The Design Commission has approved a proposal in your neighborhood. This document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, are included in the version located on the BDS website http://www.portlandonline.com/bds/index.cfm?c=46429. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

BUREAU OF DEVELOPMENT SERVICES STAFF: Puja Bhutani 503-823-7226 / Puja.Bhutani@portlandoregon.gov

GENERAL INFORMATION

Applicant: Sun Kim, Katelin Brewer-Colie, Mackenzie
1515 SE Water Avenue, Suite 100 | Portland, OR 97214
skim@mcknze.com

Owner: Holman Portland Real Estate LLC
17800 SE Mill Plain Blvd. # 190 | Vancouver, WA 98683

Owner’s Representative: Mike Moonan, Holman Portland Real Estate LLC
8840 SW Canyon Road | Portland, OR 97225

Architect: Michael Graves, The Gravity Company
13355 Noel Road #200 | Dallas, TX 75240

Site Address: 3075 NE SANDY BOULEVARD

Legal Description: TL 6200 1.60 ACRES, SECTION 36 1N 1E
Tax Account No.: R941360510
State ID No.: 1N1E36BA 06200
Quarter Section: 2933
Neighborhood: Kerns, contact Elliott Mantell at commonchiro@yahoo.com
Business District: None
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.
Zoning: EXd, Central Employment with a Design Overlay Zone
Case Type: DZ, Design Review
**Procedure:** Type III, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

**Proposal:**
Applicant is seeking approval of a Type III Design Review for a new 4-story, auto-dealership building. The site is currently occupied with a vacant building and is located at the north-west corner of NE Sandy Boulevard and NE 31st Avenue. The proposed building includes 1 story below grade for automotive service uses. The ground floor includes an automotive showroom and leasable retail; the lower level includes automotive service shop; the second and third level includes auto inventory display; and the fourth level has employee parking. Vehicular access is from NE 31st Avenue in two locations, approximately the same as the existing access points from this street. Two loading spaces meeting Standard A, and long-term bicycle parking are located within the lower level parking area. Short term bike parking is provided along the Sandy Boulevard frontage. Building materials proposed include predominantly metal panels, metal louver system in natural wood color, stucco and painted aluminum glazing system.

**Relevant Approval Criteria:**
In order to be approved, this proposal must comply with the criteria of Title 33. The relevant criteria are:
- Community Design Guidelines.

**ANALYSIS**

**Site and Vicinity:** The site is located in the Kerns neighborhood at the northwest corner NE Sandy Boulevard and NE 31st Avenue. It is bound by I-84 freeway on the north, SE Sandy Boulevard on the south, and NE 31st Avenue on the east. There is significant topography on the site with the south half of the site facing Sandy Boulevard at street grade level, and a steep drop of approximately 16’ on the north half of the site fronting the I-84 freeway. The site includes an existing vacant building which will be demolished.

The surrounding area along Sandy Boulevard is developed with a mix of uses ranging from large warehouses, surface parking lots, and smaller commercial and retail stores. Residential uses ranging from 1 story residential to 2.5 story multi-family structures are located along NE 31st Avenue and NE Multnomah Street, to the northeast of the site. These include older buildings in a range of styles, all within the Kerns neighborhood. Zoning along the south side of NE Hoyt Street is R1, multi-family residential.

The site is not located within a Pedestrian District. Frequent service transit is provided along NE Sandy Boulevard. At this location, NE Sandy Blvd is classified as a Major City Traffic Street, Major Transit Priority Street, City Bikeway, City Walkway, Major Truck Street, and a Major Emergency Response Street Local Service street for all transportation modes in the City’s Transportation System Plan. NE 13th Ave is classified as a Local Service street for all transportation modes in the City’s Transportation System Plan.

**Zoning:**
The **Central Employment (EX)** zone allows mixed-uses and is intended for areas in the center of the City that have predominantly industrial type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed but are not intended to predominate or set development...
standards for other uses in the area. The development standards are intended to allow new development which is similar in character to existing development.

The Design Overlay Zone [d] 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.

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

**Agency Review:** A “Notice of proposal in Your Neighborhood” was mailed **January 28, 2019**. The following Bureaus have responded with no issue or concerns:
- Bureau of Environmental Services: Please see Exhibit E-1b for additional details.
- Bureau of Transportation: Please see Exhibit E-2c for additional details.
- Water Bureau: Please see Exhibit E-5 for additional details.
- The Fire Bureau: Please see Exhibit E-6 for additional details.
- The Site Development Section of BDS: Please see Exhibit E-3c.
- The Life-Safety Section of BDS: Please see Exhibit E-4.
- The Bureau of Parks-Forestry Division: Please see Exhibit E-7.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **January 28, 2019**. Three (3) written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. **Al Lollar, 2/5/19,** was supportive of the new business but expressed concerns regarding parking impacts from the development. Refer to Exhibit F1.
2. **Laurelhurst Neighborhood Association, 2/18/19,** expressed concerns regarding the proposal’s use, massing, scale, compatibility with the neighborhood, weather protection, materials and signage. Refer to Exhibit F2.
3. **William Gander, President, Standard TV & Appliance, 2/20/19,** wrote in support for the proposal. Refer to Exhibit F3.

The public comments were received after the staff report was published, and hence were distributed to the Commission at the time of the land use hearing on this proposal.

**ZONING CODE APPROVAL CRITERIA**

**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 Community Design Guidelines.

**Community Design Guidelines**
The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland’s urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland’s urban design framework and the users of the city.

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

**(P1. Plan Area Character.** Enhance the sense of place and identity by incorporating site and building design features that respond to the area’s desired characteristics and traditions.

**(D7. Blending into the Neighborhood.** Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

**Findings for P1 & D7:** Sandy Boulevard has long served as center of activity in Portland’s inner and central northeast district. Sandy Boulevard occupies an important place in Portland’s urban fabric with great historic value and many community amenities. It is valued by the community, and has the potential to become a more vibrant, pedestrian oriented place in the coming years. The Sandy Area Plan, within which the site is located, envisions Sandy Boulevard as a vibrant, pedestrian oriented main street, with a mix of commercial and multi-family residential uses and areas for people to gather. “Newer developments with innovative designs and architecture appeal blend with existing older buildings”. The neighboring area includes an eclectic mix of architectural styles ranging from the street car era commercial building to art deco and Mediterranean styles. Sandy Boulevard was historically shaped by its industry, particularly automotive and manufacturing and is developed with a mix of uses ranging from large warehouses, surface parking lots, and smaller commercial and retail stores. The proposed development responds to these area characteristics by:

- The auto-dealership use is consistent with the historical presence of this industry along this corridor.
- The linear design of the building is modern and compatible with the overall horizontal building expression along Sandy Boulevard. It is also reflective of the streamlined, sleek quality associated with cars. It contributes to the eclectic mix of buildings along this boulevard.
- The 4-story massing of the building is consistent with the higher density development envisioned along Sandy Boulevard, and is consistent with many historical buildings in the vicinity as well as new developments in the neighborhood.
- The tall and highly transparent ground floor for the Sandy frontage helps activate and contribute to a pedestrian oriented street environment.
• The retail space and outdoor plaza at the southwest corner of the site, further activates and provides outdoor gathering spaces.
• The chamfered corner entrance reflects a similar feature for each of the existing buildings located at the corner of NE 31st and NE Sandy Boulevard.
• The building is stepped back from the southeast corner, in order to accentuate and activate the NE 31st and NE Sandy intersection.
• The landscaping along east edge of the site along NE 31st Avenue, with a combination of on-site and street trees provides an inviting pedestrian corridor. Mechanical equipment and back of house facilities are internalized and located away from this edge to minimize impacts on the pedestrians.
• The auto-oriented features of the building, including the signature helix ramp and arch, and vehicle display windows appropriately front the freeway corridor, providing a strong visual experience.
• Signage: The signage program includes building and canopy signs ranging from 34 sf to 66.5 sf (Exhibit C.37). The signs consist of the Lexus brand logo and text. Note that signs up to 32 sf are exempt from design review.

The Commission determined that the size of the main building sign, located on the main entrance canopy at the SE corner, was too large and out of scale for the area’s desired pedestrian oriented character. The sign is proposed with a total area of 66.5 sf and 24” high individual letters. Commission therefore included a condition of approval that limits the height of the individual letters to 18” maximum, and proportionally reduces the total sign area to 45 sf, to better meet design guidelines.

The proposed building design responds and enhances the area’s existing identity and desired characteristics while also blending in with the established neighborhoods. With the Condition of Approval that the SE main entrance canopy sign individual sign letters will be limited in height to a maximum of 18”, and a total area of 45 sf, these guidelines are therefore met.

E1. The Pedestrian Network. Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.

Findings: At this location NE Sandy Blvd is classified as a Major City Traffic Street, Major Transit Priority Street, and City Bikeway/Walkway. The existing sidewalk is 10 feet wide and includes unevenly spaced 6 street trees. Pedestrian improvements along Sandy include 2’ of dedication along NE Sandy for the construction of a 12-ft sidewalk corridor (0.5-ft curb/4-ft wide furnishing zone/6-ft wide sidewalk/1.5-ft wide frontage zone); three additional street trees.

NE 31st Avenue is a local service street. The existing sidewalk along 31st Avenue is 10 feet, with an approximately 35’ wide curb cut on the north half of the site and one street trees. The pedestrian network improvements include a 5’ dedication to create an 11 ft pedestrian corridor (0.5-ft curb/4-ft wide furnishing zone/6-ft wide sidewalk/0.5-ft wide frontage zone); six additional street trees, and 9 on-site trees along the property line.
• The large street trees being provided on both street frontages will help buffer the pedestrians from vehicle areas and also enhance the pedestrian oriented character of these streets. The required parking lot perimeter landscaping along NE 31st has been located at the sidewalk level, as opposed to below grade at the parking area. This enables a row of trees on each side of the sidewalk along NE 31st Street which helps define the pathway, enhance the
pedestrian character, while also providing separation and screening from the street and adjacent parking lot.

- The reconstructed sidewalks, and streetscape will provide a pleasant and safe path for the pedestrians and link the residential areas with the major Sandy transit street. ADA ramps are being provided on the south side of the NE 31st and NE Multnomah Street intersection to ensure connectivity to the neighborhood. The width of the existing curb cuts are being reduced to minimize impacts to the pedestrian.

- Onsite internal pedestrian pathways are being provided to connect the building with other areas of the site, such as parking and garbage areas. These guidelines are met.

### E2. Stopping Places.

New large-scale projects should provide comfortable places along pedestrian circulation routes where people may stop, visit, meet, and rest.

### E3. The Sidewalk Level of Buildings.

Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.

### E5. Light, Wind, and Rain.

Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

### D1. Outdoor Areas.

When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;

### D3. Landscape Features.

Enhance site and building design through appropriate placement, scale, and variety of landscape features.


Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

#### Findings for E2, E3, D1, D3 and D5:

- The sidewalk level of the building is differentiated from the upper floors by a highly transparent and tall, 16.5 feet high, base.

- A storefront system fronts the entire length of Sandy and wraps around the 31st Avenue corner, creating a highly transparent base, differentiating it as well as enabling views into the interior from the sidewalk resulting in a more visually interesting pedestrian experience. This also provides eyes on the street and reduces likelihood of crime.

- The street level frontages have been wrapped with active uses including auto retail, lobby and amenity areas.

- A semi-private outdoor plaza is provided associated with the retail space at the southwest corner. The building design includes a significant extended roof cover that will provide weather protection for the seating area. While it is separated from the sidewalk by a 4 feet high stainless-steel cable railing, it can be accessed by to 10’ wide openings including both a sliding and swinging gate.

- The landscape design includes precast seating stones, lighting and landscaping to create pleasant and safe outdoor area. The shape of the open space reflects the curved shape associated with the Lexus brand. Several types of seating areas are anticipated in the plaza, providing options for passersby to stop or meet. These include café-style seating, a “sit wall” which rises to the center of the curve, and a more active and informal seating form inspired by river stones. The scoring pattern on the pavement provides interest, using an angled pattern that corresponds to and extends the angle of the overhang above. The meadow-
like plantings add interest, color, and texture to views from the plaza and the sidewalk, visually benefitting on-site users and off-site passersby alike.

- **Canopies** are provided at the main entrance (10’ deep) and the accessory retail entrance (5’- 8” deep). These coupled with a 3 feet deep building overhang over the Sandy frontage, and approximately 6 feet building overhang over the café entrance would differentiate the ground floor and also provide adequate pedestrian protection from adverse weather elements.

- **A row of trees** is proposed on each side of the sidewalk along NE 31st Street which helps define the pathway, enhance the pedestrian character, while also providing separation from the street and adjacent parking lot. The double row of trees will also help provide weather protection along this edge.

- **Lighting plan** ensures that the parking areas at the rear of the building will be lit for easy surveillance. *These guidelines are therefore met.*

**E4. Corners that Build Active Intersections.** Create intersections that are active, unified, and have a clear identity through careful scaling detail and location of buildings, outdoor areas, and entrances.

**D2. Main Entrances.** Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

**Findings for E4, D2:**

**SE Corner:** The building design helps define and activate the intersection of NE Sandy and NE 31st Avenue by:

- Stepping the entire building façade back to create a chamfered edge that wraps the entire corner at the intersection, providing additional space for stopping, gathering and waiting.
- Providing a 16.5’ high transparent storefront with a dedicated entrance at the intersection.
- Providing a continuous, 10’ deep metal canopy that defines and highlights the chamfered corner.
- The asymmetrical SE corner design, with a pronounced column along Sandy helps create a more prominent and dynamic entrance. The south-side column spans the full height of the building, but the north-side column rises only to the pedestrian corner awning height at ground floor level, focusing attention on the single-story, pedestrian-scale entrance.

The proposed design creates active intersections and prominent main entrances. *These guidelines are therefore met.*

**D4. Parking Areas and Garages.** Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

**Findings:** Parking has been located to minimize negative impacts on the community by:

- The location of the building screens the parking from Sandy Boulevard.
- Surface parking is located to the rear of the site and is separated from the adjacent sidewalk due to the steep drop of approximately 16’ on the north half of the site. The retaining wall abutting the street lot line will screen car headlights.
• Parking is screened by landscaping along NE 31st, which has been located at the sidewalk level, as opposed to below grade at the parking area. This enables a row of trees on each side of the sidewalk along NE 31st Street which helps define the pathway, enhance the pedestrian character, while also providing separation and screening from the street and adjacent parking lot.
• Employee parking is located at the roof of the building and screened from adjacent developments by a 6’ high parapet. These guidelines are met.

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long-lasting quality, and designed to form a cohesive composition.

**Findings:** The applicants have made significant improvements during the design development resulting in a building design which has an overall cohesive design (Exhibits A19, G2 -G5).

• The south elevation along NE Sandy Boulevard has a highly transparent, sleek and horizontal expression. The base is well differentiated and includes elements like the building overhang, canopies and transom windows for pedestrian scale and orientation.
• The north facing elevation along I-84 freeway is more auto-oriented and features the signature helix ramp and curved signage arch. The display windows project out for a prominent display of cars. These prominent architectural features and internal lighting of the helix will add to the visual interest from the freeway.
• The east facing elevation is more dynamic and features prominent V-shaped columns supporting a significantly cantilevered roof protecting the plaza below.

**Good quality and lasting materials are proposed and include:**
- Metal Panel: Alucobond Plus, painted aluminum metal panels, 12 ga, 2’x10, in a dark and light color
- Painted aluminum storefront system, black mullion color
- Stucco system, over a steel wall frame in two coats, light grey color.
- Louver systems: 4” and 5” deep metal louver frames in a natural wood color.

• SE Corner: The west elevation includes the chamfered main entrance with display windows above, helping activate intersection of Sandy and 31st Avenue. This is discussed in greater detail above.

**Signage:** The signage program includes building and canopy signs ranging from 34 sf to 66.5 sf (Exhibit C.37). The signs consist of the Lexus brand logo and text. Note that signs up to 32 sf are exempt from design review.

The thin profile of the signage (5-inches) reflects the modern, sleek profile of the metal and glass building, promoting permanence and quality in development. The aluminum and acrylic components are considered weatherproof materials and have been crafted into a cohesive composition of individual channel-lettering and graphics. The proposed LED signage lighting will be modest, primarily due to the individual channel lettering that limits the overall illumination of the sign to specific letter dimensions.

The Commission determined that the size of the main building sign, located on the main entrance canopy at the SE corner, was too large and out of scale for the area’s desired pedestrian oriented character. The sign is proposed with a total area of 66.5 sf and 24” high individual letters. Commission therefore included a condition of approval that limits the height of the individual letters
to 18” maximum, and proportionally reduces the total sign area to 45 sf, to better meet design guidelines.

The proposed building has a cohesive and interesting expression and uses durable and good quality materials. With the Condition of Approval that the SE main entrance canopy sign individual sign letters will be limited in height to a maximum of 18”, and a total area of 45 sf, these guidelines are therefore met.

P2. **Historic and Conservation Districts.** Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area’s historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

P3. **Gateways.** Develop or strengthen the transitional role of gateways identified in adopted community and neighborhood plans.

D6. **Architectural Integrity.** Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

**Findings for P2, P3 & D6:** The site is not located within a historic and conservation district and is not an identified gateway.

**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 requirements of Title 11 can be met, and 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 proposed auto-dealership building is a quality building that will contribute to and enhance the character of Sandy Boulevard and the pedestrian environment. The project contributes to an active, pedestrian oriented environment with pervasive active ground-level program, strong corner activation and unified architectural expression. The purpose of Design Review is to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The design proposed meets applicable guidelines with Conditions of Approval, and therefore warrants an approval.

**DESIGN COMMISSION DECISION**

It is the decision of the Design Commission to approve Design Review for a new 4-story, auto-dealership building. The proposal includes 1 story below grade for automotive service uses. The ground floor includes an automotive showroom and leasable retail; the lower level includes automotive service shop; the second and third level includes auto inventory display; and the fourth level has employee parking.

Approvals per Exhibits C.2-C-12, C14-C-43 signed, stamped, and dated February 28, 2019, subject to the following conditions:
A. As part of the building permit application submittal, the following development-related conditions (B through D) 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 18-176279 DZM". All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

B. The SE main entrance canopy sign individual sign letters will be limited in height to a maximum of 18”, and a total area of 45 sf.

C. At the time of building permit submittal, a signed Certificate of Compliance form (https://www.portlandoregon.gov/bds/article/623658) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.

D. No field changes allowed.

By: 
Julie Livingston, Design Commission Chair

Application Filed: May 23, 2018  Decision Rendered: February 21, 2019
Decision Filed: February 22, 2019  Decision Mailed: March 8, 2019

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 May 23, 2018, and was determined to be complete on November 15, 2018. As per the applicants request it was determined to be complete on November 15, 2018. The applicants were offered a hearing before the Design Commission on January 13, 2019. The applicants requested that the hearing be rescheduled to February 21, 2019. Refer to Exhibit A-10.

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 May 23, 2018.

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 waived the 120-day review period, as stated with Exhibit A-21. Unless further extended by the applicant, the 120 days will expire on: November 15, 2019.

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. This report is the final decision of the Design Commission with input from other City and public agencies.
Conditions of Approval. This approval 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.

Appeal of this decision. This decision is final unless appealed to City Council, who will hold a public hearing. Appeals must be filed by 4:30 pm on March 22, 2019 at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. Information and assistance in filing an appeal is available from the Bureau of Development Services in the Development Services Center or the staff planner on this case. You may review the file on this case by appointment at, 1900 SW Fourth Avenue, Suite 5000, Portland, Oregon 97201. Please call the file review line at 503-823-7617 for an appointment.

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 City Council is final; any further appeal is to the Oregon Land Use Board of Appeals (LUBA).

Upon submission of their application, the applicant for this land use review chose to waive the 120-day time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing, one in which new evidence can be submitted to City Council.

Who can appeal: You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. An appeal fee of $5,000 will be charged. Last date to appeal: March 22, 2019.

Neighborhood associations may qualify for a waiver of the appeal fee. Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

Recording the final decision. If this decision is not appealed, it will be final on or after March 23, 2019 (the day following the last day to appeal). It cannot be recorded before that date, but it must be recorded by the Multnomah County Recorder before the approved use is permitted, any building or zoning permits are issued.

- 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 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 rendered unless:
- A building permit has been issued, or
- The approved activity has begun, or
- In situations involving only the creation of lots, the land division has been recorded.

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.

Puja Bhutani
February 28, 2019

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

EXHIBITS – NOT ATTACHED UNLESS INDICATED

A. Applicant’s Statement
1. Original Narrative
2. Original Drawing Set- Not approved, for reference only
3. Pre- Application Conference Summary Memo
4. Revised Drawing Set submitted 8.31.18; Not approved, for reference only
5. Stormwater management report
6. Request to hold application incomplete, submitted 8.31.18
7. Revised Narrative submitted 10.30.18
8. Revised Drawing Set submitted 8.31.18; Not approved, for reference only
9. Revised Stormwater Management Report, 12.11.18
10. Request to deem application complete on 11.15.19; and reschedule DC hearing to 2.21.19
11. Revised narrative submitted 12.6.18
12. Revised Drawing Set submitted 12.6.18; Not approved, for reference only
13. Revised narrative submitted 11.18.19, Not approved, for reference only
14. Context Map
15. Massing Concept
16. Truck Turning Diagram
17. Exterior Renderings
18. SE Entrance Alternatives Sketches
19. Response to DAR
20. Sight Line Diagrams
21. Request for Waiver to the 120 Day review period
22. Revised Narrative, 1/29/19
23. North Elevation- parapet sign options
24. SE corner design options

B. **Zoning Map** (attached)

C. **Plan & Drawings**
   2. Site/Service Level Plan
   3. Site/Street Level Plan (attached)
   4. Second Level Plan
   5. Third Level Plan
   6. Fourth Level (Roof) Plan
   7. South Building Elevation
   8. East elevation
   9. North Elevation
  10. West Elevation
  11. Building Sections
  12. Building Sections
  14. Details - Main Entry
  15. Details - Main Entry, Cont.
  16. Details - Future Tenant Entry
  17. Details - Future Tenant, Cont.
  18. Details - North Entry
  19. Details - North Entry, Cont.
  20. Details - Brand Blade
  21. Details - Trash Enclosure
  22. Materials Palette
  23. Landscape - Code Requirements
  24. Landscape - Plaza Plan
  25. Landscape - Plaza Renderings
  26. Landscape - Details and Materials
  27. Landscape - Streetscape @ NE 31st Ave
  28. Landscape - Plant Schedule
  29. Landscape - Plant Schedule, Cont.
  30. Landscape - Plant Selection
  31. Landscape - Plant Selection, Cont.
  32. Exterior Lighting Plan - Site Plan
  33. Exterior Lighting Plan - Service Level
  34. Exterior Lighting Plan - Street Level
  35. Civil Plan - Utility Plan
  36. Civil Plan - Grading Plan
  37. Signage Location Elevations
  38. Signage Details
  39. Signage Details
  40. Enlarged Bike Parking Diagrams
  41. FAR Summary
  42. Glazing Area
  43. Product Cutsheets

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. Mailed notice
6. Mailing list

E. Agency Responses:
   1. Bureau of Environmental Services
      a. 1st RFC response
      b. 2nd RFC response
      c. RFR response
   2. Bureau of Transportation Engineering and Development Review
      a. 1st RFC response
      b. 2nd RFC response
      c. RFR response
      d. Revised RFR response
      e. Driveway Design Exception Decision
   3. Site Development Review Section of BDS
      a. 1st RFC response
      b. 2nd RFC response
      c. RFR response
   4. Life Safety Review Section of BDS
   5. Water Bureau
   6. Fire Bureau
   7. Bureau of Parks, Forestry Division

F. Letters
   1. Al, Lollar, 2/7/19, expressed concerns regarding off-site parking impacts.
   2. Laurelhurst Neighborhood Association, 2/18/19, expressed concerns regarding
      the proposal’s use, massing, scale, compatibility with the neighborhood, weather
      protection, materials and signage.
   3. William Gander, President, Standard TV & Appliance, 2/21/19, wrote in support
      for the proposal. Refer to Exhibit F3.

G. Other
   1. Original LUR Application
   2. Incomplete letter send by staff on 6/12/18
   3. Staff feedback for submittal dated 8/31/18
   4. Staff feedback, 12/19/18
   5. Staff feedback, 1/23/19

H. [Received before the Hearing]
   1. Staff memo to the DC hearing, dated 2/7/19
   2. Staff report and recommendations to the DC, dated 2/8/19
   [Received at the Hearing]
   3. Staff PowerPoint Presentation to Hearing Body
   4. Applicant PowerPoint Presentation to Hearing Body