



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner  
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**Date:** October 10, 2011  
**To:** Interested Person  
**From:** Tim Heron, Land Use Services  
503-823-7726 / [Tim.Heron@portlandoregon.gov](mailto:Tim.Heron@portlandoregon.gov)

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

The Bureau of Development Services has **approved** a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

### **CASE FILE NUMBER: LU 11-170661 DZ – LENTS GATEWAY**

#### **GENERAL INFORMATION**

**Applicant:** City Of Portland  
1221 SW 4th Ave #140  
Portland, OR 97204

Steve Koch, Koch Landscape Architecture  
1621 NE 2nd Ave  
Portland, OR 97232

Sue Lewis, PDC  
222 NW 5th Avenue  
Portland, OR 97209

**Site Address:** West and east intersections of SE Foster Road and SE Woodstock Boulevard

**Legal Description:** BLOCK 2 LOT 5-7, MCKINLEY PK; BLOCK 3 LOT 1 EXC PT IN STS LOT 2 EXC PT IN ST, MT SCOTT PK

**Tax Account No.:** R551000450, R587500610, X

**State ID No.:** 1S2E16DD 09200, 1S2E16CA 11700

**Quarter Section:** 3639, 3640

**Neighborhood:** Lents, contact David Hyde at 503-772-1376.  
**Business District:** Foster Area, contact Nancy Chapin at 503-313-1665.  
**District Coalition:** East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.

**Plan District:** Johnson Creek Basin  
**Zoning:** EX, EG2, CGd

**Case Type:** DZ, Design Review  
**Procedure:** Type II, an administrative decision with appeal to the Design Commission.

**Proposal:**

The applicant request Design Review approval for non-standard improvements in the public right of way [ROW]. The Lents Entryways (Project) consist of two Portland Bureau of Transportation (PBOT)-owned right-of-way (ROW) traffic islands located at the divergence (west end) and confluence (east end) of the SE Foster Road couplet. The two parcels provide a gateway in and out of the Lents Town Center. The Project will utilize vegetation, hardscape, pathways (sidewalks) and monument signage to create a coherent gateway composition. The Entryways, located in the Lents Neighborhood Association, is funded by the Portland Development Commission through Tax Increment Financing from the Lents Town Center Urban Renewal Area. The Lents Neighborhood Association will maintain the project.

The monument signage concept [and subject of this review] consists of a vertical 8” thick concrete stile approximately 14’ tall measured from finish grade and filled with rigid foam. Cor-ten steel panels are offset from the face of the stile creating foreground on four sides. The cor-ten steel is intended to be cut with the district identifying “LENTS” lettering and back-lit illuminating the monument and LENTS district lettering.

Because the proposal is for non-City-standard improvements in the ROW, 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 criteria are:

- Community Design Guidelines

**ANALYSIS**

**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 that 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 and enhancement of areas of the City with special historic, architectural, or cultural value. New development and exterior modifications to existing development must meet the Community Design Standards (Chapter 33.218) or are subject to design review.

**Land Use History:** City records indicate there are no prior land use reviews for this site.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed September 9, 2011.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on September 9, 2011. One written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Mick Hillard, Neighboring business owner, wrote via email September 29, 2011 with concerns regarding the crosswalk location and existing on-street loading conflicts.

**Staff response:** While the crosswalk locations are standard improvements in the right-of-way and not subject this review, due to funding issues, crosswalks are not part of this project. The focus is on landscaping the triangle and installing the monument sign as a gateway into the Lents Town Center. Should future funding be found, a thorough traffic analysis to determine the best location for crosswalks will be necessary.

## 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 (d) overlay zoning; therefore, the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Community Design Guidelines.

#### Community Design Guidelines

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

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

#### **P1: Community Plan Area Character**

**Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and traditions.**

**Findings:** The Lents Entryways Project celebrates the unique characteristics of the outer southeast neighborhood. The Project evolves from previous community planning efforts begun over a decade ago by area residents and business owners. The following Plans reflect some of the key desires and/or policy goals for the area:

Outer Southeast Community Plan (1996)

- Improve the vitality of outer southeast business district and employment centers.
- Foster the revitalization of older business districts including Foster Road, 82<sup>nd</sup> Avenue, and the former downtowns of Lents and Montavilla.
- Improve the appearance and livability of outer southeast neighborhoods.
- Foster a sense of place and identity for the Outer Southeast Community Plan area by reinforcing existing character-giving elements and encouraging the emergence of new ones as envisioned in the Vision Plan.
- Establish a "town center" at Lents.
- Embrace urban design proposals as put forth in each Outer Southeast Community Neighborhood Plan.
- Stimulate gateway developments at location noted in the Vision Plan. Embellish these transition points with features such as sculptures and fountains, special right-of-way improvements, landscaping, and storefronts located adjacent to sidewalks.

## Outer Southeast Business Plan (1996)

- Enhance the image, marketability, and vitality of businesses and business areas in Outer Southeast.
- Promote design alternatives which improve street image through a variety of means, such as street trees, signs, utility locations and landscaping.

## Lents Neighborhood Plan (1996)

- Clearly indicate entry into the Lents neighborhood by signs and landmarks. Encourage PBOT to work with the neighborhood to do this.

## Lents Town Center Urban Renewal Plan (1998)

- Promote public and private development that creates a strong sense of identity for downtown Lents and individual neighborhoods
  - Create visual “gateways” at strategic entry points to the area

## Lents Town Center Business District Transportation Plan (1999)

- Create a more attractive environment for pedestrians and commercial development through streetscape design and planning;

## Foster Road Transportation &amp; Streetscape Plan (2003)

- Make the street a safe, pleasant, attractive and comfortable place to walk
  - Possible forms for these features could include gateway spans, single vertical elements as stand-alone features or combined with other elements, such as lighting or signs, or banners.

These desires cumulated in a public process to develop a concept to mark the entryways to create a gateway element that enhances the image and creates a strong identity. A nine-person Community Advisory Committee developed the concept for the Portland Development Commission (PDC) and PBOT. The stated goals of the project are as follows:

Primary Goal: Create a strong visual gateway that enhances the image of the town center

Functional Goals:

- Create positive perception of Lents Town Center
- Welcome visitors and passersby to the neighborhood
- Create a sense of place/destination
- Provide a safe pedestrian crossing
- Allow for future signalization
- Low maintenance

Aesthetic Goals:

- Improve existing conditions
- Provide visual interest
- Create east/west “bookends”
- Create a community icon

The character of the plans highlighted is reflected in these goals. The Project will be built with high-quality permanent building materials, district and significant landscape features and accentuated with the monument sign. *This guideline is therefore met.*

**P3: Gateways**

**Develop or strengthen the transitional role of gateways identified in adopted community and neighborhood plans.**

**Findings:** To develop or strengthen the transitional role of gateways identified in adopted community and neighborhood plans, the Lents Entryways project aim to create a clear

threshold announcing the arrival into and out of a unique neighborhood district. In fact, the sites have long been identified as gateways as outlined in the section above. Currently, the entryways have random vegetation and primarily serve as traffic islands. The Project will provide formal vegetation with hardscape that highlights the monument sign that will be backlit at night. The use of concrete and core-ten steel emphasizes the working class nature and resilience of the surrounding community. The simple lines and plain text further symbolizes a neighborhood with a solid foundation and confirms an identity that is unpretentious and unassuming. *This guideline is therefore met.*

### **E1 Pedestrian Networks**

**Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.**

**Findings:** On the west-end, the Entryway increases outer-southeast Portland’s pedestrian connectivity and improves pedestrian safety through a new pedestrian crossing with a lighted signal in conjunction with the City of Portland’s Capital Improvement Project (CIP) on Foster-Woodstock. The pedestrian crossing greatly improves the path to Lents’ commercial and retail area. Currently, the pedestrian crossing is located further south of the traffic island. It is not signaled and creates a distance barrier for residents. The new improved signalized pedestrian crossing will slow traffic when pedestrians are in the area and provide a much safer environment when crossing the street.

The east-end Entryway is out of the pedestrian zone of the Town Center and leads into the industrial area of Foster. At this time, the island will be landscaped with drought-tolerant vegetation and hardscape that enhances the monument sign marking the approach of Lents Town Center. As the pedestrian environment gradually moves east, this area will see sidewalks in the island and connecting pedestrian signal crossings in a Phase II. *This guideline is therefore met.*

### **D3: Landscape Features**

**Enhance site and building design through appropriate placement, scale, and variety of landscape features.**

**Findings:** Landscape features are a primary Entryway feature. At the recommendation of the Citizen Advisory Committee, plantings will consist of drought-tolerant evergreen shrubs and grasses representing earth tones that will be low in height at maturity to minimize maintenance. Selected shrubs will follow CPTED principles (Crime Prevention Through Environmental Design) to enhance pedestrian safety.

Primary materials for the site include “Cor-ten” steel for along the sidewalks as a retaining wall and to enhance the monument sign. “Cor-ten” was selected over painted steel for its durability and ability to naturally weather, limiting long-term maintenance. The material is also easily recycled when needed, avoiding the potential addition of painted steel to the permanent waste stream. Hardscape features will meet PBOT standards.

Since the road sections shed outward away from the Entryways, the sites are not suitable to stormwater management. Stormwater feature is incorporated in the Foster-Woodstock CIP. *This guideline is therefore met.*

### **D5: Crime Prevention**

**Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses and outdoor areas.**

**Findings:** All materials selected for the Project are extremely durable and vandal-proof. Steel and concrete are the primary building materials. Plant materials are low, so sight lines are open and safe. The steel and monument sign have an applied anti-graffiti coating. *This guideline is therefore met.*

**D7: Blending into the Neighborhood**

**Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.**

**Findings:** The Entryway reflects its surroundings. The weathered steel pays homage to the men and women who migrated to Portland to find work in the railroad and shipbuilding industries. The concrete monument represents a solid foundation that holds the community together. The Project is designed in a manner to deflect potential errant vehicles away from the monument sign. *This guideline is therefore met.*

**D8: Interest, Quality and Composition**

**All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.**

**Findings:** The Project is designed to be rich and long lasting. The vertical element is scaled appropriately to achieve the desired effect; at 12 feet in height, the Entryway monuments are designed to be visible from a distance but not block sightline or commercial/retail buildings. With a simple lettering and stoic design, the monument is meant to symbolize the steadfastness of the community and while not distracting drivers. The backlighting of the monument provides richness by creating varying day and night experiences. The symbolism adds meaning for the viewer; the weathered steel recalls generations of working class culture in Portland. All of the Project elements are designed and detailed to provide visual interest and to be a part of a permanent, cohesive composition whose appearance remains a constant vigil. *This 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.

## ADMINISTRATIVE DECISION

Approval of a new Lents Gateway monuments, including vegetation, stone/corten retaining wall and pedestrian walkway in the public Right of Way abutting the west and east intersections of SE Foster Road and SE Woodstock Boulevard in the Lents Neighborhood;

Approval per Exhibits C-1 through C-19, signed and dated October 6, 2011, 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.19. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 11-170661 DZ. No field changes allowed."

**Staff Planner: Tim Heron**

**Decision rendered by:**  **on October 6, 2011**

By authority of the Director of the Bureau of Development Services

**Decision mailed: October 10, 2011**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on August 24, 2011, and was determined to be complete on **September 6, 2011**.

*Zoning Code Section 33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on August 24, 2011.

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

**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 October 24, 2011** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional

information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandonline.com](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the 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 **October 25, 2011 – (the day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

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

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

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

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

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

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

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

- All conditions imposed herein;



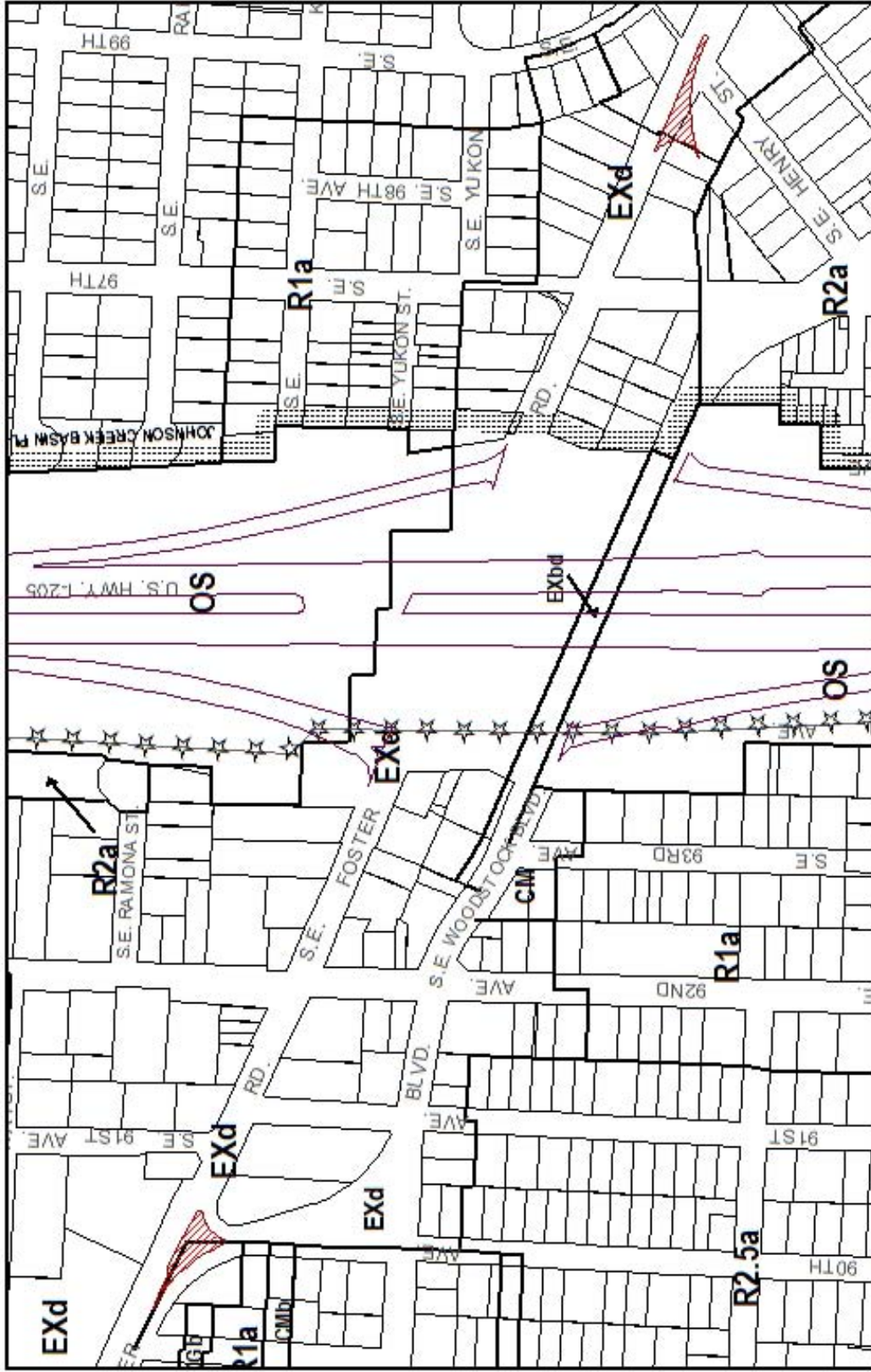
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Title Sheet
  - 2. West Entryway – general conditions
  - 3. Existing Conditions and build zones
  - 4. Draft preferred plans
  - 5. Draft preferred plans
  - 6. Draft preferred plans
  - 7. West Triangle Option 2 [attached]
  - 8. East Triangle Option 2 [attached]
  - 9. East Entryway – general conditions
  - 10. West and East Entryways – field sketches
  - 11. West Entryway – utility setbacks
  - 12. East Entryway – utility setbacks
  - 13. West Entryway – materials plan
  - 14. East Entryway – materials plan
  - 15. West and East Entryways – site section/elevations [attached]
  - 16. West and East Entryways – monument details
  - 17. West and East Entryways – flanking monument details
  - 18. West Entryway – electrical site plan
  - 19. East Entryway – electrical site plan
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence:
  - 1. Mick Hillard, Neighboring business owner, wrote via email September 29, 2011 with concerns regarding the crosswalk location and existing on-street loading conflicts.
- 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).**

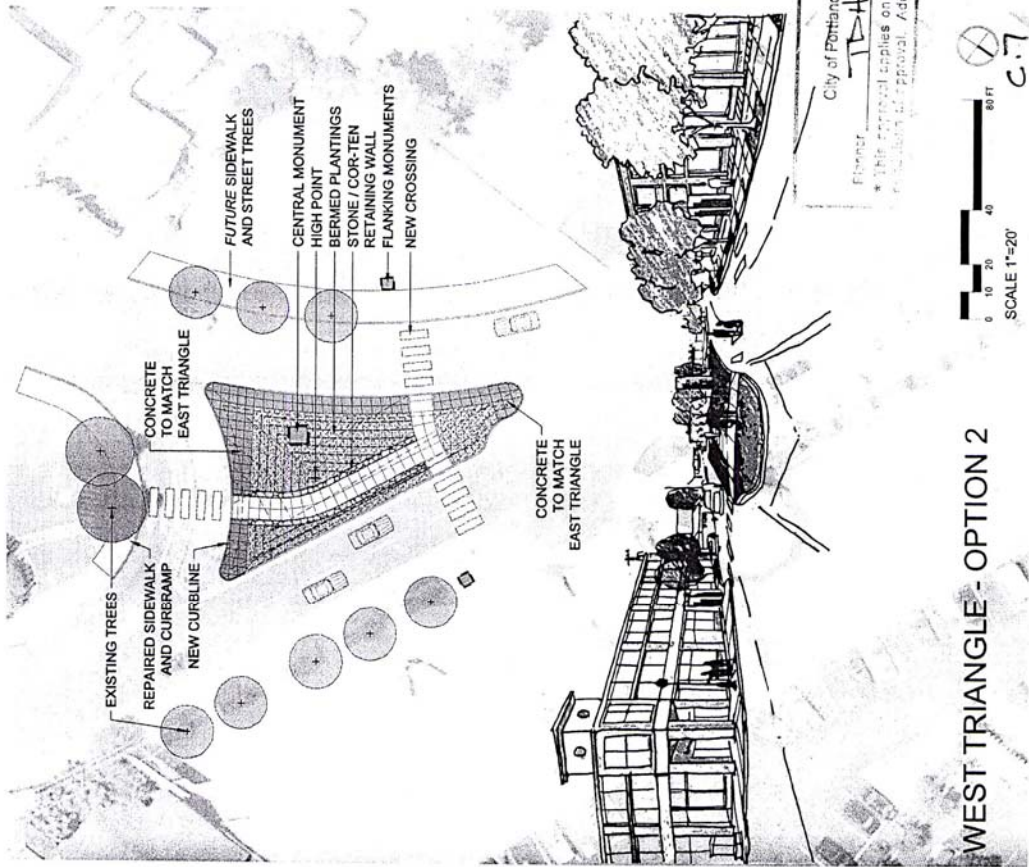


File No. LU 11-170661 DZ  
 1/4 Section 3639.3640  
 Scale 1 inch = 250 feet  
 State\_Id NONE  
 Exhibit B (Aug 29, 2011)

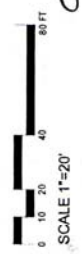


# ZONING

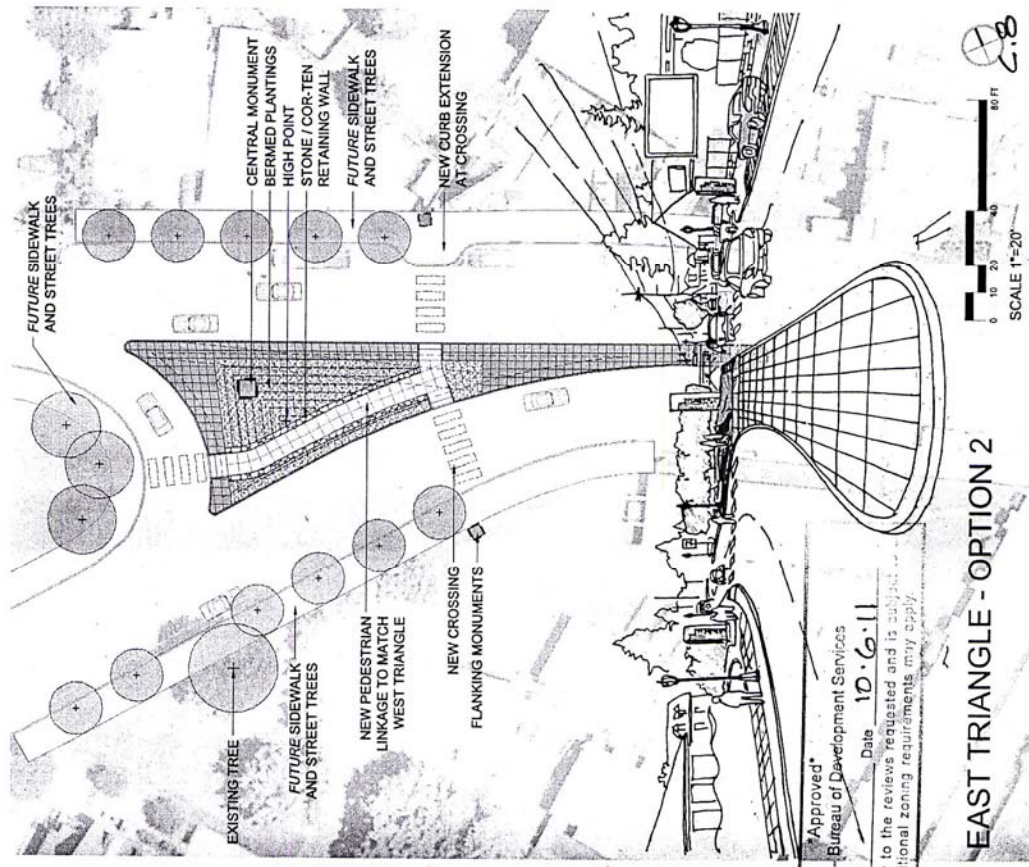




WEST TRIANGLE - OPTION 2



C.7



EAST TRIANGLE - OPTION 2



C.8

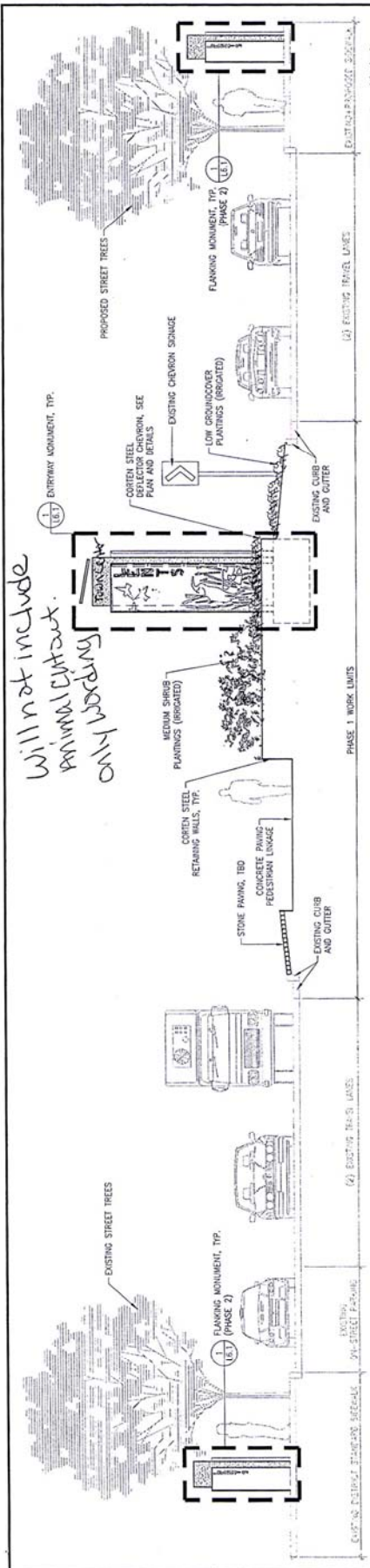
City of Portland - Bureau of Development Services  
 Approved\*  
 Date 10.6.11  
 \* This approval applies only to the reviews requested and is subject to change without approval. Additional zoning requirements may apply.

1111-170661D2 EXH. C.7.B

Gateway Triangles Schematic Alternatives  
 Lentis Town Center Streetscape Enhancement Project - CAC #3 - February 18, 2010



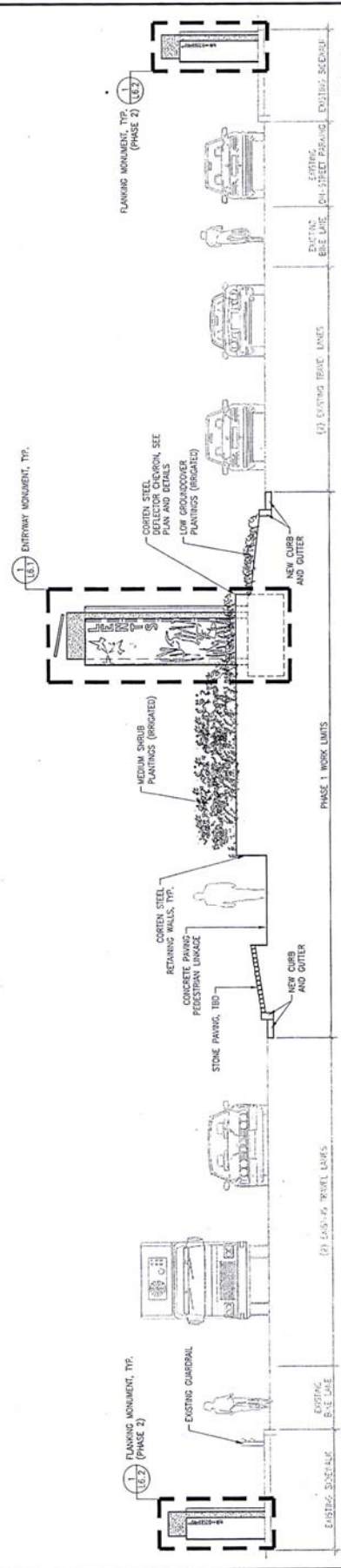




1 WEST ENTRYWAY SITE SECTION  
 SCALE: 3/16" = 1'-0"  
 SECTION / ELEVATION LOOKING EAST

VERTICAL SCALE: 1/2" = 1'-0"  
 HORIZONTAL SCALE: SKEWER / NTS

NOTE:  
 THIS SECTION IS FOR ILLUSTRATION OF CONCEPT ONLY



2 EAST ENTRYWAY SITE SECTION  
 SCALE: 3/16" = 1'-0"  
 SECTION / ELEVATION LOOKING WEST

VERTICAL SCALE: 1/2" = 1'-0"  
 HORIZONTAL SCALE: SKEWER / NTS

NOTE:  
 THIS SECTION IS FOR ILLUSTRATION OF CONCEPT ONLY

**NOT FOR CONSTRUCTION**

City of Portland - Bureau of Development Services  
 Planner: TBH Date: 10.6.11

LENTS TOWN CENTER ENTRYWAYS PROJECT  
 SAN PLANS - JUNE 16, 2011

**KLA**  
 Koon Landscape Architects  
 Portland, Oregon 97232

PORTLAND OFFICE OF TRANSPORTATION  
 SAM ADAMS MAYOR  
 STEVE TOWNSEN, P.E. CITY ENGINEER

APPROVALS:

DESIGNED BY	DATE REVISED
DRAWN BY	CHECKED BY
PROJECT COMPLETED	DATE
MAP CORRECTED BY	DATE
CHECKED BY	DATE

REVISIONS

FINAL MAP DATA

SHEET NO. **L3.3**