



Date: September 4, 2015
To: Interested Person
From: Benjamin Nielsen, Land Use Services
 503-823-7812 / Benjamin.Nielsen@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 mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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 15-194023 DZM AD – EXTERIOR ALTERATIONS & PARKING LOT RECONFIGURATION

GENERAL INFORMATION

Applicant/ Representative: Dan Petrescu | Hennebery Eddy Architects
 921 SW Washington St, Suite 250 / Portland, OR 97205

Owner’s Representative: Jeff Reingold | Income Property Management
 721 SW Oak St / Portland, OR 97205

Owner: Sally R Sondheim
 3403 Pleasant Beach Dr NE / Bainbridge Island, WA 98110

Site Address: 2215 NW QUIMBY ST

Legal Description: LOT 3-5 BLOCK 309, COUCHS ADD
Tax Account No.: R180234430
State ID No.: 1N1E28CD 04100
Quarter Section: 2927
Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: Nob Hill, contact Mike Conklin at 503-226-6126.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Northwest
Zoning: EXd – Central Employment with Design Overlay
Case Type: DZM AD – Design Review with Modifications & Adjustments
Procedure: Type II – an administrative decision with appeal to the Design Commission.

Proposal:
 The applicant requests a design review for proposed exterior alterations to an existing warehouse building in the Northwest Plan District. The exterior alterations include new storefronts at the south and east elevations, a new building exit on the east elevation, the reconfiguration and upgrading of the existing non-conforming parking lot to include stacked

parking and perimeter landscaping, and a potential future phase that includes a new rooftop mechanical screen.

The original proposal, which includes new pervious pavers at the southern portion of the parking lot, has since been revised to treat the pervious pavers as an optional parking lot alteration and allowing the existing asphalt surface to remain in this area.

The applicant further requests design review approval for two Modifications to the development standards and one Adjustment to the use regulations.

Modification requests [PZC 33.825.040]:

1. Section 33.266.140.A – Perimeter setbacks and landscaping. Allow a 3’ wide perimeter parking lot landscape, including separation curb and 4’ tall shrubs, between the parking lot and sidewalk along NW 22nd Avenue instead of the required 4’ wide perimeter landscape.
2. Section 33.266.140.C – Interior landscaping for surface parking areas. Allow a 2’ wide interior landscape strip with ground cover and additional tree in the parking lot perimeter landscaping to substitute for the required 4-foot square landscape area.

Adjustment request [PZC 33.805]:

1. 33.562.110.C.3 – Retail Sales and Service Uses in the EX Zone – Limitations. Allow the limit on Retail Sales & Service uses to be increased from the stated 3,000 net square feet for each use to 6,000 net square feet for each use.

Design review is required for non-exempt exterior alterations, modifications to the development standards, and adjustments to the use standards in the Northwest Plan District.

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
- 33.805 Adjustments
- Community Design Guidelines
- 33.825.040 Modifications That Will Better Meet Design Review Requirements

ANALYSIS

Site and Vicinity: The subject site is located at the northwest corner of the intersection of NW Quimby Street and NW 22nd Avenue [*both are Local Service Walkways, Local Service Bikeways, Minor Emergency Response Streets*] in the Northwest Plan District and Northwest Pedestrian District. The site is currently occupied by a large, U-shaped warehouse constructed of concrete walls and wood trusses. Each leg of the “U” is oriented in a north-south direction, and the space in between is occupied by two long loading area with two docks at the connection between both legs of the building. The building has two barrel roofs, one on each leg of the “U”. There are few existing windows, and all are located in the south and east facades. A parking lot stretches along the entire east face of the building and fills the rest of the site between the building and the sidewalk; there is no landscaping between the parking lot and the sidewalk.

Other existing warehouse and industrial-type buildings lie in the immediate vicinity, though the area is rapidly changing. The warehouse building immediately across NW 22nd from the subject site has recently been improved to house a new grocery store (New Seasons). Another warehouse to the southeast may soon undergo improvements to become creative office space, and new residential and mixed-use buildings are rising (and others are on the docket, soon to become a whole new neighborhood) in the nearby Conway Master Plan Area.

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 “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.

The Northwest Plan District implements the Northwest District Plan, providing for an urban level of mixed-use development including commercial, office, housing, and employment. Objectives of the plan district include strengthening the area’s role as a commercial and residential center. The regulations of this chapter: promote housing and mixed-use development; address the area’s parking scarcity while discouraging auto-oriented developments; enhance the pedestrian experience; encourage a mixed-use environment, with transit supportive levels of development and a concentration of commercial uses, along main streets and the streetcar alignment; and minimize conflicts between the mixed-uses of the plan district and the industrial uses of the adjacent Guild’s Lake Industrial Sanctuary.

Land Use History: City records indicate that prior land use reviews include the following:

- EA 15-163286: Early assistance appointment to discuss proposed improvements to the existing building.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **July 29, 2015**. The following Bureaus have responded with no issues or concerns:

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

The Bureau of Environmental Services responded with no objections and comments describing available sanitary service, as well as providing information about stormwater management. Please see Exhibit E-1 for additional details.

The Bureau of Transportation Engineering responded with comments restating requirements identified as part of the previous early assistance appointment and with building permit information. Please see Exhibit E-2 for additional details.

The Water Bureau responded with the comments about available water service. Please see Exhibit E-3 for additional details.

The Life Safety Section of BDS responded with general life safety comments. Please see Exhibit E-4 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on July 29, 2015. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Design Review

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 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. 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.

D6. Architectural Integrity. Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

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.

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 for D6, D7, & D8: The proposed alterations add several new, large storefront windows to both the east and south facades of the existing warehouse building. The new storefronts are scaled to be similar in size to the existing overhead doors already present on the building, and their headers will align. All are simply detailed with few, black anodized aluminum mullions arranged to emphasize the verticality of the structure over the horizontality of the building, helping to visually break down its large size. The mullions will be colored to match the existing overhead door and tenant entry on the western portion of the south facade. An additional horizontal mullion lies at the lower portion of each storefront bay and maintains a consistent datum around both facades. Similarly, sill heights for all new systems are set at the same height, reflecting the height of the floor within the eastern half of the structure. These large storefront systems blend well with other buildings in the immediate vicinity as well and reflect the industrial nature of the original buildings.

At the south façade, existing windows and a steel door will be removed and new large storefront windows inserted into the wall. Two of the proposed storefronts are recessed into the wall to create two new entries into the retail space beyond. The westernmost bay has two vertically-oriented storefront windows resting on a concrete curb and also includes a single black anodized storefront door which cuts into the new curb. The eastern storefront recess mirrors this design, but proposes a fully-glazed window portion

where a future door may be inserted. This glazing pane breaks the integrity of the patterning of the storefront windows on both the east and south facades by eliminating the strong sill datum of the concrete curb. The only other places where this datum is broken are at the existing western tenant entry and overhead door. As a condition of approval to maintain the integrity of the strong sill datum and the cohesiveness of the south elevation's composition, the proposed glazing identified as a "potential future tenant entry door" should be replaced with another black anodized aluminum and glass entry door which matches the one located in the adjacent recess on the south façade.

The side walls of each recess are identified as being fully glazed in the site/floor plan, though no elevations are given. Each will be designed in a similar manner as those on the street-facing south elevation, with black anodized aluminum mullions, sitting on a raised concrete curb which aligns with the horizontal datum established on adjacent windows and containing a horizontal mullion which also aligns with the adjacent street-facing window mullions. The soffits above will be covered in aluminum panels which are finished to match the storefront mullions and doors. Recessed LED can lights will be set into the soffit to providing lighting at the storefronts.

At the east façade, the existing wooden stair, wooden ramp, glazed entry door, and glazed overhead door will be removed. A new black anodized storefront system will be inserted in their place. Three additional new storefront bays will be cut into the east façade wall and designed in a similar style.

The proposed new egress door on the east façade, with black anodized aluminum frame and full-lite translucent glazing, matches the design of the proposed storefront windows and entry doors elsewhere on the building. The proposed wall-mounted LED fixture located above the transom here integrates well with the simple, industrial warehouse style of the building. The proposed rail will also be simple, though complementary, in its form, with the same black color used in the door on the custom rectangular bar posts and pipe handrails.

The proposed, optional future phase mechanical screen at the center portion of the warehouse sets potential new mechanical units well back from the sidewalk, making the screen itself unlikely to be seen from the sidewalk. Should it be visible, however, the proposed louvers which make up the screen will have a black anodized aluminum finish, which matches the color of the proposed storefront windows and integrates the screening with other elements on the building.

With the condition of approval that the glazing identified as "potential future tenant entry door" in the middle storefront window system on the south façade is instead installed with a black anodized aluminum and glass entry door which matches the one proposed in the adjacent storefront immediately to the west, these guidelines can be met.

E1. The Pedestrian Network. 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.

E3. The Sidewalk Level of Buildings. Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.

E5. Light, Wind, and Rain. Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

D2. Main Entrances. Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

Findings for E1, E3, E5, & D2: The proposed alterations will add two new, tall storefronts on the east side of the south façade of the existing warehouse. These storefronts will be recessed into the existing façade of the building and are proposed to provide one tenant entrance. A second tenant entry will be required as a condition of approval, as noted above. The recesses also help to provide some shelter to pedestrians at these entrances directly off of NW Quimby, and the recessed can lights in the soffits above will provide additional lighting at each entrance. The recesses also help to visually identify the main entrance into the proposed new retail storefront. A third storefront window system will be inserted at the east corner of the south façade. Altogether, the new storefronts also create a grander entry than currently exists on the warehouse building by using storefront windows that are approximately 13'-0" tall.

Four new large storefront windows will also be added to the east façade, which, though not directly on the sidewalk, will nonetheless help to increase visual interest along the NW 22nd Avenue elevation. Pedestrian circulation on the site will still be provided primarily through the public sidewalks on both street frontages; however, a new egress sidewalk—not a primary path—at the northeast corner of the site will allow for back-of-house/employee use. This path will be separated from the parking lot by a narrow strip of landscaping.

Therefore, these guidelines are met.

E4. Corners that Build Active Intersections. Create intersections that are active, unified, and have a clear identity through careful scaling detail and location of buildings, outdoor areas, and entrances.

D1. Outdoor Areas. When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians.

D3. Landscape Features. Enhance site and building design through appropriate placement, scale, and variety of landscape features.

D4. Parking Areas and Garages. Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

Findings for E4, D1, D3, & D4: The proposed parking lot reconfiguration will add new perimeter landscaping along NW Quimby and NW 22nd Avenue: the existing parking lot will remain in place, and landscaped areas will be cut out. A 4'-9" deep section of perimeter landscaping will be located between the parking lot and NW Quimby Street, with an additional 2'-0" of groundcover landscaping provided for a bumper overhang at the two parking spaces behind the landscaping. Along NW 22nd Avenue, the perimeter landscaping will be reduced to 3'-0" (rather than the required 4'-0"). The perimeter landscaping will be to the L2 standard, at a minimum, with 4'-0" tall shrubs rather than 3'-0" tall shrubs, and in total, a minimum of 7 new trees will be planted in the new landscaped areas, including 5 new trees near the corner of NW Quimby & 22nd. These trees will help provide screening the existing parking area from the sidewalk on both street frontages. This will help improve the quality of the public realm at the corner, and along the sidewalks, softening the area's former hard industrial character. This will also help the parking lot relate to the new parking and loading area at the grocery store across NW 22nd Ave, which had previously been arranged in a similar configuration to the existing lot on the subject site.

The original proposal had proposed replacing a portion of the existing asphalt surface at the southern end of the parking lot with pervious pavers. This, now optional replacement, further helps to create a more pleasant outdoor area (when no cars are parked) and helps

to further integrate the parking with the more pedestrian-friendly alterations proposed to this building and which have already occurred at the grocery store to the immediate east of the site.

Therefore, these guidelines are 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: The existing building has relatively small—and few—windows that restrict the ability to deter crime through “eyes on the street.” There is only one existing window that allows views and monitoring of the parking lot, currently. The proposed new, large window openings along the east façade and at the proposed large storefronts on eastern side of the south façade will allow many more opportunities to monitor the parking lot and the sidewalk adjacent to the building. The new storefront entry off NW Quimby also allows for direct pedestrian access off the street rather than needing to walk through the parking lot to enter the east tenant space on the building, as is currently required.

New exterior lighting is proposed above both the egress door on the east façade and in the new soffits at the recessed storefronts on the south façade. Both will help light the way for pedestrians at night, and the recessed can lights in the storefront soffits will spill some light onto the sidewalk, providing additional visibility.

Therefore, this guideline is met.

Modifications

33.825.040 Modifications That Will Better Meet Design Review Requirements:

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. **Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and
- B. **Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

Modification #1: Section 33.266.140.A – Perimeter setbacks and landscaping – to reduce the required perimeter setbacks and landscaping from 4'-0" to 3'-0" along NW 22nd Avenue; and

Modification #2: Section 33.266.140.C – to allow a 2' wide interior landscape strip, planted with ground cover, and additional tree in the parking lot perimeter landscaping to substitute for the required 4-foot square landscape area with tree.

Purpose Statement: (The purpose statement is located in 33.266.130.) The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones. Together with the transit street building setback standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian Districts:

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

- The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles. The setback and landscaping standards:
- Improve and soften the appearance of parking areas;
- Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;
- Provide flexibility to reduce the visual impacts of small residential parking lots;
- Direct traffic in parking areas;
- Shade and cool parking areas;
- Reduce the amount and rate of stormwater runoff from vehicle areas;
- Reduce pollution and temperature of stormwater runoff from vehicle areas; and
- Decrease airborne and waterborne pollution.

Standards: 33.266.140.A. Perimeter setbacks and landscaping. Parking areas must be set back from streets at least 4 feet and landscaped to at least the L2 level.

33.266.140.C. Interior landscaping for surface parking areas. The minimum interior landscaping requirement for surface parking areas is one tree per 5,000 square feet of parking area. If surrounded by cement, the tree planting area must have a minimum dimension of 4 ft. If surrounded by asphalt, the tree planting area must have a minimum dimension of 3 ft. Trees must be protected from potential damage by vehicles through the use of bollards, curbs, wheel stops, or other physical barriers.

A. Better meets design guidelines. *The resulting development will better meet the applicable design guidelines; and*

Findings: The modification to reduce the width of required perimeter landscaping will be mitigated by the inclusion of taller (4'-0" rather than the 3'-0") screening, in the form of evergreen shrubs. This will, on the whole, help to improve the quality of the pedestrian network and improve the sidewalk edge compared to the required landscaping.

The modification to substitute the required 4' square interior parking lot landscaping will be better met by placing additional landscaping, and an additional tree, at the sidewalk edge rather than in the middle of the parking lot, as the standard intends. This is a more-appropriate landscape design for this type of situation. This modification will also better help to improve the pedestrian network, the pedestrian comfort of the sidewalk edge, and will help to minimize negative impacts on passing pedestrians. As such, *Guidelines E1 – The Pedestrian Network, D3 – Landscape Features, and D4 – Parking Areas and Garages* are better met.

B. Purpose of the standard. *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Findings: The purpose of the development standards for stacked parking are intended to improve pedestrian comfort, protect pedestrians from auto traffic, provide for effective stormwater and pollution management, shade and cool parking areas, and improve the overall appearance of parking areas. The requested modifications retain these desired characteristics while adapting the standards for a long, narrow, and rather small stacked parking lot in an urban, heretofore industrial, portion of the Northwest Plan District.

Therefore these Modifications merit approval.

Adjustments

33.805.010 Purpose

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply citywide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review

process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

The following adjustment is requested:

- 33.562.110.C.3 Retail Sales and Service Uses in the EX Zone. On sites shown on Map 562-2, Retail Sales And Service uses are allowed up to 3,000 square feet of net building area for each use. The applicant proposes to allow up to 6,000 square feet of net building area for each retail use.

33.805.040 Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A through F have been met:

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

Findings: The purpose statement for 33.562.110 is: “These regulations limit the size of Retail Sales And Service uses to promote neighborhood-serving commercial development, help reduce traffic congestion associated with large-scale retailers, and to concentrate such uses along main streets and the streetcar alignment.”

Based on the legislative background information noted in the Northwest District Plan for this code provision, the idea behind limiting retail sales and service uses on a portion of this site stems from the intent to “reinforce area main streets and the streetcar corridor as the focus for retail and service uses in the area” and to “prevent large-scale retail/service uses that overburden the district’s transportation system and that are out of scale with the neighborhood.” The background goes on to say that areas further than 200 feet from the main streets (such as NW 21st and NW 19th) should be limited to 3,000 square feet for retail while areas along these two corridors may have retail spaces up to 20,000 square feet in area. Staff has inferred that the intent is to concentrate larger retailers along the transportation corridors, with smaller retailers located interior to the neighborhood. Staff notes that this is a transition area, at the edge of the Conway Master Plan, and new developments, particularly larger retail spaces, run the risk of sitting vacant for a period of time. That said, this adjustment has been allowed on other sites within the immediate vicinity, and which allowed for even larger retail spaces than those proposed here. In addition, these larger retail spaces will provide a transition from the very large New Seasons grocery store just to the east of the subject property, and a design provision has been included in the proposal to allow for future subdivision of the eastern-most retail space with the patterning of the proposed new storefronts, providing two separate storefront entries on the south facade. The amount of parking provided on site is being reduced (and was already severely limited) and new short- and long-term bicycle parking spaces are being added which will help alleviate some traffic congestion concerns.

For these stated reasons, the approval criterion is met.

- B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS C, E, or I zone, the proposal will be consistent with the desired character of the area.

Findings: The project is in an Employment zone and is within the Transition Area of the Northwest Plan District. The desired characteristics of the Transition Area primarily speak to the desired character along NW 21st Avenue and the streetcar alignments, which is to develop main streets that divide spaces into suitable sizes for small tenants. The applicant is requesting an Adjustment to increase the allowable retail area to 6,000 square feet in

order to have flexibility with the design and with future tenants. It is possible still to subdivide these spaces and allow for smaller tenants, and the design of the building makes it awkward to attempt to connect the two spaces together to form one larger space. The proposed size of the retail uses at up to 6,000 square feet, which includes back-of-house area, is consistent with the character of the neighborhood.

For these stated reasons, the approval criterion is met.

- C. If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone.

Findings: Only one Adjustment is requested.

Therefore, this criterion does not apply.

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

Findings: No city-designated scenic or historic resources will be affected by this proposal.

Therefore, this criterion does not apply.

- E. Any impacts resulting from the adjustment are mitigated to the extent practical; and

Findings: Neither staff, nor the applicant, or any public respondents have identified any impacts resulting from the requested Adjustment.

For these stated reasons, the approval criterion is met.

- F. If in an environmental zone, the proposal has a few significant detrimental environmental impacts on the resource and resource values as is practicable;

Findings: The proposal is not located within an environmental zone.

Therefore, this criterion does not apply.

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 in the Northwest Plan District for exterior alterations to an existing warehouse maintains the overall warehouse industrial character of the building while adding well-integrated new storefront window and entry systems which help to increase visibility into and out of the building, provide some additional pedestrian protection through recesses in the south façade, and providing integrated screening for potential future mechanical units. The proposed parking lot alterations, and their associated Modifications, will help to soften the appearance of the existing parking lot while providing new opportunities for shading, landscaping, and stormwater management. The proposed Adjustment to the retail size limitation, as well, will still maintain the desired character of the district while allowing some greater flexibility in retail sizing.

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 proposal

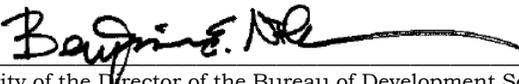
meets the applicable design guidelines, modification criteria, and adjustment criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of exterior and parking lot alterations, two Modifications, and one Adjustment in the Northwest Plan District, including:

- Two new recessed storefronts on the south facade with black anodized aluminum mullions, fully-glazed side walls, aluminum panel soffit to match the storefronts, recessed can lights, and one full-lite glazed entry door in each;
 - One additional black anodized aluminum storefront window on the south façade;
 - Four new black anodized aluminum storefront window bays on the east façade;
 - One new black anodized aluminum egress door with full-lites and transom and wall-mounted LED above;
 - A new egress pathway, steps, stoop, and rail from the north egress door to the sidewalk along NW 22nd Ave;
 - Three new short-term bike parking spaces located at the sidewalk edge of the central loading area with bollard protection;
 - Two new long-term bike parking spaces, one each located inside each retail space;
 - An optional future black anodized aluminum, metal louver screen on the central portion of the roof over the loading docks;
 - Optional installation of new pervious pavers in the southern portion of the existing parking lot, or the retention of the existing pavement;
 - Installation of new perimeter landscaping with 4' tall evergreen shrubs to meet the Modification criteria for perimeter landscaping;
 - Installation of additional interior landscaping and one additional tree, as indicated on the site plan, to meet the Modification criteria for interior parking lot landscaping;
 - The Adjustment of the required maximum retail sales and service use size from the required 3,000 square feet for each use to 6,000 square feet for each use; and,
 - Per the approved site plans, Exhibits C-1 through C-19, signed and dated 08/31/2015, subject to the following conditions:
- A. As part of the building permit application submittal, the following development-related condition (B) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 15-194023 DZM AD." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The glazed area identified as "potential future tenant entry door" in the middle storefront window system on the south façade shall be instead installed with a black anodized aluminum and glass entry door which matches the one proposed in the adjacent storefront immediately to the west.

Staff Planner: Benjamin Nielsen

Decision rendered by:  on August 31, 2015.
By authority of the Director of the Bureau of Development Services

Decision mailed: September 4, 2015

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 June 30, 2015, and was determined to be complete on **July 23, 2015**.

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 June 30, 2015.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: November 20, 2015.**

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 September 18, 2015** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th 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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 **September 21, 2015**.
- 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.

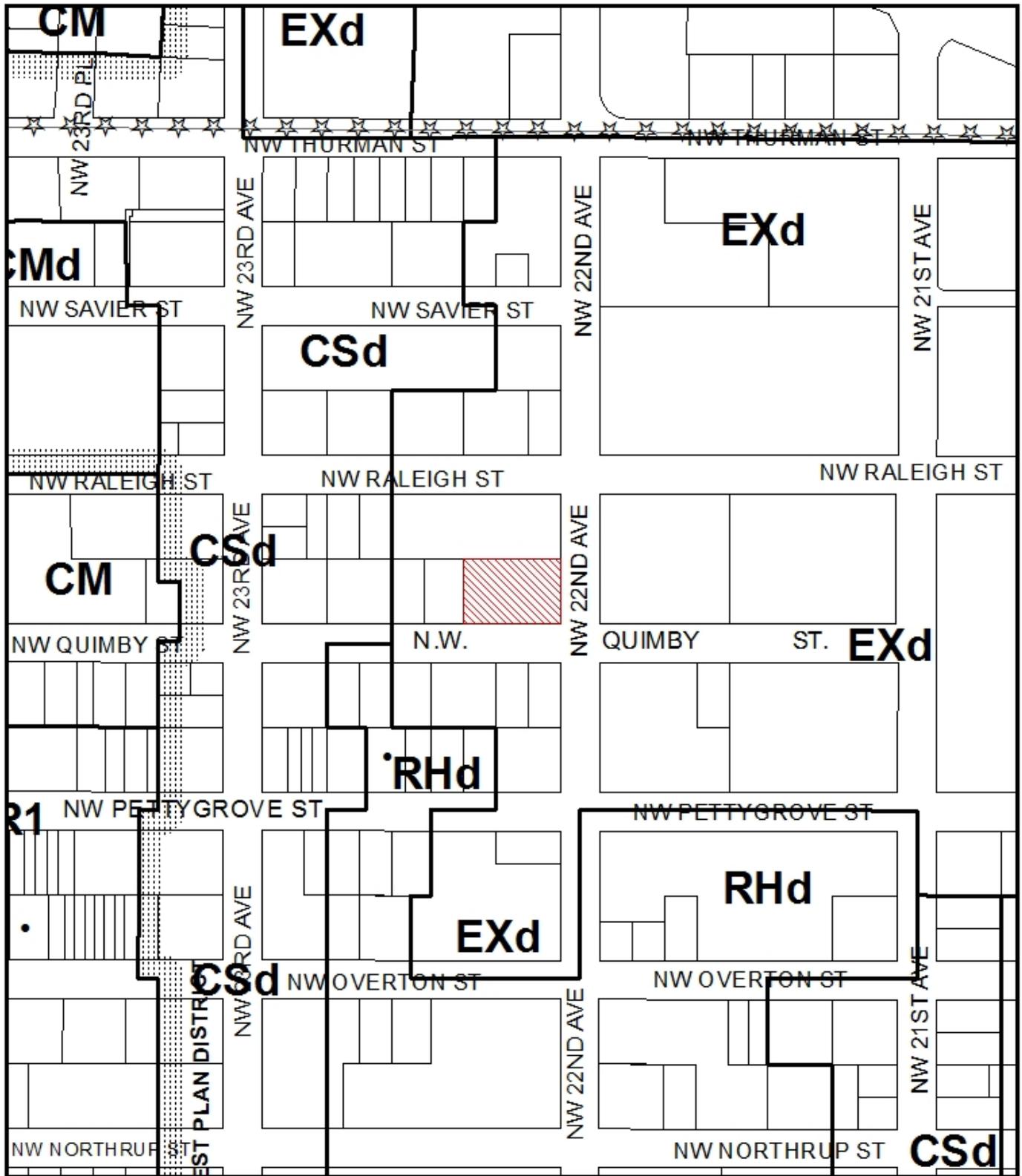
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant’s Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Cover Sheet
 - 2. Land Survey
 - 3. Existing Site Plan
 - 4. Existing Exterior Elevations
 - 5. Existing Conditions Photos
 - 6. Existing Conditions – Context Photos
 - 7. Floor Plan & Parking Layout (attached)

8. Landscape & Roof Plan
 9. Plant List
 10. Exterior Elevations (attached)
 11. Enlarged Exterior Elevations (attached)
 12. Building Sections
 13. Proposed Exterior Details
 14. Mechanical Roof Screen
 15. LED Recessed Can Light Cutsheet (H750ICAT)
 16. Aluminum Storefront System Cutsheet (CRL US Aluminum)
 17. Architectural Wall Sconce Cutsheet (WST LED)
 18. Pervious Pavers Cutsheet (Eco-Prioria)
 19. Bike Rack Cutsheet (Urban Racks)
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses:
1. Bureau of Environmental Services
 2. Bureau of Transportation Engineering and Development Review
 3. Water Bureau
 4. Life Safety Section of BDS
- F. Correspondence: No correspondence was received.
- G. Other:
1. Original LU Application
 2. Incomplete Application Letter
 3. Response Letter to Incomplete Application Letter

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).



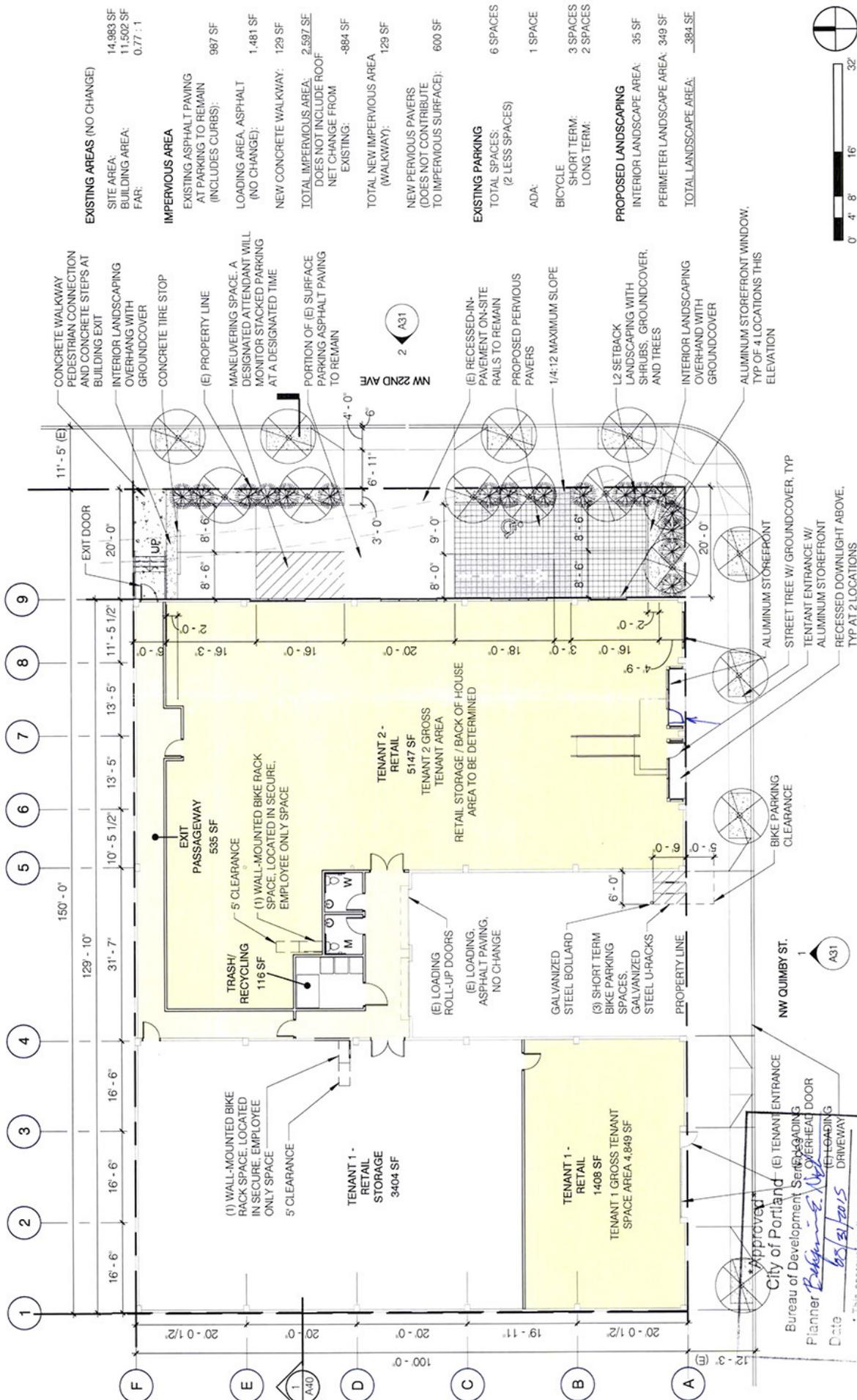
ZONING

-  Site
-  Recreational Trails
-  Historical Landmarks



This site lies with the:
NORTHWEST PLAN DISTRICT

File No. LU 15-194023 DZM AD
 1/4 Section 2927
 Scale 1 inch = 200 feet
 State_Id 1N1E28CD 4100
 Exhibit B (Jul 01, 2015)



EXISTING AREAS (NO CHANGE)

SITE AREA: 14,983 SF
 BUILDING AREA: 11,502 SF
 FAR: 0.77 : 1

IMPERVIOUS AREA

EXISTING ASPHALT PAVING AT PARKING TO REMAIN (INCLUDES CURBS): 987 SF
 LOADING AREA, ASPHALT (NO CHANGE): 1,481 SF
 NEW CONCRETE WALKWAY: 129 SF

TOTAL IMPERVIOUS AREA DOES NOT INCLUDE ROOF NET CHANGING FROM EXISTING: -884 SF

TOTAL NEW IMPERVIOUS AREA (WALKWAY): 129 SF

NEW PERVIOUS PAVERS (DOES NOT CONTRIBUTE TO IMPERVIOUS SURFACE): 600 SF

EXISTING PARKING

TOTAL SPACES: 6 SPACES
 (2 LESS SPACES)

ADA: 1 SPACE

BICYCLE SHORT TERM: 3 SPACES
 LONG TERM: 2 SPACES

PROPOSED LANDSCAPING

INTERIOR LANDSCAPE AREA: 35 SF
 PERIMETER LANDSCAPE AREA: 349 SF
 TOTAL LANDSCAPE AREA: 384 SF

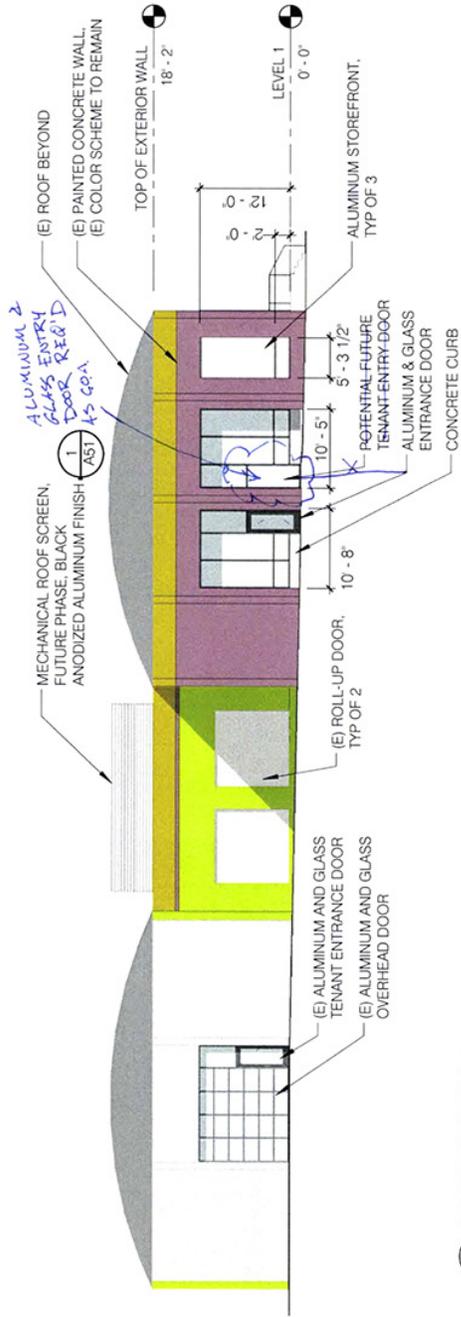


Approved by:
 City of Portland (E) TENANT ENTRANCE
 Bureau of Development Services
 Planner *Belinda E. [Signature]*
 Date *04/30/15*
 (E) TENANT ENTRANCE OVERHEAD DOOR (LOADING DRIVEWAY)

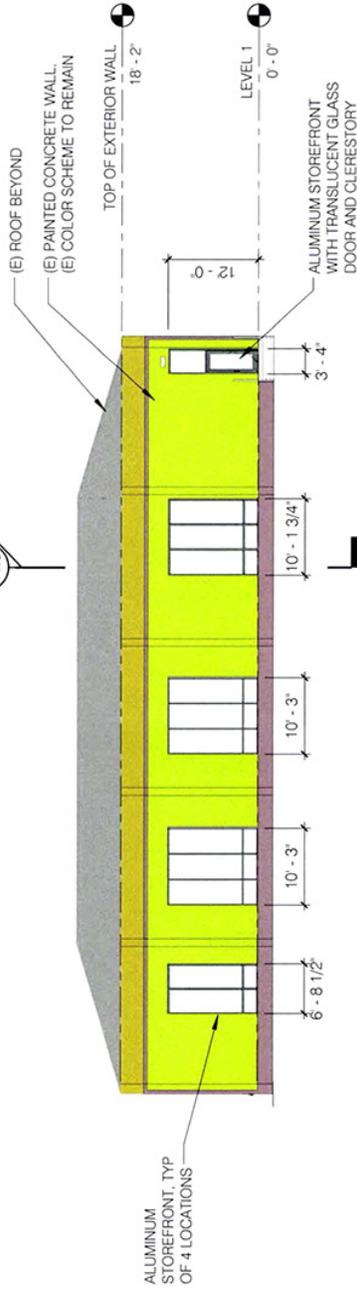
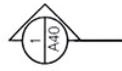
* This approval applies only to the review requested and is subject to all conditions of approval. All other zoning requirements may apply.

LU 15-194028 D2M, AD

EXHIBIT C-7



1 NORTH ELEVATION
1/16" = 1'-0"

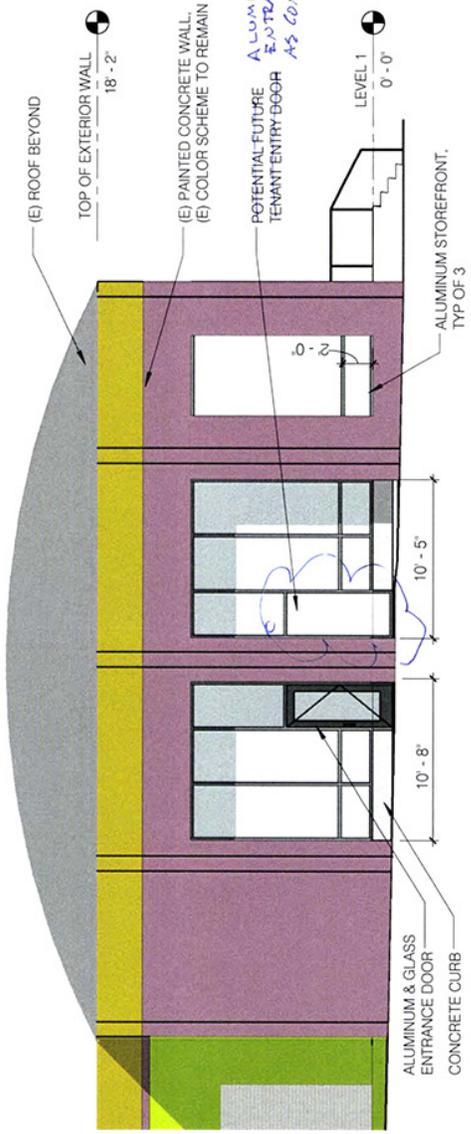


2 EAST ELEVATION
1/16" = 1'-0"

GENERAL NOTES:
EXTERIOR STOREFRONT TO BE BLACK ANODIZED FINISH.

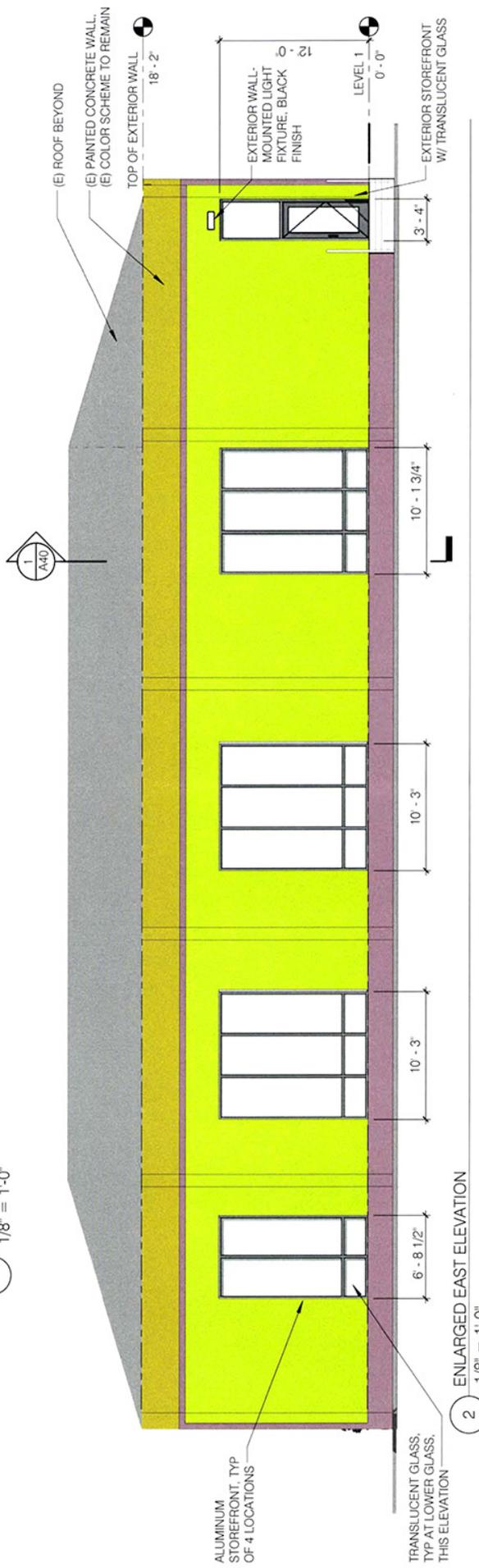
Approved
City of Portland
Bureau of Development Services
Banner *[Signature]*
08/31/2015
This approval applies only to the conditions of approval. Additional zoning requirements may apply.

Approved
 Bureau of Development Services
 City of Portland
 Planner: *[Signature]*
 Date: 02/21/2015
 This approval applies only to the conditions of approval requested and is subject to all additional zoning requirements that may apply.



1 ENLARGED NORTH ELEVATION
 1/8" = 1'-0"

GENERAL NOTES:
 1. EXTERIOR STOREFRONT TO BE BLACK ANODIZED FINISH.



2 ENLARGED EAST ELEVATION
 1/8" = 1'-0"