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

Date: July 26, 2019

To: Interested Person

From: Benjamin Nielsen, Land Use Services
503-823-7812 / Benjamin.Nielsen@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 19-148412 DZM – *THREE STORY ADDITION & EXTERIOR ALTERATIONS*

GENERAL INFORMATION

Applicants/ Representatives: Brian Morris & Peter Grimm, Scott Edwards Architecture
2525 E Burnside Street, Portland, OR 97214
(503) 226-3617, bmorris@seallp.com & peter@seallp.com

Owner's Representative: Peter Grimm, Scott Edwards Architecture
2525 E Burnside St, Portland OR 97214

Owner on Record: P7 LLC
2525 E Burnside St, Portland, OR 97214

Owner on Record: Landwise Investments B LLC
2518 NW Pinnacle Dr, Portland, OR 97229

Site Address: **2519 & 2525 E BURNSIDE ST**

Legal Description: BLOCK 5 LOT 13 EXC PT IN ST, ETNA; BLOCK 5 LOT 14 EXC PT IN ST
W 40' OF LOT 15 EXC PT IN ST, ETNA
Tax Account No.: R257800620, R257800630
State ID No.: 1N1E36CB 05300, 1N1E36CB 05200
Quarter Section: 3033

Neighborhood: Kerns, contact Elliott Mantell at commonchiro@yahoo.com
Business District: None
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.

Plan District: None
Zoning: CM2d – Commercial/Mixed Use 2 with Design Overlay

Case Type: DZM – Design Review with Modifications
Procedure: Type II – an administrative decision with appeal to the Design Commission.

PROPOSAL:
The applicants request Design Review for proposed exterior alterations to an existing building at 2525 E Burnside St. These alterations include the demolition of the existing adjacent structures at 2519 E Burnside and the construction of a three-story building addition in their place. This proposed addition includes a wood slat screen at level 2, which will extend over the sidewalk along E Burnside St, and a roof deck on level three, which will face E Burnside St.

Proposed exterior alterations also include changes to the south elevation of the existing building at 2525 E Burnside St, including removal of the existing canopy and replacement with a new canopy; installation of new aluminum storefront windows; construction of a new entry vestibule at the southeast corner of the building, including new accessible ramp and an extension of the canopy; a new canopy and folding glass door on the parking lot-facing south elevation of the building; and new aluminum storefront windows on the east, parking lot-facing elevation.

Since the proposal notice was mailed, the applicants have added one Modification request to the Minimum Setbacks standard of the base zone (33.130.215.B.2.b), to retain the existing configuration of setback landscaping along the east lot line, which provides 3 feet of L3 landscaping instead of the required 10 feet.

Design Review is required for proposed, non-exempt exterior alterations in the design overlay zone.

RELEVANT APPROVAL CRITERIA:
In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

- Community Design Guidelines

ANALYSIS

Site and Vicinity: The 12,600 square foot site, located on the north side of E. Burnside Street, is currently developed as two separate buildings on two individual lots. The western lot is presently developed with a one-story office building built to the front lot line, and a two-story, single-dwelling unit located in the northeast corner of the site. A paved driveway leads to a vehicle area behind the building. The eastern lot is developed with a one-story building containing an Office use. This building extends along the entire length of the side lot line shared with the eastern lot, at a zero foot setback.

The remainder of the blockfront is developed with multi-dwelling residential uses, in buildings ranging from one to four stories in height. A two-story multi-dwelling building is located immediately to the rear of the subject site, with multi-dwelling residential buildings of a similar scale predominating on the remainder of the blockfront. The blockfront immediately south of the subject site, fronting E. Burnside Street, is characterized by auto-repair, retail, and office uses—all in one-story buildings.

East Burnside Street, in this location, is designated in the Transportation Element of the Comprehensive Plan as a District Collector, Neighborhood Main Street, Major Transit Priority Street, Local Service Bikeway, City Walkway, Truck Access Street, and Major Emergency Response Street.

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 "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 that prior land use reviews include the following:

- LU 05-116381 AD – Adjustment Review approval to waive the parking area setback and landscaping along the west edge of the vehicle area at 2519 E Burnside.
- LU 03-154733 AD – Adjustment Review approval to reduce the east side building setback for the proposed 2-story dwelling unit at 2519 E Burnside from the required 7 feet to 0 feet and to waive the required pedestrian connection between the main entrance of the proposed dwelling unit and the street.
- LUR 98-00093 NU AD – Approval of a Nonconforming Situation Review, establishing a nonconforming Wholesale Sales business at 2525 E Burnside. Adjustment Review approval to increase the height of the east wall of the shipping and receiving area by 7 feet within the required side setback, to increase the height of the north wall of the shipping and receiving area by seven feet within the required rear setback, and to reduce the width of the required L4 landscape buffer along the east side lot line from five feet to three feet and to replace the required six foot high masonry wall with a six foot high open, decorative metal fence and three-foot high shrubs.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **June 13, 2019**.

The Bureau of Environmental Services responded with no objections and with comments, stating that "the submitted stormwater management and utility plans are acceptable for the purpose of reviewing the submitted design review (with modifications) application," and BES has no recommended conditions of approval. Please see Exhibit E-1 for additional details.

The Bureau of Transportation Engineering responded with no objections to the proposal and with conditions that will apply before the building permit can be issued. Please see Exhibit E-2 for additional details.

The Water Bureau responded with no objections and with information about available water service to the site. Please see Exhibit E-3 for additional details.

The Fire Bureau responded with no objections and with information about Fire Code requirements. Please see Exhibit E-4 for additional details.

The Site Development Section of BDS responded with a comment stating that a geotechnical report will be required at the time of building permit application. Please see Exhibit E-5 for additional details.

The Life Safety Review Section of BDS responded with no objections and with a statement that there appears to be no conflicts between the proposal and applicable building codes. Please see Exhibit E-6 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on June 13, 2019. A total of two written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Ben Thompson, 06/15/2019, email requesting additional information about the building's program.

   Staff provided information to Ben Thompson describing the building's program.

2. Richard Jacobson, dated 06/28/2019 and received 07/09/2019, letter in support of the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review
Section 33.825.010 Purpose of Design Review
Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria
A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

> **Findings:** The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the 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. Staff has also grouped the guidelines into three broad categories: Context, Public Realm, and Quality and Permanence.

Context

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 for P1 & D7:** The proposed addition and exterior alterations successfully enhance the sense of place and identity and reduce the impact of new development on established neighborhoods in the following ways:
>
> - The proposed three-story addition is confined to the western lot of the current two-lot site. This helps to reduce its overall scale, which helps it to better integrate into the context of existing single- and two-story development which predominates on the block and across the street and which occupy similarly-sized sites.

- The proposed addition integrates many of the same high-quality materials and details as found on the existing single-story office building. Additionally, similar proportions and the same colors are used. Together, these characteristics enhance the small-scale storefront character of E Burnside and reduce the visual impacts of the new addition.
- The proposed wood screen extension over the sidewalk subtly echoes similar, but larger-scale, architectural projections and window projections employed on larger-scale development along this portion of E Burnside. The screen projection is confined to the western lot, which limits the length of the projection over the sidewalk and relates well to the scale of the development. The open nature of the screen also reduces its opacity, which will make the projection visually lighter than the visually heavier projections on larger developments to the east.
- The proposed addition is built up to the sidewalk edge, which continues the pattern of development of both multidwelling residential and commercial buildings along the majority of both sides of the street.

Therefore, these guidelines are met.

Public Realm

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.

Findings for E1, E2, & E3: Nearly the entire south building frontage is set at the sidewalk edge, providing and strong urban street wall to help enclose the sidewalk. Large storefront windows with clear glazing (basis of design is Vitrum Clear glazing, with 79% visible light transmittance and 15% exterior reflectance) provides visual interest along the sidewalk and increases the pleasantness of the sidewalk by providing views to the interior of the building and its activities. Placement of the canopies over the storefront windows helps to ensure that, should people choose to stop to peer inside, they will be comfortably protected from rain and sun.

Therefore, these guidelines are met.

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: The proposed exterior alterations to the existing building and the proposed new addition both include 4'-0" deep metal canopies that extend over much of the sidewalk, providing protection from sun, glare, reflection, wind, and rain to passersby.

Therefore, this guideline is 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;
D3. Landscape Features. Enhance site and building design through appropriate placement, scale, and variety of landscape features.

Findings for D1 & D3: The subject site is largely built out; however, landscaping is provided along the west and north setbacks at the new addition and on the east side of the parking lot. While these areas are not particularly usable, they enhance the site by providing a landscaped buffer with trees and other plants between the site and adjacent residential properties. Useable outdoor area is proposed near the northeast corner of the site, at grade, and this area is supported and activated by a folding window wall connecting to an interior kitchen area. Additional usable outdoor area is provided on the third floor with a roof deck that overlooks E Burnside St and connects directly to the interior office space.

Therefore, these guidelines are met.

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

Findings: A new main entrance to the existing building is proposed at the southeast corner of the building. This new entrance orients the door to face the street, helping make it prominent and transit-oriented, and provides a new ramp to the door, which is set one step above grade, to increase accessibility. A new canopy extends to the east to cover the entrance, providing some additional prominence to the entrance.

Therefore, this guideline is met.

D4. Parking Areas and Garages. Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

Findings: The proposed parking area will remain essentially the same as it is at present. No new parking or loading spaces are proposed, and the existing curb cut will remain. The primary change to this area will be a reduction in landscaping between the parking lot and the street, due to the new entrance addition in this area. A new tree will be added the landscape strip to replace an existing tree that will need to be removed due to the new construction. These changes will maintain a parking area that already has a minimal impact on the pedestrian realm and the community and will retain the parking area's integration with adjacent buildings and environment.

Therefore, this guideline is 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 proposal successfully meets this guideline in the following ways:

- Large windows with active ground level uses behind them face the street and the parking lot, providing opportunity for eyes on the street.
- The western and rear setback areas are closed off to the street by a visually open metal fence and gate. This limits access to back-of-house portions of the site, which will help to reduce potential criminal activity in those lesser-trafficked portions of the site.
- Large operable windows with active uses behind them face the parking lot, providing opportunities for visual surveillance of that area.

Therefore, this guideline is met.

Quality & Permanence

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 for D6 & D8: The proposed exterior alterations and new building addition meet these guidelines in the following ways:

- The proposed new three-story addition utilizes the same materials on the street-facing elevation and incorporates the same proportions in its windows as those used on the existing single-story office building, respecting the character of the original building and creating a cohesive composition on the south facade.
- Proposed materials used on the side elevations of the new addition differ from those used on the majority of the south façade; however, the proposed materials will be of a similar high quality through proposed color choice, detailing, and overall proportions, respecting the original character of the existing building and contributing to a cohesive composition, on the whole.
- Visual interest will be provided through a cohesive and well-composed design, through clear storefront windows and doors providing views into active working areas, and through unique details, such as the proposed wood screen that will project over a portion of the sidewalk along E Burnside St.
- Proposed materials of lasting quality include the following:
    - Proposed box-rib metal panels are 20-gauge in thickness, which will ensure their durability and will help them to resist oil-canning, pillowing, or warping.
    - Proposed aluminum storefront windows are a high-quality curtain wall-type system which will prove to be durable and of lasting quality.
    - Proposed bi-folding doors are also a high-quality aluminum system that will prove to be durable and of lasting quality.
    - Proposed aluminum windows and sliding doors are commercial grade
    - Aluminum composite metal panels are proposed on portions of the façade. These panels are a high-quality panel system that will resist warping or oil-canning due to the fully-bonded core of the panel system.
    - New stucco is proposed to match existing in material and color. The number of coats proposed is not specified, and a minimum of three coats should be used to assure overall durability and long-lasting quality. A condition of approval requiring this has been added.
    - The proposed wood screen system is composed of heat- and steam-treated White Ash wood 2x4 beams. The proposed wood beams are often used in decking and have a higher level of dimensional stability than typical 2x4 lumber. Product materials indicate that the wood has a high level of resistance to rot and will last for over 25 years. These are all indications of long lasting quality. Additionally, if needed, individual wood members should be easy to replace due to the proposed construction details for the screen.
- Construction details showing how windows, doors, stucco cladding, and metal panel cladding will be installed and how the wood screen, metal canopies, third floor deck, and other typical details will be constructed demonstrate that the proposed addition and alterations will be of long-lasting quality.

With the condition of approval that the proposed stucco system shall utilize a minimum of three coats, these guidelines will be met

33.825.040 Modifications That Will Better Meet Design Review Requirements:
The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

A. **Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and
B. **Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

Modification #1: Minimum building setbacks, Required setbacks from a lot line that is not a street lot line, PZC 33.130.215.B.2.b – to decrease the minimum setback landscaping on the east lot line to 3 feet along the parking lot.

Purpose Statement: The required building setbacks promote streetscapes that are consistent with the desired character of the different commercial/mixed use zones. The setbacks promote buildings close to the sidewalk to reinforce a pedestrian orientation and built-up streetscape. The setback requirements for areas that abut residential zones promote commercial/mixed use development that will maintain light, air, and the potential for privacy for adjacent residential zones.

The front setback requirements for Civic Corridors in Eastern and Western pattern areas provide opportunities for additional pedestrian space and separation from the vehicle traffic along these major streets to create an environment for building users and pedestrians that is less impacted by close proximity to traffic, and provide opportunities for front landscaping reflective of the vegetated characteristics of these neighborhood pattern areas.

The minimum building setbacks along local service streets adjacent to residential zones work together with requirements for step downs in building height (33.130.210.B.2.b.) to ensure that there is a transition in street frontage characteristics to lower scale residential zones. In these situations, the building setback regulations promote street frontages with landscaping and residential uses to provide a transition and a cohesive street environment with similar street frontage characteristics on both sides of the street, and limit exterior display and storage to minimize impacts to nearby residentially-zoned areas.

Standard: 33.130.215.B.2.b, Minimum building setbacks, Required setbacks from a lot line that is not a street lot line: The required minimum setback from a lot line that abuts an RF through RH, RMP, or IR zone is 10 feet. The required setback area must be landscaped to the L3 standard. Areas paved for pedestrian or bicycle use can be located in the required building setback area, but may not extend closer than 5 feet to a lot line abutting an RF through RH or RMP zone. Buildings that are 15 feet or less in height are exempt from the required setback, however any setback provided that is 5 feet or greater in depth must be landscaped to at least the L3 standard for a distance of up to 10 feet from the lot line. This means that if the building is setback 3 feet, no landscaping is required, but if the building is setback 15 feet, then the first 10 feet measured from the lot line must be landscaped.

A. Better meets design guidelines. *The resulting development will better meet the applicable design guidelines; and*

Findings: The proposed Modification retains the parking area and landscaping on its east side as it stands today. Though this alone is not directly relevant to the Modification approval criteria, the retention of the existing design retains a small, but

usable, parking and loading area that is well integrated within the overall development and complementary to both the site and its surroundings, better meeting Guideline D4. The narrower setback is also consistent with the character of commercial development along E Burnside St, which is generally low-slung but compact and urban, with minimal areas between buildings for landscaping in this area. The development, therefore, reinforces this character, better meeting guidelines P1 and D7 than would a development with a larger area of landscaping between the two buildings.

B. Purpose of the standard. *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Findings: The minimum setback standard is intended to promote commercial/mixed-use development that will maintain light, air, and the potential for privacy for adjacent residential zones.

The proposed Modification will retain the existing configuration of the landscaping strip on the east side of the parking lot, providing 3 feet of landscape buffer between development on the subject site and the adjacent 3.5-story multidwelling building. Access to light and air are maintained in this area, since the adjacent parking area is not proposed for redevelopment. No additional impacts to privacy are created by the proposed alterations; the new 3-story addition has no windows on its east elevation, and the new roof deck is set over 90 feet back from the east lot line.

In addition to the depth of the landscape buffer required, the amount of small trees required in the landscaped area is not fully met. It appears that space exists for at least one more small or medium tree, which, when added to the existing three small trees, would provide a better buffer between the commercially-zoned lot and the adjacent multidwelling residential lot. A condition of approval requiring the addition of one small tree (or larger) to the existing landscaping area is needed to ensure that the "potential for privacy" portion of the purpose of the standard is met, on balance. One additional small tree more may also be required to meet upgrade requirements to nonconforming development. With that addition, the proposal is consistent, on balance, with the purpose of the standard, which is to maintain access to light and air and the potential for privacy from the proposed commercial use.

With the condition of approval that at least one additional small tree (or larger-sized tree) shall be planted in the landscape buffer along the east lot line, this Modification will merit approval.

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 modification criteria and therefore warrants approval**.**

ADMINISTRATIVE DECISION

Design Review approval for proposed exterior alterations to an existing building at 2525 E Burnside St, including the demolition of the existing adjacent structures at 2519 E Burnside

and the construction of a three-story building addition in their place; the addition of a wood slat screen at level 2, which will extend over the sidewalk along E Burnside St, and a roof deck on level three, which will face E Burnside St; changes to the south elevation of the existing building at 2525 E Burnside St, including removal of the existing canopy and replacement with a new canopy; installation of new aluminum storefront windows; construction of a new entry vestibule at the southeast corner of the building, including new accessible ramp and an extension of the canopy; a new canopy and folding glass door on the parking lot-facing south elevation of the building; and new aluminum storefront windows on the east, parking lot-facing elevation.

Approval for the following Modification request:
1) Minimum building setbacks, Required setbacks from a lot line that is not a street lot line, PZC 33.130.215.B.2.b – to decrease the minimum setback landscaping on the east lot line to 3 feet along the parking lot.

All approvals per the approved site plans, Exhibits C-1 through C-29, signed and dated 07/23/2019, 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 19-148412 DZM." 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. The proposed stucco system shall utilize a minimum of three coats.

E. At least one additional small tree (or larger-sized tree) shall be planted in the landscape buffer along the east lot line.

Staff Planner: Benjamin Nielsen

Decision rendered by: _____ **on July 23, 2019.**
By authority of the Director of the Bureau of Development Services

Decision mailed: July 26, 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 April 15, 2019, and was determined to be complete on June 6, 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 April 15, 2019.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be

waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: October 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 August 9, 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 **August 12, 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 Submittals
   1. Original Drawing Set
   2. Product Cut Sheets
   3. Design Review Narrative
   4. Preliminary Stormwater Management Report
   5. Revised Preliminary Stormwater Management Report
   6. Revised Drawing Set
   7. Product Cut Sheet – Arcadia 8000 Bi-fold
   8. Product Cut Sheet – Arcadia T500 (OPG1900) Series
   9. Alternate Internal Pedestrian Connection Plan, 06/17/2019
   10. Design Review: Modification Narrative
   11. PBOT Encroachments Narrative
B. Zoning Map (attached)
C. Plans/Drawings:
   1. Existing Building Elevation
   2. Preliminary Site and Utility Plan
   3. Planting Plan
   4. Green Roof Plan
   5. Planting Details
   6. Site Plan
   7. Basement Plan
   8. First Floor Plan (attached)
   9. Second Floor Plan
   10. Third Floor Plan
   11. Roof Plan
   12. East Elevation (attached)
   13. South Elevation (attached)

14. West Elevation (attached)
15. North Elevation (attached)
16. N/S Building Section
17. E/W Building Section
18. Details
19. Details
20. Details
21. Details
22. Details
23. Details
24. Details
25. Details
26. Details
27. Details
28. Details
29. Product Cut Sheets

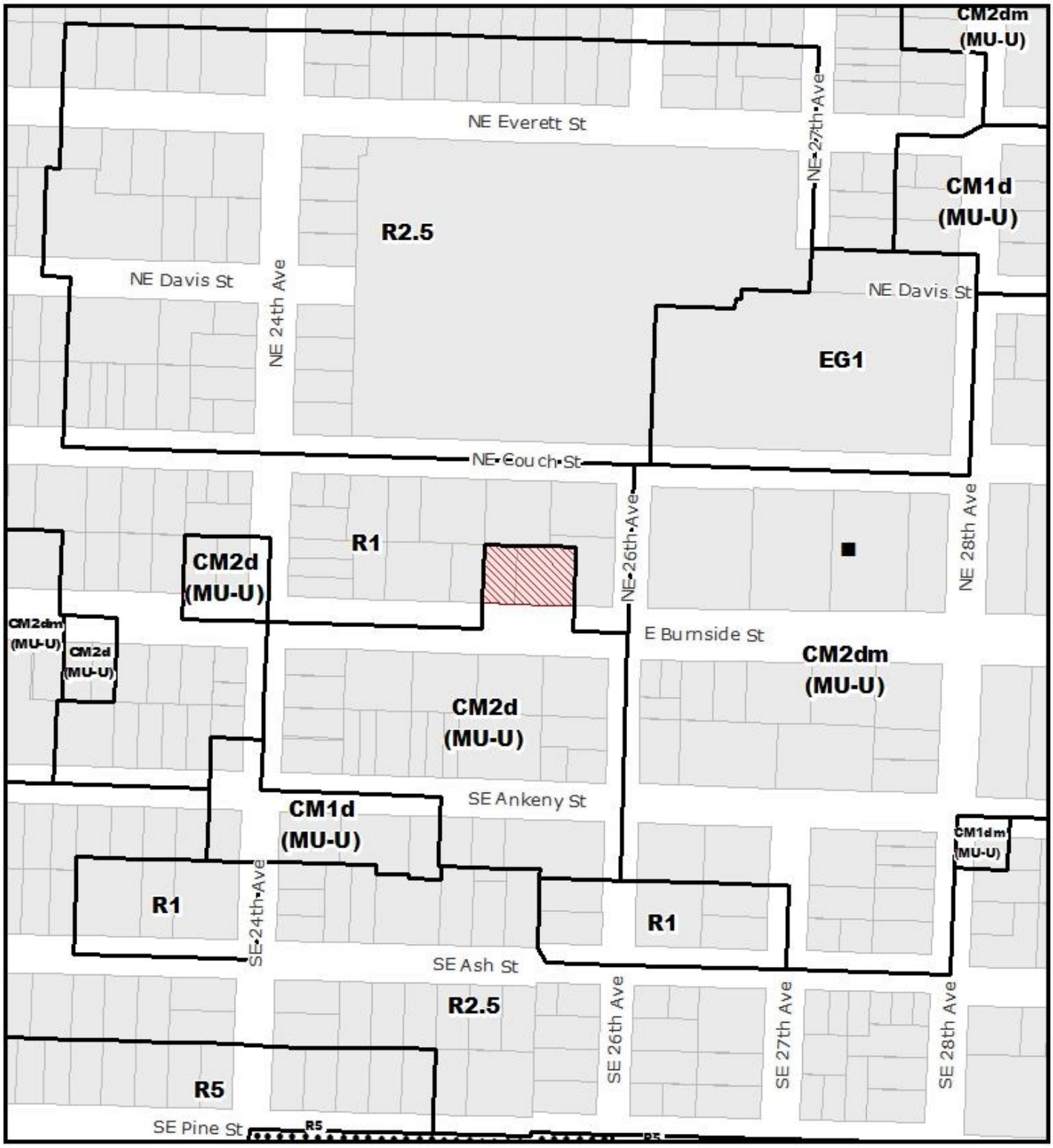
D. Notification information:
   1. Mailing list
   2. Mailed notice

E. Agency Responses:
   1. Bureau of Environmental Services
   2. Bureau of Transportation Engineering and Development Review
   3. Water Bureau
   4. Fire Bureau
   5. Site Development Review Section of BDS
   6. Life Safety Review Section of BDS

F. Correspondence:
   1. Ben Thompson, 06/17/2019, email requesting additional information
   2. Richard Jacobson, received 07/09/2019, letter in favor of proposal

G. Other:
   1. Original LU Application
   2. Letter of introduction and request for glazing sample, 05/02/2019
   3. Incomplete Application Letter
   4. Follow-up Memo to Incomplete Application Letter
   5. Email requesting to deem application complete, 06/06/2019
   6. Email string re: preliminary design comments, 06/07 - 06/10/2019
   7. Email string re: internal ped connection and east property line modification, 06/21 – 06/24/2019
   8. Email string re: lot consolidation and BES concerns, 07/08/2019
   9. Email string re: ROW encroachment between BDS and PBOT staff, 07/10 – 07/11/2019
   10. Email string re: ROW encroachment between applicant and PBOT, 07/10 – 07/12/2019

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

Historic Landmark

File No.	LU 19-148412 DZM
1/4 Section	3033
Scale	1 inch = 200 feet
State ID	1N1E36CB 5200
Exhibit	B Jun 28, 2019

Approved
City of Portland
Bureau of Development Services
Planner
Date 07/23/2019
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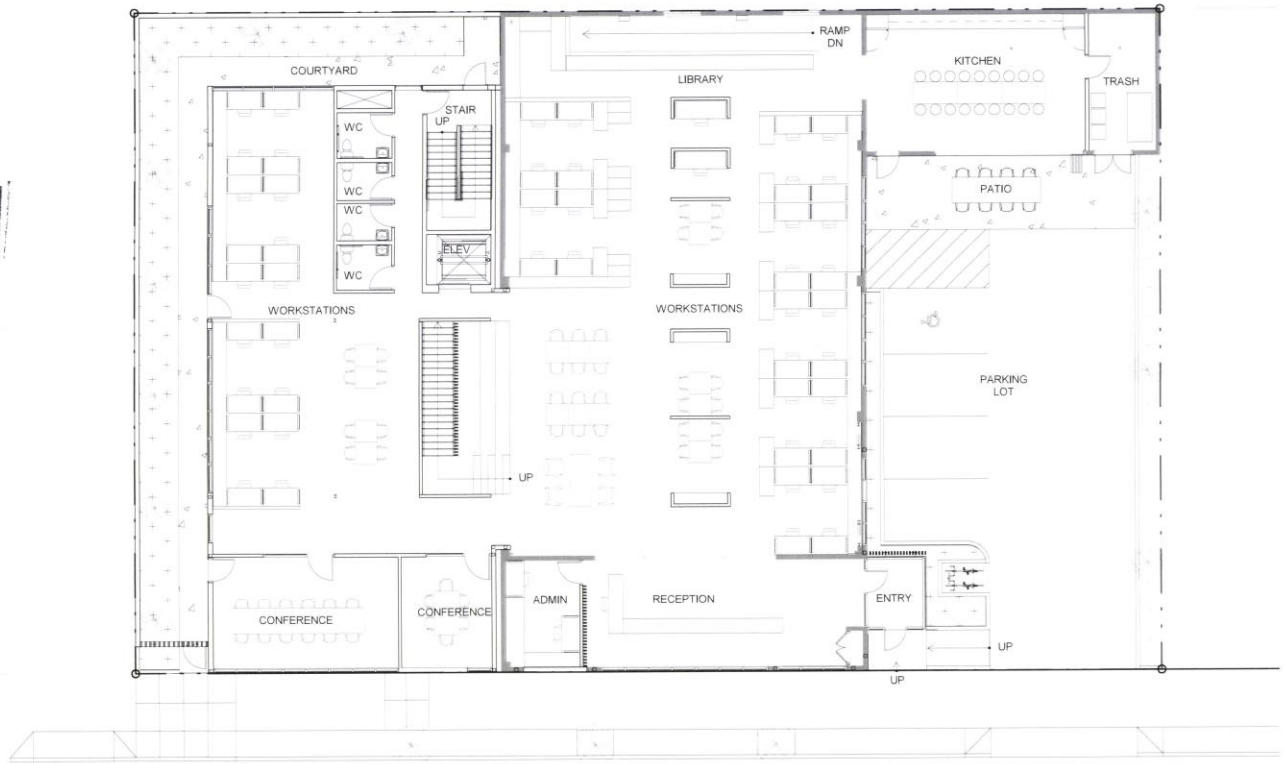
Additional zoning requirements may apply.



1 **FIRST FLOOR PLAN**
1/16" = 1'-0"

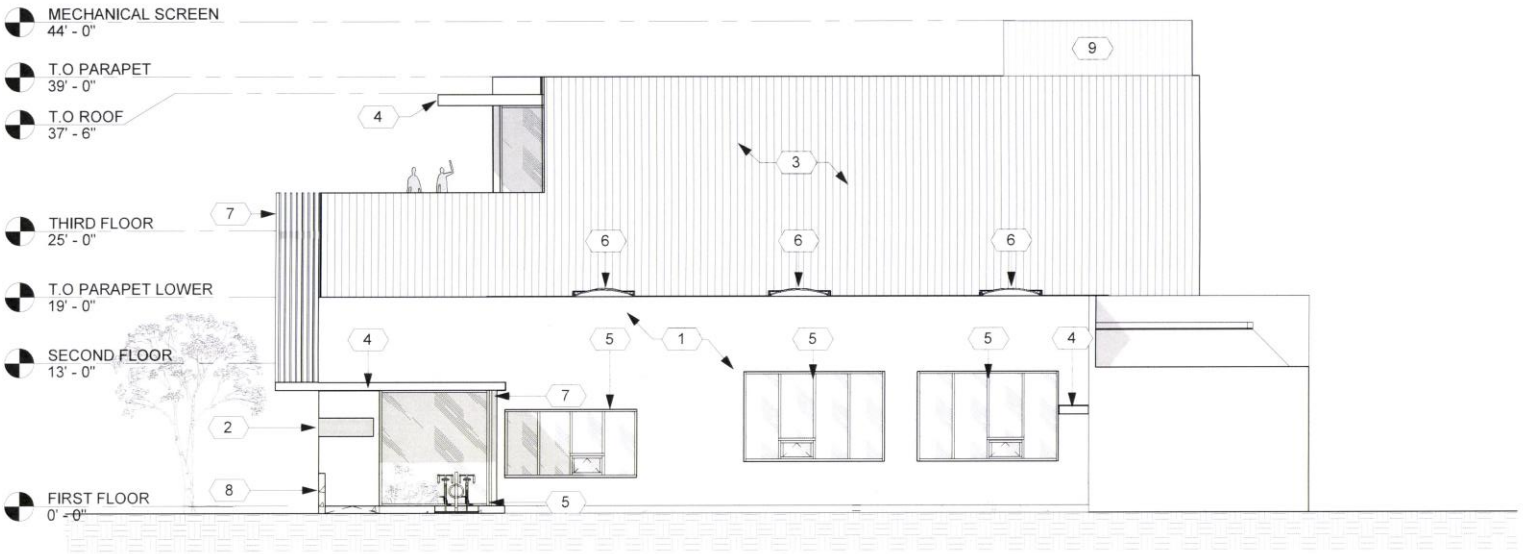
SIEA HQ

DR1 2 - FIRST FLOOR PLAN

LU 19-148412 DZM

SEA

C.8



1 EAST ELEVATION

3/32" = 1'-0"

KEYNOTES

#	DESCRIPTION	#	DESCRIPTION
1	PAINT EXISTING STUCCO	6	EXISTING SKYLIGHT TO REMAIN
2	EXISTING SIGN TO REMAIN	7	THERMORY WHITE ASH VERTICAL WOOD SCREEN
3	20 GAUGE PRE-FINISHED BOX RIB METAL PANEL	8	BOARDFORM CONCRETE PARTIAL HEIGHT WALL
4	22 GAUGE METAL CLAD STEEL CANOPY	9	12 GAUGE METAL LOUVER MECHANICAL SCREEN
5	ALUMINUM STOREFRONT WINDOW		

Approved
City of Portland
Bureau of Development Services
Planner
Date 8/23/2019
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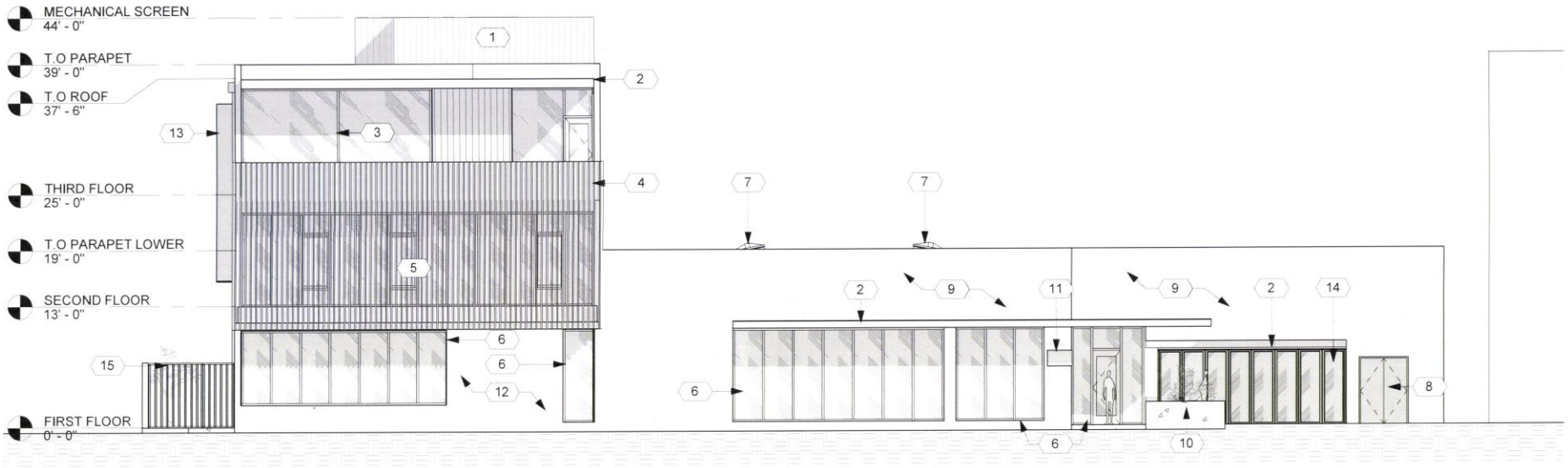
W 19-148412 DZM

C-12



1 SOUTH ELEVATION

3/32" = 1'-0"

KEYNOTES

#	DESCRIPTION				
1	12 GAUGE METAL LOUVER MECHANICAL SCREEN	6	ALUMINUM STOREFRONT WINDOW	11	EXISTING SIGN TO REMAIN
2	22 GAUGE METAL CLAD STEEL CANOPY	7	EXISTING SKYLIGHT TO REMAIN	12	NEW STUCCO TO MATCH EXISTING STUCCO
3	ALUMINUM STOREFRONT SLIDING DOOR	8	SOLID HOLLOW METAL DOOR	13	20 GAUGE POWDER COATED STEEL VERTICAL SUN SHADE
4	THERMORY WHITE ASH VERTICAL WOOD SCREEN	9	PAINT EXISTING STUCCO	14	FOLDING GLASS DOOR
5	STOREFRONT WINDOWS BEYOND WOOD SCREEN	10	BOARDFORM CONCRETE WALL	15	STEEL FENCE AND GATE

Approved
City of Portland
Bureau of Development Services
Planner
Date 07/23/2019
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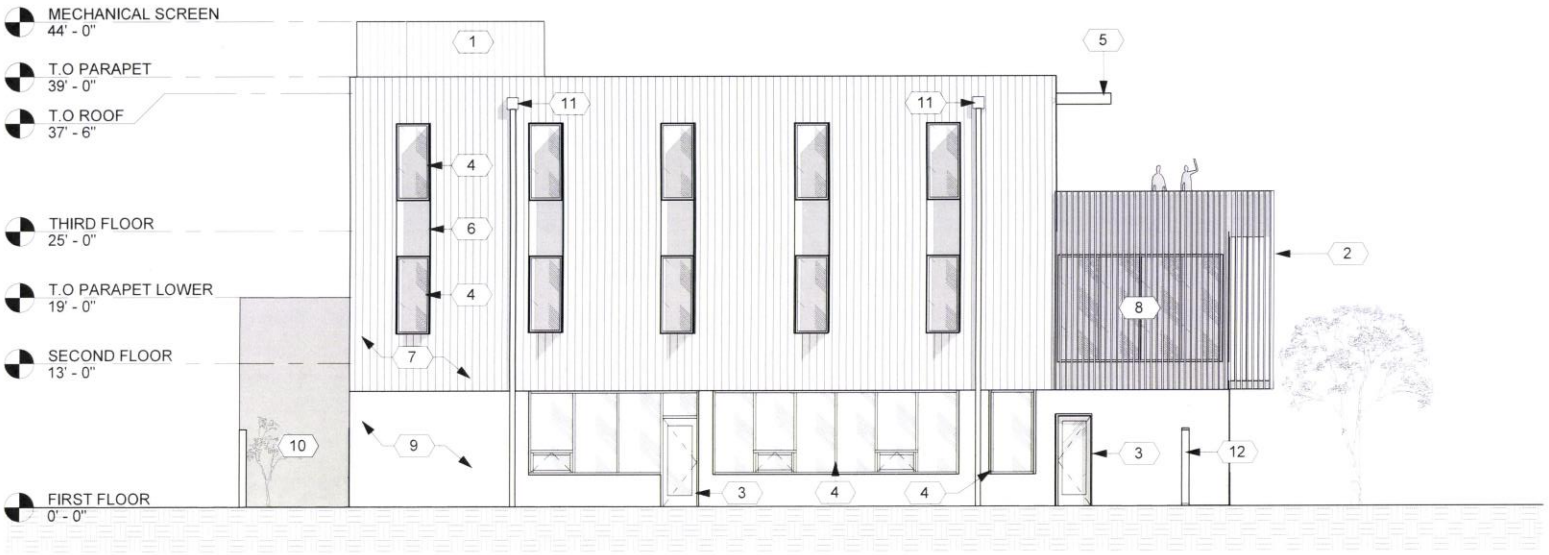

1 WEST ELEVATION

3/32" = 1'-0"

KEYNOTES

#	DESCRIPTION	#	DESCRIPTION	#	DESCRIPTION
1	12 GAUGE METAL LOUVER MECHANICAL SCREEN	6	24 GAUGE ACM METAL PANEL	11	PREFINISHED METAL SCUPPER AND DOWNSPOUT
2	THERMORY WHITE ASH VERTICAL WOOD SCREEN	7	20 GAUGE PRE-FINISHED BOX RIB METAL PANEL	12	STEEL FENCE AND GATE
3	FULL LITE ALUMINUM STOREFRONT DOOR	8	STOREFRONT WINDOWS BEYOND WOOD SCREEN		
4	ALUMINUM STOREFRONT WINDOW	9	NEW STUCCO TO MATCH EXISTING STUCCO		
5	22 GAUGE METAL CLAD STEEL CANOPY	10	PAINT EXISTING STUCCO		

Approved
City of Portland
Bureau of Development Services
Planner [signature]
Date 07/23/2019
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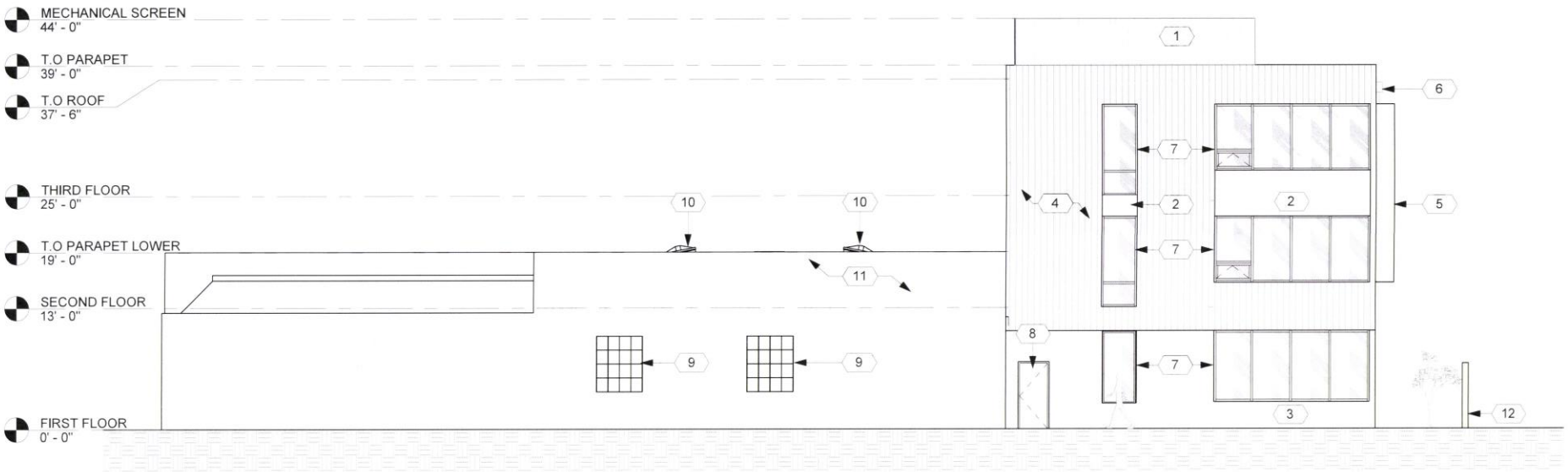

1 NORTH ELEVATION

3/32" = 1'-0"

KEYNOTES

#	DESCRIPTION	#	DESCRIPTION	#	DESCRIPTION
1	12 GAUGE METAL LOUVER MECHANICAL SCREEN	6	PREFINISHED METAL SCUPPER AND DOWNSPOUT	11	EXISTING STUCCO TO REMAIN
2	24 GAUGE ACM METAL PANEL	7	ALUMINUM STOREFRONT WINDOW	12	CMU WALL
3	NEW STUCCO TO MATCH EXISTING STUCCO	8	SOLID HOLLOW METAL DOOR		
4	20 GAUGE PRE-FINISHED BOX RIB METAL PANEL	9	EXISTING GLASS BLOCK TO REMAIN		
5	20 GAUGE POWDER COATED STEEL VERTICAL SUN SHADE	10	EXISTING SKYLIGHT TO REMAIN		

Approved
City of Portland
Bureau of Development Services
Planner [signature]
Date 07/23/2019
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