



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

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Date: May 23, 2013
To: Interested Person
From: Dave Skilton, Land Use Services 503-823-0660
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NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The 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 13-138754 DZ – DRIVE-UP ATM

GENERAL INFORMATION

Applicant: Greer Goodmonson 503-235-9400 / Emerick Architects Pc
208 SW 1st Ave Suite 320 / Portland, OR 97204

Owner: First Interstate Bank of Oregon
PO Box 2609 / Carlsbad, CA 92018-2609

Contact: Mike Degliantoni / Emerick Construction Company
8850 SE Otty Road / Happy Valley, OR 97086

Site Address: 1640 NW 19th Avenue

Legal Description: BLOCK 8 TL 4700, WATSONS ADD
Tax Account No.: R883800680
State ID No.: 1N1E28DC 04700
Quarter Section: 2828
Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: Nob Hill, contact Mike Conklin at 503-226-6126.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Northwest
Zoning: EXd, Central Employment, with Design Overlay
Case Type: DZ, Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant is seeking Design Review approval for a proposal to replace an existing, legal but non-conforming drive-up teller window with a new automated teller machine (ATM) in the same location. Design Review is required because the proposal is for non-exempt exterior alteration in a Design Overlay zone.

Approval Criteria:

In order to be approved, this proposal must comply with the criteria specified in the zoning code (Title 33 of the Portland City Code). These criteria are:

- Community Design Guidelines

ANALYSIS

Site and Vicinity: The subject property is a small purpose-built International Style bank building built in 1951. Along with its extensive parking and maneuvering area the building occupies the entire block bounded by NW 19th, Savier, 18th, and Raleigh. The context includes a mix of historic landmarks, older dwellings, and more recent light industrial structures. Almost immediately overhead is the elevated ramp serving Interstate Highway I-405 and State Highway 30. NW 19th Avenue itself is a one way street in the southerly direction. NW 18th, 19th, and Raleigh are designated bike and pedestrian ways.

Zoning: The Central Employment (EX) zone implements the Central Employment map designation of the Comprehensive Plan. The 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 [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. 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 there are no prior land use reviews for this site.

Public Notice: A Notice of Proposal in Your Neighborhood was mailed on April 25, 2013.

Agency Review: None of the notified Bureaus has responded with significant concerns g.

Neighborhood Review: No written responses were 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.

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

Community Design Guidelines

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.

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.

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.

Findings for E1, D4, and D6: The proposal is to replace an existing drive-up teller window with a new automated teller machine (ATM) in the same opening. Because the length of the queue area will not be decreased or increased there will be no additional impact on the pedestrian or parking environments, which are currently well-protected by the circulation layout. While new drive-through facilities are prohibited in the zone, this one will continue to operate as it has for more than sixty years. The new ATM will be integrated with the building's architectural character because it will occupy an existing opening designed for virtually an identical function. *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 proposed replacement of an existing drive-up teller with a drive-up automated teller machine in the same location will have virtually no effect on the way in which the building functions within its context. The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of Design Review for a new drive-up ATM in the Northwest Plan District;

Approval is per Exhibits C-1 through C-7, signed and dated May 20, 2013, subject to the following condition:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-7. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 13-138754 DZ. No field changes allowed."

Staff Planner: Dave Skilton



Decision rendered by: _____ **on May 20, 2013.**

By authority of the Director of the Bureau of Development Services

Decision mailed: May 23, 2013

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 11, 2013, and was determined to be complete on April 23, 2013.

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 11, 2013.

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.

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 June 6, 2013** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **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 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, 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 must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **June 7, 2013**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- **By Mail:** Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
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:

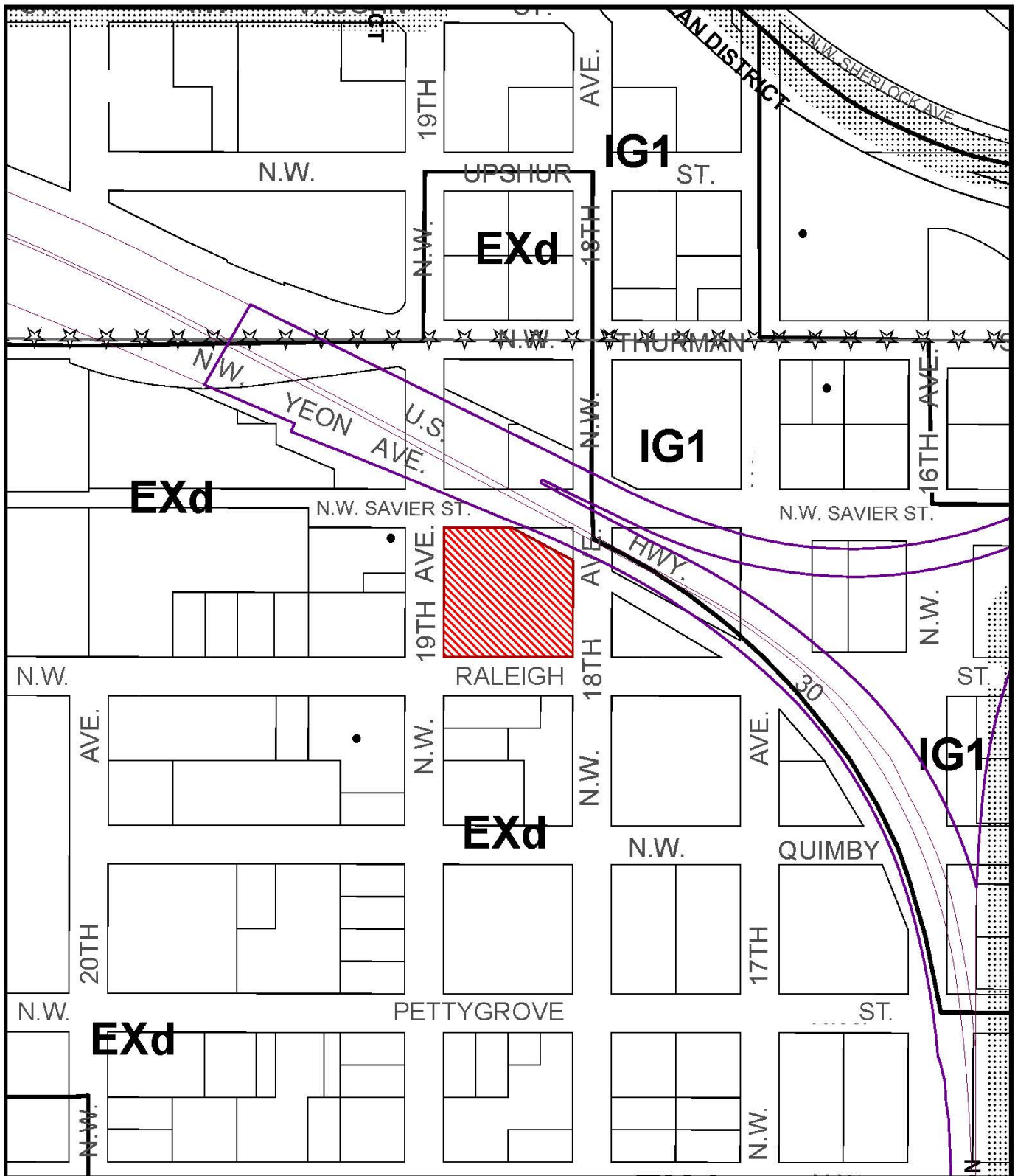
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. East Elevation Demolition
 - 3. East Elevation Proposed (attached)
 - 4. Demolition and Proposed Floor Plans
 - 5. Supporting Images
 - 6. Supporting Images
 - 7. ATM Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Development Services – Life Safety
- F. Correspondence: none
- G. Other:
 - 1. Original LU Application

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

 Site

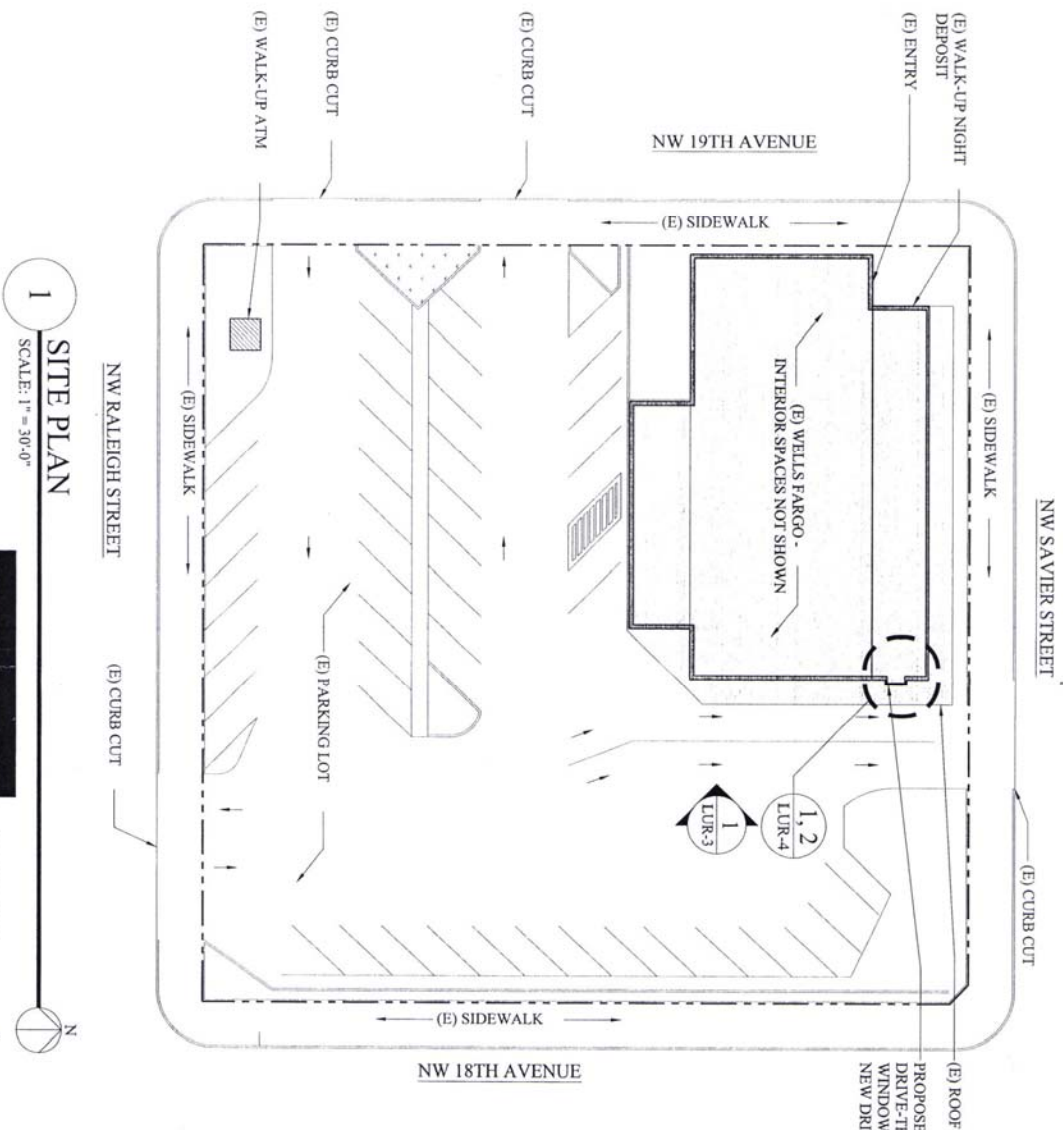
 Historic Landmark



This site lies within the:
NORTHWEST PLAN DISTRICT

File No.	LU 13-138754 DZ
1/4 Section	2828
Scale	1 inch = 200 feet
State_Id	1N1E28DC 4700
Exhibit	B (Apr 15, 2013)

WELLS FARGO
 LAND USE REVIEW
 NOT FOR CONSTRUCTION



1 SITE PLAN
 SCALE: 1" = 30'-0"



WELLS FARGO
 1640 NW 19TH AVE
 JOB #: 1306



Approved
 City of Portland - Bureau of Development Services
 Planner Dave Fuller Date 5.20.13
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

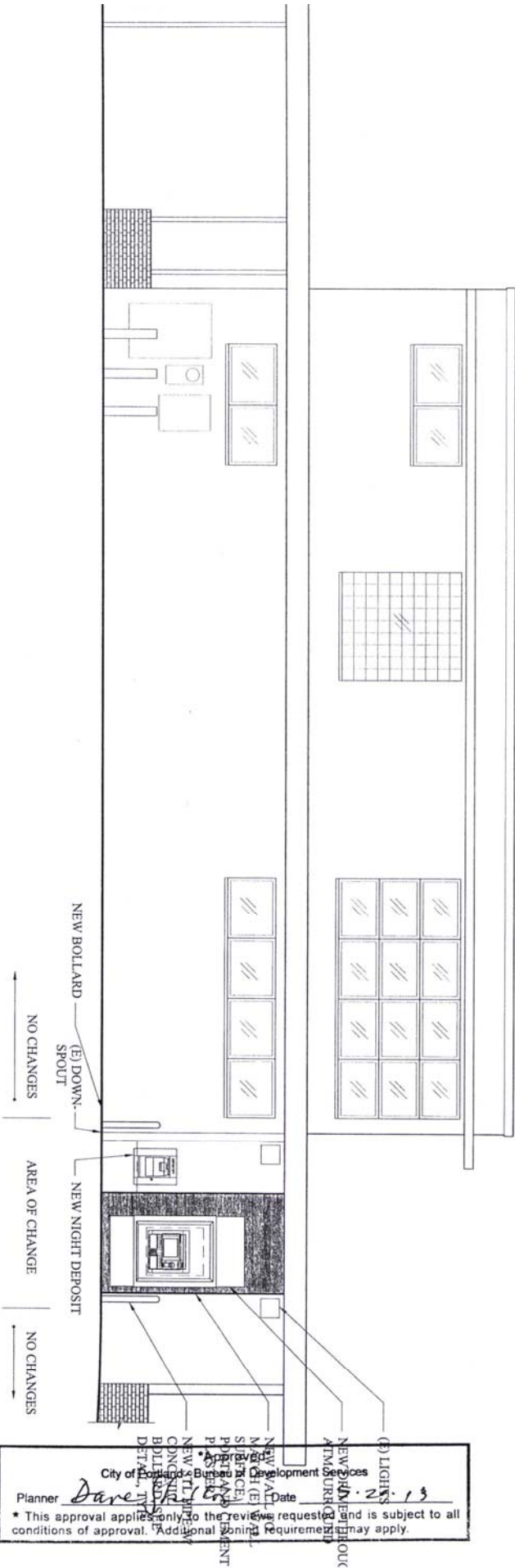
LU 13-1387540

LUR-1
 DATE: 04-11-13

C-1

EQUIPMENT	MODEL #	SIZE (WxHxD)
ATM	NCR 6634	30.3" x 47.1" x 62.4"
SURROUND	WF6915 NARROW	48" x 2" x 90"
NIGHT DEPOSIT	HAMILTON SAFE 80UC TL-15	27" x 41" x 49.25"

NOTE:
ELECTRICAL TO BE DESIGN/BUILD. ATM LIGHTING LEVELS TO BE VERIFIED ON-SITE AND TO ADHERE TO ALL CODE REQUIREMENTS.



1 EAST ELEVATION - PROPOSED

SCALE: 3/16" = 1'-0"

WELLS FARGO
LAND USE REVIEW
NOT FOR CONSTRUCTION

emerick architects p.c.

WELLS FARGO
1640 NW 19TH AVE
JOB #: 1306

DATE: 04-11-13

LUR-3

C-3