



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

Charlie Hales, Mayor
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 12-204811 DZ AD – Planet Granite
PC # 12-178354
REVIEW BY: Design Commission
WHEN: Thursday February 21, 2013 at 1:30 PM
WHERE: 1900 SW Fourth Ave., Room 2500A
Portland, OR 97201

Bureau of Development Services Staff: Chris Caruso 503-823-5747

GENERAL INFORMATION

Applicant/Contact: Steve Fosler/Fosler Portland Architecture LLC (503-241-9339)
1930 NW Lovejoy St./Portland, OR 97209

Owner: BB&S Development LLC
1440 SW Taylor St./Portland, OR 97205

Contract Purchaser: Dan Schalit/Planet Granite
924 Mason St./San Francisco, CA 94129

Site Address: 1405 NW 14TH AVE

Legal Description: BLOCK 238 LOT 1-4, COUCHS ADD
Tax Account No.: R180221570
State ID No.: 1N1E33AA 00600
Quarter Section: 2928
Neighborhood: Pearl District, contact Patricia Gardner at 503-243-2628.
Business District: Pearl District Business Association, Adele Nofield at 503-223-0070.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - River District, North Pearl subarea
Zoning: EXd – Central Employment with design overlay
Case Type: DZ AD – Design and Adjustment Review
Procedure: Type III, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

Proposal:

The applicant seeks design review approval for a new building in the North Pearl subarea of the River District subdistrict of the Central City Plan District. An existing building and parking lot on the site will be demolished. The proposed building will house a three-story athletic facility. Proposed building materials include aluminum storefront and overhead doors, ribbed metal panels for walls and roofs, acrylic panels at

upper walls, ground-face block, skylights, and formed metal canopies and awnings. The Pettygrove Greenstreet right-of-way design standards for Pettygrove Street and the River District Standards for 14th and 15th Avenue rights-of-way apply to the proposal. No on-site parking will be provided and one Adjustment request has been made to reduce the number of required on-site loading spaces from one (PZC 33.266.310) to zero.

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:

- 33.825 Design Review
- 33.805 Adjustments
- River District Design Guidelines
- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The 20,000 square foot site occupies the block bound by NW Pettygrove Street and NW 14th and NW 15th Avenues in the North Pearl subarea of the River District which is itself a subdistrict of the Central City Plan District. The North Pearl District plan area was adopted in November 2008 and focuses on the creation of a pleasing and dynamic urban form, a mix of complementary land uses, creation of community-serving amenities, and providing a range of housing opportunities for the growing diversity of household types in the Pearl District. The elevated I-405 freeway is located directly west of the site. The property is currently developed with a single story warehouse building with surface parking that will be demolished for this project.

The surrounding area is also zoned EXd and is developed with a mix of single story warehouse buildings, some of which house older industrial uses plus some more recently converted to design and production spaces, as well as new multi-story housing developments. NW Pettygrove Street is a newly designated Greenstreet, a Local Service Bikeway, and a City Walkway. NW 14th Avenue is classified as a Major City traffic Street, City Bikeway and City Walkway. NW 15th Avenue is classified as a Local Service Bikeway and City Walkway. The site lies within the Northwest Triangle Pedestrian District.

Zoning: The Central Employment (EX) 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.

Land Use History: City records indicate that there were no prior land use reviews.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **January 25, 2013**. The following Bureaus have responded with no issue or concerns:

- Bureau of Environmental Services
- Bureau of Transportation Engineering

- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- Life Safety Review Section of BDS
- Bureau of Parks-Forestry Division

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **January 25, 2013.**

No written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed below, 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.

- Chapter 33.140 – Central Employment (EX) Zone**
- Chapter 33.266 – Parking and Loading**
- Chapter 33.510 – Central City Plan District**

[Note: The proposal does not have to meet all development standards in order to be approved during this process, but will have to meet those standards (or appropriate adjustments/modifications be approved) before a building permit can be issued.]

Central Employment Zone Primary Uses (Table 140-1)

Development Standard

Retail Sales and Service uses as proposed are allowed by right.

FAR (33.510.200)

Development Standard

- Map 510-2 allows a maximum FAR of 5:1 or 100,000 SF based on total lot size of 20,000 SF for this site.

Proposal

- The proposal provides 30,417 SF of building area. *This standard is met.*

Retail Sales and Service Uses for Specified Sites in the CX and EX Zones (33.510.116)

Development Standard

- On sites within the EX zone on Map 510-11, Retail Sales and Service uses are allowed up to 40,000 SF of floor area for each use.

Proposal

- The proposal provides 30,417 SF of Retail Sales and Service use floor area. *This standard is met.*

Height (33.510.205) and (33.140.

Development Standard

- Map 510-3 indicates the Maximum Building Height is 100' for the eastern 3/4 of the site and is the EX base zone height of 65' for the western 1/4 of the site, adjacent to the elevated I-405 freeway.

Proposal

- Proposed height of 60'-0". *This standard is met.*

Setbacks (33.140.215C.1.e(8))

Development Standard

- The site is within a Pedestrian District, and two or more frontages, no transit streets, and two or more intersecting streets. The minimum building setback is 0'-0" from all street lot lines. The maximum building setback is 10'-0" for 100% of the building frontage along one street and is 10'-0" for 50% of the building frontage along one intersecting street.

Proposal

- The building is proposed at the street lot line along NW 15th Avenue, and has more than 50% of its frontage within the 10'-0" setback along NW Pettygrove Street. *This standard is met.*

Maximum Building Coverage (33.140.220)

Development Standard

- The maximum building coverage for this site is 100%

Proposal

- The site is fully built out. *This standard is met.*

Minimum Landscaped Area (Table 140-3)

Development Standard

- None

Proposal

- Site landscaping is proposed but is not required. *This standard is met.*

Ground Floor Windows (33.140.230)

Development Standard

- All exterior walls on the ground level which are 20 feet or closer to a street lot line, sidewalk, plaza, or other public open space must have 50% of the wall length and 25% of the wall area (up to 9'-0" in height) as clear windows or display cases set into the walls.

Proposal

- All three facades that face the surrounding streets contain the required amount of clear ground floor windows. *This standard is met.*

Pedestrian Standards (33.140.240)

Development Standard

- Requires straight line connections from one main entrance to the street, internal site connections between main entrances, hard-surfaced, 6'-0" wide and illuminated on-site circulation systems.

Proposal

- Walkways are provided as required. *This standard is met.*

Demolitions (33.510.242 & Map 510-8)

Development Standard

In R, C, and E zones, if a building is demolished after September 1, 1994, the square footage of the ground floor of the demolished building must be replaced. Adjustments are prohibited. Outside the Core Area, the square footage must be replaced on the same

site as the demolished building. This replacement must occur before or at the same time as any other development or redevelopment on the block, other than landscaping.

Proposal

- The new building will completely replace the ground floor square footage of the demolished building. This standard is met.

Minimum & Maximum Number of Parking Spaces (33.510.265 & Table 266-1)

Development Standards – in the RD2 section of the Central City Plan District

- Minimum:
 - none
- Maximum:
 - 1 space per 200 SF of floor area.

Proposal

- The project is providing no parking spaces. *This standard is met.*

Bicycle Parking (33.266.210)

Development Standard

- Long-term requires 3 spaces.
- Short-term requires 7 spaces.

Proposal

- Long-term spaces provided = 4 inside the building
 - Short-term spaces provided = 8 outside the front entry.
- This standard is met.*

Loading Space (33.266.310)

Development Standard

- Requires 1 loading space at 35’ long, 10’ wide and 13’ vertical clearance.

Proposal

- An Adjustment to provide no on-site loading spaces is being requested.

Signs (33.140.300 & Title 32] No signs are proposed for approval for this review.

Street Trees (33.140.305) Street Trees will be provided as required by the City Forester.

ZONING CODE APPROVAL CRITERIA

(1) DESIGN REVIEW (33.825)

33.825.010 Purpose

Design Review ensures:

- That development conserves and enhances the recognized special design values of a site or area;
- The conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district;
- That certain types of infill development will be compatible with the neighborhood and enhance the area; and
- High design quality of public and private projects.

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.

It is important to emphasize that design review goes beyond minimal design standards and is viewed as an opportunity for applicants to propose new and innovative designs.

The design guidelines are not intended to be inflexible requirements. Their mission is to aid project designers in understanding the principal expectations of the city concerning urban design.

The review body conducting design review may waive individual guidelines for specific projects should they find that one or more fundamental design guidelines is not applicable to the circumstances of the particular project being reviewed.

The review body may also address aspects of a project design which are not covered in the guidelines where the review body finds that such action is necessary to better achieve the goals and objectives of design review in the Central City.

Findings: The site is designated with design overlay zoning (d). Therefore the proposal requires Design Review approval. Because the site is within the River District subarea of the Central City Plan District, the applicable approval criteria are listed in the River District Design Guidelines and the Central City Fundamental Design 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 pedestrian ways 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: The site is many blocks west of the river with no immediate view opportunities. However, the main entrance is oriented east toward the river as are several large overhead doors that will provide views to the east from the upper climbing areas. All current pedestrian sidewalks around the site will be maintained and improved to City standards and connections through the area to the river will remain in place. *These guidelines are therefore 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 super blocks 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 project is a 200' x 100' half block development which maintains the traditional block pattern present throughout most of the Central City. The new structure is built out to the property lines with the exception of the main entry and stormwater treatment planter. However, at these building recesses concrete seat walls, bicycle parking, and railings are placed to visually continue the urban form around the entire block. The orientation of the main building entry toward the river, the improvement of surrounding public sidewalks, and the creation of this portion of the Pettygrove Greenstreet, all create improved connections plus provide visual cuing to the river. *These guidelines are therefore met.*

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

A5. Enhance, Embellish and Identify Areas. Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area’s character. Identify an area’s special features or qualities by integrating them into new development.

Findings for A4 & A5: The project incorporates building elements and site design features associated with the River District and NW 15th Avenue. This area is largely comprised of concrete industrial buildings that contain a mix of uses that may include some ground floor retail. The proposed building materials of metal panels, acrylic panels, metal roofing, block, and aluminum storefront are widely used throughout the district. The regular pattern of windows and overhead doors, the main entry canopy, and the landscaped planter are all features found on both new and old buildings within the district which helps to unify this project with the surrounding built environment. *These guidelines are therefore met.*

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.

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

Findings for A5-1, A5-1-1 & C4: The proposed building is consistent with the design vocabulary of this northern, more industrial section of the Pearl District. Design characteristics of the area including massing, scale, material and proportions have been incorporated into this project. The metal and acrylic panels, block, storefront materials and overhead doors closely correspond with the material palettes of both older and newer warehouse and housing development in the area. The basic rectangular building form with large monitor-style roof shapes the articulated base of ground-face block and concrete, the multiple colors of the pre-finished metal panels, the rhythmic facade of punched window and overhead door openings, and the canopies and awnings are design elements that correspond with the massing and scale of architectural features on existing buildings in the area. *These guidelines are therefore 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: The building abuts the property lines on the majority of the site, helping to define the public rights-of-way and creating a sense of urban enclosure. The combination of textured and articulated building walls, the stormwater planter, the entry canopy and short-term bike parking area, new street trees, frontage landscape areas, and the Pettygrove Greenstreet improvements successfully develop all three of the site’s urban edge. The recessed first floor entry plus the stormwater planter provide some open areas along the streets while incorporating elements that help to define the building edge. *This guideline is therefore 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.

Findings: The building’s rectangular massing and minor recessed areas at the stormwater planter and main entry, contribute to the activation of the adjacent streetscape and neighborhood by enhancing the urban edge around the site. All three facades at the ground level have clear glazed windows and overhead glazed roll-up doors that allow views into active interior spaces. Upper story openings are large full-height glazed overhead doors that will also provide views into active areas of the building at all hours.

Plantings and trees located adjacent to the sidewalk and the landscaping improvements along the Pettygrove Greenstreet will add visual depth and motion to the streetscape, further softening the edges of the pedestrian realm along the street frontages. *These guidelines are therefore 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.

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 for B1, B1-1 & B4: The surrounding sidewalks will be improved to City standards with the redevelopment of this half-block. The building incorporates human scale design elements that reflect the surrounding pedestrian environment and encourage social interaction. These design features provide variation and interest at the pedestrian level, and include the stormwater planter, the variety of openings for glazed roll-up doors and windows around the building base, the wrap-around entry canopy and storefront, and the ground-face block building

base. In addition, a well-lit exterior environment encourages social interaction at the sidewalk.

Several elements have been incorporated into the ground level façade that create locations for visitors and residents to stop and experience the area without impeding sidewalk traffic. These include the main entry on NW 14th Avenue which is wide, recessed and protected by a deep canopy and the low height wall along the stormwater planter that also acts as a seat wall, allowing pedestrians to stop, rest, and socialize. *These guidelines are therefore 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.

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 for B2 & B6: The proposed development incorporates several design measures that ensure pedestrian safety. There is no vehicular entry into the building which removes any possible conflict between vehicles and pedestrians. Illumination of the sidewalks will be provided by a combination of streetlights, interior illumination of the active use areas and exterior building lighting. All mechanical equipment will be located on the roof and will have no impact on the pedestrian environment. The recessed entry and the wrap-around canopy provide shelter from the weather for customers and passersby accessing or utilizing the site. The building is stepped back in this area, creating a covered condition. *These guidelines are therefore met.*

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

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

Findings for B3 & B7: All sidewalks will be improved to current city standards and the site will continue to be fully connected to the pedestrian system and adjacent streets. All areas of the building, including the main entry on NW Pettygrove Street will be fully accessible. *These guidelines are therefore 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.

Findings: All three sides of the building that face public rights-of-way contain large windows and glazed overhead doors that provide views east toward the river, south toward the rest of the Pearl District, and west toward the elevated I-405 freeway. The building's height is modest, in keeping with other buildings in the area, and does not negatively impact any designated or significant views. *This guideline is therefore met.*

C2. Promote Quality and Permanence in Development. Use design principles and

building materials that promote quality and permanence.

C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings for C2 & C5: This project incorporates strong design principles and quality building materials that provide permanence and integrity, such as ground-face block, glass, steel, rigid insulated metal panels, and acrylic panels. These materials are used to delineate the three building masses while providing a cohesive composition through consistent window and overhead door elements and panel widths. The metal panel system will have hidden fasteners that will help maintain the clean lines of this exterior skin system. Metal awnings and the wrap-around canopy create an additional regular pattern on the flat-roofed corner massing element, and are aligned above the regularly spaced overhead doors. The acrylic panels become a consistent accent feature below the long shed roofs that articulate the east and west ends of the building. The entire composition is a successful one of shifting panels and window openings woven from three primary materials. The location of light fixtures is coordinated and complements the façade. In addition, the large shed roofs, strong corner mass, and regular pattern of window and door openings, and use of multiple colors and patterns of the metal panel system results in a visually engaging building. *These guidelines are therefore 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.

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.

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

Findings for C7, C8 & C9: The southeast intersection is activated by locating the main building entry and short-term bike parking at this location. Further accentuation of this important corner is achieved by the wrap-around canopy and the three-story flat-roofed building element that creates a visually distinct form in this location. The building design provides a material variation between the base and the upper levels by providing lengths of storefront, the wrap-around canopy, and a ground-face block and concrete base around all three street-facing facades. This clear delineation of the ground level and a window system with a larger expanse of glass than windows and doors above provides a solid base for this building. The upper levels are characterized by various combinations of metal and acrylic panels. The building locates active indoor uses adjacent to the public realm in areas with ground floor windows and overhead doors. It also provides protection at the main building entrance and the short-term bike parking area. The ground level space is flexible and could be utilized in a variety of ways over time. The fully glazed corner at the main entry and the series of ground level overhead doors provide opportunities for interactions with pedestrians. *These guidelines are therefore 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 encroachments are limited to one entry canopy at the southeast building corner and six metal awnings on the east and south facades. The projecting canopy adds visual texture and depth to the façade while being held above the surrounding sidewalks so as to not impinge on pedestrian throughways. The metal awnings are located well above the sidewalks at the top of the overhead roll-up doors. As a result, the facades have a greater sense of human scale and provide more visual interest for the pedestrian environment. *This guideline is therefore 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 two levels of long shed roof are designed to be simple form reminiscent of historic warehouse monitors. The roof complement the building’s form by creating visual interest along the east and west facades. These roofs will remain clear of additive elements, such as overly large mechanical penthouses. The cornice follows the form of the rooflines, and rooftop equipment is limited in number and located on top of the flat southeast portion of the building, behind parapet walls which reduces their visibility. The rooftop units are aligned in an organized fashion and present visual coherency to the rooftop while not negatively affecting the Central City skyline or adjacent vantage points. *This guideline is therefore 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: Illumination of the development consists of sconces around the base of the building and at doors that will not dominate the nighttime skyline. All of the fixtures are appropriately scaled to their location and will focus illumination downward, thereby improving safety for pedestrians while preventing light spill-over. The areas with acrylic panels along under the upper shed roof will glow at night from internal illumination, creating highlighted accent areas along two sides of the building. *This guideline is therefore met.*

(2) ADJUSTMENT REQUESTS (33.805)

33.805.010 Purpose

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 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 either approval criteria A. through F. or approval criteria G. through I., below, have been met.

The following adjustment is requested:

Loading (PZC 33.266.310). To reduce the number of required loading stalls from 1 to zero.

A. Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

Findings: As described in the applicant’s narrative, the reduction from one loading stall to zero will not create an undo burden to the development or the surrounding properties as the facility will not have the need for large truck deliveries once the climbing walls are completed. It is expected that deliveries will be made by small box trucks or vans and these can park in available on-street spaces for the short length of time the trucks or vans will be serving the facility. *This criterion is therefore 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 an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and

Findings: This project is located in an employment zone. The classifications of the surrounding streets are a Greenstreet, Local Service Bikeway, and City Walkway for NW Pettygrove Street. NW 14th Avenue is classified as a Major City traffic Street, City Bikeway and City Walkway. NW 15th Avenue is classified as a Local Service Bikeway and City Walkway. Granting the adjustment to reduce the number of loading stalls from 1 to 0 will be consistent with the street usage and character of the surrounding area. *This criterion is therefore 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 is being proposed with this application. *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: The reduction in the number of loading spaces provided does not negatively impact the site, but instead enhances the building’s presence on the street by reducing the area dedicated to vehicles. This adjustment reinforces these objectives by reducing the amount of square footage allocated for loading while increasing the amount of ground floor retail use, enhancing the pedestrian environment around all three streets. Mitigation has been achieved by the reduction in the amount of pavement and curb cuts. *This criterion is therefore met.*

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

Findings: This project is not located in an environmental zone. *This criterion does not apply.*

CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The overall design results in a coherent composition that is interesting to view and is both reflective and supportive of its urban environment. Building elements and site design features such as the large entry canopy and stormwater treatment facility and wall create an environment that enhances the pedestrian experience. The adjustment to the loading space does not result in negative impacts to neighborhood traffic patterns. The proposal meets the applicable design guidelines and therefore warrants approval.

TENTATIVE STAFF RECOMMENDATION

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

Staff recommends approval of a new three-story building in the North Pearl subarea of the River District subdistrict of the Central City Plan District. Building materials consist of aluminum storefront and overhead doors, ribbed metal panels for walls and roofs, acrylic panels for upper walls, ground-face block, skylights, and formed metal canopies and awnings;

Approval of one Adjustment:

- 1. Loading (33.266.310) – To reduce the number of required loading stalls from 1 to zero; and

Staff recommends approval of the following Condition:

- A. As part of the building permit application submittal, each of the 4 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-C.29. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File LU 12-204811 DZ AD. No field changes allowed."

=====

Procedural Information. The application for this land use review was submitted on November 13, 2012, and was determined to be complete on **December 27, 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 November 13, 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 waived the 120-day review period, as stated with Exhibit A-2.

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

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the recommendation of the Bureau of Development Services with input from other City and public agencies.

This report is not a decision. The review body for this proposal is the Design Commission who will make the decision on this case. This report is a recommendation to the Design Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Design Commission will make a decision about this proposal at the hearing or will grant a continuance. Your comments to the Design Commission can be mailed, c/o the Design Commission, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201 or faxed to 503-823-5630.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. You may review the file on this case by appointment at the Development Services Building, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201.

Appeal of the decision. The decision of the Design Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Design Commission, City Council will hold an evidentiary hearing, one in which new evidence can be submitted to them. Upon submission of their application, the applicant for this land use review chose to waive the 120-day time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing.

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

Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., 1st Floor. Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

Recording the final decision.

If this Land Use Review is approved the final decision 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.

- 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.

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

Applying for your permits. A building permit, occupancy permit, or development permit must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

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

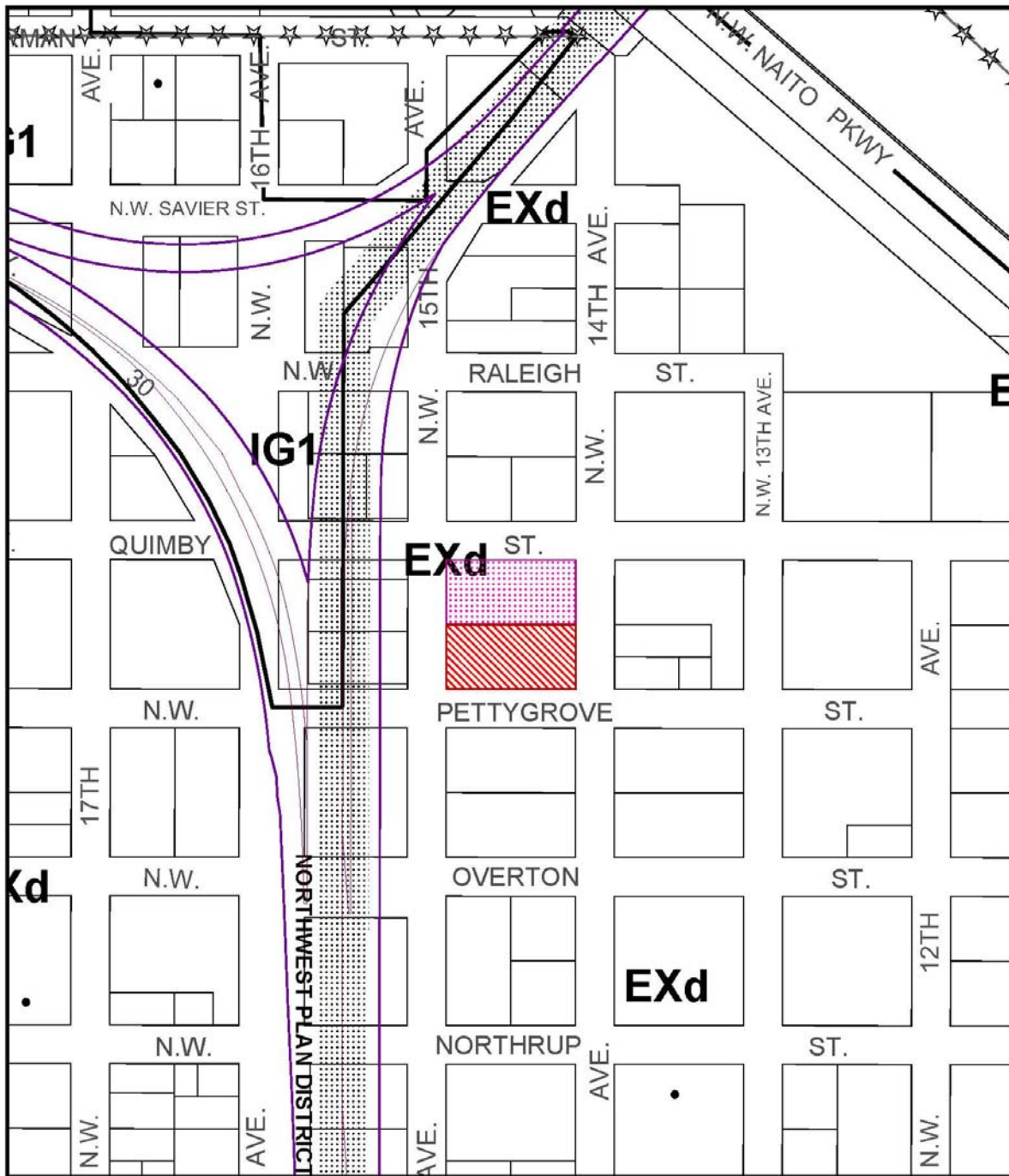
Chris Caruso
February 11, 2013

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant’s Information
 - 1. Narrative
 - 2. 120-Day Waiver
 - 3. Response to Completeness Letter
 - 4. Site & Context Images

- B. Zoning Map (attached)
- C. Plan & Drawings
 - 1. Site Plan/Roof Plan (attached)
 - 2. Utility Plan
 - 3. Ground Level Plan
 - 4. Second Level Plan
 - 5. Third Level Plan
 - 6. Landscape Plan
 - 7. Keyed Elevations
 - 8. Keyed Elevations
 - 9. Keyed Elevations
 - 10. Keyed Elevations
 - 11. Glazing Calculations
 - 12. Building Sections
 - 13. Building Sections
 - 14. Rendered Elevations (attached)
 - 15. Rendered Elevations (attached)
 - 16. Enlarged Building Entry Elevations
 - 17. Perspective Renderings
 - 18. Perspective Renderings
 - 19. Perspective Renderings
 - 20. Wall Panel System (5 pages)
 - 21. Roof System (2 pages)
 - 22. Translucent Wall Panel System (2 pages)
 - 23. Windows Entry Doors
 - 24. CMU Pervious Pavers
 - 25. Overhead Panel and Coiling Doors
 - 26. Bike Racks Building Lighting
 - 27. Roof Hatch/Wall Ventilation Louvers
 - 28. Awning and Canopy Details
 - 29. PAC Stormwater Narrative
- D. Notification information:
 - 1. Request for response
 - 2. Posting letter sent to applicant
 - 3. Notice to be posted
 - 4. Applicant's statement certifying posting
 - 5. Mailed notice
 - 6. Mailing list
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Section of BDS
 - 6. Life Safety Review Section of BDS
- F. Letters: none received
- G. Other
 - 1. Original LUR Application
 - 2. Incomplete Letter

- 3.
- 4.



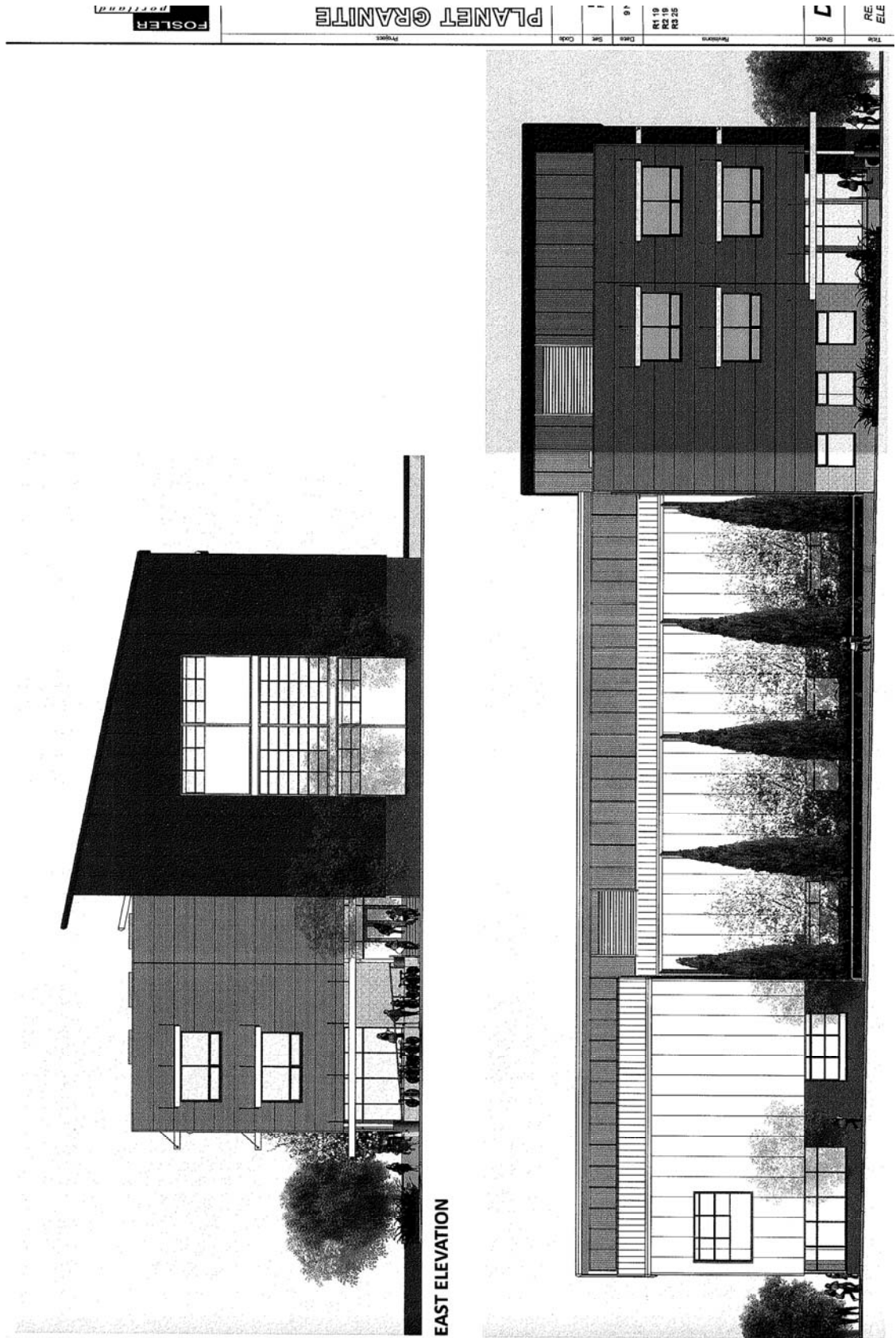
ZONING

- Site
- Also Owned



This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No. LU 12-204811 DZ AD
 1/4 Section 2928
 Scale 1 inch = 200 feet
 State_Id 1N1E33AA 600
 Exhibit B (Dec 27, 2012)

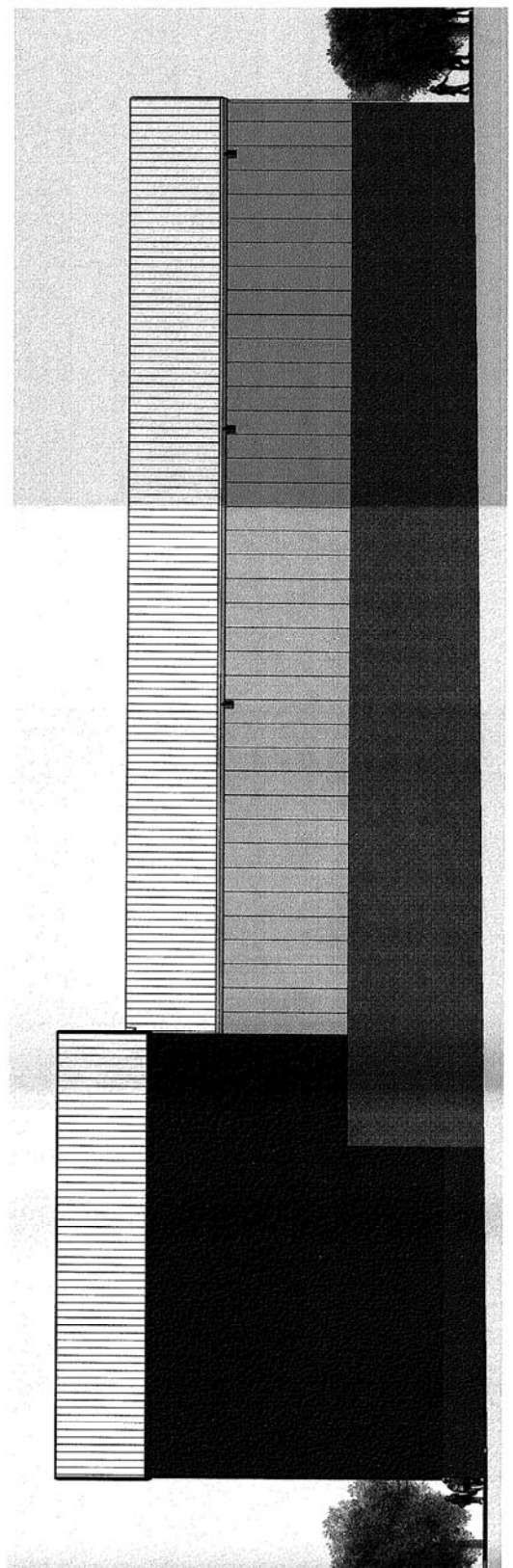


5.

FOSSLER		PLANET GRANITE		R1 18 R2 18 R2 28		D		RE ELI	
DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE



WEST ELEVATION



6.