



City of Portland, Oregon

Bureau of Development Services

Land Use Services

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

Date: October 24, 2016 **To:** Interested Person

From: Cassandra Ballew, Land Use Services

503-823-7252 / Cassandra.Ballew@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 mailed copy of this document is only a summary of the decision.

The reasons for the decision are included in the version located on the BDS website http://www.portlandonline.com/bds/index.cfm?c=46429. Click on the District Coalition 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 16-208458 DZ – NEW WINDOW, SLIDING DOOR AND LIGHTING

GENERAL INFORMATION

Applicant: Mark Sanchez, Postal Place

11124 NE Halsey St Portland, OR 97220

Owner: Fred A & Ann Marie Sanchez,

11112 NE Halsey St Portland, OR 97220

Representative: Joe Van Lom, Architects Van Lom Group

P.O. Box 25690 Portland, OR 972,98

Site Address: 1404 NE 111th Avenue

Legal Description: TL 300 1.04 ACRES, SECTION 34 1N 2E

Tax Account No.: R942342640 **State ID No.:** 1N2E34BA 00300

Quarter Section: 2941

Neighborhood: Hazelwood, contact Arlene Kimura at 503-252-9429. **Business District:** Gateway Area Business Association, contact Paul Wild at

paul.wild@mhcc.edu

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

4550.

Plan District: Gateway

Zoning: CSd, Storefront Commercial with design overlay

Case Type: DZ, Design Review

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

Commission.

Proposal:

The applicant seeks design review approval for a myriad of alterations made to the Postal Place facility within the 111th Square Complex. These alterations include the following:

- Installation of 4'x8' louvered wood window on the West (street facing) facade.
- Installation of 42" wide, 7' high, automatic sliding door from Gildor, on the North facade.
- Installation of a Habitat Collection (Lightolier) fixture 7'-0" above the ground on the East façade.
- Removal of existing floodlight at East facade
- Removal of existing spotlight on the West façade.

Design review is required because proposals which include exterior alterations to existing buildings in the Gateway Plan District require a Type II Design Review, per Section 33.825.025, Table 825-1.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

- Chapter 33.130 Commercial Zones
- Chapter 33.420 Design Overlay Zone
- Chapter 33.526 Gateway Plan District
- Chapter 33.825 Design Review
- Gateway Regional Center Design Guidelines

ANALYSIS

Site and Vicinity: The project site is at the southwest corner of a 38,539 square foot site that is part of the 111th Square Complex. The main 111th Square shopping complex, which is 10,000 square feet, is located further to the north. The small shopping center includes a variety of retail establishments and private offices, in addition to the Postal Place at the southern end of the site. The site sits at the southeast corner of the intersection at NE Halsey Street and NE 111th Avenue. The property is adjacent to an R7, single family dwelling zone to the east and south. Most commercial development in the area is served by surface parking and buildings vary from older one and two-story structures, to more recently developed four to six-story residential buildings. The 77 bus line runs on NE Halsey and a stop is located one block west of the site.

The site is within the Gateway Pedestrian District. The City of Portland's *Transportation System Plan* (TSP) designates SE Washington Street a Regional Main Street, a Major City Traffic Street, a Major Transit Priority Street, and a City Bikeway. SE 102nd Avenue is designated a Community Main Street, a District Collector Street, a Community Transit Street, and a City Bikeway.

Zoning: The <u>CX zone</u> 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. Retail Sales and Service uses are allowed by right in this zone.

The <u>"d" overlay</u> 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.

The <u>Gateway Plan District</u> regulations encourage the development of an urban level of housing, employment, open space, public facilities, and pedestrian amenities that will strengthen the role of Gateway as a regional center. The regulations also ensure that future development will provide for greater connectivity of streets throughout the plan district. This development will

implement the Gateway Regional Policy of the Outer Southeast Community Plan. Together, the use and development regulations of the Gateway plan district: promote compatibility between private and public investments through building design and site layout standards; promote new development and expansions of existing development that create attractive and convenient facilities for pedestrians and transit patrons to visit, live, work, and shop; ensure that new development moves the large sites in the plan district closer to the open space and connectivity goals of the Gateway Regional Center; create a clear distinction and attractive transitions between properties within the regional center and the more suburban neighborhood outside; and provide opportunities for more intense mixed-use development around the light rail stations.

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

- EA 08-175272 APPT, early assistance for a new residential project to serve the disabled community. A existing 10,000 square foot commercial building will be retained in the northwest portion of the site. A new 4-5 story building is proposed near the middle of the site. Additionally, 17 units will be provided in 15-foot to 30-foot-high buildings on the eastern and southern portion of the site.
- EA 07-127339 APPT, early assistance for a possible planned development and design review.
- EA 07-109103 DAR, early assistance for a possible planned development.
- MCF PRE 10-81 (81-017654), no information in file.
- MCF PRE 10-81 (81-017653), approval of a zoning map amendment.
- MCF PRE 10-81 (81-017652), no information in file.
- MCF PRE 10-81 (81-017651), no information in file.
- MCF PRE 10-81 (81-017650), approval of a conditional use review for an exeption to the required landscape buffer.
- MCF PRE 10-81 (81-017649), no information in file.
- MCF PRE 10-81 (81-017648), no information in file.
- MCF PRE 10-81 (81-017647), denial of a conveinence store review for a radio antenna.
- MUP 80-08-04 DR (80-100149), approval of a MUP review for 111th square.
- MCF 80-10-06 (80-020596), approval of a review for a new hot tub.
- MCF 80-04-04 (80-020544), approval of a review for a private health club.
- MCF 33-80 (80-019080), approval of a review for a private health club and parking.
- MCF 33-80 (80-019079), no information in file.
- MCF 33-80 (80-019078), approval of a 3-lot land division.
- PRE 19-80 (80-018333), no information in file.
- MCF 79-07-13 (79-020349), review for new office space, no information in file so uncertain if approved or denied.
- MCF PRE 6-79 (79-019788), voide/withdrawn review for off-street parking.
- MCF PRE 6-79 (79-019788), approval of a review for new office space.
- MCF PRE 6-79 (79-019787), denial of a reivew for a new convience store.
- MCF PRE 6-79 (79-019782), approval of a Zoning Map Amendment for the Head Start Program, to a request for an "exception" to the lot area requirement of the LR-7 zone for the easterly parcel of LD 104-79.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **September 20, 2016**. The following Bureaus have responded with no issues or concerns:

- Water Bureau
- Site Development Section of BDS

The Bureau of Life Safety responded with the following comments:

It is recommended that the applicant verify the previous permitted occupancy for this space at the Bureau of Development Services Records and Resources.

1. A separate Building Permit is required for the work proposed and the proposal must be designed to meet all applicable building codes and ordinances. More information regarding building code requirements can be obtained by visiting the Bureau of Development Services Development Services Center - 1900 SW 4th Ave, 1st floor. The

Development Services Center is open Monday through Friday from 8:00 a.m. to 3:00 p.m. (close at noon on Thursday). No appointment is necessary. Building Code information is also available online at: http://www.portlandonline.com/bds, or by calling (503) 823-1456.

- 2. Landings are required on both sides of a doorway. The landings must be as wide as the doorway and at least 44 inches long in the direction of travel. The landing must be level, except the exterior landing may have a slope of not more than 2 percent. The door threshold must be not more than ½ inch higher than the landing surface on both sides. OSSC 1008.1.5, 1008.1.6, 1008.1.7.
- 3. Alterations to the building exterior envelope shall meet the prescriptive requirements Energy Code.

Exception: When up to 25 percent of the glazing in any one wall is being replaced, it may be replaced with glazing with a U-factor and shading coefficient equal or better than the existing glazing. OEESC 101.4.2

- 4. ORS 447.241 requires that 25% of construction costs be allocated for the removal of architectural barriers in existing building components. When this space is permitted a cost breakdown must be provided that shows an itemized list of project costs compared to costs allocated for the removal of architectural barriers to reach this 25% threshold. Improvements are required based on the following prioritized list:
- 1. Parking
- 2. Accessible entrance
- 3. Accessible route to altered spaces

One accessible restroom for each sex or a single unisex restroom

Please see Exhibit E-1 for additional details.

<u>The Fire Bureau responded with the following comment:</u> A separate building permit is required for this proposal. All applicable Fire Code requirements shall apply at the time of permit review and development. Please see Exhibit E-2 for additional details.

<u>The Bureau of Environmental Services responded with the following comment:</u> It appears that this project creates or redevelops less than 500 square feet of impervious area, therefore pollution reduction and flow control requirements of the stormwater Management Manual (SWMM) are not triggered. However, a safe stormwater disposal location that does not impact adjacent properties and/or structures must be shown at the time of building permit submittal. BES does not object to the requested design review. Please see Exhibit E-3 for additional details.

<u>The Bureau of Transportation Engineering responded with the following comment:</u> There are no transportation-related approval criteria associated with this land use request. If scope remains the same at the time of permit, PBOT will have no requirements. Please see Exhibit E-4 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on September 20, 2016. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be

compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the 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.

- **B1.** Convey Design Quality and Building Permanence. Use design principles and building materials that convey quality and permanence.
- **B2. Integrate Ground-Level Building Elements.** Integrate the different ground-level building elements with the building's architecture.
- **B3. Design for Coherency.** Integrate the different parts of a building to achieve a coherent design.
- **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 B1, B2, B3, and B5: The addition of a new street facing window, larger sliding door and a more appropriate lighting scheme will be more compatible with the style of this facility and the retail complex it sits within. The change in materials and

lighting will not detract from surrounding uses along SE Halsey, which is a high-volume auto-oriented street. In addition, the replacement of the existing door, window and lighting will result in a structure that better conveys quality and permanence through its choice of materials. The removal of the existing spotlight on the west façade, as well as the replacement of the existing floodlight on the east façade, will decrease the impact this development will have on the nearby residential areas. The addition of the window, under the existing signage on the west facade, will provide a more pleasing street presence and better way finding for pedestrians. *These guidelines are 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 proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of the following alterations made to the Postal Place facility within the 111th Square Complex, installation of 4'x8' louvered wood window on the West façade, a 42" wide, 7' high, automatic sliding door on the North façade, and a Habitat Collection (Lightolier) fixture on the East façade, as well as removal of existing lighting, per the approved site plans, Exhibits C-1 through C-8, signed and dated October 14, 2016, 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.8. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-208458 DZ. No field changes allowed."

Staff Planner: Cassandra Ballew

Decision rendered by: _____ on (October 14, 2016)

By authority of the Director of the Bureau of Development Services

Decision mailed: October 24, 2016

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 July 20, 2016, and was determined to be complete on September 12, 2016.

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 July 20, 2016.

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.

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 November 7, 2016** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 November 8, 2016
- 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.

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.

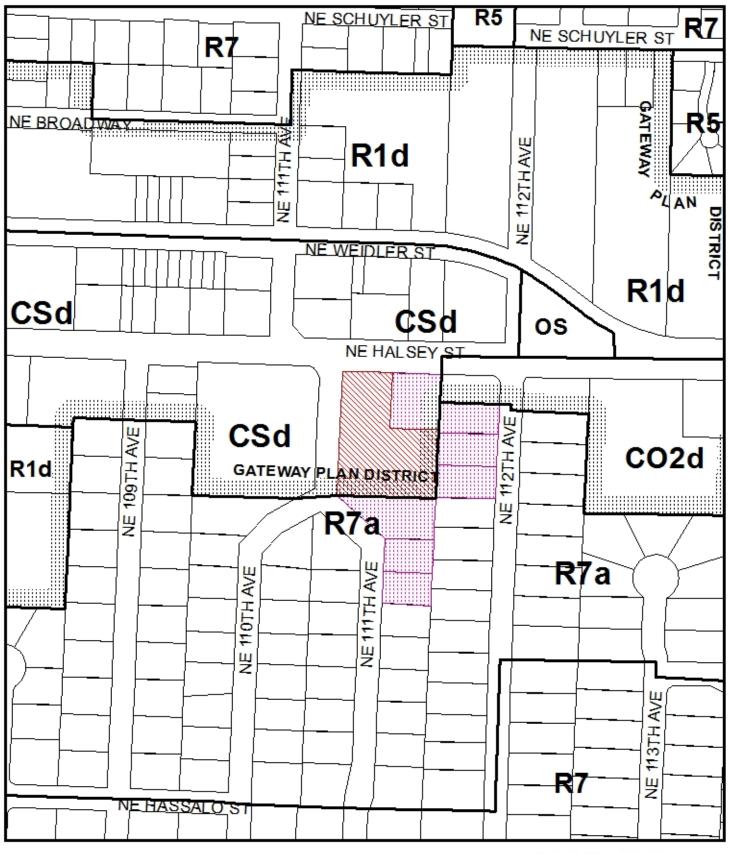
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Administrative:
 - 1. Applicant's Statement
 - 2. Site Information
 - 3. Code Compliance Documentation
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Floor Plan (attached)
 - 3. North Elevation (attached)
 - 4. East Elevation (attached)
 - 5. West Elevation (attached)
 - 6. Photos
 - 7. Cut Sheet for Sliding Door
 - 8. Cut sheet for new light fixture

- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Life Safety
 - 2. Fire Bureau
 - 3. Bureau of Environmental Services
 - 4. Bureau of Transportation Engineering and Development Review
- F. Correspondence: N/A
- G. Other:
 - 1. Original LU Application
 - 2. 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

Also Owned Parcels

File No. LU 16-208458 DZ

1/4 Section 2941

Scale 1 inch = 200 feet

State_Id 1N2E34BA 300

Exhibit B (Jul 21, 2016)

This site lies within the: GATEWAY PLAN DISTRICT



POSTAL PLACE

EXMBIT C-1

SITE FLAN

Approved

11124 N.E. HALSEY ST. City of Portland - Bureau of Development Services

LU# 16-208 458 DZ

* Approved Monitoring/Maintenance Plan

Date 10.14.16

0 1

NORTH ELEVATION

AUTOMATIC DOOR

5-7 TIBIHX

City of Portland - Bureau of Development Services

"Approved"

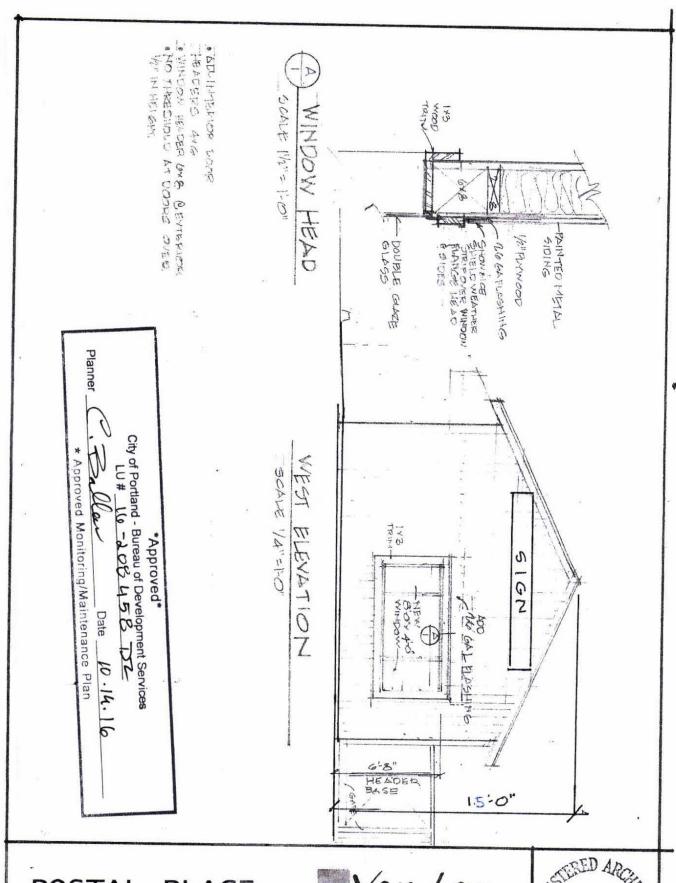
* Approved Monitoring/Maintenance Plan

_ Date _

10.14.16



EAST ELEVATION	*Approved*	
	City of Portland - Bureau of Development Services LU # 16 - 208458 D 7	
	Planner	CONTRACTOR ON



POSTAL PLACE

11124 N.E.HALSEY STREET PORTLAND, OREGON 97220



architects van iom groupa ia p c PO Box 25690, Portland, OR 97298 Phone: 503 226 0590 email: Vaniom@vaniom.com

