



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

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**Date:** October 10, 2018  
**To:** Interested Person  
**From:** Emily Hays, Land Use Services  
503-823-5676 / [Emily.Hays@portlandoregon.gov](mailto:Emily.Hays@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 18-200223 DZ – NEW MIXED-USE BUILDING**

### **GENERAL INFORMATION**

**Applicant:** Brannon Soens | Fieldwork Designs  
601 SE Hawthorne Boulevard | Portland, OR 97214  
[brannon@fieldworkdesign.net](mailto:brannon@fieldworkdesign.net)

**Owner:** Beech Street Land Partners LLC  
1001 SE Water Avenue #217 | Portland, OR 97214

**Party of Interest:** Adrian Boly | Willamette Stone  
922 NW 11<sup>th</sup> Avenue | Portland, OR 97209

**Site Address:** **121 N Beech Street**

**Legal Description:** BLOCK 29 W 1/2 OF LOT 9&10, ALBINA HMSTD  
**Tax Account No.:** R010506020  
**State ID No.:** 1N1E22DC 12500  
**Quarter Section:** 2630

**Neighborhood:** Boise, contact [boiselanduse@gmail.com](mailto:boiselanduse@gmail.com)  
**Business District:** Soul District Business Association, contact at [info@nnebaportland.org](mailto:info@nnebaportland.org);  
Williams Vancouver Business Association, contact [info@williamsdistrict.com](mailto:info@williamsdistrict.com)

**District Coalition:** Northeast Coalition of Neighborhoods, contact Jessica Rojas at 503-388-5030.

**Plan District:** None  
**Other Designations:** Albina Community Plan Area  
**Zoning:** **CM3d** – Commercial/Mixed Use 3 with Design Overlay  
**Case Type:** **DZ** – Design Review  
**Procedure:** **Type II**, an administrative decision with appeal to the Design Commission.

**PROPOSAL:**

The applicant is seeking Design Review approval for a new 19,796 SF mixed-use building, with three levels of commercial office space above ground floor retail. The metal and glass building is 57' tall and set back approximately 7' from the adjacent property to the east. Ground level tenant entries are proposed along N Vancouver and N Beech. No modifications or adjustments have been requested.

The applicant intends to transfer 2,000 SF of floor area from a historic property located within 2 miles of the site, per Zoning Code Section 33.130.205.C. The total post-transfer floor area on site will be 20,000 SF.

Design Review is required for new development on sites 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:

- Community Design Guidelines

**ANALYSIS**

**Site and Vicinity:** The 6,000 SF corner site is bound by NE Beech Street and N Vancouver Avenue and is within the Albina Community Plan Area. The vicinity around the subject site is a mix of commercial, retail, light industrial and residential uses. Redevelopment of vacant and underutilized lots as well as renovation and rehabilitation of existing buildings along the N Williams-N Vancouver couplet has been ongoing for several years. The site was recently rezoned from EXd to CM3d.

North Vancouver Avenue is designated a Major Transit Priority Street, Major City Bikeway, and City Walkway in the Portland Transportation System Plan. Traffic travels northbound on N Williams and southbound on N Vancouver, creating a significant couplet for bikes and vehicles through the area. NE Beech Street is designated a Local Service Bikeway and Local Service Walkway.

**Zoning:** The Commercial/Mixed Use 3 (CM3) zone is a large-scale zone intended for sites in high-capacity transit station areas, in town centers, along streetcar alignments, along civic corridors, and in locations close to the Central City. It is intended to be an intensely urban zone and is not appropriate for sites where adjacent properties have single-dwelling residential zoning. The zone allows a wide range and mix of commercial and residential uses, as well as employment uses that have limited off-site impacts. Buildings in this zone will generally be up to six stories tall unless height and floor area bonuses are used, or plan district provisions specify other height limits. Development is intended to be pedestrian-oriented, with buildings that contribute to an urban environment with a strong street edge of buildings. The scale of development is intended to be larger than what is allowed in lower intensity commercial/mixed use and residential zones. Design review is typically required in this zone.

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 no prior land use reviews for this site.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **August 27, 2018**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services, *See Exhibit E-1*
- Water Bureau, *See Exhibit E-2*
- Fire Bureau, *See Exhibit E-3*
- Life Safety Review Section of BDS, *See Exhibit E-4*
- Site Development Section of BDS, *See Exhibit E-5*
- Bureau of Transportation Engineering

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on August 27, 2018. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal. A letter from the Boise Neighborhood Association was submitted by the applicant, *see Exhibit A-16*.

## 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 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.

**D7. Blending into the Neighborhood.** Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

**Findings:** The subject site is within the Albina Community Plan Area, a planning study area that resulted in a set of goals and policies for much of Northeast Portland. The proposed development responds to these goals in a number of ways. The office and retail use on a small site creates a density and diversity of uses on the growing Vancouver/Williams corridor. The simple material palette, massing shifts, setbacks, and use of landscaping between the proposed building and existing development respect and enhance the existing context. The scale creates a clear transition between larger development to the south, and the smaller scale residential development that exists to

the north. Highly glazed upper floors focus activity along N Vancouver, and retail entries further activate the major corridor.

The building is constrained by a 60' x 100' lot and is set back from the property lines on three sides to better reflect typical proportions and integrate the new structure into the surrounding context. The east wall is set back approximately 7' from the property line to create a generous planting area with ground cover and medium trees that soften the transition between new and existing development. The horizontal articulation of the primary design move helps to reduce the perceived height. Careful detailing, high quality materials, and the inclusion of street level planting also help to reduce the overall impact of new development on the neighborhood. *These guidelines have been 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.

**E2. Stopping Places.** New large-scale projects should provide comfortable places along pedestrian circulation routes where people may stop, visit, meet, and rest.

**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.

**Findings for E1, E2, E3 & E5:** Ground level retail spaces and integrated plantings create a vibrant and comfortable pedestrian experience. The street level façade is highly glazed, with minimal areas of durable metal panel to facilitate landscaping, interspersed between frequent entrances. Exterior lighting is integrated into the overhang created by the offset floor plates above to provide a comfortable and safe pedestrian experience.

The setbacks along both adjacent streets create space for exterior seating and informal gathering. The 6' setback along N Beech creates a covered space to facilitate leasing by a future restaurant or café tenant. Both street frontages have continuous overhangs to provide shade and cover from rain. Exterior materials and interior screening elements have been included to help reduce glare from the glazing on the upper levels.

All mechanical units and vents will be located on the roof to eliminate the impact of necessary building services on the pedestrian realm. All gas and electric meters, as well as the trash collection area, are located behind a sight-obscuring dark stained wood fence and away from the public real. *These guidelines have been 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.

**Findings:** The building has been designed at all levels to address the intersection of N Vancouver and N Beech. The largest continuous expanse of glazing is located at the intersection on the ground level, facilitating seating and retail spill out. Above the ground level, the skewing floor plates are best perceived from the corner, with primary views between the interior and exterior at this location. *This guideline is therefore met.*

**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;

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

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

**Findings for D1, D2 & D3:** The building has been thoughtfully placed on site to allow for generous pedestrian spaces along both streets. Permeable pavers provide a sense of identity to the ground level gathering spaces, marking places to pause and interact adjacent to the sidewalk movement zone.

The building features frequent entrances along N Vancouver, the primary transit street, highlighted and reinforced by rhythmic material articulation and landscaping at the ground level. Landscape planters punctuate the street level experience, with climbing vines and other ground level plantings highlighting the retail entries. Exterior lighting has also been integrated into the soffit above each entry. *These guidelines have been 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 proposed development helps to discourage crime through a strong visual and physical connection between interior building spaces and the street. Street-facing facades are designed with extensive glazing at all floors to allow surveillance of the streetscape. The street-facing decks along N Beech at the upper floors provide additional active areas that will further provide eyes on the street. In addition, integrated soffit lighting will create a well-lit and safe pedestrian environment in the evening. Additional building lighting will provide nighttime security for internal, service-oriented portions of the site. *This guideline is therefore met.*

**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.

**D8. Interest, Quality, and Composition.** All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

**Findings:** The proposed building is appropriately scaled for the site and the surrounding mixed commercial and residential neighborhood. The material palette of primarily glass and metal is intended to be durable and timeless, utilizing simple, high quality materials. The skewed floor plate scheme is a simple architectural move that creates a coherent composition of varied wall planes. The offset building walls on the south and west elevations are dynamic and interesting, while the more reserved eastern wall responds to the existing development.

The offset wall plane along N Beech creates space for occupiable balconies above grade. Each balcony is enclosed by a simple glass barrier that relates to the highly glazed ground level. Floor lines are marked by a smooth metal panel that successfully breaks the large fields of profile panel that serves as the primary cladding material. The smooth metal also wraps to the soffit of each overhang, defining the offsetting masses at each level. The scale, detailing, and quality of materials strengthens the dynamic massing to create a cohesive composition. *These guidelines are therefore met.*

## DEVELOPMENT STANDARDS

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

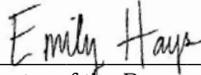
The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposal meets the applicable design guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of Design Review for a new 19,796 SF mixed-use building, with three levels of commercial office space above ground floor retail, per the approved site plans, Exhibits C-1 through C-26, signed and dated October 5, 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 18-200223 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: Emily Hays**

**Decision rendered by:**  **on October 5, 2018**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: October 10, 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 July 11, 2018, and was determined to be complete on August 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 July 11, 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: December 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 October 24, 2018** at 1900 SW Fourth Ave. Appeals can be filed at the 5<sup>th</sup> floor reception desk of 1900 SW 4<sup>th</sup> 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](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 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 on or **October 25, 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 Submittal
  1. Project Narrative
  2. Code Summary
  3. Response to Incomplete Letter
  4. Project Updates Memo
  5. Updated Code Summary
  6. Neighborhood Contact Documentation
  7. Original Drawing Set
  8. Written Documentation
  9. Supporting Drawings
  10. Applicant Photos
  11. Cutsheets
  12. Façade Analysis
  13. Sustainability Narrative
  14. FAR/Density Transfer Request
  15. Renderings
  16. Boise Neighborhood Letter of Support, submitted by Applicant
  17. Stormwater Report
  18. Fence Example
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Site Plan (attached)
  2. Planting Plan
  3. Tree Plan
  4. Utility Plan
  5. FAR Diagram
  6. Level 1 Floor Plan
  7. Level 2 Floor Plan
  8. Level 3 Floor Plan
  9. Level 4 Floor Plan
  10. Roof Plan
  11. Lighting Plan
  12. Elevations (attached)
  13. Building Sections
  14. Enlarged Sections
  15. Exterior Details
  16. Exterior Details
  17. Exterior Details
  18. Exterior Details
  19. Metal Panel Specifications

20. Metal Panel Specifications
  21. Window Wall Specifications
  22. Insulated Glazing Specifications
  23. Multi-Slide Door System Specifications
  24. Entry Door Specifications
  25. Bike Rack Specifications
  26. Downlighting Cutsheet
- D. Notification information:
1. Mailing list
  2. Mailed notice
- E. Agency Responses:
1. Bureau of Environmental Services
  2. Water Bureau
  3. Fire Bureau
  4. Life Safety Review Section of BDS
  5. Site Development Review Section of BDS
- F. Correspondence: None.
- G. Other:
1. Original LU Application
  2. Incomplete Letter
  3. Email Correspondence

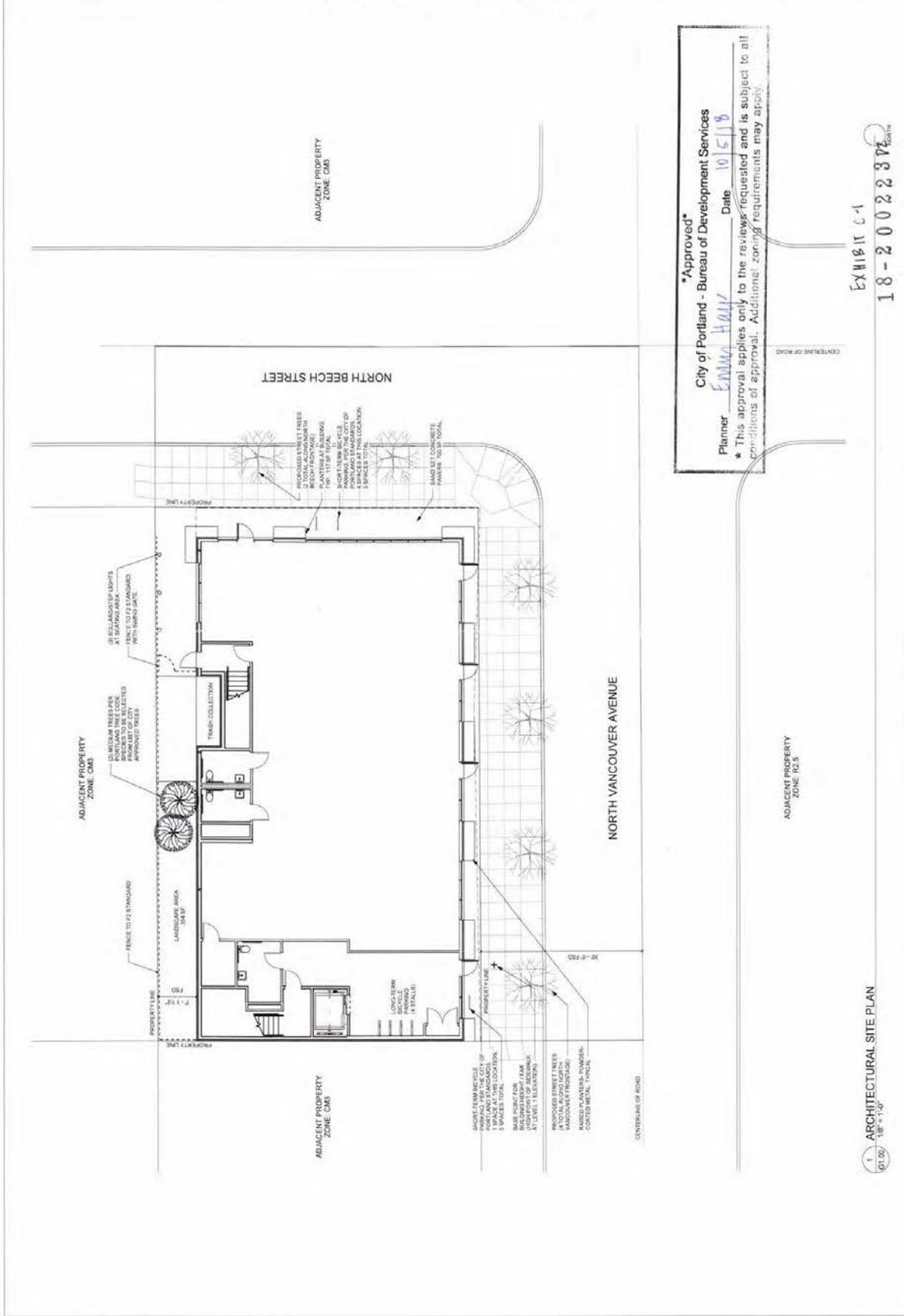
**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**



**ZONING**  NORTH

 Site

File No.	LU 18-200223 DZ
1/4 Section	2630
Scale	1 inch = 200 feet
State ID	1N1E22DC 12500
Exhibit	B Jul 16, 2018



\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner EMMA HALL Date 10/5/18  
 \* This approval applies only to the reviewer requested and is subject to all conditions of approval. Additional zoning requirements may apply.

EXHIBIT C-1  
 18-20022372

