



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

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www.portlandoregon.gov/bds

Date: April 5, 2013
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 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 13-118489 DZ

1233 BUILDING EXTERIOR WINDOWS AND LIFT

GENERAL INFORMATION

Applicant/Contact: Susan Makris/GBD Architects Inc.
1120 NW Couch St., Suite 300/Portland, OR 97209

Owner: Ty Barker/Unico Properties
111 SW 5th Ave., Suite 975/Portland, OR 97204

Site Address: 1233 NW 12TH AVE

Legal Description: BLOCK 215 LOT 1-8, COUCHS ADD
Tax Account No.: R180219630
State ID No.: 1N1E33AA 01700
Quarter Section: 2928
Neighborhood: Pearl District, contact Patricia Gardner at 503-243-2628.
Business District: Pearl District Business Association, Adele Nofield at 503-223-0070.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - River District
Zoning: EXd, Central Employment with design overlay
Case Type: DZ, Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant seeks design review approval for exterior alterations to an existing building in the Pearl District, River District of the Central City Plan District that include the following:

- Installing fourteen new aluminum-framed, clear-glazed windows to match existing windows on the North, East, and South facades; and
- A new concrete stair, aluminum-framed double doors with relite above to match existing doors & doorframes, a metal handrail/guardrail to match existing railings, and one ADA lift, all installed at the existing north parking area.

Relevant Approval Criteria:

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

- 33.825 Design Review
- River District Design Guidelines
- Central City Fundamental Design Guidelines

ANALYSIS

Zoning: The Central Employment (EX) 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 which 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 “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 Central City Plan District implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the River District Subdistrict of this plan district.

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

1. ZC 4684 and 90-022913 – An approved zone change involving a large area of northwest Portland.
2. LU 06-157900 DZ - Approval of storefront and entry renovations.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **March 7, 2013**. The following Bureaus have responded with no issues or concerns:

- Life Safety Section of BDS (Exhibit E-1)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 7, 2013. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA**Chapter 33.825 Design Review****Section 33.825.010 Purpose of Design Review**

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

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

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

River District Design Guidelines and Central City Fundamental Design Guidelines

The River District is a remarkable place within the region. The area is rich with special and diverse qualities that are characteristic of Portland. Further, the River District accommodates a significant portion of the region's population growth. This area emphasizes the joy of the river, connections to it, and creates a strong sense of community. The goals frame the urban design direction for Central City and River District development.

The Central City Fundamental Design Guidelines and the River District Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland's character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

River District Design Goals

1. Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
2. Create a community of distinct neighborhoods that accommodates a significant part of the region's residential growth.
3. Enhance the District's character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
4. Strengthen connections within River District, and to adjacent areas.

Central City Plan Design Goals

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

A3. Respect the Portland Block Structures. Maintain and extend the traditional 200-foot block pattern to preserve the Central City's ratio of open space to built space. Where superblocks exist, locate public and/or private rights-of-way in a manner that reflects the 200-foot block pattern, and include landscaping and seating to enhance the pedestrian environment

A7. Establish and Maintain a Sense of Urban Enclosure. Define public rights-of-way by creating and maintaining a sense of urban enclosure.

Findings for A3 & A7: The proposed work maintains the existing building footprint that defines the standard 200-foot block pattern of the Central City. The storefront additions help break up the existing blank shear walls, adding depth and visual interest to the existing facades. The building facades also become more consistent due to the new windows, better articulating the building as a whole as well as retaining the strong urban

edge present on the site. *These guidelines are therefore met.*

A4. Use Unifying Elements. Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

A5. Enhance, Embellish and Identify Areas. Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

A5-1. Reinforce Special Areas. Enhance the qualities that make each area distinctive within the River District, using the following "Special Area Design Guidelines" (A5-1-1 – A5-1-5).

A5-1-1. Reinforce the Identity of the Pearl District Neighborhood. This guideline may be accomplished by:

- 1) Recognizing the urban warehouse character of the Pearl District when altering existing buildings and when designing new ones.
- 2) Recognizing the urban warehouse character of the Pearl District within the design of the site and open spaces.
- 3) Designing buildings which provide a unified, monolithic tripartite composition (base/middle/top), with distinct cornice lines to acknowledge the historic building fabric.
- 4) Adding buildings which diversify the architectural language and palette of materials.
- 5) Celebrating and encouraging the concentration of art and art galleries and studios with design features that contribute to the Pearl District's "arts" ambiance. Consider features that provide connectivity and continuity such as awnings, street banners, special graphics, and streetscape color coordination, which link shops, galleries, entrances, display windows and buildings. Active ground level retail that opens onto and/or uses the sidewalk can contribute to the attraction of the "arts" concentration.

Findings for A4, A5, A5-1, A5-1-1: The proposed storefront window and door additions unify the overall building and create a more consistent façade treatment. The proposed storefront system fits into existing structural bays and are articulated by trim that mimics the adjacent storefront window sizes and patterns, and matches the profile, color, and glazing type of the existing storefront windows and doors. These changes incorporate established building elements into new areas and tie together existing and renovated portions of the three affected facades, while allowing the building to maintain its original warehouse character and massing. *These guidelines are therefore met.*

A6. Reuse/Rehabilitate/Restore Buildings. Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

Findings: The proposed work will increase the longevity of the building by creating additional opportunities for re-use by future tenants. The proposed accessible lift at the NW building exit also allows for greater flexibility of use by creating an additional accessible entrance to the building. *This guideline is therefore met.*

A8. Contribute to the Cityscape, Stage and the Action. Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

B1. Reinforce and Enhance the Pedestrian System. Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

B1-1. Provide Human Scale to Buildings along Walkways. Provide human scale and interest to buildings along sidewalks and walkways. This guideline may be accomplished by:

- 1) Providing street furniture outside of ground floor retail, such as tables and chairs, signage and lighting, as well as large windows and balconies to encourage social interaction.

- 2) Providing stoops, windows, and balconies within the ground floors of residential buildings.

Findings for A8, B1, B1-1: The proposed storefront further develops the relationship between interior building activity and the adjacent pedestrian rights-of-way by increasing the amount of clear glazing along the ground level. The new windows and doors maintain the human-scaled proportions of the existing windows and doors, while increasing the transparency of the overall building façade. The new window openings increase the interaction between tenants, patrons, and pedestrians along the adjacent walkways by adding clear-glazing within the existing shear walls which create more opportunities for visual connections, and by adding texture and material interest along the sidewalks.

B7. Integrate Barrier-Free Design. Integrate access systems for all people with the building's overall design concept.

Findings: The proposed lift at the NW exit, as well as the replacement of the single door with a double door, and the widening of the existing stair, increases the building's accessibility points for all users. All other existing entries will remain fully accessible. *This guideline is therefore met.*

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

C1-1. Increase River View Opportunities. Increase river view opportunities to emphasize the River District ambiance. This guideline may be accomplished by:

- 1) Designing and locating development projects to visually link their views to the river.
- 2) Providing public stopping and viewing places which take advantage of views of River District activities and features.
- 3) Designing and orienting open space and landscape areas to emphasize views of the river.

Findings for C1 & C1-1: The proposed storefront further develops the visual interest, already established on other portions of the building, by adding new clear-glazed windows in the blank shear walls. This allows for a stronger visual connection between pedestrians and tenants, and out toward nearby public places as well as to the streetcar line on NW Northrup. Existing views toward the river are maintained along the surrounding sidewalks and the new windows will allow for additional views toward the river from the building interior. *These guidelines are therefore met.*

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

C3. Respect Architectural Integrity. Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

C4. Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.

C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings for C2, C3 C4 & C5: The proposed work uses durable, quality materials including aluminum, glass, metal, and concrete, all of which are materials used throughout the District and that stand up to the demands of an urban environment. All of the proposed work is within the existing building envelope and matches the scale, profile, color, and materials of existing similar building components. These qualities of the new additions will blend into the existing architecture while respecting the original character of the building. The storefront additions fit within established structural bays and the frames align with the existing detail lines within each bay. The accessible lift, a new

building component, will be finished in a standard neutral color such as ivory that matches the existing building exterior, in order to blend into the façade. All of the proposed work blends into the established design vocabulary of the immediate context. The proposed storefront unifies the building facades and better expresses the scale of the building. The new design features reinforce the existing building design coherency by blending into the overall composition. *These guidelines are therefore met.*

C8. Differentiate the Sidewalk-Level of Buildings. Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

Findings: The proposed storefront windows create a stronger datum line at the window sill and head as extended from the existing adjacent storefront. This new datum line further differentiates the ground floor from the base and top of the building.

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The new windows, stair, double doors, railing, and lift will match existing building elements in materials, scale, color, and profile thereby providing cohesion to the building while allowing it to remain in use and be accessible. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of design review for exterior alterations to an existing building in the Pearl District, River District of the Central City Plan District that includes the following:

- Fourteen aluminum-framed, clear-glazed storefront windows on the North, East, and South facades that match existing windows in color, profile, and materials;
- One set of aluminum-framed double doors with one relite above to match existing doors and relites in color, material, and profile;
- New concrete stairs with a metal handrail/guardrail to match existing railings in color and material, installed at the existing north parking area; and
- One neutral-colored ADA lift installed at the existing north parking area.

Approved, per the approved site plans, Exhibits C-1 through C-6 signed and dated April 1, 2013, 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 13-118489 DZ. No field changes allowed."

Staff Planner: Chris Caruso

Decision rendered by:  **on April 1, 2013**
By authority of the Director of the Bureau of Development Services

Decision mailed: April 5, 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 21, 2013, and was determined to be complete on March 4, 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 21, 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 further extended by the applicant, **the 120 days will expire on: July 3, 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 April 19, 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 **April 22, 2013**.
- 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:

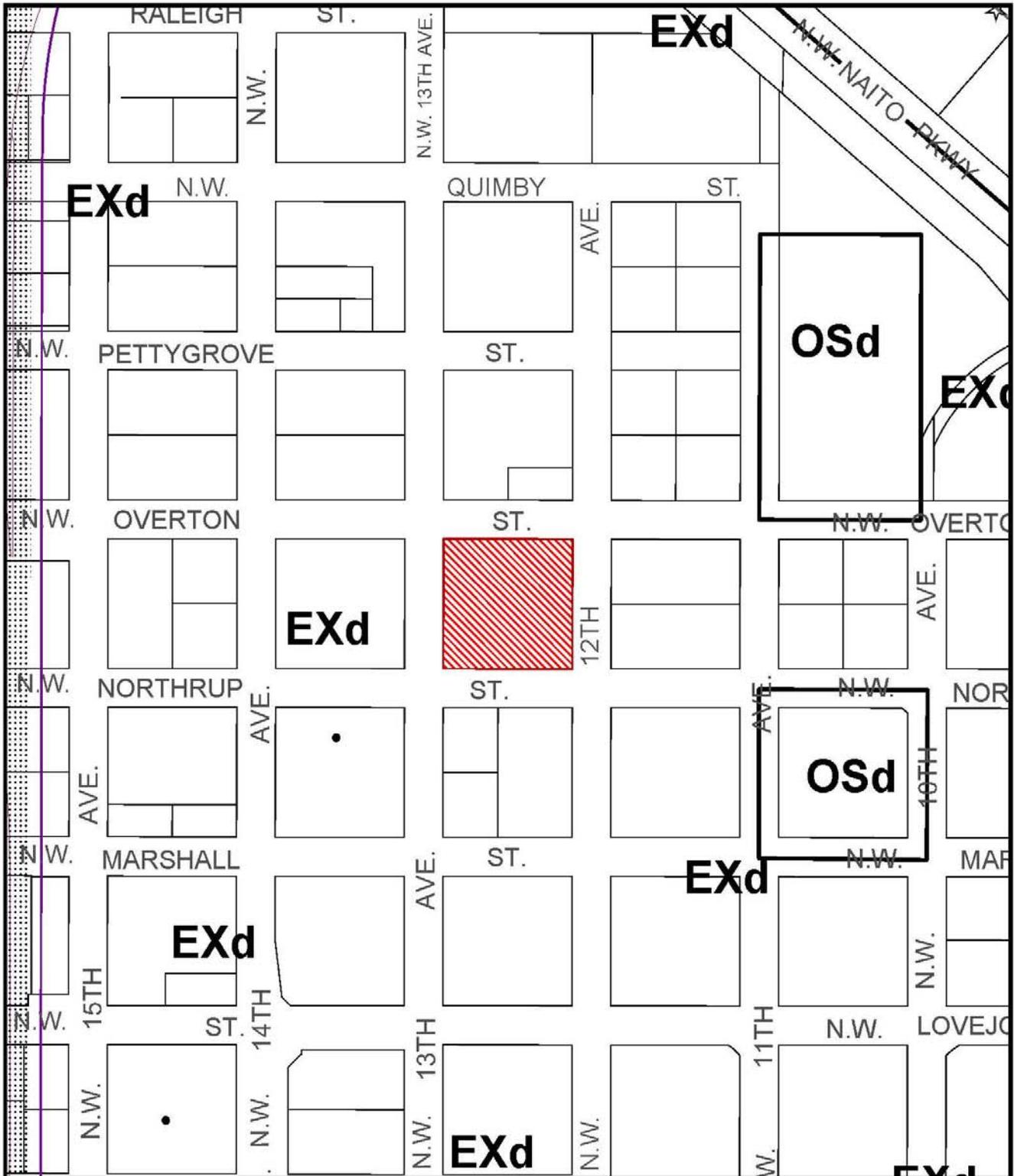
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Information
 - 1. Design Review Narrative
 - 2. Existing Conditions
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Enlarged Loading Area Floor Plan
 - 3. Proposed North Elevation (attached)
 - 4. Proposed East Elevation (attached)
 - 5. Proposed South Elevation (attached)
 - 6. Sections
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Section of BDS
- F. Correspondence: none received
- G. Other:
 - 1. Original LU Application
 - 2. Emailed Incomplete Notice

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).



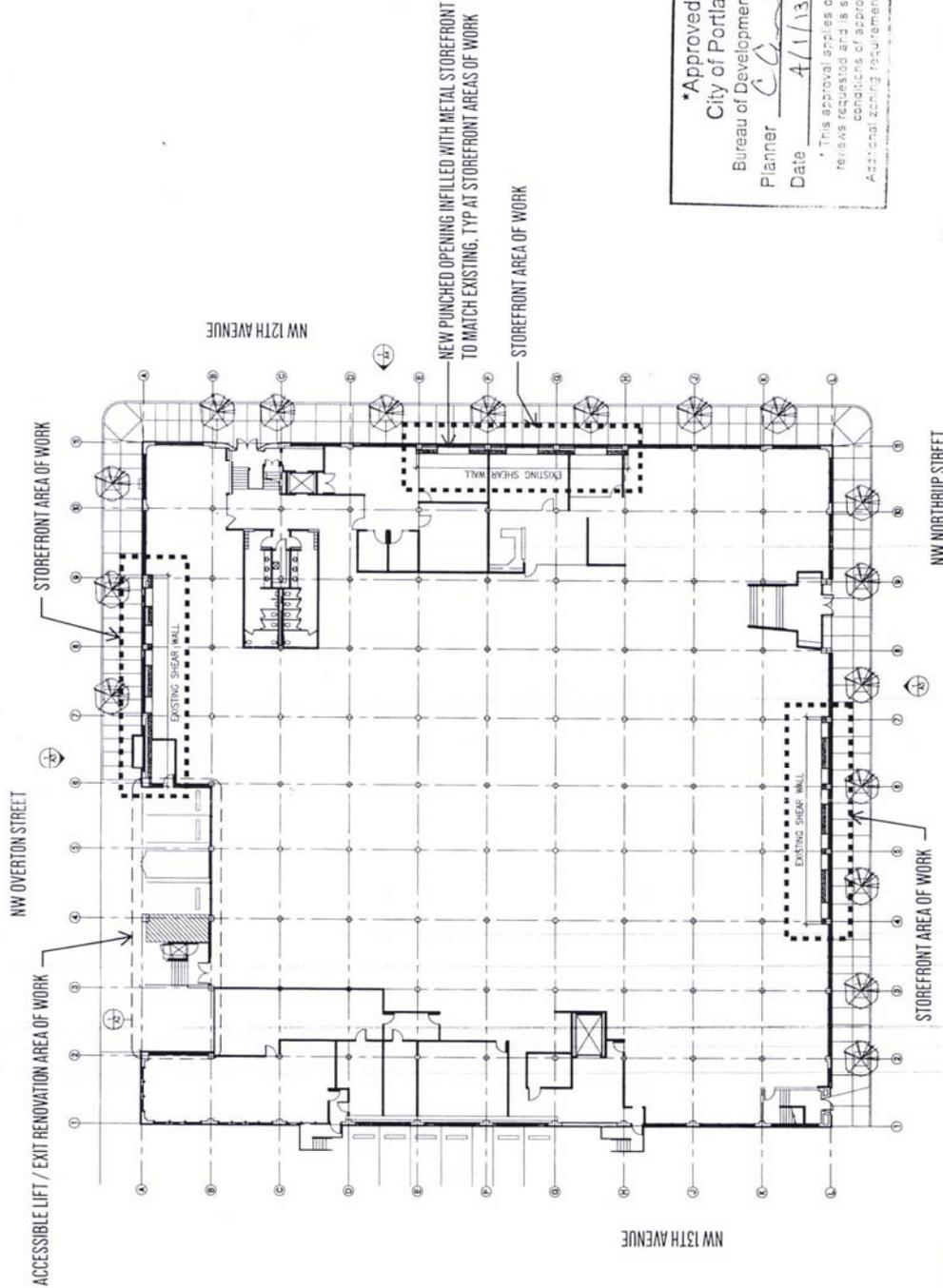
ZONING

 Site

 Historic Landmark


NORTH

File No. LU 13-118489 DZ
 1/4 Section 2928
 Scale 1 inch = 200 feet
 State_Id 1N1E33AA 1700
 Exhibit B (Feb 26, 2013)



Approved
 City of Portland
 Bureau of Development Services
 Planner *C. C. [Signature]*
 Date 4/1/13

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

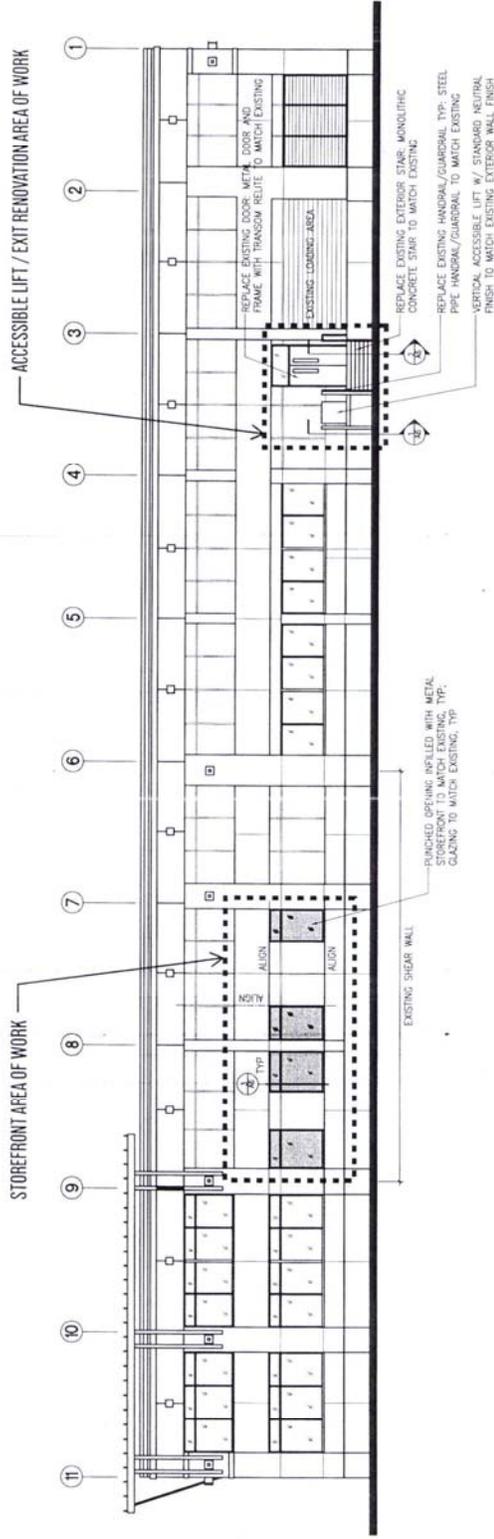
AI



U13-118489 02
 EXH. C-1 7

1 PROPOSED FLOOR PLAN

1/32 = 1'-0"



LU 13-118489 D2

EXH. C-3 9

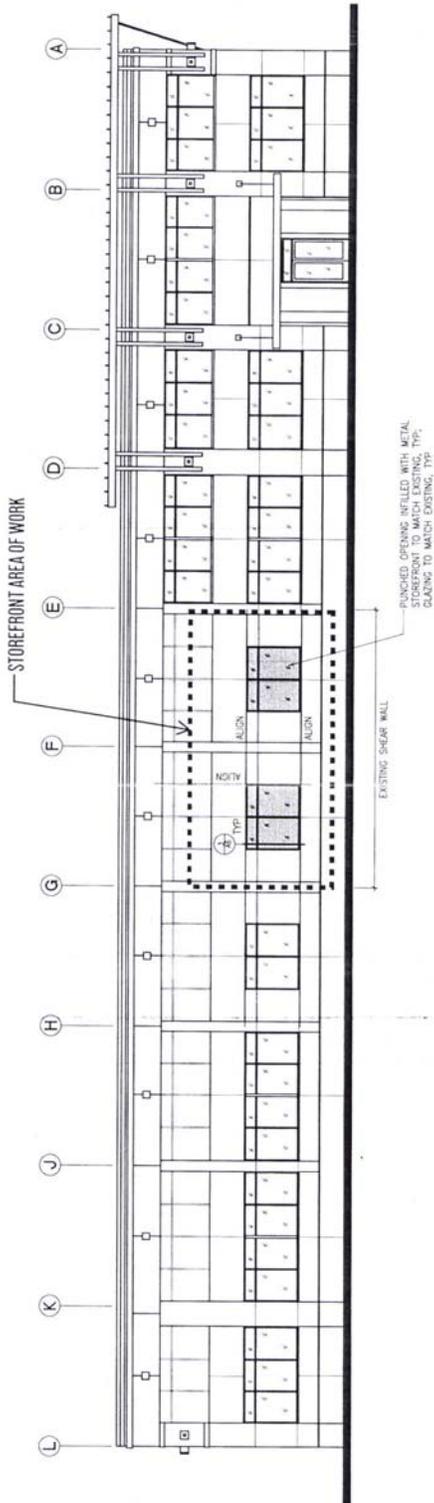
1 PROPOSED NORTH ELEVATION

1/16" = 1'-0"

Approved
 City of Portland
 Bureau of Development Services
 Planner *[Signature]*
 Date 4/1/13

* This approval applies only to the review requested and is subject to all conditions of approval.

A3



LU 13-118489 D2
EXH. C-4

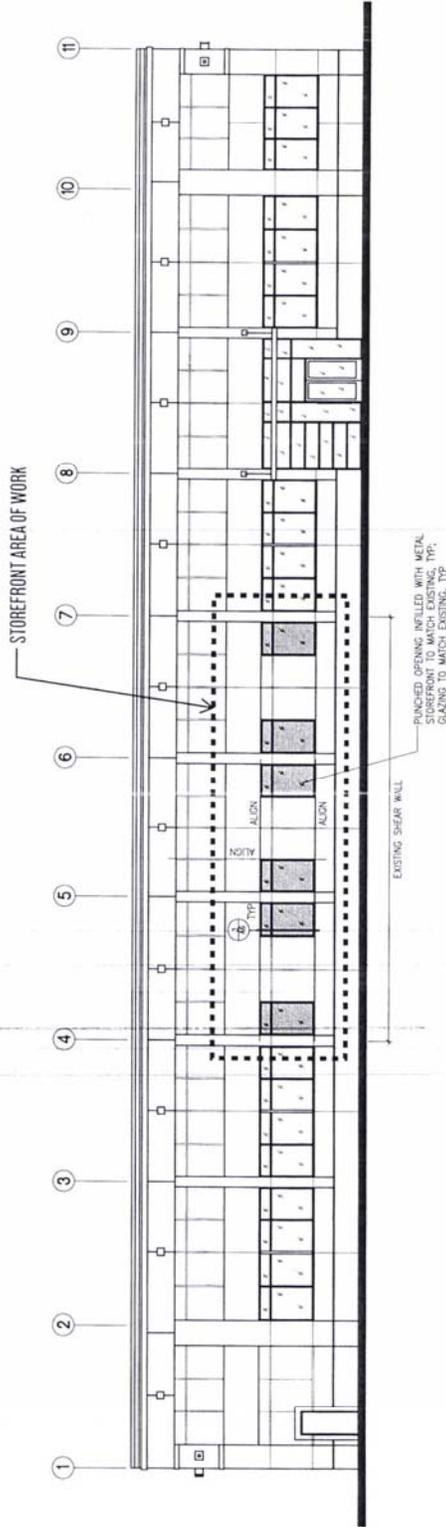
Approved
 City of Portland
 Bureau of Development Services
 Planner C. C. S.
 Date 4/1/13

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

1 PROPOSED EAST ELEVATION

1/16" = 1'-0"

A4



Approved
 City of Portland
 Bureau of Development Services
 Planner *[Signature]*
 Date *4/1/13*

* This approval applies only to the review requested and is subject to all conditions of approval.
 Additional zoning requirements may apply.

1 PROPOSED SOUTH ELEVATION

1/16" = 1'-0"

13-118489 DZ
EXH.C-5

A5