



City of Portland
Bureau of Development Services
Land Use Services Division

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March 5, 2008

William Hawkins
1425 SW 20th Av
Portland, OR 97201

Philip Sydnor
Integrate
1715 N. Terry Street
Portland, OR 97217

Re: Land Use Review LU 08-106691 AD

Dear Mr. Hawkins and Mr. Sydnor:

This letter is a follow-up to the February 20th letter of incomplete, and the February 28th submittal of additional information by Mr. Sydnor, for an Adjustment located at the east side of SW 18th Avenue south of Highway 26. In order to continue to review your application, additional information (summarized below) is needed. Once you submit this information, your application will be considered complete, and I will proceed with a full review of your proposal. Up to this point, your application has been reviewed only to determine if all required information has been submitted. The application has not been fully reviewed to determine if it meets the relevant approval criteria, however some issues you may want to consider are identified in Section II below.

I. Information Necessary to Complete Application

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

1. Proposed Items within the 18th Avenue Right-of-Way. The site plan shows stairs, planter boxes, and a landing to the west of the building entrance, within the SW 18th Avenue right-of-way. Mr. Sydnor's resubmittal stated that he and Mr. Hawkins had met informally with Tom Biorstad of PDOT regarding the proposed building stairs, planter boxes, and landing, and it was decided at that meeting that those building components would be submitted for review directly to Tom Biorstad through the revocable permit process. Mr. Biorstad is currently out of the office until March 10th, so I was unable to confirm with him that the location of the above items within the right-of-way could be approved via a revocable permit. Mr. Biorstad's phone message directs callers to contact staff member Dave Nassif with questions. I spoke with Dave Nassif about this project, and he indicated that PDOT would likely allow only the bottom step of the stairs to be within the right-of-way. Therefore, in the absence of documentation to the contrary, it appears that PDOT will not allow the above items within the right-of-way, and the Site Plan will need to be revised as stated in the February 20th letter.
2. Additional Adjustment for Setback of East Wall. The required setback for the north portion of the east elevation is determined by the area of the plane of that building wall. Per Section 33.930.080, the plane of a building wall is the plane that extends from the ground to the top of each wall of a structure. The north portion of the east elevation is approximately 40 feet from ground to top of wall, and approximately 49 feet wide, for an approximate area of 1,960 square feet. Per Table 120-4, that wall area requires a 9-foot setback, while the proposed setback of the wall is approximately 7 feet. Therefore, submittal of an additional Adjustment fee of \$725, and written information addressing

the Adjustment approval criteria, is required for this additional Adjustment request. Applications for additional reviews will not be accepted unless accompanied by the required fees. Please note that failure to submit the needed application with the required fee may result in a denial of your proposal.

3. Additional Adjustment for Building Coverage (33.120.225). Mr. Sydnor's resubmittal included written information addressing the Adjustment approval criteria for this Adjustment, and indicated that the applicant wishes to proceed with an Adjustment request for building coverage. Submittal of an additional Adjustment fee of \$725 is required for this additional Adjustment request. Applications for additional reviews will not be accepted unless accompanied by the required fees. Please note that failure to submit the needed application with the required fee may result in a denial of your proposal.
4. Height Adjustment.
 - a) Please add the following information to the site plan and elevation, to clarify the proposed building height and the scope of the requested height adjustment.
 - 1) On the site plan, please label the location and elevation value of the **lowest grade within 5 feet of the proposed building wall**. (The resubmittal information forwarded by Mr. Sydnor identifies the lowest grade as the elevation of 185.5, which is located on the site at approximately 2 feet, 6 inches from the northwest corner of the building. However, per Sheet A1.2, the lowest grade within 5 feet of the proposed building wall appears to be within the right-of-way near the northwest corner of the building, in the vicinity of the bike trail, and appears to be approximately 180 to 181 feet).
 - 2) On the west elevation, please label the location and elevation of this lowest grade, and label the location of Base Point 2 at 10 feet above the lowest grade. Dimension the distance from Base Point 2 to the midpoint of the gable to illustrate the proposed height of the building.
5. Landscaped Areas. Section 33.120.235 requires building setbacks to be landscaped to at least the L1 standard of Section 33.248. The L1 standard requires one large tree per 30 linear feet, one medium tree per 22 linear feet, or one small tree per 15 linear feet. The resubmittal states that this requirement will be met, but there is no landscape plan to illustrate how the requirement will be met. How will this standard be met along the north side of the site, where there is a proposed building setback of only 2.5 feet? How will this standard be met on the east side of the site, given the flow-through planter area width of approximately 3 to 3.5 feet which is adjacent to a proposed vertical wall, and a width of approximately 3 to 3.5 feet between the top of the wall and the east property line? How will this standard be met on the south side of the site, where the paved terrace is adjacent to a proposed vertical wall, with a width of 4.5 feet between the top of the wall and the south property line? Please provide a landscape plan illustrating how these requirements will be met.

II. Issues to Consider

While not necessary to determine the application complete, additional information may be needed to show that your proposal meets the applicable approval criteria. You are encouraged to address the following issues regarding the approvability of your proposal:

- As stated in the February 20th letter, the requested Adjustments represent a reduction in the minimum building setbacks on three sides, coupled with significant increases in

building coverage and in the allowable height of the structure. The cumulative scope of the Adjustments indicates an overbuilding of the site that may not be approvable.

III. Time to Complete Application

The Portland Zoning Code allows you up to 180 days to complete your application. Since the 180-day period began on the day we received the application, the deadline to make your application complete is **Monday, August 4, 2008**.

IV. Determination of a Complete Application

The application will be determined complete when you have submitted:

1. All of the requested information included in Section I, above. If you cannot provide all of the requested information at one time and intend to submit additional information, please include a written statement with each separate submittal indicating that you still intend to provide the additional missing information by the **Monday, August 4, 2008** deadline, **or**
2. Some of the requested information included in Section I, above, and a written statement that no additional information will be provided; **or**
3. A written statement that none of the requested information included in Section I, above, will be provided.

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

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

Voiding of Application

If your application is not complete by **Monday, August 4, 2008**, it will be voided, and the application fee will not be refunded. The City's land use review procedures are outlined in Chapter 33.730 of the Portland Zoning Code.

Please contact me if you have any questions about this letter. My telephone number is **503-823-5888**, and my e-mail address is Suzanne.Savin@ci.portland.or.us. You may mail correspondence to me at the Bureau of Development Services, Suite 5000, 1900 SW Fourth Avenue, Portland, OR 97201. If you deliver the requested material in person, please bring it to the **fifth** floor receptionist at 1900 SW Fourth Avenue. Please label all correspondence and materials you submit with the case number LU 08-106691.

Sincerely,

Suzanne Savin, Planner
Land Use Services Division

cc: John Reilly, 3231 NE U.S. Grant Place, Portland OR 97212
Application Case File

