



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

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www.portlandonline.com/bds

Date: March 3, 2011
To: Interested Person
From: Mark Bello, Land Use Services
503-823-7810 / mark.bello@ci.portland.or.us

**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 10-203492 DZ
CHILDPEACE MONTESSORI SCHOOL EXTERIOR ALTERATION

GENERAL INFORMATION

Applicant		Architect
Sue Pritzker Childpeace Montessori 1516 NW Thurman St Portland OR 97209	1516 LLC 1516 NW Thurman St Portland, OR 97209	Tracy Prose Building Arts Workshop Llc 5024 SE Clay St Portland, OR 97215

Site Address: 1516 NW THURMAN ST

Legal Description: BLOCK 12 LOT 1 EXC PT IN ST LOT 4-6 LOT 7 & 8 EXC PT IN ST, WATSONS ADD

Tax Account No.: R883801260

State ID No.: 1N1E28DD 02700

Quarter Section: 2828

Neighborhood: Northwest District, contact John Bradley at 503-313-7574.

Business District: Nob Hill, contact Kay Wolfe at 503-227-0898.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest

Zoning: EXd, Central Employment, "d" design overlay zone

Case Type: DZ Design Review

Procedure: Type II, an administrative decision with appeal to the Design Commission

Proposal: The applicant proposes alterations at both the main entry/north elevation and secondary entry/south elevation.

At the main entry, a new entry feature will be located to highlight the school's entrance. An open, tube steel structure will be placed above an existing raised concrete platform (originally a loading dock) and under the existing metal awning. The structure incorporates existing school

signage (to be relocated to new structure) and a flag pole. The sign is approximately 3 ft. high and 10 ft. long, 30 sq. ft. in area.

At the school's rear entry, on the south elevation, an awning/canopy of steel and tempered glass pane will cantilever from the building's existing concrete walls. Because exterior alterations are proposed in a design zone, design review is necessary.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. As part of the adoption of a Comprehensive Plan Map amendment and zone change in 1997, Portland City Council designated the Central City Fundamental Design Guidelines and the River District Special Design Guidelines as the applicable design guidelines (97-00158 CP ZC, Exhibit G.4).

ANALYSIS

Site and Vicinity: The school's building is masonry construction, constructed for industrial use in 1940 and subsequently remodeled for the school. The site occupies the entire frontage of NW Thurman and a portion of NW Savier. The site is L-shaped with the exception of the southeast corner of the site, where a Fremont Bridge support comes to grade.

The main entrance is on NW Thurman at the grade of the former loading dock. The loading dock can be accessed from the east and west but the important entrance is up a flight of steps that are located mid-block. These steps, although obscured by a low wall, serve as the main entry as diagonal parking is provided in front of the building. The loading dock currently provides rain protection; also, individual letters spell out the school name. A secondary entrance is on NW Savier at grade. Given the repetitive nature of the formerly industrial building and the small size of the existing lettering, the main entrance is relatively obscure.

Zoning:

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

The Design "d" overlay promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. 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 or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

Land Use History: As noted above, this property and other adjacent properties was formerly the Lutz Tire site. Prior to re-use of this building as the Childpeace Montessori School, the site was part of the Lutz Tire site.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed. The following Bureaus have not responded with issues or concerns:

1. Bureau of Environmental Services
2. Bureau of Transportation Engineering and Development Review
3. Water Bureau
4. Fire Bureau
5. Site Development Review Section of BDS

6. Bureau of Parks, Forestry Division
7. Bureau of Development Services, Life Safety Plan Examiner

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on February 1, 2011. 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 Central City Fundamental Design Guidelines and River District Guidelines.

River District Design Guidelines and Central City Fundamental Design Guidelines

The River District is a remarkable place within the region. The area is rich with special and diverse qualities that are characteristic of Portland. Further, the River District accommodates a significant portion of the region's population growth. This area emphasizes the joy of the river, connections to it, and creates a strong sense of community. The goals frame the urban design direction for Central City and River District development.

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

River District Design Goals

1. Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
2. Create a community of distinct neighborhoods that accommodates a significant part of the region's residential growth.
3. Enhance the District's character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
4. Strengthen connections within River District, and to adjacent areas.

Central City Plan Design Goals

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central

City as a whole;

6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

B6. Develop Weather Protection. Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

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

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

C4. Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.

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

C13. Integrate Signs. Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

Findings for B6, C2, C3, C4, C5, and C13: The applicant proposes a sign/entry that will be located between the landing dock and metal awning as currently constructed, but moved westward to center over the steps. (A 20'-tall flag pole will be added to provide an appropriate complement to the school entrance.)

Compared to the existing sign, reworked signage will be reduced in length but increased in height. The new signage will be 10'-wide and 3'-high. Existing lettering will be relocated and incorporated into a cohesive composition with custom fabricated hexagons providing elegant interlinear spacing.

The entry remains well-integrated into the design of the building. The open, tube steel structure is made of tube steel and simple metal infill panels of industrial quality that is compatible with the school's existing warehouse character and surrounding industrial properties. The configuration of the structure is straightforward and rectilinear, in keeping with the strong horizontality of the existing awning and concrete platform, and the simplicity of the building's façade.

At the school's rear entry, on SW Xavier, a new awning/canopy will be provided for weather protection. The steel and tempered glass panel awning will cantilever from the building's existing concrete walls. These materials are durable and compatible with the industrial character of the building.

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 proposed design meets the applicable findings required for administrative approval.

ADMINISTRATIVE DECISION

Approval of Design Review (in the Northwest Plan District and subject to Central City Fundamental/River District guidelines) of exterior alterations to the Childpeace Montessori School per the approved site plans, Exhibits C-1 through C-5, signed and dated March 1, 2011, 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 10-203492 DZ . No field changes allowed."

Staff Planner: Mark Bello

Decision rendered by:  **on March 1, 2011**

By authority of the Director of the Bureau of Development Services

Decision mailed March 3, 2011

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 December 22, 2010, and was determined to be complete on **January 27, 2011**.

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 December 22, 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: May 27, 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 March 17, 2011** 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 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 **March 18, 2011**
- 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.

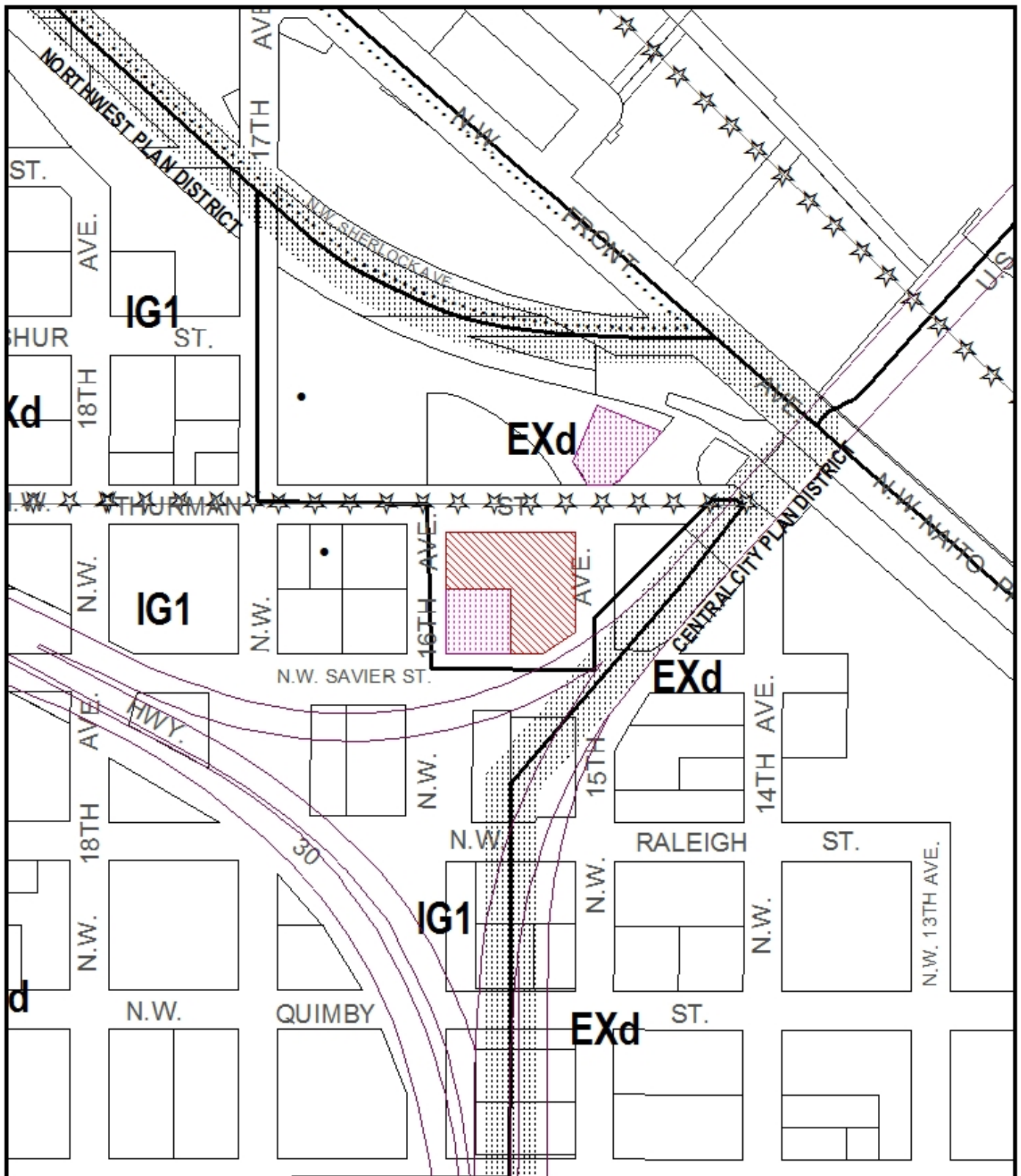
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Area of Work
 - 3. North Entry Elevation (attached)
 - 4. North Entry Section (attached)
 - 5. South Entry Section (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Bureau of Parks, Forestry Division
 - 7. Bureau of Development Services, Life Safety Plan Examiner
- F. Correspondence: (none)
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. January 6, 2011 Incomplete Letter

4. Findings and Decision of the City Council 97-00158 CP ZC

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).



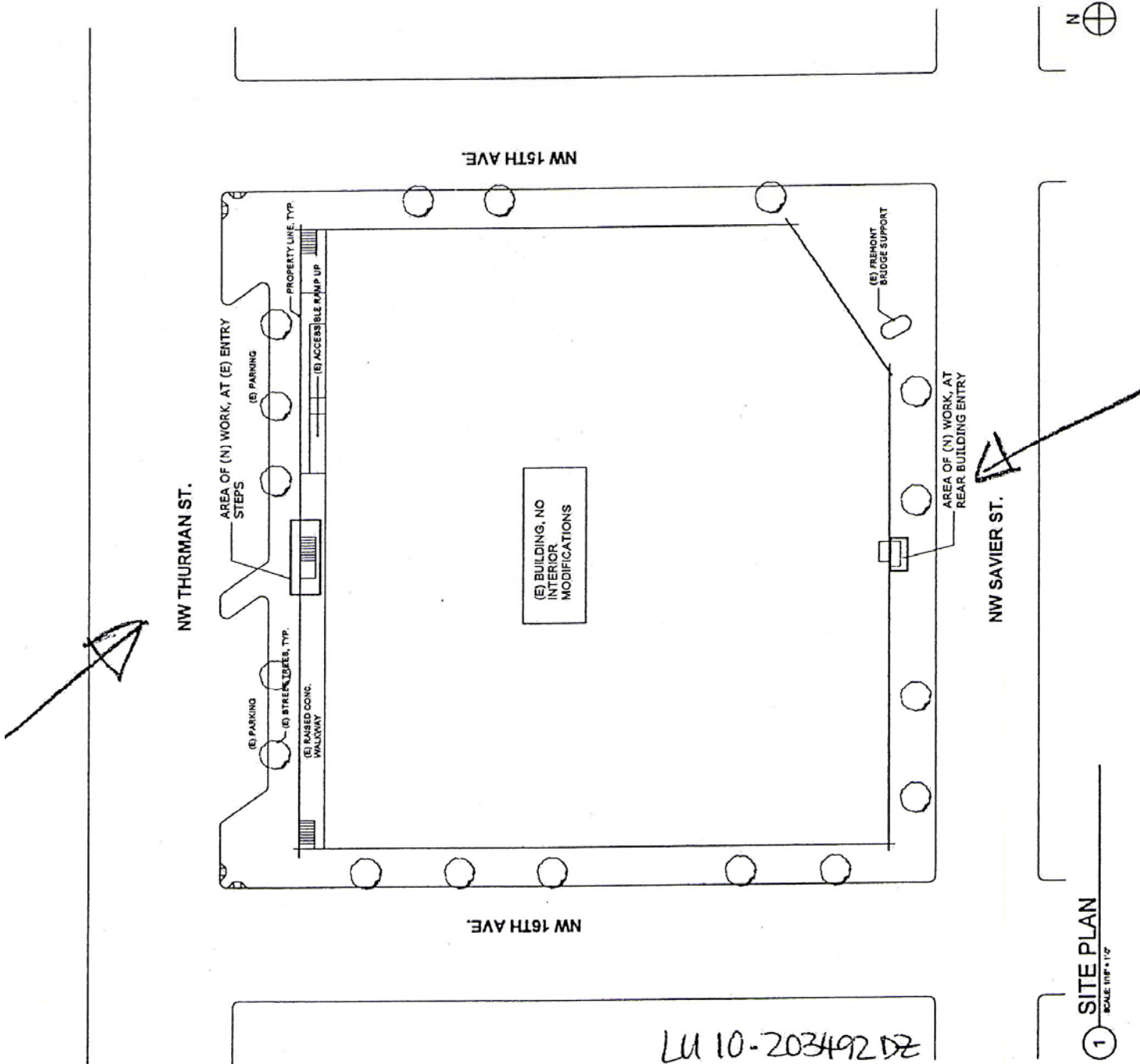
ZONING

- Site
- Also Owned
- Historic Landmark



This site lies within the:
NORTHWEST PLAN DISTRICT

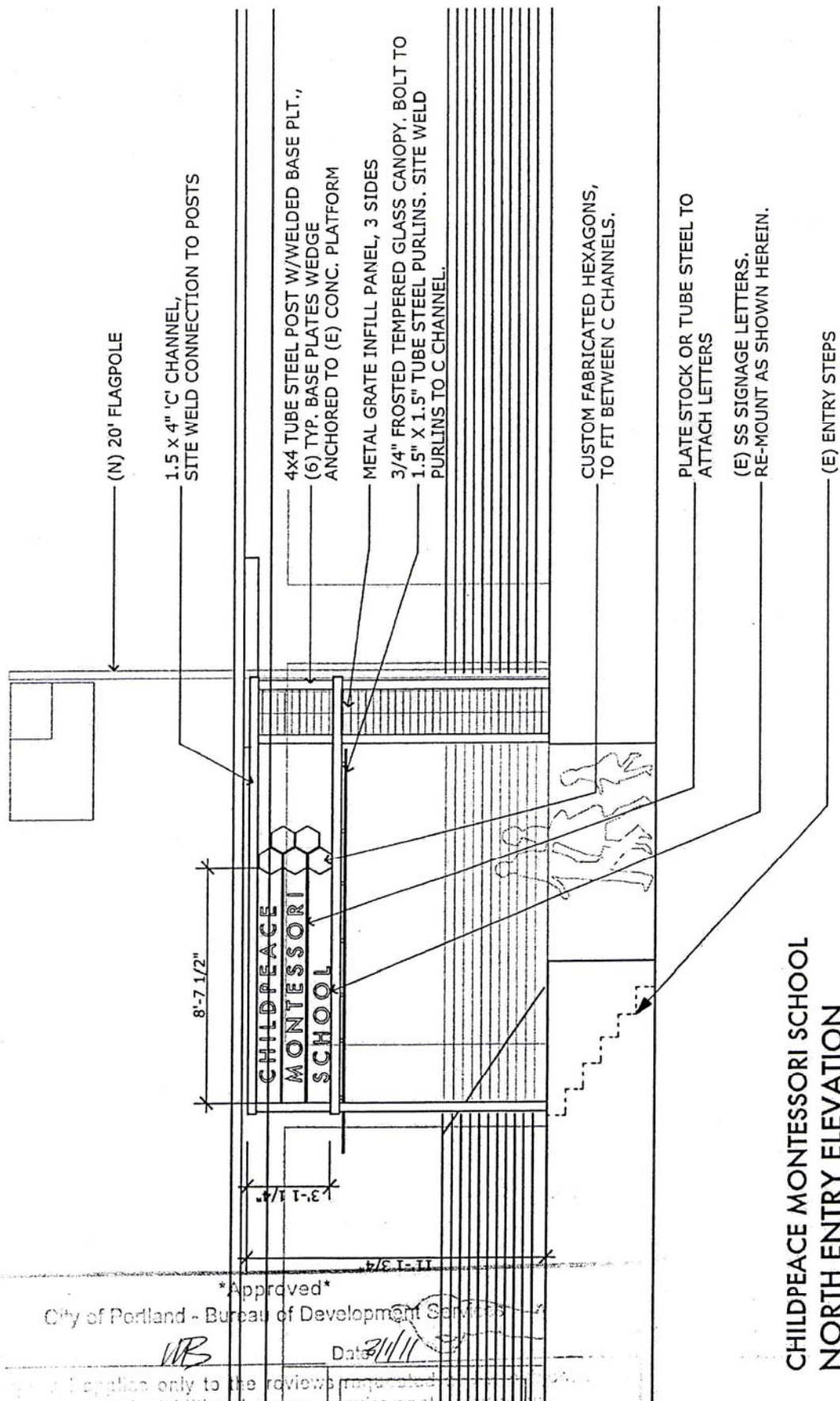
File No. LU 10-203492 DZ
 1/4 Section 2828
 Scale 1 inch = 200 feet
 State_Id 1N1E28DD 2700
 Exhibit B (Dec 27, 2010)



Approved
 City of Portland - Bureau of Development Services
 Planner LAB Date 3/11/11
 * This plan applies only to the reviews requested on this subject.
 conditions of approval. Additional zoning requirements may apply.

CASE NO. 10-203492
 EXHIBIT 4

1 SITE PLAN
 SCALE 1/8" = 1'-0"



CHILDPACE MONTESSORI SCHOOL
NORTH ENTRY ELEVATION

1/4"=1'-0"

BUILDING ARTS WORKSHOP
 1.26.11

City of Portland - Bureau of Development Services

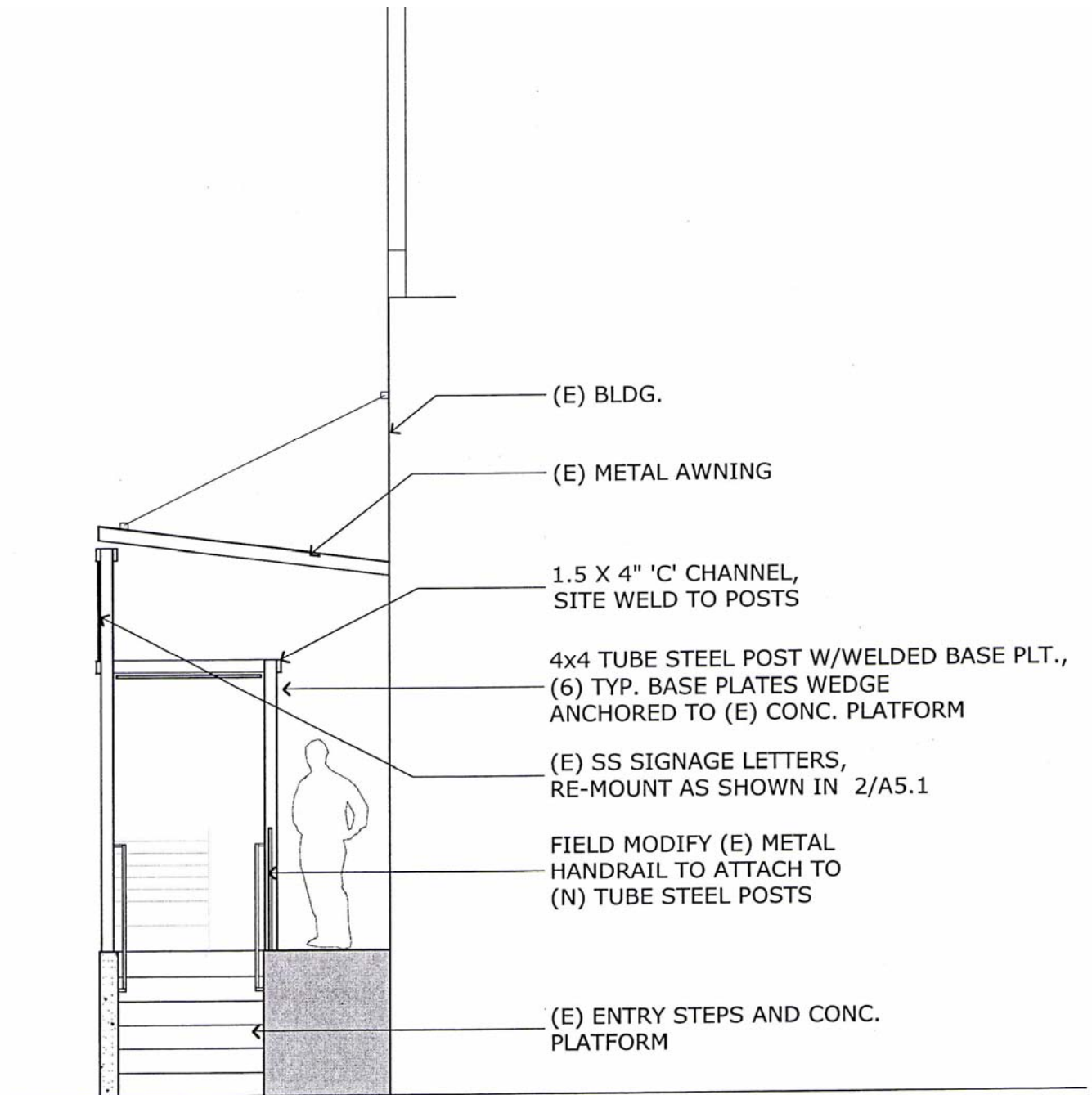
Approved

Date: 3/1/11

Planner: *WR*

* This drawing applies only to the reviews required by the City of Portland. Additional zoning requirements may apply.

CASE NO. 10-203492
 EXHIBIT 23



CHILDPEACE MONTESSORI SCHOOL NORTH ENTRY SECTION

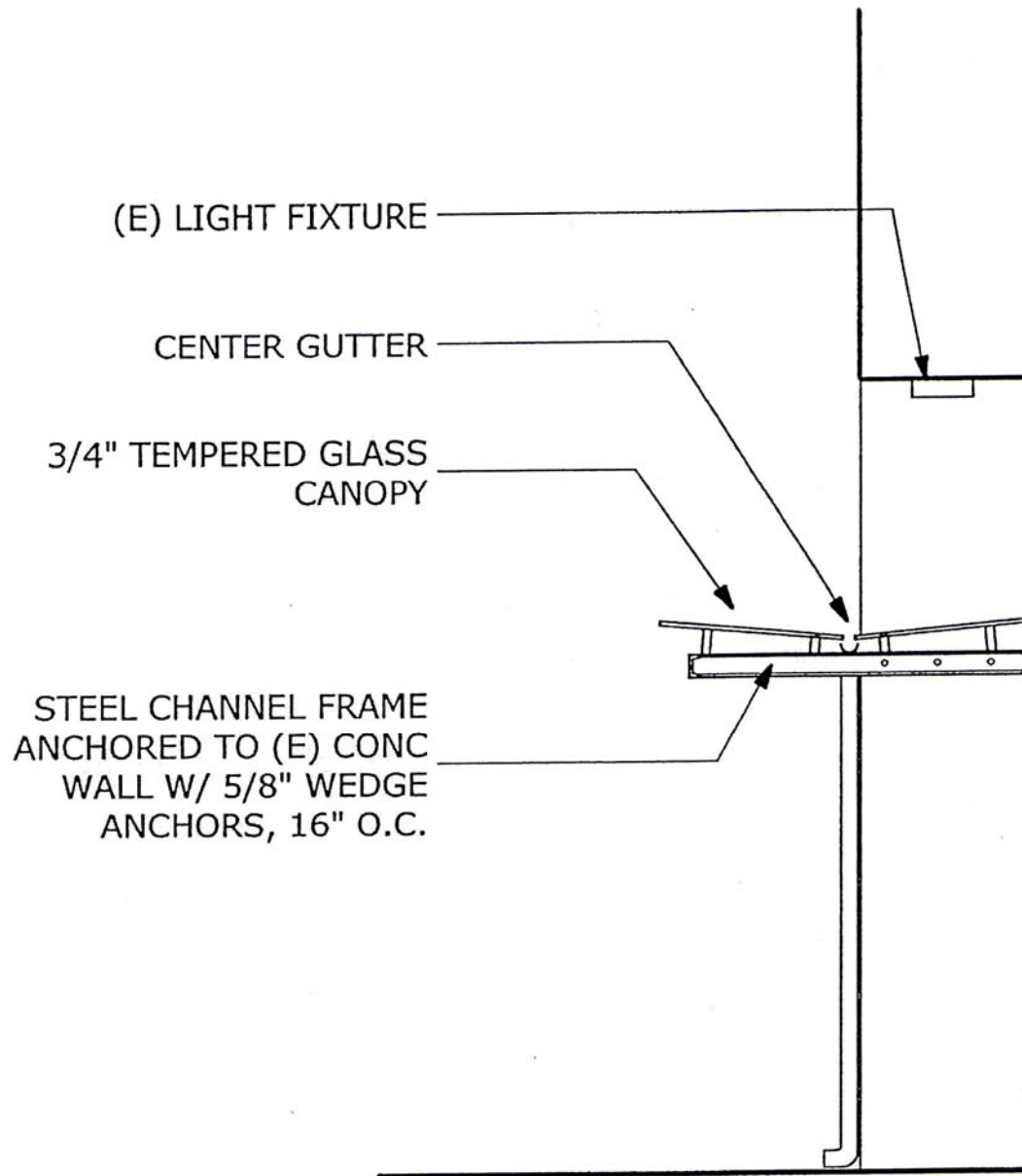
1/4"=1'-0"

BUILDING ARTS WORKSHOP *Approved*
 1.26.11 City of Portland - Bureau of Development Services

Planner MB Date 3/11/11

* This approval applies only to the reviews requested and is subject to all other applicable codes and regulations. Additional zoning requirements may apply.

CASE NO. 10-203492
 EXHIBIT CA



CHILDPEACE MONTESSORI SCHOOL SOUTH ENTRY SECTION

1/4"=1'-0"

Approved

BUILDING ARTS WORKSHOP Development Services

File # 1-26.11 MB Date 3/1/11

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

CASE NO. 10-203492
EXHIBIT C5