



**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](http://www.portlandonline.com/bds)

**NOTICE OF FINAL  
FINDINGS, CONCLUSIONS AND DECISION  
OF THE CITY OF PORTLAND  
ADJUSTMENT COMMITTEE  
ON AN  
APPEALED ADMINISTRATIVE DECISION  
(Type II Process)**

**CASE FILE: LU 08-100087 AD  
LOCATION: 9451 SW BARBUR BLVD**

The administrative decision for this case was appealed to the Portland Adjustment Committee by Jeffrey Polk. A public hearing was held on January 27, 2009. The record for additional information, response and rebuttal was closed on February 17, 2009. Deliberation of the Adjustment Committee took place on February 24, 2009. The original administrative analysis, findings and decision were adopted by the Adjustment Committee.

**I. GENERAL INFORMATION**

**Applicant/Owner:** Samuel Peia  
9347 SW 35th Ave.  
Portland, OR 97219

**Additional Owners:** Michael Chung, Taco Time property owner  
4839 SE 174<sup>th</sup> Ave.  
Portland, OR 97236

Emilia Gherasim  
9347 SW 35<sup>th</sup> Ave., Portland, OR 97219

**Applicant's Representative:** Bruce Goldson, Compass Engineering  
4105 SE International Way #501, Milwaukie, OR 97222

**Appellant:** Jeffrey Polk  
21490 S Grapevine Rd, West Linn, OR 97068

**Appellant's Representative:** Michelle Morrow, Sherman Sherman Johnnie & Hoyt, LLP  
PO BOX 2247  
Salem, OR 97308

**Site Address:** 9451 SW BARBUR BLVD

**Legal Description:** TL 4000 BLOCK 1, BRUGGER VIEW; TL 3900 BLOCK 1, BRUGGER VIEW

**Tax Account No.:** R111000250

**State ID No.:** 1S1E29BD 03900

**Quarter Section:** 3925

**Neighborhood:** Multnomah, contact Mary Verghies at 503-244-3553

**District Coalition:** Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592

**Zoning:** CG and CGb, General Commercial with 'b' Buffer overlay zone

**Case Type:** AD, Adjustment Review

**Procedure:** Type II, administrative decision with appeal to the Adjustment Committee

**BDS Staff Representative:** Nan Stark

**BDS Administrative Decision:** Approval with conditions

**Public Hearing:** Hearing was held on January 27, 2009; the record for additional information, response and rebuttal was closed on February 17, 2009; deliberation and decision by the Adjustment Committee took place on February 24, 2009.

**Testified at the Hearing:** Nan Stark, BDS Staff Representative  
Michelle Morrow, appellant's representative  
Bruce Goldson, applicant's representative  
Jocelyn Tunnard, Bureau of Environmental Services

**Proposal:** The applicant plans to develop this vacant site with a residential care facility. The lot is 21,000 square-feet in area with a narrow street frontage of 12.5 feet. In the notice for this proposal sent in January, 2008, it was stated that the applicant was proposing a 25-foot wide vehicle and pedestrian access through an easement with the Taco Time site to the west. Since the notice, the proposal changed, primarily because the Oregon Dept. of Transportation (ODOT) was not able to approve a new access from Barbur Blvd, as proposed. Consequently, the applicant worked with ODOT and the owner of the Taco Time property to create access by an easement through the existing Taco Time driveway to the subject property.

The administrative decision of approval was mailed on December 1, 2008. It approved two Adjustments:

1. to increase the street building setback from 10 feet, the maximum allowed on transit streets, to approximately 180 feet. Barbur Blvd is a transit street, and development on transit streets is subject to a maximum setback of 10 feet for at least 50 percent of the building façade (Zoning Code section 33.130.215 C).
2. to reduce the landscaping setback adjacent to the east property line of the Taco Time parking spaces from the required 5 feet to 3 feet (Zoning Code section 33.266.130 G).

**Procedural History:** The administrative decision was appealed by the neighboring property owner, Jeffrey Polk. During the open record period following the public hearing on January 27, 2009, the applicant's representative (Compass Engineering) revised the plans, so that the 5-foot landscape setback required on the east side of the Taco Time parking area is now entirely on the Taco Time property. *This eliminated one of the two remaining Adjustments (#2, above).* As a result, the Adjustment Committee voted to approve the one remaining Adjustment, to increase the street building setback from 10 feet, the maximum allowed on transit streets, to approximately 180 feet. The administrative decision included an analysis and findings on the two adjustments. **The Adjustment Committee voted to uphold the findings and condition of approval related only to the one remaining Adjustment, and to delete the findings from the administrative decision related to the landscape setback adjustment. Those findings for the transit street setback adjustment and the Committee decision are included in the following section of this report.**

**Relevant Approval Criteria:** In order to be approved, this proposal must comply with the relevant approval criteria of 33.805.040 A.-F., Adjustments.

## ANALYSIS

**Site and Vicinity:** The site is a 21,000 square-foot lot on the north side of Barbur Blvd, with a 12.5-foot wide by 126-foot long “pole” that runs between two commercial properties extending to the street. The developable portion of the site is approximately 19,425 square-feet in area, and is set back from the street the length of the pole. The site is presently a vacant grassy field behind the two commercial properties, which are both developed with fast-food restaurants: Taco Time to the west of the site and Wendy’s to the east. The site does not have frontage or access from the adjacent streets of Baird Street and 35<sup>th</sup> Avenue to the west and north. The surrounding area to the north and west is primarily a single-dwelling residential area. Barbur Blvd near the site consists of primarily commercial development, interspersed with some multi-dwelling development.

**Zoning:** The site is zoned CGb. The CG zoning represents the General Commercial zone, which is intended to allow auto-accommodating commercial development in areas already predominantly built in this manner. It allows a full range of retail and service businesses with a local or regional market. The ‘b’ represents the Buffer overlay zone, which is typically applied between commercial and residential zones to ensure adequate separation between residential and nonresidential uses, by restricting motor vehicle access and requiring larger landscape setbacks. The ‘b’ overlay extends over the west and north sides of the site, prohibiting vehicle access through that part of it. Consequently, an option that the applicant wished to pursue for access to the site by using the west side of the Taco Time site from Baird Street was not possible, due to the ‘b’ overlay zoning on that side of it.

**Land Use History:** The site was part of two minor partitions in 1981: MP 120-81 and MP 94-81. The partitions appear to have divided the original Lot 5 into three lots including the subject site and the two abutting properties on Barbur that have subsequently been developed for fast-food establishments. The site was part of an annexation from Multnomah County in 1978, for the area on Barbur Blvd between SW 30<sup>th</sup> and 40<sup>th</sup> Avenues, and the zoning was subsequently changed to corresponding City zoning, through case file PC 6782.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **January 15, 2008**. The following Bureaus have responded with no issues or concerns:

- Water Bureau
- Bureau of Parks-Forestry Division

Following the appeal hearing on January 27, 2009 and the applicant’s revised site plan, showing that the proposal now complies with the parking lot landscaping standard and eliminates that adjustment, the Bureau of Environmental Services and the Site Development Section of BDS submitted revised responses. Those responses indicate that there are no concerns relating to the adjustment to the transit street setback.

The Fire Bureau responded with various conditions of approval of the building permit, and informational comments that relate to fire apparatus access roads, parking allowances, sign requirements, turning radius, and fire apparatus access to buildings. The Fire Bureau has reviewed the proposed easement and is satisfied with it with minor additions.

The Bureau of Transportation Engineering responded with concerns about the location of the proposed driveway because of its proximity to other adjacent driveways. The response also notes that ODOT will need to approve the location of the driveway. Staff notes that the revised proposal is in response to ODOT’s determination that a new access in this area of Barbur Blvd would not be allowable; consequently, the applicant negotiated an access by easement through the abutting Taco Time property to the west. That easement has been reviewed by and deemed acceptable to ODOT.

The Life Safety Section of BDS responded the location of the new building with respect to property lines may require fire-rated exterior walls and opening protection. A complete Life Safety plan review will occur at the time of building permit submittal.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on January 15, 2008. Staff received one letter from notified property owners in response to the proposal, who expressed the following concerns: the number of parking spaces proposed may be inadequate for the size of the building; stormwater management could be a problem, as it has been with development of a nearby property; the information provided does not address the height or appearance of the building, which could affect the livability of the residential area behind it, and the proposed setbacks could have negative impacts on the livability of the residential area.

Staff comments: The latter concerns regarding impacts to livability will be addressed in the analysis in the following section, under criterion E, relating to impacts. Staff notes that the allowed height in the CG zone is 45 feet, allowing four stories; the R1 zone to the west has the same height limit, and the R7 zone to the north has a 30-foot height limit. The proposed building is two stories in height except adjacent to the north side, where it is one story along that side.

With regard to parking, the site is on Barbur Blvd, which is serviced by bus line #12; this line has frequent (20-minute or less) peak hour service. Parking is not required on sites such as this, that are within 500 feet of a bus line with frequent service during the peak hours. Seven parking spaces are proposed. If parking were required (i.e. if the site was not in close proximity to frequent transit service), then 4 spaces would be required (1 space per 4 residents). Regarding stormwater management, compliance with the City's Stormwater Management Manual is required and will be reviewed during the building permit phase of the review for this project.

## ZONING CODE APPROVAL CRITERIA

### 33.805.010 Purpose (Adjustments)

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

### 33.805.040 Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. below, have been met.

**A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

**Findings:** The applicant is requesting an adjustment to increase the maximum building setback for the development of a residential care facility. The purpose for the maximum required building setbacks, as stated in Section 33.130.215 A (Purpose) of the Zoning Code, is as follows:

The required building setbacks promote streetscapes that are consistent with the desired character of the different commercial zones. The setback requirements along transit streets and in Pedestrian Districts create an environment that is inviting to pedestrians and transit users.

The site is on Barbur Blvd, which is a Major City transit street. There is a maximum setback of 10 feet from the street property line for buildings along transit streets. The proposed residential care facility will be set back approximately 180 feet from the front property line along SW Barbur Boulevard, a designated transit street.

The configuration of the subject site leaves little opportunity to place the proposed facility closer to the street lot line along SW Barbur Boulevard. There is a narrow street frontage of 12.5 feet, which extends 125 feet from Barbur until the property widens into a buildable area of about 113' x 150'. The 12.5-foot width at the street frontage would limit a building that meets the maximum 10-foot setback standard to 12.5 feet in width. Instead, the applicant is proposing to use that "pole" portion of the lot for a pedestrian path that will lead directly to the building. This of itself will make the site more inviting to pedestrians and transit users. Additionally, new planting strips along both sides of the pedestrian path will separate the sidewalk from the adjacent parking area to both sides of it, that serve the fast-food restaurants on either side of the pole, in front of the site.

The new sidewalk will lead to the southeastern corner of the proposed building. The design of the east elevation of the building, which includes a staggered front facade, numerous ground-floor windows, entryway, and covered porch area, clearly identifies it as the front of the structure and the destination for pedestrians who will access the building from the street. Although it will be set back, the building will be fairly visible from Barbur beyond the adjacent fast-food parking areas.

The requested adjustment to the maximum building setback will have no impact on the ability of development on the site to accommodate a wide range of retail and service businesses as intended by the CG zone. This zone, as characterized by the zoning code, is also intended to allow auto-accommodating commercial development. The configuration of the site, with its narrow and long access area, leaves virtually no opportunity for commercial development to be closer to the street lot line. The site is located along a corridor that is primarily auto-accommodating; the applicant's proposal continues to accommodate the safe, efficient circulation and parking of vehicles on the site, while still addressing the needs of pedestrians and transit users. As proposed, there will be a well-defined, direct, and safe pedestrian connection from the street to the proposed building, with the pedestrian connection being located proximate to an existing bus stop at the corner of SW Baird Street and SW Barbur Boulevard.

As for consistency with the classification of the adjacent streets, SW Barbur Boulevard is classified in the Transportation Element of the Comprehensive Plan as Major City Traffic Street, Regional Transitway and Major City Transit Street, City Bikeway and City Walkway. The provision of a direct pedestrian connection from the street to the building supports these transit classifications that allow for and encourage alternative modes of travel. This criterion is met.

**B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and

**Findings:** The proposal is in the CG, General Commercial zone. This zone is intended to allow auto-accommodating commercial development in areas already predominantly built in this manner and in most newer commercial areas. Development is expected to be generally auto-accommodating, except where the site is adjacent to a transit street, and is intended to be aesthetically pleasing for motorists, transit users, pedestrians and the businesses themselves.

As described in the Southwest Community Plan (adopted by City Council in 2004), Barbur Blvd is a corridor that serves businesses and housing. Improvements to the streetscape and the transit system attract a growing number of pedestrian oriented businesses and services, as well as a variety of housing opportunities.

As indicated in the previous finding, Barbur Blvd is designated by the Transportation System Plan as a multi-modal street with high service classifications in all modes: it is a Major City Traffic Street, Regional Transitway and Major City Transit Street, City Bikeway and City Walkway. The proposal to increase the building setback supports the street classifications and the Community Plan. It is a new development with a strong pedestrian element, utilizing a constrained site that is between and behind two auto-oriented establishments. The proposed pedestrian path leading directly to the site will enhance the site for those arriving by foot,

transit or bicycle, creating a completely separate path buffered by landscaping from the two adjacent parking lots. The easement through the Taco Time site provides vehicle access to it without creating an auto-oriented emphasis; rather it utilizes an existing vehicle area. Consequently, the proposal is consistent with the classifications of the adjacent streets and the desired character of the area. A condition of approval will require recording of the easement between the two properties. With this condition, this criterion is met.

**C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and

**Findings:** The commercial zones implement the commercial policies and plan map designations of the Comprehensive Plan. The zones are for areas of the City designated for commercial uses, with different zones reflecting the diversity of commercial areas. The CG, General Commercial zone is generally intended for a community or regional, rather than solely neighborhood, market area. Development will mostly have an auto-orientation, but in the case of Barbur Blvd and other streets with high quality transit service, development is also expected to be oriented to pedestrians, bicycles and transit. The applicant has proposed a development which, although the building is situated a distance from the street, the constrained size of the front of the lot does not allow for development in close proximity to it. A strong pedestrian link from the street to the building will be obvious to any users arriving to the site by means other than a motor vehicle, and the new 5-foot wide strip of landscaping alongside the sidewalk will buffer the pedestrians from the abutting vehicle-oriented developments. Thus, the proposal supports the purpose of the zone, satisfying this criterion.

**D.** City-designated scenic resources and historic resources are preserved; and

**Findings:** City designated resources are shown on the zoning map by the 's' overlay; historic resources are designated by a large dot, and by historic and conservation districts. There are no such resources present on the site. Therefore, this criterion is not applicable.

**E.** Any impacts resulting from the adjustment are mitigated to the extent practical; and

**Findings:** There are no discernible impacts that would result from granting the requested adjustment to increase the building setback from the street. Property owners from an adjacent property expressed concern about impacts to the livability and appearance of the residential area. The site is intended for development as a care facility for approximately sixteen residents. Access by vehicles will be limited through the Taco Time site, and the sidewalk will provide access for those arriving by other means. Consequently, the main entrance is oriented generally to Barbur Blvd, behind the Wendy's site. The property nearest the main entrance and parking area is in a residential zone is to the east, facing 35<sup>th</sup> Avenue, and that property is owned by the applicant. The other adjacent properties to the north will face the rear of the subject site, and are separated from it by the 'b' Buffer overlay zone which prohibits motor vehicle access and consequently prohibited the creation of access to the site from Baird Street through the west side of the Taco Time site. Consequently, the majority of activity on the site will occur at its front side, adjacent to the two fast-food establishments where a significantly greater amount of vehicle activity, as well as other noise, potential litter and other impacts are generated. The adjustment requested is necessary to allow a reasonable use of the buildable area on the site without creating impacts. This criterion is met.

**F.** If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable;

**Findings:** The site is not within an environmental zone, which is designated on the zoning map by either a "c" or "p" overlay. Therefore, this criterion is not applicable.

## **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 applicant proposed two adjustments which would allow for the development of this lot that is constrained by minimal street frontage. Its location on Barbur Blvd between two lots developed with fast-food restaurants does not allow an additional curb cut by the state (ODOT). Consequently, following several months of working with ODOT and the neighboring property owner, the applicant gained access by easement.

The applicant submitted revisions to the site plan following the Adjustment Committee appeal hearing, during the open record period preceding the Committee's deliberation and vote, that eliminated the need for the parking lot perimeter landscaping adjustment. As a result, the Adjustment Committee made a decision only on the remaining Adjustment to the transit street setback standard. The Committee concluded that the Adjustment to the transit street setback supports all of the relevant approval criteria and allows a building that can serve the intended use that fits in with the adjacent residential area to the north and west, without creating impacts. The cooperation of the two property owners has created a very reasonable solution to this site that is challenged by its narrow street frontage, allowing development that meets the intent of the zoning code standards. Finally, the Committee voted to adopt the administrative/staff decision and to delete all findings in that document related to the parking lot landscaping adjustment.

### **II. ADJUSTMENT COMMITTEE DECISION**

Deny the appeal and uphold the administrative decision of approval with removal of findings related to the landscape setback adjustment, subject to the original conditions related to the Adjustment to the transit street setback standard, outlined in the Administrative Decision, as follows:

Approval of an Adjustment to Zoning Code standard 33.130.215 C to increase the street building setback from 10 feet to approximately 180 feet.

**This approval is subject to the approved revised site plan, Exhibit H-9 (dated January 21, 2009) and to the following conditions:**

- A. As part of the building permit application submittal, the following development-related conditions 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 08-100087 AD." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Prior to issuance of building permits, the final easement and maintenance agreement between the subject site and Taco Time property must be reviewed by the BDS Land Use Services staff and the City Attorney, and recorded with Multnomah County, and must run with the land.


**The applicants prevailed, and the revised site plan (Exhibit H-9, attached) replaces the staff-approved site plan from the administrative decision of November 26, 2008.**

**Staff Planner: Nan Stark**

**Date Decision Rendered:** February 24, 2009

**The original staff findings, conclusions and decision related to the approved Adjustment to the transit street setback standard were adopted by the Adjustment Committee on February 24, 2009.**

By \_\_\_\_\_

  
Portland Adjustment Committee  
Terry Amundson, Chair

**Final Decision Rendered on February 24, 2009 and mailed on March 10, 2009.**

**Appeal of this decision.** This decision is final and becomes effective the day the notice of decision is mailed (noted above). This decision may not be appealed to City Council; however, it may be challenged by filing a "Notice of Intent to Appeal" with the State Land Use Board of Appeals (LUBA) within 21 days of the date the decision is mailed, pursuant to ORS 197.620 and 197.830. A fee is required, and the issue being appealed must have been raised by the close of the record and with sufficient specificity to afford the review body an opportunity to respond to the issue. For further information, contact LUBA at the Public Utility Commission Building, 550 Capitol Street NE, Salem, OR 97310 [Telephone: (503) 373-1265].

**Recording the final decision.** This is the final local decision on this application. You may record this decision the day following the mailed/filed date shown above.

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.

**Expiration of this approval.** This decision expires 3 years from the date it is recorded unless a building permit has been issued or the approved activity has begun.

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

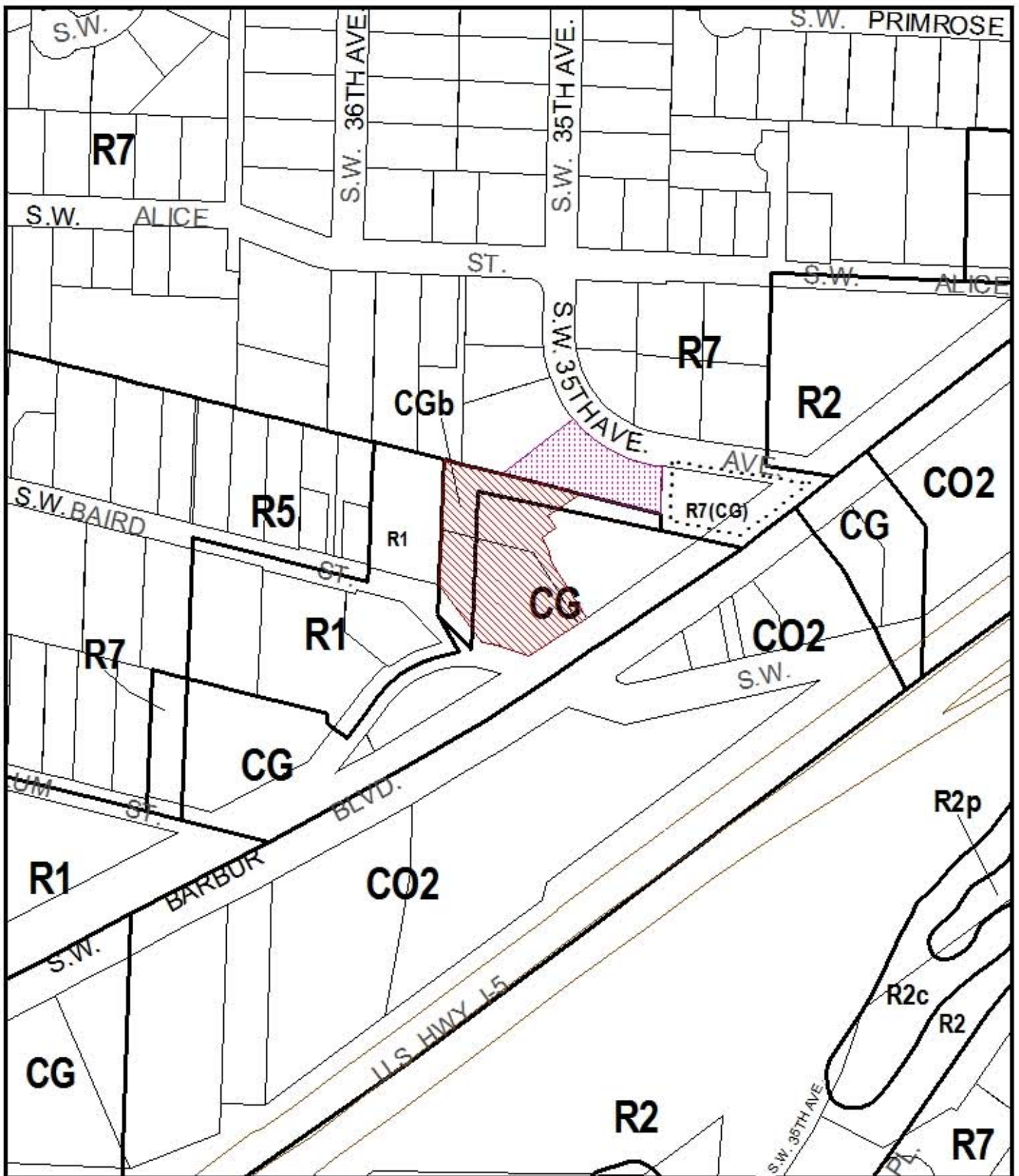
- All conditions imposed here.
- All applicable development standards, unless specifically exempted as part of this land use review.
- All requirements of the building code.
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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



**EXHIBITS**

Not attached unless indicated

- A. 1. Applicant's Statement
  - 2. Draft access easement and maintenance agreement
  - 3. Existing easement
  - B. Zoning Map (attached)
  - C. Plans/Drawings:
    - 1. Site Plan, revised, with driveway/sidewalk section drawing, dated 11/24/08
    - 2. Site utility plan
    - 3. Grading and erosion control plan
    - 4. Easement area survey
    - 5. Elevation drawings
    - 6. Floor plans
    - 7. Original site plan
    - 8. Existing conditions plan
    - 9. Photos
  - D. Notification information:
    - 1. Mailing list
    - 2. Mailed notice
  - E. Agency Responses:
    - 1. Bureau of Environmental Services
    - 2. Site Development Section of BDS
    - 3. Fire Bureau
    - 4. Bureau of Transportation Engineering and Development Review
    - 5. Life Safety Section of BDS
    - 6. Oregon Dept. of Transportation
  - F. Correspondence:
    - 1. J. Polk and J. O'Halloran, February 5, 2008, concerns
    - 2. M. Chung, Taco Time site property owner
    - 3. Scott Jensen, attorney for applicant, draft easement and maintenance agreement
  - G. Other:
    - 1. Original LU Application
    - 2. Site History Research
    - 3. Extensions of 120-day decision to Jan. 1, 2009
    - 4. Various email communications between Stark and Peia and representatives, January through November, 2008
  - H. Appeal-related exhibits
    - 1. Appeal Statement
    - 2. Postmarked Notice of Appeal
    - 3. NOA mail list
    - 4. Letter from M. Morrow representing J Polk, Jan 26, 2009
- (Received After Hearing)
- 5. Memo from N. Stark, Feb 3, 2009
  - 6. Revised response, BES, Feb 3, 2009
  - 7. Revised response, BDS Site Development, Feb 2, 2009
  - 8. Letter from M. Morrow representing J. Polk, Feb 3, 2009
  - 9. a. Revised Stormwater Report, Feb 3, 2009
  - b. Revised Site Plan, Site utility plan, grading plan, dated Jan 21, 2009; received Feb 3, 2009 (Site Plan attached)
  - 10. Letter from B. Goldson representing S. Peia, Feb 5, 2009
  - 11. Letter from M. Morrow representing J. Polk, Feb 10, 2009
  - 12. Memo from N Stark, Feb 10, 2009
  - 13. Letter from S. Jensen representing S. Peia, Feb 17, 2009
  - 14. Final rebuttal statement, B. Goldson representing S. Peia, Feb 17, 2009
  - 15. Email correspondence between N Stark, BES and BDS Site Development staff, and applicant's representative, January 2009
  - 16. PowerPoint Presentation

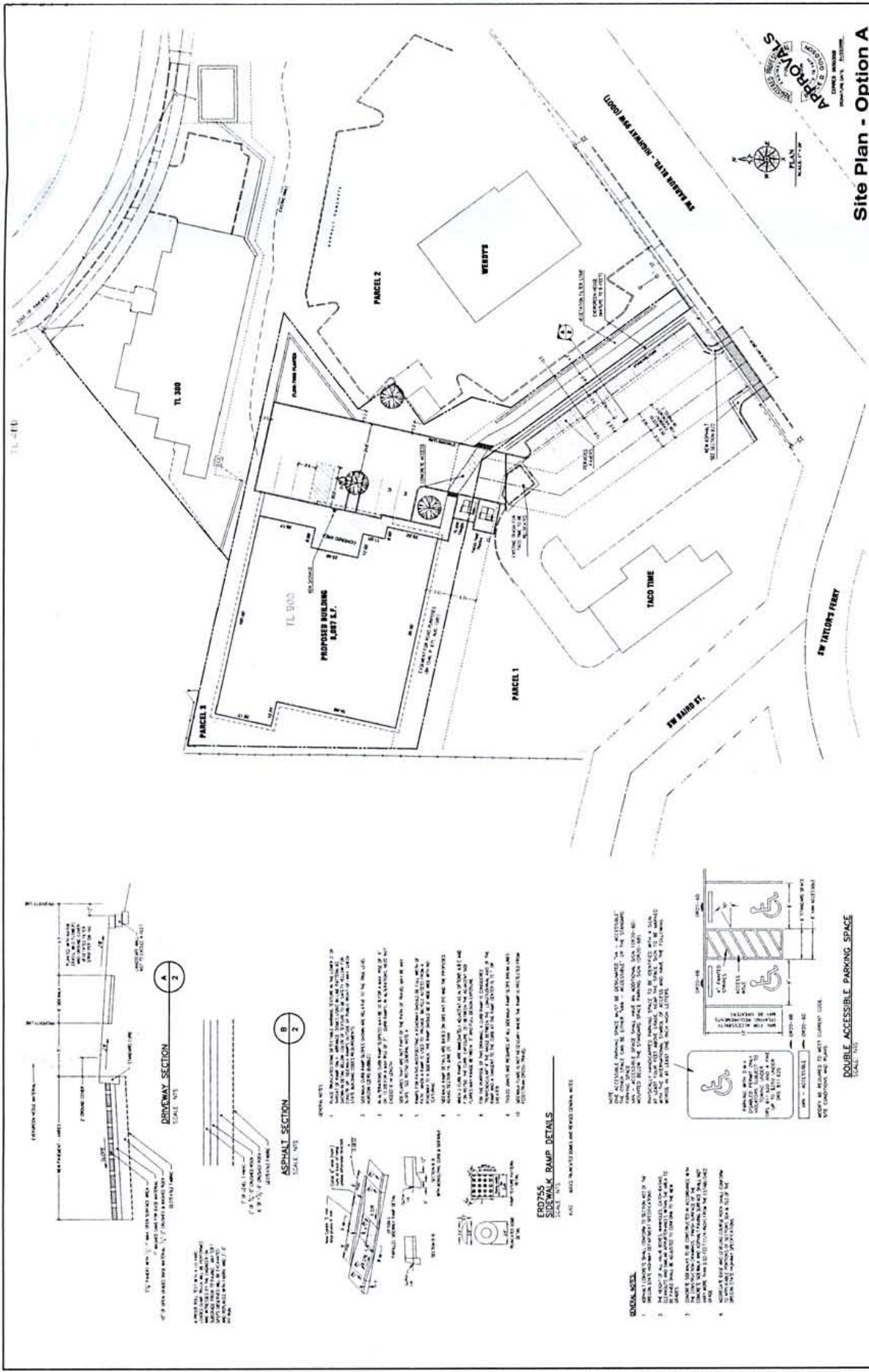


# ZONING

-  Site
-  Also Owned



File No.	LU 08-100087 AD
1/4 Section	3925
Scale	1 inch = 200 feet
State Id	1S1E29BD 4000
Exhibit	B (Jan 10, 2008)



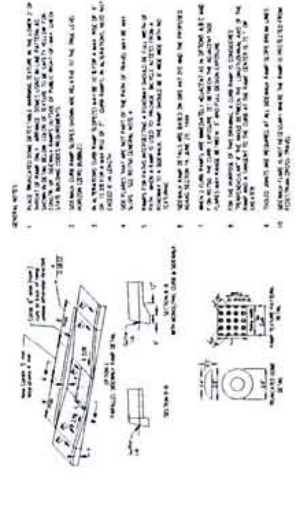
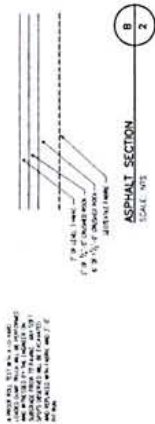
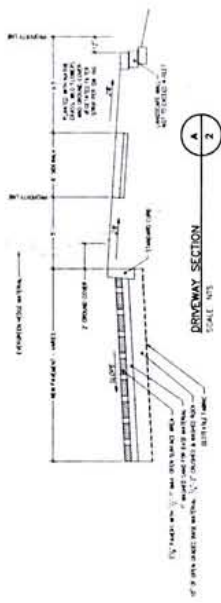
Site Plan - Option A

9451 SW Barbur Blvd.  
 TL 3900, T.1.S., R.1.E., SECTION 29  
 Portland, Oregon

SP Construction and Remodeling  
 Portland, Oregon 97219  
 503-310-1002

COMPASS ENGINEERING  
 ENGINEERING • SURVEYING • PLANNING

Sheet No.	2	of 4
Project No.	1000007	
Scale	1" = 20'	
Date	1/22/2009	
Drawn by	David Williams	
Checked by	David Williams	



**GENERAL NOTES:**

- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE OREGON BUILDING CODE (ORBC) AND THE OREGON ELECTRICAL CODE (OREC).
- ALL UTILITIES SHALL BE SHOWN AND DEPTH NOTED. ALL UTILITIES SHALL BE PROTECTED AND DEPTH NOTED.
- ALL EXISTING UTILITIES SHALL BE SHOWN AND DEPTH NOTED. ALL UTILITIES SHALL BE PROTECTED AND DEPTH NOTED.
- ALL EXISTING UTILITIES SHALL BE SHOWN AND DEPTH NOTED. ALL UTILITIES SHALL BE PROTECTED AND DEPTH NOTED.
- ALL EXISTING UTILITIES SHALL BE SHOWN AND DEPTH NOTED. ALL UTILITIES SHALL BE PROTECTED AND DEPTH NOTED.
- ALL EXISTING UTILITIES SHALL BE SHOWN AND DEPTH NOTED. ALL UTILITIES SHALL BE PROTECTED AND DEPTH NOTED.
- ALL EXISTING UTILITIES SHALL BE SHOWN AND DEPTH NOTED. ALL UTILITIES SHALL BE PROTECTED AND DEPTH NOTED.
- ALL EXISTING UTILITIES SHALL BE SHOWN AND DEPTH NOTED. ALL UTILITIES SHALL BE PROTECTED AND DEPTH NOTED.
- ALL EXISTING UTILITIES SHALL BE SHOWN AND DEPTH NOTED. ALL UTILITIES SHALL BE PROTECTED AND DEPTH NOTED.
- ALL EXISTING UTILITIES SHALL BE SHOWN AND DEPTH NOTED. ALL UTILITIES SHALL BE PROTECTED AND DEPTH NOTED.

CASE NO. LU 09-100007 AD  
 EXHIBIT H-9  
 Revised site plan  
 1-21-09