

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

Land Use Services

FROM CONCEPT TO CONSTRUCTION

Ted Wheeler, Mayor Rebecca Esau, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

Date: December 3, 2018 To: Interested Person

Grace Jeffreys, Land Use Services From:

503-823-7840 / Grace.Jeffreys@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 18-234595 DZ -**AUTOWERKS NW - EXTERIOR ALTERATIONS**

GENERAL INFORMATION

Applicant: Sasha Beckwith | Sab Design & Drafting LLC

7115 SW Garden Home Road #28 | Portland OR 97223

541-231-6318, sasha.a.beckwith@gmail.com

Owner: Midway Properties LLC

28102 S Salo Road | Mulino, OR 97042-9729

Marcel Urs | Bear Build LLC **Party of Interest:**

2017 SE 4th Avenue | Hillsboro, OR 97213

Site Address: 7516 SW Macadam Avenue

Legal Description: BLOCK A TL 4400, FULTON PK

Tax Account No.: R300405210 State ID No.: 1S1E22AC 04400

Ouarter Section: 3729, 3730

South Portland NA., contact Jim Gardner at 503-227-2096. Neighborhood:

Business District: South Portland Business Association, contact

info@southportlanddba.com.

District Coalition: Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592.

Plan District: Macadam Other Designations: None

CM2d, **g**, **s** – Commercial/Mixed-Use with Design Overlay, Greenway Zoning:

Overlay, and Scenic Resource Zone Overlay

DZ – Design Review Case Type:

Procedure: **Type II**, an administrative decision with appeal to the Design

Commission.

Proposal:

Applicant requests design review for exterior alterations to the west (street facing) elevation and 50' of the north elevation of an existing building in the Macadam Plan District. These include:

- Replacing existing deteriorated wood siding with painted fiber cement planks with 7" reveals;
- Replacing existing deteriorated wood windows with vinyl windows;
- Changing the size of two windows; one on the north elevation and one on the west elevation;
- Adding back-in a glazed door on the west elevation;
- Replacing existing solid panel door on the west elevation; and,
- Removing a not-permitted stairway and door on the north elevation.

Design Review is required because the proposal is for non-exempt exterior alterations in a design district. A greenway review is not required because alterations to development landward of the greenway setback are not within 50 feet of River Natural zoned land and are valued at less than \$25,000.

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:

Macadam Corridor Design Guidelines

ANALYSIS

Site and Vicinity: The subject site is located near the south end of the Macadam Plan district on the east side of SW Macadam Avenue [Major City Traffic Street, Regional Corridor, Major Transit Priority Street, City Walkway, Local Service Bikeway, Main Truck Street, Major Emergency Response Street] and the south side of SW Logan Court [Local Service Walkway, Local Service Bikeway, Minor Emergency Response Street], an unpaved gravel stub of right-of-way which essentially blends in with the parking lots to the north and a paved parking lot to the south at the north side of the subject building.

The existing buildings on the subject site is a complex of one- and two-story warehouses which are connected and appear to have been added on to over time. They are clad in a variety of wood material, including lap siding, board and batten siding, and T1-11 siding. All are painted a light gray color with white accents on doors, trim, and windows. A glass and metal canopy is suspended from the north end of the building by three red steel structural poles. A tall, solid, white vinyl fence encloses the gravel parking area on the north side of the building.

Adjacent development to the north is largely comprised of similar low-lying warehouse buildings, most of which are one-story in height. These are occupied by a variety of retail, service, and light-industrial uses. A small residential pocket lies to the northeast across the railroad tracks and is clustered along SW Miles Place. The Willamette Greenway Trail runs through this small neighborhood and continues south past the subject site on the east side of the railroad tracks. Immediately south of the site is the remodeled Freeman Motor showroom which lies in another one-story warehouse building. It has been partially re-clad in heavy wood timber and wood slats as well as new street-facing storefront glazing. Across SW Macadam Avenue is an open space and a hill which leads up to Riverside Cemetery to the southwest.

Zoning: The <u>Commercial/Mixed Use 2</u> (CM2) zone is a medium-scale zone intended for sites in a variety of centers, along corridors, and in other mixed-use areas that have frequent transit service. 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 four 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, provide a strong relationship between buildings and sidewalks, and complement the scale of surrounding residentially zoned areas.

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 <u>Greenway Overlay Zones</u>, designated as "g", "i", "n", "q" or "r" are intended to protect, conserve, enhance, and maintain the natural, scenic, historical, economic, and recreational qualities of lands along Portland's rivers; establish criteria, standards, and procedures for the development of land, change of uses, and the intensification of uses within the greenway; increase public access to and along the Willamette River for the purpose of increasing recreational opportunities, providing emergency vehicle access, assisting in flood protection and control, providing connections to other transportation systems, and helping to create a pleasant, aesthetically pleasing urban environment; implement the City's Willamette Greenway responsibilities as required by ORS 390.310 to 390.368; and implement the water quality performance standards of Metro's Title 3.

- The <u>River General</u> "g" allows for uses and development which are consistent with the base zoning, which allow for public use and enjoyment of the waterfront, and which enhance the river's natural and scenic qualities.

The <u>Scenic Resource Zone</u> "s" overlay is intended to protect Portland's significant scenic resources as identified in the Scenic Resources Protection Plan; enhance the appearance of Portland to make it a better place to live and work; create attractive entrance ways to Portland and its districts; improve Portland's economic vitality by enhancing the City's attractiveness to its citizens and to visitors; and implement the scenic resource policies and objectives of Portland's Comprehensive Plan. The purposes of the Scenic Recourse zone are achieved by establishing height limits within view corridors to protect significant views and by establishing additional landscaping and screening standards to preserve and enhance identified scenic resources.

The <u>Macadam Plan District</u> implements the Macadam Corridor Study. The plan district contains a set of regulations designed to preserve and promote the unique character of the Macadam area. In addition to special development standards for the district, the regulations restrict auto-oriented uses and development, limit signs, allow for future light rail, and provide view corridors to the Willamette River.

Land Use History: City records indicate the following prior land use reviews for this site:

- LU 85-004474 (Ref. # DZ 182-85): Design review approval of a request to relocate an autobody shop into an existing warehouse building.
- LU 85-005469 (Ref. # GP 018-85): Approval to remodel an existing warehouse building to the Autowerks Northwest Body and Paint Shop, warehouse, and office space, including improvement of the associated parking area and the condition of approval that all exterior facades be painted with a consistent color scheme, specifically the partially existing chocolate brown and white trim.
- LU 86-00470 (Ref. # GP 018-86): Approval of remodel with exteriors painted with consistent color scheme with staff approval.
- LU 92-009473 DZ (Ref. # LUR 92-00354): Approval for the installation of an illuminated awning on the corner of the building.
- LU 96-013072 GW DZ (Ref. # LUR 96-00185): Approval of a greenway and design review to add a new canopy and wall cladding at the lower entrance to the building with the condition that the awning paint color match the building color.
- LU 99-016501 GW DZ (Ref. # LUR 99-00096): Approval to add a 4' wide x 77' long extension to the north wall of the existing auto body shop in the greenway zone and Willamette greenway design area as well as new metal cladding, a solid vinyl fence painted medium gray or black.

- EA 12-195775 APPT: Optional early assistance appointment to discuss improvements to the existing building, specifically requesting information about the Macadam Corridor Design Guidelines.
- VI 12-207881: Complaint against Autowerks NW enclosing an area in the back to make an enclosed shop without a permit.
- LU 15-143845: Approval of exterior alterations including new walls clad in T1-11 and a new coiling steel overhead door.
- LU 17-108764: Void/Withdrawn proposal to construct a new 600 sf building.
- EA 17-160038 APPT: Optional early assistant appointment to discuss constructing a new 600 sf building within an existing screened vehicle area.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **October 17, 2018**. The following Bureaus have responded with no issues or concerns:

- Site Development Section of BDS
- Fire Bureau (Exhibit E.1)
- Life Safety Section of BDS (Exhibit E.2)

Neighborhood Review: A "Notice of Proposal in Your Neighborhood" was mailed on **October 17, 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

DESIGN REVIEW (33.825)

33.825.010 Purpose

Design Review ensures:

- That development conserves and enhances the recognized special design values of a site or area:
- The conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district;
- That certain types of infill development will be compatible with the neighborhood and enhance the area; and
- High design quality of public and private projects.

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.

It is important to emphasize that design review goes beyond minimal design standards and is viewed as an opportunity for applicants to propose new and innovative designs. The design guidelines are not intended to be inflexible requirements. Their mission is to aid project designers in understanding the principal expectations of the city concerning urban design.

The review body conducting design review may waive individual guidelines for specific projects should they find that one or more fundamental design guidelines is not applicable to the circumstances of the particular project being reviewed.

Macadam Corridor Design Goals and Guidelines

The following goals are specific to the Macadam Corridor Design Zone.

- Create and improve connections, both physical and visual, between the river, Greenway Trail, Willamette Park and the residential community west of Macadam.
- Encourage opportunities for public use and enjoyment of the waterfront.
- Promote a quality of development in this scenic entry corridor to the Downtown that complements Macadam's landscape treatment.
- Require excellence in design for projects within the Corridor, particularly by assuring that new development contributes to the formation of a rich and diverse mixture of uses and

- styles in scale with each other.
- Add to the scenic qualities of the river and the Greenway Trail.
- Promote compatibility of new development with the river, surrounding uses, and the neighborhood.

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

Macadam Corridor Design Guidelines

- **1. Visual Connections.** Create public views to the river, Greenway Trail and Willamette Park from Macadam Avenue and other public parks and rights-of-way west of Macadam as well as views from the river and the Greenway to the west.
- Promote physical and visual contact between the river and the area west of Macadam Avenue.
- Orient buildings, which front Macadam Avenue to preserve views of the river, Willamette Park and the Greenway.
- Integrate the east and west sides of Macadam Avenue by creating views of the river which align with streets on the east side of Macadam.
- Take particular advantage of opportunities to create and protect views, which align with Southwest Texas, Florida, Pendleton, Idaho, Nebraska, Dakota and Hamilton Streets.
- Rooftops of buildings should be carefully designed to enhance views.
- Plant on-site trees, which will grow to a sufficient height to soften new development and screen parking areas while selecting species and planting locations, which enhance view corridors to the river.

Findings for 1: The proposed alterations will not impact the views to the river, Greenway Trail or Willamette Park from Macadam Avenue. The proposed alterations will replace deteriorating siding and windows on the west façade and the west 50' of the north facade, re-size two windows to meet Building Code, add back-in a glazed door on the west elevation; and replace a door fronting Macadam Avenue with a similar door painted to match. The proposal will also remove the stairs and door that were added without a permit. Since no new building footprint is proposed, the building will not further block river views. *Therefore, this quideline is met.*

- **4. The Boulevard.** Coordinate with and enhance Macadam's boulevard treatment and contribute to the attractiveness of this entrance to the city.
- Consider using awnings or other weather protection, street furniture, plazas, sculpture courts or other amenities for pedestrians to reinforce the boulevard design of Macadam.
- Abut pedestrian pathways with buildings or landscaping. Buffer with landscape screens, parking lots and structures, which are not oriented to pedestrians.
- Use landscaping to reinforce the boulevard character of Macadam and to provide visual connections with private property adjacent to Macadam.
- Trees interspersed with low-growing vegetation or grass should visually predominate over impervious surfaces.
- Provide frequent views from Macadam into interior ground level spaces of projects located along the Avenue.

Findings: The proposal will replace the damaged siding on the west façade facing Macadam Avenues with new 7" reveal Hardi plank. The existing solid panel door on the west facade will be replaced with a similar door, painted to match the new siding. The two ground floor windows either side of the north-west corner of the building will be replaced with new windows reduced in size to meet building code, and a new glazed entry door will be added back-in on the west elevation. The drawings indicate that landscaping along the west property line will be preserved and new shrubs will be added to match the existing. The landscaping reinforces the boulevard character of Macadam and buffers the blank west façade from the pedestrian.

To ensure the landscaping reinforces the boulevard character of Macadam and buffers the blank west façade from the pedestrian, two conditions of approval have been added:

- D. In accordance with Urban Forestry's denial of UF 16-285767 Tree Removal Permit, the ash tree in the planting strip along Macadam Avenue must not be removed without further Urban Forestry review.
- E. The planting strip along Macadam Avenue must be landscaped to meet at least L1 standards in Title 33, Portland Zoning Code Chapter 33.248.020.B.

With these two conditions of approval, this guideline is met.

- **5. Sub-Area Context.** Enhance a site's character through designs that are compatible with features of their surroundings and contribute to the development of an attractive character in the vicinity of the project site. Pay particular attention to cases where the adjacent use is different from that which a project will house.
- Locate buildings to avoid excessive shadow on public open spaces, especially Willamette Park and the Greenway Trail.
- Isolated or independent buildings and open spaces should provide design solutions of merit, which consciously set a precedent for neighboring future developments.
- Buildings and open spaces should establish complementary relationships in terms of color, texture, scale of architectural elements, and proportions with neighboring developments.
- Provide sensitive transitions between new development and adjacent residential areas.

Findings: The alterations to the exterior of the building are respectful of the original architecture of the building and complementary to the surrounding buildings, including another neutral color one-story auto-oriented building to the south. The new siding will match the color and reveal of the existing siding, except on the second-floor projection at the north west corner of the building, which will be painted red. *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 proposed exterior alterations in the Macadam Plan District, which include the re-siding of the west façade and 50' of the north elevation, changing the size of two windows, adding backin a new glazed entry door on the west elevation, replacing a solid door on the west façade and removing a not-permitted stairway and door on the north elevation meet the applicable guidelines by retaining the existing building footprint to preserve views and reflecting the overall character of this portion of the plan district.

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 proposed exterior alterations to the west (street facing) elevation and 50' of the north elevation of an existing building in the Macadam Plan District. These include:

- Replacing existing deteriorated wood siding with painted fiber cement planks with 7" reveals;
- Replacing existing deteriorated wood windows with vinyl windows;
- Changing the size of two windows; one on the north elevation and one on the west elevation:
- Adding back-in a glazed door on the west elevation;
- Replacing existing solid panel door on the west elevation; and,
- Removing a not-permitted stairway and door on the north elevation.

Per the approved site plans, Exhibits C-1 through C-7, signed and dated 11/28/2018, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through E) 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 18-234595 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.
- D. In accordance with Urban Forestry's denial of UF 16-285767 Tree Removal Permit, the ash tree in the planting strip along Macadam Avenue must not be removed without further Urban Forestry review.
- E. The planting strip along Macadam Avenue must be landscaped to meet at least L1 standards in Title 33, Portland Zoning Code Chapter 33.248.020.B.

Staff Planner: Grace Jeffreys

Decision rendered by: ______ on 11/28/2018

By authority of the Director of the Bureau of Development Services

Decision mailed: 12/3/2018

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 September 7, 2018 and was determined to be complete on October 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 September 7, 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: 2/9/2019.**

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 12/17/2018** 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 **12/17/2018** 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:

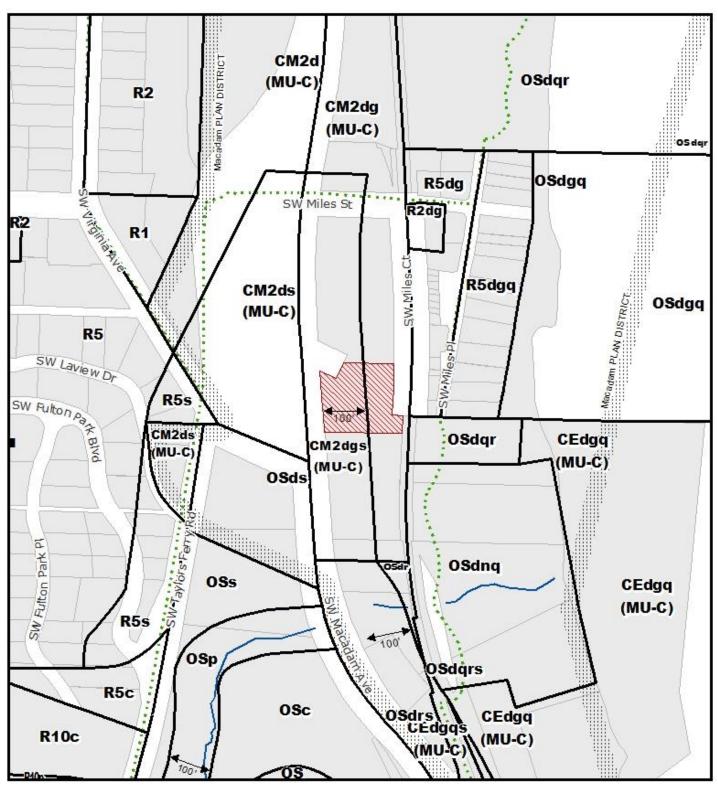
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. September 7, 2018 Narrative and Drawings
 - 2. October 11, 2018 Applicant Email Regarding Greenway Review
 - 3. October 12, 2018 Applicant Email with Updated Drawings
 - 4. November 5, 2018 Applicant Email with Updated Drawings
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Cover & Information
 - 2. Site Plan (attached)
 - 3. Existing Exterior Elevation
 - 4. Proposed Exterior Elevation (attached)
 - 5. Proposed Material Information
 - 6. Proposed Window Details
 - 7. Proposed Perspective
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Fire Bureau, October 18, 2018
 - 2. Life Safety Plan Review Section of BDS, November 2, 2018
- F. Correspondence: (None)
- G. Other:
 - 1. Original LU Application
 - 2. Photographs of the Site
 - 3. Staff Notes
 - 4. Incomplete Letter, September 20, 2018
 - 5. Email Correspondence, October 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).





Site Stream

1/4 Section 1 inch = 200 feet Scale Historic Landmark 1S1E22AC 4400 State ID · · · · · Recreational Trails Exhibit В Sep 11, 2018

File No.

LU 18-234595 DZ

3729,3730

