



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

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Date: Monday, April 29, 2013
To: Interested Person
From: Kate Marcello, Land Use Services
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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 the version located on the BDS website, via this link: <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the district coalition and then scroll to the relevant neighborhood and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 13-121017 DZ **New Entry Vestibule, Windows, and Spandrel Panels** **GENERAL INFORMATION**

Applicant: Dan Glennon, Dan Glennon Architect
4106 NE 32nd Pl | Portland, OR 97211 | (503) 288-4132

Owners: Kirk Arnell, Aimco Corporation
10000 SE Pine St | Portland, OR 97216 | (503) 262-3431

Hall Family LLC
10000 SE Pine Street | Portland, OR 97215

Site Address: 10000 SE Pine Street / 10015 SE Stark Street

Legal Description: BLOCK 5 LOT 4 EXC PT IN ST, PRUNEDALE ADD; ADD; TL 5700
2.43 ACRES, SECTION 33 1N 2E

Tax Account No.: R680301180, R942331920

State ID No.: 1N2E33DD 06800, 1N2E33DD 05700

Quarter Section: 3040

Neighborhood: Hazelwood, contact Arlene Kimura at 503-252-9429.

Business District: Gateway Area Business Association, contact Fred Sanchez at 503-256-3910.

District Coalition: East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.

Plan District: Gateway Plan District

Zoning: Central Employment (EX) base zone; Design (d) overlay zone

Case Type: Design Review (DZ)

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

Proposal: The applicant requests Design Review approval for a new entry vestibule, windows, and spandrel panels at the eastern portion of the existing building at 10000 SE Pine Street.

The existing entry vestibule will be demolished. The new vestibule will have an aluminum storefront system with non-reflective glazing, 8"-thick steel columns, entry doors facing the street, and a sloped roof form comprised of pre-finished metal panels and standing-seam metal, with

recessed down-lights located in the soffit of the eaves. A new concrete step with a handrail will provide access from the sidewalk on SE Pine Street to new concrete surfacing at-grade with the entry vestibule.

The existing window system on the north and east facades will be replaced with new aluminum windows with non-reflective glazing. The existing wood spandrel panels will be replaced with panels of stone veneer.

Because the proposal is for non-exempt exterior alterations to an existing building on a site with design overlay zoning in the Gateway Plan District, Design Review is required prior to the issuance of building permits.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33 (Portland Zoning Code). The relevant approval criteria are the *Gateway Regional Center Design Guidelines*.

ANALYSIS

- I. Site and Vicinity:** The subject building is located on the block bounded by SE Pine Street, SE 99th Avenue, SE Stark Street, and SE 102nd Avenue in the Hazelwood neighborhood. The building is occupied office and warehouse uses. The building directly abuts a one-story shopping center development to the south.

The building is a concrete structure clad in exposed concrete aggregate. It is two stories tall with a flat roof. The windows are aluminum and the spandrel panels feature wood siding placed at a diagonal. There is a landscaped area between the building and SE Pine Street comprised of several shrubs, a few small evergreen trees, and several small boulders.

On the subject block, there is no sidewalk on the north side of SE Pine Street. On the south side of Pine Street, a sidewalk exists only in front of the subject site. There are no street trees on Pine Street. Adjacent uses include a towing company office and yard directly across Pine Street; a large vacant lot, also across Pine from the subject site; a motel that fronts 99th Avenue and is located in the northwest portion of the block; a junkyard northeast of the site; and two residential structures: one single-family home and one duplex, located near 102nd Avenue.

According to Portland's Transportation System Plan (TSP), SE Pine Street at this location is classified as a Local Service Bikeway and Local Service Walkway. The site is located in the Gateway Pedestrian District. The site is accessible via public transportation. There is a southbound stop for the #15 and #20 bus routes located at the southeast corner of Pine Street and 102nd Avenue. The Blue Line of the Metropolitan Area Express (MAX) light rail train runs nearby on E Burnside Street. There is a MAX stop located about 950 feet from the site, at Burnside Street and 102nd Avenue.

II. Zoning:

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

The Design (d) overlay zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. 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.

III. Land Use History: City records indicate two prior land use reviews associated with 10015 SE Stark Street:

1. LUR 94-00150 (reference file # LU 94-011052 AD): Approval for two Adjustments: reduce required setback, and reduce amount of required landscaping.
2. LU 09-135418 DZ: Design Review approval for alterations to two existing entries, and approval for one new internally illuminated sign 65 square feet in area.

IV. Public Notice: A *Notice of Proposal in Your Neighborhood* was mailed on March 21, 2013.

Neighborhood Review: No written comments in response to the proposal have been received from the neighborhood association (Hazelwood Neighborhood Association) or notified property owners.

Agency Review:

- Three bureaus responded with no comments and no concerns:
 - Bureau of Environmental Services,
 - Urban Forestry Division of Portland Parks & Recreation, and
 - Development Review Section of the Portland Bureau of Transportation.
- Four bureaus responded with comments and with no objections to the proposal:
 - Life Safety/Building Code Section of Bureau of Development Services (Exhibit E-1);
 - Site Development Review Section of Bureau of Development Services (Exhibit E-2);
 - Portland Water Bureau (Exhibit E-3); and
 - Portland Fire & Rescue (Exhibit E-4).

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 Gateway Regional Center Design Guidelines.

Gateway Regional Center Design Guidelines

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

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

Gateway Regional Center Design Goals

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

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

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

A Pedestrian Emphasis

A1. Strengthen Relationships Between Buildings and the Street.

Integrate building setback areas with adjacent streets.

A2. Enhance Visual and Physical Connections.

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

Findings for A1 and A2: The relationship between the existing building and SE Pine Street will be strengthened, and the visual and physical connections between the building and the public sidewalk will be enhanced, as follows:

- The double doors of the new entry vestibule will directly face SE Pine Street.
- The entry vestibule will feature abundant glazing, in the form of sidelights and glazed entry doors on the north façade, and fixed glazing on the east and west façades.
- A new concrete step with a metal handrail will provide access from the public sidewalk to a new concrete walking surface surrounding the new vestibule, creating a fluid transition from the public sphere of SE Pine Street to the private sphere of the building.
- The vestibule itself will foster a seamless transition by serving as an intermediary space between the exterior environment and the interior of the building.
- The new windows on the building will be located within existing window openings. The new windows will retain the existing amount of glazing, maintaining the building's visual connection with SE Pine Street.

Therefore these guidelines are met.

B Development Design

B1. Convey Design Quality and Building Permanence.

Use design principles and building materials that convey quality and permanence.

B3. Design for Coherency.

Integrate the different parts of a building to achieve a coherent design.

Findings for B1 and B3: The proposal achieves a coherent design that conveys quality and permanence, in the following ways:

- The new entry vestibule will be vertically aligned with the existing second-floor window bay located at the east end of the north façade.

- The vestibule is highly symmetrical in design, with centered double doors flanked by sidelights on the front façade, evenly spaced metal panels comprising the roof fascia on all three sides of the vestibule, and two evenly spaced windows of equal dimensions on the side façades. This corresponds to the overall symmetry of the north façade, where the vestibule will be located.
- The vestibule employs metal as a primary material, which corresponds with the metal of the new windows on the north and east façades of the building.
- The new spandrel material – stone veneer in a “desert gold” color scheme -- materially corresponds with the overall building façade, which is made of exposed concrete aggregate.

The proposal also employs materials that convey quality and permanence, as follows:

- The new windows on the north and east façades will be made of aluminum.
- The new spandrel material is a veneer made of real stone.
- The new vestibule will have aluminum windows and doors, steel columns, and a roof form comprised of pre-finished metal-panel cladding and pre-finished standing-seam metal.
- The recessed down-lights, which will be located in the soffit of the eaves on the new vestibule, will have all-aluminum construction and compact fluorescent lights.

Therefore these guidelines are met.

B2. Integrate Ground-Level Building Elements.

Integrate the different ground-level building elements with the building’s architecture.

Findings for B2: Each window bay is two stories in height. At both the ground level and the second floor, the glazed area is divided by mullions into three vertical sections. With the new windows, this pattern will be retained. The new stone veneer will be located within the spandrel areas between the ground-level and second-floor windows. This vertically oriented pattern of window bays fosters a strong connection between the ground floor and the second floor of the building.

The new entry vestibule will also integrate the ground level with the building’s architecture. The vestibule will have metal cladding, columns, windows, entry doors, and roof. These metal elements unify the vestibule with the new metal windows located at both the first and second floors.

Therefore this guideline is met.

B5. Integrate Roofs, Rooftop Lighting, and Signs.

Integrate rooftop components, functions and related screening elements with the building’s architecture. Integrate exterior lighting, signs and any related structural equipment at or near the roof with the building’s architecture. Orient lighting to highlight the building’s architecture.

Findings for B5: The roof of the proposed entry vestibule is materially integrated with the remainder of the vestibule. The fascia portions of the roof form are comprised of metal panels, and the rooftop itself is standing-seam metal. All three façades of the vestibule feature metal materials, in the form of metal entry doors, windows, and columns. In addition, the roof of the entry vestibule is materially integrated with the overall building, which features repeated bays of large metal windows.

The soffit of the eaves of the vestibule roof will contain four recessed down-lights. The lights are integrated with the roof by virtue of their small size – about six inches each in diameter – and their recession into the soffit.

Therefore this guideline is met.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposed vestibule will create a more prominent, inviting main entrance for the existing building. The new windows and spandrel panels on the north and east façades will enable the building to convey a stronger sense of quality and permanence than currently exists. All of the proposed alterations utilize durable materials and render a cohesive architectural composition. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of the following exterior alterations located at an existing building in the Gateway Plan District:

- New entry vestibule with recessed down-lights, on the north façade;
- New concrete surfacing at grade with the entry vestibule;
- New concrete step with handrail between the public sidewalk on SE Pine Street and the new concrete surfacing;
- New stone veneer located at the existing spandrel panels on the north and east façades; and
- New window system on the north and east façades.

Approval per the approved plans and drawings, Exhibits C-1 through C-8, signed and dated April 19, 2013, subject to the following condition:

- A. As part of the building permit application submittal, each of the four 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 through C-8. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 13-121017 DZ. No field changes allowed."

Staff Planner: Kate Marcello

Decision rendered by:  on April 25, 2013
By authority of the Director of the Bureau of Development Services

Decision mailed: April 29, 2013

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 February 27, 2013, and was determined to be complete on March 15, 2013.

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 February 27, 2013.

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 extended by the applicant, **the 120 days will expire on July 15, 2013.**

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on May 13, 2013** 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 **May 14, 2013 (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:

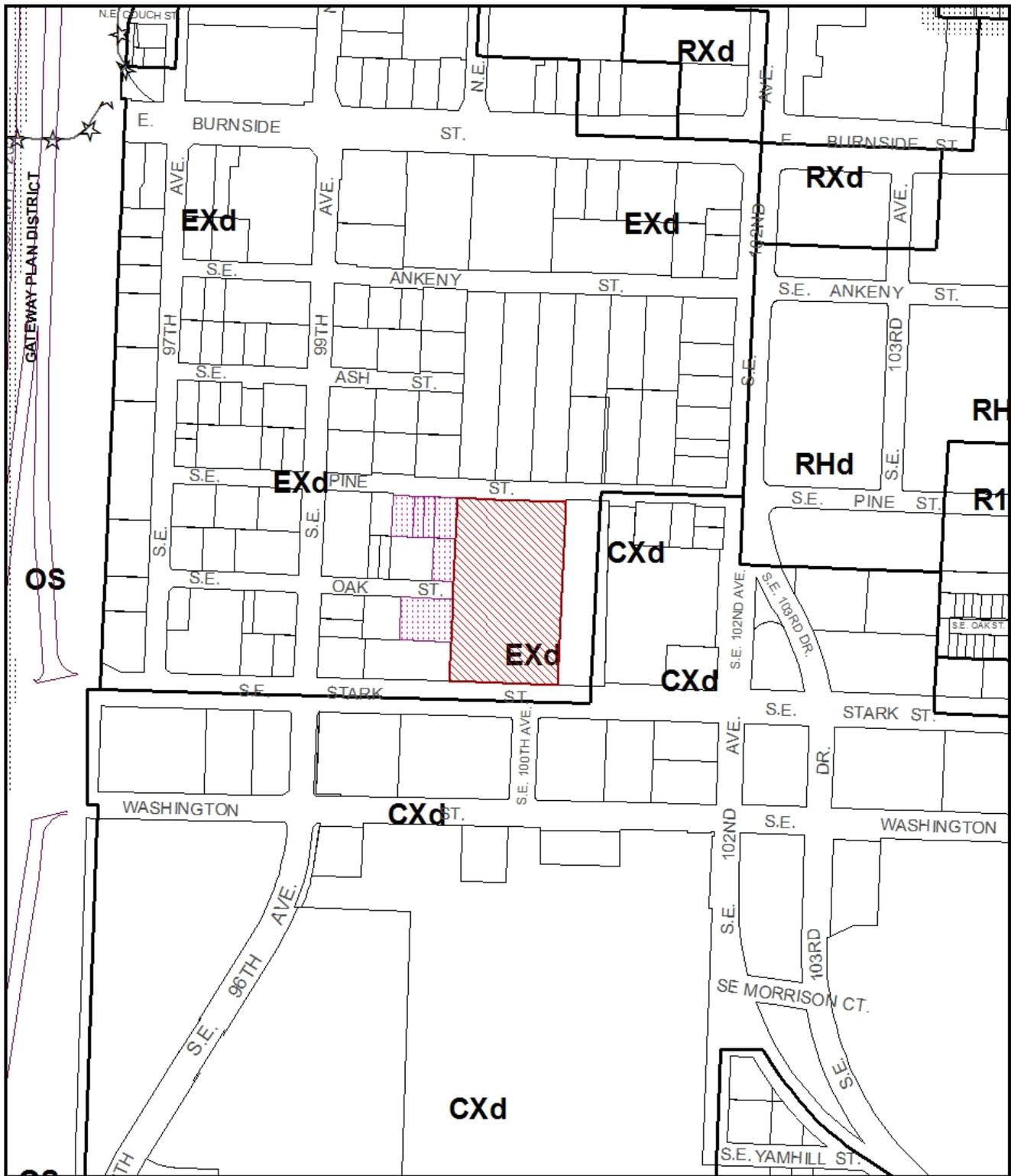
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement/Narrative
- B. Zoning Map (attached)
- C. Plans and Drawings:
 - 1. Area Plan
 - 2. Site Plan (attached)
 - 3. Building Elevation Drawings (attached)
 - 4. Window Section and Detail Drawings; Enlarged Elevation Drawing of Typ. Window Bay
 - 5. Entry Vestibule Section Drawings
 - 6. Detail Drawing – Soffit Lights at Entry Vestibule
 - 7. Manufacturer's Cutsheet – Soffit Lights at Entry Vestibule
 - 8. Manufacturer's Information – Stone Veneer
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Response:
 - 1. Life Safety/Building Code Section of BDS
 - 2. Site Development Review Section of Bureau of Development Services
 - 3. Portland Water Bureau
 - 4. Portland Fire & Rescue
- F. Correspondence: None received.
- G. Other
 - 1. Original Land Use Review Application
 - 2. Site Visit Photographs

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



ZONING

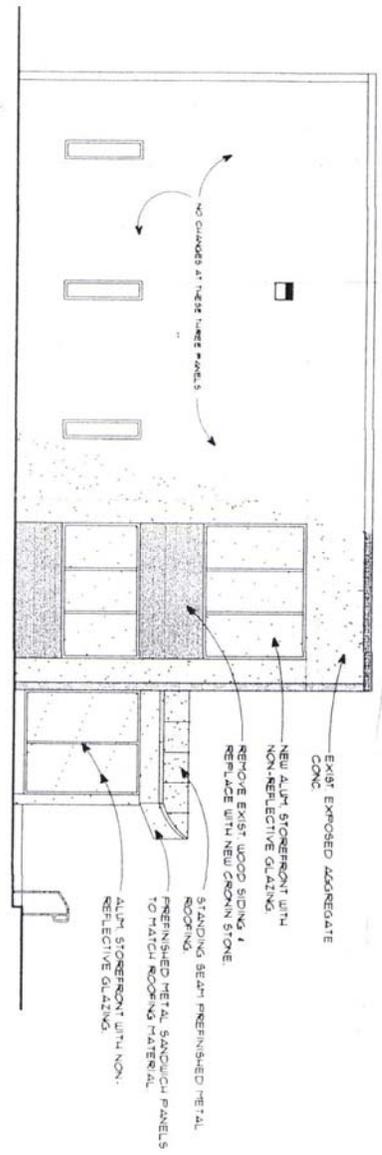
-  Site
-  Also Owned



This site lies within the:
GATEWAY PLAN DISTRICT

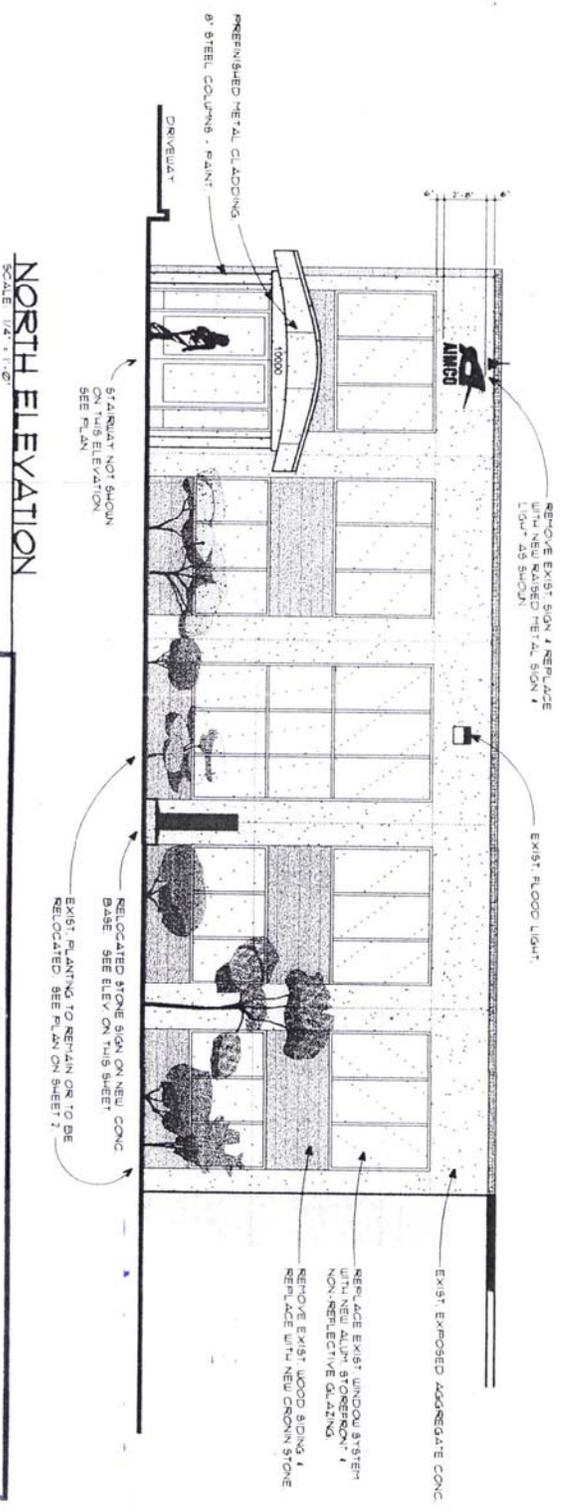
File No.	<u>LU 13-121017 DZ</u>
1/4 Section	<u>3040,3140</u>
Scale	<u>1 inch = 300 feet</u>
State_Id	<u>1N2E33DD 5700</u>
Exhibit	<u>B (Mar 06,2013)</u>

Note:
Signage exempt
from design
review.



EAST ELEVATION
SCALE: 1/4" = 1'-0"

Exhibit C-3
Case #: LU13-121017 DZ



NORTH ELEVATION
SCALE: 1/4" = 1'-0"

Scale: 1/4" = 1'-0"
Sheet size has been altered.

Approved
City of Portland - Bureau of Development Services
Planner *W. Kelly*
Date *April 25, 2013*
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.