



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

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Date: December 8, 2015
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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 mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 15-178616 LDS PD

GENERAL INFORMATION

Applicant/Owner: Loren Waxman
Chester Enterprises LLC
2746 SE 26th Ave
Portland, OR 97202

Site Address: 2740 SE 26th Ave & 2726 SE 26th Ave

Legal Description: BLOCK 20 LOT 12 EXC PT IN ST, EAST PORTLAND HTS; BLOCK 20 LOT 13 EXC PT IN ST, EAST PORTLAND HTS

Tax Account No.: R226703340, R226703350

State ID No.: 1S1E12BB 10700, 1S1E12BB 10800

Quarter Section: 3333

Neighborhood: Hosford-Abernethy, contact Joanne Stainbrook at 503-231-9245.

Business District: Division-Clinton Business Association, contact Darice Robinson at 503-233-1888.

District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.

Plan District: None

Zoning: R2.5(Single Family Residential 2,500)

Case Type: LDS (Land Division Subdivision) with PD (Planned Development)

Procedure: Type II_x, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant is requesting a Planned Development review to construct attached houses in conjunction with a 4-lot land division creating four lots between 2,162 sq. ft. and 2,703 sq ft. in site area. Two existing homes (2726 and 2740 SE 26th Ave) will be demolished. All four lots are considered narrow lots as the proposed width (between 22.23 and 27.77 feet wide) is less than the minimum standard for the zone. The applicant is also utilizing Zoning Code section 33.110.240.H which allows one extra lot on Transitional sites (R2.5 zoned lot that abuts a lot in

the Commercial Storefront “CS” zone). In this case, the property located directly north of the site is zoned CS.

As part of the Planned Development review, the applicant has requested modifications to the following development standards:

- A modification is requested for the main entrance distance from grade (33.110.230.D) for each unit. The Zoning Code’s narrow lot standards require main entrances to be located within 4 feet of grade; the applicant has proposed main entrances 8’10” above grade (the average grade measured along the foundation of the longest street facing wall of the dwelling unit).
- A modification is requested to the length of street facing garage wall (33.110.253.E.3.a) for each unit. The Zoning Code states the length of the garage wall facing the street may be up to 50 percent of the length of the street facing building façade. The applicant has proposed garages on the ground floor level of each unit. The garage door located along the front facade will appear to meet the 50 percent standard noted above; however, the interior area within first floor of the new dwelling unit will include 100 percent garage area.
- A modification is requested to the height of the attached units per Zoning Code section 33.110.215.B.2.b which states: height is limited to 1.5 times the width of homes on new narrow lots. For shed style roofs, height is measured to the highest peak per Zoning Code section 33.930 (figure 930-5). This standard would limit the height of new structures to approximately 33’4”. The applicant is proposing units that measure approximately 34’4” in overall height. (It should be noted that when a site’s highest grade is 10 feet or less above lowest grade, the base point to measure height is the elevation of the highest grade. In this case, the highest grade for the site is located approximately 8’10” above sidewalk grade).
- A modification is requested to the landscape standards required for development on new narrow lots. Per Zoning Code section 33.110.240.C.2.d (1 and 2): Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios. The applicant is proposing landscaping on approximately 53 percent (lots 1 and 4) and 38 percent (lots 2 and 3) of the area between the front lot line and front building line.
- A modification is requested to the building coverage standards for new development proposed. The Zoning Code (section 33.110.225.B) limits maximum building coverage to 50% of lot area based on the lot sizes proposed. The units proposed on Lots 2 and 3 have a building coverage of approximately 1,352 square feet, while the units proposed on Lots 1 and 4 have a building coverage of approximately 1,382 square feet. The two interior lots (Lots 2 and 3) will exceed the maximum building coverage standard by approximately 270 square feet, while the two exterior lots (1 and 4) will exceed the maximum building coverage standard by approximately 32 square feet. Based on the total site area (9,735 square feet), the applicants overall building coverage proposed on the entire site is 56 percent.

For new narrow lots, these standards must be modified through a Planned Development Review.

This land division proposal is reviewed through a Type IIx procedure because: (1) the site is in a residential zone; (2) 10 or fewer lots are proposed; and (3) a concurrent review (Planned Development Review) is requested (see 33.660.110).

For purposes of State Law, this land division is considered a subdivision. To subdivide land is to divide an area or tract of land into four or more lots within a calendar year, according to ORS 92.010. ORS 92.010 defines “lot” as a single unit of land created by a subdivision of land. The applicant’s proposal is to create four units of land (4 lots). Therefore this land division is considered a subdivision.

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 Open Space and Residential Zones
- Section 33.665.300, Approval Criteria in General
- Section 33.665.310, Approval Criteria for Planned Developments in All Zones
- Section 33.665.320, Additional Approval Criteria for Modifications of Site-Related Development Standards

ANALYSIS

Site and Vicinity: The site is located on an interior lot with frontage along SE 26th Avenue. Two homes (2726 and 2740 SE 26th Ave) are located on the site. The home addressed 2740 SE 26th Ave was built in 1923, while the home addressed 2726 SE 26th Ave was built in 1961. The development abutting the site to the west and south is primarily made up of single family residential type development. However, the property located directly north of the site (which currently has an apartment complex built in 1915) is zoned for commercial uses. A commercially zoned commercial corridor that has multiple retail types business is located directly north of the subject site at the intersection of SE 26th Ave and SE Clinton St.

Infrastructure:

- **Streets** –The site has approximately 100 feet of frontage on SE 26th Avenue. At this location, SE 26th Avenue is classified as a Neighborhood Collector, Transit Access Street, City Walkway, City Bikeway, Major Emergency Response Street, and a Local Service Street for all other modes in the Transportation System Plan (TSP). Tri-Met provides transit service approximately 150 feet from the site along SE 26th Avenue via bus line number 10. SE 26th Avenue includes a 4-foot wide planter area and curb, 6-foot sidewalk and 2-foot buffer at the back of the sidewalk (4-6-2 configuration).
- **Water Service** – There is an existing 6-inch water main in SE 26th Avenue that can serve this site.
- **Sanitary Service** - There is an existing 6-inch public combination sewer line located in SE 14 Avenue that can serve lots 3 and 4. The applicant will be required to extend the public sewer in SE 26th Ave to service lots 1 and 2.
- **Stormwater Disposal** – There is no public storm-only sewer available to the site. The applicant has proposed onsite infiltration within drywells for each of the proposed structures.

Zoning: The R2.5 designation is one of the City’s single-dwelling zones which is 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.

Land Use History: City records indicate no relevant land use history.

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

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **October 16, 2015**. No written responses have been received in response to the proposal.

ZONING CODE APPROVAL CRITERIA**APPROVAL CRITERIA FOR LAND DIVISIONS IN OPEN SPACE AND RESIDENTIAL ZONES**

33.660.120 THE PRELIMINARY PLAN FOR A LAND DIVISION WILL BE APPROVED IF THE REVIEW BODY FINDS THAT THE APPLICANT HAS SHOWN THAT ALL OF THE FOLLOWING APPROVAL CRITERIA HAVE BEEN MET.

Due to the specific location of this site, and the nature of the proposal, some of the criteria are not applicable. The following table summarizes the criteria that are not applicable. Applicable criteria are addressed below the table.

Criterion	Code Chapter/Section and Topic	Findings: Not applicable because:
B	33.630 – Tree Preservation	No significant trees or trees in excess of 6 inches in diameter are located fully on the site.
C	33.631 - Flood Hazard Area	The site is not within the flood hazard area.
D	33.632 - Potential Landslide Hazard Area	The site is not within the potential landslide hazard area.
E	33.633 - Phased Land Division or Staged Final Plat	A phased land division or staged final plat has not been proposed.
F	33.634 - Recreation Area	The proposed density is less than 40 units.
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, and Seeps	No streams, springs, or seeps are evident on the site outside of environmental zones.
L	33.654.110.B.2 - Dead end streets	No dead end streets are proposed.
	33.654.110.B.3 - Pedestrian connections in the I 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 33.654,130.E	No alleys are proposed or required.
	33.654.120.G - Shared Courts	No shared courts are proposed or required.
	33.654.130.B - Existing public dead-end streets and pedestrian connections	No public dead-end streets or pedestrian connections exist that must be extended onto the site.
	33.654.130.C - Future extension of dead-end streets and pedestrian connections	No dead-end street or pedestrian connections are proposed or required.
	33.654.130.D - Partial rights-of-way	No partial public streets are proposed or required.

Applicable Approval Criteria are:

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

Findings: Chapter 33. 611 contains the density and lot dimension requirements applicable in the R2.5 zone. Maximum density in the R2.5 zone is one unit per 2,500 square feet. The site is approximately 9,727 square feet in area and has a maximum density of 3 lots.

The applicant is proposing 4 lots, which exceeds the maximum density normally allowed for the site. However, the proposal is using a provision for transitional sites under 33.110.240.H, which allows one extra unit of density on sites in single-dwelling residential zones that have a side lot line abutting a non-residential zoned site including the CS zone. Therefore, an additional unit is allowed and the proposal for four dwelling units complies with the density standards.

The lot dimensions required and proposed are shown in the following table:

	Min. Lot Area (square feet)	Max. Lot Area (square feet)	Min. Lot Width* (feet)	Min. Depth (feet)	Min. Front Lot Line (feet)
R2.5 Zone	1,600	NA	36	40	30
Lot 1	2,699 square feet		27.77 feet**	97.19 feet	27.77 feet**
Lot 2	2,475 square feet		22.23 feet**	99.24 feet	22.23 feet**
Lot 3	2,475 square feet		22.23 feet**	99.28 feet	22.23 feet**
Lot 4	2,475 square feet		27.77 feet**	99.32 feet	27.77 feet**

* 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.

** Lots 1-4 are considered “narrow lots” please see discussion below

Narrow lot standards

Lots 1 through 4 are each approximately 22.23-27.77 feet wide — narrower than the minimum width for the R2.5 zone, as shown in the table above. The Zoning Code, however, allows narrower lots if the future development can meet the regulations of 33.611.200.C for the R2.5 zone. However, the applicant has requested a Planned Development as the regulations are not met as described in further detail below.

Consistent with the Purpose of Lot Dimension Regulations

The lot dimension requirements ensure that: (1) each lot has enough room for a reasonably-sized attached or detached house; (2) lots are of a size and shape that development on each lot can meet the development standards of the R2.5 zone; (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 wide enough to allow development to orient toward the street; (6) each lot has access for utilities and services; (7) lots are not landlocked; (8) lots don't narrow to an unworkable width close to the street; and (9) lots are compatible with existing lots while also considering the purpose of this chapter.

The applicant has demonstrated that the proposed Parcels 1-6 are consistent with the purpose of lot dimension regulations for the following reasons:

- The applicant has provided an example of building footprints that meets all applicable setback requirements and is oriented towards the street. Therefore they have demonstrated that the proposed lot(s) can accommodate a reasonably sized house and parking while meeting the majority of development standards of the zoning code.
- The applicant has provided a preliminary utility plan that demonstrates that each lot has access for utilities and services
- The proposed lots are not landlocked nor do they narrow to an unbuildable width close to the street
- The proposed lots are compatible with existing lots in the area within the R2.5 zone, exceeding the minimum lot area in the zone of 1,600 square feet. For example, four lots approximately 19.5 to 24.5 feet wide accommodating attached single family residential development are located along SE 26 Avenue abutting the south property boundary of the subject site.

The minimum width for lots that will be developed with detached houses may not be reduced below 25 feet

- The lots will be developed with attached houses; therefore this requirement does not apply.

If the narrow lot abuts an alley, then vehicle access is allowed only from the alley

- The site does not abut an alley; therefore this requirement does not apply.

Lots must be configured so that development on the site will be able to meet the garage limitation standard of Subsection 33.110.253.E at the time of development

- The applicant has requested a modification to the garage limitation standard of subsection 33.110.253.E through a Planned Development Review as addressed later in this decision.

60 percent landscaping requirement for attached houses

- Parcels 1-4 will each have individual driveways that are approximately 10 feet wide. The applicant has requested a modification to the landscape standards required for development on new narrow lots per Zoning Code section 33.110.240.C.2.d (1 and 2) through a Planned Development Review as addressed later in this decision.

If parking is not required, alley access and garage limitation requirements do not have to be met if a covenant is provided.

- Parking is required and the applicant has proposed onsite parking for each lot. Therefore, alley access and the garage limitation requirements described above must be met. An alley does not serve this site.

This criterion is met provided the Planned Development review criteria can be met.

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

Findings:

Clearing and Grading

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.

In this case, the site is primarily flat and is not located within the Potential Landslide Hazard Area. Therefore, no significant clearing or grading will be required on the site to make the new lots developable. In addition, there are no trees required to be preserved in the areas where new development on the site is anticipated. This criterion is met.

Land Suitability

The site is currently in residential use, and there is no record of any other use in the past. Two single family homes are located on the site (2726 and 2740 SE 26th Avenue). The applicant has proposed to remove the two existing houses and detached garage associated with 2740 SE 26th Ave and redevelop the site. In order to ensure that the new lots are suitable for development, a permit must be obtained and finalized for demolition of all structures on the site and sewer capping prior to final plat approval. With these conditions, the new lots can be considered suitable for development, and this criterion is met.

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

Findings: The transportation system must be capable of safely supporting the proposed development in addition to the existing uses in the area. Evaluation factors include: street capacity and level-of-service; vehicle access and loading; on-street parking impacts; the availability of transit service and facilities and connections to transit; impacts on the immediate and adjacent neighborhoods; and safety for all modes.

Street Capacity and Levels of Service

The proposal will result in a net increase of 2 single-family residences. These residences can be expected to generate 20 daily vehicle trips with 2 trips occurring in each of the AM and PM Peak Hours. This small increase in peak hour vehicles will not have significant impact on intersection levels of service or street capacity. No mitigation is needed.

At this location SE 26th Ave is classified as a Neighborhood Collector, Transit Access Street, City Walkway, City Bikeway, Major Emergency Response Street, and a Local Service Street for all other modes. SE 26th Ave is improved with a 36 ft of paving width and a 12-ft sidewalk corridor with a 4-6-2 configuration within a 60- ft. wide right of way (r.o.w). As conditions of building permit approvals, the sidewalks must be reconstructed with a 4.5-6-1.5 configuration. No dedications are needed.

On-Street Parking Impacts

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

Availability of Transit

Tri Met Bus Line #10 is available to serve the site 200-ft to the north at SE Clinton and SE 29th

Neighborhood Impacts

The site is being developed with a net increase of 2 new single-family residences in compliance with the existing R2.5 zoning. In addition, standard frontage improvements including sidewalks will reduce the potential for conflicts between pedestrians and vehicles.

Safety for All Modes

New sidewalks along the site frontage will provide adequate pedestrian facilities. SE 26th Ave has bike lanes where the City has removed on-street parking from one or both sides.

PBOT has no objections to the proposed subdivision, subject to the following conditions of approval:

1. Frontage improvements constructed to the satisfaction of the City Engineer will be required as a condition of the Building Permit(s) for the new attached homes.

The findings above demonstrate that the proposal will meet the approval criteria. Therefore, this criterion is met.

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

Findings: Chapters 33.651 through 33.654 address water service standards, sanitary sewer disposal standards, stormwater management, utilities and rights of way. The criteria and standards are met as shown in the following table:

33.651 Water Service standard – See Exhibit E.3 for detailed bureau comments.
The Water Bureau has indicated that service is available to the site, as noted on page 2 of this report. The water service standards of 33.651 have been verified.
33.652 Sanitary Sewer Disposal Service standards – See Exhibit E.1 for detailed comments.
The Bureau of Environmental Services has indicated that service is available to the site, as noted on page 2 of this report.
According to City records there are existing sanitary laterals located 32 and 54 feet from the manhole at SE Taggart. These laterals will be available for Lots 4 and 3 respectively. There is inadequate sewer for Lots 1 and 2 at this time.

The applicant proposes to extend a public sewer to provide individual connection locations for Lots 3 and 4. Under Public Works Permit (PWP) #192, BES Development Engineering has approved the Concept Development plans. Therefore BES finds that sanitary sewer can be made available to Lots 3 and 4.

Prior to final plat approval BES will require approved plans, a financial guarantee, receipt of all outstanding fees, and a signed permit document to BES's satisfaction.

The sanitary sewer service standards of 33.652 have been verified.

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

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

The applicant has proposed the following stormwater management methods

- **Lots 1-4:** Staff reviewed the project's stormwater report from Graham Brown, dated 5/15/15 (exhibit A-3), that describes Simplified Approach infiltration test results of 4-inches per hour on this site. The applicant proposes to infiltrate runoff from the development onsite through drywells on each lot as shown in the Preliminary/Site Utility Plan dated 5/29/15. Minimum stormwater facility setbacks, as established in Exhibit 2-1 of the SWMM are shown to be met.

33.654.110.B.1 Through streets and pedestrian connections

Generally, through streets should be provided no more than 530 feet apart and at least 200 feet apart. The block on which the subject property is located meets the noted spacing requirements.

The site is approximately 150-ft south of the east/west running SE Clinton Street and located just northeast of SE Taggart St. an east west running street that extends west from SE 26th Avenue southwest of the subject site. Connectivity standards are not applicable given the site's close proximity to SE Clinton.

The site is within the Portland Master Street Plan for the Southeast District. No through street or pedestrian connections are proposed at this location. Therefore, the proposal is consistent with the master street plan.

For the reasons described above, this criterion is met.

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

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

APPROVAL CRITERIA FOR PLANNED DEVELOPMENT REVIEW

33.665.300 Approval Criteria in General

The approval criteria for Planned Developments are stated below. Planned Developments in all zones must meet the criteria in Section 33.665.310. Some proposals must also meet additional approval criteria, as follows:

- A.** Proposals to modify site-related development standards must meet the criteria in Section 33.665.320.

- B.** Proposals for commercial uses in residential zones must meet the criteria in Section 33.665.330.
- C.** Proposals that do not include a land division must meet the criteria in Section 33.665.340.

A request for a Planned Development will be approved if the review body finds that the applicant has shown that all of the approval criteria have been met. Approval criteria B and C above do not apply to this proposal.

33.665.310 Approval Criteria for Planned Developments in All Zones

Configure the site and design development to:

- A.** Visually integrate both the natural and built features of the site and the natural and built features of the surrounding area. Aspects to be considered include:
 1. Orienting the site and development to the public realm, while limiting less active uses of the site such as parking and storage areas along the public realm;

Findings: The proposed attached housing development will be oriented to the public realm and will include prominent features of deep, open front porches with stairs providing a direct connection to the adjacent public pedestrian corridor.

Less active uses of the site such as parking are visually minimized, the garage will be located at sidewalk grade and the width of each driveway is limited to 10-feet.

In addition, landscaping is proposed between the driveways, within the middle strip of the driveways, and exterior side lot lines (lots 1 and 4) as well as adjacent to the entry stairway, which helps to soften the effect of the vehicle areas, per the attached Site Plan (Exhibit C.4). Due to the small front yard area available to each unit, this will provide each unit with a landscape feature without overwhelming the site. Storage areas will not be visible from the public realm as they will be located underneath the entry stairway.

As indicated by the applicant in their narrative (exhibit A-7): “The proposed homes include ample glazing and their front doors are oriented to the street along with generous porches;” adding; “The porches provide a strong visual connection between the entry area of the residence and street and enhance public safety by allowing residents to have “eyes on the street” and “to survey activity in their neighborhood from their residence”. The applicant also indicated that “the entry stairs and shared driveways are designed to be active multi-use space where children can play; residents can wash cars and complete small projects.” It should be noted that since the interior area within the garage will be approximately 22 feet in width, it will allow two vehicles to park within the garage, which will allow more flexibility for other uses within the driveway if desired by the future home owner. Overall, as indicated by the applicant, “Active use of the porch and driveway provide an engaging environmental along the street.”

This criterion is met.

2. Preservation of natural features on the site, such as stands of trees, water features or topographical elements;

Findings: The natural grade of the site is located above the grade of the adjacent sidewalk. This grade will predominately be maintained with exception of the front of the site to accommodate vehicle access. There are no other distinctive natural features to preserve on either parcel. Therefore, this criterion is met.

3. Inclusion of architectural features that complement positive characteristics of surrounding development, such as similar building scale and style, building materials, setbacks, and landscaping;

Findings: The site is located within the Hosford-Abernethy Neighborhood. This specific area of the neighborhood, south of SE Clinton Street, contains a significant amount of original housing stock, which may be characterized by turn of the century Bungalow style homes. It also includes homes from a variety of eras that define the unique style of the area, which blends original housing stock with newer housing. For example, approximately 450 feet north of the subject site a newer (built in 2008) multi unit condo building addressed 2530 SE 26th Ave was constructed at the corner of SE 26th Ave and SE Division St. This design departed from the historic style seen in the neighborhood with its own architectural style that utilized alternative façade materials (such as metal on the façade facing SE Division St.), while the other street facing façade (facing SE 26th Ave) has a wall of windows (see exhibit G-3). The other prominent characteristics of surrounding development include covered front porches, gable roofs, large eaves, horizontal siding and finished floor elevations located above the adjacent street grade.

The design of the attached houses also provides a buffer and transition between the predominantly single-dwelling residential area to the south and the commercial district to the north. For example, a prominent commercial building located at the corner of SE 26th Ave and SE Clinton St. (2507-2525 SE Clinton, see Exhibit G-4) approximately 160 feet northwest of the subject site has a metal façade and roof. The proposed homes utilize metal as a façade material, but also have front porches and balconies and have similar setbacks to surrounding houses, thereby continuing the residential pattern in the area. The other elements, such as the shed roof design and metal siding complement the commercial development on SE Clinton St. Landscaping will be provided in the front yards consistent with other homes in the area.

The applicant indicated that “the proposed townhouses are compatible in scale and articulation with the neighboring townhomes to the south and the commercial zone to the north,” adding “The neighboring townhouses (to the south) are four levels, have ground floor garages and shared driveways with significantly elevated porches.” The applicant added “The proposed townhouses complement this character (of the neighborhood) with shared driveways with subgrade garages, gracious entry stairs and porches. The overall bulk of the proposed structure is similar to the neighboring townhouses and complements their articulation.” The applicant also provided façade renderings that showed how this project fit into the existing streetscape (exhibit C-4). This rendering showed the relationship between this project and the existing attached homes located to the south, adequately documenting that the scale of this proposal will be in substantial conformance with existing townhouses to the south (2746-2760 SE 26th Ave) when viewed from street level. In addition, this elevation rendering also documented the relationship between the proposed height and the maximum height allowed by right in the Commercial zone located directly to the north of this site.

The applicant has proposed to use a combination of different façade materials on each unit (exhibit C-4). The front and rear facades of each unit will have abundant window area (see Exhibit C-3) which will be framed by black aluminum window frames. The areas of the front façade that do not include large window area will include a combination of metal panels done in a dark matte grey color that will also be utilized on the garage doors. The roof will be done with composition shingle, matching the predominant roofing material in the area. The planters and stairs leading to the units will be constructed utilizing board formed concrete, while the porch decking and associated stairs will utilize wood.

The combination of architectural features complements the most positive characteristics of surrounding development. The proposed development enhances the character and design of the neighborhood. Therefore, this criterion is met.

4. Mitigation of differences in appearance through means such as setbacks, screening, landscaping, and other design features;

Findings: The primary difference in appearance from surrounding development is the presence of attached garages on the front façade of each unit with driveways in the front yard, the use of metal siding and hip styles roofs. In order to mitigate for these differences, the building design uses materials and features common in the area, such as front entries with large porches and abundant windows along the front facade. While the attached garages will differ from the

predominant style of the established development, certain design elements are incorporated into the proposed attached houses to minimize the visual and physical appearance of the vehicle area and garage elements on the front facade. These design elements include a large front porch that projects 8-feet beyond the garage entrance, garage entrances recessed approximately 1-foot below sidewalk grade and landscaping at the front of the site which the applicant indicated “planters on the stairs and porches mitigate differences in appearance at street level” (exhibit A-7). These design elements break up the front facades of the four attached side by side units so the garage doors do not appear to visually be a dominant feature of the front facade while also allowing each front porch to be the dominant visual element for future tenants. The preceding design elements adequately mitigate for the differences in appearance. Therefore, this criterion is met.

5. Minimizing potential negative effects on surrounding residential uses; and

Findings: As described above, the proposal provides a transition from the commercial development pattern on SE Clinton St. and the single-dwelling residential pattern in the adjacent neighborhood. Some of the architectural features, such as the roof design and panel siding are different from surrounding residential development, but are mimicking features found in the commercial area. Those differences are mitigated by keeping the scale and setbacks consistent with the adjacent residential development and incorporating other features such as front porches accessed from the street.

Potential negative effects from having garages along the street facing façade of the attached houses include: a reduction in on-street parking; a decrease in the visual connection between the residence and the street; and street facing facades that are dominated by garages. As noted in the preceding findings, the proposed development incorporates design elements that will temper any potential detrimental effects on surrounding residential uses. In addition, Transportation (PBOT) has required shared curb cuts for driveways serving each set of attached units in order to preserve as much on-street parking as possible. Therefore, this criterion is met.

6. Preservation of any City-designated scenic resources; and

Findings: There are no City-designated scenic resources on the site. Therefore, this criterion does not apply.

- B.** Provision of adequate open area on sites zoned RF through R2.5 where proposed development includes attached houses, duplexes, attached duplexes, or multi-dwelling structures. Open area does not include vehicle areas.

Findings: The applicant’s Site Plan (Exhibit C.2) illustrates an outdoor area at the rear of each parcel of approximately 703 (Lots 1 and 4) and 563 (Lots 2 and 3) square feet in size, measuring approximately 25.33-feet by 27.33-feet and 25.33-feet by 22.23-feet respectively. These areas are well in excess of the minimum required outdoor area for attached houses of 200 square feet and minimum dimensions of 10 feet by 10 feet. Therefore, this criterion is met.

33.665.320 Additional Approval Criteria for Modifications of Site-Related Development Standards

The following criteria apply to modifications of site-related development standards, including parking standards. These modifications are done as part of a Planned Development review and do not have to go through the adjustment process. The modification will be approved if the following approval criteria are met:

- A. Better meets approval criteria.** The resulting development will better meet the approval criteria of Section 33.665.310, above; and

Findings: The applicant has requested modifications to allow the interior portion of the attached garage to exceed 50 percent of the front façade; increase the main entrance distance from grade for each unit; exceed the allowed height by 1 foot; reduce the required landscaping between the front lot line and front building line below 60 percent and increase maximum building coverage allowed on each lot.

Garage Wall

Attached garages are only allowed to occupy 50 percent of a front facing facade. The R2.5 zone allows attached housing development. A garage is allowed by right since each unit is 22 feet in width. The garage appears to meet the 50 percent street facing facade standard based on its appearance, the garage door encumbers 10.5 feet of the 22 foot wide front facing facade, so the visual effect of the garage doors will not be obtrusive relative to what the base zone allows. However, the interior area within the first floor of each unit will include 100 percent garage area which will allow two cars to park within the garage and allows more flexible use of the driveway area if desired. Since the garage will visually appear to meet the 50 percent standard along the front facade of each unit, the intent of the approval criteria is met.

Main Entrance

Main entrances are required to be within 4-feet of the average grade measured along the foundation of the longest street facing wall of the dwelling unit. The applicant's proposal has the main entrances 8'10" feet above this grade standard. As previously mentioned, the natural grade of the site (which is above the adjacent sidewalk grade) will predominately be maintained with exception of the front of the site to accommodate vehicle access. Considering that the driveways and garages will be excavated slightly below grade to allow driveways and garages be somewhat level with the street make it difficult to the meet main entrance standard when calculating the average with the natural grade of the site. The main entrances will be prominent features, making the visual effect negligible. This criterion is met.

Height

Height is limited to 1.5 times the width of homes on new narrow lots. For shed style roofs, height is measured to the highest peak per Zoning Code section 33.930 (figure 930-5). This standard would limit the height of new structures to approximately 33'4". The applicant is proposing units that measure approximately 34'4" in overall height. (It should be noted that when a site's highest grade is 10 feet or less above lowest grade, the base point to measure height is the elevation of the highest grade. In this case, the highest grade for the site is located approximately 8'10" above sidewalk grade). It should be noted that the Zoning Code requires pitched roofs to be measured at the mid-point of the roof. Overall, the shed style roof will enhance the design of the proposed dwelling units and allow it to enhance the overall neighborhood and provide a transition between the commercial and residential areas. In addition, if the applicant proposed a pitched style roof (measured to the mid-point), the peak of this roof would likely be located at the same height as the peak of the shed roof, making the impact of the modification negligible. It should also be noted, that the maximum height allowed in the R2.5 zone for standards sized lots is 35 feet, the applicants proposal remains below this standard. In addition, the property located directly north of the subject site is zoned Commercial Storefront (CS) which has a maximum height limit of 45 feet. Based on the discussion above, this criterion is met.

Landscaped Area

Zoning Code section 33.110.240.C.2.d (1 and 2) requires that sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios. The applicant is proposing landscaping on approximately 53 percent (lots 1 and 4) and 38 percent (lots 2 and 3) of the area between the front lot line and front building line. As noted by the applicant "the driveway and entry stairs make it infeasible to add plantings at the foundation, but planters at each unit are provided along the entry stairs and each of the driveways are designed with a planting strip in the middle. The applicant indicated that "As a whole, landscaping in the front setback has been maximized and the overall appearance if the buildings and landscaping will be consistent with the range of existing development in this mixed use neighborhood." The applicant added "the foundation of the new homes will not be visible from the street as it is concealed by garage doors and entry stairs," adding, "the view of the garage doors and entry stairs are softened by the addition of planters and a driveway planting strip." (Exhibit A-7). Based on the discussion above, this criterion is met.

Building Coverage

The Zoning Code (section 33.110.225.B) limits maximum building coverage to 50% of lot area based on the lot sizes proposed. The units proposed on Lots 2 and 3 have a building coverage of approximately 1,352 square feet (62 percent), while the units proposed on Lots 1 and 4 have a building coverage of approximately 1,382 square feet (51 percent). The two interior lots (Lots 2 and 3) will exceed the maximum building coverage standard by approximately 270 square feet, while the two exterior lots (1 and 4) will exceed the maximum building coverage standard by approximately 32 square feet. Based on the total site area (9,735 square feet), the applicants overall building coverage proposed on the entire site is 56 percent. Since all four units are attached, the two interior units (lots 2 and 3) do not have side setback area available which would help reduce overall building coverage. The two interior lots take up the majority (90 percent) of the overall building coverage over the 50 percent threshold. In addition, as noted above generous outdoor area is proposed on each lot. The purpose of the building coverage standard is ensure the bulk of new homes do not overwhelm adjacent homes. In this situation the property located directly south of the subject site is similar in size and bulk, while the commercially zoned property to the north is allowed to accommodate new development up to 45' in height (approximately 10' taller than this proposal), and has a building coverage allowance that is a minimum of 50 percent (no maximum building coverage). Based on the discussion above, this criterion is met.

The findings above demonstrate that the proposal will better meet the approval criteria. Therefore, this criterion is met.

B. Purpose of the standard. On balance, the proposal will be consistent with the purpose of the standards for which a modification is requested.

Findings: The purpose of Garage Standards (33.110.253.A) in Single-Dwelling zones is as follows:

- 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.

The purpose of the Main Entrance Standards (33.110.230.A) in Single-Dwelling zones is as follows:

- Together with the street-facing façade and garage standards, ensure that there is a physical and visual connection between the living area of the residence and the street;
- Enhance public safety for residents and visitors and provide opportunities for community interaction;
- Ensure that the pedestrian entrance is visible or clearly identifiable from the street by its orientation or articulation; and
- Ensure that pedestrians can easily find the main entrance, and so establish how to enter the residence.
- Ensure a connection to the public realm for development on lots fronting both private and public streets by making the pedestrian entrance visible or clearly identifiable from the public street.

The purpose of the Height standards (33.110.215) in Single Family Zones as follows:

- They promote a reasonable building scale and relationship of one residence to another;
- They promote options for privacy for neighboring properties; and

- They reflect the general building scale and placement of houses in the city's neighborhoods

The purpose of the Landscaping standards for attached homes (33.110.240.C.2.d, 1 and 2) on new narrow lots in Single Family Zones is found under the Alternative Development options (33.110.240) and is as follows:

- They allow for development that is sensitive to the environment, especially in hilly areas and areas with water features and natural drainageways;
- They allow for the preservation of open and natural areas;
- They promote better site layout and opportunities for private recreational areas;
- They promote opportunities for affordable housing;
- They promote energy-efficient development;
- They allow for the provision of alternative structure types where density standards are met; and
- They reduce the impact

The purpose of the Building Coverage standards (33.110.225) in Single Family Zones as follows:

- The building coverage standards, together with the height and setback standards control the overall bulk of structures. They are intended to assure that taller buildings will not have such a large footprint that their total bulk will overwhelm adjacent houses. Additionally, the standards help define the character of the different zones by limiting the amount of buildings allowed on a site.

As noted in the findings above, the garage entrances are recessed approximately 1-foot below sidewalk grade and a large front porch will project 8-feet beyond the plane of the garage entrance. This effect helps to ensure a physical and visual connection between the large open front porches of the units and the street, limiting the presence of the garages. A stairway provides direct access from the public pedestrian corridor to the main entrance of the units, which projects a more visually prominent entrance for pedestrians, rather than automobiles. This entrance is clearly identifiable from the street and may be easily found from the adjacent sidewalk. As previously addressed; additional design considerations include windows across the majority of the front and rear facades and landscaping at the front of the site. The increase in height will exceed the maximum height by 1' more than the code allows by right on new narrow lots, which still promotes a reasonable building scale and relationship between the residents because the proposed height is still under the max height limit allowed in the zone of 35'. As noted above, shed style roofs are measured to their highest peak, which is in direct conflict with the height measurements for pitched roofs, which are measured to the mid-point of the roof. Since the highest point of a typical pitched style roof is often the same height as the highest point of a shed style roof, the proposed shed style roof will equally meet the purpose of the regulation. The shed roof also allows the new homes to enhance architectural diversity in the area while providing a nice transition between the residential and commercial zones abutting the site.

As noted above by the applicant "the driveway and entry stairs make it infeasible to add plantings at the foundation, but planters at each unit are provided along the entry stairs and each of the driveways are designed with a planting strip in the middle. The applicant adds "The grade change of the site require that there be stairs, walkways and an elevated porch to enter the dwelling. This reduces the amount of area available for landscaping" (exhibit A-7).

In addition, the increase in building coverage when examined for the site as a whole is minimal. The proposed units mimic the bulk of the existing attached units located directly south of the site, while the property located directly north of the subject site is zoned for Commercial development which has less restrictive building coverage, height and setback standards.

Together, these design elements will prevent the garage and vehicle areas from dominating the views of the neighborhood from the sidewalk. The garage entrances are located behind the front

porches of the units and will therefore not block views of the street. The large front porch allows the structure to connect to the public street below, allowing the building to blend in well and add additional architectural interest within the neighborhoods built environment even without the minimum amount of landscaping between the units and the front lot line, while the height and build coverage increase is very minor and will enhance the visual the design of the units without causing any negative impacts on adjacent properties.

On balance, the proposal will be consistent with the purpose of garage, main entrance, height, landscaping and building coverage standards as demonstrated by the preceding findings. Therefore this criterion is met.

DEVELOPMENT STANDARDS

Development standards that are not relevant to the land division review, have not been addressed in the review, 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 applicant is proposing to remove all of the existing structures on the site, so the division of the property will not cause the structures to move out of conformance or further out of conformance with any development standard applicable in the R2.5 zone. Therefore, this land division proposal can meet the requirements of 33.700.015.

With the conditions noted above, this land division proposal can meet the requirements of 33.700.015.

OTHER TECHNICAL REQUIREMENTS

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

Bureau	Code Authority and Topic
Development Services/503-823-7300 www.portlandonline.com/bds	Title 24 – Building Code, Flood plain Title 10 – Erosion Control, Site Development Administrative Rules for Private Rights-of-Way
Environmental Services/503-823-7740 www.portlandonline.com/bes	Title 17 – Sewer Improvements 2008 Stormwater Management Manual
Fire Bureau/503-823-3700 www.portlandonline.com/fire	Title 31 Policy B-1 – Emergency Access
Transportation/503-823-5185 www.portlandonline.com/transportation	Title 17 – Public Right-of-Way Improvements Transportation System Plan
Urban Forestry (Parks)/503-823-4489 www.portlandonline.com/parks	Title 20 – Street Trees and other Public Trees
Water Bureau/503-823-7404 www.portlandonline.com/water	Title 21 – Water availability

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

- The applicant must meet the requirements of the Fire Bureau in regards to addressing requirements; ensuring adequate hydrant flow from the nearest fire hydrant or obtaining an approved Fire Bureau appeal to this requirement; if required, recording an Acknowledgement of Special Land Use Conditions that requires the provision of internal fire suppression sprinklers; meeting fire apparatus access, including aerial access. These requirements are based on the technical standards of Title 31 and Fire Bureau Policy B-1.

- Street trees will be required along all public frontages depending on planting conditions and will be reviewed and approved by the City Forester during building permit application. Tree species and location to be determined by the City Forester during plan review. Street trees required for residential sites are to be 1.5 inch caliper in size for sites with high voltage power lines.

CONCLUSIONS

The applicant has proposed a 4-lot subdivision and Planned Development, as shown on the attached preliminary plan (Exhibits C.1- C.4). As discussed in this report, the relevant standards and approval criteria have been met, or can be met with conditions.

The Planned Development review included modifications to height, building coverage, front yard landscaping; garage and main entrance standards. As noted in this report, the project is able to meet the relevant approval criteria based on substantial conformance with applicable standards and established situations in the surrounding neighborhood. With approval requiring that the permit drawings substantially conform to the attached site plan and elevation drawings, the request meets the applicable criteria and should be approved.

ADMINISTRATIVE DECISION

Approval of a Preliminary Plan for a 4-lot subdivision, that will result in four narrow lots as illustrated with Exhibits C.1-C.2.

Approval of a Planned Development Review with modifications to allow an increase in building coverage, a reduction in front yard landscaping, an increase in height and a modification to garage and main entrance standards, per the approved site plans and elevations (Exhibits C.1-C.4), subject to the following conditions:

A. The final plat must show the following:

1. If required, a recording block for each of the legal documents such as acknowledgement of special land use conditions, or Declarations of Covenants, Conditions, and Restrictions (CC&Rs) if required by Condition B.5 below. The recording block(s) shall, at a minimum, include language substantially similar to the following example: "An Acknowledgement of Special Land Use conditions" has been recorded as document no. _____, Multnomah County Deed Records."

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

1. The applicant shall meet the requirements of the Bureau of Environmental Services (BES) for extending a public sewer main in SE 26th Ave. The public sewer extension requires a Public Works Permit, which must be at a stage acceptable to BES prior to final plat approval. As part of the Public Works Permit, the applicant must provide engineered designs, and performance guarantees for the sewer extension to BES prior to final plat approval.
2. The applicant shall meet the requirements of the Fire Bureau for ensuring adequate hydrant flow from the nearest hydrant. The applicant must provide verification to the Fire Bureau that Appendix B of the Fire Code is met; the exception is used, or provide an approved Fire Code Appeal prior final plat approval.
3. The applicant must meet the requirements of the Fire Bureau for providing an adequate fire access way for Lots 1-4, as required in Chapter 5 of the Oregon Fire Code. Alternately, the applicant will be required to install residential sprinklers in the new house on Lots 1-4, if applying the exception. An Acknowledgement of Special Land Use Conditions describing the sprinkler requirement must be referenced on and recorded with the final plat.

Existing Development

4. A finalized permit must be obtained for demolition of the existing residences (2726 and 2740 SE 26th Avenue) and detached garage (2740 SE 26th Ave) on the site and capping the existing sanitary sewer connection. Note that Title 24 requires a 35-day demolition delay period for most residential structures.

Required Legal Documents

5. If required, per Conditions B.2 or B.3 above, the applicant shall execute an Acknowledgement of Special Land Use conditions, requiring new residential development to contain internal fire suppression sprinklers, per Fire Bureau Appeal no *. The acknowledgement shall be recorded with Multnomah County, and referenced on the final plat.

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

1. The applicant must meet the addressing requirements of the Fire Bureau for Lots 1-4. The location of the sign must be shown on the building permit.
2. If required, the applicant will be required to meet any requirements identified through a Fire Code Appeal/install residential sprinklers in the new dwelling units on Lots 1-4. Please refer to the final plat approval report for details on whether or not this requirement applies.
3. The applicant must provide a fire access way that meets the Fire Bureau requirements related to aerial fire department access. Aerial access applies to buildings that exceed 30 feet in height as measure to the bottom of the eave of the structure or the top of the parapet for a flat roof.
4. 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.4. Landscaping must be installed per Condition C.4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-178616 LDP PD. No field changes allowed."
5. As required by Transportation (PBOT), frontage improvements are required to be constructed to the satisfaction of the City Engineer with any Building Permit(s) for the new attached homes.

Staff Planner: Shawn Burgett**Decision rendered by:** S Burgett **on December 4, 2015**

By authority of the Director of the Bureau of Development Services

Decision mailed December 8, 2015

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 June 1, 2015, and was determined to be complete on **October 2, 2015**.

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 June 1, 2015.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. **The 120 days will expire on: 1/30/16**

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 12/22/2015** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 2:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 2:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th 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. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. 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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283 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.**

Recording concurrent approvals. The preliminary land division approval also includes concurrent approval of a Planned Development. These other concurrent approvals must be recorded by the Multnomah County Recorder before any building or zoning permits can be issued.

A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with these concurrent land use reviews. The applicant, builder, or their representative may record the final decisions on these concurrent land use decisions 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.

Expiration of concurrent approvals. The preliminary land division approval also includes concurrent approval of a Planned Development. For purposes of determining the expiration date, there are two kinds of concurrent approvals: 1) concurrent approvals that were necessary in order for the land division to be approved; and 2) other approvals that were voluntarily included with the land division application.

The following approvals were necessary for the land division to be approved: Planned Development. This approval expires if:

- The final plat is not approved and recorded within the time specified above, or
- Three years after the final plat is recorded, none of the approved development or other improvements (buildings, streets, utilities, grading, and mitigation enhancements) have been made to the site.

All other concurrent approvals expire three years from the date rendered, unless a building permit has been issued, or the approved activity has begun. Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

A. Applicant's Statement

1. Applicants Narrative dated May 2015
2. Applicants Narrative for Building Coverage Adjustment, dated 7/8/15
3. SIM test (infiltration testing)
4. Early Neighborhood Notification
5. Applicants Transportation Impacts narrative
6. Applicants Planned Development Narrative dated 9/21/15
7. Applicants Planned Development Narrative revision dated 10/13/15

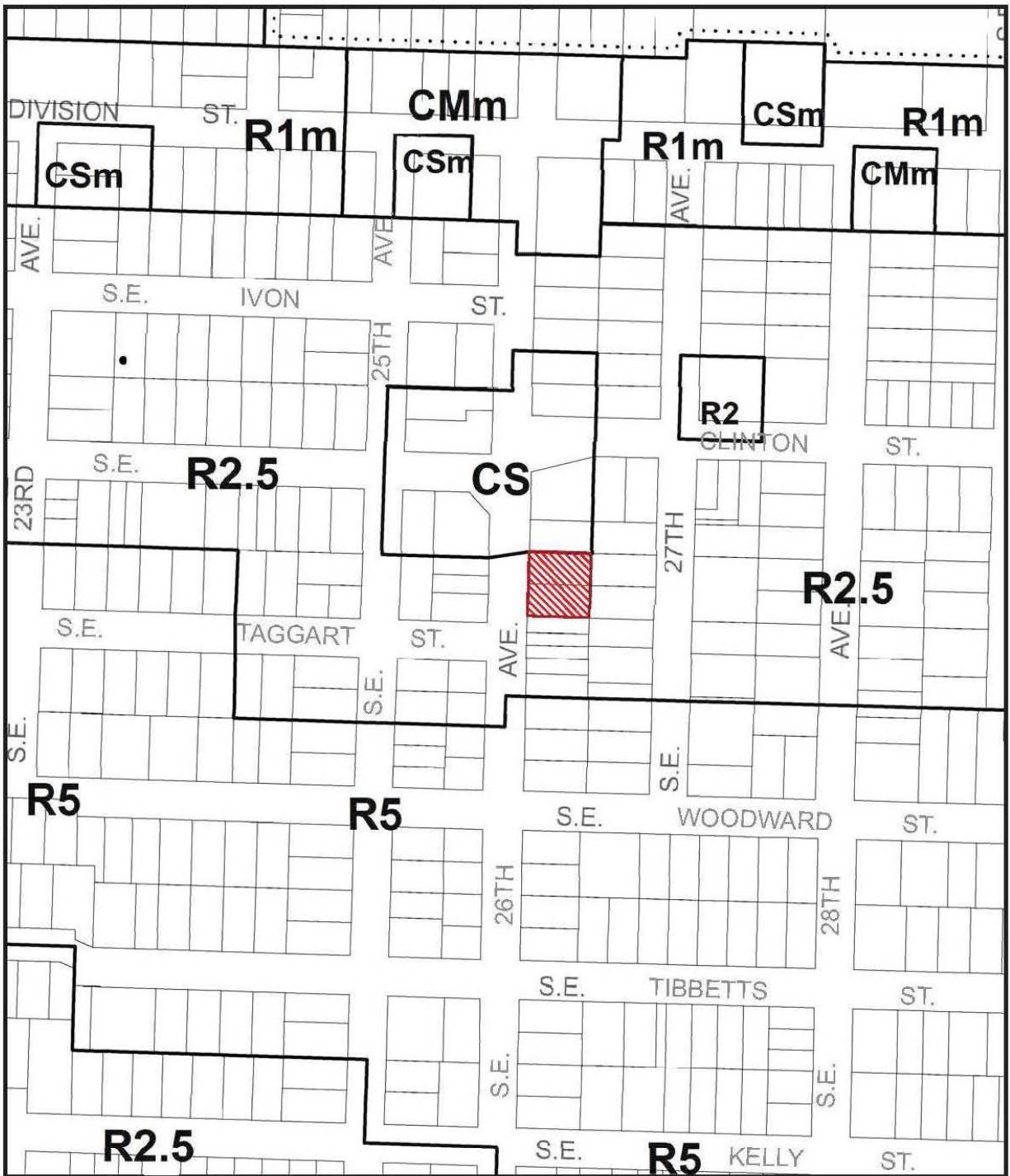
B. Zoning Map (attached)

C. Plans/Drawings:

1. Preliminary Plat (attached)

2. Development Plan (attached)
 3. Elevations (attached)
 4. Proposed Façade Materials and Landscape Plan (attached, pages 1-3)
 5. Utility Plan
 6. Clearing and Grading Plan
 7. Existing conditions survey
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses:
1. Bureau of Environmental Services
 2. Bureau of Transportation Engineering and Development Review
 3. Water Bureau
 4. Fire Bureau
 5. Site Development Review Section of BDS
 6. Bureau of Parks, Forestry Division
 7. Life Safety
- F. Correspondence: (none received)
- G. Other:
1. Original LU Application
 2. Incomplete Letter dated 6/30/15
 3. Google street view of multi-unit building located at SE 26th & SE Division (2530 SE 26th)
 4. Google street view of commercial building located at SE 26th & SE Clinton (2507-2525 SE Clinton)
 5. Land Use History

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



Historic Landmark



NORTH

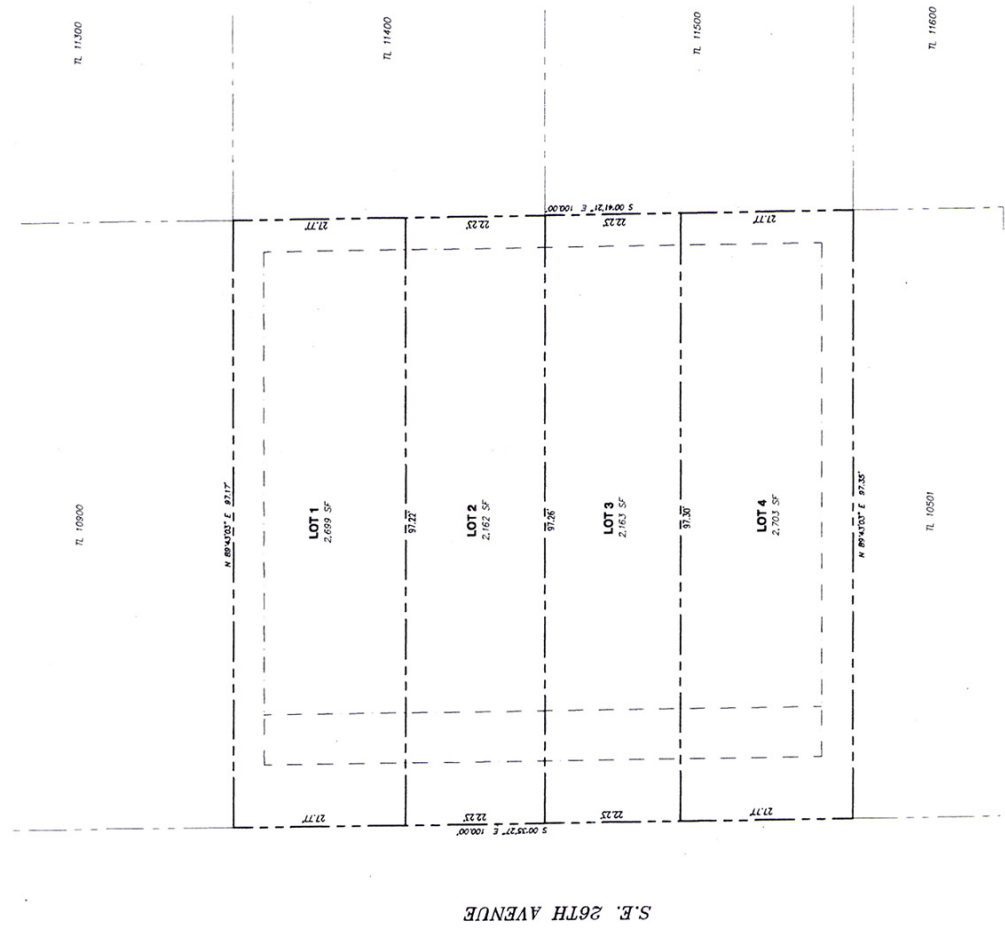
File No. LU 15-178616 LDS, PD
 1/4 Section 3333
 Scale 1 inch = 200 feet
 State_Id 1S1E12BB 10700
 Exhibit B (Sept. 24, 2015)

PRELIMINARY PLAT SE 26TH AVENUE 4 LOT SUBDIVISION TAX MAP T1S R1E 12B8 PORTLAND, OREGON	REVISIONS NO. DATE DESCRIPTION		EMERIO 6107 SW MURRAY BLVD. SUITE 147 BEAVERTON, OREGON 97008 PH: (503)-746-8612	5 3 SHEET



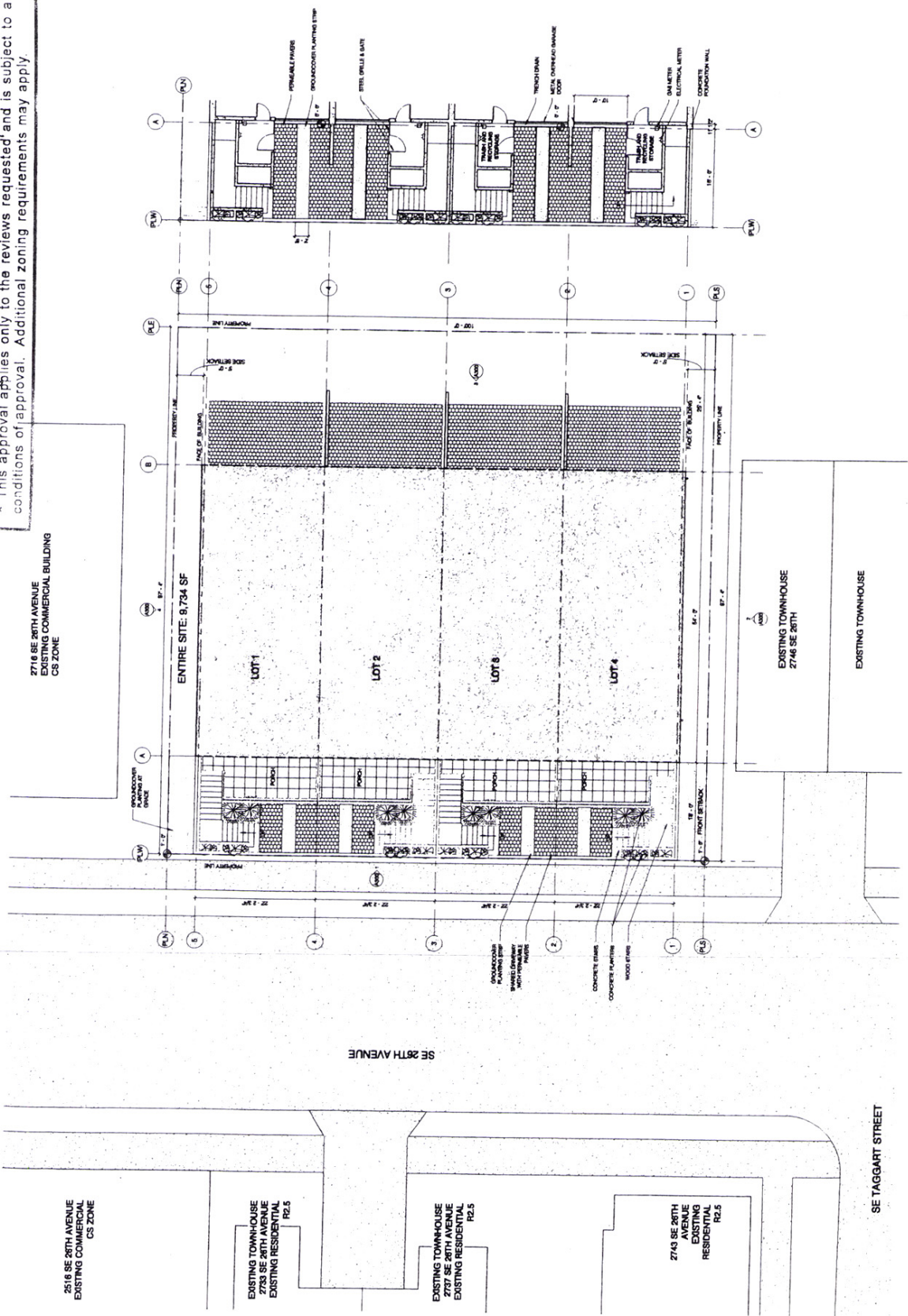
LEGEND
 --- PROPERTY LINE
 --- QUANTITY/ADJOINING LOT LINE
 --- CENTER LINE ROW
 --- SET BACK LINE

ZONE
 R2.5
 SETBACKS
 FRONT: 10 FT.
 GARAGE: 18 FT.
 REAR: 5 FT.
 SIDE: 5 FT.
 INTERIOR: 0 FT.



CASE NO. 15-17846
 EXHIBIT C-1

Approved
 City of Portland - Bureau of Development Services
 Planner J. Burkett Date 12/4/15
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



1 SITE PLAN
 1/8" = 1'-0"

2 SHARED DRIVEWAYS AT DAMAGE LEVEL
 1/8" = 1'-0"

PLANNED DEVELOPMENT REVIEW
 Drawn by: [blank]
 Checked by: [blank]
 Date: [blank]
 SHEET NO. 101
 SHEET TOTAL 101

A101

PRELIMINARY
 NOT FOR
 CONSTRUCTION
 Hensberry 644
 Architects
 1111 SW 10TH AVE, SUITE 200
 PORTLAND, OR 97205
 (503) 228-1111
 www.hensberry644.com
 SE 26TH AVENUE
 101
 SHEET TOTAL 101
 SHEET NO. 101
 SHEET TOTAL 101

CASE NO. 15-178616
 EXHIBIT C-2

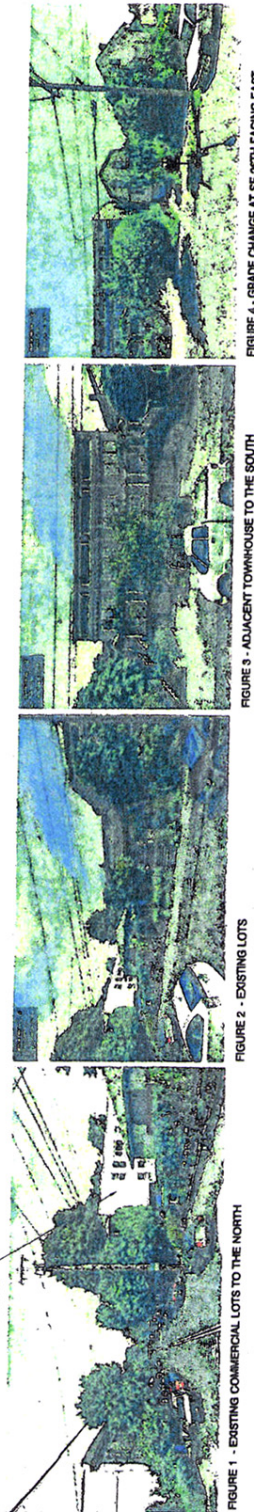
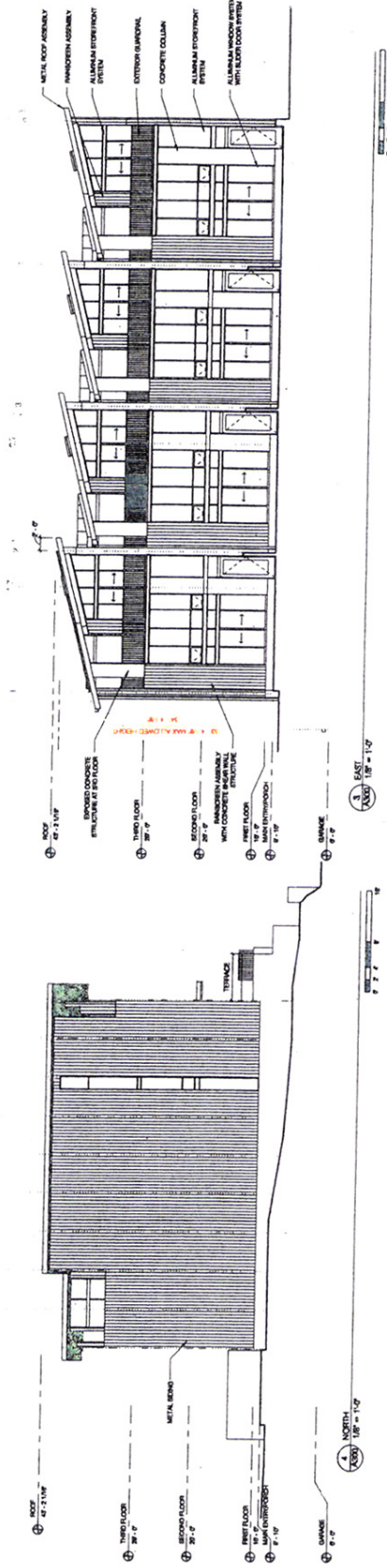
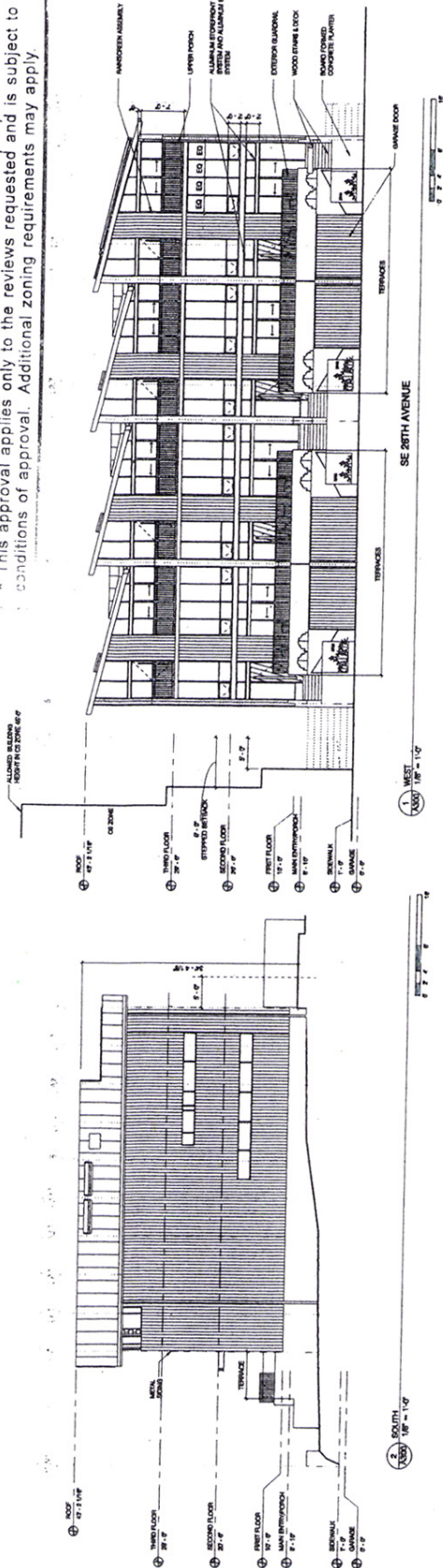
Approved

City of Portland - Bureau of Development Services

Planner S. Buckle

Date 12/4/15

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



CASE NO. 15-178616
EXHIBIT C-3

PRELIMINARY
CONSTRUCTION

Architect

101 W. Washington Street, Suite 100
Portland, Oregon 97201
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Fax: 503.222.1112
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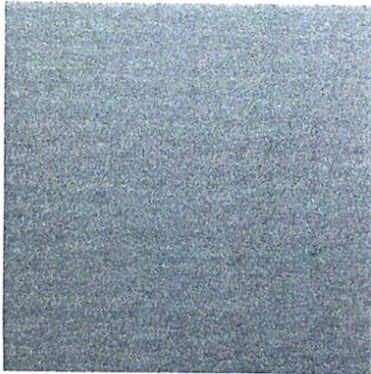
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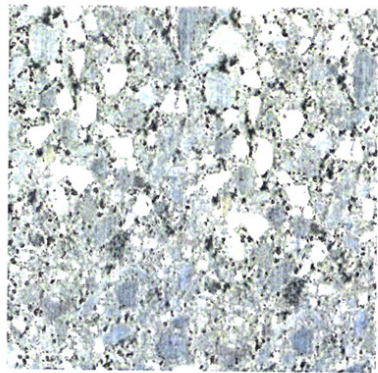
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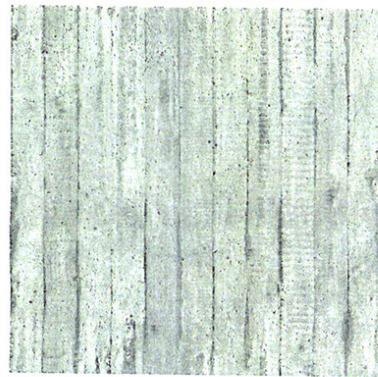
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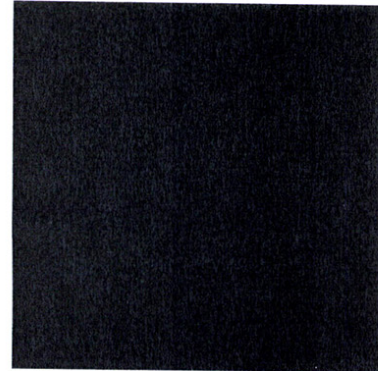
Metal Panel - Dark matte grey color
Siding
Garage Door



Ground Faced CMU - grey color
Structural column



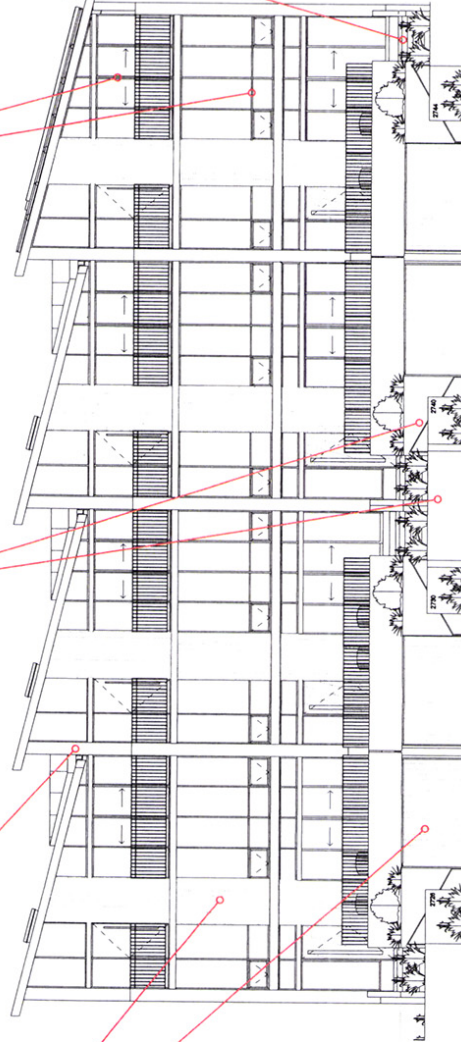
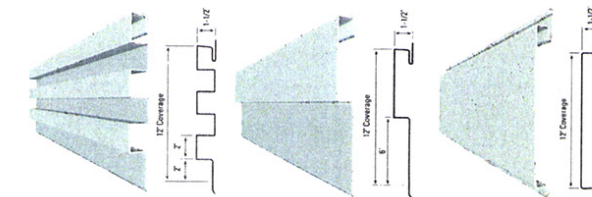
Board Formed Concrete
Planters at stairs
Retaining wall



Anodized Aluminum - black color
Window frames/mullions

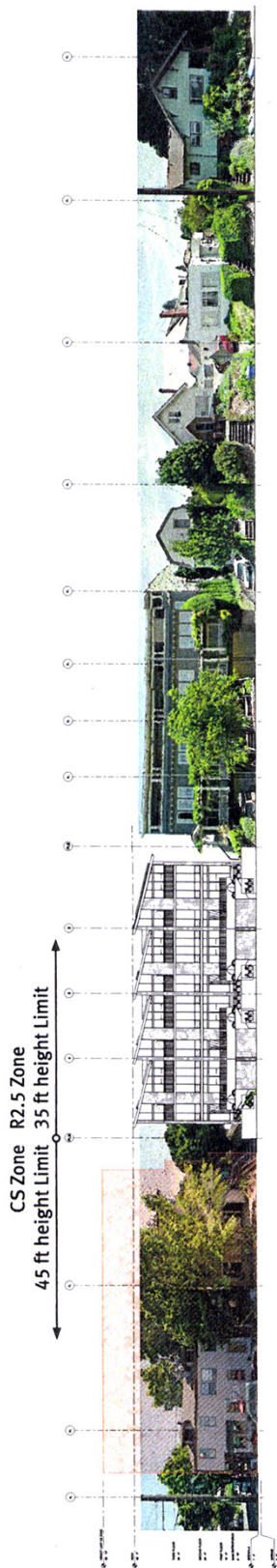


Ipe Wood
Porch decking
Stairs



Planner Note:
Roofing material:
Composition Shingle
Per applicator
e-mail

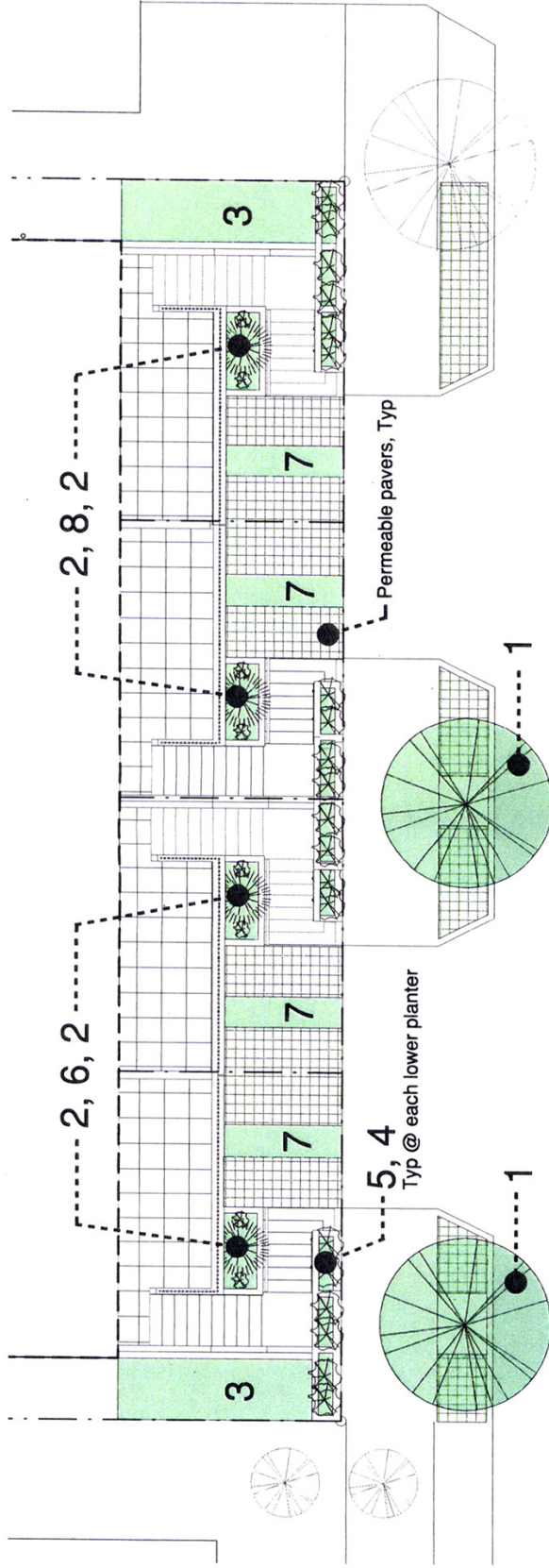
Approved
City of Portland - Bureau of Development Services
Planner SBWgH Date 12/4/15
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.











Adjacent Property Images



Adjacent Property Features



1		Acer "Griseum" Street tree
2		Viburnum "Davidii"
3		Pachysandra in side setbacks
4		Trachelosperum Asiaticum (Typ)
5		Nandina "Nana Compacta"
6		Chamaecyparis Obtusa
7		Sedum Sp. In driveway strip
8		Cyperus Sempervirens