



CITY OF PORTLAND
Bureau of Development Services
1900 SW Fourth Avenue, Suite 5000
Portland, OR 97201 **P524**
Land Use Decision Enclosed
Case # LU 09-137349 DZM

16

Return Service Requested



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: Monday, August 3, 2009
To: Interested Person
From: Kate Marcello, Land Use Services
503-823-9162 | kate.marcello@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 09-137349 DZM **Two New Signs on Russellville Park West building**

GENERAL INFORMATION

Applicant: Joseph Platt, Security Signs Inc., (503) 546-7109
2424 SE Holgate Boulevard | Portland, OR 97202

Owner: Rembold Companies | Russellville III LLC (Contact: Kali Bader)
1022 SW Salmon Street #450 | Portland, OR 97205

Site Address: 23 SE 103rd Avenue (Russellville Park West)

Legal Description: LOT 29&30 TL 1000, KILWORTH AC
Tax Account No.: R451000900
State ID No.: 1N2E34CC 01000
Quarter Section: 3041
Neighborhood: Hazelwood, contact Arlene Kimura at 503-252-9429
Business District: Gateway Area Business Assoc, contact Fred Sanchez at 503-256-3910
District Coalition: E. Ptlnd Neighborhood Office, contact Richard Bixby at 503-823-4550
Plan District: Gateway Plan District
Zoning: Central Residential base zone (RX), High-density Residential base zone (RH), Design overlay zone (d)

Case Type: Design Review with a Modification (DZM)
Procedure: Type II (administrative decision with appeal to the Design Commission)

Proposal: The applicant requests Design Review approval for a 22-square-foot wall-mounted sign and a 42-square-foot projecting sign on the Russellville Park West building. Russellville Park West is a new residential building for seniors, and is part of the larger Russellville housing development.

The wall-mounted sign would be located on the south façade, facing SE Ankeny Street. The sign would be about 16'-7" long x 1'-4" tall. It would consist of individual metal letters stud-mounted on the building façade. Each letter would be 1'-4" tall and 0'-2" thick.

The projecting sign would be located on the west façade, near the corner of SE 102nd Avenue and

East Burnside Street. The sign would be about 20'-0" tall x 2'-1" wide. It would consist of a metal cabinet with individual metal letters extruded/protruding from the face of the cabinet. The metal cabinet would be about 1'-2" thick and the letters would be 0'-3" thick. Three metal square-shaped tubes would be used to attach the sign to the building. The sign would project 1'-6" from the building façade.

Because the proposal is for non-exempt exterior alterations to an existing building on a site with Design Overlay Zoning in the Gateway Plan District, Design Review is required prior to the issuance of building permits.

Modification:

According to 32.32.010 (Table 1) of the Sign Code, signs in the RH zone cannot exceed 10 square feet in size. The sign proposed for the south elevation is about 22 square feet in size. Therefore, a Modification would be required.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33 (Portland Zoning Code). The relevant criteria are:

- 33.526 Gateway Plan District,
- 33.825 Design Review,
- 33.825.040 Modifications that will Better Meet Design Review Requirements, and
- *Gateway Regional Center Design Guidelines.*

The proposal must also comply with Title 32 (Portland Sign Code).

ANALYSIS

I. Site and Vicinity:

The subject site is located on the block bounded by E Burnside Street, 102nd Avenue, Ankeny Street, and 103rd Avenue in Hazelwood neighborhood. The subject building, Russellville Park, is part of the multi-block Russellville Commons residential development. The development is built on 10 acres previously occupied by Russellville School, which was located at the corner of SE Pine Street and SE 102nd Avenue. The first phase was completed in 2000, and consists of 283 units of market-rate rental housing. The second phase, Russellville Park East, was completed in 2004, and consists of a five-story building with 154 senior independent living units, amenities for seniors, and a 5,000 square-foot children's daycare. Russellville Park West, the subject building, comprises the third phase. It was completed in early 2009. It has four stories with 140 units of senior housing: 27 senior-independent units, 95 assisted-living units, and 16 memory care/Alzheimer's units. The building also contains 7,000 square feet of office space, and amenities for seniors, including a hair salon, spa, gym, swimming pool, bar, and restaurant.

The neighborhood has a mixture of commercial zoning and medium- to high-density residential zoning. The three-phase Russellville development, which contains multi-family apartment buildings and senior living facilities, is located east and southeast of the subject building. Directly across SE 102nd Avenue from the subject site, there is a small strip shopping center containing a convenience store and a liquor store. Directly across East Burnside Street from the subject site, there is an office building. Other nearby uses include an automobile junkyard, taxicab headquarters, Gateway Care and Retirement Center (an assisted living facility for seniors), offices, small-scale retail, and single-family homes. Mall 205 is located about 1,300 feet southwest of the site.

In regard to transportation, the Metropolitan Area Express (MAX) Blue-line light-rail train runs along East Burnside Street, with a station at 102nd Avenue. The #15 busline provides

north- and southbound service on 102nd Avenue. The #20 busline provides southbound service on 102nd Avenue. Interstate 205 is located about 1,600 feet west of the site. According to Portland's Transportation System Plan (TSP), East Burnside Street is a designated Neighborhood Collector Street, Regional Transitway/Major Transit Priority Street, City Bikeway, and Community Main Street. NE/SE 102nd Avenue is classified as a District Collector Street, Major Transit Priority Street, City Bikeway, and Community Main Street. The site is located in the Gateway Pedestrian District, which is a TSP-designated pedestrian district.

The site is located in the Gateway Plan District. The Gateway area has been designated by Metro regional government as a Regional Center. It is the only Regional Center within Portland city limits. Gateway is envisioned as a mixed-use, high-density district with multi-modal transportation, in anticipation of accommodating a sizable share of Portland's growing population over the next several decades. Gateway is intended to become the Portland metropolitan area's "second downtown."

II. Zoning:

The Central Residential (RX) base zone is a high-density multi-dwelling zone that allows the highest density of dwelling units of the residential zones. The maximum size of buildings and intensity of use are regulated by floor area ratio limits and other site development standards. The major types of new housing development will be medium- and high-rise apartments and condominiums, often with allowed retail, institutional, or other service-oriented uses.

The High-Density Residential (RH) base zone is a high-density multi-dwelling residential zone. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use is regulated by floor-area ratio (FAR) limits and other site development standards. Generally the density ranges from 80 to 125 units per acre. Allowed housing is characterized by medium to high height and relatively high percentage of building coverage. The major types of new housing development are low-, medium-, and high-rise apartments and condominiums. Generally, RH zones are well-served by transit facilities or near areas with supportive commercial services.

The Design (d) overlay zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. This is achieved through the creation of design districts and applying the Design overlay zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, Design Review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

III. Land Use History: City records indicate four prior land-use reviews for the subject site:

1. LUR 97-014634 SU (reference file number LUR 97-00588): Approval of a 4-lot Subdivision.
2. LUR 97-00647 DZ AD (reference file number LU 97-014693): Design Review approval, with conditions, for design overlay- zoned portion of new Russellville Commons residential development. Approval of several Adjustments.
3. LUR 97-014718 EN (reference file number LUR 97-00672): Approval of an Excavation and Fill Review.
4. LUR 99-017117 DZ (reference file number LUR 99-00712): Approval of a proposal to erect an aluminum sculpture where the primary east-west pedestrian walkway in the Russellville development meets the pedestrian right of way along SE 102nd Street. The sculpture is to sit on a concrete pedestal. Two benches will be placed north of and south of the sculpture. There is both ground and pole-mounted lighting proposed to illuminate the sculpture at night.

5. LUR 99-017301 AD (reference file number LUR 99-00896): Approval of temporary Russellville daycare. Adjustments to reduce required building coverage, building setback, modify ground floor window requirements, and change main entrance requirement.
6. LUR 00-007178 AD (reference file number LUR 00-00623): Approval to waive the standard of one tree for every 30 lineal feet of landscaped area between the existing building and the north property line; approval to waive the requirement for one tree for every 30 lineal feet of landscape area between the parking area and the south property line adjacent to SE Ankeny Street and between the parking area and the north property line adjacent to the residential zone; and approval to waive the requirement for one tree for every 800 square feet of area between the building and SE 102nd Avenue and between the building and SE Ankeny Street, and to waive the requirement for ground cover.
7. LUR 01-008162 CU (reference file number LUR 01-00765): Approval of a proposal to construct a child daycare facility of about 5,600 square feet in an RH zone.
8. LUR 01-00775 DZM (reference file number LU 01-008172): Design Review approval, with conditions, for new five-story Russellville Park East. Approval of one Modification.
9. LU 02-124525 MP: Approval of a 3-lot Minor Partition.
10. LU 05-111669 MS: Approval of Phase 1 of the Gateway Transit Center Master Plan development with Conditions and conceptual approval of Phases 2, 3 and 4 the Gateway Transit Center Master Plan phased development package with conditions.
11. LU 07-124589 DZM: Design Review approval for Russellville Park West. Approval for four Modifications.
12. LU 07-126348 CU: Conditional Use approval to locate the entry to below-grade parking on SE Ankeny Street. (Conditional Use approval is required because commercial uses are accessed through the RH-zoned portion of the site.)
13. LU 08-167629 DZ: Design Review approval for non-standard improvements in the right-of-way of SE 103rd Avenue near East Burnside Street, and for changing the configuration of the exit driveway apron at the Russellville Park East parking lot.

IV. Agency Review: A *Notice of Proposal in Your Neighborhood* was mailed on July 7, 2009.

- Five bureaus responded with no comments.
 - Portland Fire & Rescue;
 - Bureau of Environmental Services;
 - Development Review Section of the Portland Bureau of Transportation;
 - Site Development Review Section of the Bureau of Development Services; and
 - Life Safety/Building Code Section of the Bureau of Development Services.
- Two bureaus responded with comments and with no objections to the proposal.
 - The Portland Water Bureau responded with comments regarding existing water service to the site (Exhibit E-1).
 - The Urban Forestry Division of Portland Parks & Recreation responded, requesting that existing street trees be protected during sign installation (Exhibit E-2).

V. Neighborhood Review: A *Notice of Proposal in Your Neighborhood* was mailed on July 7, 2009. One comment in response to the proposal has been received, via electronic mail on Tuesday, July 28, 2009. The comment was from Arlene Kimura, land-use committee chairperson of the Hazelwood Neighborhood Association. Her e-mail states that the Hazelwood Neighborhood Association has “not heard from any neighbors of the proposal,” and that the Association has “no issues with the signage.” Refer to Exhibit F-1.

ZONING CODE APPROVAL CRITERIA

1. DESIGN REVIEW

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district

or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

Findings: The site is designated with design overlay zoning (d). Therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Gateway Regional Center Design Guidelines.

Gateway Regional Center Design Guidelines

The Gateway Regional Center is the City of Portland's only designated regional center. The area is envisioned to redevelop into a highly urbanized, pedestrian-oriented center, with an overall built size and scale second only to Portland's Central City.

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

Gateway Regional Center Design Goals

Ten goals for design review in the Gateway Regional Center have been established to enhance the area's design quality, support its livability, and guide its transition to a pedestrian-oriented, active, urban regional center. They are:

1. Encourage urban design excellence.
2. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Gateway Regional Center as a whole.
3. Provide for a pleasant, rich, and diverse experience for pedestrians.
4. Assist in creating a regional center that emphasizes a mix of active uses and experiences and is safe, lively, and prosperous.
5. Provide for the humanization of the Gateway Regional Center through the promotion of parks, plazas, open spaces, public art, and trees.
6. Integrate and honor the diversity and history of Gateway.
7. Integrate sustainable principles into the development process.
8. Encourage the development of a distinctive character for sub-districts within the regional center, and link them.
9. Encourage and incorporate transit orientation and usage.
10. Enhance the physical and visual linkages between the Gateway Regional Center and adjacent neighborhoods.

Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.

A Pedestrian Emphasis

A1. Strengthen Relationships Between Buildings and the Street.

Integrate building setback areas with adjacent streets.

A2. Enhance Visual and Physical Connections.

Enhance visual and physical connections between buildings and adjacent sidewalks. Orient semi-public building spaces to the sidewalk and street.

Findings for A1, A2: The new sign on the west façade will help to integrate the subject building with the intersection of East Burnside Street and 102nd Avenue. The sign will project from the building face. Coupled with the building's existing projecting elements at the northwest corner – cornices and ground-floor canopies – the sign will provide a gradual transition between the building and the abutting public sidewalks. Additionally, the sign will

clearly communicate to passersby the identity of the area, thus strengthening the connection between the multi-block Russellville residential development and the surrounding neighborhood.

The new sign on the south façade will enhance the connection between the subject building and SE Ankeny Street. This part of Ankeny is located within the Russellville development. The sign will clearly communicate to passersby the specific identity of the subject building as Russellville Park, a distinct component of the larger development.

Therefore these guidelines are met.

B Development Design

B1. Convey Design Quality and Building Permanence.

Use design principles and building materials that convey quality and permanence.

B3. Design for Coherency.

Integrate the different parts of a building to achieve a coherent design.

B5. Integrate Roofs, Rooftop Lighting, and Signs.

Integrate rooftop components, functions and related screening elements with the building's architecture. Integrate exterior lighting, signs and any related structural equipment at or near the roof with the building's architecture. Orient lighting to highlight the building's architecture.

Findings for B1, B3, B5: All of the materials for both signs are high-quality and promote the Russellville residential development as a permanent fixture of the Gateway Plan District. The new sign on the south façade will consist of individual aluminum letters stud-mounted to the building façade. The new sign on the west façade will consist of an extruded aluminum cabinet, painted black, with individual metal letters protruding from the face of the cabinet. The letters will be painted silver. A 0'-3"-thick square-shaped metal tube will provide a border for the outer edge of the sign (referred to as the "end view" on the attached drawings). Also painted silver, the tube will start on the top of the cabinet, run down the outer edge, and terminate on the underside of the cabinet. The sign will be attached to the subject building with three 0'-6"-thick metal square-shaped tubes, 0'-8"-square escutcheon plates, and 0'-3/8" lag bolts.

The new signs respect the original character of the subject building. The west façade features a tower-like element with two vertical rows of windows that begin at the top of the tower and extend downward; one row terminates at the top of the ground floor, and the other row terminates near the sidewalk. At 20'-0" tall x 2'-1" wide, with letters arranged vertically, the new projecting sign is an architecturally appropriate addition to the vertically oriented tower-like element of the west façade.

The south façade has horizontal rows of windows at all three floors, and prominent repetition of canopies horizontally along the ground floor. Thus the new wall-mounted sign, located between the rows of windows at the first and second floors, with letters arranged horizontally, is an architecturally appropriate addition to the south façade.

The thoughtful design and location of each sign promote will enhance the architectural integrity of the subject building and promote quality and permanence in development.

Therefore these guidelines are met.

C Context Enhancement

C2. Enhance Gateway Locations.

Enhance transitions at gateway locations.

Findings for C2: The new projecting sign will be located at the northwest edge of the multi-block Russellville residential development. Coupled with the building's existing projecting elements at the northwest corner – cornices and ground-floor canopies – the sign will provide a gradual transition between the building and the corner of East Burnside Street and SE 102nd Avenue. This gradual transition will act as a welcoming gesture, providing a sense of arrival for Russellville residents and visitors alike.

Therefore this guideline is met.

2. MODIFICATION

33.825.040 Modifications That Will Better Meet Design Review Requirements:

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

A. Better meets design guidelines. The resulting development will better meet the applicable design guidelines; and

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

The following Modification is requested:

According to 32.32.010 (Table 1) of the Sign Code, signs in the RH zone cannot exceed 10 square feet in size. The sign proposed for the south elevation is about 22 square feet in size. Therefore, a Modification would be required.

Findings for Criterion A: Allowing the sign to exceed the size limit by 12 square feet enables it to better meet Gateway Regional Center Design Guidelines *B3: Design for Coherency* and *B5: Integrate Roofs, Rooftop Lighting, and Signs*. At 22 square feet, the sign will exhibit balanced proportions in relation to the adjacent windows and canopies on the south façade. Additionally, the 22-square-foot size results in a sign with strong horizontal orientation, which is consistent with the horizontal composition of the south façade. In contrast, if the sign were only 10 square feet in size to comply with 32.32.010, for the letters to remain legible the sign's length and width would have to be similar to each other. This would result in a square-shaped sign lacking in horizontality. Thus allowing the sign to be 22 square feet will result in better architectural integration of the sign with the existing design of the south façade.

Therefore Criterion A is met.

Findings for Criterion B: As stated in the Sign Code, the purposes of 32.32.010 are as follows:

- *To ensure that signs and awnings are designed, constructed, installed, and maintained according to minimum standards to safeguard life, health, property, and public welfare;*
- *To allow and promote positive conditions for sign communication while at the same time avoiding nuisances to nearby properties;*
- *To reflect and support the desired character and development patterns of the various zones, overlay zones, and plan districts, and promote an attractive environment;*
- *To allow for adequate and effective signs in commercial and industrial zones while preventing signs from dominating the appearance of an area; and*
- *To ensure that the constitutionally guaranteed right of free speech is protected.*

The regulations allow for a variety of sign types and sizes for a site. The provisions do not ensure or provide for every property or business owner's desired level of visibility for the signs. The sign standards are intended to allow signs to have adequate visibility from streets and rights-of-way that abut a site, but not necessarily to streets and rights-of-way farther away.

The sign will still meet the purposes of the standard being modified, as follows:

- The sign will be constructed and maintained according to minimum standards to protect life, health, property, and public welfare.
- The subject building promotes positive conditions for sign communication, thanks to the proper location, scale, and proportions of its signage. Due to the overall length of 16'-7" and the 1'-4" height of each letter, the sign is humanly scaled. The sign will be wall-mounted directly facing SE Ankeny Street, thus orienting it to the immediately surrounding environment. The sign does not constitute a nuisance to nearby properties. At 22 square feet, the sign is modestly sized. The letters will be composed of aluminum, which is an appropriately high-quality material.
- The sign will not dominate the appearance of the surrounding area.
- The sign reflects and supports the desired character and development patterns of the Gateway Plan District, which is envisioned as a pedestrian-oriented, humanly scaled, high-quality urban environment.

Therefore Criterion B is met.

Approval criteria A and B are met; therefore the Modification warrants approval.

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 Design Review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The thoughtful design and location of each sign promote will enhance the architectural integrity of the subject building and promote quality and permanence in development. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of the following signage on the Russellville Park West building in the Gateway Plan District:

- Wall-mounted sign, 22 square feet in size, comprised of aluminum letters; and
- Projecting sign, 53.44 square feet in size, comprised of an aluminum cabinet with aluminum letters and an aluminum square-tube embellishment.

Approval of a Modification to 32.32.010 (Table 1) of the Sign Code (Title 32), to allow the wall-mounted sign to exceed the allowable size of 10 square feet.

Approval per the approved plans and drawings, Exhibits C-1 through C-9, signed and dated July 29, 2009, subject to the following conditions:

- A. As part of the building permit application submittal, each of the four required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-9. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 09-137349 DZM. No field changes allowed."

Staff Planner: Kate Marcello



Decision rendered by: _____ **on July 30, 2009**

By authority of the Director of the Bureau of Development Services

Decision mailed: August 3, 2009

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 Friday, June 19, 2009, and was determined to be complete on Thursday, July 2, 2009

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 Friday, June 19, 2009.

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 Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on Monday, August 17, 2009** 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 Design Commission 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 Design Commission an opportunity to respond to it, that 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 **Tuesday, August 18, 2009 (the 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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

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:

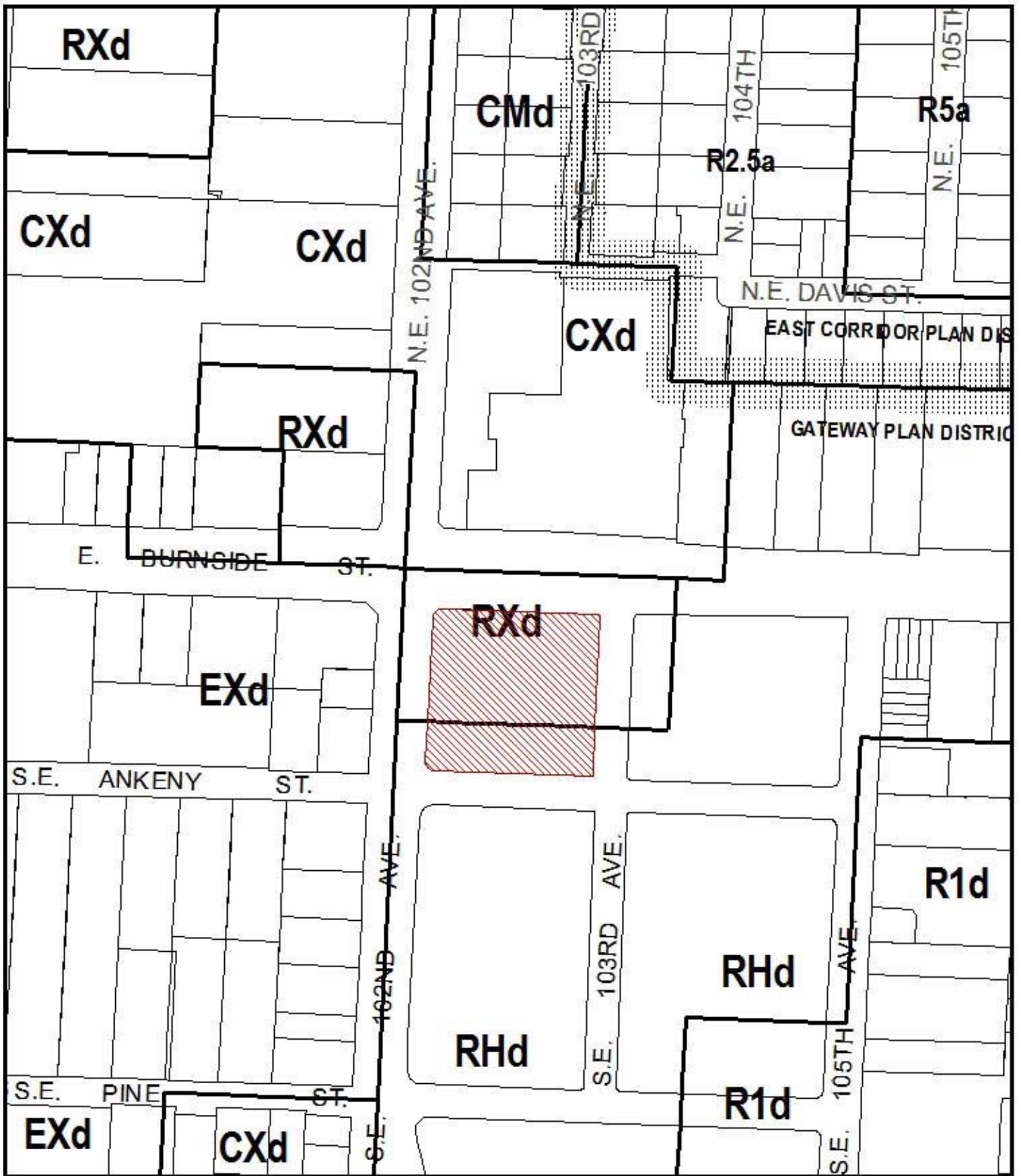
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans and Drawings:
 - 1. Site Plan (attached)
 - 2. Site Plan with Photographs
 - 3. West and South Elevation Drawings
 - 4. Enlarged West Elevation Drawing (attached)
 - 5. Enlarged South Elevation Drawing (attached)
 - 6. Photographic Rendering of Sign on West Façade (attached)
 - 7. Photographic Rendering of Sign on South Façade (attached)
 - 8. Enlarged Elevations of Signs (attached)
 - 9. Signage in the Surrounding Area – Map and Photographs
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Portland Water Bureau
 - 2. Urban Forestry Division of Portland Parks & Recreation
- F. Correspondence (from members of the public):
 - 1. Arlene Kimura; 28 July 2009; no objections
- G. Other:
 - 1. Original Land-Use Review Application
 - 2. Site History Research
 - 3. Site Visit Photographs

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-7300 (TTY 503-823-6868).



ZONING

 Site



This site lies within the:
GATEWAY PLAN DISTRICT

File No.	LU 09-137349 DZM
1/4 Section	3041
Scale	1 inch = 200 feet
State_Id	1N2E34CC 1000
Exhibit	B (Jul 6, 2009)

East Burnside Street

SE 103rd Avenue



SE Ankeny Street

courtyard

SE 102nd Avenue

Site Plan

Location of proposed projecting sign

Approved

City of Portland - Bureau of Development Services

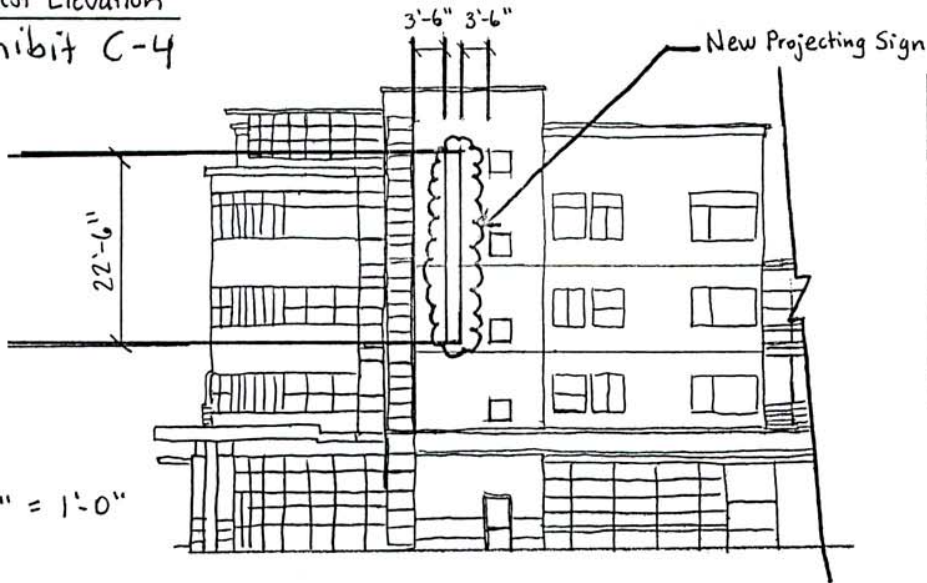
Planner Kate Mando Date 30 July 2009

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

Location of proposed wall-mounted sign

ENLARGED ELEVATIONS

Enlarged West Elevation
Exhibit C-4



Scale: $\frac{1}{16}'' = 1'-0''$

Approved
City of Portland
Bureau of Development Services
Planner *Kate Maulde*
Date 30 July 2009
* This approval applies only to the reviews requested and is subject to all conditions of approval.
Additional zoning requirements may apply.

Enlarged South Elevation
Exhibit C-5



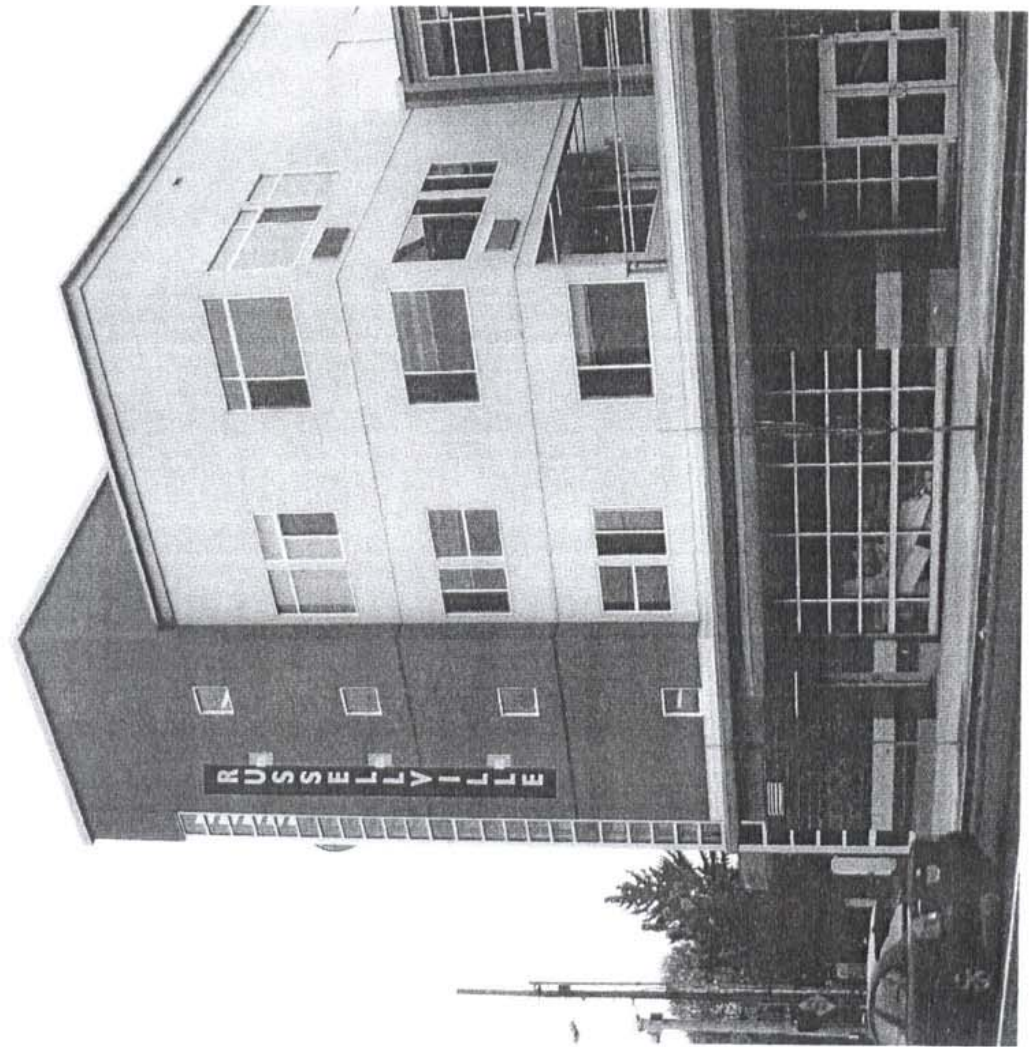
Scale: $1'' = 10'-0''$

New Wall-mounted Sign

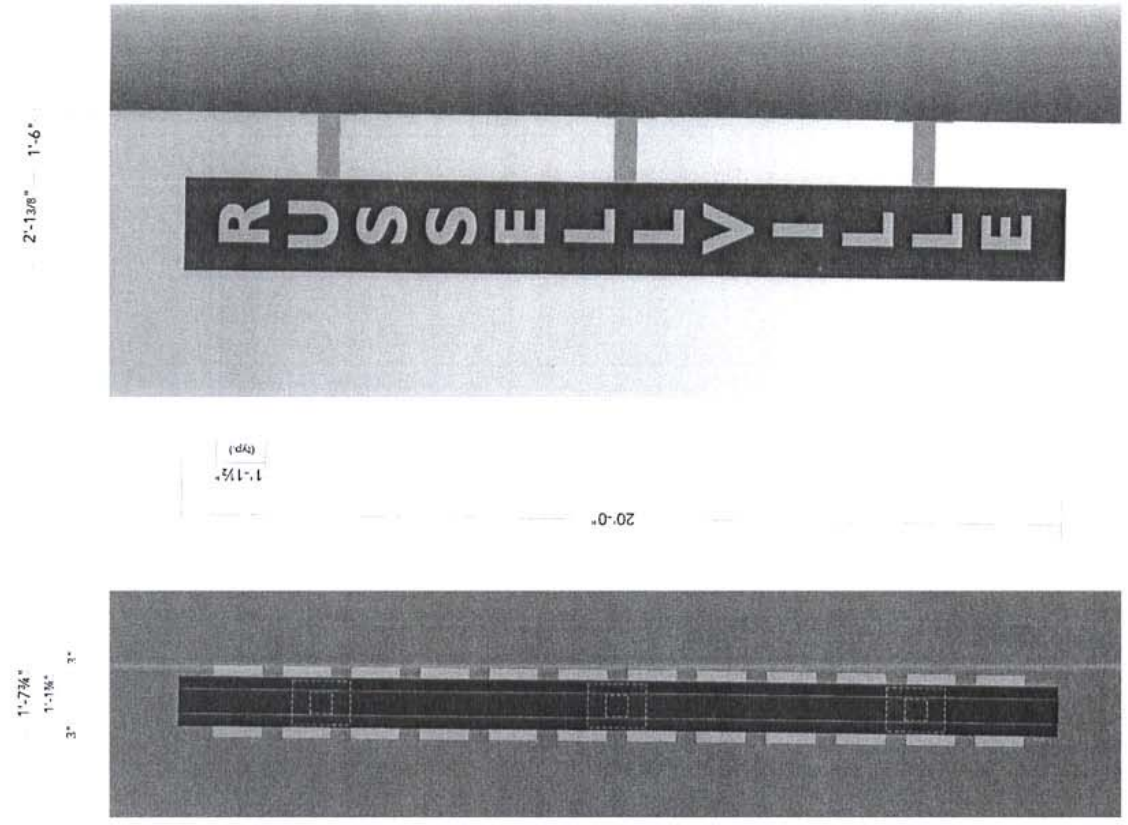
Approved
 City of Portland - Bureau of Development Services
 Planner Kate Marullo Date 30 July 2009
 * This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

Photographic Rendering

Proposed Projecting Sign - west elevation



Enlarged Elevations of Sign



End View

Proposed Wall-mounted Sign - South elevation

Exhibit C-7



Photographic
Rendering

Approved
City of Portland
 Bureau of Development Services
 Planner Kate Manillo
 Date 30 July 2009

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

Enlarged Elevation of Sign

Exhibit C-8

16'-7"

1'-4" [RUSSELLVILLE PARK

Individual Letters

ⓑ WALL DISPLAY - 22.11 Sq.Ft.
Scale: 3/8" = 1'-0"