



STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 15-232449 DZM AD MS
PC # 15-171665
Lot 5 Station Place
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: Benjamin Nielsen 503-823-7812 /
Benjamin.Nielsen@portlandoregon.gov

GENERAL INFORMATION

Applicants/

Representatives: Phillip Beyl, GBD Architects
1120 NW Couch St, Suite 300
Portland, OR 97209

Nick Hodges, Hacker
733 SW Oak St, Suite 100
Portland, OR 97205

Owner: Gary Finicle, Pearl Office Investors, LLC
1308 NW Everett St
Portland, OR 97209

Owner: City of Portland (PDC)
222 NW 5th Ave
Portland, OR 97209-3812

Site Address: Lot at the northeast corner of the intersection of NW 9th Ave & NW
Northrup St

Legal Description: LOT 5, STATION PLACE
Tax Account No.: R793100250, R793100250
State ID No.: 1N1E34BB 01305, 1N1E34BB 01305
Quarter Section: 2929

Neighborhood: Pearl District, contact Patricia Gardner at 503-243-2628.
Business District: Pearl District Business Association, contact Carolyn Ciolkosz at
503-227-8519.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-
4212.

Plan District: Central City - River District
Other Designations: North Pearl Subarea

Zoning: EXd – Central Employment with Design Overlay

Case Type: DZM AD MS – Design Review with Modifications and Adjustments and Central City Master Plan Amendment

Procedure: Type III – with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

Proposal:

The applicants request design review for proposed new construction in the North Pearl Subarea of the River District Subdistrict of the Central City Plan District. The proposed 8-story building consists of ground floor retail, lobby, loading and support spaces, with 2 short stories of structured parking tucked behind comprising 55 parking spaces. Above the ground floor retail and parking, 7 stories of office are proposed, with large roof terraces at the 6th and 8th floors that are cut into the main building massing. Vehicle access to parking and loading is proposed off NW Northrup Street. Pedestrian lobby access is proposed at the intersection of NW 9th & Overton.

The applicants also request three (3) Modifications to development standards:

- Allow the length of the building façade above 100 feet in height to be up to 180 feet long (33.510.205.H.2.d.(1)).
- Reduce the length of the required ground floor windows on the south façade (facing NW Northrup Street) from the required 50% of the ground level building length to approximately 40% of the ground level building length (33.140.230.B).
- Allow the long-term bicycle parking to be provided in 1'-6" by 6'-0" spaces rather than in the required 2'-0" by 6'-0" spaces (33.266.220.C.3.b).

The applicants also request one (1) Adjustment to land use standards:

- Reduce the number of required loading spaces from two (2) to one (1) (33.266.310.C.2.b).

The applicants also request a Minor Amendment to a Central City Master Plan to add additional floor area ratio (FAR) to the site, which was granted to the North Pearl Subarea in 2005, several years after the Master Plan was adopted (2001), to Station Place Lots 4 and 5 and to shift remaining unused FAR from Lot 4 (occupied by the Residence Inn by Marriott) to Lot 5.

Design review is required for proposed new construction in the North Pearl Subarea of the River District Subdistrict of the Central City Plan District and for proposed Modifications to development standards. A concurrent adjustment review is required for proposed Adjustments to use standards, and a concurrent master plan amendment review is required for proposed amendments to a Central City Master Plan.

Approval Criteria:

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

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| ▪ 33.825 Design Review | ▪ Central City Fundamental Design Guidelines |
| ▪ 33.825.040 Modifications that Will Better Meet Design Review Requirements | ▪ River District Design Guidelines |
| | ▪ 33.510.255.E Central City Master Plan |

- 33.805 Adjustments Approval Criteria
- 33.805.040 Approval Criteria

ANALYSIS

Site and Vicinity: The subject site is located in the northeastern portion of the Pearl District neighborhood, within the Station Place subdivision, and within the Northwest Triangle Pedestrian District. The site is bounded on the south by NW Northrup Street [*District Collector Street, Transit Access Street, City Walkway, City Bikeway, Major Emergency Response Street*], on the west by NW 9th Avenue [*Transit Access Street, Local Service Walkway, City Bikeway, City Bikeway, Minor Emergency Response Street*], and on the northeast by the BNSF railroad line and Union Station. The site is a roughly triangular piece of land, with a site area of 34,808 square feet. The site is the last site that remains to be developed in the Station Place subdivision/Central City Master Plan area.

The site is within and on the eastern edge of the northern portion of the Pearl District neighborhood, a vibrant urban neighborhood of high-density housing developments, retail uses and restaurants, and newer public parks. The Willamette waterfront area is accessed to the north of the site from NW 9th Avenue as it curves to the northeast across the railroad tracks and joins NW Naito Parkway.

Zoning: The Central Employment (EX) zone allows mixed uses and is intended for areas in the center of the City that have predominantly industrial-type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area.

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

The Central City Plan District 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 River District Subdistrict of this plan district.

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

- LU 01-007680 MS SU (Ref. # LUR 01-00281 MS SU) – Approval for a Major Subdivision and Central City Master Plan. FAR maximums are established for this site through this review.
- LU 01-007804 PR (Ref. # LUR 01-00406 PR) – Approval for a Central City Parking Review for this site and the surrounding lots that were part of the Major Subdivision in LUR 01-00281 MS SU.
- LU 06-103275 DA – Design advice request for potential master plan of the development of the Hoyt Street Properties area.
- LU 12-111904 DZ MS AD – Approval for a design review with an Adjustment for a new hotel on Lot 4 and a Central City Master Plan amendment to allow the hotel use on the Lot 4 site.

- [PR 14-215748 ZCL](#) – Zoning Confirmation Letter for Lot 4, an adjacent site, and FAR transfer options.
- [EA 15-171665 PC](#) – Pre-application Conference for a proposed 9-story office building with ground floor retail and 64 parking spaces.
- [EA 15-175779 DA](#) – Design Advice Request hearing for a proposed 9-story office building with retail and parking on the ground floor.
- [TR 15-241105](#) – Design exception approval with conditions to allow the overhead garage doors to be located closer than 20’ behind the property line.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **November 11, 2015**. The following Bureaus have not responded to the proposal:

- Urban Forestry Division of the Portland Parks Bureau

The Bureau of Environmental Services responded with no objections and general comments about BES standards and requirements. Please see Exhibit E-1 for additional details.

The Bureau of Transportation Engineering responded with findings in support of the proposed Adjustment to the number of required loading spaces and with additional transportation-related comments. Please see Exhibit E-2 for additional details.

The Water Bureau responded with no concerns and with comments about available water services. Please see Exhibit E-3 for additional details.

The Fire Bureau responded with a comment stating that fire code requirements will apply at the time of permitting. Please see Exhibit E-4 for additional details.

The Site Development Section of BDS responded with comments about erosion prevention and sediment control. Please see Exhibit E-5 for additional details.

The Life Safety Section of BDS responded with comments about building code and life safety requirements. Please see Exhibit E-6 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **November 12, 2015**.

Two written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Joshua Brooking, Assistant Planner, ODOT Region 1, Development Review, November 5, 2015: Mr. Brooking requested a copy of the pre-application notes and a better copy of the site plan. Mr. Brooking stated that ODOT has an interest in ensuring that the proposed development does not pose conflicts with the public rail crossing.

Staff sent the requested information to Mr. Brooking. No further comments were received.

- William Boyd, 1255 NW 9th Ave #515, Portland, OR 97209, dated November 16, 2015, and received November 19, 2015: Letter stating that requests to add additional FAR to a site are only allowed through transfer from landmark structures, and the request for FAR transfer should be denied. Also objections to the Modification for building height above 100 feet and other Modifications and Adjustments, stating that the requests don’t provide a public benefit. Design requests for better massing, more distinct roof line, and additional high quality materials.

Staff forwarded a copy of Mr. Boyd’s letter to the applicants. Staff notes that FAR transfers are allowed both by transfers from landmark sites and through a Central City Master Plan, as stated in zoning code Section 33.510.255. Specifically, in Subparagraph 33.510.255.C.1, a Central City Master Plan allows “floor areas greater or less than shown on Map 510-2” to be “assigned on a site-specific basis. The total combined floor area for all sites in the plan area must be within the maximum allowed for the plan area before any allocations.” This proposal, in addition to adding floor area established by Ordinance 179303, shifts floor area within the established Central City Master Plan area from Lot 4 to Lot 5, and both may be permitted with an approved amendment to this Central City Master Plan. Regarding the proposed Modification to allow building length above 100’ to be up to 180’ in length, this may be approved if the proposal better meets the applicable design guidelines and if, on balance, the purpose of the standard is met. No additional public benefit is required to be provided. Regarding the other proposed Modifications and Adjustment, the approval criteria in 33.825.040 and 33.805.040, respectively, do not require that a public benefit be provided. The approval criteria for Modifications require that the Modification better meets design guidelines and that, on balance, the purpose of the standard is met. The approval criteria for Adjustments require that the purpose of the regulation be equally or better met and that impacts resulting from the adjustment are mitigated to the extent practical. Findings for the proposed Modifications, Adjustment, and the Central City Master Plan amendment are below.

ZONING CODE APPROVAL CRITERIA

(1) DESIGN REVIEW (33.825)

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 and River District Guidelines.

River District Design Guidelines and Central City Fundamental Design Guidelines

The River District is a remarkable place within the region. The area is rich with special and diverse qualities that are characteristic of Portland. Further, the River District accommodates a significant portion of the region’s population growth. This area emphasizes the joy of the river, connections to it, and creates a strong sense of community. The goals frame the urban design direction for Central City and River District development.

The Central City Fundamental Design Guidelines and the River District 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.

River District Design Goals

1. Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
2. Create a community of distinct neighborhoods that accommodates a significant part of the region’s residential growth.
3. Enhance the District’s character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
4. Strengthen connections within River District, and to adjacent areas.

Central City Plan Design Goals

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.

A1. Integrate the River. Orient architectural and landscape elements including, but not limited to lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and greenway. Develop access ways for pedestrians that provide connections to the Willamette River and Greenway.

A1-1. Link the River to the Community. Link the Willamette River to the community reinforcing the river’s significance. This guideline may be accomplished by:

- 1) Organizing land areas and groupings of buildings to visually define the river’s linkage to the community.
- 2) Focusing and articulating roadways and pedestrianways to emphasize the river.
- 3) Developing projects that celebrate the river and contribute to creating centers of interest and activity that focuses on the Willamette.
- 4) Connecting the internal areas of the District to the Willamette Greenway Trail.

Findings for A1 & A1-1: The proposed building orients itself towards the river at the ground and roof levels. At the ground level, the façade is highly glazed providing room for retail shops and restaurants which will draw pedestrians and cyclists passing on their way to and from the river and greenway, since NW 9th is the major north-south connection over the railroad tracks in this area. The building’s lobby angles northward away from NW 9th Avenue at the northern tip of the building, creating an open plaza area near this railroad crossing and providing

a waiting area, of sorts, for pedestrians as they wait to cross the railroad on their way to the river.

Up above, on the eighth story, the building massing pulls back creating a large roof terrace, providing opportunities for building occupants to have views towards the river and greenway. Similar views may be had from the lower 6th floor roof terrace, though this terrace is more oriented for sunlight and views towards the city and Mount Hood.

Therefore, these guidelines are 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 superblocks 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.

A3-1. Provide Convenient Pedestrian Linkages. Provide convenient linkages throughout the River District that facilitate movement for pedestrians to and from the river, and to and from adjacent neighborhoods. This guideline may be accomplished by:

- 1) Using visual and physical cues within the design of the building and building entries to express connections to the river and to adjacent neighborhoods.
- 2) Orienting integrated open spaces and trails that physically and visually link the river and/or surrounding neighborhoods.
- 3) Reusing or retaining cobblestone within the design of new development.
- 4) Encouraging flexibility and creativity along streets enhancing their historic or cultural role.
- 5) Creating visual and physical links across major corridors such as I-405, Burnside, and Front/Naito to strengthen connections to the river and other neighborhoods.

Findings for A3 & A3-1: The proposed building creates a strong street edge along the established streets of NW Northrup Street and NW 9th Avenue, providing an eastern edge to the Pearl District neighborhood. The building deflects at its northern tip near the intersection of NW 9th & Overton Street, signifying both the main lobby entry and the shift in the street grid from the north-south orientation of the Pearl District to the river-orientation of NW Naito Pkwy to the north of the railroad tracks. The lobby entrance itself aligns with a crosswalk that links to NW Overton Street.

Therefore, these guidelines are 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.

A5-1. Reinforce Special Areas. Enhance the qualities that make each area distinctive within the River District, using the following “Special Area Design Guidelines” (A5-1-1 – A5-1-5).

A5-1-1. Reinforce the Identity of the Pearl District Neighborhood. This guideline may be accomplished by:

- 1) Recognizing the urban warehouse character of the Pearl District when altering existing buildings and when designing new ones.
- 2) Recognizing the urban warehouse character of the Pearl District within the design of the site and open spaces.
- 3) Designing buildings which provide a unified, monolithic tripartite composition (base/middle/top), with distinct cornice lines to acknowledge the historic building fabric.
- 4) Adding buildings which diversify the architectural language and palette of materials.
- 5) Celebrating and encouraging the concentration of art and art galleries and studios with design features that contribute to the Pearl District’s “arts” ambiance. Consider features that provide connectivity and continuity such as awnings, street banners, special graphics, and streetscape color coordination, which link shops, galleries, entrances, display windows and buildings. Active ground level retail that opens onto and/or uses the sidewalk can contribute to the attraction of the “arts” concentration.

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

Findings for A4, A5, A5-1, A5-1-1, & C4: The proposed building incorporates a pattern of regular openings in a brick façade, following the prevalent pattern and material palette established by other recent buildings in this part of the district, including The Pinnacle, The Encore, and the Marriott Residence Inn. The ground floor also contains large amounts of glazing, which continues a pattern established by the Marriott, The Pinnacle, and the Ziba building farther to the south on NW 9th Ave. Additionally, the main lobby entrance is set at the intersection of NW 9th & Overton, towards which the main lobby entrances for The Pinnacle and The Encore also face. Together, these elements help to connect this new building to others already in the district but interpret them in a new way, helping to further develop the district’s character.

The brick and weathering steel used across the proposed building’s façade also harken back to the former urban warehouse character and railroad-focus of the Pearl District. There still remain numerous brick warehouses in the district, making brick a natural choice to reference this history. Similarly, the weathering steel recalls the district’s past focus as a rail yard as well as the site’s present adjacency to the BNSF railroad line and Union Station. The incorporation of weathering steel also introduces an infrequently used material in the now mixed-use neighborhood, and this proposal is the only building in the district to use the material extensively on all of its facades. Despite its infrequent use, however, the weathering steel references the district’s past railroad-oriented history and former warehouse character.

Therefore, these guidelines are met.

A5-3. Incorporate Water Features. Incorporate water features or water design themes that enhance the quality, character, and image of the River District. This guideline may be accomplished by:

- 1) Using water features as a focal point for integrated open spaces.
- 2) Taking cues from the river, bridges, and historic industrial character in the design of structures and/or open space.
- 3) Integrating stormwater management into the development.

Findings: The proposed design of the narrow strip of landscaping between the proposed building and the railroad tracks incorporates weathering steel runnels

which channel stormwater from the building into stormwater planters in this area. Though small in scale compared to the site and the proposed building, this occasional water feature adds additional life to what may otherwise be a neglected space.

Therefore, this guideline is met.

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

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.

A8-1. Design Fences, Walls and Gateways to be Seen Over. Design fences, walls and gateways located between a building and the sidewalk to be seen over to allow for social interaction. This guideline may be accomplished by:

- 1) Elevating building entries higher than the public sidewalk or path.
- 2) Creating a low fence or wall to visually separate but not hide semi-private spaces.
- 3) Using a low or stepped-down planting area or terraces to separate private development from a public sidewalk.

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.

B1-1. Provide Human Scale to Buildings along Walkways. Provide human scale and interest to buildings along sidewalks and walkways. This guideline may be accomplished by:

- 1) Providing street furniture outside of ground floor retail, such as tables and chairs, signage and lighting, as well as large windows and balconies to encourage social interaction.
- 2) Providing stoops, windows, and balconies within the ground floors of residential buildings.

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.

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 elements, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

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.

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

C9-1. Reduce the Impact of Residential Unit Garages on Pedestrians. Reduce the impact on pedestrians from cars entering and exiting residential unit garages by locating garage access on alleys, and active spaces on ground floors that abut streets. This guideline may be accomplished by:

- 1) Locating residential unit garage access on alleys.
- 2) Locating garage access on less trafficked streets.

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

A9-1. Provide a Distinct Sense of Entry and Exit. When developing at gateway locations, provide a distinct sense of entry and exit that relates to the special qualities of an area. This guideline may be accomplished by:

- 1) Orienting building massing and form towards the intersection of a major district entrance.
- 2) Creating structures or art or using special historic structures to frame a key district or special area entry.

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.

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 for A7, A8, A8-1, A9, A9-1, B1, B1-1, B4, B5, B6, C6, C8, C9, & C9-1: NW 9th Avenue is one of only two routes from NW Naito Pkwy/Front Ave into the Pearl District, and here, at the northern end of the site, the proposed building is pushed prominently forward, expressing the site as a transition from the riverfront and into the neighborhood with the unique geometry of the building. The distinctive building form, viewed from the north, includes a prow, which marks the gateway for pedestrians, bicycles, and vehicles into and out of the north end of the Pearl District.

The prow of the building is set back from the sidewalk edge, creating a small plaza area in front of the main lobby. This small plaza contains a low, raised planter along the sidewalk edge which has a long, built-in wooden bench on its sidewalk side, providing public seating for pedestrians—especially those who may be waiting for a train to pass. This small plaza area also accommodates moveable outdoor seating for the café/restaurant located inside the main lobby. This movable furniture, together with the café, will further help to activate this semi-public open space and provide additional seating for passing residents and building occupants to stop, interact, and relax. Several glazed doors and a large amount of clear-glazed storefront windows line the ground floor of the building on its northwest face, which allow the exterior activity to flow inside (and vice versa).

Moving to the south, along the west façade, the building is set back from the sidewalk edge and the ground floor is lined with canopies which stretch out over sand-set pavers which widen the otherwise narrow, 10-foot sidewalk to a generous 16 feet and provide additional room for outdoor seating and pedestrian movement that is protected from weather. Similar to the lobby area, the ground floor here is lined with clear-glazed aluminum storefront windows and accented by full-height

weathering steel panels at the storefront entries and the primary lobby entrance. Over the storefront entries and the primary lobby entrance, the canopies are glazed, further helping to mark entries into the building. Elsewhere the canopies are composed of a painted corrugated metal deck. Above both types of canopies, large transom windows allow for additional light to penetrate into the space and help to further differentiate the ground floor—which has significantly more glazing and a higher floor to ceiling height—from the upper stories.

The clear-glazed aluminum storefront windows and a glazed canopy wrap the southwest corner of the building and demarcate the southwestern retail space entrance, which faces NW Northrup St. Here, too, the ground floor is set back from the sidewalk edge, providing a larger pedestrian area at the storefront entrance. Moving farther east along the south façade, the large storefront and transom windows compress, relating to the less-active character of this stretch of NW Northrup St and the back-of-house functions located here. One bay of clear-glazed aluminum storefront windows and transoms sits next to the bay containing the entry to the southern retail space. Black perforated metal screens take the place of transoms further east, simultaneously expressing the parking garage behind and allowing for natural ventilation of the garage. Steel canopies extend across additional, smaller storefront bays in the same datum as the glazed canopy at the southwest corner. Below these, the perforated metal extends down and ends at clear-glazed aluminum windows which open into a narrow retail/lobby space behind. Though the space is small relative to the larger retail spaces on the west, the additional activity in this location will help to activate what is currently a dead streetscape. Here, also, weathering steel, in varying widths, extends downward from the top of each bay to grade.

Vehicular access to the parking garage is located at the eastern end of the south façade—the area with the least likely pedestrian activity given the adjacency to the railroad and the increasingly back-of-house uses present on the Marriott Residence Inn across NW Northrup St. Here, too, are located the building's transformer room and water intake room. Normally, utilities such as these would not be appropriate on the street-facing façade of a building; however, since this corner is immediately adjacent to the railroad tracks and the space occupied by the transformer unlikely to be used for an active use, regardless, their placement here is acceptable. These two rooms are shown with storefront glazing on the south façade; however, though illumination from within these spaces may help to brighten the sidewalk at night, views into these two utilitarian spaces are not desirable. Therefore, a condition of approval requiring the installation of translucent glazing is necessary for these two storefront windows.

On the northeastern, railroad-facing façade, the ground floor continues with a similar patterning. Here, though, the bays in the facade are much narrower, except at either end where they retain widths similar to those on the western and southern facades. Each bay which opens into the structured parking behind is composed of the same black, perforated metal panel found on the south façade and weathering steel panels of varying widths. At the northern end of the elevation, the perforated metal panels are replaced with clear-glazed aluminum storefronts which open into the large main lobby and café. The weathering steel panels remain until the final two bays at the northern end where the pattern transitions back to that established on the western façade. Each shift in this elevation occurs not just in program but also in plane: the structured parking and back-of-house uses are closest to the property line. Where the pattern shifts from perforated metal to glazing, the building wall begins angling westward until it runs parallel again with the property line for the final two bays.

Taken all together, the ground floor of the building will help to create a lively, enjoyable pedestrian environment with many elements that are at once humanely-scaled and grand on its sidewalk edges. The patterning established on the pedestrian edges is reinterpreted on less-active sides of the ground floor, but nonetheless, the ground floor maintains a distinct identity from the upper levels of the building.

With the condition of approval that the two easternmost storefront windows on the south façade shall be installed with translucent glazing rather than clear glazing, these guidelines may be 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 proposed building includes integrated glazed canopies and steel along the northwest, west, and south elevations. On the interior side of each canopy, a small mini spot light LED sconce fixture is mounted to illuminate the walkway underneath each canopy while maintaining a minimal presence on the façade. At each public entry into the ground floor spaces, a recessed can LED light fixture is mounted in the soffit at the top of each weathering steel panel to create a narrow beam of light signifying the entrance and casting additional reflected light onto the pedestrian realm. Also at the public entries, mini spots will be used to illuminate the proposed blade signage which will hang from the canopies. Each proposed blade will be illuminated on either side by these mini spots which will be mounted to an armature at the top of each blade sign.

Mechanical equipment for the building will be located on the highest roof, well away from pedestrians. At the ground level, however, metal exhaust louvers with a black finish will be integrated into the building façade at each entry into the retail and lobby spaces. These louvers will occupy the transom space in the window bay perpendicular to the sidewalk, which will help to minimize the effects of any exhaust on passing pedestrians.

Perforated metal panels on the south façade will allow for natural ventilation of the parking structure, and perforated overhead doors on the loading dock and parking structure entry will provide additional natural ventilation. Since there is no mechanical equipment associated with this natural ventilation, the effect on pedestrians should be minimal. As for the location of the loading door and parking structure doors, they have been placed on the more service-oriented south façade of the building. Pedestrian traffic here will likely be lower than on the west and northwest facades, making this a logical choice for their locations. The parking garage entry will be located at the far eastern edge of the building and aligned with NW Station Way to help with visibility of both oncoming cars and pedestrians.

Therefore, this guideline is met.

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

Findings: The proposed building provides numerous ground level access points, all of which occur at grade. Each entry into the retail spaces is fully accessible, as

are the two lobby entries. Public spaces provided on site are also accessible and at the same grade as the sidewalk.

Therefore, this guideline 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.

C1-1. Increase River View Opportunities. Increase river view opportunities to emphasize the River District ambiance. This guideline may be accomplished by:

- 1) Designing and locating development projects to visually link their views to the river.
- 2) Providing public stopping and viewing places which take advantage of views of River District activities and features.
- 3) Designing and orienting open space and landscape areas to emphasize views of the river.

Findings for C1 & C1-1: The proposed building is designed with windows on all sides, offering opportunities for views in many directions. The ground floor provides large areas of glazing which provide views out to NW 9th Ave and NW Northrup St (and views from those streets into the retail and lobby spaces, as well). The largest amount of glazing on the ground floor is located on the western and northwestern facades. This glazing helps to emphasize the importance of this street as the primary pedestrian (and bicycle and vehicular) route to the river. A small plaza at the north end of the site, with a small planter and integrated seating, affords an opportunity to stop and rest as trains pass.

At the sixth floor, the western façade of the building is carved back significantly, providing room for a rooftop terrace with potential views toward the West Hills, Union Station, the Broadway Bridge, and possibly the Cascade Mountains beyond. Similarly, at the eighth floor, the northern prow of the building is sliced off creating another large rooftop terrace with potential views toward the Willamette River, Centennial Mills, the Fremont Bridge, and north and northeast Portland.

Therefore, these guidelines are met.

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

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 for C2 & C5: The proposed mixed-use office building is derived from a simple massing, based on the site, which is then eroded and cut to form useful outdoor spaces and to allow for greater penetration of air and light into and past the site. The proposal also utilizes a simple palette of high-quality materials which relate to other development in the vicinity, and which, together with the massing, create a coherent design.

Each façade of the building is set up as a rationalist, regular, expressed structural grid composed of brick piers and beams. The proposed pale gray, monotone brick further reinforces the rationalist expression of the structure on the façade. On the upper stories of the building, within this grid is set the window system.

The window system is composed of vertical weathering steel panels which span from beam to beam and are placed at the right edge of each bay. These panels expand in size towards the middle of each façade, and compress to slivers—or disappear completely—at the corners of each façade, providing for view opportunities of other architectural icons within the River District. Each weathering steel panel is also angled inward from the exterior face of the right-most pier towards the sash of the floor-to-ceiling, commercial-grade fiberglass windows. The fiberglass windows, themselves, are typically composed of two lites: the left-most lite remains constant in width across the elevations and contains operable awning lites arranged in an alternating pattern among floors and bays across each façade. The remaining lite varies in width according to the width of the weathering steel panel adjacent to it.

At the ground floor, the structural and material patterning is reinterpreted. The structural bays on the west and northwest facades are larger, with one pier for every two above. The bays are filled with clear-glazed aluminum storefront windows and transoms, and accented at entries with tall weathering steel panels located adjacent to the entry doors into the retail and lobby spaces. The ground floor patterning on the south façade is slightly different: except for the two westernmost and two easternmost bays, each pier is staggered at one on the ground for every one-and-a-half above. At the south lobby and bike valet/café/repair space, there is a system of clear-glazed aluminum storefront windows with black perforated metal panels in front of unpainted CMU (and also open to the air above that) above and weathering steel panels extending vertically to their right side. The structured parking and loading doors use this same black perforated metal. Curiously, at the eastern two bays on the ground floor, the weathering steel panels shift to the left side of the bays and storefront glazing with the same perforated metal panel in front of unpainted CMU above is located to the right. Here, the weathering steel panels cover an extra structural column which would otherwise break the patterning of the brick piers at the ground level. At the east façade, the piers visually continue from above and end at grade. Each bay is infilled with the same black perforated metal panel with varying widths of weathering steel justified to the right side of each bay. At the northern end, where the ground level pulls back to align with the building face above, clear-glazed aluminum storefront replaces the perforated metal panels.

The inclusion of unpainted CMU in the otherwise well-composed southern and northeastern facades is a bit of a departure from the high-quality materials used throughout. The gray color of the CMU and white grout lines may stand out too much through the wide perforations in the perforated metal panels. These short CMU walls, installed to block headlights and provide a guard rail in the structured parking, were originally shown covered with a black metal panel at the design advice request hearing. They were substituted with unpainted CMU to lessen the dark surface behind the perforated panels, helping to unify the façade; however, they should be painted to match the color of the brick, at least on their exterior-facing surfaces, to lessen the potential adverse effects of the grout patterning reading through the perforated panels, and should be conditioned as such.

The roof of the building is capped with a black metal panel mechanical enclosure which is set back 20' or more from each parapet edge. Roof terraces on the 6th and 8th floors, below, are composed of 12" x 48" concrete pedestal pavers, eco-roof planters, and weathering steel-clad concrete retaining walls with frameless glass guardrails. The pavers are a gray color which provides a neutral background similar to the brick of the structural frame. Similar 6"x18" pavers are repeated at

the ground floor where the building is set back from the sidewalk. These extend the public realm of the sidewalk into the site along NW Northrup and especially along NW 9th Avenue.

Some concern was raised by the Design Commission at the Design Advice Request hearing for this proposal about the true durability of the weathering steel and about the potential for staining the building and sidewalk. The proposed weathering steel is pre-weathered on the exterior surface to reduce chances for rust staining. Should rust still shed from the panels, the window sill design also proposes a drip edge flashing which will drive nearly all water away from the wall. The weathering steel panels are not, however, pre-weathered on the interior face, which is where they will be attached to the wall using concealed fasteners. Though the concealed fasteners will create a higher quality façade and will further reducing the chance of staining, the weathering steel panels should also be pre-weathered on their interior surfaces, since it is likely that rain will penetrate behind the panels.

Taken all together, the proposed materials complement each other and integrate well into the overall design of the building. The simplicity of the palette, quality of the materials proposed, and the detailing of those materials will create a coherent and enduring building.

With the condition of approval that the proposed unpainted CMU, located behind the perforated metal panels, shall be painted on their exterior-facing surfaces to match the brick; and,

With the condition of approval that the weathering steel panels shall be pre-weathered on the interior-facing side in addition to the exterior-facing side, these guidelines may be met.

C3-1. Integrate Parking. Design parking garage exteriors to visually integrate with their surroundings. This guideline may be accomplished by:

- 1) Designing street facing parking garages to not express the sloping floors of the interior parking.
- 2) Designing the sidewalk level of parking structures to accommodate active uses, display windows, public art or other features which enhance the structure's relationship to pedestrians.

Findings: Two levels of parking are proposed and are located at the building's southeast corner and along its northeastern, railroad-facing façade. This structured parking, comprising two levels, is integrated into the 18-foot tall ground floor space and, as such, reads on the exterior as a continuation of the ground level patterning. The parking area will be naturally ventilated, and thus, a black perforated metal screen is used, in conjunction with weathering steel panels of varying widths, to screen the structured parking levels on the building's southern and northeastern facades. The perforated metal panel, in conjunction with a 42" tall CMU curb, will also help to screen vehicle headlights from shining outward.

Therefore, 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 building provides large areas of storefront glazing at the intersections of NW 9th & Northrup and NW 9th & Overton, as well as fritted glazed canopies over the entries into the main lobby at the NW 9th & Overton intersection and over the entry into the southern retail space at the NW 9th & Northrup intersection. Within the main lobby, there is a large space available for a café/restaurant. The stair and elevator core of the building is located in the center of the building, well behind the retail and lobby areas. Blade signs with integrated lighting are also affixed to the fritted glazed canopies at the entrances to the retail spaces, as described in Findings for B2 and for C13.

Therefore, 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: Encroachments into the right-of-way are somewhat limited in this proposal. Proposed canopies are appropriately scaled, relative to the building, and placed to enhance the pedestrian experience on the street. A projecting window bay at the southwest corner of the building extends 3'-6 1/2" over the right-of way. This allows the building to have a square corner rather than introducing a singular curvilinear form into the building in response to the curved property line here. Though the building projects over the sidewalk here, it begins nearly 18' above grade and is hidden from pedestrians even further by the glazed canopy between it and the sidewalk.

Therefore, 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 proposed building has four separate roof elements. The lowest lies above a portion of the structured parking along the railroad frontage. It provides room for an extensive eco-roof to help manage on-site stormwater. At the sixth floor, the southwest corner of the building is lopped off, creating a large outdoor roof terrace, additional extensive eco-roof, and a large skylight which opens into a light well, below. Farther up on the eighth floor, the northern prow of the building is lopped off creating another, large outdoor roof terrace with views towards the Willamette River, and an intensive eco-roof to, again, help manage stormwater on-site.

At the rooftop/penthouse level, a large mechanical screen is comprised of black, perforated metal panels arranged vertically. Behind this large screen, the building's mechanical systems, large and small, are arranged, as is the stair and elevator penthouse and overrun. This large mechanical screen becomes an architectural element that, though only minimally visible from the ground, will help to more-fully integrate the otherwise disparate elements on the roof.

Therefore, this guideline 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: The proposal includes several types of exterior lighting. Small recessed can downlights are placed in soffits at ground floor lobby and retail entries, highlighting the weathered steel adjacent to the entries. Mini spot downlight sconces are placed at the interior face of each canopy, providing additional illumination at each storefront bay on the northwest, west, and south facades. Similarly, recessed LED strip lights are proposed to be installed behind small, black metal valences above every third ground floor bay on the northeast, railroad-facing façade to increase safety in this area and to avoid a dark ground floor façade along the railroad tracks. Recessed linear LED fixtures are also proposed in the soffits above the garage and loading dock entry doors. Mini spots are also proposed on armatures integrated into the proposed blade sign hardware, as described in Findings for B2 and C13. All of these proposed fixtures cast light on specific ground level elements of the building, highlighting its architecture and providing illumination for the pedestrian realm while limiting impacts to the nighttime skyline.

On the 6th and 8th floor roof terraces, linear LED light strips will be placed near the base of the guardrail/retaining walls and around the base of the skylight. These LED fixtures will be fully concealed behind weathered steel panels. A similar condition is proposed at the ground floor: linear LED light strips will be placed near the base of the retaining wall around the stormwater planter on the northeast side of the building. These fixtures will also be fully concealed behind weathered steel panels.

Therefore, this guideline is met.

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 proposal indicates that blade signs will be hung from the canopies along NW 9th Ave and NW Northrup St at the retail spaces on the ground floor. The signs are shown as being 2'-6" in height, though no specific other of the signs are indicated, including proposed materials, attachment details, or horizontal dimensions. Signs up to 30 square feet are allowed to project into the right-of-way, as these blade signs may do, and are exempt from design review. A sign which has more than 30 square feet projecting over the right-of-way will require a Modification to be addressed through another Design Review. Any proposed sign mounted to the building and which does not project over the right-of-way may be exempt from Design Review if it is 32 square feet or less in size. All proposed signs must also meet the standards of the Title 32 Sign Code. The proposed blade signs appear to be well under 30 square feet each, as indicated in the renderings, and thus will likely be exempt from review.

Each blade sign will also have integrated light fixtures: each proposed blade will be illuminated on either side by mini spot light fixtures which will be mounted to

an armature at the top of each blade sign. These fixtures are scaled appropriately to the blade signs and the light shines downward, reducing impacts on the skyline.

No signs are proposed above the ground floor level.

Therefore, this guideline is met.

(2) MODIFICATION REQUESTS (33.825)

33.825.040 Modifications That Will Better Meet Design Review Requirements:

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

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

The following modifications are requested:

Modification #1: 33.510.205.H.2.d.(1). The applicant requests a Modification to allow the length of the building façade above 100 feet in height to be up to 180 feet long, rather than the maximum required 150 feet long.

Purpose Statement:

In the North Pearl Subarea, additional building height may be appropriate to support the goals of the North Pearl Plan. The regulations of this subsection:

- Promote the use of development bonus and transfer provisions to create and support a range of community amenities to serve the diversity of residents and employees in the Central City;
- Create a skyline and urban form that is visually permeable by providing visual access to locations within and beyond the subarea;
- Encourage the development of taller buildings that may accommodate a range and diversity of land uses;
- Result in a dynamic and varied skyline and urban form that contributes to the health, vibrancy, and livability of urban living;
- Shape building massings that allow light and air to penetrate to the street level, enhance pedestrian scale, and create a pleasant, versatile, and active public realm; and

- Provide flexibility to allow a range of uses and building types to be developed in a manner that fulfills the design objectives of this purpose statement.

Additionally, along the waterfront of the North Pearl Subarea the regulations of this subsection also:

- Increase access to sunlight along the greenway and within public and private open space areas developed along the waterfront;
- Develop a dense, active urban waterfront with a vibrant public realm;
- Work with the open area and waterfront development provisions of the North Pearl Subarea in the creation of well designed public and private urban open space amenities;
- Facilitate visual and physical access to and along the riverfront for all members of the public;
- Create expanded opportunities for views of the river as viewed from Naito Parkway and Front Avenue, landward portions of the subarea, and locations west of the subdistrict; and
- Ensure bonus height granted to sites adjacent to the Fremont Bridge does not significantly affect views of or diminish the aesthetic qualities of the bridge or its iconic stature in the Portland skyline.

Standard: 33.510.205.H.2.d.(1).

Option One: The height may be increased to 175 feet if the length of any facade above 100 feet in height does not exceed 150 feet. However, a dimension of up to 180 feet may be requested as a modification through design review.

Findings: The proposed Modification would allow the length of facades above 100 feet in height to be up to 180 feet long, rather than the 150 feet maximum allowed without a Modification. The Modification will allow the massing of the building and the patterning of its facades to be consistent with that of the lower floors and coherent at the 8th floor and rooftop of the building—the only portions of the building which extend above 100 feet in height (Guideline C5 – Design for Coherency). The proposed Modification, together with the proposed design, also allow for the development of the large roof terrace on the 6th floor and the roof terrace on the 8th floor, which help to allow light and air to better penetrate to street level at these areas while also helping to create a dynamic and varied skyline at the primary pedestrian and vehicular gateway into the northern end of the Pearl District (Guideline A9 – Strengthen Gateways). Were this Modification not allowed, it is likely that the development would take form of a full block development up to the maximum height limit to obtain a similar amount of leasable floor area, rather than pulling back from the southwest corner—focusing development along the railroad edge—opening the site and allowing southern and eastern light to continue reaching towards developments on NW 9th Avenue while also allowing the site to retain some of its visual permeability. The extra height and massing provided above 100 feet in height also helps the building to relate to the height and massing of The Encore and The Pinnacle immediately to the west of the site (Guidelines A7 – Establish and Maintain a Sense of Urban Enclosure and C4 – Complement the Context of Existing Buildings).

Therefore, these criteria are met, and this Modification merits approval.

Modification #2: 33.140.230.B. Required amounts of window area. The applicant requests a Modification to reduce the length of the required ground floor windows on the south façade (facing NW Northrup Street) from the required 50% of ground level building length to approximately 40% of the ground level building length.

Purpose:

In the EX zone, blank walls on the ground level of buildings are limited in order to:

- Provide a pleasant, rich, and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk areas, or allowing public art at the ground level;
- Encourage continuity of retail and service uses;
- Encourage surveillance opportunities by restricting fortress-like facades at street level; and
- Avoid a monotonous pedestrian environment.

Standard: 33.140.230.B. Required amounts of window area.

In the EX zone, all exterior walls on the ground level which are 20 feet or closer to a street lot line, sidewalk, plaza, or other public open space or right-of-way must have windows. The windows must be at least 50 percent of the length and 25 percent of the ground level wall area. Ground level wall areas include all exterior wall areas up to 9 feet above the finished grade. The requirement does not apply to the walls of residential units, and does not apply to the walls of parking structures when set back at least 5 feet and landscaped to at least the L2 standard.

Findings: The proposed building places a strong emphasis on having a highly-active, glazed ground floor along NW 9th Avenue. Nearly all of the retail spaces provided are located along this primary pedestrian route to the river (and back) and street that is classified as a City Walkway. While NW Northrup is also classified as a City Walkway, it does not provide the same level of connectivity through the district which NW 9th Avenue does. Additionally, the site is constrained by the railroad tracks on its northeast side. While parking is not required, since it is provided, the most logical location to access it is on the south façade where there are lower volumes of both pedestrian and vehicular traffic. The garage access points necessarily require area on the façade which could otherwise be dedicated to active uses and windows. The same applies for the required loading space (see also Adjustment #1). This loading space is best located on the lower trafficked of the two streets. For all three overhead doors placed in these areas, perforated metal doors are proposed, which still allow for light to filter through.

Concentrating these “back-of-house” uses on the lesser trafficked street also allows for the maximum retail frontage along NW 9th Avenue. In addition to the extension of the sidewalk provided there, which helps to expand the pedestrian environment, the west façade exceeds the ground floor windows requirement, having windows along approximately 77% of its length and with an area of approximately 77% of the ground floor wall up to 9 feet above finished grade. Locating the majority of the retail space along this street helps to develop flexible sidewalk level spaces (Guideline C9), design corners that build active intersection (Guideline D7), and contribute to a vibrant streetscape on the more-trafficked street (Guideline A8), while at the same time maintaining the

continuity of retail and service uses provided along NW 9th Avenue. The small retail space and lobby entrance provided in the middle of the block on the south façade and the wrap-around retail space at the southwest corner also help to reduce what could be a “fortress-like” façade at the street level and avoids a monotonous pedestrian environment by providing two entries into the building.

Therefore, these criteria are met, and this Modification merits approval.

Modification #3: 33.266.220.C.3.b. Bicycle racks. The applicant requests a Modification to allow the required long-term bicycle parking to be provided in 1’-6” by 6’-0” spaces rather than in the required 2’-0” by 6’-0” spaces.

Purpose:

These standards ensure that required bicycle parking is designed so that bicycles may be securely locked without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.

Standard: 33.266.220.C.3.b.

A space 2 feet by 6 feet must be provided for each required bicycle parking space, so that a bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components. See Figure 266-11.

Findings: The proposal includes 133 total long-term bicycle parking spaces which are all located in a large, secure bike parking room. The minimum number of required long-term bicycle parking spaces is only 19 spaces. The additional spaces are provided to support anticipated high-demand for bike parking in this dense urban neighborhood and to support a potential bike rental facility. Reducing the required size of the bike parking spaces provides greater opportunities for these uses to function and for the bike valet/rental business to thrive—which will in turn help to activate a façade which may be difficult to attract a different kind of retail tenant to (Guideline A8 – Contribute to a Vibrant Streetscape). The reduced size also allows for a greater number of parking spaces to be provided while increasing the amount of retail frontage available on the active NW 9th Avenue façade (Guidelines A8 and C9 – Develop Flexible Sidewalk Level Spaces).

The proposed vertically-oriented wall-mounted bicycle rack system is engineered to stagger bikes vertically, which allows the handle bars on each bike to overlap. This allows the racks to provide the same level of service that would be provided by a standard 24” on-center spacing within an 18” space. A 5’ minimum aisle (and generally wider) is still provided behind each rack. The racks will be located within a secure and closed-to-the-general-public bike parking room. Additional bike parking services will be provided by an on-site bike parking valet. The bicycle parking system itself is safe and secure and located in a convenient area for employees. The proposal is, thus, consistent with the purpose statement of the bicycle parking standards.

Therefore, these criteria are met, and this Modification merits approval.

(3) ADJUSTMENT REQUESTS (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:

Adjustment #1. 33.266.310.C.2.b. Adjustment to reduce the number of required loading spaces from two (2) to one (1) 'Standard A' size space.

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

Findings: The purpose of the loading standards is found in Code Section 33.266.310.A and is stated as follows:

“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 the 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”. The portion of the aforementioned purpose statement that is italicized will be addressed below.

To address the above referenced approval criterion, the applicant submitted a loading demand analysis that was prepared by a professional traffic consultant. For greater detail on the make-up of the proposed 8-story mixed-use building, it will consist of ground floor retail, lobby, loading and support spaces, with 2 short stories of structured parking comprising 56 parking spaces (for office use only). Above the ground floor retail and parking, 7 stories of office are proposed, with large roof terraces at the 6th and 8th floors that are cut into the main building massing. Vehicle access to parking and loading is proposed off NW Northrup Street. Pedestrian lobby access is proposed at the intersection of NW 9th Ave/NW Overton.

The data that was collected included information from three surveyed office buildings. Observations and video surveillance were made at the three buildings to determine frequency of usage of on-site and off-site loading facilities. In assessing the collected data, PBOT is only able to utilize 2 of the 3 examples because the data-set from one sample site was not specified.

Extrapolating from the submitted data, if the building sizes and vehicle counts were proportional, it is expected that the proposed 167,000 sf building will have a delivery demand of 22 vehicles/day (related to the first study building). If the

building sizes and vehicle counts were proportional, the proposed building will have a delivery demand of 6 vehicles/ day when compared with the second study building. The submitted analysis also included an anticipated delivery schedule which identifies at most, a delivery demand of 4 vehicles/day. After comparing the two data sets that can be used, PBOT expects the proposed building to have approximately 7 deliveries/day (not counting the refuse/recycling).

Most of the deliveries to the new building can likely be scheduled by the service provider such that only one provider is serving the site at a given time. Parcel pick-up and delivery vehicles do not require a loading bay and are likely to park on-street. What has not been mentioned yet is that there is a truck loading zone (restricted from 7:00 am – 7:00 pm) directly across the street from the proposed building's parking garage. Although this loading facility was not included in the overall analysis, the space does exist for general loading and can be utilized by the parcel pick-up and delivery vehicles to serve the proposed building.

With the expected low demand for deliveries expected at the proposed building and with the existence of an on-street loading zone in close proximity, PBOT can support the applicant's requested Adjustment to provide only one on-site "Standard A" loading space.

Therefore, this 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; and

Findings: The site is located in the EXd zone of the River District Subdistrict of the Central City Plan District and within the Northwest Triangle Pedestrian District. This area is very urban in character, with a diverse mix of old warehouses, which have been adaptively reused as retail and residential buildings, and newer mid-rise and high-rise mixed-use residential and office buildings with retail at the ground floor. Pedestrian traffic in the district is heavy, and retail uses are geared primarily towards those who walk, bike, or use transit rather than driving. There are very few surface parking lots in the district which would typically accommodate multiple loading spaces, and the requirement to provide two loading spaces would eliminate a large area of active ground-floor uses within the proposed building. This would be at odds with both the character of the district and several of the *Central City Fundamental Design Guidelines* and *River District Design Guidelines*, which advocate for active uses, flexible spaces, and views into buildings at the ground floor. The provision of one loading space is sufficient to serve the needs of the proposed building and allows for additional ground floor windows and active uses along the NW 9th Avenue sidewalk.

Therefore, this 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; and

Findings: Only one adjustment is requested.

Therefore, this criterion does not apply.

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

Findings: There are no city-designated scenic or historic resources on this site.

Therefore, this criterion does not apply.

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

Findings: The PBOT memo discussing the loading demand analysis prepared by the applicant and the approvability of the proposed adjustment does not identify any significant impacts which require mitigation.

Because there were no impacts identified in the findings, 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: This site is not within an environmental zone.

Therefore, this criterion does not apply.

(4) MINOR AMENDMENT TO A CENTRAL CITY MASTER PLAN (33.510.255)

33.510.255.A. Purpose

The Central City master plan adds development potential and flexibility for projects in specified areas. The additional development potential and flexibility is possible because the plan is used to demonstrate that the policy objectives of the Central City Plan and the public service needs of the area are addressed. The Central City master plan is an option; it is not a requirement. A Central City master plan may also be created through a legislative process initiated by the City.

A Central City master plan application will be approved if the review body finds that the applicant has shown that all of the following approval criteria of Section 33.510.255.E are met.

Proposal Background

The **Minor Amendment to a Central City Master Plan** (CCMP) request is necessary to add floor area ratio (FAR) granted to the North Pearl Subarea to the Station Place Central City Master Plan area, established by LU 01-007680 MS SU, and which created the Station Place Subdivision. This CCMP redistributed FAR from all eight sites in the master plan area (removing FAR completely from Lots 6, 7, & 8), and then established allowed FAR per lot by condition of approval. For Lot 5, with a site area of 34,808 square feet, the base FAR was limited to 2.3:1—allowing up to 80,058 square feet of development. For Lot 4, with a site area of 47,704 square feet the base FAR was limited to 7.9:1, including an assumed 3:1 FAR bonus for residential development, allowing up to 376,862 square feet of development. Without the residential bonus, the Lot 4 is limited to 4.9:1 FAR, allowing up to 233,750 square feet of development.

Subsequently, Lot 4 has been developed with a hotel—the Marriott Residence Inn—pursuant to a previous design review approval and CCMP amendment. This development on Lot 4 is 172,700 square feet in area and comprises 3.6:1 FAR of the total allowed 4.9:1 FAR for the lot, leaving 1.3:1 FAR undeveloped, for a total of 62,015 square feet.

Additionally, per the 2005 *Ordinance 179303*, the base FAR in the North Pearl Subarea was increased from 2:1 to 4:1; however, this additional floor area was never allocated to the lots in the Station Place Central City Master Plan area, though they are located within the North Pearl Subarea, since no request to amend to the CCMP has proposed its inclusion until now.

The proposed amendment to the Station Place CCMP would add the additional 2:1 FAR granted to the North Pearl Subarea in 2005 *Ordinance 179303* to Lot 4 and Lot 5 and would transfer unused FAR from Lot 4 to Lot 5, as follows:

- Lot 4: The additional 2:1 FAR granted to the North Pearl Subarea equals an additional 95,408 square feet for Lot 4. Adding this to the remaining undeveloped area of 62,015 square feet from the original CCMP allocation, Lot 4 would have a total of 157,423 square feet of unused floor area ratio remaining.
- Lot 5: The additional 2:1 FAR granted to the North Pearl Subarea equals an additional 69,616 square feet for Lot 5. Adding this to the original CCMP allocation of 2.3:1 FAR, Lot 5 would then have a total of 149,674 square feet of floor area ratio available.
- Transfer of unused FAR from Lot 4 to Lot 5: Finally, transferring the remaining unused FAR potential from Lot 4—157,423 square feet—to Lot 5 would establish a final base FAR of 8.8:1, or 307,097 square feet of potential floor area for Lot 5. Lot 4 would have no future floor area capacity and its final base FAR would be 3.6:1.

33.510.255.E. Approval criteria. A Central City master plan application will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:

1. The proposed plan is consistent with the policy objectives of the Central City Plan;

Findings: Each policy is addressed separately.

Policy 1: Economic Development. Build upon the Central City as the economic heart of the Columbia Basin, and guide its growth to further the City’s prosperity and livability.

Findings for Policy 1: The project includes the development of a 219,293 square foot office building in the Station Place Central City Master Plan area. Development of office space in this area of the city will increase the Central City job base, diversify employment options, and locate more jobs close to housing located in the Central City, and specifically in the River District Subdistrict and Pearl District neighborhood. This job growth will further support and facilitate the economic development of the Central City and continue to meet the city’s goals to strike a balance between jobs and housing in the Central City. The new office development will be located within blocks of multi-modal transit options, including the Portland Streetcar and MAX light rail, as well as bicycle facilities and bus lines. Providing job growth in close proximity to residential uses and multi-modal transit will increase the livability of the Central City.

Therefore, this policy is met.

Policy 2: The Willamette Riverfront. Enhance the Willamette River as the focal point for views, public activities, and development which knits the City together.

Findings for Policy 2: The proposal is not located on the Willamette Riverfront; however, it maintains public views towards the riverfront from NW 9th Avenue and from NW Northrup Street.

Therefore, this policy is met.

Policy 3: Housing. Maintain the Central City’s status as Oregon’s principal high-density housing area by keeping housing production in pace with new job creation.

Findings for Policy 3: The proposal does not include additional housing; however, the minimum required housing established in the original Station Place Central City Master Plan—for the development of at least 106 dwelling units—has already been built, and exceeded, with the development of the Station Place Tower senior housing building on Lot 1, which contains 170 dwelling units.

Therefore, this policy has been met.

Policy 4: Transportation. Improve the Central City’s accessibility to the rest of the region and its ability to accommodate growth by extending the light rail system and by maintaining and improving other forms of transit and the street and highway system, while preserving and enhancing the City’s livability.

Findings for Policy 4: The extension of mass transit is a public not private function. However, the Central City Plan calls for the reinforcing “the link between transit and land use by encouraging transit-oriented development and supporting increased residential and employment densities along transit streets, at existing light rail transit stations, and at other major activity centers”. Lot 5 is richly served by existing transit. The Portland Streetcar line runs along NW 10th and 11th Avenues, along NW Northrup with a streetcar stop within 1½ blocks of the site. An additional streetcar stop is 2 blocks to the south on NW Lovejoy Street, providing access to the Lloyd District and Central Eastside. Bus stops are located nearby to the north at the intersection of NW 9th Ave & NW Naito Pkwy. Furthermore, Lot 5 has the benefit of being located within blocks of Union Station and intercity rail transit, as well as MAX light rail stations which serve Union Station and the Greyhound intercity bus terminal. The proposed office development reinforces the city’s investment in transit by providing more employment opportunities in close proximity to all these modes of transit.

Therefore, this policy is met.

Policy 5: Human Services. Provide social and health services for special needs populations and assist dependent individuals to become more independent.

Findings for Policy 5: This proposal is for mixed-use office and retail space.

This policy does not apply.

Policy 6: Public Safety. Protect all citizens and their property and create an environment in which people feel safe.

Findings for Policy 6: Office uses and active uses on the ground floor increase street safety and create an active pedestrian space along the site’s street frontages. By allowing the reallocation of available unused FAR and the addition of FAR granted as part of *Ordinance 179303*, the total number of people in the

neighborhood is increased, further activating the pedestrian spaces with new employees and visitors and creating more eyes on the street. In addition, proposed exterior lighting at the building perimeter will create a safe nighttime pedestrian environment.

Therefore, this policy is met.

Policy 7: Natural Environment. Improve the Central City’s environment by reducing pollution, keeping the Central City clean and green, and providing opportunities to enjoy nature.

Findings for Policy 7: The added office uses will help to implement this policy in several ways: increased density of development will be located proximate to multi-modal transit options, further encouraging the use of transit and discouraging the use of single-occupancy vehicles. The proposed development is also located in a neighborhood with a diversity of commercial and residential options which encourage foot and bike traffic, resulting in the reduction of non-renewable resource use and of airborne and stormwater pollution from vehicles. The proposed development will also include a large, on-site bike parking facility, lockers, and changing rooms with showers as further incentive for potential occupants to bike to work, rather than driving.

The proposal will achieve a minimum of LEED Silver certification, utilizing the LEED 2009 for Core and Shell Development Rating System. A high-performance building envelope is proposed with a strategy that seeks to maximize windows for daylight factored against building energy performance. Additionally, extensive and intensive eco-roofs and ground level stormwater planters are proposed to help manage stormwater on-site, helping to filter water and keep it out of the sewer system.

Therefore, this policy is met.

Policy 8: Parks and Open Spaces. Build a park and open space system of linked facilities that tie the Central City districts together and to the surrounding community.

Findings for Policy 8: The existing CCMP for the Station Place subdivision also included four required open spaces, located on Lots 2, 3, 4, and 7, which have already been developed for public use. The proposal for Lot 5 also includes a small semi-public plaza at the north end of the site, which is not required in the original master plan.

The site is also served by several parks with direct access to the proposed development on a mature pedestrian network. The parks include Jamison Square, Tanner Springs Park, and The Fields Park, the latter of which is located only one block due west of the site. Additionally the sidewalk along NW 9th Avenue links directly to the Willamette River Greenway Trail at the intersection of NW 9th & Naito.

Therefore, this policy is met.

Policy 9: Culture and Entertainment. Provide and promote facilities, programs and public events and festivals that reinforce the Central City’s role as a cultural and entertainment center for the metropolitan and northwest region.

Findings for Policy 9: This policy is not directly applicable to the site, but the project is located close to cultural and entertainment venues, such as the Gerding Theater at the Armory, Jamison Square, and the Rose Quarter. This proximity will allow residents to easily participate in the abundance of activities and cultural events offered in the area. In addition to retail space already prevalent in the neighborhood, the retail proposed at the ground floor level will contribute to the activities of the area.

Therefore, this policy is met.

Policy 10: Education. Expand education opportunities to meet the needs of Portland’s growing population and businesses, and establish the Central City as a center of academic and cultural learning.

This policy does not apply.

Policy 11: Historic Preservation. Preserve and enhance the historically and architecturally important buildings and places and promote the creation of our own legacy for the future.

Findings for Policy 11: There are no historically significant structures on this site.

This policy does not currently apply.

Policy 12: Urban Design.

Enhance the Central City as a livable, walkable area which focuses on the river and captures the glitter and excitement of city living.

- A. Create a rich and enjoyable environment for pedestrians throughout the Central City.
- B. Strive for excellence in the design of new buildings.
- C. Encourage designers of new developments to sensitively enhance Portland’s human scale of buildings, streets and open space.
- D. Promote the formation of districts with distinct character and a diverse and rich mixture of uses (in non-industrial areas).
- E. Locate the highest densities in the Downtown and along potential and existing transit corridors, and step density down toward the Willamette River, residential neighborhoods, adjacent to the Central City and as the distance from the core increases.

Policy 17: Northwest Triangle.

Preserve the district’s character and architectural heritage while encouraging both industrial activity and mixed use development.

- A. Encourage the growth of industry in the district.
- B. Recognize the importance and potential of the redeveloping rail yard area and encourage a mixture of uses, including housing.
- C. Focus development along the North Park Blocks extension.
- D. Develop 9th Avenue as an interim connection between the North Park blocks and the river through the placement of public art, special lighting and a park treatment until the Park Blocks extension is completed.
- E. Foster the developments of artist live/work space and gallery facilities.

Findings for Policies 12 & 15: The proposal for Lot 5 directly implements the vision articulated in these policies. The proposed development creates a high density office environment near multi-modal transit. Additionally, its location near two of the three parks developed in sequence, and connected by a

boardwalk along NW 10th Avenue as a partial continuance of the North Park Blocks sequence to connect to the Willamette River (rather than the interim route along NW 9th Ave), ensures a rich and enjoyable environment for pedestrians and adds a distinct character to the area as a multi-use environment.

As demonstrated in the Design Review findings above, the proposal also contributes to the human scale of buildings in the Pearl District while respecting its distinct sense of place and character in the building's form and materials. Finally, the proposal will add to the mixture of uses in the district while developing one of the areas remaining vacant lots.

Therefore, these policies are met.

Policy 13: Plan Review.

This policy does not apply.

Policy 14: Downtown. Strengthen the Downtown as the heart of the region, maintain its role as the preeminent business location in the region, expand its role in retailing, housing, and tourism, and reinforce its cultural, educational, entertainment, governmental and ceremonial activities.

Findings for Policy 14: The proposal for new office and retail development is consistent with this Downtown policy. The proposal will allow development at the planned densities for mixed commercial uses while maintaining the cap on the overall FAR allocations approved in the original CCMP for Station Place and the 2005 ordinance increasing base FAR allowances.

Therefore, this policy is met.

2. The plan ensures that there will be adequate and timely infrastructure capacity for the proposed developments;

Findings: BES and PBOT have confirmed that existing utility and road infrastructure around the site is adequate to meet the proposed development's needs. Therefore, this proposal does not require any additional infrastructure capacity to be built. Any required sidewalk improvements will be built to current City standards. Sidewalk reconstruction will occur in conjunction with the building construction, ensuring that adequate and timely infrastructure is in place at the time of building completion. In addition, the project must meet all City regulations and standards, including those in Title 33 (Zoning), Title 17 (Street Improvements), Portland Stormwater Manual, and pertinent building and fire codes.

Therefore, this criterion is met.

3. The plan provides for a useful and pleasant circulation system and for adequate open space within the plan boundaries;

Findings: All sidewalks serving the site and the existing Central City Master Plan area have been improved to City standards and provide direct access to each site, including to the front doors of the subject site, Lot 5. The existing Central City Master Plan also required public open space to be provided on Lots 3, 4, and 7, and these open spaces have already been developed. Nonetheless, the proposed development for Lot 5 includes a small, semi-public plaza at the north end of the

site, including planters and stormwater features. Nearby to the west, Fields Park and Tanner Springs Park provide additional open space, within easy walking distance.

Therefore, this criterion is met.

4. Development will be placed and sized to protect significant public viewpoints and public view corridors; and

Findings: The site is not within a “scenic overlay zone” and there are no designated viewpoints or corridors around or through the site.

Therefore, this criterion does not apply.

5. There are adequate assurances that required housing that is deferred or proposed for another site will be built.

Findings: The existing Central City Master Plan for the Station Place Subdivision does not require housing on this site, and no housing proposed.

Therefore, this criterion 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.

Transfer of floor area between Lots 4 and 5: Per zoning code section 33.510.200.D.4, the transfer of floor area approved as part of the proposed minor amendment to the Station Place Central City Master Plan shall be established in a covenant executed by both property owners (i.e., the property owners of Station Place Lot 4 and Station Place Lot 5) with the City which shall be attached to and recorded with the deed of both the transferring lot and the lot receiving the floor area reflecting the respective increase and decrease of potential floor area. The covenant must meet the requirements of 33.700.060.

CONCLUSIONS

The proposed new eight-story mixed-use office and retail building in the North Pearl Subarea of the River District Subdistrict of the Central City Plan District will help to define the northern gateway into the Pearl District neighborhood with a building composed of high-quality materials, sculptural massing, and strong ground floor presence along NW 9th Avenue, continuing the pattern established by other nearby buildings and infilling a long-vacant lot. The proposed amendment to the existing central city master plan for Station Place will allow this development to be successful and will bring new economic energy into the River 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. The proposal meets the applicable design guidelines, modification criteria,

adjustment criteria, and central city master plan approval criteria and therefore warrants approval.

TENTATIVE STAFF RECOMMENDATION

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

Staff recommends approval of the proposed eight-story mixed-use office and retail building with 55 spaces of structured parking in the North Pearl Subarea of the River District Subdistrict of the Central City Plan District and as indicated in Exhibits C-1 through C-118 and per the conditions below.

Staff recommends approval of the following three Modification requests:

1. 33.510.205.H.2.d.(1). Allow the length of the building façade above 100 feet in height to be up to 180 feet long;
2. 33.140.230.B. Required amounts of window area. Reduce the length of the required ground floor windows on the south façade (facing NW Northrup Street) from the required 50% of ground level building length to approximately 40% of the ground level building length.
3. 33.266.220.C.3.b. Bicycle racks. Allow the required long-term bicycle parking to be provided in 1'-6" by 6'-0" spaces rather than in the required 2'-0" by 6'-0" spaces.

Staff recommends approval of the following Adjustment request:

1. 33.266.310.C.2.b. Reduce the number of required loading spaces from two (2) to one (1) 'Standard A' size space.

Staff recommends approval of the proposed minor amendment to the existing Station Place Central City Master Plan, per the conditions below. The amendment would add 2:1 FAR granted to lots within the North Pearl Subarea in 2005 by *Ordinance 179303* to Lots 4 & 5. The amendment would also transfer remaining unused FAR from Lot 4 to Lot 5, resulting in the maximum base FAR for Lot 5 being increased to 8.8:1.

Staff recommends the following conditions of approval:

- A. As part of the building permit application submittal, the following development-related conditions (B through E) 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 15-232449 DZM AD MS". All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The two easternmost storefront windows on the south façade shall be installed with a translucent glazing rather than clear glazing.
- C. The transfer of floor area approved as part of the proposed minor amendment to the Station Place Central City Master Plan shall be established in a covenant executed by both property owners (i.e., the property owners of Station Place Lot 4 and Station Place Lot 5) with the City which shall be attached to and recorded with the deed of both the transferring lot and the lot receiving the floor area reflecting the respective increase and decrease of potential floor area. The covenant must meet the requirements of 33.700.060.
- D. The proposed unpainted CMU, located behind the perforated metal panels, shall be painted on their exterior-facing surfaces to match the color of the brick.

- E. The weathering steel panels shall be pre-weathered on the interior-facing side in addition to the exterior-facing side.

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Procedural Information. The application for this land use review was submitted on September 4, 2015, and was determined to be complete on October 5, 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 4, 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 G-2.

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, up to a maximum of \$5,000.00).

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.

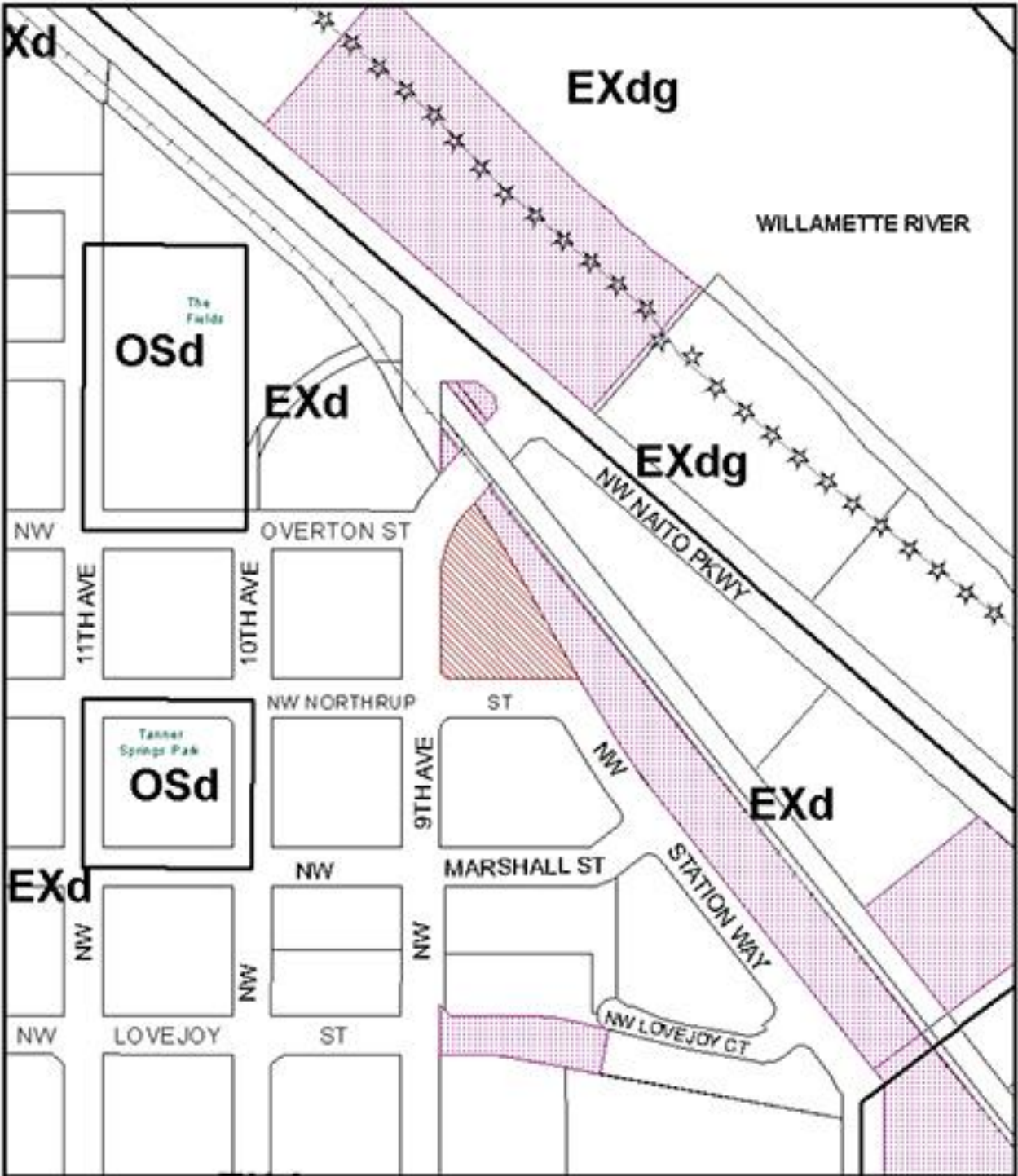
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Benjamin Nielsen
November 16, 2015

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
1. Original Drawing Package & Narrative – dated 09/04/2015
 2. Original Appendices Booklet – dated 09/04/2015
 3. Ground Floor Windows Modification & Projecting Window Drawings – dated 10/22/2015
 4. Office Truck Loading Needs Assessment – dated 11/02/2015
 5. Revised Drawing Package & Narrative – dated 09/04/2015, received 11/03/2015 (with email)
 6. Revised Drawing Package & Narrative – marked DRAFT 15-1109, received 11/09/2015
 7. Vehicle Queuing Analysis for the Parking Garage Entrance memo, dated 09/17/2015, received 11/09/2015
 8. Final Drawing Package, dated 11/13/2015
 9. Final Appendices Booklet – dated 11/13/2015
 10. Go By Bike Proposal, dated 11/13/2015, received 11/17/2015
 11. Floor Area Ratio Calculation Diagrams – received 11/23/2015
 12. Revised Lighting Sheets C49-C59 – dated 11/13/2015, received 11/23/2015
- B. Zoning Map (attached)
- C. Plan & Drawings
- 1 – 114. Drawing Package & Narrative (C-61, C-64, C-69, & C-113 attached)
 115. Floor Area Ratio Calculation
 116. Go By Bike Proposal
 - 117-118. Exterior Material Boards
- 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
 3. Water Bureau

4. Fire Bureau
 5. Site Development Review Section of BDS
 6. Life Safety Section of BDS
- F. Letters
1. Joshua Brooking, ODOT Region 1, November 6, 2015, requesting additional information
 2. William Boyd, November 16, 2015, objections to modifications, adjustment, FAR transfer procedure used; design revisions recommended
- G. Other
1. Original LUR Application
 2. Signed 120-day waiver
 3. Pre-application Conference Summary
 4. Incomplete Application Letter
 5. Applicant's Response to Incomplete Application Letter
 6. Letter from owner of Lot 4, Station Place agreeing to transfer of FAR to Lot 5, Station Place
 7. Design Advice Request Summary Notes – dated 08/24/2015
- H.



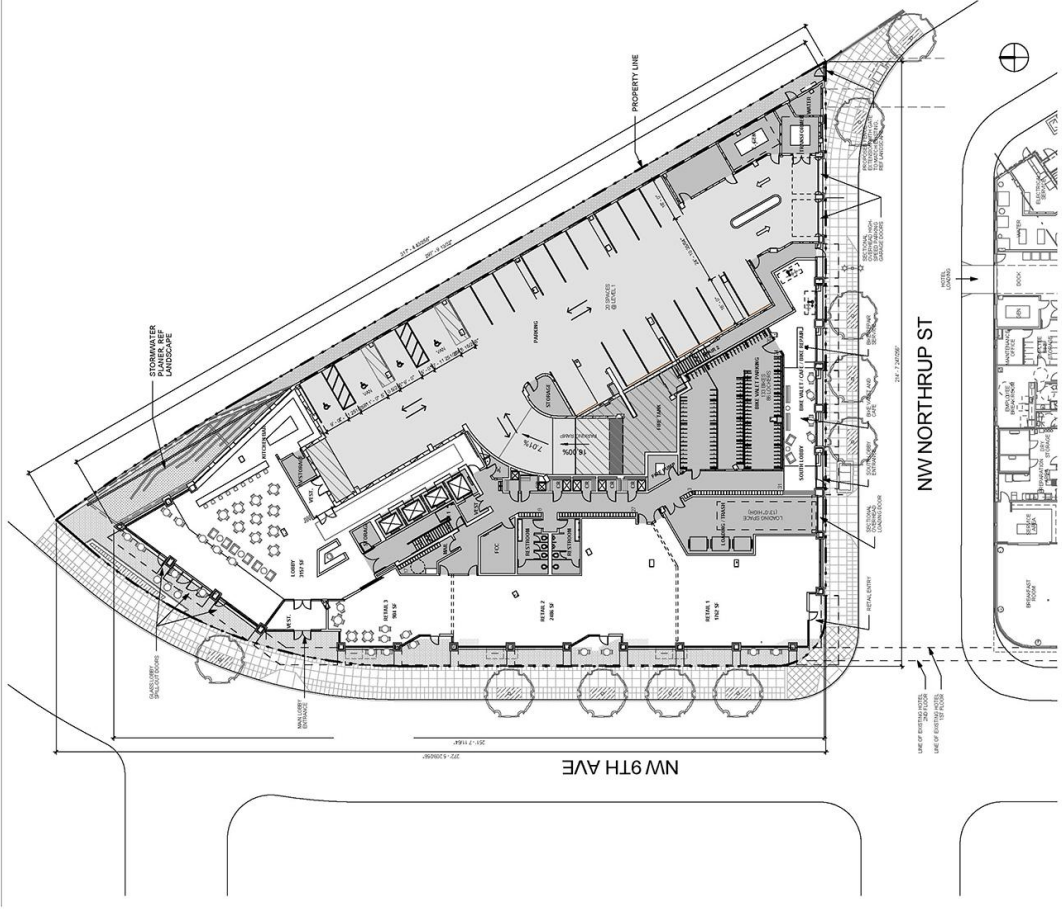
ZONING



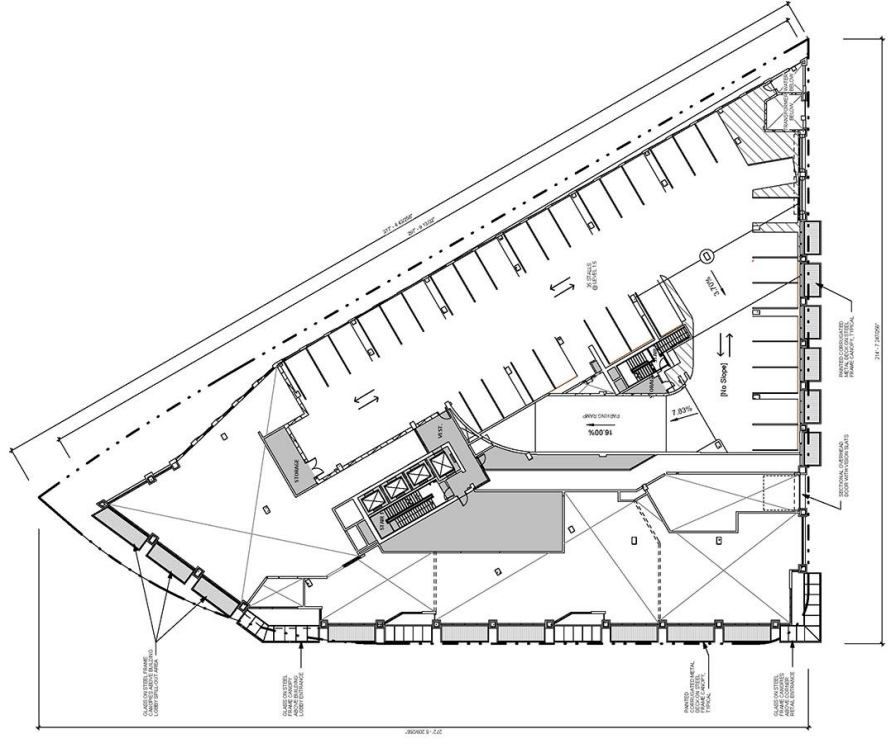
This site lies within the:
CENTRAL CITY PLAN DISTRICT
RIVER DISTRICT SUB DISTRICT
NORTH PEARL SUB AREA

- Site
- Also Owned Parcels
- Recreational Trails

File No.	LU 15-232449 DZM MS AD
1/4 Section	2929
Scale	1 inch = 200 feet
State_Id	1N1E34BB 1305
Exhibit	B (Sep 11, 2019)

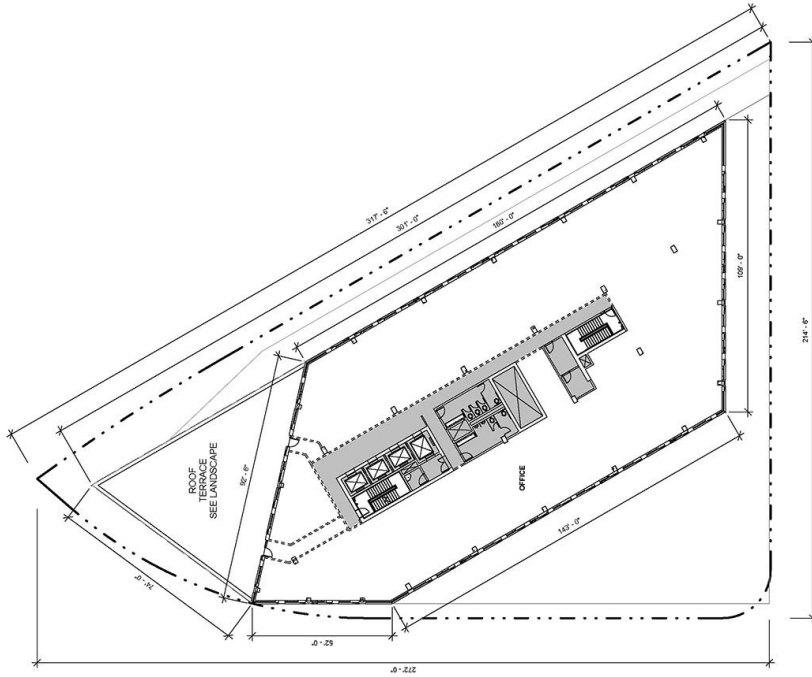


LEVEL 1 - 30,172 sf, FAR 0.86
SCALE: 1" = 40'-0"

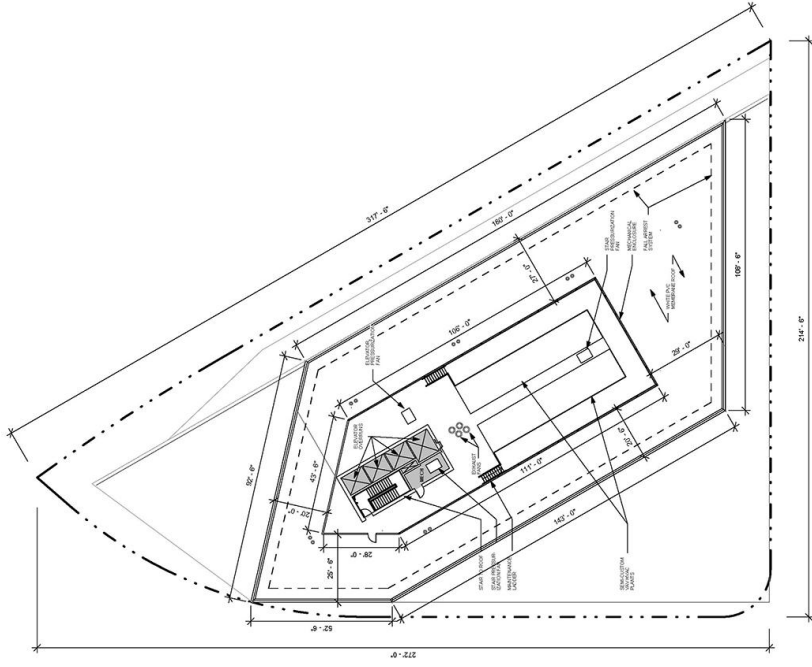


LEVEL 1.5 - 18,069 sf, FAR 0.52
SCALE: 1" = 40'-0"

FLOOR PLANS

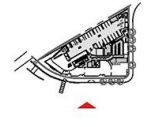
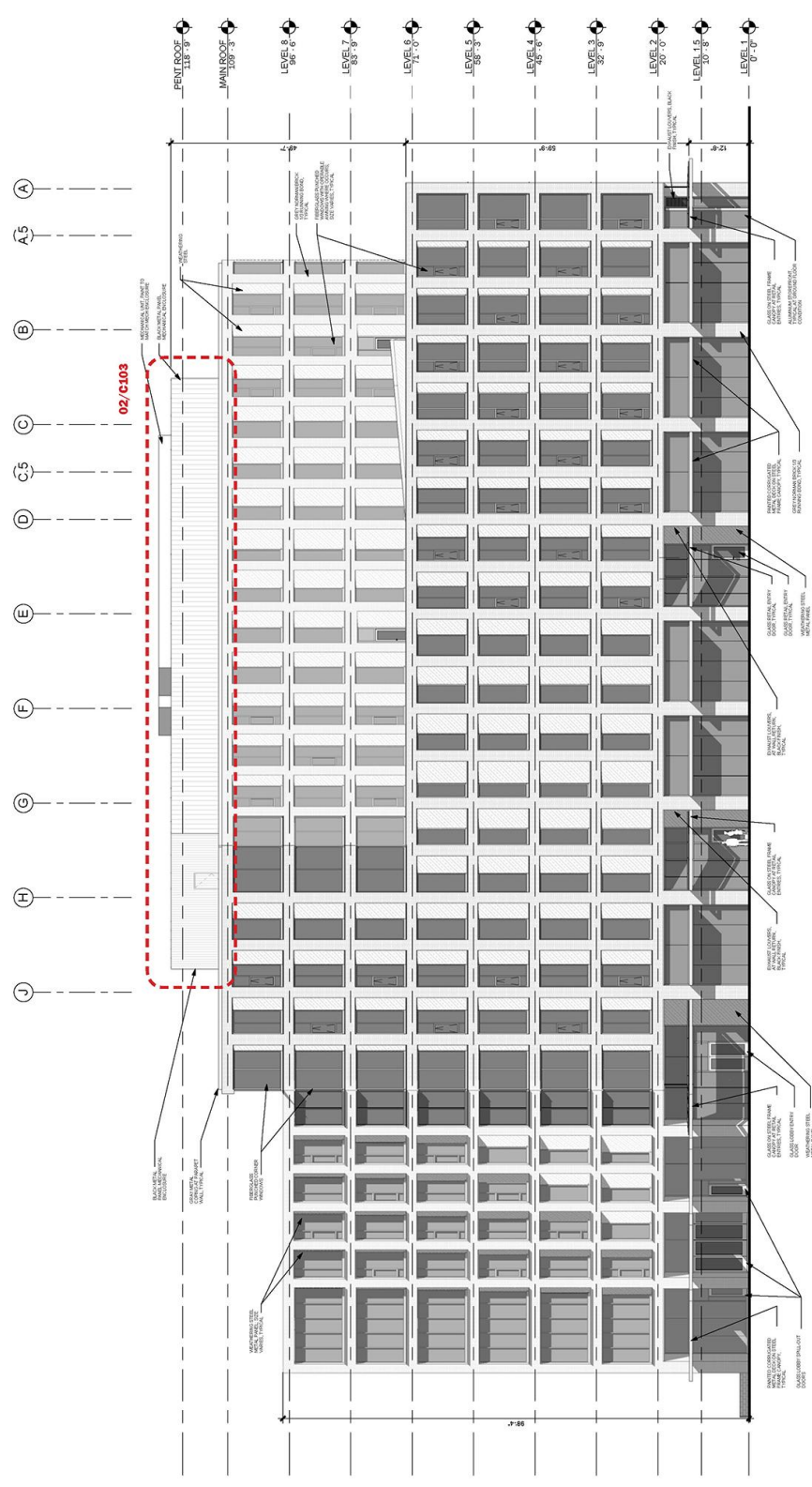


LEVEL 8 - 17,538 sf, FAR 0.50
SCALE: 1" = 40'-0"



ROOF/PENTHOUSE - 736 sf, FAR 0.02
SCALE: 1" = 40'-0"

FLOOR PLANS



BUILDING ELEVATIONS

West Elevation | NW 9th Ave



Rendering | View from NW 9th and NW Northrup with Trellis at 6th Floor

SUPPLEMENTAL INFORMATION

EXHIBIT C113