



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

FROM CONCEPT TO CONSTRUCTION

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**Date:** March 5, 2012  
**To:** Interested Person  
**From:** Chris Caruso, Land Use Services  
503-823-5747 / [Chris.Caruso@portlandoregon.gov](mailto:Chris.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 11-197084 DZM** **ST. JOHN'S ACE HARDWARE REMODEL**

#### **GENERAL INFORMATION**

**Applicant:** Brett Schulz/Brett Schulz Architect  
1111 E Burnside, #303/Portland, OR 97214

**Representative:** Mark New/N&NRES IV, LLC  
900 SW 13th Ave, Ste 210/Portland, OR 97205

**Site Address:** 7825 N LOMBARD ST

**Legal Description:** TL 10000 1.25 ACRES, SECTION 12 1N 1W  
**Tax Account No.:** R961120030  
**State ID No.:** 1N1W12AA 10000  
**Neighborhood:** St. Johns  
**Business District:** St. Johns Business Boosters, contact Curt Schneider, 503-490-0156.  
**District Coalition:** NPNS, contact Clinton Doxsee, 503-741-9859.  
**Plan District:** St. Johns, Downtown Area  
**Zoning:** CGd & R2.5 General Commercial and Single-Family Residential with design overlay

**Case Type:** DZM, Design Review with Modifications  
**Procedure:** Type II, an administrative decision with appeal to the Design Commission.

#### **Proposal:**

The applicant seeks design review approval for renovations and additions to an existing building and parking lot in the St. John's Plan District. The proposal includes the following:

- Removal of a south-facing portion of the existing building;
- New front terrace, bicycle parking and paved pedestrian connection to N Lombard;
- Addition of new cmu-enclosed retail spaces with aluminum storefront and windows at the southwest corner of the building;
- Two metal canopies above the new retail entries;
- Scored concrete pedestrian walkways around the front of the building;

- New south-facing main tenant entry with storefront glazing and stucco walls;
- Reconfigured parking area between the building, N Lombard and N Tyler with new and rehabilitated landscaping and stormwater facilities;
- Scored concrete pedestrian connection to N Tyler Ave;
- Exterior long-term bicycle parking near loading area;
- Standing seam metal-roofed garden center between the building and N Tyler, enclosed with metal fencing that is covered with a variety of decorative vines;
- Trash enclosure with standing seam metal roof, and loading area behind new sight-obscuring gates;
- Standing seam metal roof on southwest trash enclosure;
- Fiberglass overhead door on north façade;
- Six new rooftop units on the sloping far northwestern roof; and
- Two internal and backlit acrylic and aluminum building-mounted signs on the south façade.

One Modification is requested to:

**33.130.215 Setbacks.** To allow more of the building to move farther than 10 feet back from the transit street (N Lombard Street) due to the demolition of a portion of the existing structure.

#### **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
- 33.825.040 Modifications
- Community Design Standards

## **ANALYSIS**

**Site and Vicinity:** The 54,342 SF site is developed with a surface parking lot plus a 20,932 SF low-rise office building constructed in 1963 and renovated into the Post-Modern style in the late 1980's. The site is located at the eastern edge of the east of the Downtown Area of the St. John's Plan District with frontages on N Lombard Street (Highway 30) and N Tyler Avenue. The surrounding area is a mix of commercial businesses and surface parking lots along N Lombard Street and older residences to the north, west, and east. The existing building is entirely within the General Commercial zone, facing N Lombard St, with a small surface parking lot projecting into the R2.5 zone to the north. North Lombard St is designated a Community Main Street, a District Collector Street, a Major Transit Priority Street, a City Bikeway, and a City Walkway, and had a number of frequent service bus lines running along it. North Tyler Avenue is designated a Local Service Bikeway and Walkway, and has much less vehicular traffic.

**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.

The Residential 2,500 (R2.5) single-dwelling zone is intended to preserve land for housing and to provide housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing. The minimum density for new lots in this zone is 1 unit per 5,000 square feet and the maximum density is based on lot size and street configuration. Both detached and attached single-dwellings are allowed. Minimum lot size for both types of development is 1,600 square feet with minimum front lot line of 30 feet and minimum depth of 40 feet. There is no required minimum lot width or front lot line for lots that are developed with structures that meet certain additional development standards related to design.

The “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. 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.

The St. Johns Plan District provides for an urban level of mixed-use development including commercial, employment, office, housing, institutional, and recreation uses. Specific objectives of the plan district include strengthening St. Johns’ role as the commercial and civic center of the North Portland peninsula. These regulations: stimulate business and economic vitality; promote housing and mixed-use development; discourage auto-oriented uses and development; enhance the pedestrian environment and the character of buildings; and support the Willamette greenway and opportunities to celebrate the Willamette River as a unique element of the urban environment.

**Land Use History:** City records indicate there are no prior land use reviews for this site.

1. PC-4078 (LUR 90-022298): Zone change to rear parcel requiring a minimum 3 foot tall screen around the parking areas that abuts residentially zoned lots.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **February 2, 2012**. The following Bureaus have responded with no issues or concerns:

- Fire Bureau
- Site Development Section of BDS
- Bureau of Parks-Forestry Division
- Water Bureau (Exhibit E-1)
- Life Safety Review Section of BDS (Exhibit E-2)
- Bureau of Transportation Engineering (Exhibit E-3)
- Bureau of Environmental Services (Exhibit E-4)

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on February 2, 2012. Four written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Doug Klotz, February 19, 2012 - Is not in support of granting the modification to building setback. Would like to see additional building wall against the Lombard Street edge, additional pedestrian amenities such as a larger, more connected plaza, and the elimination of parking between the building and the street.
2. Tyler & Wendy Crabtree, February 20, 2012 – Concerned about noise, truck traffic, and missing landscaping along the residential interface.
3. Josh Guerra, St. Johns Main Street Coalition Design Committee, February 23, 2012 – In favor of the project use and additional retail spaces. Not in favor of the modification. Would like to see building frontages at the street, screening and landscaping of vehicle areas, and enhanced landscaping at the residential interface.
4. CJ Doxsee, St. Johns Neighborhood Association, February 23, 2012 – In favor of modification if landscaping and pedestrian connection opportunities are maximized along both streets.

*Staff Response: Please see findings below relating to the requested Modification.*

## **ZONING CODE APPROVAL CRITERIA**

### **[1] 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.

**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 for P1 & D7:** The proposal incorporates a number of desired characteristics and traditions of the Downtown St Johns Area of the St Johns/Lombard Plan Area. This is accomplished by orienting new retail frontages and main entries to both streets. Wide and generous pedestrian walkways, a front terrace, and large areas of clear windows connect the building's active areas to the adjacent rights-of-way. The desired urban edge and pedestrian realm is maintained by upgraded perimeter landscaping with a variety of plants that buffers the pedestrian from vehicle areas along both street frontages. Additional landscape improvements that soften the impact of vehicle areas include intermediate planted islands, a central parking lot stormwater planter, and the removal of a few parking spaces between the terrace and the street. The character of the downtown area is continued in this proposal through the creation of smaller-scale retail spaces projecting toward the street, by breaking the mass of the building down into more discreet elements through the use of patterned storefront glazing and entry canopies, and by utilizing high-quality durable materials on the building exterior. All of this allows the proposal to continue the pattern of commercial development along this eastern end of downtown St. Johns. *These guidelines are therefore met.*

**E1. The Pedestrian Network.** Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.

**E3. The Sidewalk Level of Buildings.** Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.

**E5. Light, Wind, and Rain.** Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

**Findings for E1, E3 & E5:** The proposal creates an efficient, pleasant, and safe pedestrian network; provides comfortable places for people; enhances the comfort of pedestrians; and provides usable outdoor areas by visually and physically buffering pedestrians from vehicles with large landscape areas at the perimeter of all surface parking zones. Generous and wide paved pedestrian walkways connect both streets to the site and also run along the front of the buildings, providing outdoor areas for socializing, resting, and additional activities. The new Lombard Street-facing front terrace provides an additional open area for use by pedestrians and customers. New landscaping and trees will provide shading and some weather protection for pedestrians walking along the adjacent sidewalks as well as persons using the terrace. Canopies above the retail entries will provide additional weather protection around the site. These entry elements as well as the storefront glazing serve to differentiate the sidewalk level of the building from the upper portion of the faced walls. *These guidelines are therefore met.*

**E4. Corners that Build Active Intersections.** Create intersections that are active, unified, and have a clear identity through careful scaling detail and location of buildings, outdoor areas, and entrances.

**D2. Main Entrances.** Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

**Findings for E4 & D2:** The proposal creates a sense of enclosure and visual interest along sidewalks by the use of landscape buffers along both street edges as well as decorative vines along the garden center fencing. The main intersection of N Lombard and N Tyler remains active with good sidewalk connections and landscape buffers between vehicles and pedestrians. Main entries are oriented toward both streets and are made prominent and visible by their differentiation with overhead canopies and the use of clear storefront glazing. Gathering spaces are added to the site with two nine foot wide pedestrian walkways. These walkways connect from both streets and continue around the fronts of the buildings, culminating in an open terrace area that faces N Lombard, the main transit street. *These guidelines are therefore met.*

**D1. Outdoor Areas.** When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;

**D3. Landscape Features.** Enhance site and building design through appropriate placement, scale, and variety of landscape features.

**D4. Parking Areas and Garages.** Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

**Findings for D1, D3 & D4:** The proposal provides new outdoor areas on the site that can be used by passersby, tenants, and customers for a variety of activities. These include the front terrace, the walkways from both streets, and the generous on-site walkway around the building, all of which are connected to the pedestrian circulation system. Perimeter and interior site landscaping is designed to physically and visually buffer the vehicle areas from the adjacent sidewalks as well as from nearby residential yards. Additional interior parking lot landscaping will further break up the amount of paved area and visually screen views of vehicles from the street as well as from the building itself which allows the site to better integrate into the neighborhood. *These guidelines are therefore met.*

**D5. Crime Prevention.** Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

**Findings:** The likelihood of crime on the site is reduced by the use of clear glazing in all storefront windows and doors to allow views from the building to the street. Street lights along sidewalks and site lighting at front and rear building entries will provide nighttime illumination for added security. The terrace and wide access walkways provide more visually open areas for site surveillance. *This guideline is therefore met.*

**D6. Architectural Integrity.** Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

**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 for D6 & D8:** The proposal includes a renovation and addition to the existing building that was constructed in the 1960's. The portion of the building being removed along the south facade was part of a 1980's renovation that dramatically altered the old commercial structure but is not considered historically significant. The proposed renovation and addition create a simplified and more transparent façade with smaller-scale, streetcar-era commercial elements desired in this portion of the St. Johns Plan District. These include multiple tenant entries facing the streets with protective metal canopies, wide pedestrian walkways that connect to the streets, simple shed roof and fencing with decorative vines at the garden center, and stucco exterior wall finishes.

The building also remains low in scale to fit into the 1-3 story building height typical in this area. The new retail spaces at the southwest portion of the building are scaled to fit into the overall building form and not detract from the curved main parapet, thus creating a cohesive composition. Rooftop mechanical units are grouped together on the western sloped edge of the existing building's roof, pulled far back from both streets so they will not be visible from the pedestrian realm. Building materials include masonry block, stucco, metal, aluminum, and acrylic, all of which are durable high-quality finishes that will hold up over time.

Building signage is integrated into the overall composition by being appropriately scaled to fit onto the south façade's large upper wall plane as well as by aligning with horizontal building elements. Since the building wall is set at least 133 feet back from N Lombard Street, signage can generally be larger as it will have a lesser impact on the pedestrian rights-of-way as well as on nearby buildings. Conditions of Approval B through D restrict the sign letter heights to one 60.5" tall letter, two 48" tall letters, and the remainder of the letters at 28.125" and 14" or less in height. This serves to further reduce the size of the internally illuminated and therefore minimize the signs' real size. These two conditions also require hidden raceways and conduit which allow the individual channel letters to float on the wall surface without additional visual clutter, creating a cleaner composition. *With Conditions of Approval B through D, these guidelines are therefore met.*

**[2] 33.825.040 Modifications That Will Better Meet Design Review Requirements:**

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. **Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and
- B. **Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

**Modification #1 to 33.130.215 Setbacks.** Allow more of the building to move farther than 10 feet back from the transit street (N Lombard Street) due to the demolition of a portion of the existing structure;

*Purpose Statement:* The setback standards promote streetscapes that are consistent with the desired character of the different commercial zones. The setback requirements along transit streets and in Pedestrian Zones create an environment that is inviting to pedestrians and transit users.

*Standard:* 100% of the length of the ground level street-facing façade must be within the maximum setback of 10 feet on the transit street with the highest classification (N Lombard Street).

**Findings:** The subject site sits just outside the main commercial core of St. John's and is also outside of the designated St. John's Pedestrian District. This location allows for a greater mix of commercial uses. The proposal includes the removal of a portion of the existing building facing N Lombard Street and its replacement with new retail tenant spaces at the southwest portion of the site, in the same general area of the existing building edge. The replacement building area facing N Lombard allows for a better pedestrian connection to the street by the removal of several parking spaces between the new retail spaces and the street, and the creation of a generous walkway and terrace at the southwest corner of the site. Additional visual connections are made between pedestrians and activities on the site with the new fully-glazed storefront wall with main entry facing N Lombard.

The plaza and terrace also provides additional landscape buffering between pedestrians and vehicles entering the site from N Lombard while allowing existing landscaping to remain at this corner. On-site landscaping, which currently meets the intent of the code will be upgraded in quality and variety around the entire site, creating a more pleasant pedestrian experience along both streets. The required secondary pedestrian connections from N Tyler Avenue and around the front of the existing building are also being widened from the required 5 and 6 feet to 9 feet. This will provide larger, safer, more open, pedestrian zones within the site that could be used for gathering spaces or other outdoor activities. The new garden center fencing will create an additional sense of urban enclosure along N Tyler Avenue and will be visually enhanced with a mix of flowering and evergreen vines growing up it.

This proposal creates a new but enhanced relationship of the existing building with adjacent streets by creating new, more significant pedestrian areas, more visually transparent building walls, and new main entries facing the street, while providing additional pedestrian buffering from the heavy vehicular traffic on Highway 30 (N Lombard), all of which are consistent with the desired characteristics of the Downtown St Johns Area of the St Johns Lombard Plan, meeting the purpose of the standard and better meeting the intent of **Design Guidelines: E1 The Pedestrian Network; E3 The Sidewalk Level of Buildings; D1 Outdoor Areas; and D2 Main Entrances.** *This Modification therefore merits approval.*

## 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 development blends into this outer edge of the Downtown St Johns Area and adjacent residential areas through its use of high quality, durable materials, appropriate building scale and setbacks, enhancing the pedestrian realm, creating usable outdoor areas, minimizing the impact of onsite parking, and reducing opportunities for crime. The renovated building and site will be a positive addition to the St Johns neighborhood. The proposal meets the applicable design guidelines and modification criteria and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of design review for alterations to an existing building and site in the St. John's Plan District that includes the following:

- Removal of a south-facing portion of the existing building;
- New front terrace, bicycle parking and paved pedestrian connection to N Lombard;
- Addition of new cmu-enclosed retail spaces with aluminum storefront and windows at the southwest corner of the building;
- Two metal canopies above the new retail entries;
- Scored concrete pedestrian walkways around the front of the building;
- New south-facing main tenant entry with storefront glazing and stucco walls;
- Reconfigured parking area between the building, N Lombard and N Tyler with new and rehabilitated landscaping and stormwater facilities;
- Scored concrete pedestrian connection to N Tyler Ave;
- Exterior long-term bicycle parking near loading area;
- Fiberglass overhead door on north façade;
- Standing seam metal-roofed garden center between the building and N Tyler, enclosed with metal fencing that is covered with a variety of decorative vines;
- Replacement of missing, dead, diseased, dying perimeter landscaping around entire site and enhancement of existing Lombard and Tyler perimeter landscaping with new plant mixes to meet code standards;
- Trash enclosure with standing seam metal roof, and loading area behind new sight-obscuring gates;
- Standing seam metal roof on southwest trash enclosure;
- Six new rooftop units on the sloping far northwestern roof;
- One acrylic and aluminum sign on the south façade with an internally illuminated area of 59.55 SF (11'-9 ¾" W x 5'-0 ½" T) and a backlit area of 38.77 SF (16'-6 ½" W x 28 1/8" T), both comprised of individual channel letters; and
- One acrylic and aluminum sign on the south façade measuring 23.4 SF, comprised of individual channel letters that are 14" tall or less.

Approval of the following Modification:

33.130.215 Setbacks. Allow more of the building to move farther than 10 feet back from the transit street (N Lombard Street) due to the demolition of a portion of the existing structure.

Approval per the approved site plans, Exhibit C-1 through C-10 and dated February 29, 2012, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (A – E) must be noted on each of the 4 required site plans or included as a

sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE- Case File LU 11-197084 DZM. All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

- B. If the subject signs are removed in the future, regulations current at the time of any future application would apply.
- C. All sign raceways and conduit will be remotely located inside the building or behind the parapets, and will not be visible on any exterior façade.
- D. Sign letters include only one 60.5" tall letter and two 48" tall letters, with the remainder of the letters 28.125" and 14" or less in height.
- E. No field changes allowed.

**Staff Planner: Chris Caruso**

**Decision rendered by:**  **on February 29, 2012.**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: March 5, 2012**

**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 November 29, 2011, and was determined to be complete on **January 23, 2012.**

*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 November 29, 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 24, 2012.**

**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 19, 2012** 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](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 **March 20, 2012 – (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.

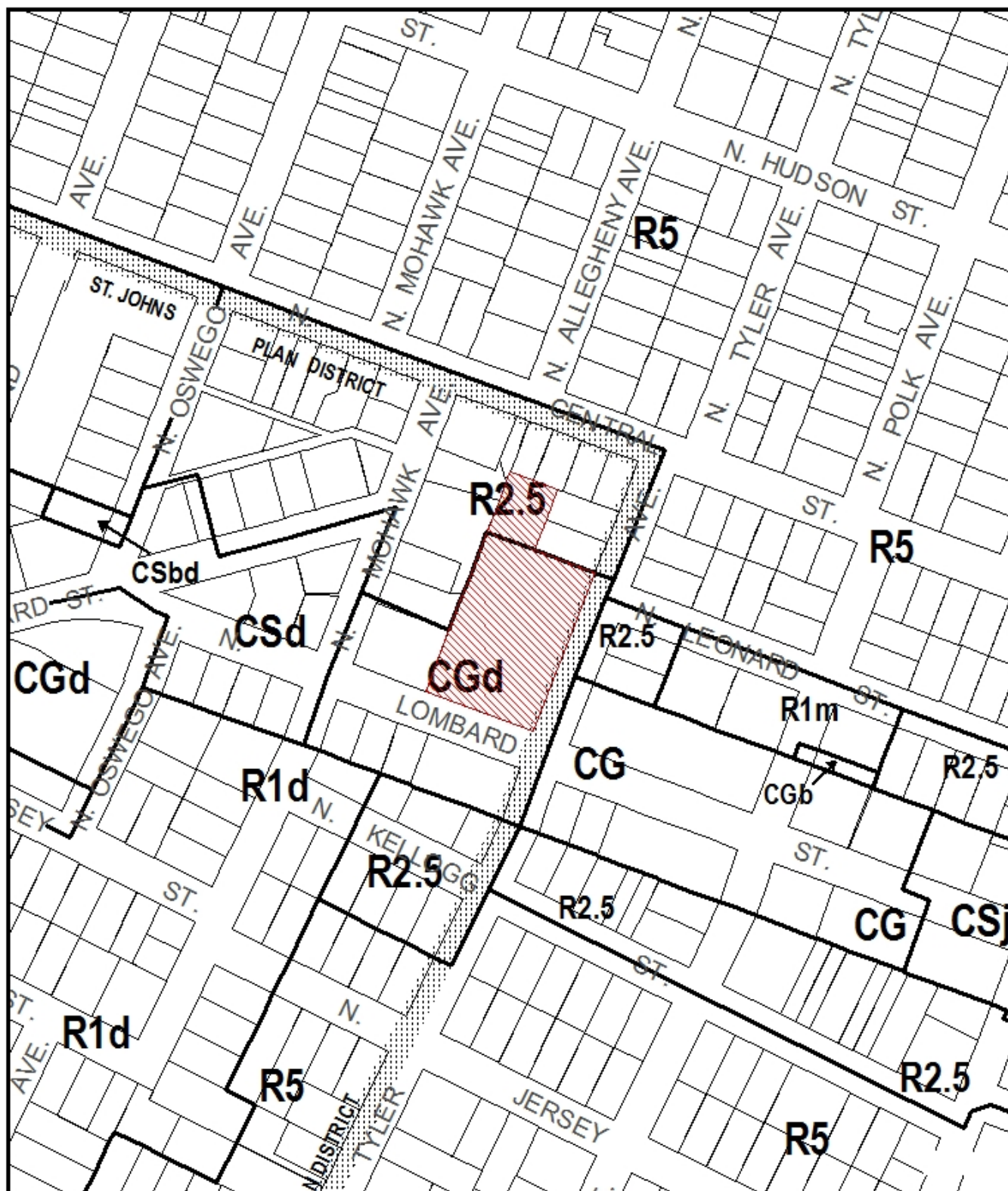
**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- 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 Statements
  - 1. Design Review Narrative
  - 2. Response to Completeness
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Elevations (attached)
  - 3. Stormwater Report and Drawings
  - 4. Trash Enclosure
  - 5. Roof Plan & Sightlines (3 sheets)
  - 6. Wall Sections & Details
  - 7. Material Examples (2 sheets)
  - 8. Signs
  - 9. South Elevation with Signs
  - 10. Wall Section thru Sign
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Water Bureau
  - 2. Life Safety Review Section of BDS
  - 3. Bureau of Transportation Engineering and Development Review
  - 4. Bureau of Environmental Services
- F. Correspondence:
  - 1. Doug Klotz, February 19, 2012 – Does not support the modification.
  - 2. Tyler & Wendy Crabtree, February 20, 2012 – Residential interface concerns.
  - 3. Josh Guerra, St. Johns Main Street Coalition Design Committee, February 23, 2012 – In favor of the project use and additional retail spaces. Do not support the modification.
  - 4. CJ Doxsee, St. Johns Neighborhood Association, February 23, 2012 – Supports the modification request.
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research
  - 3. Incomplete Letter
  - 4. Early Assistance Summary Notes and Emails



# ZONING



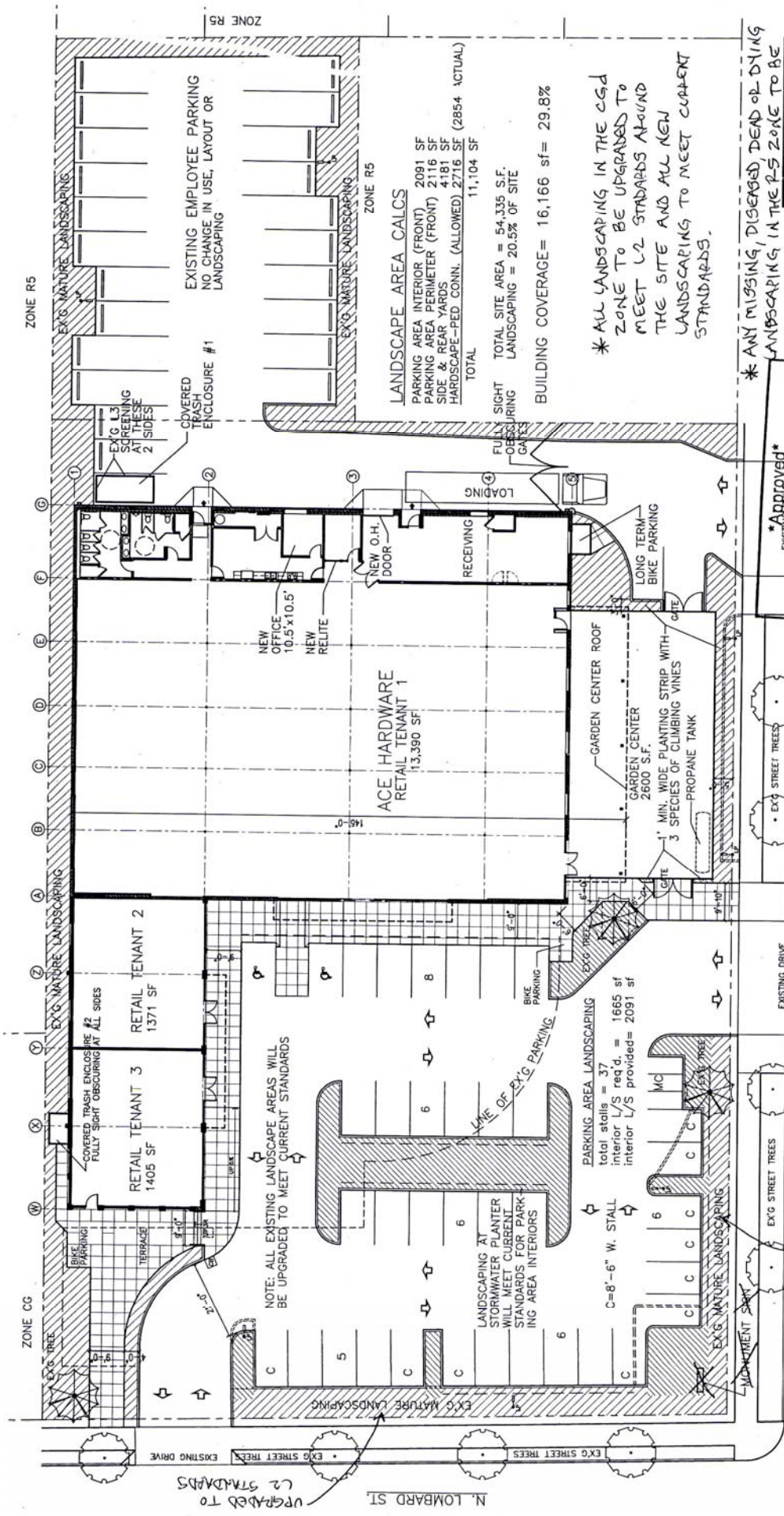
Site



NORTH

This site lies within the:  
ST. JOHN'S PLAN DISTRICT

File No.	LU 11-197084 DZM
1/4 Section	2122
Scale	1 inch = 200 feet
State_Id	1N1W12AA 10000
Exhibit	B (Dec 08, 2011)



N. LOMBARD ST.

UPGRADED TO L2 STANDARDS

**LANDSCAPE AREA CALC.**

PARKING AREA INTERIOR (FRONT) 2091 SF  
 PARKING AREA PERIMETER (FRONT) 2116 SF  
 SIDE & REAR YARDS 4181 SF  
 HARDSCAPE-PED. CONN. (ALLOWED) 2716 SF (2854 ACTUAL)  
**TOTAL 11,104 SF**

TOTAL SITE AREA = 54,335 S.F.  
 LANDSCAPING = 20.5% OF SITE

**BUILDING COVERAGE = 16,166 sf = 29.8%**

\* ALL LANDSCAPING IN THE CGD ZONE TO BE UPGRADED TO MEET L2 STANDARDS AROUND THE SITE AND ALL NEW LANDSCAPING TO MEET CURRENT STANDARDS.

\* ANY MISSING, DISEASED, DEAD OR DYING LANDSCAPING IN THE R5 ZONE TO BE REPLACED, AS WELL AS IN THE CGD ZONE.

**Approved\***  
 City of Portland  
 Bureau of Development Services  
 Planner *C. Carr*  
 Date *2/29/12*

**ACE Hardware**  
 7825 N Lombard Street, Portland

JAN 18, 2012

**SITE PLAN/ FLOOR PLAN**  
 1"=24'-0"

UPGRADED TO L2 STANDARDS N. TYLER AVE.

**Brett Schulz**  
 architect  
 1111 E. Burnside St, Suite 303  
 Portland, Oregon 97214  
 503.222.9099  
 www.brettschulz.com

LW-11-197084 D2M EXH.C-1

# BRETT SCHULZ ARCHITECT

1111 E. Burnside, #303  
Portland, Oregon 97214  
503-222-9099  
brett@brettschulz.com  
www.brettschulz.com



Ace Hardware  
7825 N Lombard St.  
Portland, Oregon

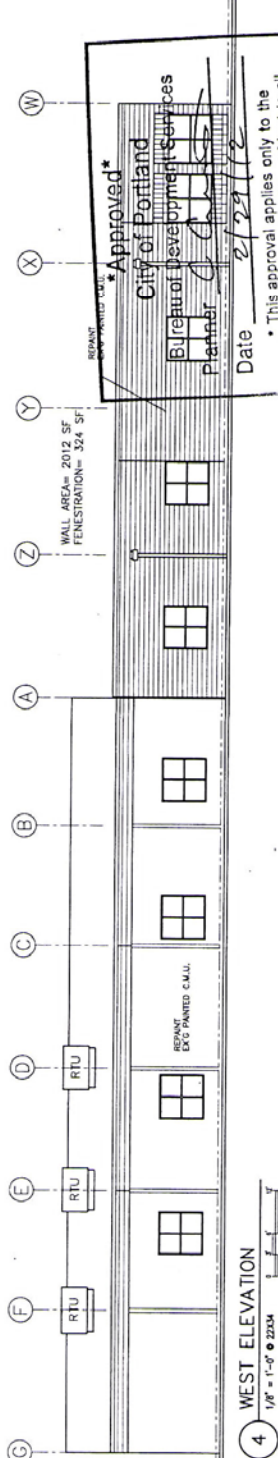
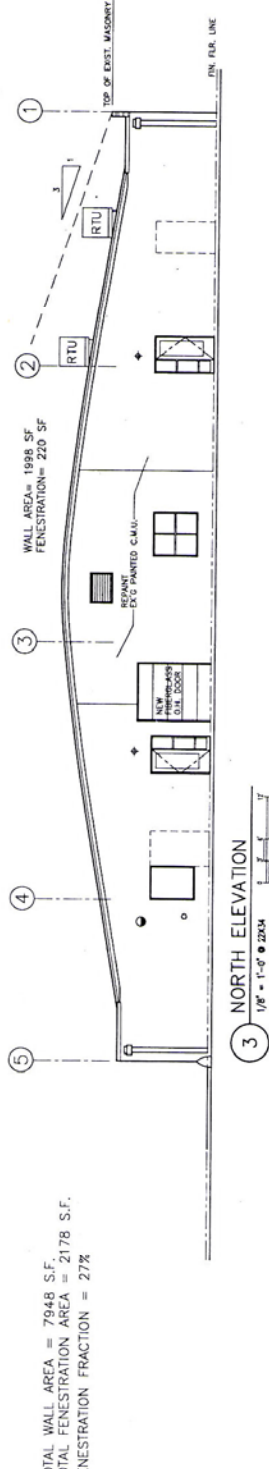
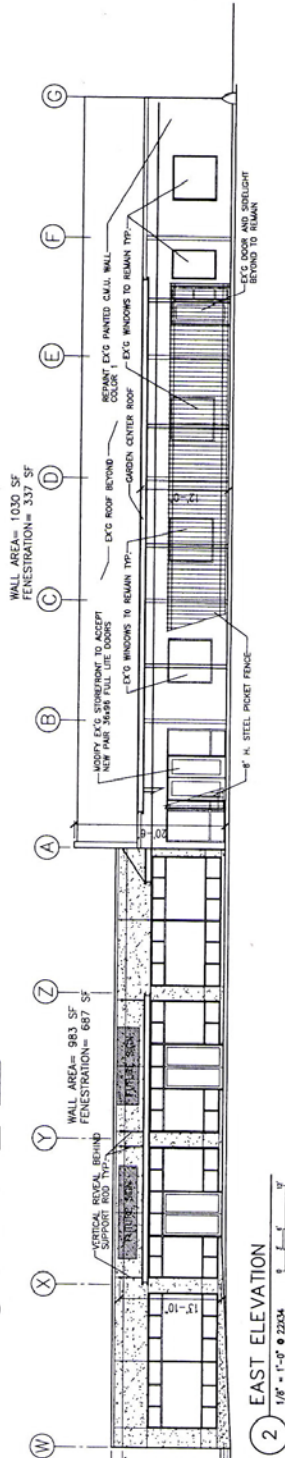
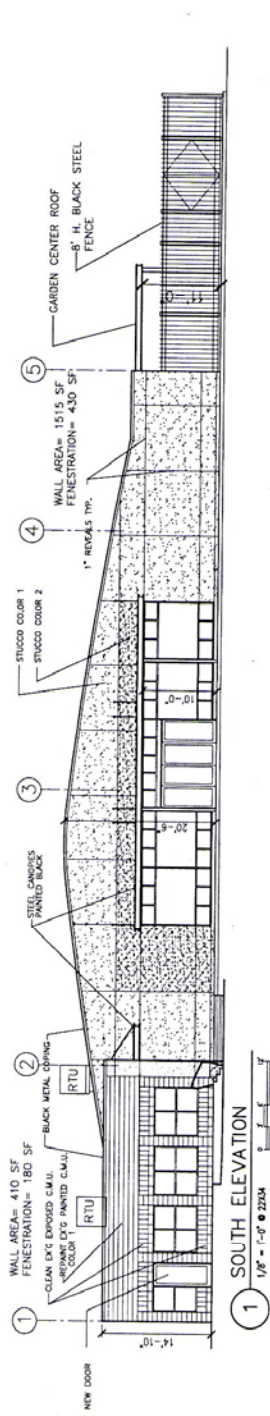
## PERMIT SUBMITTAL

DATE: FEB 13, 2012  
DRAWN: BJS  
APPROVED: BJS  
PLOT DATE:  
REVISIONS:

## PROPOSED EXTERIOR ELEVATIONS

# A3.0

LU 11-197084 D24 EXH. C-2



**\*Approved\***  
City of Portland  
Bureau of Development Services  
Planner: [Signature]  
Date: 2/22/12  
\* This approval applies only to the reviews requested and is subject to all conditions of approval.  
Additional zoning requirements may apply.