



City of Portland  
**Bureau of Development Services**  
Land Use Services Division

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Portland, Oregon 97201  
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[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** November 19, 2008  
**To:** Interested Person  
**From:** Chris Beanes, Land Use Services  
503-823-7983 / [chris.beanes@ci.portland.or.us](mailto:chris.beanes@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 08-150177 DZ, BUILDING RENOVATION**

**GENERAL INFORMATION**

**Applicant:** Steven Maguire 503-284-0988  
AXIS Design Group  
11104 SE Stark  
Portland OR 97216

**Owner:** Fares Rustom  
Portland Management Properties II  
307 NE Broadway St  
Portland, OR 97232

**Site Address:** 20 NE Hancock Street

**Legal Description:** LOT 1&2 BLOCK 1 N 29' OF LOT 3 BLOCK 1 S 16 2/3' OF LOT 5  
BLOCK 1 LOT 6-18 BLOCK 1, ELIZABETH IRVINGS ADD; W 70' OF  
LOT 3 BLOCK 245 EXC PT IN ST-W 70' OF LOT 4 BLOCK 245,  
HOLLADAYS ADD

**Tax Account No.:** R244900010, R396217700  
**State ID No.:** 1N1E27DD 07100, 1N1E27DD 07900  
**Quarter Section:** 2830  
**Neighborhood:** Eliot, contact Mike Warwick at 503-284-7010.  
**Business District:** North-Northeast Business Assoc, contact Joyce Taylor at 503-445-  
1321.  
**District Coalition:** Northeast Coalition of Neighborhoods, contact Lauren McCartney at  
503-823-4135.  
**Plan District:** Central City - Lloyd District  
**Zoning:** CX, EXd, Central Commercial, 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 seeks design review approval for minor proposed alterations to an existing one story with mezzanine commercial building. Current use of the building is an auto dealership. The applicant proposes the following work:

- Alteration to the exterior finish of the building. An aluminum panel system is proposed along a portion of the existing fascia;
- New ramps will be added to the southeast portion of the building for ADA accessibility and
- New signage is proposed for the fascia of the building along the south and east facades.

Because the proposal is for exterior alterations to an existing building and development within a 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, Portland Zoning Code. The relevant approval criteria are:

- Central City Fundamental Design Guidelines
- Special Design Guidelines for the Design Zone of the Lloyd District of the Central City Plan

**ANALYSIS**

**Site and Vicinity:** The site is a multi-block development for Broadway Toyota Dealership, including exterior display of cars and service building. The vicinity includes other commercial properties with associated surface parking areas, with residential development beginning about 2 blocks to the north. Nearby are the Rose Quarter and Memorial Coliseum, and within a half-mile are the Lloyd Center and the Oregon Convention Center. A northbound entrance to I-5 is one block to the west. The subject property is bounded by N. Williams to the west, N. Victoria to the east, and NE Hancock to the north. The site straddles two zones and the proposed work under this design review falls within the CX, Central Commercial zone.

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

The 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 that prior land use reviews include the following:

- **LUR 95-00050 DZ (95-011943)** - Approval to construct a new hipped-roof drive-through portico at the north side entry of an existing building, to install 30 feet of new storefront and one new person door on the north side, to install approximately (94)

Arborvitae shrubs and install (42) 1 3/4" caliper Birch Trees as indicated on the site plan, to install new signage and to install additional site lighting.

**Agency Review:** A *Notice of Proposal in Your Neighborhood* was mailed on **September 9, 2008**. The following Bureaus have responded with no issues or concerns:

- Life Safety (Building Code) Section of the Bureau of Development Services.
- Bureau of Transportation Engineering & Development Review;
- Bureau of Environmental Services;
- Site Development Section of the Bureau of Development Services;

The Life Safety Section of the Bureau of Development Services responded with the following comment: "A separate building permit is required for the work proposed and the proposal must be design to met all applicable building codes and ordinances." see Exhibit E-1 for additional details.

The Bureau of Transportation Engineering and Development Review responded with the following comment: "Provided IBC encroachment standards are required to be met. Transportation has no objection this proposal." see Exhibit E-2 for additional details.

The Bureau of Environmental Services responded with the following comment: "BES has no objections to the proposed project. Further development of the property would be subject to the Bureau of Environmental Services standards and requirements during the building plan review process." See Exhibit E-3 for additional details.

The Site Development Section of the Bureau of Development Services responded with the following comment: "Site Development has no objection to the proposed Design Review. The applicant contacted Site Development prior to submitting this application". See Exhibit E-4 for additional details.

**Neighborhood Review:** A *Notice of Proposal in Your Neighborhood* was mailed on **September 9, 2008**. No written comments in response to the proposal have been received from the neighborhood association or notified property owners.

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.825, Design Review**

#### **Section 33.825.010 Purpose**

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 district guidelines.

**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 and Lloyd District Special Design Guidelines.

#### **Special Design Guidelines for the Design Zone of the Lloyd District of the Central City Plan and Central City Fundamental Design Guidelines**

**The Lloyd District is a unique, multi-dimensional neighborhood in the Central City, with special features and assets found nowhere else in Oregon.**

With the recent completion of the Oregon Convention Center, the District now serves as the “front door for Oregon and our city.” The District as a whole is emerging as a special area in the state and the region, and the way it is developed will determine its comfort and continued use.

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.

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.

**Lloyd District Design Goals**

The following goals and objectives define the urban design vision for new development and other improvements in the Lloyd District

- Encourage the special distinction and identity of the Lloyd District;
- Integrate the sub-areas of the District for a visual and functional coherence of the whole; and
- Improve the safety, convenience, pleasure, and comfort of pedestrians.

**Central City Plan Design Goals**

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

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

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

**Findings:** The applicant proposes minor exterior changes to the building. The main change will be the paint color, which will be a “Moonlight White” color to tie to the associated development across the street, also owned by the applicant. No other changes to the exterior of the building are proposed. *This guideline is therefore met.*

**A6. Reuse/Rehabilitate/Restore Buildings.** Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

**Findings for A6:** The applicant proposes reuse of the building and minor changes are proposed to the exterior of the building, including new paint and fascia signage along the NE Broadway and Victoria frontages. A new ADA access ramp along the east façade will allow greater access to the building.

**B7. Integrate Barrier-Free Design.** Integrate access systems for all people with the building's overall design concept.

**Findings:** A new accessible ramp is proposed to the East side of the building. This on-site ramp would begin at the building's corner and lead up to the existing primary pedestrian entrance. *This guideline is therefore met.*

**C1-2. Integrate Signs.** Carefully place signs and sign supports on and for buildings to integrate with the scale, color and articulation of the building design. Avoid large, excessively illuminated or freestanding signs that contribute to visual clutter.

Demonstrate how signage is one of the design elements of a new or rehabilitation project and has been coordinated by the project designer/architect. Submit a master signage program as a part of every Design Review application.

Incorporate signage that compliments and supports the pedestrian scale and use the Broadway/Weidler Corridor and Holladay Street. While recognizing the dimensional provisions in the Code, size and scale of signs should be moderated in these pedestrian-oriented areas.

**Findings for C1-2:** Proposed signage will be within a corner fascia band above the main entry along the NE Broadway elevation and NE Victoria Avenue elevations. The internally illuminated signs proposed will include a maximum size of 40 square feet per sign. This would be the sole signage proposed for the building (which is set back 100 feet) facing Broadway. *This guideline is therefore 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.

**C10-1. Use Masonry Materials.** Except for window glazing, use masonry types of materials as the predominant exterior material for building walls. Use modular stone or masonry materials on the building base or first floor of buildings whenever possible.

**C10-3. Use Light Colors.** The use of light color values is preferred for the predominant exterior building materials. Darker value materials should be used to accent or articulate the design.

**Findings for C3, C5, C10-1 and C10-3:** The applicant will paint the existing masonry building to match the existing also-owned development across the street for a unified appearance. A minor change is proposed to a stucco fascia band. The entry storefront fascia on the corner, bookended and clearly delineated by exaggerated masonry pilasters, would contain the proposed aluminum composite panels. A majority of the CMU building shell would be left alone, thus leaving the existing desired masonry material intact. The building is to be painted "Moonlight White", a creamy color which would be consistent with the desired light color for the district. *These guidelines are 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 proposed modest improvements to the building will update an existing building and provide opportunity for continued use through introduction of a new material along a discreet non-masonry portion of the building. Enhanced accessibility and signage to identify the new tenant will provide new identity as well. The proposal merits Design Review approval.

## ADMINISTRATIVE DECISION

Approval of:

- Aluminum cladding along the fascia band on the south and east corners of the building as indicated on the elevations;
- A new ramp will be added to the southeast portion of the building for ADA accessibility and;
- 40 square feet of new signage for the fascia of the building along the south and east facades.

Approval per the approved site plans, Exhibits C-1 through C-3, signed and dated November 13, 2008, 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 08-150177 DZ. No field changes allowed."



**Decision rendered by:** \_\_\_\_\_ **on November 13, 2008**

By authority of the Director of the Bureau of Development Services

**Decision mailed: November 19, 2008**

**Staff Planner: Chris Beanes**

**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 July 29, 2008, and was determined to be complete on **September 3, 2008**.

*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 July 29, 2008.

*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 requested that the 120-day review period be extended in order to work on issues related to the modification requested and other design-related issues.

**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 December 3, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., 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 contact the receptionist at 503-823-7967 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 Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that

issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

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

- *Unless appealed*, The final decision may be recorded on or after **December 4, 2008 – (the day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

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

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

For further information on recording, please call the County Recorder at 503-988-3034  
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

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

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

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

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

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

**EXHIBITS**

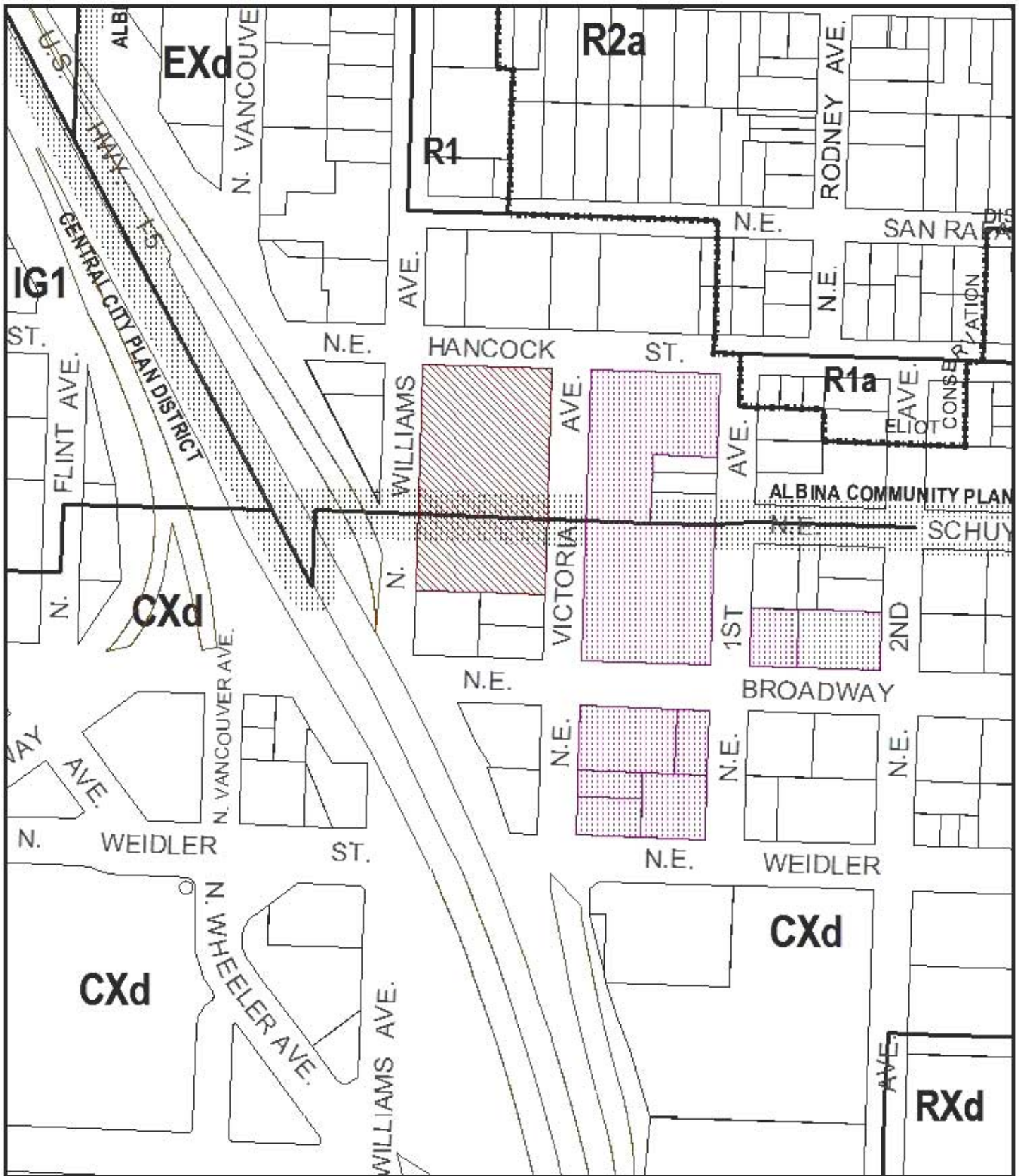
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)



- 2. Elevation (attached)
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Life and Safety Section Review Section of BDS
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Site Development Review Section of BDS
- F. Correspondence: none
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research
  - 3. Incomplete Letter dated 8/11/08.

**The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).**



# ZONING

-  Site
-  Also Owned



File No. LU 08-150177 DZ  
 1/4 Section 2830  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E27DD 7500  
 Exhibit B (Jul 31,2008)



\*Approved\*

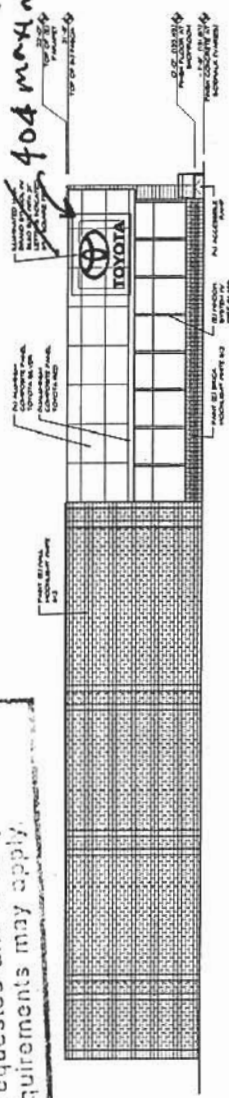
City of Portland - Bureau of Development Services

Date 1/13/08

Planner

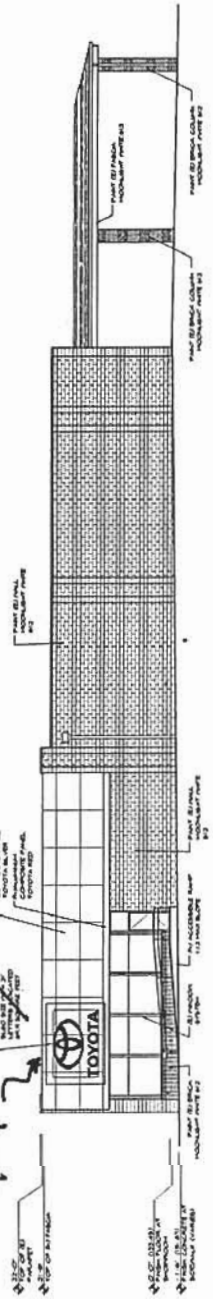
\* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

404 maximum

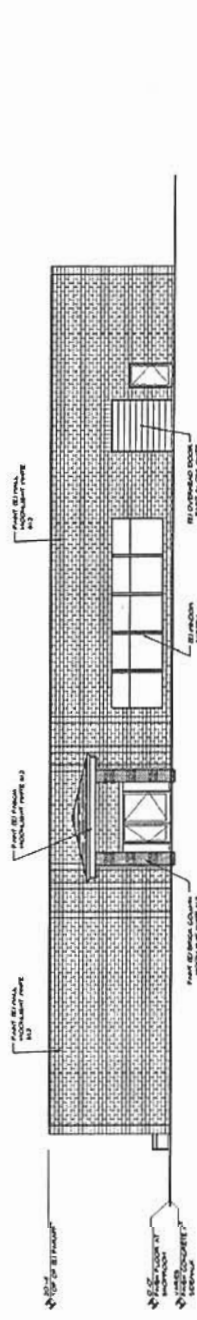


1 SOUTH EXTERIOR ELEVATION

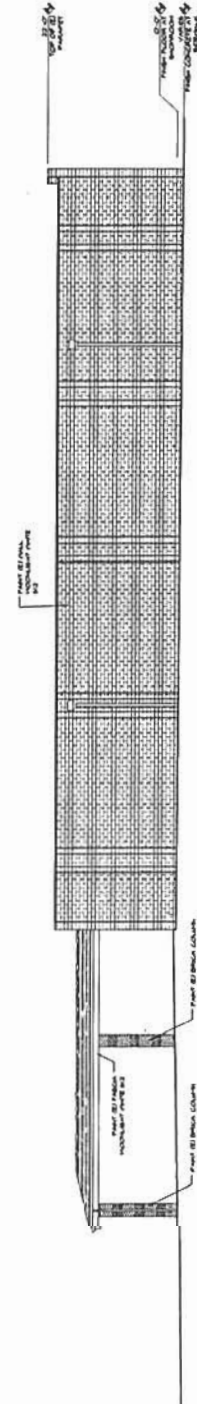
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2 EAST EXTERIOR ELEVATION



3 NORTH EXTERIOR ELEVATION



4 WEST EXTERIOR ELEVATION



BROADWAY TOYOTA - SCION  
EXTERIOR UPGRADES  
20 NE HANCOCK STREET  
PORTLAND, OREGON 97212

REVISIONS table with columns for revision number, description, and date.

PROJECT INFORMATION table with fields for project name, location, and date.

AS.1

2008-150177D2 Exhibit C.2