



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

1900 SW 4th Avenue, Suite 5000 Portland, Oregon 97201 503-823-7300 Fax 503-823-5630 TTY 503-823-6868 www.portlandonline.com/bds

Date: Februrary 24, 2009

To: Interested Person

From: Chris Beanes, Land Use Services

503-823-7983 / chris.beanes@ci.portland.or.us

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 09-101165 DZ, Rose QUARTER HOUSING RENOVATION REVISION

GENERAL INFORMATION

Applicant: Kristin Wells 503-223-6693

William Wilson Architects

1010 SW 11th Ave Portland OR 97205

Rose Quarter Housing LLC

232 NW 6th Ave Portland, OR 97209

Site Address: 10 N WEIDLER ST

Legal Description: BLOCK 29 TL 4500, 4600, 4400 MCMILLENS ADD

Tax Account No.: R553002320, R244901170, R553002300

State ID No.: 1N1E34AA 04500, 1N1E34AA 4600, 1N1E34AA 4400

Quarter Section: 2830. 2930

Neighborhood: Lloyd District Community, contact William Ruff at 503-221-1121.

Business District: Lloyd District Community Association, contact Nancy Chapin at 503-

774-2832.

District Coalition: None

Plan District: Central City - Lloyd District

Zoning: CXd, Central Commercial with Design Overlay DZM, Design Review with 2 modification requests

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

Commission.

Proposal:

The applicant is in the process of renovating a building, changes are proposed to the previous land use review processed under LU 08-131693 DZM. Amongst the proposed changes are the following:

- The parking deck improvements proposed have been simplified due to structural issues. The changes from the previous review include a new gathering space on the north side, and new sidewalks to provide existing and ADA access to the entry/exit doors.
- The stair tower at the south corner of the building will include a sloped roof for drainage and railings have changed from horizontal tube railing to a steel mesh treatment;
- Along the west elevation, existing windows will be replaced with a new storefront window system;
- Along the south elevation, a new storefront window system has been added;
- A new egress door has been added at the parking deck;
- The east entry location has been relocated slightly towards to the south end of the storefront section;
- Some minor structural/design changes to the entry canopies;
- There are some areas where the existing stucco has delaminated from the brick. The applicant intends to remove the stucco and leave the brick exposed and painted.

The changes do not affect previous modifications requested.

Because proposed work is for exterior alterations to an existing building in a design overlay zone, Design Review is required.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines
- Special Design Guidelines for the Design Zone of the Lloyd Subdistrict Design of the Central City Plan District

ANALYSIS

Site and Vicinity: The 37,600 square foot irregularly shaped lot is located on the east side of the Willamette River, near the Rose Quarter sports complex, bounded by North Williams, Wheeler, and Weidler Streets. Its unique location is a crossroads and gateway to the Lloyd District to the east, the Rose complex to the south, and the fine textured Eliot neighborhood to the north. Characterized by a mixture of uses, the immediate vicinity includes parking, semi-industrial, entertainment, and commercial ventures nearby.

The site is classified as being within a Pedestrian District, and a City Bikeway skirts the site along all its edges. North Weidler is classified as a Major City Traffic Street as well, while Williams is classified as a Traffic Access Street. The site is within close proximity Interstate 5 along its eastern edge.

The 64,416 square foot 5 story building, built originally as a hotel in 1965, includes a plinth of ground floor parking. The building footprint is a long rectangle oriented north- along the N. Williams frontage. At N. Weidler, a short leg turns east-west to form an overall "L" shape in plan. A one-story parking structure extends out from the building to the west.

Zoning: The <u>Central Commercial (CX) zone</u> 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.

The <u>design (d) overlay zone</u> 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 must meet the Community Design Standards (Chapter 33.218) or are subject to design review.

Land Use History: City records indicate there are prior land use reviews for this site:

- LUR97-00107 DZ: Design review approval for rooftop antennas;
- DZ 98-84: Approval for signage;
- DZ 10-86: Approval of remodel with landscaping;
- LU 06-123096 DZ: Design Review approval of 3 panel antennas on the elevator penthouse;
- LU 02-127105 DZ: Design Review approval of 5 pipe-mounted antennas.
- LU 08-131693 DZM: Design Review approval for renovation of the existing building for housing.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **July 9, 2008**. The following Bureaus have responded with no issues or concerns:

- The Bureau of Environmental Services responded with the following comment: "BES has no objections to this proposal". Please see Exhibit E.1 for additional details.
- The Site Development Section of BDS responded with the following comment: "Site Development has no objections to the requested Design Review and Modifications". Please see Exhibit E.2 for additional details.
- Life and Safety of BDS has responded with the following comment: "A separate building permit is required for the work proposed and the proposal must be design to meet all applicable building codes and ordinances." Please see Exhibit E.3 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on January 20, 2009. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825, Design Review Section 33.825.010 Purpose

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

Section 33.825.055, Design Review Approval Criteria

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

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

<u>Special Design Guidelines for the Design Zone of the Lloyd District of the Central</u> City Plan and Central City Fundamental Design Guidelines The Lloyd District is a unique, multi-dimensional neighborhood in the Central City, with special features and assets found nowhere else in Oregon.

With the recent completion of the Oregon Convention Center, the District now serves as the "front door for Oregon and our city." The District as a whole is emerging as a special area in the state and the region, and the way it is developed will determine its comfort and continued use.

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

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.

Lloyd District Design Goals

The following goals and objectives define the urban design vision for new development and other improvements in the Lloyd District

- Encourage the special distinction and identity of the Lloyd District;
- Integrate the sub-areas of the District for a visual and functional coherence of the whole; and
- Improve the safety, convenience, pleasure, and comfort of pedestrians.

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.

Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project. Central City and Lloyd District Guidelines are addressed concurrently.

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

Findings for A3: Currently, the right-of-way along the perimeter of the site, particularly the principal N Weidler Street frontage, is characterized by ill-defined, and unsafe public space, with many conflicts between vehicles, pedestrians and bicycles. The proposal will greatly improve the various public subspaces along N

Weidler by introducing hard and softscape elements, stormwater treatment, defined circulation routes, and public amenities. The proposal humanizes the superblock through these organizing and softening features. The changes proposed do not affect the previous work proposed within the Right of Way. *Therefore this guideline is met.*

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

Findings for A4: Storefront windows along the west elevation will include finish and materials to match existing windows and storefront materials. A bronze finish is specified, to match the existing bronze finish of windows on the building. In addition, the profile of the windows will be similar to existing windows which are close to the wall surface, or near flush. Metal mesh elements are a recurring material found throughout the renovation project, including (in this revised proposal) mesh railing for the stair tower, to match the mesh treatment for the fence along North Weidler.

The changes proposed do not affect other unifying features identified. Entries, canopies, and plantings will remain as previously proposed along the perimeter of the site. *Therefore this guideline is met.*

- **A5. Enhance, Embellish, and Identify Areas**. Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.
- **A5-1. Develop Identifying Features.** Encourage the inclusion of features in the design of projects that give projects identity and a sense of place or significance within the District.

Findings for A5 and A5-1: The irregular shaped lot is unique since it is smaller in size, relative to the superblocks within the vicinity, as well as its proximity to I-5. The proposal responds via landscape features which help unify the site. Benches, paving, lighting, and enhanced sidewalks help create a welcoming pedestrian oasis amongst the large scale development absent of these features surrounding the site. The right of way improvements help tie the site to the larger grid, strengthening its connection to the Lloyd Sub-District. The new stair tower, with its muscular exposed steel construction has potential to become a utilitarian icon, responsive of its location at the apex of intersecting streets.

Revisions to various elements of the previous design review proposal include a sloped roof treatment to the stair tower element. This revision will provide further design interest at the intersection and is supportive of creating a unique feature at a gateway location. Due to structural issues, the parking deck has redesigned and original elements, including the planted portions of the deck have been eliminated. *Therefore these quidelines are met.*

A5-5. Use Public Right-of-Way Design Criteria Established for the Lloyd District. Use the public right-of-way design criteria as established and administered by the City Engineer especially for the Lloyd District from the adopted <u>Lloyd District Transportation Capital Improvements – District-Wide Design Criteria.</u>

Findings for A5-5: A new 5'-0" concrete paved access will allow exit and entry to an additional point of entry along North Wheeler Avenue. This proposed change will not affect ROW circulation, all ROW design criteria for the Lloyd District will continue to be addressed through this project. No other changes are proposed that will affect the ROW. *Therefore, this guideline is met.*

A5-6. Incorporate Landscaping as an Integral Element of Design. Incorporate landscaping as an integral element of design which is supportive of both the built and natural environment.

Findings for A5-6: Extensive landscaping is proposed, from street trees, stormwater swales and vegetated screen which wraps the intersection between N. Weidler Street and North Wheeler Avenue, no changes are proposed to these items.

A change is proposed to landscaping on the parking deck. Due to structural issues, the extensive plantings previously proposed will be reduced. In place, existing built-in concrete planting containers will be used. New plantings will be incorporated, including low maintenance drought-resistant varieties, appropriate to the conditions in which they will be planted. No other landscape changes from the previous approval are proposed. The landscaping proposed will have a softening effect on the built environment. *Therefore, this guideline is met.*

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

Findings for A9: A minor change in the roof of the rebuilt stair tower is proposed. Previously, a flat roof capped the tower; the proposed change is to slant the roof for a more dynamic presence along an important gateway location. In addition, a more refined mesh railing is proposed where tubular railing was proposed in the previous design. *Therefore these guidelines are met.*

- **C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.
- **C1-1. Integrate Parking.** Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

Findings for C3 and C1-1: Existing concrete planters will be reused for new plantings, and the existing parking deck configuration will be maintained. New striping will delineate the parking spaces. A new 5' raised concrete walkway will be constructed along the southern portion of the parking area towards the building to accommodate a new entry.

A new storefront system along the North Wheeler façade will replace an existing storefront which was in disrepair. The new storefront wall represents an increase in transparency along the North Wheeler street side. The windows will share similar profile and proportions as existing windows. As well, the proposed bronze finish will be the same as the existing bronze finish on other storefront windows throughout

the building. Therefore, these guidelines are met.

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

Findings for C5: Various elements of the revised proposal reinforce a consistent, coherent response in meeting this guideline. The storefront window wall along the west façade which replaces the existing system will be a thermal, aluminum window system with a dark bronze finish to match the existing window finish on the building. The profile will be similar as well, with a nearly flush application to the wall, similar to existing. In addition, the steel mesh treatment proposed for the stair tower railings will be similar to the garage opening grilles and fencing along the parking deck. *Therefore this quideline is met.*

DEVELOPMENT STANDARDS

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

CONCLUSIONS

Various elements of the revised proposal continue to meet specified design guidelines as addressed. In particular, the revised treatments meet guideline C5, Design for Coherency, with matching mesh treatment for the stair tower, and the storefront windows proposed which will match the aluminum material of existing windows and will also be a bronze finish with similar profile to existing windows. The revisions as proposed meet applicable Design Guidelines, thus warranting approval.

ADMINISTRATIVE DECISION

Approval of the following revisions to LU 08-131693 DZM:

- The parking deck improvements proposed have been simplified due to structural issues. The changes from the previous review include a new gathering space on the north side, and new sidewalks to provide existing and ADA access to the entry/exit doors, and restriping of existing parking stalls;
- The stair tower at the south corner of the building will include a sloped roof for drainage and railings have changed from horizontal tube railing to a steel mesh treatment;
- Along the west elevation, existing windows will be replaced with a new storefront window system;
- Along the south elevation, a new storefront window system has been added;
- A new egress door has been added at the parking deck;
- The east entry location has been relocated slightly towards to the south end of the storefront section;
- Some minor structural/design changes to the entry canopies;
- There are some walls where the existing stucco has delaminated from the brick. The applicant intends to remove the stucco and leave finish-quality brick exposed and painted; where finish quality brick is not present, the applicant will stucco those portions.

Approval per the approved site plans, Exhibits C-1 through C-5, and, as an alternate, C-6, the previously approved parking deck configuration in the case the applicant decides to proceed work on the parking deck as originally designed and approved under LU 08-131693 DZM, signed and dated February 20, 2009, subject to the following conditions:

A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.6. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 09-101165 DZ. No field changes allowed."

Decision rendered by:

on February 20, 2009

By authority of the Director of the Bureau of Development Services

Decision mailed: February 24, 2009

Staff Planner: Chris Beanes

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on January 8, 2009, and was determined to be complete on **January 14, 2009**.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on January 8, 2009.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period.

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

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

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

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

Appealing this decision. This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on March 10, 2009** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged**. The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Low-income individuals appealing a decision for their personal

residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 503-823-7967 to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- Unless appealed, The final decision may be recorded on or after March 11, 2009 (the day following the last day to appeal).
- A building or zoning permit will be issued only after the final decision is recorded.

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

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

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

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

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

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

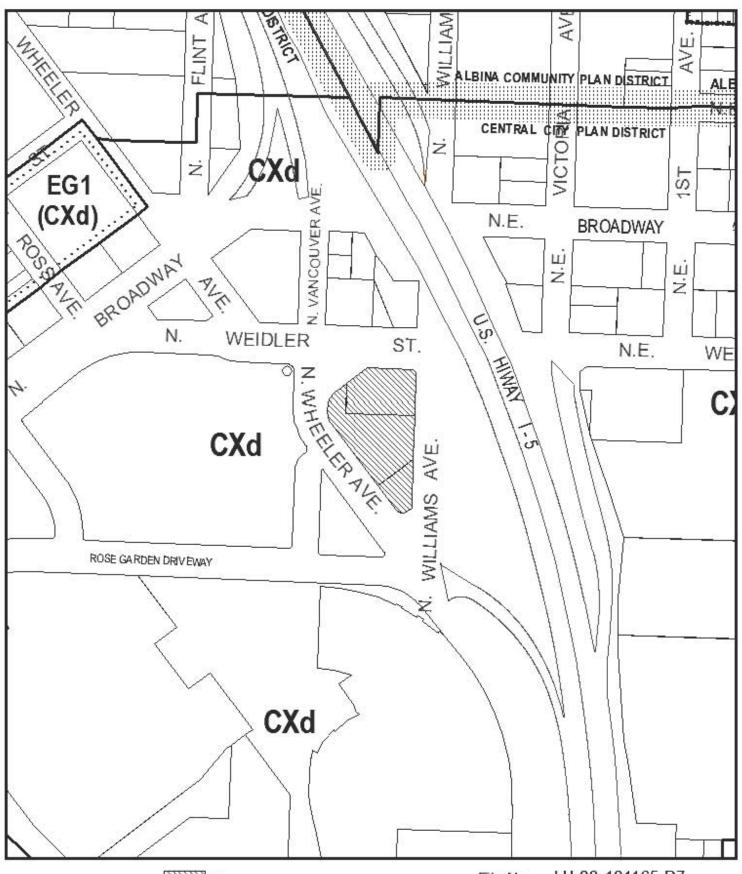
Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Landscape Plan (attached)
 - 3. North and South Elevations/Storefront Detail (attached)
 - 4. East and West Elevations (attached)
 - 5. Canopy and Stair Tower Details (attached)
 - 6. Original Parking Deck approval (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Site Development Review Section of BDS
- F. Correspondence: none
- G. Other: 1.Original LU Application2.Site History Research



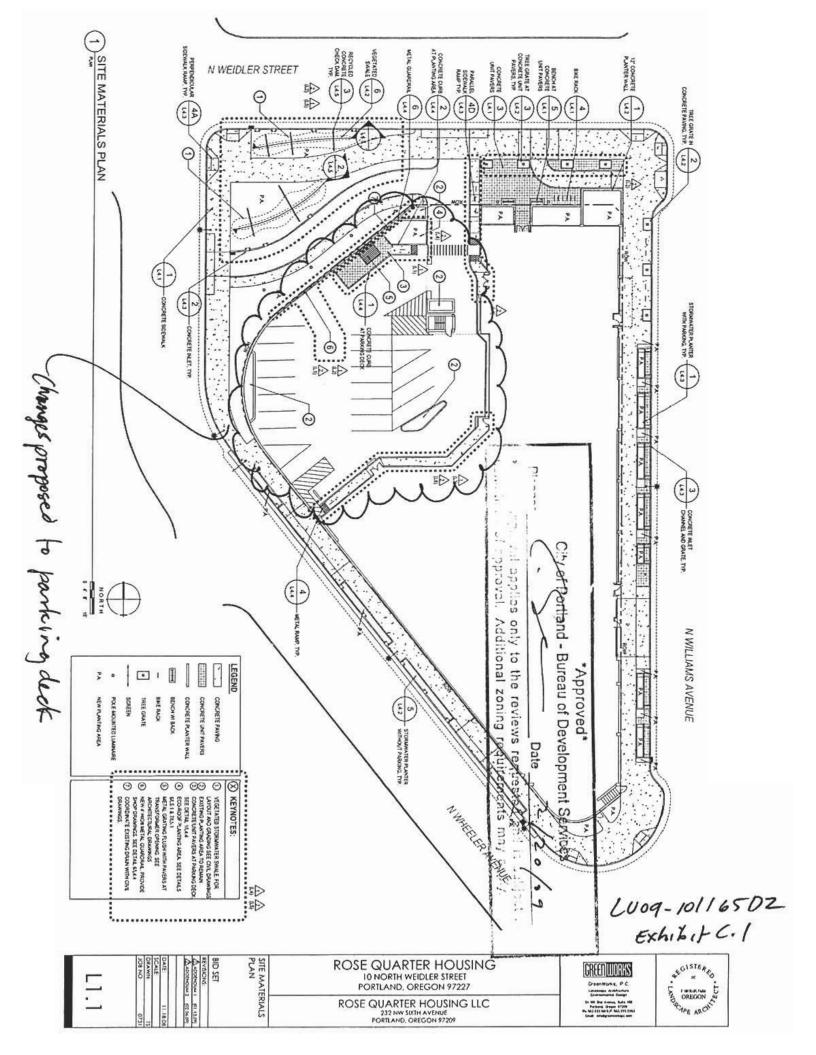
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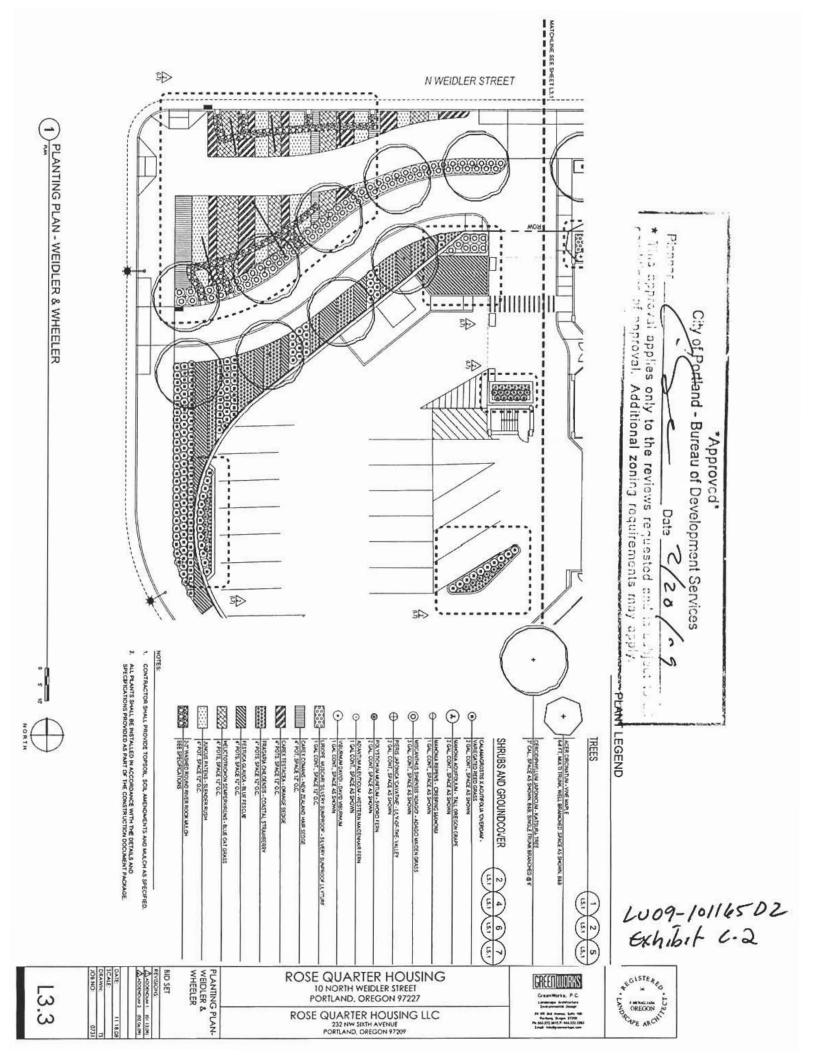
LU 09-101165 DZ File No. 2830,2930 1/4 Section _

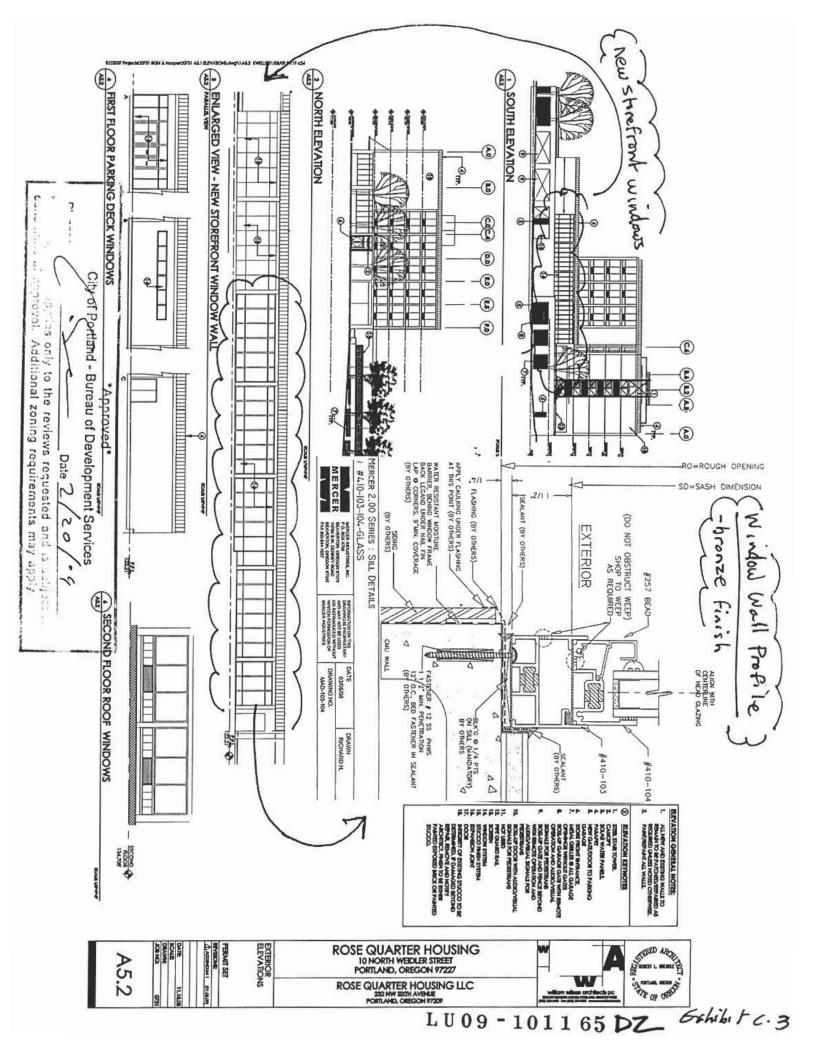
1 inch = 200 feet Scale.

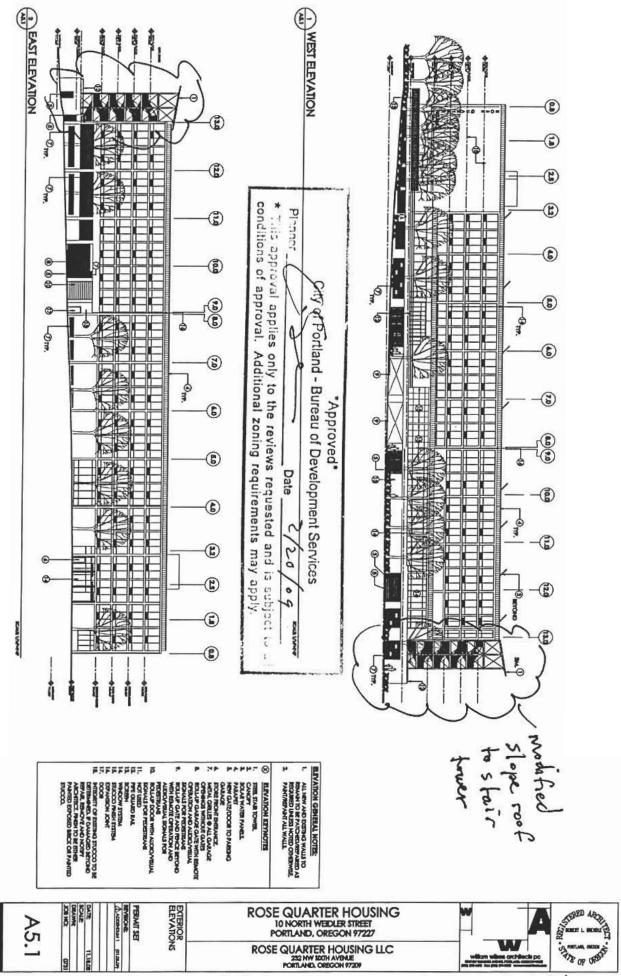
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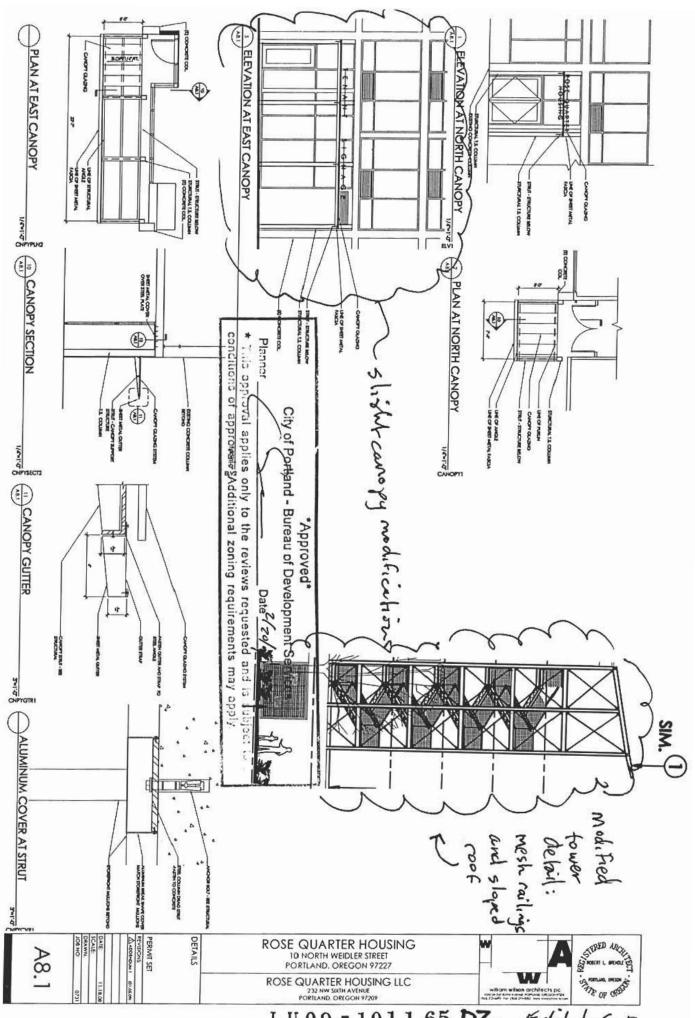
(Jan 09,2009) Exhibit.











LU09-101165 DZ Exhibil- C. 5

