



City of Portland, Oregon

Bureau of Development Services

Land Use Services

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

Date: November 2, 2016 **To:** Interested Person

From: Hillary Adam, Land Use Services

503-823-3581 / Hillary.Adam@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 mailed copy of this document is only a summary of the decision.

The reasons for the decision 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 16-244758 DZ - Stagecraft Alterations

GENERAL INFORMATION

Applicant: Suzannah Stanley

Mackenzie

1515 SE Water Ave, Suite 100

Portland, OR 97214

Owner: Al Solheim

Stagecraft Warehouse Investors, LLC

1136 NW Hoyt St #200 Portland, OR 97209

Site Address: 1302 NW KEARNEY ST

Legal Description: BLOCK 137 N 40' OF LOT 4 LOT 5&8, COUCHS ADD

 Tax Account No.:
 R180211890

 State ID No.:
 1N1E33AD 01400

Quarter Section: 2928

Neighborhood: Pearl District, contact Kate Washington at planning@pearldistrict.org. **Business District:** Pearl District Business Association, contact Carolyn Ciolkosz at 503-

227-8519.

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

Plan District: Central City - River District

Zoning: EXd – Central Employment with Design overlay

Case Type: DZ – Design Review

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

Commission.

Proposal:

The applicant proposes alterations to the Stagecraft Building, currently under renovation following a previous land use review (LU 15-157599 DZ). The applicant proposes to replace a previously proposed and approved overhead door on the east elevation with fixed glass storefront. Two options are proposed for this opening: Option 1 proposes a butt-glazed storefront system to fill the opening; Option 2 proposes a storefront system with mullions similar to those approved on the rest of the building. On the north façade, the applicant proposes to replace the pedestrian entry at the northeast corner with a floor-level window system similar to those previously approved with brick infill and concrete sill at the base in order to accommodate interior floor level alterations which are not subject to design review.

Design Review is required because the proposal is for non-exempt exterior alterations in the Central City Plan District.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines
- River District Design Guidelines

ANALYSIS

Site and Vicinity: The subject property is a two-story brick warehouse building originally constructed in 1894 to occupy the two parcels at the northwest corner of the block. By 1909, an addition was built on the 1/8-block parcel to the south of the original building. The building is located just north of the Thirteenth Avenue Historic District and within the Northwest Triangle Pedestrian District. NW 13th Avenue is identified as a City Walkway. A dock has been located along the NW 13th Avenue frontage since at least 1909. Rehabilitation of the building is currently underway.

The River District comprises those areas north of Burnside Street and east of the I-405 freeway, west of the Willamette River. Formerly it was known as the Northwest Triangle, an area of light industry and warehouse uses served by several railroad spurs. In the late 1980s and early 1990s, the area became the site of several warehouse-to-loft conversions, with its rebirth formalized in the creation of Designated an Urban Renewal Area in 1998. Following demolition of the NW Lovejoy viaduct and aided by the construction of the Portland Streetcar, the area has seen significant growth and is now one of the densest and most active parts of the city, with many new buildings filled with condominiums, apartments, restaurants, galleries and other commercial spaces as well as three new parks.

Zoning: The <u>Central Employment</u> (EX) zone allows mixed uses and is intended for areas in the center of the City that have predominantly industrial-type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area.

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 <u>Central City Plan District</u> implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation management Plan. The

Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the River Subdistrict of this plan district.

Land Use History: City records indicate the following prior land use reviews for this site:

- EA 15-12146 APPT Early Assistance meeting for the rehabilitation of the building;
- LU 15-157599 DZ Design Review approval for rehabilitation of the building.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed September 27, 2016. The following Bureaus have responded with no issues or concerns:

- Fire Bureau
- · Life Safety Division of BDS

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on September 27, 2016. 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 and River District Guidelines.

River District Design Guidelines and Central City Fundamental Design Guidelines

The River District is a remarkable place within the region. The area is rich with special and diverse qualities that are characteristic of Portland. Further, the River District accommodates a significant portion of the region's population growth. This area emphasizes the joy of the river, connections to it, and creates a strong sense of community. The goals frame the urban design direction for Central City and River District development.

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.

River District Design Goals

- **1.** Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
- **2.** Create a community of distinct neighborhoods that accommodates a significant part of the region's residential growth.

- **3.** Enhance the District's character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
- **4.** Strengthen connections within River District, and to adjacent areas.

Central City Plan Design Goals

- 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.

- **A5-1.** Reinforce Special Areas. Enhance the qualities that make each area distinctive within the River District, using the following "Special Area Design Guidelines" (A5-1-1 A5-1-5). **A5-1-1.** Reinforce the Identity of the Pearl District Neighborhood. This guideline may be
- **A5-1-1. Reinforce the Identity of the Pearl District Neighborhood.** This guideline may be accomplished by:
- 1) Recognizing the urban warehouse character of the Pearl District when altering existing buildings and when designing new ones.
- 2) Recognizing the urban warehouse character of the Pearl District within the design of the site and open spaces.
- 3) Designing buildings which provide a unified, monolithic tripartite composition (base/middle/top), with distinct cornice lines to acknowledge the historic building fabric.
- 4) Adding buildings which diversify the architectural language and palette of materials.
- 5) Celebrating and encouraging the concentration of art and art galleries and studios with design features that contribute to the Pearl District's "arts" ambiance. Consider features that provide connectivity and continuity such as awnings, street banners, special graphics, and streetscape color coordination, which link shops, galleries, entrances, display windows and buildings. Active ground level retail that opens onto and/or uses the sidewalk can contribute to the attraction of the "arts" concentration.
- **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.
- **B1-1. Provide Human Scale to Buildings along Walkways.** Provide human scale and interest to buildings along sidewalks and walkways. This guideline may be accomplished by:
- 1) Providing street furniture outside of ground floor retail, such as tables and chairs, signage and lighting, as well as large windows and balconies to encourage social interaction.
- 2) Providing stoops, windows, and balconies within the ground floors of residential buildings.
- **C1. Enhance View Opportunities.** Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.
- **C4.** Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.
- **C7. Design Corners that Build Active Intersections.** Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

Findings for A5-1, A5-1-1, A8, B1-1, C1, C4, and C7: The existing warehouse character of the building will remain. The proposal is limited to alterations at two of the ground floor openings. These openings will no longer serve as doors but will maintain their existing widths as new fixed windows, which are larger than the upper level windows. The opening in the east façade will become a large display window that pedestrians can look through into the interior of the building. The applicant has proposed two options – one that features mullions similar to the other windows on the building and one that features a butt-glazed system which allows for a less obstructed view. Staff finds either solution is acceptable for the east façade opening. The north façade opening is proposed to be revised from a door to a window as the interior floor (which is not subject to review) will be extended at an elevated height at this corner. The existing opening will be infilled with paired windows that match other singularly stacked windows on the building and brick salvaged from previous work on the building will be used at the wall below the new window. These quidelines are met.

A6. Reuse/Rehabilitate/Restore Buildings. Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

Findings: The proposal is a follow-up review for the previously approved rehabilitation of the existing building. The building is currently being rehabilitated and the current proposal addresses relatively minor changes in the previously-approved design for an identified future tenant. *This guideline is met.*

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

Findings: The existing barrier-free access to the building will be maintained at both the north and east façades. The doors proposed to be changed to windows were redundant, only one of which was not barrier-free. As such, the building's overall accessibility will be improved by the removal of a non-compliant entrance. *This guideline is met.*

- **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, and C5: As is noted above, the proposed alterations are located within existing openings of the building which were previously used and approved as building entrances. The proposed windows to be located within these openings will respect the architectural integrity of the building by maintaining the widths and arched headers of the openings. The existing door opening at the northeast corner of the building is not original, but was constructed, including the arch, in 1964. The proposed window systems are high-quality and will be consistent and coherent with the rehabilitated building. The bricks to be installed below the north window opening will be bricks salvaged from the current rehabilitation. *These quidelines are 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 proposed alterations are relatively minor revisions to the previously approved land use review for the rehabilitation of the existing building. The proposed revisions are consistent with the previously approved design and maintain the building's overall integrity. 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 therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of exterior alterations in the River SubDistrict of the Central City Plan District including:

- On the east façade, replacement of a previously approved overhead door with fixed glass storefront. Two options are approved for this opening: Option 1 proposes a butt-glazed storefront system to fill the opening; Option 2 proposes a storefront system with mullions similar to those approved on the rest of the building.
- On the north façade, replacement of the pedestrian entry at the northeast corner with a floor-level window system similar to those previously approved with concrete sill and brick infill and at the base.

This approval is per the approved site plans, Exhibits C-1 through C-8, signed and dated October 26, 2016, 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 through C-8. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-244758 DZ. No field changes allowed."

Staff Planner: Hillary Adam

Decision rendered by:

By authority of the Director of the Bureau of Development Services

On October 26, 2016

Decision mailed: November 2, 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 September 16, 2016, and was determined to be complete on September 22, 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 September 16, 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, applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: January 20, 2016.**

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 November 16, 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. **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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 November 17, 2016 (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.

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
 - 1. Original Submittal
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Existing and Proposed East

Elevations (attached)

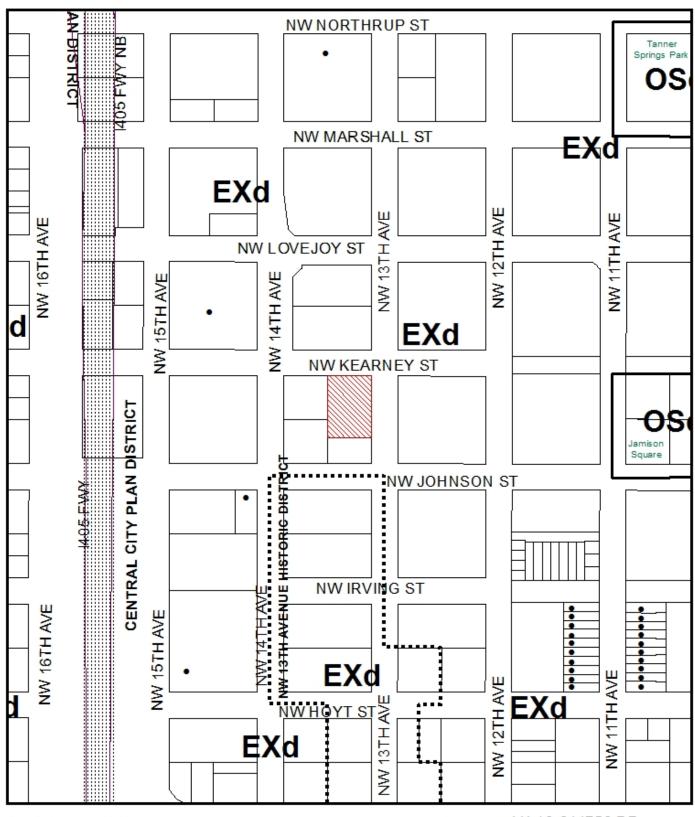
3. Existing and Proposed North

Elevations (attached)

- 4. Ground Floor Windows Calculations
- 5. North Window Details
- 6. East Window Option 1

- 7. East Window Option 2
- 8. Manufacturer's Specifications
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Fire Bureau
 - 2. Life Safety Division of BDS
- F. Correspondence: none
- G. Other:
 - 1. Original LU Application

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



This site lies within the: CENTRAL CITY PLAN DISTRICT RIVER DISTRICT SUBDISTRICT

Site

· Historic Landmark

File No.	LU 16-244758 DZ
1/4 Section	2928
	1 inch = 200 feet
	1N1E33AD 1400
Exhibit_	_

SITE PLAN/FIRST FLOOR PLAN NW 14TH AVE **IS NOSNHOP MN** NW KEARNEY ST NW 13TH AVE PONEN STREET LEVEL DOOR (ARRONMATELY 1'-S' BRIOW
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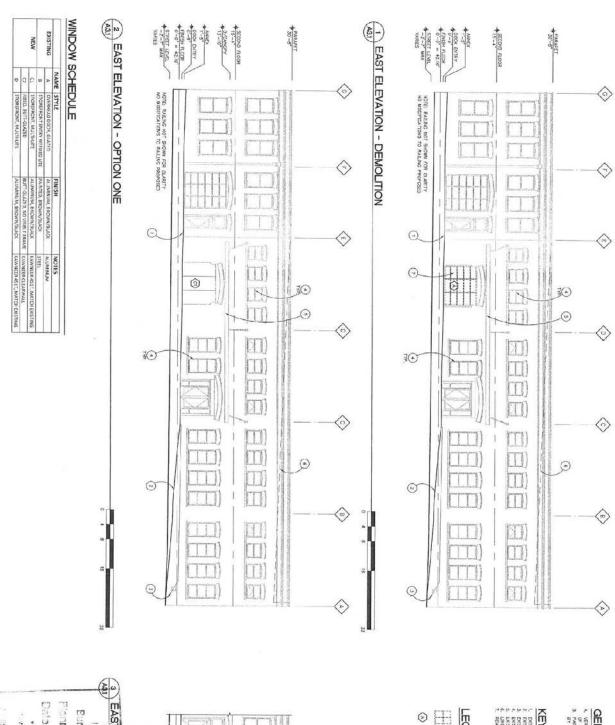
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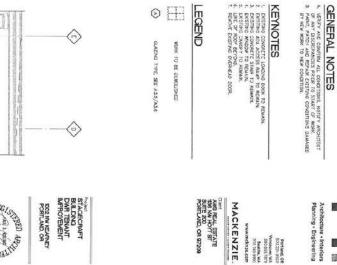
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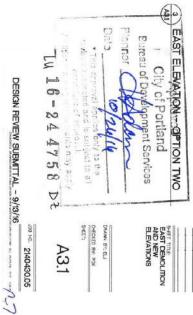
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KEYNOTES

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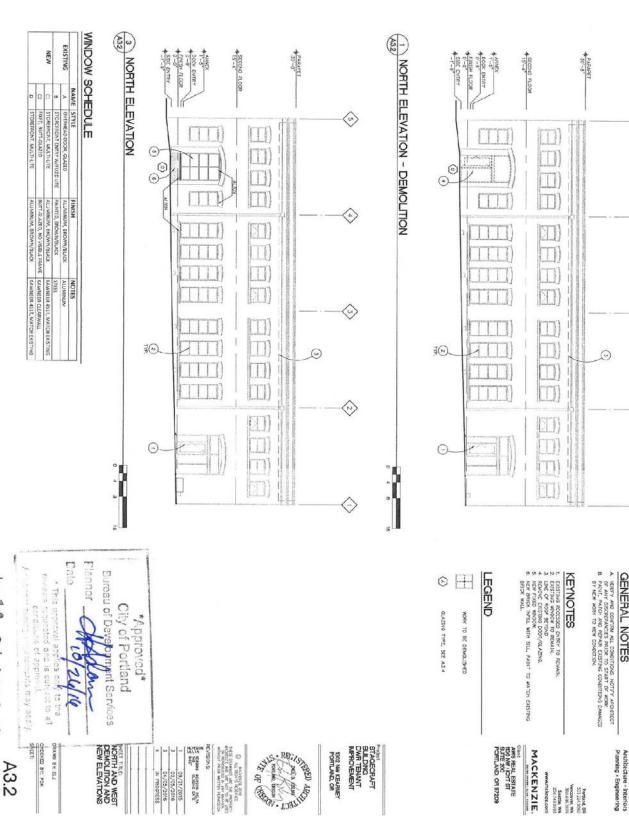


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