

City of Portland, Oregon

Bureau of Development Services Inspection Services - Land Use Services

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 15-239803 DZ AD

PC # 15-179068

1127 SW Morrison

REVIEW BY: Design Commission

WHEN: December 3, 2015 @ 1:30pm

WHERE: 1900 SW Fourth Ave., Room 2500A

Portland, OR 97201

Bureau of Development Services Staff: Grace Jeffreys 503-823-7840 / Grace.Jeffreys@portlandoregon.gov

GENERAL INFORMATION

Applicant: Montgomery Hill, LRS Architects

720 NW Davis St, Suite 300, Portland OR, 97209

Ben Hufford, Design Department Architecture 208 SW Stark St #200, Portland, OR, 97204

Owners: Jordan Menashe, Menashe Properties

621 SW Alder, Suite 800, Portland, OR 97205

Jeffery Weitz, North Rim Development

819 SE Morrison, Suite 110, Portland OR 97214

Site Address: 1127-1139 SW MORRISON ST

Legal Description: BLOCK 257 LOT 5&6, PORTLAND

Tax Account No.: R667728520, R667728520

State ID No.: 1N1E33DD 03900, 1N1E33DD 03900

Quarter Section: 3028

Neighborhood: Portland Downtown, contact Rani Boyle at 503-725-9979.

Business District: None

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-

4212.

Plan District: Central City Plan District, Downtown Subdistrict, WestEnd

Subarea

Zoning: RXd, Central Residential with design "d" overlay

Case Type: DZ AD, Design Review with an Adjustment and a Design

Exception.

Procedure: Type III, with a public hearing before the Design Commission.

The decision of the Design Commission can be appealed to City

Council.

Proposal:

Applicant seeks Design Review approval for a new 6-story, ¼-block office building with ground floor retail and terraces at levels 2-6, in the West End Subarea of the Downtown Subdistrict of the Central City Plan District. An existing one-story retail building on the site will be demolished and replaced with a 58,862 square foot commercial building with outdoor terraces on the 2nd floor through 6th floors, loading and service areas off of SW 12th, no parking, and upper floor oriel window projections of up to 4' deep over SW 12th and SW Morrison Streets. Exterior materials include aluminum curtain wall with clear and fritted glass, aluminum composite panels, 2-coat stucco party walls, painted metal accents, painted steel box-rib mechanical screening on the roof, tongue and groove Ipe soffits at levels one and six, and sealed architectural concrete bulkheads at sloped sidewalk edges. Long and short term bike parking requirements will be met on-site.

An **Adjustment** is requested to:

• 33.266.310 *Loading Standards* – to reduce the number of required on-site loading spaces from two to one.

A **Design Exception** is requested to:

Window Projection into Public Right-of-Way (IBC/32/#1) - Standards for windows allowed to project into public right-of-way – to increase the minimum width of each oriel windows projecting into the public rights-of-way from 12'-0" to 45'-8 3/4" on SW Morrison Street, and from 12'-0" to 45'-7" on SW 12th Avenue.

Relevant Approval Criteria:

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

- 33.420, Design Overlay
- 33.825, Design Review
- 33.805.040, Adjustment Criteria
- Central City Fundamental Design Guidelines
- IBC/32/#1

ANALYSIS

Site and Vicinity: The 10,000 square foot quarter block site is located at the northeast corner of SW Morrison Street and SW 12th Avenue. The site is fully built-out and is developed with a single-story commercial building constructed in 1923. Surrounding development consists of a mix of commercial, office, and residential. The site is located across SW 12th from the First Presbyterian Church, a historic landmark, and diagonally across the intersection of SW 12th and SW Morrison from the Terminal Sales Plaza, another historic landmark.

SW Morrison is a designated Regional Transitway, Major Transit Priority Street, a Pedestrian Transit Street and a Local Service Street for all other modes. SW 12th Avenue is a designated City Walkway. The site is located within the Downtown Pedestrian District.

Zoning: The <u>Central Residential</u> (RX) zone is a high-density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will be 100 or more units per acre.

Allowed housing developments are characterized by a very high percentage of building coverage. The major types of housing development will be medium and high rise apartments and condominiums, often with allowed retail, institutional, or other service oriented uses. Generally, RX zones will be located near the center of the city where transit is readily available and where commercial and employment opportunities are nearby. RX zones will usually be applied in combination with the Central City plan district.

Because the site is also located in the <u>West End Subarea of the Downtown Subdistrict of the Central City Plan District</u>, it is subject to further Use Regulations for Specified Sites in the West End Subarea per PZC 33.510.118. The purpose of this standard is to encourage an infill pattern of development in the West End Subarea to preserve the Central Residential zone while encouraging a wider range of nonresidential uses. These provisions limit redevelopment pressure on existing housing. According to Planning and Zoning Code Section 33.510.118 and Map 510-14, this is designated a Type A site. On Type A sites where the site occupies less than one full block, up to 100 percent of the net building area may be in Household Living, Retail Sales and Service, Office, Schools, Parks and Open Areas, Colleges, Medical Centers, Religious Institutions, and Daycare uses.

The <u>Design Overlay Zone</u> [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 <u>Central City Plan District</u> implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the West End Subarea of the Downtown Subdistrict of this plan district.

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

LU 14-216618 DZ: Design Review approval of storefront alterations.

<u>LU 05-130884 DZ</u>: Design Review approval of two new rooftop mechanical units, ADA flatwork and storefront improvements.

<u>LUR 96-00863 DZ</u>: Design review approval of installation of 7 individual 4-foot wide non-illuminated awnings with signage sewn into the valance.

DZ 147-85: Design review approval of a single-faced wall-mounted sign.

DZ 127-85: Design review approval of a painted sign on the wall.

DZ 82-83: Design review approval of awnings.

<u>ZC 4684</u>: Zone change for large area of west Portland. No additional documentation of this case was found in the log book or microfiche record.

Agency Review: A "Notice of proposal in Your Neighborhood" was mailed **November 12, 2015**. The following Bureaus have responded with no issue or concerns:

The **Bureau of Environmental Services** responded with no objections or conditions. Please see Exhibit E-1 for additional details.

The **Bureau of Transportation Engineering** responded with no objections or conditions. Please see Exhibit E-2 for additional details. PBOT then issued revised notes clarifying the width of SW 12th Avenue. Please see Exhibit E-2a for additional details.

The **Water Bureau** responded with no objections or conditions. Please see Exhibit E-3 for additional details.

The **Fire Bureau** responded with no objections or conditions. Please see Exhibit E-4 for additional details.

The **Site Development Section of BDS** responded with no objections or conditions. Please see Exhibit E-5 for additional details.

The **Bureau of Parks-Forestry Division** responded with no objections. Please see Exhibit E-6 for additional details.

The **Life Safety Section of BDS** responded with no objections or conditions. Please see Exhibit E-7 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **November 12, 2015**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

(1) Design Review (33.825)

Chapter 33.825 Design Review Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Central City Fundamental Design Guidelines.

Central City Fundamental Design Guidelines

These guidelines provide the constitutional framework for all design review areas in the Central City.

The Central City Fundamental Design Guidelines focus on four general categories. (A) **Portland Personality**, addresses design issues and elements that reinforce and enhance Portland's character. (B) **Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. (C) **Project Design**, addresses specific building characteristics and their relationships to the public

environment. **(D) Special Areas,** provides design guidelines for the four special areas of the Central City.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within all of the Central City policy areas. The nine goals for design review within the Central City are as follows:

- 1. Encourage urban design excellence in the Central City;
- **2.** Integrate urban design and preservation of our heritage into the development process;
- **3.** Enhance the character of the Central City's districts;
- **4.** Promote the development of diversity and areas of special character within the Central City;
- **5.** Establish an urban design relationship between the Central City's districts and the Central City as a whole;
- **6.** Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
- **7.** Provide for the humanization of the Central City through promotion of the arts;
- **8.** Assist in creating a 24-hour Central City which is safe, humane and prosperous;
- **9.** Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

A2. Emphasize Portland Themes. When provided, integrate Portland-related themes with the development's overall design concept.

Findings: Rather than incorporating specific symbols of Portland's identify, the project design emphasizes Portland themes such as the light rail line, active streets, views to the street and nature beyond, and a commitment to environmental design.

The main entry for the office as well as a main retail entry are located on SW 12th facing the Light Rail line, emphasizing and reinforcing Portland's connection to mass transit and specifically its unique train culture. The clear glass curtain-walls at Level 1 will create a strong connection to the street, enhancing the street level connections. Floor to ceiling glass at the upper floors will also reinforce this connection between the streetscape and the building inhabitants. Balconies at the office floors will place further emphasis on connectivity to the street activity and add to the vitality of the pedestrian experience. Additionally, the balconies and glass wall project beyond the property line to allow views up and down SW 12th street. The balconies also face the First Presbyterian Church outdoor plaza and the upper floors will have unobstructed views towards the Goose Hollow neighborhood and the west hills beyond. Finally, the proposed green roof reinforces Portland's connection to nature and commitment to environmental design. This quideline is met.

A3. Respect the Portland Block Structures. Maintain and extend the traditional 200-foot block pattern to preserve the Central City's ratio of open space to built space. Where superblock exist, locate public and/or private rights-of-way in a manner that reflects the 200-foot block pattern, and include landscaping and seating to enhance the pedestrian environment.

Findings: The project is a quarter block site that will be built to the property line, with minor 3 foot setbacks to accommodate the numerous doorways at level 1.

This guideline is met.

- **A4.** Use Unifying Elements. Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.
- **A5.** Enhance, Embellish, and Identify Areas. Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

Findings for A4 and A5: The adjacent right-of-way along SW Morrison will be rebuilt to light rail line paving standard and established street furnishings and the historic Portland Street lamps will be maintained. The frontage along SW 12th will be re-built to city standards. Street lights upgrades as needed will be undertaken and new street trees are proposed along both frontages.

The building places entries and views toward the streets. Details on exterior façades will reflect the specific use within; the retail and main office entry each have a unique individual character. The main office entry has a unique canopy element and the office lobbies on the subsequent upper floors are detailed and differentiated from the rest of the façade by the use of uniquely spaced horizontal mullions in contrast to the vertical mullions that are typical on the building. *These quidelines are met.*

A7. Establish and Maintain a Sense of Urban Enclosure. Define public rights-of-way by creating and maintaining a sense of urban enclosure.

Findings: The proposed 6-story building is built up to or slightly over the public right-of-way, creating a positive urban edge. The Mayer building across SW Morrison to the South is also 6-stories tall and of similar size and scale. In matching the height, size and scale of the building across the street, the new proposal will create a consistent urban street enclosure along this section of SW Morrison.

The urban edge has been articulated through the use of oriel windows on both streets, and balconies at every upper level on SW 12th Avenue, which faces a well established plaza across SW 12th Avenue. A large balcony on Level 6 wraps both SW Morrison and SW 12th, and large angular projecting bays along both street frontages all contribute to an interesting and dynamic urban edge. *This guideline is met.*

A8. Contribute to a Vibrant Streetscape. Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

Findings: The sidewalk level area will be articulated and extended by recessing the glass window wall 3 feet. This combined with the projecting bays at Level 2-5 will create a generous protected area for pedestrians and a place for outdoor dining. The retail area along the sidewalk will have a number of large opening glass walls to allow the activity within the building to spill out and activate the streetscape. The recessed street level façade and multiple, large building openings increase the space for potential public use and contribute to an active streetscape.

Above the sidewalk level, the fritted glass oriel windows cover the majority of the

building façades on both street elevations. To contribute to a vibrant streetscape, in addition to the clear glazing at the ground floor, it is vital that this fritted glass treatment of the upper levels allows strong visual connections into the active interior spaces from the outside, promoting an active, engaged relationship with the street edges and surrounding public realm.

Provided the applicant can demonstrate to the Commission on December 17 that the fritted glass treatment will allow strong visual connections into the building's active interior spaces from adjacent sidewalks, this guideline is met.

A9. Strengthen Gateways. Develop and/or strengthen gateway locations.

Findings: The location of the project is near the west end of the downtown boundary edge defined by Interstate 405. In this area of downtown the edge is characterized by the very large steeple of the First Presbyterian Church and the white Art Deco Terminal Sales Building with its prominent tower element. Both structures are on the block next to 405, bounded by SW 12th and SW 13th. Additionally, there is a large, well established, half block plaza over a below grade parking structure between the site in question and the boundary edge of 405. The proposed design is one block away from the 405 boundary and will be six stories in height which is very similar to the Mayer Building directly to the south. The matching building height with the Mayer building will serve as a strong second layer gateway on SW Morrison to the west end gateway of downtown. *This guideline is met.*

B1. Reinforce and Enhance the Pedestrian System. Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

Findings: A clear path will be maintained for the pedestrian zone. On the SW 12th frontage, score lines in the concrete will designate the furnishing zone, the pedestrian movement zone and the building zone, as per city standards. On the SW Morrison frontage, the transit paver standard will be replaced and there will be no obstructions to the pedestrian through zone, which is designated with a change in paving color. The sidewalk (ground) level glass façade will predominately be recessed 3'-0" to provide an increase in the public pedestrian zone. Large openings for the retail tenants and the main office lobby will face the sidewalk providing a special sidewalk character and vibrancy. Articulation of the building façade at level 2 provides cover for pedestrians by means of angular projecting bays which extend beyond the public right of way up to 4'-0". This combined with the recessed façade at the ground level provides overhangs of up to 7'-0", further enhancing the pedestrian system. This guideline is met.

B2. Protect the Pedestrian. Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

Findings: The furnishing zone contains street trees, bike racks, street lights, parking meter, public signage and tri-met catenary poles. This provides a protective layer between the street and the pedestrian movement zone. On SW 12th there will be on-street parallel parking that will provide an additional layer

between traffic and the pedestrian. Parallel parking along SW Morrison is not possible as this frontage must meet tri-met requirements for the Max light rail line. Lighting of the pedestrian way will be accomplished by standard street lamps and by lighting the underside of the projecting bays with exterior linear light fixtures. All major mechanical systems, including HVAC Unit, building and restaurant exhaust will be place on the roof, far away from the pedestrian to reduce noise and unpleasant smells. The generator exhaust will be mounted over 12'-0" above the sidewalk level. *This guideline is met.*

B3. Bridge Pedestrian Obstacles. Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.

Findings: The curb extension at the SW 12th frontage that provides a safe convenient place for pedestrians to wait before crossing the road will be rebuilt to city standards. *This guideline is met.*

B4. Provide Stopping and Viewing Places. Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.

Findings: The sidewalk level area will be articulated by recessing the glass window wall 3 feet. This combined with the projecting bays at Level 2-5 will create protected areas for pedestrians and a place for outdoor dining. The recessed street level façade and multiple, large building openings will be an attractive place for people watching, socializing, and eating. The retail area along the sidewalk will have a number of large glass walls to allow the activity within the building to spill out and activate the streetscape. Seating will be provided by the restaurant on the ground level. The ground floor windows at the retail area along both the SW 12th and SW Morrison frontages will be mostly glass, with low, stepped concrete bulkheads to account for sidewalk slope. These windows maximize the views into and out of the active use to create a sense of security at the streetscape. *This guideline is met.*

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

Findings: Directly to the west of the proposed design is a well maintained and landscaped plaza over a below-grade parking structure developed by the First Presbyterian Church. The design has specifically taken into account this open space by orienting outdoor balconies at Level 2 through Level 6 towards this plaza. Additionally, a balcony at Level 6 wraps the entire façade. At the ground floor of the west facade, approximately 57'-0" of the 100'-0" available façade length will be dedicated to an all glass window wall with large openings for the retail and restaurant to take advantage of views toward the plaza. Additionally, the façade is recessed 3'-0" to create and active zone for shoppers and people dining at the restaurant, and this in turn will help activate the edge of the plaza. *This guideline is met.*

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

Findings: The combination of the 3'-0" recessed façade at the ground floor with angular projecting bays of up to 4'-0" will provide up to 7'-0" of covered protection for the pedestrian along parts of both street frontages. On the SW Morison frontage, the main entry to the office lobby at the ground floor will include a canopy cover that is approx. 20'-0" wide by 12'-0" deep, and overhangs the right-of-way by 8'-0". On the SW 12th frontage, the Level 2 balcony also provides a protective overhang of approx. 24'-0" wide by 6'-0" deep. The combination of all the overhangs and canopies will provide nearly continuous protection for the pedestrian on both street frontages. *This guideline is met*.

B7. Integrate Barrier-Free Design. Integrate access systems for all people with the building's overall design concept.

Findings: All areas of the proposal have been designed to be accessible and barrier free. *This quideline is met.*

C1. Enhance View Opportunities. Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

Findings: The proposal has been designed to specifically take advantage of the views from the upper floors toward the west hills of Portland. These views will be protected for the foreseeable future as the block immediately to the west is a well-established plaza over below-grade parking, and beyond that is Interstate 405. The west façade is entirely floor to ceiling glass to take advantage of these distant west hills views as well as the landscaped plaza across the street. The balconies at Level 2 through 6 with a full wrap around deck at Level 6 provide opportunities for occupants to step outside and enjoy the views. The proposed building height is approx. 85'-4", well below the 150'-0" allowed. This height is in keeping the Mayer Building directly to the South across SW Morrison, and will maintain views from other vantage points and provide a compliment to neighborhood views. *This guideline is met.*

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

Findings: The massing of the building is highly articulated, with angular projecting bays, numerous balconies and a large roof overhang. These intentional design moves create a compelling solution that will focus activity and interest on the corner, and create an attractive scale to the building.

The proposed exterior materials are of a suitable high quality for this downtown location. The 4mm thick bonded aluminum composite metal paneling and aluminum curtain walling are high quality systems which will maintain their crisp appearance and promote permanence. The large amount of glazing on the ground floor will be clear, with low-level sealed architectural concrete bulkheads at the sloped sidewalk edges. The glass on the upper floor oriel windows will be a unique frit pattern that will create a one of a kind look for the proposed design.

Tongue and groove Ipe wood will be utilized at the soffits of the projecting bays at both the ground level and the roof overhang at the level 6 deck. This high quality hardwood will provide rich color and texture to complement the metal and glass. The 2-coat stucco cladding with painted metal accents at floor levels at the party

walls offer a long term quality solution to these side walls. The painted steel boxrib mechanical screening on the roof will be painted to match the white of the cladding below, and will blend in with the design of the building. The louvers at the ground floor are aluminum 2" chevron CS Storm resistant louvers, color to match.

Finally, a painted steel utility gate is proposed to screen the gas meter on SW 12th. Incorporating a design solution for gas meters at this early stage is applauded. The proposed utility gate is at the base of a prominent vertical element and should be a well integrated and coherent component of the building. However, more detailed drawings are necessary to evaluate the quality of the proposed treatment.

<u>Provided the applicant can demonstrate to the Commission on December 17 that the painted steel utility gate on SW 12th is of a similar high quality as the remainder of this building, this guideline is met.</u>

C4. Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.

Findings: This new building will maintain a similar scale, proportion and quality of construction to the older buildings in the area and yet will distinguish itself in terms construction methods and materials as a modern building of its time. The Mayer building directly to the south is also a six-story building on a quarter-block, and the scale and proportion of the overall massing will be very similar. The proposed concrete framing with large expanses of glass will complement the existing context of masonry and concrete façade buildings. The Mayer building across SW Morrison is a beige brick building, the First Presbyterian Church across SW 12th is a granite masonry building, and the Terminal Sales Building further up SW Morrison is a white, concrete and terracotta, Art Deco building. The proposed design will be composed of white metal panel and white frit glass, a nod to the white Terminal Sales Building just across the intersection of SW 12th and Morrison. *This guideline is met*.

C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings: An aluminum curtainwall system is used throughout the entire façade, incorporating large expanses of floor to ceiling glazing. In the unique angular projecting bays, a special frit pattern is utilized to highlight the glass. Utilizing the same curtainwall system, the main office entry and office lobbies above on each floor are articulated with a horizontal mullion pattern to set them apart from the retail use and office tenant spaces, giving the building form a meaningful expression. The pedestrian level at the sidewalk is recessed 3'-0" from the property line, and there are vertical recesses which continue up the height of the building, weaving this recessed element throughout the composition. Exterior lighting is used to wash across the exterior wood soffits above the pedestrian level to enhance the pedestrian experience, and a similar detail is also utilized at the roof overhang at Level 6 to highlight the building form. *This guideline is met*.

C6. Develop Transitions between Buildings and Public Spaces. Develop transitions between private development and public open space. Use site design features such as movement zones, landscape element, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

Findings: The entire pedestrian level façade at the retail space on Level 1 is recessed 3'-0" from the property line to create a transition between the public and private zone. In addition, projecting bays of up to 4'-0" create a total overhang of up to 7'-0" to enhance this protective zone for the public. Additionally, the large, glazed walls and openings at the pedestrian level further enhance the transition between public and private spaces. *This guideline is met.*

C7. Design Corners that Build Active Intersections. Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

Findings: The proposed design sits at the corner of SW 12th and Morrison. The ground level façade is recessed on both frontages and angular projecting bays above extend up to 4'-0" over the property line on both frontages. The projecting bays angle back toward the building as they move away from the corner. These major design features create an interesting acute angle that hangs out over the ground level up to 7'-0", creating drama at the corner. The office entry and the loading bay are both placed toward the middle of block, thereby freeing up the corner for active retail uses. *This quideline is met.*

C8. Differentiate the Sidewalk-Level of Buildings. Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

Findings: Both the sidewalk level at the first floor as well as the top level, the sixth floor, are recessed along both frontages, giving the building a clear tri-partite form with a strong base, middle and top. The large overhang at the top floor also acts as a cornice, further expressing the top of the building. Additionally, level 1 utilizes large expanses of glass with larger mullion spacing than the upper floors, to further differentiate it and give it a unique identity at the sidewalk level. *This guideline is met.*

C9. Develop Flexible Sidewalk-Level Spaces. Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

Findings: The sidewalk level is dedicated to retail uses at the corner, with the office entry and the required loading dock areas located mid-blocks. The retail use and the above mentioned sidewalk level articulation will greatly enhance the pedestrian environment. The building is designed to accommodate multiple restaurants, and with the landscaped plaza across the street, it will be an attractive place for pedestrians to congregate. The large projecting corner bays combined with the recessed level 1 façade will create a covered, protective place for pedestrians, and draw visitors to the building. *This guideline is met*.

C10. Integrate Encroachments. Size and place encroachments in the public right-of-way to visually and physically enhance the pedestrian environment. Locate permitted skybridges toward the middle of the block, and where they will be physically unobtrusive. Design skybridges to be visually level and transparent.

Findings: Located mid-block along SW 12th, integrated balconies serve the upper stories of the building from Level 2 through Level 6. The balconies overhang the

right of way and create a meaningful integration between public and private space. Located mid-block along SW Morrison, the main entry to the office lobby on the sidewalk level will incorporate a large protective canopy for pedestrian protection and to welcome guests and occupants. Located mid-block along both street frontages, 2' wide vertical elements at both party walls frame the building from levels 2 through 6, and connect to the deep eave at the top of the building, which also overhangs the right-of-way by 2'. These vertical elements start at level 2 and are over 13' above the sidewalk so are allowable encroachments, and they contribute to the strong design theme of the building. *This guideline is met*.

C11. Integrate Roofs and Use Rooftops. Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

Findings: The top occupied floor Level 6 will have an outdoor deck that wraps around the entire frontages, minus the area dedicate to the office lobby. This large outdoor deck looks onto the plaza across SW 12th Avenue and creates a strong top for the building. The façade is recessed 4'-6" from the property line and the deck extends up to 4'-0" into the right-of-way, for an overall maximum deck size of 8'-6". The 4'-6" overhang at the top of the building gives the building top an interesting cornice and provides protection for the Level 6 deck.

The roof of the building incorporates a green roof as both a design and a sustainability feature to filter rain water, which will cover over 88% of the roof surface. All rooftop mechanical equipment has been set back from both street frontages, and will be screened by box-rib panels painted to match the building in color.

The steeple of the First Presbyterian Church is a significant historic element in the area and will be respected and celebrated, as the proposed design will not be taller, and the integrated balconies on the proposed design take advantage of views of the Steeple. The historic Terminal Sales Building located across the intersection of SW 12th and Morrison has an intriguing Art Deco style with an unusual tower element, which the proposed modest six-story office and retail building also will not compete with. *This quideline is met*.

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

Findings: Exterior lighting will be incorporated into the architectural elements of the building at the soffits at levels 1 and 6. Integrated linear LED fixtures located just below the soffits will highlight the horizontal wood surfaces. This external lighting will be augmented by the interior lighting which will spill out through the large expanses of glass, illuminating the streetscape at the pedestrian level as well as the terrace at the level 6.

Internal lighting has also been integrated to be very visible externally and further express the building design. The office lobby bay that extends from level 1 to level 6 will be up-lighted from within, highlighting the horizontal mullions and the stair, creating a dramatic vertical effect. Additionally, each floor will have internal linear

LED fixture in the ceiling right behind the glass, and behind this will be a white perforated MechoShade.

This internal lighting combined with the external soffit lighting at levels 1 and 6 will have a dramatic effect on the exterior facades at night. However, it is not characteristic of the Portland skyline to include heavily lit building tops.

<u>Provided the applicant can demonstrate to the Commission on December 17 that the exterior lighting at the sixth floor will not have a negative effect on the city skyline, this quideline is met.</u>

C13. Integrate Signs. Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

Findings: The applicant has indicated that no overall building signage is planned for the proposed design. If proposed signage is greater than 32 square feet or 30 square feet projecting over the right-of-way, a further Type II Design Review will be required. *This quideline is met.*

(2) ADJUSTMENT REQUEST (33.805)

33.805.010 Purpose

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.

The following adjustments are requested:

1. Loading Standards (Number of Loading Spaces) [PZC 33.266.310]: The standard requires two loading spaces for buildings that are not used entirely for household living and have a floor area greater than 50,000 square feet.

<u>Adjustment:</u> The applicant proposes providing one rather than two loading spaces for the commercial 58,862 square foot building.

A. Granting the adjustment will equally or better meet the purpose of the regulation to be modified.

<u>Loading Standards Purpose:</u> A minimum number of loading spaces are required to ensure adequate areas for loading for larger uses and developments. These regulations ensure that the appearance of loading areas will be consistent with that of

parking areas. The regulations ensure that access to and from loading facilities will not have a negative effect on the traffic safety or other transportation functions of the abutting right-of-way.

Findings: The adjustment to reduce the number of loading spaces from two to one is supported by PBOT, and will adequately serve the needs of the building and support the pedestrian orientation of the design.

According to PBOT the applicant has demonstrated that the loading needs of the site will be met by the one loading bay proposed and will not negatively affect traffic safety or other transportation functions of the abutting right-of-way. The entrance to the loading space will be on SW 12th Avenue, and meets the requirement to be a minimum of 75-ft from the property line abutting the light rail alignment along SW Morrison. The 75-ft is measured from the property line abutting SW Morrison.

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 a C, E, or I zone, the proposal will be consistent with the desired character of the area.

Findings: The siting of the loading facility inside the building is consistent with the desired character of a vibrant, urban, pedestrian-oriented neighborhood. One loading space instead of two increases the opportunity for further retail opportunities on the ground floor street frontages, and minimizes back-of-house functions facing the public sidewalk.

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.

This criterion does not apply.

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

Findings: The site does not contain any city-designate scenic resources.

This criterion does not apply.

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

Findings: There have been no impacts identified by BDS and PBOT staff resulting from the adjustment.

This criterion does not apply.

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 site is not located in an environmental zone.

This criterion does not apply.

(3) Design Exception Request (IBC/32/#1)

Exception #1: Window Projection into Public Right-of-Way (IBC/32/#1) - Standards for windows allowed to project into public right-of-way: to increase the minimum width of each oriel windows projecting into the public rights-of-way from 12'-0" to 45'-8 3/4" on SW Morrison Street, and from 12'-0" to 45'-7" on SW 12th Avenue.

A. Projection. Maximum projection of 4 feet into the right-of-way including trim, eaves and ornament.

Findings: The maximum projection for any element of the projecting volumes is 4'-0". *This Criterion is met.*

B. Clearance. Clearance above grade as defined in Chapter 32, Section 3202.3.2 of the current Oregon Structural Specialty Code. (The 2004 edition of the Oregon Structural Specialty Code states that no projection is allowed for clearances less than 8 feet above grade. For clearances above grade greater than 8 feet, 1 inch of projection is allowed for each additional inch of clearance, provided that no such projection shall exceed a distance of 4 feet.)

Findings: Minimum clearance above grade is 13'-9" and the maximum projection is 4'-0". *This Criterion is met.*

C. Area. Maximum wall area of all windows which project into public right-of-way on a wall is 40% of the wall's area.

Findings: The maximum wall area of all windows on the south projection is 36.7%, and the maximum window area on the west projection is 30.3%. *This Criterion is met.*

D. Wall Length. Maximum width of any single window which projects into public right-of-way is 50% of its building wall length.

Findings: The east projecting element on the south elevation is 10.3% of the south wall length. The west projecting element on the south elevation is 45.8% of the south wall length. The projecting element on the west elevation is 45.6% of the east wall length. *This Criterion is met.*

E. Window Area. Minimum of 30% window area at the face of the projecting window element. Projections greater than 2 feet 6 inches must have windows at all sides. Required side windows must be a minimum of 10% of side walls.

Findings: 100% of the face of the projecting window elements is window area. Additionally, the projections are greater than 2'-6", and windows occupy all sides and windows are 100% of all side walls. *This Criterion is met.*

F. Width. Maximum width of 12 feet for each projecting window element. When approved through Design Review, the width may vary provided the area of all windows on a wall which project into public right of way does not exceed 40% of the wall's area and the width of any single projecting window element does not exceed 50% of its building wall's length.

Findings: Proposed projections are 45'-8 ¾" and 10'-4 ¾" wide on SW Morrison Street and 45'-7" on SW 12th Avenue. The proportions of the projecting bays add variety to the west and south building facades, and help unify the asymmetrical modern design. These bays highlight and activate the corner of the site and the building entries. The bays are triangular in shape and taper back to inside the property lines. Additionally, the bottom of each bay is quite high above the sidewalks, a minimum of over 13', so they will not feel heavy or encroach into the pedestrian realm.

This criterion is not met for the width of two of the projecting bays, but is approvable through Design Review for the design rationale described in the findings above.

G. Separation. Minimum separation of 12 feet measured from other projecting window elements on the same elevation or plane of wall. When approved through Design Review, required separation may vary provided the area of all projecting window elements on a wall does not exceed 40% of the wall's area and the width of any single projecting window element over the right-of-way does not exceed 50% of its building wall's length.

Findings: There are two projections on the south-facing wall, but they are over 21'-0" apart from each other, as measured from the property line. The widths of the projections do not exceed 50% of the width of any single elevation or wall. There is only one single projection on the west elevation. *This Criterion is met*.

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The proposed building, located on a quarter-block site at the intersection of SW Morrison Street and SW 12th Avenue, is a relatively modest scaled building which celebrates it corner location, enhances the pedestrian environment, responds to its context, and while thoroughly modern in design, gives a nod to its neighboring landmark structures. The proposal incorporates high-quality materials and design details that add texture, interest and a sense of permanence, and activation of the facades through the incorporation of clear views and active uses at the ground floor and terraces at the upper levels.

Design Commission's review and acceptance of the following issues would result in the project meeting all criteria:

- 1. Frit pattern. See A.8 Findings
- 2. Steel utility gate. See C.2 Findings.
- 3. Exterior lighting of building top. See C.12 Findings.

TENTATIVE STAFF RECOMMENDATION

(May be revised upon receipt of new information at any time to the Design Commission decision)

With the Design Commission's acceptance of applicant's presentation on December 17 demonstrating that the following three issues meet all criteria, Staff recommends approval of Design Review for the proposed building.

- 1. Frit pattern;
- 2. Steel utility gate; and
- 3. Exterior lighting of building top.

Staff recommends approval of the following Adjustment request:

• 33.266.310 *Loading Standards* – to reduce the number of required on-site loading spaces from two to one.

Staff recommends approval of the following Design Exception request:

• Window Projection into Public Right-of-Way (IBC/32/#1) - Standards for windows allowed to project into public right-of-way – to increase the minimum width of each oriel windows projecting into the public rights-of-way from 12'-0" to 45'-8 3/4" on SW Morrison Street, and from 12'-0" to 45'-7" on SW 12th Avenue.

Procedural Information. The application for this land use review was submitted on September 21, 2015, and was determined to be complete on October 13, 2015.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on September 21, 2015.

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 waived the 120-day review period, as stated with Exhibit A.3. Unless further extended by the applicant, **the 120 days will expire on: September 21, 2016.**

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 recommendation of the Bureau of Development Services with input from other City and public agencies.

This report is not a decision. The review body for this proposal is the Design Commission who will make the decision on this case. This report is a recommendation to the Design Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Design Commission will make a decision about this proposal at the hearing or will grant a continuance. Your comments to the Design Commission can be mailed, c/o the Design Commission, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201 or faxed to 503-823-5630.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. You may review the file on this case by appointment at our office at 1900 SW Fourth Ave., Suite

5000, Portland, OR 97201. Please call the file review line at 503-823-7617 to schedule an appointment.

Appeal of the decision. The decision of the Design Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Design Commission, City Council will hold an evidentiary hearing, one in which new evidence can be submitted to them. Upon submission of their application, the applicant for this land use review chose to waive the 120-day time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing.

Who can appeal: You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. Appeals must be filed within 14 days of the decision. An appeal fee of \$5,000.00 will be charged (one-half of the application fee for this case).

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. Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person_authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

Recording the final decision.

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

• A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034 For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

Applying for your permits. A building permit, occupancy permit, or development permit 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.

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).

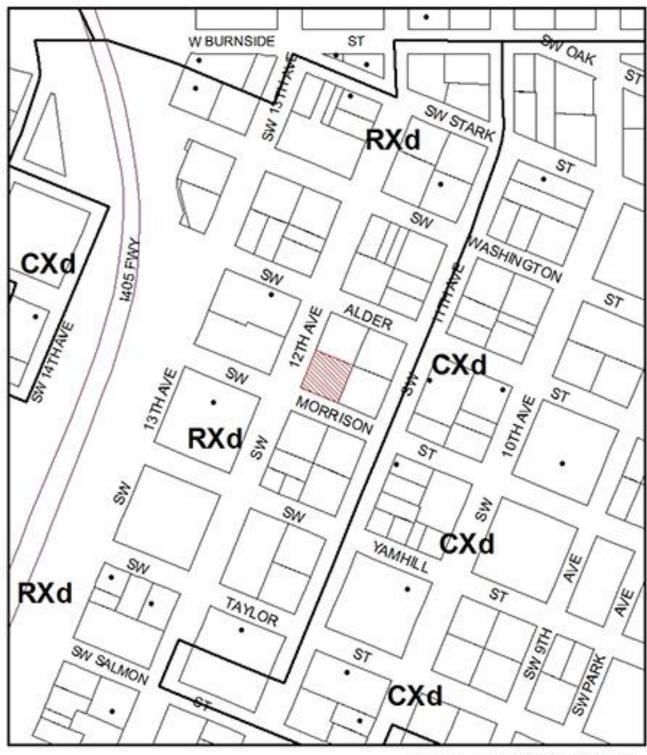
Grace Jeffreys November 24, 2015

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Initial submittal
 - 2. Drainage Report, 9/24/15
 - 3. Request for an Evidentiary Hearing and Waiver of Right to a Decision within 120 days, 10/6/15
 - 4. Loading Analysis, 10/12/15
 - 5. ACM specification, 10/26/15
 - 6. Revised renderings and drawings, 11/6/15
 - 7. Supplemental details and specifications, 11/20/15
- B. Zoning Map (attached)
- C. Plan & Drawings
 - 1. through C.48, including the following 6 attachments:
 - C.8 Site Plan
 - C.10 First Floor plan
 - C.18-21 Elevations
- D. Notification information:
 - 1. Request for response
 - 2. Posting letter sent to applicant
 - 3. Notice to be posted
 - 4. Applicant's statement certifying posting
 - 5. Mailed notice
 - 6. Mailing list

E. Agency Responses:

- 1. Bureau of Environmental Services
- 2. Bureau of Transportation Engineering and Development Review
- 2.a Bureau of Transportation Engineering and Development Review, revised
- 3. Water Bureau
- 4. Fire Bureau
- 5. Bureau of Parks, Forestry Division
- 6. Site Development Review Section of BDS
- 7. Life Safety Section of BDS
- F. Letters: None received
- G. Other
 - 1. Original LUR Application
 - 2. Pre-Application Conference Notes
 - 3. Interior and exterior photos of proposed frit design.



ZONING

Site

Historic Landmark

File No. LU 15-239803 DZM AD

1/4 Section 3028

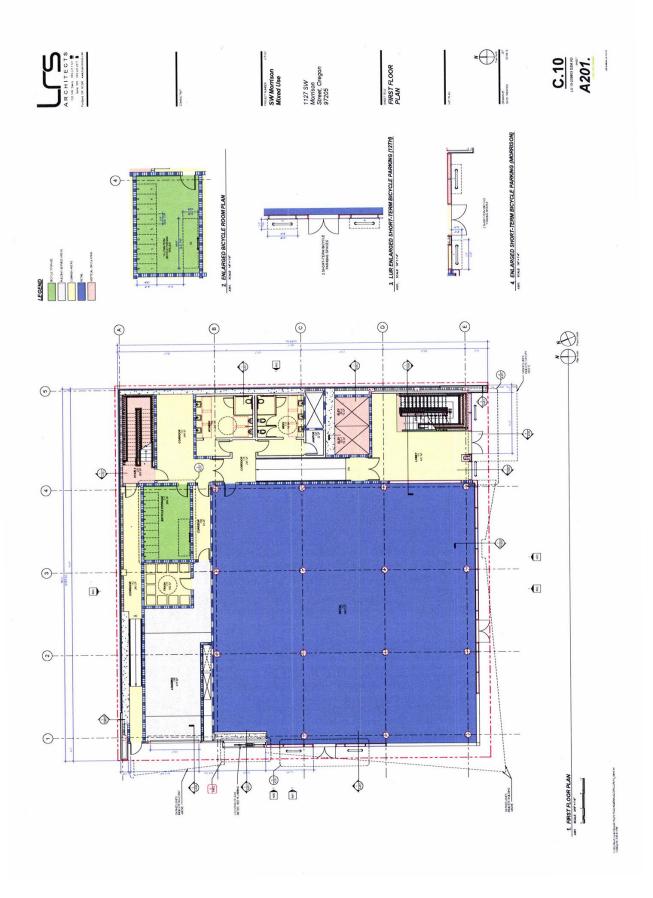
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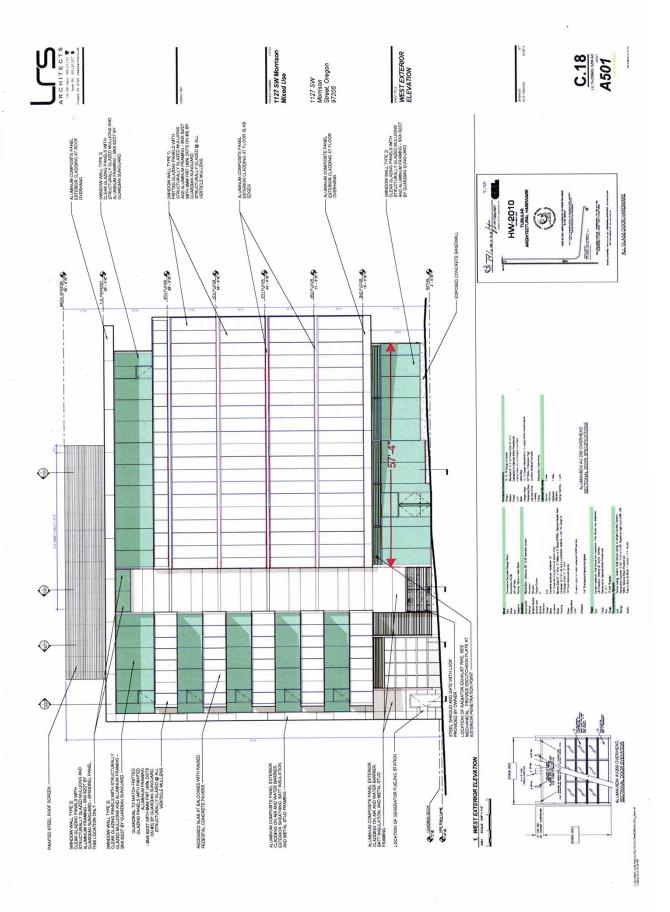
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Exhibit B (Sep 24, 2015)



This site lies within the: CENTRAL CITY PLAN DISTRICT DOWNTOWN SUBDISTRICT





C.19
U15.28901 DEL AD

PACIFICATION CONTRACTOR CONTRACTO

