



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

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Date: April 20, 2018
To: Interested Person
From: Hannah Bryant, Land Use Services
 503-823-5353 / Hannah.Bryant@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 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 18-120044 DZ - EXTERIOR ATM

GENERAL INFORMATION

Applicant: Kara Lange | Market Contractors LTD
 10250 NE Marx Street | Portland, OR 97220

Owner: Sean Lewis | Columbia Bank
 Po Box 2156 MS OP-2118 | Tacoma, WA 98401-2156

Architect Patrick Bickler | 503-588-7046
 1313 Mill Street SE #201 | Salem, OR 97301-6351

Site Address: **717 NE GRAND AVE**

Legal Description: BLOCK 23 LOT 3&4 EXC PT IN ST LOT 5&6 EXC PT IN ST S 1/2 OF LOT 7 EXC PT IN ST, HOLLADAYS ADD

Tax Account No.: R396200030
State ID No.: 1N1E35BC 02700
Quarter Section: 2931

Neighborhood: Lloyd District Community, contact Cassidy Bolger at bolger.cassidy@gmail.com

Business District: Lloyd District Community Association, contact Brian Griffis at admin@lloyddistrict.org.

District Coalition: None
Plan District: Central City - Lloyd District
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 approval for the addition of a new illuminated ATM inserted into an existing brick exterior wall. The ATM is proposed to be located on the east façade, facing the parking area. Design Review is required for non-exempt exterior alterations in the Lloyd District.

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

- *Central City Fundamental Design*
- *Special Design Guidelines for the*

*Guidelines**Design Zone of the Lloyd District of the Central City Plan***ANALYSIS**

Site and Vicinity: The site is a 20,250-square foot parcel at the south half of the block that is bordered by NE Irving Street to the south, NE Martin Luther King Jr. to the west, NE Oregon Street to the north and NE Grand Avenue to the east. The subject building is a single-story commercial building, originally developed as a restaurant in 1987. The remainder of the site is surface parking accessory to this commercial building.

The building is composed of a simple two-part masonry exterior, with a ground CMU base and a running bond brick above. The materials are divided by a brick water table accent, and two decorative bands of the ground CMU align with the window canopies and above the windows. All other details, including exterior light fixtures, storefront windows, metal canopies and railings are cohesive in their simple forms, consistent exterior finishes and uniformity around the building.

The site is directly across the street from the Oregon Convention Center. The remainder of this block includes a single-story commercial building and a surface parking lot. Nearby development also includes a variety of hotels, restaurants, a nightclub, office buildings, and housing.

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.

Land Use History: City records indicate there are prior land use reviews for this site. These include:

- **LU 87-000326 DZ**– Approval of a new restaurant with masonry exterior and planted trees;
- **LU 92-009875 DZ** – Approval of new awnings around exterior of restaurant;
- **LU 05-112342 DZM** – Approval of a remodel and added drive-through lane with Modifications to reduce the length of the stacking lane and to reduce the depth of the required landscape buffer;
- **LU 05-144234 DZ** – Approval of six new internally illuminated signs for the bank, including one freestanding sign, two wall mounted signs, two canopy signs.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **March 16, 2018**. One bureau commented with no concerns.

- Life Safety (exhibit E.1)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 16, 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**

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and

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

Section 33.825.055, Design Review Approval Criteria

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

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

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

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

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

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

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

Lloyd District Design Goals

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

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

Central City Plan Design Goals

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

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

Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project. Central City and Lloyd District Guidelines are addressed concurrently.

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

Findings for A6: The subject site was first developed as a single-story restaurant and adjacent surface parking lot in the late 1980s. Over the subsequent decades, the surrounding area has changed dramatically, and is increasingly pedestrian-oriented. A 2005 land use review approved elements associated with the conversion from a restaurant to a bank, with a vehicle drive-through. The addition of an exterior walk-up ATM further encourages the pedestrian nature of this area, facilitating use by visitors to the nearby Convention Center. The ATM serves to support the rehabilitation of this building from its auto-oriented origins to its role today in an integrated, walkable neighborhood. *Therefore, this guideline is met.*

B1. Reinforce and Enhance the Pedestrian System. Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

C6. Develop Transitions between Buildings and Public Spaces. Develop transitions between private development and public open space. Use site design features such as movement zones, landscape elements, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

Findings for B1: The ATM is proposed to be located on the rear façade of the building, facing its surface parking area and beside its rear entrance, accessible from an ADA ramp. This location is convenient to pedestrians, including those requiring ADA accommodations. Its location does not create negative impacts on the pedestrian system from people queuing, trash or visual impacts from the ATM's integrated lighting. *Therefore, this guideline is met.*

B1-2. Incorporate Additional Lighting. Incorporate project lighting in a manner that reinforces the pedestrian environment and which provides design continuity to an area by enhancing the drama and presence of architectural features.

C12. Integrate Exterior Lighting. Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.

Findings for B1-2 & C12: The ATM includes task lighting, which is shielded by an integrated wraparound screen that will limit spill light and protect the night sky. The location of the ATM, at the back of the building, ensures that it will not negatively impact the pedestrian environment or compete with the existing lighting on the building. *Therefore, these guidelines are met.*

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

C3. Respect Architectural Integrity. Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

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

Findings for C2, C3 & C10-1: The proposed location is primarily set within a previously covered window bay. As part of the building's conversion from a restaurant to a bank, the windows on this façade were infilled with brick. Therefore, the addition of an ATM to the former window bay does not diminish the quality and permanence of the original exterior cladding materials, or the architectural integrity. It is easily replaceable with new brick or glazing, should a future tenant remove the ATM. *Therefore, these guidelines are 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

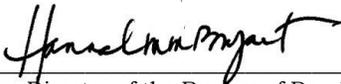
The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposed changes to the building are successfully expressed to integrate with overall building coherency. The proposed alterations to allow for installation of an externally-accessed ATM are well-integrated with the existing architecture and constructed of high-quality materials. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of the removal of existing brick cladding to allow for installation of an exterior ATM, per the approved site plans, Exhibits C-1 through C-4, signed and dated April 19, 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 18-120044 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 April 19, 2018**
By authority of the Director of the Bureau of Development Services

Decision mailed: April 20, 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 February 9, 2018, and was determined to be complete on March 12, 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 February 9, 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: July 10, 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 May 4, 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 **May 7, 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.

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:

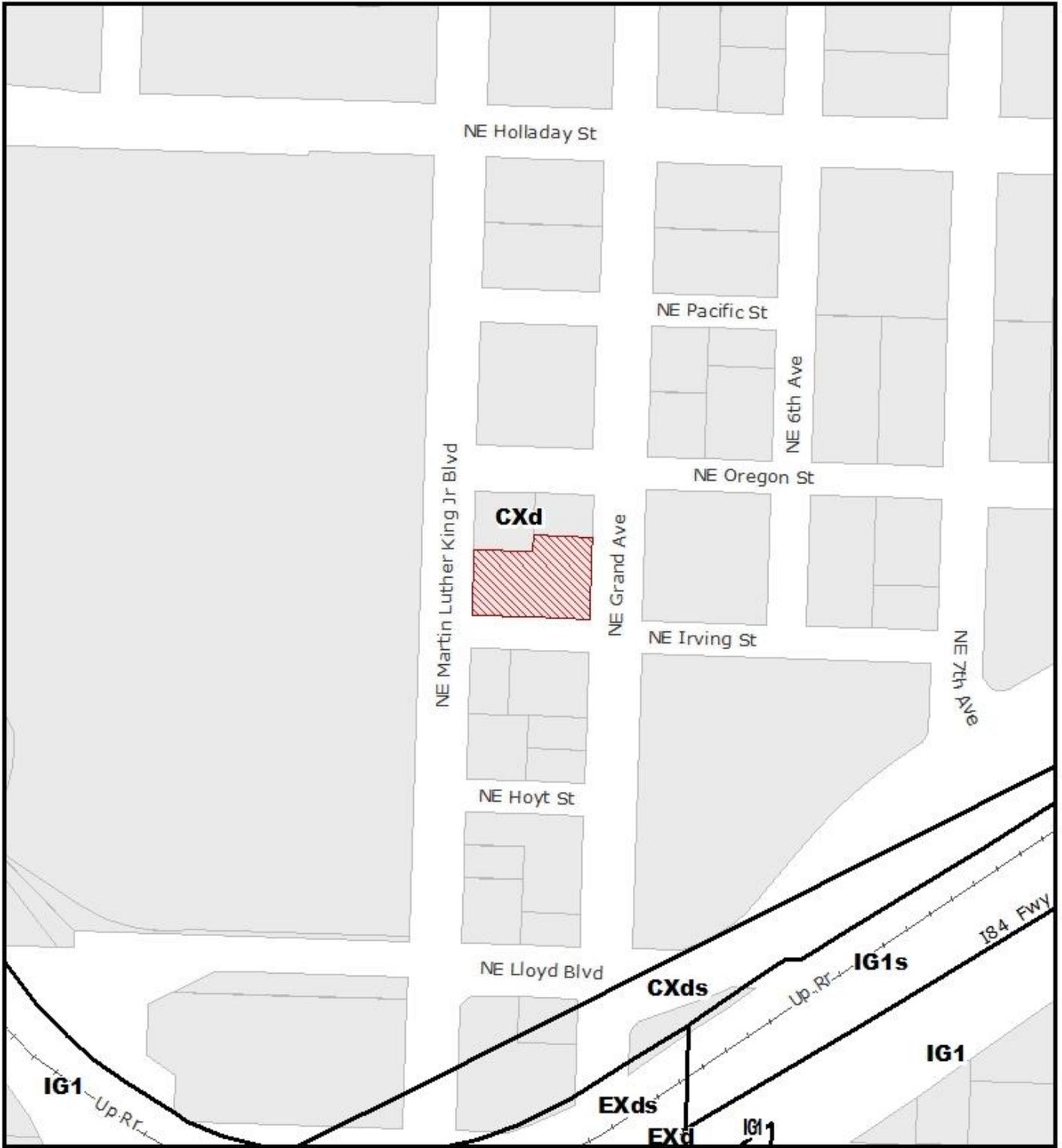
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Original Submittal
 - 2. Site Photos
 - 3. Revised Submittal, dated March 9, 2018
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Exterior Wall Opening
 - 3. East Elevation
 - 4. ATM cut sheet
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety
- F. Correspondence: None
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete 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 
 NORTH

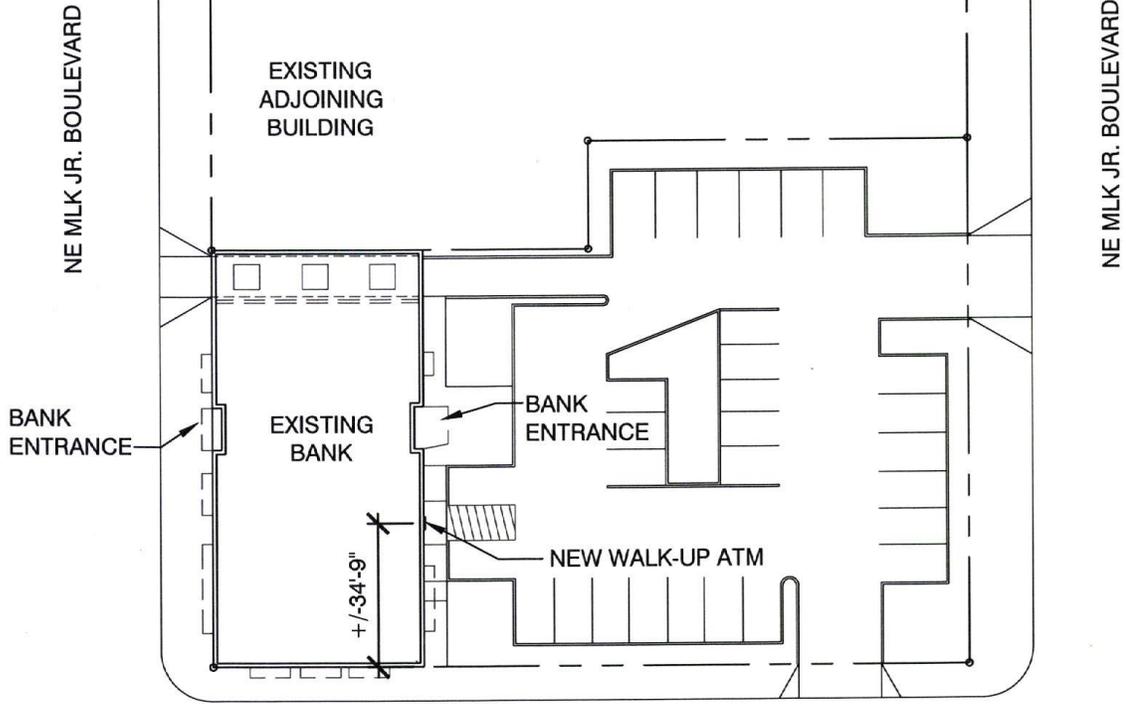
THIS SITE LIES WITHIN THE:
 CENTRAL CITY PLAN DISTRICT
 LLOYD DISTRICT SUBDISTRICT

 Site

File No.	LU 18-120044 DZ
1/4 Section	2931
Scale	1 inch = 200 feet
State ID	1N1E35BC 2700
Exhibit	B Feb 14, 2018

NE OREGON ST.

Approved
 City of Portland - Bureau of Development Services
 Planner H. H. H. Date 4.19.18
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



NE IRVING ST.

SITE PLAN



SCALE: 1" = 40'-0"

PRELIMINARY NOT FOR CONSTRUCTION

1313 Mill St. SE • Suite 201 • Salem, Oregon 97301 • PH. 503.588.7046 • FAX 503.316.0455



ARCHITECT:
PATRICK BICKLER, LLC

SITE PLAN / EXTERIOR ATM
717 NE GRAND AVENUE
DESIGN REVIEW / 01.11.18

DR.01

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