



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

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STAFF REPORT AND RECOMMENDATION TO THE LANDMARKS COMMISSION

CASE FILE: LU 14-211555 HRM AD – Block 8L
(PC # 14-154523)

REVIEW BY: Landmarks Commission

WHEN: October 13, 2014 at 1:30PM

WHERE: 1900 SW Fourth Ave., Room 2500A
Portland, OR 97201

BUREAU OF DEVELOPMENT SERVICES STAFF: KARA FIORAVANTI /
KARA.FIORAVANTI@PORTLANDOREGON.GOV

GENERAL INFORMATION

Applicants: Portland Development Commission
222 NW 5th Avenue / Portland, OR 97209-3812

Jill Sherman, Gerding Edlen
1477 NW Everett Street / Portland, OR 97209

Representative: Jenny Jenkins, Ankrom Moisan Architects
6720 SW Macadam Avenue, Suite 100 / Portland, OR 97209

Site Address: 60 NW Davis Street

Legal Description: BLOCK 8 LOT 5&8 6&7 EXC PT IN ST, COUCHS ADD; BLOCK 8 LOT 1 TL 201, COUCHS ADD; BLOCK 8 LOT 4 TL 202, COUCHS ADD

Tax Account No.: R180200070, R180200060, R180200066

State ID No.: 1N1E34DB 00200, 1N1E34DB 00201, 1N1E34DB 00202

Quarter Section: 3030

Neighborhood: Old Town-China Town, contact Paul Verhoeven at 503-222-6072 ext 12.

Business District: Old Town Chinatown Business Association, contact Dorian Yee at 503-224-7006.

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

Plan District: Central City - River District

Other Designations: Skidmore/Old Town Historic District, listed in the National Register of Historic Places on December 6, 1975.

Zoning: CXd: Central Commercial (CX) with design (d) overlay

Case Type: HRM AD, Historic Resource Review with Modification and Adjustment Requests

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

Proposal:

The applicant seeks Historic Resource Review for a new mixed-use building on a three-quarter block site (Block 8L) in the Skidmore/Old Town Historic District. The proposed building will

contain approx 131,000 gross square feet, including 58 residential units (top 2 floors), 79,978 square feet of office use (floors 1-4), and 4,873 square feet of retail (ground floor). No parking is proposed. Included in the proposal is an outdoor space that wraps the back of the proposed L-shaped building. Non-standard improvements in the NW Naito Parkway right-of-way are proposed and also subject to Historic Resource Review.

Modification Requests:

Extensions above maximum height: The project requires a modification to extensions allowed above the 75 foot height standard, specifically regarding the 10% mechanical\stair coverage addressed in 33.130.210.B.2. The current mechanical unit area (including the fully screened area) is 1,997 square feet of 16,787 or 12%. This number does not yet include any stair overrun components.

Short-term bike parking location: For a building with more than one main entrance (as this proposal includes), the on-site bike parking must be along all facades with a main entrance. The project requires 9 on-site short-term spaces. The proposal includes 12 on-site short-term spaces, but all are within the alleyway and not at the street frontages.

Adjustment Request:

Loading: Chapter 33.266 requires 2 full size loading spaces. The proposal includes only one full size loading space.

Historic Cobblestone Request:

The applicant is requesting to utilize some of the City's cobblestone stockpile. Cobblestones are proposed in the NW Naito Parkway right-of-way adjacent to this site and also within the proposed L-shaped courtyard between the proposed building and the existing quarter-block building (Oregon College of Oriental Medicine) on the same block. The approximate square footage of Cobblestones requested is not yet known, but needs to be known prior to final approval.

Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. For the Historic Resource Review, the applicable approval criteria are the **Central City Fundamental Design Guidelines** and the **Skidmore/Old Town Historic District Design Guidelines**. For the Modification Review, the approval criteria are in **33.846.070**. For the Adjustment Review, the applicable approval criteria are in **33.805.040**. For the request to use historic Cobblestones, the applicable approval criteria are in **Ordinance No. 139670**.

ANALYSIS

Site and Vicinity: The current site is an at-grade parking facility within the larger Skidmore/Old Town Historic District. This district is identified as a National Landmark, designated on May 5, 1977. Previously, the site was home to the headquarters of the Northern Pacific Railroad and Oregon Railway and Navigation Company. This original cast iron building was demolished in the late 1930's and the site has remained in the current un-built state since.

The site block abuts six buildings which are contributing to the district, three of which have landmark designation. To the immediate east of the site are Waterfront Park, the Japanese American Historical Plaza and the Willamette River.

An excerpt from the nomination for the district reads as such:

The Skidmore/Old Town Historic District is significant for its exceptional mid-nineteenth- to early twentieth century commercial buildings. They present a broad range of commercial architectural styles that lend variety to the district's urban character, while working in concert to create a cohesive and distinct historic sense of place. The district includes a variety of styles, the most predominant being the Victorian Italianate, Richardsonian Romanesque and Commercial styles,

but includes buildings in other styles such as Victorian Gothic and 20th Century Classical, as well as transitional expressions and amalgams. But the most noteworthy and defining elements of the district's historic character derive from its Victorian-era masonry and cast-iron façade buildings, primarily in the Italianate style. The district's cast-iron structures are the backbone of a distinctive historic cityscape marking Portland's first commercial core. This collection is one of the largest and best preserved in the American West.

Regarding amenities adjacent to the site, in addition to the previously mentioned Waterfront Park, the Japanese American Historical Plaza and the Willamette River, all to the east, the site is within a five minute walk of a number of other parks and amenities. Park and open space areas within a quarter-mile from the site include the Lan Su Chinese Garden to the north, and North Park Blocks to the west. Other amenities local to the site include numerous commercial, retail, tourism government and institutional establishments ranging from The Oregon College of Oriental Medicine and University of Oregon Portland Campus, to Voodoo Donuts, the corporate headquarters for Pendleton Woolen Mills, the Darcelle XV Showplace, MercyCorps Headquarters, the entranceway to the Portland Shanghai tunnels, and Portland Fire Station One.

Regarding transportation around the site, the location is well served by public transportation within a five minute walk. Seven bus lines currently run a block to the south on W Burnside Street. Six bus lines run a block to the north on NW Everett and one line runs to the immediate east of the site on NW Naito Parkway. The MAX Light Rail runs immediately adjacent to the site on the west side. The site is well served with bicycle infrastructure on NW 2nd, 3rd, Couch and W Burnside. The site is also within a pedestrian district.

Zoning:

The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

The Design overlay ("d") 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 Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

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.

The Skidmore/Old Town Historic District is a unique asset to Portland and has been recognized nationally by its placement on the National Register of Historic Places. In addition, the Skidmore/Old Town Historic District has been identified as a National Landmark, of which there is only one other in Portland, Pioneer Courthouse. There are certain procedures and regulations the City has adopted for the protection and enhancement of the Skidmore/Old Town Historic District.

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

- LU 66-033323 (reference number VZ 200-66) Approval for more than one identification sign in an “S” zone – Denied.
- LU 76-006195 (reference number HL 5-76) Approval for alleyway improvements and lights
- LU 85-005848 (reference number HL 21-85) Approval for storefront remodel
- LU 86-003081 (reference number CU 080-86) Approval to expand existing surface parking lot
- LU 86-003082 (reference number CU 080-86) Approval to expand existing surface parking lot
- LU 86-005828 (reference number HL 2-86) Approval to painting
- LU 86-006126 (reference number HL 43-86) Approval for parking lot improvements
- LU 89-005762 (reference number HL 149-89) Approval for signage. Denied.
- LU 96-013543 PR (reference number LUR 96-00656) Approval/review of surface parking lot
- LU 14-190952 DZM Approval for mixed-use community on a three-quarter block site. Void/Withdrawn (transferred to this current case file, LU 14-211555).
- EA 14-146426 DA, Design Advice Request, for the currently proposed 6-story mixed use building. (A Design Advice Request is a voluntary review process that allows the Commission to provide early feedback on a development proposal, prior to the required land use review. Exhibits G.2., 3., and 4. summarize comments received from the Portland Historic Landmarks Commission on this proposal.)
- EA 14-154523 PC, Pre-application Conference, for the currently proposed 6-story mixed use building.

Agency Review: A “Request for Response” was mailed on September 12, 2014. The following Bureaus have responded:

- The Bureau of Environmental Services: October 3, 2014, Exhibit E.1:
 - *RESPONSE SUMMARY*
BES does not recommend approval of this application at this time, as the non-standard elements in the triangular portion of NW Naito Pkwy are located over a BES sewer and have not been fully reviewed through the PBOT encroachment permit process. Although the proposed stormwater planters are adequately sized for the amount of redeveloped impervious area, they must be approved through the encroachment permit by Portland Water Bureau, PBOT, and BES staff.
- The Bureau of Transportation Engineering: October 2, 2014, Exhibit E.2
 - *Following is a brief summary of issues and requirements that may impact your proposed project or are submittal requirements that will require time to prepare prior to submittal of the application.*
 - *Reconstruct NW 1st Ave, NW Davis, and NW Naito sidewalks and corners per River District Right-of-Way standards and current ADA standards.*
 - *Updating ornamental street lighting on all three frontages will be required if they do not meet current standards.*
 - *On-street parking on Naito is proposed, the bike lane must be widened to 6-ft, and provide an 8-ft wide parking lane. Widening the roadway will trigger public stormwater facilities. The stormwater facilities can be accommodated in curb extensions at the corners or with pervious pavement in the parking lane.*
 - *Non-standard items in the ROW proposed for NW Naito must first be approved by PBOT, BES, and Water Bureau staff prior to Historic Design Review.*

- *Private storm water facilities in the ROW will not be permitted.*
- *At the time of this response to BDS the applicant has not received approval of any of the non-standard elements in the NW Naito ROW. As stated above and in PBOT pre-application response, the applicant must receive approval for any non-standard elements from PBOT, BES, and the Water Bureau. There are public sanitary sewer lines and water mains located in this area. Initially, PBOT is supporting of the pavers, benches, and landscaping, but not supportive of private stormwater facilities in the ROW.*
- *PBOT has no objection to reducing the required on-site loading to single loading zone.*
- *STREET CLASSIFICATION AND CONFIGURATION*
 - *At this location, NW Naito is classified as a Traffic Access Street, City Walkway, Major Emergency Response Street, and Local Service street for all other transportation modes in the City's Transportation System Plan.*
 - *According to City database sources, the site's frontage is improved with a 4-6-varies-sidewalk configuration. For a site located in the CX zone district along an arterial street, the River District Right-of-Way Standards require a minimum 12-ft pedestrian corridor (0.5-ft curb/ 4-ft wide furnishing zone/ 6-ft wide sidewalk/ 1.5-ft wide frontage zone). No dedications are anticipated.*
 - *At this location, NW 1st Ave is classified as a Regional Transit Major Transit Priority Street, City Walkway in a pedestrian district, and Local Service street for all other transportation modes in the City's Transportation System Plan.*
 - *According to City database sources, the site's frontage is improved with a 0-12-0 sidewalk configuration.*
 - *At this location, NW Davis is classified as a Local Service street for all transportation modes in the City's Transportation System Plan. For a site located in the CX zone district subject to the North Transit Mall/ River District Right-of-Way Standards a 12-ft sidewalk corridor is required (0.5-ft curb/ 4-ft wide furnishing zone/ 6-ft wide sidewalk/ 1.5-ft wide frontage zone). No dedications are anticipated.*
 - *At this location, NW Couch is classified as a Local Service street for all transportation modes in the City's Transportation System Plan.*
 - *According to City database sources, the site's frontage is improved with a 0-12-0 sidewalk configuration. For a site located in the CX zone district subject to the North Transit Mall/ River District Right-of-Way Standards a 12-ft sidewalk corridor is required (0.5-ft curb/ 4-ft wide furnishing zone/ 6-ft wide sidewalk/ 1.5-ft wide frontage zone). No dedications are anticipated.*
- *This list of Street Lighting and Traffic Signal Requirements assumes the existing sidewalk and corner ramps to be rebuilt and all existing SSL infrastructures would be impacted. For any questions please contact Nelson Chi at 503-523-2604 or by email at Nelson.Chi@portlandoregon.gov.*
 - *East side of 1st – The existing twin ornamental light poles (one at the corner and one midblock) are to be cleaned and repainted per standard specifications. Please note the SEC 1st & Davis pole is combination OCS pole with ornamental light. The twin luminaires and globes are to be replaced with new and standard LED lamp. The existing pedestrian signal pedestal is to be maintained and protected, however, clean and repaint the pedestal. Please check with Tri-Met regarding additional requirements and possible impact to existing Max train OCS poles. The existing trees are to be trimmed or pruned to open up for better lighting.*
 - *South side of Davis – The existing signal strain pole with controller & train preemption equipment are to be maintained and protected but the pole is to be cleaned and repainted per standard specifications. The existing two single ornamental light poles are to be cleaned and repainted per standard specifications. The single luminaires and globes are to be replaced with new and standard LED lamp.*

- *West side of Naito – The existing twin ornamental light poles are to be cleaned and repainted per standard specifications. The ornamental luminaires and globes are to be replaced with new and standard LED lamp. The SWC Naito & Davis existing signal mast arm pole and NWC Naito & Couch pedestrian signal pedestal are to be maintained and protected. If both pedestrian ramps are to be modified, there is a potential that the signal equipment / structures need to be relocated or modified. The existing trees are to be trimmed or pruned to open up for better lighting.*
 - *North side Couch – The existing single ornamental light pole are to be cleaned and repainted per standard specifications. The ornamental luminaires and globes are to be replaced with new and standard LED lamp. The existing trees are to be trimmed or pruned to open up for better lighting.*
 - *Transportation System Development Charges (Chapter 17.15)*
System Development Charges (SDCs) may be assessed for this development. The applicant can receive an estimate of the SDC amount prior to submission of building permits by contacting Rich Eisenhauer at 503-823-6108.
 - *Driveways and Curb Cuts (Section 17.28)*
Curb cuts and driveway construction must meet the requirements in Title 17. The Title 17 driveway requirements will be enforced during the review of building permits.
 - *RECOMMENDATION*
PBOT has no objection to approval of the building design and all elements on private property. PBOT is not ready to approve the non-standard elements in the ROW at this time.
 - *NOTE: As a condition of building permit approval the applicant must reconstruct all frontages to current River District standards. A bond and contract for the public works permit shall be a condition of building permit approval.*
- *The Water Bureau: October 2, 2014, Exhibit E.3*
 - *The Water Bureau has no issues with the requested Historic Resource Review and proposed Adjustments to applicable zoning code standards for loading spaces as depicted in this LUR, but does have informational comments to be included within the Water Bureau portion of the BDS response, for the proposed construction of a mixed use building at 60 NW Davis St.*
 - *There is an existing 1” metered Irrigation service (Serial #20620078, Account #2961414700) which provides water to this location from the existing 12” DI water main in NW Naito Pkwy. The existing water service may potentially be used to provide water service to the proposed development at this location, but will need to be reviewed and approved of for use. For this scenario, City Title 21.12.010 will apply and will require any new building construction, or any construction that will need water, to have a water service and meter of appropriate size installed within the public right-of-way and within the specific property boundary/frontage for which it will serve. A Water Bureau review for fixture count will need to be submitted by the applicant at the time of submittal of the building permit to appropriately size the water service and meter for this location and its use. If a water service and or meter upsize is required, all applicable costs will be the responsibility of the applicant. If any existing water services to this property are not retained for use, they will need to be killed by the Water Bureau at the applicant's expense.*
 - *For new water services, City Title 21.12.010 will require any new building construction, or any construction that will need water, to have a water service and meter of appropriate size installed within the public right-of-way and within the specific property boundary/frontage for which it will serve. There is additional water available to this location from the existing 12” CI water main in NW Davis, 8” CI water main in NW 1st Ave, and the 6” DI water main in NW Couch St. A Water Bureau review for fixture count along with any required fire flow volumes will need to be submitted by the applicant at the time of submittal of the building permit for*

- the proposed new development to appropriately size the water services and meter for this location. All applicable costs will be the responsibility of the applicant.*
- *The estimated static water pressure range for this location is 69 psi to 86 psi at the existing service elevation of 30 ft.*
 - *Conditions of Approval: None.*
- The Fire Bureau: September 23, 2014, Exhibit E.4
 - *A separate building permit is required for this proposal. The applicant shall meet all applicable Fire Code requirements at the time of permit review and development. Please contact the Fire Marshal's Office with any specific questions.*
 - The Bureau of Development Services, Site Development Section: September 22, 2014 Exhibit E.5
 - *A separate Building Permit is required for the work proposed and the proposal must be designed to meet all applicable building codes and ordinances. More information regarding building code requirements can be obtained by visiting the Bureau of Development Services Development Services Center - 1900 SW 4th Ave, 1st floor. The Development Services Center is open Monday through Friday from 8:00 a.m. to 3:00 p.m. (close at 2:00 p.m. on Thursday). No appointment is necessary. Building Code information is also available online at: <http://www.portlandonline.com/bds/>, or by calling (503) 823-1456.*
 - *It is recommended the applicant contact the Process Management section at (503) 823-7452 to request a process manager to assist in coordinating the City reviews for this project and arrange a Preliminary Fire and Life Safety Meeting with Fire and Building Plans Examiners.*
 - *A separate Mechanical Permit is required for the work proposed. OMSC 106.1*
 - *Exterior walls less than 30 feet to property line must be 1-hour fire-rated construction. Exterior walls located less than or equal to 10 feet to a property line must be one-hour fire-rated for exposure to fire from both sides. Exterior walls located more than 10 feet to a property line must be one-hour fire-rated for exposure to fire from the inside only. OSSC 602.1, 705.5*
 - *Openings in exterior walls less than 3 feet to a property line are not allowed. Unprotected openings in exterior walls less than 5 feet to a property line are not allowed in an unsprinklered building. OSSC 705.8*
 - *Landings are required on both sides of a doorway. The landings must be as wide as the doorway and at least 44 inches long in the direction of travel. The landing must be level, except the exterior landing may have a slope of not more than 2 percent. The door threshold must be not more than ½ inch higher than the landing surface on both sides. OSSC 1008.1.5, 1008.1.6, 1008.1.7.*
 - *The exit discharge shall provide a direct and unobstructed access to a public way. OSSC 1027.6*
 - *At least one accessible route shall be provided within the boundary of the site from public transportation stops, accessible parking spaces, passenger loading and drop off zones, and public streets or sidewalks to an accessible entry. OSSC 1104.1*
 - *Doors and windows shall not open or project into the public right-of-way. OSSC 3202.2*
 - *The vertical clearance from the public right-of-way to the lowest part of an awning, including valances, shall be 7 feet minimum. OSSC 3202.2.3*
 - *Awnings, canopies, marquees and signs with less than 15 feet clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building. OSSC 3202.3.1*
 - The Bureau of Parks-Forestry Division: September 27, 2014, Exhibit E.6

- *City code Title 20.40 requires a street tree review for new construction projects and improvements to existing structures that exceed \$25,000 in value and to all land use applications.*
- *Street trees will be required along all public frontages depending on planting conditions and will be reviewed and approved by the City Forester during building permit application. Tree species and location to be determined by the City Forester during plan review. Street trees required for commercial sites are to be 3 inch caliper in size. Underground utilities shall not conflict with street tree planting.*
- *At this time, existing street trees are to be protected and preserved. Any disturbance to existing street trees will be reviewed during building permit application. A written permit from the City Forester is required to remove, destroy, cut (including roots), break, injure, or plant any tree of any size in or upon any street, park, or public area as detailed in Title 20/Chapter 20.40.090. If existing street trees must be removed, mitigation for the loss of tree canopy will be required.*
- *At this time, all existing trees on private property that are 12 inches in diameter and greater and not on the nuisance plant list may not be removed unless specifically permitted through Title 33 or through a written permit issued from the City Forester as detailed in Title 20/Chapter 20.42.*
- *Portland Parks and Recreation has no objections to this Land Use application if all City tree code regulations are observed.*

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on September 19, 2014. No responses have been received as of the date of this report.

ZONING CODE APPROVAL CRITERIA

HISTORIC RESOURCE REVIEW

Chapter 33.846, Historic Reviews

Purpose of Historic Resource Review

Historic Resource Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Resource Review Approval Criteria

Requests for Historic Resource Review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is located within the Skidmore/Old Town Historic District. Therefore the proposal requires Historic Resource Review approval. The relevant approval criteria are the Skidmore/Old Town Historic Design Guidelines and the Central City Fundamental Design Guidelines.

Central City Fundamental Design Guidelines and Historic Skidmore/Old Town Design Guidelines

The Skidmore/Old Town Historic District is a unique asset to Portland and has been recognized nationally by its placement on the National Register of Historic Places. In addition, the Skidmore/Old Town Historic District has been identified as a National Landmark, of which there is only one other in Portland, Pioneer Courthouse. There are certain procedures and regulations the City has adopted for the protection and enhancement of the Skidmore/Old Town Historic District.

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.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within the River District as well as to the other seven Central City policy areas. The nine goals for design review within the Central City are as follows:

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.

Historic Skidmore/Old Town Design Guidelines

General Guidelines: New Construction

An analysis of old photographs depicting the area at the turn of the century indicates the District was a compact, urban environment. With the addition of Harbor Drive and the reconstruction of Front Avenue in 1942, the eastern edge of the District was seriously weakened. Additionally, the loss of buildings within the District for the conversion to surface parking lots added to the historic loss. An essential ingredient to the development of the District is re-establishing the compact urban feeling it once had with compatible new infill buildings.

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

A. Siting. In addition to zoning requirements, the relationship of the new building to the street, and to the open spaces between it and other historic buildings should be visually compatible with the adjacent buildings and with the architectural character of the District.

Findings for A.: The proposed new building, currently the site of a surface parking lot, is designed as an L-shaped structure that fronts the full block face of both NW Davis Street to the north and NW Naito Parkway to the east. The proposed building encompasses three-quarters of the given block with the remaining south-west quarter being occupied by a "contributing" structure currently home to the Oregon College of Oriental Medicine (OCOM). Due to an existing easement requirement the proposed design incorporates a pedestrian alley which connects in the center of the block site and has entrances at the mid-block off of NW 1st Ave to the east and NW Couch Street to the south. The alley echoes the form of the proposed building and effectively provides a 30-35 foot wide buffer between the existing OCOM structure and the proposed building.

The incorporation of the alley helps to break down the streetwall at both NW 1st Street and NW Couch Street. However, in this district it is noted that full block street-walls are a more common element. In an effort to address the alley and the more consistent streetwall standard of the district the two alley entranceways will incorporate a brick portal with tube steel gates with steel decorative infill panels. The brick portal and gates will also aid in creating a consistent rhythm between the existing OCOM building and the proposed structure while also providing unique stand-alone features that provide wayfinding to

pedestrians off of the sidewalk, provide security to the area when needed, and honor the history of the district.

Another aspect employed to further strengthen the relationship between the proposed structure and the adjacent buildings as well as to the greater district at large is the development of the NE corner of the site at the pedestrian zone. Historic Cobblestone will be incorporated at the ground level in this area to add a tactile and visually historic aesthetic. This area will also incorporate a collection of cast iron columns providing another strong connection to the district and to Waterfront Park and the Willamette River both immediately to the east of the site.

This guideline is met.

B. Height and Bulk. In addition to zoning requirements, the height and width of a new building should not exceed the height and width of the largest landmark building in the District, and should be visually compatible with adjacent landmark buildings. It is the intention of these guidelines to ensure District compatibility with respect to new construction. It is recognized that development could occur which combine several parcels. In this event, the project should respond to the above guidelines through major vertical “breaks” in the façade design. The maximum height should not exceed 75 feet.

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.

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 for B., C5 and C11: The tallest landmark building in the district is the New Market Annex (New Market West) building located south of the site at 59 Southwest 2nd Avenue (also listed as 135 SW Ash Street). The New Market Annex is, depending on the source, approximately, 75-80 feet in height. The building of greatest width in the district is the New Market Theater located at 115 SW Ash Street, which occupies half of its block in the north-south direction (SW Ankeny Street to SW Ash Street), but traverses the entire block from SW 1st Avenue to SW 2nd Avenue. Beyond this, it is mentioned in numerous writings specific to this Historic District that the design standard was a building crafted between 2 and 4 floors. Collectively, there is no precedent in the district for a landmark building of the combined height and width as the one being proposed by the applicant.

Regarding the width of the building, the proposed design covers three-quarters of the typical 200’ x 200’ block. The building design intends to build-out the entire 200 foot length of both NW Davis and NW Naito and approximately 80 feet on both NW 1st and NW Couch. Simply looking as the massiveness of this proposed design alone reveals that it does not seem to be compatible with the rhythm and design aesthetic found in this Historic District. That said, much of the design work accomplished to date has focused on reducing the singular massiveness of the proposed structure. This has been attempted through effective “breaks” in the façade design on both NW Naito and NW Davis at the mid-block locations which also serve as the principal entries for the proposed structure. These breaks are clearly distinguished from the rest of the proposed off-white building façade through the change in cladding materials. While these entry areas continue to share the same height and sidewalk plane as remaining building facades they are differentiated through their use of an ebony metal panel system for the first to fifth floors. The effect of breaking the block-long façade of this building on NW Davis and NW Naito helps to better incorporate and integrate the proposed design in a more compatible way into the Historic Landmark District.

Collectively the proposed design has responded to the Commissions comments resulting in the first 5 floors having a well organized horizontal and vertical structure of both voids and solids. The 6th floor penthouse and subsequent mechanical equipment continue to read as an afterthought and disrupts the overall design aesthetic and success of the building. Also, the current location and placement of the mechanical equipment, and its size and austerity, in concert with the variety of other rooftop elements such as the long runs of railings, solar arrays, stair railings and elevator overrun, greatly undercut the successes made in the first five floors of the proposed building. This historic district illustrates a tradition of complete well-crafted design, which this building succeeds in delivering such a level of craft from the fifth floor down. More attention should be focused on the sixth floor and up to ensure that this building continues these cohesive building traditions, and fully contributes to one of the front doors to this historic district.

As an example, the resolution of the penthouse in terms of appropriate setback was an issue in regards to height and bulk. Commission advised that the setback be between 10 and 15 feet. The current design shows the penthouse being set back 10 feet from the rest of the building on the NW Davis and NW Naito sides. However, the setback appears to be 7 feet on the NW 1st and NW Couch.

Moreover, the stated height of the proposed building, from highest adjacent grade (33.930.050) to the top of the parapet, is 75 feet. The proposed structure does not exceed 75 feet. The applicant states that roof elements such as elevator overruns, stairwell overrun components, railings, mechanical equipment and associated screens extend beyond the 75 foot height – A Modification request is included in this application to allow some elements to exceed the allowances of Zoning Code standards. The rooftop elements are varied and dispersed and result in quite a visual distraction as opposed to the lower floor levels of order and rhythm. The applicant has worked throughout the Design Advice Request process to quiet down the rooftop elements given this site is hugely visible in Portland’s skyline, as it fronts NW Naito Parkway. Additionally, the alleyway condition sets up easily experienced views of the rooftop clutter especially when looking straight down the alley from NW Couch. As such, staff encourages additional creative solutions, consolidation, and/or elimination as the height is an important issue in this Historic District.

Staff recommends all elements atop the penthouse be further studied to consolidate or eliminate so that the exceeded height is not as apparent and distracting to the building architecture. These guidelines are not yet met.

C. Scale and Proportion. The size and form of a new building, the relationship of voids to solids, the size and relationship of windows, doors, porches, and other architectural elements, should be of a scale, and have a proportion that is visually compatible with adjacent landmark buildings, and with the architectural character of the District.

- The horizontal dimension of a façade of any new building should not exceed 100 feet on east –west streets and 50 feet on north-south avenues. It is further recommended that there be major façade breaks at 25 or 50-foot bay modules, consistent with traditional District development.
- An important element within the District was the emphasis on the pedestrian scale activities, emphasized with awnings or canopies. New development should include provisions for this element.
- New development should avoid blank walls at the pedestrian level.

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

Findings for C. and C4: The proposed building is to be constructed on the current site of a surface parking lot. By default the proposed building will attempt to respect the architectural

integrity of the adjacent buildings and the greater historic district as a whole with its use of materials and design.

There are no blank walls at the pedestrian level on any street frontage of this proposed design. The sidewalk level of the project is compatible and consistent with other landmark and contributing buildings in the district. This is seen in the proposed design specifically in the investment of glazing at the pedestrian level and the subsequent rhythm that this creates for those on the sidewalk. This design element, and its compatibility and consistency with adjacent buildings, is evident when reviewed against the White Stag building, a landmark, immediately south of the site. The ground level of the proposed building is primarily dedicated to one large user (University of Oregon) at this time, thus the reason for few doors at the NW Naito elevation. However, the storefront system and the interior grades are set-up to allow future changes to the building to facilitate multiple tenants with multiple entries facing NW Naito, similar to the flexible nature of the White Stag building to the south.

Some bays at the interior alleyway facades include large expanses of blank walls, but are organized with insets and/or score lines to continue the rhythm of adjacent bays of windows and doors. Staff requests more details on these blank expanses to ensure rich texture and detailing.

Pedestrian scale is further articulated through the proposed use of canopies on all elevations of the proposed structure. The project shows the deliberate use and placement of two types of canopy to contribute to the emphasis of the pedestrian scale, which also addresses issues of hierarchy and wayfinding. The first canopy type is proposed to be 13 feet in height from the sidewalk and is the most common type, found on all proposed elevations. This canopy type is also drawn to extend 5 feet into the right-of-way providing noticeable enclosure. The second canopy type is reserved for the two entranceways, one off of NW Davis and one off of NW Naito. This canopy type is set approximately a foot higher than the other and is drawn extending 8 feet and 9 feet into the right-of-way.

The current design exceeds the horizontal dimension suggested for façades in the district. Elevations of the proposed building on the east-west streets, NW Davis and NW Couch, are 200 feet and 80 feet respectively. North-south elevations also exceed the guideline of 50 feet, running 200 feet on the NW Naito façade and 80 feet on the building's NW 1st Street façade. To help ameliorate these significant differences the building has been broken into bays responding to the guideline recommending major façade breaks. Bays on the west and south elevations are approximately 24 feet in width. Bays on the north and east elevations, which are the main façades, are drawn to be approximately 20 or 40 feet in width. The two entrance way bays, located on the north and east facades, are similar in that they are both 20 feet in width, articulated with ebony metal cladding unique to the rest of the site, and having a window wall system also unique to the rest of the proposed structure.

With additional details of the blank expanses of walls at the interior alleyway facades, depicting a richness in texture and detail, these guidelines could be met.

D. Materials, Colors and Texture. The exterior materials, colors and textures used in new buildings should be visually compatible with adjacent landmark buildings, and with the architectural character of the District. Refer to previous guidelines outlined under *Alterations and Additions to Historic Landmarks, Potential Landmarks and Other Compatible Buildings* for guidelines.

- Use of masonry and stuccoed masonry as a major building material should be given consideration. Attention should be given to new brickwork as follows: (a) the color, texture and size of the brick themselves; (b) the width of the joints between the bricks; (c) the color and tone of the mortar in the joints; and (d) the profile of the mortar joint.

- The use of artificial finish materials shall be avoided. Also, the use of wood as a major surface material should be avoided.

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

Findings for D. and C2: The proposed design intends to provide a hierarchy of material finishes in an effort to create a building that connects and contributes to the historic district.

The base of the building is concrete. The primary material of the first five stories is an off white “Aspen” brick veneer with a natural or grey mortar. Details of the proposed brick installation show integrated recessed bands in the design helping to add depth and texture to the materials on the façades. The secondary material, a metal panel system in “bone white”, is used in the horizontal bands that separate the 2nd and 3rd and 3rd and 4th floors. Windows in these areas are punched fiberglass in black, with a metal surround for additional detail. The investment of brick will also be carried through for the first 50 feet into the alley at both entranceways. The alley material will transition to a third cladding material, an off-white “Pearl White” stucco panel cladding, for the remaining area (not including the 6th floor penthouse).

The two entryway bays found on the primary facades (NW Davis and NW Naito) are proposed to be clad in an ebony metal panel system, from the ground floor to the fifth floor. This adjustment in color will help to break-up the façade of the building, which occupies the full block and will provide a sense of depth to the primary building entranceway. The windows proposed for the entrance ways will be window wall systems in black that are larger than those found in other bays.

The 6th floor penthouse introduces a fourth material to the palette. The penthouse will be clad on all sides with a “cobblestone” colored fiber cement siding. The windows at the penthouse level are proposed to be white fiberglass. Also of note, is that current design of the proposed panel system includes being mounted through use of exposed fasteners. At the prior Design Advice Requests, the Commission noted the use of the fiber cement material including exposed fasteners at the penthouse is inconsistent with both the rest of the building design and the greater design investment into the historic district at large.

The use of metal in the applications proposed can be supported with adequate demonstration of its quality and rigidity. Metal is used for large expanses of wall area and for the surrounds of many of the punched windows. If the metal specifications do not demand the highest quality, the result can be wavy sills, dented metal, oil-canned facades, etc. The applicant is prepared to share the different types of metal at the October 13th hearing.

The storefront glass and the upper floor windows throughout the district are clear glass. It is of utmost importance that the glass used throughout the building is clear glass; dark glass, colored glass and/or reflective glass would be very inconsistent with the appearance of the district’s buildings and the pedestrian focus of the ground levels. Given the proposed ground level at this time is mostly given up to a single user that may need privacy for meetings and/or classes, and the gateway location and Naito frontage provide sweeping views of the building, it is important this review include a Condition of Approval that will require clear glass throughout to ensure consistency with the historic characteristics of the area.

Finally, the proposed site will incorporate both historic Cobblestones and cast-iron columns at the pedestrian space designed at the NE corner pedestrian open space area as a way to further integrate quality materials that connect to the district and ensure permanence in development.

These guidelines could be met with the following: demonstration at the hearing that the proposed metal is of a quality appropriate for its applications, a Condition of Approval that requires clear glass for the storefront and the upper floor windows, and reconsideration of the exposed fastener Hardi panel material at the penthouse.

E. Rear and Side Walls. Generally, the standards which apply to the fronts of buildings also apply to rear and side-walls, although the conditions to meet are usually much more simple. A strong effort should be made to coordinate and subdue the clutter of mechanical/electrical equipment on exterior surfaces.

Findings for E.: Street-facing facades are at NW Naito, Davis, Couch and 1st, and main entrances to the site are off of NW Davis and NW Naito. However, due to the incorporation and active use programming of the alleyway that separates the site from the existing OCOM building, there is not a rear to the building in the traditional sense. To this point, quality materials are expected on all elevations of the proposed building with an understanding that the alleyway facades could receive a simplified material as long as it maintained the expected quality of a main facade. Through the direction of the Commission the applicant was advised to review other building façades in the district, particularly those reflecting the Italianate style. As an effect of reviewing this specific historic style in the district, the proposal maintains the predominant use of an off-white brick as the principal material on all street-facing façades. Nonetheless, the current design proposes the first 50 linear feet of the alley to be clad in brick with the remaining portion to transition to stucco. The stucco system proposed for the inner alleyway area is an off white “Pearl White” stucco panel.

This guideline is met.

F. Signs, Lighting and Other Appurtenances. Signs, exterior lighting, and other appurtenances such as walls, fences, awnings/canopies, and landscaping should be visually compatible with adjacent landmark buildings, and with the architectural character of the District.

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.

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

Findings for F., C12 and C13: Lighting throughout the site will take many forms. At the sidewalk level, lighting will include different features for distinct areas of the site. Lighting in the right-of-way will be brought up to city standards with twin ornamentals consistent to the rest of the district (being repaired, replaced or installed). Site lighting will include fixtures on exterior bays to emphasize building architecture. For additional wayfinding, lighting will also be incorporated at the corner columns as well as at the principal entry locations on the north and east façades. The alleyway will be addressed using café lights in an effort to create a street bazaar aesthetic. The open space plaza located in the right-of-way on the northeast corner will incorporate at-grade lighting to up-light the columns for best effect.

From the submitted drawings, it appears there are 4 sign types – a canopy sign, marquee signs, a small blade sign, and a corner blade sign. All are detailed well with regard to materials, scale, concealed lighting (if any), and minimal copy size (10” at the canopy, 15-7/8” at the marquee, and 4”-5” at the small blades). Four outstanding issues remain with regard to signage: 1. a comprehensive look at how many signs will be present on this large building is important to avoid unnecessary clutter; 2. the small blade signs and corner blade signs could be much more elegantly affixed to the building if the metal brackets were behind the brick cladding of the building; 3. at the prior Design Advice Requests it seemed the

Portland Historic Landmarks Commission preferred the marquee signs to be between levels 1 and 2; and 4. the alleyway portal signs should be defined in the detail drawings, though it is assumed it will mimic the marquee sign details.

Canopies have been incorporated into the design as a way to emphasize the pedestrian level, protect pedestrians from the weather and integrate the site historically into the district. Two canopies establish wayfinding and the hierarchy for the building. A larger (20' x 9') canopy set approximately 15' off the ground will connote the two main entranceways off of NW Davis and NW Naito. The lower and slightly smaller (approx. 13' off the sidewalk and 16' x 4' in size) canopy will occur in various locations across the remainder of the four elevations.

With resolution of the 4 aforementioned sign clarifications, these guidelines could be met.

G. Cast Iron. For new buildings the appropriate re-use of available cast iron elements is encouraged.

A9. Strengthen Gateways. Develop and/or strengthen gateway locations.

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 G., A9, C10: The NE corner of the site (at the intersection of NW Naito and NW Davis) was acknowledged as having a strong gateway connotation. The proposed development acts to establish and strengthen this corner, adjacent to Waterfront Park and the Japanese American Historical Plaza, through the focused design and development of the right-of-way. The proposed site design will incorporate historic cast iron columns gifted from the Portland Development Commission (PDC), and historic Cobblestones at the ground plane. The proposal is to incorporate up to 13 columns into an open space sculpture park within the right-of-way. This would have the effect of honoring the historic cast iron legacy of the district while also providing emphasis to the corner as a gateway to the Historic District, Waterfront Park, and the river. The proposal, though, is lacking in specifics about the plinths the columns may sit upon.

With additional details on how the cast iron elements will be installed, these guidelines could be met.

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.

Findings for A1: The proposed site is on the eastern-most edge of the final city block before the Willamette River. Subsequently, the proposed site is separated from Waterfront Park and the Japanese American Historical Plaza by just the four travel lanes of NW Naito Parkway to the immediate east. The proposed site has developed pedestrian connections to the river partially through taking advantage of the no-build easement requirement with the OCOM building. Through the development of an alleyway between the proposed building and OCOM a significant emphasis is placed on the river as the pedestrian flow from the core of both buildings is oriented, and on axis with, the river.

Consistent with the historic patterns in the neighborhood, the building lobby for the upper levels uses is located on the east-west street (Davis). Within the building, ample east-facing windows and, to a lesser degree north- and south-facing windows, connect to direct views of the waterfront.

The proposed building also provides connection to the river through the focused development of the NE corner of the site. This portion of the site, with greater public right of way, will be developed as a sculpture park including the placement of up to 13 historic cast iron columns which are direct physical remnants the area's past. This area will also include at grade use of historic Cobblestone to further emphasize the connection of the site to the history of the district and proximity to the river.

This guideline is met.

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

Findings for A2: The proposal acknowledges the historic neighborhood in which it is located through the incorporation and integration of Portland-related themes found within the district. As one of only a few cast iron districts in the United States, the proposed development incorporates the use of cast iron columns in the right-of-way at the NE corner tying the site to other cast iron buildings within the district. Cobblestones at the ground plane recall the historic materials of the district's streets. The proposed ground level programming also reflects a consistent theme of vibrant ground levels, with active public uses being focused on the north-south avenues and building entries for the upper level uses being focused on the east-west streets.

This guideline is met.

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

Findings for A3: The proposed development deviates from a tradition of the district in that the building breaks up the street walls on NW Couch and NW 1st Street with the inclusion of the 30-35'-wide alleyway running between the proposed building and the existing OCOM building. However, the inclusion of the alley provides additional open space for both facilities, while maintaining the overall integrity of the City's 200 x 200 block structure with the inclusion of substantial brick entry portals at both breaks in the street wall.

This guideline is met.

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

Findings for A4: The proposed building includes district-unifying elements by utilizing brick as the primary building material along the street frontage and utilizing windows of a similar style, size and rhythm to neighboring buildings. The site also provides a unifying streetscape within the district through the placement and location of street trees and proposed light poles. Resulting from the three Design Advice Requests, the massing and articulation of the proposed building is also consistent with, and relates to, other buildings in the district. Finally, the use of historic cast iron elements and Cobblestones within the proposed development recalls notable characteristics of the district.

This guideline is met.

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

new development.

Findings for A5: The proposed site design acknowledges the local character within the right-of-way. The proposed development will respect those features through the incorporation of twin ornamental light standards and the consistent use of street trees. The proposed site design also will enhance the district identity through the development of two gate elements at each alleyway entrance. Finally, the proposal will reflect the local character through the development of the right-of-way at the NE corner of the site. This space will incorporate historic cast iron columns relevant to the district in the form of a sculpture park for pedestrians to experience and walk through. This same area will also make use of historic Cobblestone as an at-grade treatment to further invest in a special area that ultimately connects the site with the river.

This guideline is 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 for A7: The proposed development defines public right-of-way by creating and maintaining a sense of urban enclosure through recognizing the common scale and proportion of the adjacent buildings so as to create a balanced street volume. The proposed development is in line with the other building on the block, the OCOM building. As such there is a unified sense of urban enclosure between the two and throughout the block. The proposed site also incorporates the established use of street trees and canopies to further maintain and strengthen the consistency of urban enclosure.

This guideline is met.

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.

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 A8, C8 and C9: The proposed design differentiates the ground floor by utilizing larger glazing systems, overhead canopies, and variety in façade plane. Portions of the floor are recessed from the building above. This is intended to allow the structure to be expressed on the exterior of the building reflecting what is seen in other cast iron buildings in the district. This also allows for the pedestrian realm to extend into the site.

The proposed development will contribute to a vibrant streetscape through the use of a number of elements on and around the site. The site will incorporate and attract pedestrian interest encouraging movement into the interior of buildings at the ground floor by activating the ground floor uses through the programmatic anchoring of users at both the north and south ends of the building. With floor-to-floor heights of 15 feet the spaces are flexible for dynamic and varied pedestrian uses. The ground level of the proposed building is primarily dedicated to one large user (University of Oregon) at this time, thus the reason for few doors at the NW Naito elevation. However, the storefront system and the interior grades are set-up to allow future changes to the building to facilitate multiple tenants with multiple entries facing NW Naito, similar to the flexible nature of the White Stag building to the south.

It is of utmost importance that the storefront glass used throughout the building is clear glass; dark glass, colored glass and/or reflective glass would be very inconsistent with the appearance of the district's buildings and the pedestrian focus of the ground levels. Given the proposed ground level at this time is mostly given up to a single user that may need privacy for meetings and/or classes, and the gateway location and Naito frontage provide sweeping views of the building, it is important this review include a Condition of Approval that will require clear glass throughout to ensure consistency with the historic characteristics of the area, and the pedestrian-focus expected of all development.

The proposed site also incorporates the alleyway development that runs through the block and separates the existing OCOM building from the proposed site as a means of activating and contributing to a vibrant streetscape. The development of the alleyway will provide unique pedestrian space to allow activities to be programmed for the site and right-of-way.

These guidelines could be met with a Condition of Approval that requires clear glass for the storefront.

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.

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 B1 and C6: The proposed development continues the existing public pedestrian sidewalk system already established in the district. The proposed building development provides 12 foot wide sidewalks around the site on all sides of the site with the exception of the east right-of-way where the sidewalk and pedestrian space is more generous. Overall, right-of-way development at the different zones of the sidewalk are clearly established and maintained. The building frontage zone for much of the development is covered by canopies from the proposed building. The movement zone is direct and clear of unnecessary obstacles and features. The street furniture zone is coupled with the proposed street trees on the north, south and west edges. The east right-of-way is more generous, from 20-40 feet depending on location. This edge maintains both the constant design aesthetic regarding street trees and frontage off of NW Naito Parkway while also providing a pedestrian space at the north-east corner to connect to the waterfront. This pedestrian space includes historic installations as well as additional plantings and street furniture for enhancement and a variety of experience to the pedestrian zone.

The proposed site also enhances the pedestrian system through the development of the alleyway which separates the existing OCOM building, on the south-west corner of the site, from the proposed building which covers the remaining three-quarters of the block. The alleyway allows access to both buildings through the middle of the block. This unique aspect of the site's pedestrian system incorporates large seating areas and landscaping with both building elevations providing areas that are active and dynamic for pedestrian users.

These guidelines are met.

B2. Protect the Pedestrian. Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical

exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

Findings for B2: The pedestrian areas created by the proposed development are free of building and mechanical equipment. The pedestrian areas are protected from vehicle traffic, and their externalities, on all sides of the site through the incorporation of proposed street trees, pedestrian scale lighting and street furniture, providing safety and a clear distinction of the location of the pedestrian zone.

The alleyway, which is intended for pedestrians, includes a loading space at the southern end to allow service drop-off to the building. This space is designed to be pedestrian friendly when not being used and will be distinguished through the use of bollards and landscaping to provide a safe pedestrian zone that is also aesthetically consistent with the rest of the site design and the larger historic district. Additionally, the application has requested approval from Portland Transportation to allow a rolled curb where vehicles would access the space from NW Couch to downplay the impact of vehicle access in the public right-of-way. Portland Transportation's review of this request is still pending.

This guideline is met.

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

Findings for B3: The site proposal includes two key "bridges" for pedestrian users to cross barriers at and around the site. The first is the effective creation of the NE right-of-way space. This space will be developed in a way, including landscaping, seating areas and installation of up to 13 historic cast iron columns, that provides the pedestrian with a safe and enhanced area to queue and wait before crossing the four travel lanes of NW Naito en route to Waterfront Park or the river. The second bridge element, employed by the development of the site, is the creation of the alleyway between the existing OCOM building and the new development. The alley will allow safe, east access through the block structure during the day.

This guideline is met.

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

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

Findings for B4 and B5: The proposed site design provides safe, comfortable places where people can stop, view, socialize that are not in conflict with utilitarian pedestrian movement and sidewalk access. The alleyway proposed between the site and the existing OCOM building to the SW offers daytime access to pedestrians that is intended as a safe and comfortable area for pedestrians to congregate, socialize and view.

The area to be developed on the NE corner of the site, within the right-of-way, is another space that allows pedestrians to safely stop, view and socialize. This space, between the site and NW Naito, will be designed with landscaping, at-grade historic Cobblestones, seating and the installation of up to 13 historic cast iron columns. This area will be approximately one hundred feet in length and ranges from twenty-five feet at the southern edge to forty feet in width at the northern edge, providing ample area for pedestrians to stop, socialize, view and

wayfind. The development of this right-of-way area will also provide a comfortable space for pedestrians to cross NW Naito if heading to Waterfront Park and the river. Lastly, through the installation of historic cast iron columns and Cobblestones, this open space area will provide historic connection and education to the larger Skidmore/Old Town Historic District.

The site is also designed with large ground floor windows adjacent to the sidewalk and alleyway, providing a further sense of security to those in these open spaces. It is of utmost importance that the storefront glass used throughout the building is clear glass; dark glass, colored glass and/or reflective glass would be very inconsistent with the appearance of the district's buildings and the pedestrian focus of the ground levels and adjacent outdoor spaces. Given the proposed ground level at this time is mostly given up to a single user that may need privacy for meetings and/or classes, and the gateway location and Naito frontage provide sweeping views of the building, it is important this review include a Condition of Approval that will require clear glass throughout to ensure consistency with the historic characteristics of the area, and the pedestrian-focus expected of all development.

This guideline could be met with a Condition of Approval that requires clear glass for the storefront.

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 B6: The site proposes canopies on all side of the building to establish a sense of wayfinding and hierarchy while also protecting pedestrians from the weather.

This guideline is met.

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

Findings for B7: The site will be designed so that all public areas of the building, including the alley, lobbies, active use areas, office, housing and amenity areas are universally accessible.

There are no superfluous barriers or steps in the alley way or the public areas within the right-of-way that could have the impact of limiting use.

This guideline is met.

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

Findings for C1: The building's ground level has multiple street-level entries and large areas of clear glazing around the entire building that allow views into numerous and different active areas such as main entries, lobbies, offices, and commercial spaces. The building is oriented to the river and provides further connection to the river and Waterfront Park via the expanded public right-of-way outdoor plaza space located at the NE corner of the site. The proposed building also creates interesting visual connections within and through the site regarding the alleyway that divides the existing OCOM building from the proposed development. And, lastly, ample windows provide access to views of the river, Waterfront Park, the City, and the historic district.

This guideline is met.

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

Findings for C7: All building corners are occupied by active uses. At the intersections of Couch and Naito, and 1st and Davis a brick element anchors the corner of the building. Primary ground floor entries on Naito and Davis are expressed on the façade through larger glazing and canopies. The building lobby serving the upper floors of the development is at the middle of the block on NW Davis Street and connects through to the pedestrian alley running through the middle of the block. The stairways are in the middle of the block and are expressed on the pedestrian alley. These stairs are designed to create opportunities of activity up the building by providing views into the alley and allow an opportunity for building occupants to access fresh air while moving between floors. The prominent corner of NW Naito and Davis will incorporate up to 13 columns into an open space sculpture park within the right-of-way. This would have the effect of honoring the historic cast iron legacy of the district while also providing emphasis to a gateway to the Historic District, Waterfront Park, and the river.

This guideline is met.

MODIFICATION REVIEW

33.846.070 Modifications Considered During Historic Resource Review

The approval criteria for modifications considered during Historic Resource Review are:

- A. Better meets Historic Resource Review approval criteria.** The resulting development will better meet the approval criteria for Historic Resource Review than would a design that meets the standard being modified; and
- B. Purpose of the standard.**
1. The resulting development will meet the purpose of the standard being modified; or
 2. The preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.

Modification Request #1:

Extensions above maximum height: The project requires a modification to extensions allowed above the 75 foot height standard, specifically regarding the 10% mechanical\stair coverage addressed in 33.130.210.B.2. The current mechanical unit area (including the fully screened area) is 1,997 square feet of 16,787 or 12%. This number does not yet include any stair overrun components.

Purpose statement, 33.130.210.: The height limits are intended to control the overall scale of buildings. The height limits in the CN1, CN2, and CO1 discourage buildings which visually dominate adjacent residential areas. The height limits in the CO2, CM, CS, and CG zones allow for a greater building height at a scale that generally reflects Portland's commercial areas. Light, air, and the potential for privacy are intended to be preserved in adjacent residential zones. The CX zone allows the tallest buildings, consistent with its desired character.

Findings: Collectively the proposed design has responded to the Commissions comments resulting in the first 5 floors having a well organized horizontal and vertical structure of both voids and solids. All elements atop the penthouse continue to read as an afterthought and disrupt the overall design aesthetic and success of the building. The current location and

placement of the mechanical equipment, and its size and austerity, in concert with the variety of other rooftop elements such as the long runs of railings, solar arrays, stair railings and elevator overrun, greatly undercut the successes made in the first five floors of the proposed building. This historic district illustrates a tradition of complete well-crafted design, which this building succeeds in delivering such a level of craft from the fifth floor down. More attention should be focused on the abundance of elements atop the penthouse to ensure that this building continues these cohesive building traditions, and fully contributes to one of the front doors to this historic district.

Moreover, the stated height of the proposed building, from highest adjacent grade (33.930.050) to the top of the parapet, is 75 feet. The proposed structure does not exceed 75 feet. The applicant states that roof elements such as elevator overruns, stairwell overrun components, railings, mechanical equipment and associated screens extend beyond the 75 foot height. The rooftop elements are varied and dispersed and result in quite a visual distraction as opposed to the lower floor levels of order and rhythm. The applicant has worked throughout the Design Advice Request process to quiet down the rooftop elements given this site is hugely visible in Portland's skyline, as it fronts NW Naito Parkway. Additionally, the alleyway condition sets up easily experienced views of the rooftop clutter especially when looking straight down the alley from NW Couch. As such, staff encourages additional creative solutions, consolidation, and/or elimination as the height is an important issue in this Historic District.

In order for a Modification to be approved, the project must demonstrate that not meeting the standard better meets Historic Resource Review approval criteria, and the resulting development will meet the purpose of the standard being modified. This has not been demonstrated.

Modification Request #2:

Short-term bike parking location: For a building with more than one main entrance (as this proposal includes), the on-site bike parking must be along all facades with a main entrance, which would include the alleyway, NW 1st, NW Davis and NW Naito. The project requires 9 on-site short-term spaces. The proposal includes 12 on-site short-term spaces, but all are within the alleyway and not at the street frontages.

Purpose statement, 33.266.220 A.: Short-term bicycle parking encourages shoppers, customers, messengers, and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Short-term bicycle parking should serve the main entrance of a building and should be visible to pedestrians and bicyclists.

Findings: The project better meets Historic Resource Approval Criteria that speak to maintaining a strong street edge at all block faces, Guidelines A., A7 and C4. With regard to the purpose statement, by providing more than the Code minimum, the project is encouraging people to travel by bike. For this particular site, which includes excess right-of-way at the NW Naito frontage, it is reasonable to allow some mitigation to happen in the right-of-way. As such, a Condition of Approval will require that at least four bike parking spaces be provided at this block's frontage along the NW Naito right-of-way.

With a Condition of Approval requiring at least four bike parking spaces be provided at this block's frontage along the NW Naito right-of-way.

ADJUSTMENT REVIEW

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 citywide, 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

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A through F have been met:

- A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and
- 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
- C.** If more than one adjustment is being requested, the cumulative effect of the adjustments result in a project which is still consistent with the overall purpose of the zone; and
- D.** City-designated scenic resources and historic resources are preserved; and
- E.** Any impacts resulting from the adjustment are mitigated to the extent practical; and
- F.** If in an environmental zone, the proposal has few significant detrimental environmental impacts on the resource or resource values as is practicable.

Adjustment Request #1:

Loading: Chapter 33.266 requires 2 full size loading spaces. The proposal includes only one full size loading space.

Purpose statement, 33.266.310: A minimum number of loading spaces are required to ensure adequate areas for loading for larger uses and developments. These regulations ensure that the appearance of loading areas will be consistent with that of parking areas. The regulations ensure that access to and from loading facilities will not have a negative effect on the traffic safety or other transportation functions of the abutting right-of-way.

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

Findings: As described in the applicant's narrative, the reduction from two loading spaces to one will not create an undo burden to the development, the existing building on the block (OCOM), the surrounding properties, nor the historic district as a whole. It is assumed that the use of a loading area will be for move-ins, retail and office deliveries. A single loading bay can adequately accommodate these proposed uses. This single loading bay is proposed to be located off of NW Couch at the entrance to the pedestrian alley. This would allow the alley to serve multiple uses further allowing the loading spaces to be concealed within the site. Portland Transportation is supportive of the loading Adjustment request.

For these reasons, the approval criterion is met.

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

Findings: The project is located in a commercial zone within the Skidmore/Old Town Historic District. The site is located between NW 1st Avenue which is designated as a Major Transit

Priority Street and NW Naito Parkway which is a four lane traffic access street that separates the site from the waterfront. The site is also located within the pedestrian district. By granting the adjustment to reduce the number of loading spaces from 2 to 1 and allowing the alleyway entrance off of NW Couch to accommodate this space, the proposal will reduce the overall vehicular access to the site and better preserve the pedestrian aesthetic of the site and the district. This will be consistent with the street usage and character of the surrounding area.

For these reasons, the approval criterion is met.

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

Findings: This site entails new construction so no direct scenic or historic resources will be impacted. Due to the incorporation of the proposed single loading space into the proposed alley way design the loading space will have minimal impact on landmark structures to the immediate south or contributing buildings to the west and south.

For these reasons, the approval criterion is met.

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 use and enhancing the pedestrian environment around the site. Mitigation has been achieved by the reduction in the amount of pavement and curb cuts and incorporating the proposed loading space into an area with multiple uses.

For these reasons, the approval criterion is met.

COBBLESTONE REQUEST

The applicant is requesting to utilize some of the City's cobblestone stockpile. Cobblestones are proposed in the NW Naito Parkway right-of-way adjacent to this site and also within the proposed L-shaped courtyard between the proposed building and the existing quarter-block building (Oregon College of Oriental Medicine) on the same block. The approximate square footage of Cobblestones requested is not yet known, but needs to be known prior to final approval.

Deployment Criteria:

Ordinance No. 139670 required that the Bureau of Parks pick up, clean, and store cobblestones as they were excavated from City streets. The Ordinance further required that "The deployment of stored cobblestones shall be determined by the Portland Historical Landmarks Commission. Criteria for deployment shall be established by the Commission." Two deployment criteria were developed by the Commission in 1975, and remain the criteria today:

1) Cobblestones should be reused primarily in districts or areas of the City where they were originally used. Historic Districts and Historic Landmarks where cobblestones were originally used as the paving material should receive first priority.

Findings: Cobblestones were common in the Skidmore/Old Town Historic District. *This criterion is therefore met.*

2) As a general policy, cobblestones should be used for large paving areas, primarily in public pedestrian spaces where the special character of cobblestone texture would be meaningful. The

use of cobblestones as small decorative elements in unrelated or isolated projects should be discouraged, as these uses are usually insignificant or inappropriate.

Findings: The proposed locations for the pavers include the NW Naito Parkway right-of-way adjacent to this site and also within the proposed L-shaped courtyard between the proposed building and the existing quarter-block building (Oregon College of Oriental Medicine) on the same block. Both areas will be fully accessible to the public in pedestrian-oriented open spaces. The areas around the Cobblestone surfaces will be accessible, so all can enjoy the spaces. *This criterion is therefore met.*

Cobblestone Regulatory History:

Until 1975, there was loose protocol but little process related to the unearthing, storage, and distribution of cobblestones that served as the primary street surfacing material in much of Portland until the turn-of-the-century. Unearthed stones were either disposed of, typically as fill, stored at various sites about the City for maintenance, or scavenged for private projects.

In 1973, then Mayor Neil Goldschmidt determined that the cobblestones were indeed an historical resource, and that procedures for stockpiling and deploying such cobblestones should be developed. The Landmarks Commission, under Chairman George McMath, and Bureau of Planning staff were given the task of developing a procedure and criteria for determination of appropriate uses for the stones in response to anticipated requests. This mayoral request culminated in the passing of Ordinances in 1975 and 1976.

Ordinance No. 139670 required that the Bureau of Parks pick up, clean, and store cobblestones as they were excavated from City streets. The Ordinance further required that "The deployment of stored cobblestones shall be determined by the Portland Historical Landmarks Commission. Criteria for deployment shall be established by the Commission."

Status of Cobblestone Inventory:

The following are estimated cobblestone supplies since the inventory was officially maintained (this information gleaned from assorted sources).

year	inventory	other notes
1977	60,000 cleaned stones 200,000 uncleaned	Stored at West Delta Park
1983	368,000	128,000 estimated need for Light Rail
1992	400,000 to 500,000	Approximately 7000 stones approved for West Hall @ PSU Inventory moved to Chimney Park Inventory reserved for use in the Westside Light Rail
1996	200,000 estimated inventory, (approximately 42,000 square feet)	Approximately 4,800 stones [800 square feet] approved and installed for Kenton's Paul Bunyan Plaza
1997	197,900 estimated inventory [-~ 33,150 SF]	Approximately 600 stones [96 SF] approved and installed for LADD's Rose Diamonds Approximately 11,100 stones [1,850 SF] approved for Holocaust Memorial

1998	189,300 estimated inventory	Approximately 9,000 stones requested for Pittock Mansion
1999	179,400 estimated inventory	Approximately 9,900 stones approved for Tanner Springs Park
2003	175,800 estimated inventory	Approximately 3,600 stones (600 SF) requested for historic Meier and Frank warehouse redevelopment (now the Avenue Lofts)
2011	174,800 estimated inventory	Approximately 1,000 stones approved for PSU Ecological Learning Plaza
2014	TBD	Unknown number of stones requested for Block 8L development

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 purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance.

The Staff Recommendation raised some areas deserving additional attention. Those areas are as follows:

Guidelines B., C5 and C11, and Modification to Height Exceptions:

Staff recommends all elements atop the penthouse be further studied to consolidate or eliminate so that the exceeded height is not as apparent and distracting to the building architecture.

Guidelines C. and C4:

Staff requests additional details of the blank expanses of walls at the interior alleyway facades, depicting a richness in texture and detail.

Guidelines D. and C2:

Staff requests demonstration at the hearing that the proposed metal is of a quality appropriate for its applications.

Staff recommends a Condition of Approval that requires clear glass for the storefront and the upper floor windows.

Staff encourages reconsideration of the exposed fastener Hardi panel material at the penthouse.

Guidelines C12 and C13:

Four outstanding issues remain with regard to signage: 1. a comprehensive look at how many signs will be present on this large building is important to avoid unnecessary clutter; 2. the small blade signs and corner blade signs could be much more elegantly affixed to the building if the metal brackets were behind the brick cladding of the building; 3. at the prior Design Advice Requests it seemed the Portland Historic Landmarks Commission preferred the marquee signs to be between levels 1 and 2; and 4. the alleyway portal signs should be defined in the detail drawings, though it is assumed it will mimic the marquee sign details.

Guidelines G., A9, C10:

Staff requests additional details on how the cast iron elements will be installed.

Guidelines A8, C8 and C9:

Staff recommends a Condition of Approval that requires clear glass for the storefront.

Guidelines B4 and B5:

Staff recommends a Condition of Approval that requires clear glass for the storefront.

Before land use review approval can be granted for the proposed non-standard improvements in the right-of-way, the Bureaus of Transportation, Environmental Services and Water must approve of the requests. The applicant is encouraged to provide the necessary information in order to gain other Bureaus' approvals so that this land use review can approve of the requested non-standard improvements in the right-of-way.

Portland Transportation is still considering the request for a rolled curb at NW Couch to provide on-site loading access.

Staff recommends approval of the Modification to on-site short-term bike parking.

Staff recommends approval of the Adjustment to one on-site loading space instead of the required two.

Staff recommends approval of the deployment of historic Cobblestones to be used in the NW Naito right-of-way and within the pedestrian alleyway. Though, before final approval can be granted, staff must receive an estimated number of Cobblestones to be utilized in this proposal.

TENTATIVE STAFF RECOMMENDATION

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

Staff does not yet recommend approval of the entire proposal.

Procedural Information. The application for this land use review was submitted on September 12, 2014, and was determined to be complete on September 12, 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 September 12, 2014.

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

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

This report is not a decision. The review body for this proposal is the Landmarks Commission who will make the decision on this case. This report is a recommendation to the Landmarks Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Landmarks Commission will make a decision about this proposal at the hearing or will grant a continuance. Your comments to the Landmarks Commission can be mailed c/o the Landmarks 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. This Staff Report will be posted on the Bureau of Development Services website. Look at www.portlandonline.com. On the left side of the page use the search box to find Development Services, then click on the Zoning/Land Use section, select Notices and Hearings. Land use review notices are listed by the District Coalition shown at the beginning of this document. You may review the file on this case at the Development Services Building at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201.

Appeal of the decision: The decision of the Landmarks Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Landmarks 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 on hearing or if you testify at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$5,000.00 will be charged.**

Appeal Fee Waivers: 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.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder’s office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

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

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

Planner’s Name: Kara Fioravanti
Date: October 7, 2014

EXHIBITS
NOT ATTACHED UNLESS INDICATED

- A. Applicant’s Submittals
 1. 120-day waiver
 2. Original drawings August 11, 2014
 3. Original narrative: August 11, 2014
 4. Pre-Application Conference Summary Memo
 5. Design Review Set: July 28, 2014
 6. Stormwater Report: July 28, 2014
 7. Stormwater Report: September 11, 2014
 8. Updated drawing set for October 13th hearing: September 23, 2014
 9. Updated narrative: September 23, 2014
 10. Design Development Set: September 22, 2014
- B. Zoning Map (attached)

- C. Plans & Drawings to be reviewed at the October 13th hearing
See Exhibit A.8 (C.14 rendering and C.32 site plan 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: October 3, 2014
 - 2. Bureau of Transportation Engineering and Development Review: October 2, 2014
 - 3. Water Bureau: October 2, 2014
 - 4. Fire Bureau: September 23, 2014
 - 5. Site Development Review Section of Bureau of Development Services: September 22, 2014
 - 6. Bureau of Parks, Forestry Division: September 27, 2014
- F. Letters
None Received
- G. Other
 - 1. Original LUR Application
 - 2. DAR #1 summary memo, July 9, 2014.
 - 3. DAR #2 summary memo, August 13, 2014.
 - 4. DAR #3 summary memo, August 21, 2014.

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



ZONING

-  Site
-  Recreational Trail
-  Historic Landmark



This site lies within the:
SKIDMORE / OLD TOWN HISTORIC DISTRICT
CENTRAL CITY PLAN DISTRICT
RIVER DISTRICT

File No. LU 14-211555 DZM
 1/4 Section 3030
 Scale 1 inch = 200 feet
 State_Id 1N1E34DB 200
 Exhibit B (Sep 12, 2014)

CONCEPT
RENDERING / NW DAVIS AND NW NAITO PARKWAY

