

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 23, 2008

To: Interested Person

From: Shawn Wood, Land Use Services

503-823-6962 / woods@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 08-125750 DZ – SMITH MEMORIAL STUDENT UNION (SMSU) NORHT AND SOUTH PLAZA IMPROVEMENTS

GENERAL INFORMATION

Applicants: Nancy Merryman (Architect) 503.222.3753

1231 NW Hoyt #403 Portland, OR 97209

Oregon State of Board Higher Education (Owner)

PO Box 3175

Eugene, OR 97403-0175

Site Address: 1721 SW BROADWAY ST

Legal Description: LOT 1-8 BLOCK 201, PORTLAND

Tax Account No.: R667721520 **State ID No.:** R51E04AD 08500

Quarter Section: 3128

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

Other Designations:

Zoning: Central Commercial (CXd) **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 improvements to formerly vacated rights of way between Cramer, Smith, and Nueburger Halls on the PSU campus. The improvements include: Revisions to the loading dock (wall removal and new roll-up door), traffic control at SW

Broadway, paving, lighting, landscape improvements, grading, information kiosk, smokers kiosk, benches, bike canopy, bike racks, emergency call station, and new ceiling treatments under pedestrian bridges.

Exterior alterations/development in a design overlay zone require design review.

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:

■ 33.825, Design Review

■ Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: Portland State University (PSU) is generally located at the south edge of the downtown core, bounded by I-405 on the south and west as the freeway curves around the Central City area. The specific development areas are Smith Memorial Student Union and both pedestrian plazas just north and south of this building. The plazas are vacated street rights-ofway that align with SW Montgomery and SW Harrison, between SW Broadway and the South Park Blocks.

Portland's Transportation System Plan classifies SW Broadway as a Traffic Access Street, City Bikeway, City Walkway, and Community Main Street. The site is within the Downtown Pedestrian District.

Zoning: The <u>Central Commercial (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.

The <u>design (d) overlay zone</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 must meet the Community Design Standards (Chapter 33.218) or are subject to design review.

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

- LUR 97-014188 CUDZ (reference file # 97-014188): Approval of wireless communications facility.
- <u>LUR 98-015699 CU (reference file # 98-00393)</u>: Approval to remove a condition of approval from Hearings Officer decision CU 145-86; condition was that PSU must work with the Portland Office of Transportation to develop a Comprehensive Transportation Strategy.
- <u>LUR 99-017088 DZ (reference file # 99-00683)</u>: Approval of modifications through design review in order to upgrade nonconforming development, in accordance with land use review conditions of approval for the new Urban Center.
- <u>LUR 01-007830 CU PR</u> (reference file # 01-00432): Approval to revise condition of LUR 98-00393 CU to change approved parking from 159 residential parking spaces and 45 growth parking spaces to 204 visitor parking spaces; add two levels to Parking Garage 3.
- <u>LU 02-143292 DZ</u>: Approval for the Walk of the Heroines outdoor gathering place to honor women's contributions to society.
- <u>LU 07-143997 DZ</u>: Approval for the Walk of the Heroines outdoor gathering place to honor women's contributions to society. This was a follow-up review to LU 02-143292 DZ.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **May 14, 2008**. The following Bureaus have responded with no issues or concerns:

- Bureau of Transportation Engineering
- Water Bureau

• Bureau of Parks-Forestry Division

<u>The Bureau of Environmental Services</u> responded with the following comment: Please see Exhibit E-1 for additional details.

The following conditions of approval and informational comments are based on the land use review information provided to the bureau of environmental services (bes). The applicant may contact me with any questions or concerns.

Proposal summary: design review for entry plaza and loading dock etc..

Any new or redeveloped impervious area created by this project must be managed according to the Stormwater Management Manual current at the time of building permit review. Stormwater runoff from new or redeveloped impervious area must be pre-treated and detained by means of a vegetated surface facility to the maximum extent practicable. Stormwater disposal can be directed off-site to one of the City-owned storm-only sewer lines available to this property. Refer to the following additional information.

Sanitary Services

- 1. There are two existing City-owned sanitary-only sewers located in SW Mill Street and in SW Montgomery Street.
- 2. There are two existing privately owned sanitary-only sewers located on the eastern and western sides of this site.

Stormwater Management & Water Resources

The stormwater runoff generated from the proposed development must meet the requirements of the City of Portland's Stormwater Management Manual current at the time of building plan review. For all projects, the Stormwater Destination/Disposal Hierarchy must be addressed (pages 1-18 and 1-19 of the Stormwater Management Manual). Free CD-ROM discs of the 2004 Stormwater Management Manual are available at the City of Portland Development Services Center, 1900 SW 4th Avenue or on the internet at www.portlandonline.com/bes/. The applicant may also contact BES with any questions or for additional information.

- 1. There are three existing City-owned storm-only sewers located along the western side of this site, in SW Mill Street and in SW Broadway.
- 2. There is also a short section of storm-only sewer line located along the southern side of this site that is not owned by the City of Portland.
- 3. The 2004 Stormwater Management Manual requires that stormwater runoff from new or redeveloped impervious area be managed on-site through surface infiltration facilities to the maximum extent practicable. Roof runoff may be managed in drywells or soakage trenches (if on-site infiltration is approved by BDS Site Development). Pollution reduction is required for all non-rooftop runoff, and all runoff that is not infiltrated on site. Stormwater runoff from parking lot, driveway and other ground-level impervious surface must be treated my means of vegetated surface facilities with overflow directed to an appropriate disposal location. A disposal location for stormwater must be identified for any size development. NOTE: The Stormwater Management Manual defines redeveloped impervious area as any development that requires demolition or complete removal of existing structures or impervious surfaces at a site and replacement with new impervious surfaces.

The current 2004 Stormwater Management Manual is being revised and a new version of the Stormwater Management Manual is currently scheduled to be adopted in July 2008. This project will be required to comply with the manual that is current at the time of building plan application.

4. For proposed development projects, BDS Site Development approves any on-site

disposal of stormwater runoff on private property and BES approves any discharges of stormwater runoff off-site. For this particular project, BDS Site Development does not recommend on-site infiltration of stormwater runoff. Therefore, stormwater runoff from new or redeveloped impervious area must be pretreated and detained by means of a vegetated surface facility to the maximum extent practicable. Stormwater disposal can be directed off-site to one of the City-owned storm-only sewer lines available to this property. Please note, there is a short section of storm-only sewer line located along the southern side of this site this is not owned by the City of Portland. If stormwater runoff from this project is proposed to be directed to that storm-only sewer line, the owner of the sewer may need to provide approval. Please refer to comments from BDS Site Development for additional information.

Conditions of Approval

BES has no recommended conditions of approval.

Building Permit Information

The pertinent design requirements of the Stormwater Management Manuel (SWMM) Chapter 4 are briefly described as follows (please read chapter 4 of the SWMM to help recognize any requirements we may have overlooked). The Stormwater Management Manual is available on the Internet at:

http://www.portlandonline.com/bes/index.cfm?c=35117:

- Solid waste and recycling areas require pavement underneath the receptacles, protection from stormwater/rainwater through berming or grading (hydraulic isolation), a structural cover that is relative in size to the perimeter of the trash/recycling area, and a sanitary (waste line) drain inside the bermed/graded area. Depending on where the area is located, a planning/design review may be required. If the covered area is large, a structural engineering review may be required for the structural cover.
- Catch basins located in covered parking areas are required to discharge to the sanitary sewer. Trench drains or catch basins located at the entrance into the parking structure may discharge to the storm sewer system.
- Loading docks (material transfer areas) require protection from stormwater/rainwater within the first 3 feet of the dock face (hydraulic isolation). This area cannot accept stormwater run-on and must be plumbed to the sanitary sewer.

<u>The Site Development Section of BDS</u> responded with the following comment: Please see Exhibit E-2 for additional details.

Stormwater treatment and disposal.

Site Development does not recommend on-site infiltration of stormwater at this location. If compliance with the Stormwater Management Manual is triggered by redevelopment of existing impervious surfaces, then after pre-treatment and detention, if required, stormwater may be directed to the public sewer system with BES approval. Please refer to the response from the Bureau of Environmental Services for additional comments pertaining to stormwater.

Please direct questions regarding this requirement to Mike Ebeling, (503) 823-7247.

<u>The Fire Bureau</u> responded with the following comment: Please see Exhibit E-3 for additional details.

The following conditions of approval and informational comments are based on the land use review information provided to the Fire Bureau. Fire Bureau requirements are

generated from the International Fire Code, the 2007 Oregon Fire Code and Title 31. All current Fire Code requirements apply and are required to be met. If these conditions cannot be met, an appeal providing an alternative method is an option for the applicant. If the applicant chooses to appeal a requirement, the appeal must be listed as a condition in the decision. Fire Code Appeals can be obtained at the Fire Bureau web page, www.portlandonline.com. The comment section of this document is intended for informational purposes only.

CONDITIONS OF APPROVAL AT TIME OF DEVELOPMENT

The applicant is required to provide fire department access within the vacated right of way. The applicant is required to provide 20 feet width of fire department access and a clearance of 13 feet 6 inches. The applicant is also required to provide removable bollards that are approved through the Fire Bureau. The applicant will need approval on the gate that is proposed. Information on the gate shall be provided for approval from the Fire Bureau. The applicant shall submit a site plan specific for fire department access so that it can be approved. Contact Dawn Krantz at 503-823-3718 with questions.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on May 14, 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.

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 superblock 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.

Findings: The Portland block structure will be maintained with this project. The former rights-of-way on the north and south sides of Smith Center are maintained for pedestrian and loading use. *This guideline is therefore met.*

- **A4.** Use Unifying Elements. Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.
- **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: The north and south plazas will use similar materials and patterns. In addition, both plazas will use similar bicycle racks, lighting, bollards, trash receptacles, and tree grates to unify and connect the two areas. The paving pattern of both plazas continues to the Park Blocks and integrates the plain concrete pattern found within the park blocks, while also adding unique colored pavers. The materials and elements used in the north and south plazas are in some cases unique to the Portland State University campus. However, the unique emphasis on the plazas as a gateway to the campus and the potential to continue some of these materials and elements to future campus projects allows for the introduction of these newer features. *These guidelines are therefore met*.

- **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.
- **A9. Strengthen Gateways.** Develop and/or strengthen gateway locations.
- **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.
- **C6. Develop Transitions between Buildings and Public Spaces.** Develop transitions between private development and public open space. Use site design features such as movement zones, landscape element, gathering places, and seating opportunities to

develop transition areas where private development directly abuts a dedicated public open space.

Findings for A5, A9, C1, and C6: The site context is complex and could be characterized as a zone where education, urban life, and transportation intersect. These combined elements create a vibrant and vitally engaging area. Although the plazas are not formally identified gateways in City plans, they create understood main entries into the Portland State University campus. The existing sky-bridges over the plazas form a gateway and frame views into the South Park Blocks from passing vehicle and pedestrian traffic on SW Broadway, and from approaching traffic on SW Harrison. The proposed project integrates and improves the functional and aesthetic qualities of the plazas and enhances these gateways between the urban, auto-oriented context of SW Broadway and the cultural, pedestrian-oriented context of PSU and the South Park Blocks.

The exposed concrete structure and minimal, industrial-type lighting of the existing bridges contribute to the current dark, damp, institutional, unfinished character of the plazas. A new ceiling treatment at the south bridge, new lighting, and new plaza landscaping and paving enrich the frame and soften the plaza edges. These changes set up a pleasing foreground for views beyond and enhance the transition into campus and the South Park Blocks during all times of the day and through the seasons. *These guidelines are therefore met.*

- **A7. Establish and Maintain a Sense of Urban Enclosure.** Define public rights-of-way by creating and maintaining a sense of urban enclosure.
- **B2. Protect the Pedestrian.** Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.
- **B4.** Provide Stopping and Viewing Places. Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.
- **C9. Develop Flexible Sidewalk-Level Spaces.** Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

Findings for A7, B2, B4 and C9: New low-profile gates at the south plaza will control the truck delivery schedule. Campus management will regulate deliveries in the plaza area to specific early-morning hours, allowing trucks to park in the east end of the south plaza. The gates will be closed to allow a pedestrian- (and bicycle-) only access for the remainder of the time. The gates act as a barrier for vehicles while allowing pedestrian and bicycle traffic to permeate this edge due to a 5'-0" gap at the center and the open sidewalks on either side of the gates.

The 24-inch tall gates are multi purpose since they double as pedestrian benches. New fixed bollards will prevent vehicles from driving over habitable spaces of the plaza. New fixed benches with southern light exposure provide places to stop, sit, and people watch. Information kiosks near the entries to buildings offer a tailored solution for the ongoing need for posting communications on campus. The new bollards and gates clearly define and separate zones of pedestrian and motor vehicle travel, creating a sense of protection and enclosure for pedestrians. *These guidelines are therefore met.*

A8. Contribute to a Vibrant Streetscape. 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.

Findings: Existing large ground-floor windows along the SW edge of the north plaza provide views into the interior cafeteria space. Additionally, existing large ground-floor windows adjacent to the south plaza, along the NE side of Neuberger Hall, look into raised office spaces. These visual connections between the outdoor spaces of the plazas and the interior spaces of Smith Memorial, Kraemer, and Neuberger will be preserved and will continue to support a vibrant streetscape. *This guideline is therefore met.*

- **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.
- **B3.** Bridge Pedestrian Obstacles. Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.
- **B7. Integrate Barrier-Free Design.** Integrate access systems for all people with the building's overall design concept.
- **C6. Develop Transitions between Buildings and Public Spaces.** Develop transitions between private development and public open space. Use site design features such as movement zones, landscape element, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

Findings for B1, B3, and B7: The new paving design in both the north and south plazas breaks up the scale of the pedestrian area and creates subtle zones for different activities. The paving under the connecting bridges above and between the entry doors of the PSU buildings is considered a grand crosswalk and is defined by a change in paving pattern. This further emphasizes the transition between the spaces and highlights its importance. Both plazas also have a through-path zone at the center that is defined by tactile pavers. These pavers assist the visually impaired to move through each plaza and outline the areas at either side for sandwich boards, tables and/or other temporary obstructions. *These guidelines are therefore met.*

B5. Make Plazas, Parks and Open Space Successful. Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.

Findings: The proposed project removes several pedestrian barriers including a loading dock, kiosks and telephone stations and either relocates them to the sides of the plaza or eliminates them. This will result in an improved circulation pattern and combined with the proposed benches, and enhanced landscaping, will lead to a successful urban space. Additionally, the installation of a mesh screen on the underside of the south pedestrian bridge will brighten this location during the day, while lighting located throughout the plazas will illuminate the spaces by night. *This guideline is therefore met.*

B6. Develop Weather Protection. Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

Findings: The design takes advantage of the pedestrian sky-bridges as weather protection for bike parking, and for smokers (far enough away from Smith Center's front doors and HVAC air intake vents). Additionally, a canopy is proposed over

bicycle parking in the north plaza. 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.

Findings: All finishes are designed for exterior use and will hold up to the weather conditions found in the plazas. These finishes include steel, aluminum, glass, Ipe wood, and concrete. The proposed vinyl mesh fabric panels located under the pedestrian bridge will be stretched taut over an aluminum frame. The mesh fabric allows the underside of the bridge to breathe while also allowing limited visibility into the space behind the panels. The panels will be located within the supports of the pedestrian bridge, allowing its external structure to continue to be expressed. The aluminum frame panels have been designed so that they can easily be removed for maintenance and cleaning of the mesh. The vinyl mesh is a proven product for exterior application, adjusts to changing conditions and is expected to provide years of durable application. *These guidelines are therefore met*.

C12. Integrate Exterior Lighting. Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.

Findings: The proposed plaza alterations include extensive lighting including inground up-lighting for trees, a custom light fixture at the south entrance of Smith Center, up-lighting for pedestrian bridges and lighting beneath benches. The lighting takes a clear, crisp, refined look in the form of simple aluminum fixtures and recessed LEDs. New lighting will accentuate surfaces and will create a comfortable night-time environment without impacting the city's skyline. *This guideline is therefore met.*

D1. Park Blocks. Orient building entrances, lobbies, balconies, terraces, windows, and active use areas to the Park Blocks. In the South Park Blocks, strengthen the area's emphasis on history, education, and the arts by integrating special building elements, such as water features or public art. In the Midtown Park Blocks, strengthen the connection between the North and South Park Blocks by using a related system of right-of-way elements, materials, and patterns. In the North Park Blocks, strengthen the area's role as a binding element between New China/Japantown and the Pearl District.

Findings: The two plazas currently connect to the park blocks to the west. This relationship is maintained with this proposal and is enhanced through additional pedestrian amenities and surface paving within the plazas. The new paving both integrates with and at the same time distinguishes itself from the paving found in the park blocks. *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

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 improvements will enliven the area by providing increased architectural interest and pedestrian emphasis/safety. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of revisions to the loading dock (wall removal and new roll-up door), traffic control at SW Broadway, paving, lighting, landscape improvements, grading, information kiosk, smokers kiosk, benches, bike canopy, bike racks, emergency call station, and new ceiling treatments under pedestrian bridge, per the approved site plans, Exhibits C-1 through C-27, signed and dated June 18, 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.27. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-125750 DZ. No field changes allowed."

Decision rendered by:

on June 18, 2008

By authority of the Director of the Bureau of Development Services

Decision mailed: June 23, 2008

Staff Planner: Shawn Wood

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 30, 2008, and was determined to be complete on **May 9, 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 30, 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 July 7, 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. 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. 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 July 8, 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

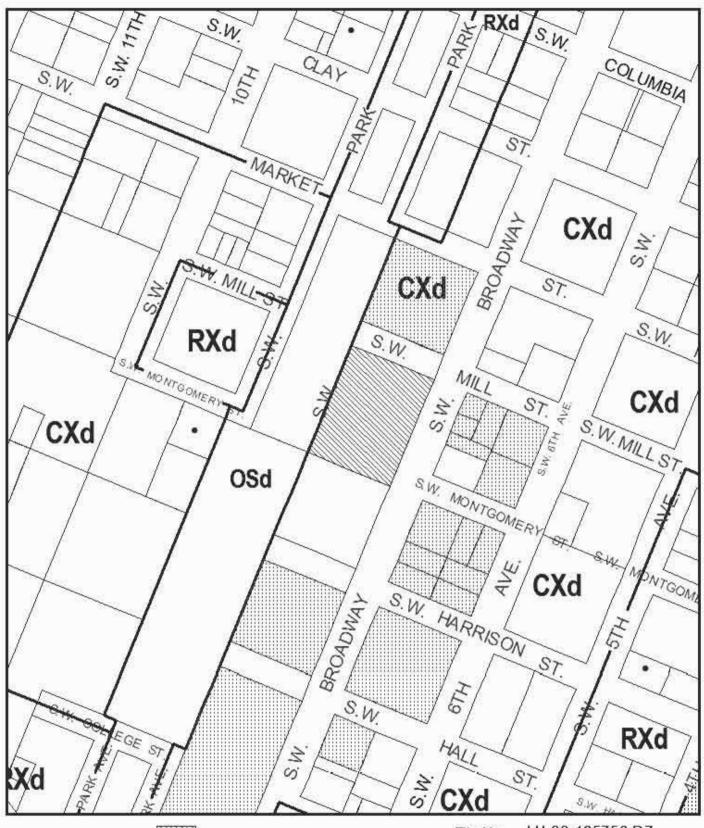
- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Cover Sheet
 - 2. Overall Demo Plan
 - 3. South Demo Plan
 - 4. Overall Site Plan (attached)
 - 5. North Site Plan (attached)
 - 6. North Planting Plan
 - 7. North Plaza Elevations (attached)
 - 8. North Light Plan & Elevation
 - 9. South Site Plan (attached)
 - 10. South Planting Plan
 - 11. South Plaza Elevations (attached)
 - 12. South Light Plan & Elevation
 - 13. North Bridge Reflected Ceiling Plan
 - 14. South Bridge Reflected Ceiling Plan
 - 15. South Bridge Ceiling Banner (attached)
 - 16. South Bridge Sections
 - 17. South Bridge Sections & Details
 - 18. Kiosk Plan & Details

- 19. Bench Plans & Details
- 20. Misc. Details
- 21. Bicycle Parking Canopy Details
- 22. Misc. Elevations
- 23. Gate Details
- 24. Site Materials
- 25. Site Plantings
- 26. Lighting Cutsheets (A-I)
- 27. Vinyl Mesh Sample
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Site Development Review Section of BDS
 - 3. Fire Bureau
- F. Correspondence:

None Received

- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. Incomplete Letter

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



ZONING



Site

Also Owned

-

Historic Landmark



This site lies within the: CENTRAL CITY PLAN DISTRICT File No. LU 08-125750 DZ

1/4 Section ____3128,3228

Scale 1 inch = 200 feet

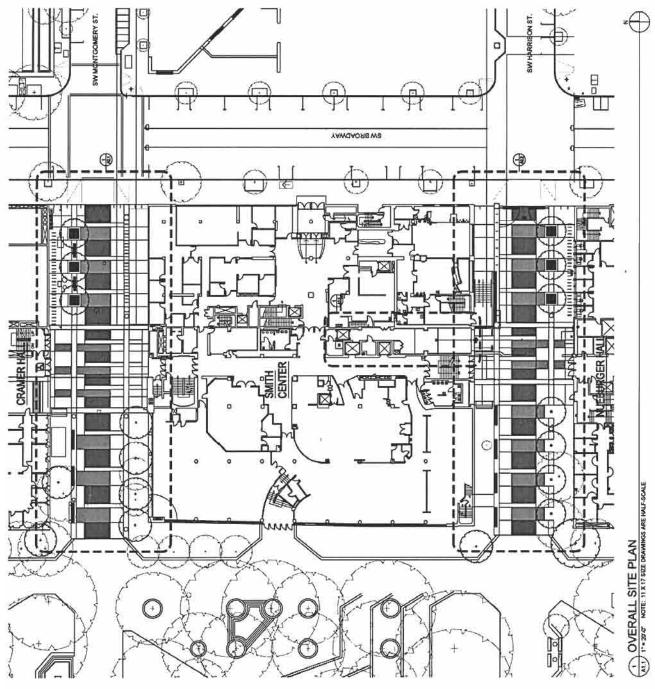
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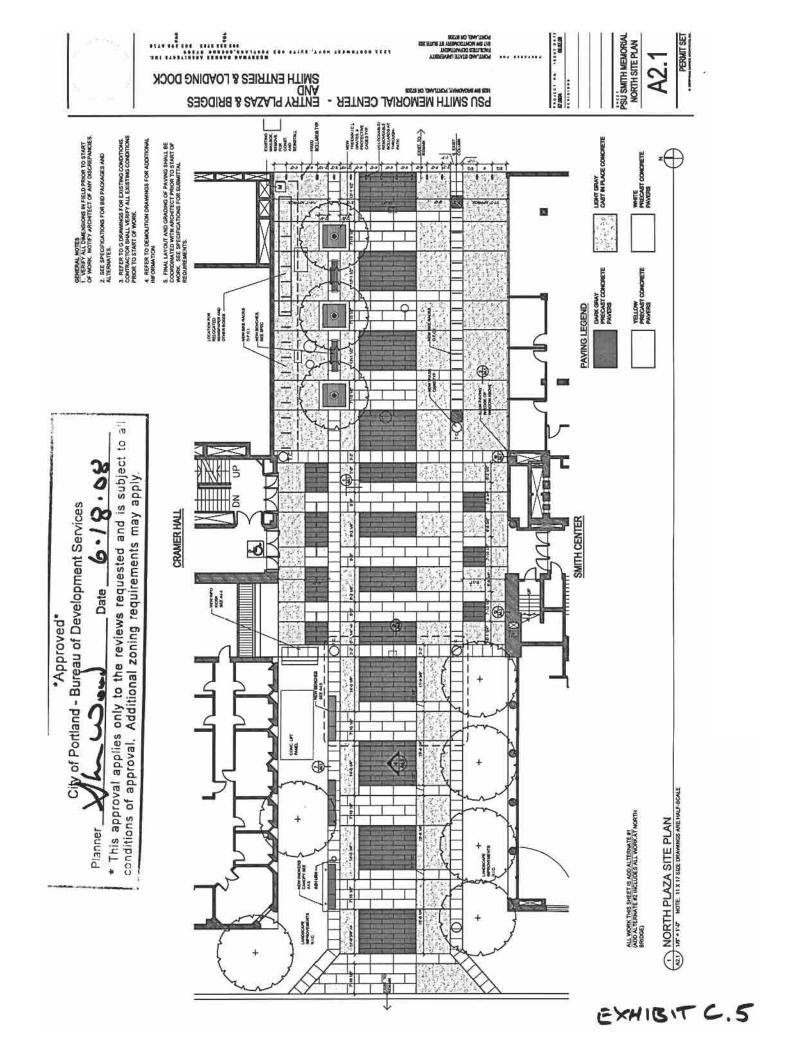
Exhibit B (May 05,2008)

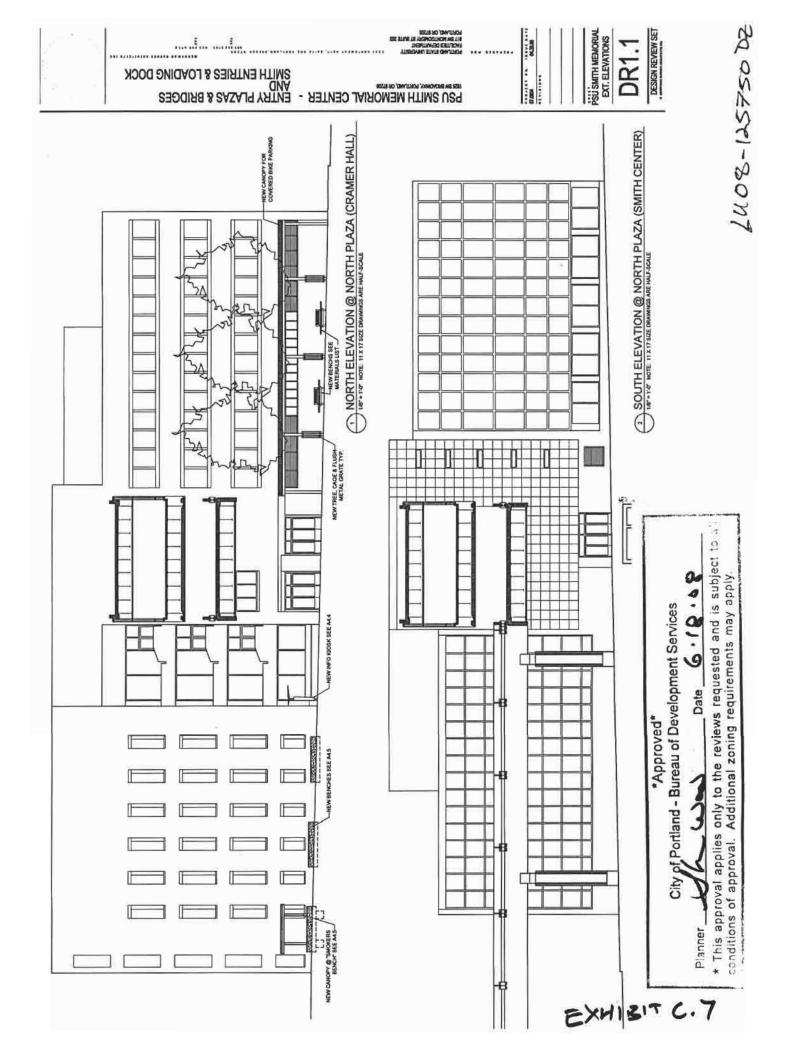
Approved
City of Portland - Bureau of Development Services

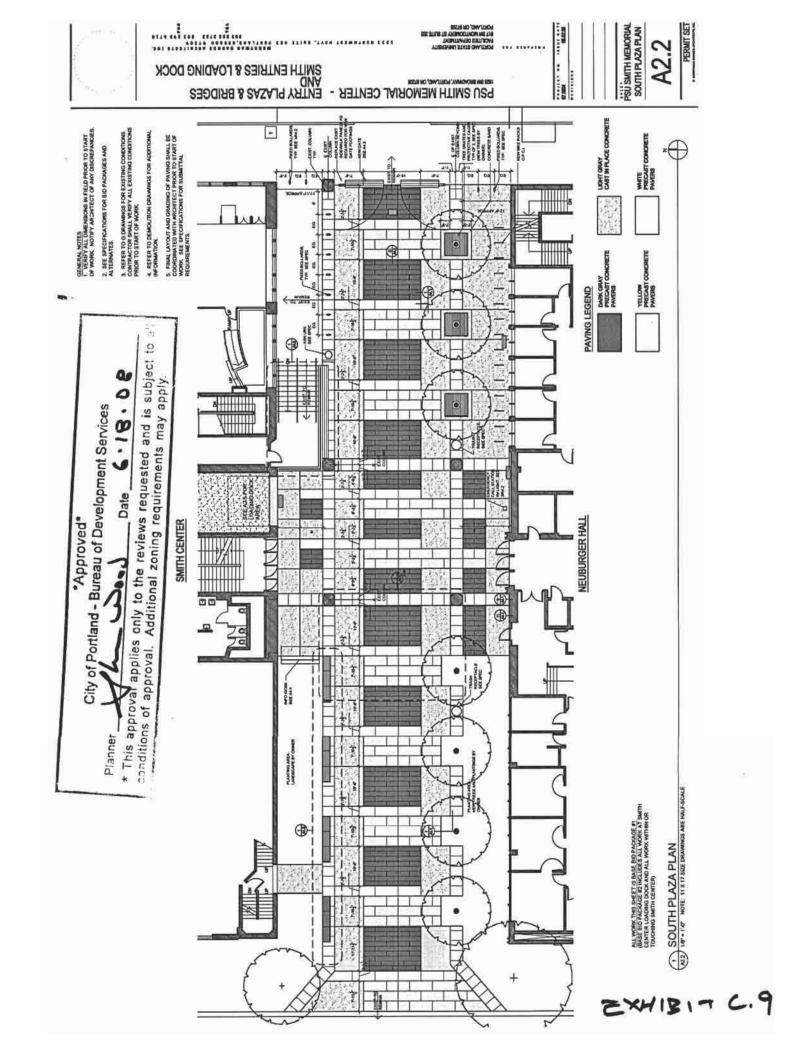
Planner _____ Date ___ 6 * /8 * 08

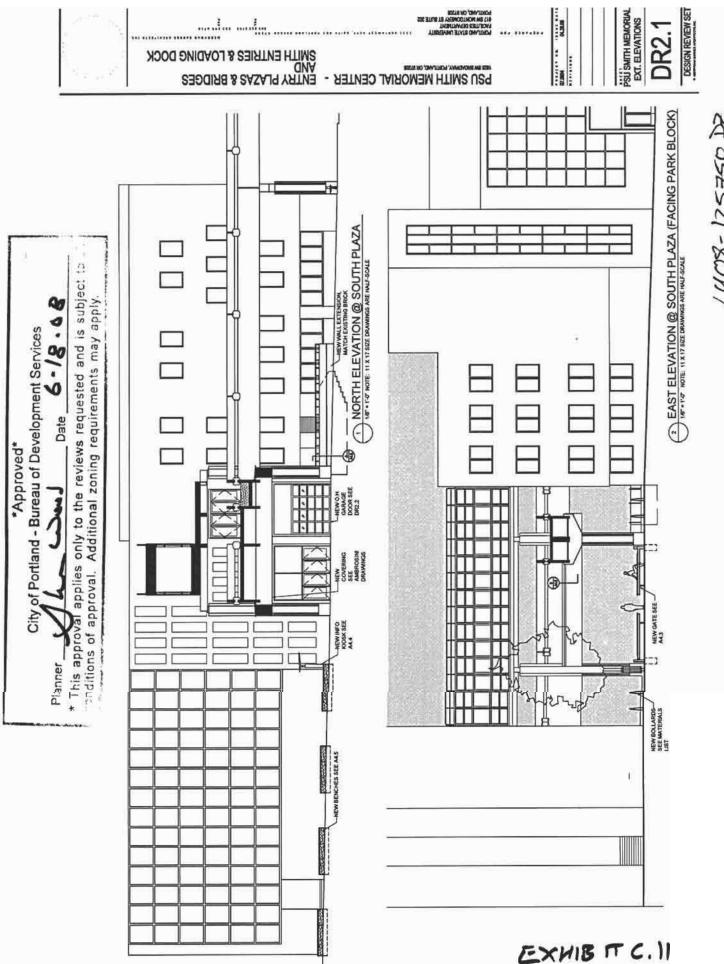
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.











54 054521-80MJ



