



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

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www.portlandoregon.gov/bds

Date: April 27, 2016
To: Interested Person
From: Mark Walhood, City Planner
503-823-7806 / mark.walhood@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 16-119903 AD

GENERAL INFORMATION

Applicant: Margaret Sperry / Urban Farmacy
420 NE 60th Ave
Portland, OR 97213

Architect: Charles Hagen
1715 SE Salmon St.
Portland, OR 97214

Property Owner: Philip Ragaway
2029 NE M. L. King Jr. Blvd
Portland, OR 97212-3723

Site Address: 420 NE 60TH AVE

Legal Description: BLOCK 1 N 1/2 OF LOT 7&8, ORCHARD HOMES
Tax Account No.: R629800130
State ID No.: 1N2E31DA 03900

Quarter Section: 3036
Neighborhood: North Tabor, contact Terry Dublinski-Milton at terry.dublinski@gmail.com.

Business District: Eighty-Second Ave of Roses Business Association, contact Richard Kiely at 503-504-2273.

District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.
Zoning: **CN2** (Neighborhood Commercial 2 base zone)
Case Type: **AD** (Adjustment Review)
Procedure: **Type II**, an administrative decision with appeal to the Adjustment Committee.

PROPOSAL: The applicant is in the process of converting the existing single-family home at 420 NE 60th Avenue into a retail establishment, through submittal of a change of occupancy permit (15-272413 CO). This includes legalizing an existing paved parking area beside and behind the

home that was installed without the necessary permit or required landscaping sometime around 2007. The applicant intends to meet all regulations required for the commercial occupancy of the home (e.g. bike parking, 6'-wide walkway to the main entry door, etc.) with one exception: perimeter parking lot landscaping.

Regulations for parking lots require a 5'-0" deep landscaped setback where parking areas abut a property line (33.266.130.G.2.d/Table 266-5). Along the north property line where the abutting property is commercially-zoned, the landscaped setback must meet the L2 standard, with low (3'-6") shrubs, groundcover and trees. Along the east and south property lines where the abutting property is residentially-zoned, the landscaped setback must meet the L3 standard, with tall (6'-0") shrubs, groundcover and trees. No landscaping is required along the street lot line at the foot of the driveway, however.

As proposed, the applicant intends to remove significant paving in the parking area and provide additional perimeter landscaping. Although detailed landscape plans have not been provided and the required materials are not shown by plant type and species, the submitted plan shows trees and vegetation added to the perimeter of the parking lot. On the south side, the parking lot has at least the minimum 5'-0" required setback. Along the east side of the parking area abutting the four parking spaces along this edge, there is no landscaped setback but a 6'-0" tall sight-obscuring wooden fence is proposed. Along the east lot line both north and south of the four parking spaces, there is at least 5'-0" depth to the landscaping. Along the north edge of the parking area, there is only a 2'-0" stretch of landscaping abutting the parking space circulation aisle, but this landscaped area shows no new trees. Along the remainder of the north driveway edge, there is either no landscaping at all for approximately 21'-0", and then a narrow 1'-0" deep landscaped strip with no trees along the balance of the driveway leading to the street lot line.

Therefore, the applicant has requested an Adjustment to:

- Reduce the depth of required perimeter landscaping along the east edge of the parking area abutting four parking spaces from 5'-0" to 0'-0";
- Waive the requirement for shrubs and trees along the east edge of the parking area abutting four parking spaces;
- Reduce the depth of required landscaping from 5'-0" to 2'-0" abutting the north edge of the main circulation aisle;
- Reduce the depth of the required landscaping from 5'-0" to either 1'-0" or 0'-0" along the north lot line abutting the driveway; and
- Waive the requirement for trees along the north lot line where reduced setbacks are proposed.

RELEVANT APPROVAL CRITERIA: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found at **33.805.040.A-F**, Adjustment Approval Criteria.

ANALYSIS

Site and Vicinity: The site is a rectangular mid-block parcel on the east side of NE 60th Avenue just south of the intersection of NE 60th & Glisan. The site is developed with a house that was originally constructed in 1900, featuring a prominent gambrel roof, shingle siding, and original door and window trim. The building has a small street-facing front porch with a flat-roofed design that does not appear to be original to the structure. A paved asphalt driveway is located immediately north of the house with a curb cut and driveway connection to NE 60th Avenue, and the majority of the rear yard is paved with asphalt for vehicular parking.

The surrounding development is mixed in character. A two-story streetcar-era commercial building is located immediately north of the site, with a wall that directly abuts the shared lot line and driveway on this parcel. The property abutting the site to the south and east is developed with a midcentury two-story apartment building, including a small existing surface parking lot immediately east of the subject site. The property abutting the easterly half of the

north lot line is another two-story commercial building with apartments above, of similar massing and scale to the abutting building to the west at the corner of NE 60th and Glisan.

The surrounding neighborhood has a diverse character, with historic detached single-family homes, apartment buildings of various ages, and both older and more recent commercial and higher-density residential infill projects. Commercial uses are generally located along both sides of NE Glisan Street to the north and west, although the blocks along NE Glisan just east of the site are primarily residential in character.

Northeast 60th Avenue abutting the site is a Transit Access Street and City Walkway in the City of Portland Transportation System Plan. The abutting roadway has curb-tight sidewalks with no street trees and two-way vehicular traffic lanes, but no on-street parking.

Zoning: The Neighborhood Commercial 2 (CN2) base zone is one of several zones that implement the commercial policies and plan map designations of the City of Portland Comprehensive Plan. The CN2 zone in particular is intended to support smaller commercial sites in or near residential neighborhoods, with an orientation towards smaller uses with a local versus regional attraction. In this application, the issues revolve around development standards for commercial parking lots, which are generally the same at all sites regardless of the base zone designation.

Land Use History: City records indicate one prior land use review for this site. In 1963, a Zone Change was granted at this site from A1 to M3 under case file #PC 4347, allowing commercial uses at the site in addition to residential uses. The Portland City Planning Commission approved the request (Exhibit G.3).

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **March 22, 2016**. The following Bureaus have responded:

The *Bureau of Environmental Services* (BES) has reviewed the proposal and responded with informational comments and permitting details, but no objections or concerns with regards to the requested Adjustments. The proposal must be designed to meet all applicable stormwater management and sanitary sewer regulations and other requirements as necessary per BES staff during the building permit process. Exhibit E.1 contains staff contact and additional information.

The *Development Review Section of Portland Transportation* has reviewed the proposal and responded with information regarding transportation-related policies and approval criteria. As part of the building permit review, the applicant will be required to reconstruct the existing sidewalk corridor in NE 60th Avenue abutting the site, and dedicate 4'-0" of public property for right-of-way purposes. No specific concerns about on-site circulation or with regards to the Adjustment approval criteria are raised. Exhibit E.2 contains staff contact and additional information.

The *Water Bureau* has reviewed the proposal and responded with information about water service connections, but no objections or concerns regarding the requested Adjustment Review. All new and existing water services must meet Title 21 requirements for location and sizing of water service. Exhibit E.3 contains staff contact and additional technical details.

The *Fire Bureau* has reviewed the proposal and responded without objection, comment or concern (Exhibit E.4).

The *Site Development Section of the Bureau of Development Services* has reviewed the proposal and responded without comment or concern (Exhibit E.5).

The *Life Safety Section of the Bureau of Development Services* has reviewed the proposal and notes that a building permit has been applied for and is currently under review. The applicant

is referred to correspondence on the Building Permit for specific Life Safety and building code-related concerns. Exhibit E.6 contains staff contact and additional information.

Neighborhood Review: A “Notice of Proposal in Your Neighborhood” was mailed on March 22, 2016. A total of two written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal. One of the two letters, from a nearby resident, expressed concern about site visibility and safety related to vehicles entering and exiting the driveway connection to NE 60th Avenue, specifically with regards to heavy pedestrian traffic on this stretch of sidewalk (Exhibit F.1). Another letter, from a nearby commercial property owner, objected to the city allowing retail marijuana outlets in a “primary residential area” (Exhibit F.2).

Staff Note: The first letter does raise traffic safety issues which have been addressed in part through the Adjustment findings in this decision, and in part with the larger permitting and project review by Portland Transportation, who implements Title 17 addressing these issues. The specific retail use being proposed in the building, because it is allowed by-right in the zone provided any necessary occupancy or other permits are obtained, is not relevant to the current application.

ZONING CODE APPROVAL CRITERIA

33.805.010 Purpose of Adjustment Reviews

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 Adjustment Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. below have been met.

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

Findings: The purpose for the parking lot landscaped setbacks are as follows (33.266.130.A):

“Purpose. The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. 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 proposal involves a small parking area that was created partially atop a smaller old residential driveway which existed on the site previously. The entire former rear yard of the home, previously devoted to landscape materials, was also paved. The current proposal asks to maintain many elements of the existing parking lot, while also adding new plantings at the perimeter. Plantings are minimal along the northern edge of the site, and along the eastern edge of the easternmost four parking spaces, but generally meet or exceed the requirements along the south edge and at the northeast corner.

Specifically, the applicant has requested an Adjustment to (33.266.130.G.2.d):

- Reduce the depth of required perimeter landscaping along the east edge of the parking area abutting four parking spaces from 5'-0" to 0'-0";
- Waive the requirement for shrubs, trees and groundcover along the east edge of the parking area abutting four parking spaces;
- Reduce the depth of required landscaping from 5'-0" to 2'-0" abutting the north edge of the main circulation aisle;
- Reduce the depth of the required landscaping from 5'-0" to either 1'-0" or 0'-0" along the north lot line abutting the driveway; and
- Waive the requirement for trees and shrubs along the north lot line where reduced setbacks are proposed.

With regards to softening and improving the appearance of the parking area, the proposal will provide adequate landscape screening along the south edge of the site and at the northwest corner, where the code-required landscaping materials can be installed. Along the east lot line where no plantings are proposed, the applicant will install a 6'-0"-tall sight-obscuring wooden fence to help visually screen headlight glare and the parking area from the abutting apartments, in lieu of the otherwise-required tall shrubs and trees. Along the north edge of the driveway where the abutting storefront building is located, the building wall itself provides visual enclosure and screening of the parking lot and driveway from the north. The visual impact of the driveway from the street is not significantly different in this circumstance than that found in many other commercial parking lots, as no landscaping screening is required along the throat of the driveway, providing clear views into the parking area from the sidewalk.

The primary location where the parking will not be visually screened is along the north edge of the parking area, where either 2'-0" or zero landscaping is proposed. In this location there is an existing 6'-0"-tall wooden fence which provides sight-obscuring screening from the adjacent site.

With regards to visual impacts on surrounding properties and the nearby apartments, conditions of approval are necessary to ensure that the sight-obscuring wooden fencing used to justify the elimination of trees and shrub plantings is installed and maintained over time, as these elements are key to approving the reduced setback dimension. Therefore a condition of approval will require that 6'-0"-tall fully sight-obscuring fencing meeting the F2 fence standard be installed, maintained and replaced as necessary along the north and east property lines where less than 5'-0" of landscaping is proposed, except abutting the existing building wall along the north side of the driveway closest to the street.

The submitted landscape plan shows graphic devices for what appears to be trees and other plants, but no detailed landscape plan was submitted. The L3 landscape standard requires a continuous row of shrubs in addition to groundcover plantings and trees. Trees are required based on their size and the length of planting area, with one small tree every 15 feet, one medium tree every 22 feet, and one large tree every 30 feet (or some combination of the above). Because plant material, type and size information has not been provided on the plan, a clarifying condition of approval is necessary to clarify how much and what types of plantings will be required with the full landscape plan during permitting. In this case, there is 17'-0" of landscaping bed along the north lot line that is big enough for trees, 16'-0" along the east lot line, and 57'-0" along the

south lot line (90'-0" total lineal feet). In order to ensure adequate tree shading and coverage for these areas, a condition of approval will require a revised landscape plan at time of building permit submittal showing 90 lineal feet worth of small, medium and large trees in the perimeter parking lot landscaping. This same condition will clarify that tall shrubs must be shown and installed in the perimeter parking lot landscaping where the setback distance has not been reduced. With this plant material condition ensuring adequate tree and shrub plantings, and the prior fence screening condition along parts of the north and east lot lines, the proposal can at least equally meet the visual screening, shading and cooling aspects of the relevant purpose statement.

With regards to directing traffic in vehicle areas, the Development Review Section of Portland Transportation has reviewed the proposal and offered no concerns or objections regarding on-site traffic circulation, or entering and exiting movements to or from NE 60th Avenue (Exhibit E.2). As part of the building permit, the applicant will be required to dedicate 4'-0" of property to public right-of-way, and to reconstruct the sidewalk corridor in the abutting segments of street. Based on this reply and the parking lot layout itself, the reduced perimeter landscaping will result in a parking lot layout that at least equally meets the regulatory intent of directing traffic in parking areas.

With regards to airborne and waterborne pollution, the applicant has proposed new perimeter landscaping and stormwater management elements that will reduce impacts associated with legalizing this parking area. New plantings on the south, east and north edges of the parking area will provide shade and cooling, absorb stormwater, and help to filter pollutants. The Bureau of Environmental Services typically reviews applications for adequate stormwater management and impacts to the public sanitary sewer system, and is in support of the requested Adjustments (Exhibit E.1).

Therefore, with the two landscaping-related conditions of approval as noted above, the requested Adjustment is able to equally or better meet the intent of the regulation, and this criterion can be 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 proposal is in the Neighborhood Commercial 2 (CN2) base zone. The desired character of the area includes the purpose and character statements relevant to the CN2 base zone, including a desire to support small-scale commercial uses with a local market with limited intensity and impact. By improving and legalizing the rear parking lot, the uses at this site have reduced their visual and environmental impact, while still providing opportunities for a small-scale commercial operation on the site of a former home. There are no adopted Neighborhood or Community Plans applicable to the subject site.

Northeast 60th Avenue is classified as a Neighborhood Collector, Transit Access Street, City Walkway and Local Service Street for all other modes in the City of Portland Transportation System Plan. The Development Review Section of Portland Transportation has reviewed the proposal for street classification issues, and responded without objection or concern regarding the requested Adjustments (street dedication and sidewalk reconstruction issues are being handled through the building permit process).

Based on these considerations, the proposal is consistent with the classifications of the adjacent streets and the desired character of the area. This criterion is met.

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

Findings: Only one adjustment is requested. This criterion is not applicable.

- 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: With the two noted conditions of approval ensuring a revised landscaping plan with trees and shrubs during permitting, there are no discernible impacts that would result from granting the requested adjustment. With the noted conditions of approval as discussed in detail under findings for criterion A, this criterion is met.

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

Findings: Environmental overlay zones are designated on the Official Zoning Maps with either a lowercase “p” (Environmental Protection overlay zone) or a “c” (Environmental Conservation overlay zone). As 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 proposed to legalize an existing parking lot that was created without benefit of the required building permits or perimeter landscaping. With the revisions made after submittal providing additional landscaping at the perimeter of the parking area, and with sight-obscuring wooden fencing, the proposal is able to meet the relevant approval criteria, with conditions. Two conditions of approval are necessary to ensure adequate landscaping materials such as trees, shrubs and groundcover are provided, consistent with the normal standards. With approval based on the revised site plan, and two conditions of approval as noted, the request is able to meet the criteria and should be approved.

ADMINISTRATIVE DECISION

Approval of an **Adjustment** to modify the perimeter parking lot landscaped setback (33.266.130.G.2.d/Table 266-5) on the site at 420 NE 60th Avenue as follows:

- Reduce the depth of required perimeter landscaping along the east edge of the parking area abutting four parking spaces from 5’-0” to 0’-0”;
- Waive the requirement for shrubs and trees along the east edge of the parking area abutting four parking spaces;
- Reduce the depth of required landscaping from 5’-0” to 2’-0” abutting the north edge of the main circulation aisle;

- Reduce the depth of the required landscaping from 5'-0" to either 1'-0" or 0'-0" along the north lot line abutting the driveway; and
- Waive the requirement for trees along the north lot line where reduced setbacks are proposed.

This approval is granted per the approved site plans, Exhibits C-1 through C-2, signed and dated April 25, 2016, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B and C) 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 16-119903 AD ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. 6'-0"-tall fully sight-obscuring fencing meeting the F2 fence standard must be installed, maintained and replaced as necessary along the north and east property lines where less than 5'-0" of landscaping is proposed, except abutting the existing building wall along the north side of the driveway closest to the street.
- C. A revised landscape plan showing 90 lineal feet worth of small, medium and/or large trees in the perimeter parking lot landscaping must be shown on the building permit drawings. Tall shrubs must be shown and installed in the perimeter parking lot landscaping where the setback distance has not been reduced, in addition to the required groundcover materials. Landscape materials shall be shown by type, size, and with both scientific and common names.

Staff Planner: Mark Walhood

Decision rendered by: MARK WALHOOD **on April 25, 2016.**
By authority of the Director of the Bureau of Development Services

Decision mailed: April 27, 2016.

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 11, 2016, and was determined to be complete on March 17, 2016.

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 11, 2016.

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 13, 2016.**

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 May 11, 2016** 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 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th 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 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 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 **May 12, 2016 – (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.

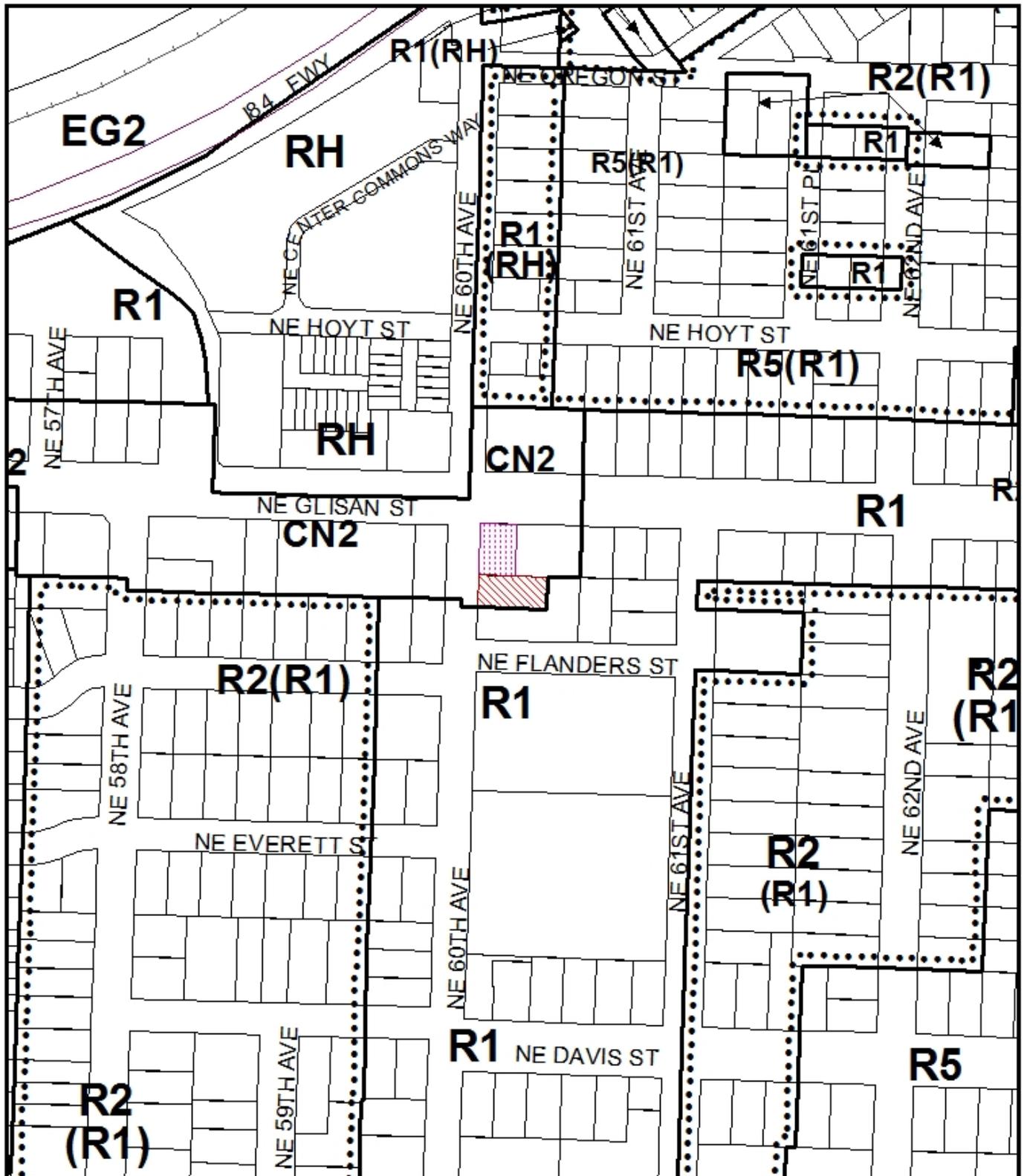
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statements
 1. Original narrative
 2. Original, outdated plans – reference only
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Large, Scalable Site Plan
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Bureau of Environmental Services
 2. Development Review Section of Portland Transportation
 3. Water Bureau
 4. Fire Bureau
 5. Site Development Section of the Bureau of Development Services
 6. Life Safety Section of the Bureau of Development Services
- F. Correspondence:
 1. E-mails with comments and concerns from Kate McQuillan, rec'd. 3/24/16 & 3/28/16
 2. Letter with concerns from Joseph Weston, rec'd. 3/27/16
- G. Other:
 1. Original LU Application Form and Receipt
 2. Incomplete letter from staff to applicant, sent 3/1/16

3. Decision for previous zone change on the site, Case File #PC 4347
4. Staff-initialed Zoning Map as provided by applicant
5. Copy of Multnomah County Tax Map showing true dimensions of site

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).

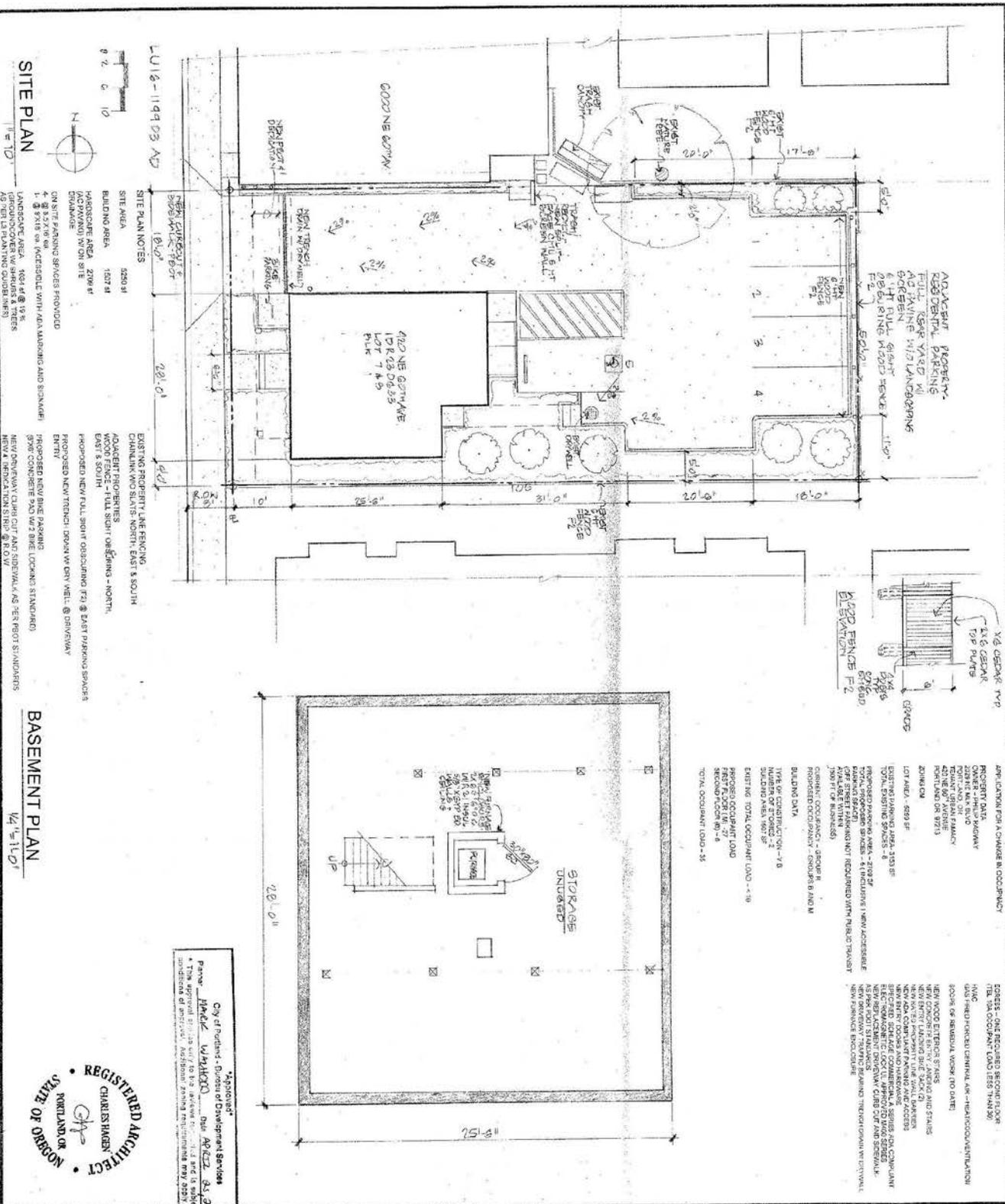


ZONING

-  Site
-  Also Owned Parcels
-  Historic Landmark



File No.	<u>LU 16-119903 AD</u>
1/4 Section	<u>3036</u>
Scale	<u>1 inch = 200 feet</u>
State Id	<u>1N2E31DA 3900</u>
Exhibit	<u>B</u> (Feb 17, 2016)



SITE PLAN

LU 1.6 - 1199 03 AD
 1/4" = 10'

SITE PLAN NOTES

- 1. 3' SIDEWALK REQUIRED WITH ADA MARKING AND SIGNAGE
- 2. 5' SIDEWALK REQUIRED WITH ADA MARKING AND SIGNAGE
- 3. 5' SIDEWALK REQUIRED WITH ADA MARKING AND SIGNAGE
- 4. 5' SIDEWALK REQUIRED WITH ADA MARKING AND SIGNAGE
- 5. 5' SIDEWALK REQUIRED WITH ADA MARKING AND SIGNAGE
- 6. 5' SIDEWALK REQUIRED WITH ADA MARKING AND SIGNAGE
- 7. 5' SIDEWALK REQUIRED WITH ADA MARKING AND SIGNAGE
- 8. 5' SIDEWALK REQUIRED WITH ADA MARKING AND SIGNAGE
- 9. 5' SIDEWALK REQUIRED WITH ADA MARKING AND SIGNAGE
- 10. 5' SIDEWALK REQUIRED WITH ADA MARKING AND SIGNAGE

BASEMENT PLAN

1/4" = 10'

APPLICATOR FOR A CHANGE IN OCCUPANCY

PROPERTY DATA
 OWNER - HENRY SADOWY
 20210 NE 100th
 TIGARD, OREGON 97146
 LOT 100, DIST. 100
 ZONING LU 1.6
 LOT AREA - 6293 SF
 EXISTING PARKING SPACES - 3133 SF
 PROPOSED PARKING SPACES - 2102 SF
 PROPOSED PARKING AREA - 2102 SF
 PROPOSED DRIVEWAY - 14' WIDE, 10' DEEP, NEWLY ACCESSIBLE
 OFF STREET PARKING AND NOT REQUIRED WITH PUBLIC TRAVEL
 100 FT OF BUSINESS
 CURRENT OCCUPANCY - STORE R
 PROPOSED OCCUPANCY - GROUPS B AND M
 BUILDING DATA
 TYPE OF CONSTRUCTION - V-B
 NUMBER OF STORIES - 2
 BUILDING AREA 1001 SF
 EXISTING TOTAL OCCUPANT LOAD - 110
 PROPOSED OCCUPANT LOAD
 FIRST FLOOR 101
 SECOND FLOOR 101
 TOTAL OCCUPANT LOAD - 202

EXISTING - ONE REQUIRED SECOND FLOOR
 TIE IN OCCUPANT LOAD LESS THAN 200
 HVAC
 GAS FRESH AIR EXHAUST SYSTEM - MECHANICAL VENTILATION
 SCOUR OR REMOVAL WORK (NO DATE)
 NEW WOOD DECKING STAIRS
 NEW CONCRETE STAIRS AND STAIRS
 NEW STAIRS AND STAIRS
 NEW STAIRS AND STAIRS
 NEW ADA COMPLIANT PARKING AND ACCESS
 NEW ADA COMPLIANT DRIVEWAY AND ACCESS
 REVISIONS

NO.	DATE	DESCRIPTION
001	02/21/15	REVISED PER COMMENTS
002	02/21/15	REVISED PER COMMENTS
003	02/21/15	REVISED PER COMMENTS
004	02/21/15	REVISED PER COMMENTS
005	02/21/15	REVISED PER COMMENTS
006	02/21/15	REVISED PER COMMENTS
007	02/21/15	REVISED PER COMMENTS
008	02/21/15	REVISED PER COMMENTS
009	02/21/15	REVISED PER COMMENTS
010	02/21/15	REVISED PER COMMENTS

DATE: 2/21/15
 SCALE: AS NOTED
 DRAWN: CH
 SHEET: A1
 OF: 2 SHEETS

REGISTERED ARCHITECT
 CHARLES HAGEN
 PORTLAND, OR
 NO. 10000 OF STATE OF OREGON

CHARLES HAGEN ARCHITECT
 1715 SE SALMON STREET
 PORTLAND, OREGON 97214
 503.530.0743
 hagen.chas@gmail.com

CHANGE OF OCCUPANCY
 APPLICATION FOR
 URBAN FARMACY
 420 NE 00th AVE
 PORTLAND, OR

SITE PLAN
 PROJECT DATA
 BASEMENT PLAN

Approved
 City of Portland - Division of Development Services
 Permit: **114626** - **114626** Date: **02/21/15**
 * This approval is valid for 180 days from the date of issuance. A fee of \$100 is required for all extensions of approval.

CASH NO. LU 1.6 - 1199 03 AD
 DRAWING: 7.2