



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
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Date: Thursday, April 24, 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 this 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 14-112435 DZ

New Overhead Door on South Façade of Mead Building

GENERAL INFORMATION

Applicant/Tenant: Mike DiBlasi, Multnomah County | 503-988-4044
401 N Dixon St | Portland, OR 97227-1865

Site Address: 421 SW 5th Avenue

Legal Description: BLOCK 175 LOT 3&4 LAND & IMPS SEE R566916 (R667717901) FOR OTHER IMPS, PORTLAND

Tax Account No.: R667717900

State ID No.: 1N1E34CC 04100 **Quarter Section:** 3029

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 (DZ)

Procedure: Type II, which is an administrative decision, with appeal to the Design Commission

Proposal: The applicant requests Design Review approval to remove an existing double-door entry, transom windows, and sidelight and replace them with a glazed overhead door and new transom windows. The location of the proposed work is the mid-point of the south façade of the building, facing SE Washington Street.

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.

Relevant Approval Criteria:

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

ANALYSIS

- I. **Site and Vicinity:** The subject building occupies one-quarter of the block bounded by SW 5th Avenue, Washington Street, 6th Avenue, and Stark Street in downtown Portland. The subject building was constructed in 1912. It is seven stories tall and has a penthouse. The

surrounding area primarily contains multi-story buildings with retail and office space. There are also several hotels in the vicinity. The Transit Mall is located on SW 5th and 6th Avenues. The Transit Mall provides access to several TriMet bus routes and the Yellow and Green Lines of the Metropolitan Area Express (MAX) light rail.

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 the following land use reviews at the subject site since 2000:

- LUR 00-00265 (reference file number LU 00-006820 DZ): Design Review approval to replace existing storefronts with new storefronts and to install new lights under existing canopies and fire escapes.
- LU 07-151982 DZ: Design Review approval for new eyebolt to be installed on east façade of building for span wire for new light rail alignment on SW 5th Avenue.
- LU 09-128874 DZ: Design Review approval for new eco-roof.

IV. Agency Review: A *Notice of Proposal in Your Neighborhood* was mailed on March 28, 2013. The Life Safety/Building Code Section of the Bureau of Development Services responded, stating that there are no concerns with the proposal (Exhibit E-1).

V. Neighborhood Review: A *Notice of Proposal in Your Neighborhood* was mailed on March 28, 2014. No written comments in response to the proposal have been received from the neighborhood association (Portland Downtown Neighborhood Association) or notified property owners.

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.

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

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.

C9. Develop Flexible Sidewalk-Level Spaces.

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

Findings for A8 and C9: Because the new overhead door is glazed instead of solid, it maintains visual transparency at the ground floor of the building. This allows for a visual connection between the private space of the building and the public space of the abutting sidewalk, and it maintains the building's flexibility to accommodate a variety of active uses in the future. *Therefore these guidelines are met.*

B2. Protect the Pedestrian.

Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

Findings for B2: The proposed overhead door is being installed to allow for easier transport of trash receptacles into and out of the building's ground-floor trash room. The use of a glazed overhead door instead of a solid overhead door minimizes adverse visual effects on the abutting pedestrian environment. *Therefore this guideline is 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.

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, C3, and C5: The proposal meets these guidelines in the following ways:

- The proposal employs the design principle of maintaining visual transparency at the ground floor of the building. This design principle minimizes blank walls in downtown Portland, which have a deleterious effect on the pedestrian environment.
- The proposed overhead door is made of durable metal and glazing, which promotes quality and permanence in development.
- The proposed overhead door allows the Mead Building to remain an architecturally coherent composition. The door will fit fully within an existing bay at the ground floor, maintaining the ground floor's regularized sequence of bays. The overhead door is made of metal, which is the same material used for the other ground-floor windows and doors. Additionally, the door will be painted black, which will match the color of the existing adjacent storefront windows and doors.

Therefore these guidelines 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 proposed overhead door maintains visual transparency at the ground floor and allows the Mead Building to remain an architecturally coherent composition. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

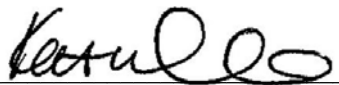
The applicant requests Design Review approval to remove an existing double-door entry, transom windows, and sidelight and replace them with a glazed overhead door and new transom windows. The location of the proposed work is the mid-point of the south façade of the building, facing SE Washington Street.

Approval to remove an existing double-door entry, transom windows, and sidelight and replace them with a glazed overhead door and new transom windows, located on the south facade of the Mead building located in the Downtown Subdistrict of the Central City Plan District.

Approval per the approved plans and drawings, Exhibits C-1 through C-4, signed and dated April 22, 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-4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 14-112435 DZ. No field changes allowed."

Staff Planner: Kate Marcello

Decision rendered by:  **on April 22, 2014**

By authority of the Director of the Bureau of Development Services

Decision mailed: April 24, 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 31, 2014, and was determined to be complete on **March 25, 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 31, 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 July 23, 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 May 8, 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 **May 9, 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. Existing and Proposed Site/Floor Plans (attached)
 - 2. Existing and Proposed South Elevation Drawings (attached)
 - 3. Enlarged Elevation Drawing and Section Drawing for New Door
 - 4. Manufacturer's Cutsheet for New Door
- 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. Site Visit Photographs
 - 3. Historic Photograph
 - 4. Letter of Completeness, dated February 14, 2014

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



Historic Landmark



NORTH

This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No. LU 14-112435 DZ

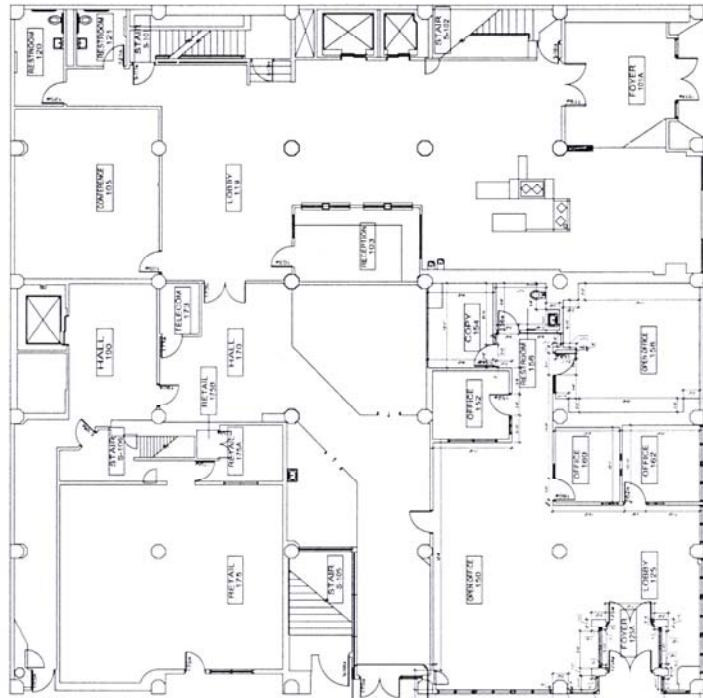
1/4 Section 3029

Scale 1 inch = 200 feet

State_Id 1N1E34CC 4100

Exhibit B (Feb 04, 2014)

Ground Floor Plan
Existing

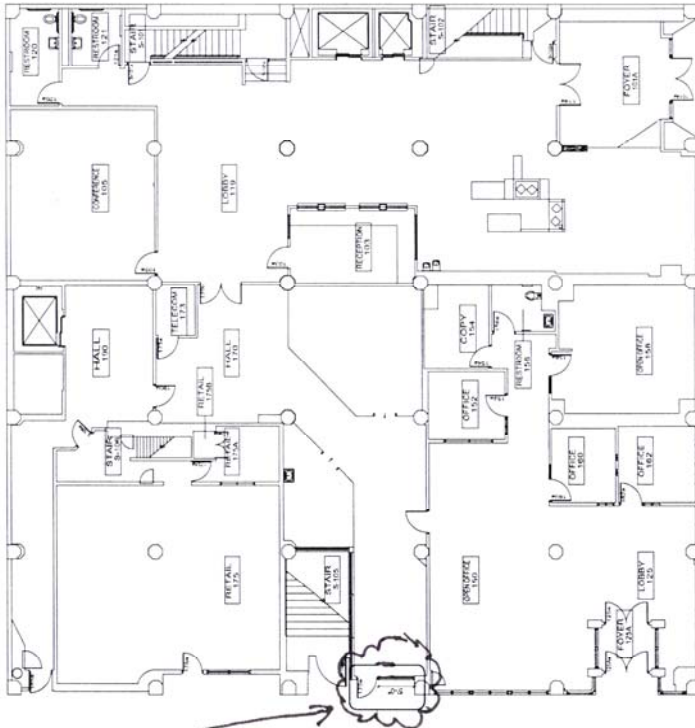


SW Washington St

SW 5th Ave

Area of
Work

Ground Floor Plan
Proposed



SW Washington St

SW 5th Ave

N

Approved

City of Portland - Bureau of Development Services

Kate

Date April 23, 2014

14-112435 DZ

This approval applies only to the review requested and is subject to all other rules of approval. Additional zoning requirements may apply.

ROLL UP DOOR
MEAD BUILDING
211 SW 5th Ave
PORTLAND, OR 97204

PERMIT SET

MARCH 18, 2014

REGISTERED ARCHITECT - NO. 9880 & 9145
WILLIAMSON ARCHITECTS
1111 SW 5th Ave, Suite 200
Portland, OR 97204
Phone: 503.228.1111
Fax: 503.228.1112
www.williamsonarchitects.com

ARCHITECT
NO. 9880 & 9145
AE102-01
A - Sheet 2 of 2

Exhibit C-1

South Elevation - Existing



South Elevation - Proposed



New roll-up overhead door to be painted black to match existing adjacent trim.

WASHINGTON STREET ELEVATION

SCALE: 1/4" = 1'-0"

"Approved"

City of Portland - Bureau of Development Services

Date April 22, 2014

Planner Kuttell

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

Exhibit C-2

		PERMIT SET MEAD BUILDING 421 SW 5th AVE PORTLAND, OR 97204 MARCH 18, 2014	
PROJECT NO.: 14-001 DRAWING NO.: 14-001-01 DATE: 3/18/14 SCALE: AS SHOWN SHEET NO.: 1 OF 1		ARCHITECT: MEAD BUILDING 421 SW 5th AVE PORTLAND, OR 97204 PHONE: (503) 555-1234 FAX: (503) 555-1235 E-MAIL: info@meadbuilding.com WEBSITE: www.meadbuilding.com	