



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: April 21, 2010
To: Interested Person
From: Mark Bello, Land Use Services
503-823-7810 / mark.bello@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 09-176951 DZ
HOLIDAY INN EXPRESS

GENERAL INFORMATION

Applicant: Dennis Erickson
6835 SW 35th Av
Portland, OR 97219

Marie H Nakvasil
1201 NE Airport Way
Portland, OR 97220

Jigna Patel
Holiday Inn Express
12010 NE Airport Way
Portland OR 97220

Representative: Lisa Barker
LMB Permit Services
307 NW 16th Avenue
Battleground Wa 98604

Site Address: 9707 SE STARK ST

Legal Description: BLOCK 7 EXC PT IN ST LOT 6-10 LOT 13 EXC PT IN STS; LOT 14-19, PRUNEDALE ADD

Tax Account No.: R680301490

State ID No.: 1N2E33DD 07800

Quarter Section: 3040

Neighborhood: Hazelwood, contact Arlene Kimura at 503-252-9429.

Business District: Gateway Area Business Association, contact Fred Sanchez at 503-256-3910.

District Coalition: East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.

Plan District:	Gateway
Zoning:	EXd, Central Employment with Design Overlay
Case Type:	DZ, Design Review
Procedure:	Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The property is a Holiday Inn Express, permitted in 1985 as a 54-unit motel. The applicant is seeking Design Review approval for exterior alterations that will refresh the look of the building. Cedar siding will be retained and repaired or replaced by similar materials. Also, new vinyl windows will be installed that match the same horizontal slider style as the original aluminum windows. Design Review is required because the site is within the Gateway Plan District and designated with Design Overlay zoning.

Relevant Approval Criteria:

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

- 33.825 Design Review
- Gateway Regional Center Design Guidelines

ANALYSIS

Site and Vicinity: The 29,936 sq. ft. site is oriented to SE Stark Street with additional frontage along SE 97th Avenue and SE Oak Street. The site is flat, and is one-half block to the east of the I-205 Freeway. A pattern of dispersed development exists, with a mixture of residential and motels to the west and north and east, and a large shopping complex to the south. Streets surrounding this site are fully improved. There is also an overflow parking lot for the motel across SE Oak Street.

Gateway is envisioned to redevelop into a highly-urbanized, pedestrian-oriented center, with an overall built size and scale second only to Portland's Central City. Portland's *Transportation System Plan* classifies SE 97th Avenue as a Local Service Bikeway and the site is within the Gateway Pedestrian District.

Zoning: The Central Employment (EX) zone allows mixed-uses and is intended for areas in the center of the City that have predominantly industrial type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area.

The design (d) overlay zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

Land Use History: City records indicate a previous conditional use application. In 1989, an application was made to expand the motel into an adjacent industrial district. This application was subsequently withdrawn (CU 66-89).

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

- Bureau of Environmental Services
- Water Bureau

- Fire Bureau
- Site Development Section of BDS
- Bureau of Parks, Forestry Division

The Bureau of Transportation Engineering responded with the following comment:

No work is proposed within the public right-of-way nor is the proposed renovation anticipated to have a permanent impact (if any) on the transportation system. Total valuation of the proposed scope is ~\$75,000 and is not sufficient to warrant improvements as a ratio to the property value. Transportation has no objection to this proposal. (See Exhibit E-2).

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on February 9, 2010. Also, on February 9, 2010, Ms. Arlene Kimura, Chair, Hazelwood Land Use Committee responded that the Committee would like to “see perhaps some additional large planters with some low-growing, easy maintenance plants that would add some color and soften what is a very utilitarian façade and parking lot.” No written responses have been received by notified property owners in response to the proposal.

Staff Comment: Landscaping would be a positive addition to this site. However, the alterations requested all pertain to the building, not the parking area. The applicant is encouraged to upgrade landscaping but no conditions of approval regarding landscaping are part of this decision.

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 Gateway Regional Center Design Guidelines.

Gateway Regional Center Design Guidelines

The Gateway Regional Center is the City of Portland’s only designated regional center. The area is envisioned to redevelop into a highly urbanized, pedestrian-oriented center, with an overall built size and scale second only to Portland’s Central City.

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

Gateway Regional Center Design Goals

Ten goals for design review in the Gateway Regional Center have been established to enhance the area’s design quality, support its livability, and guide its transition to a pedestrian-oriented, active, urban regional center. They are:

1. Encourage urban design excellence.
2. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Gateway Regional Center as a whole.
3. Provide for a pleasant, rich, and diverse experience for pedestrians.
4. Assist in creating a regional center that emphasizes a mix of active uses and experiences and is safe, lively, and prosperous.
5. Provide for the humanization of the Gateway Regional Center through the promotion of parks, plazas, open spaces, public art, and trees.
6. Integrate and honor the diversity and history of Gateway.
7. Integrate sustainable principles into the development process.
8. Encourage the development of a distinctive character for subdistricts within the regional center, and link them.
9. Encourage and incorporate transit orientation and usage.
10. Enhance the physical and visual linkages between the Gateway Regional Center and adjacent neighborhoods.

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

B Development Design

B1. Convey Design Quality and Building Permanence. Use design principles and building materials that convey quality and permanence.

Findings: The applicant is retaining cedar siding or replacing the exterior siding with like materials. The vinyl windows will replace aluminum sliders.

This design guideline is therefore met.

B3. Design for Coherency. Integrate the different parts of a building to achieve a coherent design.

Findings: The applicant original proposal called for a departure from the original architectural style that incorporated cedar siding and replaced it with “stucco” panels. This would have created a conflict between the remaining structure and the new elements. The applicant is now opting for a more modest approach that retains the coherency of the existing project by retaining cedar siding or by using lap siding that is similarly detailed like the original cedar lap siding. The new vinyl window sliders are also a tan-colored hue and will blend better than the former aluminum sliders which overly contrasted with the original cedar siding.

This design guideline is therefore met.

B6. Integrate Ecological / Sustainable Concepts. Integrate ecological/sustainable features or concepts with site and development designs.

Findings: Replacing the worn-out single pane aluminum windows with insulated double glazed vinyl windows will reduce energy requirements in the future. See Exhibit A-3 for information on energy efficiency.

This design guideline is therefore 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 cedar siding will be repaired or replaced with similarly-detailed siding rather than replaced with stucco. This project will replace energy inefficient windows with energy efficient windows. This will result in a building that retains its coherency, uses more durable materials, and is less energy intensive.

ADMINISTRATIVE DECISION

Approval of new vinyl windows and siding, per the approved site plans, Exhibits C-1 through C-4, signed and dated April 19, 2010, subject to the following conditions:

- 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.3. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 09-176951 DZ . No field changes allowed."

Staff Planner: Mark Bello

Decision rendered by:  **on April 19, 2010**
By authority of the Director of the Bureau of Development Services

Decision mailed: April 21, 2010

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 December 11, 2009, and was determined to be complete on February 4, 2010.

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 December 11, 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 and **the 120 days will expire on: June 4, 2010.**

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 May 5, 2010** 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.

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- 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. Application
 1. Applicant's Statement
 2. Milgard 6210 Vertical Sliding Window product information
 3. Milgard LEED product information
 4. Milgard Architectural Manual – Glass/Grids Section product information
 5. Milgard 100 Series Window and Patio Door Catalogue
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Exterior elevations (attached)
 3. Wall Section Drawing (attached)
 4. Color Palette
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:

1. Water Bureau
 2. Portland Bureau of Transportation
 3. Water Bureau
 4. Fire Bureau
 5. Site Development Review Section of Bureau of Development Services
 6. Bureau of Parks, Forestry Division
 7. Life Safety Review Section of BDS
- F. Correspondence:
1. Arlene Kimura, Hazelwood Neighborhood Association Land Use Committee
- G. Other:
1. Original LU Application
 2. Site History Research

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING

-  Site
-  Also Owned



This site lies within the:
GATEWAY PLAN DISTRICT

File No.	<u>LU 09-176951 DZ</u>
1/4 Section	<u>3040,3140</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N2E33DD 7800</u>
Exhibit	<u>B</u> (Dec 16,2009)

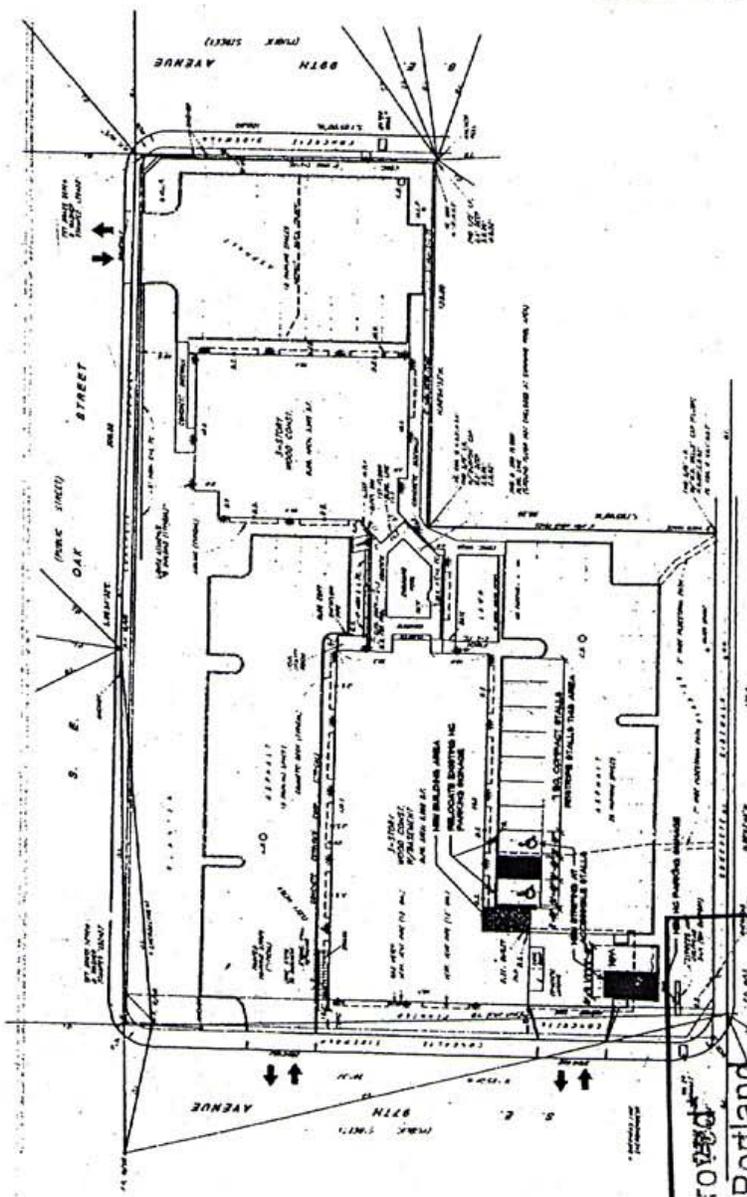


DATE	
REVISION	
CHECKED	
DESIGNED	
DRAWN	

STATE OF OREGON
 COUNTY OF CLATSOP
 CITY OF PORTLAND

HOLIDAY INN
 10000 N. BROADWAY
 PORTLAND, OREGON 97228
 SITE PLAN

A-1.1
 SHEET



SITE PLAN

*Approved
 City of Portland
 Bureau of Development Services
 Planner [Signature]
 Date 4/19/10

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

CASE NO. _____
 EXHIBIT C-1

11009-176951DZ

Running to accompanying construction type V-A

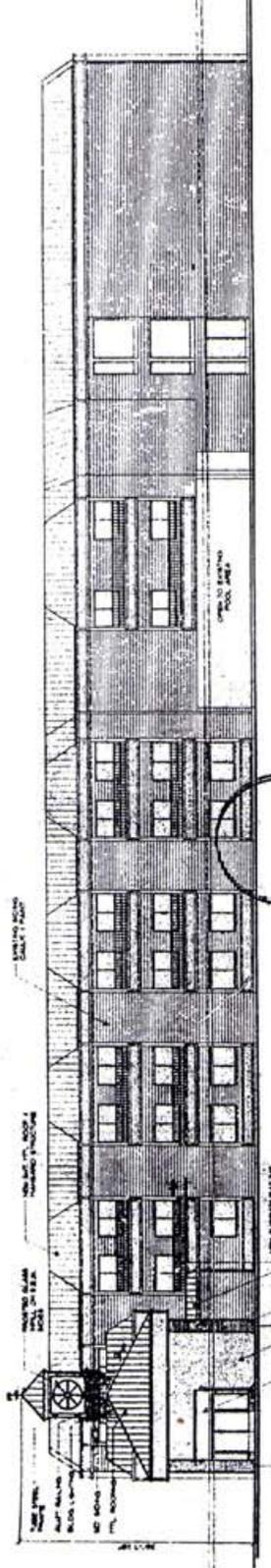


DATE	10/10/10
SCALE	AS SHOWN
PROJECT	PORTLAND HOTEL INVESTORS, INC.
NO.	100
REV.	001

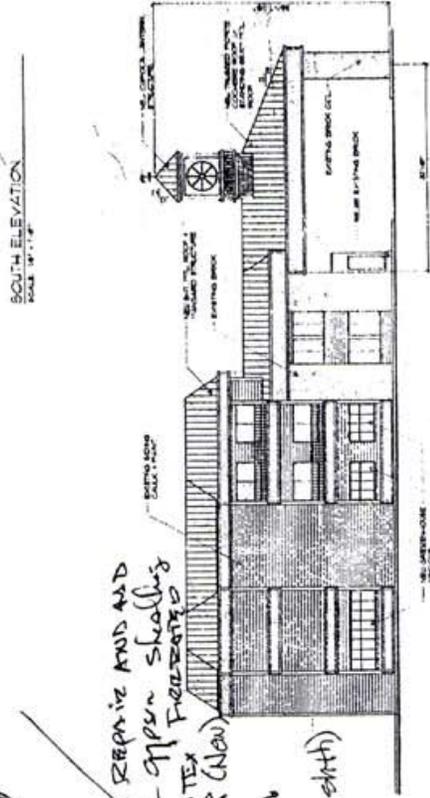
Jensen
ARCHITECTS
1111 EAST WASHINGTON STREET
PORTLAND, OREGON 97232

HOLIDAY INN EXPANDED
PORTLAND OREGON
PORTLAND HOTEL INVESTORS, INC.
EXTENSION ELEVATIONS

A-3



SOUTH ELEVATION
SCALE 1/8" = 1'-0"



WEST ELEVATION
SCALE 1/8" = 1'-0"

RETAIN AND REPAIR AND ADD
TREATED COE OPEN SHALLOWS
INSTALL JAMBS TEX FIBERGLASS
1/2 LAP (NEW)

EXISTING W/LL
SUS-S HEADING
TO REMAIN
(plywood & gypsum)

REMOVE ALUMINUM WINDOWS & REPLACE WITH
NEW UNITS IN SAME
ROUGH OPENING

REMOVE ALUMINUM TRIM

REMOVE ALL
"A" PANELS
LEADING TO

REPLACE WITH
STAINED PANEL BY SAINSBURY CO.

HEADER
REMAINS IN
BUILT

INSULATION
TO REMAIN
INSPECT FOR
WATERING DAMAGE
REPAIR AS REQUIRED

Approved
City of Portland
Bureau of Development Services

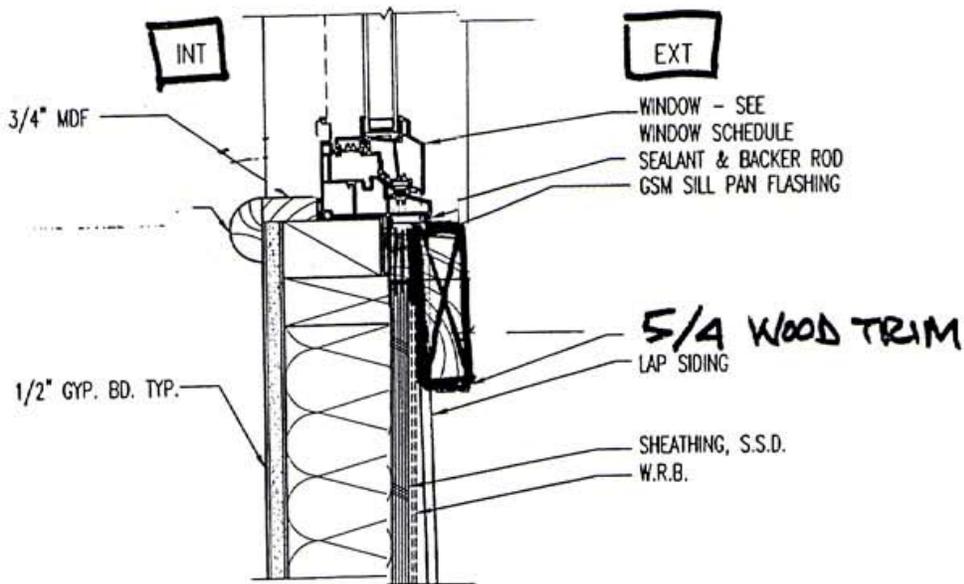
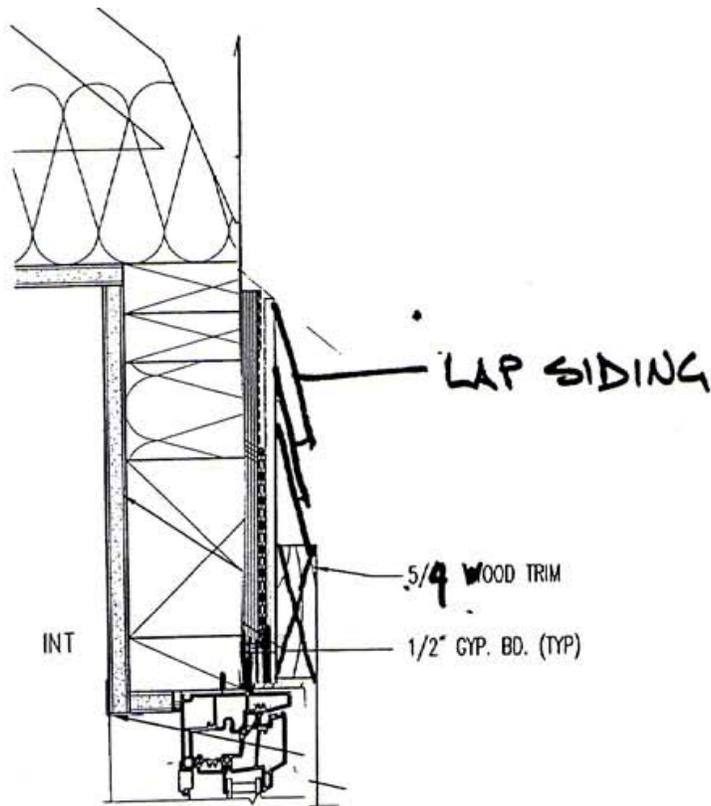
Planner MS

Date 4/19/10

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

LU09-17695102
CASE NO.
EXHIBIT C2

[Signature]
503-245-3949



Approved

City of Portland

Bureau of Development Services

Planner LUB

Date 4/19/10

* This approval applies only to the
reviews requested and is subject to all
conditions of the permit.
It does not constitute a warranty or any other
guarantee of performance.

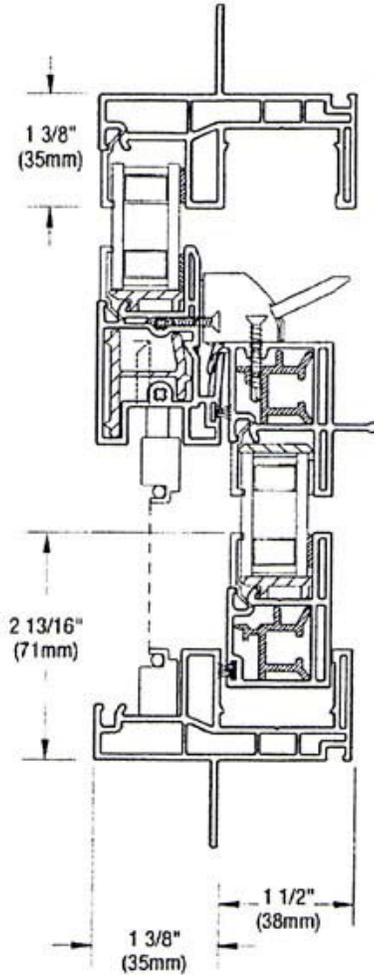
CASE NO. 09-176951

EXHIBIT 63

6210 Vertical Sliding Windows

6000
SERIES
STYLE LINE VINYL

Vertical View

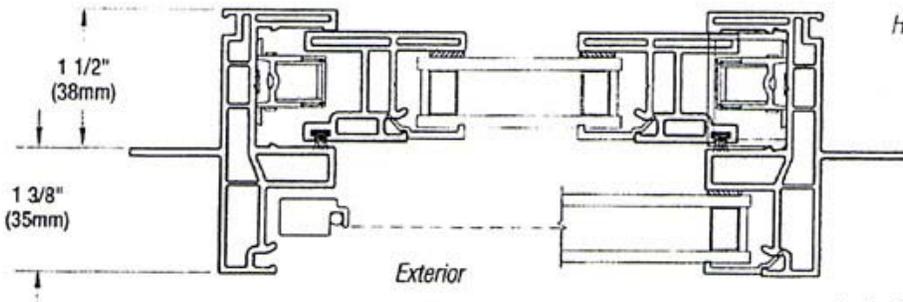


Exterior

Approved
City of Portland
Bureau of Development Services
Planner _____
Date _____

*This approval applies only to the review requested and is not valid to all conditions of permit. All approved requests will remain in effect until otherwise notified.

Horizontal View



Scale: 6" = 1' (1/2 scale)

6210-5
NOVEMBER 2008

Due to continual product research and development, details may be changed at any time. ©2008 Products shown are not available at all locations - confirm availability with your local Milgard representative.

CASE NO. 07-176957
EXHIBIT 63