

CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade



Hearings Office

1900 SW 4th Avenue, Room 3100

Portland, OR 97201

phone: (503) 823-7307 - fax: (503) 823-4347

web: www.portlandoregon.gov/auditor/hearings

DECISION OF THE HEARINGS OFFICER

I. GENERAL INFORMATION

File No. LU 12-117645 ZC
HO 4120010

Applicant: Stark Firs Limited Partnership
16124 SE Alder Street #1a
Portland, OR 97233-3256

Applicant's Representative: Peter Finley Fry, AICP
2153 SW Main Street #105
Portland OR 97205

Hearings Officer: Gregory J. Frank

Bureau of Development Services (BDS) Staff Representative: Kathleen Stokes

Site Address: 16124 SE Alder Street

Legal Description: BLOCK C LOT 5 EXC S 130' & EXC W 270' & EXC PT IN STS,
RITLOW AC

Tax Account No.: R707305560, R707305560, R707305560, R707305560

State ID No.: 1S2E01AA 03700, 1S2E01AA 03700, 1S2E01AA 03700, 1S2E01AA 03700

Quarter Section: 3146

Neighborhood: Centennial

Business District: Gateway Area Business Association

District Neighborhood Coalition: East Portland Neighborhood Office

Zoning: R2ah, Low Density Multi-Dwelling Residential, with Alternative Design Density Overlay and Aircraft Landing (height) Overlay

Land Use Review: Type III, Zoning Map Amendment (ZC)

BDS Staff Recommendation to Hearings Officer: Approval with conditions

Public Hearing: The hearing was opened at 1:30 p.m. on June 27, 2012, in the 3rd floor hearing room, 1900 SW 4th Avenue, Portland, Oregon, and was closed at 2:35 p.m. The hearing was continued until 9:00 a.m. on August 1, 2012.

At 9:04 a.m. on August 1, 2012, the continued hearing was opened in the 3rd floor hearing room, 1900 SW 4th Avenue, Portland, Oregon, and was closed at 9:09 a.m. The record was closed at the end of the hearing.

Testified at the June 27, 2012 Hearing:

Kathleen Stokes, BDS, 1900 SW 4th Avenue #5000, Portland, OR 97201

Ty Wyman, 851 SW 6th, Suite #1500, Portland, OR 97204

Peter Fry, 2153 SW Main Street, Suite 105, Portland, OR 97205

Fabio de Freitas, Portland Bureau of Transportation (PBOT), 1900 SW 4th Avenue #5000, Portland, OR 97201

Hearings Officer Note: Ms. Stokes, on behalf of BDS, testified in support of the BDS Staff Report and Recommendation to the Hearings Officer (Exhibit H.2). Ms. Stokes recommended that the proposed zoning map exhibit attached to Exhibit H.2 (Exhibit B.2) be replaced with a modified proposed zoning map (Exhibit H.3a) to accurately reflect the overlay zones on the property. Mr. Wyman and Mr. Fry testified generally in support of Exhibit H.2 but expressed reservations about proposed condition 2 (relating to Title 17 street/sidewalk dedications). Mr. de Freitas, a PBOT representative, testified at the hearing on matters related to the proposed Title 17 condition. Mr. Wyman requested that the hearing be continued to a date certain to allow the applicant and BDS/PBOT to have further discussions about the Title 17 street/sidewalk dedication proposed condition. The Hearings Officer continued the hearing, per Mr. Wyman's request to August 1, 2012.

Testified at the August 1, 2012 Hearing:

Kathleen Stokes

Ty Wyman

Hearings Officer Note: Mr. Wyman testified, at the continued hearing, that the applicant and BDS/PBOT, discussed the proposed Title 17 street/sidewalk dedications and arrived an agreement that the proposed condition was not necessary. Ms. Stokes, at the continued hearing, expressed no objections to the elimination of the Title 17 street/sidewalk dedication condition.

Proposal: The applicant is requesting approval of a Zoning Map Amendment, in compliance with the Comprehensive Plan Map designation, to change the base zone designation, from R2 (R2,000, Low Density Multi-Dwelling Residential) to R1 (R1,000, Medium Density Multi-Dwelling Residential). The requested map amendment would change the allowed density on this site from 30 units to about 60 units. Some additional units could also be allowed, following approval of the requested Zoning Map Amendment, through the addition of amenity bonuses (Code Section 33.120.265). However, use of these code provisions is not proposed as a part of this review and no additional development is being proposed. Alterations are being made to the existing apartment buildings on the site, in order to accommodate the additional residents that would be allowed by the zone change, and potentially up to 75 total units, through the use of amenity bonuses. Additional parking spaces are being proposed through the provision of stacked parking, which would be overseen by 24-hour building attendants.

Approval Criteria: To be approved, this proposal must comply with the applicable approval criteria of Title 33, Portland Zoning Code, for Zoning Map Amendments, Section 33.855.050.

II. ANALYSIS

Site and Vicinity: The applicant's site is a 62,110 square-foot property that is located on the southwest corner of SE 162nd Avenue and SE Alder Street. The property is developed with two apartment buildings that were originally constructed in 1971. There are two churches in the vicinity, one on the north side of SE Alder Street and the second abutting the applicant's south property line. Other surrounding properties are developed with a variety of residential uses, including both single and multi-dwelling structures. Harold Oliver Elementary School is located on SE Alder Street, approximately one block to the west. Southeast 162nd Avenue, which abuts the east property line, and SE Stark Street, which is one block to the north, are major arterials that provide access in the area. Southeast Alder Street, which abuts the north property line, and SE 161st, which is located one-half block to the west, are both Local Service Streets.

Zoning: This site is currently zoned R2, or R2000, Low Density Multi-dwelling Residential. This zone allows approximately 21.8 dwelling units per acre. The major type of new development will be duplexes, townhouses, rowhouses and garden apartments. These housing types are intended to be compatible with adjacent houses. Generally, R2 zoning is applied near neighborhood collector and district collector streets, and local streets adjacent to commercial areas or major streets.

The site has a Comprehensive Plan designation of R1, or R1000, Medium Density Multi-dwelling Residential. This zone, which is the designation that is being requested through this Zoning Map Amendment review, allows up to one unit per 1,000 square feet of site area and requires a minimum of one unit per 1,450 square feet of site area, or one unit per 2,000 square feet of site area for sites that are smaller than 10,000 square feet.

There is also an "a" or Alternative Design Density Overlay on this site. The provisions of this overlay zone allow increased density on some sites, when the proposed development meets Community Design Standards or is approved through Design Review. The provisions of this overlay zone do not apply to this situation, because no new development is proposed.

The site also is located within the "h" or Aircraft Landing (height) Overlay zone. The provisions of this overlay zone, that limit the height of structures within the aircraft landing approach patterns for the Portland International Airport, are not relevant to this proposal.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A "Request for Response" was mailed May 11, 2012. The following bureaus responded with no issues or concerns. Agencies that provided written comments are noted with exhibit numbers:

- The Bureau of Environmental Services (BES) stated that there was no objection to approval of the requested Zoning Map Amendment, based on the existing sanitary sewer infrastructure and information provided by the applicant regarding the ability to manage stormwater onsite (Exhibit E-1).
- PBOT Engineering provided an analysis of how the proposal would be able to meet the demands on the transportation system. This analysis is included in findings, under the summary of agency responses, below (Exhibit E-2).
- The Water Bureau stated the City does not provide water service for this site (Exhibit E-3a).
- The Rockwood Water People's Utility District, which covers this area, indicates that there is adequate water service for the site (Exhibit E-3b).
- The Fire Bureau stated that they have no concerns with the zoning proposal with the exception that the applicant is required to obtain a separate building permit for any modifications to the existing buildings. All applicable Fire Code requirements will be applied to any modifications to the site or building through the required building permit process (Exhibit E-4).
- The Police Bureau indicated that they are able to serve the number of units that would be allowed with approval of the requested R1 designation (Exhibit E-5).
- The Site Development Section of BDS sent an electronic reply of "no concerns."
- The Life Safety Plan Review Section of BDS expressed no concerns, noting that a separate Building Permit is required for any alterations or additions to the existing structure or new structures and proposals must be designed to meet all applicable building codes and ordinances (Exhibit E-6).
- The Parks-Forestry Division sent an electronic reply of "no concerns."

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on June 7, 2012. No written responses were received from either the neighborhood association or notified property owners, prior to the scheduled land use hearing, in response to the proposal.

ZONING CODE APPROVAL CRITERIA

ZONING MAP AMENDMENT

33.855.010 Purpose

This chapter states the procedures and approval criteria necessary to process an amendment to the base zones, overlay zones, plan districts, and other map symbols of the Official Zoning Maps. The chapter

differentiates between amendments which are processed in a quasi-judicial manner and those processed in a legislative manner. A discussion of quasi-judicial and legislative is found in 33.700.070.

33.855.050 Approval Criteria for Base Zone Changes

An amendment to the base zone designation on the Official Zoning Maps will be approved (either quasi-judicial or legislative) if the review body finds that the applicant has shown that all of the following approval criteria are met:

A. Compliance with the Comprehensive Plan Map. The zone change is to a corresponding zone of the Comprehensive Plan Map.

1. When the Comprehensive Plan Map designation has more than one corresponding zone, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

Findings: The Comprehensive Plan designation is Medium Density Multi-dwelling Residential. This designation has only one corresponding zone, R1. Therefore, this criterion does not apply.

2. Where R zoned lands have a C, E, or I designation with a Buffer overlay, the zone change will only be approved if it is for the expansion of a use from abutting nonresidential land. Zone changes for new uses that are not expansions are prohibited.

Findings: This site does not have a buffer overlay designation, so this criterion does not apply.

3. When the zone change request is from a higher-density residential zone to a lower-density residential zone, or from the CM zone to the CS zone, then the approval criterion in 33.810.050 A.2 must be met.

Findings: The requested zone change is not from a higher density residential zone to a lower density residential zone or from the CM zone to the CS zone. Therefore, this criterion does not apply.

B. Adequate public services.

1. Adequacy of services applies only to the specific zone change site.
2. Adequacy of services is determined based on performance standards established by the service bureaus. The burden of proof is on the applicant to provide the necessary analysis. Factors to consider include the projected service demands of the site, the ability of the existing and proposed public services to accommodate those demand numbers, and the characteristics of the site and development proposal, if any.

- a. Public services for water supply, and capacity, and police and fire protection are capable of supporting the uses allowed by the zone or will be capable by the time development is complete.
- b. Proposed sanitary waste disposal and stormwater disposal systems are or will be made acceptable to the Bureau of Environmental Services. Performance standards must be applied to the specific site design. Limitations on development level, mitigation measures or discharge restrictions may be necessary in order to assure these services are adequate.
- c. Public services for transportation system facilities are capable of supporting the uses allowed by the zone or will be capable by the time development is complete. Transportation capacity must be capable of supporting the uses allowed by the zone by the time development is complete, and in the planning period defined by the Oregon Transportation Rule, which is 20 years from the date the Transportation System Plan was adopted. Limitations on development level or mitigation measures may be necessary in order to assure transportation services are adequate.

Findings: The site has an existing area of 62,110 square feet. The requested R1 zone designation would allow a maximum density of 60 units on the site, after the area is reduced to meet requirements for right-of-way dedications. Additional density, beyond the maximum allowed by the base zone, can be gained by the provision of amenities for the residents of the site, under Code Section 33.120.265. These amenities are not being proposed at this time, but can be included in the proposal, during the review for building permits, if the requested R1 zone designation is approved.

As indicated in the summaries of bureau responses, below, the Bureaus of Environmental Services, Transportation, Fire, Police, Water and Development Services Site Development Division, have responded with information about services at this location. These bureaus noted that adequate existing services are available for the anticipated level of use(s) that would be allowed to occur. Therefore, with the conditions that are outlined below, this criterion can be met.

SUMMARY OF AGENCY RESPONSES:

BES (Exhibit E-1)

BES noted that the sanitary sewer needs for this site can be serviced by the existing infrastructure. There is an 8-inch PVC public sanitary gravity sewer located in SE Alder Street (BES project # 4652). BES also accepted the stormwater management information submitted for this land use review and determined sufficient information was provided to meet BES approval criteria.

PBOT/Development Review (Exhibit E-2)

PBOT/Development Review reviewed the application for its potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, Title 33, Title 17, and for potential impacts upon transportation services. PBOT expressed no objection to the proposed Zoning Map Amendment. PBOT comments related to right-of-way dedications and street improvements follow:

"Street Classifications:

At this location, SE 162nd Ave is classified as a District Collector, Transit Access street, City Bikeway, City Walkway and a Community Corridor in the City's Transportation System Plan (TSP).

SE Alder is classified as a Local Service street for all modes in the TSP.

Adequate Public Services (Subsection 33.855.050.B.2) -
Transportation

The applicant has provided a Transportation Impact Study (TIS) prepared by Group Mackenzie. The study was prepared to address transportation impacts associated with the proposed Zone Change. The TIS compares the development scenario for the existing R2 zoning (low density multi-dwelling residential) with the development scenario for the proposed R1 zoning (medium density multi-dwelling residential).

The TIS included area intersection capacity analysis utilizing industry standard trip generation methodology as well as a projected trip distribution consideration given observations made at the site. In fact, the conclusions reached with the analyses that the applicant's TIS contained should be considered conservative since the applicant's traffic consultant conducted his review with the current number of units at the site (75) as opposed to the requested number of units (60).

The TIS indicates that under current zoning, 35 units would be permitted on the subject site which would result in a total number of 22 vehicle trips during the afternoon peak hour of travel. *(Actually, the allowed number of units under the R2 zoning designation is 32, not the 75 units indicated in the TIS).* With the 75 unit count used by the applicant's traffic consultant as the proposed number of units *(There are actually 60 proposed units with the requested Zoning Map Amendment)*, the resulting afternoon trip generation would increase to 46 vehicle trips (an increase of 24 trips).

The TIS' intersection capacity analysis included the intersections of SE 162nd Ave/SE Stark and SE 162nd/SE Alder, which are the two intersections expected to be most impacted by the proposed zone change. City of Portland operational standards require Level of Service (LOS) E or better at unsignalized intersections and LOS D or better at signalized intersections. The analysis, again, utilizing acceptable industry standards, shows that both intersections currently and in the future, (through the planning horizon of year 2027, with or without the proposed zone change), will satisfy City of Portland performance measures of intersection operations. The applicant has adequately demonstrated that there will be an adequacy of (transportation) services in relation to the demands of the proposed zone change. PBOT is therefore supportive of the proposed zone change request.

The recently amended Transportation Planning Rule (effective January 1, 2012) generally requires a local government to determine whether certain regulatory amendments will "significantly affect an existing or planned transportation facility." The land use actions that trigger compliance with this requirement are amendments to a functional plan, comprehensive plan, or a land use regulation (including a zoning map amendment). (OAR 660-012-0060(1)) If the local government finds an amendment has a significant effect, it must take one or more specifically identified steps to address and remedy this conflict. (OAR 660-012-0060(2))

The amended TPR includes an exception to this general requirement for a zoning map amendment where the proposed new zoning is consistent with: (1) the comprehensive plan map designation for the site; and (2) the local Transportation System Plan. If both conditions are satisfied, the local government may find that the amendment "does not affect an existing or planned transportation facility." (OAR 660-012-0060(9)). In this case, the proposed R1 zoning is consistent with the Comprehensive Plan Map designation for the site and the local Transportation System Plan. Accordingly, the above referenced approval criterion is satisfied.

Title 17 Requirements Street Improvements (Section 17.88)
According to City database sources, SE 162nd Ave is improved with 76-ft of paving in a 90-ft right-of-way (r.o.w.). This site frontage is also improved with a 0-6.5-0.5 sidewalk configuration. For a site located in the R2 (or R1) zone district along a City Walkway (classification) street, the Pedestrian Design Guide recommends a 12-ft pedestrian corridor (0.5-ft curb/4-ft planter area /6-ft/sidewalk/1.5-ft setback to the property line). The existing frontage improvements along SE 162nd Ave therefore do not satisfy the above referenced recommended sidewalk corridor.

It is PBOT's understanding that the existing multi-dwelling residential apartment complex has already been redeveloped to the extent that many more than the current maximum number of units already exist. Accordingly, and as a result of the increased number of dwelling units and the Building Permit that should have been (will be) required for said redevelopment, PBOT will impose the following conditions of approval:

To accommodate the anticipated street improvements, a 5-ft minimum dedication of property for right-of-way purposes will be required. The applicant will be required to reconstruct the existing insufficient sidewalk corridor to the recommended width and elements thereof, as described above.

According to City database sources, SE Alder is improved with 38-ft of paving in a 50-ft right-of-way (r.o.w.). This site frontage is also improved with a 0-6-0 sidewalk configuration. For a site located in the R2 (or R1) zone district along a Local Service (classification) street, the Pedestrian Design Guide recommends an

11-ft pedestrian corridor (0.5-ft curb/4-ft planter area /6-ft/sidewalk/0.5-ft setback to the property line). The existing frontage improvements along SE Alder therefore do not satisfy the above referenced recommended sidewalk corridor.

To accommodate the anticipated street improvements, a 5-ft minimum dedication of property for right-of-way purposes will be required. The applicant will be required to reconstruct the existing insufficient sidewalk corridor to the recommended width and elements thereof, as described above. The applicant should be aware that with the dedication requirement along SE Alder, portions of the existing buildings (eaves, foundation, etc) may result in projections into the public right-of-way. If this is the case, the applicant will need to seek approval for such projections with an Encroachment Permit from PBOT. Accurate plans/survey will need to be provided in order to determine definitively, whether or not said projections will result from the required property dedication.

NOTE: With the width of the paved section along SE Alder, *it may be possible* that the existing curb could be relocated (reducing the width of the street's paved section) to accommodate a portion of the required sidewalk corridor reconstruction/ widening, as opposed to the entire above referenced dedication. This issue can be addressed as part of Public Works review."

Bureau of Water Works

The Portland Water Bureau indicated that the site is not located in their service area. The Rockwood Water People's Utility District indicated that there is ample water supply for the site and that City of Portland plumbing permits will ensure that the volume is adequately apportioned for each unit or building.

Fire Bureau/Fire Prevention Division

The Fire Bureau responded to indicate there were no concerns with the zoning proposal, but noted that building permits are required for modifications to the buildings on the site and that all fire codes must be met at the stage of building permit review.

Police Bureau (Exhibit E-4)

The Police Bureau responded to state that the bureau is capable of serving the proposed use.

SUMMARY: As noted in the preliminary statement of findings above, the public services for this site have been found to be able to be made adequate, with conditions for right-of-way dedications and street improvements. Therefore, this criterion can be met.

3. Services to a site that is requesting rezoning to IR Institutional Residential, will be considered adequate if the development proposed is mitigated through an approved impact mitigation plan or conditional use master plan for the institution.

Findings: The requested rezoning is not to IR, Institutional Residential, so this criterion does not apply.

C. When the requested zone is IR, Institutional Residential

Findings: The requested zone is R1, Medium Density Multi-dwelling Residential. This criterion does not apply.

D. Location The site must be within the City's boundary of incorporation. See Section 33.855.080.

Findings: The referenced section in this criterion discusses automatic zoning map amendments for newly annexed properties. This situation does not apply because the subject site is not newly annexed, but has been within the City's boundaries for many years. This criterion is met.

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.

Title 17 Requirements. Transportation System Development Charges (Chapter 17.15). System Development Charges (SDCs) may be assessed for this development. For an estimate of the SDC amount, prior to submission of building permits, contact Rich Eisenhauer at (503) 823-7080.

Driveways and Curb Cuts (Section 17.28). Curb cuts and driveway construction must meet the requirements in Title 17, which will be enforced during the review of any future building permits.

Street Improvements (Section 17.88). Information on required street improvements was provided at the pre-application and is re-iterated in the findings, above.

III. CONCLUSION

All of the relevant approval criteria for the proposed Zoning Map Amendment, from R2 to R1, can be met, with the conditions that have been recommended by PBOT. The requested R1 designation is the only corresponding zone to the Medium Density Comprehensive Plan Map designation. The request is not reducing the required density on the site and does not involve an Institutional Residential designation. Services are adequate to meet the demands of the increased density that the R1 designation would allow, as long as PBOT's requirements are met at the time of building permits for right-of-way dedications and street improvements.

IV. DECISION

Approval of a Zoning Map Amendment, from R2ah to R1ah, subject to the following condition:

- A. As part of the building permit application submittal, the following development-related condition (B) must be noted on each of the four (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 12-117645 ZC." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."


Gregory J. Frank, Hearings Officer

August 3, 2012
Date

| | |
|---|-----------------|
| Application Determined Complete: | May 9, 2012 |
| Report to Hearings Officer: | June 15, 2012 |
| Decision Mailed: | August 3, 2012 |
| Last Date to Appeal: | August 17, 2012 |
| Effective Date (if no appeal): | August 20, 2012 |

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

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

This report is not a decision. The review body for this proposal is the Hearings Officer who will make the decision on this case. This report is a recommendation to the Hearings Officer by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Hearings Officer will make a decision about this proposal within 17 days of the close of the record. Your comments to the Hearings Officer can be mailed c/o the Hearings Officer, 1900 SW Fourth Ave., Suite 3100, Portland, OR 97201 or faxed to 503-823-4347.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. This Staff Report will be posted on the Bureau of Development Services website. Look at www.portlandonline.com. On the left side of the page use the search box to find Development Services, then click on the Zoning/Land Use section, select Notices and Hearings. Land use review notices are listed by the District Coalition shown at the beginning of this document. You may review the file on this case at the Development Services Building at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201.

Appeal of the decision. The decision of the Hearings Officer may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Hearings Officer, only evidence previously presented to the Hearings Officer will be considered by the City Council.

Who can appeal: You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. Appeals must be filed within 14 days of the decision. **Appeals must be filed within 14 days of the decision. An appeal fee of \$2,650.00 will be charged (one-half of the BDS application fee, up to a maximum of \$5,000).**

Appeal Fee Waivers: Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

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.

- 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.

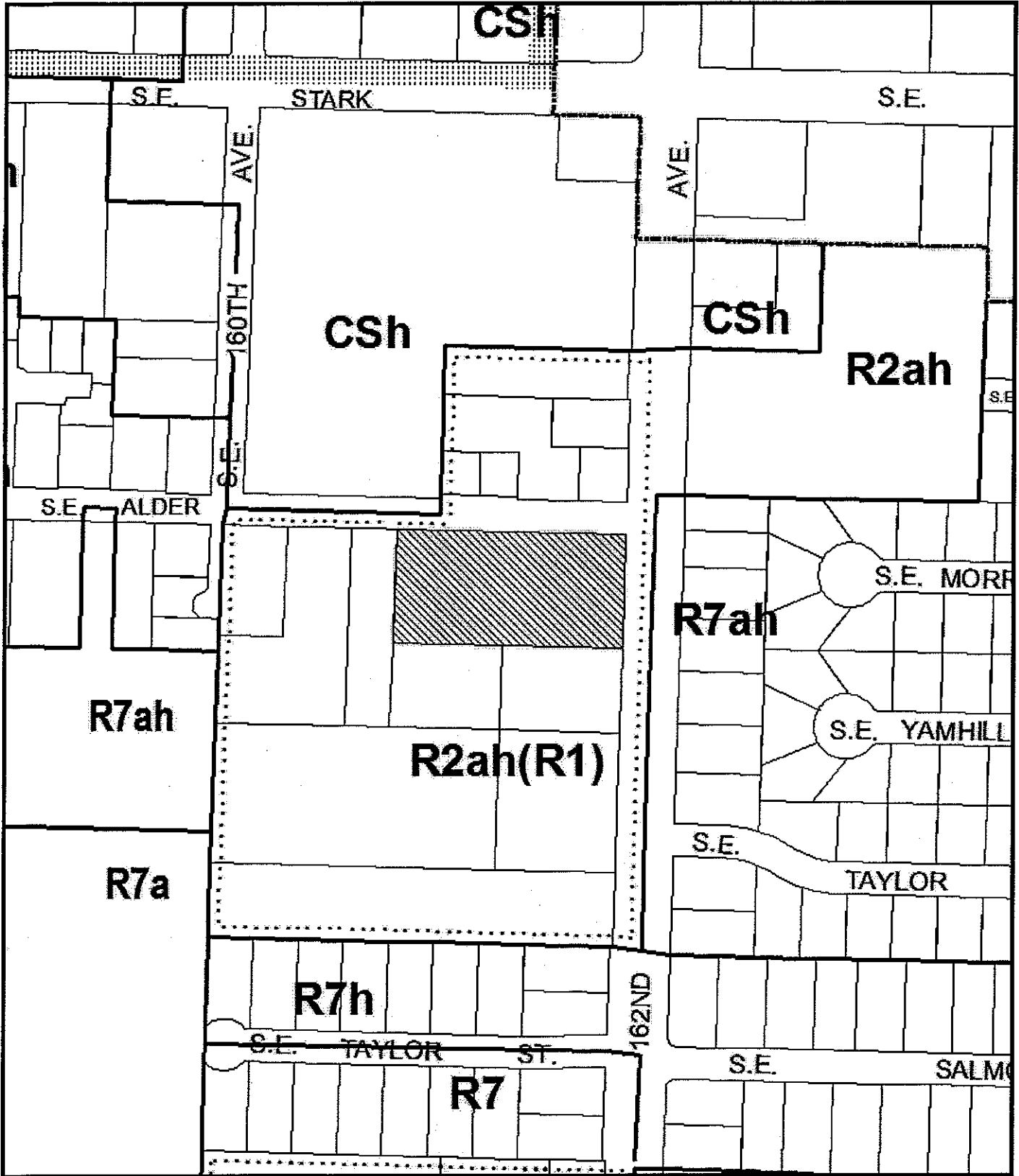
Expiration of approval. Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

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

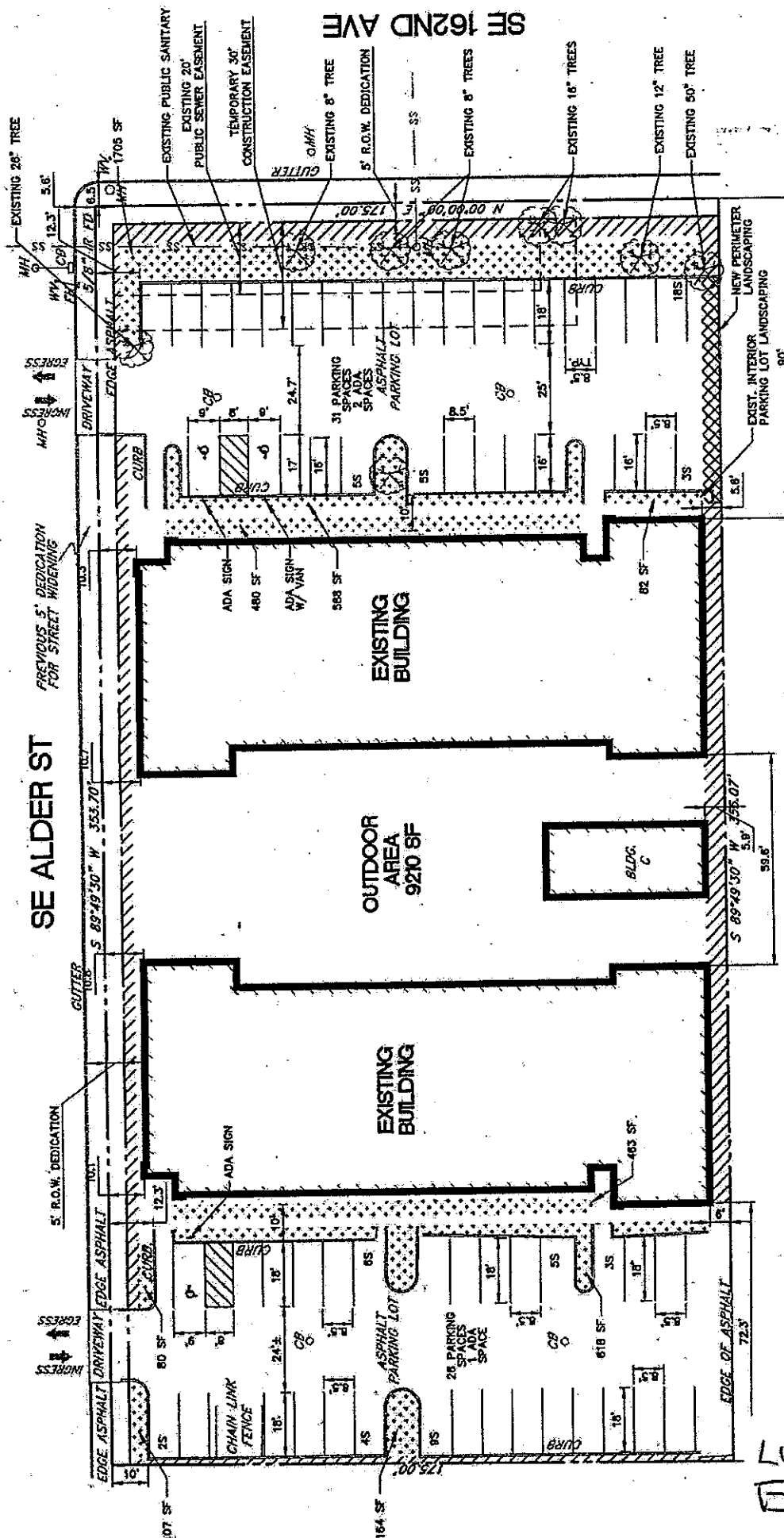
- A. Applicant's Statement
 - 1. Application and original narrative, and plans
 - 2. Revised plans, received May 2, 2012
 - 3. Amended narrative, dated May 7, 2012
 - 4. Supplemental Traffic Impact Study, May 7, 2012
 - 5. Supplemental Stormwater Analysis with Simplified Infiltration Testing, May 7, 2012
- B. Zoning Map
 - 1. Existing Zoning (**attached**)
 - 2. Proposed Zoning
- C. Plans and Drawings
 - 1. Site Plan (**attached**)
- D. Notification information
 - 1. Request for response
 - 2. Posting letter sent to applicant
 - 3. Notice to be posted
 - 4. Applicant's statement certifying posting
 - 5. Mailing list
 - 6. Mailed notice
- E. Agency Responses
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau/Rockwood Water People's Utility District
 - 4. Fire Bureau
 - 5. Police Bureau
 - 6. Life Safety Plan Review Section of Bureau of Development Services
 - 7. Summary of electronic responses from City service agencies
- F. Letters: (none received)
- G. Other
 - 1. Letter from Kathleen Stokes to Peter F. Fry, March 23, 2012
 - 2. Pre-application Conference Summary Notes
- H. Received in Hearings Office
 - 1. Hearing Notice - Stokes, Kathleen
 - 2. Staff Report - Stokes, Kathleen
 - 3. 6/27/12 Memo - Stokes, Kathleen
 - a. Updated Exhibit - Stokes, Kathleen (**attached**)
 - 4. Notes - Stokes, Kathleen
 - 5. PowerPoint printout - Stokes, Kathleen
 - 6. Record Closing/Continued Information - Hearings Office
 - 7. 7/25/12 Letter from Ty Wyman - Wyman, Ty
 - 8. 8/1/12 Letter - Wyman, Ty



ZONING
EXISTING



File No. LU 12-117645 ZC
 1/4 Section 3146,3147
 Scale 1 inch = 200 feet
 State Id 1S2E01AA 3700
 Exhibit B (Mar 06,2012)



PARKING PROVIDED

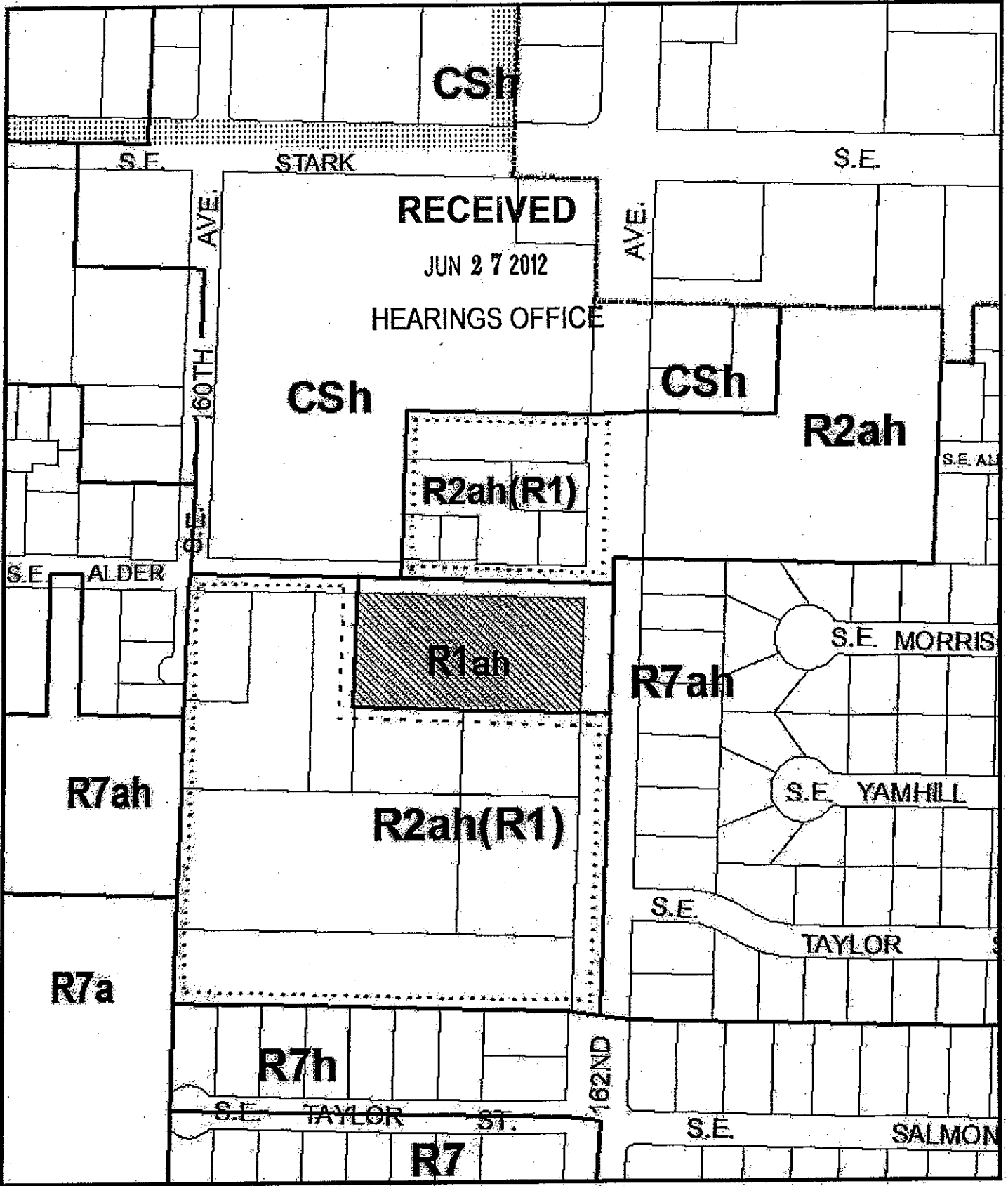
| | |
|-------------------|-----------|
| PROPOSED HANDICAP | 3 SPACES |
| PROPOSED STANDARD | 57 SPACES |
| TOTAL PARKING | 60 SPACES |
| TOTAL REQUIRED | 60 SPACES |

LEGEND


- PROPERTY LINE
- EXISTING INTERIOR PARKING LOT LANDSCAPING TO REMAIN (3,555 SF REQUIRED, 4,265 SF PROVIDED)
- EXISTING PERIMETER LANDSCAPING TO REMAIN
- NEW PERIMETER LANDSCAPING
- 4 STANDARD PARKING SPACES



LU12-117645 ZC
 Exhibit C-1



ZONING PROPOSED

 Site

↑
NORTH

File No. LU 12-117645 ZC
 1/4 Section 3146, 3147
 Scale 1 inch = 200 feet
 State Id 1S2E01AA 3700
 Exhibit B (Mar 05, 2012)

CITY OF PORTLAND
 HEARINGS OFFICE
 Exhibit #H-3a
 Case # 4120010
 Bureau Case # 12-117645 ZC