



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 June 7, 2012

CASE FILE NUMBER: LU 12-111904 DZ MS AD
Pearl Marriott Hotel

BUREAU OF DEVELOPMENT SERVICES STAFF: Mark Walhood 503-823-7806

GENERAL INFORMATION

Applicant: Kurt Schultz / SERA Design, LLC
338 NW 5th Avenue / Portland, OR 97209

Property Owner: Hoyt Street Properties LLC
1022 NW Marshall St #270 / Portland, OR 97209-2989

Hotel Owner/Agent: Gary Finicle / Pearl Hotel Investors, LLC
1308 NW Everett St / Portland, OR 97209

Site Address: Northeast Corner of 9th and NW Marshall Street

Legal Description: LOT 4, STATION PLACE
Tax Account No.: R793100200
State ID No.: 1N1E34BB 01304
Quarter Section: 2929
Neighborhood: Pearl District, contact Patricia Gardner at 503-228-3273.
Business District: Pearl District Business Association, Adele Nofield at 503-223-0070.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Zoning: **EXd** (Central Employment base zone with Design overlay zone), **Central City plan district/River District Subdistrict/North Pearl Subarea DZ MS AD** (Design Review, Central City Master Plan Amendment and Adjustment)

Case Type: **Type III**, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

Proposal: A new six-story hotel, courtyard, and associated sidewalk improvements are proposed on a vacant, full-block site on the east side of NW 9th Avenue, between NW Marshall and Northrup Streets on the south and north, and NW Station Way to the east. The layout of the building is a modified "U" shape, open to the south, with a ground level courtyard opening onto NW Marshall Street. The proposal may utilize some off-site parking in the Station Place Garage across NW Marshall Street to the southeast, although this will require approval through a (separate) Central City Parking Review. No on-site parking is proposed.

Prior to the second and final hearing, the applicant made significant revisions to the project, in response to Design Commission concerns. These included elimination of all proposed vehicle areas in the courtyard, with additional plaza area, landscaping, a covered garden gazebo structure at the lobby courtyard entry, and a re-located water feature. The required 2,450 square foot public plaza area along NW Marshall Street was moved slightly eastwards,

increasing the amount of sunlight this area will received. Upper-floor window arrangements and ground level treatment have been unified on the street-facing exterior facades, and relatively blank ground-level and upper-floor walls at outside project corners have received additional windows.

The main floor of the hotel will include a main entry facing NW 9th Avenue, with a courtyard entry on the opposite side of the lobby. The main floor will include a reception and lobby area, a lounge and breakfast room area, conference rooms, and an exercise area with indoor pool for hotel guests. The upper five floors will contain 224 hotel guest rooms, each with a small kitchenette. The Marriott Residence Inn hotel concept caters to travelers who typically stay at the hotel for an average of 5-6 days. Each floor of the hotel building is approximately 28,000 square feet, and the gross square footage of the building is 172,700 square feet.

Exterior materials on the building include a light colored brick, metal panel systems, fiberglass windows on the upper floors, and an aluminum storefront system at the ground floor. A perforated metal panel system is used on a vertical wrapping tower/screen element near the main entry on 9th Avenue, extending vertically up the façade and then horizontally across the roof. Rooftop mechanical equipment is mounted behind metal equipment screen walls.

In 2001, a Central City Master Plan (LUR 01-00281 MS SU) approved residential-only uses for this block, and required a publicly-accessible plaza area of approximately 2,450 square feet along the NW Marshall street frontage of the site. The applicant is proposing to construct the required plaza, but a Central City Master Plan Amendment is necessary to allow the hotel versus residential uses on the site.

For a building of this size, the Zoning Code requires two on-site loading bays. A single loading bay is proposed for the north face of the building, off of NW Northrup Street. In order to reduce the required number of loading spaces from two to one, the applicant has requested an Adjustment.

Public improvements with the project include new sidewalks and street trees in the rights-of-way immediately adjacent to the hotel, which are improved with curbing only today except along NW 9th Avenue. New street tree species include Red Maples, Hornbeams, and flowering pear trees. Connections to public water services, sanitary sewers, and storm sewers in adjacent streets are also proposed.

Due to the project valuation and location, this application is processed through a Type III Design Review process, with a public hearing before the Portland Design Commission. Concurrently, as noted above, the applicant is requesting a Central City Master Plan Amendment and an Adjustment.

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*;
- The *River District Design Guidelines*;
- **33.510.255.E**, Central City Master Plan Approval Criteria; and
- **33.805.040.A-F**, Adjustment Approval Criteria.

ANALYSIS

Site and Vicinity: The site is a vacant, trapezoidal parcel of just over one acre, with 47,704 square feet of land. The site is bound by public rights-of-way in NW 9th Avenue, NW Mashall and Northrup Streets, and NW Station Way. Directly east of the site is the fenced Union Station rail yards on the opposite side of NW Station Way. The block directly south of the site

includes the ZIBA headquarters office building, the Station Place parking garage, and a senior housing tower. Directly west of the site, on the opposite side of NW 9th Avenue, are a collection of mixed-use condominium and apartment buildings with some ground floor retail uses.

The site is within and on the eastern edge of the northern portion of the Pearl District, a vibrant urban neighborhood of high-density housing developments, retail uses and restaurants, and newer public parks. The waterfront area is accessed from NW 9th Avenue as it curves to the northeast one block north of site and joins NW Naito Parkway.

The abutting public streets are improved with paved two-way roadways and curbing, but paved public sidewalks and street trees are only found on the west edge of the site, in NW 9th Avenue. The other three street frontages are improved with curbing, but no paved sidewalks at this time.

Zoning: The EX zone implements the Central Employment map designation of the Comprehensive Plan. The zone allows mixed-uses and is intended for areas in the center of the City that have predominantly industrial type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the 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.

The Central City plan district implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation Management Plan. The Central City plan district implements portions of these plans by adding code provisions that address special circumstances existing in the Central City area.

The applicant has indicated the intention to use some of the Station Place Parking Garage for the hotel use. As discussed with the applicant at and following the Pre-Application Conference, this use of parking for hotel uses on Lot 4 of the Station Place subdivision will require an amendment to the original Central City Parking Review for the garage (LUR 01-00406 PR).

Land Use History: City records indicate several prior land use reviews for the site, the majority of which relate to the site layout prior to a 2001 Subdivision that divided one larger parcel into eight lots and an interconnected street grid, and which have no bearing on current applications for the site. The relevant land use history for this site includes the following:

- *LUR 01-00281 MS SU.* Approval of a Central City Master Plan and an 8-lot subdivision with public streets, subject to conditions of approval. Relevant conditions of approval for this lot applied a 7.9:1 FAR for development, limited uses to residential, and required a specific open area along the NW Marshall frontage; and
- *LUR 01-00406 PR.* Approval of a Central City Parking Review for the Station Place Garage, subject to specific numbers and types of parking for individual lots in the Station Place Subdivision. No parking of any type was provided for Lot 4, so any use of the garage for hotel parking associated with this site will trigger a Type III Central City Parking Review.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **April 26, 2012**. The following Bureaus have responded:

The *Bureau of Environmental Services* (BES) has reviewed the proposal and provided informational comments and other technical details, but no objections to the three requested land use reviews, and no proposed conditions of approval. There are public sanitary and storm-only sewers available to the site that can serve the needs of this project. Connections to the sanitary sewer must follow the BES Rules of Connection and meet the standards of the City of Portland's Sewer and Drainage Facilities Design Manual. Development on the site must also comply with the City of Portland Stormwater Management Manual (SWMM).

The BES has reviewed the stormwater narrative and utility plan provided by the applicant. The applicant proposes off-site discharge to the public storm sewer, where previously-installed CDS water quality manholes will treat the runoff per as-built plans. Though not required to meet the SWMM, the applicant also proposes to install 13,700 square feet of vegetated ecoroof to aid in the treatment of runoff from the development. BES is supportive of the inclusion of the ecoroof. BES has no objections to this approach for purposes of the land use review. Portland Transportation requires new sidewalk construction in pedestrian corridors where curb and paved streets already exist. Constructing the sidewalk so that it slopes toward a vegetated area and/or planting street trees is a viable alternative to constructing stormwater management facilities, and will be reviewed with the public works permit. No dedicated public stormwater management facilities will be required for this project. Exhibit E.1 contains additional technical details, permitting requirements, and staff contact information.

UPDATE: Subsequent to the above response, the BES has submitted a memorandum to staff (Exhibit H.3) indicating that the loss of the eco-roof atop the structure does not impact their prior recommendation of approval for the project. Although it's disappointing that the eco-roof was removed, a public system was constructed for the Station Place Subdivision, and was designed to treat runoff from both public rights-of-way and private development on each lot. Therefore, BES is still able to support the project.

The *Development Review Section of Portland Transportation* has reviewed the application for potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, Title 33, Title 17, and for potential impacts upon transportation services. The site plan accurately reflects the required 12-foot sidewalk corridors along all frontages. The applicant will be required to construct frontage improvements to River District Standards as a condition of building permit approval. The improvements must be constructed under a separate street job permit to City standards per the requirements of the City Engineer. A bond and contract and any required dedications shall be conditions of building permit approval. The applicant shall submit a survey documenting that there will be 12 feet from the face of the curb to the property line as a condition of building permit approval.

UPDATE: Subsequent to the above response, Portland Transportation has provided a supplemental response with favorable recommendations and findings for the loading space Adjustment (Exhibit H.2). These supplemental findings are included later in this decision. As noted in the findings below, Portland Transportation is able to support the requested Adjustment to reduce loading spaces from two to one.

The *Water Bureau* has reviewed the proposal and provided informational comments, but no objections or proposed conditions of approval regarding this land use review. There is public water service available to the site from a water main in NW Marshall Street, but the connection will need to be reviewed by the Water Bureau for proposed usage and size per a submitted fixture count by the applicant at time of the building permit review, to appropriately size the water services and meter for this building. All applicable costs will be the responsibility of the applicant. Exhibit E.3 contains staff contact and additional information.

The *Fire Bureau* has reviewed the proposal and provided comments, but no objections or requested conditions of approval regarding this land use review. A separate building permit is required for this proposal, and all applicable Fire Code requirements must be met during plan review of the permit. If the requirements cannot be met, an appeal providing an alternate method of compliance is a potential option for the applicant. Exhibit E.4 contains staff contact and additional information.

The *Urban Forestry Division of Portland Parks and Recreation* has reviewed the proposal and commented that street trees will be required on all street frontages. Exhibit E.5 is an electronic record of this response.

The *Site Development Section of BDS* has reviewed the proposal and provided informational comments, but no objections to the requested land use reviews. A geotechnical report will be required at the time of building permit review. The report must be stamped by a registered design professional registered in the State of Oregon and include a summary of soil and groundwater conditions at the site and provide recommendations for the design and construction of foundations (including shoring as necessary) in accordance with the Oregon Structural Specialty Code. The site is not located in the Potential Landslide Hazard Area or within the 100-year floodplain.

The Bureau of Environmental Services will review the project for conformance with the 2008 Stormwater Management Manual. Site Development has no concerns with the slop/building setbacks. Erosion prevention and sediment control requirements found in Title 10 apply to both site preparation work and development. Full compliance with the erosion control requirements of Title 10, as well as maintenance of the erosion control elements, such as silt fences on private property, storm drain inlet protection and bio bags in the public right-of-way, is the responsibility of the property owner, the developer and builders. Please refer to the City of Portland Erosion and Sediment Control Manual for additional information. A 1200-C permit from the Oregon Department of Environmental Quality is required for construction activities including clearing, grading, excavation, and stockpiling that will disturb one or more acres and may discharge to the surface waters or conveyance systems leading to surface waters of the state. Exhibit E.6 contains staff contact information.

The *Life Safety Section of the Bureau of Development Services* has reviewed the proposal and provided informational comments, but no objections or recommended conditions of approval regarding this land use review. A separate building permit is required for the work, and the proposal must be designed to meet all applicable building codes and ordinances. A complete Life Safety plan review will be provided at the time of building permit submittal. It is recommended that the applicant contact the plan review section to request a Preliminary Life Safety Meeting to verify building code requirements. Exhibit E.7 contains staff contact and additional information.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **April 26, 2012**. No letters were received from the neighborhood association, but one written response was received from a notified property owner. This letter objects to the Master Plan Amendment as a ‘significant variance from the current residential status of our neighborhood’, and the author suggests that the amendment would be approvable if the project provided adequate on-site parking. The letter suggests that the lack of parking will result in a ‘serious adverse effect’ for residents in the area, especially given the increase in nearby traffic following the completion of Jamison Square Park, as well as the potential increase in traffic associated with increased occupancy of the Encore and other buildings that is expected as the economy improves. For the same reasons, this letter also objects to the Adjustment to waive one of two required loading spaces. Finally, the letter expresses concerns about ‘commercial advertisement signage’ and the impacts that both potential commercial signage and increase on-street parking demand will create in this ‘residential neighborhood’.

Staff Response: Throughout the Central City plan district, there are no minimum parking requirements. The purpose statement for parking regulations in the Central City include goals of managing the supply of off-street parking to improve mobility, promoting the use of alternative modes of transportation, supporting existing and new economic development projects, maintaining air quality, and enhancing urban form (33.510.261.A). For the loading reduction from two spaces to one, staff has not yet received findings from Portland Transportation, so this issue remains unresolved at this time. Finally, the base zoning in almost the entirety of the Pearl District, as well as at this site, is a Central Employment zone, where *‘residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area’* (33.140.030.B). Although the majority of new development in the Pearl to date has been mixed-use residential/retail projects, commercial uses such as hotels, as well as their allowed signage, are a by-right entitlement in the district. Finally, the proposal does intend to use 100 spaces in the Station Place garage with a valet parking service at the hotel, but the necessary Central City Parking Review has not yet been submitted. Satisfactory completion of this separate land use review will be necessary before the hotel project can use any of the parking in the Station Place garage.

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 and River District Guidelines.

River District Design Guidelines and Central City Fundamental Design Guidelines

The River District is a remarkable place within the region. The area is rich with special and diverse qualities that are characteristic of Portland. Further, the River District accommodates a significant portion of the region’s population growth. This area emphasizes the joy of the river, connections to it, and creates a strong sense of community. The goals frame the urban design direction for Central City and River District development.

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.

River District Design Goals

1. Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
2. Create a community of distinct neighborhoods that accommodates a significant part of the region's residential growth.
3. Enhance the District's character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
4. Strengthen connections within River District, and to adjacent areas.

Central City Plan Design Goals

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.

A1. Integrate the River. Orient architectural and landscape elements including, but not limited to lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and greenway. Develop access ways for pedestrians that provide connections to the Willamette River and Greenway.

A1-1. Link the River to the Community. Link the Willamette River to the community reinforcing the river's significance. This guideline may be accomplished by:

- 1) Organizing land areas and groupings of buildings to visually define the river's linkage to the community.
- 2) Focusing and articulating roadways and pedestrianways to emphasize the river.
- 3) Developing projects that celebrate the river and contribute to creating centers of interest and activity that focuses on the Willamette.
- 4) Connecting the internal areas of the District to the Willamette Greenway Trail.

Findings for A1 & A1-1: Northwest 9th Avenue is an important physical connection to the river for the Pearl District. The proposed hotel will respect this important pedestrian connection to the river by locating the primary building entrance, lobby, and hearth/breakfast area facing this street, and by locating the loading bay on Marshal and Northrup, respectively. Northwest Marshall Street, on the southern boundary of the site, is also intended to be an eventual pedestrian linkage between the site and the river. At the time of development of the properties east of the Union Station Yards and fronting on the west side of NW Naito Parkway, a pedestrian bridge will link the intersection of NW Marshall at Station Way with a pedestrian plaza that connects directly to NW Naito Parkway. The applicant has proposed a water feature in the public open space along the NW Marshall frontage, knitting together the diverse art installations and water features of other parks in the Pearl and symbolically linking them to the Willamette River. *Therefore, these guidelines are met.*

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

Findings: Landscaping elements and a water feature are located in the public open space courtyard on Marshall to knit together the diverse art installations and water features of other parks in the Pearl and symbolically link to the Willamette River. *Therefore, this guideline is met.*

A3. Respect the Portland Block Structures. Maintain and extend the traditional 200-foot block pattern to preserve the Central City’s ratio of open space to built space. Where superblocs exist, locate public and/or private rights-of-way in a manner that reflects the 200-foot block pattern, and include landscaping and seating to enhance the pedestrian environment.

A3-1. Provide Convenient Pedestrian Linkages. Provide convenient linkages throughout the River District that facilitate movement for pedestrians to and from the river, and to and from adjacent neighborhoods. This guideline may be accomplished by:

- 1) Using visual and physical cues within the design of the building and building entries to express connections to the river and to adjacent neighborhoods.
- 2) Orienting integrated open spaces and trails that physically and visually link the river and/or surrounding neighborhoods.
- 3) Reusing or retaining cobblestone within the design of new development.
- 4) Encouraging flexibility and creativity along streets enhancing their historic or cultural role.
- 5) Creating visual and physical links across major corridors such as I-405, Burnside, and Front/Naito to strengthen connections to the river and other neighborhoods.

Findings for A3 & A3-1: The proposed hotel supports the Portland block structure on all frontages by massing the building at or near the property line. This specific block was platted in keeping with the 200-foot block pattern, except on its easterly edge where a trapezoid parcel is formed due to the adjacent Union Station rail yards. On NW Marshall Street, a public open space will be provided within the courtyard directly adjacent to the public sidewalk, and the hotel building surrounds the courtyard while providing a sense of enclosure on the abutting streets. *Therefore, this guideline is met.*

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

Findings: The proposed hotel uses common Pearl District materials which include storefront windows, brick, and metal panels, to unify the building with existing surrounding buildings. A white brick has been selected to contrast with the gray brick color of adjacent buildings as a new feature. The brightly colored perforated screen on the west elevation and the vertical panels on the northeast elevation help to bring new color to the Pearl District. These bold architectural features seek to enter into a dialogue with the bright color of the Broadway Bridge, the rooftop of Union Station, and the McCormick Pier Condos. This combination of elements will create a contemporary building that is consistent with the industrial past and material quality of the warehouse district. *Therefore, this guideline is met.*

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.

A5-1. Reinforce Special Areas. Enhance the qualities that make each area distinctive within the River District, using the following “Special Area Design Guidelines” (A5-1-1 – A5-1-5).

A5-1-1. Reinforce the Identity of the Pearl District Neighborhood. This guideline may be accomplished by:

- 1) Recognizing the urban warehouse character of the Pearl District when altering existing buildings and when designing new ones.
- 2) Recognizing the urban warehouse character of the Pearl District within the design of the site and open spaces.
- 3) Designing buildings which provide a unified, monolithic tripartite composition (base/middle/top), with distinct cornice lines to acknowledge the historic building fabric.
- 4) Adding buildings which diversify the architectural language and palette of materials.
- 5) Celebrating and encouraging the concentration of art and art galleries and studios with design features that contribute to the Pearl District's "arts" ambiance. Consider features that provide connectivity and continuity such as awnings, street banners, special graphics, and streetscape color coordination, which link shops, galleries, entrances, display windows and buildings. Active ground level retail that opens onto and/or uses the sidewalk can contribute to the attraction of the "arts" concentration.

Findings for A5, A5-1 and A5-1-1: The proposed hotel uses common Pearl District materials which include storefront windows, brick, and metal panels, to unify the building with existing surrounding buildings. A white brick is chosen to contrast with the gray brick color of adjacent buildings as a new feature. The NW Marshall Street public open space on the south side of the building is designed as a public mini-park to connect the public open space to the courtyard and landscape elements. A water feature in the courtyard will be used in the knit together the diverse art installations and other parks in the Pearl.

The proposed hotel generally is placed directly adjacent to the property line, consistent with the historic urban warehouse character of the Pearl District. Along NW Station Way, a landscaped setback separates the building from the sidewalk, while still providing a sense of enclosure along this street. The material palette and perforated metal screening elements on the building will inject color and diversity into the neighborhood. *Therefore, these guidelines are met.*

A5-3. Incorporate Water Features. Incorporate water features or water design themes that enhance the quality, character, and image of the River District. This guideline may be accomplished by:

- 1) Using water features as a focal point for integrated open spaces.
- 2) Taking cues from the river, bridges, and historic industrial character in the design of structures and/or open space.
- 3) Integrating stormwater management into the development.

A5-4. Integrate Works of Art. Integrate works of art or other special design features that increase the public enjoyment of the District. This guideline may be accomplished by:

- 1) Integrating art into open spaces or along pathways.
- 2) Incorporating art within the structure of the building.
- 3) Using "found objects" that are remnants from the area's history.

Findings for A5-3 and A5-4: Landscape elements and a water feature will be used in the open space on Marshall to knit together the diverse art installations and water features of other parks in the Pearl. No visible stormwater management facilities are proposed. The water feature is identified on the landscape and site plans. *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.

Findings: Along NW 9th and Marshall, the first floor of the building is held back from the property line to provide an overhang. This overhang combines with the main entrance

canopy, extensive glazing for active areas, and perforated metal ‘tower’ on NW 9th Avenue to create an active streetscape at the ground level the creates a distinctive pedestrian environment. The upper five stories of the building along NW 9th and Marshall, and the other primary façade on NW Northrup, create and maintain a sense of urban enclosure along the adjacent streets. *Therefore, this guideline is met.*

A8. Contribute to the Cityscape, Stage and the Action. 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.

A8-1. Design Fences, Walls and Gateways to be Seen Over. Design fences, walls and gateways located between a building and the sidewalk to be seen over to allow for social interaction. This guideline may be accomplished by:

- 1) Elevating building entries higher than the public sidewalk or path.
- 2) Creating a low fence or wall to visually separate but not hide semi-private spaces.
- 3) Using a low or stepped-down planting area or terraces to separate private development from a public sidewalk.

Findings for A8 & A8-1: The first floors along NW 9th and Marshall are set back from the property line to create relief in the façade, to provide pedestrian protection from the elements, and as a potential space for the lounge area to spill out onto 9th Avenue. The primary building entry is defined by a vertically oriented and boldly colored perforated metal screen that contrasts with the surrounding buildings. This vertical architectural element clearly indicates the main building entry, helps to break up the façade and creates an interesting transition from interior to exterior. The lounge, lobby, and conference rooms are the most active elements at the ground floor, and have been placed along NW 9th and Marshall to provide views into and out of the building for these important interior activities. Along NW Marshall Street, the landscaped public open space enhances the pedestrian experience and activates Marshall by offering a spot for pedestrians to move off the sidewalk and rest. The public space will be defined with low plantings, benches, trees, a water feature, and changes in paving materials that integrates well with the overall hotel courtyard, while allowing views into the entire space from the sidewalk. *Therefore, this guideline is met.*

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

B1-1. Provide Human Scale to Buildings along Walkways. Provide human scale and interest to buildings along sidewalks and walkways. This guideline may be accomplished by:

- 1) Providing street furniture outside of ground floor retail, such as tables and chairs, signage and lighting, as well as large windows and balconies to encourage social interaction.
- 2) Providing stoops, windows, and balconies within the ground floors of residential buildings.

Findings for B1 & B1-1: The project will involve the construction of standard city sidewalks at the adjacent frontage of the entire site perimeter, constructing new sidewalks that include a building frontage zone, movement zone, and a street furniture zone with street trees before the curb. The completion of these sidewalks around the site perimeter will complete the pedestrian zone on both sides of all adjacent streets, with the exception of the north side of NW Northrup Street, which abuts a currently vacant site. The block is not large enough to be considered a superblock, and no additional pedestrian routes through or across the site are proposed. A human scale is provided along the abutting sidewalks through the use of large storefront windows, landscaping

along the northeast side opposite the rail yards, and through the development of a public courtyard along the NW Marshall street frontage. Interest is provided by these same elements, as well as the vertical perforated metal ‘tower’ element near the main entry to the building on NW 9th Avenue. The ground floor of the building is set back from the lot line with an overhang above, providing opportunities for use of this space for seasonal outdoor seating adjacent to the lobby, lounge, and conference room areas. *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: The proposed hotel will provide a setback at the ground floor from the lot line in NW 9th Avenue and NW Marshall Street, except where the perforated metal tower element is located near the main entry. The setback area will be partially covered with a 3'-0" overhang of the upper floors of the building. Lighting is integrated into the soffit of the building overhang to illuminate the pedestrian space, and to increase visibility at night. Mechanical exhaust systems are located primarily on the rooftop, without impacts to the pedestrian environment. There are some louvers integrated into the storefront system along the north face of the building, as well as an emergency generator louver, but these are relatively modest in scale, well-integrated with the façade, and placed together in a small area. *Therefore, this guideline is met.*

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

Findings: There are clear pedestrian connections from the sidewalk in NW 9th Avenue to the main entry, and throughout the central courtyard. The use of lighting will be provided to increase visibility at night both in the courtyard and along NW 9th and Marshall Streets. *Therefore, this guideline is met.*

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

Findings: The public open space along NW Marshall is an ideal place to provide resting areas, and benches will be provided to allow the pedestrian to move off the sidewalk. A water feature is also provided in this public plaza. A range of landscape materials will be provided so that the pedestrian can be sheltered from full sun during nice weather if desired. The primary frontages of the building along both NW 9th Avenue and Marshall also feature a setback from the lot line that provides additional places to stop, view, socialize and rest, without conflicting with through pedestrian traffic or the furnishing zone. *Therefore, this guideline is met.*

B5. Make Plazas, Parks and Open Space Successful. Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.

Findings for B5: The open space along NW Marshall is an ideal place to provide resting areas, and benches will be provided to allow the pedestrian to move off the sidewalk. A range of landscape materials will be provided so that the pedestrian can be sheltered from full sun during nice weather if desired. A water feature is also provided in this public

plaza, creating an edge feature between the public plaza area and the larger hotel courtyard space. The public space will be defined with low plantings, trees, benches, and changes in paving materials and will blend into the overall hotel courtyard, providing transition from the public sidewalk to the hotel lobby. The courtyard will also be used for outdoor events and seating that spill out of the hotel from the conference rooms and hearth room. *Therefore, this guideline is met.*

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

Findings: Along NW 9th Avenue and Marshall, the building is set back from the property line and the second floor hangs over the first floor creating a weather protected area on the pedestrian way. A thin steel plate canopy at the main entry on 9th Avenue also provides weather and sun protection directly above the main entry doors, adjacent to the projecting perforated metal ‘tower’ element. Pedestrian weather protection is also provided at the courtyard with a covered metal panel and wood gazebo/canopy structure. *Therefore, this guideline is met.*

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

Findings: All access to the building and the exterior amenity spaces are fully accessible. Ramps are integrated into the design of the courtyard space as an integral site design element. *Therefore, this guideline is met.*

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

C1-1. Increase River View Opportunities. Increase river view opportunities to emphasize the River District ambiance. This guideline may be accomplished by:

- 1) Designing and locating development projects to visually link their views to the river.
- 2) Providing public stopping and viewing places which take advantage of views of River District activities and features.
- 3) Designing and orienting open space and landscape areas to emphasize views of the river.

Findings for C1 & C1-1: Extensive glazing on the ground floor along both NW 9th Avenue and Marshall as well as around the courtyard visually and physically connect the interior of the building to exterior public spaces and adjacent sidewalks. Along NW 9th Avenue the vertical perforated screen clearly indicates the main building entry, helps to break up the façade and playfully creates a unique transition between interior and exterior. The south-facing courtyard connects the project to the ZIBA office building and provides another outdoor park within the Pearl. River view opportunities will be possible from some of the upper floors looking eastwards across the rail yards, and the building form itself respects the east-west views provided towards the river in alignment with both NW Marshall and Northrup Streets. In the final revisions to the project, the applicant added additional windows on relatively blank facades at the northwest corner, at the south wall of the east wing, and at the courtyard-facing wall of the southwest wing. *Therefore, these guidelines are met.*

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

Findings: The proposed hotel uses common Pearl District materials, including storefront

windows, brick and metal panel, which helps to unify the project with other nearby buildings. The vertical colored perforated metal screen panels on the west elevation and the vertical panels on the northeast elevation help to bring color to the area. These bold architectural features seek to enter into a dialogue with the bright coloration of the Broadway Bridge, the roof of Union Station, and the McCormick Pier condos. The colors are bold enough to be seen from the Fremont and Broadway bridges. This combination of elements will create a contemporary building that is consistent with the industrial past and material quality of the warehouse district. The metal panel flashing underneath the horizontal window openings of the upper floors has been carefully considered, with invisible cleats providing an even, clean appearance at the sills of the upper-floor punched brick openings. *Therefore, this guideline is met.*

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

Findings: The building uses storefront windows, metal panel, and brick as the primary exterior materials. A white brick is chosen to contrast with the gray brick color of the adjacent buildings. The brightly colored vertical perforated metal screen near the entry, the rooftop screen in the same material, and the vertical panels on the northeast elevation help to bring vivid color to the project and Pearl District. This combination of elements will create a contemporary building that is consistent with the industrial past and material quality of the warehouse district. *Therefore, this guideline is met.*

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: The proposed hotel uses three primary cladding elements: light colored brick, bright colored metal panel, and metal panel in alternating shades of gray. On the west and south portions of the building, along both NW 9th and Marshall, the upper stories have large windows grouped into horizontal frames with metal panel infill that utilizes the same bright color as the vertical perforated metal screen element. The perforated screen rises above and in front of the mass of the building to identify the main entry to the lobby and also serve as a screen for rooftop equipment. The north interior courtyard and southwest interior courtyard elevation tower elements have individual punched window openings in the same gold-colored metal panel found elsewhere on the building. The metal panel flashing underneath the horizontal window openings of the upper floors has been carefully considered, with invisible cleats providing an even, clean appearance at the sills of the upper-floor openings within the punched brick. *Therefore, this guideline is met.*

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

Findings: Along NW Marshall, the public open space enhances the pedestrian experience by offering a unique place for pedestrians to move off the sidewalk and rest. The public space will be defined with low plantings, trees, benches, and changes in paving materials, and will blend into the overall hotel courtyard, providing a transition from the public sidewalk to the hotel lobby. A water feature is also provided as a transition element from the public plaza to the private hotel portion of the courtyard. The courtyard will also be used for outdoor events and seating that spill out of the hotel from the conference rooms and hearth room/lobby area. *Therefore, this guideline is met.*

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

Findings: The building has a single function as a hotel, and does not include separate street-level retail spaces. Along NW 9th Avenue the building houses the most active program elements, and storefront windows are provided to show the interior activities from the exterior. The conference rooms are located at the southwest corner, and are able to be subdivided into multiple spaces. This arrangement allows for a variety of events at different times. At the northwest corner, the hearth room and eating areas are located, with direct views towards the corner. These spaces comprise the day/night bar which will be open to the public allowing interaction between hotel guests and neighbors. *Therefore, this guideline is met.*

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

Findings: The main hotel entry faces NW 9th Avenue and will activate this important pedestrian connector. All active use spaces are arranged to front on NW 9th Avenue, such as the hearth room, lobby, check-in desk, and conferencing facilities. The main entry and interior courtyard entry both have projecting metal canopies that distinguish the primary pedestrian entry locations. The building on the first floor is set back from the property line and the second floor hangs over the first floor creating a weather-protected area along the pedestrian way. Along the street-facing first floor of the entire building, the facade is distinguished through the use of different materials, including extensive full-height storefront windows and a range of medium gray metal panels, while the upper stories are clad in light colored brick and colored metal panels. *Therefore, this guideline is met.*

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

Findings for C9: The first floors along both NW 9th and NW Marshall are set back from the property line to create relief in the façade, to provide pedestrian protection from the elements, and to provide potential space for lounge and hearth/breakfast/bar area activities to spill out onto the sidewalks. The public courtyard on NW Marshall is accessible from the conference room and prefunction areas so that users of the conference rooms can break out into the courtyard and public space. The courtyard is designed to potentially be able to host small outdoor events. *Therefore, this guideline is met.*

C10. Integrate Encroachments. Size and place encroachments in the public right-of-way to visually and physically enhance the pedestrian environment. Locate permitted skybridges toward the middle of the block, and where they will be physically unobtrusive. Design skybridges to be visually level and transparent.

Findings: The only encroachment into the right-of-way is a small section of the building at the extreme northwest corner, where a maximum 4'-0" deep area of the upper floors of the building projects over the street lot line. This minor encroachment complies with standards regarding projections into the right-of-way. *Therefore, this guideline is met.*

C11. Integrate Roofs and Use Rooftops. Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical

equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

Findings: The perforated metal screen which acts as a vertical accent on the west elevation also wraps up partially onto the roof. Rooftop mechanical screens are found in three locations, and constructed of a solid metal panel system. Specification sheets for the rooftop mechanical equipment verify that the proposed rooftop screening elements will be tall enough to effectively screen the rooftop equipment from view. *Therefore, this guideline is met.*

C12. Integrate Exterior Lighting. Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.

Findings: Exterior lighting is integrated to both enhance the architectural features of the building as well as support the sustainable and LEED goals for the project. Down lights are incorporated into the soffit of the building overhang of the upper floors along NW 9th Avenue and Marshall Street. In the courtyard and public open areas, post lights are used to differentiate and define the outdoor areas. The tower element near the entry on NW 9th Avenue will be illuminated with indirect fluorescent tube fixtures integrated into the structural framing for the tower element, providing a soft night-time glow without undue skyline impacts. *Therefore, this guideline is met.*

C13. Integrate Signs. Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

Findings: No signage has been included with this application. The applicant has stated that exterior building signage will be a separate design review in the future. However, signage under 32 square feet is exempt from Design Review, and therefore a future review for signage is not mandatory. *Therefore, as no signage is proposed, this guideline does not apply.*

(2) CENTRAL CITY MASTER PLAN (33.510.255)

- A. Purpose.** The Central City master plan adds development potential and flexibility for projects in specified areas. The additional development potential and flexibility is possible because the plan is used to demonstrate that the policy objectives of the Central City Plan and the public service needs of the area are addressed. The Central City master plan is an option; it is not a requirement. A Central City master plan may also be created through a legislative process initiated by the City.
- D. Approval procedure.** Central City master plans requests are processed through a Type III procedure.
- G. Central City master plan amendments.** Amendments to an approved Central City master plan are processed through a Type II procedure. The amendment may be approved if the proposed change results in a plan which continues to meet all of the approval criteria in Subsection E., above.
- E. Approval criteria.** A Central City master plan application will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:

1. The proposed plan is consistent with the policy objectives of the Central City Plan;
2. The plan ensures that there will be adequate and timely infrastructure capacity for the proposed developments;
3. The plan provides for a useful and pleasant circulation system and for adequate open space within the plan boundaries;
4. Development will be placed and sized to protect significant public viewpoints and public view corridors; and
5. There are adequate assurances that required housing that is deferred or proposed for another site will be built.

Findings for E.1 through E.5: The only proposed amendment to the Central City Master Plan for the Horse Barn/Station Place Subdivision (LUR 01-00281 MS SU) is to allow a hotel versus a residential project on Lot 4. The proposed amendment to the original master plan remains consistent with the policy objectives of the Central City Plan. Specifically, the proposal remains consistent with the Economic Development policies to support, attract, and encourage new businesses in the Central City, and to contribute to the economic vitality, diversity, and livability of the Central City (Policies 1.F and 1.I). The proposal remains consistent with general housing related policies by providing a senior housing tower within the boundaries (Policies 3.C and 3.D), and issues of required housing are discussed later in this finding. There is no change with regards to the other policies in the plan (Transportation, Public Safety, Parks & Open Spaces, Urban Design).

There is no change in the proposed amendment related to the adequate and timely infrastructure capacity for projects in the area. The street network and a series of public sanitary and storm sewer connections have already been installed, and individual projects on Lot 4 and Lot 5 (directly to the north) will be required to complete any missing sidewalk improvements and street trees at the time of development.

The proposed amendment does not impact the provision of a useful and pleasant circulation system, nor does it alter requirements for the completion of additional public open spaces within the plan boundaries. The block layout and height limitations that remain in the area will adequately protect significant public viewpoints and public view corridors, and the proposed amendment will not change this situation.

Specifically with regards to the required housing regulations, the Station Place Senior Housing tower building just to the south of the ZIBA office building completed all the required housing within the master plan boundary. At the time of the original master plan application in 2001, the entire site had a Required Residential overlay designation in the Central City plan district. This regulation required a minimum density of 15 dwelling units per net acre (33.510.230/Map 510-15), as the regulation still does today. The net area of the master plan boundary was 7.02 acres, requiring 106 units of housing within the master plan boundary ($7.02 \times 15 = 105.3$). 170 housing units were built on Lot 1 with the senior housing tower, so the overall residential development requirement has already been exceeded within the master plan boundary.

Therefore, for the proposed amendment to allow non-residential development on Lot 4 of the master plan, these criteria are met.

(3) ADJUSTMENT REQUEST (33.805)

33.805.010 Purpose of Adjustment Reviews

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

33.805.040 Adjustment Approval Criteria

The approval criteria for signs are stated in Title 32. All other adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F., below, have been met.

The following adjustments are requested:

1. Reduce the required 'A' (35'-0" by 10'-0" with 13'-0" clearance) loading spaces from two to one.
- A. Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

Findings: The relevant element of the purpose statement for loading standards is to ensure adequate areas for loading for larger uses and developments (33.266.310.A).

The applicant has stated the proposed hotel does not need two loading spaces for their use. There is no need for move-in/move-out functions as may be needed in a residential project, there are no food service deliveries as there is no restaurant, and laundry is done on premises. The loading will only be used for garbage pick-up and hotel supply deliveries, which are infrequent.

Portland Transportation staff has reviewed these statements, and the relevant purpose statement for the loading standards, and provided a supplemental agency response (Exhibit E.2).

If the applicant did not seek this adjustment, "an additional roll-up door and a longer or second curb cut would be required on the NW Northrup ground floor elevation. This Adjustment allows the project to minimize service areas along NW Northrup, allowing more ground floor interior space with windows along this frontage.

To determine whether the proposal for the reduction of the number of on-site loading spaces is supportable, the frequency and types of loading uses must be considered. The development of the site will be with a hotel, with no retail or other secondary uses. With regard to the hotel use, the loading space needs will be related to garbage pick-up and for the delivery of hotel supplies. Garbage service is typically performed on a scheduled basis and generally occurs during non-peak hours of activities along the street. The extent of loading/unloading activities also include the continual deliveries of hotel use-related products (toiletries, office materials, etc.). These types of delivery services are more and more commonly provided by larger sized vans as opposed to the traditional

semi-trucks, especially in confined maneuvering areas such as downtown areas. The more regular service of providing clean laundry will not be a factor with the proposed hotel given that facilities will be on-site to provide said service. As such, requiring the applicant to provide two conventionally sized loading spaces within the proposed hotel would likely be excessive given the users/functions of the building

Further, by reducing the number of loading spaces that the applicant must provide in association with the proposed hotel will minimize the potential for conflicts between loading space vehicles and pedestrians. The site is located within the Pearl District and is within North-west Triangle Pedestrian District. Increasing the width for the necessary driveway/curb cut that would be associated with two loading spaces could place pedestrians in exposed positions wherein their level of comfort to walk along the sidewalk would be compromised.

PBOT can support the request to provide one on-site loading space (instead of the required two spaces). Given the limited amount of loading activity that will be associated with the proposed hotel and the expected scheduling of users of the one proposed space, PBOT staff does not expect that the lack of two on-site loading spaces will result in a negative effect on the traffic safety or other transportation functions of the abutting right-of-way.

Therefore, this criterion is met.

- B. If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in a C, E, or I zone, the proposal will be consistent with the desired character of the area; and

Findings: As discussed above under findings for criterion A, Portland Transportation has reviewed the proposal and found no significant impacts with regards to the desired character of the area as reflected in transportation-related planning documents. The reduction in in loading spaces from two to one is also consistent with the desired character for new development in both the CX zone and the Central City plan district. *Therefore, this criterion is met.*

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

Findings: Only one adjustment has been requested. *Therefore, this criterion does not apply.*

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

Findings: There are no city-designated scenic or historic resources on this site. *This criterion does not apply.*

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

Findings: Any impacts resulting from the reduction of loading spaces for the project from two to one are mitigated by the relatively small loading needs for this specific hotel, which does not include a public restaurant, and which does all hotel laundry on-site. *Therefore, this criterion is met.*

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

Findings: This site is not within an environmental zone. *This criterion does not apply.*

DEVELOPMENT STANDARDS

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

A bulleted summary of the primary development standards applicable to this project, including parenthetical notes for how the project does or does not comply, follows below:

EX base zone standards:

- 33.140.100, Primary uses allowed include Commercial Retail Sales and Service (*Hotels are an entertainment-oriented retail use, and allowed by-right in the EX zone*);
- 33.140.215, No minimum setbacks from adjacent streets (*project complies*);
- 33.140.215, Maximum setback of 10' from NW 9th for 100% of the ground level façade, and for 50% of the ground level at both Northrup and Station Way, NW Marshall has neither a pedestrian district or transit designation (*project complies*);
- 33.140.220, Maximum building coverage of 100% (*project complies*);
- 33.140.225, Minimum landscaped area of 0% of site area (*project complies and exceeds standard*);
- 33.140.230, Ground floor windows, requires all walls within 20'-0" of a street lot line to include 50% of their length and 25% of their area to be in windows (*project complies*);
- 33.140.235, Screening for trash and recycling areas (*all interior to building, project complies*); and
- 33.140.240, Pedestrian standards require a 6'-0"-wide pedestrian connection to the street and to key areas of the site (*project complies*).

Central City plan district:

- 33.510.200, Floor area ratio (*superceded by Master Plan FAR – not applicable*)
- 33.510.205, Maximum height of 100' (*project complies*);
- 33.510.215, No required building lines at this site (*not applicable*);
- 33.510.225, No ground floor active uses (*not applicable*); and
- 33.510.230, No required residential development (*not applicable*).
- 33.510.265.F.1, No minimum parking in River District 2 Parking Sector (*project complies*)

Parking and Loading:

- 33.266.210, Bike parking regulations require 1 short-term stall for every 20 rooms, and 1 long-term stall for every 20 rooms (*224 rooms triggers 11.2 or 12 stalls of both short-term and long-term bike parking – project complies*); and
- 33.266.310, Two 'A' loading spaces are required, each measuring 35'-0" long, 10'-0" wide, and with 13'-0" clearance (*an Adjustment is being approved for this standard, reducing the loading spaces from two to one*).

Master Plan Standards (LUR 01-00281 MS SU):

- Condition A, Maximum FAR of 4.9:1 (*project complies at approximately 3.6:1*); and
- Condition C, Provide a minimum 2,450 square foot rectangular public plaza along the center of the block abutting NW Marshall Street, with the following aspects:
 - At least 50% of the area is in the form of a park or plaza, and at least 25% of the open area must be in one plaza or space;

- Walkways can constitute no more than 25% of the area;
- Shadows from buildings (trees not to be included) shall cover no more than 50% of the area at noon, and 75% of the area at 3:00 pm on April 21 of any year.
- A minimum of one tree per 1,000 square feet of plaza or park area;
- Peripheral lines of trees, low walls, planters, or other similar treatment along the edges to create clearly defined borders;
- Safe, attractive, and convenient linkages to adjacent streets and developments; and
- High level of design quality with an attractive, pleasant, and convenient environment for pedestrians.

CONCLUSIONS

The Design Review process exists to ensure 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 value of each design district or area and to promote quality development near transit facilities.

The proposed hotel design is a dynamic, colorful addition to the Pearl District that will diversify the mix of uses in the area, adding a welcome hotel use to a predominantly residential area. The use of light brick, brightly colored metal panel and perforated metal materials will create a vibrant, highly identifiable building, and the vertical ‘tower’ or ‘veil’ element near the NW 9th Avenue entry is a playful, dynamic and unique feature. The provision of a public courtyard along NW Marshall Street will enhance the pedestrian environment along this street, which may eventually include a pedestrian bridge across the rail yards towards NW Naito Parkway. The materials selected appear to generally be of a high quality, and the overall design has been significantly streamlined and unified since the initial drawings presented at the Design Advice Request.

In the final revisions made to the project, the interior vehicle area has been removed, creating a large interior courtyard that will be unique unto itself within the entire Pearl District. The exterior facades have also been unified with cohesive upper-floor patterning and a distinct ground floor treatment, and the pool area has been moved to the east elevation facing NW Station Way. Because these final changes satisfy the concerns raised by Design Commission at the first hearing on May 17, 2012, the project is now able to meet the applicable design guidelines and should be approved.

DESIGN COMMISSION DECISION

Approval of a Design Review for the construction of a new six-story hotel building on a full-block site at Lot 4 of the Station Place Subdivision, with a large interior courtyard, 2,450 square foot public plaza area fronting onto NW Marshall, and a single loading bay off of NW Northrup Street.

Approval of a Central City Master Plan Amendment to LUR 01-00281 MS SU, to allow a hotel development on Lot 4 instead of residential development.

Approval of an Adjustment to reduce loading spaces on the site from two to one ‘A’ size loading spaces.

The above approval is granted based on the approved plans, drawings and renderings, Exhibits C.1 through C.61, and subject to the following condition:

- A. As part of the building permit review process, all plans, drawings and details must match the Exhibits C.1 through C.61 as approved in this Design Review. All drawings and detail information are required for the permit, and relevant sheets with exterior details must be labeled “Proposal and design as approved in case file #LU 12-111904 DZ MS AD. No field changes allowed.”

By: 
Guenevere Millius, Design Commission Chair

Application Filed: March 9, 2012
Filed: June 8, 2012

Decision Rendered: June 7, 2012
Decision Mailed: June 22, 2012

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 February 10, 2012, and was determined to be complete on **March 16, 2012**.

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 February 10, 2012.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant requested that the 120-day review period be extended for 14 days, in order to schedule the hearing later than required, as shown in Exhibit A.3. Unless further extended by the applicant, **the 120-day review period will expire on July 29, 2012**.

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 July 6, 2012** 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 (one-half of the application fee for this case).**

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 **July 9, 2012**.
- 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.

Mark Walhood
June 20, 2012

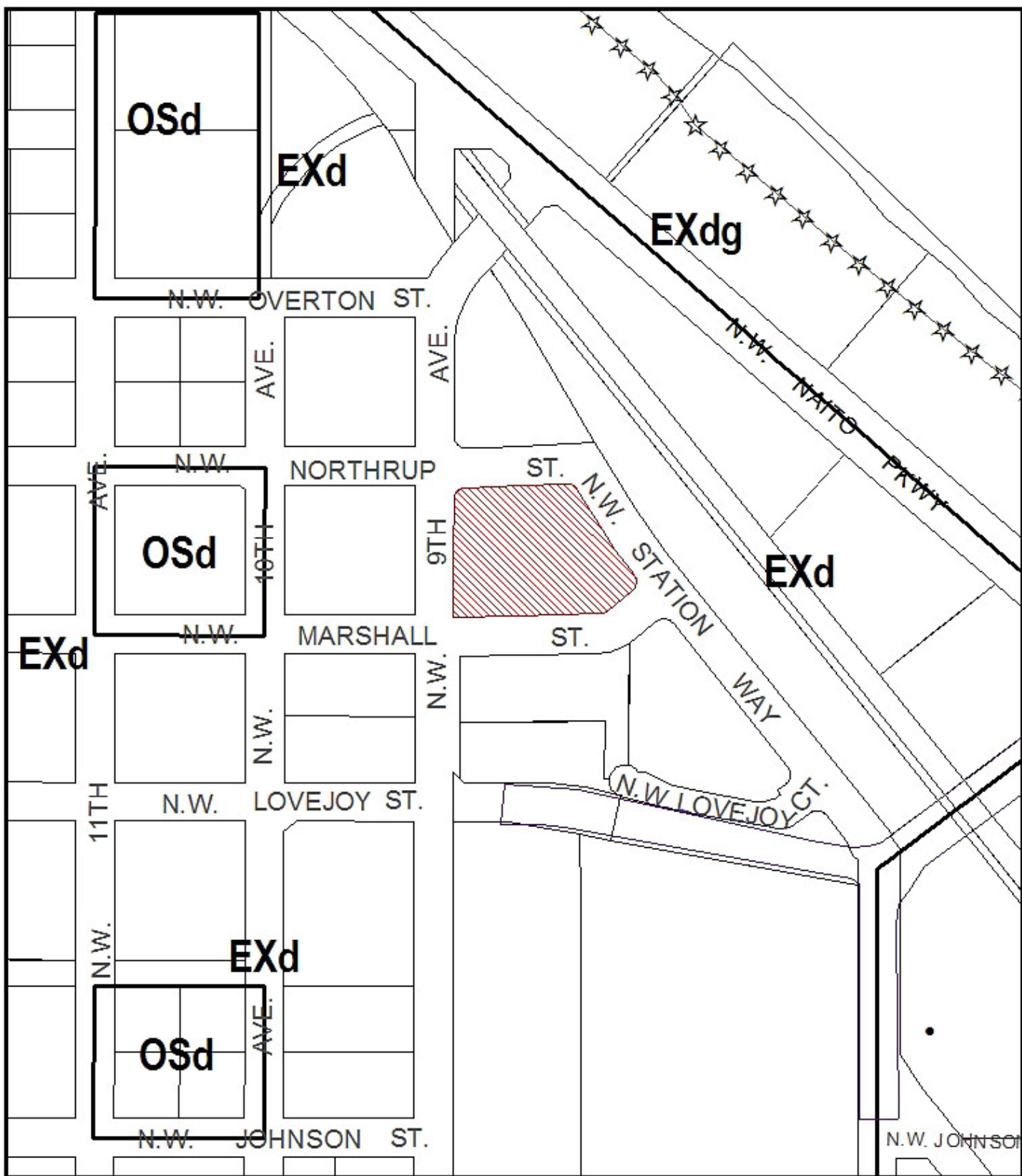
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statements
 1. Original Narrative with stormwater information and copy of original Central City Master Plan
 2. Supplemental memo received with information making case complete
 3. 14-day extension of 120-day review period, necessary to extend hearing date
 4. Copies of original drawings replaced by 3/16/12 completeness updates – NOT APPROVED
 5. Copies of full plan set as submitted by 3/16/12 – NOT APPROVED
 6. Copies of mechanical cut sheets per 3/16/12 plan set – NOT APPROVED
 7. 8.5" x 11" copies elevations per 3/16/12 plan set – NOT APPROVED
 8. Full Set of Drawings for 5/7/12 Hearing – NOT APPROVED
- B. Zoning Map (attached)
- C. Plan & Drawings
 1. Cover Sheet with Rendering
 2. Table of contents page
 3. Neighborhood context images
 4. Neighborhood context images
 5. Inspiration images
 6. Inspiration images
 7. Vicinity map
 8. Site plan
 9. Stormwater/utility plan
 10. Lighting plan
 11. FAR Diagrams
 12. Ground floor plan (attached)
 13. Typical floor plan – levels 2-6
 14. Roof plan
 15. North elevation/color
 16. Northeast elevation/color
 17. South elevation/color
 18. West elevation/color

19. East courtyard elevation/color
20. South courtyard elevation/color
21. Southwest courtyard elevation/color
22. Enlarged elevations and sections
23. Enlarged elevations and sections
24. Enlarged elevations and sections
25. Enlarged elevations and sections
26. Rendering from southwest
27. Main entry rendering
 - a. Station Way perspective rendering
28. Courtyard aerial perspective rendering
29. Night rendering from southwest
30. Landscape planting plan
31. Courtyard materials detail sheet
 - a. Open Space requirements details (attached)
 - b. Courtyard water feature details
 - c. Courtyard perspective renderings
32. Materials detail sheet
33. Brick/metal panel details
34. Brick window details
35. Metal panel window details
36. Composite metal panel details
37. Storefront details
38. Level 1 sill details
39. Storefront head details
40. Metal panel soffit details
41. Metal panel soffit details
42. Louver details
43. Canopy details
44. Veil details
45. Veil details
46. Mechanical screen details
47. Wall assembly details
48. Window jamb details
49. Perf metal panel elevation
50. Roof Parapet detail
51. Loading Door details
52. North Elevation – keyed line drawing (attached)
53. West Elevation – keyed line drawing (attached)
54. South Elevation – keyed line drawing
55. Northeast Elevation – keyed line drawing
56. Southeast Elevation – keyed line drawing
57. South Courtyard Elevation – keyed line drawing
58. Southwest Courtyard Elevation – keyed line drawing
59. North Courtyard Elevation – keyed line drawing
60. East Courtyard Elevation – keyed line drawing
61. Mechanical Equipment Cut Sheets
- D. Notification information:
 1. Request for response
 2. Posting letter and notice as sent to applicant
 3. Applicant’s statement certifying posting
 4. Mailed hearing notice
 5. Hearing notice mailing list
- E. Agency Responses:
 1. Bureau of Environmental Services

2. Development Review Section of Portland Transportation
 3. Water Bureau
 4. Fire Bureau
 5. Urban Forestry Division of Portland Parks and Recreation
 6. Site Development Review Section of BDS
 7. Life Safety Section of BDS
- F. Letters
1. Letter with concerns from Jacky Sohn, received May 8, 2012
- G. Other
1. Original LUR Application Form and Receipt
 2. Site History Research
 3. Incomplete Letter from staff to applicant
 4. Request for Completeness Letter and Agency Responses
 5. Pre-Application Conference Summary Notes – EA 11-185167
- H. Hearing Exhibits
1. Staff Report and Recommendation, May 11, 2012
 2. Supplemental response from Portland Transportation, received May 14, 2012
 3. Supplemental response from BES, received May 11, 2012
 4. Pre-hearing memo from staff to Design Commission, dated May 9, 2012
 5. Staff PowerPoint Presentation, May 17, 2012
 6. Staff Discussion Topic Handout, May 17, 2012
 7. 2001 Northwest Triangle Open Area Requirement Code Excerpt
 8. Revised Staff Report and Recommendation, May 27, 2012
 9. Final memo from staff to Design Commission, dated May 27, 2012
- 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



This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No.	<u>LU 12-111904 DZ</u>
1/4 Section	<u>2929</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E34BB 1304</u>
Exhibit	<u>B (Feb 14, 2012)</u>

Approved
 City of Portland - Bureau of Development Services
 Planner MARK WALHOOD Date JUNE 8, 2012
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

Proposal and design as approved
 In case file #LU 12-11904 02 NS 40
 No field changes allowed.

10 LONG TERM BICYCLE STALLS

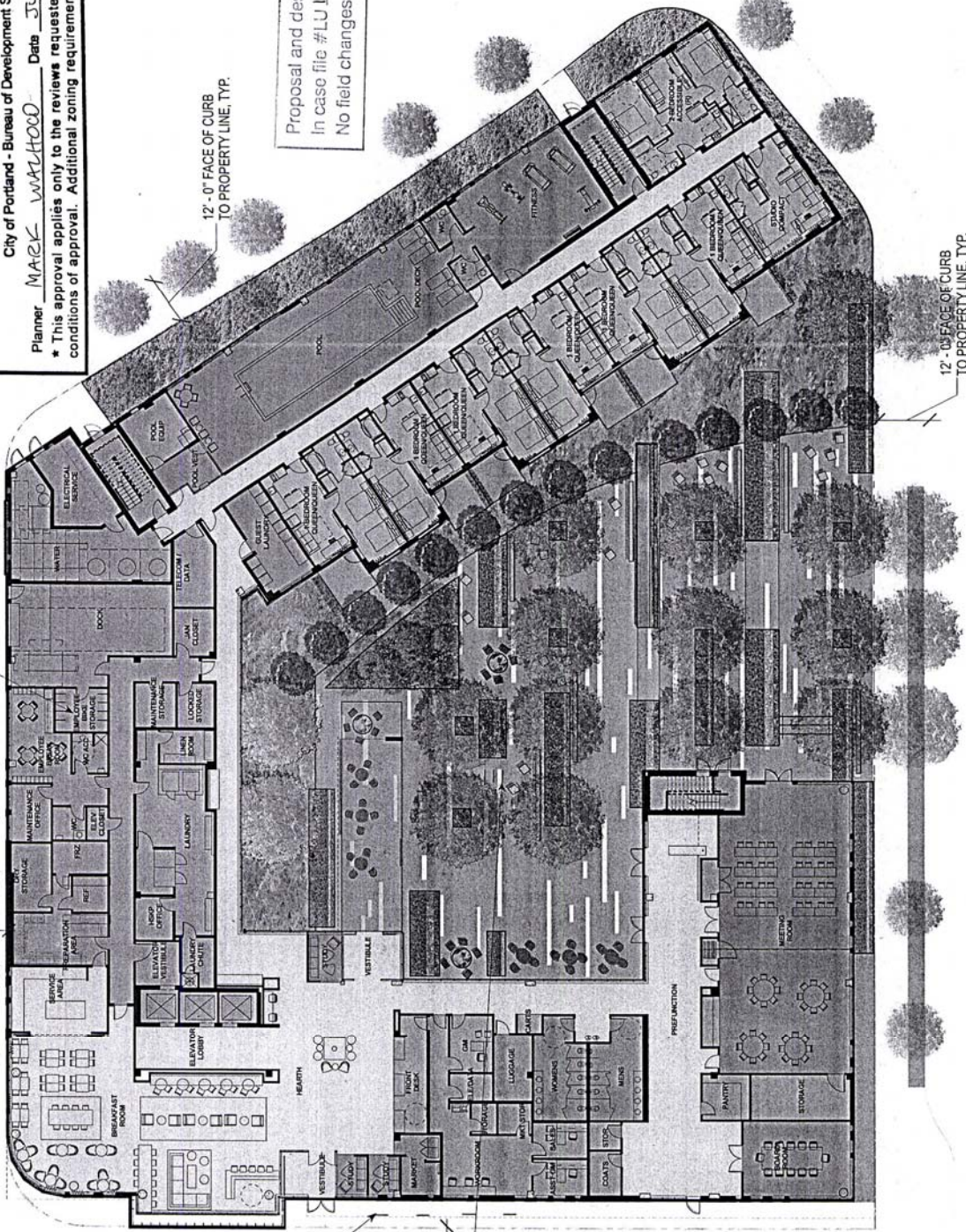
12'-0" FACE OF CURB TO PROPERTY LINE, TYP.

HOTEL VALET DROPOFF

8 SHORT TERM BICYCLE STALLS

12'-0" FACE OF CURB TO PROPERTY LINE, TYP.

2 LONG TERM BICYCLE STALLS
 4 SHORT TERM BICYCLE STALLS

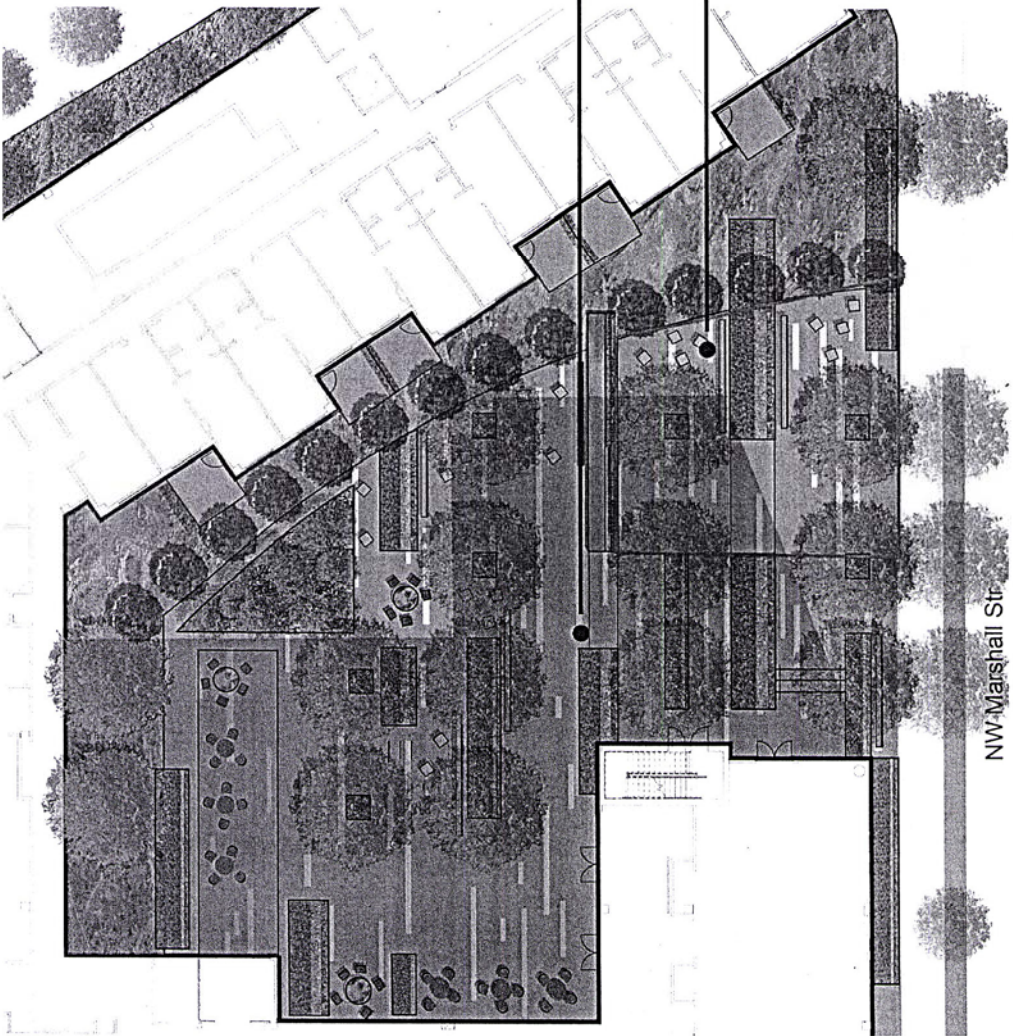


12'-0" FACE OF CURB TO PROPERTY LINE, TYP.



PEARL DISTRICT MARRIOTT RESIDENCE INN
 PEARL HOTEL INVESTORS, LLC
 2012 MAY 28 - DESIGN REVIEW #LU 12-11904 DZ





Approved
 City of Portland - Bureau of Development Services
 Planner MARZ WATSON Date JUNE 8, 2012
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

Proposal and design as approved
 In case file #LU 12-111904 DZ MS A0
 No field changes allowed.

Temporary sign for Hotel events,
 no gates or fencing proposed

Code Required Open Space

2,500 s.f. required open space with minimum 1,250 s.f. plaza

Shadow Requirement of no more than 50% at noon and 75% at 3:00 pm on April 21st is met.

Hours from 7:00 am to 10 pm with Rules and regulations in alignment with Portland Parks and Recreation

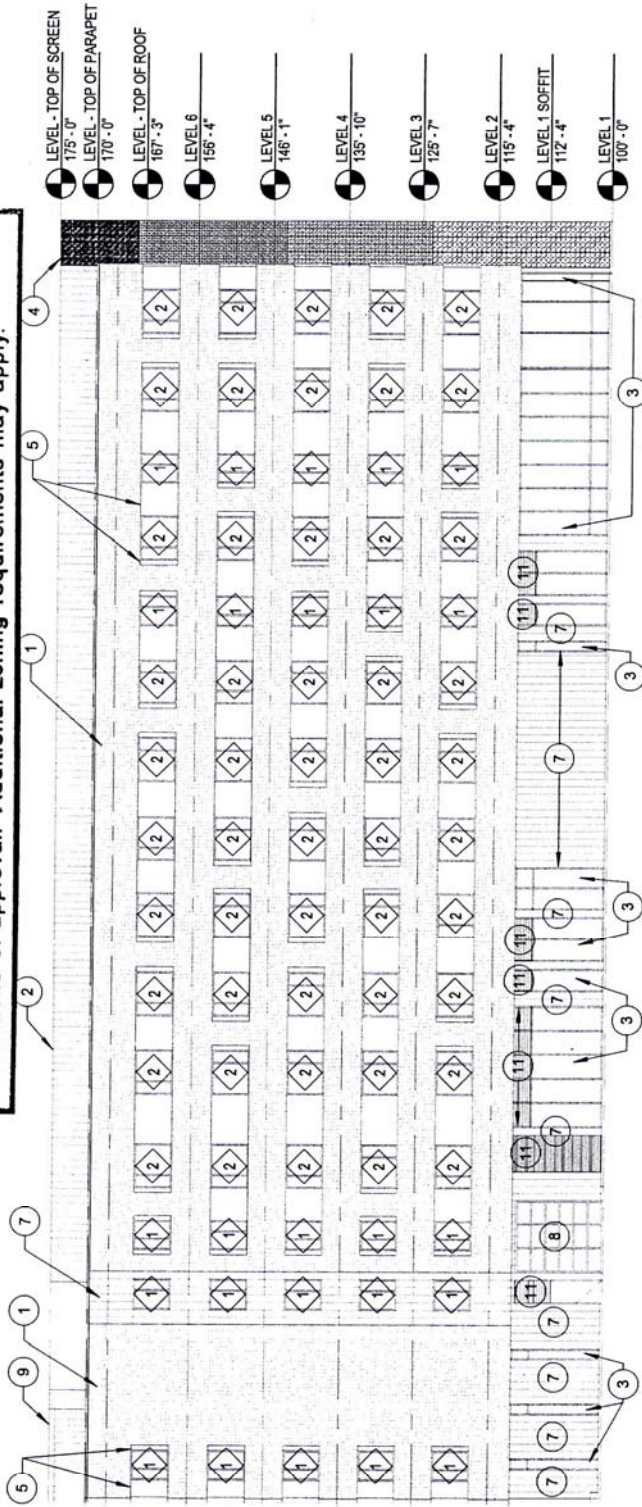
NW Marshall Str



Proposal and design as approved
 In case file #LU 12-119040ZMS AD
 No field changes allowed.

Approved
 City of Portland - Bureau of Development Services

Planner MARIE WALHOCO Date JUNE 8 2012
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



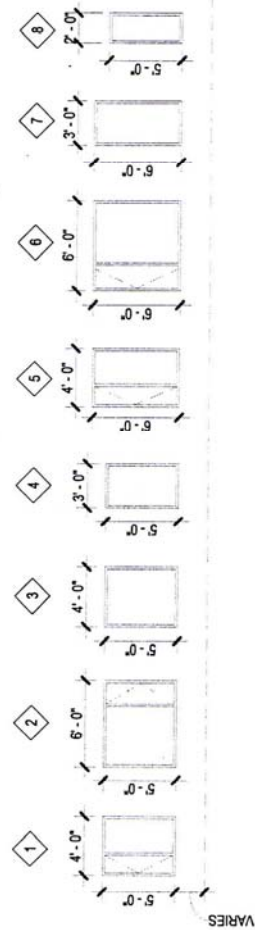
- LEVEL - TOP OF SCREEN 175'-0"
- LEVEL - TOP OF PARAPET 170'-0"
- LEVEL - TOP OF ROOF 167'-3"
- LEVEL 6 156'-4"
- LEVEL 5 146'-1"
- LEVEL 4 135'-10"
- LEVEL 3 125'-7"
- LEVEL 2 115'-4"
- LEVEL 1 SOFFIT 112'-4"
- LEVEL 1 100'-0"

LEGEND - EXT ELEVS

- NORMAN BRICK
- VERTICAL SEAM METAL PANELS
- PERFORATED METAL PANEL SCREEN
- COMPOSITE METAL PANELS

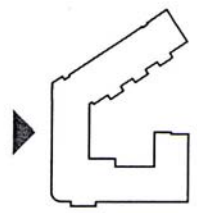
KEYNOTES - EXT ELEVS

- 1 LIGHT COLORED BRICK
- 2 MECHANICAL SCREENING
- 3 STOREFRONT GLAZING
- 4 PERFORATED METAL PANEL SCREENING
- 5 COMPOSITE METAL PANEL
- 6 VERTICAL SEAM METAL PANEL COLOR #2 - AUTUMN GOLD
- 7 VERTICAL SEAM METAL PANEL COLOR #3 - GRAY (3 TONES)
- 8 GLAZED LOADING DOCK ROLLING DOOR
- 9 STAIR DOGHOUSE
- 10 ENTRY CANOPY
- 11 EXHAUST LOUVER
- 12 COURTYARD CANOPY
- 13 VERTICAL SEAM METAL PANEL COLOR #4 - YELLOW (BEHIND PERFORATED SCREEN)



WINDOW CALCULATIONS

TOTAL AREA:	1502 SF	TOTAL LINEAR:	186'-10"
WINDOW AREA:	778 SF	WINDOW LINEAR:	87'-10"
PERCENTAGE:	51.8%	PERCENTAGE:	52.6%



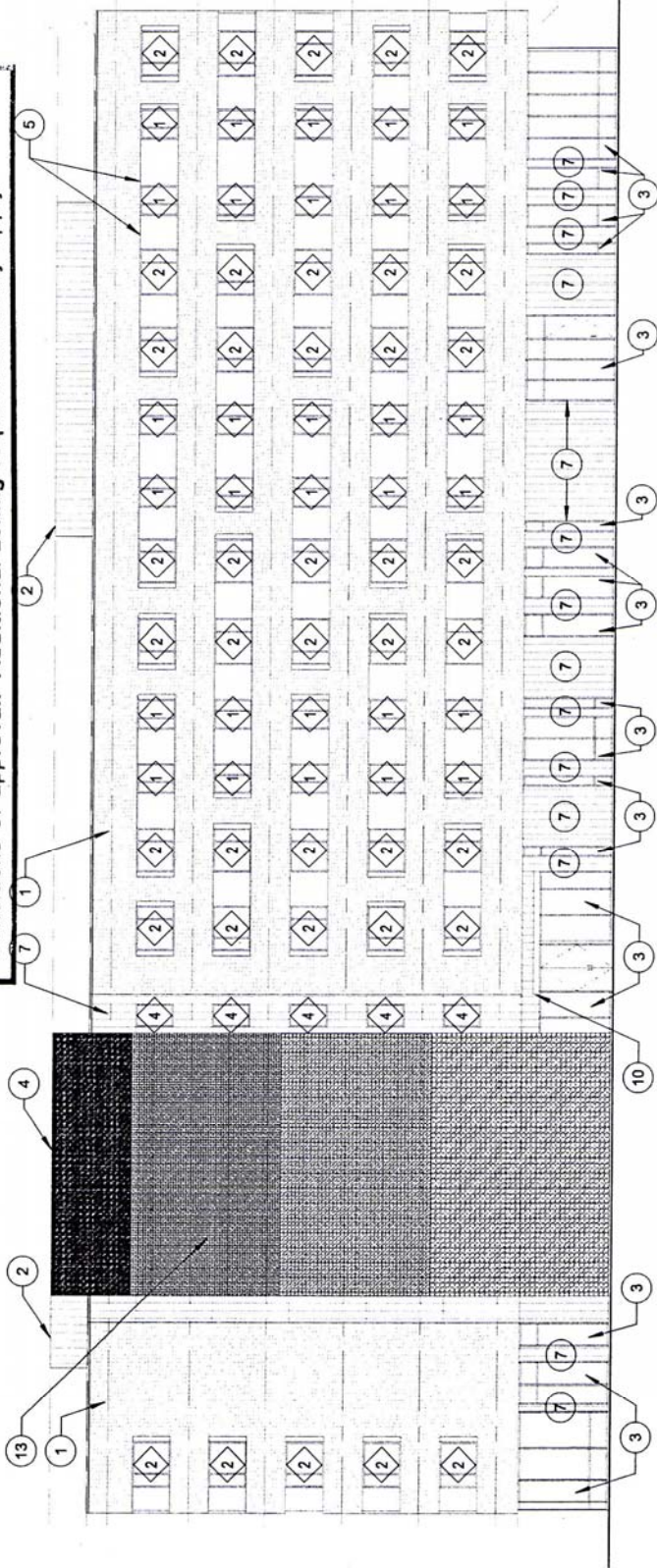
0' 5' 10' 20'

NORTH ELEVATION CE

Proposal and design as approved
 In case file #LU 12-11904 02.M.S to
 No field changes allowed.

Approved
 City of Portland - Bureau of Development Services
 Planner MARK WALHOOD Date JUNE 8, 2012
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

- LEVEL - TOP OF SCREEN 175'-0"
- LEVEL - TOP OF PARAPET 170'-0"
- LEVEL - TOP OF ROOF 167'-3"
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- LEVEL 1 100'-0"



LEGEND - EXT ELEVS

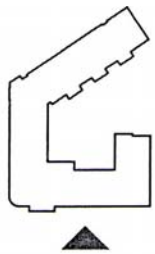
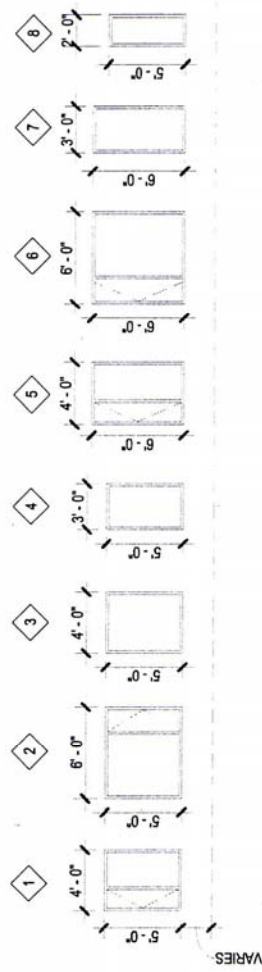
- NORMAN BRICK
- VERTICAL SEAM METAL PANELS
- PERFORATED METAL PANEL SCREEN
- COMPOSITE METAL PANELS

KEYNOTES - EXT ELEVS

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WINDOW CALCULATIONS

TOTAL AREA:	1752 SF	TOTAL LINEAR:	194'-8"
WINDOW AREA:	1151 SF	WINDOW LINEAR:	132'-10"
PERCENTAGE:	65.7%	PERCENTAGE:	68%



WEST ELEVATION

PEARL DISTRICT MARRIOTT RESIDENCE INN
 PEARL HOTEL INVESTORS, LLC
 2012 MAY 28 - DESIGN REVIEW #LU 12-11904 DZ

