



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

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Date: August 4, 2022
To: Interested Person
From: Marguerite Feuersanger, Land Use Services
503-823-7619 / Marguerite.Feuersanger@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 22-134590 AD

GENERAL INFORMATION

Applicant: Garrett Helm, Bora Architecture
720 SW Washington St #800
Portland, OR 97205
(609) 638-3928 helm@bora.com

Owner: Multnomah County Library District
401 N Dixon St
Portland, OR 97227-1865

Owner's Agent: Elise Hendrickson Multnomah County Library Capital Bond Program
1006 SE Grand Ave
Portland, OR 97214

Site Address: 805 SE 122nd Avenue

Legal Description: TL 9700 1.00 ACRES, SECTION 03 1S 2E; TL 9800 1.06 ACRES, SECTION 03 1S 2E

Tax Account No.: R992030030, R992030370

State ID No.: 1S2E03AA 09700, 1S2E03AA 09800

Quarter Section: 3142

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 info@eastportland.org

Zoning: CM1, Commercial/Mixed Use 1 zone

Case Type: AD, Adjustment

Procedure: Type II, an administrative decision with appeal to the Adjustment Committee.

Proposal: A building addition, interior renovation, and exterior site improvements are proposed to the Midland Library: an approximate 6,500 square-foot addition is proposed along the south wall of the existing building, adjacent to the parking area. A portion of the existing parking area will be replaced with an outdoor plaza. The central portion of the parking area will be reconfigured with new paving and landscaping, and the south portion of the parking area paving will generally remain in place.

The new building addition must meet current zoning code requirements. A 10-foot landscape buffer (planted to meet the L3 standard of Chapter 33.248) is required at the south property line, adjacent to residential-zoned property. The existing landscape area at this location, however, does not meet the L3 standard. Also, the library's main entrance must be within 25 feet of and directly face onto SE 122nd Avenue (designated a Transit street). The proposed main entrance location, however, does not meet these standards because it is more than 25 feet from SE 122nd Avenue and faces the parking area.

The applicant is requesting two Adjustments to the following development standards:

1. Transit Street Main Entrance: Increase the maximum distance the main entrance can be from a transit street (SE 122nd Avenue): from 25 feet to 109 feet and allow the entrance to face the south property line, not the SE 122nd Avenue street property line. (Section 33.130.242.C); and
2. Landscape Buffer Adjacent to Residential: Reduce the minimum landscape buffer width from 10 feet to 6 feet-8 inches and waive the tree requirement of the L3 landscape standard (Section 33.130.215.B.2.b).

A tree inventory was conducted for the site: four mature Douglas fir trees at the northwest portion of the site, adjacent to Midland Park, will be preserved (all are more than 20 inches in trunk diameter). A Katsura tree located in the parking area will also be preserved (15 inches in trunk diameter). Remaining trees near the building's south wall and within the parking area will be removed. New trees and shrubs are proposed within and adjacent to parking area. A site plan, landscape plan, and proposed building elevations are attached to this notice.

Libraries are classified as Community Service uses and are allowed in the CM1 zone. The applicant states that the general operating characteristics of the library will remain fundamentally the same with the addition. The library does not intend to add more staff, and the number of volumes the new building will hold is similar to the existing building's holdings.

Relevant Approval Criteria:

To be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are found in Section 33.805.040.A through F, Adjustments.

ANALYSIS

Site and Vicinity: The two-acre site is located at the southwest intersection of SE 122nd Avenue and SE Morrison Street. It is developed with a library building at the north portion and a parking area at the south portion of the site. Mature evergreen trees are located on the west portion of the site. Midland Park is adjacent to the site's west property line; Commercial development is located north and east of the site; Ron Tonkin dealerships are located directly east of the site along SE 122nd Avenue. Residential development is located south of the site.

The site is within the 122nd/Hazelwood Pedestrian District. TriMet bus line #73- 122nd Ave runs along 122nd Avenue; a bus stop is located adjacent to the site's 122nd Avenue frontage. TriMet bus line #20- Burnside/Stark runs along SE Stark, nearly 750 feet north of the site.

Zoning: The site is within the Commercial Mixed-Use 1 (CM1) zone, which is a small-scale zone intended for sites in dispersed mixed use nodes within lower density residential areas, as well as on neighborhood corridors and at the edges of neighborhood centers, town centers and

regional centers. The zone is also appropriate in core commercial areas of centers in locations where older commercial storefront buildings of 1 to 2 stories are predominant. This zone allows a mix of commercial and residential uses. The size of commercial uses is limited to minimize impacts on surrounding residential areas. Buildings in this zone will generally be up to three stories tall. Development is intended to be pedestrian-oriented and compatible with the scale and characteristics of adjacent residentially zoned areas or low-rise commercial areas.

Land Use History: City records indicate the following prior land use review for this site:

#1995-011932 Approval of Conditional Use Review for a public library and Denial of Conditional Use Review for parking in the Open Space Zone. Approval of Adjustments to reduce the required north building setback and to eliminate the requirement for a 5-foot landscaped setback at the west edge of the parking lot.

Staff comment: The site zoning has changed since the approval of this Conditional Use review. The CM1 zone allows libraries by right and therefore Conditional Use review is not required for this proposal. Also, the CM1 zone does not apply a minimum building setback along the north property line (SE Morrison Street). Because this proposal includes changes to the site plan and parking area that was approved with the 1995 approval, the prior Adjustment approval to waive the parking area landscaping no longer applies. The proposal includes 5 feet of perimeter parking area landscaping along the west property line.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed June 24, 2022. The following Bureaus have responded with no issues or concerns:

- Water Bureau (Exhibit E-3);
- Fire Bureau (Exhibit E-4); and
- Site Development Section of BDS (Exhibit E-5).

The following bureaus have no objection to the requested Adjustments but cite requirements that will apply during the building permit review:

- Bureau of Environmental Services (Exhibit E-1);
- Bureau of Transportation (Exhibit E-2); and
- Life Safety Plan Review Section of BDS (Exhibit E-6).

Neighborhood Review: No written responses were received from either the Neighborhood Association or notified property owners in response to the Notice of Proposal.

ZONING CODE APPROVAL CRITERIA

33.805.010 Purpose

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations. They also allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

33.805.040 Approval Criteria

Adjustment requests will be approved if the applicant has demonstrated that approval criteria A through F, below, have been met.

A. Granting the Adjustment will equally or better meet the purpose of the regulation to be modified; and

Findings: Each Adjustment request and the purpose of each regulation to be modified is discussed separately below:

Adjustment #1 Transit Street Main Entrance: Increase the maximum distance the main entrance can be from a transit street (SE 122nd Avenue): from 25 feet to 109 feet and allow the entrance to face the south (not the street) property line. The purpose statement is found in Section 33.130.242.A:

Locating the main entrance to a use on a transit street provides convenient pedestrian access between the use and public sidewalks and transit facilities, and so promotes walking and the use of transit.

The purpose statement focuses on a high quality pedestrian environment. Two transit lines are located near the site: bus line #73 runs along 122nd Avenue, and a bus stop is located along the site's SE 122nd Avenue frontage. Bus line #20 is located 750 feet north of the site. Southeast 122nd Avenue at this location accommodates five travel lanes and two bicycle lanes. On-street parking is provided along both sides of the street. The site's 122nd Avenue frontage also includes a marked pedestrian crossing with a center refuge island. The existing sidewalk is 12 feet in width; existing street trees will be protected (PBOT comments, Exhibit E-2). Thus, pedestrians and transit users will be entering the site from the north, south, and east.

The applicant describes the proposal as follows:

"This design brings the experience of the library outdoors, creating a sense of arrival well before walking through the building doors. A covered outdoor porch extends from the street to the doors with resources such as seating, tables for gathering, a community bulletin board; shelving to provide space for free used books, activity kits, or a public zine library and a bicycle repair station. The canopy above will host artwork by a local artist that will be designed in collaboration with community members served by the Midland Library, welcoming patrons into their library.

Exhibit C-4, Building and Site Elevations, illustrates the applicant's written description. While the entry to the building is over 100 feet from the 122nd Avenue public sidewalk, the proposal creates an inviting and attractive space for pedestrians (see the pedestrian entry portion of the site plan - Exhibit C-1).

Highlights of the proposed design elements include:

- A pedestrian path that is 18 feet in width for much of its length and widens as it approaches 122nd, to create a 28-foot-wide pedestrian zone area at the public sidewalk. This increases visibility into and from the site and effectively shortens the path length for pedestrians arriving from the north and south.
- The pedestrian zone and path to the entrance are covered to provide protection from weather.
- Amenities include interactive programming at the street facing building façade (a community bulletin board and open shelving that provides space for free used books or library activity kits), a bike repair station, bike parking, bench seating, and landscaping. These features work together to create an inviting entry and promote walking, transit use, and bicycling.
- The amenities create an active and passive outdoor space near the public sidewalk, encouraging visitors to use the outdoor space as they would use the amenities and spaces inside the library building. The design effectively creates an entrance to the site, similar to a building entrance.

- Existing utility connections to the building (Fire Department connection and the water backflow device) will remain in the landscaped area north of the pedestrian zone and will not conflict with the design and usage of the plaza.
- Bollards are needed to limit vehicle access onto the pedestrian zone; the bollard design elevates the pedestrian environment because they are rounded in shape, low in scale and are adequately separated to allow pedestrian access.

In consideration of the proposal itself and the above reasons, this criterion is met for Adjustment #1.

Adjustment #2 Landscape Buffer Adjacent to Residential: Reduce the minimum landscape buffer width from 10 feet to 6 feet-8 inches and waive the tree requirement of the L3 landscape standard. There are several purpose statements for the building setback and landscape buffer requirements (Section 33.130.215.A). The relevant statement for this Adjustment is as follows:

The setback requirements for areas that abut residential zones promote commercial/mixed use development that will maintain light, air, and the potential for privacy for adjacent residential zones.

The proposal meets this purpose statement for the following reasons:

- The proposed library addition is set back more than 150 feet from the south property line where it is adjacent to a residential zone, which maintains light and air for residents of the adjacent residential development.
- An existing evergreen hedge along the south property line will be preserved and seven Western red cedar trees will be planted near the south property line corners (Exhibit C-5). The evergreen hedge and new evergreen trees will provide year round screening, promoting privacy for the residents of the adjacent residential development.

Based on the above, this criterion is met for Adjustment#2.

B. If in a residential, CI1, or IR zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, I, or CI2 zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and

Findings: The site is within a C zone (CM2); therefore, the proposal must be consistent with the classifications of the adjacent streets and the desired character of the area. The Portland Bureau of Transportation (PBOT) reviewed the proposal and responded with no objections to the Adjustment requests. PBOT provided the following information about adjacent street classifications:

At this location, the City's Transportation System Plan (TSP) classifies the abutting rights-of-way as follows:

- *The site is within a Pedestrian District.*
- *SE 122nd Ave: Major City Traffic St., Major Transit Priority, Major City Bikeway, Major City Walkway, Major Truck Street, Civic Main St.*
- *SE Morrison St: Local Service all modes, Local Street Design Classification*

The purpose of the Transit Street entrance standard is to ensure a convenient and usable pedestrian environment; the site's designation within a Pedestrian District is relevant to Adjustment #1. As discussed in Criterion A above, staff finds that the proposal meets this purpose and results in a high quality pedestrian environment. Adjustment #2 relates to

landscape screening for adjacent residential zones and has no impact on street classifications. Staff finds the proposed Adjustments are consistent with the adjacent street classifications.

The term “Desired character” is defined in Zoning Code Chapter 33.910 as the character statement of the zone (CM1), which is:

The Commercial/Mixed Use 1 (CM1) zone is a small-scale zone intended for sites in dispersed mixed use nodes within lower density residential areas, as well as on neighborhood corridors and at the edges of neighborhood centers, town centers and regional centers. The zone is also appropriate in core commercial areas of centers in locations where older commercial storefront buildings of 1 to 2 stories are predominant. This zone allows a mix of commercial and residential uses. The size of commercial uses is limited to minimize impacts on surrounding residential areas. Buildings in this zone will generally be up to three stories tall. Development is intended to be pedestrian-oriented and compatible with the scale and characteristics of adjacent residentially zoned areas or low-rise commercial areas.

The existing library and the proposed south addition will be one story in height, and more than 150 feet away from the closest residential development, south of the site. The proposal is therefore compatible with adjacent and nearby residential development.

The proposed covered pedestrian pathway is 109 feet in length and leads from the 122nd Avenue public sidewalk to the main entrance of the library, with the widest part of the pathway at the public sidewalk. The wide opening of the path effectively draws visitors into the site. Further, the canopy structure and associated artwork, bench seating, landscaping, and the interactive and integrated façade elements (clear glass windows, built-in seating, and bookshelf) welcome pedestrians to the site and direct them to the building entry. These features, taken in combination, construct an informal “entry” to the library site, even though the building entrance is farther away. Illustrations of the pathway design entry are shown on Exhibit C-4.

Based on the above, this criterion is met.

C. If more than one Adjustment is being requested, the cumulative effect of the Adjustments results in a project which is still consistent with the overall purpose of the zone; and

Findings: Two Adjustments are requested. The purpose of commercial/mixed-use zones, including CM1, is stated in Zoning Code Section 33.130.010:

The commercial/mixed use zones are intended for commercial and mixed use areas of the City as designated on the Comprehensive Plan map. These zones implement the vision, guiding principles, and goals and policies of the Comprehensive Plan, and encourage economic prosperity, human health, environmental health, equity, and resilience. These zones are primarily distinguished by the uses allowed and the intensity of development allowed. The zones allow a mix of commercial activities, housing, and employment uses that reflect the different types of centers and corridors described in the Urban Design chapter of the Comprehensive Plan, and also accommodate smaller, dispersed commercial and mixed use areas to provide opportunities for services in areas between the centers and corridors. The commercial/mixed use zones are intended to serve local neighborhood areas, larger districts, as well as broader citywide or regional markets. The regulations promote uses and development that support healthy complete neighborhoods—places where people of all ages and abilities have safe and convenient access to the goods and services they need in their daily life, and where people have the opportunity to live active lifestyles. The zones encourage quality and innovative design and facilitate creation of great places and great streets. The development standards are designed to allow development flexibility, within parameters, that supports the intended characteristics of

the specific zone. In addition, the regulations provide guidance to property owners, developers, and neighbors about the limits of what is allowed.

The CM1 character statement is in Zoning Code Section 33.130.030.C:

The Commercial/Mixed Use 1 (CM1) zone is a small-scale zone intended for sites in dispersed mixed use nodes within lower density residential areas, as well as on neighborhood corridors and at the edges of neighborhood centers, town centers and regional centers. The zone is also appropriate in core commercial areas of centers in locations where older commercial storefront buildings of 1 to 2 stories are predominant. This zone allows a mix of commercial and residential uses. The size of commercial uses is limited to minimize impacts on surrounding residential areas. Buildings in this zone will generally be up to three stories tall. Development is intended to be pedestrian-oriented and compatible with the scale and characteristics of adjacent residentially zoned areas or low-rise commercial areas.

Libraries are a Community Service use and are allowed outright in the CM1 zone. Libraries fit well with the above character and purpose statements as they are “. . . intended to serve local neighborhood areas, larger districts, as well as broader citywide or regional markets.” The proposed addition to the library building, covered entry walkway and plaza areas are designed to be places where people of all ages and abilities have safe and convenient access to the library’s services. The new street-facing façade of the library addition is similar in height with the existing library building. Even though the façade is set back approximately 30 feet from 122nd Avenue, its features are pedestrian-oriented and compatible with low-rise commercial development: clear window area is added to allow views into and out of the building; a built-in bench provides seating; and a built-in programming area provides visitors with interactive features and information about the library (Exhibit C-3).

For the above reasons and identified characteristics of the proposal, staff finds the proposal is consistent with the overall purpose of the CM1 zone. This criterion is met.

D. City-designated scenic resources and historic resources in Historic, Conservation and National Register Districts and within the boundaries of Historic, Conservation and National Register Landmarks are preserved; and

Findings: City-designated scenic resources are identified on the official zoning maps with a lower case “s,” and historic resources are identified either with a dot or as being within the boundaries of a Historic or Conservation district. As there are no scenic resources or historic resources mapped on the subject site, this criterion does not apply.

E. Any impacts resulting from the Adjustment are mitigated to the extent practical; and

Findings: The Adjustments requested will not detract from the development’s consistency with the purpose of the zoning requirements to be modified or with the purpose of the zoning requirements overall. As intended for the CM1 zone, the proposal will create a more pedestrian-friendly, urban environment on this site. Staff has identified no negative impacts specifically resulting from the Adjustments requested which would require mitigation. Since no negative impacts resulting from the Adjustments have been identified, this criterion is met.

F. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable;

Findings: Environmental overlay zones are designated on the official zoning maps with either a lowercase “p” (Environmental Protection overlay zone) or a “c” (Environmental Conservation overlay zone). As there are no environmental overlay zones mapped on the site, this criterion does not apply.

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 proposal for an addition and renovation to the Midland Library must satisfy the Adjustment approval criteria, which generally require consistency with the purpose of the regulations to adjusted, the desired character of the area, and the purpose of the site's CM1 zone designation.

For the Adjustment to the transit street main entrance standard, the site's location within a pedestrian district and the proposal to place the building entrance 109 feet from the 122nd Avenue street frontage, set a high bar for creating site improvements that are convenient for pedestrians, and promote walking and transit use. The proposed design of the covered pedestrian pathway and the associated exterior site create an inviting and attractive pedestrian entrance to the site from the public sidewalk and encourage visitors to use the exterior space as they would the library building.

For the Adjustment to reduce the landscape buffer for adjacent residential development to the south, the library addition is more than 150 feet away and the site's existing landscaping augmented with evergreen trees will provide adequate screening.

The two Adjustments are for the specific proposed site and building features as shown in the site and landscape plans and building elevations. Approval of the Adjustments will not result in a development that is larger or more intense than would otherwise be allowed. The proposal meets the approval criteria and warrants approval.

ADMINISTRATIVE DECISION

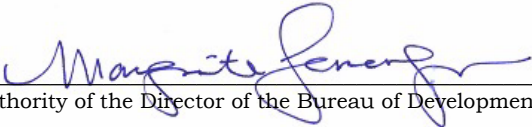
Approval of the following Two Adjustments for a 6,500 square-foot addition to the south wall of the Midland Library building and reconfiguration and upgrades to the existing surface parking area:

1. Transit Street Main Entrance: Increase the maximum distance the main entrance can be from a transit street (SE 122nd Avenue): from 25 feet to 109 feet and allow the entrance to face the south property line (and not the SE 122nd Avenue ~~street~~-property line). (Section 33.130.242.C); and
2. Landscape Buffer Adjacent to Residential: Reduce the minimum landscape buffer width from 10 feet to 6 feet-8 inches and waive the tree requirement of the L3 landscape standard (Section 33.130.215.B.2.b).

Adjustment approvals are per the approved site plans, Exhibits C-1 through C-5, signed and dated August 2, 2022, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 22-134590 AD. No field changes allowed."

Staff Planner: Marguerite Feuersanger

Decision rendered by:  **on August 4, 2022.**
By authority of the Director of the Bureau of Development Services

Decision mailed: August 4, 2022.

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 April 20, 2022 and was determined to be complete on June 14, 2022.

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 April 20, 2022.

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 October 12, 2022.**

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 Adjustment Committee, 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 August 18, 2022. 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 Adjustment Committee 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 Adjustment Committee 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 **August 18, 2022**, 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
 - 2. Updated Submittal, June 14, 2022
 - 3. Additional Illustrations, July 20, 2022
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. North and South Building Elevations (attached)
 - 3. East and West Building Elevations (attached)
 - 4. Building and Site Illustrations (attached)
 - 5. Landscape Plan (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Life Safety Plan Review Section of BDS
- F. Correspondence:
 - None.
- G. Other:
 - 1. Incomplete application letter to applicant, May 13, 2022

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).