



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

FROM CONCEPT TO CONSTRUCTION

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Date: March 10, 2014
To: Interested Person
From: Kate Marcello, Land Use Services
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NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website, via the following link: <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the district coalition and then scroll to the relevant neighborhood and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 14-101688 DZ

Storefront Alterations at South Façade of Pioneer Place

GENERAL INFORMATION

Applicant: Bob Buchanan, Pioneer Place | 503-228-5800
888 SW 5th Avenue, Suite 930 | Portland OR 97204

Owner: Association of Unit Owners of Pioneer Place
700 SW 5th Avenue | Portland, OR 97204

Architect: Erica Obertelli, Winick Architecture
404 Garden Street | Santa Barbara, CA 93101

Site Address: 700 SW 5th Avenue

Legal Description: GENERAL COMMON ELEMENTS, PIONEER PLACE CONDOMINIUM;
LOT 1, PIONEER PLACE CONDOMINIUM; LOT 2, PIONEER PLACE
CONDOMINIUM; LOT 3, PIONEER PLACE CONDOMINIUM

Tax Account No.: R659800010, R659800020, R659800040, R659800060, R659800020,
R659800020, R659800060, R659800040

State ID No.: 1S1E03BB 90000, 1S1E03BB 90001, 1S1E03BB 90002, 1S1E03BB
90003, 1S1E03BB1 90001, 1S1E03BB1 90001, 1S1E03BB1 90003,
1S1E03BB 90002

Quarter Section: 3129

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 Plan District; Downtown Subdistrict

Zoning: Central Commercial (CX) base zone; Design (d) overlay zone

Case Type: Design Review with a Modification (DZM)

Procedure: Type II (an administrative decision with appeal to the Design
Commission)

PROPOSAL: The applicant requests Design Review approval for storefront alterations at the Pioneer Place full-block building bounded by SW 4th Avenue, Morrison Street, 5th Avenue, and Yamhill Street. The proposed alterations will occur on the south façade of the building, which abuts SW Yamhill Street. The proposal is confined to the tenant space currently occupied by the Louis

Vuitton store. The proposal includes the following:

- The existing decorative patterning, which is an applied vinyl material, will be removed from all of the storefront windows, with the exception of the westernmost bay (which is the tenant space's service bay).
- The existing revolving door will be removed and replaced with a clear-glazed storefront window that matches the other storefront windows of the tenant space.

Because the proposal is for non-exempt exterior alterations to an existing building on a site with Design overlay zoning in the Central City Plan District, Design Review is required prior to the issuance of building permits.

Note: This Design Review originally included one Modification, to the Transit Street Main Entrance standard (33.140.242 in the Zoning Code). It has been determined that the Modification is not necessary. The site (the entire Pioneer Place block bounded by SW Yamhill Street, 5th Avenue, Morrison Street, and 4th Avenue) has frontage on more than one designated Transit Street. Per 33.140.242, if a site has frontage on more than one Transit Street, the standard must be met on only one Transit Street. The existing full-block building has entries on other Transit Street frontages. Therefore the standard is not required to be met on Yamhill Street; thus the Modification is not necessary in order for the existing revolving door to be removed.

RELEVANT APPROVAL CRITERIA:

- In order to be approved, this proposal must comply with the approval criteria of Title 33 (Portland Zoning Code). The relevant criteria are the *Central City Fundamental Design Guidelines*.

ANALYSIS

- I. Site and Vicinity:** The subject storefront is the easternmost retail storefront on the south façade of the Pioneer Place shopping mall building bounded by SW Yamhill Street, 5th Avenue, Morrison Street, and 4th Avenue.

The Metropolitan Area Express (MAX) light-rail alignment for the Blue and Red Lines runs along the south frontage of the building, on Yamhill Street. The northbound portion of the downtown Transit Mall is located on SW 5th Avenue. This surrounding mass transit infrastructure, combined with the subject site's proximity to Pioneer Courthouse Square and its location within the downtown shopping district, render a dynamic and pedestrian-oriented street-level environment.

II. Zoning:

Base Zone: 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.

Overlay Zone: The Design (d) overlay zone 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.

- III. Land Use History:** City records indicate two prior land use reviews since 2000, for the Pioneer Place building bounded by SW Yamhill Street, 5th Avenue, Morrison Street, and 4th Avenue:

- **LU 03-111281 DZ:** Design Review approval for storefront alterations at the easternmost tenant space on the south façade (same tenant space as current Design Review). Alterations included installation of the following: four brass plates affixed to existing pilasters, with shrouded lighting and tenant logo; clear glass and patterned glass in five existing storefront bays; revolving door within one of the storefront bays; and two backlit transom signs.
- **LU 12-138787 DZ:** Design Review approval to fully remove the existing skybridge over SW Yamhill Street between SW 4th and 5th Avenues, and infill building openings – where skybridge was previously connected – with a curtain-wall system to match the existing surrounding curtain wall; associated with LU 12-142348 DZ, which was a Type III case to demolish existing one-story portion of Pioneer Place Tower and replace it with a new one-story portion for a new retail tenant.

IV. Public Notice: A *Notice of Proposal in Your Neighborhood* was mailed on January 27, 2014.

Neighborhood Review: No written comments in response to the proposal have been received from the neighborhood association (Portland Downtown Neighborhood Association) or notified property owners.

Agency Review: The Life Safety/Building Code Section of the Bureau of Development Services responded with comments and with no objections to the proposal (Exhibit E-1).

ZONING CODE APPROVAL CRITERIA

I. Design Review

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*.

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.

Findings for A4 and A5: The subject building, Pioneer Place shopping mall, has an established pattern of clear-glazed storefronts abutting public sidewalks. This pattern of clear-glazed storefront storefronts enhances Portland's downtown shopping district by

providing pedestrian-level elements of visual interest, either in the form of display windows or views of stores' active interior environments. By removing the existing decorative patterning from storefront windows, the proposal increases the amount of clear glazing located at the subject tenant space. Thus the subject tenant space will strengthen Pioneer Place's pattern of clear-glazed storefronts, unifying the tenant space with others on the building. *Therefore these guidelines are met.*

A7. Establish and Maintain a Sense of Urban Enclosure.

Define public rights-of-way by creating and maintaining a sense of urban enclosure.

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.

Findings for A7, A8, and B1: With the exception of the westernmost bay, which is a service-type "back-of-house" bay, all existing patterning applied to the existing storefront windows will be removed, resulting in clear glazing at each bay. The existing revolving door will be removed and replaced with clear glazing that matches the other storefront bays. The existing pattern of window mullions will remain the same. Thus the proposal will render a unified appearance – for both the tenant space and the larger south façade – characterized by visual transparency and human scale. This unified, pedestrian-oriented, traditional storefront appearance will provide a comfortable sense of urban enclosure, contribute to the ground-level vibrancy of the Yamhill Street frontage, and enhance the pedestrian environment along the south façade of the building. *Therefore these guidelines are met.*

C2. Promote Quality and Permanence in Development.

Use design principles and building materials that promote quality and permanence.

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.

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 C5: The proposal promotes quality and permanence in development, respects the architectural integrity of the subject building, uses the existing design vocabulary of Pioneer Place, and achieves a coherent composition, as follows:

- The existing revolving door will be replaced with a glazed storefront bay that matches the adjacent bays, rendering a more consistent, unified appearance along the south façade of the building.
- The existing decorative patterning will be removed from all storefront windows, with the exception of the service-type "back-of-house" bay. Removing the applied vinyl material will result in clear glazing that matches the existing condition of other tenant spaces at Pioneer Place, offering ample views of the building's active interior and/or views of product displays.
- The patterning of the existing storefront system – the transom area, mullion location and

dimensions, and continuous base along the lower edge of the windows – will not be affected by the proposal.

Therefore these guidelines are met.

C9. Develop Flexible Sidewalk-Level Spaces.

Develop flexible spaces at the sidewalk level of buildings to accommodate a variety of active uses.

Findings for C9: The removal of the existing vinyl patterning from the storefront windows and removal of the revolving door broaden the scope of possible future tenants for the subject tenant space. These alterations render a more traditional storefront appearance consistent with existing storefronts at Pioneer Place, allowing the subject tenant space to accommodate a variety of active uses appropriate for the building's location in the downtown shopping district. *Therefore 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 proposal will result in a unified, architecturally cohesive appearance for the subject storefront, and by extension, for the building's south façade as a whole. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of the following, located at the Louis Vuitton tenant space on the south façade of the Pioneer Place building bounded by SW Yamhill Street, 5th Avenue, Morrison Street, and 4th Avenue, in the Downtown Subdistrict of the Central City Plan District:

- Removal of the existing decorative patterning from all storefront bays, with the exception of the westernmost service-type bay;
- Removal of the existing revolving door, and
- Replacement of the revolving door with a clear-glazed storefront window to match the other clear-glazed storefront windows of the tenant space.

Approval per the approved plans and drawings, Exhibits C-1 through C-5, signed and dated March 6, 2014, subject to the following condition:

- A. As part of the building permit application submittal, each of the four required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 14-101688 DZM. No field changes allowed."

Staff Planner: Kate Marcello

Decision rendered by:  **on March 6, 2014.**

By authority of the Director of the Bureau of Development Services

Decision mailed: March 10, 2014

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 January 7, 2014, and was determined to be complete on January 22, 2014.

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 January 7, 2014.

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. Unless extended by the applicant, **the 120 days will expire on May 22, 2014.**

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

Conditions of Approval. If approved, this project 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.

Appealing this decision. This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on Monday, March 24, 2014** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Attending the hearing. 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 the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

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 the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

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 **Tuesday, March 25, 2014**.
- 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 may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

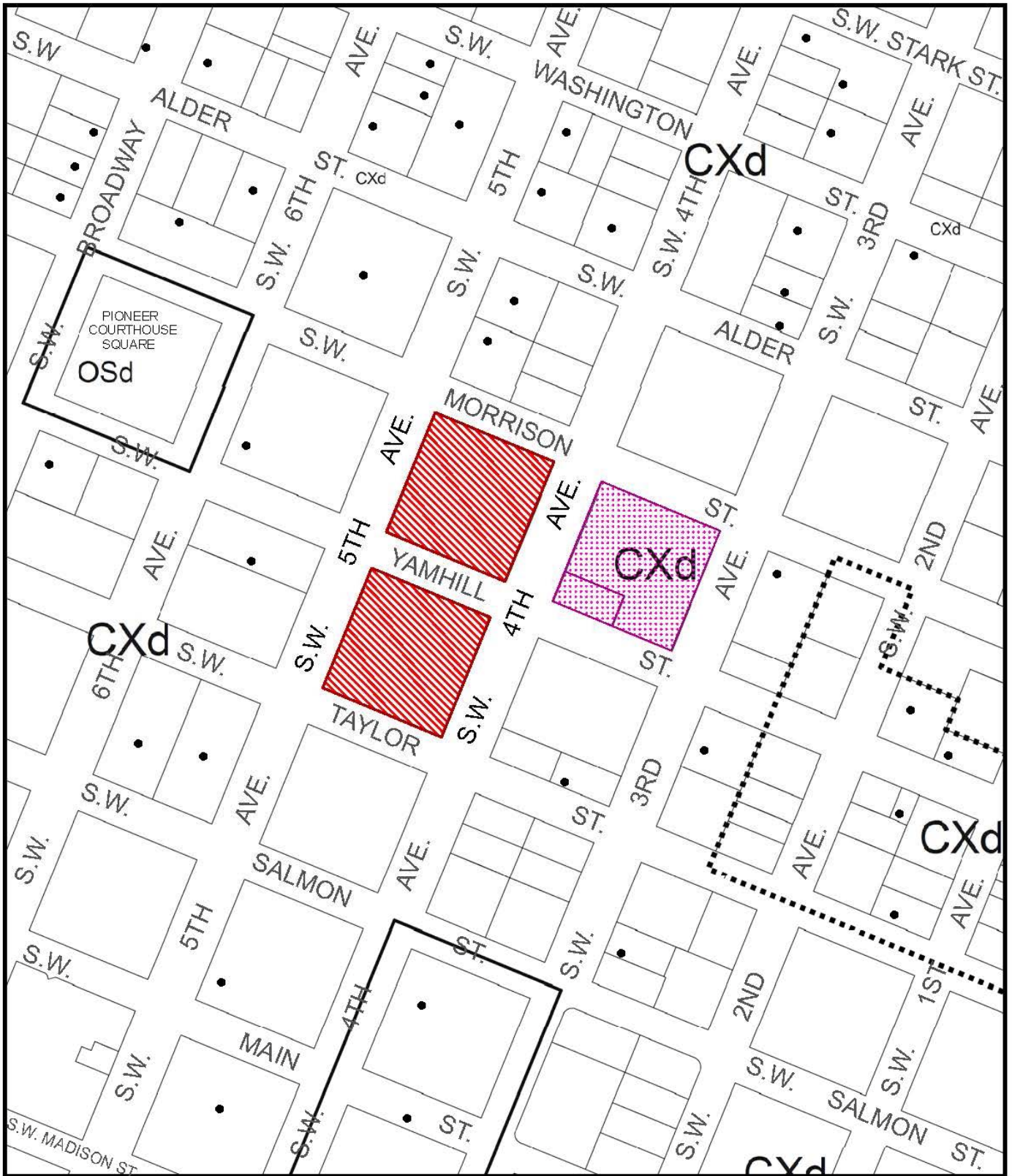
EXHIBITS

NOT ATTACHED UNLESS INDICATED

A. Applicant's Statement/Narrative

- B. Zoning Map (attached)
- C. Plans and Drawings
 - 1. Site Plan (attached)
 - 2. Pioneer Place Multi-block Site Plan
 - 3. Existing and Proposed Enlarged Plans
 - 4. Existing and Proposed Elevation Drawings (attached)
 - 5. Storefront Section Drawing
- D. Notification information
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Response:
 - 1. Life Safety/Building Code Section of BDS
- F. Correspondence: None received.
- G. Other
 - 1. Original Land Use Review Application
 - 2. Photographs Provided by Applicant
 - 3. Google Maps Street-view Photographs of Existing Storefront

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



ZONING

-  Site
-  Also Owned
-  Historic Landmark



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

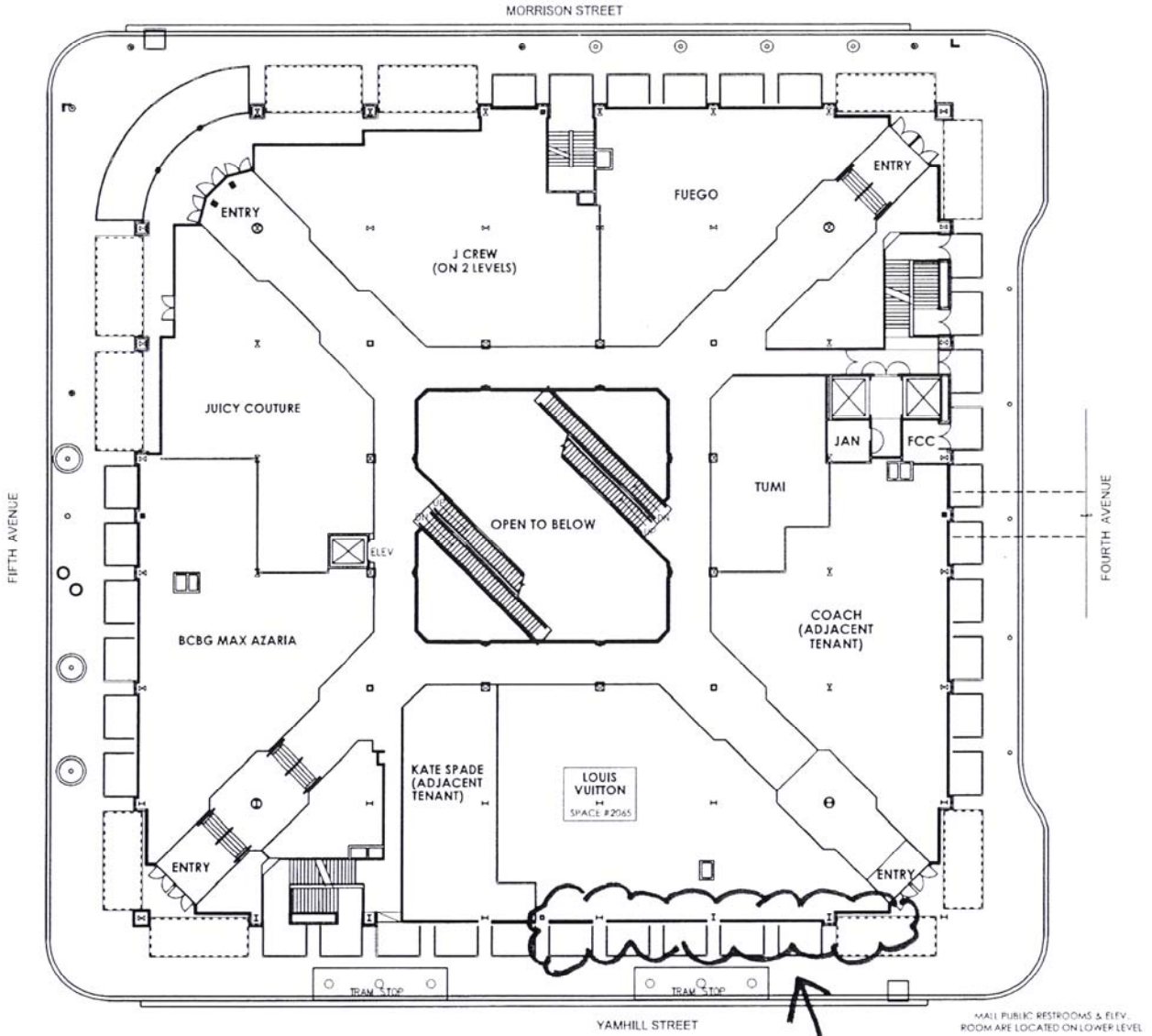
File No.	<u>LU 14-101688 DZ</u>
1/4 Section	<u>3129</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E03BB 90000</u>
Exhibit	<u>B (Mar 4, 2014)</u>

Site Plan

Pioneer Place

Approved
 City of Portland
 Bureau of Development Services
 Planner Kelle
 Date March 6, 2014

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



1 SITE PLAN
 1/16" = 1'-0"

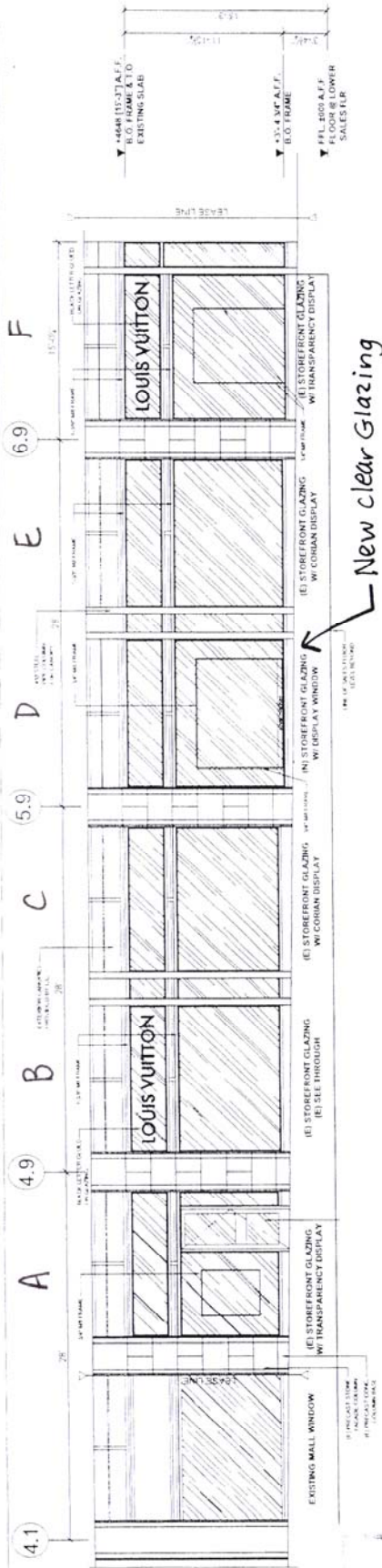
Scale: 1/16" = 1'-0"
 Reduced sheet size.

Area of Work

Exhibit C-1

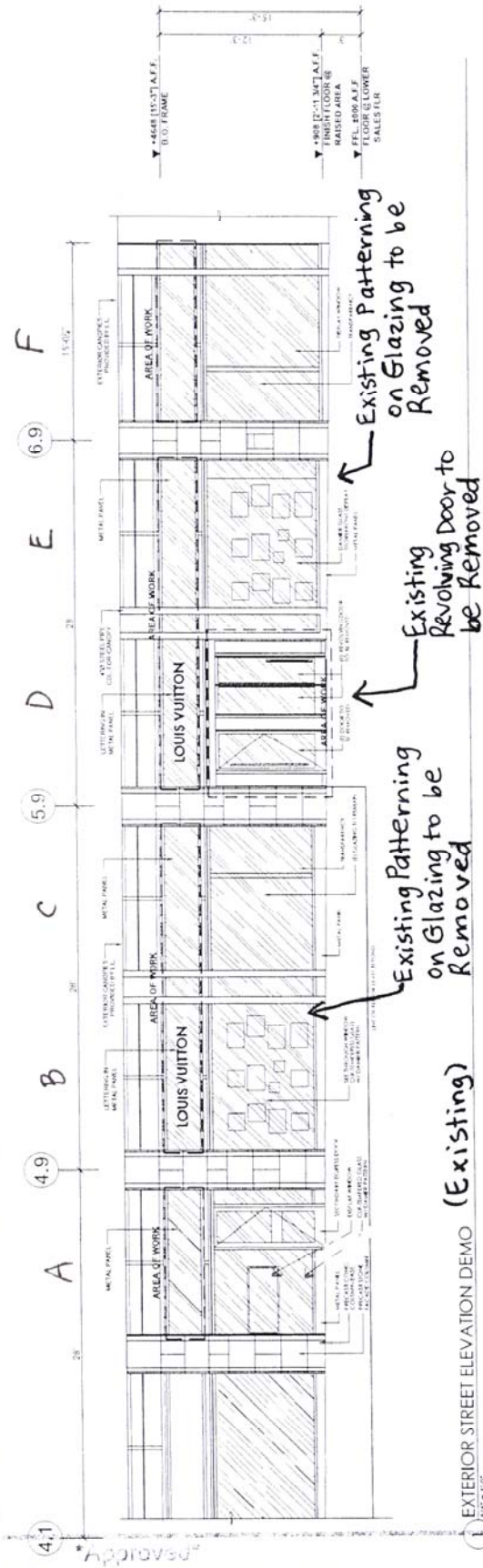
Case number: LU 14-101688 DZM

Elevation Drawings



All storefront bays to have clear glazing, with exception of bay "A," which will remain as is.

Note: Signage is exempt from Design Review.



Scale: 1/4" = 1'-0" Reduced sheet size.

Case Number: LU 14-101688 DZM

Exhibit C-4

City of Portland - Bureau of Development Services
 Planner *Kathleen* Date *March 6, 2014*
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.