



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Ted Wheeler, Mayor
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Date: September 4, 2020
To: Interested Person
From: Grace Jeffreys, Land Use Services
503-823-7840 / Grace.Jeffreys@portlandoregon.gov

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 mailed copy of this document is only a summary of the decision. The reasons for the decision 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.

CASE FILE NUMBER: LU 20-160826 DZM - MAZDA SIGNS

GENERAL INFORMATION

Applicant: Erin Upham, Axis Design Group
11104 SE Stark St., Portland, OR 97216
ErinU@axisdesigngroup.com, 971.533.8229

Owner: Toma Properties LLC
25300 SW Parkway Ave., Wilsonville, OR 97070

Tenant: Shana Redmond, Gee Automotive Portland VII LLC,
DBA Tonkin Mazda of Portland
750 SE 122nd Ave, Portland, OR 97233

Site Address: 750 SE 122ND AVE

Legal Description: TL 1800 0.27 ACRES, SECTION 02 1S 2E; TL 1700 0.60 ACRES, SECTION 02 1S 2E; TL 1600 6.80 ACRES, SECTION 02 1S 2E

Tax Account No.: R992021110, R992021700, R992021730

State ID No.: 1S2E02BB 01800, 1S2E02BB 01700, 1S2E02BB 01600

Quarter Section: 3143

Neighborhood: Mill Park, contact Trevor Hopper at mill.park.pdx.chair@gmail.com

Business District: Gateway Area Business Association, contact at gabapdxboard@gmail.com

District Coalition: East Portland Community Office, contact at 503-823-4550.

Plan District: None

Other Designations: None

Zoning: **CE (MU-C)d**, Central Employment (CE) with Design overlay (d)

Case Type: **DZM**, Design Review with Modification

Procedure: **Type II**, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant requests design review approval for two new illuminated signs to replace existing signage for an existing auto dealership, located off SE 122nd Avenue. These signs will be for the Mazda dealer and service bay portions of the dealership located in the northwest corner of the building. These signs have already been the subject of a Design Review approval (LU 19-151565 DZ); however, further review is required for these signs as follows:

- Sign A. Service sign (#1), approximately 20 SF. Review is needed for this sign because this proposed sign is slightly larger, by about 4 SF, than the sign approved under the previous DR approval.
- Sign B. Mazda sign (#2) and Tonkin sign (#3) together, approximately 350 SF. Review is needed because these two smaller signs are considered one large sign under Sign Measurements, 32.24.010.F, due to their proximity.

Two Modifications to sign code development standards are requested:

1. Sign Standards, Size per sign 32.32.020.A: The maximum area allowed per sign is 200 SF, and the area of the proposed Sign B, Mazda sign (#2) and Tonkin sign (#3) together, is approximately 350 SF.
2. Sign Standards, Total amount 32.32.020.A: To increase the total amount of signage for this tenant from 109.9 sf to 365 sf. (The total sign allowance is 1 sq. ft. per 1 ft. of primary bldg. wall when a freestanding sign is also on the same street frontage, and the length of frontage for this tenant is 109.9 sf.)

Because the proposal is for non-exempt signs in a design overlay zone, Design Review is required per Portland Zoning Code 33.825.025.

Relevant Approval Criteria:

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

- Community Design Guidelines
- 33.825.040 Modifications That Will Better Meet Design Review Requirements

ANALYSIS

Site and Vicinity: The site consists of two parcels covering a total area of 324,500 square feet. The property is located on the east side of SE 122nd Avenue. The site is L-shaped, with the deeper part of the property fronting SE 122nd Ave and a narrow leg extending north to SE Stark Street.

The site's existing 67,112 square foot building is the home of Ron Tonkin Toyota/Scion and Ron Tonkin Mazda automotive dealerships. These two businesses occupy the same overall building structure but have physically separate vehicle sales and service operations. The scope of this proposal involves installation of new Mazda building signage that was included with the façade improvement and interior renovation project currently in construction (19-211563-000-00-CO). This signage was previously approved in Design Review LU 19-151565 DZ. No change in building footprint is proposed. No other changes to the site are proposed.

The area around the site is developed with a variety of uses. To the north and south, along 122nd and Stark, there are mainly commercial uses including a branch of the Multnomah County Library. The MAX light rail line is located one block to the north on East Burnside Street and a park-and-ride lot is located directly to the north of the site, between Ash and Burnside. The area to the east and south of the site is mainly residential, with a mix of single and multi-dwelling uses whose rear and side yards directly abut the dealership. Additional homes are located southwest of the site across SE 122nd Avenue as well as further west starting at SE 119th Avenue.

The City's Transportation System Plan (TSP) classifies the abutting rights-of-way (ROWs) as follows:

- SE 122nd Avenue is not located within a Pedestrian District. It is classified as a Regional Corridor, Major Transit Priority Street, Major City Traffic Street, Major City Bikeway and a City Walkway.
- SE Stark Street is located within a Pedestrian District. It is classified as a Regional Corridor, Major Transit Priority Street, Major City Traffic Street, City Bikeway and a City Walkway.

Zoning: The Commercial Employment (CE) zone is a medium-scale zone intended for sites along corridors with a Neighborhood Collector or higher traffic classification, especially along civic corridors that are also Major Truck Streets or Priority Truck Streets. This zone is generally not appropriate in designated centers, except on a site that is currently developed in an auto-oriented manner and where more urban development is not yet economically feasible. The zone allows a mix of commercial uses, including auto-accommodating development and drive-through facilities, as well as some light manufacturing and distribution uses that have few off-site impacts. The emphasis of this zone is on commercial and employment uses, but residential uses are also allowed. Buildings in this zone will generally be up to four stories tall. This zone is intended to allow for development with auto-accommodating configurations, while also including pedestrian-oriented design features that support transit and pedestrian access.

The “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. 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 prior land use reviews include the following:

- LU 19-151565 DZ – Design Review approval for exterior alterations to the Mazda dealer and service bay portions of the existing dealership located in the northwest corner of the building, three new building mounted signs and a small landscape buffer at SE 122nd
- LU 18-157910 DZ – Design Review approval for sign replacement at 750 SE 122nd Avenue.
- LU 16-147513 DZ – Design Review approval for alterations to the existing pylon sign on SE 122nd Avenue.
- LU 10-203846 DZM – Design Review approval for exterior renovations to the Tonkin Toyota Mazda dealership, and a modification to landscape areas.
- ZC 58-100342 MCF (MCF 8-58 ZC) - Zone change from A-2 to C-2 in 1958.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **July 20, 2020**. The following Bureaus have responded with no issues or concerns:

- Life Safety Section of Bureau of Development Services (Exhibit E1)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on July 20, 2020. No written responses have been received from either the Neighborhood Association or notified property owners in response to the 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.
- 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.
- D2. Main Entrances.** Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

Findings for P1, D7, E1 and D2: While the area along SE 122nd Avenue is currently developed with large surface parking lots and buildings set far back from the street, it is intended that this neighborhood gradually change to a more pedestrian-friendly environment with enhanced landscaping and wide sidewalks, while retaining the commercial development pattern with sustainable infill and renovation. Vehicle sales and service are expected to remain a part of this area. The proposed signs will support the move towards a more pedestrian-friendly environment while maintaining vehicle sales in the following ways:

- The proposed signs will be situated 449' to 469' from the right-of-way along SE 122nd Avenue, a frequent transit street. The signage will be minimally visible from the street and not increase or lead to street level sign clutter, and existing frontage and site landscaping will partially screen proposed signage from view.
- The proposed signs will be building-mounted, and the size and placement of the signs has been designed to be part of the overall architectural composition. The signs will mark and enhance the recently approved renovation of the main entry, which will be expressed by a new portal with large double height display windows.

These guidelines are therefore met.

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.

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 for D6 and D8: The proposed signs will respect the character of the building and contribute to cohesive composition as follows:

- The proposed signs have been designed to be integral to the design of the recently approved building façade renovations, which include metal siding and panel systems and large glazed aluminum storefront bays. The new signs will be building-mounted, featuring an aluminum composite material, cabinet-less lettering and logo, and concealed cabling. These proposed signs will be of a high-quality and will maintain and enhance the overall composition of the building design.

These guidelines are therefore met.

(1) MODIFICATION REQUESTS (33.825)

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.

Two Modifications to sign code development standards are requested:

1. Sign Standards, Size per sign 32.32.020.A: The maximum area allowed per sign is 200 SF, and the area of the proposed Sign B, Mazda sign (#2) and Tonkin sign (#3) together, is approximately 350 SF.
2. Sign Standards, Total amount 32.32.020.A: To increase the total amount of signage for this tenant from 109.9 sf to 365 sf. (The total sign allowance is 1 sq. ft. per 1 ft. of primary bldg. wall when a freestanding sign is also on the same street frontage, and the length of frontage for this tenant is 109.9 sf.)

Modification 1, Sign Standards, Size per sign 32.32.020.A:

Purpose Statement: The regulations contained in Chapters 32.30 through 32.38 are land use regulations which work in combination with Title 33, Planning and Zoning, to implement Portland's Comprehensive Plan. The standards contained in Chapters 32.32 through 32.34 encourage signs to be compatible with the distinct character of specific areas of the city by regulating the size, placement, and features of signs by base zone, overlay zone, and plan district. Chapter 32.34 includes standards that encourage signs that further the objectives of certain land use categories.

Standard: In the CE zone, the Maximum Area Per Sign is 200 sq. ft. per 32.32.020.A Table 2.

Proposal. Proposed Sign B, which includes the Mazda sign (#2) and the Tonkin sign (#3), is approximately 350 sq. ft. in area.

- A. Better meets design guidelines.** The resulting development will better meet the applicable design guidelines.

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

Findings for A and B: While the proposal is for 3 separate signs, sign element #2, the Mazda sign #2 and sign element #3, the Tonkin sign, are considered one large sign under Sign Measurements, 32.24.010.F, due to their proximity. The proposed sign areas are calculated by drawing a rectangle around the elements of each sign, as shown on exterior elevation 1, sheet A-100B (Exhibit C1). Sheet A-100B (Exhibit C2) also includes calculations per Figure 6, with the following results:

- Sign element #1 (Service) is counted separately from adjacent sign element B.
- Sign elements #2 (Mazda) and #3 (Tonkin) are counted as 1 sign face based on the rationale of Figure 6. This is due to the horizontal proximity of these signs on the primary building wall. Per Figure 6, the area of signs #2 and #3 would be calculated as 349 sf. In actuality, the combined area of signs #2 and #3 is only 84 sf; the 265 sf. remainder is “blank space” occupied by ACM siding panels. Both area totals are reflected on sheet A-100B (Exhibit C2).

The proposal will be consistent with the purpose of the standard, which is to encourage signs to be compatible with the distinct character of its location by regulating the size, placement, and features of signs, for the following reasons:

- In this case, the two signs which are considered one due to their proximity each reads as its own distinctly separate sign, with different designs, lettering, colors and materiality. Therefore, they read as unique to themselves, not as one unified “sign”. Additionally, each sign would comply with the regulations if viewed as a separate sign.

The resulting development will better meet design guidelines *P1. Plan Area Character, D7. Blending into the Neighborhood, E1. The Pedestrian Network* and *D2. Main Entrances*, for the following reasons:

- The proposed signage is situated 449’ to 469’ from the right-of-way along SE 122nd Avenue and will be minimally visible from the street. It will not increase or lead to street level sign clutter, and existing frontage and site landscaping will partially screen proposed signage from view and will not negatively impact this neighborhood which is intended to gradually change to a more pedestrian-friendly environment.
- The proposed signs will be building-mounted, and the size and placement of the signs has been designed to be part of the overall architectural composition. The signs will mark and enhance the recently approved renovation of the main entry, which will be expressed by a new portal with large double height display windows, thereby increasing pedestrian visibility to the main entry.

These criteria are therefore met.

Modification 2, Sign Standards, Total amount 32.32.020.A:

Purpose Statement: The regulations contained in Chapters 32.30 through 32.38 are land use regulations which work in combination with Title 33, Planning and Zoning, to implement Portland’s Comprehensive Plan. The standards contained in Chapters 32.32 through 32.34 encourage signs to be compatible with the distinct character of specific areas of the city by regulating the size, placement, and features of signs by base zone, overlay zone, and plan district. Chapter 32.34 includes standards that encourage signs that further the objectives of certain land use categories.

Standard: In the CE zone, the total sign allowance is 1 sq. ft. per 1 ft. of primary bldg. wall when a freestanding sign is also on the same street frontage, and the length of frontage for this tenant is 109.9 sf.

Proposal. To increase the total amount of signage for this tenant from 109.9 sf to 365 sf. Because the Mazda sign and Tonkin sign are considered one sign, and the space between them increases the overall size of signage area.

- A. Better meets design guidelines.** The resulting development will better meet the applicable design guidelines.
- B. Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

Findings for A and B: AS noted above, while the proposal is for 3 separate signs, sign element #2, the Mazda sign #2 and sign element #3, the Tonkin sign, are considered one large sign under Sign Measurements, 32.24.010.F, due to their proximity. Per Figure 6, the area of signs #2 and #3 would be calculated as 349 sf. In actuality, the combined area of signs #2 and #3 is only 84 sf; the 265 sf. remainder is “blank space” occupied by ACM siding panels.

The proposal will be consistent with the purpose of the standard, which is to encourage signs to be compatible with the distinct character of its location by regulating the size, placement, and features of signs, for the following reasons:

- In this case, the two signs which are considered one due to their proximity each reads as its own distinctly separate sign, with different designs, lettering, colors and materiality. Therefore, they read as unique to themselves, not as one unified “sign”. Additionally, each sign would comply with the regulations if viewed as a separate sign. And while the open space between these two signs is considered “sign area” it reads as wall not signage due to the size of the two signs, the different designs and the distance between them.

The resulting development will better meet design guidelines *P1. Plan Area Character, D7. Blending into the Neighborhood, E1. The Pedestrian Network* and *D2. Main Entrances*, for the following reasons:

- The proposed signage is situated 449’ to 469’ from the right-of-way along SE 122nd Avenue and will be minimally visible from the street. It will not increase or lead to street level sign clutter, and existing frontage and site landscaping will partially screen proposed signage from view and will not negatively impact this neighborhood which is intended to gradually change to a more pedestrian-friendly environment.
- The proposed signs will be building-mounted, and the size and placement of the signs has been designed to be part of the overall architectural composition. The signs will mark and enhance the recently approved renovation of the main entry, which will be expressed by a new portal with large double height display windows, thereby increasing pedestrian visibility to the main entry.

These criteria are therefore 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.

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 proposed signs will enhance the pedestrian realm by marking the main entrance for pedestrians while allowing for continue presence of vehicular sales in the area. Therefore, the proposal meets the applicable design guidelines and modification criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of two new illuminated signs to replace existing signage for an auto dealership:

- Sign A. Service sign (#1), approximately 20 SF
- Sign B. Mazda sign (#2) and Tonkin sign (#3) together, approximately 350 SF.

Approval of two Modifications to sign code development standards:

1. Sign Standards, Size per sign 32.32.020.A: The maximum area allowed per sign is 200 SF, and the area of the proposed Sign B, Mazda sign (#2) and Tonkin sign (#3) together, is approximately 350 SF.
2. Sign Standards, Total amount 32.32.020.A: To increase the total amount of signage for this tenant from 109.9 sf to 365 sf. (The total sign allowance is 1 sq. ft. per 1 ft. of primary bldg. wall when a freestanding sign is also on the same street frontage, and the length of frontage for this tenant is 109.9 sf.)

Approval per the approved site plans, Exhibits C-1 through C-8, signed and September 1, 2020, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) 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 20-160826 DZM." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. 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.
- C. No field changes allowed.

Staff Planner: Grace Jeffreys

Decision rendered by:  **on September 1, 2020**
By authority of the Director of the Bureau of Development Services

Decision mailed: September 4, 2020

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 **June 25, 2020** and was determined to be complete on **July 14, 2020**.

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 June 25, 2020.

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. Unless further extended by the applicant, **the 120 days will expire on: November 11, 2020.**

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, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be filed **by 4:30 PM on September 18, 2020.**

Towards promoting social distancing during the COVID-19 pandemic, the completed appeal application form must be emailed to BDSLUSTeamTech@portlandoregon.gov and to the planner listed on the first page of this decision. If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations for the appeal of Type II and IIX decisions on property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If you are interested in viewing information in the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note that due to COVID-19 and limited accessibility to paper files, only digital copies of material in the file are available for viewing. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **September 18, 2020** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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

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

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

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

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

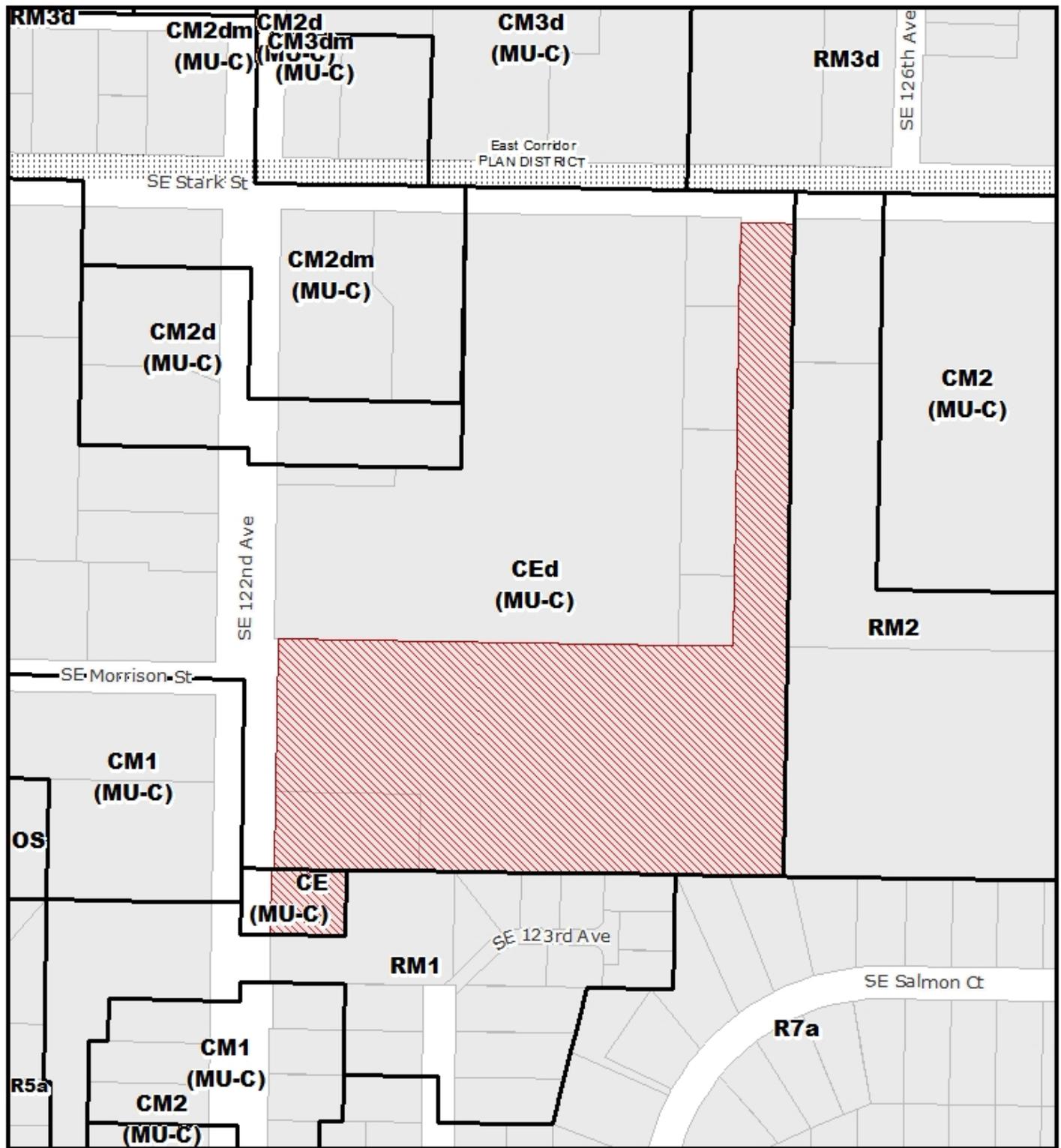
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
 1. Initial narrative
 2. Initial drawings
 3. Initial sign cutsheets
 4. Initial rendering
 5. Request for second Modification, 7/22/2020
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Elevations (attached)
 3. Sign Details

4. Sign Details
 5. Sign Details
 6. Sign Details
 7. Sign Details
 8. Sign Details
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses:
1. Life Safety Section of Bureau of Development Services
- F. Correspondence: None received
- G. Other:
1. Original LU Application

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).



ZONING  NORTH

 Site

| | |
|-------------|--------------------|
| File No. | LU 20 - 160826 DZM |
| 1/4 Section | 3143 |
| Scale | 1 inch = 200 feet |
| State ID | 1S2E02BB 1600 |
| Exhibit | B Jul 01, 2020 |

