



STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 14-137564 DZM
PC # 13-240521
Pearl West

REVIEW BY: Design Commission
WHEN: June 19, 2014 at 1:30 PM
WHERE: 1900 SW Fourth Ave., Room 2500A
Portland, OR 97201

Bureau of Development Services Staff: Staci Monroe 503-823-0624 /
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GENERAL INFORMATION

Applicant: Charles Dorn, THA Architecture
733 SW Oak Street
Portland, OR 97205

Phillip Beyl, GBD Architects
1120 NW Couch St, Suite 300
Portland, OR 97209

Owners: 14th & Irving LLC
101 SW Main St #1100
Portland, OR 97204-3219

Representative: Brian Owendoff, Capacity Commercial
805 SW Broadway Suite 700
Portland, OR 97205

Site Address: **Property between NW 14th and NW 15th north of vacated
Irving Street**

Legal Description: BLOCK 123 INC PT OF VAC ST LOT 1 LOT 4, COUCHS ADD;
BLOCK 123 INC PT OF VAC ST LOT 2 LOT 3, COUCHS ADD

Tax Account Nos.: R140743, R140739

State ID No.: 1N1E33AD 02300, 1N1E33AD 02200

Quarter Section: 2928

Neighborhood: Pearl District, contact Patricia Gardner at 503-243-2628.

Business District: Pearl District Business Association, contact Adele Nofield at 503-
223-0070.

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

Plan District: Central City - River District

Zoning: EXd – Central Employment Zone with Design overlay

Case Type: DZM – Design Review with Modifications
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 9-story commercial building with approximately 167,000 SF of office and retail space in the River Sub District of the Central City Plan District. The project is utilizing previously transferred floor area to exceed the allowed 5:1 FAR for a total of approximately 6:1. The 120’ tall building is achieving a 45’ height bonus to extend above the 75’ height allowed in the base zone via the transferred floor area. A three-level sub-grade parking garage would be accessed off of NW 15th and provide 152 parking spaces. The main lobby entrance would be located on the south façade along the NW Irving pedestrian walkway with retail entries along NW 14th Avenue. Long term bike parking for 50 spaces would be located in the lower garage level and bike racks near the main lobby would supplement the required short-term bike parking that will be provided in the abutting sidewalks by paying into the Bike Fund at the time of permit. Planters, pavers, light fixtures and benches are proposed in the southern portion of the property, which alters the Superblock improvements that were part of the renovation of the Avenue Lofts project. Building materials consist of dark brick, metal panel and louvers, aluminum storefront system and fiberglass windows.

The original proposal included a stormwater planter that extended on the property to the south requiring a Historic Resource review given the landmark status of that property. The design has since changed to occur entirely on the subject property and the Historic Resource review is longer necessary.

The following Modifications are requested:

1. To exceed the maximum 120’ building height with a 10’ tall mechanical screen enclosure (Section 33.140.210);
2. To not meet the required ground floor window length (50%) on the west elevation; 26% proposed (Section 33.140.230 and 33.510.220); and
3. To reduce the size of one of the two large required loading spaces to down to 9’x18’x10’ in size (33.266.310).

Type 3 Design Review is required for new development with a value exceeding \$2,087,000.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The relevant approval criteria are:

- Central City Fundamental Design Guidelines
- River District Design Guidelines
- Modifications Through Design Review – Section 33.825.040

ANALYSIS

Site and Vicinity: The 26,000 SF site is situated on the north side of the vacated NW Irving Street between NW 14th and NW 15th. The 405 freeway is located immediately west of the site across NW 15th. The property is developed with a surface parking lot and is part of the Superblock created when NW Irving Street was vacated back in 1971. The Avenue Lofts Condominiums of similar height is located immediately to the south across the associated walkway and landscape improvements in the vacated Irving

Street. At the north end of the block is the 3-story Gann building, which is a Historic Landmark, and a single story commercial building and billboard. The NW 13th Avenue Historic District boundary is located east of the site across 14th and consists of numerous examples of low and middle rise warehouse type buildings, most converted to commercial or residential occupancies.

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 “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. 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 which address special circumstances existing in the Central City area. The site is within the River Subdistrict of this plan district.

Land Use History: City records indicate that prior land use reviews include:

- **V 47-71** approved a request to vacate NW Irving Street between 14th and 15th Avenues in order to consolidate commercial properties and allow for additional off-street parking.
- **ZC 4684** was a zone change request.
- **LUR 00-00678 HDZM** - A Historic Design Review with modifications, received approval with conditions from the Landmarks Commission for exterior alterations to the Landmark, ground floor window modifications for all elevations of the Landmark, a minimum 45'-wide pedestrian path, and a generator yard and yard enclosure. The case was appealed by the Pearl District Neighborhood Association [PDNA] to the City Council. City Council granted PDNA's appeal with respect to the issue of whether the proposed utility yard is subject to historic design review and denied the remainder of the appeal, and otherwise upheld the Landmarks Commission's decision. The PDNA appealed City Council's decision to LUBA. LUBA affirmed the City's final decision. *This project was never built.*
- **LUR 01-00060 DZ** – A Design Review for a generator yard to accommodate 21 generators each within a container, a fence enclosure, and a 45'-wide public pedestrian path. The PDNA appealed the approval to the Design Commission. Design Commission approved a modified proposal for a generator yard to accommodate 21 generators each within a container and a fuel tank also in its own container to serve the generator within the building, a fence enclosure, a 45'-wide public pedestrian path that will include a public walkway easement. Landscaping within the generator yard and the public pedestrian path, and lighting. *This project was never built.*

- **LU 03-106858 HDZM** approved exterior alterations for the conversion to condominium units.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **May 30, 2014**. The following Bureaus have responded with no issue or concerns:

- Bureau of Environmental Services (Exhibit E-1)
- Bureau of Transportation Engineering and Development Review (Exhibit E-2)
- Water Bureau (Exhibit E-3)
- Fire Bureau (Exhibit E-4)
- Site Development Review Section of BDS (Exhibit E-5)
- Plan Review Section of BDS (Exhibit E-6)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **May 30, 2014**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

(1) DESIGN REVIEW (33.825)

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

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

Section 33.825.055 Design Review Approval Criteria

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

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

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 superblocks 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: Pearl West respects the Portland block structure by building to the historic street line on Irving Street before it was vacated and aligning with the public rights-of-way on NW 14th and NW 15th Avenues. The proposal strengthens the link with the pedestrian segments to the east by extending the existing walkway in vacated NW Irving Street to the north and adding additional pedestrian elements such as seating, raise planters and boardwalks over the stormwater planters. A generous pathway will result through the vacated street maintaining pedestrian movement through the block from east

to west. Historic cobblestones will be removed and replaced reinforcing continuity with the history of the neighborhood. *These guidelines have been 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.

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 A4, A5, A5-1 and A5-1-1: The regular pattern of window openings and the variegated texture of the brick references the historic warehouse buildings prevalent in the surrounding area and their highly textured masonry exteriors. Large glazed storefront and steel canopies are also common elements found in the area. Historic cobblestone paving, placed in vacated NW Irving Street when it was converted to a pedestrian street, will be retained and reinstalled during the construction of Pearl West. The mix of these cobbles with a complementary paver and new concrete paving matching the existing further unifies the ground plane. *These guidelines have been 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.

Findings: Stormwater planters are proposed in NW Irving Street at both the east and west ends. A pedestrian “bridge” spanning over two of the planters, one at each end, adds a playful element that builds on the character of these pedestrian linkages throughout the district. *This guideline has been met.*

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: The project does not include a specific art piece, however, it does retain the majority of the historic cobblestones within the NW Irving Street walkway at the south end of the building. The cobblestones can be found exposed in the streets throughout the district and are remnants of the area’s original street material. *This guideline has been met.*

A7. Establish and Maintain a Sense of Urban Enclosure. Define public rights-of-way by creating and maintaining a sense of urban enclosure

A8. Contribute to a Vibrant Streetscape. Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings’ active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

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

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 A7, A8, B1 & B1-1: The structure is located on the property line along both of its street frontages on NW 14th and NW 15th providing a consistent building edge along the right-of-way with buildings in the immediate area. The entrances and ground floor windows are set back from the face of the masonry piers several feet, creating recesses and articulation. Canopies at various heights create an appropriate scale for the street, and a more intimate, protective scale at entrances. The building concept, with wider piers at the ground tapering to narrower piers at the top, creates a more comfortable scale at the street which is enhanced by the highly textured surface of the brick. *These guidelines have been 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.

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 for B2 and B3: The proposed changes improve pedestrian safety in the immediate area by extending the curb out to the edge of the traffic lane at NW 14th Avenue to shorten the length of the crosswalk to the east side of the street.

A stormwater planter in the curb extension will add an additional buffer for pedestrians on the sidewalk and those in the NW Irving Street walkway from the vehicular movements in NW 14th. Recessed lights in the canopies above the entrances and pole fixtures along the walkway in NW Irving Street provide a safe environment for people.

Louvers for ventilation and exhaust systems have been appropriately integrated into the storefront systems and located above the entrances above from the sidewalk level. The garage, loading and service area has been consolidated on NW 15th Avenue, which has much lower pedestrian activity due to its frontage along the 405 freeway, to minimize pedestrian conflicts. The louver for the generator situated between the garage and loading overhead doors has been thoughtfully designed and incorporated into the service area bay. *These guidelines have been 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: Pearl West proposes a dramatic canopy, on the south elevation, extending from Irving Street to the Lobby. The 11' deep canopy will provide cover for limited outdoor dining and a covered path from the street to the mid-block entrance. Additional smaller canopies on NW 14th and NW 15th street provide protection at retail entrances and bike parking entrance. *This guideline has been met.*

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

Findings: The building and its entrances have been designed for full access for people of all abilities. *This guideline has been 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: The main building entrance is oriented towards the activity of NW Irving pedestrian street, with additional tenant entries along the NW 14th. Continuous large, glazed storefronts along the east, south and west facades provide visual connections to the surrounding pedestrian activities, The 9th floor (top) covered roof terrace is oriented to the east, granting views towards the river, Mt. Hood and the Fremont Bridge on clear days. *These guidelines have been met.*

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

Findings: The building’s primary exterior finish materials of brick and metal are durable and timeless materials with a quality finish. The ironspot brick, with its artisan texture, has been lightened and a metallic component added to address the concern of the dark material palate at the Design Commission. The metal panel employed on the north façade is a 20-gauge unbacked metal panel that extends up to the rooftop screen enclosure. The “petite” corrugation of the panel will provide a more textured surface that should minimize any “canning” effect. The composite metal panel along the bulkheads of the storefronts and within the window openings is a rigid, backed panel that will be resilient along the ground level. The colors of the metal panels will be factory applied for a quality finish that will last. *These guidelines have been met.*

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

Findings: Pearl West is inspired by the historic warehouse buildings of the district. These, often full or half block masonry structures are characterized by regular window openings and subtle changes in surface to modulate the façade. While designed as warehouses, many of these buildings have been successfully adapted to housing and offices, so they present an appropriate model for Pearl West.

The monolithic masonry facade, articulated by subtle changes in pier size and the regular pattern of simple punched window openings tie Pearl West into the historic architectural context. Additionally, the dramatic deep canopy evokes the loading dock canopies of those warehouse buildings in the neighborhood. *This guideline has been 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 use of a very limited pallet of materials; a single color of brick masonry, metal panel and glass, and the regular rhythm of “punched” openings bring a calm unity to Pearl West. The building entrances area unified with glass and metal canopies with recessed lights. The terraces on the east end of the 9th floor are the only departure from the regularized window bays on the upper façade. As such, they have been extended along the entire upper east façade, as suggested during the Design Advice, for a more consistent pattern along this elevation. The other anomaly is the garage loading, and service areas, which were appropriately consolidated and situated on the west façade where a break in the ground level façade is least disruptive. The location at the northernmost end, allows a continuity of the regularized, glazed bays at the ground level to extend along the most public and pedestrian active facades. Both overhead doors for the garage and loading are set back over 3’ from the brick façade providing articulation and depth similar to the ground level bays. The overhead doors and louver for the generator ventilation complement the material, color and perforation of the metal siding and rooftop screen. *These guidelines have been 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.

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.

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 for B4, B5 and C6: The proposal will improve the north half of the vacated Irving street, while retaining and integrating with the improvements on the south half, which consists of historic cobblestone pavers and scored concrete. The new design will maintain the pedestrian-only use and allow and encourage activities such as an outdoor cafe, intimate gatherings, strolling and seating. The entire space is considered as three small, linked “outdoor rooms” that provide a variety of experiences ranging from urban on the east end to more of a garden experience on the west that buffers the adjacent freeway. The eastern third is strongly oriented to NW 14th, drawing pedestrians from the sidewalk. This area allows for views into the space, and sets up an open, welcoming corridor leading to the entries of both buildings. Seating opportunities for a café/restaurant beneath the architectural canopy and built-in benches that face the restaurant are provided. The pedestrian-through route on the north side of the corridor narrows at the west end in favor of more abundant landscaping that includes trees. A small, grated steel pedestrian bridge allows for access over the stormwater planter. In addition, a seating element is tucked next to planters that feature a variety of low ornamental flowering shrubs and ground covers. The proposal retains historic references and cobble panels of The Avenue Lofts while introducing more contemporary materials that compliment the Pearl West office building. A pre-cast concrete, rectilinear “plank” paver provides a refined and contrasting material to the rustic office building brick and the cobbles. Scored concrete paving provides a continuous field that relates back to the paving directly in front of The Avenue Lofts.

Landscape materials within the space have been carefully selected to reflect the different “rooms” and abutting conditions. The west end of the pedestrian street affords a different microclimate that is a sunnier “outdoor room” than the rest of the space.

Therefore, the character of the landscape tends to be more colorful and robust, while providing a buffer to the I-405 freeway environment. Twin planters at the building’s front entry frame a small plaza and provide a degree of symmetry that anchors the center of the space. Low shrubs and highly branched trees are carefully selected to afford surveillance throughout the space. Three narrow, columnar junipers are featured at the west end; while the multi-stem white barked birch and dogwood trees in the central part of the space can be limbed up, allowing for views throughout. All of the stormwater planters will be planted with all-season effect low shrubs and ground covers that withstand periodic inundation. *These guidelines have been 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.

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 for C7 and C10: Of the building's two visible corners, the southeast corner along NW 14th is anticipated to have the higher volume of pedestrian traffic. Given this priority, a dramatic canopy has been placed on the south side of the building that projects over the NW 14th Avenue sidewalk, highlighting the corner and connecting to the entrance at the center of the block. The proposed retail space in that corner with its entrance on NW 14th Avenue will bring additional activity to the corner of NW 14th Avenue and NW Irving Street. *These guidelines have been 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.

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

Findings for C8 and C9: The sidewalk level of Pearl West is differentiated by a higher floor-to-floor, changes in the rhythm of the brick masonry piers resulting in larger openings, and the broad canopy on the south side and smaller canopies at retail entrances. The ground floor is further differentiated from other floors by increasing the depth of the façade. Windows are set 1'-4" feet behind the face of the brick piers at street level to enrich the pedestrian experience, increase sidewalk depth and make space for café tables. *These guidelines have been 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: Rooftop mechanical equipment is enclosed by a simple rectangular metal screen set back from the south edge of the building approximately 15 feet. The north wall of this screen is coplanar with the metal clad north wall of the light court, integrating the rooftop screen with the overall building composition. The finish on the screen matches the metal color for all exposed metal work (trim, canopies, metal panel, etc.). See Modification#1 below for additional discussion regarding the roof screen. *This guideline has been 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: Recessed linear lights mounted within the steel canopies will illuminate all of the building entrances. Four 8' tall pole fixtures will be located along the walkway and outdoor areas south of the building. Ceiling-mounted fixtures on the 9th Floor terraces will create a warm glow against the wood soffits. These fixture types focus light downward and are not expected to adversely impact the nighttime skyline or adjacent properties. *This guideline has been met.*

(2) MODIFICATION REQUESTS (33.825)

33.825.040 Modifications That Will Better Meet Design Review Requirements:

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

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

The following modifications are requested:

Modification #1 - To exceed the maximum 120' building height with a 10' tall mechanical screen enclosure (Section 33.140.210).

Findings: The 120' tall building is achieving a 45' height bonus to extend above the 75' height allowed in the base zone via the transferred floor area. Per Section 33.140.210.B, exceptions to the height limit are allowed for rooftop mechanical equipment, elevator and stair enclosures so long as they are setback and don't extend beyond 10' and 16', respectively, above the roof. The exception, however, does not include screening of the mechanical equipment, which is proposed to extend 10' above the roof of the building.

The purpose of the height limit is to control the overall bulk and mass of a building. Given the setback location of the screen from the outer roof edges (15' to 20' from south and north and 54' from east and west) and its relatively small footprint on the roof (covering 30%), the screen does not add to the overall mass of the building. This screen is perforated and matches the material and color of metal siding found elsewhere on the building. It aligns with the south wall of the light court, which is also clad in metal siding to create a coherent massing and material expression for the building. The screened mechanical area better meets the design guideline C11 (integrate Roofs and Use Rooftops) and C5 (Design for Coherency) by providing a penthouse that is integrated with the overall design of the building and screens the view of the mechanical equipment from neighboring buildings. *The modification warrants approval.*

Modification #2 - To not meet the required ground floor window length (50%) on the west elevation; 26% proposed (Section 33.140.230 and 33.510.220).

Findings: The building's three frontages require ground floor windows since they abut public spaces. The requirement of 50% of the length and 25% of the area of the ground level is being exceeded on the east and south facades. However, with the garage entry, loading and service areas proposed on NW 15th, the west façade meets the area (27%), but not the length requirement (only 26%).

The location of these necessary building elements (garage entry, loading and service areas) are appropriately located on NW 15th, which has much lower pedestrian activity than NW 14th, given its frontage along the 405 freeway. In addition, consolidating these non-pedestrian uses, helps to retain a continuity of active, transparent frontage without any vehicles conflicts along the entirety of the south and east frontages. The design and location thereby meet the purpose of the regulation that seeks to enhance, activate and provide a safe pedestrian environment.

In addition to being appropriately located, the design of the garage, loading and service area has been thoughtfully considered and is well organized. It is located at the northernmost end, which allows a continuity of the regularized bays at the ground level to wrap the southwest corner. Both overhead doors for the garage and loading are set back over 3' from the brick façade providing articulation and depth similar to the ground level bays. The overhead doors and louver for the generator ventilation complement the material, color and perforation of the metal siding and rooftop screen. For these reasons, the design better meets the design guideline C5 (Design for Coherency). *The modification warrants approval.*

Modification #3 - To reduce the size of one of the two large required loading spaces to down to 9'x18'x10' in size (33.266.310).

Findings: The project is proposing a single, on grade, loading space fully in compliance with the required dimensions; and, an additional single loading space with a dimension of at least 18 feet long, 9' wide, and with a clearance of 10' in the first below grade parking level. The purpose of the loading standard is to provide adequate area for loading for larger uses and developments. The proposal states heavy use of the loading zone is not anticipated because:

- The office use of the upper floors will be requiring intermittent and quick deliveries of supplies, and daily deliveries of mail and packages, likely from step vans and other smaller delivery vehicles, that are not likely to utilize the on-grade loading dock.
- Move-in and out will be relatively rare; and, with larger moves, street closure permits on NW 15th Avenue are an option.
- A modest amount of retail/commercial space will likely have the most use of the loading dock, but are relatively small totaling less than 9,000 sf.

Transportation has no objection to the reduced size of the 2nd loading space. This proposal better meets the design guidelines by minimizing the impact of the loading zone on the overall development. The square footage that would otherwise be used to provide a second large loading space in the ground level is instead devoted to more active uses (retail/commercial spaces) uses that will help enliven and put eyes on the street better meeting design guideline A8 (Contribute to Vibrant Streetscape). *The modification warrants approval.*

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The 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 proposal is responsive to the major items identified by the Design Commission in the prior Design Advice. The building and improvements in the vacated NW Irving Street will be a significant contribution to the skyline, historic warehouse structures and active pedestrian environment that characterizes the River sub district. The proposal meets the applicable design guidelines and modification criteria 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 9-story commercial building with approximately 167,000 SF of office and retail space in the River Sub District of the Central City Plan District.

Staff recommends approval of the following Modifications:

- 1. To exceed the maximum 120’ building height with a 10’ tall mechanical screen enclosure (Section 33.140.210);
- 2. To not meet the required ground floor window length (50%) on the west elevation; 26% proposed (Section 33.140.230 and 33.510.220); and
- 3. To reduce the size of one of the two large required loading spaces to down to 9’x18’x10’ in size (33.266.310).

If approved, Staff recommends the following condition of approval:

- 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.100.5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 14-137564 DZM. No field changes allowed."

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Procedural Information. The application for this land use review was submitted on April 8, 2014, and was determined to be complete on **May 8, 2014.**

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on April 8, 2014.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant waived the 120-day review period, as stated with Exhibit A-1.

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 our office at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201. Please call the file review line at 503-823-7617 to schedule an appointment.

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 (one-half of the application fee for this case).**

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. 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:

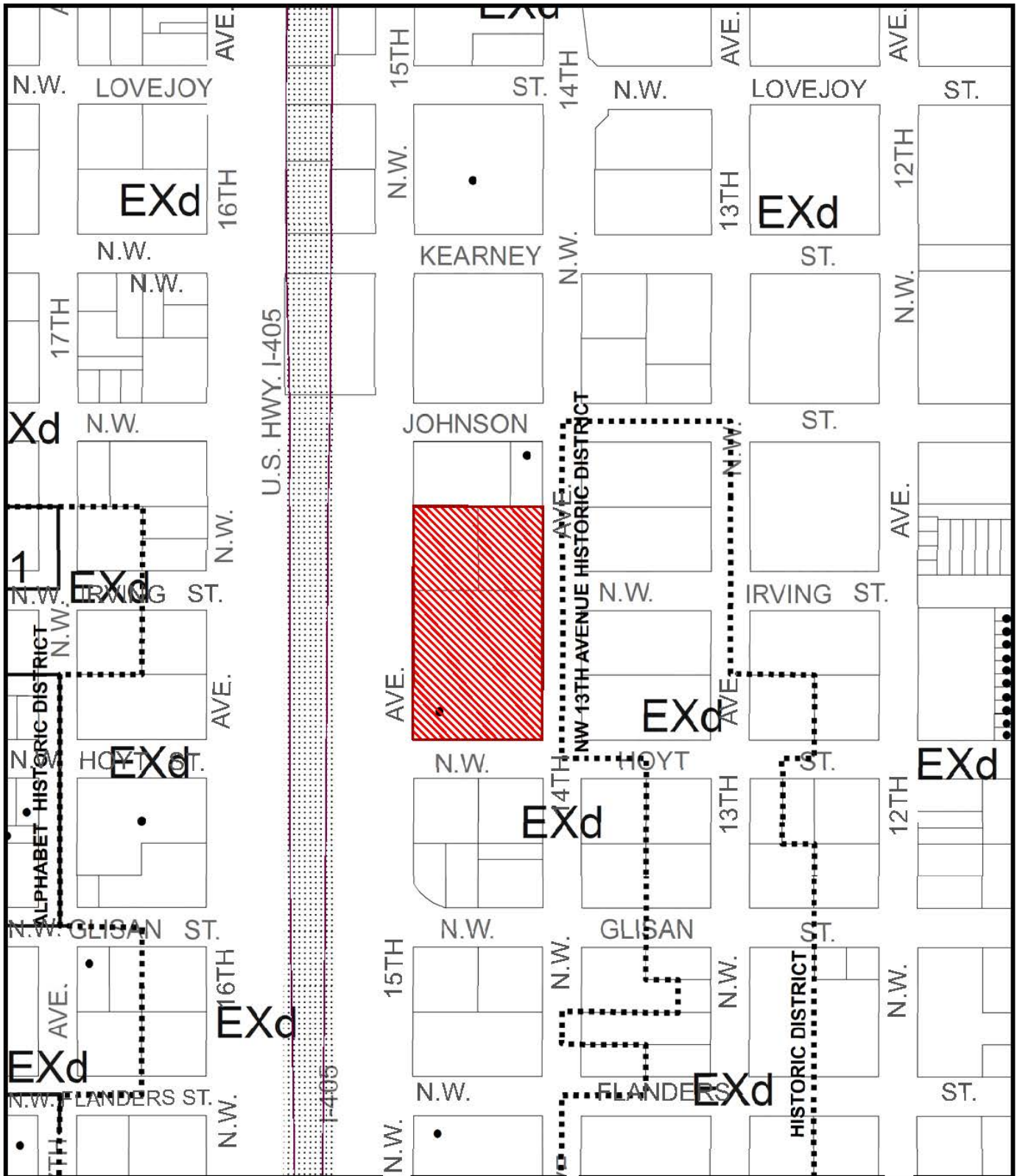
- All conditions imposed here.
- All applicable development standards, unless specifically exempted as part of this land use review.
- All requirements of the building code.
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

Staci Monroe
June 9, 2014

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement:
 - 1. 120-day waiver
 - 2. Revised Preliminary Stormwater Report dated June 5, 2014
 - 3. Revised Infiltration Report dated June 3, 2014
 - 4. Applicant's Project Narrative & Response to Approval Criteria
- B. Zoning Map (attached)
- C. Plans & Drawings:
 - 1. through 100.5 (78 through 99 not used)(C34, C50, C51, C52 attached)
- 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. Mailing list
 - 6. Mailed notice
- 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 Review Section of BDS
 - 6. Plan Review Section of BDS
- F. Letters: none
- G. Other:
 - 1. Original LUR Application
 - 2. Pre-Application Conference Summary Memo & Submittal
 - 3. Incomplete Letter dated April 29, 2014



ZONING



Site



Historic Landmark



This site lies within the:
CENTRAL CITY PLAN DISTRICT
RIVER SUBDISTRICT

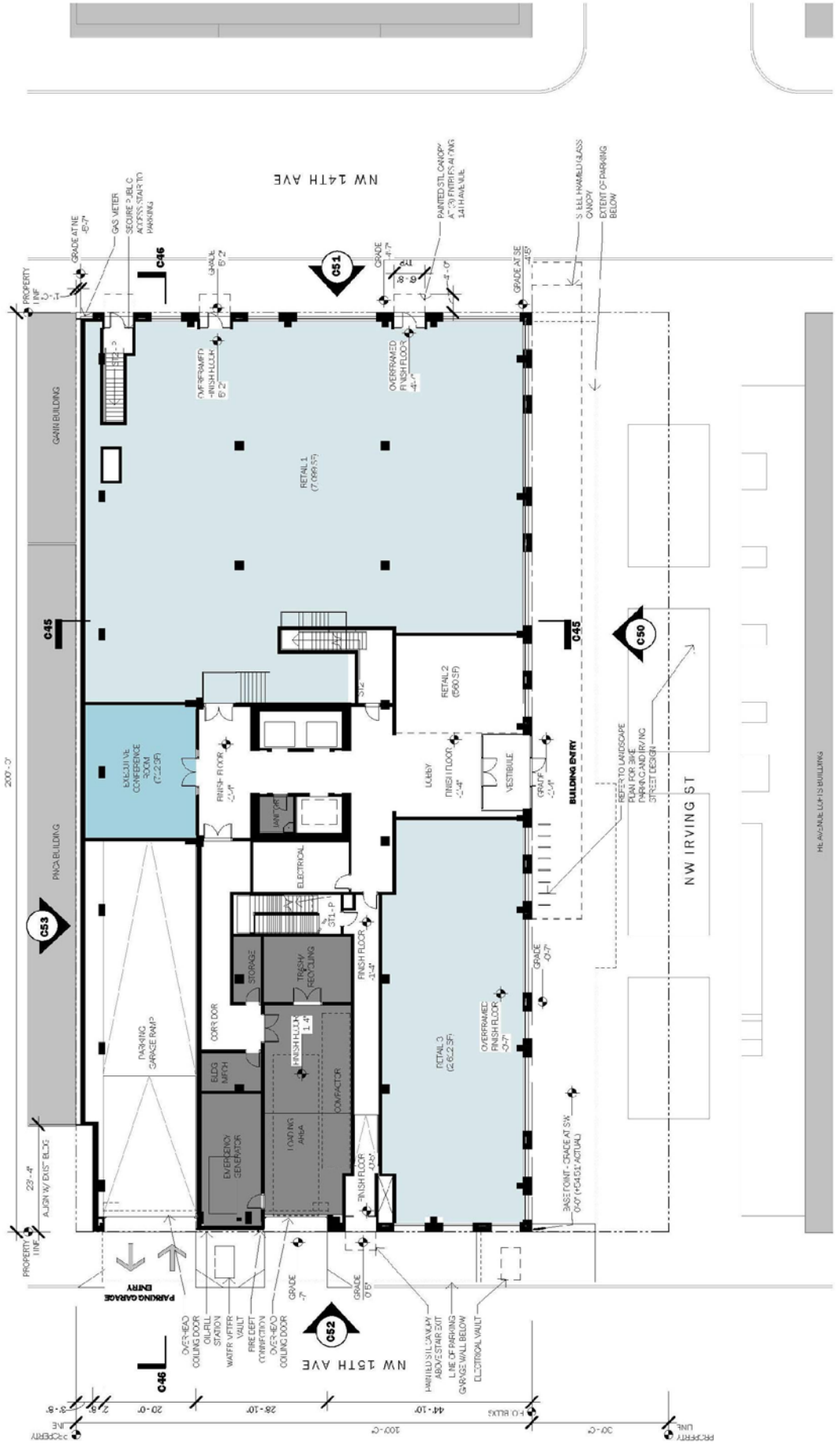
File No. LU 14-137564 DZM,HR

1/4 Section 2928

Scale 1 inch = 200 feet

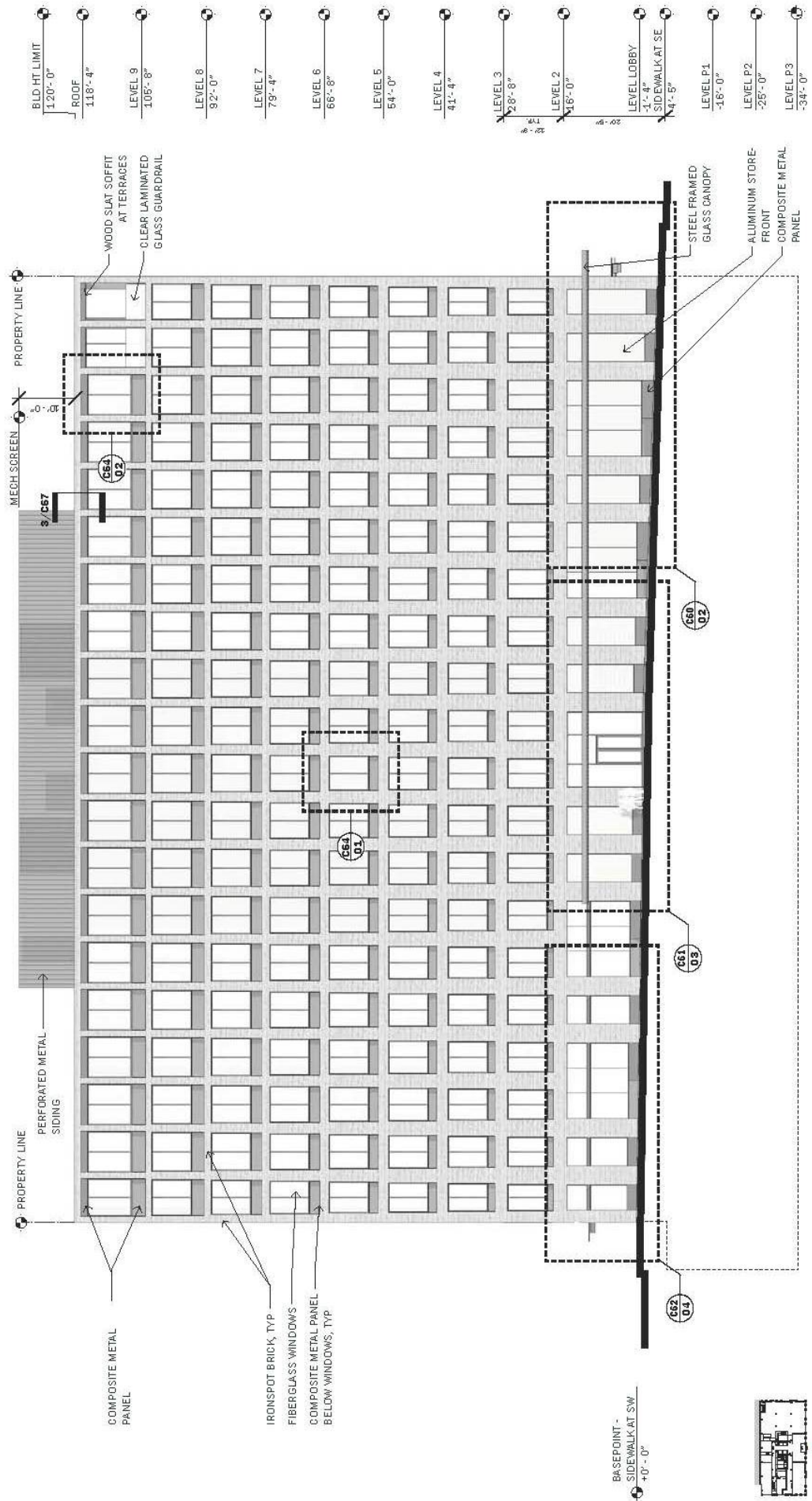
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Exhibit B (May 09, 2014)



BUILDING PLANS

Level 1 Plan

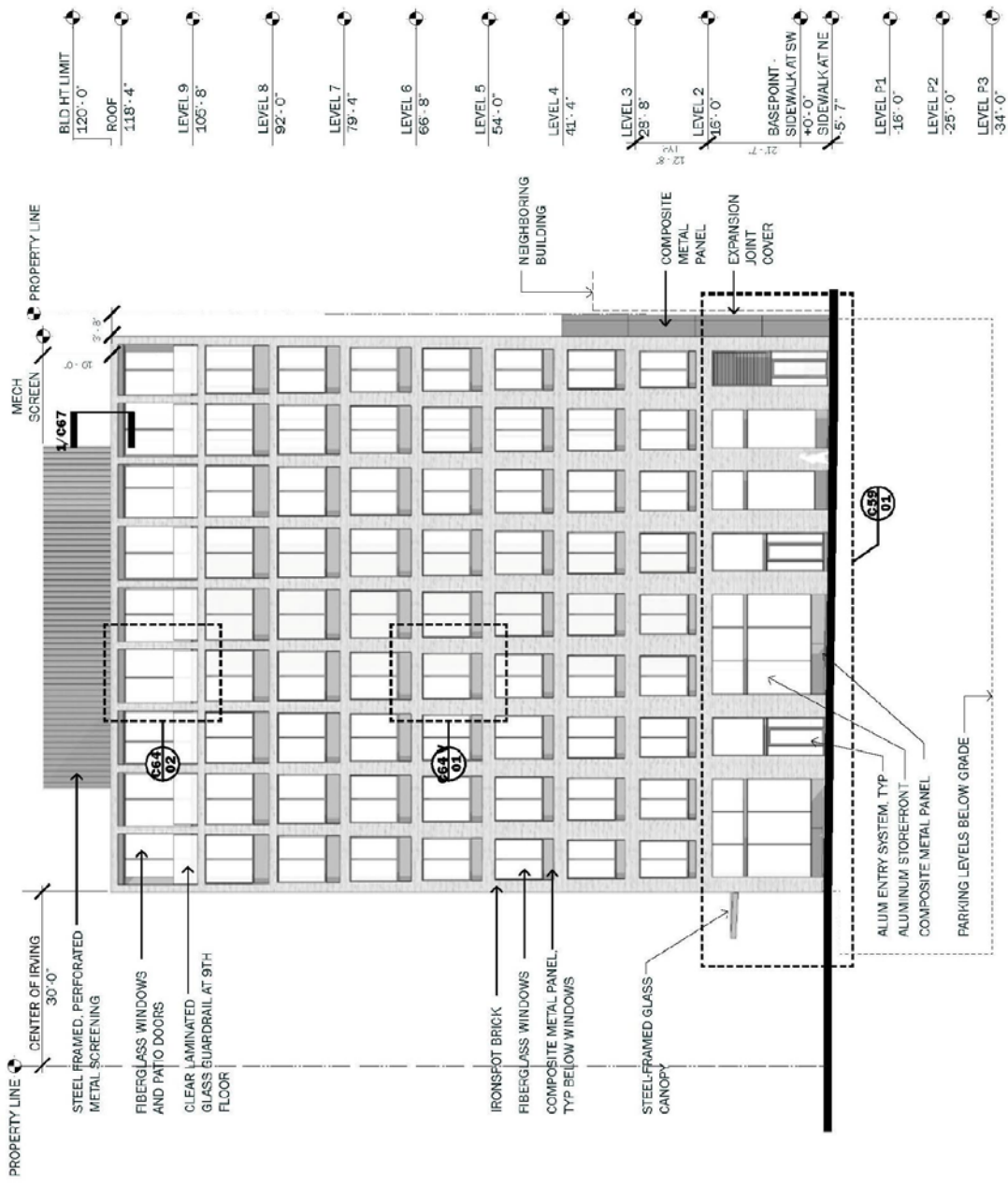


File # LU 14-137964 DZM
June 2, 2014



BUILDING ELEVATIONS

South Elevation - Irving Street



PROPERTY LINE
 CENTER OF IRVING 30'-0"
 STEEL FRAMED, PERFORATED METAL SCREENING
 FIBERGLASS WINDOWS AND PATIO DOORS
 CLEAR LAMINATED GLASS GUARDRAIL AT 9TH FLOOR
 IRONSPOT BRICK
 FIBERGLASS WINDOWS
 COMPOSITE METAL PANEL TYP BELOW WINDOWS
 STEEL-FRAMED GLASS CANOPY
 MECH SCREEN
 PROPERTY LINE
 3'-8"

- BLD HT LIMIT 120'-0"
- ROOF 118'-4"
- LEVEL 9 105'-8"
- LEVEL 8 92'-0"
- LEVEL 7 79'-4"
- LEVEL 6 66'-8"
- LEVEL 5 54'-0"
- LEVEL 4 41'-4"
- LEVEL 3 28'-8"
- LEVEL 2 16'-0"
- BASEPOINT - SIDEWALK AT SW +0'-0"
- SIDEWALK AT NE -5'-7"
- LEVEL P1 -16'-0"
- LEVEL P2 -25'-0"
- LEVEL P3 -34'-0"

NEIGHBORING BUILDING

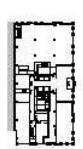
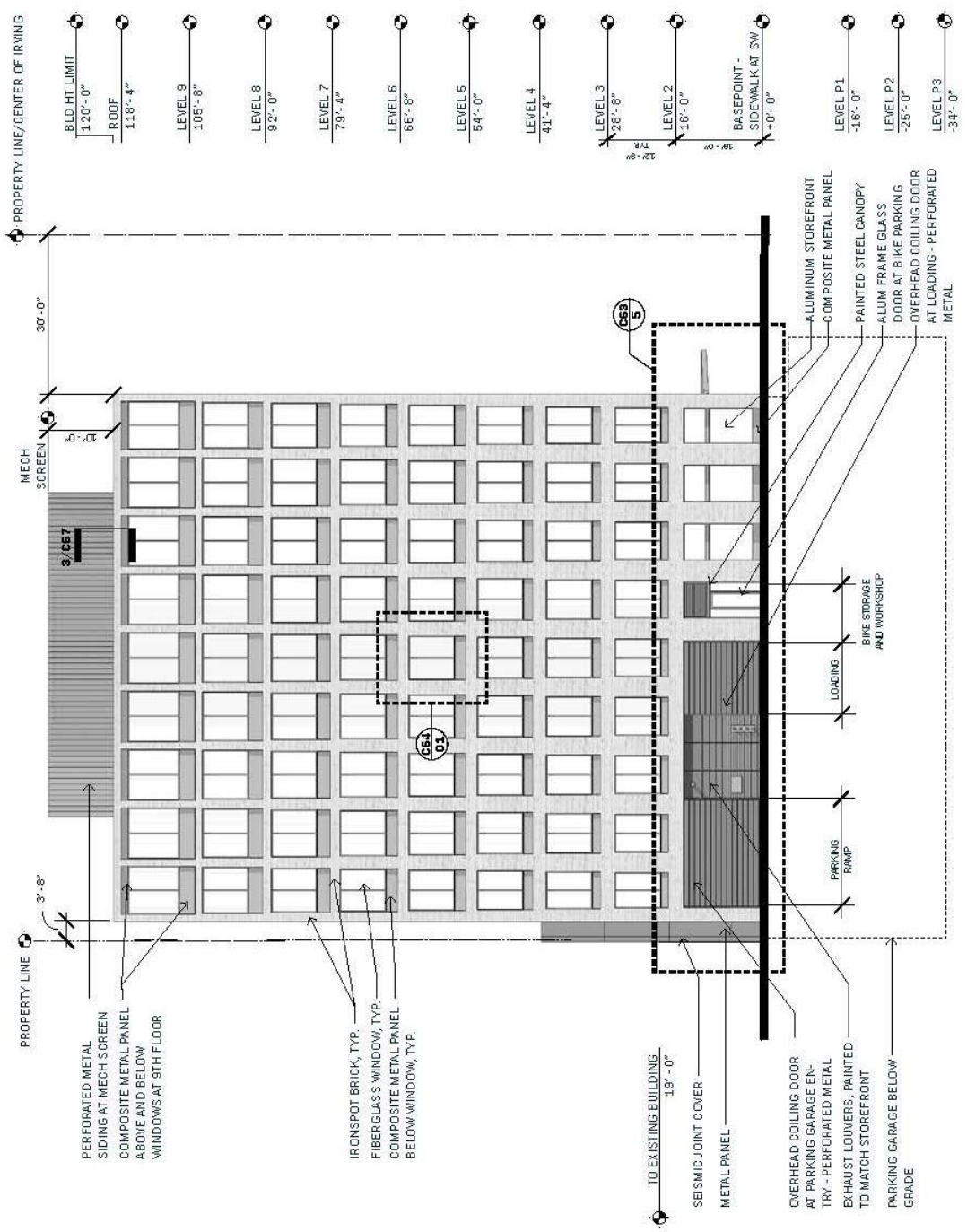
COMPOSITE METAL PANEL
 EXPANSION JOINT COVER

ALUM ENTRY SYSTEM, TYP
 ALUMINUM STOREFRONT
 COMPOSITE METAL PANEL
 PARKING LEVELS BELOW GRADE

File # LJ 14-137564 DZM
 June 2, 2014

BUILDING ELEVATIONS
 East Elevation - 14th Ave

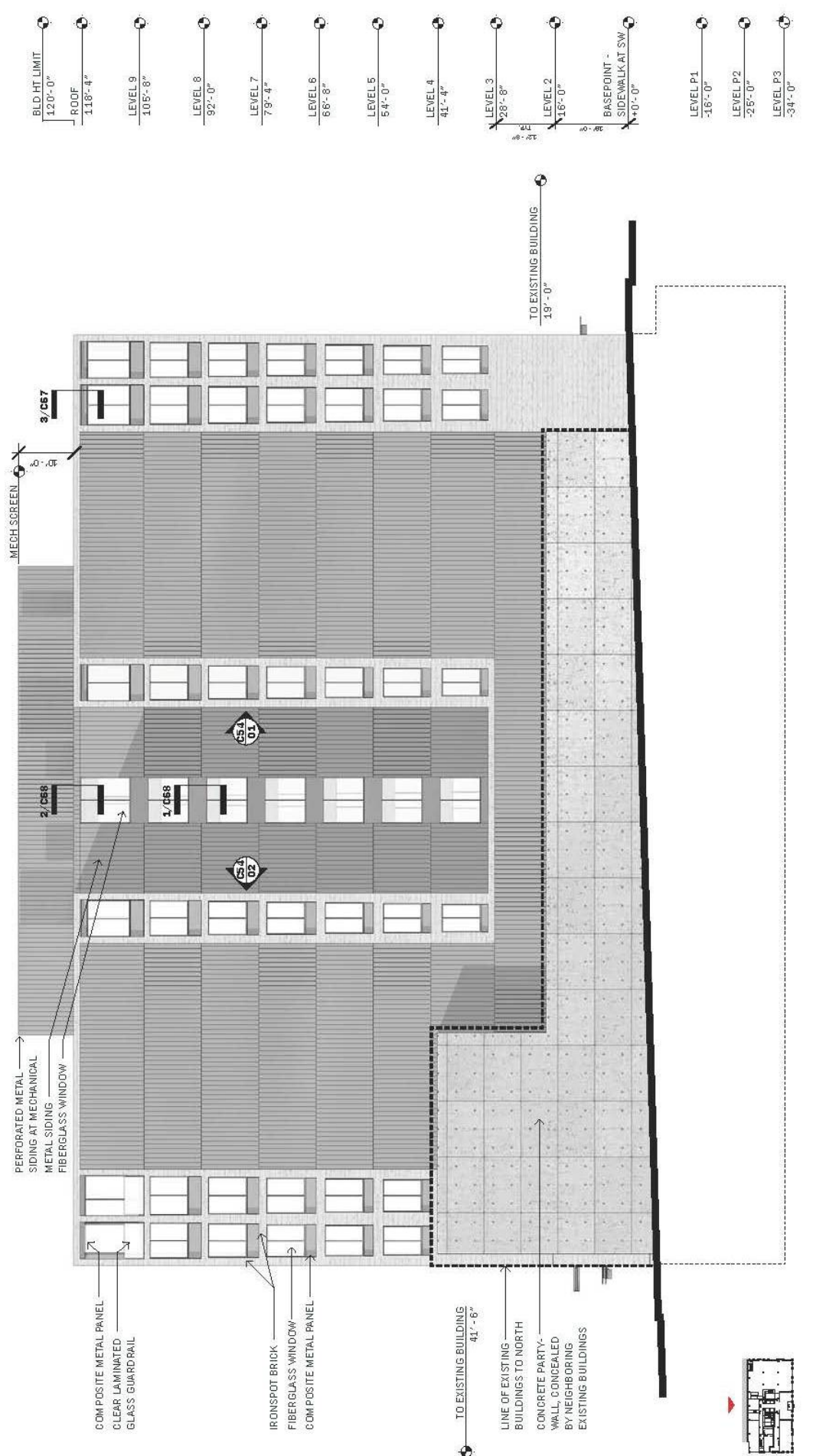




File # LU 14-137564 02M
June 2, 2014

BUILDING ELEVATIONS
West Elevation - 15th Ave





File # LU 14-137564 D2M
June 2, 2014

BUILDING ELEVATIONS
North Elevation