



City of Portland
Bureau of Development Services
Land Use Services Division

1900 SW Fourth Ave. Suite 5000
Portland, Oregon 97201
Telephone: 503-823-7300
TDD: 503-823-6868
FAX: 503-823-5630
www.portlandonline.com/bds

Date: June 4, 2008
To: Interested Person
From: Chris Beanes, Land Use Services
503-823-7983 / chris.beanes@ci.portland.or.us

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 08-123371 DZ, NEW DOUBLE DOORS AND ROOFTOP MECHANICAL

GENERAL INFORMATION

Applicant: Tom Arnich, Architect 503-725-4306
PSU Facilities And Planning
Po Box 751
Portland, OR
97207-0751

Oregon State Board of Higher Education
Po Box 751
Portland, OR 97207-0751

Site Address: 2000 SW 5TH AVE

Legal Description: E 56.5' OF LOT 5 BLOCK 21 LOT 6-8 BLOCK 21, CARUTHERS ADD;
TL 2400 BLOCK 156, PORTLAND

Tax Account No.: R140902090, R667715810

State ID No.: 1S1E04DD 00500, 1S1E04DA 02400

Quarter Section: 3228

Neighborhood: Downtown Cmty Assoc., contact Jennifer Geske at 503-750-9843.

Business District: Downtown Retail Council, contact Portland Business Alliance at 503-224-8684.

District Coalition: None

Plan District: Central City - University District

Zoning: CX,RXd, Central Commercial, Central Residential, with design overlay

Case Type: DZ, Design Review

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

Proposal:
The applicant proposes a new mechanical exterior duct. The exhaust duct is approximately 3'-0" wide by 6'-0" tall, and will be located towards the center of the PSU North Building,

approximately 50 feet away from the SW 5th Avenue building edge. In addition, a set of new 4'-0" x 8'-0" double doors are proposed to replace existing 3'-0" x 7'-0" high double doors on a non-street facing side of the building.

Because the proposal is for an exterior alteration in a design overlay zone, Design Review is required.

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:

- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The site lies within the southernmost boundary of the Portland State University Campus, and is within the University Subdistrict of the Central City Plan. A number of surface parking lots and 2-3 story commercial buildings dot the low density mixed use landscape of the area, with remnants of older housing stock from the turn of the century. The 22,000 square foot building was constructed in 1965, and consists of various facades of brick and metal materials, at various stepped heights, giving it a jumbled appearance. The low slung 2-story building where the vent stack and double doors are proposed houses the PSU scene shop for the theater department of the college.

Portland's Transportation Plan classifies SW 5th Avenue as a Regional Transitway/Major Transit Priority Street, a City Bikeway, and the entire site is within the Pedestrian District of the Central City.

Zoning: The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together.

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.

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

- **LU 02-123880 PR** Central City Parking Review renewal and approval of an existing 72 space surface parking lot.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **May 1, 2008**. The following Bureaus have responded with no issues or concerns:

- Site Development Section of BDS has commented on the proposal to meet "all applicable building codes and ordinances". See Exhibit E.1 for further details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on May 1, 2008. 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.

Central City Fundamental Design Guidelines

These guidelines provide the constitutional framework for all design review areas in the Central City.

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.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within the River District as well as to the other seven Central City policy areas. The nine goals for design review within the Central City are as follows:

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.

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.

Findings: The proposed roof vent stack will be located towards the center of the

roof, where other rooftop mechanical equipment is located, thus preserving views and mitigating for the utilitarian nature of the stack on the roof. As the stack will be setback and towards the center, the integrity of the façade of the building will be maintained. The set of doors will continue the utilitarian nature of the rear of the building, where loading functions occur. Although the doors are slightly larger than the existing doors, the proposal constitutes a minimal alteration which is acceptable. *This guideline is therefore met.*

C11. Integrate Roofs and Use Rooftops. Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

Findings: The proposed stack will be located 40 feet away from both the principal street facing façade (SW 5th Avenue) roof parapet and the neighboring property to the north parapet, towards the roof center, where other associated mechanical rooftop equipment is located. The applicant has achieved the lower vent profile by creative ductwork use, thus eliminating the need for a taller stack. In elevation, the vent will rise 3 feet above the parapet, thus preserving other views in the vicinity. The applicant proposes to paint the venting the same or similar color to the existing roof. *This guideline is 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

Through the applicant's careful placement of the proposed vent stack, the proposal meets, in particular, guideline C11, Integrate Roofs and Use Rooftops. The stack will be placed centrally, to preserve views from other buildings and will contribute to the maintenance and integrity of the façade of the building. The set of doors, although larger than existing, will continue the utilitarian function of the rear loading area, while being integrated with the façade through similar materials and color treatment. The proposal warrants design review approval.

ADMINISTRATIVE DECISION


Approval of

- a new mechanical exterior duct and set of doors. The exhaust duct is approximately 3'-0" wide by 6'-0" tall, and will be located towards the center of the PSU North Building, approximately 40 feet away from the SW 5th Avenue building edge;
- a set of new 4'-0"x 8'-0" double doors to replace existing 3'-0"x7'-0" high double doors on a non-street facing side of the building.

Approval per the approved site plans, Exhibits C-1 through C-2, signed and dated May 29, 2008 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.3. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-123371 DZ . No field changes allowed."

Decision rendered by:  **on June 2, 2008**
By authority of the Director of the Bureau of Development Services

Decision mailed: June 4, 2008

Staff Planner: Chris Beanes

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 April 18, 2008, and was determined to be complete on **April 28, 2008**.

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 April 18, 2008.

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 June 18, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., 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. Recognized neighborhood associations are not subject to the appeal fee. Low-income

individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. 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 contact the receptionist at 503-823-7967 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 **June 19, 2008 – (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
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Roof Plan and Elevation-SW 5th Avenue (attached)
 - 3. East Elevation (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Site Development Review Section of BDS
- F. Correspondence: none
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).

S.W. 5th Avenue

6" WATER LINE FOR NEW BUILDING SPRINKLER

residence -- (approx. location)

EXISTING Parking Lot

NORTH BUILDING
PSU Scene Shop
remodel @ 1st flr.

area of work

area of work

COMPACT

COMPACT

COMPACT

COMPACT

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COMPACT

COMPACT

COMPACT

COMPACT

COMPACT

COMPACT

COMPACT

COMPACT

91' +/-

EXISTING ASPHALT

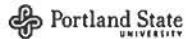
PROPERTY LINE

New Double Door

New Mech Duct

EXISTING Parking Lot

Verify all existing dimensions and grades.



Minor Remodel

RM 60

SCENE SHOP

Art Building

(Block 156)

2000 SW 5th Ave.

Portland, Oregon 97201

Date: 4/14/08

PERMIT SET

* This approval applies to the drawings as shown and is subject to all conditions of approval. Additional zoning requirements may apply.

S.W. Lincoln St

Date 6/19/08

Planner

City of Portland - Bureau of Development Services

Approved

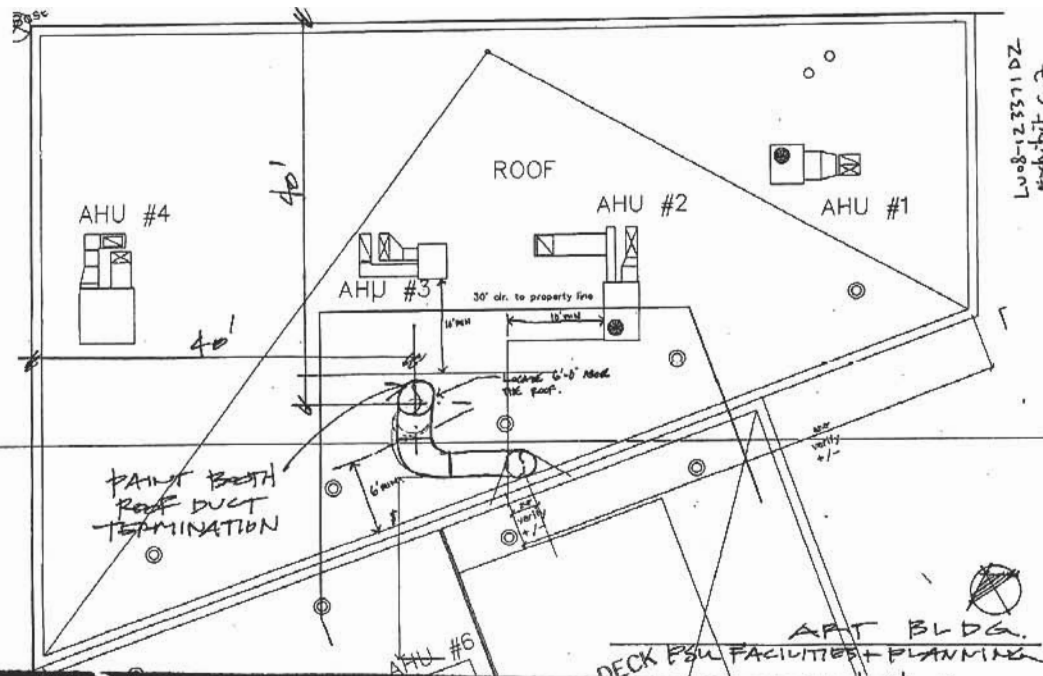
Site Plan

scale: 1/32" = 1'-0"

LU08-123371 D Z
Exhibit C.1



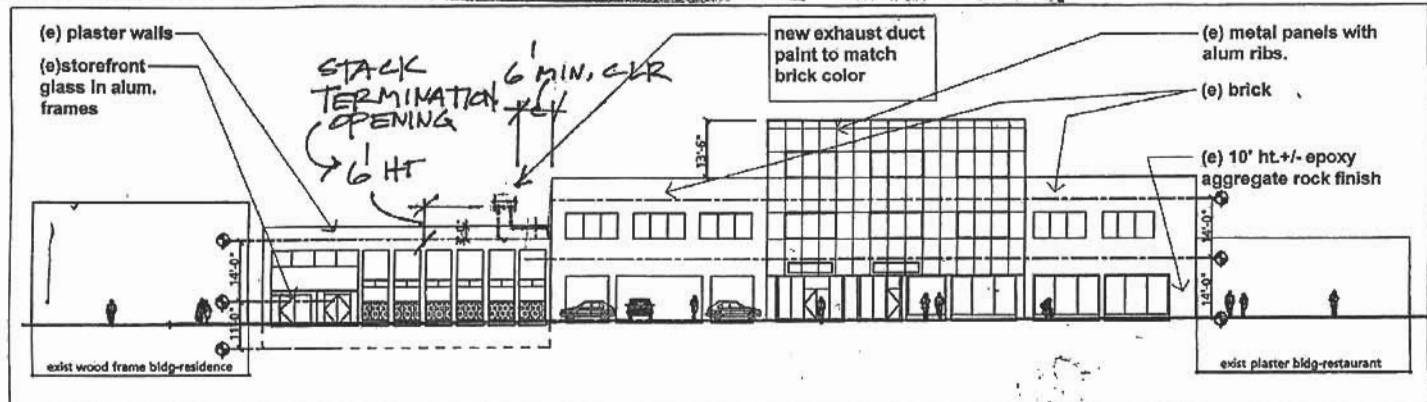
LU08-123371 DZ
Exhibit C.2



Approved
 City of Portland - Bureau of Development Services

Planner [Signature] Date 8/2/08

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



Verify all existing dimensions and grades.

5TH AVENUE ELEVATION



Minor Remodel
RM 60
SCENE SHOP
 Art Building
 (Block 158)
 2000 SW 5th Ave.
 Oregon 97201
 4/24/08
IT SET



Elevation w/ photo
 elevation scale: 1/32" = 1'-0"

LU08-123371 DZ
 Exhibit C.2

