



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

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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** March 25, 2013  
**To:** Interested Person  
**From:** Douglas Hardy, Land Use Services  
503-823-7816 / [Douglas.Hardy@portlandoregon.gov](mailto:Douglas.Hardy@portlandoregon.gov)

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

The Bureau of Development Services has **approved** a proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website <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 13-101892 AD**

#### **GENERAL INFORMATION**

**Applicant:** Renee Strand / Holst Architecture  
110 SE 8th Avenue / Portland, OR 97214

**Site Address:** 1510 NE 122<sup>nd</sup> Avenue

**Legal Description:** S 180' of W 195' of Lot 38 Exc Pt in St, Hazelwood  
**Tax Account No.:** R370307820  
**State ID No.:** 1N2E26CC 04700  
**Quarter Section:** 2843  
**Neighborhood:** Russell, contact Bonny McKnight at 503-253-6848  
**Business District:** Gateway Area BA, contact Fred Sanchez at 503-256-3910  
**District Coalition:** East Portland Neighborhood Office, Richard Bixby at 503-823-4550  
**Zoning:** CGh – General Commercial with an Aircraft Landing Zone overlay  
**Case Type:** Adjustment Review (AD)  
**Procedure:** Type II, Administrative decision with appeal to Adjustment Committee

#### **PROPOSAL**

Starbucks Coffee proposes locating a building having a floor area of approximately 576 square feet on this corner site. The proposal includes a walk-up window and outdoor seating area on the east side of the building, and a drive-up window on the west side of the building. The primary entrance and exit to the drive-through lane will be via NE Halsey Street; the existing curb cut on NE 122<sup>nd</sup> Avenue will be closed. Extensive landscaping, including raised planters, will be placed between the drive-through lane and the abutting streets, as well as a small seating area at the corner of NE Halsey Street and NE 122<sup>nd</sup> Avenue. Pedestrian access to the building and the outdoor seating area will be via pedestrian connections from both NE Halsey Street and NE 122<sup>nd</sup> Avenue. Colored, stamped concrete will be used for the pedestrian connections and the drive-through lane, with light fixtures that lead pedestrians from NE Halsey Street to the outdoor seating area.

Because both NE Halsey Street and NE 122<sup>nd</sup> Avenue are designated transit streets, the Zoning Code requires the building to be placed no more than 10' back from the property lines along these two streets. Additionally, vehicle areas (including the parking lot and drive-through lane) are not allowed to extend across more than 50 percent of the two street frontages. The

applicant is requesting an Adjustment to allow the building to be placed between 18' 4" and 24' 4" from NE 122<sup>nd</sup> Avenue, and 33' 6" from NE Halsey Street. The applicant is also seeking an Adjustment to allow the vehicle area to extend across 88 percent of the site's frontages along both NE Halsey Street and NE 122<sup>nd</sup> Avenue.

**RELEVANT APPROVAL CRITERIA**

In order to be approved, this proposal must comply with the Adjustment Review approval criteria of Chapter 33.805.040.A-F of the Portland Zoning Code.

**ANALYSIS**

**Site and Vicinity:** The 20,250 square foot vacant site is located at the northeast corner of NE Halsey Street and NE 122<sup>nd</sup> Avenue. (The site area will be reduced following public right-of-way dedications required by PBOT.) Both adjacent streets are six lanes wide in this location, with bus stops located east and west, and north and south of the subject site's frontage. Both streets in this location are identified in the Transportation Element of the Comprehensive Plan as Transit Access Streets, as well as City Bikeways and Walkways.

Development in the surrounding area is characterized largely by one-story commercial buildings (retail, quick vehicle servicing and office), which are typically set back from the street a substantial distance with large surface parking lots and other vehicle areas between the street and the buildings.

**Zoning:** The subject site is located in a General Commercial (CG) zone. The CG zone is intended to allow auto-accommodating commercial development in areas already predominantly built in this manner and in most newer commercial areas. The zone allows a full range of retail and service businesses with a local or regional market. 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. Development is expected to be generally auto-accommodating, except where the site is adjacent to a transit street or in a pedestrian district. (As noted above, both NE Halsey Street and NE 122<sup>nd</sup> Avenue are designated transit streets. The site is not in a pedestrian district.) The zone's development standards promote attractive development, an open and pleasant street appearance, and compatibility with adjacent residential areas. Development is intended to be aesthetically pleasing for motorists, transit users, pedestrians, and the businesses themselves.

**Land Use History:** City records indicate there is a single previous land use review for a Service Station Review on this property, dating from 1973 (MCF 16-73 C). No other information on this review is available. In 2006, a permit was issued to demolish a service station and convenience store at this location (06-181761 CO).

**Agency Review:** A Notice of Proposal was mailed February 22, 2013. The following City bureaus have responded with no issues or concerns:

- Portland Parks & Recreation – Urban Forestry Division (Exhibit E.1); and
- Fire Bureau (Exhibit E.2).

The Portland Bureau of Transportation (PBOT) responded with no objections to the requested Adjustments, and noted public right-of-way dedications will be required along both NE 122<sup>nd</sup> Avenue and NE Halsey Street, and right-of-way improvements required along these frontages (Exhibit E.3). PBOT also noted all curb cuts and driveways must meet requirements of City Title 17 at the time of building permit review.

The Bureau of Environmental Services (BES) responded with no issues regarding the requested land use review, but noted that at the time of building permit review the project will be reviewed for conformance with the 2008 Stormwater Management Manual (Exhibit E.4).

The Water Bureau responded with no concerns regarding the requested Adjustments, and

noted the project will be reviewed for fixture counts at the time of building permit review to appropriately size the water service and meter for this location (Exhibit E.5).

The Bureau of Development Services (BDS) Site Development Section responded with no issues regarding the requested Adjustments, but noted that City records show that the on-site sanitation system was abandoned rather than decommissioned at the time the property was connected to the public sewer system (Exhibit E.6). Future building permit applications will require that the cesspool(s) be decommissioned.

The BDS Life Safety Plans Examiner responded with no issues regarding the requested Adjustments, and noted requirements that will be reviewed at the time of building permit review related to mechanical equipment, exterior accessible routes and accessible parking (Exhibit E.7).

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

## ZONING CODE APPROVAL CRITERIA

### 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. stated below have been met.

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

**Findings:** The applicant has requested approval of two Adjustments: to increase the maximum allowed building setback from 10' to between 18' 4" and 24' 4" along NE 122<sup>nd</sup> Avenue, and to 33' 6" along NE Halsey Street; and to increase the length of vehicle area frontage along both NE Halsey Street and NE 122<sup>nd</sup> Avenue from a maximum of 50 percent to 88 percent.

The purpose for the maximum allowed building setback, as stated in Zoning Code Section 33.130.215.A, is as follows;

*The required building setbacks promote streetscapes that are consistent with the desired character of the different commercial zones...The setback requirements along transit streets and in Pedestrian Districts create an environment that is inviting to pedestrians and transit users.*

The purpose for limits on the length of vehicle area frontage, as stated in Zoning Code Section 33.266.130.A, is as follows:

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

- *Provide a pedestrian access that is protected from auto traffic; and*
- *Create an environment that is inviting to pedestrians and transit users.*

The proposal equally meets the intent of these purpose statements based on the following findings.

The desired character of the CG zone is identified in Zoning Code Section 33.130.030.G. This section describes the CG zone as intended to allow auto-accommodating commercial development in areas already predominantly built in this manner. The proposed use on the

site, a Starbucks coffee shop, will include a drive-through window that is intended to accommodate the auto-oriented character of the surrounding area. Development in the surrounding area is largely auto-accommodating, with buildings set back from the street and large surface parking lots placed between the buildings and the streets. Auto-oriented uses, including quick vehicle servicing and car sales, are found along both NE 122<sup>nd</sup> Avenue and NE Halsey Street within a one to two block radius of the site.

Both NE Halsey Street and NE 122<sup>nd</sup> Avenue are major traffic thoroughfares, six lanes in width, and designated as Major City Traffic Streets in the Transportation Element of the Comprehensive Plan. Land uses along Major City Traffic Streets are identified in the Transportation Element as being auto-oriented, and when along transit streets, should also orient to pedestrians. The desire to orient to pedestrians is also reflected in the character statement for the CG zone, which states that along transit streets, the standards promote an attractive, open and pleasant street appearance for motorists, transit users and pedestrians.

The proposal balances both the auto-accommodating nature of the area with the desire for an environment that is attractive and inviting for pedestrians and transit users, and one that provides pedestrian access that is protected from auto traffic. The drive-through lane is the element that results in the proposal project not meeting the maximum building setback and exceeding the maximum length of vehicle area along the street frontages. After consideration of several alternative site layouts, the selected site layout was found to be most supportive of the stated purposes of the two regulations that are being adjusted. The selected alternative, which places the drive-through lane between the building and the street, is in part driven by a requirement from PBOT that no curb cuts are allowed along NE 122<sup>nd</sup> Avenue. This requirement was necessary in order to address potential traffic conflicts associated with traffic entering and exiting the site from the adjoining six-lane roadway. By eliminating curb cuts on NE 122<sup>nd</sup> Avenue, and limiting the curb cuts on NE Halsey Street to one, this by itself promotes a more pedestrian friendly environment by reducing the potential number of vehicle-pedestrian conflict points along the public sidewalk.

Pedestrian access to the site, from both streets, is readily visible through the use of a variety of design elements, including breaks in the extensive perimeter landscaping, use of decorative pavement, and hardscape elements such as weathered steel planters and pedestrian light fixtures that announce the pedestrian entry points to the site from the public sidewalk. Additionally, the two pedestrian access points will draw pedestrians directly to the most pedestrian-oriented element of the site, the outdoor patio area. The patio area will be paved in a material that complements the pavement used for the pedestrian accessways, and will include seating areas, lighting, and landscaping that invite pedestrian into the site. This patio area is intentionally placed away from the noise and traffic of the adjoining streets, thereby providing a more pleasant, relaxing environment for those who use this area. While the two pedestrian accessways will cross the drive-through lane, the accessways will be raised and have a different scoring pattern from the drive-through lane. These design features together provide a noticeable, safe pedestrian crossing.

To further enhance the pedestrian environment along the two street frontages, an extensive planting plan is proposed along both street lot lines. The unique landscape species planted within these landscaped areas not only provide an attractive screen between the drive-through and the sidewalk, but also provide a defined edge that separates the sidewalk from the drive-through lane. There are several places along the site's two street frontages where it appears additional shrubs are needed to meet the minimum L2 landscape standard: at the intersection of NW 122<sup>nd</sup> Avenue and NE Halsey Street; and along NE Halsey Street between the pedestrian accessway and the driveway, and east of the driveway (Exhibit C.1). Additional shrubs may also be required in the perimeter landscaping along the north and east lot lines internal to the site in order to meet the required L2 standard. A condition of approval will require that the landscape plan reflect L2 landscaping in these areas.

The appearance of the drive-through lane will be further mitigated through the use of decorative pavement, which when viewed from the sidewalk, begins to be read more as a designed hardscape element of the overall landscape plan. The pavement used for the drive-through lane also complements the paving materials used for the patio and pedestrian accessways.

A defined edge that provides interest to pedestrians and transit-users is also proposed at the most prominent corner of the site, at the intersection of NE Halsey Street and NE 122<sup>nd</sup> Avenue. In addition to providing visual interest, this area includes a rest area for passing pedestrians, and includes decorative pavement, seating, landscaping, lighting and raised planters.

Additionally, the unique design of the proposed building's exterior will provide visual interest to those passing by the site. The building itself will be comprised of steel cargo containers that will be clad from top to bottom in a rich, reclaimed wood. Instead of windows, the wood surface will be accented by metal, finned panels that extend the height of the wall and create a rhythm of window-like elements. These metal panels will be down-lit during evening hours to accent these prominent architectural elements.

Based on these findings and with the condition of approval, the requested Adjustments equally meet the intent of the maximum setback and vehicle area limitations, and this criterion is met.

- B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and
- 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:** Because the site is in a Commercial, or "C" zone, Approval Criterion B requires the applicant to demonstrate that the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area.

#### Street Classifications

The classifications of the two adjacent streets, NE Halsey Street and NE 122<sup>nd</sup> Avenue, are identified in the Transportation Element of the Comprehensive plan as follows:

Street	Traffic	Transit	Bikeway	Walkway	Freight
NE Halsey St.	Major City Traffic Street	Transit Access Street	City Bikeway	City Walkway	Truck Access Street
NE 122 <sup>nd</sup> Ave.	Major City Traffic Street	Transit Access Street	City Bikeway	City Walkway	Major Truck Street

The Transportation Element states that auto-oriented development should locate adjacent to a Major City Traffic Street, and should orient to pedestrians along streets that are also classified as a Transit Street or within Pedestrian Districts (Policy 6.5.B). Policy 6.6.C of the Transportation Element states that land uses along Transit Access Streets should encourage pedestrian-oriented development in commercial and mixed-use areas. While the proposed use is auto-oriented in the sense that it includes a drive-through facility, as noted above in Approval Criterion A, the development contains a variety of design elements that orient the use towards pedestrians. The clearly identified pedestrian accessways into the site, the outdoor patio area, and the perimeter treatment of the site along both street frontages all contribute to the pedestrian environment.

Policy 6.7.A of the Transportation Element discourages auto-oriented land uses along City Bikeways except when such routes are also designated Major City Traffic Streets. While

both NE Halsey Street and NE 122<sup>nd</sup> Avenue are designated City Bikeways, both streets are also designated Major City Traffic Streets. As such, the requested Adjustments have no impact on this policy.

Policy 6.8.C of the Transportation Element states City Walkways should serve areas with dense zoning, commercial areas and major destinations. Where auto-oriented land uses are allowed on City walkways, site development standards should address the needs for pedestrians. The requested Adjustments have no impact on the type or density of commercial uses that are allowed on the site, and as previously noted, usable, safe and attractive pedestrian accessways are provided from the two adjacent streets into the site.

Regarding the Freight classifications, Policy 6.9.D of the Transportation Element notes that commercial and industrial uses that generate high levels of truck activity should locate along Major Truck Streets, with Policy 6.9.E supporting the location of commercial uses that generate lower volumes of truck trips along Truck Streets. Again, the requested Adjustments in no way impact the type of uses that could locate on the subject site.

Based on these findings, the Adjustment requests result in a proposal that is consistent with the street classifications.

#### Desired Character of the Area

As defined in Zoning Code Section 33.910.030, the “desired character” of an area is based on the purpose or character statement of the base zone, as well as the preferred and envisioned character of any adopted area plans. As the subject site is not within the boundaries of an adopted area plan, the character statement for the CG zone will be used to address the portion of Approval Criterion B dealing with desired character, and to address Approval Criterion C.

The character statement for the CG zone is stated in Zoning Code Section 33.130.030.G, and reads as follows:

*The General Commercial (CG) zone is intended to allow auto-accommodating commercial development in areas already predominantly built in this manner and in most newer commercial areas. The zone allows a full range of retail and service businesses with a local or regional market. 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. Development is expected to be generally auto-accommodating, except where the site is adjacent to a transit street or in a Pedestrian District. The zone's development standards promote attractive development, an open and pleasant street appearance, and compatibility with adjacent residential areas. Development is intended to be aesthetically pleasing for motorists, transit users, pedestrians, and the businesses themselves.*

The proposal, even with the two Adjustments, will still be consistent with this character. The subject site is an area that has a significant auto-oriented component based on the type of uses (car sales and quick vehicle serving); the style of development (lower density buildings separated from the street by large vehicle areas); and the street classifications, which are intended to accommodate large amounts of vehicular traffic. The proposed retail use, which includes a drive-through facility, is not inconsistent with the character of the surrounding development. However, because the site is also along two designated transit streets, development is required to orient to the street and pedestrians. As previously discussed, the applicant has incorporated a variety of design elements into the proposal that are intended to promote a more pedestrian-friendly development. This includes such things as limiting the number of curb cuts on this corner site to one in order to reduce the potential for pedestrian-vehicular conflicts; providing clearly identifiable pedestrian connections from both streets into the site; directing pedestrians from the street into the pedestrian-oriented landscaped patio; providing a well marked and raised pedestrian

accessway across the drive-through aisle; and including landscape and hardscape elements along the two street frontages that together make for an interesting and more defined edge.

Based on these findings, the proposal will be consistent with classifications of the adjacent streets and with the purpose and character of the CG zone.

These criteria are met.

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

**Findings:** City-designated scenic resources are identified on the Official Zoning Maps with a lower case “s,” and historic resources are identified either with a dot or as being within the boundaries of a Historic or Conservation district. Because there is neither a scenic nor historic resource designation on the site, this criterion is not applicable.

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

As indicated above in response to Approval Criteria A through C, because the request equally meets the intent of the maximum setback regulation and the maximum vehicle area frontage allowance (with the one condition of approval related to landscaping), and will be consistent with the classifications of the adjacent streets and the stated character of the CG zone, there are no adverse impacts for which additional mitigation would be required, and 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:** As the site is not located in 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 via a land use review prior to the approval of a building or zoning permit.

## CONCLUSIONS

The proposal, with one condition of approval related to perimeter landscaping, will equally meet the intent of the regulations that are being modified. The proposal will be consistent with the classifications of the adjacent streets, and the desired character of the area. The cumulative impact of the two Adjustment requests will still result in a proposal that is consistent with the overall purpose of the CG zone. As proposed, and as the approval criteria addressing the above factors have all been met, there are no impacts for which additional mitigation would be required.

## ADMINISTRATIVE DECISION

**Approval** of the following Adjustments:

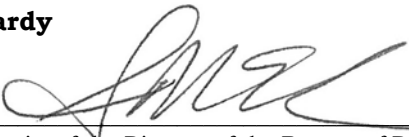
- Increase the maximum building setback (Zoning Code Section 33.130.215.C) along NE 122<sup>nd</sup> Avenue from 10' to between 18' 4" and 24' 4"; and along NE Halsey Street from 10' to 33' 6"; and

- Increase the maximum allowed length of vehicle area (Zoning Code Section 33.266.130.C.3) along the site's NE Halsey Street and NE 122<sup>nd</sup> Avenue frontages from 50 percent to 88 percent;

all per the approved site plan and landscape plan (Exhibits C.1 and C.2), and building elevations (C.3), signed and dated March 21, 2013, and subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related condition (B) must be noted on each of the four 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 13-101892 AD." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Additional shrubs that meet the L2 landscape standard of Zoning Code Section 33.248.020.B will be required along portions of the drive-through lane and parking lot identified in Exhibit C.1.

**Staff Planner: Douglas Hardy**

**Decision rendered by:**  **on March 21, 2013**

By authority of the Director of the Bureau of Development Services

**Decision mailed: March 25, 2013**

**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 January 8, 2013, and was determined to be complete on February 22, 2013.

*Zoning Code Section 33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on January 8, 2013.

*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 June 22, 2013.**

**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 April 8, 2013**, at 1900 SW Fourth Avenue. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3:00 PM 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 Adjustment Committee is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

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

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed, the final decision may be recorded on or after April 9, 2013.*
- A building or zoning permit will be issued only after the final decision is recorded.

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

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder’s office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

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

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

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

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

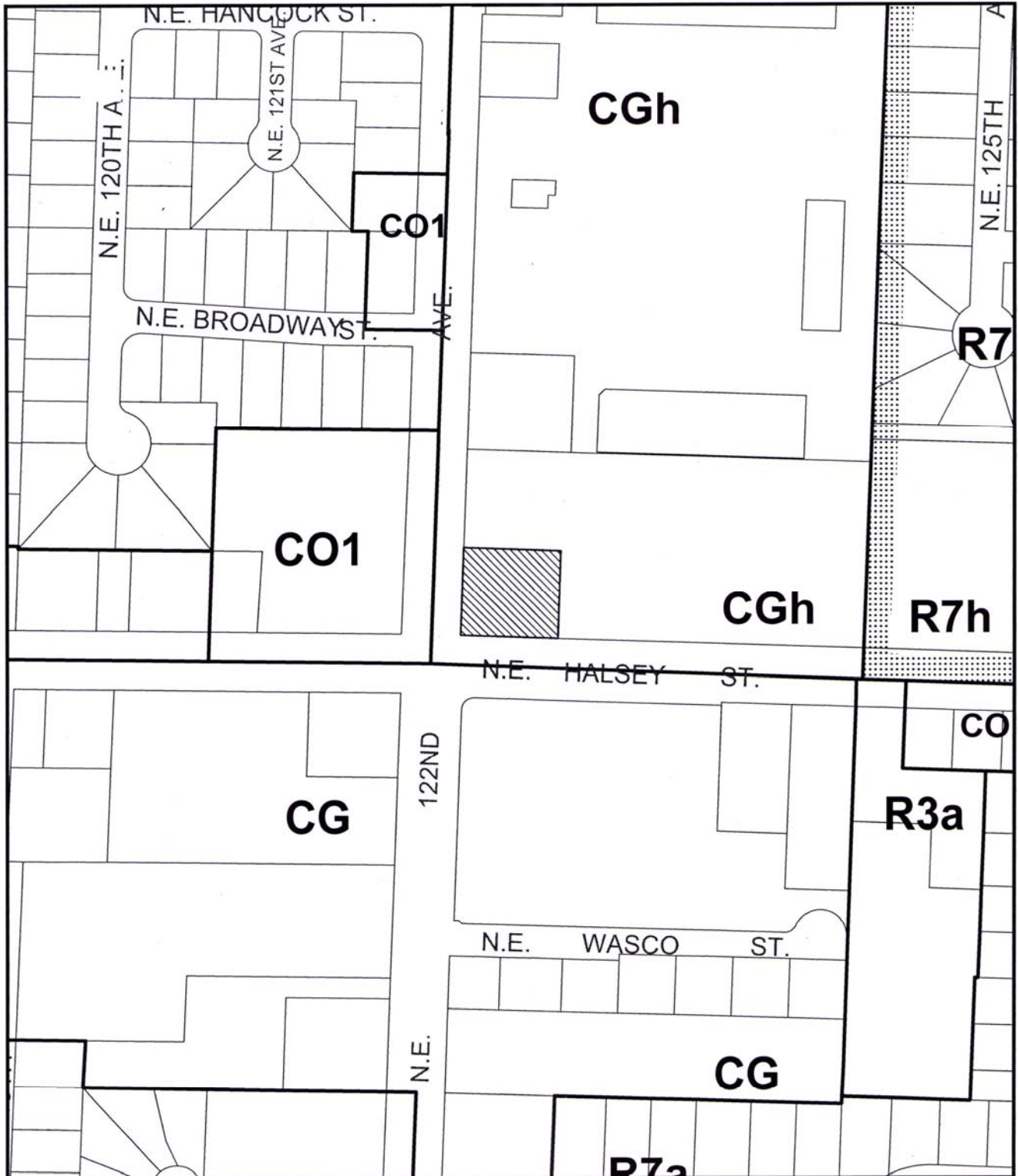
#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Written narrative, dated January 8, 2013
  - 2. E-mail from Renee Strand, dated February 18, 2013
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan/Landscape Plan (attached)
  - 2. Material and Layout Plan (attached)
  - 3. Building Elevation (attached)
  - 4. Building Details
  - 5. Bench Detail
  - 6. Pedestrian Lighting Detail
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Portland Parks & Recreation/Urban Forestry Division
  - 2. Fire Bureau
  - 3. Portland Bureau of Transportation
  - 4. Bureau of Environmental Services
  - 5. Water Bureau
  - 6. Bureau of Development Services Site Development Review Section
  - 7. Bureau of Development Services – Life Safety Plans Examiner
- F. Correspondence (none)
- G. Other:
  - 1. Original LU Application
  - 2. Letter of Incompleteness, dated January 22, 2013

**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 13-101892 AD  
 1/4 Section 2843,2943,3715  
 Scale 1 inch = 200 feet  
 State\_Id 1N2E26CC 4700  
 Exhibit B (Jan 08,2013)

MAR 20 2013



**Starbucks Coffee Company**  
2401 Utah Avenue South  
Seattle, Washington 98134

These Drawings and Specifications are made available and shall remain the sole property of Starbucks Corporation. They shall not be reproduced (in whole or in part), stored, transmitted or used in any manner in other projects or publications to this project without the prior written consent of Starbucks Corporation. The drawings and specifications are intended to express Design Intent for a prototype. Starbucks (which is subject to change at any time) is not bound by actual use conditions. Starbucks has no obligation nor liability to the Applicant (as stated above) until a written agreement is signed.



PRELIMINARY  
REGISTERED ARCHITECT  
OREGON  
JAN 1 1968

[illegible]

**& Halsey**  
122nd Ave  
OR 97230

Store #:	18729
Project #:	30829-001
Project Name:	
Project Date:	10-10-12
Design Manager:	Ashley Stanton
CEO/SA:	Eric Gower
Production Designer:	Karen Knox

Planting Plan

1-20

\*Approved\*

City of Portland

Bureau of Development Services

### Planting Plan Notes

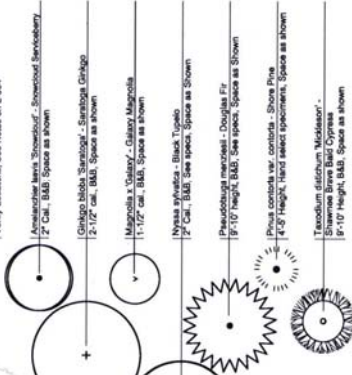
- A. Contractor shall provide topsoil, soil amendments and mulch, as specified, in all new planting areas.
- B. Contractor shall install design-build irrigation system for all new planting areas.
- C. All plants shall be installed in accordance with the details and specifications provided as part of the construction document package.

- This approval applies only to the views requested and is subject to a conditions of approval.

Additional zoning requirements may apply.

### Plant Legend

$T_{\text{Tree}}$
3
4



## Shrubs / Grasses / Groundcovers / Vines

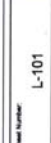
- [illegible]

2" Depth Rock Mulch - See Notes on L-004

## Planting Plan

NE Halsey Street

11  
AREAS WHERE ADDITIONAL  
STUDIES REQUIRED TO MEET  
L2 LANDSCAPE STANDARD



\*Approved\*  
City of Portland

Bureau of Development Services

Planner

Date

\* This approval applies only to the reviews requested and is subject to all conditions of approval.

Additional zoning requirements may apply.

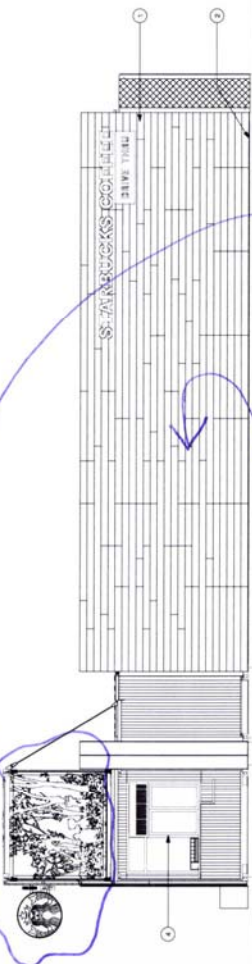
### Sheet Notes

1. See Contractor Manufacturer Construction Documents for additional information.
2. See City of Portland Construction Documents for additional information.
3. See City of Portland Construction Documents for additional information.
4. See City of Portland Construction Documents for additional information.
5. See City of Portland Construction Documents for additional information.
6. See City of Portland Construction Documents for additional information.

### Exterior Elevation Notes

- A. General Contractor to coordinate and schedule all exterior elevations.
- B. General Contractor to coordinate and schedule all exterior elevations.
- C. General Contractor to coordinate and schedule all exterior elevations.
- D. General Contractor to coordinate and schedule all exterior elevations.
- E. General Contractor to coordinate and schedule all exterior elevations.

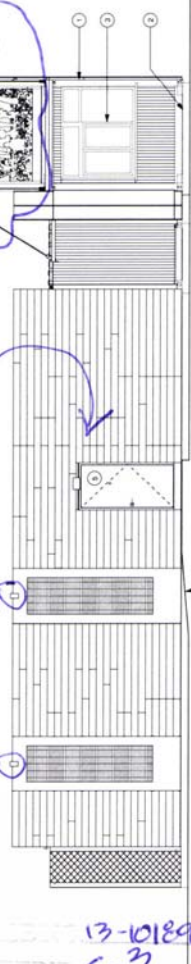
NOT APPROVED  
THROUGH THIS REVIEW



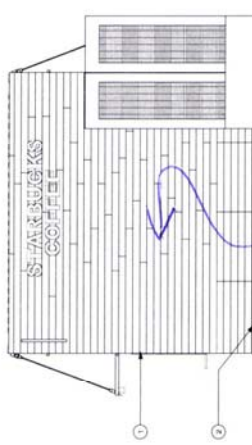
2 East Exterior Elevation

REMAINED WOOD PANELING

LIGHT FIXTURES

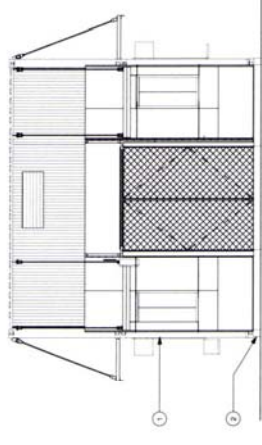


1 West Exterior Elevation



4 South Exterior Elevation

REMAINED WOOD PANELING



3 North Exterior Elevation



Starbucks Coffee Company  
2401 Urban Avenue South  
Seattle, Washington 98134  
(206) 320-1232



1510 NE 122nd Ave  
Portland, OR 97230

Rev	Date	By	Description

122nd & Halsey  
1510 NE 122nd Ave  
Portland, OR 97230

Store # 18759  
Project # 30692-001  
Contractor  
10-10-12  
10-10-12  
10-10-12  
10-10-12  
10-10-12  
10-10-12

Exterior Elevations

Scale 1/4" = 1'-0"

Sheet Number A-201