



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

Dan Ryan, Commissioner
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www.portland.gov/bds

Date: October 7, 2020
To: Interested Person
From: Megan Sita Walker, Land Use Services
503-865-6515 / MeganSita.Walker@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 20-146297 DZ – ALTERATIONS & SIGNAGE

GENERAL INFORMATION

Applicant: Stephanie Fitzhugh | Diloreto Architecture
200 NE 20th Avenue, Ste 200
Portland, OR 97232
(503) 736-9979

Owners Representative: Beth German | Northrup Brothers C/O Alora Property
3519 NE 15th Ave., Box #199
Portland, OR 97212

Owners: Northrup Brothers LLC
240 N Broadway #122
Portland, OR 97227

Site Address: 1120 NW 21ST AVE

Legal Description: None
Tax Account No.: R180229190
State ID No.: 1N1E33BA 02400
Quarter Section: 2927

Neighborhood: Northwest District, contact Greg Theisen at planning@northwestdistrictassociation.org.
Business District: Nob Hill, contact Nob Hill at nobhillportland@gmail.com.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest
Zoning: CM2 (MU-U)d, m – Commercial/Mixed-Use 2 with Design and Centers
Main Street overlays

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

Proposal: The applicant proposes exterior alterations to an existing building at the corner of NW 21st and NW Northrup to include new perimeter parking lot landscaping in addition to the following:

On the West (NW 21st) Elevation

- Installation of new storefront and a new pair of recessed full lite doors set with the existing openings of the storefront bay;
- Installation of seven (7) new light fixtures at existing columns; and

On the North (NW Northrup) Elevation

- Installation of four (4) new light fixtures on the brick portion of the building to align with new fixtures located at columns on the West Elevation;
- Installation of a pair of new full lite storefront doors set with an existing opening and replacement of an existing overhead door, and installation of a new aluminum and glass overhead roll up door within an existing opening with a new light fixtures above.

On the East Elevation

- Installation of two (2) new down-light fixtures along rear parapet edge;
- Installation of a new full lite storefront door within the existing opening and a new aluminum and glass overhead roll up door within an enlarged opening with a new light fixtures above.

Note: Since the Notice of Proposal was mailed on June 29, 2020, the originally proposed 250 SF wall sign and the associated Modification to Maximum Area per Sign (Title 32, 32.32.020.A) has been removed from the proposed scope of work.

Design Review is required because the proposal is for non-exempt exterior alterations.

Relevant Approval Criteria:

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

- *Community Design Guidelines*

ANALYSIS

Site and Vicinity: The 20,000 SF site is currently developed with an older concrete, bowstring truss warehouse building that has hosted a variety of commercial ventures over the years. Recent improvements include a new ADA ramp, deck, parking lot striping, and perimeter landscaping reviewed through the Community Design Standards as permit 11-124323 CO. The site is inside the boundaries of the Northwest Plan District and the Transition area sub-district of the plan district. This area comprises a diversity of uses ranging from commercial, residential and personal services. The diversity is a product of its location in an area that during the first part of the 20th Century had become the transitionally boundary between the residential and industrial portions of Northwest Portland and that had previously served as the boundary between the area's upper and working class neighborhoods. The site is surrounded by other warehouse-type buildings, large surface parking lots, older single-family houses, and multi-family buildings that create a visually eclectic area. NW Overton Street is designated as a City Bikeway and City Walkway. NW Pettygrove Street is designated as a Local Service Bikeway and City Walkway. The site is within the Northwest Pedestrian District.

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.

The Centers Main Street “m” overlay zone encourages a mix of commercial, residential and employment uses on the key main streets within town centers and neighborhood centers identified in the Comprehensive Plan. The regulations are intended to encourage a continuous area of shops and services, create a safe and pleasant pedestrian environment, minimize conflicts between vehicles and pedestrians, support hubs of community activity, and foster a dense, urban environment with development intensities that are supportive of transit.

The Northwest Plan District implements the Northwest District Plan, providing for an urban level of mixed-use development including commercial, office, housing, and employment. Objectives of the plan district include strengthening the area’s role as a commercial and residential center. The regulations of this chapter: promote housing and mixed-use development; address the area’s parking scarcity while discouraging auto-oriented developments; enhance the pedestrian experience; encourage a mixed-use environment, with transit supportive levels of development and a concentration of commercial uses, along main streets and the streetcar alignment; and minimize conflicts between the mixed-uses of the plan district and the industrial uses of the adjacent Guild’s Lake Industrial Sanctuary.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **June 29, 2020**. The following Bureaus have responded with no issues or concerns:

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

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on June 29, 2020. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

Section 33.825.010 Purpose 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.

Community Design Guidelines

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.

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.

E4. Corners that Build Active Intersections. Create intersections that are active, unified, and have a clear identity through careful scaling detail and location of buildings, outdoor areas, and entrances.

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.

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

Findings for P1, E3, E4, E5, and D2: The above-mentioned guidelines are addressed in the following ways:

- The proposed alterations enhance the sense of place and identity of the area and reinforce and complement the existing fabric of the Northwest Plan District.
- The proposed installation of new storefront, a pair of recessed aluminum framed entry doors with transom windows above all within an existing bay on NW 21st and the replacement of storefront at the exiting recessed entry facing NW Northrup enhances visual interest, responds to the finer scale of materials and detailing original to the building, and differentiates the sidewalk level of the building.
- The new storefront with recessed entry doors along NW 21st highlights this entry to the building by utilizing a design vocabulary common in the area. Both recessed entries serve to provide pedestrian weather protection and signify the main entrances to the building.
- At the sidewalk level on the proposal includes new light fixtures mounted to brick columns, with no exterior conduit approved. As such, the building will continue to create a sense of enclosure and visual interest along the sidewalk by integrating pedestrian scaled elements.

These guidelines are 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.

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.

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.

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, D7 & D8: The proposed alterations are intended revitalize the existing building and parking area. The proposal includes the replacement of storefront with new recessed doors and new lighting at entries and at columns on street-facing facades and installing doors and lighting on rear elevations all within existing openings.

To ensure visual interest is retained and all proposed conduit is routed internally to the building, staff has added Condition of Approval 'C'.

As such, with the added Condition of Approval, the proposal reduces the likelihood of crime through supporting active ground floor uses and increasing visibility on both street facing and rear elevations, respects architectural integrity, blends into the neighborhood, and is designed to form a coherent composition.

With Condition of Approval 'C', that all proposed conduit shall be routed internally to the building, these guidelines are met.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposed renovations and additions to the existing building are quality elements that form a cohesive architectural design that will enhance the neighborhood. The proposal meets the applicable approval criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of exterior alterations to an existing building in the Northwest Plan District to include new perimeter parking lot landscaping in addition to the following:

On the West (NW 21st) Elevation

- Installation of new storefront and a new pair of recessed full lite doors set with the existing openings of the storefront bay;
- Installation of seven (7) new light fixtures at existing columns; and

On the North (NW Northrup) Elevation

- Installation of four (4) new light fixtures on the brick portion of the building to align with new fixtures located at columns on the West Elevation;
- Installation of a pair of new full lite storefront doors set with an existing opening and replacement of an existing overhead door, and installation of a new aluminum and glass overhead roll up door within an existing opening with a new light fixture above.

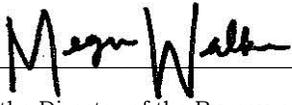
On the East Elevation

- Installation of two (2) new down-light fixtures along rear parapet edge;
- Installation of a new full lite storefront door within the existing opening and a new aluminum and glass overhead roll up door within an enlarged opening with a new light fixture above.

Approved per Exhibits C-1 through C-11, signed and dated October 2, 2020, subject to the following conditions:

- As part of the building permit application submittal, the following development-related conditions (B through D) 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 20-146297 DZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- 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.
- All proposed conduit shall be routed internally to the building.
- No field changes allowed.

Staff Planner: Megan Sita Walker

Decision rendered by:  on **October 2, 2020**

By authority of the Director of the Bureau of Development Services

Decision mailed: October 7, 2020

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 May 15, 2020, and was determined to be complete on June 12, 2020.

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 May 15, 2020.

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 a total of 60 days (See Exhibits A-4 and A-5). Unless further extended by the applicant, **the 120 days will expire on: December 9, 2020.**

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, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received by 4:30 PM on October 21, 2020. **Towards promoting social distancing during the COVID-19 pandemic, the completed appeal application form must be emailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations for the appeal of Type II and IIX decisions on property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If you are interested in viewing information in the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note that due to COVID-19 and limited accessibility to paper files, only digital copies of material in the file are available for viewing. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

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 **October 22, 2020** 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:

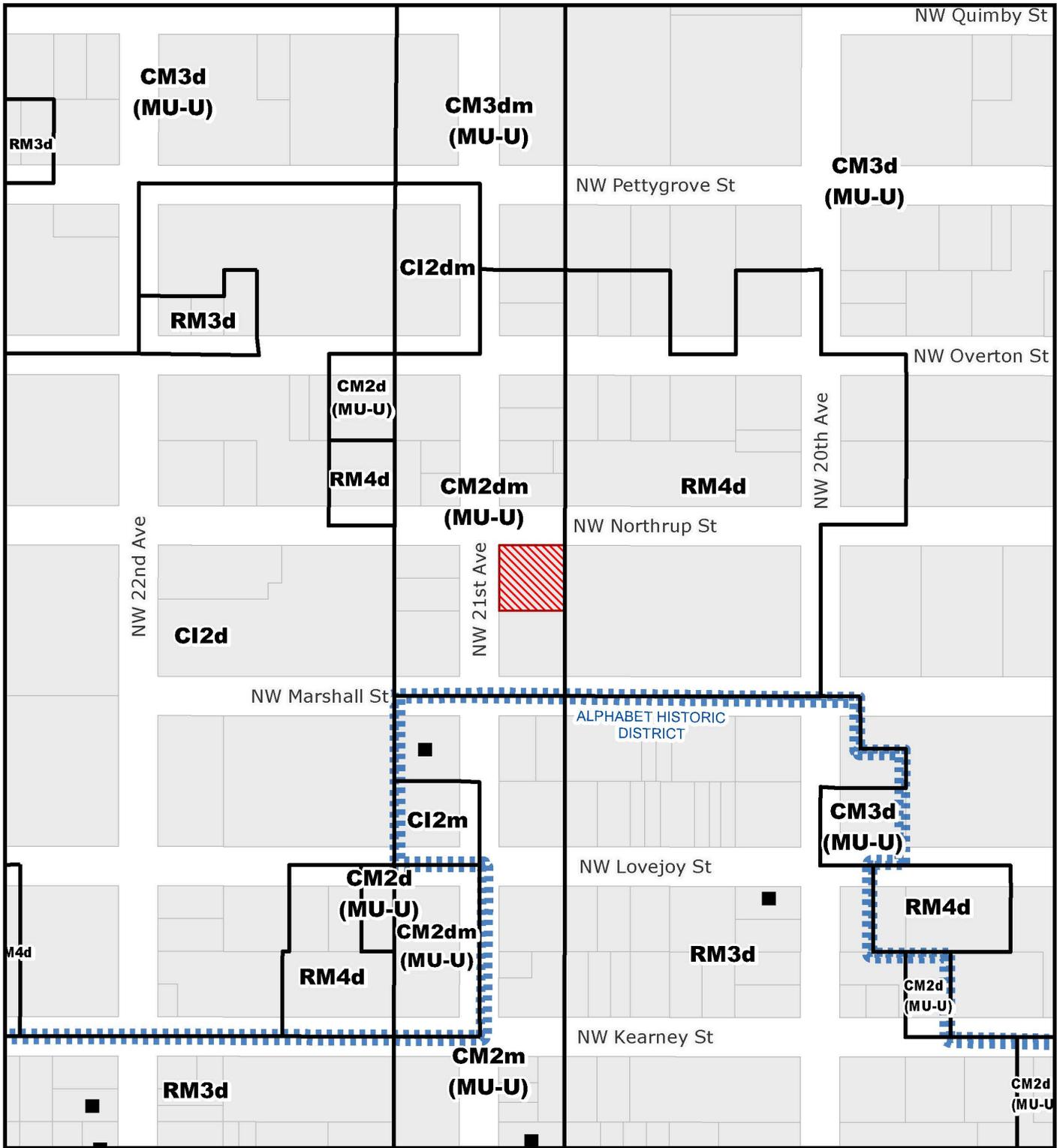
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 1. Original Project Description & Response to Approval Criteria
 2. Original Drawing Set – Not Approved/ For Reference Only
 3. Revised Project Description & Response and Revised Drawing Set
 4. Extension to the 120-Day Review Period
 5. Extension to the 120-Day Review Period
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Existing Site Plan
 3. Partial Ground Floor Plan & Proposed West Elevation (attached)
 4. Proposed North & East Elevations (attached)
 5. Specifications – Light Fixture “Type A”
 6. Specifications – Light Fixture “Type B”
 7. Specifications – Light Fixture “Type C”
 8. Specifications – Roll-up Door
 9. Specifications – Roll-up Door
 10. Details – Storefront Head Detail
 11. Details – Storefront Sill Detail
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Bureau of Transportation Engineering
 2. Life Safety Division of BDS
 3. Fire Bureau
 4. Site Development Section of BDS
 5. Water Bureau
 6. Bureau of Environmental Services
- F. Correspondence: none
- G. Other:
 1. Original LU Application
 2. Email correspondence between Staff and 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

NORTHWEST PLAN DISTRICT



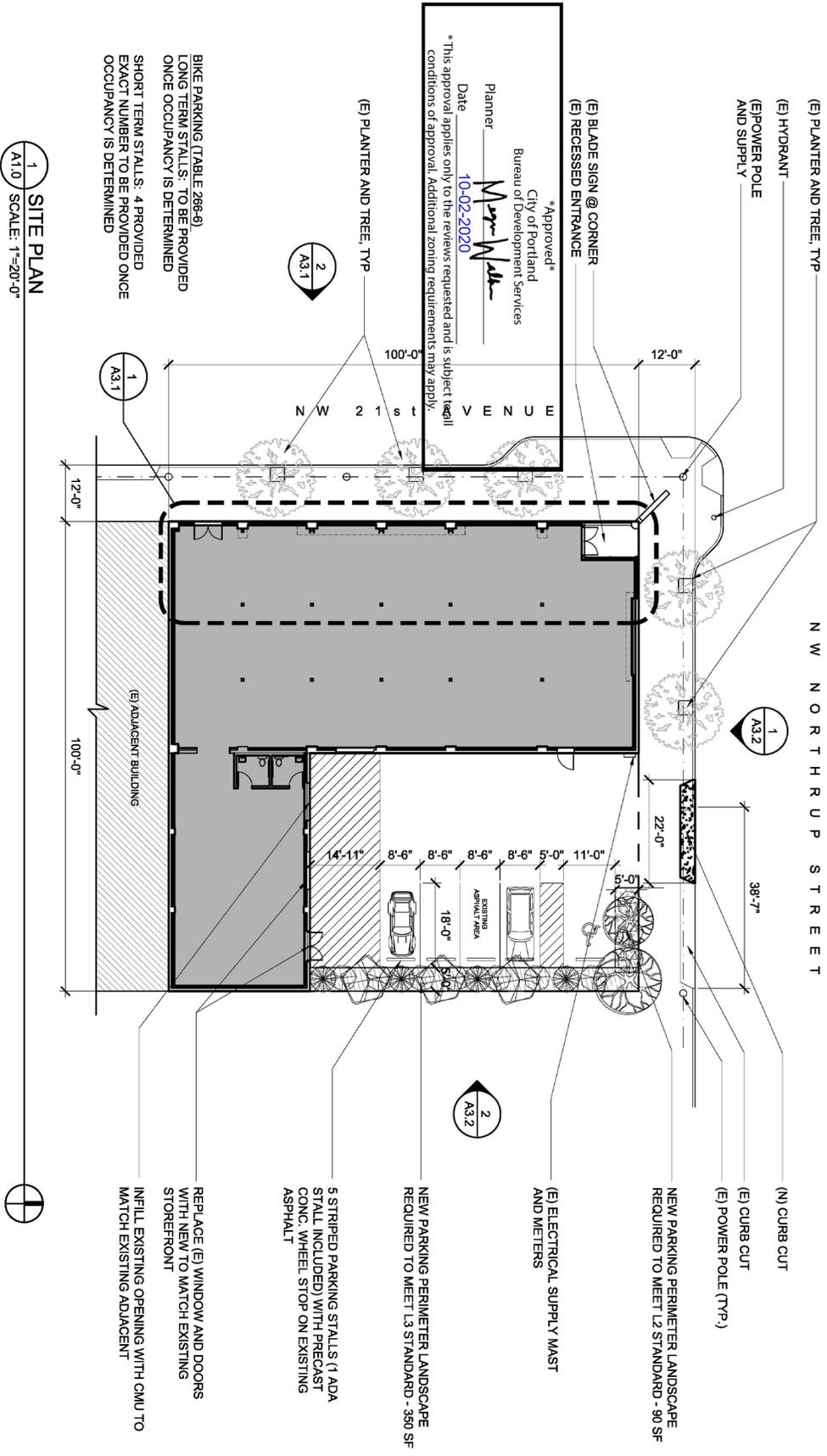
Site



Historic Landmark

File No.	LU 20 - 146297 DZ
1/4 Section	2927
Scale	1 inch = 200 feet
State ID	1N1E33BA 2400
Exhibit	B Jun 04, 2020

Approved per Conditions B-D



1 SITE PLAN
A1.0 SCALE: 1"=20'-0"

N W 2 1 s t - R e n o v a t i o n s
1120 NW 21st Avenue
Portland, OR 97209

di Iorio ARCHITECTURE, llc
200 NE 20TH AVENUE, SUITE 200
PORTLAND, OR 97232

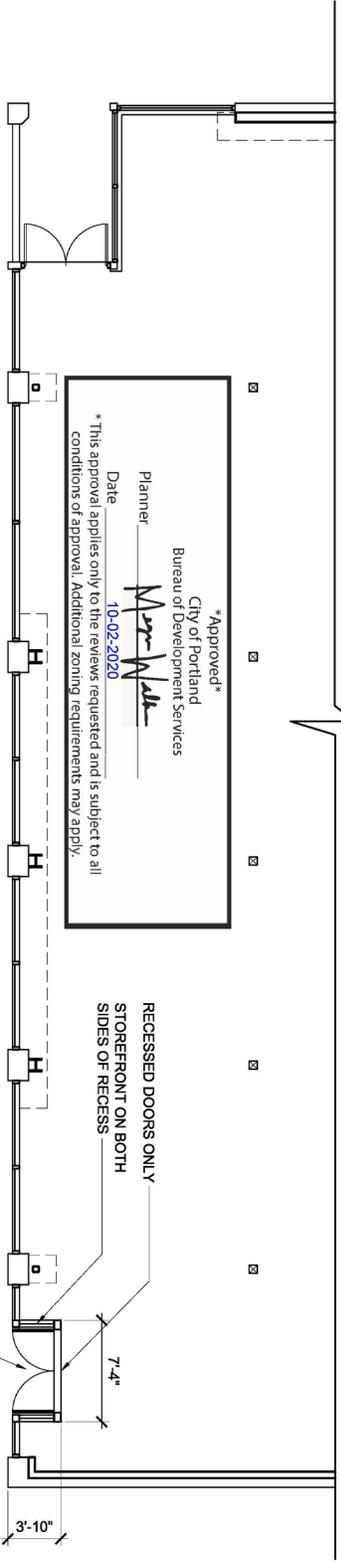
DATE: 09.18.2020 UPDATED
SCALE: AS NOTED

SHEET NO. A1.0
LU 20-146297 DZ EXH C-1

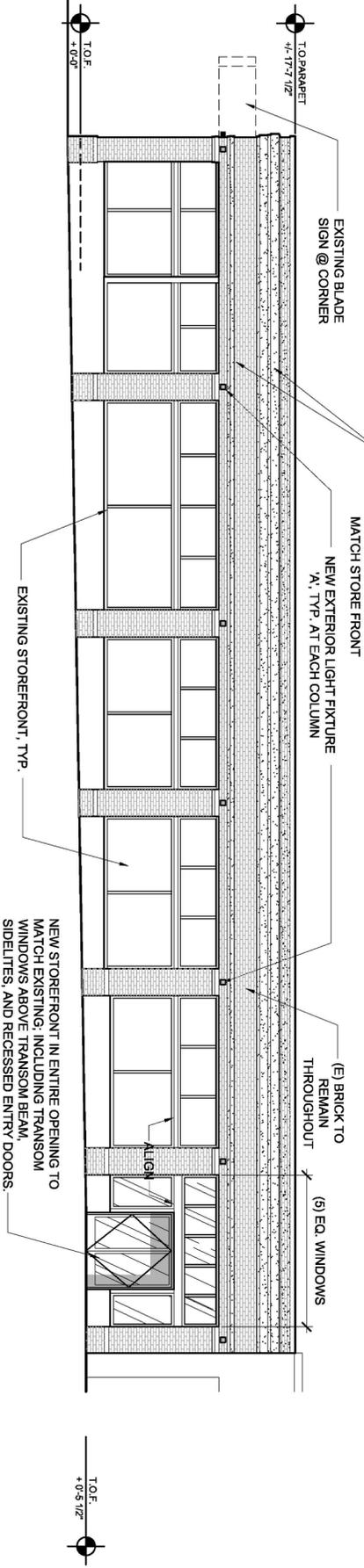
Approved per Conditions B-D

Approved
City of Portland
Bureau of Development Services
Planner *Mary White*
Date 10-02-2020
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

1 PARTIAL ENLARGED FLOOR PLAN
SCALE: 1/8"=1'-0"



2 PROPOSED WEST ELEVATION
SCALE: 1/8"=1'-0"



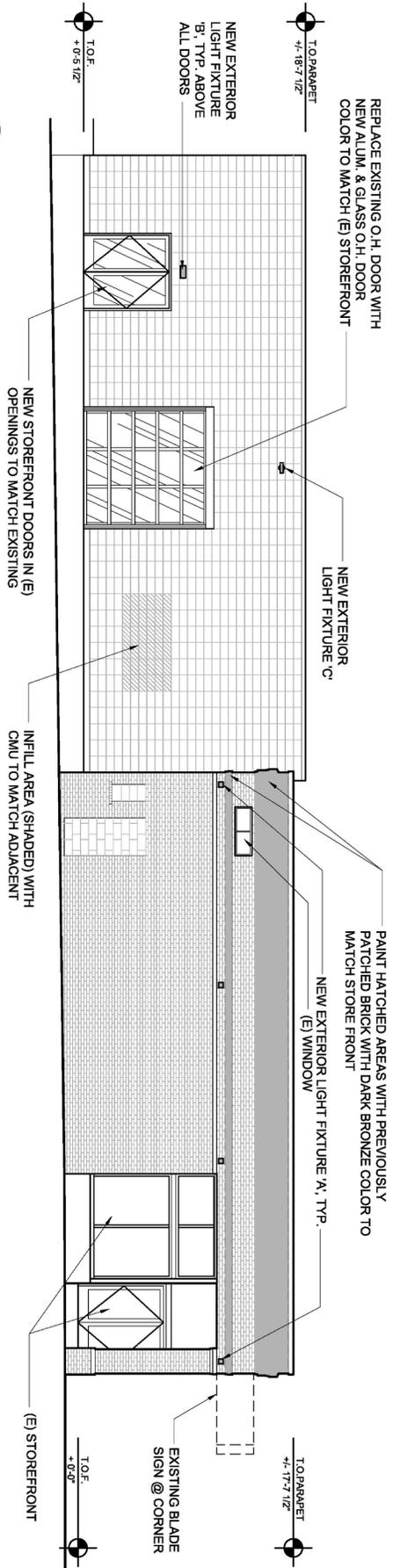
N W 21st - Renovations
1120 NW 21st Avenue
Portland, OR 97209

di loreto ARCHITECTURE, llc
200 NE 20TH AVENUE, SUITE 200
PORTLAND, OR 97232

DATE: 09.18.2020 UPDATED
SCALE: AS NOTED

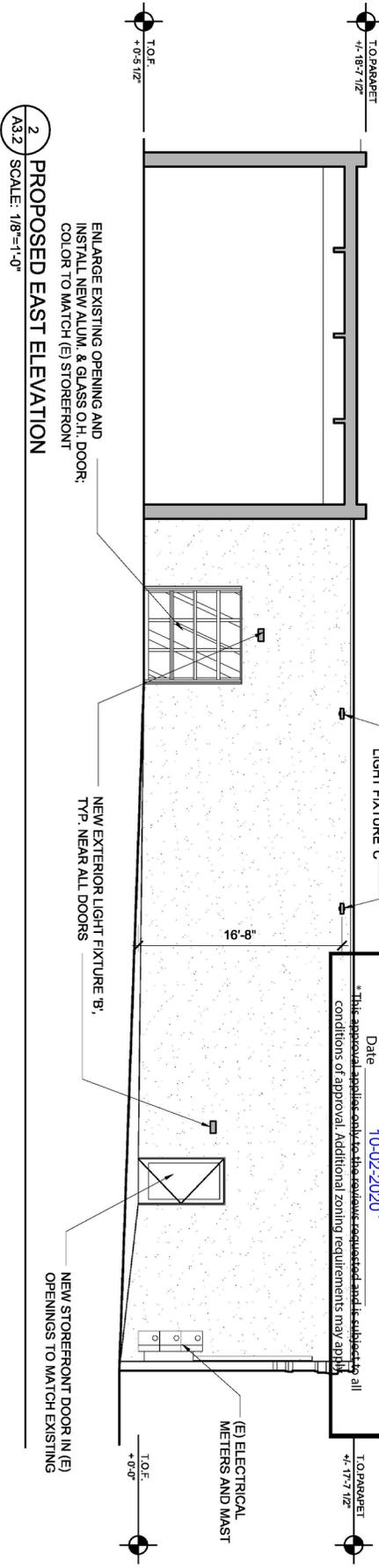
SHEET NO. A3.1
LU 20-146297 DZ EXH C-3

Approved per Conditions B-D



1 PROPOSED NORTH ELEVATION
A3.2 SCALE: 1/8"=1'-0"

Approved
City of Portland
Bureau of Development Services
Planner *Megan Miller*
Date 10-02-2020
*This approval applies only to the review requested and is subject to all conditions of approval. Additional zoning requirements may apply.



2 PROPOSED EAST ELEVATION
A3.2 SCALE: 1/8"=1'-0"

n w 2 1 s t - R e n o v a t i o n s
1120 NW 21st Avenue
Portland, OR 97209

di Iorio ARCHITECTURE, llc
200 NE 20TH AVENUE, SUITE 200
PORTLAND, OR 97232

DATE: 09.18.2020 UPDATED
SCALE: AS NOTED

SHEET NO. A3.2
LU 20-146297 DZ EXH C-4