



# City of Portland, Oregon

# **Bureau of Development Services**

### **Land Use Services**

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

**Date:** May 30, 2014

**To:** Interested Person

**From:** Matt Wickstrom, Land Use Services

503-823-6825 / Matt.Wickstrom@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 reasons for the decision are included in the version located on the BDS website <a href="http://www.portlandonline.com/bds/index.cfm?c=46429">http://www.portlandonline.com/bds/index.cfm?c=46429</a>. 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 14-119424 AD

#### **GENERAL INFORMATION**

**Applicant:** Greg Blefgen

VLMK Consulting Engineers 3933 SW Kelly Avenue Portland, OR 97239

**Owner:** Rob Teague

Portland General Eletric 121 SW Salmon St Portland OR 97204

Site Address: 3100 NW INDUSTRIAL ST

**Legal Description:** BLOCK 1 LOT 4-7 TL 600, GUILDS ADD

**Tax Account No.:** R347600340 **State ID No.:** 1N1E29CA 00600

Ouarter Section: 2825

Neighborhood: Northwest Industrial, contact John Savory at 503-241-1921 Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

**Plan District:** Guilds Lake Industrial Sanctuary

**Zoning:** IH (Heavy Industrial)

Case Type: AD (Adjustment Review – 3 requested Adjustments)

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

Committee.

#### Proposal:

Portland General Electric (PGE) recently purchased the 107,000 square foot building located at 3100 NW Industrial Street and is in the process of renovating the facility to accommodate the warehousing/storage of electrical equipment and the security of their line of trucks within the facility overnight. The renovation includes a voluntary seismic upgrade and a complete remodel of the existing office.

The use PGE proposes for the site is categorized by the Portland Zoning Code as Industrial Service, whereas the previous uses of the site were categorized as Warehouse and Freight Movement. An Industrial Service use of this size is required to provide 143 parking spaces. Citing the limited number of employees (40 personnel with the largest shift having approximately 25 people) at the site, the applicant requests one Adjustment to reduce the number of required parking spaces to 63.

Significant improvements to a site also trigger nonconforming upgrades – improvements to amenities on a site such as bicycle parking and interior parking lot landscaping. Interior parking lot landscaping is required at a rate of 45 square feet per parking space or 2,835 square feet for the 63 parking spaces proposed. The applicant requests a second Adjustment to reduce the amount of required interior parking lot landscaping from 2,835 square feet to 2,255 square feet or 35 square feet per parking space.

In order to provide security for vehicles, the applicant requests a third Adjustment to increase the allowed height of a fence within the street setback from 3.5 feet to 10 feet, including barbed wire.

## Relevant Approval Criteria:

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

■ 33.805.040 Adjustment Review Approval Criteria

#### **ANALYSIS**

**Site and Vicinity:** The 3.6 acre site is developed with an approximately 107,000 square foot single-story brick warehouse building. An existing landscaped parking lot is located between the building and NW Industrial Street. Some parking is also located behind the building. This parking is accessed from NW 31<sup>st</sup> Avenue. A paved area also between the building and NW Industrial Street is fenced with a 10-foot tall chain link fence with barbed wire and razor wire. The fence is on the property line and approximately 2 feet from the inside edge of the sidewalk. The vicinity is primarily developed with large single-story warehouse or industrial buildings. Many sites are fenced by chain link fencing with barbed wire.

**Zoning:** The site is zoned IH (Heavy Industrial) and is located in the Guild's Lake Industrial Sanctuary Plan District.

The IH zone is one of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zone provides areas where all kinds of industries may locate including those not desirable in other zones due to their objectionable impacts or appearance.

The Guild's Lake Industrial Sanctuary plan district fosters the preservation and growth of this premier industrial area adjacent to Portland's central city. The plan district's large number of well-established industrial firms are dependent on the area's multimodal transportation system, including marine, rail, and trucking facilities, and on the ability of area streets to accommodate truck movements. The plan district protects the area from incompatible uses which may threaten the district's integrity, stability and vitality and compromise its transportation system.

The proposed use of the site, warehousing/storage of electrical equipment and securitization of a line of trucks, was determined to fall within the Industrial Service use category of the Portland Zoning Code.

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

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **March 19, 2014**. The following Bureaus have responded:

- The Bureau of Environmental Services responded with information about stormwater management and site considerations. The response states that with an approved Development Review permit for three stormwater infiltration basins, the proposal can meet BES stormwater management requirements (Exhibit E-1).
- The Portland Bureau of Transportation (PBOT) reviewed the applicant and responded that the findings of the parking analysis show an adequate parking supply. PBOT stated no objections to the proposed Adjustments (Exhibit E-2).
- The Water Bureau responded with information on water service (Exhibit E-3).
- The Life Safety Section of the Bureau of Development Services (BDS) responded with information on building code and building permit requirements (Exhibit E-4).
- The Site Development Section of BDS responded with information on stormwater discharge and treatment and erosion control (Exhibit E-5).

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

#### ZONING CODE APPROVAL CRITERIA

#### 33.805.010 Purpose (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 providing 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:** The applicant requests three Adjustments associated with development occurring at the site. The first Adjustment is to reduce the minimum number of required on-site parking spaces for the Industrial Service use from 143 spaces to 63 spaces. The second Adjustment is to reduce the required amount of interior parking lot landscaping from 45 square feet per parking space to 36 square feet. The third Adjustment is to allow a chain link fence up to 10 feet in height within the 5-foot street setback.

The purpose of the regulations pertaining to minimum required parking spaces is found in Portland Zoning Code Section 33.266.110.A and reads:

The purpose of required parking spaces is to provide enough on-site parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. Sites that are located in close proximity to transit, have good street connectivity, and good pedestrian facilities may need little or no off-street parking. Multi-dwelling development that includes a large number of units may require some parking to support existing and future uses in the area and serve residents and guests, especially those with disabilities. Parking requirements should be balanced with an active pedestrian network to minimize pedestrian, bicycle and vehicle conflicts as much as possible. Transit-supportive plazas and bicycle parking may be substituted for some required

parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to broad use categories, not specific uses, in response to this long term emphasis. Provision of carpool parking, and locating it close to the building entrance, will encourage carpool use.

The purpose of the regulations pertaining to the development standards for vehicle areas including interior parking lot landscaping is found in Portland Zoning Code Section 33.266.130.A and reads:

The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones. Together with the transit street building setback standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian Districts:

- Provide a pedestrian access that is protected from auto traffic; and
- *Create an environment that is inviting to pedestrians and transit users.*
- The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles. The setback and landscaping standards:
- Improve and soften the appearance of parking areas;
- Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;
- Provide flexibility to reduce the visual impacts of small residential parking lots;
- *Direct traffic in parking areas;*
- Shade and cool parking areas;
- Reduce the amount and rate of stormwater runoff from vehicle areas;
- Reduce pollution and temperature of stormwater runoff from vehicle areas; and
- Decrease airborne and waterborne pollution.

The purpose of the regulations pertaining to fences in Employment and Industrial zones is found in 33.140.275 and reads:

The fence regulations promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences near streets are kept low in order to allow visibility into and out of the site and to ensure visibility for motorists. Fences in any required side or rear setback are limited in height so as to not conflict with the purpose for the setback.

The first Adjustment concerns the number of vehicle parking spaces on-site. The previous use at the site was a Warehouse and Freight Movement use which required 34 parking spaces for a 107,067 square foot building. The new use of the building is classified as Industrial Service which has a much higher parking requirement. An Industrial Service use in the building of this size requires 143 parking spaces. The applicant contends that the parking requirement is substantially more than the building owner needs and points out that the facility will operate weekdays during normal business hours and the largest shift will have 25 people. Few customers or clients visit the site.

To ensure there is sufficient parking along the nearby streets in the event the number of parking spaces proposed to be provided is deficient, the applicant provided an on-street parking analysis. PBOT found that the conclusions made in the parking analysis demonstrate that there is an adequate parking supply found in the vicinity of the subject site to accommodate any potential additional on-street parking demand that may result from the project, in addition to the existing parking demand in the area.

BES notes in their response that the applicable aspects of the parking lot landscaping purpose statement for this review concern the "effective management of stormwater runoff from vehicle areas", reducing "the amount and rate" and "pollution and temperature" of stormwater runoff from vehicle areas", and decreasing "waterbourne pollution".

In order to meet this approval criteria, the applicant has proposed and identified the following:

- a 3,200 square foot reduction in impervious surface area at the site,
- mature trees with large canopies as being located over existing impervious surface area and intercepting rainfall before it reaches the ground, and
- construction of new stormwater management facilities at three locations to capture runoff from the existing parking area.

BES reviewed the proposal and found that the project can meet the purpose statement in the Portland Zoning Code for vehicle area landscaping requirements. Staff also notes that the existing perimeter parking lot landscaping also serves to improve and soften the appearance of the parking area and reduce visual impacts. In order to ensure that the three stormwater infiltration basin proposed to capture runoff from vehicle areas, a condition of approval is necessary. The condition states that a finalized Development Review permit must be obtained prior to Planning and Zoning approval of the main facilities permit (13-241590 FA). A second condition of approval is necessary to ensure that the existing mature trees remain on the site. This condition states that all existing trees between the building and NW Industrial Street must remain. Removal of any trees must be requested through a Type II Tree Review.

The property owner constructed a 10-foot tall chain link fence with barbed wire and razor wire around the perimeter of the property to provide security for the fleet of vehicles stored at the site. The fence is located in the 5-foot street setback where only a 3.5 foot tall fence is allowed. Even at 10 feet in height, the chain link still allows views to and from the site. Additionally, several surrounding properties have chain link fences with barbed wire approximately 6-7 feet in height and located within the street setback; however, none of these have razor wire. The razor wire causes the fence to negatively impact the pedestrian experience by creating an imposing prison-like appearance of the site.

In order for the fence to meet the intent of the purpose statement and more-closely resemble the appearance of surrounding fences in the street setback, the razor must be removed from the portion of the fence within the 5-foot street setback. To ensure this a condition of approval is included with this review. The condition states that the required Development Review permit must document that all razor wire has been removed from the portions of the fence within the 5-foot setback.

Based on the information above and with three conditions of approval, this criterion is met.

**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 Portland Bureau of Transportation reviewed the proposed Adjustment for consistency with the classification of the adjacent streets, NW Industrial Street and NW 31<sup>st</sup> Avenue. At this location NW Industrial Street is classified as a Neighborhood Collector, Community Transit street, City Walkway and a Local Service street for all

other modes. NW 31<sup>st</sup> Avenue is classified as a Community Transit street, City Walkway and a Local Service street for all other modes. PBOT does not report that the proposed Adjustments conflict with any of the classifications for the adjacent streets.

The Portland Zoning Code defines desired character as "the preferred and envisioned character (usually of an area) based on the purpose statement or character statement of the base zone, overlay zone, or plan district. It also includes the preferred and envisioned character based on any adopted area plans or design guidelines for an area".

The site is located in the IH (Heavy Industrial) zone. The purpose of this zone reads:

The IH zone is one of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zone provides areas where all kinds of industries may locate including those not desirable in other zones due to their objectionable impacts or appearance.

The proposal and proposed use of the site is consistent with the purpose of the IH zone.

The site is located in the Guild's Lake Industrial Sanctuary Plan District. The purpose of the plan district reads:

The Guild's Lake Industrial Sanctuary plan district fosters the preservation and growth of this premier industrial area adjacent to Portland's central city. The plan district's large number of well-established industrial firms are dependent on the area's multimodal transportation system, including marine, rail, and trucking facilities, and on the ability of area streets to accommodate truck movements. Because of its proximity to inner-city neighborhoods with high concentrations of commercial and residential uses, the Guild's Lake Industrial Sanctuary is particularly vulnerable to impacts from, and redevelopment to, nonindustrial uses. The provisions of the plan district recognize that the displacement of industrial uses by inappropriate nonindustrial uses potentially threatens the integrity of this district and investments in public and private infrastructure. The provisions of this chapter protect the area from incompatible uses which threaten the district's integrity, stability and vitality and compromise its transportation system. This chapter also includes provisions to ensure a more pedestrian- and transit-oriented streetscape along NW Vaughn Street and an improved interface with the mixed-use neighborhood to the south.

As the requested Adjustments are the result of redevelopment at the site to accommodate an Industrial Service use that is compatible with other surrounding industrial uses, the proposal is found to be consistent with the purpose statement of the Guild's Lake Plan District.

Based on the information above, this criterion is met.

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

**Findings:** Three Adjustments are requested. One Adjustment request is to decrease the amount of required parking at the site. Another Adjustment is to decrease the required amount of interior parking lot landscaping. And the final Adjustment is to allow a 10-foot tall chain link and barbed wire fence within the 5-foot street setback along NW Industrial Street.

The first two Adjustment requests do not create a cumulative effect. In fact, they are somewhat interchangeable because the more parking that is provided, the more

landscaping that is necessary. The applicant found a happy medium for providing an adequate number of on-site parking spaces while also reducing impervious surface area on the site by 3,200 square feet in order to provided additional parking lot landscaping. The Adjustment to increase the maximum allowed fence height from 3.5 feet to 10 feet does not cause the other requested Adjustments to conflict with the overall purpose of the zone which is to provide areas where all kinds of industries may located.

Based on this information, this criterion is met.

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

**Findings:** There are no city-designated scenic or historic resources at this site, therefore this criterion does not apply.

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

**Findings:** The applicant has provided information documenting that the amount of on-site parking provided is adequate and will not result in a vast increase of vehicles parked on the surrounding streets. The applicant has proposed to mitigate for the requested decrease to parking lot landscaping by installing three stormwater infiltration basins. To mitigate for the height and appearance of the fence located within the street setback, a condition of approval requires removal of the razor wire. Based on this information, impacts have been appropriately mitigated. 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. 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 requested three Adjustments associated with the redevelopment of this site for a new tenant. The Industrial Service use of the site and the overall size of the building required a total of 143 on-site parking spaces. The applicant proposed to reduce the number of required parking spaces to 63 and provided adequate information for PBOT to support this reduction. The 63 on-site parking spaces required 45 square feet of interior parking lot landscaping per space. The applicant proposed 36 square feet of landscaping per space and provided adequate information and mitigation for BES to support this reduction with two conditions of approval. The property owner constructed a 10-foot tall chain link fence with barbed wire and razor wire within the 5-foot street setback where the maximum allowed fence height is 3.5 feet. Based on the location and appearance of fences on surrounding site and with a condition of approval that the razor wire be removed on the portions of the fence within the street setback, this proposal is found to be acceptable. The three proposed Adjustments meet the Adjustment Review approval criteria and should be approved.

#### ADMINISTRATIVE DECISION

Approval of three Adjustments:

- reduce the number of required on-site parking spaces from 143 to 63 (33.266.110.B);
- reduce the required amount of interior parking lot landscaping from 45 square feet per parking space to 36 square feet per parking space (33.266.130.G.3.a); and
- increase the allowed height of a fence within the 5-foot street setback along NW Industrial Street from 3.5 to 10 feet for a chain link and barbed wire fence (33.140.275.C.1.a);

per the approved site plans, Exhibits C-1, signed and dated May 27, 2014, and subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through D) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE Case File LU 14-119424 AD." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. A finalized Development Review permit documenting installation of the three stormwater infiltration basins must be obtained prior to Planning and Zoning approval of the main facilities permit (13-241590 FA).
- C. All existing trees between the building and NW Industrial Street must remain. Removal of trees may be requested through a Type II Tree Review.
- D. The required Development Review permit must document that all razor wire has been removed from the portions of the fence within the 5-foot setback.

Staff Planner: Matt Wickstrom

Decision rendered by: \_\_\_\_\_\_ on May 27, 2014

By authority of the Director of the Bureau of Development Services

Decision mailed: May 30, 2014

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on February 21, 2014, and was determined to be complete on **March 12, 2014.** 

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 February 21, 2014.

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: July 9, 2014.** 

# 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 13, 2014** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 2:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 2:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5<sup>th</sup> 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. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. 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 call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, 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 <a href="https://www.portlandonline.com">www.portlandonline.com</a>.

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Adjustment Committee is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Adjustment Committee an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

# Recording the final decision.

If this Land Use Review is approved the final decision 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 16, 2014 (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 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

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

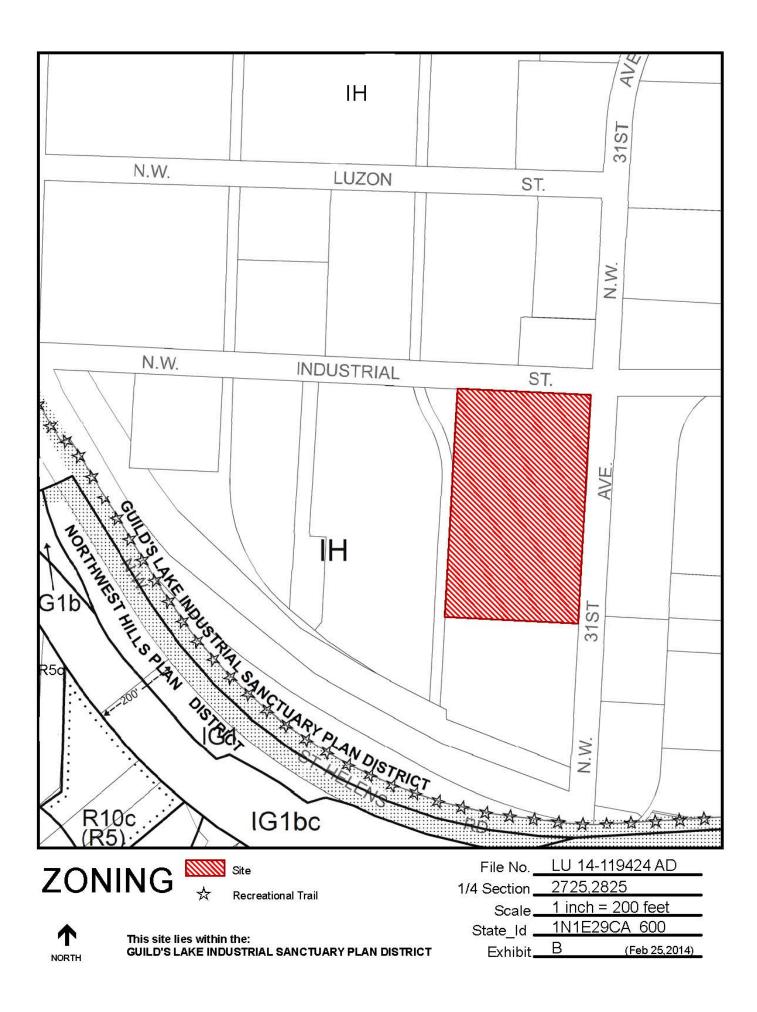
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

#### NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement and Original LU Application
  - 1. Incomplete letter from Matt Wickstrom to Jennifer Kimura dated March 6, 2014
  - 2. Revised site plan dated March 11, 2014
  - 3. Request from Greg Blefgen to put application on hold dated April 8, 2014
  - 4. Revised site plan dated April 9, 2014
  - 5. Supplemental submittal dated April 11, 2014
  - 6. Supplemental submittal dated April 18, 2014
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
- D. Notification information:
  - 1. Mailing list
  - Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Portland Bureau of Transportation
  - 3. Water Bureau
  - 4. Life Safety Section of BDS
  - 5. Site Development Review Section of BDS
- F. Correspondence: None received

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).



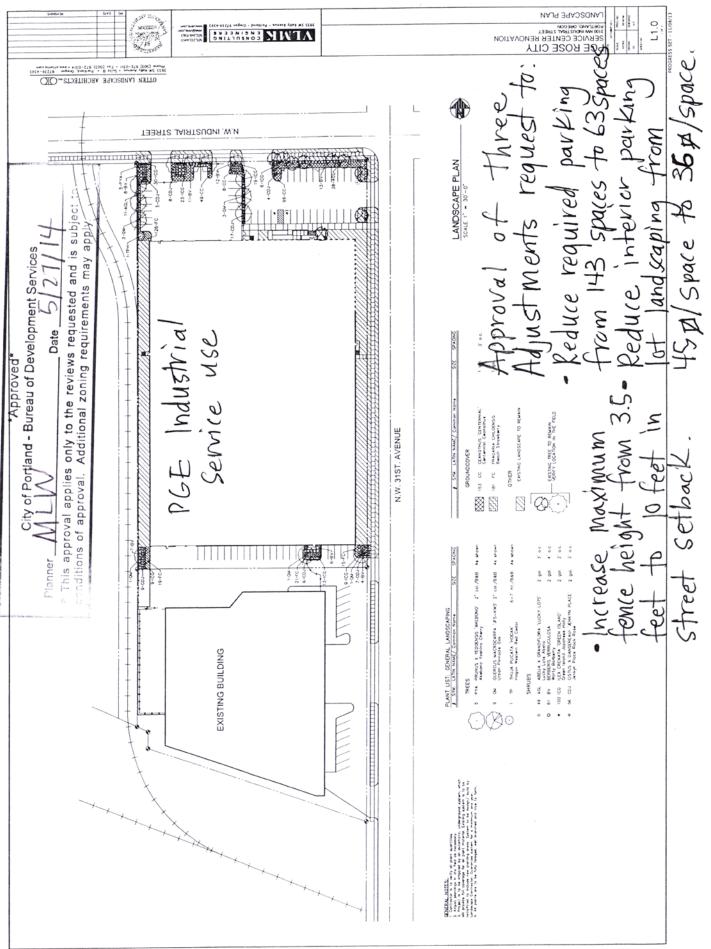


Exhibit C-1