



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

Ted Wheeler, Mayor
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

FINAL FINDINGS AND DECISION BY THE DESIGN COMMISSION RENDERED ON July 23, 2020

FINAL DECISION BY THE DESIGN COMMISSION

The Design Commission has **approved** a proposal in your neighborhood. This document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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 19-264010 DZ
[PC # 19-169687]
Water Tower: Building and Site Alterations

BUREAU OF DEVELOPMENT SERVICES STAFF: Arthur Graves 503.823.7803
Arthur.Graves@portlandoregon.gov

GENERAL INFORMATION

Applicant: Justin Kurtz | Scott Edwards Architecture | 503.896.5381
2709 SE Ankeny | Portland, OR 97214

Owner's Agent: Stephen Wong | Scanlan Kemper Bard | 503.552.3576
222 SW Columbia St., Ste 700 | Portland, OR 97201

Owner WI-Skb Water Tower Owner LLC
222 SW Columbia St #700 | Portland, OR 97201

Site Address: 5331 SW MACADAM AVE

Legal Description: TL 3900 3.66 ACRES, SECTION 15 1S 1E
Tax Account No.: R991150240
State ID No.: 1S1E15BD 03900
Quarter Section: 3529

Neighborhood: South Portland NA., contact Jim Gardner at contact@southportlandna.org

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

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

Plan District: Macadam

Zoning: CM2 (MU-U)d: Commercial/Mixed Use 2 zone (CM2) Base Zone and Design (d) Overlay
Case Type: DZ: Design Reivew
Procedure: Type III, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

Proposal:

Type III Design Review for proposed building and site alterations including: Renovation of existing building storefronts along all facades, demolition of existing east first floor façade (facing SW Macadam Ave) to be rebuilt in line with existing second and third floor east elevation facade; new sign package; redesign and reconfiguration of existing northeast main entry plaza, north parking area, and southwest courtyard area. No Modifications or Adjustments are requested at this time.

Design Review is required for all non-exempt exterior alterations in the Macadam Plan District

Relevant Approval Criteria:

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

- Macadam Corridor Design Guidelines

ANALYSIS

Site and Vicinity:

The site is a full block, with the exception of the southeast corner, which is in another ownership. The area of the site is 3.66 acres. The site abuts SW Macadam Avenue to the east, SW Corbett to the west, SW Boundary to the north, and SW Sweeney to the south. The existing building on the site is a commercial building running along the east-west center line of the site. The northern third of the site is a surface parking lot, and the southern third has a parking deck to allow for parking on two levels. The existing building has a three-story portion and some one-story portions, with the majority at two stories, and is occupied by a variety of tenants, including office, commercial, and restaurant uses.

SW Macadam Avenue is designated a Major City Traffic Street, Regional Corridor, Major Transit Priority Street, Major City Walkway, City Bikeway, Main Truck Street, Major Emergency Response Street. SW Boundary is designated as a Neighborhood Collector Street, City Bikeway. SW Corbett and SW Sweeney Street are both designated as Local Service Traffic Streets. SW Corbett is also designated as a City Bikeway and City Walkway.

Boundary are both designated as Minor Transit Streets and City Bikeways, and Boundary is designated also as a Neighborhood Collector. The site falls within the Macadam Pedestrian District.

Adjacent development to the north is largely comprised of similar commercial and office uses in varied architectural styles, most of which are two to three-stories in height. These are occupied by a variety of retail, service, and light-industrial uses. Residential pockets lie west and south of the site.

Zoning:

The Design Overlay Zone [d] 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.

The Commercial/Mixed Use 2 (CM2) zone is a medium-scale zone intended for sites in a variety of centers, along corridors, and in other mixed use areas that have frequent transit service. The zone allows a wide range and mix of commercial and residential uses, as well as employment uses that have limited off-site impacts. Buildings in this zone will generally be up to four stories tall unless height and floor area bonuses are used, or plan district provisions specify other height limits. Development is intended to be pedestrian-oriented, provide a strong relationship between buildings and sidewalks, and complement the scale of surrounding residentially zoned areas.

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: City records indicate the following prior land use reviews for the site:

- **LU 03-115155 DZM:** Design Review approval for the addition of new signs to the existing building and its outlying structures, to add some lights, and to remove several existing signs. The modification was for the request of additional sign area to the maximum allowed by code.
- **LU 02-107270 DZ:** Design Review approval (with conditions) in 2002. The proposal included two new building entries with canopies, windows, and signs, building wall revisions including removal of an addition, parking lot landscaping and restriping, new walls and trash enclosures, and other additions or alterations.
- **LUR 99-00135 DZ** approved a greenhouse addition in 1999.
- **LUR 97-01107 DZ** approved exterior alterations to the north elevation, including new glazed areas, doors, and a canopy and an awning (1997).
- **LUR 96-00873 DZ** and **LUR 96-00511 DZ** were both 1996 approvals, for a fabric awning and lighting and for a wall sign.
- **LUR 96-00510 DZ** approved a 2-sided freestanding sign, also in 1996
- **LUR 95-00887 DZ** approved a freestanding sign in 1995.
- **LUR 92-00580** approved exterior paint, new fabric awning and lighting, and signage and banners (1992).
- **DZ 25-89** approved a store expansion in 1989.
- **DZ 33-88** approved a deck and railing in 1988.
- **DZ 173-85** approved signage in 1985.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **July 2, 2020**. The following Bureaus have responded:

- Portland Bureau of Transportation: Robert Haley: May 21, 2020. (Exhibit E-1).

With the following comments: The applicant must provide truck turning templates and a truck circulation plan with their land use approval. Type A parking loading spaces require and Adjustment to back into the parking lot from a Local Service Traffic Street. SW Corbett is the only frontage classified as a Local Traffic Street. Both other frontages are classified as arterial streets.

SEE ADDITIONAL PBOT COMMENTS BELOW

- Bureau of Environmental Services: Emma Kohlsmith: January 28, 20120. (Exhibit E-2). With comments requesting additional information.

Plans: Submit a revised set of land use plans to reflect all changes requested by BES staff below, as well as changes requested by other agency reviewers.

Presumptive or Performance Approach Stormwater Report (Private Property): The applicant provided a Performance Approach Stormwater Report. However, the following items must be revised:

- Per the 2016 SWMM, pollution reduction is not required for discharge to the combined sewer. Therefore, the proposed water quality filter catch basins are not required.
- The stormwater report does not adequately justify the use of the proposed pre-development runoff curve number of 85. It appears there is no identified hydrologic soil group for this area. In the future 2020 SWMM, sites with unidentified hydrologic soil groups must use a pre-development curve number of 81. The applicant must either provide detailed justification for the use of CN=85 or revise the calculations to use a pre-development curve number less than or equal to 81.

Additional Information

- Based on the submitted utility plans, it appears that the applicant is proposing three new connections to the 36-inch combined sewer in SW Macadam. The other combined sewer available in SW Macadam is a 51-inch combined sewer. Due to the size of the available combined sewers and the high classification street, BES strongly encourages the applicant to reuse existing connections to these combined sewers, if feasible. BES is currently assessing the preferred pipe for connections based on size, depth and capacity. This information will be communicated to the applicant when available. However, the proposed connection locations should not impact the requested DZ and can therefore be finalized at permit review.

SEE ADDITIONAL BES COMMENTS BELOW

- Fire Bureaus: Dawn Krantz, June 29, 2020. (Exhibit E-3). With no concerns.
- Bureau of Development Services Life Safety / Building Code Section: Tara Carlson: June 30, 2020. (Exhibit E-4). With no objections to the proposal.
- Parks Bureau, Urban Forestry: Casey Clapp: July 01, 2020. (Exhibit E-5). With no objections to the proposal.
- Portland Water Bureau: Michael Puckett: July 01, 2020. (Exhibit E-6). With no concerns or conditions of approval.
- Bureau of Development Services Site Development: Ericka Koss: July 01, 2020. With comments on proposed retaining walls (Exhibit E-7):

Retaining wall plans, details, and calculations will be required at the time of building permit application for site walls exceeding 4 feet in retained height or retaining a traffic surcharge.

- Bureau of Environmental Services: Emma Kohlsmith: July 01, 20120. (Exhibit E-8). With concerns that, “The submitted stormwater report does not demonstrate that the proposed facilities meet SWMM requirements.” A recommended BDS Condition of Approval addresses this issue.
- Portland Bureau of Transportation: Robert Haley: July 15, 2020. (Exhibit E-9). With no objections to approval.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **July 2, 2020**.

No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

PROCEDURAL HISTORY

- **Early Assistance Pre-Application Conference (PC): EA 19-169687 PC: May 24, 2019:**
Issues included façade alterations to the east elevation, storefront alterations, canopies, loading areas, landscape requirements, parking requirements, building height and signage.
- **Land Use Application LU 19-264010 DZ: Submitted on December 11, 2019:**
Deemed complete on June 04, 2020. A hearing was scheduled for July 23, 2020 - 49 days after being deemed complete.
- **Design Commission Hearing: July 23, 2020:**
Commission supported the design and Staff Report of approval with the edit to one condition of approval regarding canopy depth on the east facade (see condition of approval C).

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.

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 for 1 and 2: The Willamette River, Greenway Trail and Willamette Park are not adjacent to or visible from the site. Existing views, visual and physical connections from the site to the east will not be altered or impacted. In addition, the existing mass, scale, and orientation of the building will not be increased with the proposed site and building alterations. Site features such as the existing parking lot, landscaping, and plaza areas will be rehabilitated in their current locations.

Increased physical and visual connection between the site and the Willamette River are accomplished through:

- Additional storefront glazing at the ground floor;
- Extending out the existing recessed east elevation ground floor to align with the upper floors on this elevation;
- The redesign of the northeast corner of the site to provide increased area and amenities for pedestrians by removing the existing concrete masonry unit (cmu) garbage and recycling structure and (approximately) 6-foot high cmu wall, to be replaced with an on-site pedestrian entry plaza with fixed wood benches, raised planters, and pedestrian paths providing connection to the north, east and parking to the west.
- Redesign of south plaza areas with three separate but connected tiered courtyards including revised landscaping, increased tree planting, and increased fixed and movable seating.

In addition, the revised parking area on the north portion of the site is landscaped to provide visual buffer and screening from adjacent sites and rights-of-way.

Therefore, these Guidelines are met.

3. The Water's Edge. Enhance the scenic qualities of the river and sites that abut the riverbank to contribute to an attractive and enjoyable Greenway Trail.

- Identify natural areas of the Willamette riverbank and preserve the natural qualities of these areas.
- Screen parking, loading and vehicular movement areas from the Greenway with rich landscape plantings.
- Locate buildings to protect access to sunlight on the Greenway Trail.

Findings: This Guideline is specific to new development in association with the implementation and development of the Greenway Trail. This submittal is for proposed alterations to existing development. In addition, within the 35 years since the *Macadam Corridor Design Guidelines* were written, the Greenway Trail has been designed and implemented and is located across S Macadam Avenue, approximately 600 feet east of the site.

Therefore, this Guideline does not apply.

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: Proposed alterations to the building and site, both of which are adjacent to S Macadam Avenue, contribute to the “boulevard” aesthetic and ameliorate a number of previous conditions that did not significantly prioritize the pedestrian realm, fully use landscape treatments to buffer or enhance areas, nor enhance view opportunities into and out-of the site.

Providing increased pedestrian comfort and weather protection, new steel canopies with wood soffits have been added to bays where new storefront systems are proposed on the east and north elevations. Canopies along new storefronts on the north elevation are proposed to extend 6 feet. Canopies at the north-east corner are proposed to extend 10 feet. Canopies along the east elevation are not consistently shown on drawings so staff cannot confirm their projection depth.

Additional pedestrian amenities which contribute to the boulevard include new and renovated courtyard and plaza areas at the north-east corner and south side of the building. Proposed courtyards along the east and south edges of the site provide seating, area specific hardscape, and landscaping that buffers users from S Macadam Avenue while also integrating the boulevard character into and throughout the site.

Proposed new storefront systems provide increased visual and physical connection along elevations of the site previously limited in accessibility. The north elevation proposes 11 storefront systems that provide oblique views into the building from S Macadam Avenue. Alterations to the east elevation, including increased glazing and extending the ground floor to align with the upper floors, also provide additional connectivity and views into the site.

Because drawings are not consistent regarding the location of steel canopies along the east elevation of the site (i.e. they appear on sheet A.5 but not on sheets A.4 or A.9 and are not called out on sheet A.7), staff has added a condition of approval that canopies are to be included between the six bays on the east elevation, above the proposed new storefront systems, consistent in location on the building with the canopies shown on the north elevation (at the north-east corner) of the building. To provide sufficient weather protection and pedestrian comfort, canopies along the east elevation are to extend 4’ from the building face.

With the condition of approval that canopies be included between the six bays on the east elevation, above the proposed new storefront systems, consistent in location with the canopies shown on the north elevation (at the north-east corner) of the building. And that canopies along the east elevation are to extend 4’ from the building face. Therefore, this Guideline has been 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: Alterations to the building will not create new shadows. In addition, the site is not adjacent to Willamette Park or the Greenway Trail.

The alterations to the exterior of the building are respectful of the original architecture, while providing a contemporary and pragmatic design solution that allows improved visibility and access to individual tenant spaces. Proposed site alterations provide a variety of landscaped plaza and courtyard areas around the building that help integrate the mass and scale of the building with the adjacent neighborhood while providing space for users to sit, rest and socialize. When completed, the proposed exterior alterations (including canopies, bulkhead, and new storefronts) and site improvements (including new and renovated courtyard and plaza areas and stormwater planters) will provide a precedent for neighboring future developments within the plan district. However, to provide additional protection at the ground plane, a unifying element around the elevations proposed to be altered (most notably the north, east and eastern most portion of the south elevation), while also providing a more sturdy ground level treatment that is in proportion with the proposed storefronts, a more substantial bulkhead is appropriate.

Note: As the plan district continues to develop and increase pedestrian connections rather than vehicle access, precedents with strong response to pedestrian realm, context and materials will hold greater weight and impact on future designs. This is particularly relevant to this area of the plan district because of the unforeseen destruction, due to fire, of the full block shopping plaza located two blocks to the north at 5125 S Macadam Ave. a few years ago. Hopefully, the proposed design response from this project will provide a number of design features and amenities to draw from when this lot, which is currently empty, is eventually redeveloped.

Because of this, and due to the lack of a few important drawings and details within this drawing set, staff has added the following conditions of approval that this project is approvable with the submittal of additional drawings and details clarifying the following:

1. Canopies be included between the six bays on the east elevation, above the proposed new storefront systems, consistent in location with the canopies shown on the north elevation (at the north-east corner) of the building. And that canopies along the east elevation are to extend 4' from the building face.
2. A bulkhead 18" in height be installed on the north, east and south elevations in bays where new storefront systems are proposed.
3. New storefront systems be set in the wall to match the inset of existing steel windows to remain, as measured from the exterior face of glass to the face of the exterior wall. (In site visits staff has measured this to be approximately 3").
4. Regarding Stormwater: If at the time of permit review BES regulations require physical changes to the approved Design Review drawings, another Design Review may be required prior to permit issuance.

With the conditions of approval that:

1. *Canopies be included between the six bays on the east elevation, above the proposed new storefront systems, consistent in location with the canopies shown on the north elevation (at the north-east corner) of the building. And that canopies along the east elevation are to extend 4' from the building face.*

2. A bulkhead 18" in height be installed on the north, east and south elevations in bays where new storefront systems are proposed.
3. New storefront systems be set in the wall to match the inset of existing steel windows to remain, as measured from the exterior face of glass to the face of the exterior wall. (In site visits staff has measured this to be approximately 3").
4. Regarding Stormwater: If at the time of permit review BES regulations require physical changes to the approved Design Review drawings, another Design Review may be required prior to permit issuance.

Therefore, these guidelines are 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: A complete sign package has not been submitted with this proposal. Signs shown in the proposal are not consistent and complete. Because of this, it is not clear which signs are being removed and what signs are proposed.

Therefore, this Guideline has not been met. (BDS staff notes that when a sign package is fully formulated, 33.420 and Title 32 will dictate what signs may be subject to a future Design Review.)

7. Johns Landing Masterplan. Comply with the provisions of the Johns Landing masterplan.

Findings: This proposal for alterations to the building and site is consistent with the Johns Landing Masterplan.

Therefore, this Guideline is met.

8. Future Light Rail Transit. Preserve the potential for a two-direction, light rail facility within the Macadam Corridor Design Zone as illustrated. Until the LRT facility is constructed, the required setback area may be used for parking and landscaping requirements.

Findings: The proposed light rail alignment (as shown in the Johns Landing Masterplan) was initially located immediately east of S Macadam Avenue. The extension of the light rail alignment has never been proposed to run adjacent to the site and so development on the site could not impact the potential for the transportation option. Incidentally, within the *Locally Preferred Alternative* of the Draft Environmental Impact Statement (DEIS) for the project, dated December 03, 2010, three design options were shown - all east of S Macadam Avenue - with the preferred alternative for this area closely matching the route shown on the Johns Landing Masterplan.

Therefore, this Guideline does not apply.

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

As conditioned, the proposed building and site alterations are consistent with surrounding buildings and amenities in the Macadam Plan District, while providing alterations that may serve as precedents for future development in the plan district.

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. Provided that all conditions of approval are fully met the proposal meets the applicable design guidelines and therefore warrants approval.

DESIGN COMMISSION DECISION

It is the decision of the Design Commission to approve a Design Review for the proposed building and site alterations including: Renovation of existing building storefronts along all facades, demolition of existing east first floor façade (facing SW Macadam Ave) to be rebuilt in line with existing second and third floor east elevation facade; redesign and reconfiguration of existing northeast main entry plaza, north parking area, and southwest courtyard area.

This decision of approval does not include any of the proposed signs due to insufficient and conflicting information in the final submittal.

Approvals per Exhibits C.1-C-34, signed, stamped, and dated August 03, 2020, subject to the following conditions:

- A.** As part of the building permit application submittal, the following development-related conditions (B – G) 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 19-264010 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.** Canopies be included between the six bays on the east elevation, above the proposed new storefront systems, consistent in location with the canopies shown on the north elevation (at the north-east corner) of the building. And that canopies along the east elevation are to extend 4’ from the building face.
- D.** A bulkhead 18” in height be installed on the north, east and south elevations in bays where new storefront systems are proposed.
- E.** New storefront systems be set in the wall to match the inset of existing steel windows to remain, as measured from the exterior face of glass to the face of the exterior wall. (In site visits staff has measured this to be approximately 3”).
- F.** Regarding Stormwater: If at the time of permit review BES regulations require physical changes to the approved Design Review drawings, another Design Review may be required prior to permit issuance.
- G.** NO FIELD CHANGES ALLOWED.


By: _____
Julie Livingston, Design Commission Chair

Application Filed: December 11, 2019
Decision Filed: July 24, 2020

Decision Rendered: July 23, 2020
Decision Mailed: August 07, 2020

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 December 11, 2019, and was determined to be complete on June 4, 2020.

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 December 11, 2019.

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 245 days (Exhibit A-6). The 120 days expire on: **June 04, 2021.**

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. This report is the final decision of the Design Commission with input from other City and public agencies.

Conditions of Approval. This approval 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, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received by 4:30 PM on August 21, 2020. **Towards promoting social distancing during the COVID-19 pandemic, the completed appeal application form must be e-mailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application.

If you are interested in viewing information in the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note that due to COVID-19 and limited accessibility to files, only digital copies of material in the file are available for viewing. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

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 City Council is final; any further appeal is to the Oregon Land Use Board of Appeals (LUBA).

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 City Council on that issue. Also, if you do not raise an issue with enough specificity to give City Council an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Who can appeal: You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$5000 will be charged (one-half of the application fee for this case). Last date to appeal: August 21, 2020.**

Neighborhood associations may qualify for a waiver of the appeal fee. Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

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 **August 21, 2020** 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.

Applying for your permits. A building permit, occupancy permit, or development permit must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed here.

- All applicable development standards, unless specifically exempted as part of this land use review.
- All requirements of the building code.
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

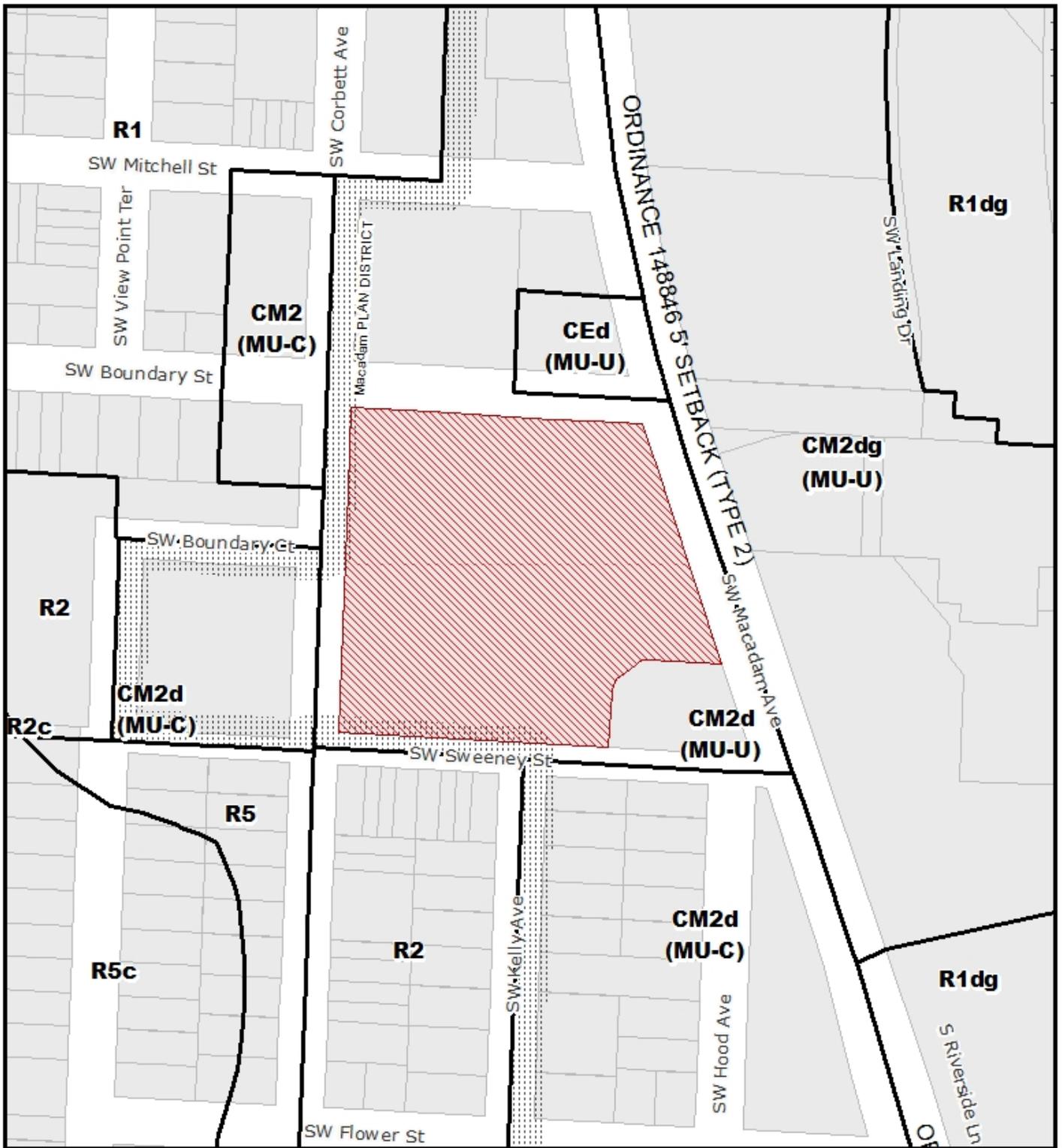
Arthur Graves
July 30, 2020

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).

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 - 1. Original Submittal: Narrative: December 11, 2019
 - 2. Original Submittal: Drawings: December 11, 2019 (superseded)
 - 3. Revised Submittal: June 05, 2020 (superseded)
 - 4. Preliminary Stormwater Report: June 05, 2020
 - 5. Final Submittal: July 02, 2020
 - 6. Signed Waiver: July 13, 2020
- B. Zoning Map (attached)
- C. Plan & Drawings
 - 1. Vicinity Plan
 - 2. Aerial Plan
 - 3. Site Plan (attached)
 - 4. Site Plan – Civil
 - 5. Site Plan – Courtyard - Civil
 - 6. Grading Plan – Parking Area
 - 7. Grading Plan – Courtyard
 - 8. Utility Plan – Parking Area
 - 9. Utility Plan – Courtyard
 - 10. Details - Civil
 - 11. Details - Civil
 - 12. First Floor Plan
 - 13. Second Floor Plan
 - 14. Third Floor Plan
 - 15. Roof Plan
 - 16. Elevation: North 1/2 (attached)
 - 17. Elevation: North 2/2 (attached)
 - 18. Elevation: East (attached)
 - 19. Elevation: South 1/2 (attached)
 - 20. Elevation: South 2/2 (attached)
 - 21. Elevation: West (attached)
 - 22. Details
 - 23. Details
 - 24. Details
 - 25. Manufactures Cutsheets
 - 26. Illustrative Landscape Site Plan
 - 27. Landscape Plan
 - 28. North Plaza Materials Plan – Area A
 - 29. North Plaza Materials Plan – Area B
 - 30. South Plaza Materials Plan
 - 31. North Plaza Planting Plan – Area A

- 32. North Plaza Planting Plan – Area B
- 33. South Plaza Planting Plan
- 34. Landscape Sections
- D. Notification information:
 - 1. Request for Response
 - 2. Posting letter sent to applicant – for July 23, 2020 Hearing
 - 3. Notice to be posted – for July 23, 2020 Hearing
 - 4. Applicant’s statement certifying posting – July 23, 2020 Hearing
 - 5. Mailed notice
 - 6. Mailing list
- E. Agency Responses:
 - 1. Portland Bureau of Transportation: Robert Haley: May 21, 2020.
 - 2. Bureau of Environmental Services: Emma Kohlsmith: January 28, 20120.
 - 3. Fire Bureau: Dawn Krantz, June 29, 2020.
 - 4. Bureau of Development Services Life Safety / Building Code Section: Tara Carlson: June 30, 2020.
 - 5. Parks Bureau, Urban Forestry: Casey Clapp: July 01, 2020.
 - 6. Portland Water Bureau: Michael Puckett: July 01, 2020
 - 7. Bureau of Development Services Site Development: Ericka Koss: July 01, 2020.
 - 8. Bureau of Environmental Services: Emma Kohlsmith: July 01, 20120.
 - 9. Portland Bureau of Transportation: Robert Haley: July 15, 2020.
- F. Correspondences: None Received
- G. Other:
 - 1. Original Application
 - 2. Historic Information
 - 3. PSU Report: Summer 2013
 - 4. Incomplete Letter: January 10, 2020
 - 5. Site Pictures
- H. Hearing: July 23, 2020
 - 1. Staff Report
 - 2. Staff Power Point Presentation
 - 3. Applicant Presentation: Submitted on July 23, 2020
 - 4. Testifier Sign-in Sheet

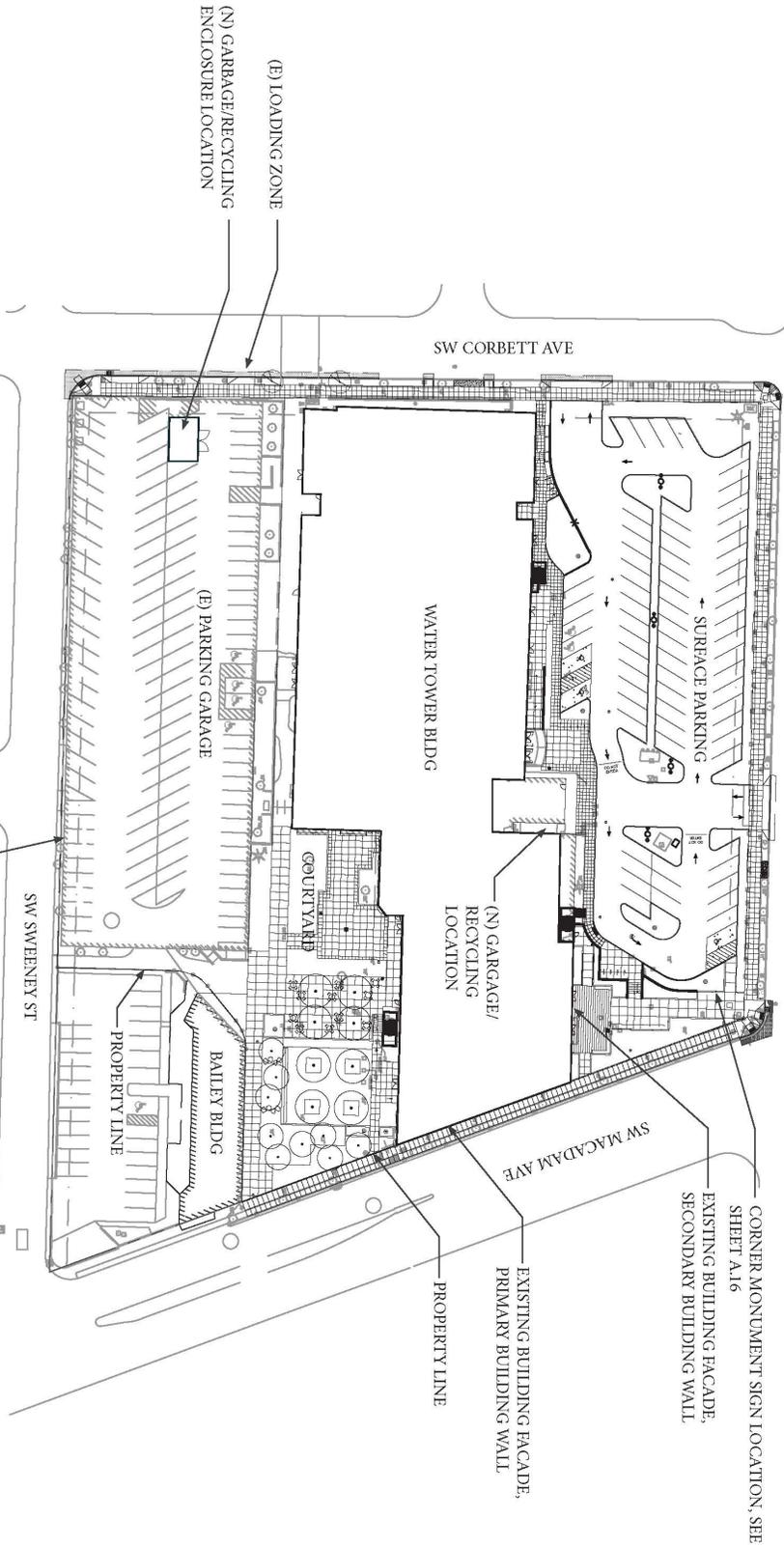


ZONING 
 NORTH
 MACADAM PLAN DISTRICT



File No.	LU 19 - 264010 DZ
1/4 Section	3529
Scale	1 inch = 163 feet
State ID	1S1E15BD 3900
Exhibit	B Dec 13, 2019

LOT COVERAGE:
 SITE: 159,500.71 SF (3.662 ACRES)
 BUILDING F.P.: 50,957 SF
 RATIO: 32%



WATER TOWER

SW Macadam Ave
 Portland, OR
 07.02.20

SITE PLAN

1" = 60'-0"

**NO SIGNS HAVE BEEN APPROVED
 WITH LU 19-264010 DZ**

Approved
 City of Portland
 Bureau of Development Services
 Planner: 
 Date: 06-03-2020
*This approval is valid only if the project complies with all applicable codes and is subject to all conditions of approval. Address use zoning if not otherwise specified.

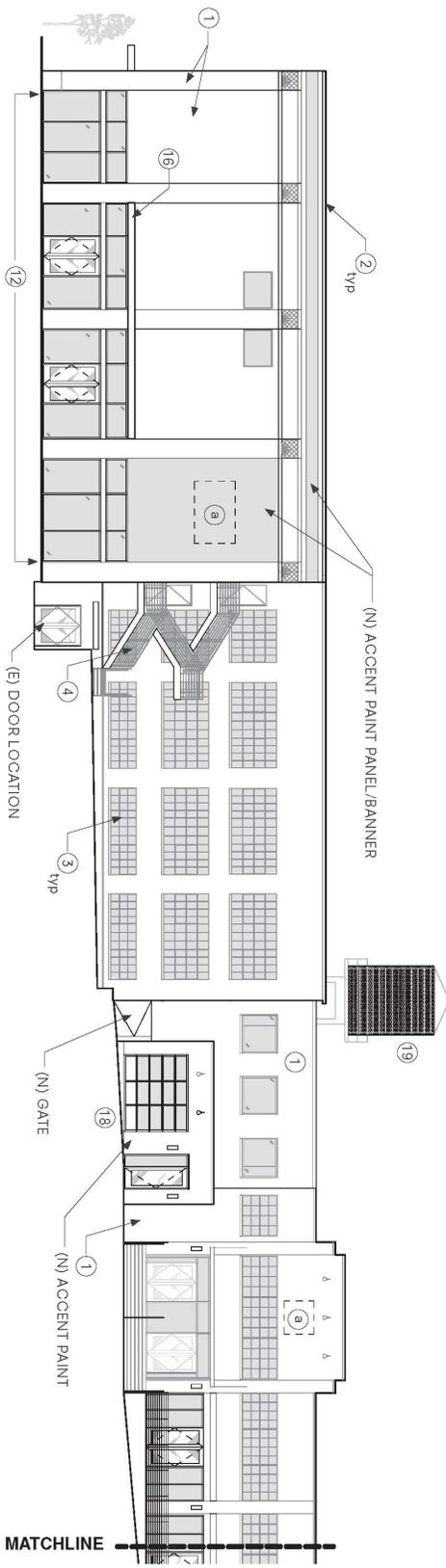
  PLAN TRUE

A.0

S|E|A

EXHIBIT C-3
 LU 19-264010 DZ

- SIGNAGE:
 (a) PAINTED BUILDING LOGO SIGN



NOTE: ALL LIGHTING FIXTURES TO BE REPLACED WITH NEW @ EXISTING LOCATIONS, TYP.

KEYNOTES:

- ① Paint all exterior masonry walls and pilasters, paint color (P-1)
- ② Paint all existing trim, sills and coping, paint (P-2)
- ③ Existing steel windows to remain, Paint (P-2)
- ④ Paint all steel doors and exterior stairs, paint (P-2)
- ⑤ New landscape/planter areas
- ⑥ Existing steel canopy to be modified, Paint to match all trim (P-2). Add rough sawn wood soffit to underside.
- ⑦ Enlarged wall opening(s), new storefront system
- ⑧ New wall opening and storefront doors
- ⑨ Existing sloped metal roofing to remain, paint color (P-2)
- ⑩ New infill sill and windows to match adjacent
- ⑪ Existing open exterior area to be infilled for expanded interior
- ⑫ New storefront window system
- ⑬ New railing, Paint (P-2)
- ⑭ New lighting location to match existing
- ⑮ New O.H. Door and man door (Black framed)
- ⑯ New steel canopy w/ wood soffit, steel paint color (P-2)
- ⑰ New sloped metal roofing, paint color (P-2)
- ⑱ Existing building addition to modified, (N) Door openings
- ⑲ Metal screen light feature on existing water tower
- ⑳ New steel egress stair (P-2)

WATER TOWER

SW Macadam Ave
 Portland, OR
 07.02.20

EXTERIOR ELEVATION - NORTH 1/2

1/16" = 1'-0"

NO SIGNS HAVE BEEN APPROVED
 WITH LU 19-264010 DZ

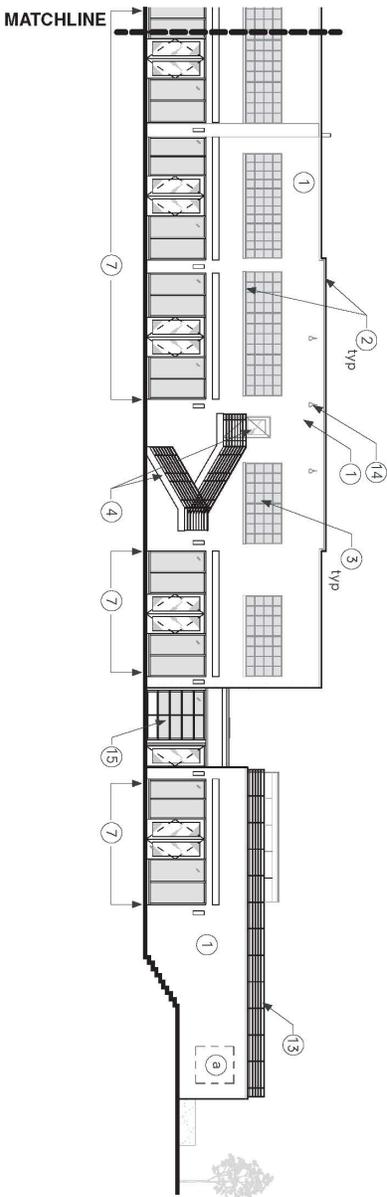
Approved
 City of Portland
 Bureau of Development Services
 Planner _____
 Date 06/25/2020

*This official action is only in full effect when stamped and is subject to a condition of approval. Additional zoning requirements may apply.

A.5 | SEA

EXHIBIT C-16
 LU 19-264010 DZ

SIGNAGE:
 a PAINTED BUILDING LOGO SIGN



NOTE: ALL LIGHTING FIXTURES TO BE REPLACED WITH NEW @ EXISTING LOCATIONS, TYP.

KEYNOTES:

- 1 Paint all exterior masonry walls and pilasters, paint color (P-1)
- 2 Paint all existing trim, sills and coping, paint (P-2)
- 3 Existing steel windows to remain, Paint (P-2)
- 4 Paint all steel doors and exterior stairs, paint (P-2)
- 5 New landscape/planter areas
- 6 Existing steel canopy to be modified, Paint to match all trim (P-2). Add rough sawn wood soffit to underside.
- 7 Enlarged wall opening(s), new storefront system
- 8 New wall opening and storefront doors
- 9 Existing sloped metal roofing to remain, paint color (P-2)
- 10 New infill sill and windows to match adjacent
- 11 Existing open exterior area to be infilled for expanded interior
- 12 New storefront window system
- 13 New railing, Paint (P-2)
- 14 New lighting location to match existing
- 15 New O.H. Door and man door (Black framed)
- 16 New steel canopy w/ wood soffit, steel paint color (P-2)
- 17 New sloped metal roofing, paint color (P-2)
- 18 Existing building addition to modified, (N) Door openings
- 19 Metal screen light feature on existing water tower
- 20 New steel egress stair (P-2)

WATER TOWER

SW Macadam Ave
 Portland, OR
 07.02.20

EXTERIOR ELEVATION - NORTH 2/2

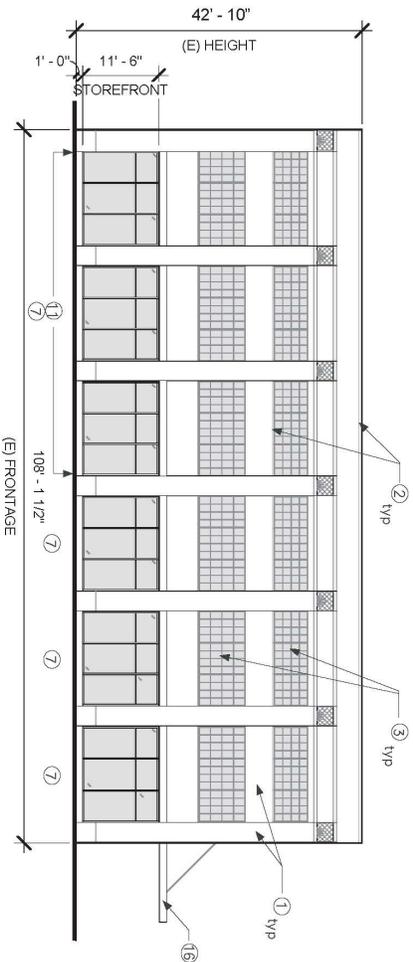
1/16" = 1'-0"

**NO SIGNS HAVE BEEN APPROVED
 WITH LU 19-264010 DZ**



A.6 | S|E|A

EXHIBIT C-17
 LU 19-264010 DZ



KEYNOTES:

- ① Paint all exterior masonry walls and pilasters, paint color (P-1)
- ② Paint all existing trim, sills and coping, paint (P-2)
- ③ Existing steel windows to remain, Paint (P-2)
- ④ Paint all steel doors and exterior stairs, paint (P-2)
- ⑤ New landscape/planter areas
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- ⑧ New wall opening and storefront doors
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- ⑬ New railing, Paint (P-2)
- ⑭ New lighting location to match existing
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- ⑯ New steel canopy w/ wood soffit, steel paint color (P-2)
- ⑰ New sloped metal roofing, paint color (P-2)
- ⑱ Existing building addition to modified, (N) Door openings
- ⑲ Metal screen light feature on existing water tower
- ⑳ New steel egress stair (P-2)

WATER TOWER

SW Macadam Ave
Portland, OR
07.02.20

EXTERIOR ELEVATION - EAST

1/16" = 1'-0"

**NO SIGNS HAVE BEEN APPROVED
WITH LU 19-264010 DZ**

Approved

City of Portland
Bureau of Development Services

Planner: 

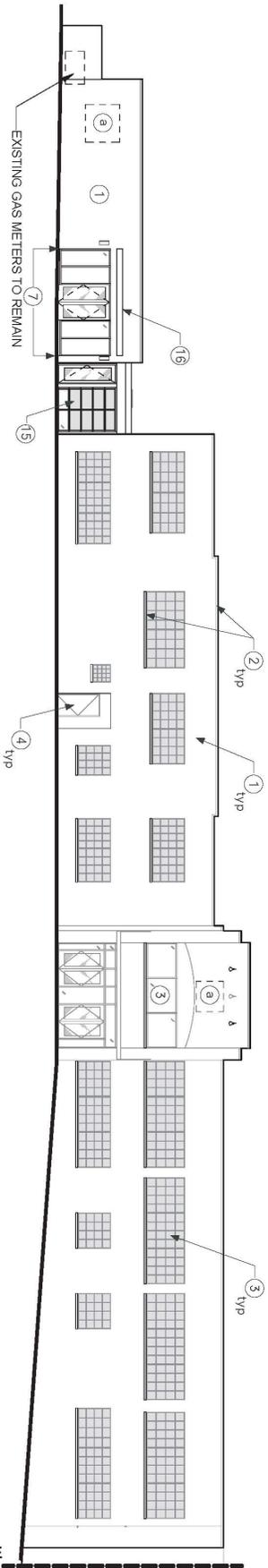
DATE: 08/03/2020

This approval applies only to the review requested. Additional zoning requirements may apply.

A.7 | S|E|A

**EXHIBIT C-18
LU 19-264010 DZ**

SIGNAGE:
 (a) PAINTED BUILDING LOGO SIGN



NOTE: ALL LIGHTING FIXTURES TO BE REPLACED WITH NEW @ EXISTING LOCATIONS, TYP.

KEYNOTES:

- (1) Paint all exterior masonry walls and pilasters, paint color (P-1)
- (2) Paint all existing trim, sills and coping, paint (P-2)
- (3) Existing steel windows to remain, Paint (P-2)
- (4) Paint all steel doors and exterior stairs, paint (P-2)
- (5) New landscape/planter areas
- (6) Existing steel canopy to be modified, Paint to match all trim (P-2). Add rough sawn wood soffit to underside.
- (7) Enlarged wall opening(s), new storefront system
- (8) New wall opening and storefront doors
- (9) Existing sloped metal roofing to remain, paint color (P-2)
- (10) New infill sill and windows to match adjacent
- (11) Existing open exterior area to be infilled for expanded interior
- (12) New storefront window system
- (13) New railing, Paint (P-2)
- (14) New lighting location to match existing
- (15) New O.H. Door and man door (Black framed)
- (16) New steel canopy w/ wood soffit, steel paint color (P-2)
- (17) New sloped metal roofing, paint color (P-2)
- (18) Existing building addition to modified, (N) Door openings
- (19) Metal screen light feature on existing water tower
- (20) New steel egress stair (P-2)

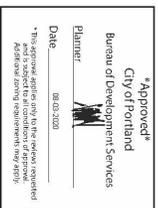
WATER TOWER

SW Macadam Ave
 Portland, OR
 07.02.20

EXTERIOR ELEVATION - SOUTH 1/2

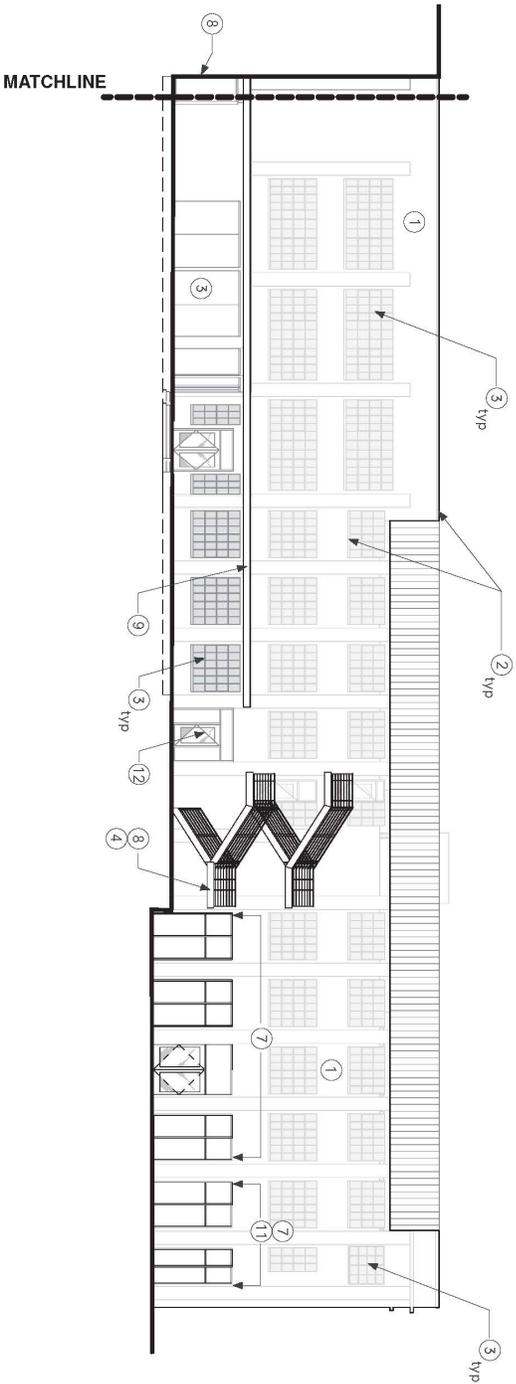
1/16" = 1'-0"

**NO SIGNS HAVE BEEN APPROVED
 WITH LU 19-264010 DZ**



A.8 | S|E|A

EXHIBIT C-19
 LU 19-264010 DZ



KEYNOTES:

- ① Paint all exterior masonry walls and pilasters, paint color (P-1)
- ② Paint all existing trim, sills and coping, paint (P-2)
- ③ Existing steel windows to remain, Paint (P-2)
- ④ Paint all steel doors and exterior stairs, paint (P-2)
- ⑤ New landscape/planter areas
- ⑥ Existing steel canopy to be modified, Paint to match all trim (P-2). Add rough sawn wood soffit to underside.
- ⑦ Enlarged wall opening(s), new storefront system
- ⑧ New wall opening and storefront doors
- ⑨ Existing sloped metal roofing to remain, paint color (P-2)
- ⑩ New infill sill and windows to match adjacent
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- ⑬ New railing, Paint (P-2)
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- ⑰ New sloped metal roofing, paint color (P-2)
- ⑱ Existing building addition to modified, (N) Door openings
- ⑲ Metal screen light feature on existing water tower
- ⑳ New steel egress stair (P-2)

WATER TOWER

SW Macadam Ave
Portland, OR
07.02.20

EXTERIOR ELEVATION - SOUTH 2/2

1/16" = 1'-0"

**NO SIGNS HAVE BEEN APPROVED
WITH LU 19-264010 DZ**

Approved
City of Portland
Bureau of Development Services

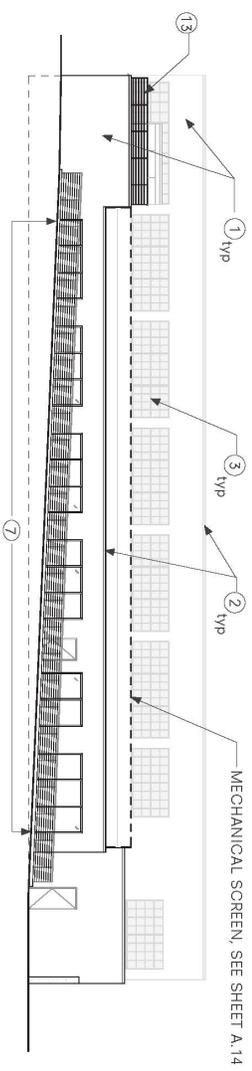
Planner: 

DATE: 08-05-2020

*This approval applies only to the review requested and is subject to all conditions of approval. Address shown represents a city address.

A.9 S|E|A

**EXHIBIT C-20
LU 19-264010 DZ**



KEYNOTES:

- ① Paint all exterior masonry walls and pilasters, paint color (P-1)
- ② Paint all existing trim, sills and coping, paint (P-2)
- ③ Existing steel windows to remain, Paint (P-2)
- ④ Paint all steel doors and exterior stairs, paint (P-2)
- ⑤ New landscape/planter areas
- ⑥ Existing steel canopy to be modified, Paint to match all trim (P-2). Add rough sawn wood soffit to underside.
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- ⑱ Existing building addition to modified, (N) Door openings
- ⑲ Metal screen light feature on existing water tower
- ⑳ New steel egress stair (P-2)

WATER TOWER

SW Macadam Ave
Portland, OR
07.02.20

EXTERIOR ELEVATION - WEST

1/16" = 1'-0"

**NO SIGNS HAVE BEEN APPROVED
WITH LU 19-264010 DZ**

A.10 | S|E|A

Approved
City of Portland
Bureau of Development Services

Planner: _____
Date: 08-29-2020

This approval is specific to the review requested. Additional zoning requirements may apply.

**EXHIBIT C-21
LU 19-264010 DZ**