



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

FROM CONCEPT TO CONSTRUCTION

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**FINAL FINDINGS AND DECISION BY THE DESIGN**  
**COMMISSION RENDERED ON November 3, 2011**

**CASE FILE NUMBER: LU 11-175845 DZM (PC # 11-166226)**  
**SW 12<sup>th</sup> & Alder, remodel and addition**

**BUREAU OF DEVELOPMENT SERVICES STAFF:** Kara Fioravanti 503-823-5892 /  
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**GENERAL INFORMATION**

**Applicant:** Chris Kopca - Downtown Development Group, West Alder LLC  
920 SW 6<sup>th</sup> Avenue, Suite 223 / Portland, OR 97204

**Representative:** Agustin Enriquez - GBD Architects  
1120 NW Couch Street #300 / Portland, OR 97209

**Site Address:** 1135 SW ALDER STREET

**Legal Description:** BLOCK 256 LOT 5&6, PORTLAND

**Tax Account No.:** R667728400 **State ID No.:** 1N1E33DD 02500

**Quarter Section:** 3028

**Neighborhood:** Portland Downtown, contact Jennifer Geske at 503-750-9843.

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

**Plan District:** Central City - West End

**Zoning:** RXd, Central Residential with design overlay

**Case Type:** DZM, Design Review with a Modification request

**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 design review approval for a remodel of the existing 2-story 1920 concrete structure and a rooftop addition.

The proposed development will retain the existing building including existing foundations, exterior walls, a majority of the columns, girders and beams, and the wood roof structure. A new 6,000 SF glass and aluminum skinned structure will be added on top of the existing 20,000 SF two-story structure. The ground floor will have approximately 4,000 SF of retail fronting SW 12<sup>th</sup> Avenue and will retain 13 of the existing parking stalls in the garage behind. A small office lobby for the upper floors will be located mid-block along SW 12<sup>th</sup>. The existing 10,000 SF 2<sup>nd</sup> level will be renovated from structure parking to office space. New true divided lite windows will replace the existing 1970's aluminum storefront windows. A rooftop addition structured of glue laminated beams and columns, and 3" thick wood decking for the new roof is proposed. The heavy timber structure will be visible from the sidewalk through floor to ceiling glazing. Outside the new third floor addition will be new outdoor deck areas. A 5'-deep roof overhang will provide shading and rain protection.

**Modification Request:**

Section 33.266.310 – For buildings with 20,000 to 50,000 SF of floor area, one loading space is required. The proposed addition establishes a 26,000 SF building. One loading space is therefore required. The proposed loading space complies with the size requirements, but is located fully within the vehicle parking maneuvering area. This location requires Modification approval.

**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 the Central City Fundamental Design Guidelines and 33.825.040, Modifications.

**ANALYSIS**

**Site and Vicinity:** The site is located in Downtown's West End Subarea of Portland's Central City. It is a 100' x 100' ¼-block at the northeast corner intersection of SW 12<sup>th</sup> Avenue and SW Alder Street. The site is zoned RXd, Central Residential with Design Overlay, and is subject to the Central City Fundamental Design Guidelines. Both streets are designated Local Service Bikeways and City Walkways.

On site is a two story building constructed in 1920 with cast in place concrete perimeter walls and large heavy timber girders, beams, and columns. Historically, the building has served automotive needs as well as commercial space for local businesses such as a showroom for Culver Glass. In its current configuration, the building contains 3,000 square feet of ground level retail and 54 parking stalls split between the ground floor and the second level.

**Zoning:** The Central Residential (RX) zone is a high-density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will be 100 or more units per acre. Allowed housing developments are characterized by a very high percentage of building coverage. The major types of housing development will be medium and high rise apartments and condominiums, often with allowed retail, institutional, or other service oriented uses. Generally, RX zones will be located near the center of the city where transit is readily available and where commercial and employment opportunities are nearby. RX zones will usually be applied in combination with the Central City plan district. Per 33.510.118 F.1. the proposed uses, Office and Retail Sales and Service, are allowed to occupy up to 100% of the net floor area.

The Design Overlay Zone [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

**Land Use History:** City records indicate land use reviews since 1990 include:

- 1) LUR 91-00833: Approval, with specific conditions, of 60 valet parking spaces on the 2<sup>nd</sup> floor of the building accessory to the Governor Hotel.
- 2) LUR 95-00957: Approval of Nonconforming Situation Review to allow approximately 3,500 square feet of vehicle repair use and approximately 6,200 square feet of retail sales and service use on the first floor of the building. Nonconforming rights for valet accessory parking to the Governor Hotel continue in effect for the second floor (established by 91-00833 CU NU).
- 3) LU 04-030144: Approval to add a storefront door and awning.

**Agency Review:** A “Notice of proposal in Your Neighborhood” was mailed **October 14, 2011**. The following Bureaus have responded with no issue or concerns: Fire Bureau, Site Development Section of BDS, Bureau of Environmental Services.

The Bureau of Transportation Engineering responded with the following comment: Exhibit E-2

*PBOT is supportive of applicant’s Modification request.*

**TITLE 17 REQUIREMENTS**

*Transportation System Development Charges (Chapter 17.15) System Development Charges (SDCs) may be assessed for this development. The applicant can receive an estimate of the SDC amount prior to submission of building permits by contacting Rich Eisenhauer at (503) 823-6108.*

*Driveways and Curb Cuts (Section 17.28) Curb cuts and driveway construction must meet the requirements in Title 17. The Title 17 driveway requirements will be enforced during the review of building permits. The applicant is advised that the existing driveways/curb cuts that are located along the site’s SW 12<sup>th</sup> Ave frontage will need to be closed since they are no longer serving the building. An over-the-counter permit from PBOT staff located in the Development Services Center of the City’s 1900 SW 4<sup>th</sup> Ave Building can be obtained by the applicant for said closures. (NOTE: Additional street tree(s) may also be required to be planted (tree well cut out) along the SE 12<sup>th</sup> Ave frontage; to be determined at Building Permit review)*

*Street Improvements (Section 17.88.010) It is typical Portland Transportation procedure to review existing roadway configurations by referring to City GIS database resources in order to determine the necessary dedications and/or improvements related to proposed land use cases. City staff may receive different information from the applicant’s engineer with regard to the existing condition of the subject roadways based on the actual survey of the site.*

*According to City database sources, at this location, SW 12<sup>th</sup> Ave is improved with 49.5-ft of paving within an 80-ft right-of-way. This site frontage is also improved with a 0-14.5-0 sidewalk corridor. SW Alder is improved with 36-ft of paving within a 60-ft right-of-way. This site frontage is also improved with a 0-12-0 sidewalk corridor.*

*Based on the City Walkway classifications of SW 12<sup>th</sup> Ave and SW Alder, the City’s Pedestrian Design Guide recommends a 12-ft sidewalk corridor comprised of a 0.5-ft sidewalk, 4-ft planter, 6-ft sidewalk and 1.5-ft setback to the property line. The site’s existing sidewalk corridors meet or exceed the Pedestrian Design Guide’s recommendations. There will be no property dedication or frontage improvements associated with the proposed Design Review (except the curb cut/driveway closures noted above). The applicant is advised however, that if during the course of constructing the proposed development the existing sidewalk corridors are damaged or become in disrepair, the applicant will be responsible for reconstructing said sidewalk corridor. The applicant is also advised that depending on the scale of the sidewalk corridor reconstruction, an over the counter permit from PBOT staff located in the Development Services Center may not be possible. Instead, a Public Works Permit may necessary; the Public Works Process is separate from the Land Use Review Process and the applicant is advised to research the following link for information on this process; <http://www.portlandonline.com/index.cfm?c=53147>.*

The Water Bureau responded with the following comment: Exhibit E-3

*The Water Bureau has no objections to the proposed remodeling of the existing building structure addition of a new rooftop addition, for the property located at 1135 SW Alder St. There is an existing 1” metered service (Serial #95048050, Account #2960584100) which*

*provides water to this location from the existing 6" CI water main in SW 12<sup>th</sup> Ave. The estimated static water pressure range for this location is 52 psi to 65 psi at the existing service elevation of 78 ft. City code 21.12.010 will require any new building construction, modifications to existing buildings and or properties, or additions to existing structures that will need water, to have a water service and meter of appropriate size installed within the public right-of-way and within the specific property boundary for which it will serve. A Water Bureau review for fixture count will need to be submitted at the time of submittal of the building permit to appropriately size the water services and meters for this development. If a water service and or meter upsize is required, all applicable costs will be the responsibility of the applicant.*

The Bureau Development Services, Life Safety responded with the following comment: Exhibit E-4

*A separate Building Permit is required for the work proposed and the proposal must be designed to meet all applicable building codes and ordinances. More information regarding building code requirements can be obtained by visiting the Bureau of Development Services Development Services Center - 1900 SW 4th Ave, 1st floor. The Development Services Center is open Tuesday through Friday from 8:00 a.m. to 3:00 p.m. (closed on Mondays). No appointment is necessary. Building Code information is also available online at: <http://www.portlandonline.com/bds/>, or by calling (503) 823-1456. It is recommended the applicant contact the plan review section at (503) 823-7301 to request a Preliminary Life Safety Meeting to verify building code requirements. More information is available at <http://www.portlandonline.com/bds/index.cfm?c=45054&a=94545>. A separate Mechanical Permit is required for the work proposed. OMSC 106.1*

The Parks Bureau responded with the following comment:

*Additional street trees will be required on both street frontages.*

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **October 14, 2011**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## **ZONING CODE APPROVAL CRITERIA**

### **(1) DESIGN REVIEW (33.825)**

#### **Chapter 33.825 Design Review**

##### **Section 33.825.010 Purpose of Design Review**

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

##### **Section 33.825.055 Design Review Approval Criteria**

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

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

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

These guidelines provide the constitutional framework for all design review areas in the Central City. The Central City Fundamental Design Guidelines 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.*

### **A2 EMPHASIZE PORTLAND THEMES**

**Findings:** Many of the values of modern Portland architecture are integrated prominently into the design. Among them are: retaining the existing exterior skin and exposed heavy timber framing inside the building; removing the poorly constructed aluminum windows and replacing them with high quality true divided lite aluminum windows at the first two levels; adding floor to ceiling contemporary glazing at the penthouse to clearly distinguish the original portions of the building with the new additions; constructing the new addition framing with exposed heavy timber beams, columns, and wood decking; offering pedestrian canopies at all building entries; and providing generous weather protected exterior decks at the 3<sup>rd</sup> level with dramatic views to the West hills and the City beyond. This guideline is met.

### **A3 RESPECT THE PORTLAND BLOCK STRUCTURE**

**Findings:** The site is a 100' x 100' parcel on the corner of a standard 200' x 200' block. This project, which maintains the existing building that is built to the property line, continues the tradition of 200' x 200' blocks in the City. This guideline is met.

### **A4 USE UNIFYING ELEMENTS**

**Findings:** The area that surrounds the site has a variety of ground floor window, active uses such as numerous restaurants and small retailers, particularly along SW 12<sup>th</sup> Avenue. This project will renovate to City of Portland standards a building that currently has three curb cuts and three garage doors to a building with new, high quality storefront glazing as the predominant pedestrian experience with only one curb cut and one garage door. New steel pedestrian entry canopies will be integrated into all retail entries. This guideline is met.

#### **A5 ENHANCE, EMBELLISH AND IDENTIFY AREAS**

**Findings:** The renovation of the building at SW 12<sup>th</sup> and Alder will enhance the existing neighborhood by providing a complementary single story glass and aluminum structure onto an existing building. The site is diagonally across from the First Presbyterian Church, an iconic historic landmark and across the street from a small, though well known recent building remodel. The design of this project endeavors to complement the surroundings by enhancing the existing bones of the building with new paint and new windows, and developing a modern addition for the third floor. This building will continue the retail revitalization of this small pocket of downtown through its large and continuous ground level storefront. This guideline is met.

#### **A6 REUSE / REHABILITATE / RESTORE BUILDINGS**

**Findings:** The existing two story building was constructed in 1920 with unreinforced concrete exterior perimeter walls and heavy timber columns and beams. The renovation of the building will retain the perimeter walls and as much of the interior framing as is structurally feasible (some of the columns and beams have rotted). New high quality, true divided lite glazing will replace old aluminum storefront windows within the existing building's glazed openings, returning the building to its original appearance. At the third floor addition, contemporary style floor to ceiling aluminum and glass window wall system will clearly distinguish the old from new. This guideline is met.

#### **A8 CONTRIBUTE TO A VIBRANT STREETScape**

##### **B1 REINFORCE AND ENHANCE THE PEDESTRIAN SYSTEM**

##### **B2 PROTECT THE PEDESTRIAN**

##### **B3 BRIDGE PEDESTRIAN OBSTACLES**

**Findings:** In its existing condition, the SW 12<sup>th</sup> Avenue frontage has two curb cuts and two opaque garage doors that diminish the pedestrian quality of the street and offers only one street tree along 100' of street frontage. The renovation of the building will remove the garage doors and replace with new, 12' high glazing and pedestrian access into renovated retail space. Each ground floor entry into the building will have new overhead steel pedestrian canopies for weather protection.

The SW Alder frontage will be similarly renovated for an enhanced pedestrian experience. A new sectional garage door will replace an existing opaque overhead coiling door, and the existing storefront will be replaced with new 12' high glazing and one new pedestrian entrance with a canopy above.

Where reconstruction is necessary, the site will provide a new, City of Portland standard sidewalk system. These guidelines are met.

##### **B4 PROVIDE STOPPING AND VIEWING PLACES**

**Findings:** Extensive ground floor windows into retail space and an office lobby along SW 12<sup>th</sup> Avenue add much improved visual interest for pedestrians. This guideline is met.

##### **B6 DEVELOP WEATHER PROTECTION**

**Findings:** Weather protection will be provided at each pedestrian entry to the building through overhead steel canopies. New street trees per City of Portland standards will also provide protection. And, at the third floor deck, a broad roof overhang offers shade in the sun and cover from the rain. This guideline is met.

## **B7 INTEGRATE BARRIER-FREE DESIGN**

**Findings:** All entries into the building are at grade and are barrier free to all. This guideline is met.

## **C1 ENHANCE VIEW OPPORTUNITIES**

**Findings:** The renovation will add a third floor office penthouse with floor to ceiling glazing and outdoor deck areas. Both features will dramatically enhance view opportunities. In addition, the second floor will be revised from a parking deck to an office floor with generous amounts of glazing to street activity along SW Alder and SW 12<sup>th</sup>. This guideline is met.

## **C2 PROMOTE QUALITY AND PERMANENCE IN DEVELOPMENT**

**Findings:** The existing building at SW 12<sup>th</sup> and Alder was constructed in 1920. By renovating it to current building code standards, the building will have the opportunity to remain a functional part of the downtown core. The building elements to be replaced are all being updated to higher quality materials. All metal components are durable and long-lasting. The existing aluminum and glass windows are failing and will be replaced with much higher quality windows, and the interior superstructure of the building will be supplemented with new columns and beams to ensure long term viability of the building. This guideline is met.

## **C3 RESPECT ARCHITECTURAL INTEGRITY**

**Findings:** This redevelopment retains as much of the bones as is feasible and, where completely new space is added, it is designed to clearly distinguish the 1920 era building elements with the new. For example, the new glazing at the first and second levels will be aesthetically similar as what would have been common in the early part of the 20<sup>th</sup> century. The new space on the third floor is designed with floor to ceiling glazing that is much more typical of contemporary modern architecture. This guideline is met.

## **C4 COMPLEMENT THE CONTEXT OF EXISTING BUILDINGS**

**Findings:** The West End of Downtown is an eclectic mix of old and new apartments, institutions, surface parking lots, offices, and residential hotels. This project retains some of the old fabric of the sub-district and adds to it with a complementary addition. With more floor area devoted to active uses, this building will join the resurgence of this pocket of downtown. This guideline is met.

## **C5 DESIGN FOR COHERENCY**

**Findings:** The project retains the original 1920's era building of two stories, updates it with new structural components, replaces the aged windows with more period appropriate glazing, and adds a new mostly glass office addition for a third story. All materials and colors from the second level down are intended to complement the existing concrete skin and the materials above are intended to clearly distinguish what is a part of the original building from what is new. To further the distinction between old and new, the addition is mostly glassy and steps back from the original building face and the railing at the rooftop deck is a light cable system. A condition of approval was added by the Design Commission to establish a consistent and coherent top to the original 1920 building – the condition states: “The railing proposed at the rooftop shall be continuous around the corner”. With this condition, this guideline is met.

## **C7 DESIGN CORNERS THAT BUILD ACTIVE INTERSECTIONS**

**Findings:** The main vertical circulation system for the building is mid block along SW 12<sup>th</sup> Avenue. This allows the SW 12<sup>th</sup> and SW Alder corner to be glassy and offers a future retail tenant maximum flexibility with regard to retail entries and signage. Though retail signage is not a part of this current submittal, the steel pedestrian canopies along SW 12<sup>th</sup> and SW Alder provide a variety of signage opportunities for future retail tenants. This guideline is met.

## **C8 DIFFERENTIATE THE SIDEWALK-LEVEL OF BUILDINGS**

**Findings:** The ground floor, especially along SW 12<sup>th</sup> Avenue, is comprised primarily of large vision glazing set 18" up from the sidewalk level. The glazing system is similar in construction as the replacement glazing at the second floor, but proportionally constructed of much larger units of glass to clearly differentiate it from the floors above. The result is a harmonious integration of glazing, but one that sets a hierarchy with a dominate ground floor for pedestrian level interest. This guideline is met.

## **C9 DEVELOP FLEXIBLE SIDEWALK-LEVEL SPACES**

**Findings:** The ground floor retail space along SW 12<sup>th</sup> is approximately 80' wide by 50' deep and 18' high. Because of its orientation, parallel to SW 12<sup>th</sup>, it is a flexible space that can easily be subdivided into two or three viable retail spaces. This guideline is met.

## **C11 INTEGRATE ROOFS AND USE ROOFTOPS**

**Findings:** A new third floor deck on the top of the building provides an amenity to the building occupants and is seamlessly integrated into the overall building addition. The activity of people occupying the rooftop will enliven the cityscape below. The roof of the new 3<sup>rd</sup> floor addition is visually interesting with a 5' roof overhang that shades the glazing below and visually diminishes the height of the rooftop parapet beyond. This guideline is met.

## **C12 INTEGRATE EXTERIOR LIGHTING**

**Findings:** Exterior lighting is confined, appropriately, to downlights at main building entry canopies. This guideline is met.

### **(2) MODIFICATION REQUESTS (33.825)**

#### **33.825.040 Modifications That Will Better Meet Design Review Requirements:**

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

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



**The following modification is requested:** One standard loading space is required for the proposal per 33.266.310 C.2.b. The proposal requests a modification to the location of the loading zone from a dedicated space within the building to a dedicated zone in the drive aisle.

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

**Findings:** The following was submitted by PBOT in response to criteria B: “Given the proposed mixed use of the building with a maximum (two retail spaces) of 4,000 SF and an office use of approximately 15,000 SF, traditional loading needs of a +/- 20,000 SF building are likely not to be materialized or required. The constraining floor areas of the eventual retail users within the building are forecasters of the limited expected loading activities to the building as well as to the size of the vehicles expected to serve the loading needs of the building’s users. PBOT would not expect larger, more traditional semi-truck size loading vehicles to be serving the future building users; instead, smaller van-size vehicles will likely be able to supply the expected users with the limited deliveries that are likely to take place at this building. Further, it is PBOT’s understanding that all of the proposed 13 on-site parking spaces will be used exclusively by building tenants; none will be available for use by the general public. Accordingly, any loading functions expected to occur at the building can be coordinated with the parking function of the same area of the building to avoid conflicts either within the drive aisle/ maneuvering area or beyond the building within the public right-of-way. Alternatively, as opposed to using the same entrance/driveway/curb-cut as that proposed for the tenants’ vehicles, the applicant could utilize one of the existing vehicular access doors along the site’s SW 12<sup>th</sup> Ave frontage. Aside from further reducing/limiting the floor area for the proposed retail use of the building, the applicant’s proposal better satisfies the purpose of loading spaces. With one entry/access point into the building for loading and parking functions, the applicant minimizes the potential for conflicts between vehicles and pedestrians along the abutting streets or sidewalks, thereby limiting negative effects on traffic safety and other transportation functions of the abutting right-of-way. Additionally, by actually closing off the two existing curb-cuts and driveways along the site’s SW 12<sup>th</sup> Ave frontage, the result will be opportunities to plant additional street trees and regain additional on-street parking spaces.”

Similarly, with regard to criterion A, allowing this Modification better meets district character and pedestrian-oriented Design Guidelines (A4, A5, A8, B1) because the proposed ground level layout maximizes retail potential. With the understanding that the functionality of the loading and vehicle area is safe, as described by PBOT staff above, this proposal better meets Guidelines B2 and B3 because it balances the needs for loading and ground level retail activity.

The criteria are 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 existing building at SW 12<sup>th</sup> and Alder was constructed in 1920. By renovating it to current building code standards, the building will have the opportunity to remain a functional part of the downtown core. The building elements to be replaced are all being updated to higher quality materials. The renovation of the building at SW 12<sup>th</sup> and Alder will enhance the existing neighborhood by providing a complementary single story glass and aluminum structure onto an existing building, more active uses within the building including extensive retail with extensive storefront, and less curb cuts and more street trees.

## DESIGN COMMISSION DECISION

It is the decision of the Design Commission to approve Design Review for a remodel of the existing 2-story 1920 concrete structure and a rooftop addition.

Approval of the following Modification request: Section 33.266.310 –One loading space is required. The proposed loading space complies with the size requirements, but is located fully within the vehicle parking maneuvering area. This location is approved.

Approvals per Exhibits C.1-C-22, signed, stamped, and dated November 3, 2011, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (A – C) 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 11-175845 DZM. All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled “REQUIRED.”
- B. The railing proposed at the rooftop shall be continuous around the corner.
- C. No field changes allowed.

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By: \_\_\_\_\_

Guenevere Millius, Design Commission Chair

Application Filed: September 13, 2011

Decision Rendered: November 3, 2011

Decision Mailed: November 8, 2011

Decision Filed: November 4, 2011

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on September 13, 2011, and was determined to be complete on **September 21, 2010**.

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

application was reviewed against the Zoning Code in effect on September 13, 2011.

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 did not waive or extend the 120-day review period.

**Some of the information contained in this report was provided by the applicant.**

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. This report is the final decision of the Design Commission with input from other City and public agencies.

**Conditions of Approval.** This approval may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**Appeal of this decision.** This decision is final unless appealed to City Council, who will hold a public hearing. **Appeals must be filed by 4:30 pm on November 22, 2011** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor in the Development Services Center until 3 p.m. After 3 p.m. and on Monday, appeals must be submitted to the receptionist at the front desk on the fifth floor. Information and assistance in filing an appeal is available from the Bureau of Development Services in the Development Services Center or the staff planner on this case. You may review the file on this case by appointment at, 1900 SW Fourth Avenue, Suite 5000, Portland, Oregon 97201.

If this decision is appealed, a hearing will be scheduled and you will be notified of the date and time of the hearing. The decision of City Council is final; any further appeal is to the Oregon Land Use Board of Appeals (LUBA).

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to City Council on that issue. Also, if you do not raise an issue with enough specificity to give City Council an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Who can appeal:** You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$5,000.00 will be charged.**

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

**Recording the final decision.**

If this Land Use Review is approved the final decision 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.

- *Unless appealed*, The final decision may be recorded on or after **November 23, 2011**.
- 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.

**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.

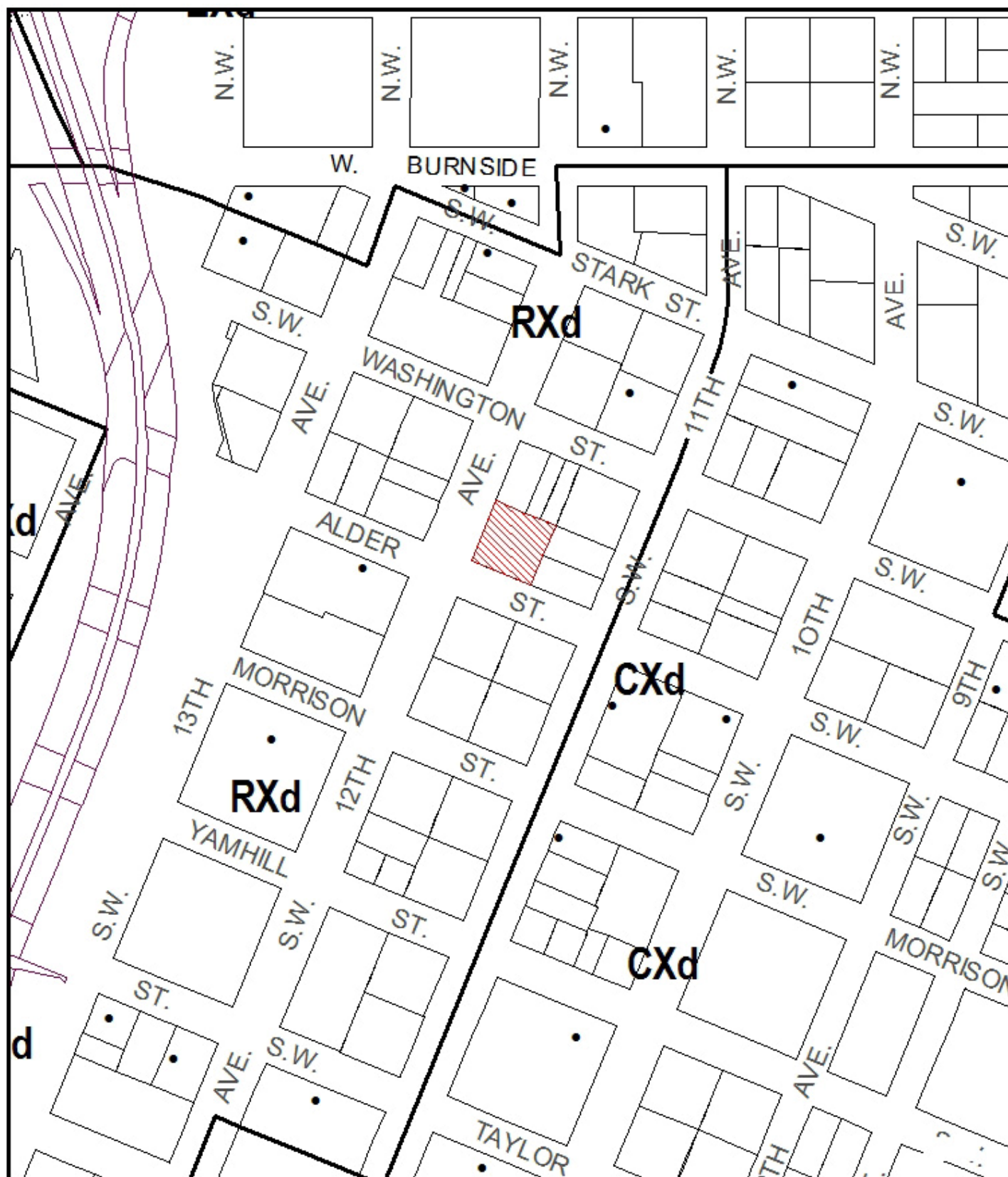
Kara Fioravanti  
November 3, 2011

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

**EXHIBITS – NOT ATTACHED UNLESS INDICATED**

- A. Applicant's submittals
  1. Original drawings
  2. Modification request
  3. Zoning analysis
  4. Photos of existing
- B. Zoning Map (attached)

- C. Plan & Drawings
  - 1. Vicinity Map)
  - 2. Rendering
  - 3. Night rendering
  - 4. Ground level floor plan (attached)
  - 5. 2<sup>nd</sup> level floor plan
  - 6. 3<sup>rd</sup> level floor plan
  - 7. Roof level plan
  - 8. Elevation, W (attached)
  - 9. Elevation, S (attached)
  - 10. Elevation, N
  - 11. Elevation, E
  - 12. Transverse building section
  - 13. Skin composite 01
  - 14. Skin composite 02
  - 15. Skin composite 03
  - 16. Building materials
  - 17. Rendering
  - 18. Rendering
  - 19. Skin details
  - 20. Skin details
  - 21. Skin details
  - 22. Lighting plan
- 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. *not used*
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Water Bureau
  - 4. Life Safety Review Section of BDS
  - 5. Fire Bureau
- F. Letters
  - none received*
- G. Other
  - 1. Original LUR Application
  - 2. Site History Research
  - 3. Staff Report, 10-24-11
  - 4. Staff notes from 11-3-11
  - 5. Staff presentation to Commission 11-3-11
- cc: Applicants and Representatives  
Neighborhood Associations  
Those who testified, orally or in writing  
City Auditor's Office  
Development Services Center  
BDS Staff for Bureau of Buildings  
BDS Staff for Commission Book



# ZONING



Site



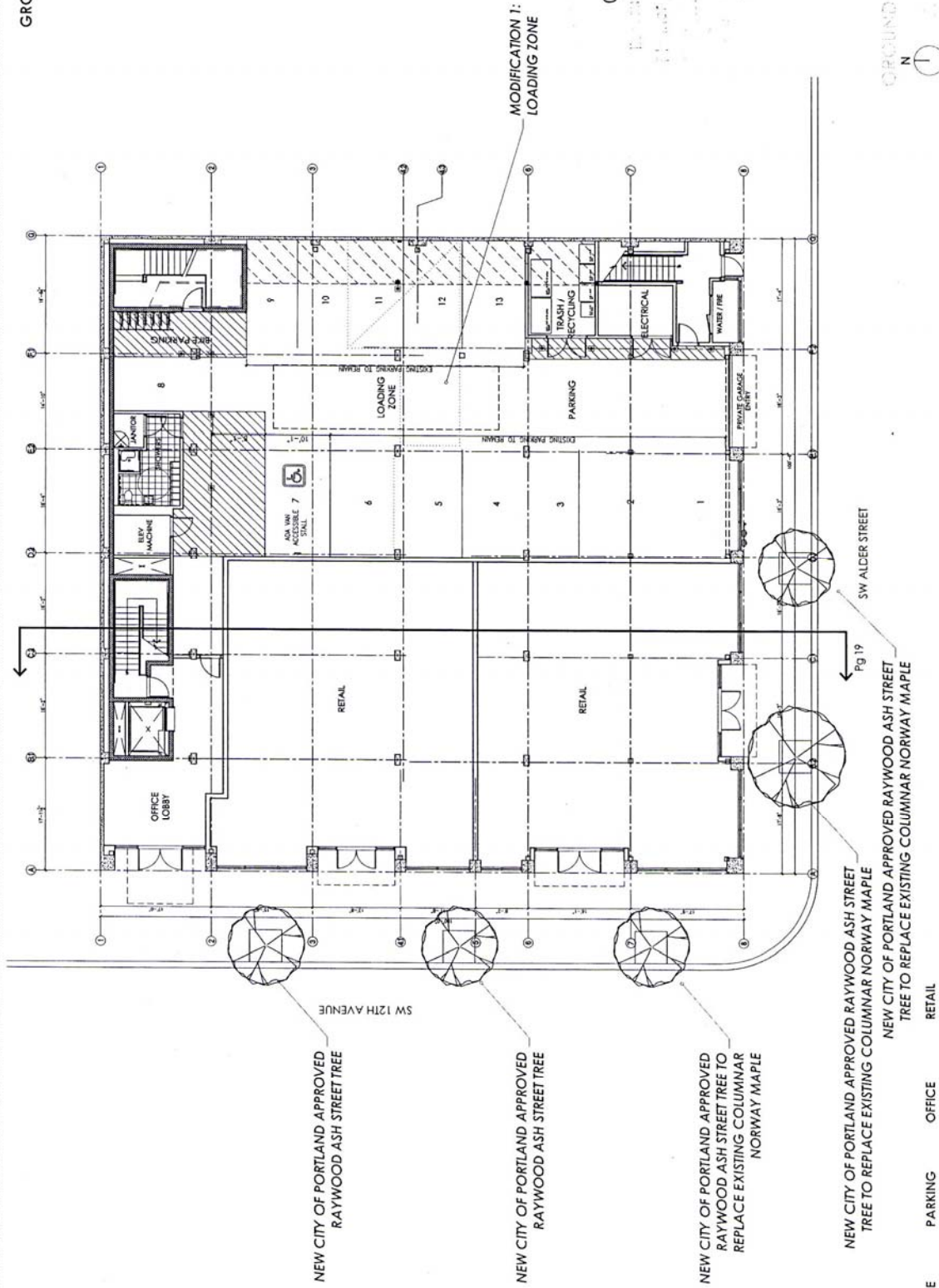
Historic Landmark



This site lies within the:  
CENTRAL CITY PLAN DISTRICT

File No.	LU 11-175845 DZ
1/4 Section	3028
Scale	1 inch = 200 feet
State_Id	1N1E33DD 2500
Exhibit	B (Sep 13,2011)

GROUND LEVEL = 10,000 GSF



City of New York

11.3.11

GROUND LEVEL PROFILES  
1/16" = 1'-0"

DESIGN REVIEW APPLICATION 11

SW 12TH AND ALDER, PORTLAND, OREGON

DOWNTOWN DEVELOPMENT GROUP LLC

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RETAIL

RETAIL

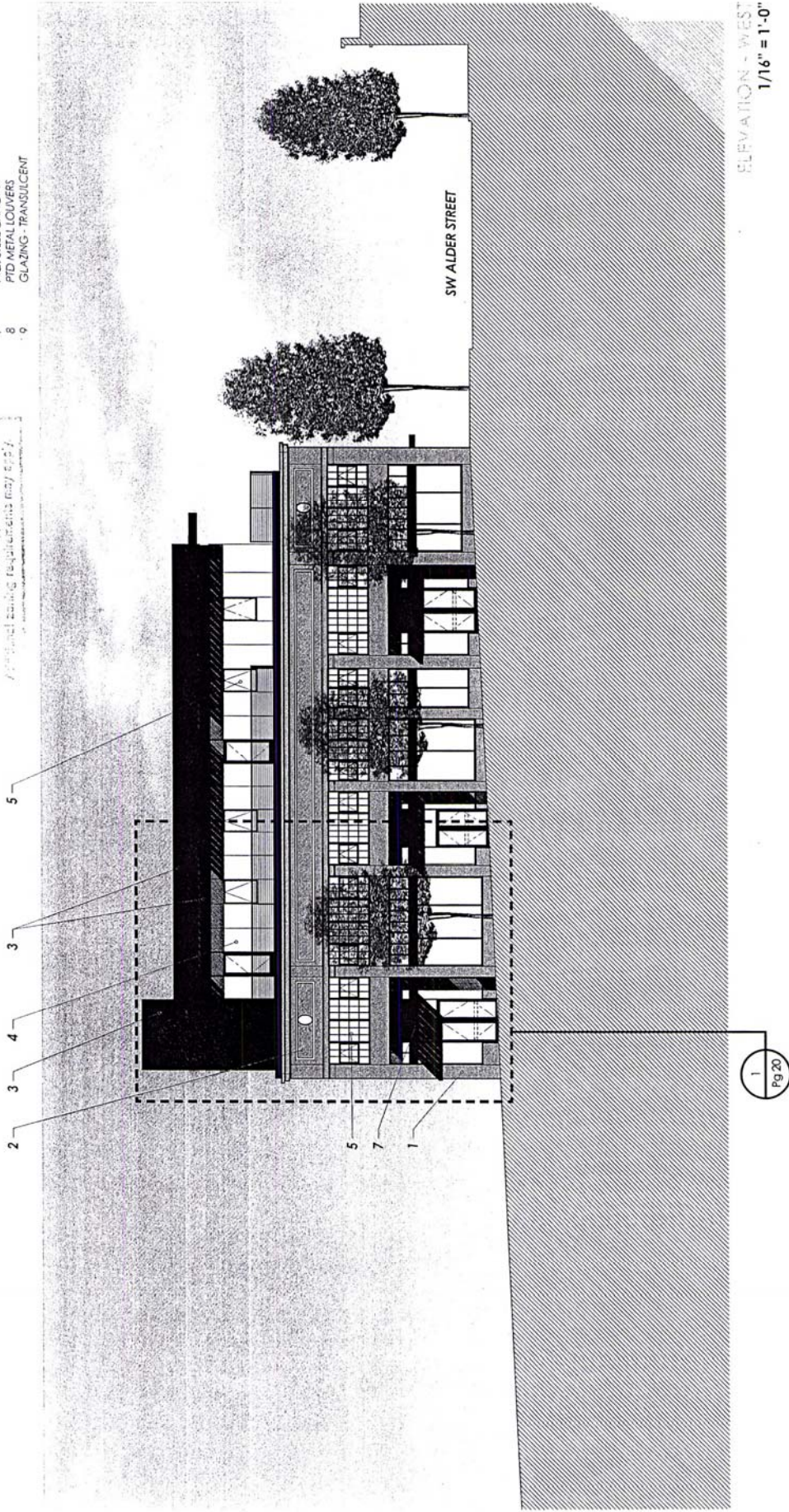
E7h  
C.4



MATERIAL LEGEND

- 1 PTD. CONCRETE
- 2 PTD. MASONRY
- 3 PTD. ALUM. PANEL
- 4 GLAZING (FIXED)
- 5 GLAZING (OPERABLE)
- 6 S.S. CABLE RAIL
- 7 PTD. STEEL CANOPY
- 8 PTD. METAL LOUVERS
- 9 GLAZING - TRANSLUCENT

*Handwritten notes:*  
 11.3.11  
 Add only to the  
 existing building  
 and not to all  
 building requirements may vary.



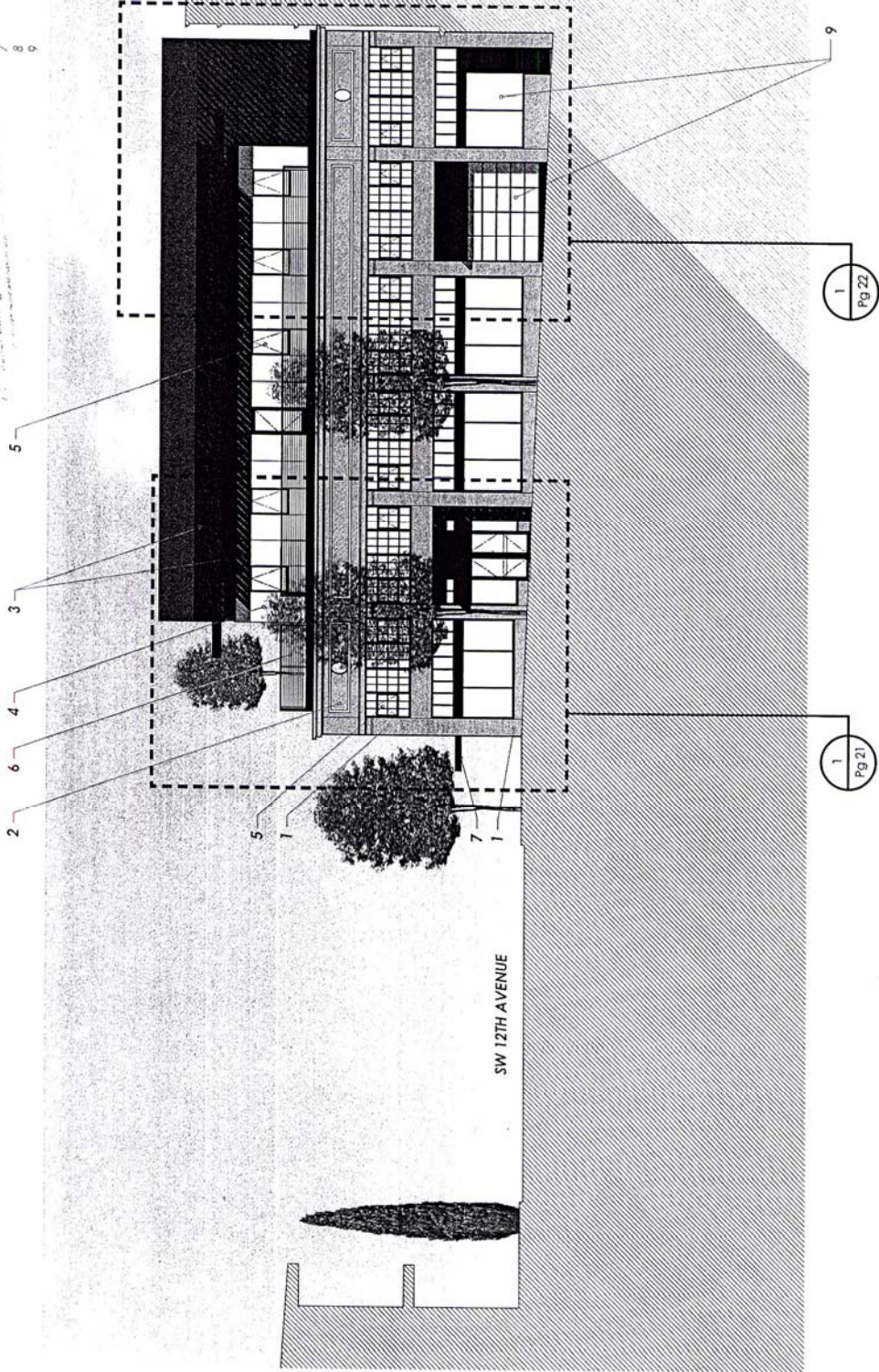
ELEVATION - WEST  
 1/16" = 1'-0"

*Handwritten:*  
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- MATERIAL LEGEND**
- 1 PTD. CONCRETE
  - 2 PTD. MASONRY
  - 3 PTD. ALUM. PANEL
  - 4 GLAZING (FIXED)
  - 5 GLAZING (OPERABLE)
  - 6 S.S. CABLE RAIL
  - 7 PTD. STEEL CANOPY
  - 8 PTD. METAL LOUVERS
  - 9 GLAZING - TRANSLUCENT

11.3.11  
13.13



1  
Pg 22

1  
Pg 21

1/16" = 1'-0"

575  
C.9