



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

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Date: May 27, 2021
To: Interested Person
From: Tim Heron, Land Use Services
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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 21-028469 DZ – MINOR CHANGES TO PREVIOUSLY APPROVED LU 18-176279 DZ LEXUS DEALERSHIP

GENERAL INFORMATION

Consultant: Lee Leighton, Mackenzie, LLeighton@mcknze.com
1515 SE Water Ave #100
Portland, OR 97214

Owner/Applicant: Michael Moonan, Holman Portland Real Estate LLC
17800 SE Mill Plain Blvd, #190
Vancouver, WA 97683

Site Address: 3075 NE SANDY BLVD

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 Jesse Lopez at kernslanduse@gmail.com
Business District: NONE
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010 x313
Zoning: CM3d, Commercial Mixed-Use 3 with design overlay
Case Type: DZ, Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:
The applicant received a Type 3 Design Review approval in February 2019 [LU 18-176279 DZ] for a new Lexus Dealership at this site. The applicant is now requesting review of minor changes to the previously approved design that trigger a Type 2 Design Review.

The applicant requests Design Review approval for minor changes that maintain the majority of the original approval in massing, scale, form, orientation, and other major features of the

proposed building. Changes that trigger Design Review are intended to achieve the same appearance.

The following specific changes are proposed:

- Replace glazing specified with equivalent clear glazing
- Replace insulated glass with single pane at 2nd & 3rd floors
- Replace helix core metal circles with stainless steel fabric
- Delete blade sign at the flyover Bridge
- Use fritted glass in lieu of louvers
- Revisions to landscaping layout
- Updated retaining wall option
- Bike rack finish change
- Revisions to color specification changes on building facades' metal paneling, louvers, and painted exterior surface of helix

Because the proposal is for exterior alterations to the previously approved Type 3 Design Review that fall within the threshold of PZC 33.825.025.B.1-4, a Type 2 Design Review is required.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval 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 one prior land use reviews for this site:

- LU 18-176279 DZ - Design Commission approval a new 4-story, auto-dealership building.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **April 16, 2021**. The following Bureaus have responded with no issue or concerns:

- Bureau of Environmental Services: Please see Exhibit E1.
- Bureau of Transportation: Please see Exhibit E2.
- The Fire Bureau: Please see Exhibit E3.
- The Site Development Section of BDS: Please see Exhibit E4.
- The Life-Safety Section of BDS: Please see Exhibit E-5.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **April 16, 2021**. No responses were received.

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 streetcar 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 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 the 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 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.

In the Design Commission's decision for LU 18-176279 DZ 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 – this sign area will be retained as originally approved and Conditioned. 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 six (6) unevenly spaced 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) and three additional street trees.

NE 31st Avenue is a local service street. The existing sidewalk along 31st Avenue is 10 feet wide, with an approximately 35' wide curb cut on the north half of the site and one street tree. 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 nine on-site trees along the property line.

- The large street trees being provided on both street frontages will help buffer 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 widths 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.

D5. Crime Prevention. 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 two openings: a sliding 9' wide gate and an 8' wide 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 western doorway on NE Sandy Boulevard, 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 a prominent main entrance. *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.

- 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. 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.

In the Design Commission's decision for LU 18-176279 DZ 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 – this sign area will be retained as originally approved and Conditioned. 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.

ADMINISTRATIVE DECISION

Approval for minor changes to the Type 3 Design Commission approval in February 2019 [LU 18-176279 DZ] for a new Lexus Dealership at this site.

Approval per the approved site plans, Exhibits C-1 through C-71, signed and dated May 25, 2021, 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 21-028469 DZ." 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. 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.
- D. No field changes allowed.

Staff Planner: Tim Heron



Decision rendered by: _____ **on May 25, 2021**

By authority of the Director of the Bureau of Development Services

Decision mailed: May 27, 2021

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 March 22, 2021, and was determined to be complete on **April 14, 2021**.

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 March 22, 2021.

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: August 12, 2021.**

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

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

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

use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed to the Design Commission, 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 received **by 4:30 PM on June 10, 2021. The completed appeal application form must be emailed to LandUseIntake@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 Office of Community and Civic Life 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 this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

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 on or after **June 11, 2021** 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 Statement
 - 1. Original submittal, drawings and narrative 3-22-21
 - 2. Revised submittal, drawings 4-12-21
 - 3. Revised submittal, drawings and appendix 5-7-21
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site/Service Level Plan
 - 2. Site/Street Level Plan [attached]
 - 3. Second Level Plan
 - 4. Third Level Plan
 - 5. Fourth Level (Roof) Plan
 - 6. Building Elevations – South [attached]
 - 7. Building Elevations – East [attached]
 - 8. Building Elevations - North
 - 9. Building Elevations - West
 - 10. Building Sections – longitudinal
 - 11. Building Sections - cross
 - 12. Sight Line Diagrams
 - 13. Details - Main Entry
 - 14. Details - Main Entry, Cont.
 - 15. Details - Future Tenant Entry
 - 16. Details - Future Tenant, Cont.
 - 17. Details - North Entry
 - 18. Details - North Entry, Cont.
 - 19. Details - Trash Enclosure
 - 20. Materials Palette [attached]
 - 21. Landscape - Code Requirements
 - 22. Landscape - Plaza Plan
 - 23. Landscape - Plaza Renderings
 - 24. Landscape - Details and Materials
 - 25. Landscape - Streetscape @ NE 31st Ave
 - 26. Landscape - Plant Schedule - South
 - 27. Landscape - Plant Schedule - North
 - 28. Landscape - Plant Selection
 - 29. Landscape - Plant Selection, Cont.
 - 30. Exterior Lighting Plan - Site Plan
 - 31. Exterior Lighting Plan - Service Level
 - 32. Exterior Lighting Plan - Street Level
 - 33. Civil Plan - Utility Plan
 - 34. Civil Plan - Grading Plan
 - 35. Project Specs – Curtain Wall 1A
 - 36. Project Specs – Curtain Wall 1B
 - 37. Project Specs – Curtain Wall 1C
 - 38. Project Specs – Curtain Wall 1D

39. Project Specs – Curtain Wall 1E
 40. Project Specs – Curtain Wall 1F
 41. Project Specs – Metal Panel 2A
 42. Project Specs – Metal Panel 2B
 43. Project Specs – Stucco 3A
 44. Project Specs – Stucco 3B
 45. Project Specs – Stainless Steel Mesh 4
 46. Project Specs – Garage Door 5A
 47. Project Specs – Garage Door 5B
 48. Project Specs – Glazing 6A
 49. Project Specs – Glazing 6B
 50. Project Specs – Sliding Door 7A
 51. Project Specs – Sliding Door 7B
 52. Project Specs – Sliding Door 7C
 53. Project Specs – Sliding Door 7D
 54. Project Specs – Exterior Lighting 8A
 55. Project Specs – Exterior Lighting 8B
 56. Project Specs – Exterior Lighting 8C
 57. Project Specs – Exterior Lighting 8D
 58. Project Specs – Exterior Lighting 8E
 59. Project Specs – Exterior Lighting 8F
 60. Project Specs – Exterior Lighting 8G
 61. Project Specs – Alternate Exterior Lighting 9A
 62. Project Specs – Alternate Exterior Lighting 9B
 63. Project Specs – Alternate Exterior Lighting 9C
 64. Project Specs – Alternate Exterior Lighting 9D
 65. Project Specs – Alternate Exterior Lighting 9E
 66. Project Specs – Alternate Exterior Lighting 9F
 67. Project Specs – Alternate Exterior Lighting 9G
 68. Project Specs – Parking Garage Lighting 10A
 69. Project Specs – Parking Garage Lighting 10B
 70. Project Specs – Parking Garage Lighting 10C
 71. Project Specs – Parking Garage Lighting 10D
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses:
1. Bureau of Environmental Services
 2. Bureau of Transportation
 3. The Fire Bureau
 4. The Site Development Section of BDS
 5. The Life-Safety Section of BDS
- F. Correspondence: No responses were received.
- G. Other:
1. Original LU Application
 2. Incomplete Letter 4-5-21

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).