



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

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## **STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION**

**CASE FILE:** LU 17-180220 DZ  
PC # 16-213453  
Ten West

**REVIEW BY:** Design Commission

**WHEN:** Thursday, August 17, 2017 1:30 PM

**WHERE:** CH2M Building  
2020 SW Fourth Ave  
Lincoln Conference Room, First Floor  
Portland, OR 97201

**Bureau of Development Services Staff:** Tanya Paglia 503-823-4989 /  
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### **GENERAL INFORMATION**

**Applicant:** Kathy Johnson & Alan Jones | Jones Architecture  
120 NW 9th Avenue, Suite 210  
Portland, OR 97209  
503.477.9165

**Owner:** RD & Kearney Street LLC  
812 SW Washington Street #850  
Portland, OR 97205

**Site Address:** **1003-1017 SW WASHINGTON ST**

**Legal Description:** BLOCK 254 E 99.5' OF LOT 3&4, PORTLAND  
**Tax Account No.:** R667728150  
**State ID No.:** 1N1E34CC 05200  
**Quarter Section:** 3029

**Neighborhood:** Portland Downtown, contact Rani Boyle at 503-725-9979.  
**Business District:** None  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

**Plan District:** Central City - West End  
**Other Designations:** Listed on Portland's Historic Resource Inventory

**Zoning:** **CXd**, Central Commercial with Design Overlay  
**Case Type:** **DZ**, Design Review

**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 applicant seeks Type III Design Review approval for exterior alterations to accompany a core and shell renovation and seismic upgrade of the five story Fliedner Building built in 1905 and located in the West End Subarea of the Downtown Subdistrict of the Central City Plan District. Exterior improvements include: storefront modifications at an existing lobby and at a new lobby, window replacements, stucco and terracotta repairs, paint, new exterior lighting, new skylight over an existing light well, and new penthouses at the stairs and elevator along with a new rooftop amenity space. The renovated building will feature office use on floors 2-5, and ground floor commercial use, as well as some additional commercial in the basement.

The window replacement portion of the project involves replacing a total of 126 windows, 71 of which are original wood windows, 38 that were originally wood but have been replaced with other materials over the years, and 17 original hollow core fire windows. All replacement windows (except rear fire windows) to be installed will be high-quality wood windows which reflect the original historic windows of the building. The 71 original wood windows being replaced with in-kind wood windows are not subject to review (per per 33.420.045 *Exempt From Design Review, B. Repair, maintenance, and replacement with comparable materials or the same color of paint*) and are noted here and in the plan set's appendix for clarification only. The 38 non-original windows to be replaced with wood windows are not exempt and are included in this design review as are the 17 original hollow core fire windows to be replaced with new steel fire-rated windows of similar appearance. See Appendices 3-6 for a detailed diagram of the window replacements.

Various required fire/life-safety and accessibility upgrades are included in the project including a new second exit and stair. To serve the new second stair, an existing retail bay will be altered to contain the required safety passageway and egress door. This converted bay will also have a second door opening into a new elevator lobby to serve new basement level occupancies likely to include a restaurant. The proposal is for an existing wood storefront system in the northeast corner of the building facing onto to SW 10<sup>th</sup> Ave to be replaced with a new steel storefront system featuring applied steel filigree above two doors as opposed to the single door with glass transom above found in the current configuration. The reconfigured bay will be recessed to allow the two doors to swing out without swinging into the right-of-way.

The rooftop alterations will create two new roof courts, two new penthouses, a mechanical enclosure, and new sawtooth roof monitors over the existing open lightwell which will allow floorplate expansions on lower floors. Both new penthouses as well as the new skylight include of zinc-colored metal cladding and the mechanical equipment enclosure is of zinc-colored perforated metal screen. The south stair penthouse as well as the north elevator penthouse have a steel canopy.

Design review is required because the proposal is for exterior alterations in the Central City Plan District.

**Relevant Approval Criteria:**

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

- 33.420, Design Overlay
- 33.825, Design Review
- Central City Fundamental Design Guidelines

## ANALYSIS

**Site and Vicinity:** The Fliedner Building is located in the West End Subarea of the Downtown Subdistrict of the Central City Plan District. The surrounding downtown area contains a variety of uses, including offices, retail storefronts, restaurants, cafés, hotels, theaters, public plazas, and parking lots/parking structures, and various cultural and religious institutions. The Pearl District is a block to the north including major commercial destinations such as Powell's Books located at 10th and W Burnside.

The 10,000 SF, quarter block site is located in the southeast quadrant of a block bounded by SW Stark to the north, SW Washington to the south, SW 10<sup>th</sup> to the east, and SW 11<sup>th</sup> to the west. The 5-story commercial/office building of heavy timber construction is built to the property lines with 100 ft frontages on SW Washington and SW 10<sup>th</sup>. The Portland Institute for Contemporary Art abuts the building to its immediate north and a two story commercial building sits to its immediate west. The block also includes an eighth-block surface parking lot and the Ace Hotel Portland which is located in the Clyde Hotel building, a historic landmark. Other historic landmarks are also found on the blocks east and west of the subject block. To the east is the Pittock Block and the block to the west contains the historic Telegram building which sits at the corner of Washington and 11<sup>th</sup>.

The Fliedner Building was built in 1905 and was extensively remodeled in 1931 in the zig-zag moderne style. The building is on the City of Portland's Historic Resource Inventory (HRI). It's exterior is smooth stucco with ornamental plasterwork including bands with chevron and zig-zag motifs above the ground floor and at the parapet and bands of dentils above and below the fifth-story windows and above the second-story windows. The main entrance in the southwest corner of the building facing onto SW Washington St has a unique entablature with incised diagonal lines. The doorway is flanked by fluted pilasters with stylized lotus capitals which continue around the building, sitting between storefronts.

The site is located in the Downtown Pedestrian District. The street car runs along SW 10th with the closest street car stop a block away at SW 10th & Alder and the closest max stop two blocks away at Galleria/SW 10th Ave MAX Station. Both SW 10th Avenue and SW Washington Street are Local Service Bikeways and Transit Access Streets. In addition, SW 10th is a Central City Transit Street, a Central City Pedestrian Street, a Community Main Street, and a Traffic Access Street, and SW Washington Street is a City Walkway.

**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 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:

- LU 87-004965 (DZ 63-87) – Design Review approval for replacement windows and doors.
- LUR 95-00138 – Design Review approval with conditions for of a 12' long by 6-foot wide projecting sign.
- LU 04-044334 DZ – Alteration to a storefront bay including the addition of two matching metal louvered vent covers at the upper transom windows painted to match.
- LU 16-213453 PC – Pre-application conference for the current proposal.
- LU 16-290122 DZ – Withdrawn case (same proposal as the present case Type II rather than Type III case).

**Agency Review:** A “Notice of proposal in Your Neighborhood” was mailed **July 26, 2017**. The following seven Bureaus, Divisions and/or Sections responded with no objections and five of these included comments found in Exhibits E1-E6:

- Fire Bureau (Exhibit E.1)
- Water Bureau (Exhibit E.2)
- Life Safety Division of the Bureau of Development Services (Exhibit E.3)
- Bureau of Transportation Engineering and Development Review (Exhibit E.4)
- Bureau of Environmental Services(Exhibit E.5)
- Bureau of Environmental Services Addendum (Exhibit E.6)
- Site Development
- Urban Forestry

Please note:

- The Bureau of Environmental Services was unable to support the proposal upon their initial review due to the outstanding items identified in their initial, July 10, 2017 response (Exhibit E.5):

*BES does not recommend approval of the design review. Staff has not received a stormwater management plan to review for this project. Although there are no BES-specific approval criteria, the applicant should submit a plan that shows approvable stormwater management facilities. Because required stormwater facilities can affect the design and layout of the site, the applicant must account for them in their application.*

These issues are now resolved and BES has issued an **addendum granting their support** for the proposal (Exhibit E.6).

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **July 26, 2017**.

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

## ZONING CODE APPROVAL CRITERIA

### Chapter 33.825 Design Review

#### Section 33.825.010 Purpose of Design Review

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

#### Section 33.825.055 Design Review Approval Criteria

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

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

#### Central City Fundamental Design Guidelines

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

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

#### Central City Plan Design Goals

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

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

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

**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.

**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 for A4, A5, and C12:** The project will rehabilitate an iconic downtown structure, one that unifies its neighborhood with other areas of the central city featuring historic buildings. The existing building is a unique and recognizable structure that contributes greatly to the character of the West End. The restoration of the building's unique design, including its stucco and terracotta ornamentation, will enhance the identity and character of the area. Preserving the 100+ year old building is aligned with the renew/reuse/recycle ethic found in the cultural identity of the neighborhood and the City, and enhances the area's character by maintaining an important connection to its history. The addition of the roof courts reflects the local enthusiasm and desire for outdoor gathering and will act as a unifying element with other buildings throughout the downtown where rooftop activation is becoming more and more common.

The new exterior building lighting will enhance the elaborate decorative features on the building. The new lighting at the existing southwest entry will highlight its unique ornamentation and enhance its identity as the building's main entrance. The lighting at the new northeast entry/exit will support its identity as a secondary entry/exit and distinguish it from the retail storefronts. The new exterior building lighting addresses both street-facing façades in a unified manner and uses a layered approach to reinforce the hierarchy of the existing architecture. The fixtures will highlight the building's intricate details, without physically imposing on the façade. Both the existing and new building entrances will be uplit to highlight the alcove details and differentiate the building entrances from the adjacent retail entrances.

*These guidelines are met.*

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

**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.

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

**Findings for A6, C3, and C4:** The proposal is an opportunity for a building that contributes historic context and craftsmanship to the central city to be preserved and modernized for contemporary use while retaining its character and significant architectural features. The applicant has stated that the primary objective of the project is to rehabilitate a building that has been underutilized and fallen into disrepair, and to restore it to its full potential. This will be done by making the core and shell improvements necessary to allow for full occupancy, including new

occupancies in the basement level. At the same time, the applicant has noted that maintaining the building's unique character is a major goal of the project. The proposed work includes a full structural seismic upgrade, new second exit and stair, new second entry to serve the basement level occupancies, new roof courts, window replacement, stucco and terracotta repairs, and new exterior paint.

The window replacement will regularize the fenestration of the building and restore it to its historic architectural expression by using windows that replicate the originals in both material and design. A large percentage of the existing wood windows have been replaced over time with non-sympathetic replacements. These will be removed, along with the remaining original windows, which are in severe disrepair. The replacement windows on the two street-facing facades will be high-quality wood windows, and will closely resemble the remaining existing wood windows. The use of fire-rated windows on the north and west facades will allow the original window openings to remain, despite their proximity to the property line. This was negotiated by a Building Code Appeal and additional fire/life-safety measures. The fire-rated windows will be as close as possible in appearance to the existing hollow-core metal windows. Additionally, the large masonry openings on the north façade will also remain with fire-rated window infill.

The addition of a roof level stop to the existing elevator allows the roof to become active space with little visual impact to the building from the ground. Despite extending somewhat beyond a tall parapet on the roof, the addition will be minimally visible from the public right-of-way. The rooftop element materials will provide a visually quiet and straightforward backdrop that complements the existing building without competing with it or adding visual clutter. To the extent possible, new rooftop structures are located to the interior of the roof, away from the building's edge, to minimize visibility from the ground.

The buildings' stucco and terracotta will be repaired and repainted. The brick on the north and west facades will be cleaned and repointed. Exterior building lighting will be added to highlight the unique decorative features. The existing original building entry is located on SW Washington Street and will remain the main building entry. This entry will be reconfigured to allow for a code-compliant exit door with sidelites. The replacement door and sidelites will fit into the existing opening so that the existing decorative surround will be maintained, as well as the existing metal filigree transom. The replacement door and sidelites will be a slim-profile steel storefront system to be compatible with the existing retail wood storefront with stopped-in glazing.

Staff has one outstanding concern with the proposal in reference to the guidelines. This is the alteration of the historic storefront bay facing onto SW 10th Ave located in the northeast corner of the building. The project proposes to change the existing bay which features a storefront door flanked by two display windows to a recessed storefront alcove with 2 out-swinging doors. This configuration is driven by a need for both a new lobby as well as a new exit passageway. The new lobby is for an elevator that gives access to a basement area slated to be occupied by a restaurant. The exit passageway will serve a new egress stair being added to the building. The addition of the second exit at the northeast corner allows the building to be occupied on the upper floors after decades of vacancy.

The existing condition is an attractive, intact historic storefront in a highly trafficked pedestrian zone. Given the consistency of its adjacent bays, Staff would have liked this bay to remain intact to maintain the consistent rhythm of the building's existing ground floor bays. The current proposal with two doors is a noticeable change to the bay. The proposed design is a response to building code requirements that present a need to keep the two spaces separated. The Applicant

and Staff have run multiple scenarios past City Plans Examiners to try to find a solution that both allows a new egress stair and its accompanying exit passageway while also allowing the storefront configuration to remain as is or very similar. Staff has finally concluded that all paths to fully retaining the existing condition while meeting building code have been exhausted. Discussions with Plans Examiners have illuminated the following:

Building code will not allow the new elevator to open into the exit passageway so the elevator and stair cannot share the existing single door. According to City Plans Examiners, this could be worked-around by adding a small vestibule space in front of the elevator with a door opening into the exit passageway. This would in theory allow the existing storefront to remain intact with a single door providing access from the exterior. The problem with this work-around is that there are strict regulations around what is allowed in an exit passageway (these are known as "interior finish limitations"). The code prohibits anything from being inside an exit passageway - so things commonly found in a lobby such as a building directory, plants, art, a bench or anything else would not be allowed. This means a pedestrian walking by would be looking into an empty room with two doors in it, not a more typical enlivened vestibule/lobby.

In addition to the sterility this would create facing onto the streetscape, the applicant would still need to alter the existing bay for the required second exit because the existing door does not meet current code requirements for accessibility in the following ways: The existing access to the door is too narrow and does not provide the required maneuvering clearances on the exterior side of the door. There needs to be at least 18" clear next to the latch side of the door; and the finished floor elevation is significantly higher than the sidewalk elevation, so the existing slope from the door to the sidewalk is much too steep for current codes. The applicant's proposal would lower the floor in this bay in order to reduce the slope to meet ADA and other code requirements.

In light of the building code challenges, Staff proposes a Condition of Approval that the storefront transom be preserved while the other proposed changes to the area beneath proceed (including recessing the rest of the wall plane and introducing a two-door configuration).

*With a condition of approval that the existing transom in the northeast storefront bay must be preserved, these guidelines are met, per Exhibit C.14.*

**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.

**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.

**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.

**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.

**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.

**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.

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

**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 for A8, B1, B2, B4, B6, C1, C6, and C7:** The proposal maintains the building's historic active ground level condition of tall, highly glazed storefront bays wrapping the two street-facing facades of the building which contributes to a vibrant streetscape. The existing ground story retail use will also remain. This provides activity at the multiple retail entrances as well as the opportunity for window-shopping along both street frontages. The two building entrances will be recessed creating semi-public/semiprivate transition areas into the building. The restoration and preservation of the original entrance with its unique entablature in the southwest corner facing onto Washington St creates a grand main entry for the building, easily identifiable to people approaching on foot.

The existing building is well articulated at the sidewalk level creating a highly interesting visual landscape for pedestrians. The ground level is almost entirely composed of large display windows with a high ratio of window to wall and features fluted pilasters with stylized lotus capitals, and a decorative grill over the storefront transoms. The facade restoration and new paint job emphasizes the building's existing elaborate ornamentation, and improves the view from the sidewalk and building approaches. The new exterior building lighting will provide interest to the pedestrian experience by enhancing the unique ornamentation at night. The lighting at the sidewalk level will also increase safety.

The project maintains the existing bay widths so that the rhythm of storefront bays along the sidewalk is cohesive. The new entry/exit recess aligns with the existing retail entrance recesses to maintain a consistent setback of doors. Allowing the northeast bay's new elevator lobby to be accessed by a separate door, rather than the same door as the sterile (but necessary) exit passageway, will enable the lobby to be an active and inviting space for restaurant patrons as well as people passing by and looking in. The new recessed alcove creates a stopping and viewing space, sheltered from the elements. The addition of this entry/exit on SW 10th Avenue provides additional activity and interest along the streetcar alignment and complements the existing main entry location on SW Washington Street, so that each street frontage has an entry and exit point. The building's

corner at the intersection of SW 10<sup>th</sup> and SW Washington will remain highlighted by the existing design elements and retail storefront use, and upper floor access remains as far from the intersection as possible in the southwest and northeast corners of the building which are midblock locations. The existing wood retail storefront at the corner of SW 10<sup>th</sup> and Washington featuring large windows and glazed transoms will not be modified, and the existing corner sign will remain in place.

The majority of the exterior additions occurs at the roof level, with the development of two open roof courts. One court is located in the northwest corner of the roof to take advantage of expansive views to the west and north. The second court is located along the south wall, and looks out to Downtown. The new roof courts take advantage of multiple views to Downtown, the Pearl District, the West Hills, and Northwest Industrial area with mountains beyond. These rooftop alterations will allow for increased use of the rooftop space thus enhancing the duration and frequency that the rooftop's view is available to building users. While not highly visible from most vantage points on the ground, the new roof courts and penthouses will improve the building's appearance from adjacent buildings. All mechanical units are on the roof or on the west setback, and not visible to the pedestrian and thus do not detract from the pedestrian environment.

*These guidelines are met.*

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

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

**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.

**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 for B3, B7, C8, and C13:** The proposed alterations will improve conditions for those of all mobility types. The building's current condition presents obstacles to pedestrians with mobility limitations. The main entry door in the southeast corner requires minimal modification to bring it into code compliance. The existing double door is less than 5'-0" wide, and therefore does not meet current egress and accessibility code requirements. The storefront will be reconfigured to include a 3'-0" wide door with sidelites. The existing overall width of the storefront will be maintained, and the metal filigree screen at the transom level will be repaired and reinstalled in the same location.

Extensive interior and structural work will be performed at the new entry/exit bay in the northeast corner of the building to lower the floor level closer to grade. This will provide accessibility on the SW 10th Avenue side of the building. The new entry/exit will also be recessed from the pedestrian path of traffic. The existing sidewalk vault doors on SW 10th Avenue will be replaced with safer doors that meet City standards. Additionally, the existing elevator penthouse will be raised to add a roof level stop, which allows the roof courts to be accessible.

Despite these changes, the sidewalk-level of the building will continue to be

expressed differently from the upper levels retaining its original tripartite architectural division of base, middle and top. The building will continue to have a tall ground floor featuring human-scale elements such as large storefront windows wrapping the base, exterior lighting, integrated signage, decorative pilasters, and horizontal banding at the second story line. This hierarchy will remain in place and be enhanced by the new paint scheme and new exterior building lighting. The existing iconic corner sign will remain. Building identification at the existing main entry and new entry/exit will be incorporated into the storefront. Existing retail signage areas above the retail entries will remain.

*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, and C5:** The proposed alterations will maintain the quality and permanence found in the original 100+ year old Fliedner Building and in the Central City in general. It will also preserve the coherent composition found in the five-story, quarter block building's original form and architecture. Materials proposed are high-quality, consistent with the original materials used at the building exterior, and will maintain an attractive appearance over time. They include slim-line steel storefront systems, high-quality wood windows closely resembling the original windows, and repair of stucco, terracotta and brick. Retention and repair of these original high-quality exterior materials will allow the building's history to continue to be visible and to retain the unique craftsmanship of its period. The fire-rated windows on the north façade and in the existing stairwell will be high-quality steel frames, and will be as close as possible in appearance to the existing hollow-core metal windows. Paint colors will be used to reinforce the building's existing visual hierarchy of architectural elements. The new exterior lighting will tie the two street-facing facades together and enhance the existing decorative features.

At the roof level, a limited number of materials and colors will be utilized and are designed to call minimal attention to themselves while being compatible with the building. The materials will be durable and will withstand the effects of weather. The penthouse cladding, sawtooth skylight cladding and mechanical screens will be zinc-colored metal for a simple, unified, and cohesive appearance. The steel canopies, guardrails, planters, along with porcelain pedestal pavers, will complement the metal cladding and work as a cohesive composition. The proposed alterations will be a compatible addition which respects the building's integrity and supports its overall coherency.

*These guidelines are 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 for C11:** The addition of two roof courts will activate the building's roof and take advantage of the building's location in the bustling West End. One roof

court will be aligned with the south wall of the building for views to Downtown, and the other will occupy the northwest corner, to take advantage of views to the west and north. Creating a new rooftop amenity will allow the building to fully realize the potential of its view opportunities while bringing a contemporary addition to the historic building promoting its ongoing use and preservation. The creation of a rooftop deck will provide an outdoor space on an otherwise “landlocked” building and make it more competitive with 20th and 21st century buildings.

The visual impact of bringing rooftop amenity space to the building has been mitigated to the greatest extent possible in the design of the rooftop additions. While they will only be visible from limited vantage points, the forms are as minimal as possible and are designed to not compete with the primary existing building features, and to not clutter the building’s appearance. In order to allow occupancy at the roof, both stairs must extend to the roof level. Additionally, a roof level stop must be added to the existing elevator. The existing roof penthouse has been enlarged to accommodate the elevator stop, as well as a small lobby area and toilet room. The lobby area and toilet room are located toward the interior of the roof, away from the street. The existing south penthouse wall is set back farther from SW Washington Street than its existing location. The new second stair penthouse is located along the north building wall and set back from the SW 10th Avenue edge.

Rooftop equipment will be placed in an orderly fashion, grouped together in a mechanical enclosure setback from street facing elevations along SW 10th Avenue and SW Washington Street. The enclosure is visually buffered on the south side by the roof court and landscaping. The size of the enclosure includes space that has been factored into the enclosure to allow for future restaurant mechanical equipment. Covering the existing open lightwell with monitors will allow the interior floors to be infilled. The floor infill provides a more flexible space for leasing, and helps the structural seismic upgrade by providing a diaphragm.

During the pre-application conference, Staff had concerns with rooftop elements being located too close to the SW Washington Street façade. As the building’s existing elevator location is not easily changed, the applicant could not shift its location, however, efforts were made to shift the bathroom and lobby to a more interior location to help ensure the addition is less visible to pedestrians from adjacent streets than the original proposal. Staff is satisfied with the current configuration, understanding the large constraints of the historic building and acknowledging that outdoor amenities above the ground floor are encouraged by the design guidelines. The design is simple, well integrated, and visibility from the pedestrian’s ground level vantage point will be limited.

*This guideline is met.*

## **DEVELOPMENT STANDARDS**

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

**CONCLUSIONS**

The proposed alterations to the Fliedner Building are an opportunity for a building that contributes historic context and craftsmanship to the central city to be modernized for contemporary use while retaining its character and significant architectural features. The rehabilitation of a significant building in a highly foot-trafficked neighborhood of Portland’s downtown will bring renewed energy to the area. The detailing and materials of the proposed alterations are designed to be compatible with the building and neighborhood. The rooftop additions will ensure the building’s continued use and preservation while being minimally visible from the public way. The window replacements and cladding rehabilitation will restore the building to an approximation of its original condition. The ground floor alterations will provide access that will allow the building to be occupied above the ground level and will preserve as much of the historic condition as possible given the needs created by the expectations of modern occupants as well as by the standards of contemporary building code. 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 will allow the Fliedner Building to retain its historic aesthetic while making the building seismically resilient and allowing the now-vacant upper four floors to be occupied. The alterations will have a relatively minimal visual impact to pedestrians while helping to preserve the building and allowing it to continue its important role in contributing to the character of downtown.

**TENTATIVE STAFF RECOMMENDATION**

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

Staff recommends approval of the Design Review for exterior alterations to accompany a core and shell renovation and seismic upgrade of the five story Fliedner Building located in West End Subarea of the Downtown Subdistrict of the Central City Plan District to include: storefront modifications at existing lobby and at new lobby, window replacement, stucco and terracotta repairs, paint, new exterior lighting, new skylight over existing light well and new penthouses at the stairs and elevator along with a new rooftop amenity space.

This recommendation of approval is per Exhibits C.1-C.62, and subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through D) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 17-180220 DZ ". All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. The existing transom in the northeast storefront bay must be preserved, per Exhibit C.14.
- D. No field changes allowed.

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**Procedural Information.** The application for this land use review was submitted on June 1, 2017, and was determined to be complete on June 15, 2017.

*Zoning Code Section 33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on June 1, 2017.

*ORS 227.178* states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant waived the 120-day review period, as stated with Exhibit **A-4**. **The 120 days will expire on: June 15, 2018.**

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

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 will be recorded with the Multnomah County Recorder.

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

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

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

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

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

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

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

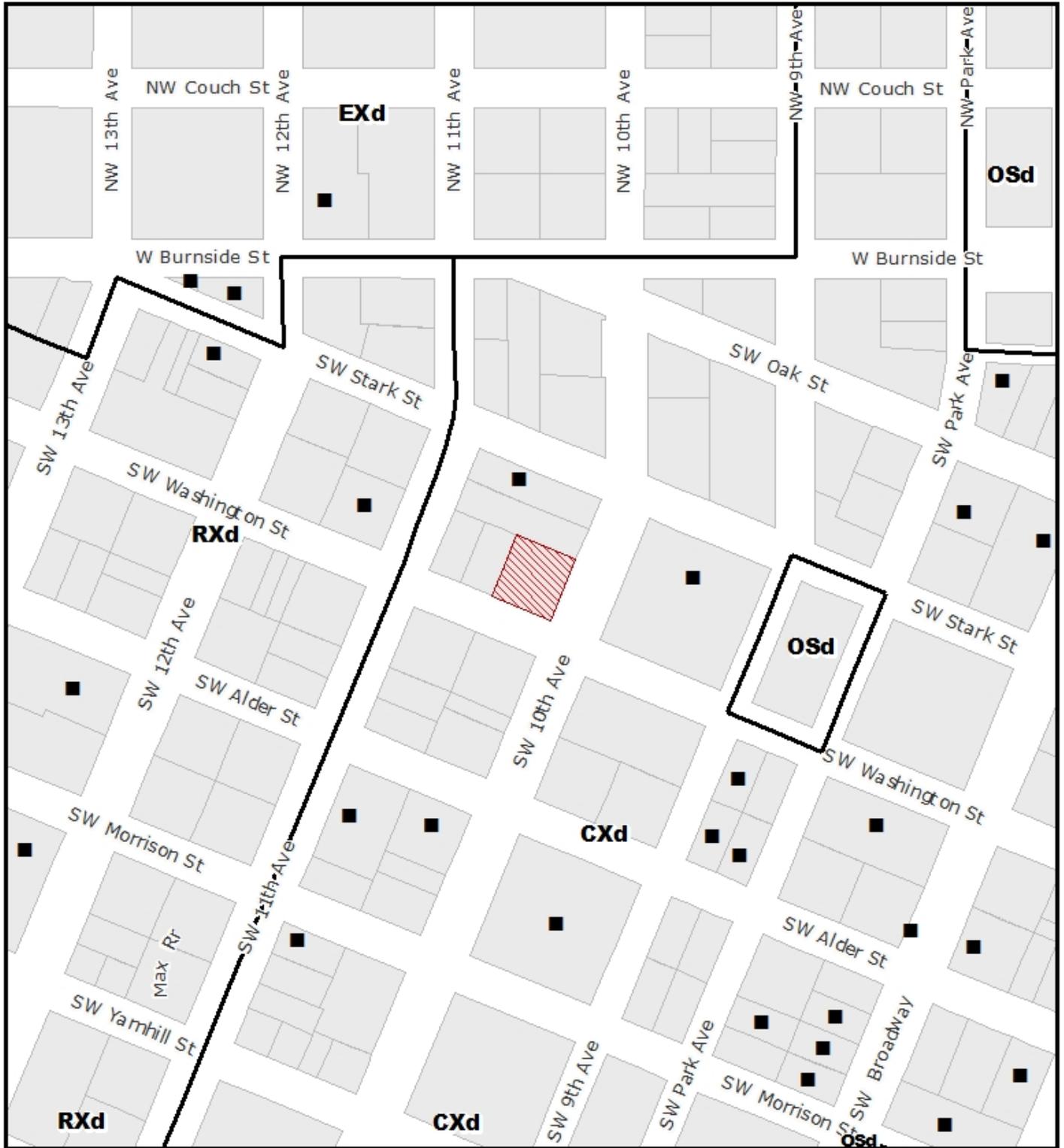
**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**

Tanya Paglia  
August 7, 2017

**EXHIBITS – NOT ATTACHED UNLESS INDICATED**

- A. Applicant's Submittal
  - 1. Applicant's Project Narrative and Response to Approval Criteria, 6/15/2017
  - 2. Original plan set – NOT APPROVED/reference only, 12/21/2016
  - 3. Stormwater Memo, 12/14/2016
  - 4. Applicant's Preliminary Exterior Valuation Summary
  - 5. Request for an Evidentiary Hearing and Waiver of Right to a Decision within 120 Days dated June 15, 2017
  - 6. Applicant's Letter Requesting Application be deemed complete, 6/15/2017
  - 7. Preliminary Life Safety Meeting Notes, 10/21/2016
  - 8. Preliminary Life Safety Meeting Notes, 11/9/2016
  - 9. Building code appeal, hearing date 2/1/2017
  - 10. Building code appeal, hearing date 5/3/2017
  - 11. Second plan set – NOT APPROVED/reference only, 6/15/2017
  - 12. Steel storefront cut sheet
  - 13. Applicant's Updated Project Narrative and Response to Approval Criteria, 8/8/2017
- B. Zoning Map (attached)
- C. Plan & Drawings
  - 0.a-c. Cover Sheet, Title Sheet, Drawing Index
    - 1. Site Plan (attached)
    - 2. Existing Floor Plan - Ground Story (attached)
    - 3. Existing Plan - Roof Court
    - 4. Existing Plan - Penthouse Roof
    - 5. Floor Plan - Basement
    - 6. Floor Plan - Ground Story (attached)
    - 7. Floor Plan - Second Story
    - 8. Floor Plan - Third Story
    - 9. Floor Plan - Fourth Story
    - 10. Floor Plan - Fifth Story
    - 11. Floor Plan - Roof Court (attached)
    - 12. Roof Plan
    - 13. Existing South Elevation
    - 14. Existing East Elevation (attached)
    - 15. Existing North Elevation
    - 16. Existing West Elevation
    - 17. South Elevation - Black + White (attached)
    - 18. South Elevation - Color
    - 19. East Elevation - Black + White (attached)
    - 20. East Elevation - Color
    - 21. North Elevation - Black + White
    - 22. North Elevation - Color
    - 23. West Elevation - Black + White
    - 24. West Elevation - Color
    - 25. Existing East - West Section
    - 26. Existing North - South Section
    - 27. East - West Section
    - 28. North - South Section
    - 29. Existing Enlarged South Entry Lobby Plan and Elevation
    - 30. Enlarged South Entry Lobby Plan and Elevation
    - 31. Enlarged South Entry Lobby Colored Elevation
    - 32. Existing Enlarged North Entry Plan and Elevation
    - 33. Enlarged North Entry Plan and Elevation
    - 34. Enlarged North Entry Colored Elevation

35. Existing Window Details
  36. Fixed Wood Window Details
  37. Double-Hung Wood Window Details
  38. Facade Details - Materials
  39. Roof Court - South Penthouse Elevations and Materials
  40. Roof Court - North Penthouse Elevations and Materials
  41. Roof - Mechanical Screen Elevation and Materials
  42. Roof - Skylight Elevations and Materials
  43. Roof Court - Hardscape Materials
  44. Roof Court - Planting
  45. Existing Exterior Lighting - Facade Diagrams
  46. Exterior Lighting - Facade Diagrams
  47. Exterior Lighting - Lighting Cutsheets
  48. Civil - Existing Conditions Plan
  49. Civil - Utility Plan
  50. Mechanical - Rooftop Equipment Cutsheets
  51. Mechanical - Rooftop Equipment Cutsheets
  52. Appendix Cover Sheet
  53. Appendix Title Sheet
  54. Appendix Drawing Index
  55. Appendix Rendering APP.1
  56. Appendix View Angle Diagram APP.2
  57. Appendix Window Diagram - Existing South Elevation APP.3
  58. Appendix Window Diagram - Existing West Elevation APP.4
  59. Appendix Window Diagram - Existing East Elevation APP.5
  60. Appendix Window Diagram - Existing North Elevation APP.6
  61. Appendix Existing Window Installation - Photos APP.7
  62. Appendix Existing Roof Condition - Photos APP.8
- 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. Fire Bureau
  2. Water Bureau
  3. Life Safety Division of the Bureau of Development Services
  4. Bureau of Transportation Engineering and Development Review
  5. Bureau of Environmental Services
  6. Bureau of Environmental Services Addendum
- F. Letters: None received
- G. Other
1. Original LUR Application
  2. Pre-Application Conference notes, EA 16- 213453 PC, October 7, 2016
  3. Incomplete Letter, 1/13/2017
  4. National Register of Historic Places Inventory Nomination Form
  5. Oregon Historic Site Record



# ZONING



THIS SITE LIES WITHIN THE:  
 CENTRAL CITY PLAN DISTRICT  
 DOWNTOWN SUBDISTRICT  
 WEST END SUBAREA

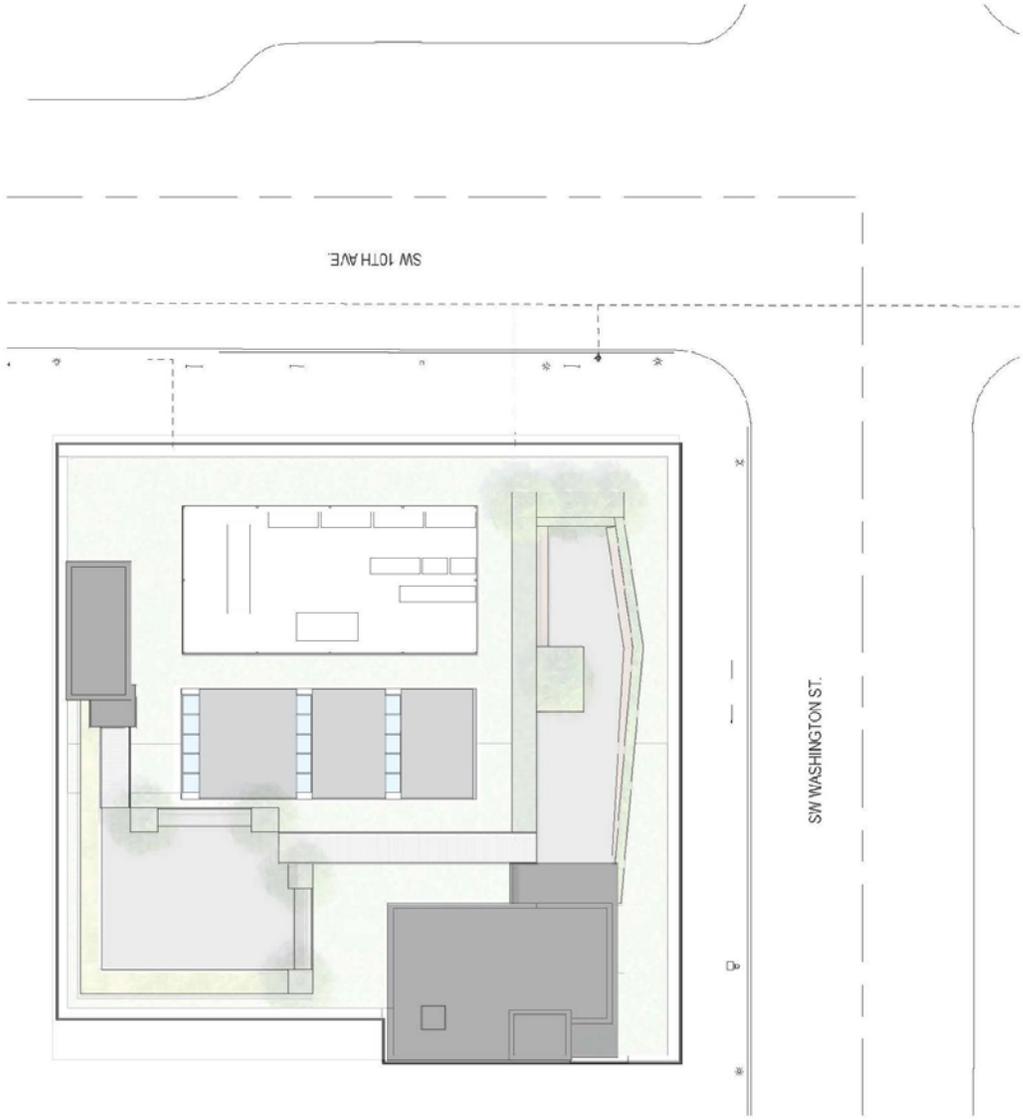


Site

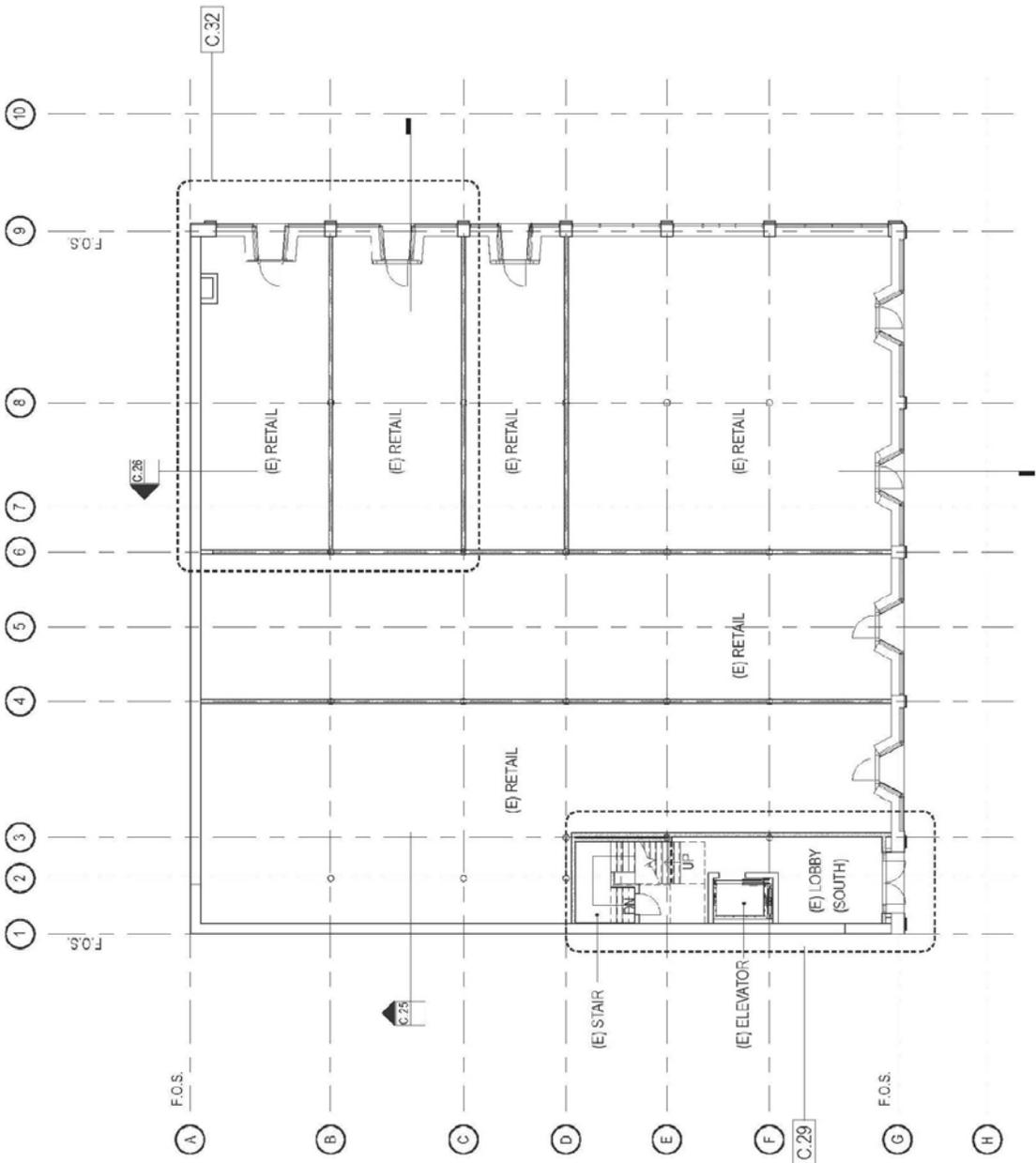


Historic Landmark

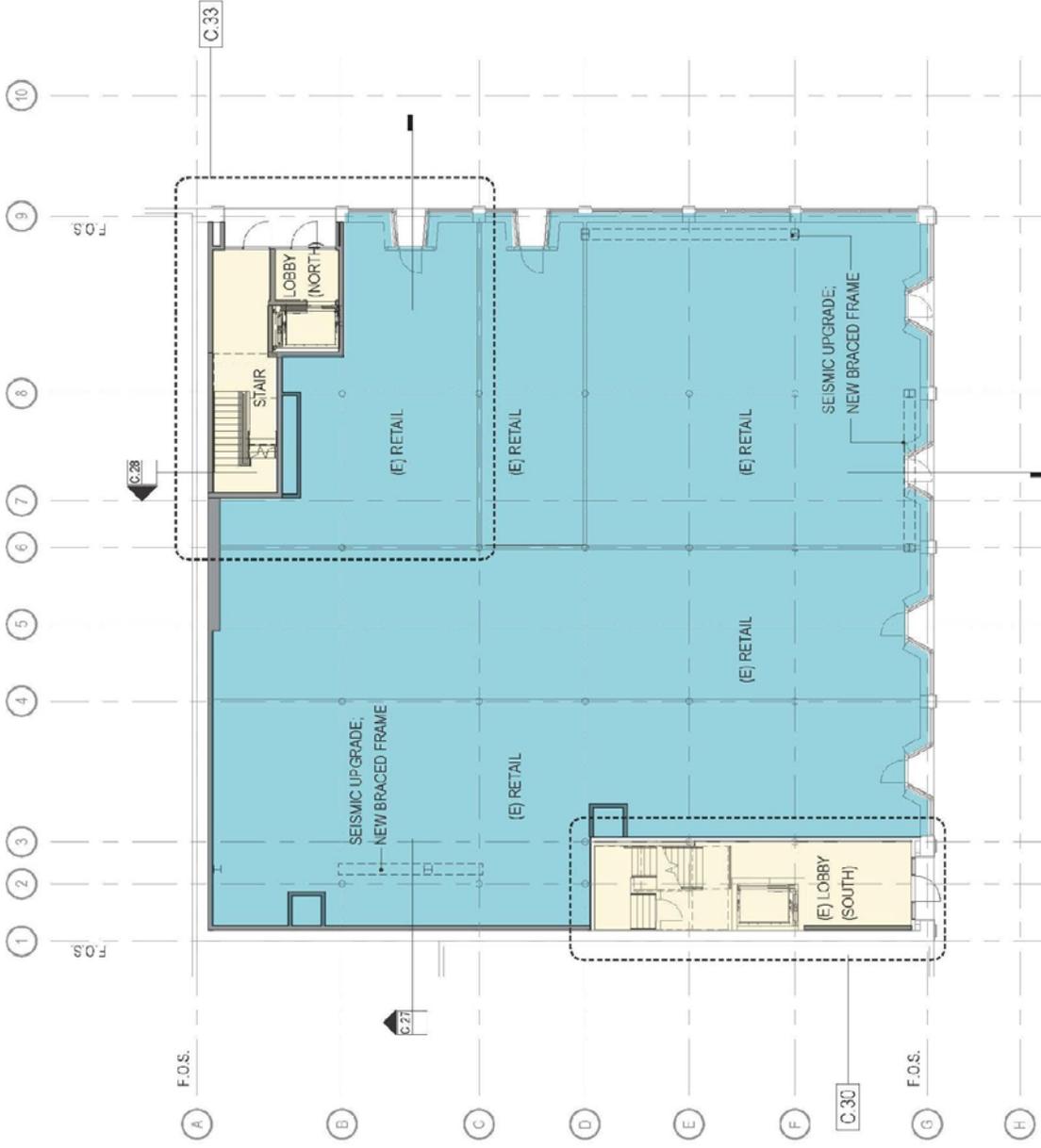
File No.	LU 17-180220 DZ
1/4 Section	3029
Scale	1 inch = 200 feet
State ID	1N1E34CC 5200
Exhibit	B Jun 01, 2017



SITE PLAN  
1" = 20'-0"

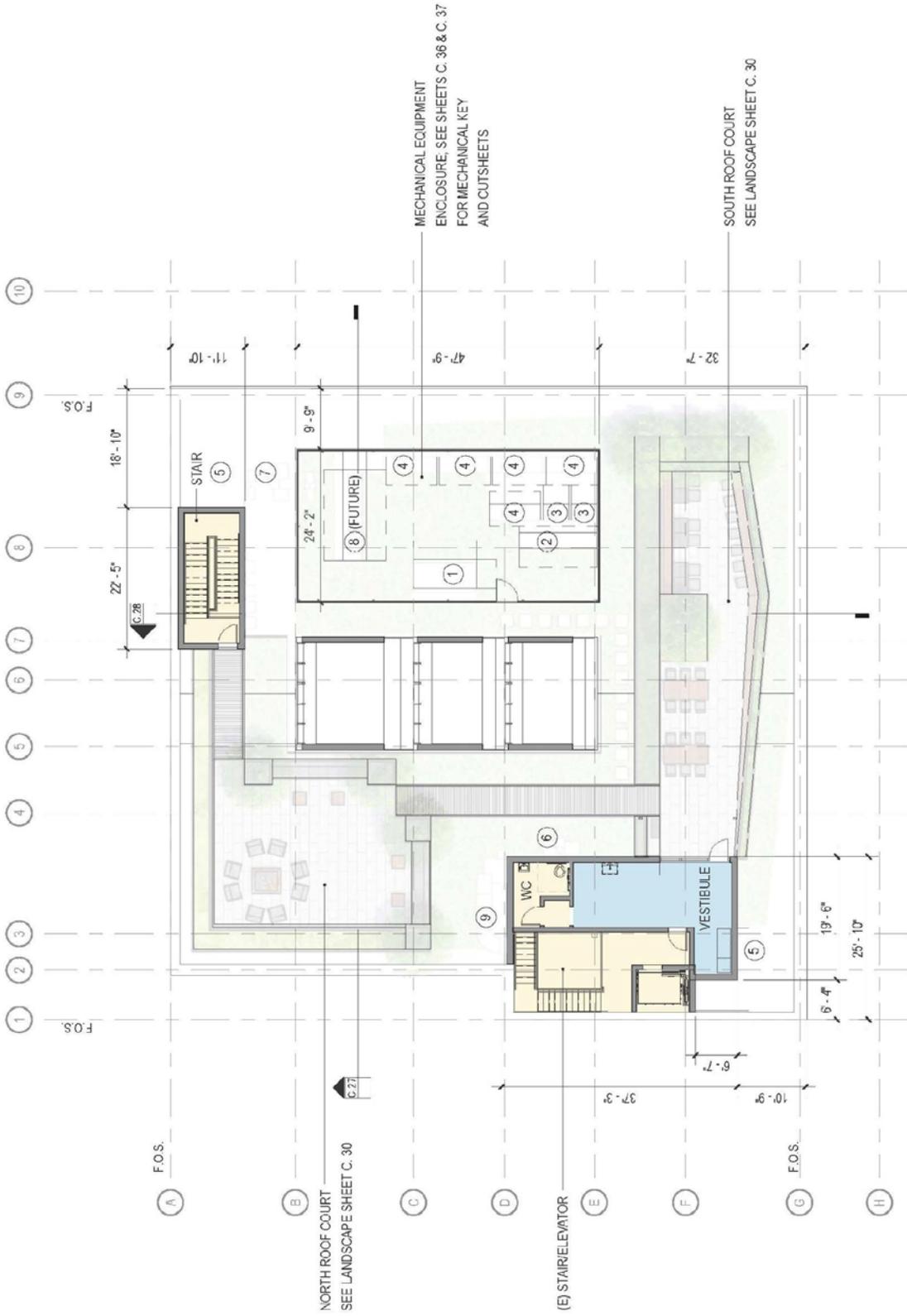


EXISTING FLOOR PLAN - GROUND STORY  
1/16" = 1'-0"



FLOOR PLAN - GROUND STORY  
 1/16" = 1'-0"

SERVICE	CIRCULATION/SUPPORT	RESTAURANT/BAR	OFFICE	AMENITY	RETAIL
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SERVICE
CIRCULATION/SUPPORT
RESTAURANT/BAR
OFFICE
AMENITY
RETAIL

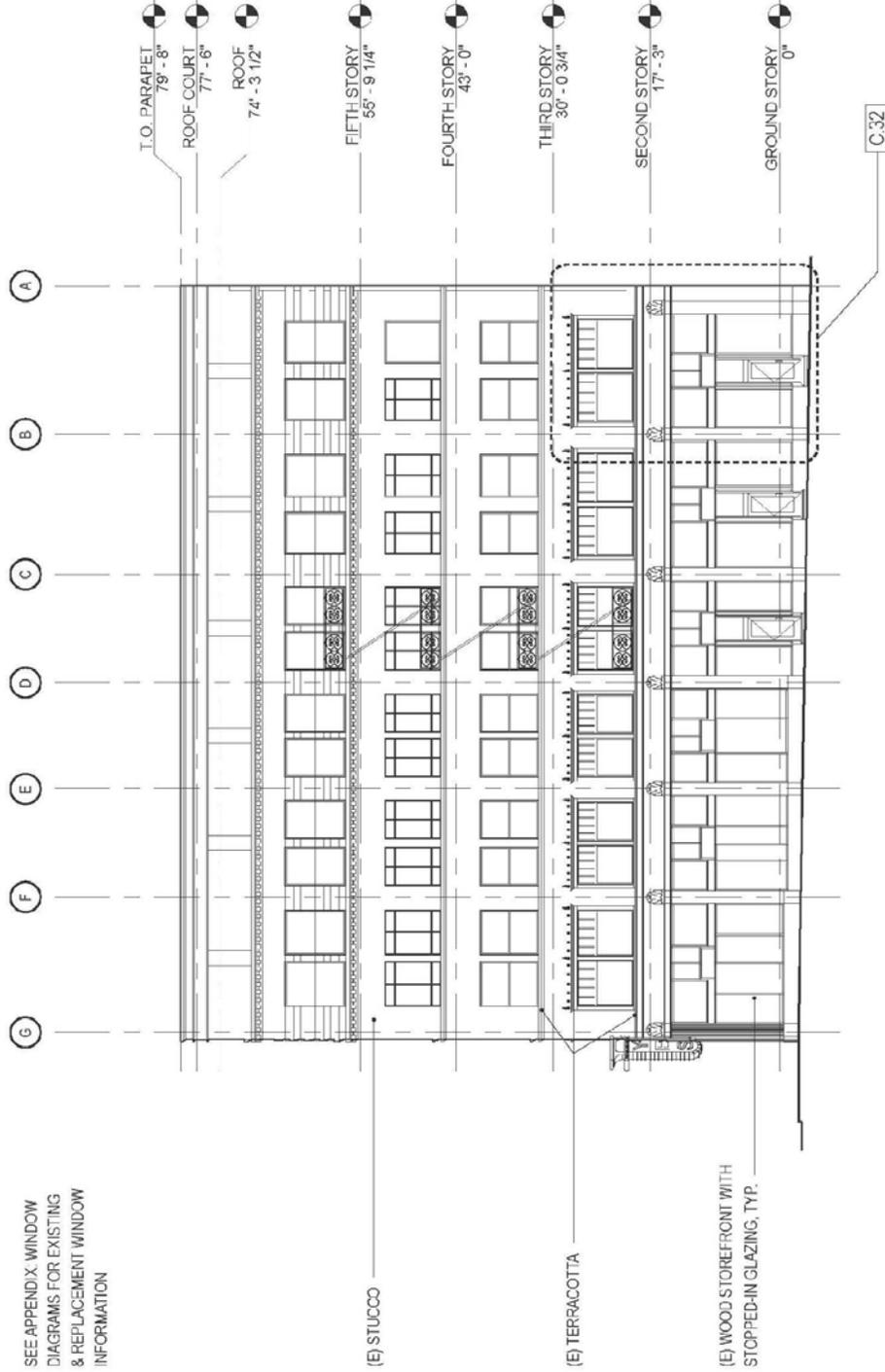
FLOOR PLAN - ROOF COURT  
1/16" = 1'-0"



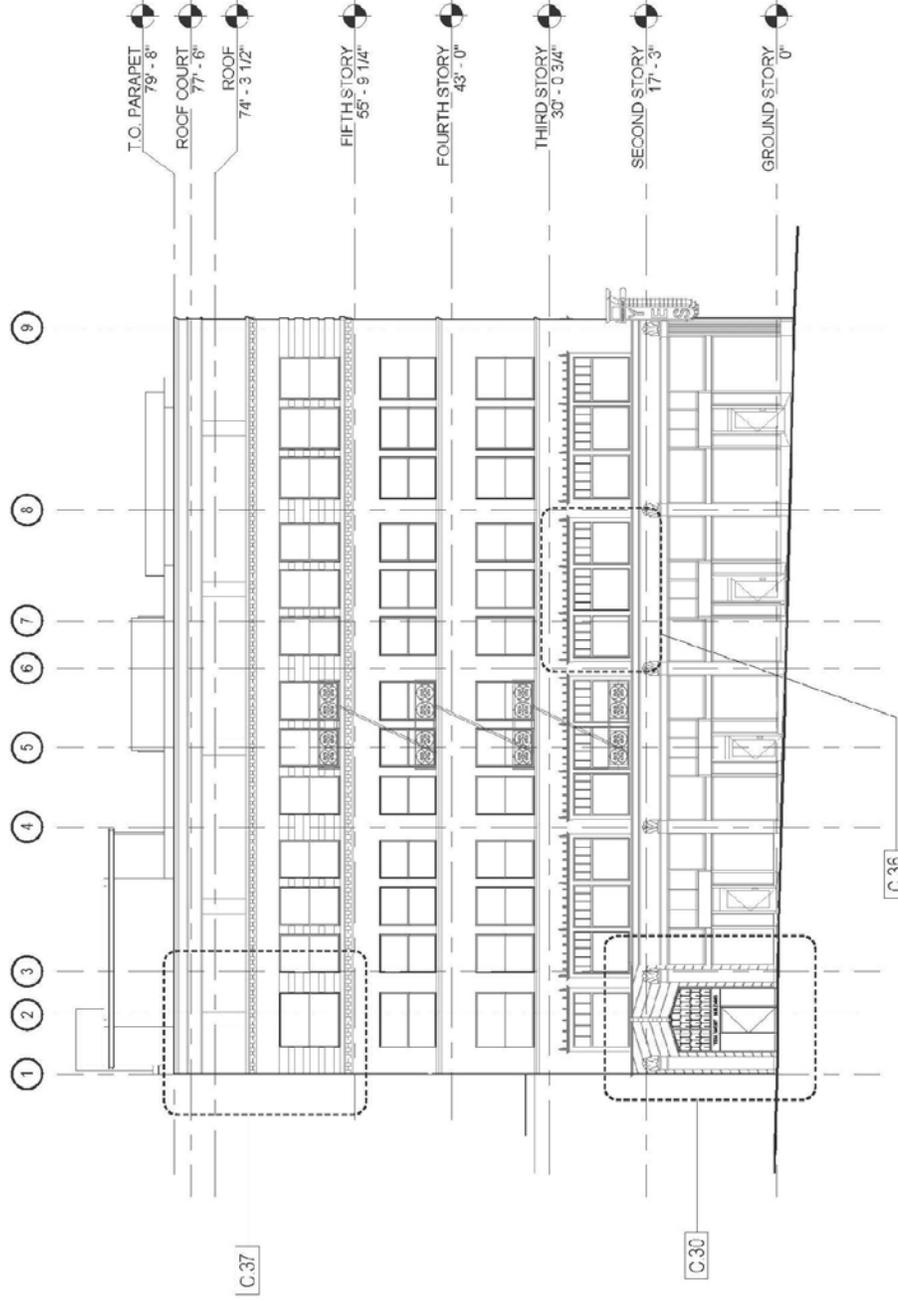
MECHANICAL EQUIPMENT ENCLOSURE, SEE SHEETS C.36 & C.37 FOR MECHANICAL KEY AND CUTSHEETS

SOUTH ROOF COURT SEE LANDSCAPE SHEET C.30

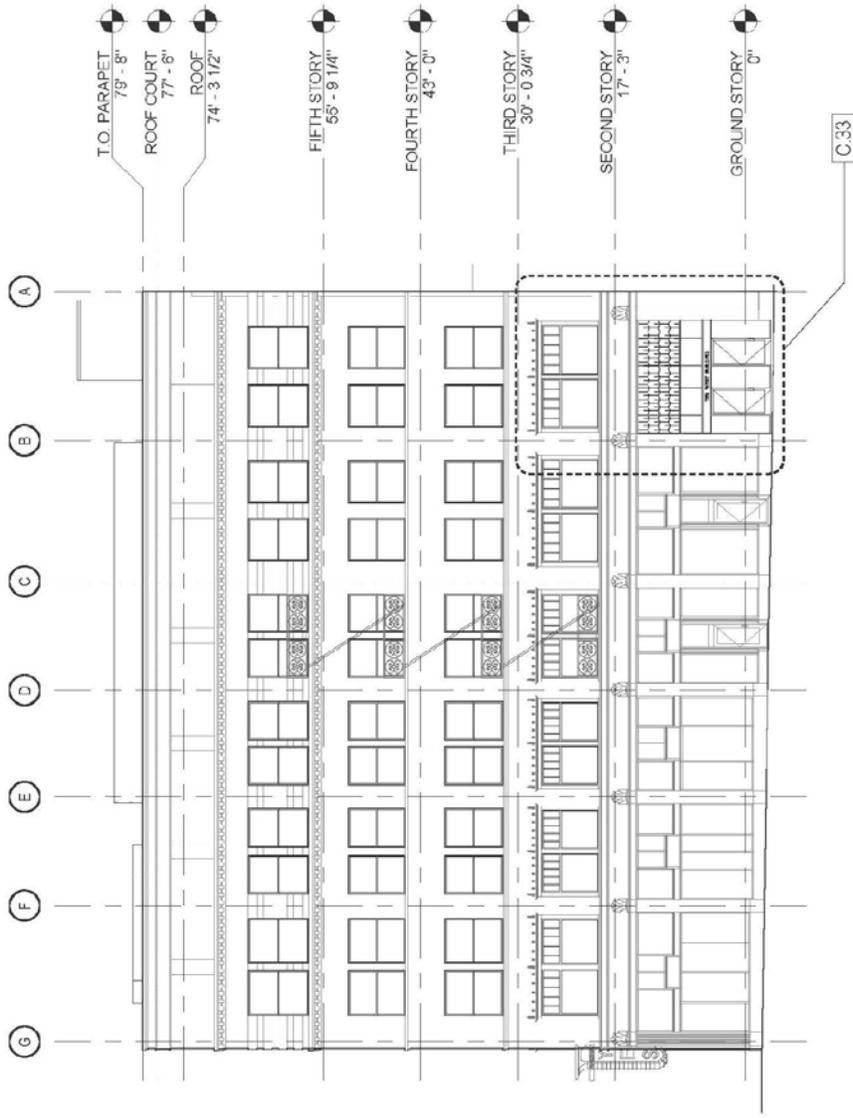
NORTH ROOF COURT SEE LANDSCAPE SHEET C.30



EXISTING EAST ELEVATION - BLACK + WHITE  
1/16" = 1'-0"



SOUTH ELEVATION (SW WASHINGTON STREET) BLACK + WHITE  
1/16" = 1'-0"



EAST ELEVATION (SW 10TH AVENUE) - BLACK + WHITE  
1/16" = 1'-0"