



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: March 3, 2011
To: Interested Person
From: Chris Caruso, Land Use Services
503-823-5747 / Christine.Caruso@portlandoregon.gov

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 11-104607 DZ **819 SW OAK - AT&T BUILDING LOUVERS**

GENERAL INFORMATION

Applicant: Mark Knoke
KDW
10202 5th Ave NE, Ste 102
Seattle, WA 98125

Representative: Kevin Hall
AT&T
3555 Monte Villa Parkway
Bothell, WA 98011

Site Address: 819 SW OAK ST

Legal Description: N 65' OF E 100' OF BLOCK 55 DEPT OF REVENUE, COUCHS ADD;
BLOCK 55 TL 1500 DEPT OF REVENUE, COUCHS ADD; BLOCK 86
TL 1700 DEPT OF REVENUE, PORTLAND

Tax Account No.: R180204830, R180204850, R667708930

State ID No.: 1N1E34CC 01600, 1N1E34CC 01500, 1N1E34CC 01700

Quarter Section: 3029

Neighborhood: Portland Downtown, contact Jennifer Geske at 503-750-9843.

Business District: None

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

Plan District: Central City - Downtown

Zoning: CXd, Central Commercial with design overlay

Case Type: DZ, design review

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

Proposal:

The applicant requests design review approval for exterior louvers in the building located at 819 SW Oak, within the Downtown subdistrict of the Central City Plan District. The louvers will be

located in 4 existing window openings on the 6th floor of the building. Two louvers will be on the north elevation and two louvers will be on the west elevation. The new louvers will match the existing building louvers in materials, mullion placement, and location relative to the exterior building surface. Exterior renovations to existing buildings in the Central City require design review.

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:

- 33.825 Design Review
- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: Developed on the site is an 8-story stone-faced modern office building, occupying a block fronting West Burnside, a designated Major City Traffic Street, Transit Access Street, and Central City Walkway. The site is entirely within the Central City Pedestrian District. The site is immediately west of a small park block, one block in the string of blocks forming the North Park Blocks. The vicinity includes downtown commercial structures of varying heights and the Pearl District to the north.

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 current use is allowed in this zone.

The Design "d" overlay promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. 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 or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

Land Use History: City records indicate that prior land use reviews include a number of approvals for new louvers in the building façade. Exhibit G-2 has additional information.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **February 3, 2011**. The following Bureaus have responded with no issues or concerns:

- Water Bureau (Exhibit E-1)

The following Bureaus have responded with no comments:

- Fire Bureau
- Bureau of Environmental Services
- Bureau of Transportation Engineering
- Site Development Section of BDS
- Life Safety Review Section of BDS
- Bureau of Parks-Forestry Division

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on February 3, 2011. 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 of Design Review

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

Section 33.825.055 Design Review Approval Criteria

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

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

Central City Fundamental Design Guidelines

These guidelines provide the constitutional framework for all design review areas in the Central City.

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.

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

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

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.

C5. Design for Coherency. Integrate the different building and design elements including,

but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings for C2, C3 & C5: The new louvers will be placed within existing window openings and the 'T' mullions would be retained, maintaining the integrity of the original building design which includes a number of identical louvers. The new louvers and mullions are made of durable long-lasting metal and will be painted to match existing nearby louvers. The materials are permanent and of good quality. *These guidelines are therefore 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

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The new louvers continue a design pattern present on the building, creating a comprehensive composition, and are made of quality long-lasting materials. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Design review approval for exterior alterations to the north and west elevation of the AT&T Building, located in the Downtown subdistrict of the Central City Plan District. The alterations include the following:

- Removing 4 windows on the 6th Floor - 2 on the west elevation and 2 on the north elevation;
- Installing 4 metal louvers in the vacated window openings; with
- Louver mullion pattern, finish material, and color to match existing louvers.

Approved, per the approved site plans, Exhibits C-1 through C-8 signed and dated February 28, 2011, 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.8. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 11-104607 DZ. No field changes allowed."

Staff Planner: Chris Caruso

Decision rendered by:  **on February 28, 2011.**
By authority of the Director of the Bureau of Development Services

Decision mailed: March 3, 2011

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 19, 2011, and was determined to be complete on **January 31, 2011**.

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 19, 2011.

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. Unless further extended by the applicant, **the 120 days will expire on: June 1, 2011**.

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 17, 2011** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, 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. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. 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 call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, 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 18, 2011 – (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:

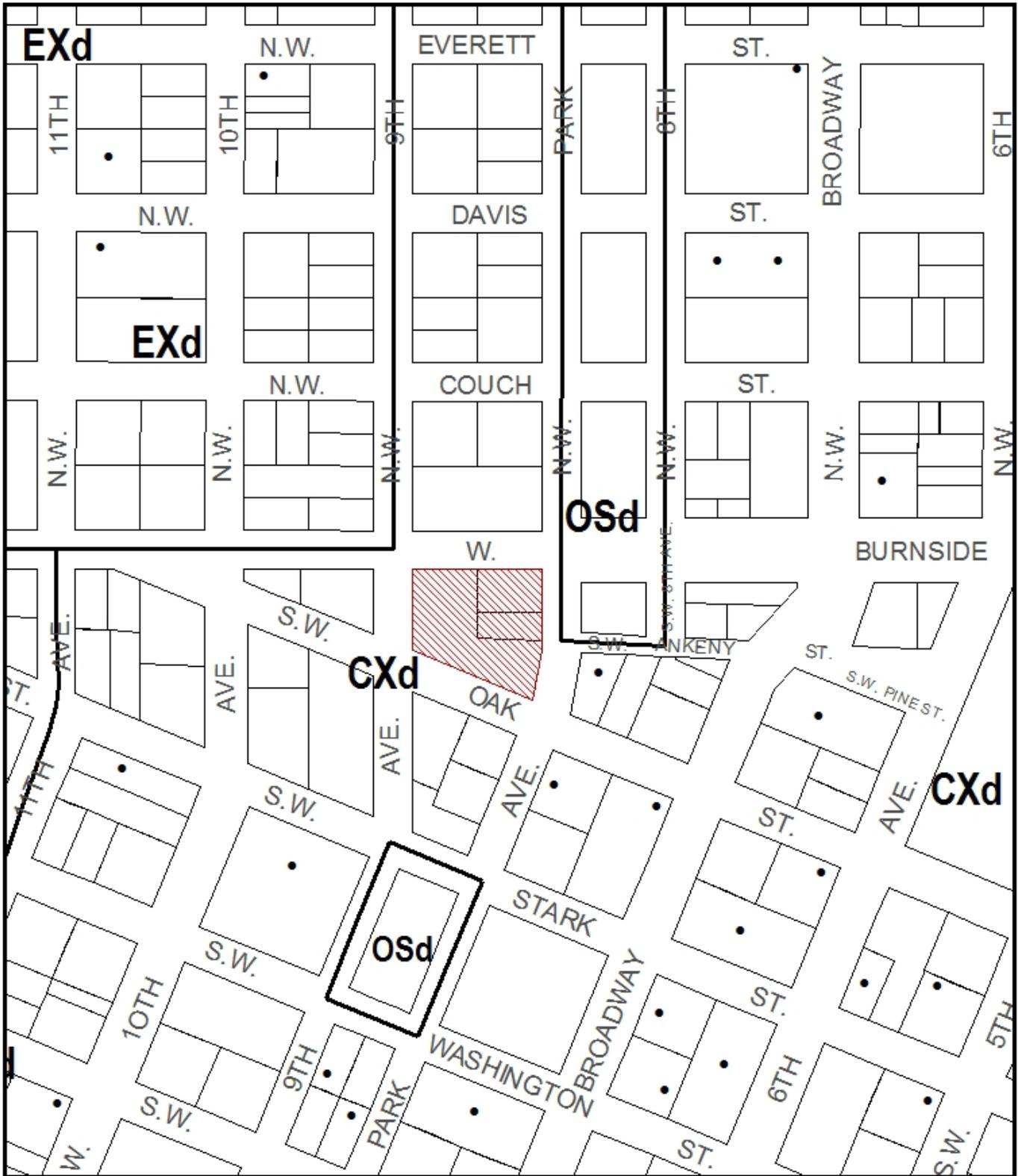
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. North Elevation (attached)
 - 3. West Elevation (attached)
 - 4. Photo
 - 5. Louver Elevations
 - 6. Louver Head Detail
 - 7. Louver Sill Detail
 - 8. Louver Product Example
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Water Bureau
- F. Correspondence: none received
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter

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

 Historic Landmark

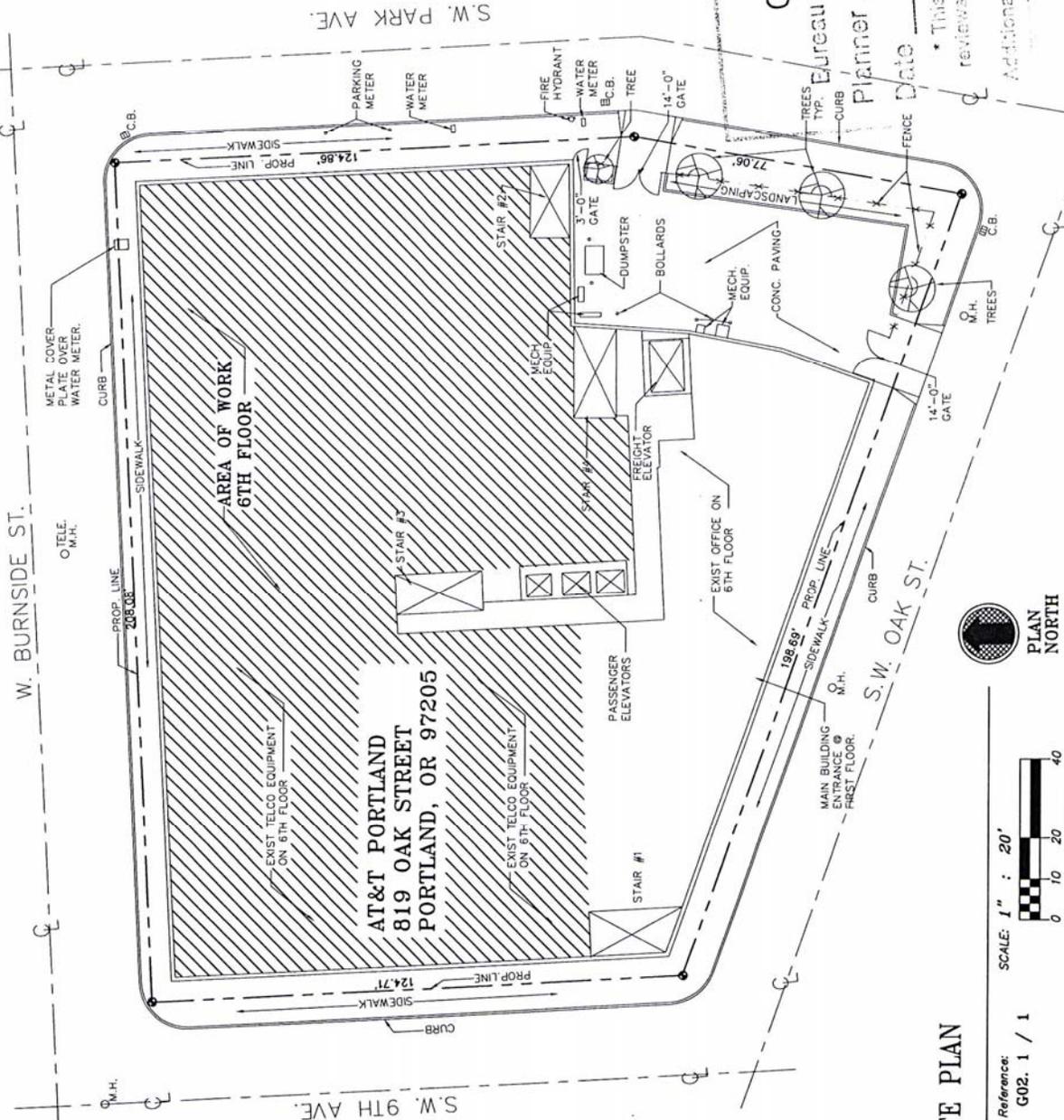


This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No.	LU 11-104607 DZ
1/4 Section	3029
Scale	1 inch = 200 feet
State_Id	1N1E34CC 1500
Exhibit	B (Jan 20,2011)

SITE PLAN

JAN 19 2011



**AT&T PORTLAND
819 OAK STREET
PORTLAND, OR 97205**

**AREA OF WORK
6TH FLOOR**

1 SITE PLAN

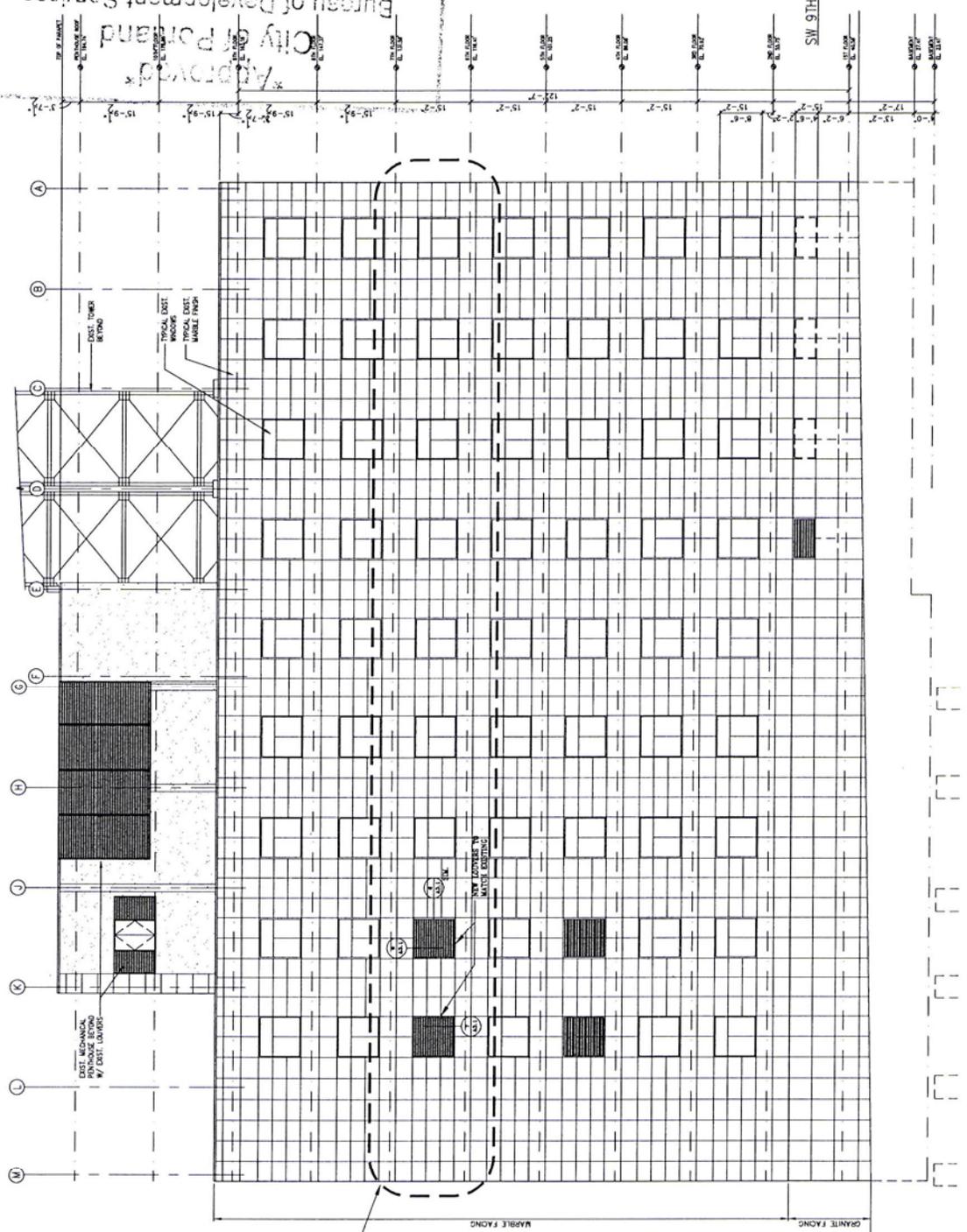


NOTE:
SITE IS SECURED FACILITY. ACCESS WILL NEED TO BE COORDINATED WITH OSWF. ON-SITE STORAGE AREAS ARE ALSO VERY LIMITED. MUST BE APPROVED BY OSWF. REFER TO SPECIFICATIONS FOR OSWF CONTACTS.

Approved
City of Portland
Bureau of Development Services
Planner *C. C.*
Date *2/28/11*

This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

EXH. C-1
LU 11-104607 DZ



City of Portland
Bureau of Development Services
Planner C. Guss
Date 2/28/11
* This approval applies only to the reviews requested and is subject to all conditions of approval.
Additional zoning requirements may apply.

CONSULTANT TEAM

K&W
KIM BESS
10002 SW Avenue NE, Suite 102
Portland, Oregon 97219
503.547.8227
www.kimbe.com

REVISIONS / AUTHORIZATIONS

NO.	DATE	DESCRIPTION	BY	CHK
1	04/19/10	ISSUE PERMIT	MB	MB
2	07/19/10	ISSUE PERMIT	MB	MB
3	02/27/11	PERMIT SET	MB	MB

PROFESSIONAL SEAL INFORMATION
 NOT FOR CONSTRUCTION. THIS IS A PRELIMINARY DRAWING. THE CLIENT HAS REVIEWED AND APPROVED THIS DRAWING FOR THE PURPOSES OF OBTAINING A PERMIT. THE CLIENT HAS REVIEWED AND APPROVED THIS DRAWING FOR THE PURPOSES OF OBTAINING A PERMIT. THE CLIENT HAS REVIEWED AND APPROVED THIS DRAWING FOR THE PURPOSES OF OBTAINING A PERMIT.

at&t CORPORATE REAL ESTATE

HVAC UPGRADES
 SOUTH FLOOR
 819 SW OAK STREET
 PORTLAND, OREGON 97205

NORTH ELEVATION

DATE: 02/28/11
 DRAWN BY: MB
 CHECKED BY: MB
 SCALE: AS SHOWN
 SHEET NO. A2.1

1 NORTH ELEVATION
 VIEW FROM W. BURNSIDE ST.

SCALE: 1/8" = 1' - 0"
 0 1 2 3 4 5 6 7 8 9 10
 Feet

LU 11-104607 D2 - EXH. C-2

