



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

Ted Wheeler, Mayor  
Rebecca Esau, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

## **STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION**

CASE FILE: LU 18-176279 DZ  
PC # 17-144590  
Lexus Dealership on Sandy  
REVIEW BY: Design Commission  
WHEN: February 21, 2019 at 1:30 pm  
WHERE: 1900 SW Fourth Ave., Room 2500B  
Portland, OR 97201

**Bureau of Development Services Staff:** Puja Bhutani 503-823-7226 /  
[Puja.Bhutani@portlandoregon.gov](mailto:Puja.Bhutani@portlandoregon.gov)

**Note:** Aspects of the proposal that do not meet the Approval Criteria are in boxed text.

### **GENERAL INFORMATION**

**Applicant:** Sun Kim, Katelin Brewer-Colie, Mackenzie  
1515 SE Water Avenue, Suite 100  
Portland, OR 97214  
[skim@mcknze.com](mailto:skim@mcknze.com)

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

**Owner/Agent:** Mike Moonan, Holman Portland Real Estate LLC  
8840 SW Canyon Road  
Portland, OR 97225

**Site Address:** **3075 NE SANDY BOULEVARD**

**Legal Description:** TL 6200 1.60 ACRES, SECTION 36 1N 1E  
**Tax Account No.:** R941360510  
**State ID No.:** 1N1E36BA 06200  
**Quarter Section:** 2933  
**Neighborhood:** Kerns, contact Elliott Mantell at [commonchiro@yahoo.com](mailto:commonchiro@yahoo.com)  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.

**Zoning:** EXd, Central Employment with a Design Overlay Zone  
**Case Type:** DZ, Design Review  
**Procedure:** Type III, with a public hearing before the Design Commission.  
The decision of the Design Commission can be appealed to City Council.

**Proposal:**

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

**Relevant Approval Criteria:**

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

- Community Design Guidelines.

**ANALYSIS**

**Site and Vicinity:** The site is located in the Kerns neighborhood at the northwest corner Ne Sandy Boulevard and NE 31<sup>st</sup> Avenue. It is bound by I-84 freeway on the north, SE Sandy Boulevard on the south, and NE 31<sup>st</sup> 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 31<sup>st</sup> Avenue and NE Multnomah Street, to the northeast of the site. These include older buildings in a range of styles, all within the Kerns neighborhood. Zoning along the south side of NE Hoyt Street is R1, multi-family residential.

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

**Zoning:**

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

The Design Overlay Zone [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

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

**Agency Review:** A “Notice of proposal in Your Neighborhood” was mailed **January 28, 2019**. The following Bureaus have responded with no issue or concerns:

- Bureau of Environmental Services: Please see Exhibit E-xxx for additional details.
- Bureau of Transportation: Please see Exhibit E-xxx for additional details.
- Water Bureau: Please see Exhibit E-xxx for additional details.
- The Fire Bureau: Please see Exhibit E-xxx for additional details.
- The Police Bureau: Please see Exhibit E-xxx for additional details.
- The Site Development Section of BDS: Please see Exhibit E-xxx.
- The Life-Safety Section of BDS: Please see Exhibit E-xxx.
- The Bureau of Parks-Forestry Division: Please see Exhibit E-xxx.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **January 28, 2019**.

No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.825 Design Review**

#### **Section 33.825.010 Purpose of Design Review**

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

#### **Section 33.825.055 Design Review Approval Criteria**

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

**Findings:** The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site’s location, the applicable design guidelines are the Community Design Guidelines.

### **Community Design Guidelines**

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design

framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

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

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

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

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

- The auto-dealership use is consistent with the historical presence of this industry along this corridor.
- The linear design of the building is modern and compatible with the overall horizontal building expression along Sandy Boulevard. It is also reflective of the streamlined, sleek quality associated with cars. It contributes to the eclectic mix of buildings along this boulevard.
- The 4-story massing of the building is consistent with the higher density development envisioned along Sandy Boulevard, and is consistent with many historical buildings in the vicinity as well as new developments in the neighborhood.
- The tall and highly transparent ground floor for the Sandy frontage helps activate and contribute to a pedestrian oriented street environment.
- The retail space and outdoor plaza at the southwest corner of the site, further activates and provides outdoor gathering spaces.
- The chamfered corner entrance reflects a similar feature for each of the existing buildings located at the corner of NE 31<sup>st</sup> and NE Sandy Boulevard.
- The building is stepped back from the southeast corner, in order to accentuate and activate the NE 31<sup>st</sup> and NE Sandy intersection.
- The landscaping along east edge of the site along NE 31<sup>st</sup> Avenue, with a combination of on-site and street trees provides an inviting pedestrian corridor. Mechanical equipment and back of house facilities are internalized and located away from this edge to minimize impacts on the pedestrians.

- The auto-oriented features of the building, including the signature helix ramp and arch, and vehicle display windows appropriately front the freeway corridor, providing a strong visual experience.
- **Signage:** The signage program includes parapet and canopy signs ranging from 34 sf to 200 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.

However, the size of the main building sign, located on the main entrance canopy at the SE corner, is too large and out of scale for the area's desired pedestrian oriented character. The sign is proposed with a total area of 66.5 sf and 24" high individual letters. Staff therefore recommends including 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, as shown in Exhibit C.14B, to better meet design guidelines.

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

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

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

NE 31<sup>st</sup> Avenue is a local service street. The existing sidewalk along 31<sup>st</sup> Avenue is 10 feet, with an approximately 35' wide curb cut on the north half of the site and one street trees. The pedestrian network improvements include a 5' dedication to create an 11 ft pedestrian corridor (0.5-ft curb/4-ft wide furnishing zone/6-ft wide sidewalk/0.5-ft wide frontage zone); six additional street trees, and 9 on-site trees along the property line.

- The large street trees being provided on both street frontages will help buffer the pedestrians from vehicle areas and also enhance the pedestrian oriented character of these streets. The required parking lot perimeter landscaping along NE 31<sup>st</sup> 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 31<sup>st</sup> 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 31<sup>st</sup> and NE Multnomah Street intersection to ensure connectivity to the neighborhood. The width of the existing curb cuts are being reduced to minimize impacts to the pedestrian.
- Onsite internal pedestrian pathways are being provided to connect the building with other areas of the site, such as parking and garbage areas.

*These guidelines are met.*

**E2. Stopping Places.** New large-scale projects should provide comfortable places along pedestrian circulation routes where people may stop, visit, meet, and rest.

**E3. The Sidewalk Level of Buildings.** Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.

**E5. Light, Wind, and Rain.** Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

**D1. Outdoor Areas.** When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;

**D3. Landscape Features.** Enhance site and building design through appropriate placement, scale, and variety of landscape features.

**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 31<sup>st</sup> Avenue corner, creating a highly transparent base, differentiating it as well as enabling views into the interior from the sidewalk resulting in a more visually interesting pedestrian experience. This also provides eyes on the street and reduces likelihood of crime.
- The street level frontages have been wrapped with active uses including auto retail, lobby and amenity areas.
- A semi-private outdoor plaza is provided associated with the retail space at the southwest corner. The building design includes a significant extended roof cover that will provide weather protection for the seating area. While it is separated from the sidewalk by a 4 feet high stainless-steel cable railing, it can be accessed by to 10' wide openings including both a sliding and swinging gate.
- The landscape design includes precast seating stones, lighting and landscaping to create pleasant and safe outdoor area. The shape of the open space reflects the curved shape associated with the Lexus brand. Several types of seating areas are anticipated in the plaza, providing options for passersby to stop or meet. These include café-style seating, a "sit wall" which rises to the center of the curve, and a more active and informal seating form inspired by river stones. The scoring pattern on the pavement provides interest, using an angled pattern that corresponds to and extends the angle of the overhang above. The meadow-like plantings add interest, color, and texture to views from the plaza and the sidewalk, visually benefitting on-site users and off-site passersby alike.
- Canopies are provided at the main entrance (10' deep) and the accessory retail entrance (5'- 8" deep). These coupled with a 3 feet deep building overhang over the Sandy frontage, and approximately 6 feet building overhang over the café entrance would differentiate the ground floor and also provide adequate pedestrian protection from adverse weather elements.
- A row of trees is proposed on each side of the sidewalk along NE 31st Street which helps define the pathway, enhance the pedestrian character, while also providing separation from the street and adjacent parking lot. The double row of trees will also help provide weather protection along this edge.

- Lighting plan ensures that the parking areas at the rear of the building will be lit for easy surveillance.  
*These guidelines are 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 31<sup>st</sup> 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.

Column Design: The design of the main entrance has some compositional issues. Two options for the design and location of the prominent column along Sandy Boulevard are include in the packet.

- Option A (Exhibit C-14): This is the option preferred by the applicant. Staff however notes that the column is located along Sandy Boulevard, west of the chamfered corner. This location does not relate or respond to interior floor plans or structural requirements. The full-length column breaks the horizontal expression along Sandy Boulevard. It also creates an asymmetrical corner framing and canopy expression, and large-scale proportions respond to a more suburban context that the urban condition along NE Sandy Boulevard.
- Option B (Exhibit C-14B). **This option is recommended for Approval and is included as a condition of approval.** The column is located at the chamfered corner edge, consistent with the other framing column placement. The column does not extend beyond the ground floor, for a consistent design treatment, and helps strengthen the horizontal expression of the upper floors. A more pleasing symmetrical framing of the main entrance and canopy is created.

The proposed design creates active intersections and prominent main entrances.  
*With the condition of approval for Option B for the column design and location, 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 31<sup>st</sup>, 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 31<sup>st</sup> Street which helps define the pathway, enhance the pedestrian character, while also providing separation and screening from the street and adjacent parking lot.
- Employee parking is located at the roof of the building and screened from adjacent developments by a 6' high parapet.  
*These guidelines are met.*

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

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

- The south elevation along NE Sandy Boulevard has a highly transparent, sleek and horizontal expression. The base is well differentiated and includes elements like the building overhang, canopies and transom windows for pedestrian scale and orientation.
- The north facing elevation along I-84 freeway is more auto-oriented and features the signature helix ramp and curved signage arch. The display windows project out for a prominent display of cars. These prominent architectural features and internal lighting of the helix will add to the visual interest from the freeway.
- The east facing elevation is more dynamic and features prominent V-shaped columns supporting a significantly cantilevered roof protecting the plaza below.
- Good quality and lasting materials are proposed and include:
  - Metal Panel: Alucobond Plus, painted aluminum metal panels, 12 ga, 2'x10, in a dark and light color
  - Painted aluminum storefront system, black mullion color
  - Stucco system, over a steel wall frame in two coats, light grey color.
  - Louver systems: 4" and 5" deep metal louver frames in a natural wood color.
- SE Corner: The west elevation includes the chamfered main entrance with display windows above, helping activate intersection of Sandy and 31<sup>st</sup> Avenue.

Column Design: The design of the main entrance has some compositional issues. Two options for the design and location of the prominent column along Sandy Boulevard are include in the packet.

- Option A (Exhibit C-14): This is the option preferred by the applicant. Staff however notes that the column is located along Sandy Boulevard, west of the chamfered corner. This location does not relate or respond to interior floor plans or structural requirements. The full-length column breaks the horizontal expression along Sandy Boulevard. It also creates an asymmetrical corner framing and canopy expression, and large-scale proportions respond to a more suburban context that the urban condition along NE Sandy Boulevard.
- Option B (Exhibit C-14B). **This option is recommended for Approval and is included as a condition of approval.** The column is located at the chamfered corner edge, consistent with the other framing column placement.



The column does not extend beyond the ground floor, for a consistent design treatment, and helps strengthen the horizontal expression of the upper floors. A more pleasing symmetrical framing of the main entrance and canopy is created.

### **Signage**

The signage program includes parapet and canopy signs ranging from 34 sf to 200 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 signage is well crafted and minimized by individually articulated lettering and graphics which allow the building to be seen through and around the sign.

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.

However, the size of the main building sign, located on the main entrance canopy at the SE corner, might be too large and out of scale for the area's desired pedestrian oriented character. The sign is proposed with a total area of 66.5 sf and 24" high individual letters. Staff therefore recommends including 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, as shown in Exhibit C.14B.

Similarly, the proposed parapet signage on the north elevation fronting I-84 is too large. Parapet signage that typically meets Design Guidelines in the d-overlay have been consistently regulated to ensure that their style, place and design does not dominate, and have a minimal presence, in the Portland skyline, and are typically approved on downtown hi-rise buildings at 65-70 sf.

However, previous signage approved for the Providence Health Building along I-84 included only one sign for the east and west façades with a total area of approximately 98 sf per sign. Staff therefore recommends including a condition of approval to allow one parapet sign on the north elevation to have a maximum sign area of 100 sf.

The proposed building has a cohesive and interesting expression and uses durable and good quality materials. *With the Conditions of Approval for Option B for the column design and location at the SE main entrance; for 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, and one parapet sign on the north elevation may have a maximum sign area of 100 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.

## TENTATIVE STAFF RECOMMENDATION

(May be revised upon receipt of new information at any time to the Design Commission decision)

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

- A. As part of the building permit application submittal, the following development-related conditions (B through F) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 18-176279 DZM". All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The SE main entrance canopy sign individual sign letters will be limited in height to a maximum of 18", and a total area of 45 sf.
- C. One parapet sign on the north elevation may have a maximum sign area of 100 sf.
- D. The SE corner column location and design as shown in Option B (Exhibit C-14B).

- E. 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.
- F. No field changes allowed.

=====

**Procedural Information.** The application for this land use review was submitted on May 23, 2018. As per the applicants request it was determined to be complete on November 15, 2018. The applicants were offered a hearing before the Design Commission on January 13, 2019. The applicants requested that the hearing be rescheduled to February 21, 2019. Refer to Exhibit A-10.

*Zoning Code Section 33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore, this application was reviewed against the Zoning Code in effect on May 23, 2018.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant waived the 120-day review period, as stated with Exhibit A-21. Unless further extended by the applicant, **the 120 days will expire on: November 15, 2019.**

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

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. 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 recommendation of the Bureau of Development Services with input from other City and public agencies.

**This report is not a decision. The review body for this proposal is the Design Commission who will make the decision on this case.**

This report is a recommendation to the Design Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Design Commission will make a decision about this proposal at the hearing or will grant a continuance. Your comments to the Design Commission can be mailed, c/o the Design Commission, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201 or faxed to 503-823-5630.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. You may review the file on this case by appointment at our office at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201. Please call the file review line at 503-823-7617 to schedule an appointment.

**Appeal of the decision.** The decision of the Design Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Design Commission, City Council will hold an evidentiary hearing, one in which new evidence can be submitted to them. Upon submission of their application, the

applicant for this land use review chose to waive the 120-day time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing.

**Who can appeal:** You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. **Appeals must be filed within 14 days of the decision. An appeal fee of \$ 5000 will be charged (one-half of the application fee for this case).**

Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

**Recording the final decision.**

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder. 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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

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

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

**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).**

Puja Bhutani  
February 8, 2019

**EXHIBITS – NOT ATTACHED UNLESS INDICATED**

**A. Applicant's Statement**

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

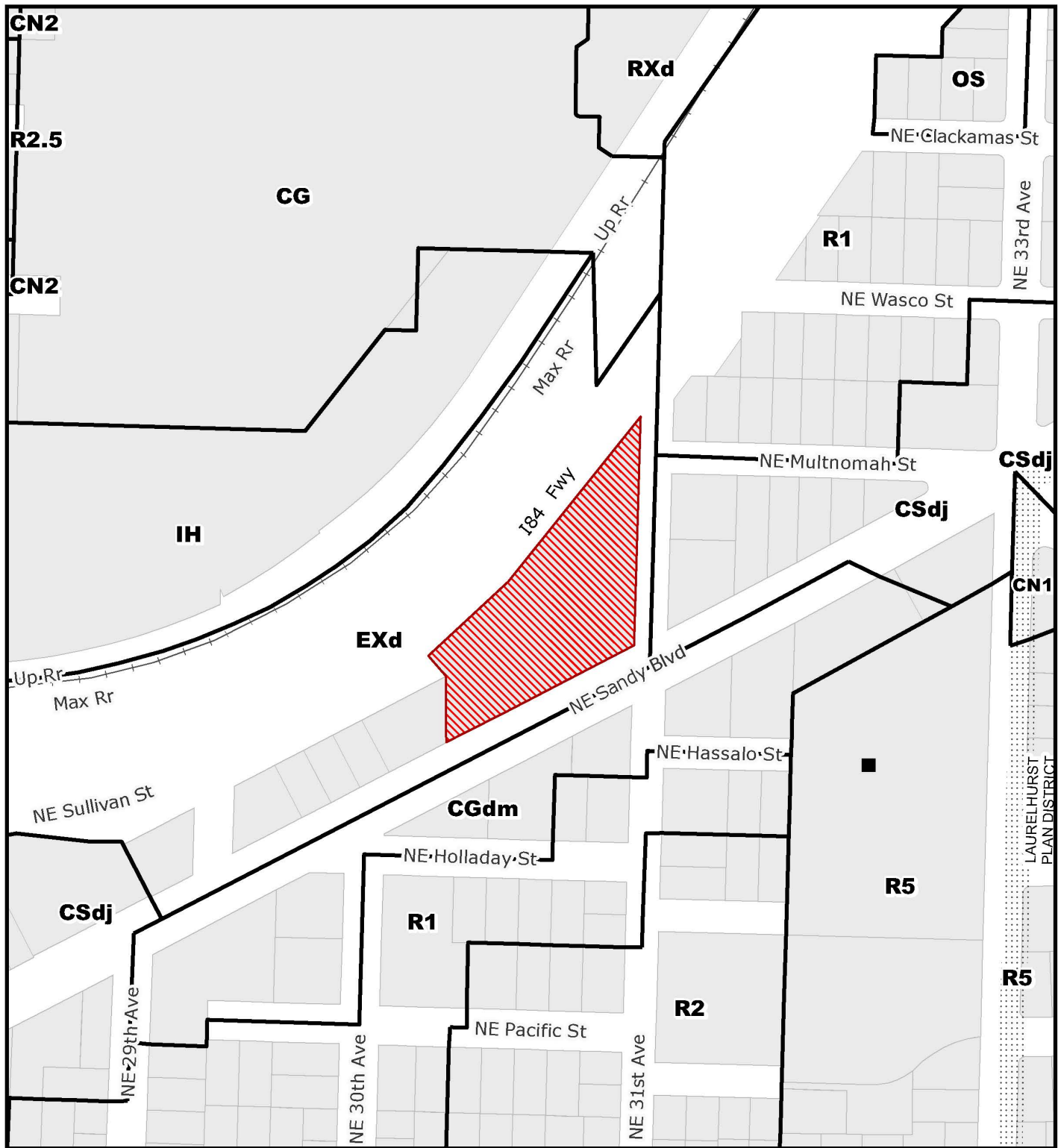
**B. Zoning Map (attached)**

**C. Plan & Drawings**

2. Site/Service Level Plan
3. Site/Street Level Plan (attached)
- 3.b Site/Street Level Plan, Option B
4. Second Level Plan
- 4.b Second Level Plan, Option B
5. Third Level Plan
- 5.b Third Level Plan, Option B
6. Fourth Level (Roof) Plan
- 6.b Fourth Level Plan, Option B
7. South Building Elevation
- 7.b South Building Elevation, Option B (attached)
8. East elevation
- 8.b East Elevation, Option B
9. North Elevation
10. West Elevation
11. Building Sections

12. Building Sections
14. Details - Main Entry
- 14b Details- Main Entry, Option B
15. Details - Main Entry, Cont.
16. Details - Future Tenant Entry
17. Details - Future Tenant, Cont.
18. Details - North Entry
19. Details - North Entry, Cont.
20. Details - Brand Blade
21. Details - Trash Enclosure
22. Materials Palette
23. Landscape - Code Requirements
24. Landscape - Plaza Plan
25. Landscape - Plaza Renderings
26. Landscape - Details and Materials
27. Landscape - Streetscape @ NE 31st Ave
28. Landscape - Plant Schedule
29. Landscape - Plant Schedule, Cont.
30. Landscape - Plant Selection
31. Landscape - Plant Selection, Cont.
32. Exterior Lighting Plan - Site Plan
33. Exterior Lighting Plan - Service Level
34. Exterior Lighting Plan - Street Level
35. Civil Plan - Utility Plan
36. Civil Plan - Grading Plan
37. Signage Location Elevations
38. Signage Details
39. Signage Details
40. Enlarged Bike Parking Diagrams
41. FAR Summary
42. Glazing Area
43. Product Cutsheets
- D. Notification information:
  1. Request for response
  2. Posting letter sent to applicant
  3. Notice to be posted
  4. Applicant's statement certifying posting
  5. Mailed notice
  6. Mailing list
- E. Agency Responses:
  1. Bureau of Environmental Services
    - a. 1<sup>st</sup> RFC response
    - b. 2<sup>nd</sup> RFC response
  2. Bureau of Transportation Engineering and Development Review
    - a. 1st RFC response
    - b. 2<sup>nd</sup> RFC response
    - c. RFR response
    - d. Revised RFR response
    - e. Driveway Design Exception Decision
  3. Site Development Review Section of BDS
    - a. 1st RFC response
    - b. 2<sup>nd</sup> RFC response
    - c. RFR response
  4. Life Safety Review Section of BDS
  5. Water Bureau

6. Fire Bureau
7. Bureau of Parks, Forestry Division
- F. Letters- None received
- G. Other
  1. Original LUR Application
  2. Incomplete letter send by staff on 6/12/18
  3. Staff feedback for submittal dated 8/31/18
  4. Staff feedback, 12/19/18
  5. Staff feedback, 1/23/19
- H. **[Received before the Hearing]**
  1. Staff memo to the DC hearing, dated 2/7/19
  2. Staff report and recommendations to the DC, dated 2/8/19**[Received at the Hearing]**
  3. List of Testimony
  4. Staff PowerPoint Presentation to Hearing Body
  5. Applicant PowerPoint Presentation to Hearing Body



# ZONING



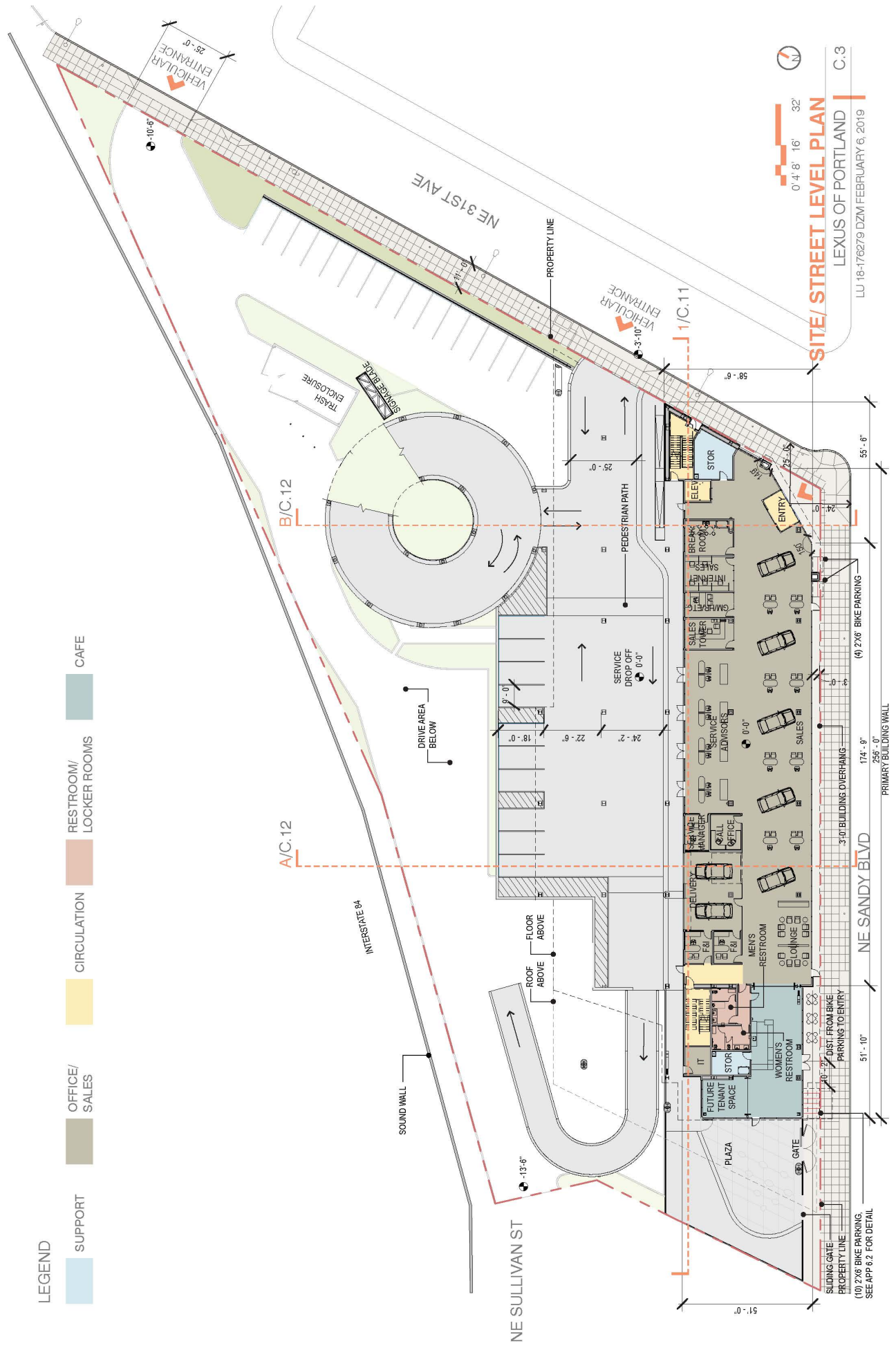
Site

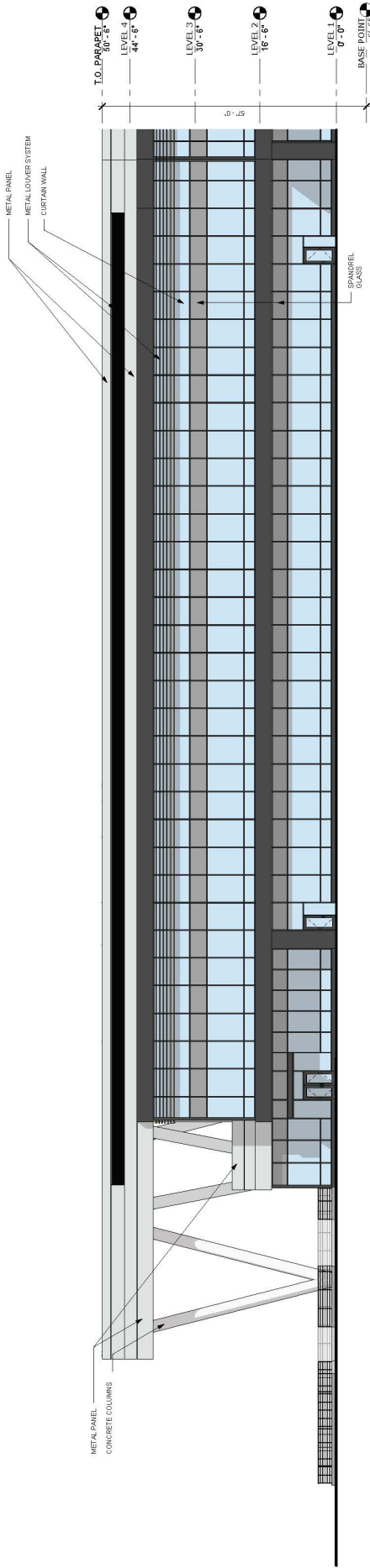


Historic Landmark

File No.	<u>LU 18-176279 DZ AD</u>
1/4 Section	<u>2933</u>
Scale	<u>1 inch = 200 feet</u>
State ID	<u>1N1E36BA 6200</u>
Exhibit	<u>B May 24, 2018</u>



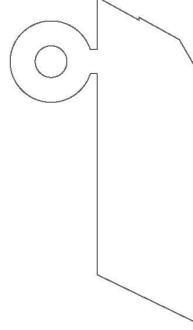




A. SOUTH ELEVATION

LEGEND

- GLAZING
- STUCCO
- METAL PANEL/ GLAZING MULLIONS
- LOUVER SYSTEM



**BUILDING ELEVATIONS OPTION**  
 LEXUS OF PORTLAND C.7B  
 LU 18-176279 DZM FEBRUARY 6, 2019