



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

FROM CONCEPT TO CONSTRUCTION

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**Date:** July 28, 2011  
**To:** Interested Person  
**From:** Sylvia Cate, Land Use Services  
503-823-7771 / [Sylvia.Cate@portlandoregon.gov](mailto:Sylvia.Cate@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 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 11-144220 CU**

#### **GENERAL INFORMATION**

**Applicant:** Timothy and Angela Even, Listed Property Owners  
14059 SE Rolling Meadows Dr  
Happy Valley, OR 97086

AT&T Mobility, Lessee  
16621 NW 72nd Way, RTC 3  
Redmond, WA 98052

George Pierce, Agent for Applicant  
Ryka Consulting  
918 South Horton St, Suite 1002  
Seattle, WA 98134

**Representative:** J.M. Brookhouse, Main Contact  
Secureasite LLC  
902 S Mcloughlin Blvd  
Portland, OR 97045  
503 803 5160

**Site Address:** 4410 - 4416 SE Woodstock  
**Legal Description:** BLOCK 21 N 15' OF LOT 3, WOODSTOCK; BLOCK 21 E 1/2 OF LOT 4, WOODSTOCK  
**Tax Account No.:** R928901000, R928901010, R928901010  
**State ID No.:** 1S2E18CC 14800, 1S2E18CC 14600, 1S2E18CC 14600  
**Quarter Section:** 3635

**Neighborhood:** Woodstock, contact Terry Griffiths at 503-771-0011.  
**Business District:** Woodstock Community Business Association, contact Lori Boisen at 503-760-7968.  
**District Coalition:** Southeast Uplift, contact Leah Hyman at 503-232-0010.

**Zoning:** CS, R5: Storefront Commercial and Single Dwelling Residential 5,000

1900 SW 4th Avenue, Suite # 5000, Portland, OR 97201

**Case Type:** CU: Conditional Use  
**Procedure:** Type II, an administrative decision with appeal to the Hearings Officer.

**Proposal:**

The applicant, AT&T Mobility has an existing wireless facility mounted to the rooftop of the building, approved in 2003. AT&T proposes to add 3 additional antennas to this facility as part of an overall network and facility upgrade to enable this facility to provide '4G' broadband technology. The 3 proposed antennas are 'Long Term Evolution' or LTE devices that require both a Remote Radio Head equipment box and a surge protector located in close proximity to them. An additional GPS antenna is also proposed. A small additional equipment cabinet is proposed to be located in the same area as the existing accessory electronic cabinets, which are at grade within the building's courtyard, and therefore not visible from the street. Attached to this Notice are site plans and elevations depicting the proposal.

**Relevant Approval Criteria:**

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

- 33.815.225 A 1-3, Approval Criteria
- 33.274.040 C, Mandatory Development Standards

## ANALYSIS

**Site and Vicinity:** The site is a 5,000 square foot lot developed with a commercial building with frontage on SE Woodstock Boulevard. Commercial uses and development lie to the north, east and west, while residential uses and development are to the south. SE Woodstock is a platted public right of way 80 feet in width developed with a paved, 50-foot wide roadway, curbs and sidewalks.

**Zoning:** The site lies in the CS, Storefront Commercial zone. The Storefront Commercial (CS) zone is intended to preserve and enhance older commercial areas that have a storefront character. The zone intends that new development in these areas will be compatible with this desired character. The zone allows a full range of retail, service and business uses with a local and regional market area. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. The desired character includes areas which are predominantly built-up, with buildings close to and oriented towards the sidewalk especially at corners. Development is intended to be pedestrian-oriented and buildings with a storefront character are encouraged.

**Land Use History:** City records indicate that prior land use reviews include the following:

LU 03-153294 CU AD: Conditional use for a wireless communications facility to be mounted on the rooftop of the existing building; and Adjustment to waive the landscaping requirement for all associated equipment cabinets located at grade.

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **July 1, 2011**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Bureau of Transportation Engineering
- Water Bureau
- Site Development Section of BDS
- Bureau of Parks-Forestry Division

The Fire Bureau responded with no objections but noted that at time of building permit review, the proposal must meet all applicable fire code requirements.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on July 1, 2011. One written response has been received from a notified property owner in response to the proposal. The written comment notes strong disagreement with the proposal, noting the subject site is zoned residential. The comments state concerns regarding the impact of the proposal on the health and safety of residents, as well as the decrease in the value of their property, which abuts the subject property to the south.

*Staff Note:* The subject site is split-zoned Storefront Commercial and Single Dwelling Residential 5,000. Wireless telecommunications facilities are allowed by right in the CS zone when the facility is more than 50 feet from an adjacent residential zone. The proposed additional antennas and equipment will all be located within the CS zoned portion of the site. However, due to the split zoning, the proposal triggers a Conditional Use review, regardless of the distance between the facility and adjacent residential zone.

The emission levels of the proposed additional antennas are addressed below, in this decision. There is no criterion that specifically addresses an analysis of impact on adjacent property valuations. However, per Multnomah County property records [Exhibit G-3] the neighbor's abutting property has gone up in value from 2003 to current year. The existing wireless facility was installed next door in 2003.

**Relevant Approval Criteria:**

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

- 33.815.225 A 1-3, Conditional Use Criteria
- 33.274.040 C, Mandatory Development Standards

## ANALYSIS

**Site and Vicinity:** The site is a 5,000 square foot lot developed with a commercial building with frontage on SE Woodstock Boulevard. Commercial uses and development lie to the north, east and west, while residential uses and development are to the south. SE Woodstock is a platted public right of way 80 feet in width developed with a paved, 50-foot wide roadway, curbs and sidewalks.

**Zoning:** The site lies in the CS, Storefront Commercial zone. The Storefront Commercial (CS) zone is intended to preserve and enhance older commercial areas that have a storefront character. The zone intends that new development in these areas will be compatible with this desired character. The zone allows a full range of retail, service and business uses with a local and regional market area. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. The desired character includes areas which are predominantly built-up, with buildings close to and oriented towards the sidewalk especially at corners. Development is intended to be pedestrian-oriented and buildings with a storefront character are encouraged.

A small portion of the site [ownership] includes a 15 foot wide by 100 foot long strip of land that lies within the R5 zone. Because of the size of this lot, it is not developable under the R5 zoning for residential purposes. The R5 zone is one of several zones that implement the Comprehensive Plan designation of single dwelling residential. As discussed above, because of the proximity of the facility to a residential zone and because of the split zoning of the site, a conditional use review is required to review the proposal.

## ZONING CODE APPROVAL CRITERIA

### Conditional Use (33.815.010) Purpose

Certain uses are conditional uses instead of being allowed outright, although they may have beneficial effects and serve important public interests. They are subject to the conditional use regulations because they may, but do not necessarily, have significant adverse effects on the environment, overburden public services, change the desired character of an area, or create major nuisances. A review of these uses is necessary due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The conditional use review provides an opportunity to allow the use when there are minimal impacts, to allow the use but impose mitigation measures to address identified concerns, or to deny the use if the concerns cannot be resolved.

### **33.815.225 Radio Frequency Transmission Facilities**

These approval criteria allow Radio Frequency Transmission Facilities in locations where there are few impacts on nearby properties. The approval criteria are:

- A.** Approval criteria for facilities operating at 1,000 watts ERP or less, proposing to locate on an existing building or other non-broadcast structure in an OS or R zone or in a C, E, or I zone within 50 feet of an R zone:
1. The visual impact of an antenna must be minimized. For instance, it can be hidden behind a compatible building feature such as a dormer, mounted flush to the facade of the building and painted to match, mounted on a structure designed with minimal bulk and painted to fade into the background, or mounted by other technique that equally minimizes the visual impact of the antenna;

**Findings:** The applicant proposes to pole mount the three additional antennas on the existing building façade, and paint to match the existing color of the antennas and color of the building's façade. Because the mounting structure is designed with minimal bulk and painted to match the existing components mounted on the building, the new antennas will blend with the rest of the rooftop equipment and be consistent. This minimizes the visual impact of the additional 3 antennas. With a condition of approval that the pipe, mounting structure, and antennas are painted a color that matches the other antennas and building façade, this criterion is met.

2. Accessory equipment associated with the facility must be adequately screened. If a new structure will be built to store the accessory equipment, the new structure must be designed to be compatible with the desired character of the surrounding area and be adequately screened; and

**Findings:** The wireless equipment cabinet is proposed to be attached to an existing equipment cabinet located in the courtyard of the building. The existing associated cabinets are located on the site in an interior courtyard area and thus will not be visible to passers-by. Therefore the accessory equipment is adequately screened. This criterion is met.

3. The regulations of Chapter 33.274, Radio Frequency Transmission Facilities are met.

**Findings:** The relevant regulations and standards for this proposal as discussed below, are the development standards of Chapter 33.274 - Radio Frequency Transmission Facilities. As discussed in detail under 33.274.040 below, all applicable regulations are met; therefore, this criterion 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 review prior to the approval of a building or zoning permit.

**33.274.040 Development Standards Radio Frequency Transmission Facilities**

**A. Purpose.** The development standards:

- Ensure that Radio Frequency Transmission Facilities will be compatible with adjacent uses;
- Reduce the visual impact of towers in residential and open space zones whenever possible;
- Protect adjacent populated areas from excessive radio frequency emission levels;
- Protect adjacent property from tower failure, falling ice, and other safety hazards; and

**B. When standards apply.** Unless exempted by 33.274.030, the development standards of this section apply to all Radio Frequency Transmission Facilities. Applications to modify existing facilities regulated by this chapter are only required to meet the standards of Paragraphs C.3, C.4, C.5, C.6, and C.9 in addition to any previous conditions of approval. Increasing the height of a tower is not considered modification of an existing facility.

*Staff Note:* Only the applicable development standards are addressed, below. The standards found at 33.274.040 C 1, 2, 3, 4, 8, 9 b [1], 10, 12 and 33.274.040 D 2 a and c and 33.274.040 E are specific to new towers, and therefore are not applicable to this proposal.

**C. General requirements**

5. Radio frequency emission levels. All existing and proposed Radio Frequency Transmission Facilities are prohibited from exceeding or causing other facilities to exceed the radio frequency emission standards specified in Table 274-1, except as superseded by Part 1, Practice and Procedure, Title 47 of the Code of Federal Regulations, Section 1.1310, Radio Frequency Radiation Exposure Limits.

<b>Table 274-1 Radio Frequency Emission Standards [1]</b>			
Frequency Range	Mean Squared Electric (E <sup>2</sup> ) Field Strength (V <sup>2</sup> /m <sup>2</sup> ) [2]	Mean Squared Magnetic (H <sup>2</sup> ) Field Strength (A <sup>2</sup> /m <sup>2</sup> ) [3]	Equivalent Plane-Wave Power Density (mW/cm <sup>2</sup> ) [4]
100 KHz – 3 MHz	80,000	0.5	20
3 MHz – 30 MHz	4,000 (180/f <sup>2</sup> ) [5]	0.025 (180/f <sup>2</sup> )	180/f <sup>2</sup>
30 MHz – 300 MHz	800	0.005	0.2
300 MHz – 1500 MHz	4,000 (f/1500)	0.025 (f/1500)	f/1500
1500 MHz – 300 GHz	4,000	0.025	1.0

Notes:

- [1] All standards refer to root mean square (rms) measurements gathered by an approved method.
- [2] V<sup>2</sup>/m<sup>2</sup> = Volts squared per meter squared.
- [3] A<sup>2</sup>/m<sup>2</sup> = Amperes squared per meter squared.
- [4] mW/cm<sup>2</sup> = Milliwatts per centimeter squared.
- [5] f = Frequency in megahertz (MHz).

**Findings:** The Effective Radiated Power for the facility is 644 watts, and the maximum allowed power density level is 0.500 mW/cm<sup>2</sup> [Milliwatts per centimeter squared]. Documentation provided by the applicant includes information that the power density for the proposed additional antennas is calculated to be 0.04339

mW/cm<sup>2</sup>. The applicant states that this is 8.6779% of the maximum emission level allowed by the FCC. This is significantly below the maximum allowed. This criterion is met.

*Staff note:* The Federal Telecommunications Act of 1996 prohibits a local government from denying a request to construct such facilities based on “harmful radio frequency emissions” as long as the wireless telecommunications facility meets the standards set by the FCC. Furthermore, the Act required the FCC to adopt standards for radio frequency emissions from wireless telecommunications by August 1996. In a rule making procedure, the FCC adopted standards effective August 1, 1996, which are virtually the same as those reflected in Table 274-1. Because this land use review was submitted after those standards took effect, this conditional use review cannot be denied solely on the issue of harmful radio frequency emission levels.

6. Antenna requirements.

- a. Generally. The antenna on any tower or support structure must meet the minimum siting distances to habitable areas of structures shown in Table 274-2. Measurements are made from points A and B on the antenna to the nearest habitable area of a structure normally occupied on a regular basis by someone other than the immediate family or employees of the owner/operator of the antenna. Point A is measured from the highest point of the antenna (not the tower) to the structure, and Point B is measured from the closest point of the antenna to the structure.
- b. Exceptions. The antenna on any tower or support structure does not have to meet the minimum siting distance from Point A to the habitable areas of structures shown in Table 274-2 if the applicant submits a letter from a qualified licensed engineer showing that the placement of the antennas will not cause any habitable area of a structure to exceed the Federal Communication Commission’s (FCC’s) limits for human exposure to radio frequency electromagnetic fields.

<b>Table 274-2</b> <b>Distance Between Antenna and Habitable Area of Structure</b> (Where f is frequency in megahertz.)			
Effective Radiated Power	Frequency (MHz)	Point A: Minimum Distance From Highest Point of Antenna To Habitable Area of Structure (feet)	Point B: Minimum Distance From Closest Portion Of Antenna To Habitable Area of Structure (feet)
< 100 watts		10	3
100 watts to 999 watts		15	6
1,000 watts to 9.999 Kw	< 7 7 - 30 30 - 300 300 - 1500 > 1500	11 f/0.67 45 780/vf 20	5 f/1.5 20 364/vf 10
10 Kw plus	< 7 7 - 30 30 - 300 300 - 1500	17.5 f/0.4 75 1300/vf	8 f/0.91 33 572/vf

1500

34

15

**Findings:** The proposed LTE antennas will operate at or below 100 watts ERP, and thus are required to be 10 feet for Point A and 3 feet for Point B, per Table 274-2. The applicant notes that the proposed antennas will comply with the minimum siting distances. This distance separation is demonstrated by the elevations submitted for this conditional use review. This criterion is met.

7. Setbacks. All towers must be set back at least a distance equal to 20 percent of the height of the tower or 15 feet, whichever is greater, from all abutting R and OS zoned property and public streets. Accessory equipment or structures must meet the base zone setback standards.

**Findings:** The proposal is to mount the facility on an existing building. No new tower is proposed. The accessory equipment will be located within the existing equipment area located within the building's courtyard, which meets all required setbacks. This criterion is met.

9. Landscaping and screening. The base of a tower and all accessory equipment or structures located at grade must be fully screened from the street and any abutting sites as follows:
- a. In C, E or I zones more than 50 feet from an R zone. A tower and all accessory equipment or structures located in the C, E, or I zones more than 50 feet from an R zone must meet the following landscape standard:

**Findings:** The proposal is to mount the facility on an existing building. No new tower is proposed. The accessory equipment will be located within a prior approved equipment area located within the building's courtyard. Although located at grade, the equipment area is not required to meet the landscaping requirement because an Adjustment to this standard was approved via LU 03-153294 CU AD. Therefore, this criterion is not applicable.

- b. In OS or R zones or within 50 feet of an R zone. A tower and all accessory equipment or structures located in an OS or R zone or within 50 feet of an R zoned site must meet the following landscape standards:

- (2) Accessory equipment and structures. A landscaped area that is at least 10 feet deep and meets the L3 standard must be provided around the base of all accessory equipment or structures located at grade.

**Findings:** The proposal is to mount the facility on an existing building. No new tower is proposed. The accessory equipment will be located within a prior approved equipment area located within the building's courtyard. Although located at grade, the equipment area is not required to meet the landscaping requirement because an Adjustment to this standard was approved via LU 03-153294 CU AD. Therefore, this criterion is not applicable.

11. Mounting device. The device or structure used to mount facilities operating at 1,000 watts ERP or less to an existing building or other non-broadcast structure may not project more than 10 feet above the roof of the building or other non-broadcast structure.

**Findings:** The proposed antennas will be 10 feet above the top of the rooftop, the maximum allowed, as shown on the submitted elevation drawings. This criterion is met.

**D. Additional requirements in OS, R, C, and EX zones and EG and I zones within 50 feet of an R zone.**

1. Purpose. These additional regulations are intended to ensure that facilities operating at 1,000 watts ERP or less have few visual impacts. The requirements encourage facilities that look clean and uncluttered.
2. Standards. In addition to the regulations in Subsection C., above, facilities operating at 1,000 watts ERP or less located in OS, R, C, or EX zones or EG or I zones within 50 feet of an R zone must meet all of the following standards:
  - b. Antennas mounted on existing buildings or other non-broadcast structures. This standard only applies to facilities located in OS or R zones or within 50 feet of an R zone. The visual impact of antennas that are mounted to existing buildings or other non-broadcast structures must be minimized. For instance, on a pitched roof, an antenna may be hidden behind a false dormer, mounted flush to the facade of the building and painted to match; mounted on a structure designed with minimal bulk and painted to fade into the background; or mounted by other technique that equally minimizes the visual impact of the antenna. The specific technique will be determined by the conditional use review.

**Findings:** No tower-mounted antennas or lattice towers are proposed, so these portions of this standard do not apply. As noted under criterion 33.815.225.A.1, the visual impacts of the antennas have been minimized by painting them to match the existing building façade color. Also, the placement of the antennas, the overall number of antennas proposed, and the type of mounting equipment reduces the visual impact to the surrounding area. With a condition of approval ensuring that the antenna, mounting equipment and any visible coaxial/fiber optic cable runs be painted a color that matches the existing antennas and building facade, this criterion is met.

**CONCLUSIONS**

AT&T proposes to add 3 additional antennas to this facility as part of an overall network and facility upgrade to enable this facility to provide '4G' broadband technology. The 3 proposed antennas are 'Long Term Evolution' or LTE devices that require both a Remote Radio Head equipment box and a surge protector located in close proximity to them. An additional GPS antenna is also proposed. A small additional equipment cabinet is proposed to be located in the same area as the existing accessory electronic cabinets, which are at grade within the building's courtyard, and therefore not visible from the street. With conditions of approval, the proposal meets all applicable approval criteria, and therefore should be approved.

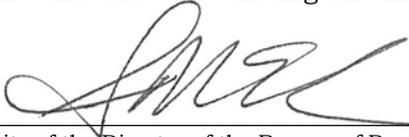
**ADMINISTRATIVE DECISION**

Approval of

- Conditional Use to add 3 LTE antennas and related equipment to upgrade the existing wireless telecommunications facility, per the approved site plans, Exhibits C-1 through C-2, signed and dated July 22, 2011, subject to the following conditions:
  - A. As part of the building permit application submittal, the following development-related conditions (B) 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 11-144220 CU." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

- B. The 3 LTE antennas, mounting equipment and any visible coaxial/fiber optic cable runs must be painted a color that matches the existing antennas and building façade.

**Staff Planner: Sylvia Cate**

**Decision rendered by:**  **on July 22, 2011**

By authority of the Director of the Bureau of Development Services

**Decision mailed: July 28, 2011**

**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 June 1, 2011, and was determined to be complete on **June 28, 2011**.

*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 June 1, 2011.

*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: October 26, 2011. This application is also subject to the FCC 'shot clock'. The shot clock will expire on August 27, 2011 unless extended by the applicant.**

**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 Hearings Officer, which will hold a public hearing. Appeals must be filed **by 4:30 PM on August 11, 2011** 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. 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](http://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 Hearings Officer 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 Hearings Officer 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 **August 12, 2011 – (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.

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

**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:

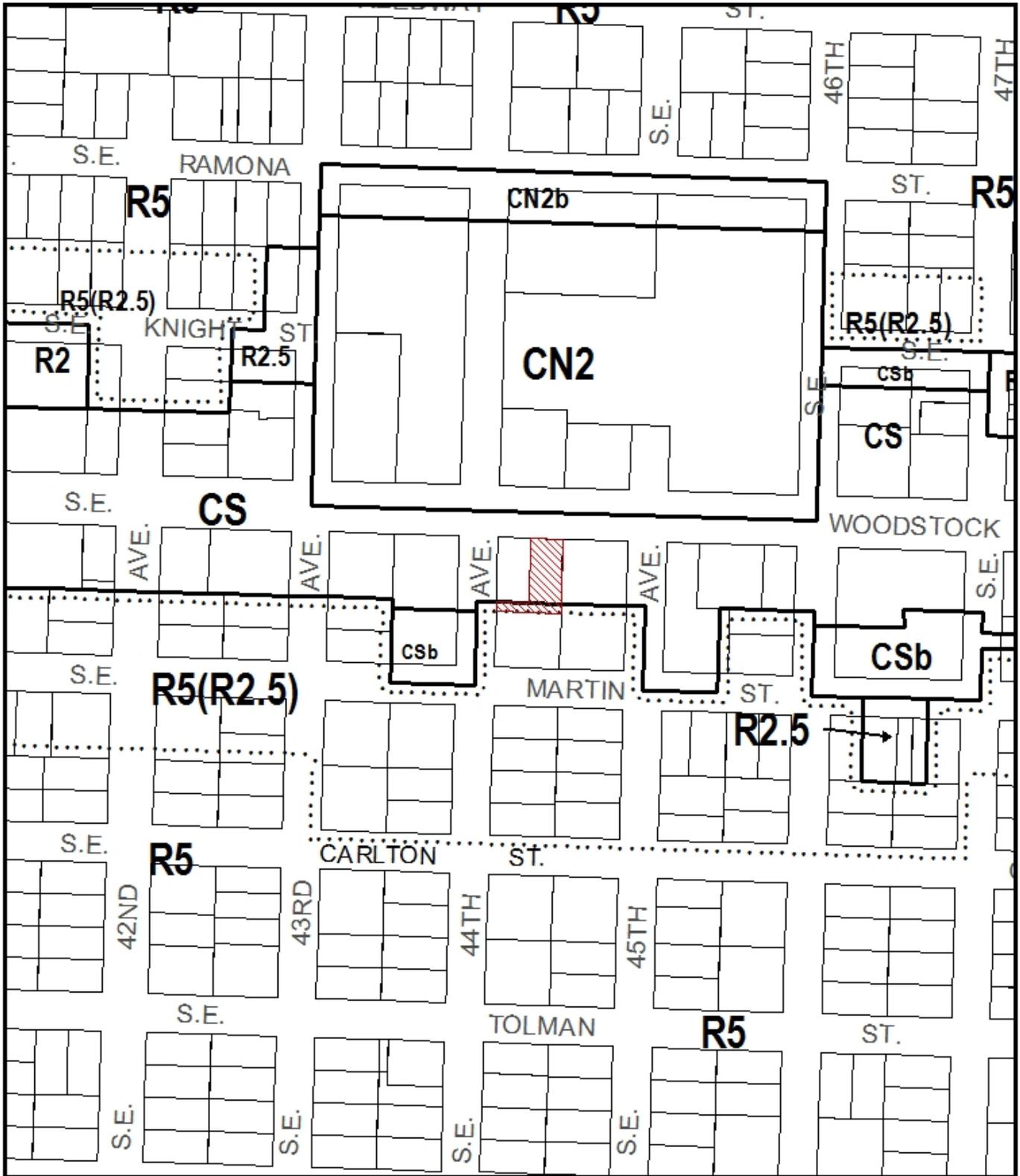
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Elevations
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. Site Development Review Section of BDS
  - 6. Bureau of Parks, Forestry Division
- F. Correspondence:
  - 1. Vinocur, July 20, 2011, in opposition
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research
  - 3. Multnomah County assessment records for Vinocur property

**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



File No.	LU 11-144220 CU
1/4 Section	3635
Scale	1 inch = 200 feet
State Id	1S2E18CC 14600
Exhibit	B (Jun 07,2011)



 <p>Your world. Delivered.</p>													
<p>PROJECT CONSULTANTS:</p> 													
<p>PLANS PREPARED BY:</p>  <p>1909 WOODVILLE AVENUE, SUITE 200 PORTLAND, OREGON 97208 PHONE: 503.281.1111 FAX: 503.281.1112 EMAIL: info@commerceinc.com WWW.COMMERCEINC.COM</p>													
<p>PROJECT INFO:</p> <p>PW02</p> <p>WOODSTOCK</p> <p>4412 SE WOODBROOK BLVD PORTLAND, OREGON MULTNOMAH COUNTY</p>													
<p>ISSUED FOR:</p> <p>CONSTRUCTION</p>													
<p>REV: DATE: ISSUED FOR: BY:</p> <table border="1"> <tr> <td>1</td> <td>05-18-11</td> <td>CONSTRUCTION</td> <td>LIB</td> </tr> <tr> <td>2</td> <td>04-26-11</td> <td>CONSTRUCTION</td> <td>DMO</td> </tr> <tr> <td>3</td> <td>03-30-11</td> <td>CLIENT REVIEW</td> <td>LIB</td> </tr> </table>		1	05-18-11	CONSTRUCTION	LIB	2	04-26-11	CONSTRUCTION	DMO	3	03-30-11	CLIENT REVIEW	LIB
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3	03-30-11	CLIENT REVIEW	LIB										
<p>DRAWN BY: CHK: APP: MVO</p> <p>LIS BMH</p> <p>CURRENT ISSUE DATE: 05-18-11</p> <p>LICENSE NUMBER: 05-18-11</p>													
													
<p>DRAWING INFORMATION:</p> <p>DO NOT SCALE DRAWING. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND ALL CONDITIONS OF ANY EXISTING AND PROPOSED WORK. ANY CHANGES ARE REPRESENTED BY THE LATEST REVISIONS. THIS DRAWING IS THE PROPERTY OF AT&amp;T. ANY USE OR DISCLOSURE OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF AT&amp;T IS PROHIBITED.</p>													
<p>DRAWING TITLE:</p> <p>EXISTING &amp; PROPOSED NORTH ELEVATIONS</p>													
<p>DRAWING NUMBER: A-2 1</p> <p>CELL JOB NUMBER: 10-00062</p>													

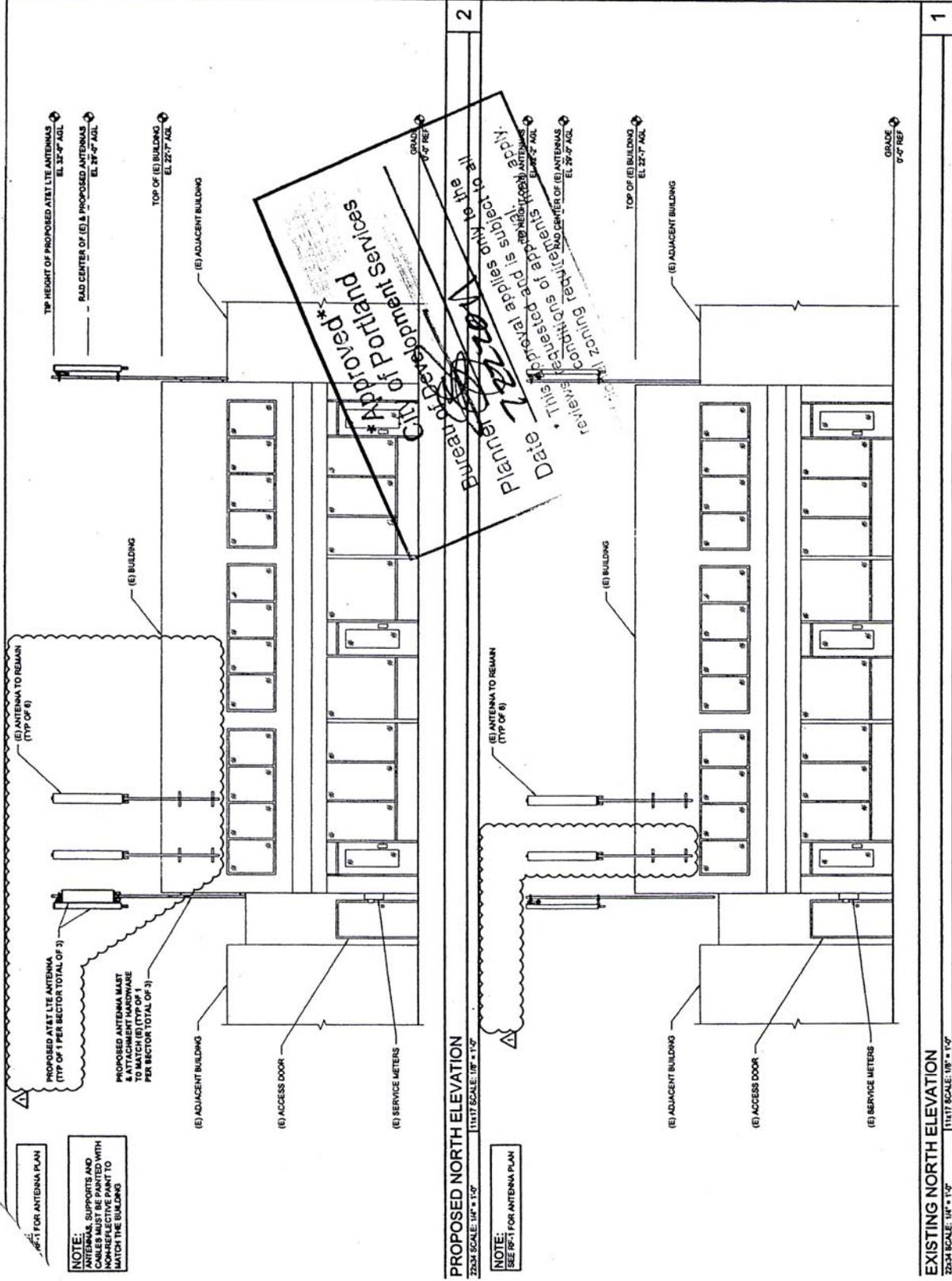


EXHIBIT C-2