



City of Portland, Oregon
Bureau of Development Services
Land Use Services
 FROM CONCEPT TO CONSTRUCTION

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 Rebecca Esau, Director
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Date: July 31, 2018
To: Interested Person
From: Hannah Bryant, Land Use Services
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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 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 18-163880 DZ – TENANT IMPROVEMENT IN GATEWAY

GENERAL INFORMATION

Applicant: Patrick Hannah | Rowell Brokaw Architects
 1203 Willamette Street #210 | Eugene, OR 97401
 541-650-0517

Tenant: Rex Fox & Stephanie Matthews
 Northwest Community Credit Union
 541-744-9761

Owner: M&T Partners Inc
 15350 SW Sequoia Pkwy. #300 | Tigard, OR 97224

Site Address: **1307 NE 102nd Avenue**

Legal Description: LOT 3 EXC PT IN ST, PARTITION PLAT 1995-11
Tax Account No.: R649750440
State ID No.: 1N2E33AA 00104
Quarter Section: 2940

Neighborhood: Hazelwood, contact Arlene Kimura at 503-252-9429.
Business District: Gateway Area Business Association, contact Paul Wild at paul.wild@mhcc.edu

District Coalition: East Portland Neighborhood Office, contact Victor Salinas at 503-823-6694.

Plan District: Gateway
Other Designations: None
Zoning: **CXd** – Central Commercial 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 for storefront updates and rooftop mechanical unit on an existing multi-tenant retail building in the Gateway Plan District. The scope of the proposal includes:

- New entry door;
- New exterior night drop set within clear glazing in existing storefront; and
- New rooftop mechanical unit, screened by parapet and located 49' from the roof edge.

Design Review is required for non-exempt exterior alterations in the Design Overlay zone.

RELEVANT APPROVAL CRITERIA:

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

- *Gateway Regional Center Design Guidelines*

ANALYSIS

Site and Vicinity: The 117,168-square foot site is in the Gateway Plan District and the Hazelwood Neighborhood. The property fronts NE 102nd Avenue on the east, with driveways that extend to NE Halsey Street to the north and to a private drive to the west. The existing auto-oriented building is a single story, multi-tenant retail building that fronts extensive surface parking areas. It is located in the Gateway Pedestrian District. Surrounding development is similar large, single-story retail buildings surrounded by surface parking. The tenant location for this proposal was recently a physical therapy office, and is being renovated to support a credit union.

The Hazelwood Neighborhood is among the largest neighborhoods in Portland, and the third most populated. It includes most of the Gateway Urban Renewal Area, the Mall 205 Shopping Center and the Gateway Transit Center. While traditionally auto-oriented, the Mall 205 area is beginning to experience redevelopment, with recent proposals including housing and office space.

NE 102nd Avenue is Major Emergency Response Street, a Major Truck Street, a Local Service Walkway, a Neighborhood Main Street, a Major Transit Priority Street, a Major City Bikeway, and has a Greenscape Overlay. NE Halsey Street is a Major Emergency Response Street, a Major Truck Street, a Local Service Walkway, a Neighborhood Main Street, a Transit Access Street, a City Bikeway, and has a Greenscape Overlay.

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. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

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 Gateway Plan District regulations encourage the development of an urban level of housing, employment, open space, public facilities, and pedestrian amenities that will strengthen the role of Gateway as a regional center. The regulations also ensure that future development will

provide for greater connectivity of streets throughout the plan district. This development will implement the Gateway Regional Policy of the Outer Southeast Community Plan. Together, the use and development regulations of the Gateway plan district: promote compatibility between private and public investments through building design and site layout standards; promote new development and expansions of existing development that create attractive and convenient facilities for pedestrians and transit patrons to visit, live, work, and shop; ensure that new development moves the large sites in the plan district closer to the open space and connectivity goals of the Gateway Regional Center; create a clear distinction and attractive transitions between properties within the regional center and the more suburban neighborhood outside; and provide opportunities for more intense mixed-use development around the light rail stations.

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

- LU 07-137465 – Withdrawn application for a Design Review for a sign;
- LU 02-107626 DZ – Design Review approval for three internally illuminated wall signs.
- LU 99-017309 – Design Review approval for three new signs, replacement of an existing service door with an entrance door, and rewrapping an existing awning frame.
- LU 94-011664 – Three lot partition
- LU 92 – 009960 – Two lot partition

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **June 28, 2018**. The following Bureaus have responded with no issues or concerns:

- Site Development
- Fire Bureau (exhibit E.1)
- Life Safety (exhibit E.2)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on June 28, 2018. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

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

Section 33.825.055 Design Review Approval Criteria

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

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site’s location, the applicable design guidelines are the Gateway Regional Center Design Guidelines.

Gateway Regional Center Design Guidelines

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

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and

compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

Gateway Regional Center Design Goals

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

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

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

A Pedestrian Emphasis

A1. Strengthen Relationships Between Buildings and the Street. Integrate building setback areas with adjacent streets.

A2. Enhance Visual and Physical Connections. Enhance visual and physical connections between buildings and adjacent sidewalks. Orient semi-public building spaces to the sidewalk and street.

A3. Integrate Building Mechanical Equipment and Service Areas. Incorporate building mechanical equipment and/or service areas in a manner that does not detract from the pedestrian environment.

Findings for A1, A2 and A3: The proposal to add a night deposit box, accessible from the exterior, to the storefront, is very well designed. The new night drop will provide a pedestrian amenity, accessible from the sidewalk and visible from the street, in a manner that does not detract from the pedestrian environment. The design minimizes the reduction in clear storefront glazing to only the minimum amount required for the night drop box, and maintains the visual connections between the building and the adjacent sidewalks and street. *Therefore, these guidelines are met.*

B Development Design

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

B2. Integrate Ground-Level Building Elements. Integrate the different ground-level building elements with the building's architecture.

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

Findings for B1, B2 and B3: The proposal to replace an existing double entry door with a single door, to match the existing in all dimensions, material and color, is consistent with similar tenant entrances elsewhere on the building.

The existing vertical and horizontal storefront divisions are maintained with the new proposal, and the new entry door and the night drop are both integrated within the existing storefront bay dimensions. To ensure minimal reduction in clear glazing, a new horizontal storefront mullion is introduced directly above the night drop to provide for additional clear glazing above and beside the equipment. All new storefront elements will match the distinctive red color and profile of all the storefronts around the building. The proposal ensures coherency with all facades of the building, while integrating new ground-level building elements in a manner that conveys design quality.

Therefore, these guidelines are met.

B5. Integrate Roofs, Rooftop Lighting, and Signs. Integrate rooftop components, functions and related screening elements with the building's architecture. Integrate exterior lighting, signs and any related structural equipment at or near the roof with the building's architecture. Orient lighting to highlight the building's architecture.

Findings: The proposal includes the introduction of one new rooftop mechanical unit. The unit is 21" high, and is located 49 feet back from the closest roof edge, behind an existing roof gable and parapets. It will not be visible from the public realm, or from any existing proximate buildings.

Therefore, this guideline is met.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all requirements of Title 11 can be met, and 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 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 and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of revisions to storefront to provide for a new night drop box, the replacement of a double entry door with a single-entry door, and the addition of a new rooftop mechanical unit per the approved site plans, Exhibits C-1 through C-6, signed and dated July 27, 2018, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) 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 18-163880 DZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

Staff Planner: Hannah Bryant

Decision rendered by:  **on July 27, 2018**
By authority of the Director of the Bureau of Development Services

Decision mailed: July 31, 2018

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 May 2, 2018, and was determined to be complete on June 22, 2018.

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 May 2, 2018.

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: October 20, 2018.**

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 August 14, 2018** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **August 15, 2018** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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.

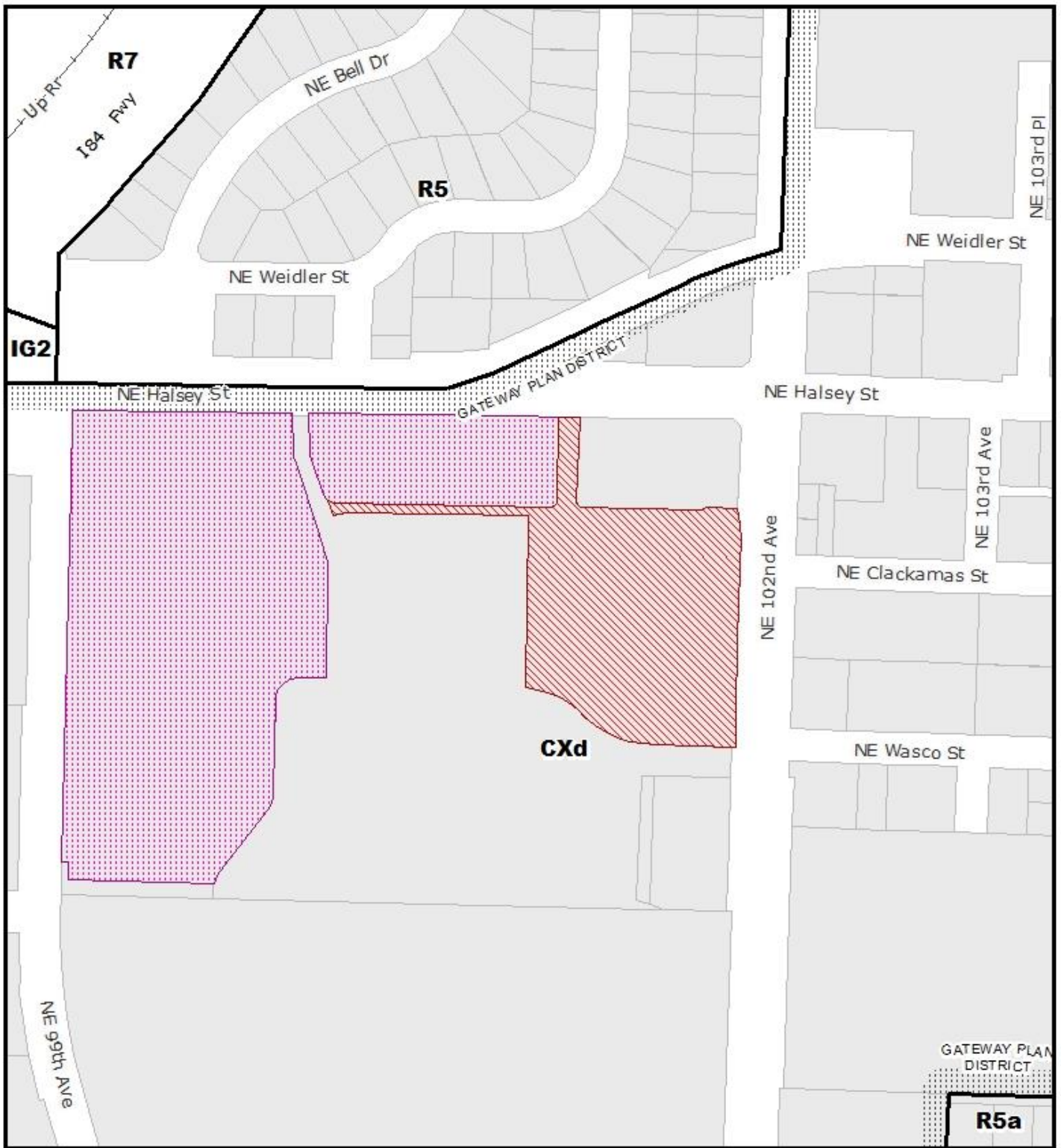
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
 1. Original Submittal, dated May 2, 2018
 2. Original Narrative, dated May 2, 2018
 2. Draft Proposal, dated May 23, 2018
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)

2. Existing Elevations
 3. Roof Plan
 4. Roof Section
 5. Proposed Storefront Elevation
 6. Cutsheets: Storefront, Entry Door, Night Drop Unit, Rooftop Mechanical Unit
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses:
1. Fire Bureau
 2. Life Safety Section of BDS
- F. Correspondence: None
- G. Other:
1. Original LU Application
 2. Incomplete Letter, dated May 16, 2018

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



THIS SITE LIES WITHIN THE:
GATEWAY PLAN DISTRICT



Site

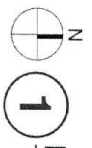
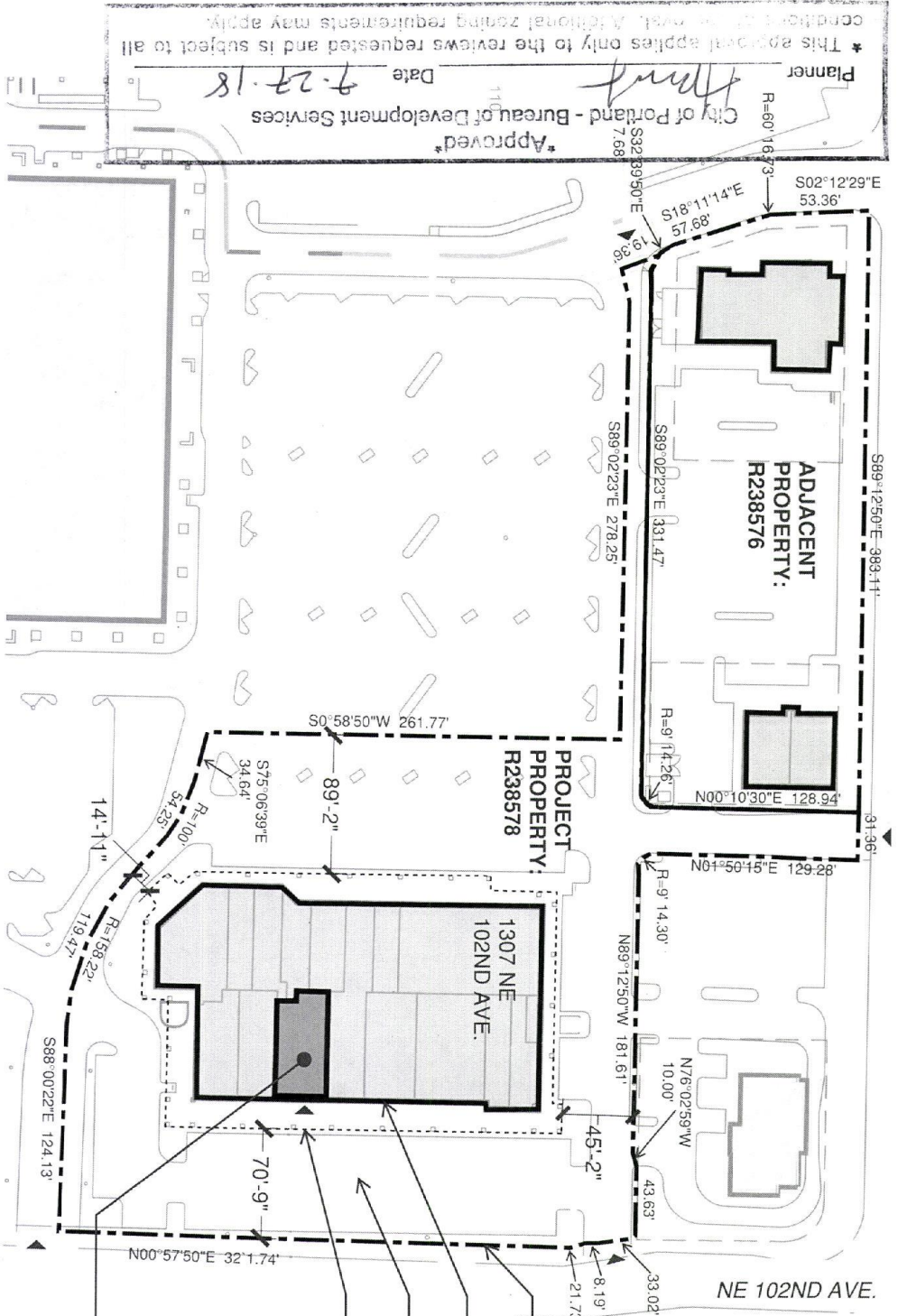


Also Owned Parcels

File No.	LU 18-163880 DZ
1/4 Section	2940
Scale	1 inch = 200 feet
State ID	1N2E33AA 104
Exhibit	B May 07, 2018

NE HALSEY STREET

NE 102ND AVE.

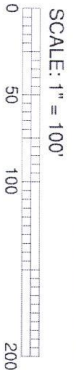


EXISTING SITE PLAN

SHEET INDEX	
G-10	- EXISTING SITE PLAN
G-11	- EXISTING ELEVATIONS
G-12	- PROPOSED ELEVATIONS
G-13	- FLOOR PLAN
G-14	- ROOF IMAGES
G-15	- BUILDING IMAGES

Project Location:
 SUITE G
 1307 NE 102ND AVE.

NOTE: THERE ARE NO PROPOSED SITE ALTERATIONS



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

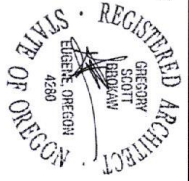
Planner: *[Signature]*
 Date: 7-27-18

City of Portland - Bureau of Development Services
 Approved

ROWELL BROKAW

1 East Broadway
 Suite 200
 Eugene, Oregon 97401
 541.485.0003
 rowell@brokaw.com
 Architecture Design Strategy

STAMP:



OWNER:

NORTHWEST COMMUNITY
 CREDIT UNION

DATE:

02 MAY 2018

SHEET NAME:

EXISTING SITE
 PLAN

SHEET NUMBER:

G-10

PROJECT: NWCU PORTLAND BRANCH BANK
 ADDRESS: 1307 NE 102ND AVE., SUITE G
 PORTLAND, OR 97220
 PROJECT #: 1315.04

LN 18-163880 D2

LN 18-163880 D2 C.1