



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

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www.portlandoregon.gov/bds

Date: April 18, 2016
To: Interested Person
From: Shawn Burgett, Land Use Services
503-823-7618 / shawn.burgett@portlandoregon.gov

NOTICE OF A TYPE Ix DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

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

CASE FILE NUMBER: LU 15-282807 LDP

GENERAL INFORMATION

Applicant: Mike Coyle
Faster Permits
14334 NW Eagleridge Lane
Portland, OR 97229

Owner: George Hale
H Hudson Homes Inc
9700 SW Capital Hwy #100
Portland, OR 97219-5274

Site Address: Vacant lot at the northeast corner of the intersection of N Congress Ave & N Blandena St. (directly south of 4735 N Commercial Ave)

Legal Description: BLOCK 6 LOT 4, CENTRAL ALBINA ADD
Tax Account No.: R147000650
State ID No.: 1N1E22AC 20500
Quarter Section: 2530
Neighborhood: Humboldt, contact Micah Meskel at 503-481-5715.
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-841-5032.
District Coalition: Northeast Coalition of Neighborhoods, contact Zena Rockowitz at 503-388-5070.
Zoning: R2.5a (Single Family 2,500 square feet with "a" alternative design density overlay)
Case Type: LDP (Land Division Partition)
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant is proposing a 2-lot land division for attached housing on the vacant lot per Zoning Code section 33.110.240.E. Both Parcels will measure 2,150 square feet. The proposed attached unit on Parcel 1 will have its main entrance facing N Congress Ave, while the proposed attached unit on Parcel 2 will have its main entrance oriented toward N Blandena Street.

This partition is reviewed through a Type Ix land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities, or services are proposed within a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (such as an Adjustment, Design Review, or Environmental Review) are requested or required (see 33.660.110).

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

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

FACTS

Site and Vicinity: The site is currently vacant and was previously owned by the adjacent Church (addressed 4735 N Commercial Ave). The development surrounding the site is made up predominately of single family detached homes of various sizes. The area surrounding the site is primarily zoned R2.5 (Single Family residential 2,500 square feet).

Infrastructure:

- **Streets** –The site is a corner lot and has approximately 100 feet of frontage on N Congress Avenue and approximately 43 feet of frontage along N Blandena St. At this location, N Congress Avenue and N Blandena St. are classified as a Local Service Street for all modes in the Transportation System Plan (TSP). N Blandena St. is also classified as a City Bikeway. Tri-Met provides transit service approximately 770 feet west of the site at N Albina Avenue via Bus #4 and approximately 870 feet east of the site at N Vancouver Ave via Bus #44.

N Blandena Avenue has a 36-foot curb to curb paved surface within a 60-foot right-of-way with parking on both sides. Along the 43-foot wide site frontage along N Blandena St. the pedestrian corridor includes a 4-foot wide planter area, curb, 6-foot sidewalk and a 2-foot wide buffer at the back of the sidewalk (4-6-2 configuration).

N Congress Avenue is identified as having a 32-foot curb to curb paved surface within a 50-foot right-of-way with parking on both sides. Along the 100-foot of site frontage along N Congress Ave. the pedestrian corridor includes a 4-foot wide planter area, curb, 6-foot wide variable width sidewalk. Based on the applicant’s surveyed plans, the side walk corridor includes a 1.5-foot wide buffer at the back of the sidewalk, a 5 foot sidewalk and a 4.2-foot wide planter area (4.2-5-1.5 configuration).

- **Water Service** – There is an existing 6-inch water main in both N Congress Avenue and N Blandena St.

- **Sanitary Service** - There is an existing 12-inch combined gravity sewer main in N Congress Avenue and a 6 inch combined gravity main in N Blandena Street that can serve the sanitary

needs of this proposal. BES recommends that connections for both new lots are made to the 12-inch sewer main in N Congress Ave.

- **Stormwater Disposal** – There is no public storm-only sewer currently available to this property. The applicant is proposing to manage stormwater onsite via drywells (discussed later in this report).

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.

The "a" overlay is intended to allow increased density that meets design compatibility requirements. It focuses development on vacant sites, preserves existing housing stock, and encourages new development that is compatible with the surrounding residential neighborhood. This land division proposal is not using any of the provisions of the "a" overlay.

Land Use History: Based on a review of CU 52-67 (the conditional use approval for the adjacent church), it was determined that the subject site (tax account #R131408) was not part of the conditional use review and therefore can be separated from the church property without an additional land use review.

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 **February 23, 2015**. Two written responses (exhibit F.1-F.2) have been received from notified property owners in response to the proposal.

Neighborhood Response: One Letter received (Exhibit F.1) had no objection to the proposal and encouraged future development on the lots.

The second letter received (Exhibit F.2) had the following concerns (summarized):

New Development is happening irresponsibly fast, short term profits at expense of long term effects, rents rising much faster than incomes. The letter noted for these reasons the City should not continue to approve development projects that do not make efforts to mitigate gentrification and displacement. The letter went on to express concern regard the future heights of the new homes, which could impact sunlight. The letter also expressed concern that the application did not contain architectural details. The letter also discussed the impact of this project on sustainable development, affordable and low-income housing. The letter's author wanted the opportunity to "explore more options for the property, before we decide that more housing is what's best for the neighborhood at large. We are not convinced that more housing is the best thing for this particular property." The letter then discussed the need for a greater dialogue between owners of the property and the local neighborhood. Please see Exhibit F-2 for full details.

BDS Response: One of the issues brought up in one of the Neighborhood Letters relate to future compatibility of the new units. The lot sizes and density proposed meet the Zoning Code provisions under 33.110.240.E, which allow attached houses on corner lots in single family residential zones. Please refer to the findings below for additional details. It should be noted that the applicant is not required to submit building plans during the land division review process, just conceptual building footprints to demonstrate future development is feasible. The building permits will be reviewed for compliance with all applicable Zoning Standards at the time of building permit submittal. The development standards are the same for all new development in the City of Portland and are based on the sites zoning designation, regardless of

neighborhood boundaries. The corner lot provision in the Zoning Code (33.110.240.E) allows two attached units on corner lots in single family zones across the City (regardless of Neighborhood). Each unit is required to face a separate street, giving it the appearance of one home when viewed from each street. Maintaining the character of the neighborhood is not an approval criterion. However, the Zoning Code development standards in place for a particular code allowance (such as attached houses on a corner lot in a single family zone) are intended to allow new development on these corner lots which are assumed to meet the purpose statement of the allowance if the development standards associated with the allowance are met. The overall bulk and look of the two attached units is intended to mirror that of one single family home, since it would have a similar footprint, setbacks, height, etc. Affordability of future housing is not applicable under the approval criteria for this review.

It should also be noted that the applicant could construct a duplex on the subject site by right, without a land division review. The only major difference under this scenario is the applicant would have two units on one lot, opposed to the current proposal which places each attached unit on its own lot. Many of the other concerns expressed regarding the future use of this property were not applicable under the approval criterion (please see findings below for details).

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 or outside of the environmental zone 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.
H	33.636 - Tracts and Easements	No tracts or easements have been proposed or will be required.
I	33.639 - Solar Access	The proposed development is for something other than single-dwelling detached homes.
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	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. The maximum density is one unit per 2,500 square feet.

The applicant is proposing two parcels, which exceeds the maximum density normally allowed for the site. However, Parcels 1 and 2 are proposed for attached houses under the provision in 33.110.240.E, which allows one extra unit in conjunction with attached houses on corner lots. Therefore, an additional lot is allowed provided Parcels 1 and 2 are developed with attached houses.

With a condition of approval limiting the development on Parcels 1 and 2 to attached houses, the density standards are met.

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)
Original lot before division in R2.5 zone	3,000	NA	NA	NA	NA
Original lot before division					
New attached housing lots	No minimum lot dimension standards				
Parcel 1	2,150 sq. ft.		50 ft.	43 ft.	50 ft.
Parcel 2	2,150 sq. ft.		43 ft.	50 ft.	43 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.

Attached Houses on Corner Lots

To use this code provision the original lot before the division must be at least 3,000 square feet.

As shown in the table above, taken together (before the division), the required lot size requirement is met. Therefore, the corner lot may be divided to create Parcels 1 and 2 as proposed.

The findings above show that the applicable density and lot dimension standards are met. Therefore, this criterion is met.

With implementation of the noted conditions, the approval criteria will 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. This criterion is met.

Land Suitability

The site is currently vacant, and there is no record of any other use in the past. As indicated above, the site is relatively flat and contains no known geological hazards. Therefore, there are no anticipated land suitability issues and the new lots can be considered suitable for new development. This criterion is met.

K. Transportation impacts. The approval criteria of Chapter 33.641, Transportation Impacts, must be met; and, 33.654, Design of Rights of way

Findings: The transportation system must be capable of safely supporting the proposed development in addition to the existing uses in the area. The Development Review Section of the Portland Bureau of Transportation has reviewed the application for its potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, and for potential impacts upon transportation services.

PBOT has provided the following findings (see Exhibit E.2):

Findings: The minimal expected added vehicle trips (2 AM peak hour trip/2 PM peak hour trip/20 total new daily trips) associated with the new homes to be constructed on the site will not adversely impact the operations of area intersections. On-street parking will not be adversely impacted as there appears to be an abundance of on-street parking opportunities along the area streets and since it appears that the existing homes in the area are served by driveways (and garages) that can accommodate multiple vehicles. Each new home will also provide at least one on-site parking space. The proposed lot split will not have any effect to existing nearby transit service or any other mode of travel. The transportation system is capable of safely supporting the proposed development in addition to existing uses in the area.

At this location, N Blandena and N Congress are classified in the City's Transportation System Plan as a Local Service street for all modes.

The following information is derived from City GIS. This evaluation is not implied to be more accurate than the

sources that the information was obtained from. For accurate right-of-way (r.o.w.) information, a survey will be necessary. N Blandena is improved with 36-ft of paving and a 4-6-2 sidewalk corridor within a 60-ft wide r.o.w. N Congress is identified as improved with 32-ft of paving and a 4-6-Variable sidewalk corridor within a 50-ft wide r.o.w. Based on the applicant's surveyed plans, the sidewalk corridor along N Congress measures 4.2-5-1.5.

The existing sidewalk corridors along both site frontages satisfy the conditions of PBOT's Administrative Rule TRN-1.22. Therefore, the sidewalk configurations along both site frontages will be accepted as the standard sidewalk configuration for the block length. No additional r.o.w. improvements or property dedication will be required in relation to the land division request.

Based on the findings above, 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 Parcel 1 and 2, 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 pages 2-3 of this report. 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
Parcels 1 and 2: Stormwater from these lots will be directed to individual drywells that will treat the water and slowly infiltrate it into the ground. Each of these lots has sufficient area for a stormwater facility that can be adequately sized and located to meet setback standards, and accommodate water from a reasonably-sized home. BES has indicated conceptual approval of the drywell for Parcel 2. However, as a condition of approval, BES has requested the applicant show an approvable stormwater management plan for Parcel 1. Locating a drywell under the proposed driveway may be a feasible option to meet setback requirements and provide an escape route to the right-of-way.
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. This criterion is met.
In addition, PBOT (Exhibit E.2) noted the following:
No street connections have been identified in the vicinity of this property in the Portland Master Street Plan document. The subject site, being a corner lot, is not ideal to further the above referenced connectivity goals. It is also not feasible to provide any additional connectivity without eliminating

existing development on abutting lot(s). Finally, considering the existing size of the subject site, providing a new public street or pedestrian connection through the subject site (or block) would likely compromise the ability to create one of the proposed parcels. These impacts do not make further connectivity through the subject site or block feasible

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. 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.

Future Development

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

- Attached Houses on Corner Lots-- special requirements apply to development on new lots created using the provisions of Section 33.110.240.E.
 1. The address and main entrance of each house must be oriented to a separate street frontage.
 2. Development on Parcel 1 must be oriented toward N Congress Ave and development on Parcel 2 must be oriented toward N Blandena Street.
 3. The height of the two units must be within 4 feet of each other
 4. The exterior finish material must be the same, or visually match in type, size and placement.
 5. The predominant roof pitch must be the same.
 6. Roof eaves must project the same distance from the building wall.
 7. Trim must be the same in type, size and location.
 8. Windows must match in proportion and orientation.

Existing development that will remain after the land division. The site is currently vacant, 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.

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

Environmental Services/503-823-7740 www.portlandonline.com/bes	Administrative Rules for Private Rights-of-Way
Fire Bureau/503-823-3700 www.portlandonline.com/fire	Title 17 – Sewer Improvements 2008 Stormwater Management Manual
Transportation/503-823-5185 www.portlandonline.com/transportation	Title 31 Policy B-1 – Emergency Access
Urban Forestry (Parks)/503-823-4489 www.portlandonline.com/parks	Title 17 – Public Right-of-Way Improvements Transportation System Plan
Water Bureau/503-823-7404 www.portlandonline.com/water	Title 20 – Street Trees and other Public Trees
	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 ensuring adequate hydrant flow from the nearest fire hydrant or recording an Acknowledgement of Special Land Use Conditions that requires the provision of internal fire suppression sprinklers on Parcels 1 and 2; addressing, and aerial access. These requirements are based on the technical standards of Title 31 and Fire Bureau Policy B-1 (Exhibit E.4).

CONCLUSIONS

The applicant has proposed a 2-Parcel partition, as shown on the attached preliminary plan (Exhibit C.1). As discussed in this report, the relevant standards and approval criteria have been met, or can be met with conditions.

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

ADMINISTRATIVE DECISION

Approval of a Preliminary Plan for a 2-parcel partition, that will result in two parcels for attached housing as illustrated with Exhibits C-1, subject to the following conditions:

A. The final plat must show the following:

1. A recording block for each of the legal documents such as maintenance agreement(s), acknowledgement of special land use conditions, or Declarations of Covenants, Conditions, and Restrictions (CC&Rs) as required by Conditions B.3 below. The recording block(s) shall, at a minimum, include language substantially similar to the following example: “A (title of document) has been recorded as document no. _____, Multnomah County Deed Records.”

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

Utilities


1. The applicant shall meet the requirements of the Bureau of Environmental Services (BES) and show a stormwater management plan for Parcel 1 that meets applicable BES requirements.
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.

Required Legal Documents

3. If required per Condition B.2 above, the applicant shall execute an Acknowledgement of Special Land Use conditions, requiring residential development on Parcels 1 and 2 to contain internal fire suppression sprinklers. The acknowledgement shall be referenced on and recorded with the final plat.

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

1. Parcels 1 and 2 may only be developed with attached houses meeting the development standards of Section 33.110.240.E.
2. The applicant must meet the Fire Bureau requirements for addressing and aerial fire department access. Aerial access applies to buildings that exceed 30 feet in height from the fire access as measured to the bottom of the eave of the structure or the top of the parapet for a flat roof.
3. If required, the applicant will be required to install residential sprinklers in the new dwelling unit on Parcels 1 and 2. Please refer to the final plat approval report for details on whether or not this requirement applies.

Staff Planner: Shawn Burgett**Decision rendered by:**  **on April 14, 2016**

By authority of the Director of the Bureau of Development Services

Decision mailed April 18, 2016

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

Procedural Information. The application for this land use review was submitted on December 29, 2015, and was determined to be complete on **February 11, 2016**.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on December 28, 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 extend the 120 day clock. **The 120 days will expire on: 6/10/2016**

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval

criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

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

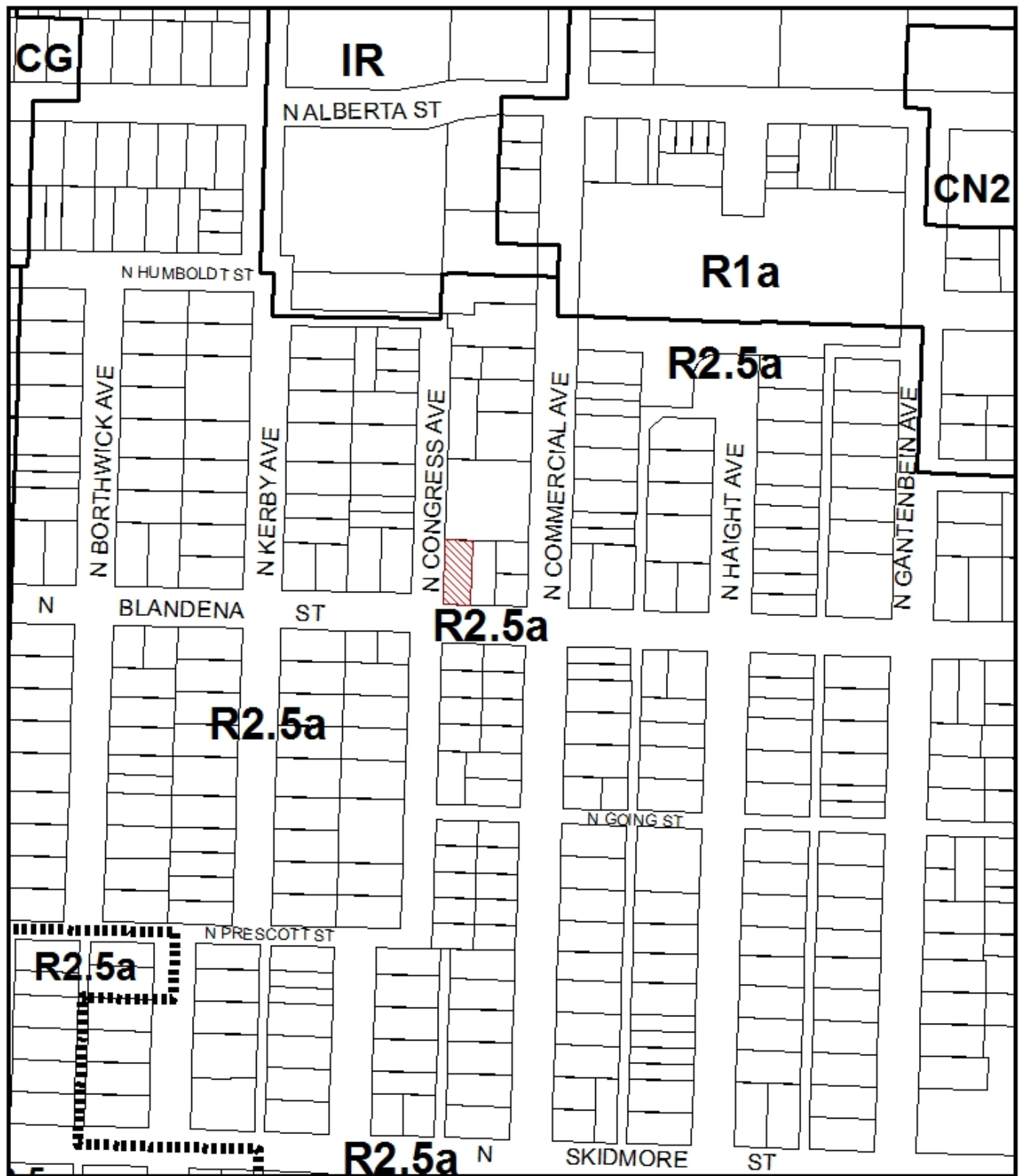
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant’s Statement
 - 1. Applicants Narrative
 - 2. SIM (Stormwater Management) form.
 - 3. Applicants revised Narrative dated 2/10/16
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Development Plan (attached)
 - 3. Existing Conditions Plan Survey
 - 4. Clearing and Grading Plan
- 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 Plans Examiner
- F. Correspondence:
1. Samira Zebian, 2/28/16, 4729 N Congress Ave Portland, OR 97217, sent via e-mail: samira.zebian@gmail.com
 2. Jimmy Villafranca, Ashley Todd, Bryan Johnson, 3/24/16, sent via e-mail: James.villafranca@gmail.com
- G. Other:
1. Original LU Application
 2. Incomplete Letter dated 1/28/16
 3. 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).

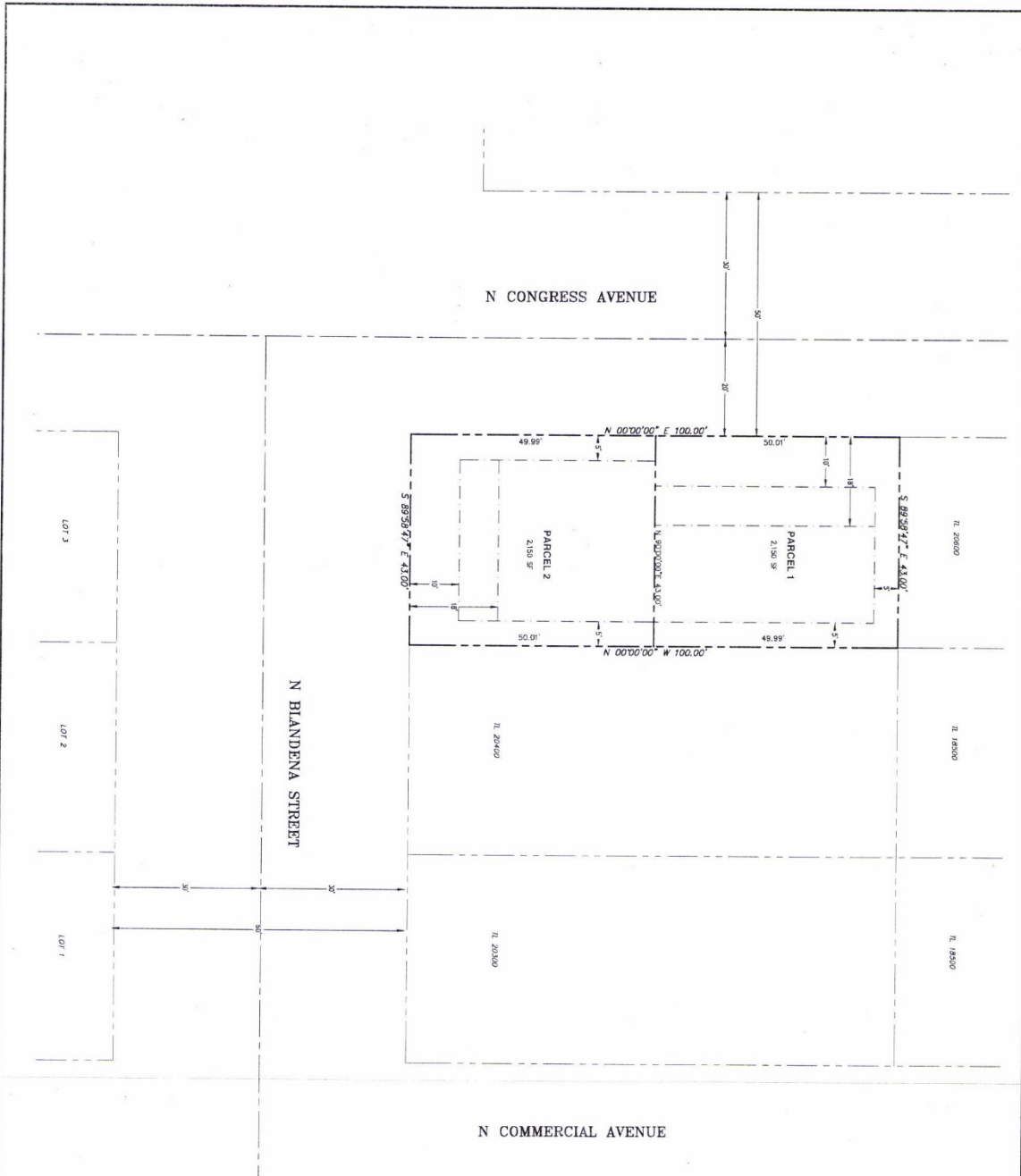


ZONING



Site

File No. LU 15-282807 LDP
 1/4 Section 2530
 Scale 1 inch = 200 feet
 State_Id 1N1E22AC 20500
 Exhibit B (Jan 07, 2016)



ZONE
R2.5

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

LEGEND

PROPERTY LINE

ADJACENT/ABUTTING LOT LINE

OWNER LOT LINE

SET BACK LINE

SCALE: 1" = 10'

1" = 20' (1/4")

N

CASE NO. 15-282807

EXHIBIT C-1

SHEET 3 OF 5	EMERIO <i>Design</i> 8205 SW MARINE AVE. SUITE 100 BEAVERTON, OREGON 97008 TEL: (503) 744-8812 FAX: (503) 636-8582 www.emeriodesign.com	REVISIONS <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>		NO.	DATE	DESCRIPTION				PRELIMINARY LAND DIVISION	2-LOT PARTITION TAX MAP T1N R1E 22AC TAX LOT 20500 MULTNOMAH COUNTY CITY OF PORTLAND
		NO.	DATE	DESCRIPTION							
PREP: 1041-020 4735 N Commercial Ave (1041-020_03.dwg) Layout: PLAT Plot Date: 2/10/2016 12:30 PM, by: Kyung Han											

