



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

Chloe Eudaly, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: March 30, 2018
To: Interested Person
From: Hannah Bryant, Land Use Services
503-823-5353 / Hannah.Bryant@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 17-203778 DZM GW AD – NEW ADA RAMP, LANDSCAPING AND ENTRY

GENERAL INFORMATION

Applicant: Michelle Startt | LRS Architects
720 NW Davis Street, Suite 300
Portland, OR 97209
503-221-1121 | Mstartt@Lrsarchitects.Com

Owner: Debbie Rotich | Oregon Public Broadcasting
7140 SW Macadam Avenue
Portland, OR 97219
503-244-9900 | Drotich@Opb.Org

Site Address: **7140 SW MACADAM AVE**

Legal Description: BLOCK 4 LOT 2&4, SOUTHERN PORTLAND; TL 200 1.24 ACRES, SECTION 22 1S 1E

Tax Account No.: R780200010, R991220380

State ID No.: 1S1E22A 00800, 1S1E22AC 00200

Quarter Section: 3730

Neighborhood: South Portland NA., contact Jim Gardner at 503-227-2096.

Business District: South Portland Business Association, contact info@southportlanddba.com.

District Coalition: Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592.

Plan District: Macadam

Zoning: CSd,g – Storefront Commercial with design and greenway overlays

Case Type: DZM GW AD – Design Review w/ Modifications and concurrent Greenway Review, and an Adjustment Review

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

Proposal:

The applicant seeks Design Review and Greenway Review for new canopies over the existing primary, north-facing entrance; a new ADA ramp connecting the raised parking area adjacent to the primary entrance with the sidewalk along SW Macadam Avenue; reconfiguration of existing stairs between the raised parking area and SW Macadam Avenue sidewalk; the addition of three new windows at the south side of the west wall, fronting SW Macadam Avenue; five new rooftop mechanical units.

The following Modifications are requested:

1. Pedestrian Standards (33.130.240) to allow for the Macadam Boulevard sidewalk to provide the required pedestrian connection from the primary entrance to SW Nevada street.
2. Development Standards for All Other Development (33.266.130) to allow for the ADA ramp to encroach into the required landscape buffer around the structured parking area.

The proposed Modifications will allow the continuation, or improvement of current, existing conditions that would otherwise not be allowed due to non-conforming development upgrade requirements.

The following Adjustment is requested: A reduction of the Macadam Boulevard five-foot special setback (per Ordinance 148846), from five feet to zero feet for the length of the proposed ADA ramp and new pedestrian access stair.

Because the proposal is for non-exempt alterations in a ‘d’ overlay, it requires Design Review. Because the proposal includes non-exempt alterations in a ‘g’ overlay, it also requires Greenway Review.

RELEVANT APPROVAL CRITERIA:

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

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| ■ <i>Macadam Corridor Design Guidelines</i> | ■ <i>33.805.040 - Adjustment</i> |
| ■ <i>33.825.040 – Modification Approval Criteria</i> | ■ <i>Approval Criteria</i> |
| ■ <i>Willamette Greenway Design Guidelines</i> | ■ <i>33.440.350 – Greenway Review</i> |
| | ■ <i>Approval Criteria</i> |

ANALYSIS

Site and Vicinity: The site is located in the Macadam Plan District. This is a well-established area which includes the John’s Landing Master Plan area, extending from the south waterfront to the Sellwood Bridge. The District is comprised of areas to the east and west of SW Macadam Avenue.

The site extends 470 feet south of SW Nevada Avenue. The site is long and narrow with a minimum width of approximately 90 feet at the north property line and 150 feet along the south property line. The frontage curves as it follows SW Macadam. Development is divided roughly in half between the headquarters building to the south and a parking structure to the north. The building takes advantage of this curve and varies in width from about 115 feet at the south building façade to about 83 feet at the north building façade. The building is set behind a narrow lawn that ranges in depth between 25-ft. and 7-ft. due to the stair step geometry of the building and the curve of SW Macadam Avenue. Its east property line borders the Shoreline rail line. SW Macadam Street is a Major Transit Priority Street, a Major City Traffic Street, a City Walkway, a Main Truck Street, a Major Emergency Response Street and a Local Service Bikeway.

Surrounding the site is a combination of auto-oriented, one- and two-story commercial buildings, and a surface parking lot to the north. Willamette Park is to the east; the Willamette River is approximately 525 feet to the east.

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 predominately 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 “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Greenway Overlay Zones, designated as “g”, “i”, “n”, “q” or “r” are intended to protect, conserve, enhance, and maintain the natural, scenic, historical, economic, and recreational qualities of lands along Portland's rivers; establish criteria, standards, and procedures for the development of land, change of uses, and the intensification of uses within the greenway; increase public access to and along the Willamette River for the purpose of increasing recreational opportunities, providing emergency vehicle access, assisting in flood protection and control, providing connections to other transportation systems, and helping to create a pleasant, aesthetically pleasing urban environment; implement the City's Willamette Greenway responsibilities as required by ORS 390.310 to 390.368; and implement the water quality performance standards of Metro's Title 3.

- The River General “g” allows for uses and development which are consistent with the base zoning, which allow for public use and enjoyment of the waterfront, and which enhance the river's natural and scenic qualities.

The Macadam Plan District implements the Macadam Corridor Study. The plan district contains a set of regulations designed to preserve and promote the unique character of the Macadam area. In addition to special development standards for the district, the regulations restrict auto-oriented uses and development, limit signs, allow for future light rail, and provide view corridors to the Willamette River.

Land Use History:

- DZ 15-87 – Design Review approval of a new three-story building with conditions that:
 1. There be no encroachment into the railroad right-of-way;
 2. Northernmost parking spaces south of SW Nevada are set back 15' from the right-of-way;
 3. A landscaped strip approximately 3' wide is installed along the eastern edge of the site, except where loading accommodations require paving to the property line;
 4. The view corridor between the building and parking structure shall be enhanced by widening the steps and minimizing the retaining walls.
- GP 022-88 – Greenway Review approval of renovation of an existing building and three-story addition.
- LU 10-126156 – Design Review approval of an 81-square foot addition to accommodate a new internal stairway.
- LU 13-189448 – Design Review approval of a new generator on a concrete pad, surrounded by a stained wood screen on the north parking lot.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **September 1, 2017**. A revised “Notice of Proposal” was mailed on January 30, 2018. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services (BES) – (Exhibit E.1)
- Life Safety – (Exhibit E.2)
- Fire Bureau – (Exhibit E.3)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on September 1, 2017. Due to additional Modifications and an Adjustment, a second Notice was mailed on January 30, 2018. No responses were received from nearby property owners or the Neighborhood Association.

ZONING CODE APPROVAL CRITERIA

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 five new rooftop units will replace one large existing rooftop unit. The new units are much smaller, and completely screened by an existing mechanical screen. With the five new RTUs, there will be a total of ten RTUs within the mechanical screen. To further reduce visibility from the public right-of-way, the mechanical screen is set back 36 feet from the street facing roof edge and a minimum of 33 feet from the side roof edges, where the screen may be viewed from a distant right-of-way. The four sided screen also shields views from Willamette Park, to the east. The proposal will enhance the views toward the river from the west side of Macadam Avenue and will promote east-west physical and visual contact.

Further, replacing the existing concrete wall with open cable railings will increase visibility from SW Macadam Avenue toward the river and will help to promote visual contact between the river and the area west of Macadam. *Therefore, this guideline is met.*

2. Physical Connections. Create a common sense of unity that ties both sides of Macadam together with each other, the river to the east and the residential area to the west. Create public walkways that physically connect the Macadam Avenue right-of-way with Willamette Park, the Greenway Trail and the Willamette River.

- Orient structures and parking areas to facilitate access for pedestrians between adjacent uses.
- Extend street tree planting west of Macadam.
- Reinforce connections for pedestrians between the Willamette River Greenway and Macadam Avenue.
- Provide safe, comfortable places where people can slow, sit and relax. Locate these places adjacent to sidewalks, walkways and the Greenway Trail.
- Provide sidewalks and pathways, through larger developments with landscaping which screens or separates these from parking and motor vehicle maneuvering areas.
- Provide walkways, which link parking areas to district-wide access systems for pedestrians.

Findings: The proposal includes new stepped entry canopies around the primary entrance; three new windows in the west wall; the addition of a new ADA ramp connecting the SW Macadam sidewalk with the primary entrance of the existing building, and additional landscaping between the SW Macadam sidewalk and the raised parking structure. All elements of the proposal serve to enhance the physical and visual connections between the surrounding community and the occupants, users and visitors of the primary building on this site, and around this building, to enhance connections from the neighborhood to the adjacent riverfront park.

The new entry canopies are wide and gracious. At over 77' wide, and 12' deep, the rectilinear, tiered canopies frame the primary entrance and enhance its visibility from the public right-of-way. The canopies cover the upper section of the ADA ramp and the stairs, providing weather protection for pedestrians of all abilities. Composed of steel framing and pre-finished metal fascia, the soffit material on the underside will be tongue-and-groove fir, to create a warm and welcoming pedestrian environment.

The three new windows at the south end of the west wall will be inserted within an existing concrete wall, to match existing adjacent windows. At 15' wide, and 6.5 feet high, they will be the same size as existing windows, and will be mounted at the same height. Adding large new windows into the current expanse of concrete wall enhances the pedestrian realm, providing views into active space and strengthening connections between the building's users and the surrounding neighborhood.

The existing pedestrian condition is a long concrete wall along the SW Macadam frontage, separated from the sidewalk by a narrow strip of grass. There is not currently a landscape buffer to soften or screen the appearance of the exposed parking structure wall. The proposal will reduce the expanse of existing wall between SW Macadam and the raised, structured parking and screen the remaining length of wall. Construction of the new ADA ramp will entail removing approximately 56 feet of the existing concrete wall and staircase, to replace it with a long ramp, new pedestrian stairs, and new open horizontal cable railings. *Therefore, this guideline is met.*

4. The Boulevard. Coordinate with and enhance Macadam's boulevard treatment and contribute to the attractiveness of this entrance to the city.

- Consider using awnings or other weather protection, street furniture, plazas, sculpture courts or other amenities for pedestrians to reinforce the boulevard design of Macadam.
- Abut pedestrian pathways with buildings or landscaping. Buffer with landscape screens, parking lots and structures, which are not oriented to pedestrians.
- Use landscaping to reinforce the boulevard character of Macadam and to provide visual connections with private property adjacent to Macadam.
- Trees interspersed with low-growing vegetation or grass should visually predominate over impervious surfaces.
- Provide frequent views from Macadam into interior ground level spaces of projects located along the Avenue.

Findings: The existing condition along SW Macadam is an exposed concrete wall, screening an elevated parking structure. The existing grassy area between the sidewalk and the parking structure does not mitigate the visual impacts of the parking. The proposal will include new L2 landscaping, including 3' high shrubs and 1 large tree per 30 feet, located between the sidewalk and the structured parking. This additional landscaping will fulfill the code requirement for perimeter parking lot landscaping and better meet the guidelines by enhancing the boulevard character of Macadam with landscape buffers. *Therefore, this guideline is 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 new ADA ramp and adjacent pedestrian stairs will result in the removal of a section of structured parking wall where the current sign is mounted. The same sign will be relocated a few feet north of the new pedestrian stair, and mounted in the identical fashion. No new signs are proposed. *Therefore, this guideline is met.*

(1) GREENWAY REVIEW (33.440.350)**33.440.350 Greenway Review Approval Criteria**

The approval criteria for a Greenway review have been divided by location or situation. The divisions are not exclusive; a proposal must comply with **all** of the approval criteria that apply to the site. A Greenway review application will be approved if the review body finds that the applicant has shown that all of the approval criteria are met.

A. For all Greenway reviews. The Willamette Greenway design guidelines must be met for all Greenway reviews.

Findings: The purpose of the Willamette Greenway design guidelines is to help attain the goal and objectives of the Willamette Greenway Plan, particularly objectives 2, 3, and 4. The design guidelines address the quality of the environment along the river, and require public and private developments to complement and enhance the riverbank area, particularly with regard to riverbank treatment, landscape enhancement, public access, and the relationship of structures to the Greenway Trail, the siting and design of viewpoints, and the design of view corridors.

The Willamette Greenway Design Guidelines address the quality of the environment along the river and require public and private developments to complement and enhance the riverbank area. The Design Guidelines are grouped in a series of eight Issues:

Issue A. Relationship of Structures to the Greenway Setback Area: This issue “applies to all but river-dependent and river-related industrial use applications for Greenway Approval, when the Greenway trail is shown on the property in the *Willamette Greenway Plan*.” These guidelines call for complementary design and orientation of structures so that the Greenway setback area is enhanced;

Guidelines:

1. Structure Design. The Greenway Setback area should be complemented and enhanced by designing, detailing, coloring, and siting structures and their entrances to support the pedestrian circulation system, including both the Greenway trail and access connections.

2. Structure Alignment. Where surrounding development follows an established block pattern, alignment with the block pattern should be considered in structure placement. Structure alignment should also take into account potential view corridors from existing public rights-of-way or acknowledged viewpoints. The pedestrian access system should be designed to take advantage of these alignments.

Findings: The proposal does not increase the quantity or size of structures in the Greenway Setback area. The only additional structures are five new 5.5’ tall rooftop units, intended to replace one large RTU, within the existing 6’ tall mechanical screen. The proposal will enhance the Greenway setback by replacing a large and visible RTU with smaller, concealed RTUs. Further, the new ADA ramp and pedestrian stair will complement and enhance the Greenway setback by enhancing the pedestrian circulation system. *Therefore, these guidelines are met.*

Issue B. Public Access: This issue “applies to all but river-dependent and river-related industrial use applications for Greenway Approval, when the Greenway trail is shown on the property in the *Willamette Greenway Plan*.” These guidelines call for integration of the Greenway trail into new development, as well as the provision of features such as view points, plazas, or view corridors;

Guidelines:

1. Public Access. New developments should integrate public access opportunities to and along the river into the design of the Project. This includes the Greenway trail, formal viewpoints, access connections to the Greenway trail, and internal site pedestrian circulation.

Findings: The proposal does not include site related to public access to the river, viewpoints or access connections to the Greenway trail. *Therefore, this guideline does not apply.*

2. Separation and Screening. The pedestrian circulation system, including Greenway trail, viewpoints, and trail access connections, should be designed to ensure adequate separation and screening from parking, loading, circulation routes, external storage areas, trash dumpsters, exterior vents, mechanical devices, and other similar equipment.

Findings: The pedestrian circulation system utilizes the proposed ADA ramp and pedestrian stairs to access the SW Macadam sidewalk, in order to ensure that pedestrians accessing transit, or the residential neighborhoods to the west have sufficient separation and screening from the raised parking structure. The proposal includes a deep perimeter landscape buffer between the sidewalk and the parking structure, which is required in order to provide the requisite screening.

The proposal also includes a new single garage door on the east façade, facing the train tracks. This garage door will replace an existing double garage door with a single garage door and an infill panel with a pedestrian door. The product material, design and installation will match the existing loading doors, which serve to screen service and loading areas from the rail line and the public park on the east side of the rail line. *Therefore, this guideline is met.*

3. Signage. Access connections should be clearly marked.

Findings: No new signs are proposed. *Therefore, this guideline does not apply.*

4. Access to Water's Edge. Where site topography and conservation and enhancement of natural riverbank and riparian habitat allow, safe pedestrian access to the water's edge is encouraged as part of the Project.

Findings: This proposal will not impact pedestrian access to the water's edge. *Therefore, this guideline does not apply.*

Issue C. Natural Riverbank and Riparian Habitat: This issue “applies to situations where the river bank is in a natural state, or has significant wildlife habitat, as determined by the wildlife habitat inventory.” These guidelines call for the preservation and enhancement of natural banks and areas with riparian habitat;

Guidelines:

1. Natural Riverbanks. The natural riverbank along the Willamette River should be conserved and enhanced to the maximum extent practicable. Modification of the riverbank should only be considered when necessary to prevent significant bank erosion and the loss of private property, or when necessary for the functioning of a river-dependent or river-related use.

2. Riparian Habitat. Rank I riparian habitat areas, as identified in the wildlife habitat inventory, should be conserved and enhanced with a riparian landscape treatment. Other riparian habitat should be conserved and enhanced through riparian landscape treatments to the maximum extent practical. Conservation however does not mean absolute preservation. Some discretion as to what vegetation should remain and what can be removed and replaced should be permitted. Riparian habitat treatments should include a variety of species of plants of varying heights that provide different food and shelter opportunities throughout the year.

Findings: No riverbank exists along the subject site. *Therefore, these guidelines do not apply.*

Issue D. Riverbank Stabilization Treatments: This Issue “applies to all applications for Greenway Approval.” This guideline promotes bank treatments for upland developments that enhance the appearance of the riverbank, promote public access to the river, and incorporate the use of vegetation where possible;

Guidelines:

1. Riverbank Enhancement. Riverbank stabilization treatments should enhance the appearance of the riverbank, promote public access to the river, and incorporate the use of vegetation where practical. Areas used for river-dependent and river-related industrial uses are exempted from providing public access.

Findings: No riverbank exists along the subject site. *Therefore, this guideline does not apply*

Issue E. Landscape Treatments: This Issue “applies to all applications for Greenway Approval which are subject to the landscape requirements of the Greenway chapter of Title 33 Planning and Zoning of the Portland Municipal Code.” This Issue calls for landscaping treatments that create a balance between the needs of both human and wildlife populations in the Greenway Setback area or riverward of the Greenway Setback.

Guidelines:

1. Landscape Treatments. The landscape treatment should create an environment which recognizes both human and wildlife use. Areas where limited human activity is expected should consider more informal riparian treatments. Areas of intense human use could consider a more formal landscape treatment. The top of bank may be considered a transition area between a riparian treatment on the riverbank and a more formal treatment of the upland.

2. Grouping of Trees and Shrubs. In areas of more intense human use, trees and shrubs can be grouped. The grouping of trees and shrubs allows for open areas for human use, and has the secondary value of increasing the value of the vegetation for wildlife.

3. Transition. The landscape treatment should provide an adequate transition between upland and riparian areas and with the landscape treatments of adjacent properties.

Findings: The landscape treatments will increase the number of trees, shrubs and groundcover to achieve code standards, utilizing plants approved for use in a Greenway. Trees and shrubs may be grouped to foster an attractive environment for humans utilizing the SW Macadam sidewalk. The proposed plants will not include any that may negatively impact the adjacent Willamette Park or nearby Willamette River. *Therefore, these guidelines are met.*

Issue G. Viewpoints: This issue “applies to all applications for Greenway Approval with a public viewpoint shown on the property in the *Willamette Greenway Plan* and for all applications proposing to locate a viewpoint on the property”. These guidelines provide direction about the features and design of viewpoints, as required at specific locations.

Issue H. View Corridors: This issue “applies to all applications for Greenway Approval with a view corridor shown on the property in the *Willamette Greenway Plan*.”

Findings: No viewpoints are identified on the subject site in the Willamette Greenway Public Access Map of the *Willamette Greenway Plan*. *Therefore, these guidelines do not apply.*

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.

Modification #1: Pedestrian Standards (33.130.240) to allow for the new pedestrian stair to serve as the pedestrian connection to Macadam Boulevard, and to allow the

Macadam Boulevard sidewalk to provide the required pedestrian connection from the primary entrance to SW Nevada street.

Purpose of Standard 33.130.100 – Pedestrian Standards

The pedestrian standards encourage a safe, attractive, and usable pedestrian circulation system in all developments. They ensure a direct pedestrian connection between abutting streets and buildings on the site, and between buildings and other activities within the site. In addition, they provide for connections between adjacent sites, where feasible.

Standard 33.130.240.B.1.a.(2) – Sites with more than one street frontage. Where the site has more than one street frontage, the following must be met:

- There must be a connection between one main entrance of each building on the site and the adjacent street. The connection may not be more than 20 feet longer or 120 percent of the straight line distance, whichever is less.
- An additional connection, which does not have to be a straight line connection, is required between each of the other streets and a pedestrian entrance. However, if at least 50 percent of a street facing facade is within 10 feet of the street, no connection is required to that street.

Standard 33.130.240.B.1.b - Internal connections. The system must connect all main entrances on the site, and provide connections to other areas of the site, such as parking areas, bicycle parking, recreational areas, common outdoor areas, and any pedestrian amenities.

Findings for Modification 1: The code standard requires that a site with two street frontages must have connections to both frontages. This site is bordered by SW Macadam to the west, and SW Nevada Street to the north. The standard requires that the main entrance of the building must be connected to the adjacent street (SW Macadam) by no more than 120 percent of the straight-line distance. Additionally, the standard requires an additional connection within the site between each of the other streets and a pedestrian entrance.

While the proposal does not meet the maximum length specified by this standard, the proposed pedestrian stair and ramp will provide a gracious, safe and convenient pedestrian entrance for users of all abilities. In locating the staircase and ramp together, the proposal ensures an equitable experience for all visitors, with equally convenient access to transit, residential neighborhoods to the west of Macadam with the primary entrance. It creates a path between the parking area and the district wide system of pedestrian circulation. In doing so, it better meets Macadam Corridor Design Guideline 2: Physical Connections.

Similarly, the well-designed ADA ramp and stair provide safe, attractive and usable access to the SW Macadam public sidewalk, which provides a straight path to the SW Nevada frontage. Modifying this standard to allow pedestrians to use the existing sidewalk to access SW Nevada adds minimal length to the circulation path between the primary entrance and the secondary street while providing a more attractive, safe and equitable route to get there. Macadam Corridor Design Guideline 2: Physical Connections directs projects to provide pedestrian routes that are screened or separated from parking areas while encouraging linkages to the districtwide system of pedestrian paths. This Modification better meets the guideline, while achieving the purpose of the Pedestrian Standards.

Modification #2: Development Standards for All Other Development (33.266.130) to allow for the new ADA ramp and pedestrian stair to encroach into the landscape buffer required around the perimeter of the structured parking area.

Purpose of Standard 33.266.130 – Development Standards for All Other Development

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 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.

Standard 33.266.130.G.2.a.(2) – Setbacks and perimeter landscaping apply to any portion of structured parking areas where the parking area is within four feet of adjacent grade and there is no roof over it.

Findings for Modification 2: The proposed ADA ramp and new pedestrian stair will entail the removal of over 50 linear feet of a 6'-8" high concrete wall behind the sidewalk. In its place, the proposed replacement includes low ramps and open cable railings. Due to its proximity to the front door, this location is the only appropriate location for this pedestrian access element, and it will serve to provide a safe and inviting pedestrian route that is protected from auto traffic and facilitates transit use. The replacement of the wall with a long ADA ramp will improve and soften the appearance of the structured parking facility, reducing its visual impact from the sidewalk and the adjacent transit street. In providing a crafted, thoughtful pedestrian connection between the transit street, residential neighborhoods, and the public entrance to this building, the ramp and stair better meets Macadam Corridor Design Guideline 2: Physical Connections while also achieving the purpose statement for the code standard.

33.805.010 Purpose Statement for Adjustments

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

33.805.040 Approval Criteria

The approval criteria for signs are stated in Title 32. All other adjustment requests will be approved if the review body finds that the applicant has shown that either approval criteria A. through F. or approval criteria G. through I., below, have been met.

- A. *Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and*
- B. *If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and*
- C. *If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and*
- D. *City-designated scenic resources and historic resources are preserved; and*
- E. *Any impacts resulting from the adjustment are mitigated to the extent practical; and*

- F. *If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable; or*

The following Adjustments are requested:

- **Special Street Setbacks (33.288):** Ordinance 148846 requires a 5' setback from the curb for all new development. The purpose is to provide light, air, driver sign distance, pedestrian safety and space for street tree growth. The applicant proposes to reduce the amount of existing encroachment into the setback from 42' – 3" to 25', and to eliminate the existing concrete wall and to replace it with an ADA ramp, railing, and new pedestrian access stair.
- A. *Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and*

Purpose Statement: Special street setbacks may be established on City streets to regulate the location of structures and for maintaining appropriate open areas, and for adequate separation from the street. These regulations:

- Increase visibility and safety for pedestrians and drivers;
- Provide a pleasant pedestrian environment and human scale;
- Improve the appearance of the corridor and reduce visual clutter;
- Maintain adequate space for the growth of large street trees; and
- Maintain adequate light and air.

Findings: The Special Street Setback is not currently maintained along this site. The current condition is a 6'-8 3/4" tall concrete wall, and the bottom two steps from the existing pedestrian stair encroach into the special setback. There is currently 42'-3" of wall and stairs within the special setback. The proposal reduces the amount of encroachment in both length and height. The proposal will have the ADA ramp and railing within 25' of the special setback. Rather than the previous concrete wall, the ADA ramp rises to only 2' within the setback, and is topped with an open cable railing. Most importantly, this proposal will create an opportunity for users who may need an ADA ramp to safely and conveniently access the primary entrance. Located adjacent to the pedestrian stair, the ADA ramp is well-designed to foster a more equitable experience for those who access the building via the ramp.

This condition is significantly more open and promotes light and views between the pedestrian right-of-way and the entrance to the building. The proposal will increase visibility and safety for pedestrians; will provide a pleasant pedestrian environment and human scale; will improve the appearance of the corridor and will increase light and air at the pedestrian realm while maintaining adequate space for the growth of street trees.

For these stated reasons, the approval criterion is met.

- B. *If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS C, E, or I zone, the proposal will be consistent with the desired character of the area.*

Findings: The site is located in the Storefront Commercial (CS) zone, and is consistent with the character of the area and the zone. The CS zone is intended to preserve and enhance older commercial areas that have storefront character. It allows a full range of retail, service and business uses with a local and regional market area. The desired character includes areas which are predominately 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. It is not located in a residential area.

For these stated reasons, the approval criterion is met.

C. *If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone.*

Findings: Only one adjustment is requested, and approval of the adjustment is consistent with the overall purpose of the zone.

For these stated reasons, the approval criterion does not apply.

D. *City-designated scenic resources and historic resources are preserved.*

Findings: The subject site contains no historic resources. There are no proposals that impact the SW Nevada Street view toward the river.

For these stated reasons, the approval criterion does not apply.

E. *Any impacts resulting from the adjustment are mitigated to the extent practical; and*

Findings: The proposed encroachment into the Special Setback is reduced in both length and in height from the existing encroachment. The results of the proposal will increase the light, air, and visibility between the primary entrance and the pedestrian realm.

For these stated reasons, the approval criterion is met.

F. *If in an environmental zone, the proposal has a few significant detrimental environmental impacts on the resource and resource values as is practicable;*

Findings: The proposal is located in the Greenway Overlay; however, it has no detrimental environmental impacts. The proposal does not increase the footprint of development within the Greenway overlay zone. The proposal includes beneficial environmental impacts from additional L2 landscaping, and promoting pedestrian and transit access for visitors.

For these stated reasons, the approval criterion is met.

Therefore, this adjustment merits 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 proposal meets the applicable design guidelines, greenway approval criteria, modification and adjustment criteria and, therefore, warrants approval.

ADMINISTRATIVE DECISION

Approval of Design Review and Greenway Review for exterior upgrades, including three new windows and canopies; a new ADA ramp and pedestrian stair; five new rooftop HVAC units;

landscaping and a new garage loading door, per the approved site plans, Exhibits C-1 through C-16, signed and dated March 29, 2018, subject to the following conditions:

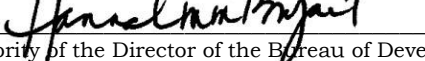
Approval for the following Modification requests:

1. Allow for the new ADA ramp and pedestrian stair to serve as the pedestrian connection to Macadam Boulevard, and to allow the Macadam Boulevard sidewalk to provide the required pedestrian connection from the primary entrance to SW Nevada street. (PZC 33.130.240.B.1.a.(2) and 33.130.240.B.1.b)
2. Allow for the new ADA ramp and pedestrian stair to encroach into the landscape buffer required around the perimeter of the structured parking area.

Approval of the Adjustment request to reduce the special street setback from five-feet to zero-feet for the length of the ADA ramp and pedestrian stair (PZC 33.288.030.B).

- 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 17-203778 DZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

Staff Planner: Hannah Bryant

Decision rendered by:  **on March 29, 2018**
By authority of the Director of the Bureau of Development Services

Decision mailed: March 30, 2018

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 July 14, 2017, and was determined to be complete on August 28, 2017.

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 July 14, 2017.

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 164 days (see Exhibit A.1). Unless further extended by the applicant, **the 120 days will expire on: June 8, 2018.**

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

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information

satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

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

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

Appealing this decision. This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on April 13, 2018** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

Appeal fee waivers. Multnomah County may cover the appeal fees for their recognized associations. An appeal filed by a recognized association must be submitted to the City with either the appropriate fee or the attached form signed by the County. Contact Multnomah County at 503-988-3043, 1600 SE 190th, Portland, OR 97233.

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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **April 16, 2018** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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.

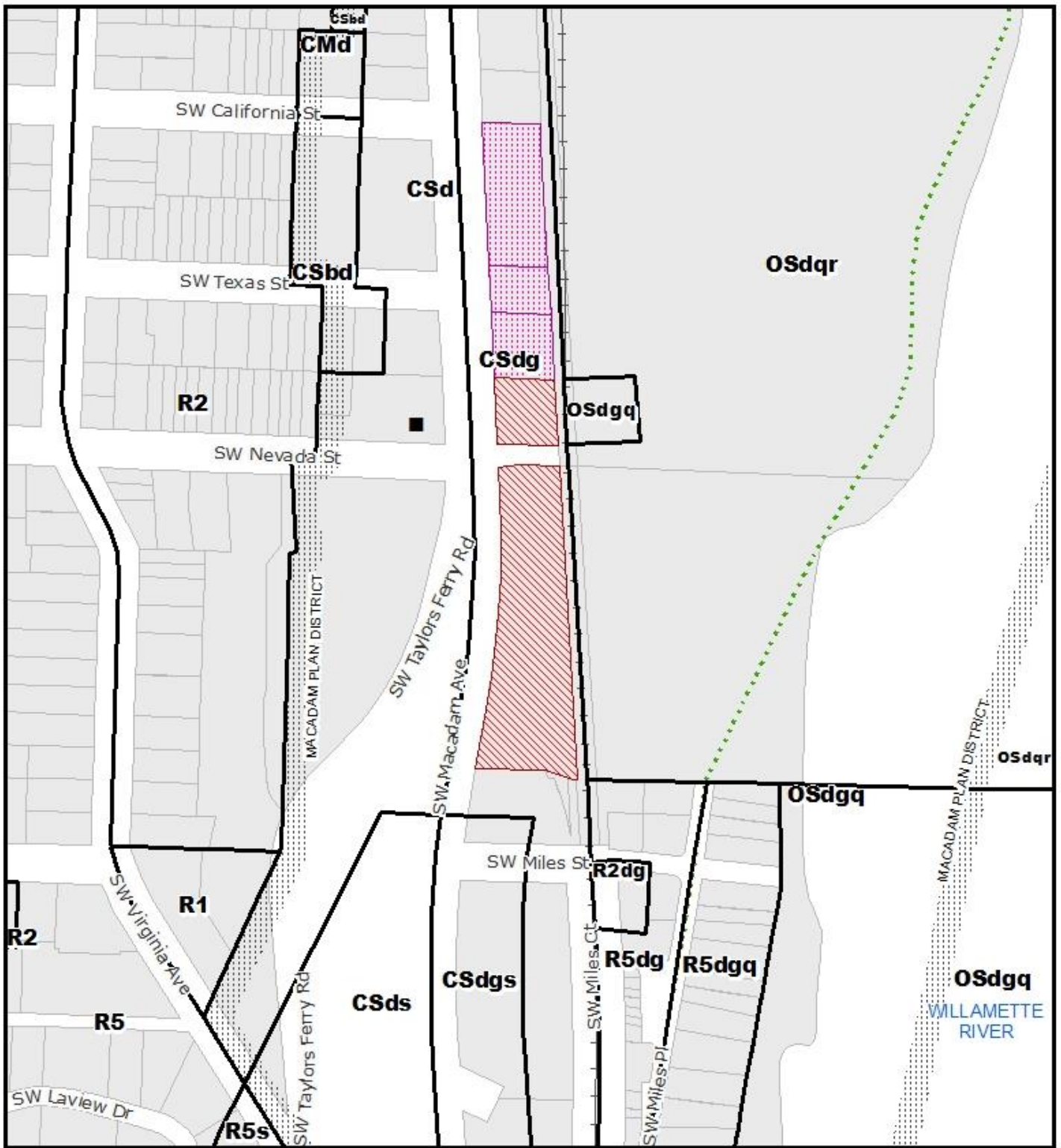
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
 1. Extensions
 2. Original submittal
 3. Revised submittal, dated August 4, 2017
 4. Memo responding to Incomplete, dated August 7, 2017
 5. Design Review Narrative, dated August 7, 2017
 6. Revised submittal, dated August 7, 2017
 7. Design Review Narrative, dated August 14, 2017
 8. Email from Applicant, dated October 19, 2017
 9. Revised submittal, dated October 4, 2017
 10. Revised submittal, dated October 10, 2017
 11. Revised submittal, dated October 27, 2018
 12. Revised submittal, dated October 30, 2017
 13. Memo and Revised Submittal, dated January 15, 2018
 14. Diagram demonstrating Adjustment request
 15. Renderings illustrating entry sequencing
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Site Summary
 3. Site Summary
 4. Proposed & Demolition Site Plan
 5. Roof Plan – Demo
 6. Roof Plan – New
 7. Roof Plan – Existing Conditions
 8. Proposed Canopy Plan and Reflected Ceiling Plan
 9. Exterior Existing Elevations
 10. Proposed Exterior Elevations
 11. Proposed Exterior Elevations – East

12. Proposed Canopy Section
 13. Proposed Window Detail
 14. Proposed Window Detail
 15. Metal Panel Cut Sheet
 16. Railing Cut Sheet
 17. Overhead Door Cut Sheet
 18. Overhead Door Specs
- D. Notification information:
1. Mailing list
 2. Mailed notice, dated September 1, 2017
 3. Re-Notice Mailing list
 4. Mailed re-notice, dated January 30, 2018
- E. Agency Responses:
1. Bureau of Environmental Services
 2. Life Safety
 3. Fire Bureau
- F. Correspondence: None
- G. Other:
1. Original LU Application
 2. Incomplete Letter, dated July 28, 2017
 3. Special Street Setback Ordinance #148846, recorded December 12, 1979
 4. Email from Staff outlining issues, dated August 15, 2017
 5. Zoning Plan Examination Checksheet, dated October 18, 2017
 6. Email from Staff outlining issues raised during permit review, dated October 20, 2017
 7. Email from Staff re: additional Modifications and Adjustment, dated October 27, 2017
 8. Email from Staff outlining ongoing issues, dated February 20, 2018

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).



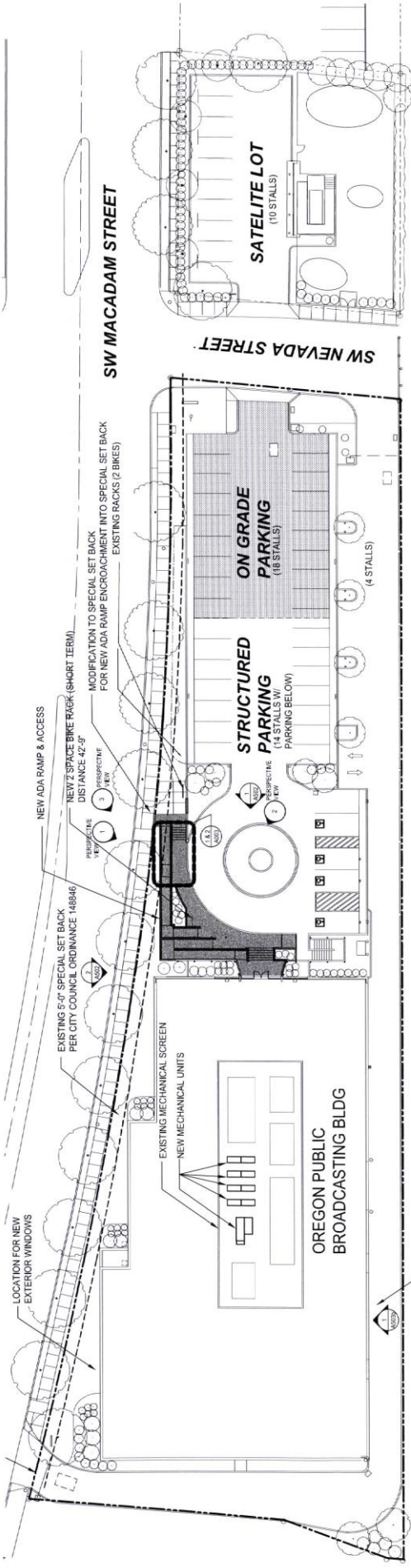
ZONING



THIS SITE LIES WITHIN THE:
MACADAM PLAN DISTRICT

-  Site
-  Also Owned Parcels
-  Historic Landmark
-  Recreational Trails

File No.	LU 17-203778 DZ
1/4 Section	3730
Scale	1 inch = 200 feet
State ID	1S1E22AC 200
Exhibit	B Jul 18, 2017



1 ROOF PLAN
SCALE: 1" = 40'-0"



Approved
City of Portland - Bureau of Development Services
Planner *Amot* Date *3-29-18*
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

LRS
ARCHITECTS
www.lrsarchitects.com
720 NW Davis
Suite 300
Portland OR 97209
503.221.1121
503.221.2077

SITE SUMMARY
LU-17-203778 *OLM GAWAD*

PROJECT NAME: OPB BUILDING
PROJECT NUMBER: 214082
DATE ISSUED: 10.30.2017
REVISION: *C.1*

OPB BUILDING
214082
10.30.2017
REVISION: *C.1*