

City of Portland, Oregon

Bureau of Development Services

Land Use Services

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

Date: November 5, 2012 **To:** Interested Person

From: Hillary Adam, Land Use Services

503-823-3581 / Hillary.Adam@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 12-184335 DZ – EXTERIOR ALTERATIONS GENERAL INFORMATION

Applicant: Bethany Gelbrich / Deca Architecture Inc

935 SE Alder St / Portland, OR 97214

Owner: ERP LLC

2826 NW Fairfax Ter / Portland, OR 97210-2806

Augusto Carneiro, Lease Holder / Nossa Familia Coffee

1319 NW Johnson St / Portland OR 97209

Site Address: 1319 NW JOHNSON ST

Legal Description: BLOCK 137 LOT 1 S 10' OF LOT 4, COUCHS ADD

Tax Account No.: R180211850 **State ID No.:** 1N1E33AD 01500

Quarter Section: 2928

Neighborhood: Pearl District, contact Patricia Gardner at 503-228-3273.

Business District: Pearl District Business Association, contact Adele Nofield at 503-223-

0070.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - River District

Other Designations: none

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 applicant proposes the following changes:

- The installation of two aluminum and glass overhead sectional doors to replace the existing metal overhead doors on the NW 13th Avenue façade;
- Installation of a new pipe handrail along the stairs to the loading dock; and
- Two painted wall signs, 16'-6" (w) x 1'-8" (h), for a total of 27.5 square feet each.

Because the proposal is for non-exempt exterior alterations to an existing building in the Design overlay zone, design review is required.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines
- River District Design Guidelines

ANALYSIS

Site and Vicinity: The subject property is a one-story concrete warehouse building constructed in 1942, and occupying the southeast 1/8 block bound by NW 13th and NW 14th Avenue to the east and west, respectively, and NW Johnson and NW Kearney Streets to the south and north, respectively. At the east end of the building there is a concrete dock with stair across 2/3 of the building which connects to a concrete loading for the building to the north. Two metal overhead doors provide access to the dock from the interior. On the south façade of the building is a metal and glass overhead door near the center, as well as a man door at the west end of the south façade. A parking area on the 1/8 block to the east serves this building. To the west, north of the parking lot, is a 1967 one-story concrete block building, with a 1983 two-story concrete block building to its north. To the north of the subject property, are two twostory brick buildings, the larger of which was built around 1894 and the smaller by 1909. To the east, across NW 13th Avenue, is the Pacific Northwest College of Art. To the south, across NW Johnson Street is the northern boundary of the Northwest 13th Avenue Historic District, distinguished by a four-story brick building, constructed in 1905 and once used as a wool warehouse for Pacific Wool Growers. Incidentally, the subject property once housed the Portland Hide and Wool Company.

The property is located within the Northwest Triangle Pedestrian District. The City's Transportation System Plan has designated NW Johnson Street as a City Bikeway and NW 13th Avenue as a City Walkway. Additionally, NW 14th Avenue is designated a City Bikeway, an Urban Highway, a Truck Access Street, and a Community Corridor.

Zoning: The <u>Central Employment</u> (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 "d" overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. 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 there are no prior land use reviews for this site.

Public Notice: A "Notice of Proposal in Your Neighborhood" was mailed October 9, 2012.

Agency Review: The following Bureaus have responded with no issues or concerns:

• Site Development Section of BDS

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

Chapter 33.825 Design Review Section 33.825.010 Purpose of Design Review

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

Section 33.825.055 Design Review Approval Criteria

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

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

River District Design Guidelines and Central City Fundamental Design Guidelines

The River District is a remarkable place within the region. The area is rich with special and diverse qualities that are characteristic of Portland. Further, the River District accommodates a significant portion of the region's population growth. This area emphasizes the joy of the river, connections to it, and creates a strong sense of community. The goals frame the urban design direction for Central City and River District development.

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

River District Design Goals

- **1.** Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
- **2.** Create a community of distinct neighborhoods that accommodates a significant part of the region's residential growth.
- **3.** Enhance the District's character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
- **4.** Strengthen connections within River District, and to adjacent areas.

Central City Plan Design Goals

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

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

A4. Use Unifying Elements. Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

Findings: Many of the historic buildings in the 13th Avenue Historic District have been modified to replace opaque metal overhead door with contemporary metal and glass overhead doors, providing views to the interior spaces, many of which have been converted from industrial use to retail use. While this building lies just outside of the historic district the replacement of opaque overhead doors with metal and glass overhead doors will continue this design element beyond the boundaries of the district, therefore linking this building with the historic buildings to the south. *This guideline is met.*

- **A5. Enhance, Embellish and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.
- **A5-1. Reinforce Special Areas.** Enhance the qualities that make each area distinctive within the River District, using the following "Special Area Design Guidelines" (A5-1-1 A5-1-5).
- **A5-1-1. Reinforce the Identity of the Pearl District Neighborhood.** This guideline may be accomplished by:
- 1) Recognizing the urban warehouse character of the Pearl District when altering existing buildings and when designing new ones.
- 2) Recognizing the urban warehouse character of the Pearl District within the design of the site and open spaces.
- 3) Designing buildings which provide a unified, monolithic tripartite composition (base/middle/top), with distinct cornice lines to acknowledge the historic building fabric.
- 4) Adding buildings which diversify the architectural language and palette of materials.
- 5) Celebrating and encouraging the concentration of art and art galleries and studios with design features that contribute to the Pearl District's "arts" ambiance. Consider features that provide connectivity and continuity such as awnings, street banners, special graphics, and streetscape color coordination, which link shops, galleries, entrances, display windows and buildings. Active ground level retail that opens onto and/or uses the sidewalk can contribute to the attraction of the "arts" concentration.
 - **Findings for A5, A5-1 and A5-1-1:** The replacement of metal overhead doors with metal and glass overhead doors will provide views between the exterior and the interior of the building. Pedestrians will be able to see into the coffee warehouse and see the operations of the current use, offering a more direct connection between pedestrians and the warehouse character of the Pearl District. *These guidelines are met.*
- **A6.** Reuse/Rehabilitate/Restore Buildings. Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

Findings: The proposal is for alterations to an existing building constructed in 1942. *This guideline is met.*

- **A8.** Contribute to the Cityscape, Stage and the Action. Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.
- **A8-1. Design Fences, Walls and Gateways to be Seen Over.** Design fences, walls and gateways located between a building and the sidewalk to be seen over to allow for social interaction. This guideline may be accomplished by:

- 1) Elevating building entries higher than the public sidewalk or path.
- 2) Creating a low fence or wall to visually separate but not hide semi-private spaces.
- 3) Using a low or stepped-down planting area or terraces to separate private development from a public sidewalk.
 - **Findings for A8 & A8-1:** Replacement of the overhead doors will provide views into the building and therefore a greater connection and interest in the current operations of the building to passing pedestrians. These views will enrich the pedestrians' understanding of the historic and continued warehouse and manufacturing character of the Pearl District, as well as the 13th Avenue Historic District to the south. *These quidelines are met*.
- **B1. Reinforce and Enhance the Pedestrian System.** Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.
- **B1-1. Provide Human Scale to Buildings along Walkways.** Provide human scale and interest to buildings along sidewalks and walkways. This guideline may be accomplished by:
- 1) Providing street furniture outside of ground floor retail, such as tables and chairs, signage and lighting, as well as large windows and balconies to encourage social interaction.
- 2) Providing stoops, windows, and balconies within the ground floors of residential buildings.
- **B2. Protect the Pedestrian.** Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.
- **B3.** Bridge Pedestrian Obstacles. Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.
 - **Findings for B1 & B1-1, B2, and B3:** The proposal includes the addition of a handrail along the stair to the loading dock at the eastern end of the building to provide additional safety measures for pedestrians, thereby maintaining a convenient access route, protecting the pedestrian and aiding pedestrians along an existing path. In addition, the installation of the glass overhead doors provides human scale to an area of the building historically used for loading and unloading of trucks. *These guidelines are met.*
- **B4.** Provide Stopping and Viewing Places. Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.
 - **Findings:** The replacement of opaque overhead doors with new metal and glass overhead doors will give passing pedestrians a reason to stop and view the interior of the building where coffee roasting activities will be able to be seen. The existing loading dock is wide enough that stopping pedestrians will not conflict with other uses. *This quideline is met.*
- **C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.
 - **Findings:** The proposal shows a commitment of investment in the building by the owners and tenants. The new overhead doors will be of quality materials and will complement the existing overhead door on the NW Johnson Street façade. *This guideline is met.*
- **C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.
- **C5. Design for Coherency.** Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings for C3 and C5: The proposal respects the architectural integrity of the building. The proposed overhead doors are to be installed in existing openings and will complement the existing aluminum and glass overhead door on the south façade. The proposed painted wall signs are shown to identify the building with a delicate font that complements the streamlined design of the building. *These guidelines are met*.

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

Findings: As mentioned above, the proposed aluminum and glass overhead doors continue the design vocabulary in this part of the Pearl District, and particularly an increasing number of buildings in the 13th Avenue Historic District, directly to the south. In addition, painted wall signs were common on many of the industrial buildings in this area and the faded evidence of many of these signs remains. The proposed painted wall signs will continue this tradition. *This quideline is met.*

C13. Integrate Signs. Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

Findings: The proposed painted wall signs will be integrated into the surface of the building by being painted on and will be integrated into the design of the building with its narrow font, which respects the streamlined aspect of the existing building. *This guideline is met.*

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The proposal is for modest alterations to an existing building in the River District, which will result in a greater connection between the interior and exterior of the building for both users of the building and pedestrians walking past the building. The proposed alterations are sympathetic to the existing building and will increase public awareness of the latest use of this building as a coffee roasting facility through very minor changes. The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposed design meets the approval criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of exterior alterations in the River District including:

- The installation of two aluminum and glass overhead sectional doors to replace the existing metal overhead doors on the NW 13th Avenue façade;
- Installation of a new pipe handrail along the stairs to the loading dock; and
- Two painted wall signs, 16'-6" (w) x 1'-8" (h), for a total of 27.5 square feet each.

This approval is per the approved site plans, Exhibits C-1 through C-4, signed and dated October 31, 2012, 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 through C-4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 12-184335 DZ. No field changes allowed."

Staff Planner: Hillary Adam

Decision rendered by: ______ on October 31, 2012.

By authority of the Director of the Bureau of Development Services

Decision mailed: November 5, 2012

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 September 20, 2012, and was determined to be complete on **October 4, 2012**.

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 September 20, 2012.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period.

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on November 19, 2012** 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.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

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

Recording the final decision.

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

- Unless appealed, The final decision may be recorded on or after **November 20, 2012.**
- 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;

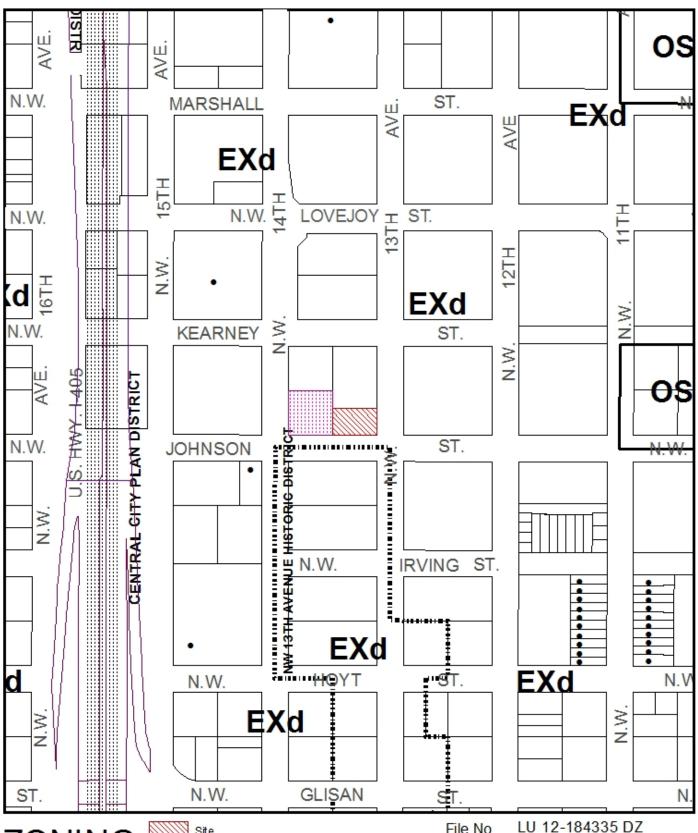
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevations (attached)
 - 3. Overhead Door Section
 - 4. Overhead Door Cutsheets
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Plans Examiner
- F. Correspondence: none
- G. Other:
 - 1. Original LU Application

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

Historic Landmark



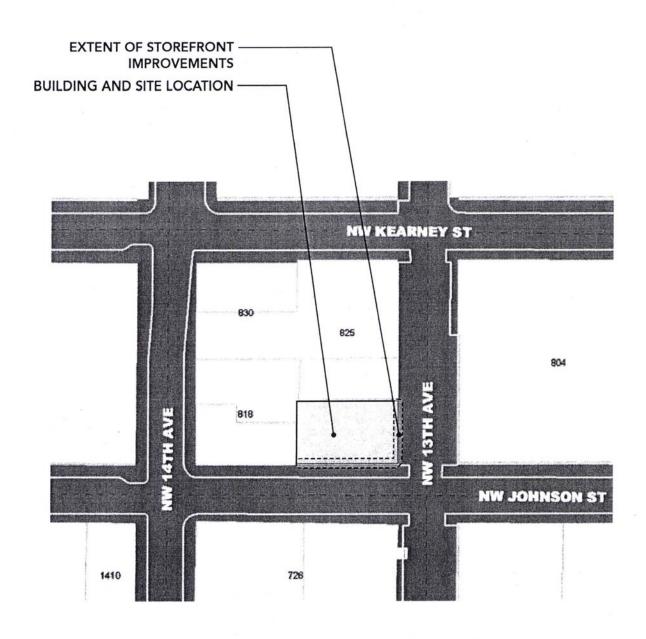
This site lies within the: CENTRAL CITY PLAN DISTRICT File No. LU 12-184335 DZ

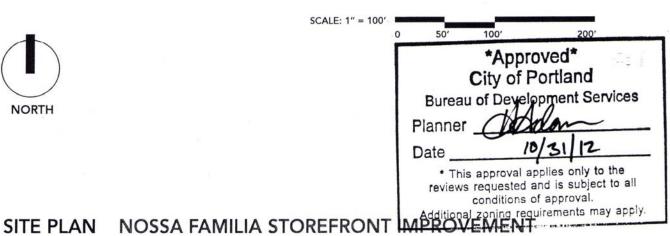
1/4 Section 2928

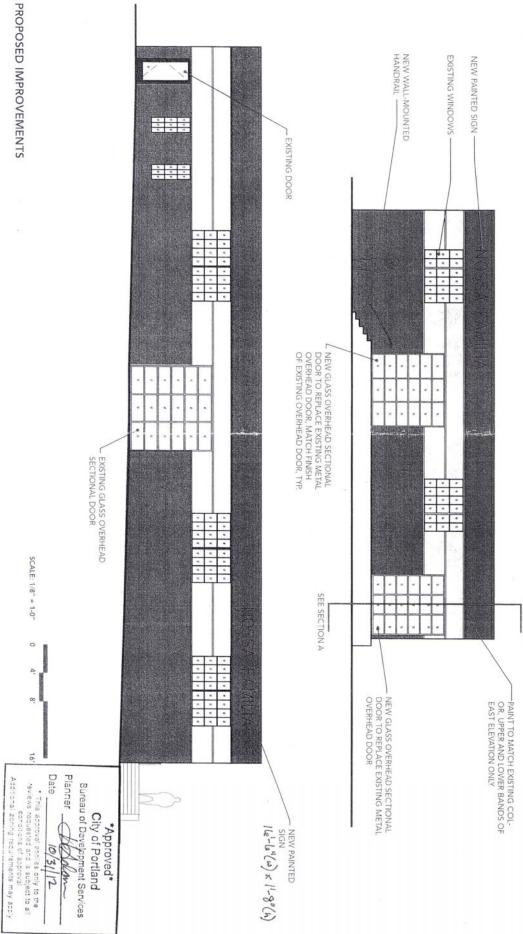
Scale 1 inch = 200 feet

State_Id 1N1E33AD 1500

Exhibit B (Sep 20,2012)







deca ARCHITECTURE INC