



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

1900 SW 4th Avenue, Suite 5000
Portland, Oregon 97201
503-823-7300
Fax 503-823-5630
TTY 503-823-6868
www.portlandonline.com/bds

Date: December 5, 2008
To: Interested Person
From: Nan Stark, Land Use Services
503-823-7828 / nstark@ci.portland.or.us

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

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

CASE FILE NUMBER: LU 08-169488 NU

GENERAL INFORMATION

Applicant/Owner: Robert E. Granger
5940 NE 45th Ave.
Portland, OR 97218

Site Address: 5940 NE 45TH AVE

Legal Description: S 3' OF W 100' OF LOT 1 BLOCK 2 N 100' OF LOT 4 BLOCK 2,
ENGLEWOOD PK

Tax Account No.: R252800460
State ID No.: 1N2E18CC 01500
Quarter Section: 2435

Neighborhood: Cully, contact Steve Yett at 503-282-3251
Business District: None
District Coalition: Central Northeast Neighbors, contact Alison Stoll at 503-823-3156

Zoning: R10h, Low-Density Single-Dwelling (Residential 10,000), with "h"
Aircraft Landing Overlay Zone

Case Type: NU, Nonconforming Situation Review
Procedure: Type II, an administrative decision with appeal to the Hearings Officer

Proposal: The owner/applicant recently received confirmation of Nonconforming Status for an Industrial Service use, which has been the historic use of the subject site (case file LU 08-112244 NE). He now wishes to change the use from Industrial Service use to Household Living, Office, and Manufacturing and Production uses. The site is within the R10 zone, which is a low-density single-dwelling zone that allows the Household Living use but not the Office and Manufacturing and Production uses. However, because the site has non-conforming rights to another prohibited use (Industrial Service), the applicant may request to reassign these rights to other uses through a Nonconforming Situation Review, which he is proposing with this application.

The owner proposes to use up to 1,200 square-feet of the first floor of the building for an apartment and two offices. The second floor is proposed for two offices and two artist studios (the manufacturing and production use). Approximately 840 square-feet will be used for offices and 340 square-feet for studio space. He intends to rent the office and studio spaces to people living in the immediate area that can access the site by walking, bicycle, or public transportation. According to the application, the uses will bring 6 people to the site each day (plus 2 residents), generating one round-trip per 3 people, for a total of about 6 daily vehicle trips.

Four on-site parking spaces are required for the three uses (one for household living, two for the office uses and one for the manufacturing and production use). Three spaces are proposed at the rear of the site, to be accessed from a new driveway and turnaround area; the fourth is provided in the existing garage. The attached site plan illustrates the parking and driveway location and the floor plan shows how the uses will be accommodated in the building.

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 33.258.080 B.1 and B.2 of the Zoning Code.

ANALYSIS

Site and Vicinity: The site is 14,300 square feet in area, with 103 feet of frontage on NE 45th Avenue. The primary structure occupying the site is a 1½-story building that is approximately 40 feet wide and 70 feet long, with three large windows facing the street. The gable end of the structure faces the street, with a window in the gable wall of the partial second story. According to County records, the building was built in 1915. A detached two-car garage is at the rear corner of the lot. A single-car garage is attached to the east and rear sides of the primary structure.

Except for the two structures, the site is mostly open lawn area, with a few shrubs along the rear property line. A small asphalted area is in front of the structure parallel to the street, which can accommodate two vehicles, and at the rear next to the detached garage. The applicant owns the abutting vacant lot to the north, which is 10,200 square-feet in area. A house and ADU are currently under construction on that lot.

The site is on the block of NE 45th Avenue bounded by Simpson Street to the south and Ainsworth Street to the north. Two houses face 45th Avenue across the street from the site. The houses on the corner lots are oriented primarily to the cross streets, resulting in only three developed lots that are on this portion of NE 45th Avenue. All of the lots on the block are fairly large, giving a low-density character to the area. The original lots of about one acre in size were developed in the first two decades of the 20th century, and the tax maps indicate that those were divided over time into the current platting, with houses built in subsequent decades, including recent infill development in the vicinity.

NE 45th Avenue is a graveled, unimproved street which slopes downward from north to south.

The nearest collector streets are 42nd Avenue, three blocks to the west; Killingsworth Street, three blocks to the south; and Columbia Blvd, three blocks to the north. With the large lot pattern and unimproved street that serves only the most local traffic, the site has a somewhat insular quality in a lower-density area, even though the location is urban.

Zoning: The site is zoned R10h. The R10 zone is a lower-density single-dwelling zone, which corresponds to the designation of Low Density Single-Dwelling Zone in the Comprehensive Plan. This zone is typically found in outlying areas of the city that were originally platted as larger tax lots, and in closer in areas such as this site where the City's public infrastructure has not been improved to full service levels due to the lower density development pattern. The allowed density in this zone is just over four lots per acre. The site and area has a Comprehensive Plan map designation of R5 (shown in parentheses on the zoning maps), which corresponds to the High Density Single-Dwelling Zone, allowing a maximum density of eight lots per acre.

The 'h' overlay indicates that the site is in the Aircraft Landing overlay zone, which limits height relative to proximity to Portland International Airport; this overlay has no impact on this proposal.

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

PC 5042: The site and surrounding vicinity between NE 42nd and 48th Avenue north of Sumner Street and up to an area approximately ¼ mile north of the Columbia slough was annexed to the City in July, 1966; this case changed the zoning from County zoning to the corresponding residential City zoning.

LU 08-112244 NE: Approval of a Determination of Legal Nonconforming Status for Industrial Service Use for the site.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **November 6, 2008**. The Bureau of Parks – Forestry Division and the Water Bureau responded with no issues or concerns.

The Bureau of Transportation (PDOT) responded that at this location, NE 45th Avenue is designated a Local Service Street for all modes. It is a gravel roadway within a 30-ft wide right-of-way. None of the other properties along this section of NE 45th R10 zoned have any additional development potential. The applicant will be required to sign Waivers of Remonstrance toward participation in any future Local Improvement District formed to provide street improvements.

PDOT recommends approval with a limit of up to 10 tenants/employees for the 4 offices and 2 artist studios, and a maximum of 8 daily customers.

The Bureau of Environmental Services responded with no objection to the proposal, but noted that insufficient information has been provided to determine if the new driveway and parking area will conform to city requirements for managing stormwater runoff. A detailed utility plan will need to be submitted with plans for permit review. The Site Development Section of BDS responded with the same information, adding that the results of a simplified infiltration test will need to be submitted to Site Development.

The Life Safety Section of BDS responded that a separate building permit is required to change the use of a building to a different occupancy classification. Life Safety also noted that accessible parking and an accessible route within the boundary of the site from transportation stops, accessible parking spaces, and public sidewalks and streets to an accessible building entry will need to be provided.

The Fire Bureau responded that a building permit will be necessary for the change of occupancy classification and that all Fire Code requirements for the new classification will need to be met at the time of building plan review.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on November 6, 2008. One letter, co-signed by 18 people who live near the site, was received on November 17, 2008 in support of the proposal.

ZONING CODE APPROVAL CRITERIA

33.258.080 B Nonconforming Situation Review – Approval Criteria

The request will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:

1. With mitigation measures, there will be no net increase in overall detrimental impacts (over the impacts of the previous use or development) on the surrounding area taking into account factors such as:
 - a. The hours of operation;
 - b. Vehicle trips to the site and impact on surrounding on-street parking;
 - c. Noise, vibration, dust, odor, fumes, glare, and smoke;
 - d. Potential for increased litter; and
 - e. The amount, location, and nature of any outside displays, storage, or activities.

Findings: The site was recently approved through a Confirmation of Nonconforming Status Review as having nonconforming status as an Industrial Service use. The most recent Industrial Service use of the site was for a property management company, which occupied the site until the end of 2005.

The applicant/owner now wishes to use the site for housing, offices and studio space, the latter use falling under the zoning code category of Manufacturing and Production use. His vision is that the primary occupants of the spaces in the existing building will be from the immediate neighborhood, or within a distance that will allow at least some tenants to arrive at the site by foot or bicycle, or possibly bus. In his application, the owner proposes to use the first floor for two offices, as well as an apartment. Household living is an allowed use in this residential zone. On the second floor, he proposes two offices and two artist studios.

As proposed, *hours of operation* would be normal business hours of 7 a.m. to 6 p.m., generally five days a week. Such hours would be approximately the same as those of the previous use.

Vehicle trips for the previous use were estimated by the applicant as serving eight employees, thus eight trips each way daily and two daily business trips, for a total of ten daily trips each way to and from the site, or twenty total trips. The applicant estimates under his plan that the six office/studio spaces will be used by six people, likely bringing two vehicles to the site; the remaining tenants will use alternative transportation. This will generate four trips per day, not including trips generated by the residents of the apartment, for which it is anticipated there will be one vehicle. Consequently, the applicant assumes a reduction of 50 to 75 percent in vehicle use to and from the site from the former Industrial Service use. As proposed with four parking spaces, most of the parking demand will be accommodated on-site, under the applicant's assumptions.

Noise, vibration, dust, odor, fumes, glare, and smoke are generally not associated with the Office or Production uses as proposed by the applicant. It is possible that with a Manufacturing and Production use, tools generating intermittent and extended noise might be used, such as those found in woodworking shops and similar uses. The City regulates noise levels in Title 18, Noise Control, and the Zoning Code (Title 33) limits off-site impacts from non-residential uses on residential uses via the regulations of Chapter 33.262. This proposed change of use will be subject to the requirements of the Off Site Impacts chapter

which will be enforced via a condition of approval. Additionally the Department of Environmental Quality has regulations which apply to firms adjacent to or near noise sensitive uses, such as dwellings. Given the small size of the proposed Manufacturing and Production component of the facility, the potential for creating off site impacts is limited and should not exceed that generally found in residential areas. The small size of the proposed Manufacturing and Production (M&P) space will also limit what types of M&P uses can locate at this site. For instance, some examples of M&P uses found in the Zoning Code range from manufacturing or assembly of machinery, to ship building, to paper mills, to the production of art. Obviously, the approximately 340 square feet of proposed studio space will not allow for most of the examples of M&P uses found in the Zoning Code and will be self-limiting. To fully meet this criterion, a condition of approval will require compliance with Title 18 and Chapter 33.262 of the Zoning Code.

Potential for litter is unlikely, as the applicant expects occupants to come from the neighborhood and thus will likely not be bringing litter-producing trash with them. There are no nearby fast-food restaurants or similar venues that typically result in litter.

Outside displays, storage, or activities are not anticipated. The previous uses on the site did include outside storage of equipment and materials. The applicant indicates that there will be no outside storage or activities, and that the existing detached storage space will continue to be used for storage of equipment typically associated with residential uses and small office uses. Additionally, there was previously no signage, and the applicant proposes no signage on the building. The display or storage of equipment and/or materials could have an impact that would negatively affect the site and consequently exterior storage and display is not allowed. Likewise, the applicant proposes the use of interior spaces in the building and not of activity outside that would be required by the building's occupants. Such activity could have negative impacts on the residential area, and consequently cannot be allowed if this proposal is to be approved.

In conclusion, the applicant/owner anticipates minimal impacts to be generated from the site as a result of the proposed combined residential, office and studio uses. Staff is in agreement with this assessment, particularly under the current situation in which the applicant/owner of the site will be living next door to it, in the house that is currently under construction. The applicant anticipates renting the spaces to some neighbors he already knows, giving assurances about how the site will operate, at least in the short term.

Over time, this situation will likely change. The applicant/owner may move and sell both his house and the subject site. In that case, the vision that was created at this time could change to a different vision, one which is not so neighborhood-oriented or that does not draw people from the immediate area to rent the spaces.

Consequently, it is essential to create conditions with this approval that will maintain, regardless of ownership, the neighborhood-scale that is envisioned by the current owner, with minimal impacts to the surrounding residential area. The hours of operation must be limited to those put forth by the applicant, from 7 a.m. to 6 p.m. In a typical office use, these hours are weekday hours. Given that this is a neighborhood space, it is likely that the spaces may be in demand on weekends, as well, for both office and studio use. The most likely impact generated by any of these uses will be by vehicle trips.

Therefore, as recommended by the Bureau of Transportation in their response to this proposal, the number of occupants of the site at any time, not including the residents of the apartment, will be limited to 8 people. No more than 8 customers or clients may visit the site on a daily basis. Noise and other off-site impacts will be regulated by City Titles 18 and 33 and the potential for uses with higher levels of impact will be limited by the small amount of approved M&P floor area. Lighting must be oriented internally and exterior storage, display and work activities are not allowed. With these limitations as conditions of this approval,

both the present and future owners of the site will be aware of the parameters under which the site may be used. Thus, with these conditions, this criterion can be met.

2. If the nonconforming use is in an OS or R zone, and if any changes are proposed to the site, the appearance of the new use or development will not lessen the residential character of the OS or R zoned area. This is based on taking into account factors such as:
 - a. Building scale, placement, and façade;
 - b. Parking area placement;
 - c. Buffering and the potential loss of privacy to abutting residential uses; and
 - d. Lighting and signs.

Findings: The site is in the R10, low-density single-dwelling zone. The existing building has occupied the site since the mid-20th century. It is a two-story structure that has a basic residential appearance to it, but one that is closer in appearance to other non-residential buildings found in residential areas, such as buildings associated with institutional uses. The height and bulk of the structure is not unlike that of a house, and its placement on the lot likewise is characteristic of what is found in the vicinity. The scale of the front door and windows and type of exterior materials all evoke a residential appearance. Consequently, the building is not out of character with the surrounding residential area. The applicant has noted in his response that he would like to soften and enhance the look of the structures to provide a more residential appearance and make them more compatible with the surrounding residential area.

The applicant proposes a new 10-foot wide driveway leading to the existing attached garage and existing paved area in front of it and at the rear of the site. That paving will accommodate three vehicle parking spaces as well as adequate space (proscribed by the zoning code at a minimum of 20 feet) for vehicle turn-around area, allowing drivers to exit the site in a forward motion. There is also enough space around the three-space parking area and alongside the driveway to landscape as required, with 5-foot setbacks on the sides and rear of the parking and maneuvering area. The L3 landscaping that is required creates a solid landscape screen of shrubs that will grow to at least 6 feet in height, and trees every 15 to 30 feet (depending on size of tree). There is existing screening at the rear of the site that may already meet this standard, but if not, additional landscaping will be required as a condition of this approval to ensure adequate screening and buffering from the abutting residences. The addition of paving for parking in the rear yard is not unlike what is found in rear yards of houses and small multi-unit structures, comparable to this site. Consequently, parking at the rear of the site for three vehicles does not present impacts to the neighbors more than what might be found on other neighboring properties. Nonetheless, the additional screening will reduce headlight glare as well as noise from vehicle use.

Regarding lighting and signs, the applicant responded that no signs will be used, and no changes are proposed to the security lighting that currently exists. A condition will require that lights must be oriented internally to the property, and cannot cast glare or cause illumination onto the adjacent properties.

In summary, the appearance of the existing building is fairly residential in character, and enhancements planned by the applicant are intended to give it a more residential appearance. The proposed 10-foot wide driveway is narrow, thus minimizing its scale and maintaining a residential appearance. With three parking spaces at the rear, and another with the attached garage, there will be some off-street parking but not to the degree that it will be much different than what is found in many residences. Conditions of approval will require L3 landscaping around the side and rear of the parking spaces to ensure screening and buffering from adjacent residential properties, and lighting orientation to prevent glare and illumination onto neighboring properties. With these conditions, the proposal for new office and studio spaces will physically maintain compatibility with the residential area, thus satisfying this criterion.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The proposal to change the existing nonconforming use from Industrial Service to Office and Manufacturing and Production meets all of the relevant approval criteria, with conditions. The site is in a residential zone, and conditions will ensure that potential impacts from resulting uses on the site and vehicle trips generated by those uses are minimized, so as to be not unlike the general activity in this residential area. The change from one use category to Office and Manufacturing and Production allows the applicant to utilize the historically non-residential building for office and studio-type space that can serve the surrounding area. Conditions added will ensure that future owners will operate the site similarly, minimizing any effect on the neighborhood.

ADMINISTRATIVE DECISION

Approval of a Nonconforming Situation Review to change the existing nonconforming use from Industrial Service to Office and Manufacturing and Production, per the approved site plan and floor plans, Exhibits C-1 and C-2, signed and dated December 4, 2008, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through J) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 08-169488 NU." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The number of occupants of the site at any time, not including the residents of the apartment, will be limited to 8 people. No more than 8 customers or clients may visit the site on a daily basis.
- C. The hours of operation, except for the residential use, are limited to between 7 a.m. and 6 p.m., 7 days per week.
- D. Manufacturing and Production uses are limited to those that comply with Title 18 (Noise) and Chapter 33.262, Off Site Impacts, of Title 33 (the Portland Zoning Code).
- E. Space allocated to Manufacturing and Production uses is limited to no more than 600 square feet.
- F. Exterior storage, display and work activities are not allowed.
- G. The sides and rear of the parking and maneuvering area must be landscaped with 5-foot landscape setbacks, to the L3 standard, requiring shrubs that form a solid screen that will grow to at least 6 feet in height, 1 tree per 15 to 30 linear feet, depending on size of tree, and living groundcover over the remaining setback area.
- H. All lights must be oriented internally to the property, and cannot cast glare or cause illumination onto the adjacent properties.

- I. A zoning permit is required for the new driveway and parking area and landscaping around it.
- J. A minimum of 4 on-site parking spaces are required: 1 for the Household Living use, two for the Office uses and one for the Manufacturing and Production use.



Decision rendered by: _____ **on December 4, 2008**

By authority of the Director of the Bureau of Development Services

Decision mailed: December 5, 2008

Staff Planner: Nan Stark

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on October 10, 2008, and was determined to be complete on October 31, 2008.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on October 10, 2008.

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

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, who will hold a public hearing. Appeals must be filed **by 4:30 PM on December 19, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth floor.

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

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 503-823-7967 to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

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

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

Recording the final decision.

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

- *Unless appealed,* The final decision may be recorded on or after **December 22, 2008 – (the first business day following the last day to appeal).**
- A building or zoning permit will be issued only after the final decision is recorded.

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

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

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

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

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

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

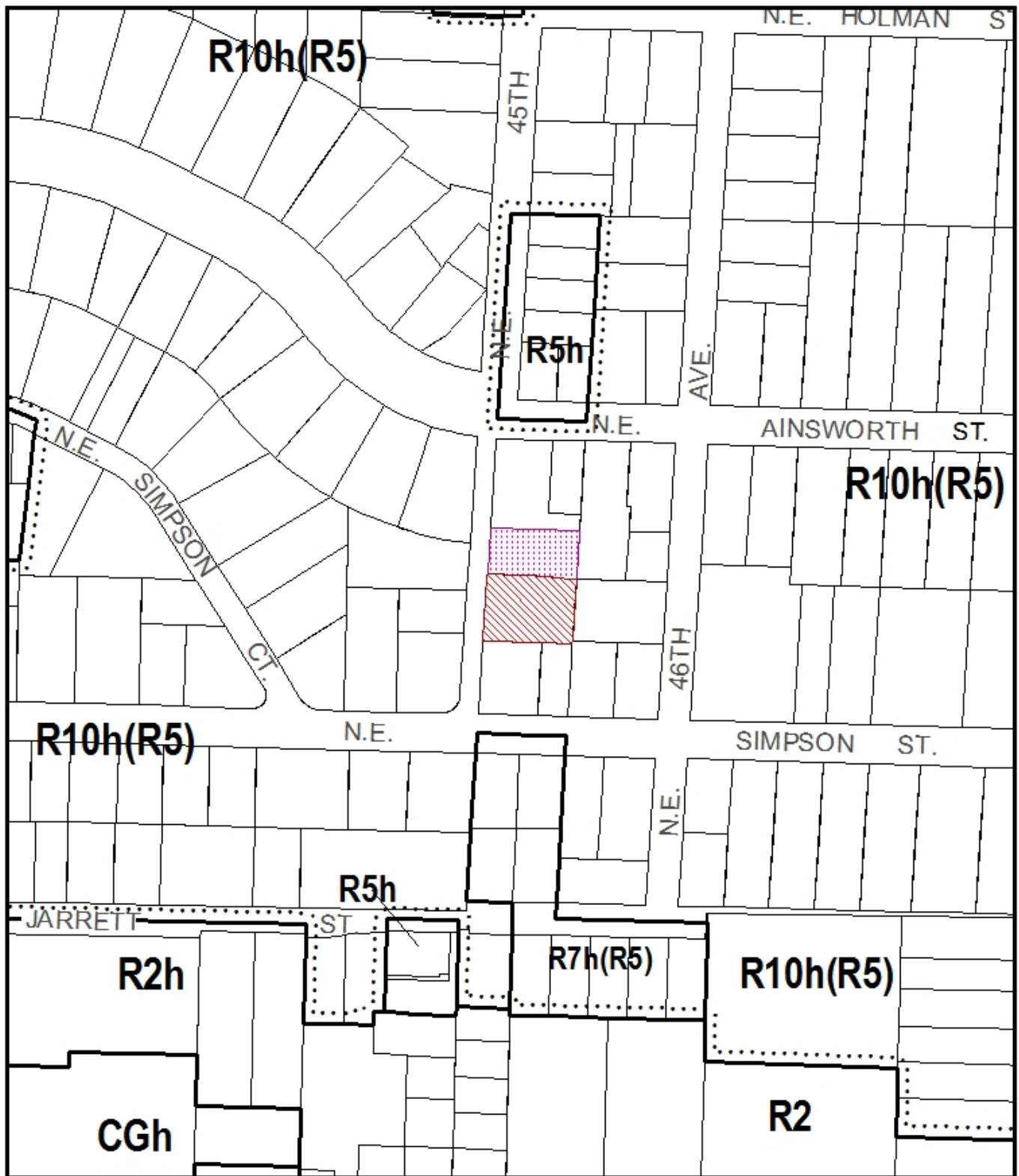
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Floor Plan (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Transportation Engineering and Development Review
 - 2. Bureau of Environmental Services
 - 3. Site Development Review Section of BDS
 - 4. Life Safety Review Section of BDS
 - 5. Fire Bureau
- F. Correspondence:
 - 1. Letter of November 17, 2008 co-signed by 18 neighbors in support of proposal
 - 2. Incomplete Letter, October 24, 2008
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research

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

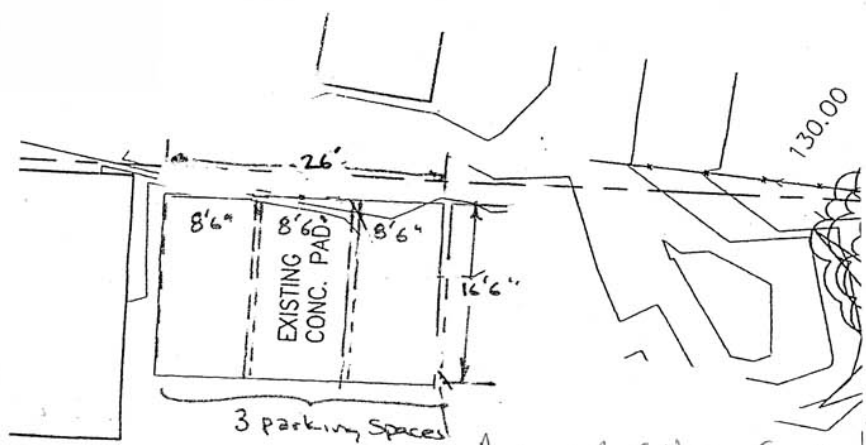


ZONING

-  Site
-  Also Owned



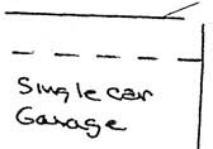
File No. LU 08-169488 NU
 1/4 Section 2435
 Scale 1 inch = 200 feet
 State_Id 1N2E18CC 1500
 Exhibit B (Oct 14, 2008)



Open Space for turning around

Approval of Nonconforming Situation Review to change from Industrial Service to Office + Manufacturing and Production.

The approval of this plan has not considered development, only use.

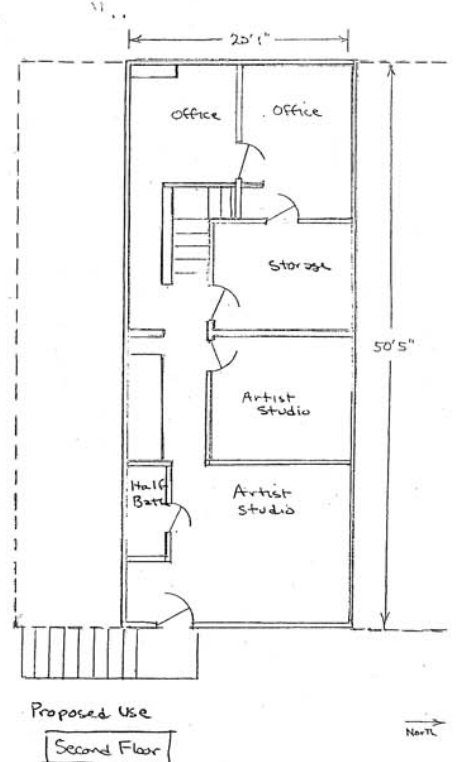
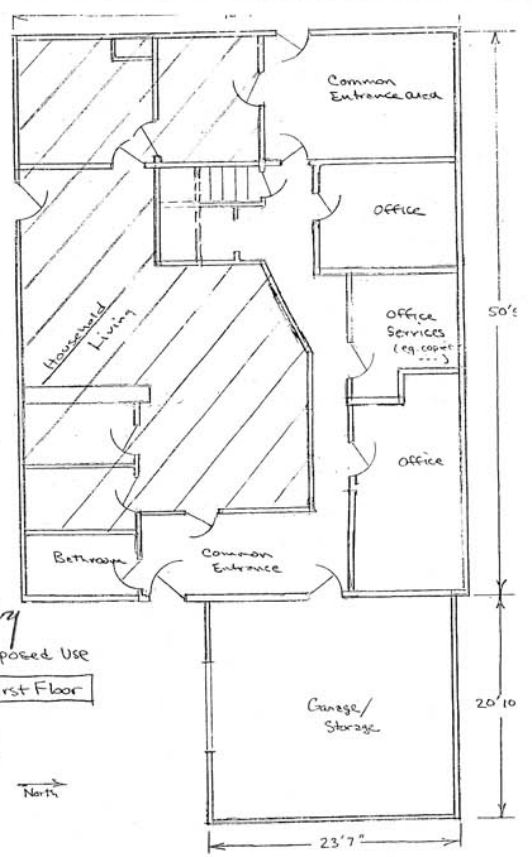


EXISTING BUILDING

Approved
City of Portland
 Bureau of Development Services
 Planner Susan K. McHenry
 Date 12/4/08
 This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

SITE PLAN

← N



1st & 2nd FLOOR PLANS

E 45th AVE

08-169488 NU

EXHIBIT C.1.C.2