



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

Amanda Fritz, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: May 12, 2015
To: Interested Person
From: Amanda Rhoads, Land Use Services
503-823-7837 / Amanda.Rhoads@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, including the written response to the approval criteria and to public comments received on this application, 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 15-130255 DZ **NEW STOREFRONT SYSTEM ON RETAIL BUILDING**

GENERAL INFORMATION

Applicant: Tony Yraguen / Todd Hess Building Co
9414 SW Barbur Blvd / Portland OR 97219

Rep/Owner: Kane Thomas / Bluestone & Hockley Real Estate Services
9320 SW Barbur Blvd #300 / Portland OR 97219

Site Address: 10355 NE HALSEY ST
Legal Description: TL 5800 0.49 ACRES, SECTION 27 1N 2E
Tax Account No.: R942271600
State ID No.: 1N2E27CC 05800
Quarter Section: 2841
Neighborhood: Parkrose Heights, contact Pete Natwick at 503-493-3612.
Business District: Gateway Area Business Association, contact Fred Sanchez at 503-256-3910.
District Coalition: East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.
Plan District: Gateway
Zoning: CXd – Central Commercial with “d” Design Overlay Zone
Case Type: DZ – Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant requests Design Review approval to replace an existing door and window with a new storefront system including a new door with a transom window and 4 new storefront windows. The new storefront system will match the existing system in place elsewhere on this 5-tenant strip mall. The proposal includes removal of a stucco panel between the new storefront and existing storefront to the north to expose the brick underneath.

Design Review is required for this exterior alteration to an existing development.

Relevant Approval Criteria:

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

- Gateway Regional Center Design Guidelines

ANALYSIS

Site and Vicinity: The 21,200-square-foot site is located within the Gateway Plan District, between NE Halsey Street and NE Weidler Street. The property is developed with a single-story strip mall, with storefronts oriented eastwards, toward the on-site surface parking area and a north-south pedestrian walkway. The perimeter of the site is landscaped with groundcover plants, shrubs, and several trees, between both the building and parking area and adjacent sidewalks.

Both NE Halsey Street and NE Weidler Street are designated as Major City Traffic Streets, Transit Access Streets, City Bikeways and Enhanced Pedestrian Streets in the city's adopted *Transportation System Plan (TSP)*. Northeast 104th Avenue is a Local Service Street in all *TSP* designations. The site is across the street from the Gateway Pedestrian District, whose northern boundary runs the centerline in NE Halsey Street adjacent to the site.

Zoning: The CX zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together.

The Design Overlay Zone (d) designation also ensures that exterior alterations to existing development conserve and enhance the identified historic, scenic, architectural, and cultural values of each design district: in this case, the **Gateway Regional Center Design Guidelines**.

The Gateway Plan District encourages attractive and convenient facilities for pedestrians and transit patrons to visit, live, work, and shop. Design and layout standards special to the Plan District are intended to provide safe, pleasant, and convenient access for pedestrians to transit and to the light rail transit station.

Land Use History: City records indicate that prior land use reviews since 1990 include the following:

LU 06-168476 DZ: Design Review approval of the installation of an Automated Teller Machine (ATM) and associated development at the southeast corner of the site.

Public Review: A "Notice of Proposal in Your Neighborhood" was mailed **April 14, 2015**.

Agency Review: The Life Safety (Building Code) Plans Examiner cited no concerns with the proposal, but included a number of relevant standards for the applicant to consider. No other agencies or bureaus reviewed the proposal.

Neighborhood Review: 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 “d” design overlay zoning; therefore, the proposal requires Design Review approval. Because of the site’s location, the applicable design guidelines are the Gateway Regional Center Design Guidelines.

Gateway Regional Center Design Guidelines

The Gateway Regional Center is the City of Portland’s only designated regional center. The area is envisioned to redevelop into a highly urbanized, pedestrian-oriented center, with an overall built size and scale second only to Portland’s Central City.

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

Gateway Regional Center Design Goals

Ten goals for design review in the Gateway Regional Center have been established to enhance the area’s design quality, support its livability, and guide its transition to a pedestrian-oriented, active, urban regional center. They are:

1. Encourage urban design excellence.
2. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Gateway Regional Center as a whole.
3. Provide for a pleasant, rich, and diverse experience for pedestrians.
4. Assist in creating a regional center that emphasizes a mix of active uses and experiences and is safe, lively, and prosperous.
5. Provide for the humanization of the Gateway Regional Center through the promotion of parks, plazas, open spaces, public art, and trees.
6. Integrate and honor the diversity and history of Gateway.
7. Integrate sustainable principles into the development process.
8. Encourage the development of a distinctive character for subdistricts within the regional center, and link them.
9. Encourage and incorporate transit orientation and usage.
10. Enhance the physical and visual linkages between the Gateway Regional Center and adjacent neighborhoods.

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

A Pedestrian Emphasis

A1. Strengthen Relationships Between Buildings and the Street. Integrate building setback areas with adjacent streets.

A2. Enhance Visual and Physical Connections. Enhance visual and physical connections between buildings and adjacent sidewalks. Orient semi-public building spaces to the sidewalk and street.

Findings for A1 and A2: The new storefront system proposed for the east façade of the retail building will allow new views into the retail space, increasing the transparency between the private and public realms. The existing blank wall, made more flat with the addition of stucco panels over the existing brick façade, will be enlivened with the storefront system and the removal of the one stucco panel to the north of the proposed

door. Increasing the openness of the building's façade will enhance the visual connections between the structure and the adjacent sidewalks. Past upgrades to the site have already increased landscaping in the parking lot and enhanced pedestrian connections. This remodel will continue to improve this suburban context by highlighting these building openings, thereby knitting the activity within the interior of the building with the pedestrian activity on the exterior. *These guidelines are met.*

B Development Design

B1. Convey Design Quality and Building Permanence. Use design principles and building materials that convey quality and permanence.

B3. Design for Coherency. Integrate the different parts of a building to achieve a coherent design.

Findings for B1 and B3: The new storefront and entryway are designed to match the existing storefront system on the building, and will create a more visually consistent pattern along the façade by extending the storefront and maintaining a consistent height and depth between the existing and proposed storefront. The addition of the new storefront reflects an investment in the appearance and continued economic vitality of the building. The storefront is constructed from durable aluminum framing with double-pane glass. *These guidelines are 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

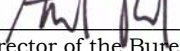
The Design Review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposed storefront system represent a welcome addition to the retail building by helping to reinforce its commercial character and the location of the retailers' main entrances. The new openings provide a transitional zone between the building interior and the sidewalk environment, making the structure feel more open and welcoming. This helps to soften and humanize a portion of the suburban strip mall-style development that is lacking in significant architectural transparency and interaction along the sidewalk. The placement and proportion of the new storefront respects the building's architectural order. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Design Review approval for the replacement of an existing door, window and wall section with a new storefront system including a new door with a transom window and 4 new storefront windows, per the approved site plans, Exhibits C.1 through C.5, signed and dated May 8, 2015, 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.5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-130255 DZ. No field changes allowed."

Staff Planner: Amanda Rhoads

Decision rendered by:  on May 8, 2015
By authority of the Director of the Bureau of Development Services

Decision mailed: May 12, 2015

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 March 9, 2015, and was determined to be complete on **April 7, 2015**.

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 March 9, 2015.

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: August 5, 2015.**

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 May 26, 2015** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th 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 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 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 **May 27, 2015 – 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.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

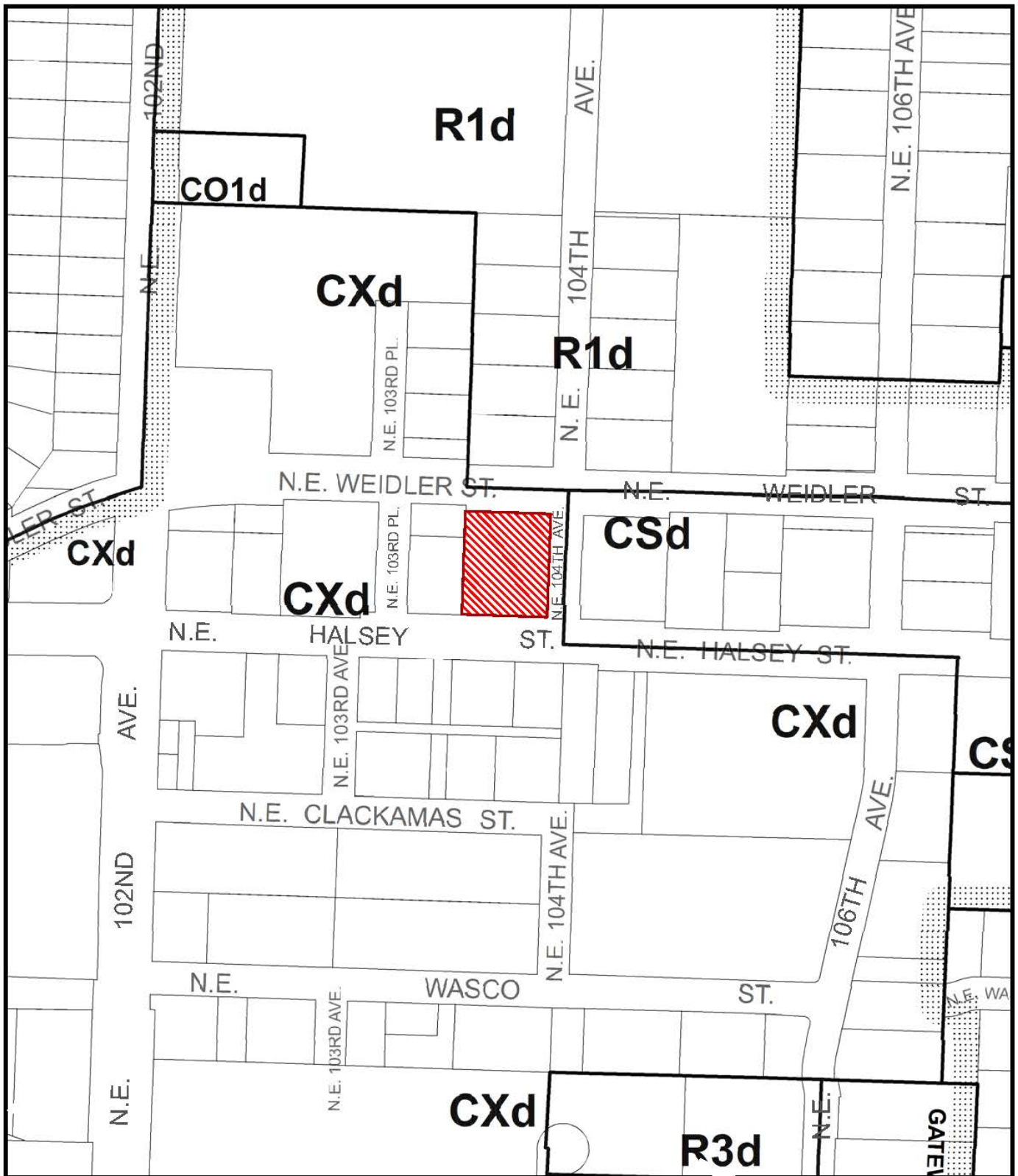
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Applicant Narrative, March 9, 2015
 - 2. Site Photographs, March 9, 2015
 - 3. Response to Design Guidelines, April 6, 2015
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. East Elevation (attached)
 - 3. Tenant Floor Plan (attached)
 - 4. Storefront Sections (attached)
 - 5. Storefront Specifications
 - 6. Scaled Site Plan
 - 7. Scaled East Elevation
 - 8. Scaled Tenant Floor Plan
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety (Building Code) Plans Examiner
- F. Correspondence: none received
- G. Other:
 - 1. Original Land Use Application and Receipt
 - 2. Incomplete Letter, March 27, 2015

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



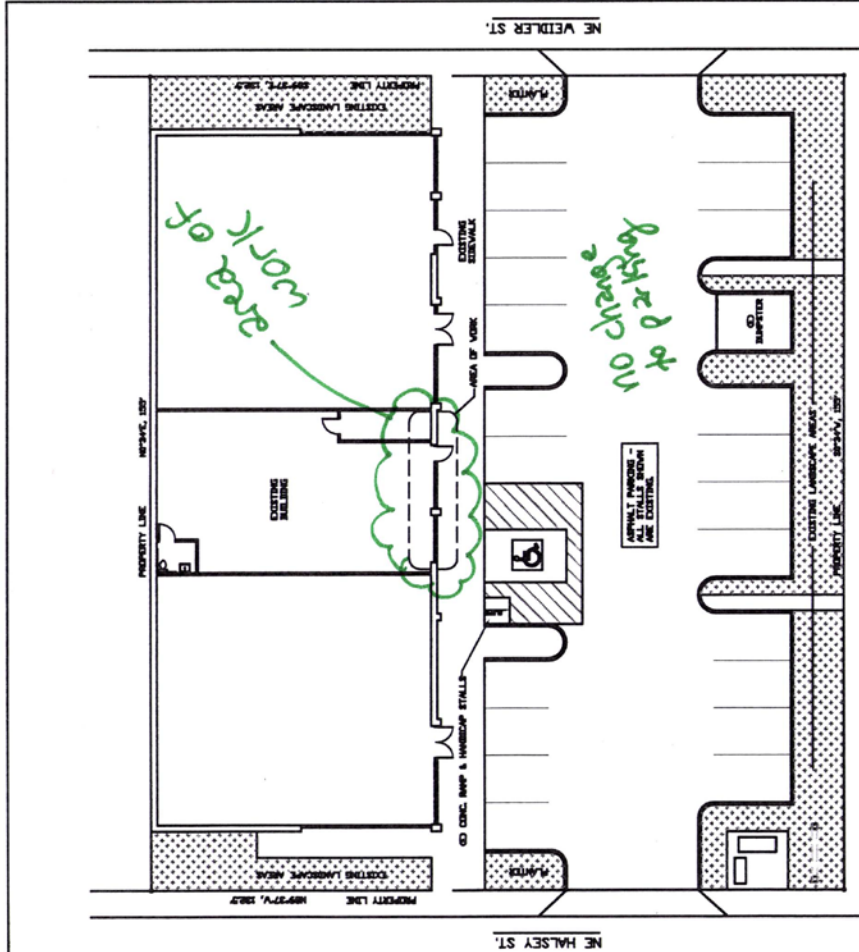
Site



This site lies within the:
GATEWAY PLAN DISTRICT

File No. LU 15-130255 DZ
 1/4 Section 2841,2941
 Scale 1 inch = 200 feet
 State_Id 1N2E27CC 5800
 Exhibit B (Mar 11,2015)

UPGRADE FOR HALSEY STOREFRONT 10355 NE HALSEY PORTLAND, OREGON

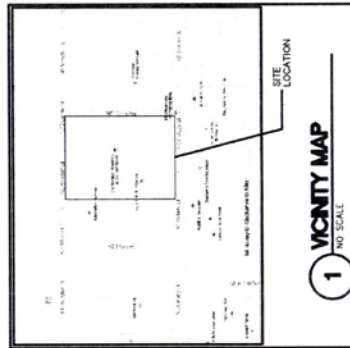


NE 104TH AVE.



1 SITE PLAN
NTS

SHEET	DESCRIPTION
ARCHITECTURAL	
A1.0	COVER SHEET, CODE SHEET, SITE PLAN
A1.1	FLOOR PLAN & DEMOLITION PLAN
A1.2	ELEVATIONS
A1.3	
A1.4	
A1.5	
A1.6	
A1.7	
A1.8	
A1.9	
A1.10	
A1.11	
A1.12	
A1.13	
A1.14	
A1.15	
A1.16	
A1.17	
A1.18	
A1.19	
A1.20	



1 VICINITY MAP
NO SCALE

OWNER:
PLAZA PROPERTIES LLC
9300 SW BARBER BLVD #200
PORTLAND, OREGON 97219
PHONE: 503-222-3000

ARCHITECT:
TONY TRAGLEN
1000 HESS STREET, SUITE 150
PORTLAND, OREGON 97219
PH: 503-222-5953 FX: 503-222-3570
T: 503-222-3570 F: 503-222-3570

CONTRACTOR:
TODD HESS ENGINEERING COMPANY
844 SW 10TH AVE, SUITE 200
PORTLAND, OREGON 97205
PHONE: 503-222-3570

Planner: *[Signature]*
* This approval is only to the reviews requested and is subject to all requirements may apply.
Conditions of approval: Additional zoning

* Approved
City of Portland - Bureau of Development Services
Date *May 8, 2015*

LEGAL DESCRIPTION:
PROPERTY ID NO: 10310000
STATE ID NO: 1N2E27CC 5000
ALT ACCOUNT NO: 1042211000

ZONING:
ZONING DESIGNATION: CX - CENTRAL COMMERCIAL

GOVERNING CODES
STATE OF OREGON CURRENT EDITION - STRUCTURAL SPECIALTY CODE

SETBACKS
FRONT - NONE
REAR - NONE
SIDE - NONE

BUILDING TYPE
OCCUPANCY: M - MERCANTILE
BUILDING TYPE: VB
FIRE SPRINKLER NO

TOTAL NEW TENANT AREA
OPEN AREA: 1400 SQ. FT.
ACCESSORY SPACES: 1000 SQ. FT.
ACCESSORY SPACES: 1000 SQ. FT.
NUMBER OF STORES: 1

PARKING CALCULATION
EASTING - (23) TOTAL PARKING STALLS

OCCUPANT LOADS		
SPACE	AREAS	OCCUPANTS
EXISTING TENANT SPACE	1400 S.F.	1200
		40

MINIMUM NUMBER OF EXITS (UNADJUSTED): 48 OCC. x 0.2 = 9.6
LESS THAN 48 OCC. 48 EXITS REQUIRED
MINIMUM NUMBER OF EXITS (ADJUSTED): 48
LESS THAN 48 OCC. 48 EXITS REQUIRED
MINIMUM NUMBER OF EXITS (ADJUSTED): 48
LESS THAN 48 OCC. 48 EXITS REQUIRED
TABLE 1021.2.0

UPGRADE FOR HALSEY STOREFRONT
10355 NE HALSEY
PORTLAND, OREGON

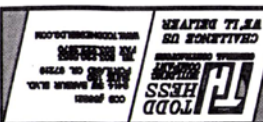
DATE: 3-9-15
FILE: 14-0199

REVISION:

SHEET TITLE:
COVER SHEET
CODE SHEET
SITE PLAN

DRAWN BY:
TY

SHEET NUMBER:
A1.0



UPGRADE FOR HALSEY STOREFRONT
10355 NE HALSEY
PORTLAND, OREGON

DATE: 3-9-15
FILE: 14-0199

REVISION:

SHEET TITLE:
COVER SHEET
CODE SHEET
SITE PLAN

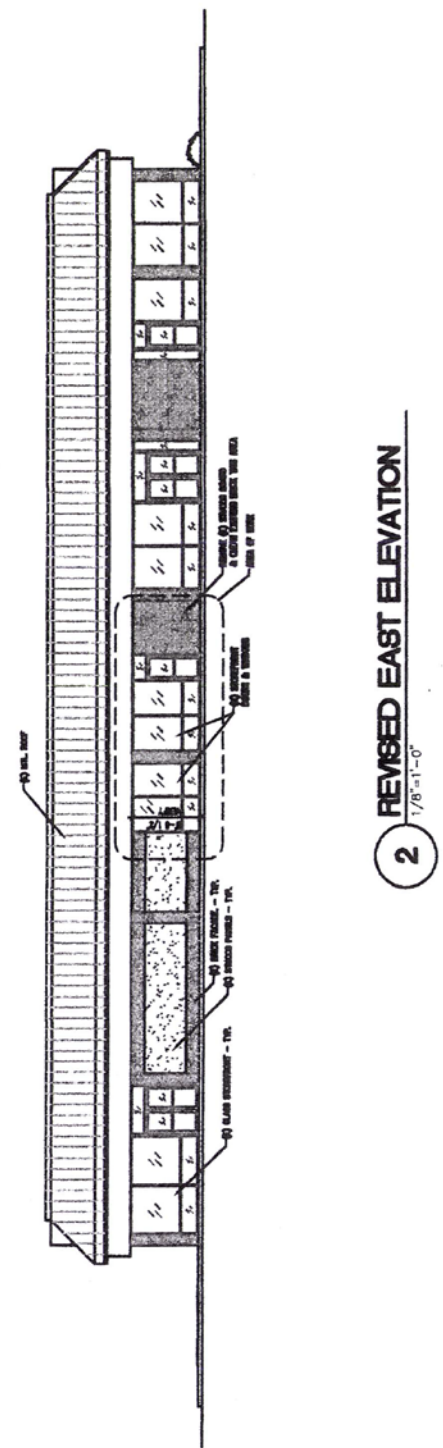
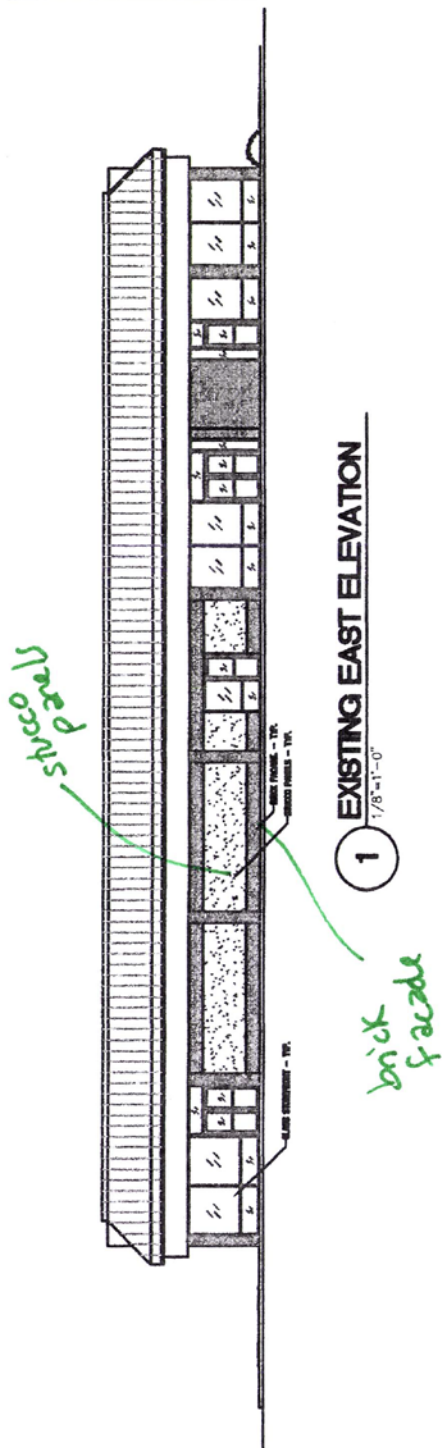
DRAWN BY:
TY

SHEET NUMBER:
A1.0

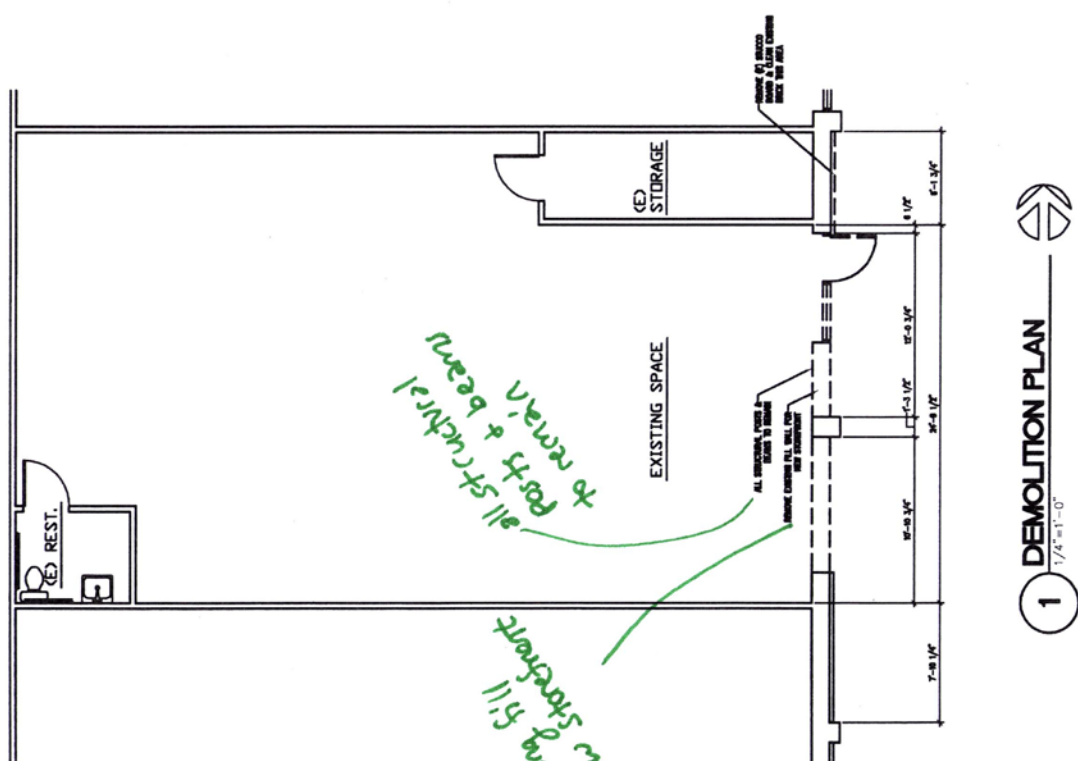
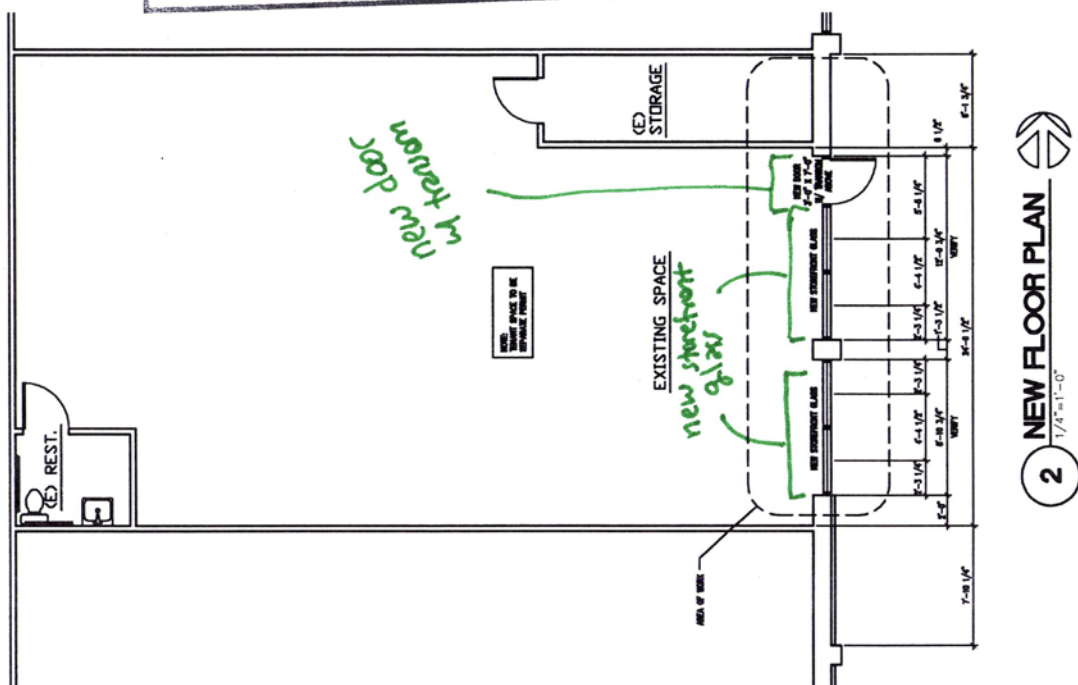
CASE NO. LU 15-130355 DZ

Exhibit C.1

Approved
 City of Portland - Bureau of Development Services
 Planner Am M Date May 8, 2015
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



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



CASE NO. Lu 15-130255 DZ

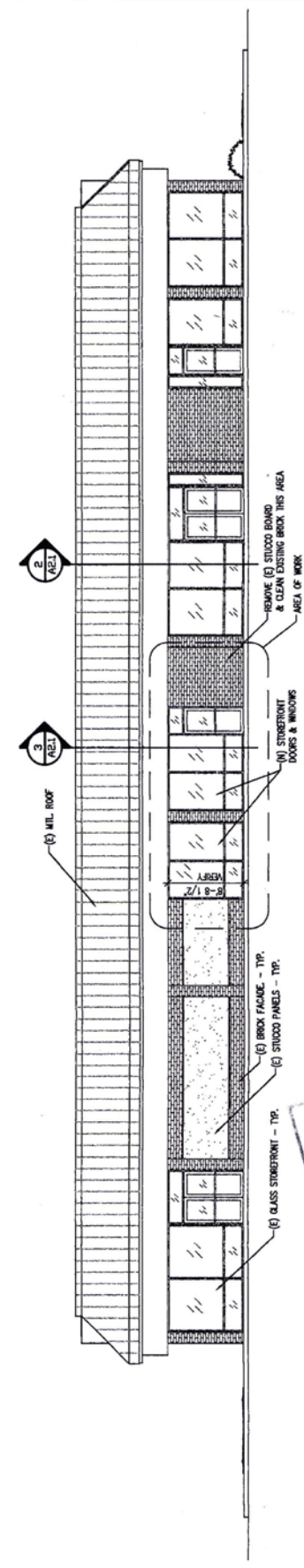
EXHIBIT C.3

EXISTING SPACE

View of
pass + 5'50"
all structural
removed

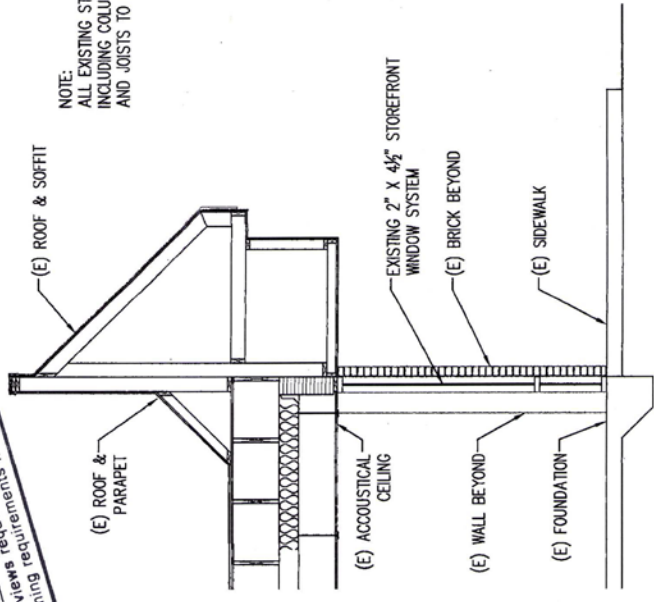
Remove existing 5'11"
wall for new storefront

20550

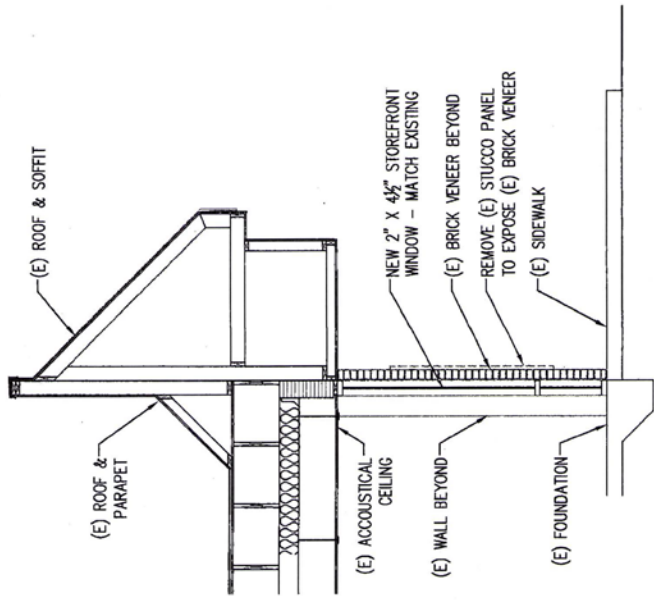


1 ELEVATION NTS

City of Portland - Bureau of Development Services
 Date May 8, 2015
 Approved
 Planner [Signature]
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



2 EXISTING STOREFRONT SECTION 1/4"=1'-0"



3 NEW STOREFRONT SECTION 1/4"=1'-0"