



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

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Date: April 28, 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 11-119214 DZM INTERNATIONAL SCHOOL CLASSROOM EXPANSION

GENERAL INFORMATION

Applicant: John Williamson

John Williamson Architect

735 SE 33rd Ave Portland, OR 97214

Owner: The International School

025 SW Sherman St Portland, OR 97201

Site Address: 2305 SW WATER AVE

Legal Description: BLOCK G LOT 1&2 LOT 3&4 EXC W 3', CARUTHERS ADD

Tax Account No.: R140908470 **State ID No.:** R140908470 1S1E03CD 01300

Quarter Section: 3229

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 DZM, Design Review with Modifications

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

Commission.

Proposal:

The applicant requests design review approval for exterior alterations to the existing main International School building in the Downtown subdistrict of the Central City Plan District. This design review would alter the previously approved design review LU 10-113888 DZM. The school does not intend to install the approved modular classroom building. They are still

required to make nonconforming development upgrades to the parking lot and to construct the 24-space long-term bicycle storage building as part of this review. The alterations include the following:

- Addition of four new aluminum and glass doors with side windows plus one metal door on the west elevation; and
- Concrete retaining wall and walkway along the west building façade.

Design Review is required for new construction within the Central City Plan District.

Modifications Being Requested Include:

1. 33.130.240 Pedestrian Standards – request is to reduce the width of the pedestrian walkway from 6 feet to 5 feet. A Modification is required to allow deviations from code standards.

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
- **33.825.040** Modifications

ANALYSIS

Site and Vicinity: The 15,871 SF site is located at the far southern end of the Downtown District of the Central City Plan District. The area is upslope from the newly redeveloping South waterfront district and downslope from the intersection of two major traffic thoroughfares, I-405 and SW Naito Parkway and has limited pedestrian and vehicle access and traffic. This site is part of a larger complex of adjacent sites owned and leased by the International School. The immediate area is comprised of one and two-story residential and commercial buildings.

SW Water Avenue and SW Sherman Street, at this location, are both designated by the City's Transportation System Plan as Local Service Bikeways and Local Service Walkways. The site is within the Downtown Pedestrian District.

Zoning: The <u>Central Commercial</u> (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.

The <u>Design Overlay Zone</u> [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.

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

- 1. LU 10-113888 DZM Approval of a modular classroom building, bike parking building, and parking lot landscape upgrades.
- 2. LU 05-104196 DZM Approval of the main school building and parking lot with modifications to long-term bicycle parking.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed March 28, 2011.

The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services (Exhibit E-1)
- Water Bureau (exhibit E-2)
- Fire Bureau (Exhibit E-3)
- Life Safety Review Section of BDS (Exhibit E-4)
- Bureau of Transportation Engineering
- Site Development Section of BDS
- Bureau of Parks-Forestry Division

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 28, 2011. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. William Wright – has no objections to the proposal.

ZONING CODE APPROVAL CRITERIA

- **A7. Establish and Maintain a Sense of Urban Enclosure.** Define public rights-of-way by creating and maintaining a sense of urban enclosure.
- **A8. Contribute to a Vibrant Streetscape.** Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.
- **B1.** Reinforce and Enhance the Pedestrian System. Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.
- **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 A7, A8, B1 & B2: The proposed renovation to the main classroom building retains the existing facades located at the street lot lines, maintaining the sense of urban enclosure already present on the site. The north building wall features new expanses of clear glazing that creates a visual connection from the adjacent sidewalk into interior active spaces by opening up views into new classrooms. Existing public rights-of-way around the main building will be retained for pedestrian use and a new five foot wide onsite walkway will be provided to connect the new classrooms to the public sidewalks as well as to the rest of the school's student areas. There is no vehicle access to this portion of the site so no additional protection is necessary along the affected building frontage. No mechanical equipment or exhaust systems will be visible from the public sidewalks. Exterior building lighting is provided along the new walkway for nighttime and student safety. These quidelines are therefore met.
- **B7. Integrate Barrier-Free Design.** Integrate access systems for all people with the building's overall design concept.
- **C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.
- **C4.** Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.
- **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.
- **C12. Integrate Exterior Lighting.** Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.
 - **Findings for B7, C2, C4, C5 & C12:** The new classroom and service area entries and new walkway will comply with the requirements of the Americans with Disabilities Act (ADA). The proposed windows, concrete walkway and retaining wall, and wall-mounted light fixtures are made from quality material such as aluminum, glass, and steel, all of

which are long-lasting and promote a sense of permanence. The new classrooms are connected the immediate area by the proposed five foot wide on-site walkway which runs along the north edge of the lot. The local design vocabulary is complimented by the use of aluminum storefront windows and concrete paving that matches material already present on the building and the site. The proposed renovation achieves a coherent composition through the use of consistent horizontal window modules, window and door alignments, and the use of clean, simple materials. Exterior lighting for the building is evenly spaced above the window head datum line. The lights are unobtrusive and simple in keeping with the overall design concept. *These guidelines are therefore met*.

(2) Modification Requests (33.825)

33.825.040 Modifications That Will Better Meet Design Review Requirements:

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

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

Pedestrian Standards (33.130.240)

Purpose: The pedestrian standards encourage a safe, attractive, and usable pedestrian circulation system in all developments. They ensure a direct pedestrian connection between abutting streets and buildings on the site, and between buildings and other activities within the site. In addition, they provide for connections between adjacent sites, where feasible.

Development Standard: The standards of this Section apply to all development except houses, attached houses, and duplexes. An on-site pedestrian circulation system must be provided. The system must meet all standards of this Subsection. The circulation system must be hard-surfaced, and be at least 6 feet wide.

Modification #1 Pedestrian Standards, PZC 33.130.240 - To reduce the width of the pedestrian walkway from 6 feet to 5 feet.

Findings: The proposal better meets design guidelines *B1 Reinforce and Enhance the Pedestrian System; B7 Integrate Barrier Free Design; C4 Complement the Context of Existing Buildings; A8 Contribute to a Vibrant Streetscape;* and *C5 Design for Coherency* by providing new clear glazing into interior active use areas that currently do not exist on this facade. The pedestrian system is enhanced by these views and remains continuous to all active school areas. Each classroom and the service area will be fully ADA accessible from the new 5 foot wide walkway. The new windows match existing windows in material and color and work with the bay system already established on the main façade, creating a coherent design.

The modification request is consistent with the purpose of the standard by providing a safe, visually attractive, usable piece of the pedestrian circulation system that gives a direct connection between abutting streets and the main classroom building. The new classroom windows provide surveillance opportunities along the entire north of the building façade with views onto the adjacent private walkway. Pedestrians will have views into active areas of the site, and the new walkway will be wide enough to accommodate the students for

these classrooms. The walkway will be hardscaped, providing a safe and level exit pathway to the street.

This modification meets the approval criteria and therefore merits approval.

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposed main classroom alterations and walkway enhance the area by providing new, cohesively designed elements that fit into the overall campus plan and that enhance both the student and pedestrian experience. The proposal meets the applicable design guidelines and modification criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Design review approval for exterior alterations to the existing main International School building in the Downtown subdistrict of the Central City Plan District. The approved alterations include the following:

- Four new aluminum and glass doors with side windows on the west elevation, to match existing door and window system;
- One additional solid metal door on the west elevation; and
- Concrete retaining wall and walkway along the west building façade.

Approval of Modification #1 Pedestrian Standards, PZC 33.130.240, to reduce the width of the pedestrian walkway from 6 feet to 5 feet.

Approved per the approved site plans, Exhibits C-1 through C-7 signed and dated April 25, 2011, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE Case File LU 11-119214 DZM." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Long-term bicycle storage building for 24 bicycles approved in LU 10-113888 DZM must be built per Exhibit C-6 & C-7.
- C. Parking lot nonconforming development landscaping upgrades approved in LU 10-113888 DZM must be installed per Exhibit C-6.

Staff Planner: Chris Caruso

Decision rendered by: Course on April 25, 2011.

By authority of the Director of the Bureau of Development Services

Decision mailed: April 28, 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 March 10, 2011, and was determined to be complete on **March 23, 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 March 10, 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: July 23, 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 May 12, 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 May 13, 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:

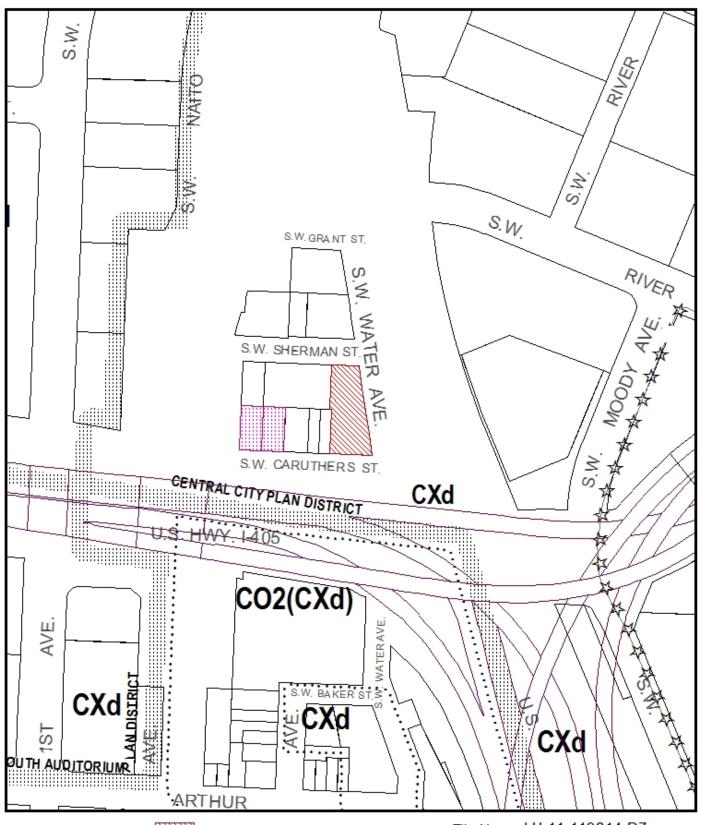
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevations (attached)
 - 3. Section
 - 4. Details
 - 5. Photos
 - 6. Parking lot landscaping (attached)
 - 7. Bicycle storage building (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Water Bureau
 - 3. Fire Bureau
 - 4. Life Safety Review Section of BDS
- F. Correspondence:
 - 1. William Wright, March 29, 2011, has no objection to the proposal.
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. Incomplete email

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



File No. LU 11-119214 DZ

1/4 Section 3229

Scale 1 inch = 200 feet

State_Id 1S1E03CD 1300

Exhibit B (Mar 15,2011)



