submitted with the final plat survey for Land Use Review to review and approval. That plan must portray how the conditions of approval listed below are met. In addition, the supplemental plan must show the surveyed location of the following:
- Any buildings or accessory structures on the site at the time of the final plat application
 - Any driveways and off-street vehicle parking areas on the site at the time of the final plat application.
 - Dimensions that demonstrate that setbacks, vehicle areas and front yard paving meet the development standards for the R10 zone;
 - The as-built locations of:
 - the sanitary sewer for Parcel 1
 - The flow through planter for Parcel 1
 - The storm sewer and lateral for Parcel 1
 - The location of the stormwater easement
 - Any other information specifically noted in the conditions listed below.
- B. The Final Plat must show the following:**
1. A private storm sewer easement of the benefit of Parcel 1 shall be shown and labeled over the relevant portions of Parcel 2. The easement area should be no larger than necessary to ensure that the stormwater facilities can be adequately maintained.
 2. A recording block for the private storm sewer easement as required by Condition C.5 below. The recording block shall, at a minimum, include language substantially similar to the following example: *“A Declaration of Maintenance Agreement for (name of feature) has been recorded as document no. ____, Multnomah County Deed Records.”*

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

Streets

1. The applicant shall complete street and storm sewer waivers of remonstrance (for future street and storm sewer improvements) as required by the City Engineer.

Waiver forms and instructions will be provided to the applicant during the final plat review process.

Utilities

2. The applicant shall meet the requirements of the Water Bureau concerning relocation of the water service connection to the existing home.

Existing Development

3. Documentation of the location of the stormwater disposal system for the existing house shall be submitted to the Bureau of Environmental Services. The location of any existing or required stormwater systems serving the existing home must be shown on the Supplemental Plan.
4. For the stormwater system located on Parcel 2 for the benefit of Parcel 1, the applicant must show a private stormwater easement on the final plat as necessary to ensure operation and maintenance of the system, and record a maintenance agreement for the easement area.
5. The applicant shall trim the existing hedge along the site frontage in order to create 15-foot visibility triangles for both of the driveways on the site. Trimming must be approved by the Bureau of Transportation and completed prior to the issuance of a building permit for the new house on Parcel 2.

Required Legal Documents

6. A Maintenance Agreement shall be executed for the Private Stormwater Management Easement described in Condition B.1 above. The agreement shall include provisions assigning maintenance responsibilities for the easement area and any shared facilities within that area, consistent with the purpose of the easement, and all applicable City Code standards. The agreement must be reviewed by the City Attorney and the Bureau of Development Services, and approved as to form, prior to final plat approval.

Staff Planner: Sue Donaldson

Decision rendered by: Michael Nayak **on November 29, 2010.**
By authority of the Director of the Bureau of Development Services

Decision mailed December 2, 2010

About this Decision. This land use decision is **not a permit** for development. A Final Plat must be completed and recorded before the proposed lots can be sold or developed. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on April 21, 2010, and was determined to be complete on July 7, 2010.

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 April 21, 2010.

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 extended the 120-day review period by 60 days, as stated in Exhibit A.9. Unless further extended by the applicant, **the 120 days will expire on: January 3, 2011.**

Note: 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 Hearings Officer, which will hold a public hearing. Appeals must be filed **by 4:30 PM on December 16, 2010** at 1900 SW Fourth Ave. Appeals may be filed Tuesday through Friday on the first floor in the Development Services Center until 3 p.m. After 3 p.m. and on Mondays, 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 503-823-7617 to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.ci.portland.or.us.

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 Hearings Officer 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 Hearings Officer an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

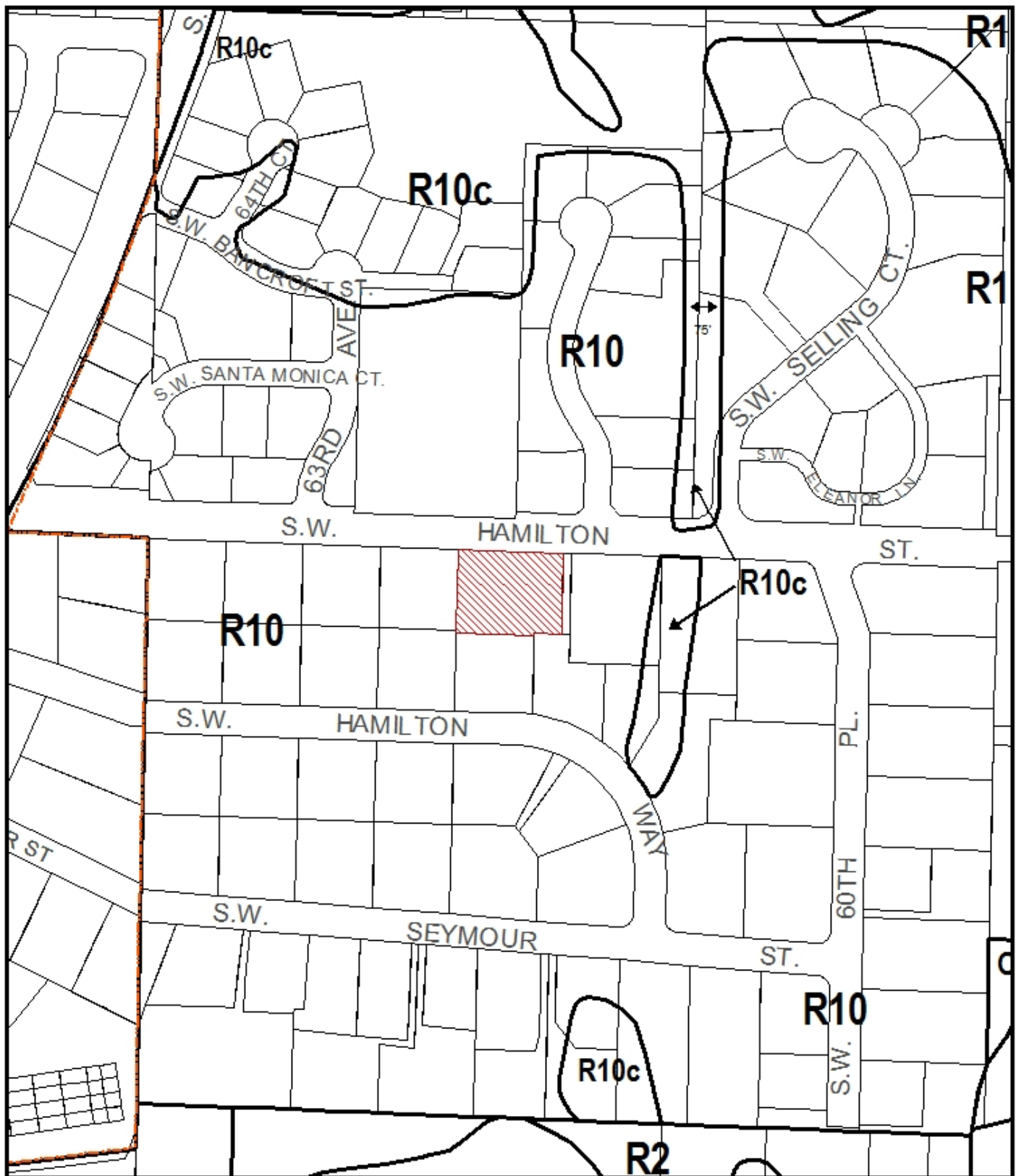
Recording the land division. The final land division plat **must** be submitted to the City **within three years** of the date of the City’s final approval of the preliminary plan. This final plat must be recorded with the County Recorder and Assessors Office after it is signed by the Planning Director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

For further information on recording, please call the County Recorder at 503-988-3034.

EXHIBITS*Not attached unless noted*

- A. Applicant Statement
 - 1. Narrative
 - 2. Response to land division criteria
 - 3. Traffic Analysis
 - 4. Geologic hazard reconnaissance study
 - 5. Aerial photos of vicinity
 - 6. Neighborhood Contact information, dated March 10, 2010
 - 7. Plumbing permit for water service
 - 8. Permit drawing for flow-through planter on Parcel 2, for benefit of Parcel 1
 - 9. 120-day waiver
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Preliminary Plat (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau – no concerns
 - 5. Site Development Review Section of BDS
 - 6. Bureau of Parks, Forestry Division
- F. Correspondence:
 - 1. Greg Schifsky, dated April 20, 2010
 - 2. Stanley and Susan Marcus, dated July 11, 2010
 - 3. Susan Marcus (via email), dated July 11, 2010
 - 4. Claire Coleman Evans, dated September 16, 2010
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. Incomplete letter
 - 4. HO decision for LU 07-172215

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



ZONING



Site



File No.	LU 10-129890 LDP
1/4 Section	3423
Scale	1 inch = 200 feet
State_Id	1S1E18BB 2100
Exhibit	B (Apr 22, 2010)

