



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

Carmen Rubio, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7310
TTY: (503) 823-6868
www.portland.gov/bds

Date: April 14, 2023
To: Interested Person
From: Leah Dawkins, Land Use Services
503-865-6734 / Leah.Dawkins@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 22-199963 RP AD

GENERAL INFORMATION

Representative: Renee France, Radler White Parks & Alexander LLP
111 SW Columbia St, Suite 700
Portland OR 97201
(971) 634-0217 / rfrance@radlerwhite.com

Applicant: John Rumpakis, Bitar Companies
2929 E Burnside St
Portland OR 97214

Owners: Bitar Bros Robert A & Bitar Corp
2929 E Burnside St
Portland, OR 97214-1893

William F Bitar Mgmt Inc Et Al
PO Box 90608
Portland, OR 97290

Owner/Applicant: Deanna Bitar, Northwest Cedars Management Inc & Jema Bitar Properties LLC
9828 E Burnside St Ste 200
Portland, OR 97216

Site Address: 9100 SE POWELL BLVD

Legal Description: TL 200 1.09 ACRES UND 1/2 INT, SECTION 09 1S 2E; TL 7400 0.21 ACRES UND 1/2 INT, SECTION 09 1S 2E; TL 2700 0.25 ACRES UND 1/2 INT, SECTION 09 1S 2E; TL 2000 0.28 ACRES UND 1/2 INT, SECTION 09 1S 2E; TL 2400 0.32 ACRES UND 1/2 INT, SECTION 09 1S 2E; TL 2300 0.26 ACRES UND 1/2 INT, SECTION 09 1S 2E; TL 2100 0.30 ACRES UND 1/2 INT, SECTION 09 1S 2E; TL 2200 0.25

ACRES UND 1/2 INT, SECTION 09 1S 2E; TL 1900 1.72 ACRES UND 1/2 INT, SECTION 09 1S 2E; TL 400 1.39 ACRES, SECTION 09 1S 2E; TL 500 0.71 ACRES UND 1/2 INT, SECTION 09 1S 2E; TL 100 0.24 ACRES UND 1/2 INT, SECTION 09 1S 2E

Tax Account No.: R992090280, R992091140, R992093560, R992093570, R992093590, R992093600, R992093610, R992093620, R992095850, R992096040, R992096060, R992096130

State ID No.: 1S2E09CA 00200U1, 1S2E09CA 07400U1, 1S2E09CA 02700U1, 1S2E09CA 02000U1, 1S2E09CA 02400U1, 1S2E09CA 02300U1, 1S2E09CA 02100U1, 1S2E09CA 02200U1, 1S2E09CA 01900U1, 1S2E09CA 00400, 1S2E09CA 00500U1, 1S2E09CA 00100U1

Quarter Section: 3439

Neighborhood: Lents, contact at lentsneighborhood@gmail.com

Business District: Lents Grown Business Association, contact lentsgrown@gmail.com; Eighty-Second Ave of Roses Business Association, contact at 82ndaveba@gmail.com

District Coalition: East Portland Community Office, contact at info@eastportland.org

Plan District: None

Zoning: CE- Commercial Employment

Case Type: RP- Replat; AD- Adjustment

Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant is proposing to replat several historically platted lots into three parcels. Parcel 1 will be 153,868 square feet in size, Parcel 2 will be 81,535 square feet in size, and Parcel 3 will be 67,944 square feet in size. Parcel 1 will have street frontage along SE 92nd Avenue, Parcel 2 will have frontage along SE Powell Boulevard, and Parcel 3 will have frontage along both SE Powell Boulevard and SE 92nd Avenue. The existing development will remain on Parcels 2 and 3. Parcel 1 is vacant.

The replat approval criteria requires existing development to remain in conformance with the development standards of the zoning code and to ensure that the replat will not cause development to move further out of conformance unless an adjustment is approved. In this case, approval of the replat will reduce the required minimum landscaping for Parcel 3 below the required 15 percent of the site area. After the replat, Parcel 3 is required to have 10,192 square feet of landscaped site area but will only have 8,750 square feet, or 12 percent, of landscaped site area. The applicant has requested an adjustment to reduce the minimum landscaped area for Parcel 3 from 15 percent of the site area to 12 percent of the site area.

Relevant Approval Criteria:

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

- **Section 33.675.300, Replat Approval Criteria**
- **Section 33.805.040, Adjustments Approval Criteria**

FACTS

Site and Vicinity: The subject site is approximately seven acres in size and consists of several underlying platted lots. The site is located at the southwest corner of SE Powell Boulevard and SE 92nd Avenue. The northern portion of the site contains active commercial development adjacent to SE Powell Boulevard and surface parking serving the existing businesses. There is an existing vacant building fronting SE 92nd Avenue. The southern portion of the site is undeveloped. The site is relatively flat and contains several trees in the southern portion of the site and parking lot landscaping in the northern portion of the site.

The surrounding area consists of a mix of commercial and multi-dwelling residential zoning. There are several large commercial spaces to the east and north of the site. There is a mix of multi-dwelling and single dwelling residential development to the west and south of the site. The site is just west of the Interstate 205 Corridor. The street grid in the surrounding area is relatively complete and SE Powell is a major transportation corridor through the area.

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.

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

- **LU 22-174514 AD:** Approval of two Adjustments to increase the allowed vehicle area along a street in a pedestrian district from 50% to:
 - 79% for the frontage along the future extension of SE Lafayette St.; and
 - 100% along the dead-end stub of SE 91st Ave.

Agency Review: Several Bureaus have responded to this proposal and relevant comments are addressed under the applicable approval criteria. Exhibits “E” contain the complete responses.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **January 23, 2023**. No written responses have been received from the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

REPLAT

33.675.300 Approval Criteria

A replat will be approved if the review body finds that the applicant has shown that all of the approval criteria have been met:

- A. Lots.** The replatted lots must meet the standards of Chapters 33.605 through 33.615, with the following exceptions:
1. Lot dimension standards.
 - a. Lots and adjusted lots that do not meet the minimum lot area required for new lots are exempt from the minimum lot area requirement if they do not move further out of conformance with the minimum lot area required for new lots, and they meet the following:
 - (1) No portion of the lot or adjusted lot is in an environmental protection, environmental conservation, or river environmental overlay zone;
 - (2) No portion of the lot or adjusted lot is in the special flood hazard area; and
 - (3) The lot or adjusted lot has an average slope of less than 25 percent;
 - b. Maximum lot area. If any of the lots within the replat site are larger than the maximum lot area allowed, the same number of lots in the replat site are exempt from maximum lot area requirements;

- c. Minimum lot width. Lots and adjusted lots that do not meet the minimum lot width required for new lots are exempt from the minimum lot width requirement if they do not move further out of conformance with the minimum lot width required for new lots, and they meet the following:
 - (1) No portion of the lot or adjusted lot is in an environmental protection, environmental conservation, or river environmental overlay zone;
 - (2) No portion of the lot or adjusted lot is in the special flood hazard area; and
 - (3) The lot or adjusted lot has an average slope of less than 25 percent;
2. Maximum density. If the replat does not move the site further out of conformance with maximum density requirements, the replat does not have to meet maximum density requirements;
3. Lots without street frontage. If the replat consolidates lots that do not have street frontage with lots that have street frontage, the replat does not have to meet minimum density and maximum lot area requirements;
4. Through lots. If any of the existing lots within the replat site are through lots with at least one front lot line abutting an arterial street, then the consolidated or reconfigured lots may be through lots;
5. Split zoning. If any of the existing lots within the replat site are in more than one base zone, then the consolidated or reconfigured lot may be in more than one base zone.

Findings: The proposed site is in the CE zone. In Commercial/Mixed Use zones there is a minimum front lot line standard of 10 feet (33.613.100). Each of the proposed parcels have a front lot line that meets this standard. There are no minimum lot area, width, or depth standards. Lots must be of a size, shape, and orientation that is appropriate for the location and for the type of development and use that is contemplated (33.613.200). There is no additional development proposed on replatted lots 2 and 3 at this time. Development proposed on Parcel 1 consists of a medical office building, which is a permitted use in the CE zone. The lots are of a sufficient size to accommodate a variety of commercial/mixed uses and development.

As noted herein, the proposed replatted lots meet the standards of Chapter 33.613. None of the exceptions are applicable. Therefore, this criterion is met.

B. Development standards. If existing development is in conformance with the development standards of this Title, the development must remain in conformance after the replat. If existing development is not in conformance with a development standard of this title, the replat will not cause the development to move further out of conformance with the standard unless an adjustment is approved.

Findings: Parcel 1 is currently vacant therefore this criterion does not apply to Parcel 1. Parcel 2 is developed with a drive-thru restaurant, parking lot, and landscaping. Parcel 3 is developed with a quick-service auto shop, a vacant restaurant structure, and parking lots with landscaping. Pursuant to Zoning Code section 33.130.225.B and Table 130-2, the minimum amount of required landscaped area in the CE zone is 15% of the site area. Parcel 3 is proposed to be 67,944 square feet in size and is required to have 10,192 square feet of landscaped area. Parcel 3 will have 8,750 square feet of existing landscaped area, or 12.8 percent of the lot area. The applicant has requested an Adjustment to the minimum landscaped area. The Adjustment approval criteria are addressed later in this decision. With the approval of the requested adjustment, this criterion can be met for all proposed parcels.

C. Conditions of land division approvals. The replat must meet one of the following:

1. All conditions of previous land division approvals continue to be met or remain in effect;
or
2. The conditions of approval no longer apply to the site, or to development on the site, if the lots are reconfigured.

Findings: There are no previous land division approvals for this site, therefore this criterion does not apply.

D. Conditions of other land use approvals. Conditions of other land use approvals continue to apply, and must be met.

Findings: LU 22-174514 AD approved two adjustments related to the proposed development of Parcel 1, in the southern portion of this site. Specifically, the adjustments were to increase the allowed vehicle area along a street in a pedestrian district from 50% to 79% for the frontage along the future extension of SE Lafayette Street, and 100% along the dead-end stub of SE 91st Avenue. The proposed replat will not impact the conditions of approval for the adjustments and the development of Parcel 1 is required to go through building permit review ensuring that all other required development standards are met for the newly configured Parcel 1. This criterion is met.

E. Services. The replat does not eliminate the availability of services to the lots, and the reconfigured lots are not out of conformance with service bureau requirements for water, sanitary sewage disposal, and stormwater management.

Findings: The Bureau of Environmental Services (BES) has reviewed the proposal for impacts on sanitary sewer and stormwater management services (Exhibit E.1). BES notes that the proposed replatted lot configuration does not change the availability of sanitary service to the lots for any existing or proposed development. Additionally, BES notes that the location of stormwater management systems do not appear to conflict with the replatted property lines so the lots will not move out of conformance with BES stormwater management requirements.

The Water Bureau has reviewed the proposal for impacts on water service (Exhibit E.3). The Water Bureau found that existing water availability will remain for all three proposed parcels and they do not object to the replat.

The Site Development Section of BDS has reviewed the proposal for impacts on-site sewage disposal (septic systems) (Exhibit E.5). Site Development found that the on-site septic system was decommissioned in 1995. Site Development has no concerns with the proposed replat.

This criterion is met.

ADJUSTMENT

33.805.010 Purpose of Adjustments 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 Adjustment Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown 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: The applicant has requested an adjustment to 33.130.225.B and Table 13-2, requiring lots in the CE zone to have a minimum of 15% landscaped area. The purpose statement of this regulation is as follows:

33.130.225 Landscaped Areas A. Purpose. Landscaping is required in some zones because it is attractive and it helps to soften the effects of built and paved areas. Landscaping also helps cool the air temperature, intercept rainfall and reduce stormwater runoff by providing unpaved permeable surface. Landscaping can also provide food for people and habitat for birds and other wildlife. As an alternative to conventional landscaping, a range of urban green options are provided in the CM2 and CM3 zones in the Inner Neighborhoods pattern area to reflect this area's more urban development patterns and historic storefront commercial characteristics. Landscaping is required for all commercial/mixed use-zoned lands abutting R zoned lands and as screening for parking lots (see Chapter 33.266) to provide buffering and promote livability.

The replat will result in Parcel 3 having approximately 12.8% of the lot area in landscaping, slightly more than a 2% reduction in required landscaping. The applicant notes that *the existing landscaping meets the purpose of softening the effects of the built and paved areas on the lot, and provides the climate, stormwater, and habitat benefits identified in the purpose statement.* The existing landscaping will continue to meet the purpose of the landscaped area requirement. Additionally, there will be a public street extension of SE Lafayette which is expected to reduce the size of Parcel 3, bringing Parcel 3 back into conformance with the landscaping standard. The street extension is also expected to provide additional landscaping consistent with the current City right-of-way and street tree standards. Future improvements on Parcel 3 will also require the implementation of non-conforming upgrades, requiring upgrades to landscaping if standards are not met at the time of development, allowing another opportunity for installation of additional landscaping. Overall, the shortfall of landscaping on Parcel 3 is expected to be temporary. Additionally, Parcel 2 will retain 18,589 square feet of landscaped area, or 22% of the site area of Parcel 2. The landscaped area of Parcel 2 will offset the shortfall of landscaping on Parcel 3. The site does not abut any R-zoned properties. For these reasons, the purpose of the landscaping continues to be met. This criterion is met.

- 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 streets adjacent to the subject site are SE Powell Boulevard and SE 92nd Avenue. As noted in the transportation response (Exhibit E.2), SE Powell is classified as a major traffic street, major transit priority street, and a major city walkway. SE 92nd Avenue is classified as a major city walkway and a neighborhood collector. The site is also within a pedestrian district. The existing landscaping on Parcel 3 is concentrated at the perimeter of the site and includes landscaping along SE Powell and SE 92nd, enhancing the intended pedestrian character of the district.

The character of the CE zone consists of a mix of commercial uses including auto-oriented development. The current development on the site includes quick vehicle servicing and a drive-thru restaurant. The existing landscaping serves to soften the auto-oriented uses of the site and enhance a safer pedestrian environment. The proposed adjustment will remain consistent with the classification of the adjacent streets and the desired character of the area. 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: There is only one adjustment being requested, therefore this criterion does not apply.

- 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 Map with a lower case “s” and historic resources are designated by a large dot or as being within the boundaries of a Historic or Conservation district. There are no such resources present on the site; therefore, this criterion is not applicable.

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

Findings: The impacts of the adjustment to minimum landscaped areas for Parcel 3 are expected to be minimal. Any impacts that are created will be mitigated by the replat and reconfiguration of the surrounding street network, which is expected to create additional opportunities for landscaping and trees and future enhancements to the pedestrian environment. Given the expected future alterations to the site, it is impractical to require mitigation for the minimal reduction of landscaped area on Parcel 3. 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 Map with either a lowercase “p” (Environmental Protection overlay zone) or a “c” (Environmental Conservation overlay zone). No environmental zoning is applied to the site; therefore, this criterion is not applicable.

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.

OTHER TECHNICAL REQUIREMENTS

Technical decisions have been made as part of this review process. These decisions have been made based on other City Titles, adopted technical manuals, and the technical expertise of appropriate service agencies. These related technical decisions are not considered land use actions. If future technical decisions result in changes that bring the project out of conformance with this land use decision, a new land use review may be required. The following is a summary of technical service standards applicable to this replat proposal.

Bureau	Code Authority and Topic
Development Services/503-823-7300 www.portlandonline.com/bds	Title 24 – Building Code, Flood Hazard, Clearing and Grading Title 10 – Erosion Control, Site Development Administrative Rules for Private Rights-of-Way OAR 340-071 and OAR 340-073 – Onsite Wastewater Treatment Systems
Environmental Services/503-823-7740 www.portlandonline.com/bes	Title 17 – Sewer Improvements Stormwater Management Manual
Fire Bureau/503-823-3700	Title 31 – Fire Regulations

www.portlandonline.com/fire	City of Portland Fire Code
Transportation/503-823-5185 www.portlandonline.com/transportation	Title 17 – Public Right-of-Way Improvements Transportation System Plan
Urban Forestry (Parks)/503-823-4489 www.portlandonline.com/parks	Title 11 –Trees
Water Bureau/503-823-7404 www.portlandonline.com/water	Title 21 – Water availability

As authorized in Section 33.800.070 of the Zoning Code, conditions of approval related to these technical standards may be included in the Administrative Decision on this proposal.

CONCLUSIONS

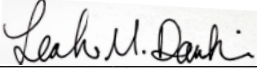
The applicant proposes to replat Tracts 24, 25, and 27-30 of Charleston Tracts and Tract 114 of Powell Valley Acres into three parcels. The applicant also proposes to reduce the required landscaped area of Parcel 3 from 15% to 12.8%. No City Bureaus raised objection to these proposals.

As discussed above, the requested replat has been reviewed and shown to be able to meet all the requirements as laid out in Section 33.675.300. The requested adjustment has been shown to meet all the requirements of Section 33.805.040. The replat mylars and this decision will not be released for recording until after the appeal period closes for the adjustment review.

ADMINISTRATIVE DECISION

Approval of a replat to create three parcels as illustrated by Exhibit C.1, signed and dated April 12, 2023 and;

Approval of an Adjustment to reduce the landscaped area of Parcel 3 from 15 percent to 12.8 percent of the site area.

Decision rendered by:  **on April 12, 2023**

By authority of the Director of the Bureau of Development Services

Decision mailed (within 5 days of dec.) April 14, 2023

Staff Planner: Leah Dawkins

About this Decision. This land use decision is **not a permit** for development. **THE SIGNED PARTITION PLAT MUST BE RECORDED WITH MULTNOMAH COUNTY DEED RECORDS WITHIN 90 DAYS OF APPROVAL (the effective date of this decision), OR THIS DECISION WILL BECOME NULL AND VOID.** Permits may be required prior to any work. Contact Permitting Services at 503-823-7357 for information about permits.

Procedural Information. The application for this land use review was submitted on November 3, 2022, and was determined to be complete on January 17, 2023.

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 November 3, 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: May 17, 2023.**

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.

Appealing this decision. This decision may be appealed to the Hearings Officer, 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 April 28, 2023. 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 Hearings Officer 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 Hearings Officer an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording concurrent decisions. If this land use review is approved, the concurrent adjustment decision will be recorded with the Multnomah County Recorder. *Unless appealed,* the final decision will be recorded after **April 28, 2023** by the Bureau of Development Services. The applicant does not need to record the final decision with the County Recorder.

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.

EXHIBITS
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Original Replat Narrative
 - 2. Incompleteness Response-1/17/23
 - 3. Adjustment Review Narrative
 - 4. Preliminary Plat Map, Original and Revised Versions
 - 5. Landscape Adjustment Exhibit
 - 6. Deeds
 - 7. Legal Lots of Record Exhibit
 - 8. Title Report
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Approved Partition Plat (attached)
 - 2. Existing Conditions survey
 - 3. Landscape Adjustment Exhibit (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Life Safety Review Section of BDS
- F. Correspondence: None Submitted
- G. Other:
 - 1. Original LU Application
 - 2. Adjustment LU Application
 - 3. Incomplete Letter

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).