



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

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FINAL FINDINGS AND DECISION BY THE DESIGN COMMISSION RENDERED ON 12/1/2016

The Design Commission has **approved** a proposal in your neighborhood. This document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, are included in the version located on the BDS website

<http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 16-185068 DZM
PC # 15-163884

Under Armour (Metro Family YMCA) Building Addition

BUREAU OF DEVELOPMENT SERVICES STAFF: Benjamin Nielsen 503-823-7812 /
Benjamin.Nielsen@portlandoregon.gov

GENERAL INFORMATION

Applicant/

Representative: Greg Winterowd, Winterbrook Planning
310 SW 4th Ave, #1100
Portland, OR 97204

Architect: Leslie Cliffe, Bora Architects
720 SW Washington St, Suite 800
Portland, OR 97205

Property Owner: Rob Brewster, Run Our Dream LLC
1157 Federal Ave E
Seattle, WA 98102-4314

Site Address: 2815 SW BARBUR BLVD

Legal Description: BLOCK 74&75 TL 2300, CARUTHERS ADD

Tax Account No.: R140907550

State ID No.: 1S1E09AA 02300

Quarter Section: 3328

Neighborhood: South Portland NA., contact Jim Gardner at 503-227-2096.

Business District: South Portland Business Association, contact Kevin Countryman at 503-750-2984.

District Coalition: Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592.

Plan District: None

Other Designations: Terwilliger Design District

Existing Zoning: CN2d – Neighborhood Commercial 2 with Design Overlay
R1d – Multidwelling Residential 1,000 with Design Overlay
Proposed Zoning: **CSd – Storefront Commercial with Design Overlay**
R1d – Multidwelling Residential 1,000 with Design Overlay

Case Type: DZ – Design Review
Procedure: Type III – with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

Proposal:

The applicant requests Design Review for proposed additions to the existing Metro Family YMCA Building, which is currently being renovated to become Under Armour Corporation's regional northwest headquarters. The proposed additions include a one-story addition atop the existing 2-1/2-story building (a partially-underground parking level and two floors of commercial use space) and a small addition to the west side of the existing second floor. A partial ecoroof will be located on the roof of the new one-story addition. With that addition, the building will be 43'-11" tall (raised from its current height of approximately 29'-4"), with skylights extending 2'-4" above the top of the parapet.

The requested Design Review is running concurrently with a proposed Comprehensive Plan Amendment and Zone Change review process, which is seeking to change the existing CN2d zoning on the majority of the site to CSd zoning. Approval of this comprehensive plan amendment and zone change request will ultimately be required to allow any additional floor area to be added to the existing building, since its current floor area exceeds that allowed by the CN2 zone, and to increase the proposed building height. Therefore, this Design Review will evaluate the proposal against the proposed zoning. (The existing CN2 zoning allows a floor area ratio (FAR) of 0.75:1, and the existing building has a nonconforming FAR of 1.47:1. The proposed CS zone would allow a maximum FAR of 3:1. The proposed additions would bring the building's FAR up to approximately 2.03:1. Existing zoning allows a maximum height of 30'. The proposed zoning allows a maximum height of 45'.) The proposed Comprehensive Plan Amendment and Zone Change is being processed under land use case number LU 16-186417 CP ZC, and public hearings for that case will be held at a later date in front of the Hearings Officer and the City Council. (Please contact city planner Mark Moffett, (503) 823-7806 / Mark.Moffett@portlandoregon.gov, with questions about that case.)

Since the public notice was mailed, staff has identified that the proposed skylights will exceed the CS zone height limit by 15". Therefore, a Modification has been added to the proposal to address this issue. This Modification request applies to zoning code development standard 33.130.210.B.

Design Review is required for exterior alterations that are visible from SW Terwilliger Blvd and for the requested zoning code development standards Modification in the "d" overlay zone of the Terwilliger Design District.

Approval Criteria:

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

- 33.825 Design Review
- Terwilliger Parkway Design Guidelines
- 33.825.040 Modifications That Will Better Meet Design Review Requirements

ANALYSIS

Site and Vicinity:

The 74,590 SF site has its primary street frontage along SW Barbur Boulevard [*Major City Traffic Street, Regional Corridor with Greenscape Overlay, Regional Transitway/Major Transit Priority Street, City Bikeway, City Walkway, Main Truck Street, Major Emergency Response Street*]. SW Hooker Street [*Local Service Bikeway, Local Service Walkway, Minor Emergency Response Street*] is directly south of the site, a dead end local service street with multi-dwelling residential homes beyond [zoned R1 – multi-dwelling residential]. A mixture of single-dwelling and multi-dwelling residences lie south of SW Hooker St. West of the site, the ground is heavily landscaped with trees, shrubs and ground cover, and rises steeply about 90-feet to SW Terwilliger Boulevard [*Neighborhood Collector Street, Greenscape Overlay, Transit Access Street, City Bikeway, City Walkway, Major Emergency Response Street*] and the Terwilliger Parkway [zoned OS – open space]. North of the YMCA is Duniway Park and track [also OS zoned].

The 64,400 SF building was designed as a YMCA facility by Broome, Oringdolph, O'Toole & Rudolf & Associates, and construction was completed in 1979. The original building form, a curvilinear building facing east and north and tucked into the hillside on the south and west, was painted in two shades of horizontal green bands to match the values of the existing evergreen foliage. The building was subsequently repainted shades of pale yellow and burnt orange along the north, east, and south facades. Parking is located at the lower level under the building and is partially obscured by a landscape berm. The upper levels of the building are supported with concrete piloti which extend out to the face of the parking level of the building.

A complete renovation of the building was approved through design review in 2015, and that renovation is currently under construction.

The existing building is a nonconforming development in the CN2 zone. The existing building is 27'-0" tall (maximum allowed is 30'-0") and has an existing Floor Area Ratio (FAR) of 1.47:1 (maximum allowed is .75:1).

The South Portland Historic District and the Lair Hill Neighborhood lie directly east of the site and across SW Barbur Blvd, though two large parking structures, a steeply-sloping undeveloped commercially zoned space, and a grouping of four homes lies immediately across SW Barbur. Lair Hill Park lies kitty-corner to the site across SW Barbur & SW Hooker.

Zoning:

The Neighborhood Commercial 2 (CN2) zone is intended for small commercial sites and areas in or near less dense or developing residential neighborhoods. The emphasis of the zone is on uses which will provide services for the nearby residential areas, and on other uses which are small scale and have little impact. Uses are limited in intensity to promote their local orientation and to limit adverse impacts on nearby residential areas. Development is expected to be predominantly auto accommodating, except where the site is adjacent to a transit street or in a Pedestrian District. The development standards reflect that the site will generally be surrounded by more spread out residential development.

The Storefront Commercial (CS) zone is intended to preserve and enhance older commercial areas that have a storefront character. The zone intends that new development in these areas will be compatible with this desired character. The zone allows a full range of retail, service and business uses with a local and regional market area. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. The desired character includes areas which are predominately built-up, with buildings close to and oriented towards the sidewalk especially at corners. Development is intended to be pedestrian-oriented and buildings with a storefront character are encouraged.

The Residential 1,000 (R1) is a medium density multi-dwelling zone. It allows approximately 43 units per acre. Density may be as high as 65 units per acre if amenity bonus provisions are used. Allowed housing is characterized by one to four story buildings and a higher percentage of building coverage than in the R2 zone. The major type of new housing development will be multi-dwelling structures (condominiums and apartments), duplexes, townhouse, and rowhouses. Generally, R1 zoning will be applied near Neighborhood Collector and District Collector streets, and local streets adjacent to commercial areas and transit streets. Newly created lots in the R1 zone must be at least 10,000 square feet in area for multi-dwelling development. There is no minimum lot area for development with detached or attached houses or for development with duplexes. Minimum lot width and depth standards may apply.

The “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Terwilliger Parkway Design District encompasses SW Terwilliger Boulevard and public parkland and private land immediately surrounding the boulevard on both sides. The original plan for Terwilliger Boulevard was conceived in 1903 by the landscape architect, John Olmsted, as part of a comprehensive plan for Portland’s public parks. Terwilliger Park became a reality in 1910-12 with the donation of several large parcels and the acquisition of additional lands. The deeds of gift for the donated lands mandated that the parkway be improved for public enjoyment, rather than commercial use, and that adjacent lands be afforded access. By the 1970s, with the addition of a bike path, Terwilliger became a popular location for bicycling, jogging, and walking in addition to driving. The Terwilliger Parkway Design District includes lands which are visible from the Parkway.

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

- LU 75-003265 (Ref. # CU 087-75): Conditional use approval for a new community activities facility.
- LU 75-004610 (Ref. # DZ 29-75): Design review approval for a new community activities facility.
- LU 75-033998 (Ref. # VZ 223-75): Approval to reduce the east front yard from the required 10’ to 2’.
- LU 82-002176 (Ref. # CU 052-82): Conditional use approval for a sign.
- LU 04-044850 DZ: Design review approval for a new arch-shaped, translucent fiberglass-reinforced panel roof system.
- IQ 15-171319 ZE: Request to correct zone map error: change R1d to CN2d; no action yet taken.
- LU 15-205150 DZM: Design review approval for exterior alterations and renovations to the existing Metro Family YMCA building and conversion to office space.

Project History:

- EA 15-163884 PC: Pre-application conference for a Type III zone change and comprehensive plan amendment and for a Type III renovation of the 1977 YMCA building.
- EA 16-143500 DA: Design advice request hearing for proposed additions to the former Metro Family YMCA building.
- LU 16-186417 CP ZC: Comprehensive Plan Amendment and Zone Change Review, currently under consideration, to allow the zoning on the site to change from CN2 to CS.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed November 9, 2016. The following Bureaus have responded with no issue or concerns:

- Site Development Section of BDS
- Bureau of Parks-Forestry Division

The Bureau of Environmental Services responded no objections and with comments about proposed sanitary and stormwater management approaches and permitting information. Please see Exhibit E-1 for additional details.

The Bureau of Transportation Engineering responded with no objections to the design review; however, the bureau stressed that approval of the design review does not serve as tacit approval of the concurrent comprehensive plan amendment and zone change review. Please see Exhibit E-2 for additional details.

Staff also notes that approval of the design review does not allow for any new development until the concurrent comprehensive plan amendment and zone change review has also been approved to change the site’s zoning from CN2 to CS. See Condition of Approval B.

The Water Bureau responded with no objections and information about potential permit reviews. Please see Exhibit E-3 for additional details.

The Fire Bureau responded with a comment stating that all applicable fire code requirements will apply at the time of permit review and development. Please see Exhibit E-4 for additional details.

The Life Safety section of the Bureau of Development Services responded with general life safety comments. Please see Exhibit E-5 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on November 9, 2016.

One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Jim Gardner, Chair of the South Portland Neighborhood Association Land Use Committee, received 11/18/2016: Email stating that the neighborhood responded positively to revisions to the eco-roof and orientation of the skylights on the new roof. Additional comments about neighborhood approval of proposed zone change (not covered under this land use case) and a personal objection to the color of the glass being used on the existing building renovation.

Staff forwarded these comments to the applicants and thanks Mr. Gardner and the SPNA for their response.

One person testified at the Design Commission hearing on December 1, 2016, in regards to this proposal:

- Jim Gardner, Chair of the South Portland Neighborhood Association Land Use Committee, testimony in favor of proposal: Mr. Gardner reiterated support expressed in the South Portland Neighborhood Association’s letter to the Design Commission, as summarized above.

ZONING CODE APPROVAL CRITERIA

(1) DESIGN REVIEW (33.825)

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 Terwilliger Parkway Design Guidelines.

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

Terwilliger Parkway Design Guidelines

This site is located within the Terwilliger Parkway. City Council has adopted specific goals and design review guidelines for this area.

Character of Terwilliger

Terwilliger Parkway, Boulevard and Trail are unique and notably successful parts of the City which allow people to enjoy the natural beauty and setting of Portland while moving through it. There are sequential views of the City, Mt. Hood, Mt. St. Helens, the Willamette River and the wooded hills along which the Boulevard is constructed. These expansive views are contrasted by sections of the Boulevard which are lush and enclosed by tall stands of deciduous trees and second growth fir. Dominant masses of nature temperate forest set off park-like plantings of ornamental shrubs and mowed lawns.

Terwilliger Boulevard was originally envisioned as a centerpiece for the development of "high class suburban and country residences."¹ Urban development adjacent to the Parkway is sometimes hidden from the Trail and Boulevard. When visible, it often fits into the natural topography and enhances the aesthetic experience of the Parkway. Buildings which are set back from the Boulevard, well but simply landscaped, small in scale, and designed with care tend to add romance to the drive or walk.

The careful and balanced mix of urban and natural experiences, which makes Terwilliger both unique and successful, is also reflected in the way in which it is used. At its best, Terwilliger can accommodate walkers of all ages, runners, bicyclists and picnickers, as well as moderate numbers of motorists sight-seeing or driving to nearby locations along the Boulevard's easy grades and gentle curves.

Terwilliger changes as the landscape and the City grow. The quality of its future character will depend both on the effects of nature and the care taken by the citizens of Portland.

Terwilliger Parkway Goals

The following goals are general statements of the City's objectives for the Terwilliger Plan Area. They provide a framework for the Design Review process, defining its purpose and context.

A. TO PRESERVE AND ENHANCE THE SCENIC CHARACTER AND NATURAL BEAUTY OF TERWILLIGER PARKWAY AND BOULEVARD.

¹ Olmstead Brothers, Report of Park Board, Portland, Oregon, 1903, p. 41.

- B. TO MAINTAIN AND ENHANCE UNOBSTRUCTED VIEWS FROM TERWILLIGER BOULEVARD AND TRIAL.
- C. TO IMPROVE OPPORTUNITIES FOR A VARIETY OF RECREATIONAL USES ALONG TERWILLIGER AND REDUCE CONFLICTS BETWEEN THESE USES.
- D. TO GUIDE THE SITING, SCALE, LANDSCAPING, TRAFFIC IMPACTS AND DESIGN OF NEW DEVELOPMENT TO ENHANCE THE AESTHETIC EXPERIENCE OF TERWILLIGER.
- E. TO MANAGE THE LOCATION AND DESIGN OF NEW VEHICULAR AND PEDESTRIAN ACCESS TO TERILLIGER IN ORDER TO REDUCE TRAFFIC HAZARDS AND INCOMPATIBLE VISUAL IMPACTS.
- F. TO REINFORCE THE PRIMARY TRANSPORTATION FUNCTION OF THE PARKWAY AS A LEISURELY, SCENIC DRIVE AND A BICYCLE COMMUTING PATH, RATHER THAN A HEAVILY USED ROUTE FOR VEHICULAR THROUGH TRAFFIC.
- G. TO IMPROVE PUBLIC SAFETY AND PROTECT CITIZENS FROM CRIME.
- H. TO REDUCE MAINTENANCE AND IMPROVEMENT COSTS.

The Guidelines which follow are intended to implement the Goals of the Terwilliger Parkway Corridor and the "Character of Terwilliger" Statement. They are intended to aid developers and designers in understanding the expectations of the City and the concerns and objectives of the Design Commission for development within the Terwilliger Plan Area.

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

A. Height and Setback

1. Buildings should be set back sufficiently from the Parkway to allow for development of the landscape treatment prescribed in the Terwilliger Plan including adequate setbacks to protect the root system of trees within the Parkway, (The Terwilliger Landscape Concept Plan is shown on map 1, accompanying this document.)
2. Downhill from Terwilliger, new buildings should be limited in height and have sufficient setback to preserve unobstructed Major Views and Panoramas as identified in the Terwilliger Plan.
3. In commercial zones, buildings should be setback from the Parkway not less than ten feet.
4. In areas adjacent to Parkway lands obtained by Deeds of Gift from the Fulton Park Land Company, Terwilliger Land Company and the Oregon/Washington Railroad and Navigation Company, no building within twenty-five (25) feet of the uphill property line of the Parkway should be allowed. (This requirement is explained in Section VII of this Document.)

Findings: The existing YMCA rooftop is approximately 70 feet below SW Terwilliger Boulevard at the rooftop, and the proposed third floor addition will be approximately 15' taller. This is still well below the northern-most major viewpoint from Terwilliger Boulevard, though the roof surface will become more visible than it is now. The proposed addition, not considering the skylights, will be 1' below the allowed maximum height in the proposed CS zone change, and it will not obstruct the major viewpoint. The skylights which will extend 15" above the maximum allowed height will also not obstruct views from the major

viewpoint. The footprint of the building will not change, and will remain well setback from the Parkway.

Since the additional building height (as well as floor area) proposed is contingent upon the approval of the concurrent comprehensive plan amendment and zone change review, it is necessary to caveat that this guideline can only be met once the comprehensive plan amendment and zone change review allows for the CS zone to be applied to this portion of the site, in place of the existing CN2 zone.

With the condition of approval that the concurrent comprehensive plan amendment and zone change review to change the zoning of the site from CN2 to CS (reviewed under land use case number LU 16-186417 CP ZC), must be approved before any additional height or floor area may be added to the building, this guideline will be met.

B. Landscaping

1. A landscaping plan should be incorporated into the proposed development which provides for the following:
 - a. Landscaping should be consistent with the Terwilliger Landscape Concept Plan shown on Map 1 and illustrated in Figures 3 through 10, Pages 11-14.
 - b. Preservation of as many trees over 6 inches in caliper as practical.
 - c. Preservation of the existing topography to the extent practical by reducing necessary grading and limiting cuts and fills to slopes of less than 2 to 1 (retaining walls are permitted if they conform with the “style, scale, siting, materials and color guidelines”).
 - d. Protection of Root Systems; trees designated for preservation should have no grading within the drip line diameter of the limbs of the tree. (see Figure 2)

Findings: Figures 3 through 10 and Map 1 describe and identify the different types of landscapes required along SW Terwilliger Boulevard. All of the diagrams focus on areas immediately around the boulevard, either as landscapes to be viewed and enjoyed or landscapes which frame views to the city and mountains beyond. Map 1 identifies the area around the northern-most viewpoint, stretching to the south along SW Terwilliger Boulevard, as a Panorama View. Landscaping along Terwilliger for this type of view should be “unobstructed” and provide a “continuous vista of the City and landscape features seen from the Corridor.”

No landscape alterations are proposed on the west side of the building or on the slope leading up to SW Terwilliger Boulevard. The existing wild landscaping on this side of the building will remain in place, and the topography there will not be altered. The landscaping along SW Terwilliger Boulevard above the subject site is owned and maintained by the city and is not included in this review.

No new landscape alterations are proposed on the north, east, or south sides of the building, either, as the site plan shown in the drawings was approved as part of the previous design review for the renovation of the existing building.

Therefore, this guideline is met.

C. Style, Scale, Siting, Materials and Color

1. Architectural scale, style, siting, lighting, building material, color and finishes should complement the landscape and be in keeping with the “Character of Terwilliger” statement.
2. Care should be taken with all aspects of the project seen from the Boulevard and Trail, including roofs, foundations, drives and parking areas, to ensure that they are aesthetically pleasing and in keeping with the “Character of Terwilliger” statement.

Findings: The proposal will retain the existing renovated building with a small addition on the second floor and the addition of a full third floor. The building's primary exterior material, stucco, will be repeated on both additions to the building, and will be of the same dark green-gray color used on the renovation of the existing building.

Similar to the renovations on the existing building below the third story addition, large areas of glazing will be used, as well, along the north and east sides of the building. The glazing proposed will match the glazing used on the renovation below. Additionally, vertical wood panel siding, composed of cedar tongue-and-groove boards, will clad portions of the east and north facades of the third story addition. This material echoes the small areas of wood paneling used near the building entrance on the east side of the building as well as the wood screen at the parking area under the building.

On the west and south sides of the buildings, the additions will be much more restrained in their use of materials, employing, primarily, the dark green-gray stucco with smaller glazed areas. This will help to reduce the impact of the additions on views from Terwilliger Blvd and the trail connecting the major viewpoint to Duniway Park below.

The roof of the proposed third floor addition will be covered with an ecoroof over its largest area, stretching from the north to where the building narrows at its southernmost third (see Exhibit C.20). This area also lies within the viewshed of the major viewpoint above on Terwilliger Blvd. The plantings on the proposed ecoroof will help to ensure that views from this viewpoint will have a more natural aesthetic than they would with a more-common membrane roof. The rest of the roof will be covered with a lightweight gray insulation ballast over the roof membrane. This will further help the roof to blend in with its natural surroundings by employing a darker color than is used in typical, very reflective roof membranes.

Taken altogether, the proposed additions strike a balance between the urban and the natural. Their proposed exterior cladding materials are compatible with the materials used on the renovation of the existing building and help the building better blend in to its natural surroundings. The employment of an ecoroof and gray insulation ballast on the roof also helps to reduce the impact of the taller building on views from the major viewpoint on Terwilliger Blvd above the subject site.

Therefore, this guideline is met.

D. Views and Special Natural Features. Preserve or improve views and special natural features identified in the Terwilliger Landscape Concept Plan (Map 1).

Findings: The view from the northern-most major viewpoint on Terwilliger will be impacted by the proposed third floor addition to the building, though the building will still sit well below the crest of the hillside and will not impede views to the mountains or views of the greater city beyond. The impacts on views will, therefore, be limited and will be mitigated by the installation of an area of ecoroof on the largest expanse of the roof. This expanse also happens to lie within the primary viewshed of the major viewpoint. Additional mitigation will be provided by the installation of a gray insulation ballast across the rest of the roof surface, which will be darker in color than a typical roof membrane. Together, these two rooftop elements will help the roof to better blend in with the natural environment of the hillside below the major viewpoint.

Three skylights are also proposed on the roof of the new third floor addition. These skylights will be angled to face in a northeasterly direction, pointed away from the major viewpoint and the Terwilliger Blvd hillside behind the building. This orientation will help to limit any negative visual effects these skylights may otherwise have on views in the twilight or dark hours of the day, and will help to limit any possible reflections and glare that may otherwise have been caused had they not been oriented away from the hillside.

Finally, a handful of new windows will be added to the third floor of the west elevation, and the windows on the second floor will be reconfigured and reduced in their extent. Due to the steep grade, these will not be easily visible from the major viewpoint.

Altogether, views from the major viewpoint above the subject site will be preserved.

Therefore, this guideline is met.

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.

Modification #1: 33.130.210.B – Height standard. Allow the proposed skylights to exceed the maximum height of 45'-0" by 15".

Purpose Statement: 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.

Standard: 33.130.210.B. Height standard. The height standards for all structures, except detached accessory structures, are stated in Table 130-3. The height standards for detached accessory structures are stated in 33.130.265, Detached Accessory Structures. Exceptions to the maximum height standard are stated below.

1. Projections allowed. Chimneys, flag poles, satellite receiving dishes, and other similar items attached to a building, with a width, depth, or diameter of 5 feet or less may rise 10 feet above the height limit, or 5 feet above the highest point of the roof, whichever is greater. If they are greater than 5 feet in width, depth, or diameter, they are subject to the height limit.

2. Rooftop mechanical equipment and stairwell enclosures that provide rooftop access may extend above the height limit as follows, provided that the equipment and enclosures are set back at least 15 feet from all roof edges on street facing facades:
 - a. Elevator mechanical equipment may extend up to 16 feet above the height limit; and
 - b. Other mechanical equipment and stairwell enclosures that cumulatively cover no more than 10 percent of the roof area may extend up to 10 feet above the height limit.
3. Antennas, utility power poles, and public safety facilities are exempt from the height limit.
4. Small wind turbines are subject to the standards of Chapter 33.299.
5. Roof mounted solar panels are not included in height calculations and may exceed the maximum height limit if the following are met:
 - a. For flat roofs or the horizontal portion of mansard roofs, they may extend up to 5 feet above the top of the highest point of the roof.
 - b. For pitched, hipped, or gambrel roofs, they must be mounted no more than 12 inches from the surface of the roof at any point, and may not extend above the ridgeline of the roof. The 12 inches is measured from the upper side of the solar panel.

A. *Better meets design guidelines.* *The resulting development will better meet the applicable design guidelines; and*

Findings: The proposed modification to allow the height of the skylights to exceed the maximum allowed building height in the CS zone by 15” will permit the skylights to be angled towards the northeast and away from the Terwilliger hillside and the major viewpoint along SW Terwilliger Blvd directly above and to the west of the building. Directing the skylight away from this viewpoint will reduce potential glare and reflections off of the skylights during the daytime and will reduce light cast outwards towards the viewpoint in during darker hours of the day. This will better meet Guideline D, Views and Special Natural Features, by preserving the view from this identified major viewpoint.

B. *Purpose of the standard.* *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Findings: Height limits are created to control the overall scale of buildings and to preserve access to light and air, as well as to preserve privacy in adjacent residential zones. The three proposed skylights are relatively small in scale, relative to the overall expanse of the roof on which they sit. They are also located in the middle of the roof and will likely not be seen from below the building around its edges. When viewed from the major viewpoint above the building, the proposed skylights do not contribute additional bulk or mass to the building, retaining the same scale as if they were not there. Furthermore, since the skylights sit near the middle of the roof, they do not affect access to light and air or impact privacy on adjacent properties. The purpose of the design standard is therefore still met.

Therefore, this Modification 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.

This proposal is ultimately contingent on the approval of the concurrent Comprehensive Plan Map Amendment and Zone Change Review (land use case number LU 16-186417 CP ZC) to change the zoning of the majority of the site from CN2d to CSd. Only with the proposed and requested CSd zoning would the proposed additional building height (up to 45') and floor area (up to 3:1 FAR) be allowed. Were the concurrent Comprehensive Plan Map Amendment and Zone Change Review to be denied, this design review approval would become void.

CONCLUSIONS

The proposed additions to the existing Under Armour building (formerly the Metro Family YMCA building) in the Terwilliger Design District—contingent upon approval of a separate land use review to allow the zoning of the site to change from CN2 to CS—will be well-integrated with the existing building design and will still remain consistent with the desired character of Terwilliger Boulevard and parkway. Views from the major viewpoint above the site will be preserved, and potential impacts will be mitigated by the use of dark green-gray stucco on the walls facing the viewpoint and an ecoroof and gray insulation ballast on the roof to help the new roof better blend in to the hillside landscape.

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposal meets the applicable design guidelines and modification criteria and therefore warrants approval.

DESIGN COMMISSION DECISION

It is the decision of the Design Commission to approve Design Review for proposed additions to the existing Under Armour building (formerly the Metro Family YMCA building) in the Terwilliger Design District, which include:

- A one-story addition atop the existing 2-1/2-story building with a partial ecoroof; and,
- A small addition to the west side of the existing second floor; and,

Approval of the following Modification request:

- 33.130.220.B – Height standard. Allow the proposed skylights to extend above the CS zone maximum height of 45' by 15"; and,

Approval per the following conditions of approval.

- 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 16-185068 DZM". All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The concurrent comprehensive plan amendment and zone change review to change the zoning of the site from CN2 to CS (reviewed under land use case number LU 16-186417 CP ZC), must be approved before any additional height or floor area may be added to the building.

C. No field changes allowed.

By: _____

David Wark, Design Commission Chair

Application Filed: June 8, 2016
Decision Filed: December 2, 2016

Decision Rendered: December 1, 2016
Decision Mailed: December 16, 2016

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 June 8, 2016, and was determined to be complete on October 11, 2016.

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 June 8, 2016.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant waived the 120-day review period, as stated with Exhibit G-3. The **review period will expire on: October 11, 2017.**

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. This report is the final decision of the Design Commission with input from other City and public agencies.

Conditions of Approval. This approval 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.

Appeal of this decision. This decision is final unless appealed to City Council, who will hold a public hearing. Appeals must be filed by 4:30 pm on December 30, 2016, at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. Information and assistance in filing an appeal is available from the Bureau of Development Services in the Development Services Center or the staff planner on this case. You may review the file on this case by appointment at, 1900

SW Fourth Avenue, Suite 5000, Portland, Oregon 97201. Please call the file review line at 503-823-7617 for an appointment.

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 City Council is final; any further appeal is to the Oregon Land Use Board of Appeals (LUBA).

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, one in which new evidence can be submitted to City Council.

Who can appeal: You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified 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 (one-half of the application fee for this case).**

Neighborhood associations may qualify for a waiver of the appeal fee. Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

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 **January 3, 2017 – (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 must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

Benjamin Nielsen
December 2, 2016

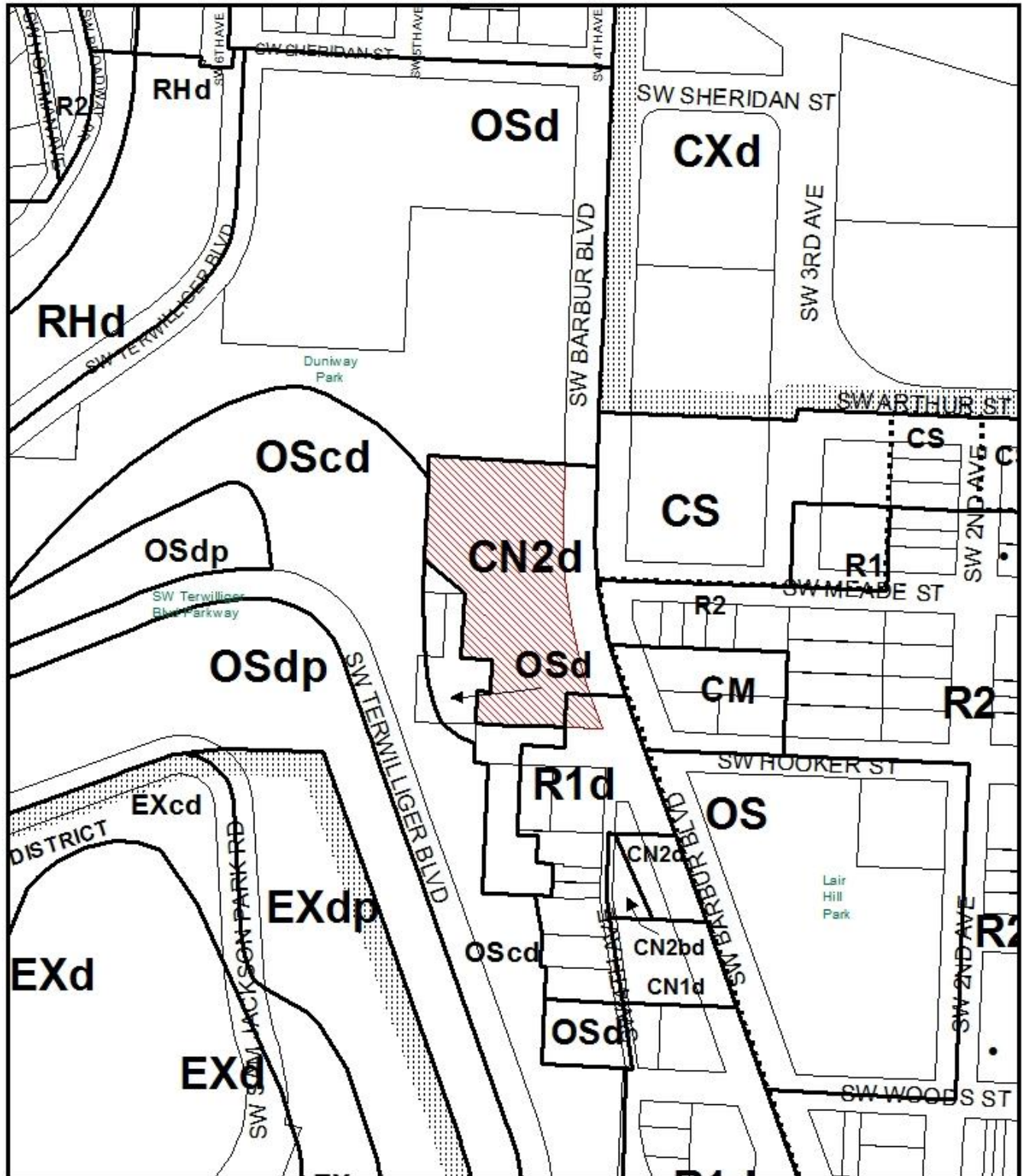
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
1. Consolidated Application to Amend The Portland Comprehensive Plan and Zoning Map with Phase 2 Design Review, dated June 7, 2016
 2. Traffic Impact Analysis for Proposed Under Armour Office Development, dated June 2016
 3. Under Armour Office Development Traffic Impact Study Appendix, dated June 2016
 4. Geotechnical Report, dated September 28, 2015
 5. Preliminary Stormwater Management Report, dated September 3, 2015
 6. Under Armour Phase 2 – Addition Zoning and Design Guidelines Summary, dated June 6, 2016
 7. Original Drawing Package, dated June 6, 2016
 8. Revised Drawing Package, dated October 7, 2016
 9. Consolidated Application to Amend The Portland Comprehensive Plan and Zoning Map with Phase 2 Design Review, dated October 7, 2016
 10. Traffic Impact Analysis for Proposed Under Armour Office Development, dated October 2016
 11. Under Armour Office Development Traffic Impact Study Appendix, dated June 2016, received October 11, 2016
 12. Preliminary Stormwater Report – Phase 2, dated October 7, 2016
 13. Product Cutsheets, received October 11, 2016
 14. Final Drawing Set, dated November 8, 2016
- B. Zoning Map (attached)
- C. Plan & Drawings
- 1-5. *Not used.*
 6. Site Context
 7. Site Context – Existing Context (for reference only)
 8. Site Context – Existing Building (for reference only)
 9. Site Context – Phase 1 Construction (for reference only)
 10. Site Context

11. Site Context
12. Site Context
13. *Not used.*
14. Site Plan (attached)
15. *Not used.*
16. Parking Level Plan (for reference only)
17. Level 1 Plan (for reference only)
18. Level 2 Plan (attached)
19. Level 3 Plan (attached)
20. Roof Plan (attached)
21. *Not used.*
22. Building Sections
23. Building Sections
24. *Not used.*
25. Building Elevations (attached)
26. Building Elevations (attached)
27. *Not used.*
28. Building Materials (for reference only)
29. *Not used.*
30. Lighting Plan – 3rd Level
31. *Not used.*
32. Wall Sections
33. Wall Sections
34. Wall Sections
35. Wall Sections
36. Section Details
37. Section Details
38. *Not used.*
39. Renderings – Night View from Duniway Park (for reference only)
40. Renderings – Perspective from Duniway Park (for reference only)
41. Renderings – View from Barbur Blvd Travelling North (for reference only)
42. Product Cutsheets
- 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. Mailed notice
 6. Mailing list
- E. Agency Responses:
 1. Bureau of Environmental Services
 2. Bureau of Transportation Engineering and Development Review
 3. Water Bureau
 4. Fire Bureau
 5. Life Safety Review Section of BDS
- F. Letters
 1. Jim Gardner, Chair of the SPNA Land Use Committee, 11/18/2016, general approval of proposed design
- G. Other
 1. Original LUR Application
 2. Pre-application Conference Summary Notes
 3. Signed Request for an Evidentiary Hearing and Waiver of Right to a Decision within 120 Days
 4. Incomplete Application Letter
- H. Hearing

1. Staff Report
2. Staff Memo to the Design Commission
3. Staff Presentation
4. Applicant's Presentation
5. Hearing Testimony Sign-up Sheet



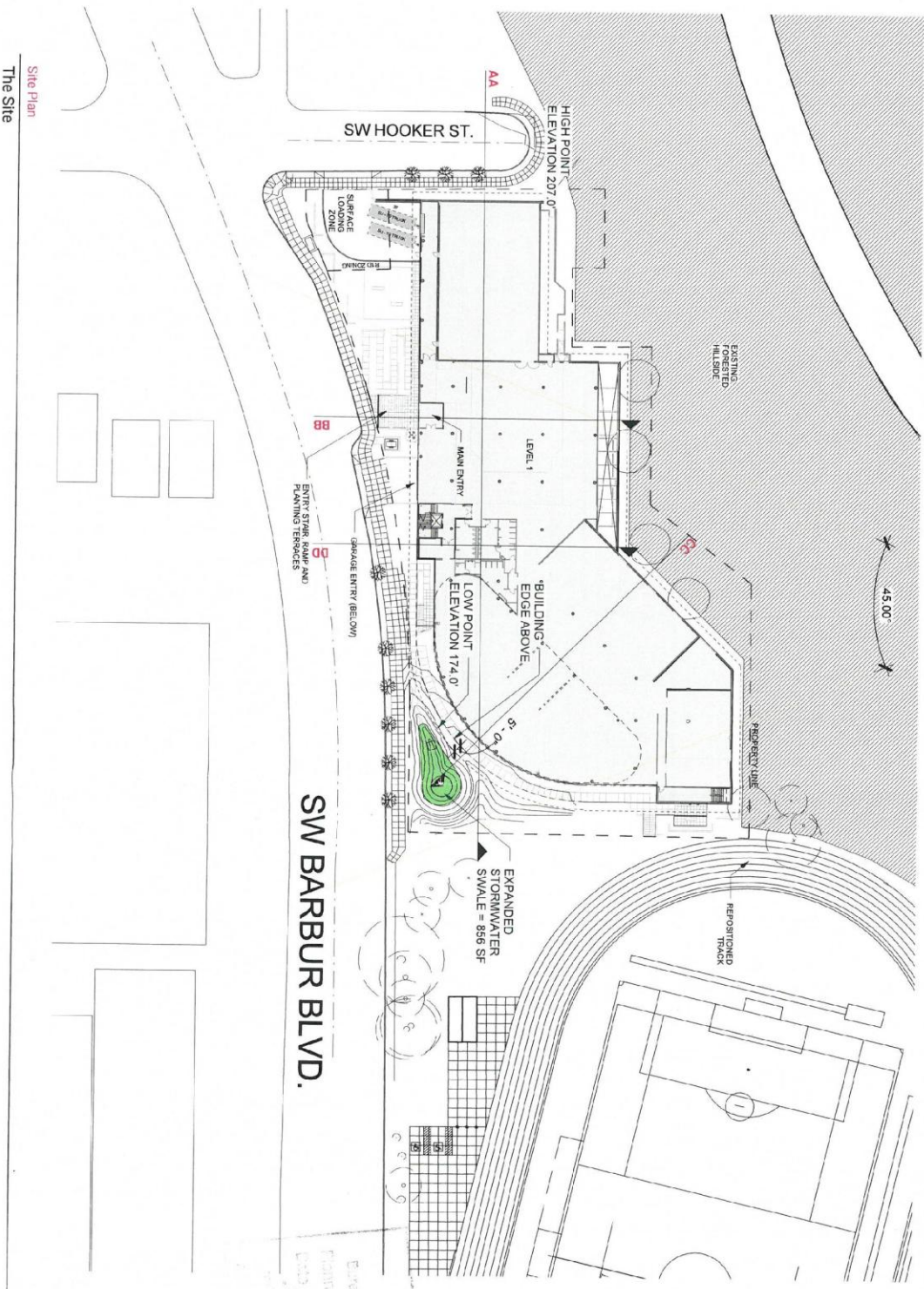
ZONING



- Site
- Historic Landmark

File No. LU 16-185068 DZ
 1/4 Section 3328
 Scale 1 inch = 200 feet
 State_Id 1S1E09AA 2300
 Exhibit B (Jun 13, 2016)

RUN OUR DREAM, LLC.
BORA



Site Plan
The Site

LU 16-135068-022

enbri C.14

NOTE: NO SITE
CHANGES WERE
APPROVED.

APPROVED UNDER
LAND USE REVIEW
#LU 15-205150 D2M
NOVEMBER 16TH, 2015

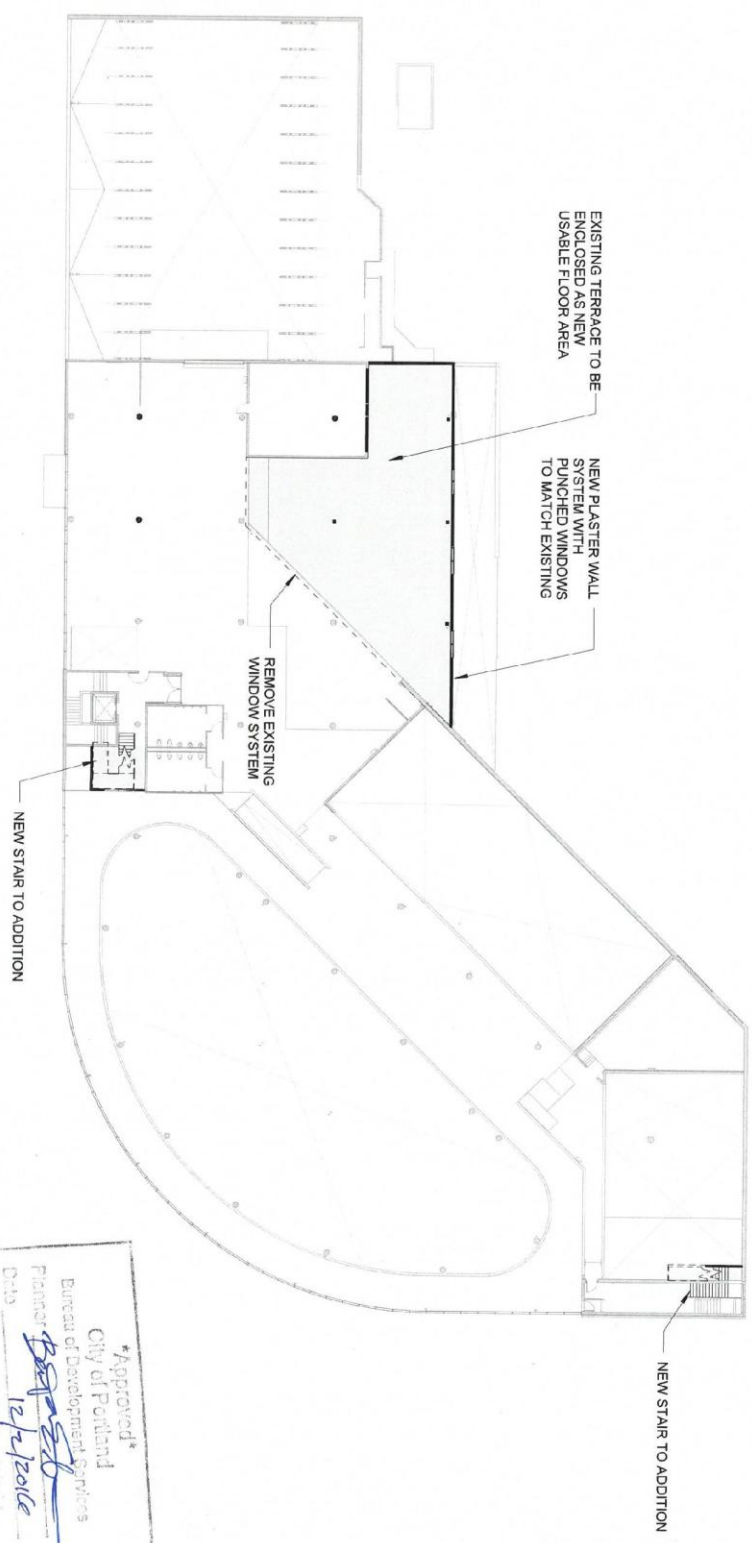
SEE LU 15-205150 D2M
FOR APPROVED SITE
PLAN.

Scale: N.T.S.

FILE #16-143500-000-00 EA
November 8, 2016

Approved
City of Portland
Bureau of Development Services
12/2/2016

RUN OUR DREAM, LLC.
Bora



Approved
City of Portland
Bureau of Development Services
Planner *[Signature]*
Date *12/2/2016*

Level 2
Building Plans

CV 16-185068 DCM

editor C.18

Scale: 1/32" = 1' 0"
FILE # 16-143500-000-00-FA
November 8, 2016

Bora



FILE # 16 - 143500 - 000 - 00 - EA

411 16-185068 D7A

exhibit C.19

Bora



Scale: 1/32" = 1' 0"

FILE # 16 - 143500 - 000 - 00 - EA

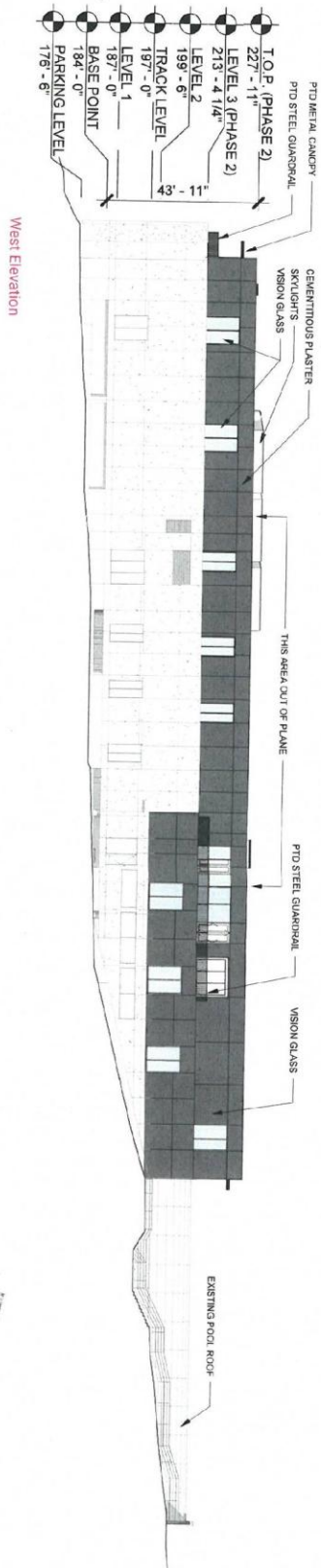
November 8, 2016

LU 16-185208 D2m

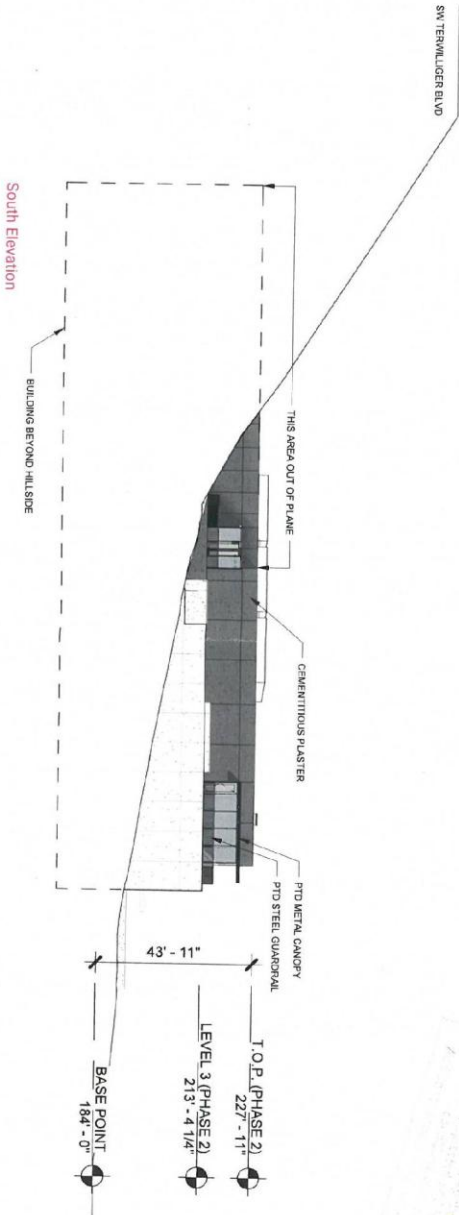
exhibit C.25

Building Elevations

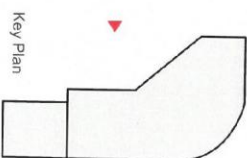
RUN OUR DREAM, LLC.
Bora



West Elevation



South Elevation



Key Plan

Scale: 1/32" = 1' 0"

FILE # 16-143500-000-00-FA
November 8, 2016

Building Elevations

LU 16-155068 DZM

exhibit C.26