



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

Ted Wheeler, Mayor
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Date: February 22, 2019
To: Interested Person
From: Megan Sita Walker, 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 18-272048 DZ – ENTRY RAMP, STAIRS & TRASH ENCLOSURE

GENERAL INFORMATION

Applicant: Geoff Grummon-Beale | Livermore Architecture & Engineering
1500 SW First Avenue, #240 | Portland, OR 97201

Owner: Jeh Family Limited Partnership
17007 Crestview Drive | Lake Oswego, OR 97034

Representative Ed Hays | Jeh Family Limited Partnership
17007 Crestview Drive | Lake Oswego, OR 97034

Site Address: **018 SW BOUNDARY CT**

Legal Description: LOT 1-4 INC PT VAC ALLEY & LOT 5-8 INC PT VAC ALLEY & EXC PT IN ST LAND ONLY SEE R213783 (R54250-0011)FOR IMPS, MARTHA R542500010

Tax Account No.: R542500010

State ID No.: 1S1E15BC 05300

Quarter Section: 3529

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

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

Zoning: **CM2d** – Commercial/Mixed-Use 2 with Design Overlay

Case Type: **DZ** – Design Review

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

Proposal:

The applicant requests design review approval for exterior alterations to an existing office building, located at 018 SW Boundary Court. The proposed exterior alterations are associated with tenant improvements. Proposed exterior alterations include modifications to an existing covered entry on the East Elevation to install a new concrete ADA accessible ramp and a new set of concrete stairs centered with the existing entry. Adjacent to the West Elevation of the building a new trash enclosure is proposed, and striping for ADA accessible parking spaces are proposed in existing vehicle areas on the east and west sides of the building. Due to the valuation of the project, the applicant is also required to make upgrades to the site to bring the site closer to compliance with current development standards. The proposed non-conforming upgrades include long-term and short-term bicycling parking, upgrades to pedestrian circulation, and screening of trash areas.

Note: The scope of work also includes signage less than 32 square which is not subject to Design Review, per Portland Zoning Code, Section 33.420.041.F.

Design Review is required for non-exempt exterior alteration in the design “d” 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:

- *Macadam Corridor Design Guidelines*

ANALYSIS

Site and Vicinity: The subject site consists of a full block development with an existing office building bound by SW Boundary Court to the north, SW Corbett Avenue to the east, SW Viewpoint Terrace to the west, and an unimproved section of SW Sweeney Street to the south. The site also includes, Parcel 2, an existing surface parking lot where no work is proposed.

The site is located in the Macadam Plan District. The Macadam Plan District 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.

Zoning: The Commercial/Mixed Use 2 (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 Design “d” Overlay zone 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 the following prior land use reviews for this site:

- **DZ 12-89:** Approval of parking area.
- **DZ 82-90:** Approval of office building renovation.
- **LUR 96-00959 DZ:** Design Review approval for retaining wall and landscaping.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **December 26, 2018**. The following Bureaus have responded with no issues or concerns:

1. Bureau of Environmental Services (See Exhibit E-1)
2. Bureau of Transportation Engineering (See Exhibit E-2)
3. Life safety Division of BDS (See Exhibit E-3)
4. Site Development Section of BDS (See Exhibit E-4)
5. Water Bureau (See Exhibit E-5)
6. Fire Bureau (See Exhibit E-6)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on December 26, 2018. No written responses were 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: The subject site is not located near the water's edge or the Greenway and SW Boundary Court (the northern frontage for the site) does not provide a through connection to Macadam Avenue. However, the proposed entry stairs will provide improved access and are centered on the existing main entry to the building that faces east toward Macadam and the Greenway. *Therefore, this guideline is met.*

3. The Water's Edge. Enhance the scenic qualities of the river and sites that abut the riverbank to contribute to an attractive and enjoyable Greenway Trail.

- Identify natural areas of the Willamette riverbank and preserve the natural qualities of these areas.
- Screen parking, loading and vehicular movement areas from the Greenway with rich landscape plantings.
- Locate buildings to protect access to sunlight on the Greenway Trail.

Findings: The subject site is not located near the water's edge or the Greenway. *Therefore, this guideline is not applicable.*

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 proposed alterations to the existing office building are compatible with surrounding features and contribute to the character in the vicinity in the following ways:

- Installation of a concrete ADA accessible ramp that provides equitable access to the existing main entry to the building.
- Installation of new concrete stairs centered on the existing main entry to remain.
- Installation of an improved pedestrian circulation system that extends to the proposed long-term bike parking area and installation of short-term bicycle parking near the existing main entry.

- Installation of a concealed CMU trash enclosure with a smooth parge coat to match the existing building and a standing seam roof to be concealed from the street behind existing landscaping and changes in grade.

The proposed new entry ramp, entry stairs, pedestrian connections, and trash enclosure will utilize materials similar to those already seen on the building and are therefore compatible with the character of the existing development and the vicinity.

Therefore, this guideline is met.

8. Future Light Rail Transit. Preserve the potential for a two-direction, light rail facility within the Macadam Corridor Design Zone as illustrated. Until the LRT facility is constructed, the required setback area may be used for parking and landscaping requirements.

Findings: The subject site is not located along the potential light rail line shown on the Macadam Corridor Design Zone map in the guidelines. *Therefore, this guideline is not applicable.*

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

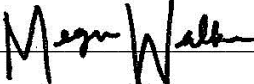
The proposed exterior alterations in the Macadam Plan District meet the applicable design guidelines by being compatible with the existing development and reflecting the overall character of this portion of the plan district. The design review process exists to promote the conservation, enhancement, 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 exterior alterations to an existing office building, installation of extended pedestrian connections, long and short-term bicycle parking, and installation of a trash enclosure in the Macadam Plan District, per the approved site plans, Exhibits C-1 through C-3, signed and dated February 20, 2019, 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 18-272048 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: Megan Sita Walker

Decision rendered by:  on **February 20, 2019**
By authority of the Director of the Bureau of Development Services

Decision mailed: February 22, 2019

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 November 30, 2018, and was determined to be complete on December 14, 2018. At the request of the applicant, this case was placed on hold and staff was directed to not move forward with the review of the revised proposal until February 8, 2019.

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 November 30, 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 requested that the 120-day review period be extended by 21 days (See Exhibit A-7). Unless further extended by the applicant, **the 120 days will expire on: May 4, 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 March 8, 2019** 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 **March 11, 2019** 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:

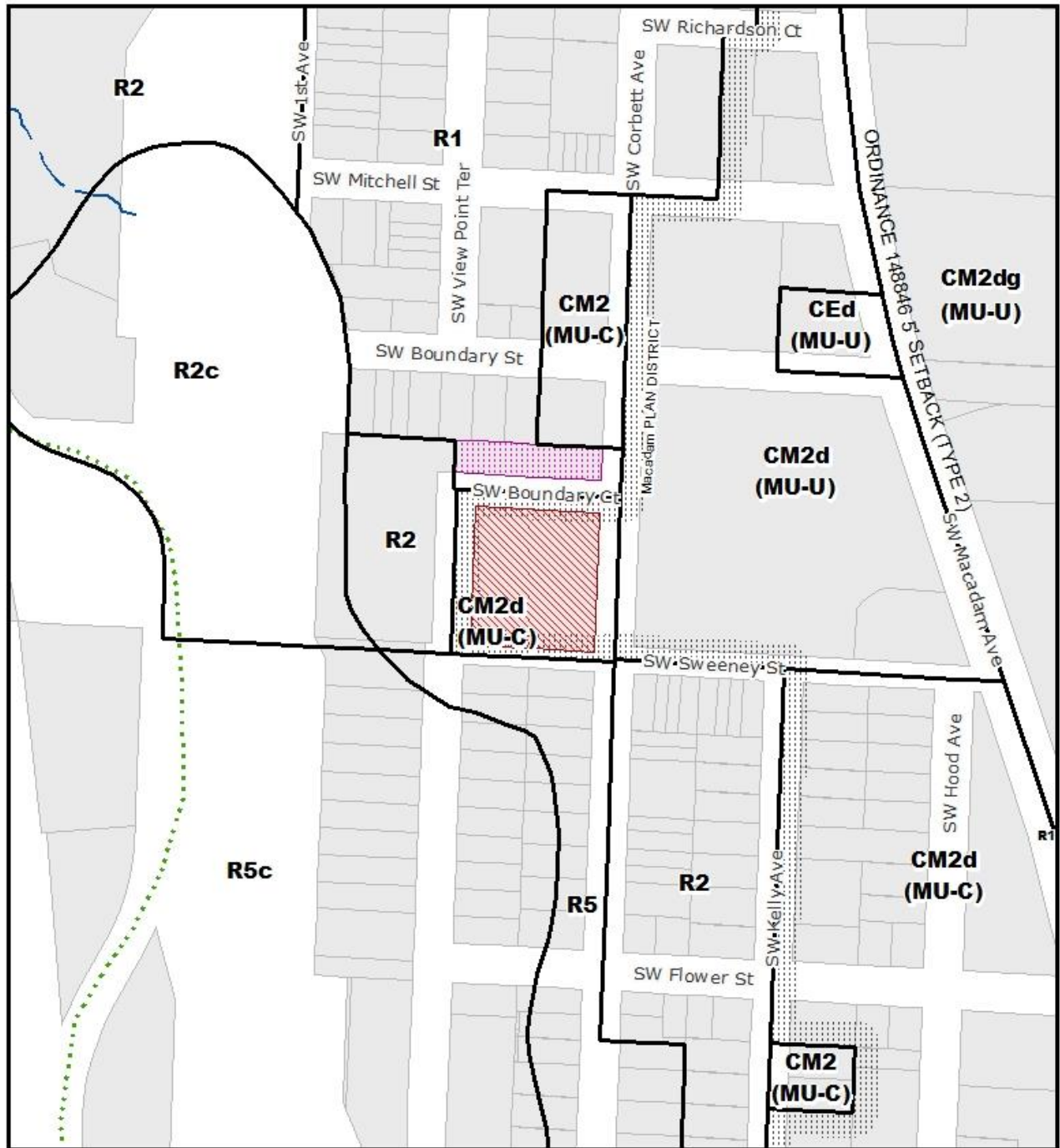
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement:
 - 1. Original Project Description & Response to Approval Criteria
 - 2. Original Drawing Set
 - 3. Additional sheet, Rec'd December 28, 2018
 - 4. Revised digital sketch, Rec'd January 16, 2019
 - 5. Revised Drawing Set, Rec'd February 8, 2019
 - 6. Updated Nonconforming Upgrades valuation information, Rec'd February 8, 2019
 - 7. Extension to the 120-day review period
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevations (attached)
 - 3. Trash Enclosure Plan and Elevations
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering
 - 3. Life safety Division of BDS
 - 4. Site Development Section of BDS
 - 5. Water Bureau
 - 6. Fire Bureau
- F. Correspondence: none
- G. Other:
 - 1. Original LU Application
 - 2. Email Correspondence between staff and the applicant

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).



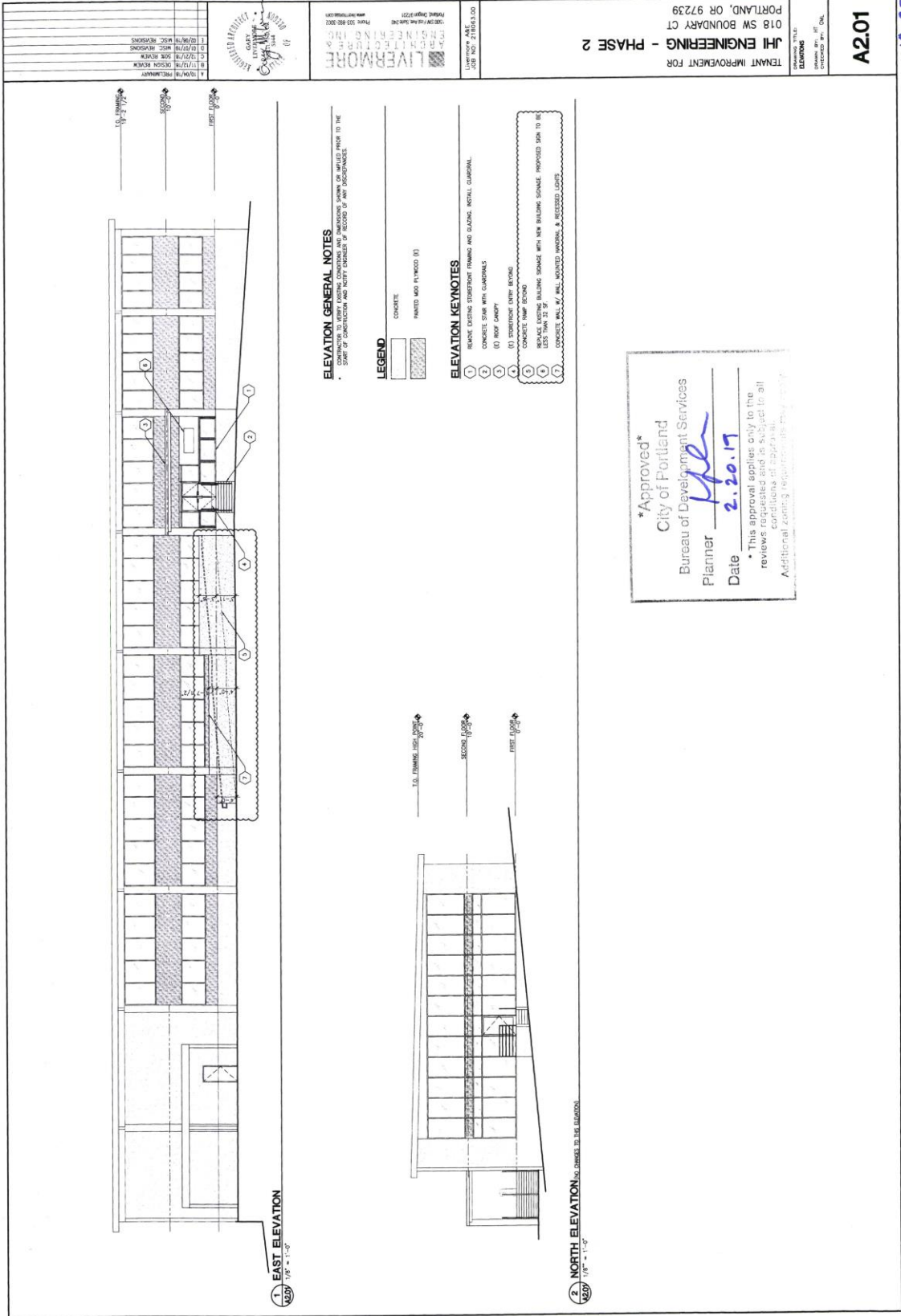
ZONING



THIS SITE LIES WITHIN THE:
MACADAM PLAN DISTRICT

-  Site
-  Also Owned Parcels
-  Stream
-  Recreational Trails

File No.	LU 18-272048 DZ
1/4 Section	3529
Scale	1 inch = 200 feet
State ID	1S1E15BC 5300
Exhibit	B Dec 04, 2018



1	1/8" = 1'-0"	1/8" = 1'-0"	1/8" = 1'-0"
2	1/8" = 1'-0"	1/8" = 1'-0"	1/8" = 1'-0"
3	1/8" = 1'-0"	1/8" = 1'-0"	1/8" = 1'-0"
4	1/8" = 1'-0"	1/8" = 1'-0"	1/8" = 1'-0"
5	1/8" = 1'-0"	1/8" = 1'-0"	1/8" = 1'-0"
6	1/8" = 1'-0"	1/8" = 1'-0"	1/8" = 1'-0"
7	1/8" = 1'-0"	1/8" = 1'-0"	1/8" = 1'-0"

REVISIONS

NO.	DATE	DESCRIPTION
1	02/20/17	ISSUE FOR PERMITS
2	02/20/17	ISSUE FOR PERMITS
3	02/20/17	ISSUE FOR PERMITS
4	02/20/17	ISSUE FOR PERMITS
5	02/20/17	ISSUE FOR PERMITS
6	02/20/17	ISSUE FOR PERMITS
7	02/20/17	ISSUE FOR PERMITS

PROJECT: TENANT IMPROVEMENT FOR 018 SW BOUNDARY CT PORTLAND, OR 97239
 DRAWING NO.: A2.01
 DATE: 02/20/17

JHI ENGINEERING - PHASE 2
 018 SW BOUNDARY CT
 PORTLAND, OR 97239

A2.01
 EAST ELEVATION
 LU 18-272048 DZ