



- A 1,422 SF two-story addition for new offices and conference/meeting space to be located in the existing parking lot and attached to the west face of the existing rear building;
- Exterior finishes of metal panels, cement panels, and cedar siding;
- Operable aluminum windows and doors in new addition;
- New curved rainscreen system entry canopy with suspended fabric above;
- Metal awnings on east façade;
- Rooftop mechanical screen and ecoroof;
- Reconfigured parking lot to provide four spaces;
- Short-term bicycle parking racks;
- Widened pedestrian access from public sidewalk;
- A cedar siding-clad trash enclosure;
- Refurbished parking lot landscape screening;
- Two hanging 5' W x 2.5' T non-illuminated signs to replace two existing eave-mounted signs; and
- One non-illuminated 11.5 SF building sign of pin-mounted letters.

The following two Modifications are being requested:

- 1) Building Setback Landscaping (33.130-215) – to reduce the south side setback landscaping from 5 feet of L3 to zero landscaping with a solid wooden fence.
- 2) Building Setbacks (33.130.215) – to reduce the building wall setback adjacent to a residentially zoned property from 8 feet for a 16 foot tall wall, to 5 feet along the north property line and provide the equivalent of L2 screening and landscaping.

Additions and alterations to existing buildings in the Macadam Plan District with design overlays 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 criteria are:

- 33.825 Design Review
- Macadam Corridor Design Guidelines

ANALYSIS

Site and Vicinity: The site is located mid-block on SW Hood Avenue between SW Pendleton and SW Iowa Streets. The site is surrounded by a residential neighborhood on three sides that features a mix of housing types from multi-story apartment buildings and townhouses to single-family structures. This site is developed with a one-story commercial building and surface parking, housing the herbal college. The rear of the site abuts other commercial uses along SW Virginia Avenue. SW Hood is designated as a Local Service Walkway and a Local Service Bikeway in the Southwest Transportation District. Local Service Walkways are intended to serve local circulation needs for pedestrians and provide safe and convenient access to local destinations, including safe routes to schools. Local Service Bikeways are intended to serve local circulation needs for bicyclists and provide access to adjacent properties.

Zoning: The Storefront Commercial (CS) zone is intended to preserve and enhance older commercial areas that have a storefront character. The zone intends that new development in these areas will be compatible with this desired character. The zone allows a full range of retail, service and business uses with a local and regional market area. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. The desired character includes areas which are predominantly built-up, with buildings close to and oriented towards the sidewalk especially at corners. Development is intended to be pedestrian-oriented and buildings with a storefront character are encouraged. The proposed development of office space is allowed by right in this zone.

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

- LU 04-020158 DZ – approval of new entry canopy and trellis.
- LU 90-022326 (90-022326 PC; PC 4105) – approval of new construction.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed November 12, 2010 .

The following Bureaus have responded with no issues or concerns:

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

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on November 12, 2010. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

[1] DESIGN REVIEW (33.825)

33.825.010 Purpose

Design Review ensures:

- That development conserves and enhances the recognized special design values of a site or area;
- The conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district;
- That certain types of infill development will be compatible with the neighborhood and enhance the area; and
- High design quality of public and private projects.

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.

It is important to emphasize that design review goes beyond minimal design standards and is viewed as an opportunity for applicants to propose new and innovative designs. The design guidelines are not intended to be inflexible requirements. Their mission is to aid project designers in understanding the principal expectations of the city concerning urban design.

The review body conducting design review may waive individual guidelines for specific projects should they find that one or more fundamental design guidelines is not applicable to the circumstances of the particular project being reviewed.

Macadam Corridor Design Goals and Guidelines

The following goals are specific to the Macadam Corridor Design Zone.

- Create and improve connections, both physical and visual, between the river, Greenway Trail, Willamette Park and the residential community west of Macadam.
- Encourage opportunities for public use and enjoyment of the waterfront.
- Promote a quality of development in this scenic entry corridor to the Downtown that complements Macadam’s landscape treatment.
- Require excellence in design for projects within the Corridor, particularly by assuring that new development contributes to the formation of a rich and diverse mixture of uses and styles in scale with each other.
- Add to the scenic qualities of the river and the Greenway Trail.
- Promote compatibility of new development with the river, surrounding uses, and the neighborhood.

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

Macadam Corridor Design Guidelines

1. Visual Connections. Create public views to the river, Greenway Trail and Willamette Park from Macadam Avenue and other public parks and rights-of-way west of Macadam as well as views from the river and the Greenway to the west.

- Promote physical and visual contact between the river and the area west of Macadam Avenue.
- Orient buildings, which front Macadam Avenue to preserve views of the river, Willamette Park and the Greenway.
- Integrate the east and west sides of Macadam Avenue by creating views of the river which align with streets on the east side of Macadam.
- Take particular advantage of opportunities to create and protect views, which align with Southwest Texas, Florida, Pendleton, Idaho, Nebraska, Dakota and Hamilton Streets.
- Rooftops of buildings should be carefully designed to enhance views.
- Plant on-site trees, which will grow to a sufficient height to soften new development and screen parking areas while selecting species and planting locations, which enhance view corridors to the river.

Findings: The proposed second story addition is low in scale with a flat roof, allowing for continued views to the river from adjacent properties. Additional views of the river are created for the building occupants through the installation of new windows and doors on the rear of the proposed addition which faces east toward SW Macadam. Views of the river from SW Macadam itself are not affected by this proposal. The renovated parking will be screened from the street by established and new deciduous trees located between the parking lot and the sidewalk as well as a densely planted garden between the building and the sidewalk. *This guideline is therefore met.*

5. Sub-Area Context. Enhance a site's character through designs that are compatible with features of their surroundings and contribute to the development of an attractive character in the vicinity of the project site. Pay particular attention to cases where the adjacent use is different from that which a project will house.

- Locate buildings to avoid excessive shadow on public open spaces, especially Willamette Park and the Greenway Trail.
- Isolated or independent buildings and open spaces should provide design solutions of merit, which consciously set a precedent for neighboring future developments.
- Buildings and open spaces should establish complementary relationships in terms of color, texture, scale of architectural elements, and proportions with neighboring developments.
- Provide sensitive transitions between new development and adjacent residential areas.

Findings: The proposed addition, signs, and parking lot upgrades use materials seen on existing development in the area. This includes aluminum trim, storefront windows, cedar siding, non-illuminated signage, and metal canopies. These materials are arranged to compliment the existing building by using similar vertical siding alignment, small unobtrusive signage, matching existing window heights and shapes, and retaining the lush front and side yard plantings. The careful placement of windows, canopies, and the siding orientation create a cohesive composition that knits the existing and new portions of the building together in a complementary way. The proposed second story is low in scale, in proportion to neighboring development. The existing cedar trellis along the north property line and the existing wooden fence along the south property line will remain in place, unaffected by the proposed addition and parking lot upgrades. These are traditional residential garden elements that provide a sensitive transition between the new development and adjacent residential areas. *This guideline is therefore met.*

6. Signs. Keep signage consistent with and supportive of Macadam Avenue's role as a scenic boulevard while using signs to connect the activities housed by a project to the boulevard.
- The cumulative effect of signage should not create confusion for the motorist, visual clutter, or adverse visual impacts on the neighborhood.
 - Signs along Macadam should not be directed to motorists on Interstate 5.
 - The design scale, color and illumination of signs should be consistent with the features of adjacent buildings and activities.

Findings: The three new signs will be small in scale, set back from the street edge and will be non-illuminated, allowing them to not adversely impact the neighborhood. Their small size and lack of illumination will not create confusion for motorists as they will not create visual clutter along the street edge. The signs are consistent with the features of adjacent buildings which include multi-family apartment structures that also have building-mounted signage. *This guideline is 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:

- Better meets design guidelines. The resulting development will better meet the applicable design guidelines; and
- Purpose of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

Modification #1: Building Setback Landscaping (PZC 33.130.215) – to reduce the south side setback landscaping from 5 feet of L3 to 5 feet of non-standard landscaping plus a 5 foot wide section of deck behind an existing solid wood fence.

Purpose Statement: The required building setbacks promote streetscapes that are consistent with the desired character of the different commercial zones. The CN1, CM, CS, and CX setbacks promote buildings close to the sidewalks to reinforce a pedestrian orientation and built-up streetscape. The setback requirements for areas that abut residential zones promote commercial development that will maintain light, air, and the potential for privacy for adjacent residential zones. The setback requirements along transit streets and in Pedestrian Districts create an environment that is inviting to pedestrians and transit users.

L3, High Screen. Intent: The L3 standard is a landscape treatment which uses screening to provide the physical and visual separation between uses or development. It is used in those instances when visual separation is required.

Standard: 33.130.215.B.2a & Table 130-4, Minimum Building Setbacks From Residential Zone Lot Lines. Building walls that are 15 feet tall or less and that abut a side lot line of an R zone lot require 5 feet of L3 landscaping in the side setback.

A. Better meets design guidelines. *The resulting development will better meet the applicable design guideline 5. Sub-Area Context; and*

Findings: The modification to change the type of screening in the southern side setback from 5 feet of L3 plantings to 5 feet of non-standard plantings and a section of deck behind an existing solid wood fence enhance the site's character through the use of traditional residential fencing between the existing college and residences to the south.

The existing shade garden, deck and fence already on the college site will remain in place, providing a carefully composed and visually pleasing design of greenery that can be only partially seen from the street and from the upper floors of the nearby residences. These are traditional garden elements that provide a sensitive transition between the new development and adjacent residential areas.

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

Findings: Landscaped setbacks are created to enhance the overall appearance of developments in and near residential areas. The existing screening meets the intent of the L3 standard by maintaining a solid visual and physical barrier in the form of the existing wood fence. The existing fence also provides privacy between the uses.

Modification #2: Building Setbacks (PZC 33.130.215) – to reduce the building wall setback adjacent to a residentially zoned property from 8 feet of L3 landscaping for a 16 foot tall wall, to 5 feet wide and provide landscaping and screening equivalent to L2 standards.

Purpose Statement: The required building setbacks promote streetscapes that are consistent with the desired character of the different commercial zones. The CN1, CM, CS, and CX setbacks promote buildings close to the sidewalks to reinforce a pedestrian orientation and built-up streetscape. The setback requirements for areas that abut residential zones promote commercial development that will maintain light, air, and the potential for privacy for adjacent residential zones. The setback requirements along transit streets and in Pedestrian Districts create an environment that is inviting to pedestrians and transit users.

L3, High Screen. Intent: The L3 standard is a landscape treatment which uses screening to provide the physical and visual separation between uses or development. It is used in those instances when visual separation is required.

Standard: 33.130.215 & Table 130-4, Minimum Building Setbacks From Residential Zone Lot Lines. Building walls that are 16 to 30 feet tall and that abut a side lot line of an R zone lot require 8 feet of L3 landscaping in the side setback.

A. Better meets design guidelines. *The resulting development will better meet the applicable design guidelines 1. Visual Connections and 5. Sub-Area Context; and*

Findings: The modification request to the width and type of screening in the northern side setback maintains an existing teaching garden that features a variety of trees and shrubs that is edged with an existing cedar trellis running the length of the side property line. The cedar trellis was previously approved through design review case LU 04-020158 DZ. The existing plantings in the northern side setback from 8 feet of L3 plantings to 5 feet of non-standard plantings with a cedar trellis system enhance the site's character through the use of traditional residential trellising and a diverse number of trees and shrubs between the new addition and existing college parking lot and several multi-family apartment buildings to the north. The trellis and plantings provide a carefully composed and visually pleasing design of greenery that can be viewed from the street, from adjacent properties. These traditional garden elements also provide a sensitive transition between the new development and adjacent apartment buildings while also providing a visual buffer of the parking area and drive aisle.

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

Findings: Landscaped setbacks are created to enhance the overall appearance of developments in and near residential areas. The existing trees, shrubs, and cedar trellising meets the intent of the L3 standard by maintaining a visual and physical barrier between the uses that maintains privacy and screens views of the parking area.

The Modifications meet the applicable design guidelines and intent of the code standards and therefore merit approval.

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 addition, entry canopy, parking lot and landscaping upgrades are compatible with the mix of uses and materials in the area, will enhance the site character, and will contribute to an attractive pedestrian environment in this residential neighborhood. The proposal meets the applicable design guidelines and modification criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Design Review approval for alterations to the existing American College of Healthcare Sciences facility located in the Madacam Plan District that include the following:

- A 1,422 SF two-story addition attached to the west face of the existing rear building;
- Finished in metal panels, cement panels, and cedar siding;
- New operable aluminum windows and doors;
- Curved rainscreen system entry canopy and fabric above;
- Metal awnings on east façade;
- Rooftop mechanical screen and ecoroof;
- Reconfigured parking lot for four spaces;
- Short-term bicycle parking racks;
- Widened pedestrian access from public sidewalk;
- A cedar siding-clad trash enclosure;
- Refurbished parking lot landscape screening;
- Two hanging 5' W x 2.5' T non-illuminated signs to replace two existing eave-mounted signs; and
- One non-illuminated 11.5 SF building sign of pin-mounted letters.

Approval of the following two Modifications:

- 1) Building Setback Landscaping (33.130-215) – to reduce the south side setback landscaping from 5 feet of L3 to zero landscaping with a solid wooden fence.
- 2) Building Setbacks (33.130.215) – to reduce the building wall setback adjacent to a residentially zoned property from 8 feet for a 16 foot tall wall, to 5 feet wide along the north property line and provide landscaping and screening equivalent to L2 standards.

Approved per the approved site plans, Exhibits C-1 through C-22 signed and dated April 29, 2011, 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.22. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 10-176941 DZM. No field changes allowed."

Staff Planner: Chris Caruso

Decision rendered by:  on April 29, 2011.
By authority of the Director of the Bureau of Development Services

Decision mailed: May 2, 2011

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 September 17, 2010, and was determined to be complete on April 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 September 17, 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 through July 1, 2011, as stated with Exhibit A-5. Unless further extended by the applicant, the 120 days will expire on: July 1, 2011.

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 16, 2011 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.

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. A

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 17, 2011 – (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. ent

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. Narrative
 - 2. Non-Conforming Development Checksheet
 - 3. Stormwater Calculations
 - 4. Incomplete Letter response
 - 5. 120-Day Waiver
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Proposed 1st Floor Plan (attached)
 - 2. Photos
 - 3. Site Plan
 - 4. 3-d Renderings
 - 5. 3-d Renderings
 - 6. 3-d Renderings
 - 7. 3-d Renderings
 - 8. Window Details
 - 9. Exterior Finishes
 - 10. Planting Plan and Exterior Lighting
 - 11. Cover Sheet
 - 12. Existing Plan
 - 13. 2nd Floor Plan
 - 14. Roof Plan
 - 15. Reflected Ceiling Plans
 - 16. Existing Elevations
 - 17. Elevations (attached)
 - 18. Sections
 - 19. Sections
 - 20. Details
 - 21. Details
 - 22. Details
- 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 Transportation Engineering and Development Review
- F. Correspondence: none received
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. Incomplete Letter
 - 4. 90-022326 PC decision
 - 5. LU 04-020158 DZ decision

