



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

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**REVISED STAFF REPORT AND RECOMMENDATION TO THE HISTORIC LANDMARKS COMMISSION**

CASE FILE: LU 15-268017 HRM AD – 221 SW Naito  
 PC # 15-261483

REVIEW BY: Historic Landmarks Commission

WHEN: April 11, 2016 @ 1:30pm  
*(Continued from February 22, 2016)*

WHERE: 1900 SW Fourth Ave., Room 2500A  
 Portland, OR 97201

It is important to submit all evidence to the Historic Landmarks Commission. City Council will not accept additional evidence if there is an appeal of this proposal.

Note: Changes in this staff report from the previous staff report, dated February 12, 2016, are shown as underlined. For clarity, deletions have been deleted.

**BUREAU OF DEVELOPMENT SERVICES STAFF: HILLARY ADAM / [HILLARY.ADAM@PORTLANDOREGON.GOV](mailto:HILLARY.ADAM@PORTLANDOREGON.GOV)**

**GENERAL INFORMATION**

**Applicant:** Jon McAuley, Applicant 503-445-7330  
 Benjamin Zachwieja, Applicant  
 SERA Design And Architecture  
 338 NW 5th Avenue  
 Portland, OR 97209

Wyndham Resort Development Corp, Owner  
 6277 Sea Harbor Dr  
 Orlando, FL 32821

Marc Rogers, Owner Representative 407-626-4514  
 Wyndham Worldwide Corporation  
 6277 Sea Harbor Dr  
 Orlando, FL 32821

Pak Koong, Owner Representative 206-724-4514  
 Wyndham Worldwide Corporation  
 9805 Willows Road NE  
 Redmond, WA 98052

**Site Address:** 221 SW NAITO BLVD

**Legal Description:** BLOCK 26 LOT 1&2 LOT 3 EXC S 1.37', PORTLAND  
**Tax Account No.:** R667703840

<b>State ID No.:</b>	1N1E34DC 03200
<b>Quarter Section:</b>	3030
<b>Neighborhood:</b>	Old Town-China Town, contact Sarah Stevenson 503-226-4368 x2 or Zach Fruchtengarten 503-227-1515.
<b>Business District:</b>	Old Town Chinatown Business Association, contact Zach Fruchtengarten at 503-227-1515.
<b>District Coalition:</b>	Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
<b>Plan District:</b>	Central City - Downtown
<b>Other Designations:</b>	Vacant parcel in the Skidmore/Old Town Historic District, listed in the National Register on December 6, 1975 and listed as a National Historic Landmark on May 5, 1977.
<b>Zoning:</b>	CXd – Central Commercial with Design and Historic Resource Protection overlays
<b>Case Type:</b>	HRM AD – Historic Resource Review with Modifications and Adjustment requests
<b>Procedure:</b>	Type III, with a public hearing before the Historic Landmarks Commission. The decision of the Historic Landmarks Commission can be appealed to City Council.

**Proposal:**

The applicant proposes a new 6-story vacation ownership (hotel) building in the Skidmore/Old Town Historic District to replace an existing surface parking lot. The maximum FAR allowed on the site is 4:1. Additional 0.65 FAR is to be gained through eco-roof bonus for a total 4.65:1 FAR. Proposed exterior materials include stucco, precast concrete, cast iron and fiberglass or glass reinforced concrete (GFRC) pilasters, aluminum-clad wood storefront, fiberglass windows and doors, metal mechanical enclosure, a steel canopy and fabric awnings, and steel replica fire shutter bi-fold loading doors.

An Adjustment is requested for the following:

1. (33.266.310.C) – to provide only one of two required loading spaces.

Historic Resource Review is required because the proposal is for new construction within the Skidmore/Old Town Historic District. Modification and Adjustment reviews are required because the applicant is requesting to not meet all standards of the Code.

Note: The prior proposal included Modifications to ground floor windows, ground floor active use and loading space standards; these have since been removed from the proposal.

**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:

- Design Guidelines for the Skidmore/Old Town Historic District
- Central City Fundamental Design Guidelines
- 33.846.070 Modifications Considered During Historic Resource Review
- 33.805.040 [Adjustment] Approval Criteria

**ANALYSIS**

**Site and Vicinity:** The subject site is located within the Skidmore/Old Town Historic District. It is a non-contributing parcel, currently used for automobile parking, bound by SW Naito Parkway on the east, SW Pine Street on the north, contributing and non-contributing resources on the west, and contributing resources on the south. Two historic Landmarks, the Delschneider

Building (west) and the Fechheimer & White Building (south) are among the abutting contributing resources.

The Skidmore/Old Town Historic District was listed in the National Register of Historic Places on December 6, 1975, and due to its significance, later listed as a National Historic Landmark on May 7, 1977. The district was listed for being nationally significant for both its historical association with the early development and economic growth of the city of Portland, which was the most important urban center of the late 1800s, as well as for its exceptional architectural collection, including mid- to-late 19<sup>th</sup> Century cast iron commercial buildings.

The subject property is located west, across SW Naito Parkway, from Waterfront Park at the site of the Blue Star Memorial dedicated to U.S. armed forces and the floating Oregon Maritime Museum. To the north, across SW Pine Street is a surface parking lot occupying nearly ½ of the block, with contributing resource, including Landmarks to its north, as well as another 1/8 block surface parking lot. Beyond the immediately adjacent contributing and noncontributing resources to the west is the MAX line with other contributing resources to its west, and surface parking lots to the west and north of those buildings. South of the landmarks to the south of the property are a ¼ block contributing resource and ¾ block surface parking lot; the north half of this block is within the boundary of the historic district.

**Zoning:** The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

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 Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

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 Downtown Subdistrict of this plan district.

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

- HL 32-81 and CU 041-81– Approval for a new infill building (never built) with an FAR variance to allow and FAR of 5.3:1 and a variance to height to allow a height of 81.5' to the parapet and 89.5 to the mechanical penthouse, subject to further review by the Historic Landmarks Commission;
- EA 14-217837 PC – Pre-Application Conference for the current proposal

- EA 14-235042 DA – Design Advice Request for the current proposal;
- EA 15-261483 WRTN – update to Pre-Application Conference for current proposal.

**Agency Review:** A “Request for Response” was mailed **January 19, 2016**.

The **Bureau of Environmental Services** *initially* responded, noting that additional information is required before approval can be recommended. This additional information includes a Special Circumstance application for the runoff which cannot be routed through the flow-through planters as well as additional information related to the eco-roof proposed to gain additional floor area on the site. Please see Exhibit E-1 for additional details. On April 7, 2016, BES submitted a revised response indicating support for the proposal. See Exhibit E-1b for additional details. On April 7, 2016, BES also submitted an Ecoroof Letter of Certification, approving the requested additional FAR. See Exhibit E-1c for additional details.

The **Bureau of Transportation Engineering** responded, noting that the loading analyses submitted appear to show that a Type A Loading space is needed to accommodate the majority of loading vehicles serving the site. PBOT has requested additional information but has not received that information; therefore, PBOT does not support the requested Modification to reduce the size of the proposed loading space. Please see Exhibit E-2 for additional details.

The **Life Safety Division of BDS** responded, with standard comments and suggesting the applicant request a Preliminary Life Safety Meeting to verify Building Code requirements. Please see Exhibit E-3 for additional details.

The following Bureaus have responded with no issues or concerns:

- Water Bureau
- Fire Bureau
- Bureau of Parks-Forestry Division
- Site Development Section of BDS

Note: Following the February 22, 2016 hearing the applicant revised the proposal to show one Standard A loading space, thus eliminating their request to reduce the size of the required loading space. The applicant also provided additional information addressing the BES comments, and BES approved the additional requested FAR.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on February 1, 2016. No written responses were received from either the Neighborhood Association or notified property owners in response to the proposal, prior to issuance of the first staff report. However, letters were received after February 12, 2016 and were presented to the Commission on February 22, 2016. These include:

- Sarah Stevenson and Zach Fruchtingarten, Land Use and Design Review Committee for the Old Town/Chinatown Community association, on February 19, 2016, wrote in support of the proposal. See Exhibit G-4.
- Peggy Moretti, Restore Oregon, on February 22, 2016, wrote with concerns, particularly with the proposal’s impact on its western neighbors’ access to light and air. See Exhibit G-5.
- Michael Robinson, Perkins Coie, on February 22, 2016, wrote in opposition, with particular concerns regarding the proposal’s impact on the 208 Building to the west. See Exhibit G-6.
- Stephen Ford, on February 22, 2016, wrote in opposition, noting the proposed lightwell was insufficient. See Exhibit G-7

**Procedural History:** At the February 22, 2016 Historic Landmarks Commission hearing, the commission agreed with the February 12, 2016 staff report recommending denial of the proposal. Testimony was received at that hearing, including from representative of abutting buildings, noting concerns with access to light and air at the rear of the building. At the February 22, 2016 hearing, the Commission offered guidance and strongly encouraged the applicant to go toward a

more compatible cast iron style of architecture and to provide additional light and air at the rear of the property.

Public testimony at the February 22, 2016 hearing includes the following:

- John Russell, owner of the Fechheimer & White building and the Delschneider Building, provided testimony in support.
- Bill Hawkins, provided testimony, noting concerns with the lack of cast iron and cast iron character in the proposal.
- Stephen Ford, provided testimony in opposition, noting the proposed lightwell was insufficient.
- Roger Malinowsky, owner of the 208 Building, provided testimony in opposition, noting that a larger lightwell is necessary for the adjacent historic resources to remain viable.
- Michael Robinson, representative for Roger Malinowsky, provided testimony in opposition, noting that approval criteria A and B were not met.

On March 2, 2016, Michael Robinson submitted a letter confirming that the record was still open for public testimony (see Exhibit H-6).

Note: Staff affirms the content of this letter.

## **ZONING CODE APPROVAL CRITERIA**

### **(1) Chapter 33.846, Historic Reviews**

#### **Purpose of Historic Resource Review**

Historic Resource Review ensures the conservation and enhancement of the special characteristics of historic resources.

#### **Historic Resource Review Approval Criteria**

Requests for Historic Resource Review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

**Findings:** The site is located within the Skidmore/Old Town Historic District. Therefore the proposal requires Historic Resource Review approval. The relevant approval criteria are the Skidmore/Old Town Historic Design Guidelines and the Central City Fundamental Design Guidelines.

### **Central City Fundamental Design Guidelines and Historic Skidmore/Old Town Design Guidelines**

The Skidmore/Old Town Historic District is a unique asset to Portland and has been recognized nationally by its placement on the National Register of Historic Places. In addition, the Skidmore/Old Town Historic District has been identified as a National Landmark, of which there is only one other in Portland, Pioneer Courthouse. There are certain procedures and regulations the City has adopted for the protection and enhancement of the Skidmore/Old Town Historic District.

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.

### **Central City Plan Design Goals**

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

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;

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

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

### **Historic Skidmore/Old Town Design Guidelines**

#### **General Guidelines: New Construction**

An analysis of old photographs depicting the area at the turn of the century indicates the District was a compact, urban environment. With the addition of Harbor Drive and the reconstruction of Front Avenue in 1942, the eastern edge of the District was seriously weakened. Additionally, the loss of buildings within the District for the conversion to surface parking lots added to the historic loss. An essential ingredient to the development of the District is re-establishing the compact urban feeling it once had with compatible new infill buildings.

**A. Siting.** In addition to zoning requirements, the relationship of the new building to the street, and to the open spaces between it and other historic buildings should be visually compatible with the adjacent buildings and with the architectural character of the District.

**Findings:** The proposed building is located at the street lot lines, as are essentially all buildings within the district, including those immediately adjacent.

At the February 2015 Design Advice Request, the Commission noted that the proposed lightwell at the west side of the building was insufficient and that maintaining access to light and air at the west was critical to the survival of the existing adjacent historic buildings. These concerns were reiterated at the February 22, 2016 hearing by staff, the commission, and abutting neighbors. The applicant has since revised the proposal to show a 6'-0" lightwell along the majority of the ground floor west façade, opening up to a west-facing courtyard at the second level which is 41'-0" deep. The revised orientation of the courtyard maintains a reasonable access to light and air for the adjacent historic properties and alleviates staff's previous concerns. While the Fechheimer & White building to the south will still have its non-original north-facing windows obscured, the owner of this building supports the proposal because the proposed adjacency of the new building will allow for seismic reinforcement of the Fechheimer & White building to occur.

*This guideline is met.*

**B. Height and Bulk.** In addition to zoning requirements, the height and width of a new building should not exceed the height and width of the largest landmark building in the District, and should be visually compatible with adjacent landmark buildings.

It is the intention of these guidelines to ensure District compatibility with respect to new construction. It is recognized that development could occur which combine several parcels. In this event, the project should respond to the above guidelines through major vertical "breaks" in the façade design. The maximum height should not exceed 75 feet.

**Findings:** As was determined during the last land use application for a new building in the Skidmore/Old Town Historic District, the tallest landmark building in the district is the New Market Annex (New Market West) building located south of the site at 59 SW 2nd Avenue

(also listed as 135 SW Ash Street). The New Market Annex is, depending on the source, approximately 75-80 feet in height. While the greatest width of any one building is the New Market Theater and annexes located at 120 SW Ankeny, which occupies half of its block in the north-south direction (SW Ankeny Street to SW Ash Street), and traverses the entire block from SW 1st Avenue to SW 2nd Avenue, this building is actually comprised of multiple interconnected buildings that were designed independently. Generally, with regard to singular buildings in the district, the widest most of them are at the street face is 100 feet. The applicant has also noted that the widest contributing resource in the district is the Foster Hotel at 216 NW 3<sup>rd</sup> at 192'-0" wide along the NW Davis frontage. Beyond this, it is mentioned in numerous writings specific to this Historic District that the design standard was a building crafted between 2 and 4 floors. Collectively, there is no precedent of a Landmark building in the district at the combined height and width as the one being proposed by the applicant.

The proposed building is indicated to be 74'-5" to the top of the parapet and 79'-1" to the top of the mechanical enclosure. At the February 2015 Design Advice Request, the Commission noted an appreciation for the differing heights along the east façade but expressed a preference for one fewer stories, particularly at the south end where the building abuts the Landmark Fechheimer & White building. These comments were reiterated at the February 22, 2016 hearing where the applicant presented a building of the same massing and height as was seen at the Design Advice. Following the February 22, 2016 hearing, the applicant revised the design to the current scheme which shows a single building articulated as two separate buildings with the same 6-story volume at the north end, with a 5-story volume at the south end. While the 5-story volume is still taller than the Fechheimer & White Building to the south, it no longer overwhelms the Landmark building and the proposed massing is more in keeping with the development pattern of the historic district.

*This guideline is met.*

**C. Scale and Proportion.** The size and form of a new building, the relationship of voids to solids, the size and relationship of windows, doors, porches, and other architectural elements, should be of a scale, and have a proportion that is visually compatible with adjacent landmark buildings, and with the architectural character of the District.

- The horizontal dimension of a façade of any new building should not exceed 100 feet on east – west streets and 50 feet on north-south avenues. It is further recommended that there be major façade breaks at 25 or 50-foot bay modules, consistent with traditional District development.
- An important element within the District was the emphasis on the pedestrian scale activities, emphasized with awnings or canopies. New development should include provisions for this element.
- New development should avoid blank walls at the pedestrian level.

**Findings:** At the February 2015 Design Advice Request and at the February 22, 2016 hearing, the commission encouraged the applicant to incorporate more of an Italianate or cast iron character to the proposed building, partly in anticipation of adoption of the updated Skidmore/Old Town Historic District Design Guidelines, which had not yet been adopted at the time this land use application was submitted. However, staff notes that the guideline suggests that the building should be visually compatible with adjacent landmarks and with the architectural character of the District, which is predominantly Italianate, most notably in the immediately adjacent Landmark. Staff notes that the Commission's primary concern was that the ground level treatment should respond to the cast iron character of the District with regard to large window expanses resulting in a large window-to-wall area ratio. S

Since the February 22, 2016 hearing, the applicant has significantly revised the design to present a more cast iron or Italianate style of architecture that is more in keeping with the scale, proportions, and character of the district. While the building is larger than most contributing resources in the district, its detailing is complementary and relatively simplified

in a manner that will not draw unnecessary attention to itself despite its prominence at the edge of the district and immediately west of Waterfront Park. Notably, the ground level has been significantly revised, dramatically increasing the amount of ground floor windows and ground floor active use areas so that the proposal no longer requires Modifications to these standards.

As noted above, the applicant is proposing articulations of the east façade in response to this guideline and to break up the perceived mass of the building. While the building is approximately 150' long along the east side, the mass is broken into differing heights, carried down to the ground level through varying stucco colors to give the appearance of separate buildings. The widest of these modules is 82'-0". On the north façade along SW Pine, the building is a single coherent volume at 99'-0" wide which the Commission preferred on this façade. The applicant is proposing fabric awnings and canopies at every window bay of the north façade and at the majority of window bays of the east façade. The fabric awnings have been revised to have open ends, as was suggested at the February 22, 2016 hearing, however, staff notes that they are shown to span two ground level bays, rather than single bays. Staff suggests that the awnings should only span single bays to better emphasize the vertical proportions and to highlight the cast iron and replica pilasters.

With the condition of approval that the fabric awnings shall span single bays rather than pairs of bays, this guideline is met.

**D. Materials, Colors and Texture.** The exterior materials, colors and textures used in new buildings should be visually compatible with adjacent landmark buildings, and with the architectural character of the District. Refer to previous guidelines outlined under *Alterations and Additions to Historic Landmarks, Potential Landmarks and Other Compatible Buildings* for guidelines.

- Use of masonry and stuccoed masonry as a major building material should be given consideration. Attention should be given to new brickwork as follows: (a) the color, texture and size of the brick themselves; (b) the width of the joints between the bricks; (c) the color and tone of the mortar in the joints; and (d) the profile of the mortar joint.
- The use of artificial finish materials shall be avoided. Also, the use of wood as a major surface material should be avoided.

**Findings:** The building is proposed to be clad with stucco. While the side and rear elevations are simplified and reveal the expansion joints, the street-facing facades will feature stucco applied to constructed forms, with minor elements shaped with expanded polystyrene (EPS). This is a similar system to what was approved for the Cordelia Apartments at NW 19<sup>th</sup> and Johnson. The brick and mortar joints appear to be of standard dimension of 4 bricks to a vertical 1'-0". The proposed color for the stucco is white on the 5-story volume and light tan on the 6-story volume. The Color Guideline for Alterations and Additions, referenced above, is copied here:

**I. Color.** *The colors used in alterations or additions within the District shall be visually compatible with the traditional architectural character of the historic buildings within the area.*

- *Historically, in the era of the late 1800's and early 1900's, painting was usually done using earth colors, i.e., hues tending towards brown, soft greens, and beiges.*
- *Bright colors and white were rarely used. Buildings, therefore, are perhaps most appropriately painted using subdued colors. Little or nothing is gained by the use of strong or loud colors, especially those with no tradition of local usage.*
- *Color combinations will occur, as nearly all buildings will have wood trim or metal ornamentation in addition to their base materials. This, plus the further elaboration of wood storefronts, suggests the use of an overall wall color plus one or two trim colors.*



- *A method for determining the original wall and trim colors consists of scraping chips from the existing surface and analyzing them microscopically. This should be done whenever the original color is unknown and major repainting is contemplated.*

While this guideline suggests that white was rarely used, this portion of the guideline appears to reference colors which were applied, such as paint. With regard to permanent materials and colors, it states that earth tones, including beige were used during the era of the historic district. Staff notes that there are buildings in the district that are shades of white and the adjacent buildings are currently shades of white or off-white. As such, the proposed colors may help the proposed building integrate with the adjacent buildings.

At the time of the Design Advice Request, the applicant proposed fiberglass systems at the upper floors, to which the Commission requested additional information and stated they would need to have textural detailing in order to gain approval for fiberglass. At the February 22, 2016 hearing, the applicant proposed standard aluminum storefront systems at the ground level with vinyl windows and doors at the upper level, which the Commission stated was not approvable. The applicant has since revised the proposal to show aluminum-clad wood storefronts with fiberglass windows at the upper levels, both in a bronze finish. At the hearing, the Commission noted the generous recesses at the upper level windows; this has been maintained in the new stucco Italianate design.

*This guideline is met.*

**E. Rear and Side Walls.** Generally, the standards which apply to the fronts of buildings also apply to rear and side-walls, although the conditions to meet are usually much more simple. A strong effort should be made to coordinate and subdue the clutter of mechanical/electrical equipment on exterior surfaces.

**Findings:** At the Design Advice Request, the Commission suggested that the sides and rear of the building, including within the courtyard should be more subdued than the street-facing façades, noting that at that time the courtyard façades were equally articulated, reinforcing the appearance of a single building rather than a grouping of buildings. The previous design prompted similar concerns with over-articulation as well as unfriendly façades facing the west. The current design is much more subdued on the side and rear elevations, in keeping with the character of the district as most party walls are relatively blank, and the west elevation now presents a much friendlier façade to its western neighbors.

Mechanical equipment is located on the roof, adjacent to the stair towers and, proposed to be screened with a metal enclosure, slightly shorter than the height of stair towers. While these rooftop projections will be visible from a distance, particularly when viewed from the south, they are pushed back from the street-facing façades of the building and will be minimally visible from directly across SW Naito.

*This guideline is met.*

**F. Signs, Lighting and Other Appurtenances.** Signs, exterior lighting, and other appurtenances such as walls, fences, awnings/canopies, and landscaping should be visually compatible with adjacent landmark buildings, and with the architectural character of the District.

**Findings:** No signage is currently proposed; therefore a follow-up review will be required for any proposed signage. A lighting plan, with images of the proposed fixtures, is provided on C13 and a nighttime rendering is provided on C61. The total amount of lighting has been significantly reduced from the prior proposal, which staff had considered to be excessive. On the street-facing façades, the applicant now proposes globe fixtures on either side of the primary entrance, as well as globe fixtures at the main entrance canopy and downlighting at

the other recessed entrances. Additional lighting is also proposed at the 2<sup>nd</sup> floor rear courtyard terrace as well as at the rooftop stair towers. To minimize impacts to nighttime views of the building, staff suggests that stair tower light be motion-activated.

A large marquee canopy is proposed at the primary entrance, to be constructed of steel with a metal fascia and plaster soffit. This canopy signifies the main entrance to the building and is relatively compatible with the character of the building and with the district, despite being relatively uncommon. Fabric awnings are shown at most of the other ground level bays. Details for these awnings are provided on C37. Under Guideline C above, staff suggested that the fabric awnings should not continue across pilasters but should be contained within single storefront glazing bays. Please refer to guideline c for the recommended condition of approval related to the fabric awnings.

With the condition of approval that the stair tower light fixtures be motion activated, this guideline is met.

**G. Cast Iron.** For new buildings the appropriate re-use of available cast iron elements is encouraged.

**Findings:** At the February 2015 Design Advice Request and at the February 22, 2016 hearing, the Commission suggested, not only a more cast iron character for the building, particularly at the ground level, but also encouraged incorporation of cast iron, specifically at the entries as a way of signifying the entries and enhancing the cast iron character of the district. Salvaged cast iron elements from the districts demolished buildings are available for incorporation into new projects and a limited application, such as at the entrances could be an appropriate use of these elements. Following the February 22, 2016 hearing, the applicant met with Bill Hawkins and the Portland Development Commission to identify salvaged cast iron pieces that could be incorporated into this building. Staff believes that up to 8 columns were identified as able to be incorporated into this project and the drawings indicate that the applicant intends to use a minimum of six (6) salvaged columns to establish a cast iron storefront pattern, to be continued with fiberglass or GFRC replicas. While the Commission suggested the cast iron should be located at the entrances, the columns on either side of the primary entrance are designed to be wider in order to support the proposed light fixtures. As such, the two pilasters on either side of the main entrance could be potential locations for the cast iron, as could the 2<sup>nd</sup> and 3<sup>rd</sup> pilasters from the south, which frame the retail entrance further south on the Naito façade. This could be incorporated as a condition of approval or left to the applicant's discretion.

This guideline is met.

### **Central City Fundamental Design Guidelines**

**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.

**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 A1 and B5:** The proposed building is located across SW Naito, west of Waterfront Park. The primary entrance of the building is oriented east and located near the northeast corner of the building near a primary crosswalk across Naito, leading directly to an east-west path across Waterfront Park and providing a paved connection to the Waterfront Park River trail. While the previous proposal showed a courtyard that opened up to the east, this proposal shows the courtyard at the rear of the building which allows greater access to

light and air to the building's western neighbors, which is considered more important as plentiful views to the river are still provided in the new design. These guidelines are met.

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

**Findings:** Portland themes are not provided. *Therefore, this guideline is not applicable.*

**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.

**Findings:** The proposed building is to be located within an existing 200' x 200' block and is not part of a superblock. *This guideline is not applicable.*

**A4. Use Unifying Elements.** Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

**A5. Enhance, Embellish, and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

**Findings for A4 and A5:** The subject property is located within the Skidmore/Old Town Historic District, a nationally-recognized district which is significant for both its history as the location of the earliest development of the City of Portland, as well as the collection of mid- to late-19<sup>th</sup> Century cast iron buildings, described as perhaps the largest extant collection in the western United States. As is noted above, at the February 2015 Design Advice Request and at the February 22, 2016 hearing, the Commission encouraged incorporation of salvaged cast iron elements into the proposed building as a means of enhancing the unification of the district through the development of this building. The current proposal now includes salvaged cast iron pilasters as part of the proposal, which will also be replicated in either fiberglass or GFRC to complete the ground level façade. The incorporation of cast iron at the ground level has resulted in an increase in ground floor window area, which further unifies the proposed building with the Skidmore/Old Town Historic District where extensive ground floor glazing is common.

*This guideline is met.*

**A6. Reuse/Rehabilitate/Restore Buildings.** Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

**Findings:** No building currently exists on this site. *Therefore, this guideline is not applicable.*

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

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

**Findings for A7 and A9:** The subject property is a vacant parcel currently used as a surface parking lot with little gateway appeal into the Skidmore/Old Town Historic District. While not an official "Gateway", this block serves as the built edge to the Skidmore/Old Town Historic District and therefore serves as a gateway for anyone traveling along SW Naito or Waterfront Park and intending to head west into the district. The proposed building is designed to be constructed at the street lot lines thereby re-establishing a strong built edge not only to this lot, but to the district as well. In addition, with the revised design the cast iron Italianate architectural language now serves as a more appropriate gateway entrance into this historic district, replete with cast iron buildings. These guidelines are met.

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

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

**Findings for A8 and C1:** The proposed building is to be built at the street lot lines, in line with adjacent contributing and noncontributing buildings in the district. Both entrances are oriented to the east on SW Naito and the proposal now features a significant amount of glazing at the ground level on both façades. The storefront windows and doors now look into more ground floor active use areas than the previous proposal, with back of house areas now limited to approximately 30 linear feet at the northwest corner and a corridor at the southwest corner. As a result of these revisions, the previously requested Modifications to the ground floor window and ground floor active use standards are no longer necessary. Staff notes that while the back of house areas are not transparent, the applicant has proposed a steel replica fire shutter folding door for the loading bay which adds interest. In addition, staff notes that the ground level, now articulated with cast iron and replica pilasters, is designed so that the storefronts are set back 15" from the street lot line with the base of the pilasters projecting about 13" from the base of the storefronts, which adds a significant amount of texture and vibrancy to the ground level façade. Staff does suggest, however, that the south retail entrance be revised to a double door to give this entrance a bit more prominence and to make this opening more in keeping with the cast iron character.

With the condition of approval that the south retail entrance shall be revised to a double door, these guidelines are met.

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

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

**Findings for B1 and B3:** No significant changes are proposed to the existing sidewalk configuration. The applicant has noted, however, that the project will result in the removal of one of two curb cuts, with the proposed curb cut used for loading access rather than passenger vehicles. This relatively limited use will result in fewer potential conflicts between pedestrians and automobiles. *These guidelines are 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:** As noted in the guideline above, pedestrians will most likely experience fewer conflicts with automobiles as a result of this proposal. As was noted above, no signage is currently proposed; any proposed signage will require a follow-up Historic Resource Review.

Staff's previous concerns related to the location of a generator at the SW Pine street face as

well as a redundancy of exit passages leading to SW Pine have been alleviated with the new design. The applicant has located the generator to the center of the building and eliminated the exit passages to SW Pine, leaving only a relatively small area dedicated to back of house uses. The previously excessive lighting has now been reduced to globe fixtures at the primary entrance and downlighting at the two southern recessed entrances. Staff notes that ornamental twin street fixtures are located at the southeast and north east corners of the building while a single ornamental street lamp is located at the midpoint of the SW Pine frontage.

*This guideline is met.*

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

**Findings:** As is noted above, the new cast iron style design shows the ground level storefront systems to be recessed 15” from the street lot line. Staff notes that seating should be provided at the entry for those users of the building waiting for transportation. As such, staff suggests that benches should be provided on either side of the primary entrance. As is noted above, a decent number of awnings are provided. Staff’s prior concerns regarding the gap between the awnings and the building have been resolved with the new design.

With the condition of approval that benches shall be provided on either side of the primary entrance, this guideline is met.

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

**Findings:** A large canopy is provided at the primary entrance which will serve pedestrians as well occupants of the building. Fabric awnings are also proposed as staff has noted above.

*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 interior spaces are shown to be flush with the exterior sidewalk, thereby ensuring equitable access to all. *This guideline is met.*

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

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

**Findings for C2 and C4:** The primary building materials proposed is stucco, which is generally considered a high-quality permanent materials and is commonly found in the Skidmore/Old Town Historic District. Staff notes, however, that the elevations clearly show the expansion joints in the stucco on the south and west façades. This is relatively common in current stucco applications and will be minimally visible. Expansion joints are also shown on the street-facing façades, however because of the articulation of the stucco on these façades, these joints will not significantly affect the overall aesthetic.

At the February 2015 Design Advice Request the applicant proposed fiberglass storefront systems to which the Commission requested additional information and education, as well as creative detailing. At the February 22, 2016 hearing, standard aluminum storefront and vinyl windows were proposed and were rejected by the Commission. The applicant now proposes aluminum-clad wood storefronts which are shown to have some level of detail in

the section drawings on C37 and C42. The applicant now also proposes fiberglass windows at the upper levels which will be recessed 9"-12" from the pouter face of the building on the street-facing façades. No section detail was provided for the windows facing the rear courtyard; as such, staff suggests a condition of approval that these windows be recessed a minimum 3" to match the detail on C40. Staff supports the new window and door materials as these are more in keeping with the historic district, particularly with the proposed recess and articulation at the street-facing façades. Staff has previously also note concerns with revolving doors at the primary entrance; this has now been revised to swinging doors, which is more in keeping with the character of the historic district.

With the condition of approval that the courtyard-facing windows be recessed a minimum of 3" from the exterior face of the wall to the face of the window frame, these guidelines are met.

**C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

**Findings:** The proposal is for a new building on a vacant parcel. *This guideline is not applicable.*

**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:** Due to relatively consistent stucco detailing and window arrangement, the building is fairly cohesive in its design despite the proposal to break up the façade into different volumes and colors. At the February 22, 2016 hearing, the Commission suggested the applicant consolidate the varied building masses and they have done so. The building is now articulated as two distinct volumes, while the variation in detailing is minimal in order to avoid a cartoonish effect. Staff believes that this approach is successful as it allows the building to be read as two buildings from far away, but still read as one building with a single primary entrance from a closer perspective.

*This guideline is met.*

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

**Findings:** The proposed building features recessed niches at the entry and egress points, creating a semi-public transition area between the building and the street. As is noted above, with incorporation of the cast iron pilasters, the applicant now proposes the storefronts to be set back 15" from the street lot line with the pilasters projecting about 13"; this creates a series of niches which provide opportunities for benches, potted plants, or gathering spaces.  
*This guideline is met.*

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

**Findings:** The primary entrance to the proposed building is located just south of the northeast corner. This entrance is conveniently located near a crosswalk across SW Naito that leads to Waterfront Park and a paved walkway that connects pedestrians directly to the river trail from SW Naito. The entrance is marked with a large canopy and ornamental light

fixtures. *This guideline is met.*

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

**Findings:** The sidewalk level of the building is differentiated through the introduction of cast iron and replica pilasters, storefront systems which are different from upper level window systems, fabric awnings, and a steel canopy at the primary entrance. *This guideline is met.*

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

**Findings:** At the February 2015 Design Advice, the Commission suggested that the applicant provide additional leasable space in order to help spur more development in the district. While it is not clear if additional retail area was provided, the proposed retail space was reoriented so that more of it now fronts on the street edge. As is noted above, ground level active uses were increased along the street edge following the February 22, 2016 hearing, including relocation of the telecom room further back from the street face of the building. While the retail space is still shown to be a single retail space, its total frontage along SW Naito has increased from the previous design and it theoretically could be divided into smaller spaces at some point in the future.

*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:** No encroachments are proposed. *This guideline is not applicable.*

**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 majority of the roof surfaces are developed with an eco-roof as a means to treat stormwater runoff and gain additional floor area over the maximum allowed by the base zone. Mechanical equipment, which is proposed to be enclosed with a metal screen to reduce visibility, is located near stair tower projections. The 2<sup>nd</sup> floor features an outdoor courtyard terrace with stormwater planters, landscape planters, pavers, seating and tables, a barbecue grill, and a fire pit to activate this space and provide areas for passive outdoor recreation. *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:** While few details are provided, a lighting plan, with images of the proposed fixtures, is provided on C13 and a nighttime rendering is provided on C61. The total amount of lighting has been significantly reduced from the prior proposal, which staff had considered to be excessive. On the street-facing façades, the applicant now proposes globe fixtures on either side of the primary entrance, as well as globe fixtures at the main entrance canopy and downlighting at the other recessed entrances. Additional lighting is also proposed at the

2<sup>nd</sup> floor rear courtyard terrace as well as at the rooftop stair towers. To minimize impacts to nighttime views of the building, staff suggests that stair tower light be motion-activated (see Guideline F).

*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:** No signage is proposed. Any future signage will require a separate follow-up Historic Resource Review. Staff encourages a sign proposal to be reviewed as part of this review given the site’s location at this high profile edge of the historic district. *This guideline is not applicable.*

### **(3) 33.805.010 [Adjustments] Purpose**

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply citywide, 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.

The following Adjustment(s) is requested:

1. (33.266.310.C) – to provide only one of two required loading spaces.

### **33.805.040 Approval Criteria**

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A through F have been met:

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

**Findings:** The purpose statement for 33.266.310 is: “A minimum number of loading spaces are required to ensure adequate areas for loading for larger uses and developments. These regulations ensure that the appearance of loading areas will be consistent with that of parking areas. The regulations ensure that access to and from loading facilities will not have a negative effect on the traffic safety or other transportation functions of the abutting right-of-way.”

The Portland Bureau of Transportation (PBOT) reviewed the request to reduce the total number of loading spaces from two to one and has not expressed concern with the reduction in the number of spaces provided, but noted concerns with the previous request to reduce the size of the loading space provided. PBOT indicated that if the proposal is revised to include one (1) Standard A loading space, PBOT can support the proposal; thereby inferring that the reduction from two Standard A spaces to one Standard A space is acceptable. The applicant has revised the size of the proposed loading space to show a Standard A space.

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

**Findings:** The proposal is not located in a residential zone. The requested Adjustment to decrease the number of on-site loading spaces is consistent with the desired character of the historic district as it results in fewer and/or shorter curbcuts, fewer and/or smaller garage type openings in the building which would otherwise detract from the desired pedestrian character, and result in fewer conflicts between pedestrians and loading vehicles. *For these stated reasons, the approval criterion is met.*

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

**Findings:** Only one Adjustment is requested. *Therefore, this criterion does not apply.*

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

**Findings:** By reducing the number of required on-site loading spaces, the historic character of the Skidmore/Old Town historic District is better preserved as garage doors are generally considered uncharacteristic of this mid- to late 19<sup>th</sup> Century historic district. *For these stated reasons, the approval criterion is met.*

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

**Findings:** The Bureau of Transportation has indicated that one Standard A loading space is required and has not indicated that the anticipated demand requires a second loading space be provided. As such, PBOT does not anticipate any negative impacts as a result of the Adjustment.

*For these stated reasons, the approval criterion is met.*

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

**Findings:** The proposal is not in an environmental zone. *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.

## **CONCLUSIONS**

Following the February 22, 2016 hearing the applicant made significant changes to the design of the proposed building that respond to the concerns stated by staff and the Commission. The proposal is significantly improved, incorporating cast iron design as well as salvaged cast iron pieces, which will unify it with the Skidmore/Old Town Historic District. The proposed window materials and detailing are also much improved, as is the building's relationship with its western neighbors. Staff is generally supportive of the proposal, but has recommended conditions of approval to address minor outstanding concerns. The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the

applicable Historic Resource Review criteria and Adjustment criteria and therefore warrants approval.

**TENTATIVE STAFF RECOMMENDATION**

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

Staff recommends approval of a new 6-story vacation ownership (hotel) building in the Skidmore/Old Town Historic District to replace an existing surface parking lot. The maximum FAR allowed on the site is 4:1. Additional 0.65 FAR is to be gained through eco-roof bonus for a total 4.65:1 FAR. Proposed exterior materials include stucco, precast concrete, cast iron and fiberglass or glass reinforced concrete (GFRC) pilasters, aluminum-clad wood storefront, fiberglass windows and doors, metal mechanical enclosure, a steel canopy and fabric awnings, and steel replica fire shutter bi-fold loading doors.

- A. As part of the building permit application submittal, the following development-related conditions (B through F) 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 15-268017 HR AD". All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The fabric awnings shall span single bays rather than pairs of bays.
- C. The stair tower light fixtures shall be motion activated.
- D. The south retail entrance shall be revised to a double door.
- E. Benches shall be provided on either side of the primary entrance.
- F. The courtyard-facing windows shall be recessed a minimum of 3” from the exterior face of the wall to the face of the window frame.

=====

**Procedural Information.** The application for this land use review was submitted on November 20, 2015, and was determined to be complete on January 8, 2016.

*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 November 20, 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 requested that the 120-day review period be extended 49 days (see Exhibit H-5). Unless further extended by the applicant, **the 120 days will expire on: June 25, 2016.**

**Some of the information contained in this report was provided by the applicant.** As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the recommendation of the Bureau of Development Services with input from other City and public agencies.

**This report is not a decision. The review body for this proposal is the Landmarks Commission who will make the decision on this case.** This report is a recommendation to the Landmarks Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Landmarks Commission will make a decision about this proposal at the hearing or will grant a continuance. Your comments to the Landmarks Commission can be mailed, c/o the Landmarks 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 Landmarks Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the review body, only evidence previously presented to the review body will be considered by the City Council.

**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.**

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).**

Hillary Adam  
April 6, 2016

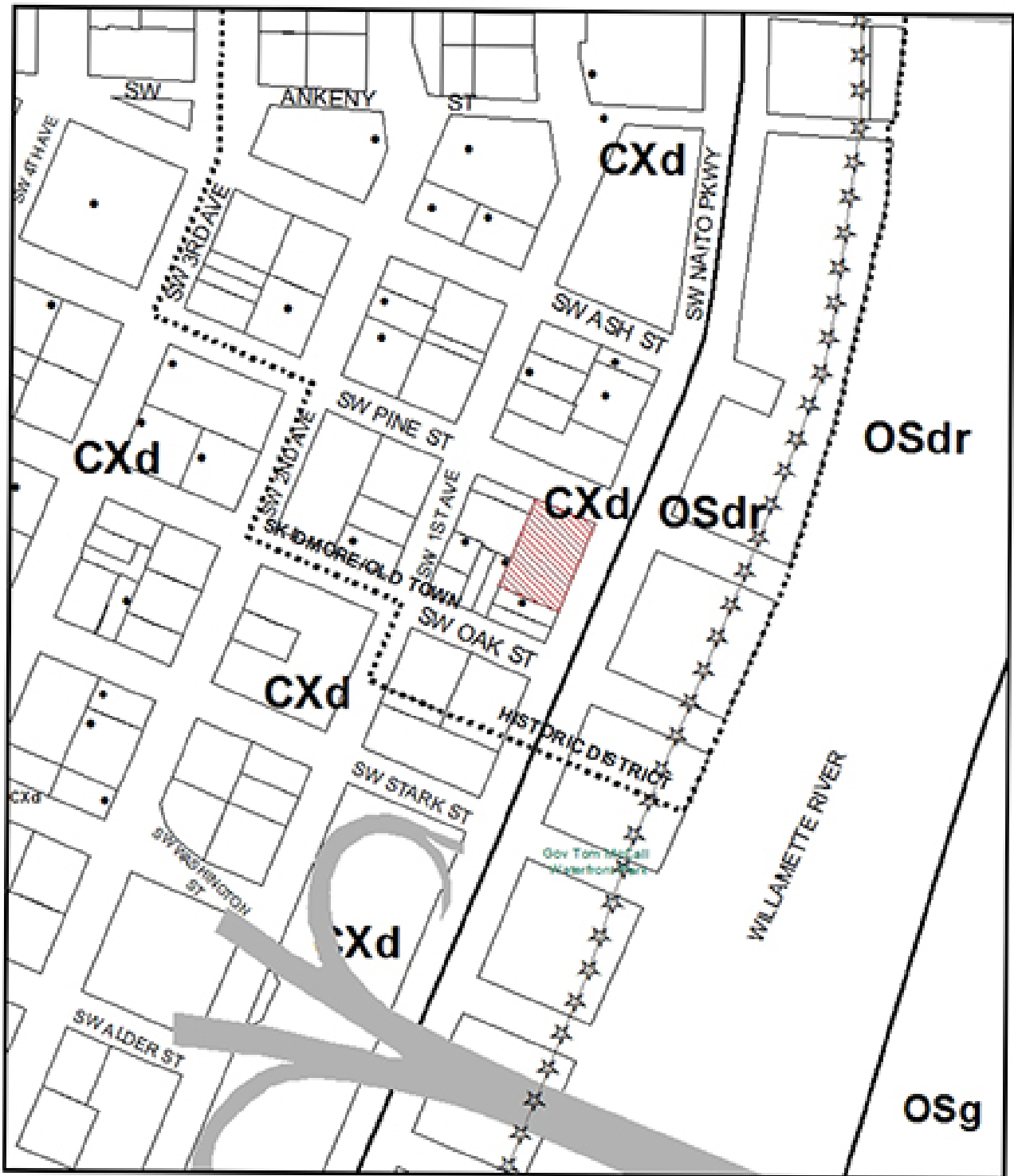
#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement:
  1. Narrative
  2. Early Assistance and Pre-Application Conference Summaries
  3. Original Drawing Set
  4. Completeness Response Narrative, received January 8, 2016
  5. Completeness Response Drawing Set
  6. Revised Drawing Set, received February 1, 2016
  7. Revised Narrative, received February 1, 2016
- B. Zoning Map
- C. Plans & Drawings:
  1. Drawing Set, dated April 1, 2016 (C1-61); (C16, C17, C22, C23 attached)
- 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. Mailing list
  6. Mailed notice
- E. Agency Responses:
  1. Bureau of Environmental Services
    - b. BES Revised Response, dated April 7, 2016
    - c. BES Ecoroof Letter of Certification, dated April 7, 2016
  2. Bureau of Transportation Engineering and Development Review

3. Life Safety Division of BDS
  4. Water Bureau
  5. Fire Bureau
  6. Site Development Section of BDS
- F. Letters: none received prior to first staff report
- G. Other:
1. Original LUR Application
  2. Incomplete Letter, dated December 18, 2015
  3. Staff Report, dated February 12, 2016
  4. Sarah Stevenson and Zach Fruchtengarten, Land Use and Design Review Committee for the Old Town/Chinatown Community Association, on February 19, 2016, wrote in support.
  5. Peggy Moretti, Restore Oregon, on February 22, 2016, wrote with concerns
  6. Michael Robinson, Perkins Coie, on February 22, 2016, wrote in opposition
  7. Stephen Ford, on February 22, 2016, wrote in opposition
  8. Drawing Set for February 22, 2016 hearing, dated February 1, 2016
- H. Hearing:
1. Staff Presentation, dated February 22, 2016
  2. Applicant Presentation, dated February 22, 2016
  3. Testifier Sign-In Sheet
  4. Sketches made during February 22, 2016 hearing
  5. Extension form, dated February 22, 2016
  6. Letter from Michael Robinson, dated March 2, 2016, confirming the record is open




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



# ZONING



This site lies within the:  
 CENTRAL CITY PLAN DISTRICT  
 DOWNTOWN SUB DISTRICT  
 SKIDMORE / OLD TOWN HISTORIC DISTRICT

-  Site
-  Recreational Trails
-  Historic Landmark

File No.	LU 15-268017 HRM AD
1/4 Section	3030
Scale	1 inch = 200 feet
State_Id	1N1E34DC 3200
Exhibit	B (Nov 25, 2015)



0' 5' 10' 20'

SW NAITO PARKWAY  
GROUND FLOOR PLAN

WorldMark Portland  
NE Corner of SW Naito Parkway and SW Pine Street  
01 April 2016

SERA



0' 5' 10' 20'  
 DESIGN REVIEW 15-266017 C17

WorldMark Portland  
 NE Corner of SW Naito Parkway and SW Pine Street  
 01 April 2016

SERA

LEVEL 2 PLAN





"Minimum of 6 original refurbished matching cast iron columns to be located on NW Naito (exact number to be determined based on condition of the pieces). New columns to be replicated out of fiberglass or GFRG."



DESIGN REVIEW 15-268017 C23

\*Minimum of 6 original refurbished matching cast iron columns to be located on NW Naito (exact number to be determined based on condition of the pieces). New columns to be replicated out of fiberglass or GFRG.

SERA  
WorldMark Portland  
NE Corner of SW Naito Parkway and SW Pine Street  
01 April 2016

NORTH ELEVATION