



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

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Date: March 3, 2011
To: Interested Person
From: Chris Caruso, Land Use Services
503-823-5747 / 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 11-104514 DZ **411 NW PARK AVENUE WINDOWS**

GENERAL INFORMATION

Applicant: Marcus Jones
MCA Architects
630 SW 5th Ave, Ste 200
Portland, OR 97204

Representative: Rob Brewster
General Auto Building, LLC
P.O. Box 1502
Spokane, WA 99210

Site Address: 411 NW PARK AVE

Legal Description: BLOCK 60 LOT 1&4, COUCHS ADD
Tax Account No.: R180205290
State ID No.: 1N1E34CB 01300
Quarter Section: 3029
Neighborhood: Pearl District, contact Patricia Gardner at 503-228-3273.
Business District: None
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - River District
Zoning: CXd, Central Commercial 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 approval for exterior alterations to the General Auto Building located in the River District subdistrict of the Central City Plan District. The existing building has recently undergone extensive renovations that included a multi-story addition on top of the building and new storefront along the ground floor. It is located on a quarter-block site at the

northwest corner of the intersection of NW Park Avenue and Flanders Street. The original 1923 warehouse structure occupies the south half of the site and a 2-story annex directly to the north. The proposed alterations would be on the annex building's north façade, facing the adjacent parking lot, and include the following:

- Removal of three existing windows on the north façade, two on the second floor and one on the first floor;
- Creation of six new, aligned, wall openings on the north façade, three on the second floor and three on the first floor; and
- Installation of six new aluminum-framed windows, with clear glazing, on the first and second floors of the north façade that match the style, material, and finish of existing windows on the first and second floors of the building.

Design review is required for exterior building alterations in the Central City.

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
- River District Design Guidelines

ANALYSIS

Site and Vicinity: The site occupies a quarter-block parcel of 10,000 square feet, at the northeast corner of the intersection of NW Park Avenue and Flanders Street. The property is developed with two attached warehouse buildings.

The surrounding area includes a variety of development types and uses. Directly east of the site is the North Park Blocks, with this particular block developed with large, central sport courts (basketball). West of the site, existing buildings include the matching three-story warehouse against the three-story portion of the building, and a single-story structure abutting the two-story portion of the building. The remainder of this particular block, with the exception of a small retail building facing NW Glisan, is developed with unlandscaped surface parking lots. There are presently no other buildings directly abutting the north property line at the site.

Nearby buildings facing the North Park Blocks are typically industrial or commercial structures from the early twentieth century, usually built to the lot line, some of which have been turned into residential buildings. Two prominent public buildings, both designated landmarks, also face the east side of the park blocks, including the 1901 Customs House and 1918 Post Office buildings.

The city's adopted *Transportation System Plan (TSP)* designates NW Park Avenue as a City Walkway, and the entire site lies within the Northwest Triangle Pedestrian District. The *TSP* designates both abutting streets as Local Service Streets for all other modes of transportation.

Zoning: The Central Commercial (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. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape. Residential and commercial use is allowed by-right in this zone.

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: City records indicate that prior land use reviews include the following:

- LU 07-118895 DZM – approval of rooftop addition and exterior alterations

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **February 3, 2011**.

The following Bureaus have responded with no issues or concerns:

- Life Safety Review Section of BDS (Exhibit E-1)
- Water Bureau (Exhibit E-2)
- Bureau of Parks-Forestry Division responded with the following comment: *“Protect existing street trees.”*

The following Bureaus have responded with no comments:

- Fire Bureau
- Bureau of Environmental Services
- Bureau of Transportation Engineering
- Site Development Section of BDS

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on February 3, 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.

C1. Enhance View Opportunities. Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

Findings: The new north-facing, clear-glazed windows are oriented toward views of the surrounding neighborhood and also offer views into formerly closed portions of the building from the adjacent park and public right-of-way. No existing views or view corridors will be affected and all visual connections to adjacent public spaces will be retained. *This guideline is therefore met.*

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.

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.

Findings for C2, C3 & C5: The new multi-light windows in new and enlarged openings along the north façade of the annex building enliven this important corner by creating additional views into the building from the park and adjacent sidewalks. The windows are aligned one above the other in a series of matching rectangular shapes at either end of the north façade. This balanced, rectilinear arrangement and style of window matches the window patterns already present on the building, creating a coherent composition that is compatible with the existing architecture. The new windows are fabricated from quality long-lasting materials used throughout urban environments and promote a sense of permanence. *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 new windows on the north façade of the General Auto Building annex are quality products that match windows already present in the building. The new windows compliment the existing architectural composition will help to activate and engage the pedestrian environment. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Design review approval for exterior alterations to the General Auto Building annex, located in the River District subdistrict of the Central City Plan District, that include the following:

- Removing three existing windows on the north façade, two on the second floor and one on the first floor;
- Cutting six new window openings in the north façade, three on the second floor and three on the first floor;
- Installing six new aluminum framed, multi-lite windows with clear glazing, on the first and second floors; and
- New windows match the style, material and finish of existing windows on the first two floors of the building.

Approved, per the approved site plans, Exhibits C-1 through C-15 signed and dated February 28, 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.15. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 11-104514 DZ. No field changes allowed."

Staff Planner: Chris Caruso

Decision rendered by:  **on February 28, 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 January 19, 2011, 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 January 19, 2011.

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 28, 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 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 **March 18, 2011 – (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.

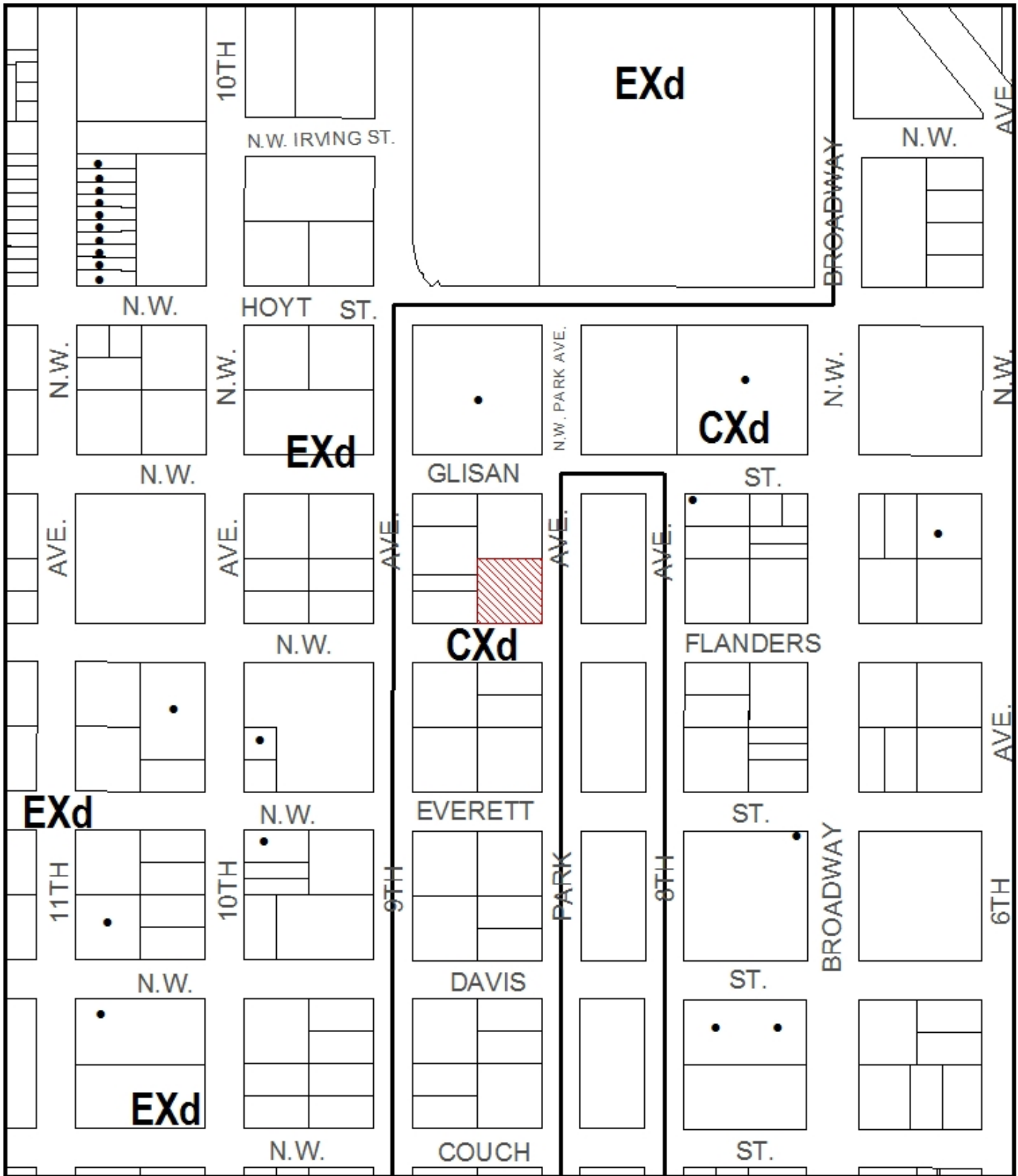
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan/Overall First Floor Plan (attached)
 2. Vicinity Plan
 3. Cover Sheet
 4. Overall Second Floor Plan
 5. Partial First Floor Plan
 6. Partial Second Floor Plan


7. Building Elevation-North (attached)
 8. Partial Sections
 9. Details
 10. Existing North Elevation
 11. East Elevations
 12. North Elevation
 13. Photo
 14. Photo
 15. Kawneer Window Information
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses:
1. Life Safety Review Section of BDS
 2. Water Bureau
- F. Correspondence: none received
- G. Other:
1. Original LU Application
 2. Site History Research

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

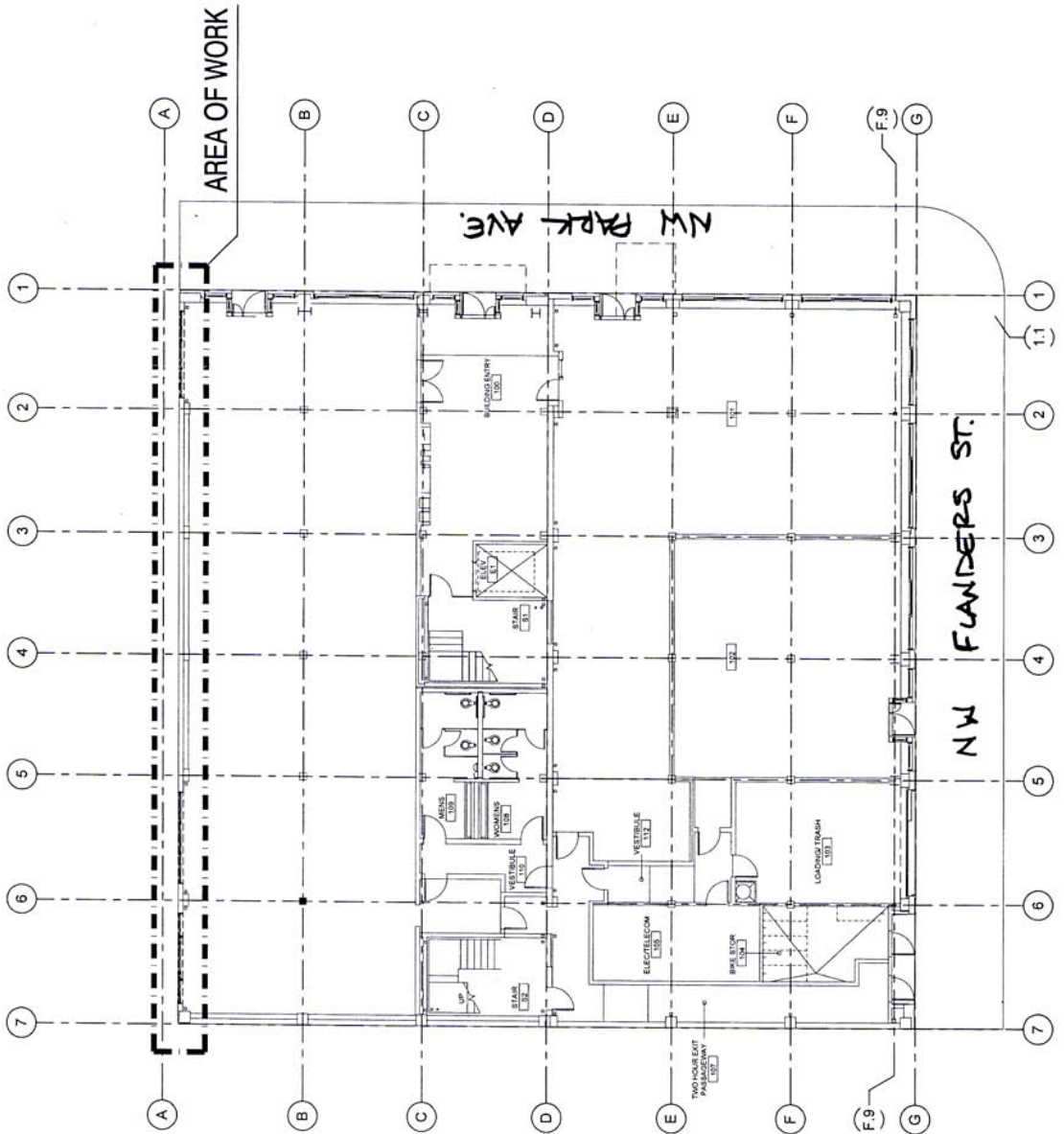


This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No. LU 11-104514 DZ
 1/4 Section 3029
 Scale 1 inch = 200 feet
 State_Id 1N1E34CB 1300
 Exhibit B (Jan 20,2011)

DESIGN REVIEW PACKAGE

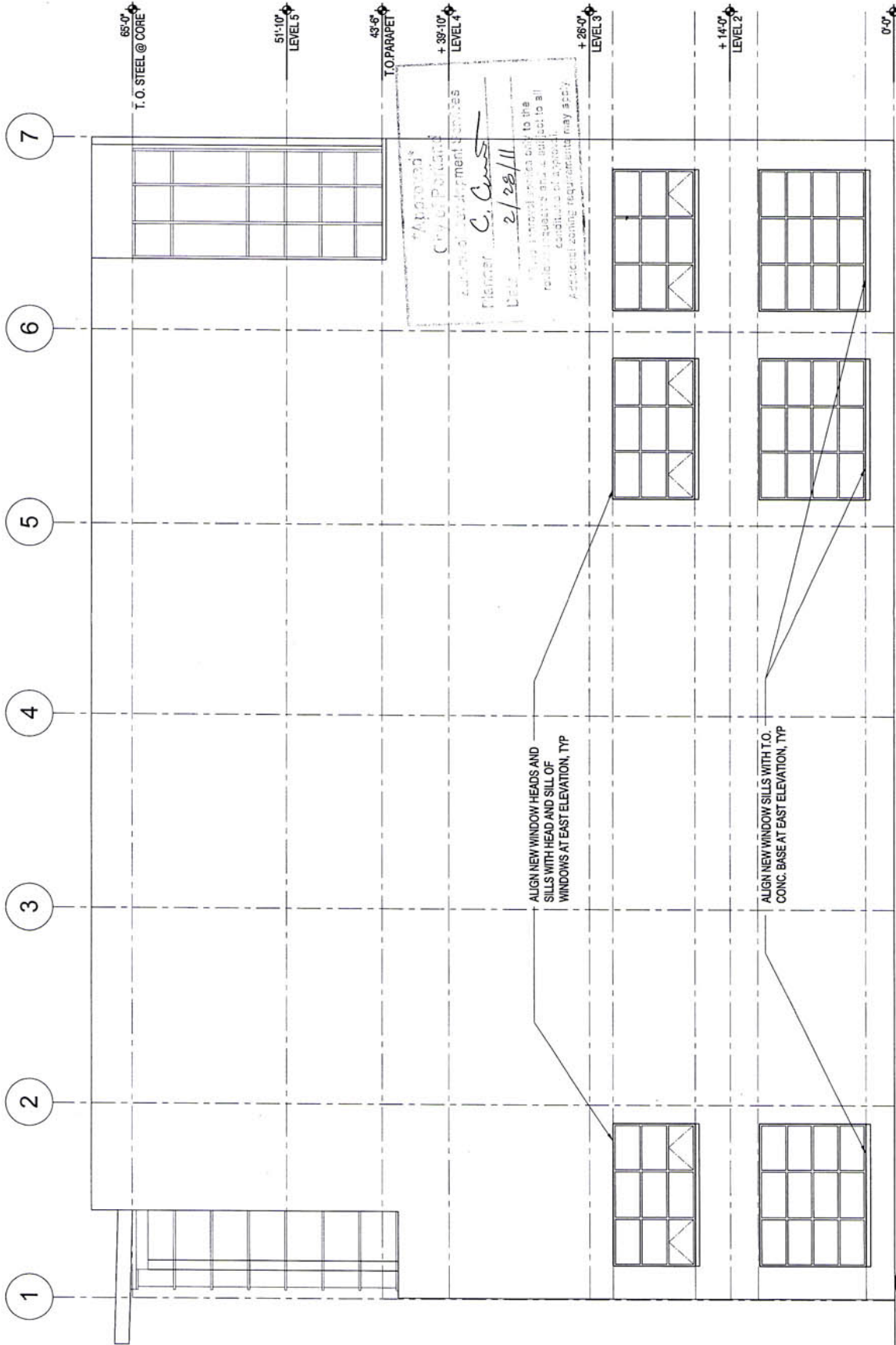
Approved
City of Portland
Bureau of Development Services
Planner: *C. C. C.*
Date: *2/28/11*
* This approval pertains only to the
revisions indicated and is subject to all
regulatory requirements of approval.
Additional zoning requirements may apply.



NORTH
W 11-10451A DZ
EXH. C-1

1 OVERALL FIRST FLOOR PLAN
A-002
1/16" = 1'-0"

DESIGN REVIEW PACKAGE



1 BUILDING ELEVATION - NORTH
A-701 1/8" = 1'-0"
LU 11-104514 DZ
EXH. C-7