



City of Portland, Oregon
Bureau of Development Services
Land Use Services

1900 SW 4th Avenue, Suite 5000
Portland, Oregon 97201
503-823-7300
Fax 503-823-5630
TTY 503-823-6868
www.portlandonline.com/bds

Date: June 2, 2009
To: Interested Person
From: Nan Stark, Land Use Services
503-823-7828 / nstark@ci.portland.or.us

**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 reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 09-100310 AD

GENERAL INFORMATION

Owner/Applicant: George Kyler
Rivermark Community Credit Union
8505 SW Creekside Place
Beaverton, OR 97008

Representative: Matthew Lillard
Baysinger Partners Architecture PC
1006 SE Grand Avenue, Suite 300
Portland OR 97214

Site Address: 2537 SE HAWTHORNE BLVD

Legal Description: TL 10100 0.02 ACRES, SECTION 01 1S 1E; TL 9900 0.19 ACRES, SECTION 01 1S 1E; TL 10200 0.14 ACRES, SECTION 01 1S 1E; TL 10000 0.23 ACRES, SECTION 01 1S 1E

Tax Account No.: R991010180, R991010190, R991012190, R991012810

State ID No.: 1S1E01BC 10100, 1S1E01BC 09900, 1S1E01BC 10200, 1S1E01BC 10000

Quarter Section: 3133

Neighborhood: Buckman, contact Susan Lindsay at 503-725-8257

Business District: Hawthorne Blvd. Business Association, contact Peter Rossing at 503-231-8704

District Coalition: Southeast Uplift, contact Leah Hyman at 503-232-0010.

Zoning: CS, R2.5 – Storefront Commercial and High-Density Single-Dwelling Residential 2,500

Case Type: AD, Adjustment Review

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

Proposal: Rivermark Credit Union is planning to redevelop their existing site. A new two-story 8,808 square-foot building will be constructed to replace the existing bank building, which is at the corner of SE 26th Avenue and Hawthorne Blvd. The new building is proposed on the west side of the site. The existing building will be removed following construction of the new one, and replaced with a 12-space parking area adjacent to the corner.

Following construction, the existing parking area north of the proposed building and adjacent to Madison Street will be removed, to be developed in the future. The drive-through teller, currently part of the existing bank building, will remain as a detached structure. An additional 7 parking spaces are proposed on the north side of the new building. Access into the site will be from driveways on 26th Avenue and on Hawthorne, with access out of the site via Hawthorne only.

The revised redevelopment project requires the following two Adjustments to Zoning Code standards:

- 1) Section 33.130.220 and Table 130-3 require a minimum of 50 percent building coverage in the CS zone. The applicant requests an Adjustment to allow the proposed building to cover approximately 28 percent of the site area. The existing building comprises building coverage of 32 percent of site area in the CS zone.
- 2) Section 33.130.240.B requires a 6-foot wide pedestrian path. The applicant requests an Adjustment to allow portions of the proposed pedestrian path adjacent to the north and east sides of the building to be 5 feet wide.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of 33.805.040 A.-F., Adjustments.

ANALYSIS

Site and Vicinity: Rivermark Credit Union presently occupies the three tax lots comprising this site, which include the corner lot at SE 26th/Hawthorne, the interior lot on Hawthorne west of the corner, and the lots behind it, extending to Madison Street. The existing credit union building is at the 26th/Hawthorne corner, with parking on the remaining lots. Access is provided from Hawthorne directly into the parking area, and from 26th Avenue.

The existing building was constructed in 1961, and is built up to the 26th Avenue property line, and angled along the Hawthorne property line from the closest point at 8 feet, back to approximately 33 feet from that property line. It extends about halfway across the Hawthorne frontage. A large and prominent tree is at the southeast corner, adjacent to 26th/Hawthorne; it appears that the building was designed around the tree. The east frontage is below the sidewalk grade of 26th Avenue by a few feet. The building is accessed from its west side, where it faces the parking lot on the west side of the site from Hawthorne to Madison Street.

The vicinity is characterized by mostly commercial development on Hawthorne adjacent to the site, interspersed with low-rise multi-dwellings. The more prominent buildings in this part of Hawthorne are Holman's Funeral Home, a historic landmark, and the Safeway store east of 27th Avenue, both across the street on the south side of Hawthorne. To the north on all sides is primarily residential development, with a mix of single and multi-dwellings.

Zoning: The site comprises two zones: CS, Storefront Commercial; and R2.5, Residential Attached 2,500. Proposed development is entirely on the CS-zoned portion of the site, which is adjacent to Hawthorne Blvd and comprises 18,517 square-feet of area. The CS zone is one of two zones with the Urban Commercial designation of the Comprehensive Plan; the other is CM, Mixed Commercial. The CS zone is intended for more developed parts of the city near relatively dense residential areas. A full range of retail, service and business uses are allowed, serving a

local and larger regional market area. It is intended primarily for areas served by transit, with development that has a strong pedestrian orientation.

Land Use History: City records indicate that there were two previous land use reviews on the site. The first, VZ 323-60, was a variance waiving the required 10-foot setback on the 26th Avenue side of the site, allowing the building to be constructed on the east property line. The second, VZ 155-81, was a variance that approved a reduction to the landscaping setback adjacent to the north end of the driveway from 26th Avenue to 2 feet, for construction of the teller window added to the rear of the building in 1981.

Summary of Applicant's Statement: The applicant requests the adjustments in order to be able to continue use of the existing building while the new building is constructed. The resulting site constraints created the need for adjustments in order to site a building of a size that will meet the needs of the credit union.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **May 1, 2009**. The following Bureaus have responded with no issues or concerns:

- Water Bureau
- Fire Bureau
- BDS Site Development
- Bureau of Parks-Forestry Division

The Bureau of Environmental Services responded that aspects of the stormwater management proposed for this site do not appear to meet the City's Stormwater Management Manual; however, it does not appear this will affect the specific adjustments that have been requested.

The Bureau of Transportation Engineering responded that SE Hawthorne is designated a City Walkway in the Transportation System Plan. The Portland Pedestrian Design Guide recommends a 12-foot wide sidewalk corridor along streets with the City Walkway designation. There is currently 9 feet of right-of-way between the face of the curb and the property line along the SE Hawthorne frontage at this site. At the time of building permit review, dedication of 3 feet of right-of-way will be required along SE Hawthorne in order to provide the required 12-foot sidewalk corridor. The improvements will be required to match the Hawthorne Boulevard Street Plan.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on May 1, 2009. This was the second notice for this site; the original one was mailed on February 10, 2009. In response to the original proposal, staff received two letters from abutting neighbors to the west, and an email from a member of the Buckman Community Association (BCA). The neighbors are from the Dharma Rain Zen Center, and from an abutting residence. The former expressed concern about the legality of the rear parking area (adjacent to Madison St), which has been shared with the center for a number of years. The BCA member also wrote expressing concern that the parking arrangement between the Zen Center and the credit union would end, resulting in an increase in parking demand on the surrounding streets. Since that original notice, the proposal changed, eliminating the rear parking area, which staff found, in researching the lot, had never been legally developed. Consequently, Rivermark changed its plans to the current one.

The other neighbor who responded expressed concern that there is no buffer between the new building and abutting rear yards, and that the deciduous trees along the west property line will be cut down because the building will be built to that property line. Staff notes that the proposed structure is entirely in the CS, Storefront Commercial zone and abuts properties in the CS zone to the west. There is no setback requirement on abutting properties in the CS zone. A setback is required, based on building height, when the property abuts residentially-zoned properties. The 7-space parking area to the rear of the building is required to be

separated with a 5-foot landscaping setback; the drawings show that the west setback adjacent to the parking area is 8 to 12 feet deep.

Since the May 1 notice, staff did not receive any correspondence in response to the re-notification. Staff received emails forwarded by Tom Armstrong (Bureau of Planning and Sustainability liaison to SE Portland) that he received from two Buckman land use representatives who were inquiring whether the rear parking area could continue to be used through a Conditional Use review for the Zen Center. Staff notes that if, in the future, the applicants sell that property to the Center, then a Conditional Use review would be required to develop and use that site as its parking area. There is no such proposal associated with the current proposal and this review.

ZONING CODE APPROVAL CRITERIA

33.805.010 Purpose (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 and 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 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 for Adjustment to reduce building coverage: The building coverage standards promote development consistent with the desired character of the zone. In the CM and CS zones, the required minimum building coverage standards promote development which will support the built-up, urban character of these zones.

The applicant proposes to construct a new building, replacing the existing one which will be demolished following completion of the new one. In its place, a parking lot to serve the credit union will be situated on the 26th/Hawthorne corner. The new two-story building, on the west side of the site where surface parking is now located, will have a strong street orientation, with the front façade at one foot from the street property line, a prominent main entrance and canopy above it, and glazing to conform to the required standard of 50 percent of the building length and 25 percent of the wall area. The structure has a compact footprint of 56 feet wide by 85 feet long, and the related parking and access for vehicles and pedestrians are also compact, reflecting the urban location. Consequently, while the site comprises the building and the parking area, with a driveway and pedestrian path between, the built-up character of the development supports the desired and intended urban character of the CS zone.

The zoning code describes the CS zone as the zone intended to preserve and enhance older commercial areas that have a storefront character. It intends that new development will be compatible with this desired character. The zone allows a full range of retail, service and business uses with a local and regional market area. The desired character includes areas which are predominantly built-up, with buildings close to and oriented towards the sidewalk. Development is intended to be pedestrian-oriented and buildings with a storefront character are encouraged.

At a width of 56 feet across the Hawthorne frontage, the building occupies just over one-third of the length of the site. The pedestrian path adjacent to the building is another 5 feet, and the remainder is for vehicle access and parking. Such a layout is not unusual, where parking is to the side or behind buildings. In this section of Hawthorne, the development pattern is primarily commercial but with low-rise multi-dwelling residential sprinkled along it. The traditional older storefront character is not as dominant in this section of Hawthorne as it is further east, where there is a strong and consistent storefront pattern. Along the several blocks adjacent to this site, there are original early 20th century buildings along with mid-century and newer development, with a pattern of surface parking adjacent to many of the buildings.

Consequently, the compact storefront-style form of the building with its strong street and pedestrian orientation supports the built-up, urban character consistent with the CS zone, thus satisfying this criterion.

Findings for Adjustment to reduce a portion of the pedestrian path to 5 feet: The purpose of the pedestrian standards is to encourage a safe, attractive, and usable pedestrian circulation system in all developments. They ensure a direct pedestrian connection between abutting streets and buildings on the site, and between buildings and other activities within the site. In addition, they provide for connections between adjacent sites, where feasible.

The applicant requests this adjustment in order to redevelop the site while the existing bank building remains in operation. To do so, site constraints result in the need to reduce either vehicle aisle width or pedestrian path width. The applicants request the adjustment to reduce the pedestrian path by 1 foot alongside the building and to the rear of it. At the rear, the sidewalk reduction to 5 feet will allow accommodation of a small parking area and perimeter landscaping behind it, up to the property line that delineates the CS and R2.5 zone at the rear of the site.

The proposed pedestrian system will serve the public areas of the site, leading from Hawthorne to a walk-up teller and the east side entrance. From Hawthorne, pedestrians can enter the building directly from the public sidewalk to the main entrance facing the street. Drivers parked in the parking lot will be directed to a path crossing the driveway, meeting the pedestrian path at the east entry which expands to 7 feet wide at that entry area. Consequently, the pedestrian system at both main entrances is wider than required, ensuring a safe and usable pedestrian access. The reduced width along the building and at the rear is in places that are lesser-used portions of the pedestrian system, since the two entrances are strategically located at the street and across from the parking lot, clearly announced by the pedestrian path from the parking area to the widened entry area.

The minor reduction to the sidewalk width will adequately and safely serve users as needed, still meeting ADA standards of 5 feet. The Hawthorne frontage of the site will be improved to meet current pedestrian design standards, widening the public sidewalk from the existing 9 feet to 12 feet. This improvement will significantly enhance the pedestrian experience on the public side of the site, which due to its urban location, serves customers who use alternative modes of travel to the site. Thus, the proposed reduction supports the purpose of the pedestrian standard, thus meeting this criterion.

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

Findings: The portion of the site to be redeveloped is in the CS, Storefront Commercial zone, which is approximately 18-166 square-feet in area with the 3 foot right-of-way dedication. The existing parking area at the rear of the site, adjacent to Madison Street, will be removed and will not be developed as part of this redevelopment project. That part of the site is in the R2.5 residential zone.

The desired character of the area is not identified in the Buckman Neighborhood Plan (1991), but the zoning code describes the intended character of the CS zone. As its name implies, the intended character is a storefront character, with pedestrian-oriented buildings close to and oriented towards the sidewalk.

The City's Transportation System Plan identifies Hawthorne Blvd as a District Collector Street, Major Transit Priority Street, City Walkway, City Bikeway, Community Main Street, Truck Access Street and Major Emergency Response Street.

The two proposed adjustments, to minimum building coverage and reduced pedestrian pathway for a portion of the sidewalk, allow for a redevelopment of the site that is consistent with the street classifications of Hawthorne Blvd, and the intended character of the CS zone. Although the building is proposed to cover substantially less than 50 percent of the site area, the building will be much closer to Hawthorne than the existing one, which is set back between 8 and 33 feet from the Hawthorne frontage with considerably less street orientation than the new one. The proposed design results in an urban, built-up appearance. The surface parking area is modest in size, and will serve the site's customers without creating excessive or unnecessary parking. The compact form of the building allows more functional and efficient internal space for the credit union than the existing building, with a main entrance from the transit / pedestrian street as well as another entrance oriented to the parking area and 26th Avenue.

With the built-up appearance of the west side of the site and accessory parking lot at the corner, the site will reflect the desired character of this CS, Storefront Commercial zone. The surface parking lot can be viewed not only as an important part of the site but also as a future opportunity site that can, in the future, be developed with a building at the corner. Until that time, the proposal is consistent with the street classifications and the character of the CS zone, thus satisfying this criterion.

- 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: The purpose of the CS and CM, Urban Commercial zones is to encourage commercial areas that are supportive of surrounding residential areas, promoting uses and development that will enhance the economic viability of the commercial district and the city as a whole. The development standards promote the desired storefront character for the commercial area, designed to allow a large degree of development flexibility. The requested adjustments to minimum building coverage and the pedestrian path standards allow redevelopment of this existing commercial site while maintaining the existing building during construction of the new one. The resulting constraints to site area preclude development of a building with a larger footprint and the provision of on-site parking. The applicant has proposed adjustments that will continue viability of the credit union at this site, with an improved customer access and enhanced street orientation. The on-site parking is of an appropriate scale for the floor area of the building, and offers future development potential at the corner, with structured parking and / or a building with commercial uses as allowed by the zoning. Thus, this criterion is met.

- D.** City-designated scenic resources and historic resources are preserved; and

Findings: City designated resources are shown on the zoning map by the 's' overlay; historic resources are designated by a large dot, and by historic and conservation districts. 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 reduction to minimum building coverage is primarily the result of redevelopment that the applicant wishes, for a new building that will have better access and internal efficiency. By preserving the existing building during construction of the new one, there are significant site constraints which in effect do not allow the minimum building coverage standard to be met. The applicant has proposed a compact footprint over two floors, resulting in 8,808 square-feet of building area. Potentially such a building could meet the building coverage standard if built as a single-story building. The proposed building, with a height of 29 feet, will create a built-up storefront appearance, with a strongly identified street entrance and pedestrian orientation. The proximity to the street within 1 foot of the property line gives the site much more street orientation than the current building, which is built around the prominent tree and the front entrance is not addressing the street, but rather the parking area. The large tree at the 26th / Hawthorne corner will remain, as indicated by the site plan, which shows that the parking area was designed around its preservation (assuming that it will remain viable during construction activities).

In addition to the design of the building which will result in a built-up appearance and enhanced pedestrian / street orientation, the street frontage will be improved with an addition 3 feet of public sidewalk along Hawthorne. This improvement, in addition to direct pedestrian access to the building from Hawthorne, substantial glazing, and proximity to the street frontage provides significant mitigation for the requested adjustments. The overall site design, scale and public sidewalk improvements all offer mitigation for this redevelopment project; therefore, 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: The site is not within an environmental zone, which is designated on the zoning map by either a “c” or “p” overlay. 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.

CONCLUSIONS

The applicant has proposed two adjustments in order to allow redevelopment of this site while maintaining the existing building during construction. Both adjustments are consistent with the purpose of the respective standards, to minimum building coverage in the CS zone and to width of the pedestrian path. The site will be redeveloped entirely in the CS-zoned portion of the property, and the existing parking area in the R2.5-zoned area at the read, adjacent to Madison Street, will be removed. A fairly compact footprint for the 8,808 square-foot building will reflect the urban location. The proposed design has strong pedestrian and street orientation, with direct pedestrian access from the Hawthorne Blvd frontage. Required sidewalk improvements will result in an addition 3 feet to the public sidewalk on Hawthorne, creating an enhanced pedestrian experience in combination with the scale and design of the new building. Consequently, the proposal satisfies all of the relevant approval criteria, resulting in an affirmative decision.

ADMINISTRATIVE DECISION

Approval of adjustments to minimum building coverage and pedestrian standards, specifically:

1. Reduce the minimum building coverage from 50 percent to approximately 28 percent of the site area in the CS zone, per Zoning Code Section 33.130.220.

2. Reduce portions of the pedestrian path adjacent to the north and east sides of the building from the required 6 feet to 5 feet wide, per Zoning Code Section 33.130.240.B.

This approval is subject to general conformance with the approved site plan, Exhibit C-1, signed and dated May 28, 2009, and the following condition:

- A. As part of the building permit application submittal, the following development-related conditions (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 09-100310 AD." All requirements must be graphically represented on the site plan or narrative and must be labeled "REQUIRED."

Staff Planner: Nan Stark

Decision rendered by:  **on May 28, 2009**

By authority of the Director of the Bureau of Development Services

Decision mailed: June 2, 2009

About this Decision. This land use decision is **not a permit** for development. A Final Plat must be completed and recorded before the proposed lots can be sold or developed. 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 January 5, 2009, and was determined to be complete on February 6, 2009.

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 January 5, 2009.

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 requested that the 120-day review period be extended twice (February and April 2009) for a total of 41 days. Unless further extended by the applicant, **the 120 days will expire on: June 30, 2009.**

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, which will hold a public hearing. Appeals must be filed **by 4:30 PM on June 16, 2009** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 503-823-7967 to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

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 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, 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 must be recorded with the Multnomah County Recorder.

A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **June 17, 2009 – (the day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the

County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034. For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-7967.

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.

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.

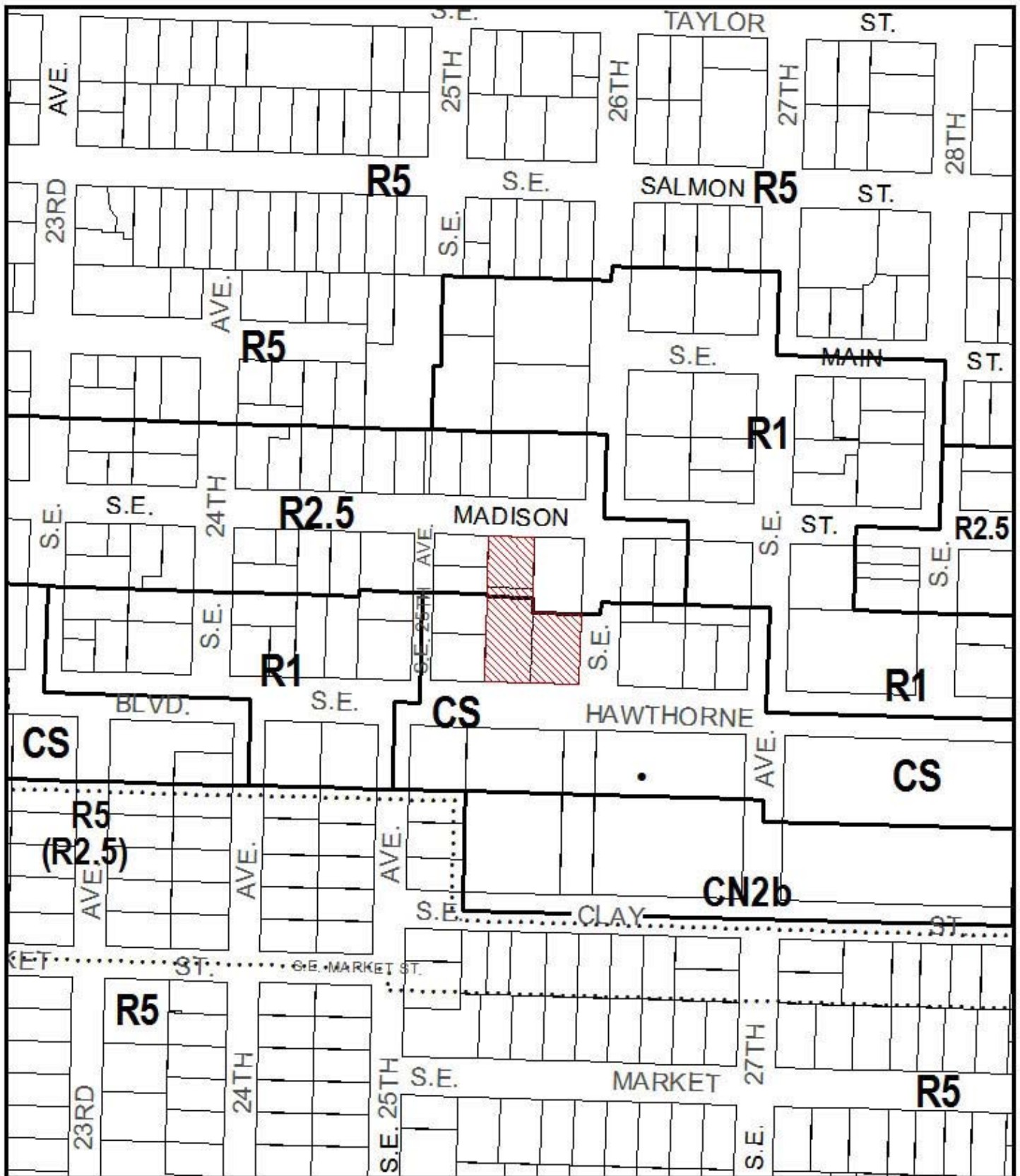
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Revised (final) submittal, 4/21/09
 - 2. Revised submittal, 2/5/09, includes drawings
 - 3. Revised submittal, 1/23/09, includes drawings
 - 4. Original submittal, 1/4/09, includes drawings
- B. Zoning Map (attached)
- C. Plans/Drawings, all final revised submitted 4/21/09:
 - 1. Site Plan, dated 4/21/09 (attached)
 - 2. Elevation drawings (attached)
 - 3. Landscaping Plan
 - 4. Utility Plan
 - 5. Grading and erosion control plan
 - 6. Existing conditions plan
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice, renotification, mailed May 1, 2009
 - 3. Original notice, mailed February 10, 2009
- 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. Bureau of Parks, Forestry Division
- F. Correspondence:
 - 1. J. Dana/L Struble, 2/25/09
 - 2. K. Carlson, Dharma Rain Zen Center, 2/28/09
 - 3. D. MacGillivray, Buckman Community Association, 3/4/09
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. Incomplete letter, 1/30/09

4. Email correspondence between N. Stark and M. Lillard, including extensions of 120-day decision
5. Pre-application conference summaries, EA 08-120018 and EA 05-180397
6. Building permit history

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-7300 (TTY 503-823-6868).



ZONING



Site



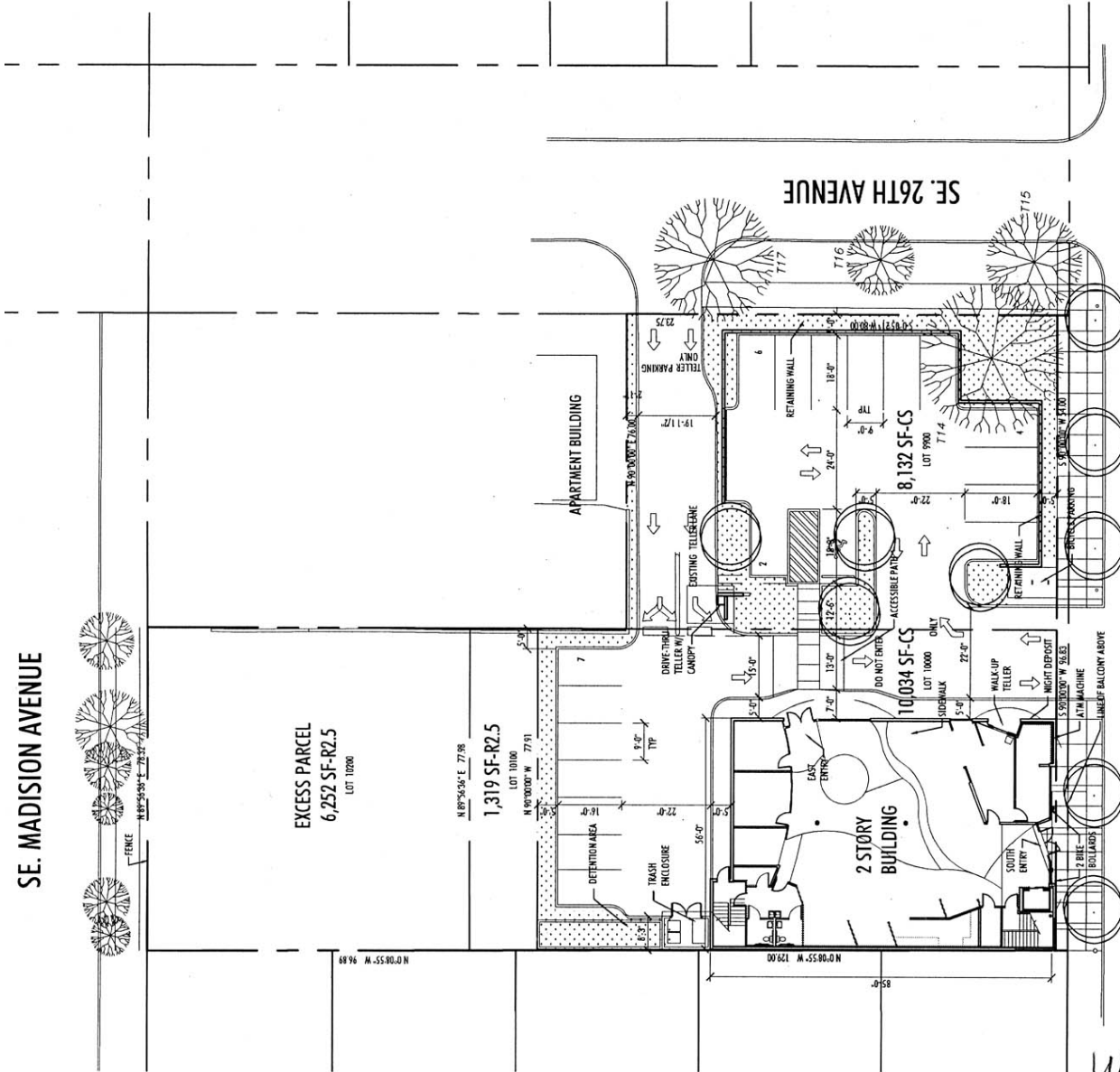
Historic Landmark



NORTH

File No.	LU 09-100310 AD
1/4 Section	3133
Scale	1 inch = 200 feet
State_Id	1S1E01BC 9900
Exhibit	B (Jan 13, 2009)

SE. MADISON AVENUE



SE. HAWTHORNE BLVD.

1 PHASE 2 SITE PLAN

A102 SCALE: 1/8" = 1'-0" BY: ARLAND

Approved

City of Portland - Bureau of Development Services

Planner: *K. Stark* Date: *May 28, 2009*

Approval applies only to the reviews requested and is subject to change of approval. Additional zoning requirements may apply.

SITE DATA	
EXISTING LOT AREA - 25,718 SF	
NEW LOT AREA (W/ PDOT ADJUSTMENT) - 25,737 SF	
NEW AREA OF CS ZONE - 18,166 SF	
BUILDING SF - 8,808 SF	
FAR IN CS ZONE - .48:1	
MIN. PARKING REQ'D - NONE	
MAX PARKING ALLOWED - 45 SPACES	
PARKING PROVIDED - 19 SPACES	
BIKE PARKING PROVIDED - 2 LONG TERM 4 SHORT TERM	
BUILDING COVERAGE - 4,792 SF	
DRIVE THRU CANOPY COVERAGE - 109 SF	
TRASH ENCLOSURE COVERAGE - 106 SF	
BIKE PARKING COVERAGE - 88	
LOT COVERAGE - 5,095 SF	
LOT COVERAGE IN CS ZONE - 28%	
LANDSCAPE AREA - 2,632 SF	
INTERIOR - 1,172 SF (855 SF Req)	
PERIMETER - 1,460 SF	
LANDSCAPE PERCENTAGE - 14.5%	
IDENTIFIED ADJUSTMENTS	
PEDESTRIAN ACCESS WIDTH	
LOT COVERAGE ADJUSTMENT	
LANDSCAPE AREA	
NOTE: SEE LANDSCAPE DRAWING L-1 FOR PLANTING PLAN INFORMATION	

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ISSUED / REVISED DATE

ORIGINAL ISSUE DATE: 04-21-09
DRAWN BY: MLL CHECKED BY: [Signature]

PHASE 2 SITE PLAN

A102
LAND USE REVIEW

WM 09-100310 AD
EXHIBIT C-1

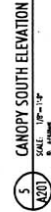
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ISSUED / REVISED	DATE
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PHASE 2 SITE PLAN

A102



LN 09-100310 AD
Exhibit C-2