



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

Dan Ryan, Commissioner
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Date: March 4, 2022
To: Interested Person
From: Hannah Bryant, Land Use Services
503-865-6520 / Hannah.Bryant@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 21-070239 DZ – EXTERIOR ALTERATIONS TO CENTRAL EASTSIDE WAREHOUSE

GENERAL INFORMATION

Applicant: Mark Annen | Annen Architecture, LLC
3778 SE 10th Avenue
Portland, OR 97202

Tenant: Paul Benschoter | Roseline Coffee
1015 SE 11th Ave., Ste 100
Portland, OR 97214

Owner: Lucas Bitar LP
9828 E Burnside St #200
Portland, OR 97216-2363

321 NE Davis Street LLC
9828 E Burnside St #200
Portland, OR 97216-2363

Party of Interest: Mike Coyle | Faster Permits
2000 SW 1st Ave Suite 420
Portland, OR 97201

Site Address: 321 NE DAVIS ST

Legal Description: BLOCK 74 LOT 3&4 TL 1000, EAST PORTLAND
Tax Account No.: R226504870
State ID No.: 1N1E34DA 01000
Quarter Section: 3030
Neighborhood: Kerns, contact Jesse Lopez at yosoyjay@gmail.com
Business District: Central Eastside Industrial Council, contact ceic@ceic.cc.
District Coalition: Southeast Uplift, contact Matchu Williams at matchu@seuplift.org

Plan District: Central City - Central Eastside
Other Designations: None
Zoning: EXd – Central Employment with a ‘Design’ overlay
Case Type: DZ – Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant seeks Design Review approval to replace a single, wood, pedestrian door (located at the rear of a loading bay) with a pair of glass, storefront doors; to replace two sets of chain-link gates with scissor gates, across the two loading bays; to install a new skylight into the existing roof structure over the open loading bay. A new planter and screen wall are proposed to separate the two loading bays.

This proposal includes non-exempt exterior alterations in the Central City, and therefore requires Design Review.

Relevant Approval Criteria:

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

- *Central City Fundamental Design Guidelines*
- *Central Eastside Design Guidelines*

ANALYSIS

Site and Vicinity: Located in the Central Eastside, fronting NE Davis and with the overpass connecting I-5 south to I-84 east immediately behind the site, this subject property is a one-story light industrial/warehouse building constructed in 1920. Located one parcel west of Martin Luther King Jr. Boulevard, this site is well served by transit and located within the Central City Pedestrian District and the Central Eastside Freight District. At this location NE Davis is a local service street for all transit types.

Zoning: The Central Employment (EX) zone allows mixed-uses and is intended for areas in the center of the City that have predominantly industrial type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area. The development standards are intended to allow new development which is similar in character to existing development.

The Design overlay zone ensures that Portland is both a city designed for people and a city in harmony with nature. The Design overlay zone supports the city’s evolution within current and emerging centers of civic life. The overlay promotes design excellence in the built environment through the application of additional design standards and design guidelines that:

- Build on context by enhancing the distinctive physical, natural, historic and cultural qualities of the location while accommodating growth and change;
- Contribute to a public realm that encourages social interaction and fosters inclusivity in people’s daily experience; and
- Promotes quality and long-term resilience in the face of changing demographics, climate and economy.

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

- LU 12-963955 ZC - Approval of a Zoning Map Amendment from the IG1, General Industrial 1 zone to EXd, Central Employment zone with the d, Design Overlay zone.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **January 28, 2022**. The following Bureaus have responded with no issues or concerns:

- Fire Bureau (exhibit E.2)
- Urban Forestry (exhibit E.3)
- Life Safety (exhibit E.4)
- Site Development Section of BDS

The Bureau of Transportation Engineering responded with the following comment: Review comments to provide necessary information at time of permit. Please see Exhibit E-1 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on January 28, 2022. 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 implements the Design overlay zone, strengthening these areas as places designed for people. Design review supports development that builds on context, contributes to the public realm, and provides high quality and resilient buildings and public spaces.

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 the site is located generally within the Central City Plan District, the applicable design guidelines are the Central City Plan Fundamental Design Guidelines. As the site is also specifically located within the Design Zone of the Central Eastside District, the Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan also apply.

Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan and Central City Fundamental Design Guidelines

The Central Eastside is a unique neighborhood. The property and business owners are proud of the district's heritage and service to the community and region. Light industry, distribution/warehousing, and transportation are important components of the district's personality. To the general public, retail stores and commercial businesses provide the central focus within the district.

The underlying urban design objective for the Central Eastside is to capitalize on and emphasize its unique assets in a manner that is respectful, supportive, creative and compatible with each area as a whole. Part of the charm and character of the Central Eastside District, which should be celebrated, is its eclectic mixture of building types and uses. An additional strength, which should be built on, is the pattern of pedestrian friendly retail uses on Grand Avenue, East Burnside and Morrison Streets, as well as portions of 11th and 12th Avenues.

The Central City Fundamental Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland's character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

Central Eastside Design Goals

The following goals and objectives define the urban design vision for new development and other improvements in the Central Eastside

- Encourage the special distinction and identity of the design review areas of the Central Eastside District.
- Provide continuity between the Central Eastside and the Lloyd District.
- Provide continuity between the Central Eastside and the river, downtown, and adjacent residential neighborhoods.
- Enhance the safety, convenience, pleasure, and comfort of pedestrians.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within all of the Central City policy areas. The nine goals for design review within the Central City are as follows:

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

A2. Emphasize Portland Themes. When provided, integrate Portland-related themes with the development's overall design concept.

A2-1. Recognize Transportation Modes, Produce, and Commerce as Primary Themes of East Portland. Recognize and incorporate East Portland themes into a project design, when appropriate.

Findings for A2 and A2-1: The proposal is seeking to make minor improvements to an existing warehouse building to facilitate its use as a coffee roastery and coffee shop. The evolution of this existing light-industrial building as a production facility is consistent with the goals of its Central Eastside location. The proposal intends to revise two existing, covered recessed loading bays to provide a covered patio and new bike parking. To reduce the auto-oriented scale of these spaces, the proposal introduces new raised steel planters and lush landscaping into the loading bays to separate the outdoor seating area from the pedestrian café entrance and bike parking areas. Overhead, a large skylight is proposed to be added to the existing roof cover over the loading bay to ensure a bright, naturally lit space while maintaining the weather protection of the solid roof. This transformation of existing vehicle area to create a place for people and bicycle parking is an excellent example of aligning the development's overall design concept with Portland's high value on reducing the impact of vehicles and creating places for people.

Therefore, these guidelines are met.

A4. Use Unifying Elements. Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

A5. Enhance, Embellish, and Identify Areas. Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

A6. Reuse/Rehabilitate/Restore Buildings. Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

C4. Complement the Context of Existing Buildings. Complement the context of existing

buildings by using and adding to the local design vocabulary.

C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings for A4, A5, A6, C4 and C5: The proposal intends to maintain all existing window and door sizes, including the two large garage door bays, so the distinctive warehouse aesthetic will not be impacted. The regular bays, evenly spaced exterior columns, one-story massing and large garage doors are typical of Central Eastside warehouses and are reminders of this history of this area. The proposal to replace the solid, utilitarian garage doors, and a solid wood person door with new, glazed roll-up doors and a new pair of glass doors at the rear of the recessed loading area offers a contemporary update on this traditional architectural example of a light industrial warehouse typology. The proposal does not impact the coherency of the existing buildings, as it continues to represent the light-industrial and warehouse history of this district and highlights those ongoing uses through new transparent doors. The proposal enhances the surrounding context, while highlighting the production uses so they are visible from the right-of-way.

Therefore, these guidelines are met.

A8. Contribute to a Vibrant Streetscape. Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

B1. Reinforce and Enhance the Pedestrian System. Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

B2. Protect the Pedestrian. Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

B7. Integrate Barrier-Free Design. Integrate access systems for all people with the building's overall design concept.

C6. Develop Transitions between Buildings and Public Spaces. Develop transitions between private development and public open space. Use site design features such as movement zones, landscape elements, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

Findings for A8, B1, B2, B7 and C6: While the majority of the building is built to the property line, the two loading bays on the east side are both set back from the property line with a covered area above the vehicle loading area. The proposal to reuse these loading spaces for outdoor seating, bicycle parking and a new ADA accessible entrance will activate the existing building setback and uses the existing roof structures over these loading spaces to keep human seating areas and bikes dry. This activation of the area abutting the sidewalk, and the introduction of new planters and seating into this space serves to reinforce and enhance the pedestrian system. The enlarged pedestrian doors proposed at the back of the loading area will ensure that the primary entry is accessible to all through the new pair of glazed doors. The replacement of existing chain link gates across these recessed bays with metal scissor gates ensures the gates may be discreetly tucked away while open and eliminates the existing condition that impedes the pedestrian right-of-way when open.

Therefore, these guidelines are met.

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

C3. Respect Architectural Integrity. Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

Findings for C2 and C3: The new proposed pedestrian and garage roll-up doors are all glazed, with high-quality anodized aluminum frames. The new garage doors are proposed to be installed in the existing loading bay openings, and the pair of new pedestrian doors are to be located in a wider opening where there is already an existing single pedestrian door. The minimal changes to the existing building do not detract from its architectural integrity nor remove any architectural items of significance.

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 implements the Design overlay zone, strengthening these areas as places designed for people. Design review supports development that builds on context, contributes to the public realm, and provides high quality and resilient buildings and public spaces. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of a new skylight, two glazed roll-up doors to replace two existing solid garage doors, and two new person doors to replace one single person door, and new metal scissor gates to replace existing chain link gates, per the approved site plans, Exhibits C-1 through C-5, signed and dated March 1, 2022, 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 21-070239 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: Hannah Bryant

Decision rendered by:  on March 1, 2022

By authority of the Director of the Bureau of Development Services

Decision mailed: March 4, 2022

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on July 26, 2021, and was determined to be complete on January 21, 2022.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore, this application was reviewed against the Zoning Code in effect on July 26, 2021.

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: May 21, 2022.**

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, 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 March 18, 2022. 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 Office of Community and Civic Life 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 this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be

required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

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 18, 2022** 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:

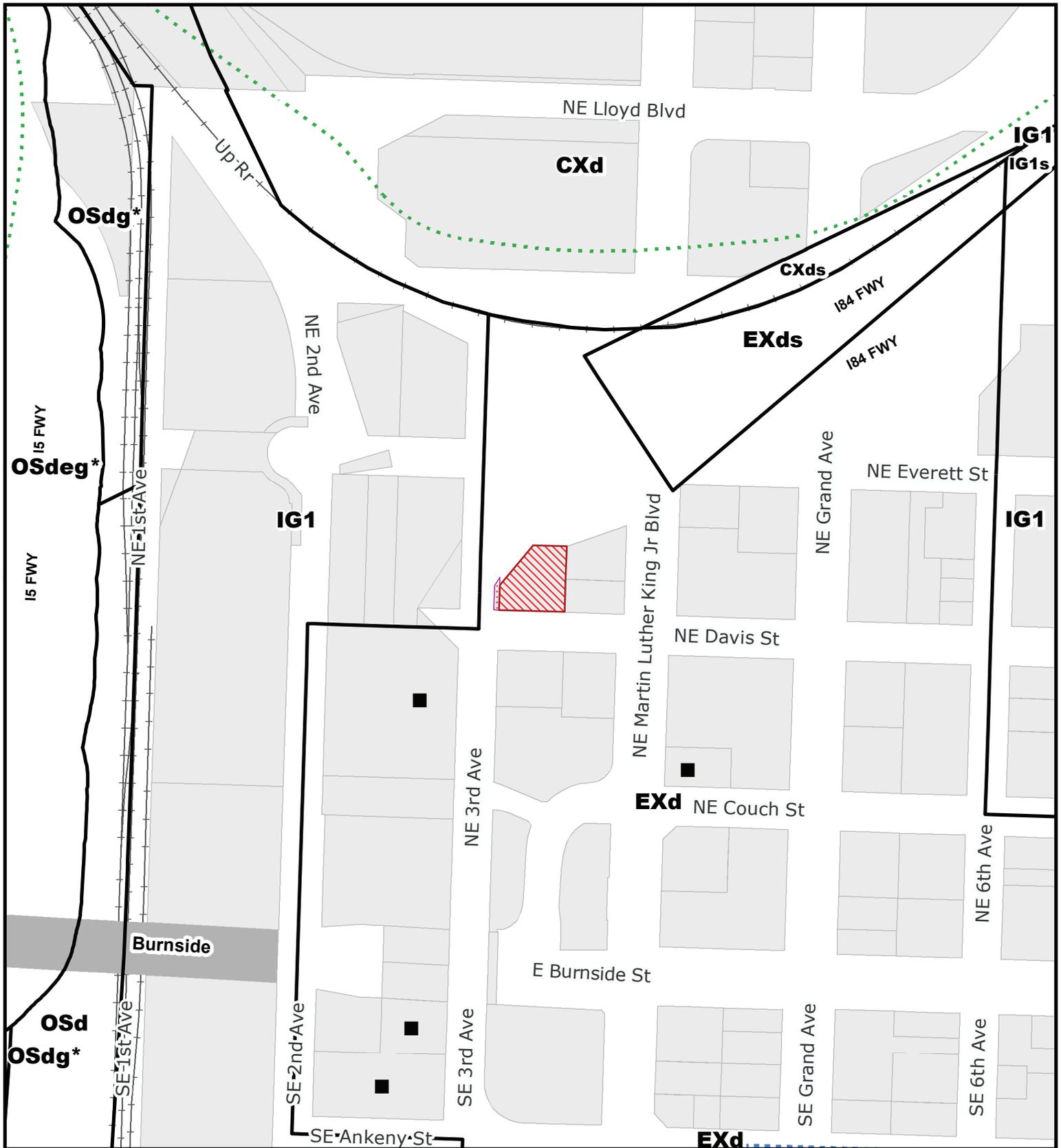
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
 - 1. Narrative
 - 2. Photos
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevations
 - 3. Door Cutsheet
 - 4. Door Color Details
 - 5. Bike Rack Cutsheet
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Transportation
 - 2. Fire Bureau
 - 3. Urban Forestry
 - 4. Life Safety
- F. Correspondence: None
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter, dated August 18, 2022
 - 3. 180-Day Expiration Warning Letter, dated December 30, 2021

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

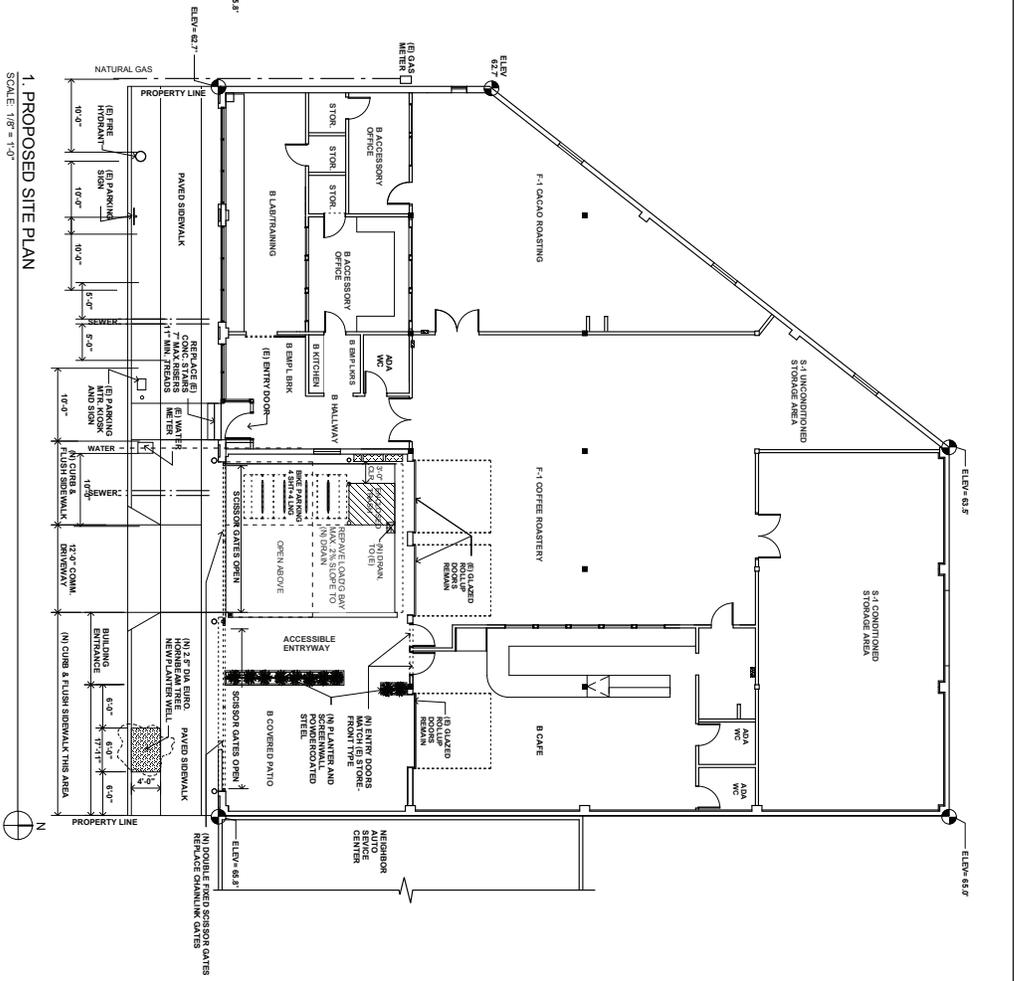
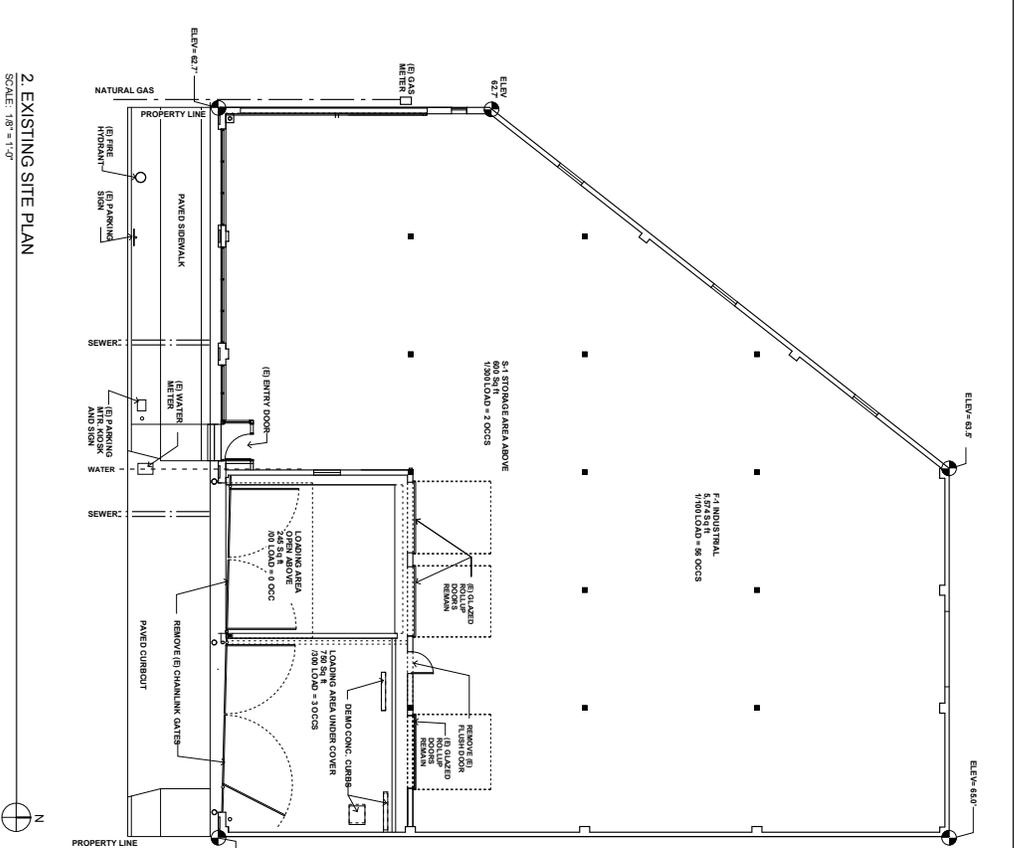


For Zoning Code in effect
August 1, 2020 - July 31, 2021

CENTRAL CITY PLAN DISTRICT
CENTRAL EASTSIDE SUB DISTRICT

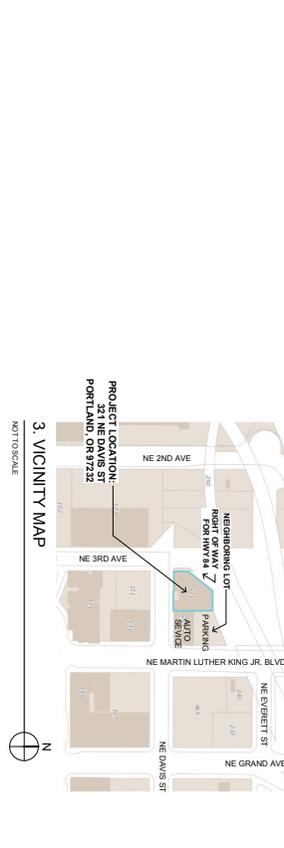
-  Site
-  Also Owned Parcels
-  Historic Landmark
-  Recreational Trails

File No.	LU 21 - 070239 DZ
1/4 Section	3030
Scale	1 inch = 200 feet
State ID	1N1E34DA 1000
Exhibit	B Jul 26, 2021



2. EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"

1. PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"



When Statement of Design Intent and how it meets the Approval Criteria for Certain City Fundamental Design Guidelines and the Central Eastside Design Guidelines

Roseline Coffee Roastery, offices and Cafe 321 NE Davis St, Portland Oregon 97232

We are proposing to remove an existing flush wood door, existing concrete curbs and chainlink gates from an existing warehouse loading dock area at 321 NE Davis St. The chainlink swinging gates would be replaced with a metal actions gate system for security and the ability to be "out of the way" when open. The single flush wood door would be replaced with two separated glass storefront doors. These doors would match the existing entry door to the offices at the West portion of building.

We also propose a new planter and screenwall to separate the pedestrian entry from a covered patio area used by the building tenants. Both areas are open to the sidewalk.

Pedestrian Emphasis within the Central Eastside District:

These changes will enhance the pedestrian connection from the Cafe and Roastery through glass doors and add details that will improve the pedestrian experience. The new glass doors will be made of clear glass and will be set in a metal frame. The existing loading area is currently lit by a large skylight that will enhance the planing screen while still allowing direct views into the building through the new doors. The way is barrier free and the new doors are fully accessible.

Allow for Loading and Staging areas on Sidewalks:

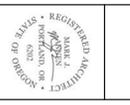
The use of separate glass doors at the existing swinging chainlink type allow the former loading bays to be more fully opened to the public. The new covered patio and entry contribute to the cityscape.

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C-1 LU 21-070239 DZ

REVISIONS	BY
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WAREHOUSE TENANT IMPROVEMENT FOR ROASTER, CAFE AND OFFICES
ROSELINE COFFEE
 321 NE DAVIS ST., PORTLAND, OREGON 97232



ANNEN ARCHITECTURE, LLC
 RESIDENTIAL RESTAURANT COMMERCIAL ARCHITECTURE
 1500 NE AVENUE
 PORTLAND, OREGON 97232
 T. 503.293.4514

Sheet: 13/16/2023
 Date: 12/14/2023
 Scale: 1/8" = 1'-0"
 Drawn: M.A.
 Designer: M.A.
 Designer/Reviewer: M.A.

ADRI
 Sheet