



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

1900 SW 4th Avenue, Suite 5000  
Portland, Oregon 97201  
503-823-7300  
Fax 503-823-5630  
TTY 503-823-6868  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** November 12, 2010  
**To:** Interested Person  
**From:** Chris Caruso, Land Use Services  
503-823-5747 / [Christine.Caruso@portlandoregon.gov](mailto:Christine.Caruso@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 reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 10-171920 DZ**  
**MIRACLES CLUB REVISIONS**

**GENERAL INFORMATION**

**Applicant:** Susan Rudloff  
Carleton Hart Architects  
322 NW 8th Avenue  
Portland, OR 97209

**Manager:** Ross Cornelius  
Guardian Management  
710 NW 14th Avenue, 2<sup>nd</sup> Floor  
Portland, OR 97209

**Owner:** Miracles Club MLK, LLC  
710 NW 14th Ave 2nd Fl  
Portland, OR 97209

**Site Address:** 4206 NE MARTIN LUTHER KING BLVD

**Legal Description:** EXC PT IN ST LOT 3 BLOCK 14, LINCOLN PK ANX; EXC PT IN ST LOT 4 BLOCK 14, LINCOLN PK ANX; EXC PT IN ST LOT 5 BLOCK 14, LINCOLN PK ANX; LOT 12 BLOCK 14, LINCOLN PK ANX

**Tax Account No.:** R497302090, R497302100, R497302110, R497302200

**State ID No.:** 1N1E23CB 06400, 1N1E23CB 06500, 1N1E23CB 06600, 1N1E23CB 07200

**Quarter Section:** 2631

**Neighborhood:** King, contact Erik Emerick at 503-504-0401.

**Business District:** North-Northeast Business Assoc, contact Joyce Taylor at 503-445-1321.

**District Coalition:** Northeast Coalition of Neighborhoods, contact Shoshana Cohen at 503-823-4575.

**Plan District:** Albina Community

**Zoning:** RHd, High-Density Residential with 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 for revisions to the Miracles Club located in the Albina Plan District and approved through LU 08-146557 DZM. The proposed revisions include the following changes to the previously approved Scheme A and B designs:

- Changes to window patterning around the building from 3-part windows with transoms above to full casements and fixed windows in white fiberglass;
- Removal of window trim around the cement panel areas;
- Rotating the Scheme A Ipe siding on the ground floor from a vertical to a horizontal orientation; and
- Replacing the Scheme A Ipe siding on balcony walls of floors 2-5 with cement siding.

These changes do not require another Type III Conditional Use Review nor do they require alterations to the previous Conditional Use Review for this project (LU 08-146563 CU). Changes to previously approved design reviews that have not yet been constructed require design review.

**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:

- 33.825 Design Review
- Community Design Guidelines

**Site and Vicinity:** The 18,500-square-foot site is located in the northern part of the Albina Community Plan District and is surrounded by multi-dwelling housing and commercial uses. There is a muffler shop immediately to the north, single-family residences to the east along Grand Ave. and mixed use buildings to the south and west along NE MLK. This stretch of MLK has been in decline for many years but is seeing a resurgence of new development, including the renovation of existing storefronts, creating a mix of new uses that are helping to revitalize the area.

Portland's *Transportation System Plan* classifies NE MLK Jr. Blvd as a Major City Traffic Street, Major Transit Priority Street, City Walkway and City Bikeway. NE Grand Avenue is designated a Local Service Walkway and Local Service Bikeway. Tri-Met provides bus service on NE MLK Jr. Blvd.

**Zoning:** The High-Density Residential (RH) zone is a high-density multi-dwelling residential zone. Certain retail sales and service and office uses are allowed as conditional uses to provide mixed-use development on larger sites that are close to light rail transit facilities. The maximum residential density is limited to a FAR of 2:1 on this site, and the minimum density is one unit per 1,000 square feet of site area. Newly created lots in the RH zone must be at least 10,000 square feet in area for multi-dwelling development, 3,000 square feet for development with detached houses, 800 square feet for development with attached houses, and 2,000 square feet for development with duplexes. Minimum lot width and depth standards may apply. The Miracles Club institutional use does require approval through a Conditional Use Review, which it received in 2008 via LU 08-146563 CU.

The design (d) overlay zone 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 that prior land use reviews include the following:

- LU 08-146557 DZM – approved design review with modifications for the Miracles Club.
- LU 08-146563 CU – Conditional Use Review approval for the Miracles Club.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **October 18, 2010**. The following Bureaus have responded with no issues or concerns:

- Life Safety Review Section of BDS
- Bureau of Environmental Services
- Bureau of Transportation Engineering
- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- Bureau of Parks-Forestry Division

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **October 18, 2010**. 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.*

**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.

**Findings:** The project site is located in a section of NE MLK Jr. Blvd. zoned high-density residential extending little more than four blocks around the site. Another high-density multi-family residential structure in this zone is the Irvington Senior Center also located on NE MLK. A new workforce housing project at NE MLK and NE Shaver currently under

construction will join the Miracles Club project in increasing the amount of high-density multi-family housing projects in this corridor, consistent with the planning vision.

As a mixed-use five-story building, the massing, size and use of the Miracles Club responds to both the intended zoning designation and the recently constructed multi-dwelling buildings along NE MLK. The revised window patterning of full-sized casement windows with no visible trim is a feature seen on multi-family residential buildings in the area. The cement lap siding proposed around the balcony enclosures also allows the building to retain its small scale, residential finishes. All of the proposed changes to the building are consistent with features on many commercial buildings as well as older residences in the area. *This guideline is therefore met.*

**D7. Blending into the Neighborhood.** Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

**Findings:** The building materials proposed in both revised Options A and B - fiberglass casement windows, aluminum storefront, horizontal wood siding, and horizontal cement siding - reflect materials found on existing and new buildings within the area. *This guideline is therefore met.*

**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:** The fiberglass casement windows, aluminum storefront, cement siding, and Ipe wood siding are all high-quality, long-lasting materials used throughout the Portland area. The proposed changes to the Miracles Club building maintain the cohesive design composition of multiple materials and building planes that continue around all sides of the building. *This guideline is therefore 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 Miracles Club mixed-use development will enliven an underdeveloped area through cohesive building design. The building employs high-quality materials and multiple forms that break down its overall mass. The building will also be respectful of the original patterns and types of development in the Albina area along NE MLK while meeting the density goals and regulations of the zoning code. The proposal meets the applicable design guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of Design Review for revisions to LU 08-146557 DZM, the Miracles Club, which include the following changes to Scheme A and B designs:

- Changing the window patterning around the building from 3-part windows with transoms above to a combination of full casements and fixed windows in white fiberglass;
- Removal of window trim around the cement panel areas;

- Rotating the Scheme A Ipe siding on the ground floor from a vertical to a horizontal orientation; and
- Replacing the Scheme A Ipe siding on balcony walls of floors 2-5 with cement siding.

Approved per the approved site plans, Exhibits C-1 through C-8 signed and dated November 9, 2010, subject to the following conditions:

- 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-C.8. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 10-171920 DZ. No field changes allowed."

**Staff Planner: Chris Caruso**

**Decision rendered by:**  **on (November 9, 2010.)**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: November 12, 2010**

**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 September 1, 2010, and was determined to be complete on **October 14, 2010.**

*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 September 1, 2010.

*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: February 11, 2011.**

**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 November 29, 2010** 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. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. 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](http://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 **November 30, 2010 – (the day following the last day to appeal).**
- 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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**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:

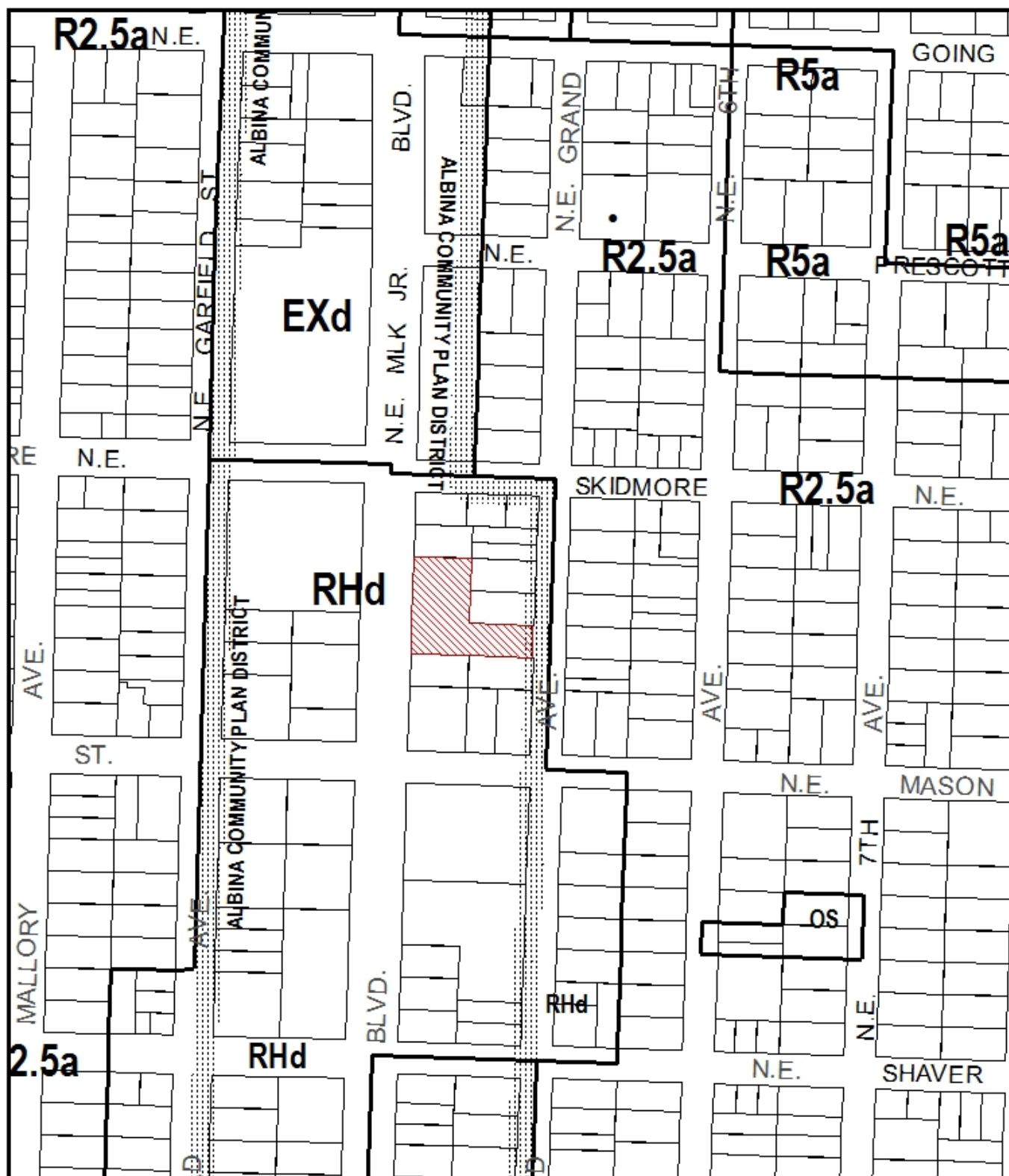
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. West Elevation Scheme A (attached)
  - 3. East Elevation Scheme A
  - 4. North and South Elevations Scheme A
  - 5. West Elevation Scheme B (attached)
  - 6. East Elevation Scheme B
  - 7. North and South Elevations Scheme B
  - 8. Roof Plan
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: no concerns
- F. Correspondence: none received
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research
  - 3. Incomplete Letter

**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



NORTH

This site lies within the:  
ALBINA COMMUNITY PLAN DISTRICT

File No.	LU 10-171920 DZ
1/4 Section	2631
Scale	1 inch = 200 feet
State_Id	1N1E23CB 6400
Exhibit	B (Sep 09,2010)



PRELIMINARY  
NOT FOR  
CONSTRUCTION

CARLETON HART ARCHITECTS  
322 NW 8TH AVENUE, PORTLAND, OREGON 97209  
503.243.2382 | 503.243.2381 | carletonhart.com



GUARDIAN MANAGEMENT LLC  
MIRACLES CLUB - PORTLAND, OREGON

DESIGN REVIEW



SITE PLAN

PROJ. NO.  
20110

08.27.10

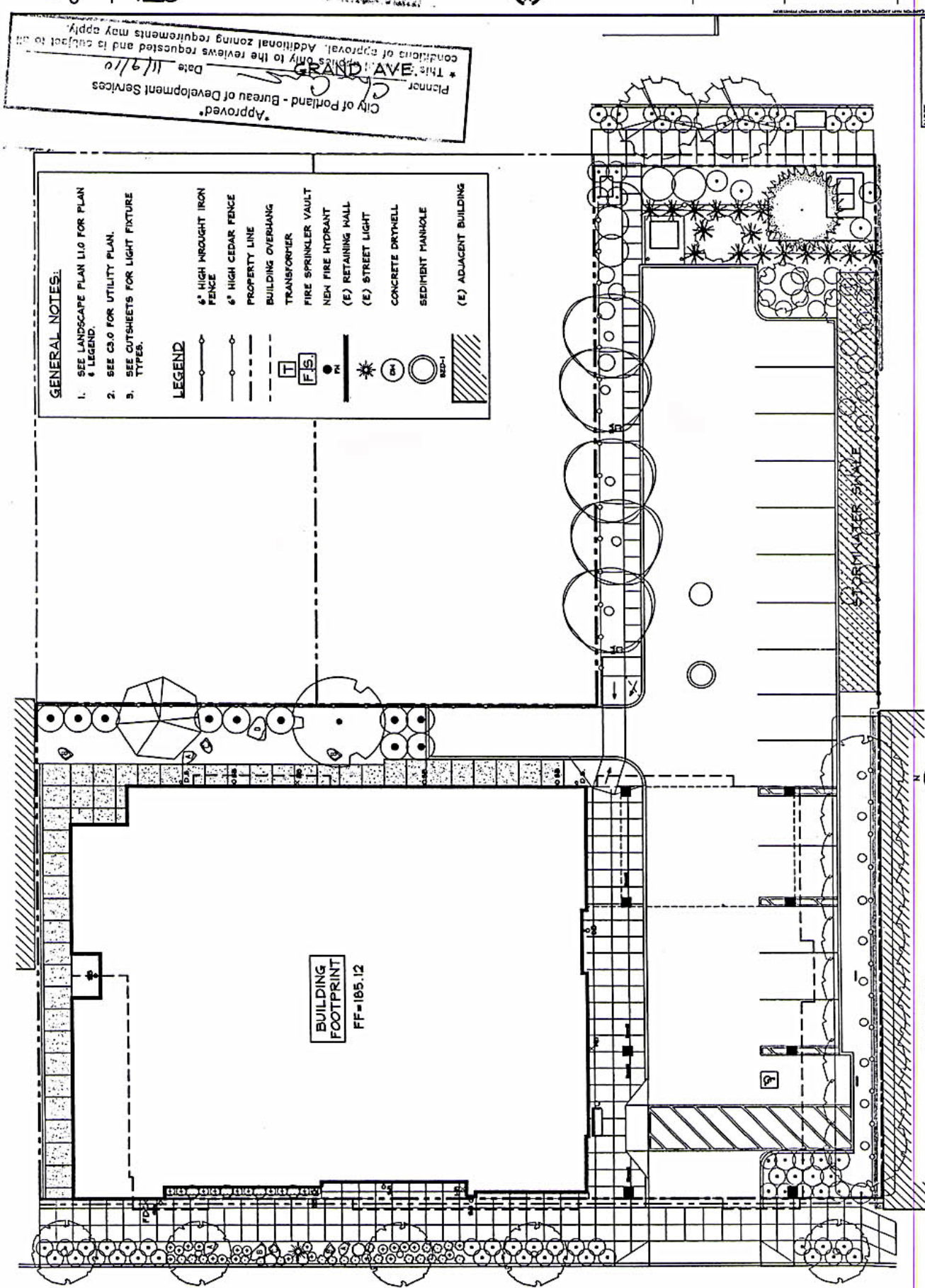
A1.1

EXH. C-1

LM 10-171920 DZ

NOTE:  
DRAWINGS ARE HALF SCALE  
WHEN PRINTED AT 11x17

① SITE PLAN  
SCALE 1/8"=1'-0"



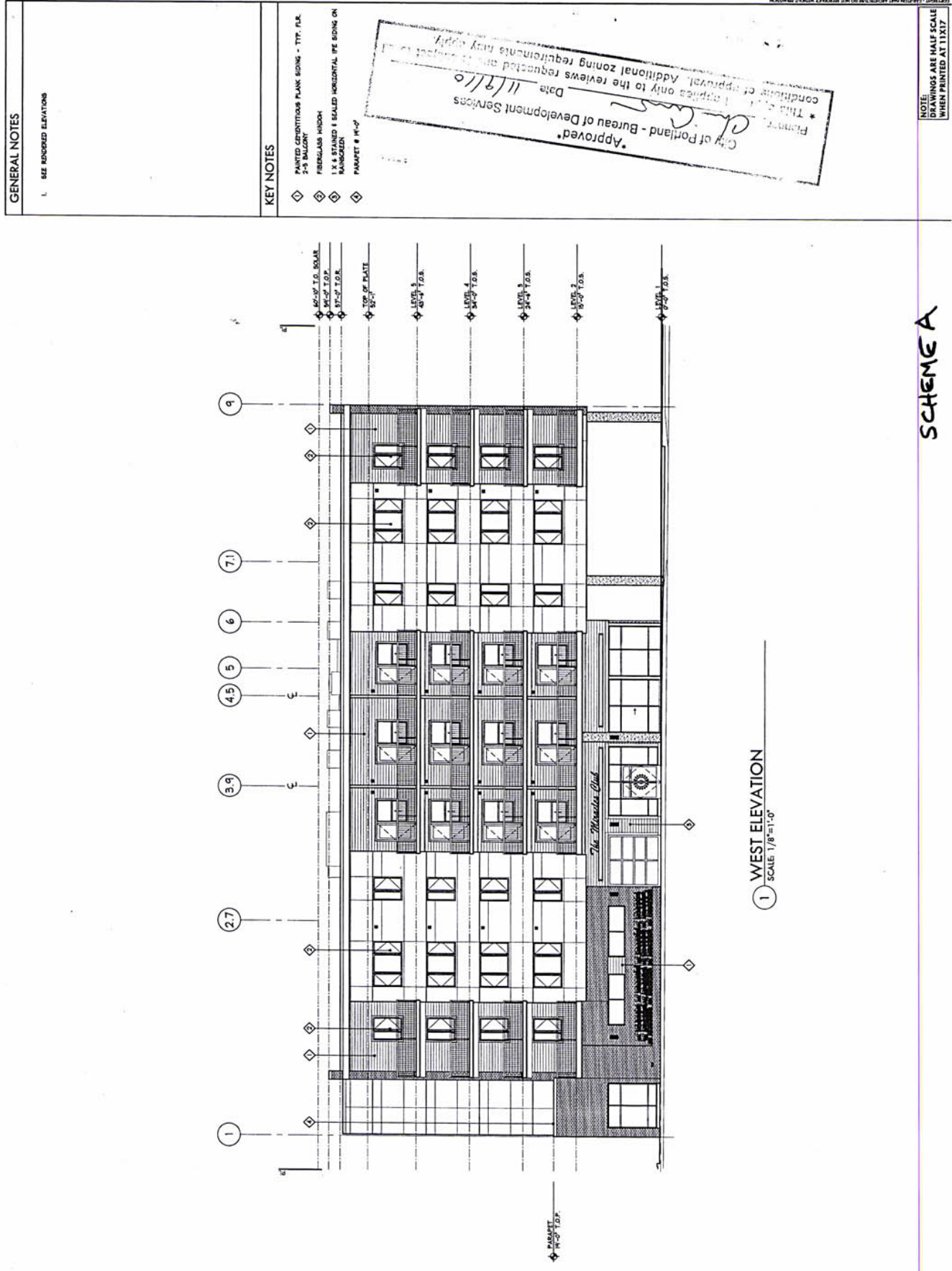
GENERAL NOTES:

1. SEE LANDSCAPE PLAN L10 FOR PLAN & LEGEND.
2. SEE CS.O FOR UTILITY PLAN.
3. SEE OUTSHEETS FOR LIGHT FIXTURE TYPES.

LEGEND

- 6" HIGH WROUGHT IRON FENCE
- 6" HIGH CEDAR FENCE
- PROPERTY LINE
- BUILDING OVERHANG
- TRANSFORMER
- FIRE SPRINKLER VAULT
- NEW FIRE HYDRANT
- (E) RETAINING WALL
- (E) STREET LIGHT
- CONCRETE DRYWELL
- SEDIMENT MANHOLE
- (E) ADJACENT BUILDING

\*Approved\*  
City of Portland - Bureau of Development Services  
Planner: [Signature]  
Date: 11/9/10  
\* This drawing applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



**SCHEME A**

**NOTE:**  
 DRAWINGS ARE HALF SCALE  
 WHEN PRINTED AT 11X17

**A3.1**

LU 10-171920D2 EXT. C-2

**WEST ELEVATION**

PROJ. NO.  
20710

10.08.10

**GUARDIAN MANAGEMENT LLC**  
**MIRACLES CLUB - PORTLAND, OREGON**



DESIGN REVIEW

**CARLETON HART ARCHITECTURE**  
 322 NW 8TH AVENUE PORTLAND, OREGON 97209  
 503 243 2252 | 503 243 3261 | carltonhart.com



**PRELIMINARY  
 NOT FOR  
 CONSTRUCTION**

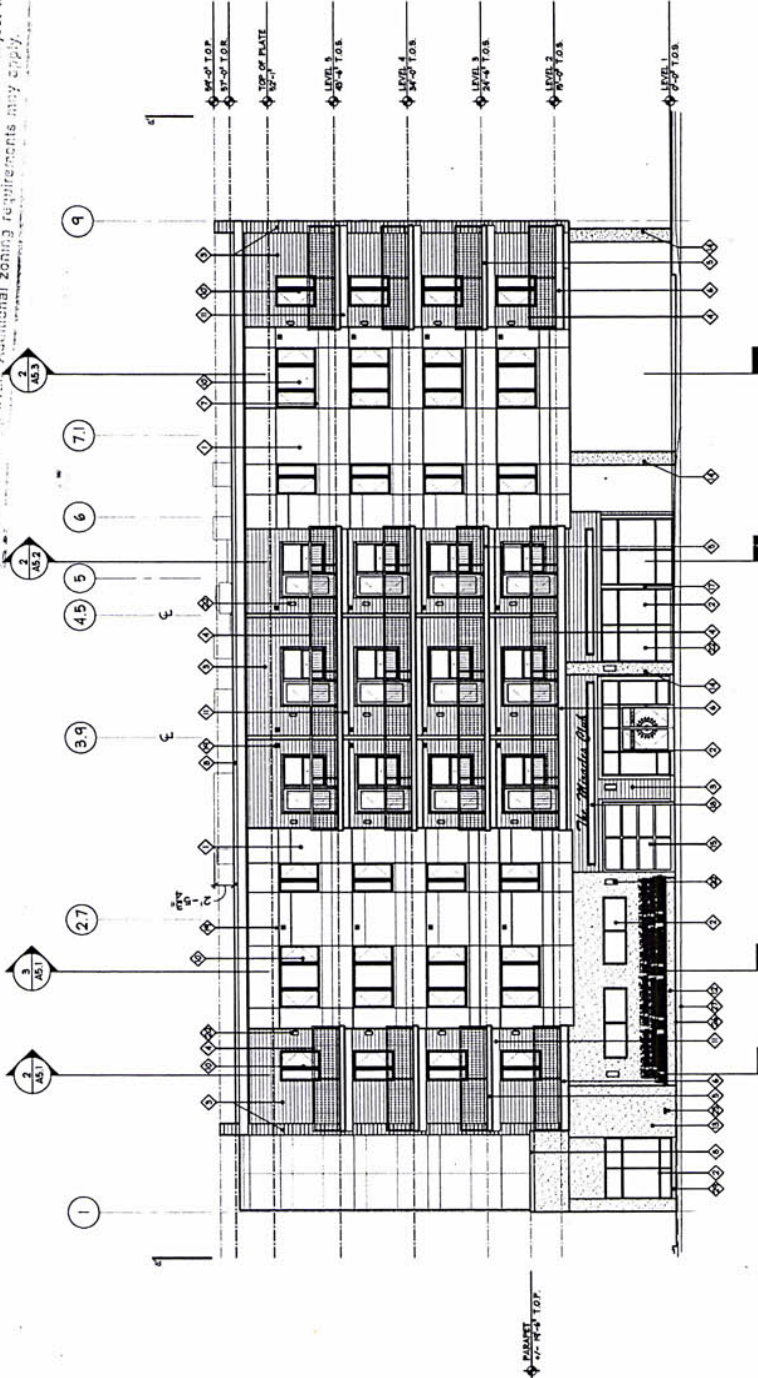


# GENERAL NOTES

- FOR WALL ASSEMBLIES, SEE PLANS FOR TAGS AND SHEETS A3.1 TO A3.4 FOR DETAILS.
- REFER TO STRUCTURAL FOR BRICK ATTACHMENT, SEE DETAIL 606.2.

City of Portland - Bureau of Development Services  
 Approved\*  
 Planner *Ch. Cus* Date 11/9/10

\* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.



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

SCHEME B

07A

CARLETON HART ARCHITECTURE  
 522 243 3252 | 503 243 3261 | carltonhart.com

MIRACLES CLUB - PORTLAND, OREGON  
 GUARDIAN MANAGEMENT LLC



WEST ELEVATION

PROJECT NO.  
 20710  
 CONSTRUCTION SET  
 10.6.09

REVISION 1 7-17-09  
 REVISION 5  
 ASI # 16 10-22-12

A3.1

10-171920 D2 EXH.C-5