



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

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**Date:** April 21, 2010  
**To:** Interested Person  
**From:** Chris Caruso, Land Use Services  
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**NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in 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 10-107625 DZM**  
**PROVIDENCE OFFICE PARK BUILDING 3**

**GENERAL INFORMATION**

**Applicant:** Dana White  
Providence Health & Services Oregon  
1235 NE 47th Ave., Suite 160  
Portland, OR 97213

**Owner:** Andrew J Davis  
Davis Business Center, LLC  
11623 SW Riverwood Rd  
Portland, OR 97219

**Representatives:** Martha Stiven  
Stiven Planning & Development Services, LLC  
148 Avenue B, Suite 100  
Lake Oswego, OR 97034

Michael C Robinson  
Perkins Coie, LLP  
1120 NW Couch St., 10th Floor  
Portland, OR 97209

Tom Wesel, Architect  
Jon R. Jurgens & Associates  
15455 NW Greenbrier Pky, Suite 260  
Beaverton, OR 97006

**Site Address:** 4400 NE HALSEY ST

**Legal Description:** INC PT VAC ST LOT 1 EXC PT IN ST, PARTITION PLAT 2008-148  
**Tax Account No.:** R649885890  
**State ID No.:** 1N2E31BB 03401

<b>Quarter Section:</b>	2935
<b>Neighborhood:</b>	Hollywood, contact Doug Hamilton at 503-249-5839.
<b>Business District:</b>	Hollywood Boosters, contact Jan Tolman at 503-281-5497.
<b>District Coalition:</b>	Central Northeast Neighbors, contact Alison Stoll at 503-823-3156.
<b>Plan District:</b>	Hollywood - Subdistrict A
<b>Zoning:</b>	CXd, Central Commercial with design overlay
<b>Case Type:</b>	DZM, Design Review with requests for Modifications
<b>Procedure:</b>	Type II, an administrative decision with appeal to the Design Commission.

**Proposal:**

The applicants seek Design Review approval for a 64,250 SF project on the southeastern portion of the Providence Office Park in the Hollywood Plan District that includes:

- A new three-story, 64,250 square foot laboratory building with space allocated for shipping, mail, and building support as well as covered ground level parking;
- The proposed laboratory building is to be constructed in place of the previously approved surface parking lot (see LU 08-113391 DZM) and will attach directly to the newly constructed parking structure to the west;
- Alterations to the previously approved (see LU 08-113391 DZM) landscape plans, stormwater facilities, and parking structure's west end;
- One 97.5 SF internally-illuminated building-mounted sign of aluminum channel letters mounted on a raceway is proposed for the top of the south façade which faces I-84 and will consist of the word "Providence" spelled out of 5" deep internally illuminated white acrylic letters that measure 21'-6" long x 28" tall, a 5" deep internally illuminated white cross shape measuring 2'-10" wide x 3'-10" tall, all mounted on a 3" deep x 17" tall metal raceway that will be painted to match the adjacent wall surface; and
- Building forms and materials will be brick, metal panel, curtainwall, aluminum windows, metal railings, and glass canopies and will match those of the newly constructed Providence Office Park Building 2 and parking structure.

Design review is required for new construction on sites within the Hollywood Plan District which have the design overlay.

**Modifications Requested:**

1. 33.266.130.G.2. Parking area setbacks and perimeter landscaping, requires 5 feet of L2 perimeter landscaping for parking areas and driveways that abut a lot line. The applicants request extending the previously approved modification (LU 08-113391 DZM) to allow a zero setback with no landscaping along the driveway area that abuts the southern edge of the site, adjacent to the railroad and freeway rights-of-way, and functions as the fire access lane.

**Relevant Approval Criteria:**

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

- Ch. 33.825, Design Review
- 33.825.040, Modifications That Will Better Meet Design Review Requirements
- Community Design Guidelines

**ANALYSIS**

**Site and Vicinity:** The site is located in Subdistrict A of the Hollywood Plan District and is currently developed with a 107,002-square-foot building (the Davis Business Center), which was originally constructed in 1946. The remainder of the site consists of surface parking. The site is bounded by NE Halsey Street to the north, NE 44<sup>th</sup> Avenue (street vacation pending) to

the east, the MAX line and Banfield Freeway (I-84) to the south, and the off-ramp from I-84 curving down to align with NE 43<sup>rd</sup> Avenue to the west.

Objectives of the plan district include strengthening Hollywood's role as a commercial and residential center, and promoting the use of light rail, bus transit, and walking. Commercial activities and multi-family housing characterize the immediate vicinity, however there are a number of single-family homes to the east of the site. The Hollywood Transit Center is located one block to the west of the site at NE 42<sup>nd</sup> and Halsey, with MAX station access via a stair from the Transit Center.

Portland's Transportation System Plan classifies NE Halsey Street as a Neighborhood Collector Street, Major Transit Priority Street, City Bikeway, and Community Main Street. NE 43<sup>rd</sup> Avenue is classified as a Major City Traffic Street, Local Service Bikeway, and Urban Throughway, but off-ramps from freeways are not considered streets and code standards applying specifically to streets would therefore not apply. NE 46<sup>th</sup> Avenue is classified as a Local Service Bikeway. The MAX light rail line is located to the south of the site and is designated as a Regional Transitway. The site is within the Hollywood Pedestrian District.

**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 08-113391 DZM - Approval of a new six-story office building, related parking structure, surface parking, and a public plaza.

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **March 5, 2010**. The following Bureaus have responded with no issues or concerns:

- Life Safety Review Section of BDS (Exhibit E-1 )
- Water Bureau (Exhibit E-2 )
- Bureau of Environmental Services (Exhibit E-3)
- Site Development Section of BDS
- Fire Bureau
- Parks – Urban Forestry Division
- Bureau of Transportation Engineering

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on March 5, 2010. A total of five written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Nancy Thurston, 4341 NE Halsey #19, Portland, OR 97213 – respectfully asks BDS to deny the proposal as it will greatly increase traffic on Halsey and Cesar Chavez Blvd. There is also not enough on-site parking and clients will park on the street in front of residences. The recently completed buildings already tax the area and block out all winter daylight. She would also like to see a traffic study done for the proposal.
2. Howard M. Thurston, 4341 NE Halsey #19, Portland, OR 97213 – would like BDS to deny the application. Previous construction was extremely disruptive with work at night and on weekends and does not want to endure more construction. Would like to have a traffic study done for this proposal as the area is already over-taxed by customer parking that

spills out of area businesses and takes up spaces in front of residences. The city has poorly planned the parking and traffic flow in this area and has gone back on promises to control traffic from 24 Hour Fitness by removing traffic barriers. Feels that 24 Hour parking garage is not large enough to handle the number of customers even though the city promised it would be adequate.

3. Karyn Hanson – would like to know if a traffic impact study was done for either this current proposal or for the previous proposal at the same address that let to current construction.
4. Karyn Hanson – was told by a planner at ODOT that a study was done for the current building being constructed. Would like to know what the findings of that traffic study were and where she can pick up a copy so she can submit further comments before the deadline.
5. Hollywood Neighborhood Association – expressing concerns of neighborhood regarding potential impacts of the illuminated building signs as well as impacts of traffic to and from the site and parking on neighborhood streets; would like to encourage Providence to consider participating in the development of the Sullivan’s Gulch Trail; would like to work on a Good Neighbor Agreement with Providence.

*Staff Response: A traffic impact study was completed for the Providence Office Building Two and adjacent parking garage as part of the Bureau of Transportation’s (PBOT) review of the traffic signal and can be requested from PBOT records. A new traffic impact study is not required as part of this design review and PBOT did not request one. Construction noise and work hours are not addressed through the design review process. These can be agreed upon in advance between the applicant and any concerned neighbors.*

*While the design review guidelines do not directly address traffic impacts, they do address maintaining and improving the pedestrian environment as well as mitigating off-site impacts of parking areas and drive aisles. The current proposal maintains existing pedestrian walkways with required street trees and landscaping along NE Halsey Street as well as the landscaped plaza at the SW corner of the entry drive, all of which is designed to enhance the area. The new parking will be enclosed within the new building which is set back far from the street so vehicles parked on-site will have no adverse off-site impacts. The illuminated parapet sign is modest in scale and will not directly affect nearby residences and will not visually dominate the skyline. Additional information on each of the approval guidelines is stated in the findings below.*

## **ZONING CODE APPROVAL CRITERIA**

### **[1] 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 Community Design Guidelines.

#### **Community Design Guidelines**

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and

conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

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

**P1. Community Plan Area Character.** Enhance the sense of place and identity of community plan areas by incorporating site and building design features that respond to the area's unique characteristics and neighborhood traditions;

**Findings:** The site is located at the southern edge of the Hollywood Plan District, within "Subdistrict A" (designated as the commercial core of Hollywood). The 3-story laboratory building with its high-quality finishes and urban form is an appropriate addition to the newly forming commercial center in the area. The MAX stop and transit center close to the site creates an expectation that future development will increase the density and the urban characteristics of this commercial core area of Hollywood. Nearby developments include the three-story office and retail complex (including the 24-Hour Fitness) with its associated five-story garage; a three-story Providence office development, a new 6-story Providence office development and parking garage, and an eight-story residential apartment building. The proposed laboratory building will help to further delineate the southern edge of Hollywood by creating a buffer along the sprawling freeway to the south. The building will therefore help to contain and define the edge of the district.

The use of brick, metal panels, curtainwall, punched window openings, and glass canopies is similar to that used on the recently completed Providence Building 2 and parking garage directly to the west and north. The laboratory building's ground floor parking area mimics the pattern of openings and railings used on the new parking structure. The building also features a three-story fully glazed entry lobby and elevator core at the NW corner of the building and a glass canopy over the main parking area entry facing the new landscaped open area along NE Halsey, all of which provide an urban feel which maintains the existing enhanced pedestrian environment. The use of refined detailing and other pedestrian amenities such as wide on-site sidewalks, street trees and landscaped planters will enhance the sense of community identity at this location.

The south-facing parapet signs' rectangular metal panel cabinet raceways will be painted to match the brick color of the building per Condition of Approval B which helps to blend this electrical necessity with the building exterior, making it less visually obtrusive. The individual plex-face lettering and logos will be internally illuminated to provide an interesting highlight on this portion of the building parapet. The parapet signs' modest size will not dominate the Portland skyline. *With Conditions of Approval B and C, these guidelines are therefore met.*

**P3. Gateways.** Develop or strengthen the transitional role of gateways identified in adopted community and neighborhood plans

**Findings:** The site is not a designated Gateway site in the Hollywood District; however, due to the location of the property it provides a first glimpse of the district for drivers exiting I-84. For this reason, the site does have Gateway-like characteristics. As vehicles exit the freeway towards NE Halsey, the new building will further enhance the urban edge created by the curved parking structure by being connected directly to it and continuing that visual line. A driver will therefore have a sense of arrival into the Hollywood District. *This guideline is therefore met.*

**E1. The Pedestrian Network.** Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.

**E2. Stopping Places.** New large-scale projects should provide comfortable places along pedestrian circulation routes where people may stop, visit, meet, and rest.

**Findings for E1 & E2:** The proposal maintains a direct pedestrian connection to NE Halsey through the open plaza and along walkways around the building to the north and along the driveway. Additional sidewalk and bikeway easements from the street over the vacated NE 44<sup>th</sup> Avenue right-of-way to the future Sullivan’s Gulch Trail are also maintained. Planters with ledges along the west façade, generous entry canopies, and wide sidewalks with trees provide comfortable and protected stopping, if adjacent property owners will also provide access. *These guidelines are therefore met.*

**E3. The Sidewalk Level of Buildings.** Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.

**E4. Corners that Build Active Intersections.** Create intersections that are active, unified, and have a clear identity through careful scaling detail and location of buildings, outdoor areas, and entrances.

**Findings for E3 & E4:** The applicant has worked to balance the need to firmly establish the visual presence and definition of the building’s primary entrances with the need to visually break and open up the long façade of the office building to the neighborhood. The resulting design recognizes the hierarchy of the north and east façades of the building as being primary since they front the public open area and the driveway, by locating main entries with glass canopies and landscape planters in both areas. The building design incorporate features that create a sense of visual interest to the pedestrian environment, such as the landscape planters along the street; the layering of various materials including brick, metal panel, and glass; and the use of canopies. The northeast corner of the building which is visible from NE Halsey, creates an active intersection by placing a three-story fully-glazed entry lobby and elevator core with double doors and glass canopy in this location which allows views into active space. *These guidelines are therefore met.*

**E5. Light, Wind, and Rain.** Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

**Findings:** Exterior building materials have been selected in part to minimize glare and reflection, while providing a layered wall design which will create shadow lines and a visual richness of depth during sunny days. The building fronts north with a short façade incorporating a brick finish and slightly inset windows and will receive almost no direct sunlight which will minimize glare. The south elevation of the office building incorporates similar design features and materials, and due to its orientation, does not face any pedestrian-oriented street, glare is even less likely to be a concern at this façade.

Landscaped planters, street trees, and growing vines are planned for the east side of the office building, creating shade along this wall for both the building and pedestrians. The building also provides rain protection in several areas. A projecting corner canopy and horizontal canopy define the NE corner pedestrian entry and the northern vehicle entries both of which extend over the adjacent sidewalks, allowing pedestrians to walk along under cover. *This guideline is therefore met.*

**D1. Outdoor Areas.** When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;

**D3. Landscape Features.** Enhance site and building design through appropriate placement, scale, and variety of landscape features.

**Findings for D1 & D3:** The proposed development of the new laboratory building retains all previously approved landscaped area, including the plaza near the driveway entry as the building is located on the previously approved as a parking lot. The proposal is connected to all the on-site outdoor areas by a fully accessible, pleasant and safe circulation system of paved walkways that run around all on-site buildings, along all driveways, through the open plaza and to NE Halsey Street. The building's location also preserves the driveway and north-south walkway as a viable connection to a future Sullivan's Gulch Trail. The eastern edge of the building and the eastern walkway will be landscaped with trees, shrubs, and grasses, which will offer a variety of textures and colors. *These guidelines are therefore met.*

**D2. Main Entrances.** Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

**Findings:** There are two main entries to the parking and laboratory uses within the building. The primary building entrance is located at the northeast corner which is the closest point to NE Halsey, the MAX light rail stop, other Providence developments to the east and north, and is directly connected to the pedestrian network. This main entrance is a three-story fully-glazed lobby with stairs and elevators that are prominently marked by a wrap-around corner canopy and clear curtainwall glazing that allows views into this vertical space. A secondary entrance is located along the eastern building wall, near the loading area. It is also marked with a glass canopy and has with direct access to the sidewalk system and the rest of the site development. *This guideline is therefore met.*

**D4. Parking Areas and Garages.** Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

**Findings:** The proposed parking count on the site does not exceed the maximum number allowed by code for the various uses. While the site's proximity to light rail, as well as other economic factors, may reduce the future demand for parking on this site, the parking that is currently proposed is well-integrated into the site by being set back from the street edge and contained in enclosed structures.

The previously approved surface parking lot will not be constructed and the new laboratory building will be located in the same spot. The new laboratory building parking area holds 45 vehicle spaces, 5 courier spaces, and a long-term bicycle parking area. The parking area exterior will match the adjacent building materials and is an integral part of the overall building design. The new building is set back far from NE Halsey and all of these new parking spaces will be screened from view as they are enclosed within the building, and will have no negative impacts on the community and its pedestrians. Additional screening is provided by landscape planters and guardrails along the east and west walls. *This guideline is therefore met.*

**D5. Crime Prevention.** Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

**Findings:** The laboratory building and parking area have openings on every side, so that people within these structures will be able to see out towards various areas of the site. The area will be well-lit, mostly by the spill of light from the interior of the building, but also from ground-level downlight fixtures incorporated into portions of the façade elements. *This guideline is therefore met.*

**D7. Blending into the Neighborhood.** Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

**D8. Interest, Quality, and Composition.** All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

**Findings for D7 & D8:** The proposed building uses high-quality materials and detailing that incorporates a brick curtainwall system, punched window openings, metal wall panels, metal railings, and glass canopies which visually tie in with the other Providence developments on the site and on other nearby Providence sites. One striking feature of this building that differentiates it from the others is the placement of three cone-shaped exhaust fans near the center of the roof. These fan elements are encased in durable metal shafts that give the building a more engineered aesthetic in keeping with its use as a laboratory. Condition of Approval D requires that these three fan shaft enclosures be painted a silver metallic finish to match the rooftop screen walls and not be reflective or cause glare.

The proposed building is attached to the west end of the recently completed parking structure. The laboratory creates an interesting composition with the parking structure by mimicking the forms and opening proportions of the parking structure on the laboratory building's east and south walls. The laboratory building's storefront design and bay rhythm strongly echo that of the development to the north, and allow for future flexibility in uses within the building. The shift in the materials at the upper level also helps to make a connection to the other retail and office structures that are adjacent to the site, since those buildings are similar in height to the height of the brick wall treatment.

The south-facing sign's location in the center of the building façade and Condition of Approval C which limits lettering size to 28" maximum allows this sign to be contained between vertical panel joint lines, integrating it into the overall design and reinforces its subordinate relationship to the building architecture. The quality, long lasting metal material and articulated lettering and logos, bring a level of detail to the signage that compliments the articulation of the building design and other buildings in the area. Condition of Approval B requires that the raceways be painted to match the adjacent building surface, allowing these elements to blend into the architecture and not be visually obtrusive. *With Conditions of Approval B, C & D, these guidelines are therefore met.*

**[2] 33.825.040 Modifications That Will Better Meet Design Review Requirements:**

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

**A. Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and

**B. Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

The following modification is requested:



- 1] 33.266.130.G.2. Parking area setbacks and perimeter landscaping, requires 5 feet of L2 perimeter landscaping for parking areas and driveways that abut a lot line. The applicants request a modification to allow zero setback or landscaping along two driveway areas that abut the southern edge of the site.

**Purpose:** *The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones. Together with the transit street building setback standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian Districts:*

- *Provide a pedestrian access that is protected from auto traffic; and*
- *Create an environment that is inviting to pedestrians and transit users.*

*The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles. The setback and landscaping standards:*

- *Improve and soften the appearance of parking areas;*
- *Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;*
- *Provide flexibility to reduce the visual impacts of small residential parking lots;*
- *Direct traffic in parking areas;*
- *Shade and cool parking areas;*
- *Reduce the amount and rate of stormwater runoff from vehicle areas;*
- *Reduce pollution and temperature of stormwater runoff from vehicle areas; and*
- *Decrease airborne and waterborne pollution.*

**Findings:**

**A. The resulting development will better meet the applicable design guidelines, and**

**B. On balance, the proposal will be consistent with the standard for which a modification is requested.**

**Finding:** *The purpose of the setback and landscaping standards for parking and loading areas, identified above in Section 33.266.130.A, promote vehicle areas which are safe and attractive for motorists and pedestrians. The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles.*

The fire access is located at the south end of the site, away from NE Halsey Street, and is located between the parking garage and laboratory building's southern exterior, and the property to the south of the site, which includes the railroad right-of-way and the I-84 Freeway. The proposal is consistent with the purpose of the setback and landscaping standards for the following reasons:

1. There is inadequate room for both the required fire access to the parking garage and rear of the laboratory building and the setback area. According to the Fire Marshall, the fire access must be a minimum of 20 feet in width.
2. The setback and landscape area along the fire access and the southern property line, are not visible as they are located completely behind buildings.
3. The area between the fire access and the southern property line will not be visible from the sidewalks along either NE Halsey Street or along the site driveway. The fire access may be visible from the I-84 Freeway and/or the off-ramp, neither of which are identified as areas that need screening. A proposed fence along the southern property line will prevent access to the railroad right-of-way.
4. The proposed fire access is not adjacent to a residential zone.
5. The landscape buffer and the setback are not needed to direct traffic in the parking area. The access will be used for emergency vehicles only, and access by pedestrians and non-emergency vehicles will be prevented through the use of barricades.

6. Neither the fire access land nor the laboratory building require the shade and cooling effects that would be provided by a landscaped setback area.
7. Although the landscaped setback is not proposed, the site still meets the requirements for stormwater management. The landscaped setback is only absent from 90 – 100 feet of the southern boundary. If landscaped, the setback area represents only 450 – 500 square feet of additional landscaped area which is minimal compared to the 203,497 square foot site area.

For these reasons, the site still meets the overall purpose of the setback and landscaping standards. *Therefore, the approval criteria are met.*

## **DEVELOPMENT STANDARDS**

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

## **CONCLUSIONS**

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Providence Office Park III laboratory building, incorporates design features to enhance the character of the area by providing: 1) parking that is fully contained within the new building and concealed from NE Halsey Street through the placement of the main building entry at the NE corner and small wall openings along the ground level that hide vehicle headlights; 2) a variety of high-quality building materials that form a comprehensive architectural design in keeping with other building on the site; 3) differentiation between the sections of the building face along all frontages through the use of punched window openings, metal panels, cornice overhangs, canopies, and a glazed corner entry; 4) maintaining the landscaped plaza, landscaped drive aisles, pedestrian connections, and the easement to the future Sullivan’s Gulch Trail all of which are consistent with the area’s desire to encourage pedestrian access and create a pleasant pedestrian realm with generous landscaping called for by the Hollywood and Sandy Plan vision. The proposal meets the applicable design guidelines and therefore warrants approval.

## **ADMINISTRATIVE DECISION**

Design Review approval of a 64,250 SF mixed-use building on the southeastern portion of Providence Office Park in the Hollywood Plan District that includes:

- A new three-story, 64,250 square foot laboratory building with space allocated for shipping, mail, and building support as well as covered ground level parking;
- The proposed laboratory building is to be constructed in place of the previously approved surface parking lot (see LU 08-113391 DZM) and will attach directly to the newly constructed parking structure to the west;
- Alterations to the previously approved (see LU 08-113391 DZM) landscape plans, stormwater facilities, and parking structure’s west end;
- One 97.5 SF internally-illuminated building-mounted sign of:
  - Aluminum channel letters mounted on a raceway is proposed for the top of the south façade which faces I-84 and will consist of;
  - The word “Providence” spelled out of 5” deep internally illuminated white acrylic letters that measure 21’-6” long x 28” tall;
  - A 5” deep internally illuminated white cross shape measuring 2’-10” wide x 3’-10” tall;
  - All mounted on a 3” deep x 17” tall metal raceway that will be painted to match the adjacent wall surface; and


- Building forms and materials will be brick, metal panel, curtainwall, aluminum windows, metal railings, and glass canopies and will match those of the newly constructed Providence Office Park Building 2 and parking structure.

Approval of Modification to 33.266.130.G.2. Parking area setbacks and perimeter landscaping, to waive the 5 foot setback of L2 perimeter landscaping for parking areas and driveways that abut the lot line at the southern edge of the site facing the railroad ROW.

Approved per the approved site plans, Exhibits C-1 through C-41 signed and dated April 19, 2010, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 10-107625 DZM." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Exposed raceways for the south-facing parapet sign on the laboratory building are painted to match the building's wall surface directly behind the raceways.
- C. The maximum height for all sign lettering for the south-facing parapet sign on the laboratory building is 28".
- D. The three Axijet rooftop exhaust fan enclosures shall be painted in a metallic silver finish to match the screen wall and shall not cause reflections or glare.

**Staff Planner: Chris Caruso**

**Decision rendered by:**  **on April 19, 2010.**

By authority of the Director of the Bureau of Development Services

**Decision mailed: April 21, 2010**

**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 January 29, 2010, and was determined to be complete on **March 1, 2010**.

*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 January 29, 2010.

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 requested that the 120-day review period be extended by 10 calendar days. Unless further extended by the applicant, **the 120 days will expire on: July 9, 2010.**

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

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has

independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

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

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

**Appealing this decision.** This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on May 5, 2010** 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. 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 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](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **May 6, 2010 – (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

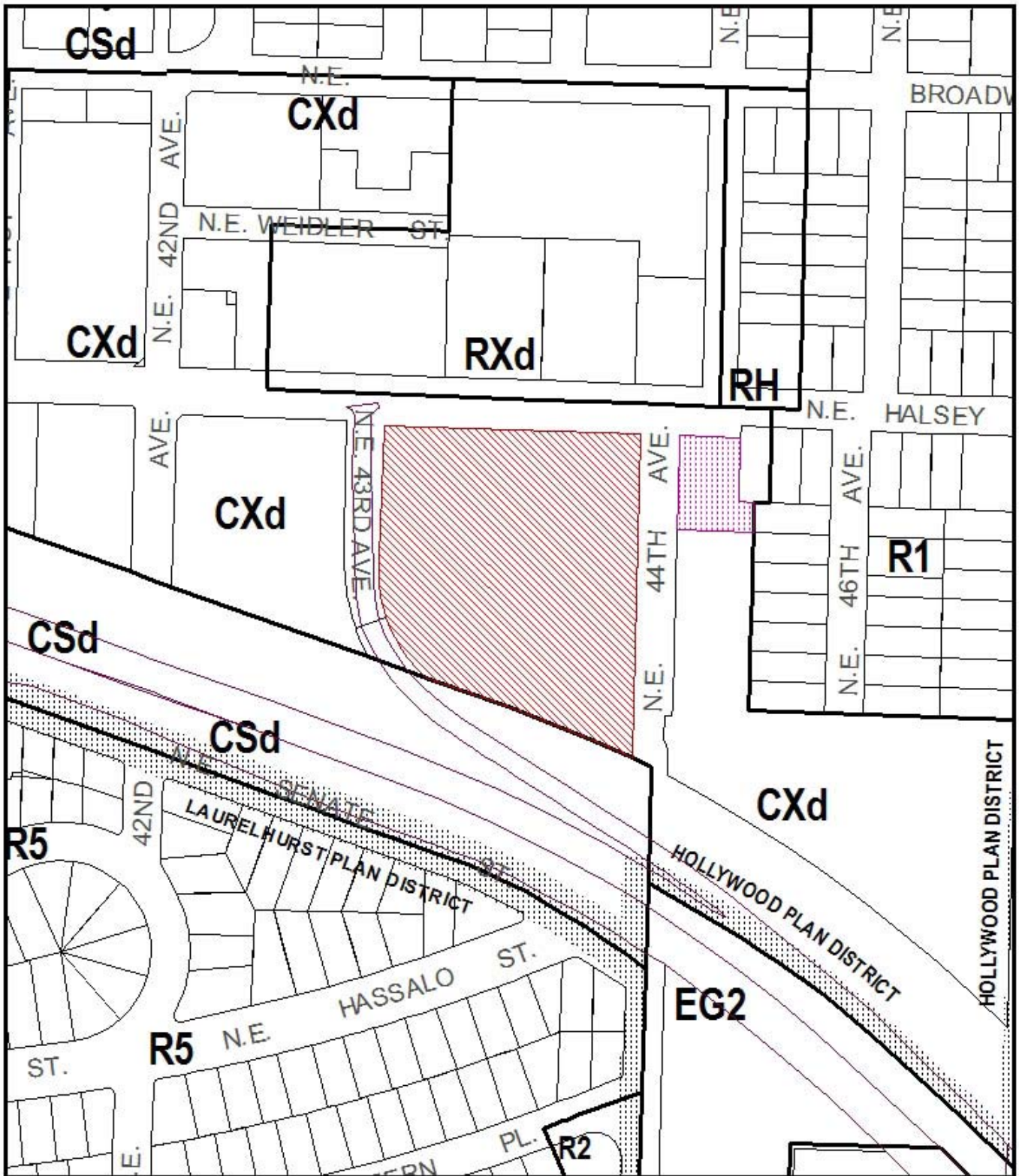
- A. Applicant's Statements
  1. Design Review Narrative
  2. Zoning Information
  3. Design Review Criteria
  4. Sustainability narrative
  5. Site Photos
  6. Past Land Use approvals
  7. March 1, 2010 transmittal
  8. March 2010 Mtg Notes with Hollywood Neighborhood Association
  9. 120-Day Extension
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Site Plan
  2. Utility Plan
  3. Circulation Plan

4. Ground Floor Plan
  5. Second Floor Plan
  6. Third Floor Plan
  7. Roof Plan
  8. Exterior Elevations (attached)
  9. Exterior Elevations (attached)
  10. Site Plan
  11. Planting Plan (attached)
  12. Enlarged Elevations
  13. Enlarged Elevations
  14. Enlarged Elevations
  15. Enlarged Elevations
  16. Enlarged Elevations
  17. Enlarged Elevations
  18. Enlarged Elevations
  19. Sections
  20. Wall Sections
  21. Wall Sections
  22. Lighting Plan
  23. Photometric Plan
  24. Bicycle Improvements Site Plan (attached)
  25. Wall Sign
  26. Renderings
  27. Renderings
  28. Renderings
  29. Renderings
  30. Nighttime rendering
  31. Storm Water Calculations
  32. Rooftop screen images
  33. Greenscreen cut-sheets and details
  34. Roof screen material cut-sheet
  35. Metal panel cut-sheet
  36. Metal panel details
  37. Metal color sample
  38. Metal color sample
  39. Metal color sample
  40. Light fixture cut-sheets
  41. Photos showing proposed materials to match Building 2
- D. Notification information:
1. Mailing list
  2. Mailed notice
- E. Agency Responses:
1. Life Safety Review Section of BDS
  2. Water Bureau
  3. Bureau of Environmental Services
- F. Correspondence:
1. Nancy Thurston, March 15, 2010, would like the project denied
  2. Howard M. Thurston, March 15, 2010, would like the project denied
  3. Karyn Hanson, March 17, 2010, asked if there is a traffic impact study
  4. Karyn Hanson, March 23, 2010, would like to see a copy of a traffic impact study
  5. Hollywood Neighborhood Association, March 25, 2010, expressing concerns of the neighborhood about parking, traffic, building lighting, construction activity, the Sullivan's Gulch Trail, and Good Neighbor Agreement
- G. Other:
1. Original LU Application
  2. Site History Research
  3. Incomplete Letter

4. Sullivan's Gulch Corridor Trail Committee letter about LU 08-183761 AD, dated March 21, 2007
5. Extra site plan copies

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





# ZONING

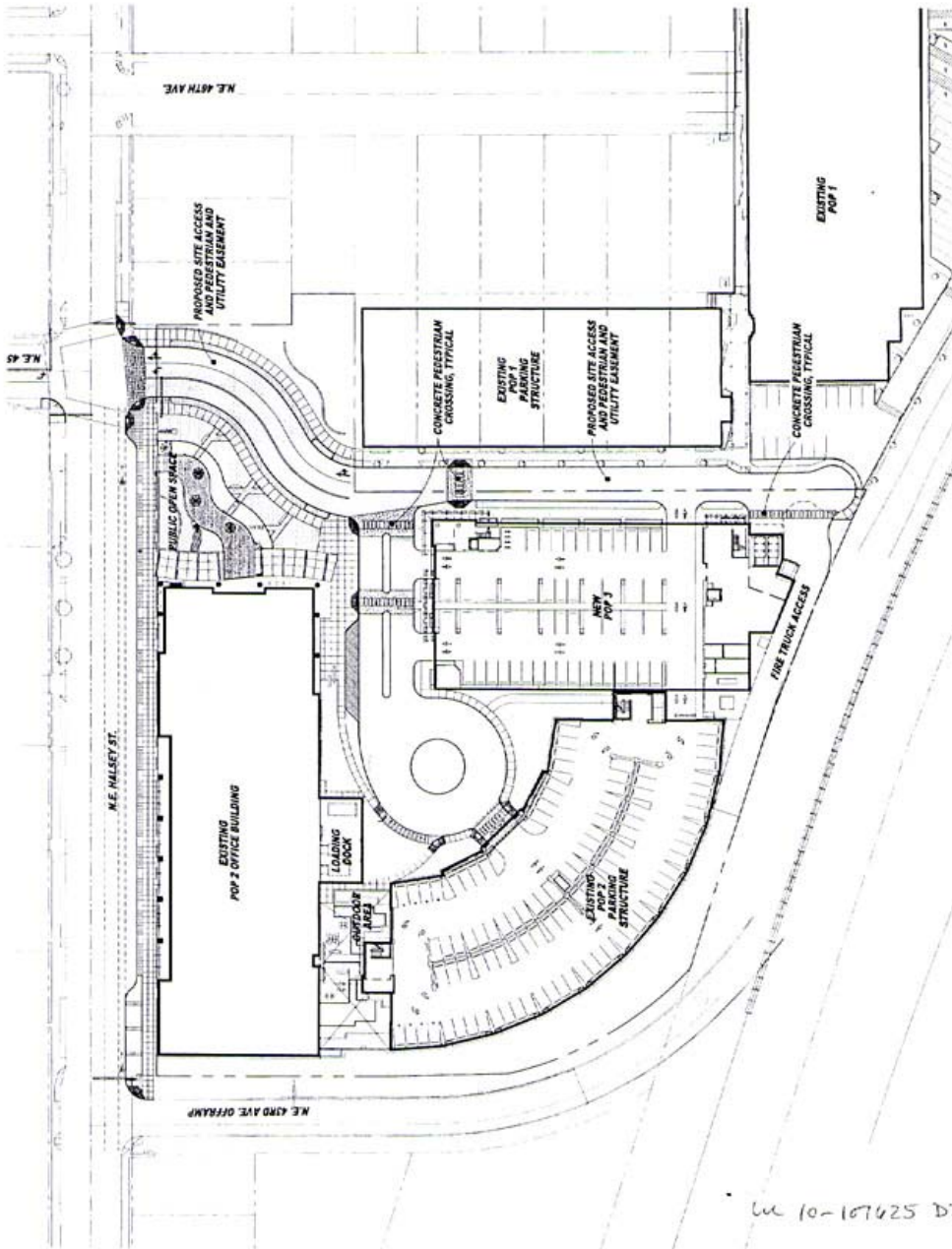
-  Site
-  Also Owned



This site lies within the:  
**HOLLYWOOD PLAN DISTRICT**

File No.	LU 10-107625 DZM
1/4 Section	2935
Scale	1 inch = 200 feet
State_Id	1N2E31BB 3401
Exhibit	B (Feb 01,2010)

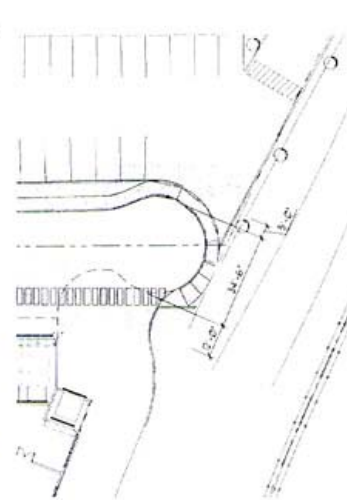
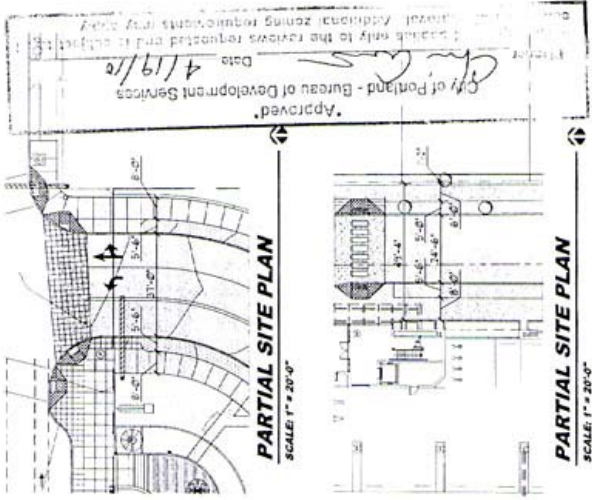




**SITE PLAN**  
 SCALE: 1" = 40'-0"

**SCHEMATIC PEDESTRIAN BICYCLE IMPROVEMENTS IN STREET AREA**

JANUARY 27, 2010



**PARTIAL SITE PLAN**  
 SCALE: 1" = 20'-0"

PROVIDENCE HEALTH & SERVICES  
**POP II**  
 PORTLAND, OREGON

*hja*  
 JOHN B. HUNTERS & ASSOCIATES, INC.  
 ARCHITECTURE/PLANNING

**EXHIBIT 4**

LU 10-107425 D2M C-24





