



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

Dan Saltzman, Commissioner
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Date: April 26, 2012
To: Interested Person
From: Chris Caruso, Land Use Services
503-823-5747 / 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 12-108033 HDZ TRADER JOE'S STOREFRONT EXPANSION

GENERAL INFORMATION

Applicant: Kevin Cooley/Kevin Cooley Architect
400 E Evergreen, Suite 209/Vancouver, WA 98660

Tenant: Richard Adachi/Trader Joe's
PO Box 5049 Monrovia, CA 91017

Owner: RMD LLC
31394 SW Olympic Dr/Wilsonville, OR 97070

Site Address: 2122 NW GLISAN ST

Legal Description: BLOCK 38 TL 10800, KINGS 2ND ADD
Tax Account No.: R452306510
State ID No.: 1N1E33CA 10800
Quarter Section: 3027
Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: Nob Hill, contact Patricia Fielder at 503-407-6163.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Northwest
Other Designations: Non-contributing resource in Alphabet Historic District
Zoning: CS and RH – Commercial Storefront and High-Density Residential
Case Type: HDZ – Historic Design Review
Procedure: Type II, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicant seeks historic design review approval for exterior renovations to the existing Trader Joe's building on NW Glisan Street, a non-contributing resource within the Alphabet Historic District. The proposed renovations include the following:

- Addition of new aluminum-framed clear-glazed storefront across the entire eastern bay, in front of the former shed-roofed retail space;
- A new brick-faced planter across the bottom of the new storefront bay to match existing planters; and
- Energy upgrades certified through the Energy Trust of Oregon to satisfy non-conforming upgrade requirements.

The site and parking areas will remain as-is. Historic Design Review is required for exterior alterations to buildings within historic districts.

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:

- 33.846 Historic Reviews
- Community Design Guidelines
- Historic Alphabet District: Community Design Guidelines Addendum

ANALYSIS

Site and Vicinity: The 39,770 SF site is developed with a non-contributing grocery building and surface parking lots with frontages on NW 21st Ave, and NW Glisan and NW Flanders Streets. The surrounding area is a mix of low-scale commercial buildings, surface parking lots, mid-rise apartment buildings, and older single-family homes. The subject building was constructed in 1963 and has been renovated numerous times since then. The mix of uses and building types is highly characteristic of this commercial section of the Alphabet Historic District.

Northwest 21st Ave is designated a Community Main Street, a Neighborhood Collector Street, a Transit Access Street, a Local Service Bikeway, and a City Walkway. Northwest Glisan Street is designated a Transit Access Street, a Local Service Bikeway, and a City Walkway. Northwest Flanders Street is designated a City Bikeway and a City Walkway. The site is within the Northwest Pedestrian District.

Zoning: The Storefront Commercial (CS) zone is intended to preserve and enhance older commercial areas that have a storefront character. The zone intends that new development in these areas will be compatible with this desired character. The zone allows a full range of retail, service and business uses with a local and regional market area. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. The desired character includes areas which are predominately built-up, with buildings close to and oriented towards the sidewalk especially at corners. Development is intended to be pedestrian-oriented and buildings with a storefront character are encouraged.

The High Density Residential (RH) is a high density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will range from 80 to 125 units per acre. Allowed housing is characterized by medium to high height and a relatively high percentage of building coverage. The major types of new housing development will be low, medium, and high-rise apartments and condominiums. Generally, RH zones will be well served by transit facilities or be near areas with supportive commercial services. Newly created lots in the RH zone must be at least 10,000 square feet in area for multi-dwelling development. There is no minimum lot area for development with detached or attached houses or for development with duplexes. Minimum lot width and depth standards may apply.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region’s heritage. The regulations implement Portland’s Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region’s citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city’s economic health, and helps to preserve and enhance the value of historic properties.

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

- LUR 01-00169 HDZM (LU 01-007568 HDZM) - Approval of new signs, loading area changes, and rooftop screening with approved modifications to site landscaping.
- LUR 01-00485 HDZ (LU 01-007883 HDZ) - Approval of a revised garbage enclosure, additional storefront glazing, parking area lighting and removal of an existing door.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed on March 30, 2012. The following Bureaus have responded with no issues or concerns:

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

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 30, 2012. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. John Bradley, NWDA Planning Committee – in support of proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846.060 - Historic Design Review

Purpose of Historic Design Review

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Design Review Approval Criteria

Requests for historic design review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is located within the Alphabet Historic District and the proposal is for a non-exempt treatment. Therefore Historic Design Review approval is required. The approval criteria are the *Community Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*.

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

Historic Alphabet District - Community Design Guidelines Addendum

- 1. Historic Changes.** Most properties change over time; those changes that have acquired historic significance will be preserved.
- 2. Differentiate New from Old.** New additions, exterior alterations, or related new construction will retain historic materials that characterize a property to the extent practicable. Replacement materials should be reasonable facsimiles of the historic materials they replace. The design of new construction will be compatible with the historic qualities of the district as identified in the Historic Context Statement.

Findings for 1 and 2: The original structure, built in the 1963, is considered “noncontributing” within the Alphabet Historic District and no changes done over the decades have acquired historic significance. There are no historically important materials or resources on the site or building that need to be retained. *These guidelines are therefore not applicable.*

3. Hierarchy of Compatibility. Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a historic or conservation district, with the rest of the District. Where practical, compatibility will be pursued on all three levels. New development will seek to incorporate design themes characteristic of similar buildings in the Historic Alphabet District.

Findings: The new clear-glazed aluminum storefront and brick planter relate to the existing building by matching materials, location, pattern, and color with the same elements already present on this façade, allowing the original form of the building to remain in tact. Aluminum storefront and brick base material are used throughout the district, allowing this building to remain compatible with surrounding buildings as well as with the historic quality of the district. *This guideline is therefore met.*

Community Design Guidelines

P2. Historic and Conservation Districts. Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area’s historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

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 P2 & D7: Northwest 21st Avenue carried one of Portland’s original street car routes and buildings along the street as well as around major intersections such as NW Glisan Street and have continued to serve as neighborhood commercial main streets. One of the desired characteristics of this area is to retain the retail buildings and active uses along these intersections. The aluminum storefront and brick planter will improve the storefront character of the building by replacing glazing and brickwork that had been removed in the past. This will create an architecturally coherent design across the entire north façade that will cue potential customers to active interior areas, thus preserving and enhancing the continuous storefront character of commercial buildings in the area. *These guidelines are therefore met.*

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 features, creating effective gathering places, and differentiating street level facades.

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

Findings for E3 & D3: The new aluminum storefront windows and brick planter will bring additional visual interest and a sense of scale to the previously altered north façade by replicating existing smaller scale brick and divided window elements. All the other existing storefront glazing will remain and will continue to be visually prominent, facing NW Glisan Street. A sense of enclosure will be improved with the removal of the recessed former retail space and the reintroduction of the outside edge of the building closer to the sidewalk. The street level façade will be differentiated by the inclusion of a horizontal mullion at the ceiling line as well as by the brick planter along the sidewalk edge. The planter will also enhance the site by providing a layer of landscaping between the building and the street. *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 new storefront contains more glazing than the current recessed retail space, thus providing more opportunity for eyes-on-the-street. Removing the recessed retail entry removes a potential hiding spot that was not easily seen by passersby. Both of these measures can help reduce crime along NW Glisan Street. *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 proposed aluminum storefront and brick planter will be compatible with the existing structure by continuing the regular rhythm of window openings and planters across the north façade. The new elements will match the existing materials already present on the building, allowing them to blend into the composition. The aluminum, glass, and masonry materials proposed are long lasting and will improve the quality of the building while also enhancing the pedestrian environment by making the building more visually interesting. *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 purpose of the Historic Design Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. The proposed exterior alterations to the existing Trader Joe’s retail storefront bay and planter area will maintain the character of the original structure which blends into the neighborhood. This proposal meets the applicable Historic Design Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of historic design review for exterior renovations to the existing Trader Joe’s building on NW Glisan Street, a non-contributing resource within the Alphabet Historic District that includes the following:

- New clear-glazed aluminum storefront, color and profile to match existing storefront, placed across the entire eastern bay in front of the former shed-roofed retail space; and
- One new brick-faced planter across the bottom of the new storefront bay with brick color, size, and pattern to match the existing planters.

Approved per the approved site plans, Exhibits C-1 through C-6 signed and dated April 23, 2012 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.6 The sheets on which this information appears must

be labeled, "Proposal and design as approved in Case File # LU 12-108033 HDZ. No field changes allowed."

Staff Planner: Chris Caruso

Decision rendered by:  **on April 23, 2012.**
By authority of the Director of the Bureau of Development Services

Decision mailed: April 26, 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 January 27, 2012, and was determined to be complete on **March 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 January 27, 2012.

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: July 22, 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 Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on May 10, 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.

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 Landmarks 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 Landmarks 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 11, 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:

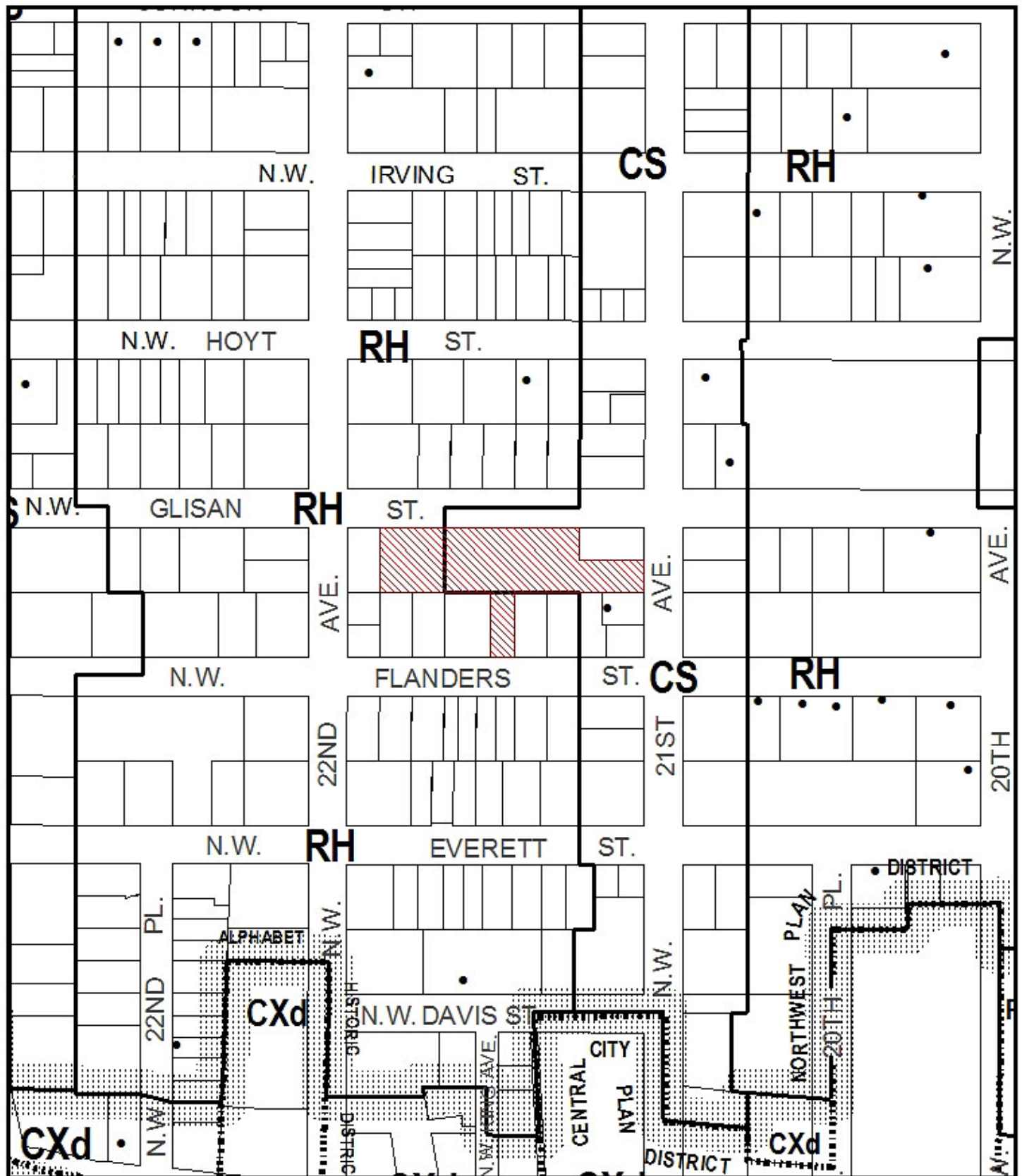
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Narratives
 - 1. Applicant’s Statement
 - 2. Option 3 Energy Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Partial Floor Plan (attached)
 - 3. North Elevation (attached)
 - 4. Partial Section
 - 5. Details
 - 6. Storefront Sill/Planter
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Review Section of BDS (Exhibit E-1)
 - 2. Water Bureau (Exhibit E-2)
 - 3. Fire Bureau (Exhibit E-3)
 - 4. Bureau of Parks-Forestry Division (Exhibit E-4)
- F. Correspondence:
 - 1. John Bradley, NWDA Planning Committee, April 20, 2012 – in support of proposal
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. Incomplete Letter

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING



Site



Historic Landmark



NORTH

This site lies within the:
ALPHABET HISTORIC DISTRICT
NORTHWEST PLAN DISTRICT

File No. LU 12-108033 DZ

1/4 Section 3027

Scale 1 inch = 200 feet

State_Id 1N1E33CA 10800

Exhibit B (Feb 02,2012)

RETAIL ROOM EXPANSION
STORE #146, 2122 NW GLISAN STREET
PORTLAND, OREGON 97210

Trader Joe's

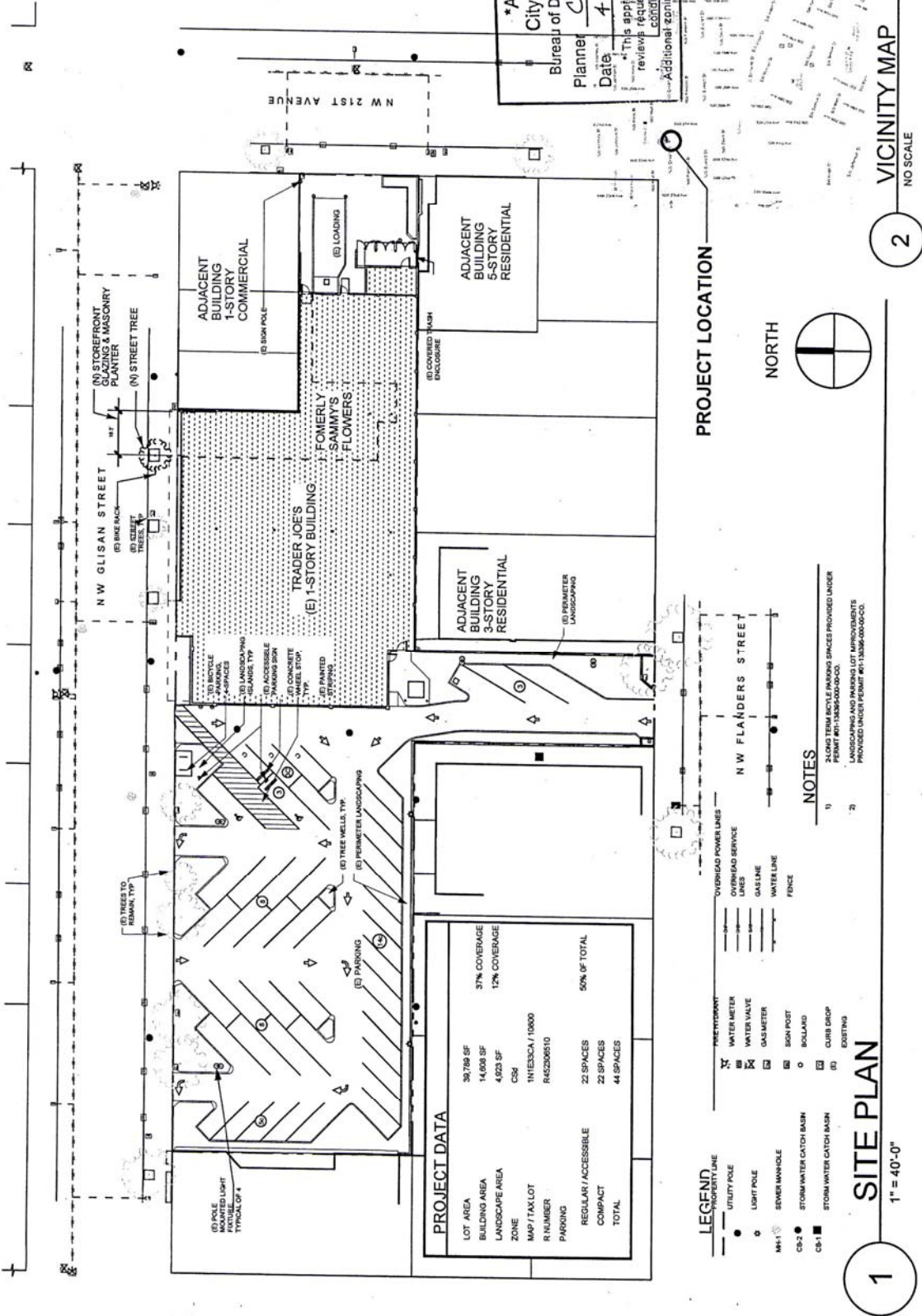
LU12-108033 HDZ

Approved
City of Portland
Bureau of Development Services
Planner *CC*
Date *4/23/12*
This approval applies only to the reviews requested and is subject to all conditions of approval.
Additional zoning requirements may apply.

1

3/20/12

EXH. C-1

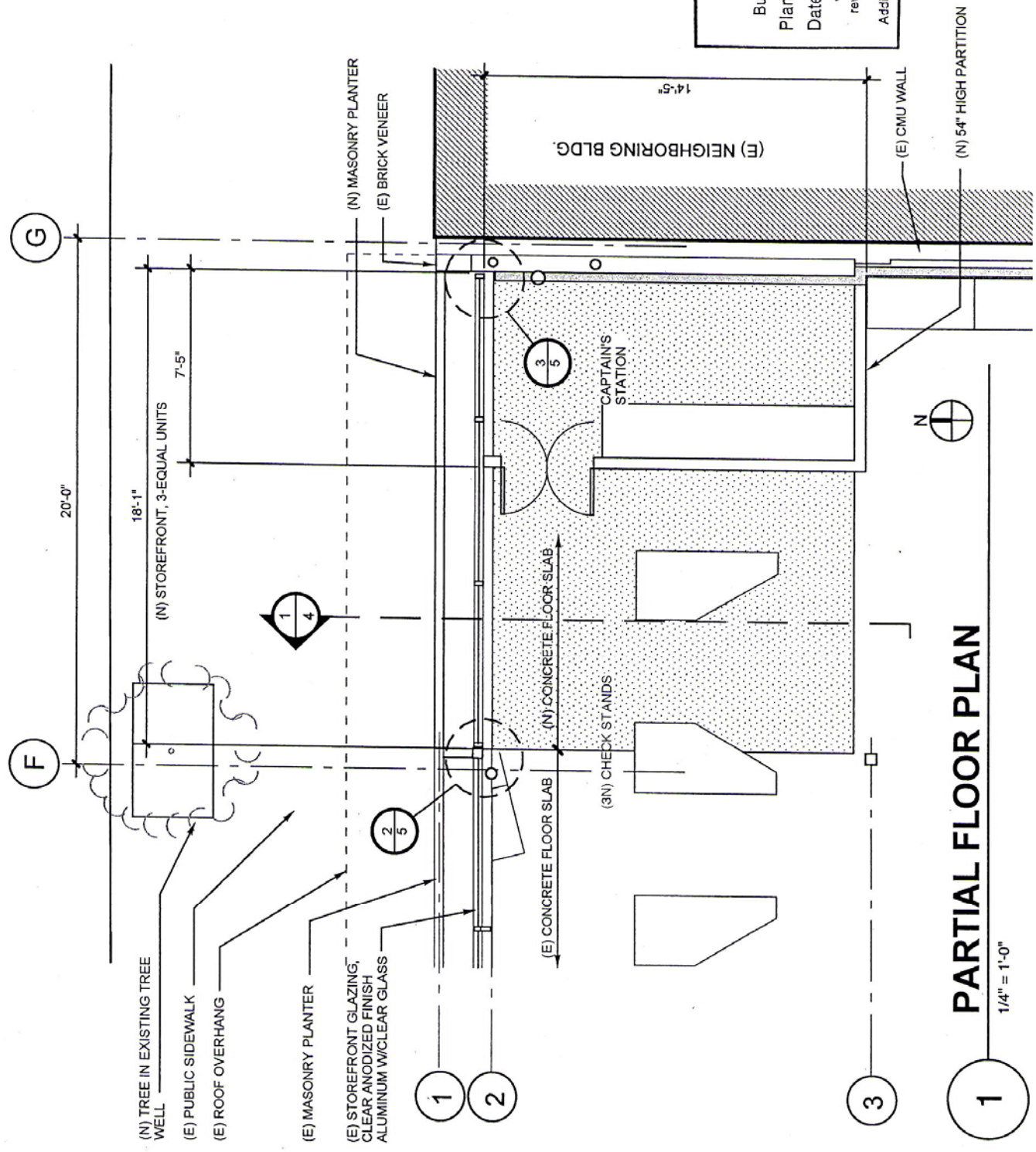


LU12-108033 HDZ

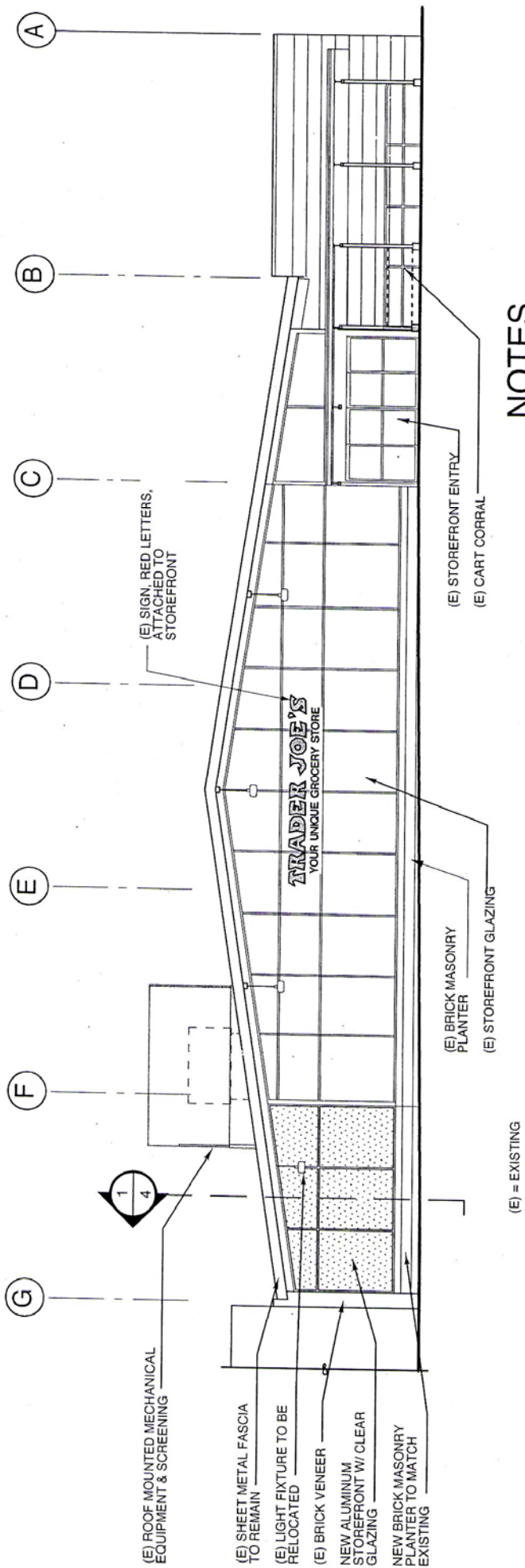
2
 3/20/12

EXH. C-2

Approved
 City of Portland
 Bureau of Development Services
 Planner *C. Cooley*
 Date 4/23/12
 * This approval applies only to the reviews requested and is subject to all conditions of approval.
 Additional zoning requirements may apply.



PARTIAL FLOOR PLAN
 1/4" = 1'-0"



1 NORTH ELEVATION, GLISAN STREET

1" = 10'-0"

NOTES

- 1) NEW EXTERIOR MATERIALS TO MATCH EXISTING

Trader Joe's

RETAIL ROOM EXPANSION
STORE #146, 2122 NW GLISAN STREET
PORTLAND, OREGON 97210

3

3/20/12

Kevin Cooley, Architect

100 E. Evergreen Blvd. Suite 209, Vancouver, WA 98680, 360-773-5130, kcoarch@clear.net

EXH. C-3

Approved
City of Portland
Bureau of Development Services
Planner C. Cooley
Date 4/23/12
• This approval applies only to the reviews requested and is subject to all conditions of approval.
Additional zoning requirements may apply.

LU12-108033 HDZ