



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

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**Date:** 12/20/22  
**To:** Interested Person  
**From:** Staci Monroe, Land Use Services  
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**NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has a approved 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 22-203663 DZ – EXTERIOR ALTERATIONS**

**GENERAL INFORMATION**

**Applicant:** Randy Nishimura | Robertson Sherwood Architects PC  
132 East Broadway, Suite 540 | Eugene OR 97401  
[rnishimura@robertsonsherwood.com](mailto:rnishimura@robertsonsherwood.com)

**Owner:** Forest Park Federal Credit Union  
PO Box 7487 | Springfield, OR 97475

**Representative:** Lisa Mccourt | Selco Community Credit Union  
110 International Way | Springfield OR 97477

**Party of Interest:** Chad Blilie | Mckenzie Commercial Contractors Inc  
865 West Second Avenue | Eugene OR 97402

**Site Address:** 2465 NW THURMAN STREET

**Legal Description:** BLOCK 323 TL 1200, BALCHS ADD  
**Tax Account No.:** R051002410  
**State ID No.:** 1N1E28CC 01200  
**Quarter Section:** 2827  
**Neighborhood:** Northwest District, contact Greg Theisen at [planningchair@northwestdistrictassociation.org](mailto:planningchair@northwestdistrictassociation.org)  
**Business District:** Nob Hill, contact at [nobhillportland@gmail.com](mailto:nobhillportland@gmail.com).  
**District Coalition:** Neighbors West/Northwest, contact Darlene Urban Garrett at [darlene@nwnw.org](mailto:darlene@nwnw.org)  
**Plan District:** Northwest  
**Other Designations:** None  
**Zoning:** CM2(MU-N)d – Commercial Mixed Use 2 zone with a Design Overlay  
**Case Type:** DZ – Design Review

**Procedure:** Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The applicant seeks Design Review approval for minor exterior alterations to the south, Thurman facing façade of the building at 2465 NW Thurman Street in the Northwest Plan District. The proposal includes replacing a window with the new window in the same opening and adding a bank transaction drawer below the window and a 4'-8" wide by 3' deep canopy above. These changes along with replacing a small strip of landscaping between the building and the sidewalk with concrete will provide a walk-up bank teller service along NW Thurman.

Design Review is required for exterior alterations that do not meet the exemptions in Section 33.420.045 or the Design Standards in Section 33.420.050.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria specified in the Portland Zoning Code. The relevant approval criteria are indicated below and can be found at [portland.gov/bps/planning/design-guideline-documents](http://portland.gov/bps/planning/design-guideline-documents):

- Portland Citywide Design Guidelines

## ANALYSIS

**Site and Vicinity:** The subject property is a wood two-story credit union constructed in 1977. It is located at the northeast corner of the intersection of NW Thurman Street and NW 25<sup>th</sup> Avenue on an L-shaped lot.

- NW Thurman Street is a Major City Walkway, City Bikeway, and a Transit Access Street.
- NW 25<sup>th</sup> Avenue is a Major City Walkway north of Thurman and City Walkway south of Thurman.
- The property is located within Northwest Pedestrian District.

The existing building sits near the lot line along NW Thurman but is set back approximately 30 feet from the NW 25<sup>th</sup> Avenue lot line with parking between the building and this street. The parking area is accessed from both NW Thurman and NW 25<sup>th</sup>, as well as via NW 24<sup>th</sup> Place, a dead-end street. To the north, east, and south are residential properties of varying densities built between 1892 and 2005, and to the northwest is a small office building, constructed in 1948.

**Zoning:** The Commercial/Mixed Use 2 (CM2) zone is a medium-scale zone intended for sites in a variety of centers, along corridors, and in other mixed use areas that have frequent transit service. The zone allows a wide range and mix of commercial and residential uses, as well as employment uses that have limited off-site impacts. Buildings in this zone will generally be up to four stories tall unless height and floor area bonuses are used, or plan district provisions specify other height limits. Development is intended to be pedestrian-oriented, provide a strong relationship between buildings and sidewalks, and complement the scale of surrounding residentially zoned areas.

The Design 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.

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

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

- LU 95-012179 (ref. file # LUR 95-00286) - Approval of an Adjustment to allow a reduced building coverage of 30% rather than the required 50%.
- LU 12-170592 DZ – Design Review approval for exterior building and site alterations.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on **December 1, 2022**. Given the small scope of the proposal, no additional bureaus provided comments.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **December 1, 2022**. One written response was received from either the Neighborhood Association or notified property owners in response to the proposal.

- Laura Wester, email received 12/5/22, stating potential safety and parking concerns with the proposal (see Exhibit F1).

*Applicant Response – The proposed walk-up teller window will only be operational during the branch’s normal business hours. Its use will entail interaction between a credit union member outside and a SELCO teller inside. An ATM machine is not included in the proposal, thus adverse factors regarding user safety—particularly at night—will largely not be present. Additionally, the proposed location ensures that more “eyes on the street” are available to passively surveil the sidewalk activity.*

*The intended user will not be members who arrive by car, but rather pedestrians or cyclists who appreciate the convenience such a bank transaction option presents. The presence of the teller window would help activate the street frontage while providing an alternative means to conduct business welcomed by SELCO members who choose not to drive.*

*Staff Response – Staff concurs with the applicant’s response. See the findings below for details.*

## **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 of the site’s location, the applicable design guidelines are the Portland Citywide Design Guidelines.

### **Portland Citywide Design Guidelines**

The Portland Citywide Design Guidelines consist of a set of guidelines for design cases in community planning areas outside of the Central City. The Portland Community Design

Guidelines focus on three tenets: **Context**, balancing the aspirations of the future desired character with today's setting; **Public Realm**, strengthening a building and site's relationship with the public rights-of-way and open spaces; and **Quality And Resilience**, underscoring holistic site and building designs that benefit people and climate.

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

**01: Build on the character, local identity, and aspiration of the place.**

Possible design approaches may include, but are not limited to:

- Community - Relating to the local community's identity, history, and cultural values and places.
- Architecture - Taking cues from desired character of existing architecture.
- Nature - Reflecting and enhancing local natural resources such as rivers, streams, buttes and vegetation.

**04: Design the sidewalk level of buildings to be active and human-scaled.**

Possible design approaches may include, but are not limited to:

- Ground Floor Heights - Designing buildings with taller, more adaptable ground floors.
- Multiple Entries and Windows - Offering more than one entrance along the ground floors of buildings to provide "eyes on the street" and avoid blank expanses of walls.
- Weather Protection - Providing protection from wind, rain, and sun.
- Lighting - Enhancing safety and visibility for pedestrians and highlighting special building features.
- Residential Setbacks - Creating soft transitions while separating private spaces from public spaces.

**07: Support the comfort, safety, and dignity of residents, workers, and visitors through thoughtful site and building design.**

Possible design approaches may include, but are not limited to:

- Internal Open Spaces - Offering a variety of multi-functional spaces such as balconies, stoops, plazas, play areas, and passive sitting areas.
- Internal Connections - Creating safe and visible pedestrian circulation through sites.
- Vehicles Areas - Ensuring that vehicle areas do not impair the usability and enjoyment of the site.
- Solar Access - Providing solar access to open areas.
- Windows and Entries - Orienting windows and entries toward on-site circulation and open areas.

**Findings for 01, 04 & 07:** The proposal addresses these guidelines as follows:

- The addition of a walk-up transaction drawer increases the level of pedestrian activity along the building frontage by providing a direct and short connection to the new service from the sidewalk to the building.
- Retaining clear glazing allows views into and out of the building maintaining visual connections between the public and private areas.
- The 3' deep canopy above the window provides weather protection for those utilizing the transaction drawer and a down-light sconce light fixture within the awning illuminates the immediate area.
- The transaction drawer will only operate during business hours of the bank which are during the daytime, exceptions may be in the winter when daylight hours are less. Therefore, security and safety issues related to using ATMs at all hours, particularly at night are not relevant for this use.

*These guidelines have been met.*

**08: Design for quality, using enduring materials and strategies with a coherent approach.**

Possible design approaches may include, but are not limited to:

- Unity - Expressing a clear and coherent design approach to unify building.

- Articulation - Highlighting function, hierarchy, or spaces through small breaks in form.
- Application of Exterior Materials - Expressing the building design with hierarchy, shifts or repetition.
- Quality of Materials - Providing quality, resilience, and durability in construction and execution of details.
- Building Openings - Offering permeability, depth, and texture.

**Findings:** The new elements (transaction drawer and canopy) and replacement window are designed to be coherent with the building’s composition and durable materials. The replacement window sits within the existing opening retaining the symmetry of the windows on the south façade and matches the aluminum window profile, color and finish (dark anodized aluminum) of the existing windows. The transaction drawer and canopy are aligned horizontally with the width the window complementing the fenestrations, materials and colors on the façade including the metal roof, which the canopy will match. *This guideline has been met.*

**09: Design for resilience, health, and stewardship of the environment, ensuring adaptability to climate change and the evolving needs of the city.**

Possible design approaches may include, but are not limited to:

- Adaptable Buildings - Providing flexibility in building programming, floor heights, and building openings.
- Resource Conservation - Prioritizing the use of existing structures or reclaimed and recycled materials.
- Native Landscaping - Integrating native landscaping and large canopy trees to address heat island and provide for pollinators.
- Ecoroofs - Providing and integrating ecoroofs for pollinators and people.
- Bird-Safe - Reducing bird strikes through careful design.
- Daylight and Air - Providing daylight and ventilation and improving indoor air quality.
- On-Site Stormwater - Allowing rain to soak into the ground and filter through lush vegetation and landscaping.

**Findings:** The proposal is confined to a small area on the building façade. The addition of the transaction drawer, replacement window, and canopy allows the use within the existing building to expand without significant negative impact on the environment in terms of waste and new material. *This guideline has been met.*

## **DEVELOPMENT STANDARDS**

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all requirements of Title 11 can be met, and that all development standards of Title 33 can be met or have received an Adjustment or Modification via a land use review, prior to the approval of a building or zoning permit.

## **CONCLUSIONS**

The 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 exterior alterations including the addition of a bank transaction drawer and awning and replacement window, per the approved site plans, Exhibits C-1 through C-5, signed and dated 12/16/22, 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 four 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 22-203663 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: Staci Monroe**



**Decision rendered by:** \_\_\_\_\_ **on 12/16/22**

By authority of the Director of the Bureau of Development Services

**Decision mailed 12/20/22**

**Procedural Information.** The application for this land use review was submitted on November 15, 2022, and was determined to be complete on November 28, 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 November 15, 2022.

*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 extended by the applicant, **the 120 days will expire on 3/28/23.**

**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.

**This decision, and any conditions associated with it, is final.** It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further 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](http://www.portlandonline.com).

**Recording the final decision.**

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **12/20/22** 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 for 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. Response to Public Comment
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Floor Plan (demo and proposed)
  - 3. South Elevation and Enlarged Details (attached)
  - 4. Transaction Drawer Detail
  - 5. Light Fixture Detail
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence:
  - 1. Laura Wester, email received 12/5/22, stating potential safety and parking concerns with the proposal.
- G. Other:
  - 1. Original LU Application
  - 2. Email correspondence with Applicant and Staff

**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).**