

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: November 16, 2009 To:

Kara Fioravanti, Land Use Services From:

Interested Person

503-823-5892 / kfioravanti@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 09-162430 DZ PSU URBAN CENTER STORMWATER PLANTERS

GENERAL INFORMATION

Portland State University Physical Plant - P02803 Applicant:

Attn: Ernest Tipton

617 SW Montgomery Street / PO Box 751

Portland, OR 97207

Oregon State Board of Higher Education

121 SW Morrison Street Suite 200 / Portland, OR 97204

Representative: Nancy Merryman, Architect

1231 NW Hoyt #403 / Portland, OR 97209

510 SW MILL STREET, 1732 SW 6th Avenue, 1800 SW 6th Avenue Site Address: BLOCK 161 INC PT VAC ST LOT 1&8 LOT 2-7, PORTLAND; BLOCK Legal Description:

162 LOT 1-8 TL 3500, PORTLAND; BLOCK 162, INC PT VAC ST-W 68'

OF LOT 5 & S 25' OF W 68' OF LOT 6, PORTLAND

Tax Account No.: R667716550, R667716630, R667716410

1S1E04DA 00100, 1S1E04DA 00200, 1S1E03CB 03500 State ID No.:

Quarter Section: 3128

Business District: Downtown Retail Council, contact Lisa Frisch at 503-552-6740. **District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - University District

CXd, Central Commercial with design overlay Zoning:

DZ, Design Review Case Type:

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

Commission.

PROPOSAL: The applicant seeks design review approval to add 3 stormwater detention/treatment planters into the existing PSU Urban Plaza. Planters are all within the vacated SW Montgomery Street right-of-way and are adjacent to the existing fountain features.

RELEVANT APPROVAL CRITERIA: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are: Central City Fundamental Design Guidelines.

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. This application was submitted on October 6, 2009 and determined to be complete on October 14, 2009.

ANALYSIS

Detailed Description of Project (from applicant's narrative, Exh. A.3): (from PSU website) "Often described as the gateway between Portland State University and downtown Portland, the Urban Center was the first project of a revitalized part of downtown Portland's transit corridor. It is the only place in Portland where the Streetcar and the Green Line Max cross. Construction for the Urban Center started in 1998 and was completed in March of 2000.

With two major public transportation transits at its front door, the Urban Center has become a hub for students and Portland residents alike. Located in the first floor retail spaces are the PSU Bookstore, Pizzicato and Seattle's Best Coffee. The plaza welcomes a wide variety of students, faculty and staff of PSU, as well as the downtown Portland community."

The Urban Plaza is a beautifully designed and detailed public plaza that reinforces the pedestrian paths through the site and creates flexible open spaces that can be used for a variety of events or informal gatherings. It also includes slender linear fountain features that reinforce the pedestrian paths through the space and add movement, sound and vertical sculptural elements to provide a counterpoint to the horizontal plaza surfaces.

The proposed new stormwater planters, that are the subject of this Design Review application, are part of the larger Montgomery Green Street project. This concept design has been created by Nevue Ngan landscape architects through collaboration between PSU, PDC, and BES. This plaza will be one segment of the many that are planned to be constructed on the PSU campus. The new plaza (approved through Design Review) that has just completed construction on the north side of PSU's Smith Memorial Student Center is the first segment of the Montgomery Green Street to be completed.

When the PSU Urban Center Plaza was designed in 1997/8, the sustainability movement - while underway - was not as large a part of the development "conversation" as it is today. The project admirably met its own set of design goals and evaluation criteria that were a reflection of the current values of the City and the University. Now, both parties are committed to a vision of sustainability which includes slowing down and treating storm water run-off, and lessening the heat-island effects of paved surfaces within the urban context. It is our intention that the proposed storm water planters will respect the original design and detailing of the plaza while adding shade and vegetation and treating storm water on-site.

The three proposed planters are placed adjacent to the linear fountain elements to further reinforce the pedestrian movements across the site. All provide larger steps/seats between the individual planter segments that add places to sit in the shade of the new vegetation.

The planter edges and the larger steps/seats between are designed to be brick to match the existing paving. In the center of the seat/steps, there will be a granite channel running down between planter segments to allow water to flow from one planter to the next during large storm events. Because the channel is meant to convey water, we plan to make them out of polished granite to match the portions of the existing fountains that actually move water.

Zoning: The <u>Central Commercial</u> (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together.

The <u>"d" overlay</u> promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review.

Land Use History: City records indicate that prior land use reviews <u>for the Urban Center Plaza</u> <u>only</u> include the following:

- 1. <u>DZ 97-305</u> (reference file # LU 97-014351): Approval for first phase of Urban Center and Plaza.
- 2. <u>LUR 98-00138 DZ</u> (reference file # LU 98-015444): Approval for second phase of Urban Center and Plaza.
- 3. <u>LUR 98-00348 VA</u> (reference file # LU 98-015654):
 Approval for vacation of SW Montgomery Street between 5th and 6th Avenues, to accommodate the new Urban Center Plaza.
- 4. <u>LUR 98-00409 PR</u> (reference file # LU 98-015715):
 Approval for increase in parking stalls at PSU Parking Structure #3, in part to accommodate parking demand from the new Urban Center.
- 5. <u>LUR 98-00944 DZ</u> (reference file # LU 016250): Approval for changes to originally approved Urban Center and Plaza; changes include elimination of two canopies on west façade, extension of stair at south end of west wing up to roof; increase in size of information pylon, and enlargement of glass doors at TriMet Information Center.
- 6. LU 07-129707 DZM:

Design Commission approval for a new 6-story Portland State University student recreation, office, and academic building with additional retail uses and archives for the City of Portland. Approval of the following **Modification** request: The forward-motion operations standard for loading (33.266.310.F) is not met. Approval of the following **Adjustment** request: Loading is to be located on Harrison Street, which is an access-restricted street per Map 510-9 of the Central City Plan Chapter (33.510). Vehicular access onto an access-restricted street (SW Harrison) is approved.

7. LU 07-152104 DZ:

Approval of for the installation of a stainless-steel eyebolt on the SW 6th Avenue façade of the PSU Distance Learning Center.

8. <u>LU 07-184412 DZM</u>:

Approval of a public clock with four clock faces, each approximately 5'-8" in diameter with LED-backlit Roman numerals, within the existing steel-beam tower in the Urban Center Plaza; and Approval of a Modification to 32.32.030.D.1 to exceed the maximum allowable area of changing-image signage on the site by 15 square feet.

9. LU 09-134357 DZ:

Approval for installation of a 69 square foot vinyl fabric sign on the Distance Learning Center.

10. LU 09-137547 DZ:

Approval of minor alterations to the Portland State University Academic and Student Recreation Center: Two new doors (one single door and one double door) at the ground floor level along the SW 6th Ave façade, New metal canopy at the new double door to match previously approved canopies on at other locations on the building, A new rooftop solar panel array at the southwest corner of the building roof and an 11'-10" by 29'-7" area dedicated to a future solar panel array.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed on October 14, 2009. The following Bureaus have responded with no issues or concerns:

- Bureau Development Services, Life Safety
- Parks Bureau
- Fire Bureau

<u>The Bureau of Environmental Services</u> responded with the following comment: Exhibit E-1 BES has no objections to the request for Design Review approval to add three stormwater detention/ treatment planters into the existing PSU Urban Plaza.

Sanitary Services

1. The request for Design Review approval to add three stormwater detention/ treatment planters appears to have no impact on the public sanitary sewer system.

Stormwater Management & Water Resources

The stormwater runoff generated from the proposed development must meet the requirements of the City of Portland's Stormwater Management Manual current at the time of building plan review. For all projects, the Stormwater Hierarchy must be addressed. The applicant may contact BES with any questions or for additional information. The current 2008 Stormwater Management Manual can be found at:

http://www.portlandonline.com/bes/ under Publications and then go to Manuals.

- 1. There is an existing 12-inch reinforced concrete public storm-only sewer located in SW 6th Avenue.
- 2. There is an existing 24-inch concrete storm-only sewer located in SW Mill Street.
- 3. There is an existing 10-inch concrete private storm-only sewer located south of this site located within an easement that was part of a street vacation for SW Montgomery Street.
- 4. General Summary of SWMM Requirements: The 2008 SWMM requires all development projects to comply with Infiltration and Discharge requirements, summarized in the Stormwater Hierarchy (Exhibit 1-2). Projects that develop or redevelop more than 500 square feet of impervious surface are required to comply with the Flow Control and Pollution Reduction requirements. Generally, the Stormwater Hierarchy requires vegetated facilities to manage stormwater runoff from development sites. Where complete on-site infiltration via a vegetated surface facility (Category 1) is not feasible, surface infiltration facilities must be used to the maximum degree feasible with overflow to a subsurface infiltration facility (Category 2). Categories 3 and 4 allow off-site discharge of stormwater, after vegetated facilities have been used to meet Flow Control and Pollution Reduction requirements. The Site Development Section of BDS must approve infiltration on private property. BES must approve infiltration in the public right-of-way and off-site stormwater discharge points.
- 5. This particular project is currently being coordinated with the BES Sustainable Stormwater section. The design proposed under this Design Review is consistent with the plans currently being reviewed by the BES Sustainable Stormwater group. Therefore, BES can conceptually approve the proposed site utility plan submitted for land use review approval and support this application. BES has no objections to the request for Design Review approval.

Conditions of Approval

BES has no recommended conditions of approval.

<u>The Site Development Section of BDS</u> responded with the following comment: Site Development has no objection to the proposal to add 3 stormwater detention/treatment planters into the existing PSU Urban Plaza. Flow-through planter overflow should be directed to the public storm sewer system, with BES approval.

<u>The Bureau of Transportation responded with the following comment:</u>

Transportation has no objection to this proposal provide no work is performed in the public right-of-way.

<u>The Water Bureau</u> responded with the following comment:

The Water Bureau has no objections to the new planter boxes. As there are no proposed new water services, nor changes to existing ones, the Water Bureau has no concerns about the proposed action at this time. There is a 12-inch water main in SW Sixth Avenue and an 8-inch water main in SW Fifth Avenue, which border this site. The static water pressure range in the water system at this location is estimated to be 58 to 73 psi. Conditions of Approval: None. Please call me if you have any questions or comments. My phone number is 503-823-3936.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on October 14, 2009. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

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

Section 33.825.055 Design Review Approval Criteria

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

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

Central City Fundamental Design Guidelines These guidelines provide the constitutional framework for all design review areas in the Central City. The Central City Fundamental Design Guidelines and the River District Design Guidelines focus on four general categories. (A) Portland Personality, addresses design issues and elements that reinforce and enhance Portland's character. (B) Pedestrian Emphasis, addresses design issues and elements that contribute to a successful pedestrian environment. (C) Project Design, addresses specific building characteristics and their relationships to the public environment. (D) Special Areas, provides design guidelines for the four special areas of the Central City.

Central City Plan Design Goals This set of goals are those developed to guide development throughout the Central City. They apply within the River District as well as to the other seven Central City policy areas. The nine goals for design review within the Central City are as follows:

- **1.** Encourage urban design excellence in the Central City;
- **2.** Integrate urban design and preservation of our heritage into the development process;
- **3.** Enhance the character of the Central City's districts;
- **4.** Promote the development of diversity and areas of special character within the Central City;
- **5.** Establish an urban design relationship between the Central City's districts and the Central City as a whole;
- **6.** Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
- **7.** Provide for the humanization of the Central City through promotion of the arts;
- 8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
- **9.** Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

A1. Integrate the River. Orient architectural and landscape elements including, but not limited to, lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and greenway. Develop accessways for pedestrians that provide connections to the Willamette River and greenway.

Findings: The purpose of the Montgomery Green Street project is to create a greenway connection between the West Hills and the River. This greenway is also designed to add plant materials into the urban environment, and to slow and treat stormwater before it enters the City system – and eventually the river. The planters will fill up with water during peak storm events, and water wills pill over into a small channel connecting the adjacent planter segments, further emphasizing their purpose and highlighting the liquid connection to the River. This guideline is met.

A2. Emphasize Portland Themes. When provided, integrate Portland-related themes with the development's overall design concept.

Findings: Portland's commitment to sustainability is perhaps one of our city's newest and most important themes. The proposed new planters treat stormwater on-site and will further emphasize the fact that Portland is a leader in dealing creatively with the challenge of stormwater and the issues it creates for the health of the Willamette River. As stated above, the planters play up the theme of the River and all related concepts. This guideline is met.

- **A4.** Use Unifying Elements. Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.
- **C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

Findings: The new planters are design elements within the existing Urban Center Plaza. Materials and details for incorporation of the planters are consistent with those of the plaza. The planters follow the shape of the existing steps and fountains, blend with the existing brick and granite materials, and incorporate new planting materials that add shade and softness to parts of the plaza, while also slowing and treating stormwater runoff. The new planters are adjacent to the plaza's fountains and further reinforce the water/river theme. The planters are designed to fit within and enhance the overall concept of the plaza's original design. This guideline is met.

- **A5. Enhance, Embellish, and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.
- **C5. Design for Coherency.** Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings: The new planters and vegetation tie in to the character of PSU's outdoor areas, especially the South Park Blocks, with the combination of hardscape and natural elements. The plaza continues the PSU tradition of blending nature with the surrounding urban city elements. The Urban Plaza is a lively combination of hard urban materials, water features, people, services, transportation, art and vegetation; the planters further embellish the Plaza by extending the planting and identifying this area as a special walkway that leads from the river to the hills through the campus and city. This

guideline is met.

B1. Reinforce and Enhance the Pedestrian System. Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

Findings: The planters contribute to the variety of pedestrian experiences in the plaza. The trees will provide dappled shade near the steps of the plaza in summer, add visual interest in winter, and highlight the east-west pedestrian path through the large plaza. This guideline is met.

B4. Provide Stopping and Viewing Places. Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.

Findings: The new planters will provide additional places for people to stop and rest. The shade of the trees will protect people from sun in the summer. The trees and other landscape elements provide natural beauty for viewing. This guideline is met.

B5. Make Plazas, Parks and Open Space Successful. Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.

Findings: the existing plaza already incorporates all these features very successfully. The planters will only add some variety to the plaza. The planters will reinforce the water features and will add some shade, color, and softness to the southern portions of the plaza. This guideline is met.

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

Findings: The new planters are permanent built-in design elements and will incorporate the same high-quality materials and details as used in the existing plaza. This guideline is met.

C4. Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.

Findings: The planters will be new design elements in the plaza. They will follow the shape of the existing steps and fountains and will use the same materials. However, the presence of the planters will add to the design vocabulary in a meaningful and symbolic way. When the plaza was first designed, the management of stormwater and other sustainable practices were not as fully embraced by the campus and the city. Times have changed and the planters are a visible testament to the current commitment to lead the environmental efforts. This guideline is met.

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 approval criteria are met.

ADMINISTRATIVE DECISION

Approval of design review to add 3 stormwater detention/treatment planters into the existing PSU Urban Plaza. Planters are all within the vacated SW Montgomery Street right-of-way and are adjacent to the existing fountain features.

Approval per the approved site plans, Exhibits C-1 through C-11, signed and dated November 11, 2009, subject to the following condition:

A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.11. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 09-162430 DZ. No field changes allowed."

Staff Planner: Kara Fioravanti

Decision rendered by:

By authority of the Director of the Bureau of Development Services

On November 11, 2009

Decision mailed: November 16, 2009

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 October 6, 2009, and was determined to be complete on October 14, 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 October 6, 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 did not waive or extend the 120-day review period.

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 Design Commission, which will hold a public hearing. Appeals must be filed by 4:30 PM on November 30, 2009 at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, 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 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 Design Commission 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 Design Commission 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 **December 1, 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 503-823-0625.

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.

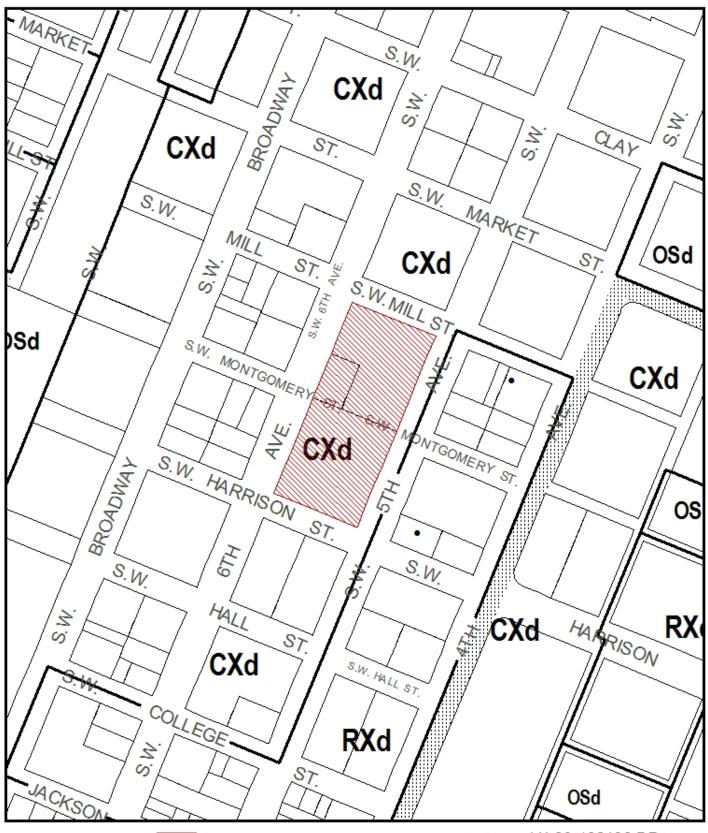
Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- 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 Submittals
 - 1. Narrative
 - 2. SW Montgomery Green Street Study August 2009
 - 3. Revised Narrative, submitted 11-11-09
 - 4. Existing site photos
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan
 - 2. Enlarged Site Plan (attached)
 - 3. W Planter, enlarged plan
 - 4. W Planter perspectives
 - 5. E Planter, enlarged plan
 - 6. E Planter perspectives
 - 7. Sections through planters
 - 8. Details, Sections
 - 9. Lighting plan
 - 10. Materials, Details
 - 11. Planting plan
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
- F. Correspondence:
 - none received
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research



ZONING

Site

Historic Landmark



This site lies within the: CENTRAL CITY PLAN DISTRICT File No. LU 09-162430 DZ

1/4 Section 3128,3129,3228,3229

Scale 1 inch = 200 feet

State_Id 1S1E03CB 3500

Exhibit B (0 ct 12,2009)

