



STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 16-214234 DZM – Modera Glisan
[505 NW 14TH AVENUE]; PC # 16-175807
REVIEW BY: Design Commission
WHEN: December 15, 2016 at 1:30 PM
WHERE: 1900 SW Fourth Ave., Suite 2500A
Portland, OR 97201

Please note this report does not recommend approval. Aspects of the proposal that do not meet the approval criteria are in underlined text on pages 10-14, and a Summary of the Issues and Approval Criteria not met are in the “Conclusions” section on page 17.

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GENERAL INFORMATION

Applicant: Robert Ames
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Representative: Kurt Schultz, Sera Design LLC
338 NW 5th Ave
Portland, OR 97209

Site Address: 505 NW 14TH AVENUE

Legal Description: BLOCK 99 LOT 1 S 1/2 OF LOT 4, COUCHS ADD; BLOCK 99 N 1/2 OF LOT 4, COUCHS ADD; BLOCK 99 E 1/2 OF LOT 2&3, COUCHS ADD; BLOCK 99 LOT 5-8, COUCHS ADD

Tax Account No.: R180209120, R180209140, R180209180, R180209220

State ID No.: 1N1E33AD 04900, 1N1E33AD 04800, 1N1E33AD 05000, 1N1E33AD 05200

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

Plan District: Central City - River District
Zoning: EXd, Central Employment with design overlay

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

Proposal:

Modera Glisan is a ¾-block 12 story mixed use apartment building 145’ tall. Portland Firehouse #3 [commonly known as Touché] will be preserved and seismically renovated; it will incorporate ground floor and second floor retail.

Modera Glisan has the following design features:

- The Portland Firehouse #3 will be preserved and seismically renovated.
- The 12-story portion of the development is located on NW Hoyt Street and is oriented in an east-west orientation and also set back from NW 14th Avenue to the west 20’ in deference to the NW 13th Avenue Historic District across NW 14th Avenue.
- The 10-story portion of the development is oriented north-south and intended to reflect the scale of buildings fronting NW 14th Avenue.
- A new retail plaza is located in a courtyard between the firehouse and the new construction facing NW Glisan Street.
- The residential lobby is located near the corner of NW 14th Avenue and NW Hoyt Street. Commercial retail is located along NW 14th Avenue, NW Glisan Street, and within the ground floor of the Firehouse. Commercial creative office space is located along NW Hoyt Street and NW 15th Avenue in the NW corner of the property.
- Parking access to below grade parking is from NW Hoyt Street.
- Exterior materials are brick masonry with fine detailing and metal panels as the accent material at the penthouse and window spandrels.

Because the proposed is for new development in the River Sub-District of the Central City Plan District, design review is required.

Modifications requested through Design Review:

Modification #1: Required Parking Space Dimension (33.266.130.F. & Table 266-4)

Required: 8’-6” parking space width

Proposed: Several residential parking stalls will be 7’-10” wide at structural columns

Modification #2: Long-Term Bike Parking Spacing (33.266.220.C.)

Required: 24” spacing

Proposed: 18” spacing for stacked wall mounted racks

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:

- Central City Fundamental Design Guidelines
- River District Design Guidelines
- 33.825.040 A&B Modifications Considered through Design Review

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. This application was submitted on August 1, 2016 and requested by the applicant to be deemed complete on **September 16, 2016**.

ANALYSIS

Site and Vicinity: The subject property is located along NW Glisan Street between NW 14th and NW 15th Avenues. The 7/8 block parcel (which includes the commonly known Touché Restaurant) is located on the north side of Glisan and extends the full northern half-block between 14th and 15th Avenues fronting NW Hoyt Street, and the SE corner ¼ block that fronts NW 14th and NW Glisan Street. The sunken portion of I-405 is located immediately west of NW 15th Avenue. One half-block to the east is the NW 13th Avenue Historic District, a narrow district consisting of approximately seven city blocks characterized by brick and concrete warehouses. Other multi-story warehouses, not located within the boundary of the historic district, abound in the immediate area as well as smaller buildings and a growing collection of office and residential towers.

The subject property is located within a pedestrian district and NW Glisan Street is designated a Transit Access Street in the City's Transportation Plan. The approach to the I-405 and NW 15th Avenue, west of the parklet parcel, is designated a Regional Truckway and NW Glisan Street is designated a Major Emergency Response route and Traffic Access Street. NW 14th Avenue is a Major City Traffic Street.

Zoning: The Central City Plan District 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 Lloyd Sub District of this plan district.

The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

The Design Overlay Zone [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. 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.

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

- LU 15-187119 DZM, AD – Design Review Approval for the mixed-use Meriwether 501 Building.
- EA 16-175807 PC - Pre-Application Conference for this Land Use Review, however proposed as a 280 unit, 16-story building with market rate residential units and ground floor retail, and included demolition of the Portland Firehouse #3, commonly known as the Touché Restaurant.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed November 23, 2016. The following Bureaus have responded with no issue or concerns:

- The Water Bureau
- The Fire Bureau
- The Site Development Section of BDS.

The following Bureaus have responded with concerns:

- The Bureau of Environmental Services responded with comment not recommending approval at this time. Please see Exhibit E-1 for additional details.
- The Bureau of Transportation Engineering responded with comments not recommending approval at this time. Please see Exhibit E-2 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on November 23, 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

(1) DESIGN REVIEW (33.825)

33.825.010 Purpose

Design Review ensures:

- That development conserves and enhances the recognized special design values of a site or area;
- The conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district;
- That certain types of infill development will be compatible with the neighborhood and enhance the area; and
- High design quality of public and private projects.

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.

It is important to emphasize that design review goes beyond minimal design standards and is viewed as an opportunity for applicants to propose new and innovative designs. The design guidelines are not intended to be inflexible requirements. Their mission is to aid project designers in understanding the principal expectations of the city concerning urban design.

The review body conducting design review may waive individual guidelines for specific projects should they find that one or more fundamental design guidelines is not applicable to the circumstances of the particular project being reviewed.

The review body may also address aspects of a project design which are not covered in the guidelines where the review body finds that such action is necessary to better achieve the goals and objectives of design review in the Central City.

Findings: The site is designated with design overlay zoning (d). Therefore the proposal requires Design Review approval. Because the site is within the River sub-District, the applicable approval criteria are listed in Central City Fundamental Design Guidelines and the River District Design Guidelines.

Please note: The following Design Guidelines address areas of the development found to be met.

PORTLAND PERSONALITY

A1: INTEGRATE THE RIVER

Orient architectural and landscape elements including, but not limited to, lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and greenway. Develop accessways for pedestrians that provide connections to the Willamette River and greenway.

A1-1: LINK THE RIVER TO THE COMMUNITY

Link the Willamette River to the community reinforcing the river's significance

Findings: Several balconies have been incorporated into the north, east and south facades of the building that will allow expansive views around the city, including views towards the river. The east wing has an occupied rooftop garden, swimming pool and outdoor rooftop amenities on level 11. This roof terrace provides extensive view opportunities towards the river to the east. *These guidelines are met.*

A2: EMPHASIZE PORTLAND THEMES

When provided, integrate Portland-related themes with the development's overall design concept.

Findings: Modera Glisan is conceived to be a contemporary interpretation of the Pearl warehouse district. The NW 13th Ave Historic District remains the historic core of this area, but the district itself is evident from NW 15th Ave at the western edge to the North Park Blocks to the east. Characteristics of this district are described in the NW 13th Avenue Historic District Design Guidelines:

- Siting pattern of buildings being built out to the street edge which creates a strong sense of street wall enclosure;
- Brick masonry or concrete wall construction with large industrial sash windows;
- Defined building base;
- Metal or wood canopies at the ground floor, especially over docks;
- Rooftop equipment such as water towers; and
- The essential characteristic of the district is the architectural coherence and uniformity of the buildings.

Although not located within the Historic District, the Modera Glisan is proposed as a modern interpretation of the warehouse/loft characteristics of the district, incorporating brick masonry façades framing large window bays and having a clearly defined strong street edge. The overall scale and massing of the 10-story building frontage along NW 14th, and stepped back and higher massing of the 12-story building frontage along NW Hoyt Street responds to the scale of the NW 13th Avenue Historic District and reflects the surrounding buildings' massing. *This guideline is met.*

A3: RESPECT THE PORTLAND BLOCK STRUCTURES

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

A3-1: PROVIDE CONVENIENT PEDESTRIAN LINKAGES

Provide convenient linkages throughout the River District that facilitate movement for pedestrians to and from the river, and to and from adjacent neighborhoods.

Findings: Modera Glisan supports the Portland block structure by being build out to the street edge on all three street frontages. This is a defining characteristic of the warehouse district.

Modera Glisan also contributes to convenient linkages by preserving the Portland Firehouse #3 by being set back 25'-30' from the existing structure and creating a new plaza between the buildings along NW Glisan Street that will be available to the public. A public parklet (by others) will anchor the SW corner of the block. *For these aspects of the proposed design, these guidelines are met.*

A6: REUSE/REHABILITATE/RESTORE BUILDINGS

Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

Findings: The project site includes the historic Firehouse that currently houses Touché restaurant which will be seismically retrofitted and renovated as a part of this development. *This guideline is met.*

A7: ESTABLISH AND MAINTAIN A SENSE OF URBAN ENCLOSURE

Define public rights-of-way by creating and maintaining a sense of urban enclosure.

Findings: Modera Glisan supports the Portland block structure by being build out to the street edge on all three street frontages. This is a defining characteristic of the warehouse district. *This guideline is met.*

SECTION B

PEDESTRIAN EMPHASIS

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.

B3: BRIDGE PEDESTRIAN OBSTACLES

Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.

Findings: The pedestrian zones of all public rights-of-ways are convenient, accessible and maintained as through zones. Parking access from NW Hoyt Street is located mid block, a maximum of 20-feet wide, and will have safety features such as audible and visual warnings when cars are approaching the garage door. Similarly, loading has been incorporated inside the parking garage. Mechanical venting of vehicular exhaust will be routed through louvers and vents located above the storefront system and away from pedestrian circulation. Public sidewalks will be consistent and compliant with current River District standards established by PBOT. *These guidelines are met.*

B6: DEVELOP WEATHER PROTECTION

Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

Findings: Modera Glisan provides weather protection for pedestrians on all 4 street frontages through the use of canopies. A large glass canopy punctuates the main entry and steel canopies are located over all retail entrances. *This guideline is met.*

B7: INTEGRATE BARRIER FREE DESIGN

Integrate access systems for all people with the building's overall design concept.

Findings: All access to the building and the retail and amenity spaces are fully accessible. *This guideline is met.*

SECTION C

PROJECT DESIGN

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 facades that create visual connections to adjacent public spaces.

C1-1: ENHANCE RIVER VIEW OPPORTUNITIES

Increase river view opportunities to emphasize the River District ambiance.

Findings: Several balconies have been incorporated into the north, east and south façades of the building that will allow expansive views around the city, including views towards the river. The penthouse roof terrace on level 12 provides extensive view opportunities towards the river to the east and to the west hills to the south and west. The east wing has an occupied rooftop garden, swimming pool and outdoor rooftop amenities on level 11. These roof terraces provide extensive view opportunities towards the river to the east. *These guidelines are met.*

C3: RESPECT ARCHITECTURAL INTEGRITY

Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions, that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

Findings: The project site includes the historic Firehouse that currently houses the Touché restaurant which will be seismically renovated and incorporated into the project. *This guideline is met.*

C3-1: INTEGRATE PARKING

Design parking garage exteriors to visually integrate with their surroundings.

Findings: All parking for Modera Glisan is located below grade in the basement. Vehicular access to the project is limited to a single curb cut on NW Hoyt. Loading spaces are located in the garage, accessed by the same curb-cut, to reduce impacts of loading vehicles in lieu of a separate loading access adjacent to the ROW. *This guideline is met.*

C7: DESIGN CORNERS THAT BUILD ACTIVE INTERSECTIONS

Use design elements including, but not limited to, varying building heights, changes in facade 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: Retail and commercial/office storefronts are proposed to occupy all 3 major street concerns of this 'L' shaped building. Commercial retail is located along NW 14th, NW Glisan, and within the ground floor of the to-be restored Portland Firehouse #3. Commercial creative office space is proposed to be located along NW Hoyt and NW 15th avenue in the NW corner of the property. The residential lobby is prominently located near the corner of NW 14th and NW Hoyt. *This guideline is met.*

C8: DIFFERENTIATE THE SIDEWALK LEVEL OF BUILDINGS

Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

Findings: Modera Glisan differentiates the sidewalk level through extensive glazing at the retail and main building entry, canopies on all 4 street frontages, and a strong differentiated building base through the use of brick masonry that matches the scale of adjacent buildings. *This guideline is met.*

C9-1: REDUCE THE IMPACT OF RESIDENTIAL UNIT GARAGES ON PEDESTRIANS

Reduce the impact on pedestrians from cars entering and exiting residential unit garages by locating garage access on alleys, and active spaces on ground floors that abut streets.

Findings: Vehicular access to the project is limited to a single curb cut on NW Hoyt. Loading spaces are located in the garage, accessed by the same curb-cut, to reduce impacts of loading vehicles in lieu of a separate loading access adjacent to the ROW. *This guideline is met.*

C10: INTEGRATE ENCROACHMENTS

Size and place encroachments in the public right-of-way to visually and physically enhance the pedestrian environment. Locate permitted skybridges toward the middle of the block, and where they will be physically unobtrusive. Design skybridges to be visually level and transparent

Findings: All encroachments (canopies and balconies) meet the standard of the City of Portland, PDOT, and the IBC and do not detract from the visual environment. *This guideline is met.*

C11: INTEGRATE ROOFS AND USE ROOFTOPS

Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

Findings: The penthouse roof terrace provides extensive view opportunities towards the river and city skyline. The east wing has an occupied rooftop garden, swimming pool and outdoor rooftop amenities. All mechanical equipment is located behind roof screens. *This guideline is met.*

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: Exterior lighting is integrated to both enhance the architectural features of the building as well as support our sustainable and LEED goals for the project (night sky). *This guideline is met.*

C13: INTEGRATE SIGNS

Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

Findings: Signage will be integrated into the design but is not a part of this review. Exterior building signage will be a separate design review at a later date if necessary. *This guideline does not apply.*

Please note: The following Issues and Design Guidelines address areas of the development found to be partially met, aspects not met are in underlined text.

Issue 1: Architectural Coherency and Contextual Response to the River District

- a. West-facing stair tower expression
- b. SE corner rooftop condition

A4: USE UNIFYING ELEMENTS

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

A5: ENHANCE, EMBELLISH, AND IDENTIFY AREAS

Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

A5-1: 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: REINFORCE THE IDENTITY OF THE PEARL DISTRICT NEIGHBORHOOD

Reinforce the identity of the Pearl District Neighborhood

A9: STRENGTHEN GATEWAYS

Develop and/or strengthen gateway locations

A9-1: PROVIDE A DISTINCT SENSE OF ENTRY AND EXIT

When developing at gateway locations, provide a distinct sense of entry and exit that relates to the special qualities of an area

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.

Findings: The Modera Glisan is proposed as a modern interpretation of the warehouse/loft characteristics of the district and will maintain the scale and essential features of the surrounding context. The "L" shaped building is built out to the property lines that steps down in scale to the Firehouse. The 12 story north wing is located on NW Hoyt Street and is oriented in an east-west orientation to improve view opportunities towards the river from the west. It also is set back 20' from NW 14th to the east in deference to the NW 13th Avenue Historic District across NW 14th.

The east wing along NW 14th Avenue is 10 stories tall to match the scale of the 13th Avenue historic district across NW 14th Avenue to the east. The east wing has an occupied rooftop garden, swimming pool and outdoor rooftop amenities. Exterior materials are of high quality brick masonry with metal panels as the accent material at the penthouse and window spandrels. The exterior facades will have larger window openings than the heavier historic buildings in the warehouse district to have a lighter, more modern character.

The new construction is set back from the Portland Firehouse #3, creating a new plaza between the buildings along NW Glisan Street that will be available to the public. A public parklet (by others) will anchor the SW corner of the block. The ground floor of the building has large windows into retail/commercial spaces with canopies above. The main residential entry on NW Hoyt Street has a 3 story tall portal with a glass canopy to mark this important feature.

However, two prominent elements related to the 10-story building mass fronting the plaza and the corner of NW Glisan and NW 14th appear incongruous to these guidelines, the River District building context and overall coherency of the proposed design: a) West-facing stair tower expression and b) SE corner rooftop condition.

a) West-facing stair tower expression.

Regarding the west-facing façade of the 10-story building mass, the tall solid metal panel expression of the stair tower appears to distract from the otherwise regular heavy masonry structural expression of the building's composition.

Additionally, by emphasizing the strong vertical expression of the tower, the element itself becomes a significant feature of the overall building design, and while true to the function within, calls attention to otherwise 'back-of-house' functionality at the ground floor and rooftop. The stair tower provides access and egress to the rooftop pool level, and mandatory egress at a screened corner of the otherwise prominent public plaza between Modera Glisan and the Portland Firehouse #3.

Were the stair tower frontage to mimic the strong masonry expression of the building design by internalizing the vertical stair circulation and reconfiguring the floor layouts to provide additional floor area and/or an additional vertical bay of projecting balconies that are already present within the building composition, these guidelines could be met.

b) SE corner rooftop condition.

With regard to the SE corner parapet design, the erosion of the upper corner and addition of a projecting canopy appears out of character with the strong masonry expression of the River District context and immediately adjacent buildings. As with the suggestion that the stair tower massing be incorporated within the otherwise strong masonry façade, this corner condition should also continue the masonry façade and pattern completely to the cornice, and the canopy projection eliminated, to provide a stronger relationship to the adjacent context. With additional design refinement, these guidelines could be met.

For both these areas of the building, the design guidelines are not met.

Exhibit App.102



Exhibit C.06

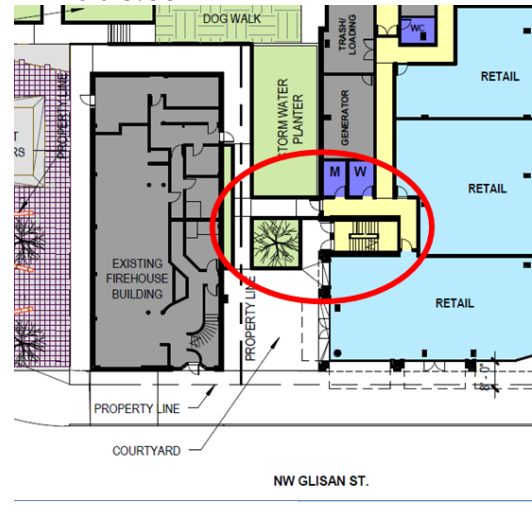


Exhibit App.103



Issue 2: Ground Level Storefront and Plaza Activation

- a. NW 15th Avenue storefront electrical transformer frontage
- b. Plaza frontages at southern and western building ground floor

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.

B1-1: PROVIDE HUMAN SCALE TO BUILDINGS ALONG WALKWAYS

Provide human scale and interest to buildings along sidewalks and Walkways

B4: PROVIDE STOPPING AND VIEWING PLACES

Provide safe, comfortable places where people can stop, view, socialize, and rest. Ensure that these places do not conflict with other sidewalk uses.

B5: MAKE PLAZAS, PARKS, AND OPEN SPACE SUCCESSFUL

Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally-oriented pocket parks that incorporate amenities for nearby patrons.

C6: DEVELOP TRANSITIONS BETWEEN BUILDINGS AND PUBLIC SPACES

Develop transitions between private development and public open space. Use site design features such as movement zones, landscape elements, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

C9: DEVELOP FLEXIBLE SIDEWALK LEVEL SPACES

Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

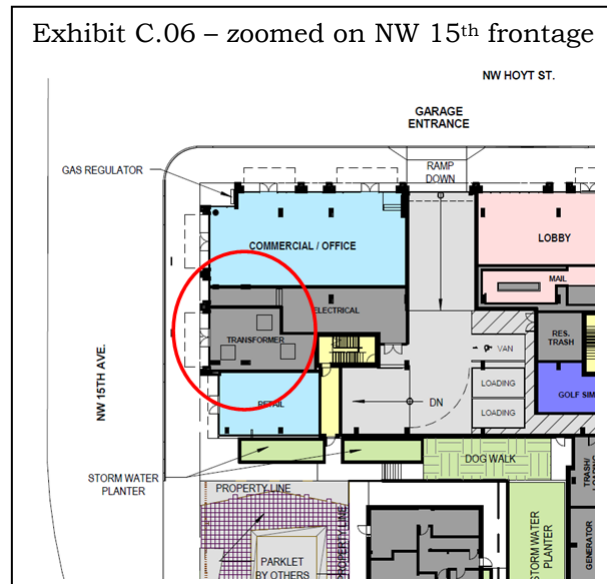
Findings: Modera Glisan contributes to a vibrant streetscape by locating active uses on all 4 sides. The residential lobby anchors the mid-block of NW Hoyt Street, and commercial retail is located along NW 14th, NW Glisan, and within the firehouse. Commercial creative office space is located along NW Hoyt and NW 15th Avenue in the NW corner of the property. The ground floor of the building has large windows into retail/commercial spaces with canopies above. The main residential entry on NW Hoyt Street has a 3 story tall portal with a glass canopy to mark this important feature.

The proposed building is also set back from the historic firehouse, creating a new plaza between the buildings along NW Glisan Street that will be available to the public. A public parklet (by others) will anchor the SW corner of the block.

However, additional design development and treatment of a) NW 15th Avenue storefront electrical transformer frontage; and b) Plaza frontages at southern and western building ground floor that surround the Historic Firehouse #3 are needed.

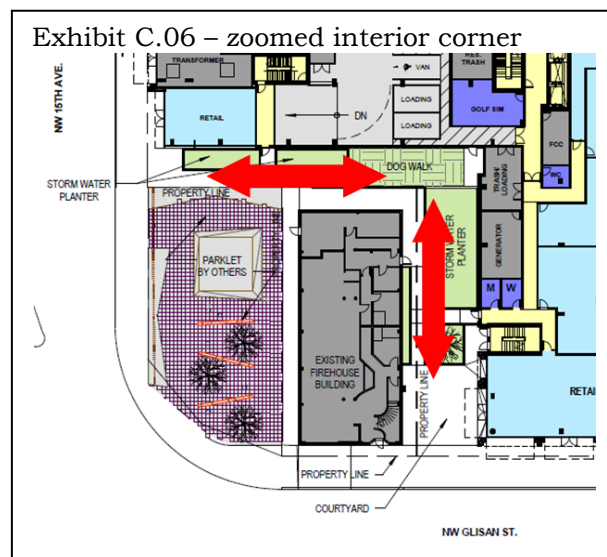
a) NW 15th Avenue storefront electrical transformer frontage.

Regarding the NW 15th Avenue frontage, a missed retail or office opportunity exists by the location of at grade electrical transformers within the storefront frontage. As the adjacent NW 15th Avenue ROW is available for underground transformers, the applicant should continue their coordination with the utility provider and PBOT to redesign the proposal. It should be noted that an underground location in the public plaza area adjacent to the 10-story tower would also not be appropriate due to the impact of vault lids within the pedestrian plaza. Please note that a Design Exception will be required by PBOT before approval in the NW 15th Avenue ROW can be issued. Until a revised proposal is submitted and approved for the electrical transformers to be located outside of the building's ground floor storefront area, these guidelines are not met.



b) Plaza frontages at southern and western building ground floor that surround the Historic Firehouse #3.

In regards to the plaza frontages, a similar missed opportunity exists along the interior ground floor frontages of the west and south elevations of the proposal facing the parklet [by others] and the Portland Firehouse #3. The proposal is for largely inactive uses such as large scale stormwater planters, dog walk area, trash and generator frontages. Were the adjacent ground level further activated by additional retail and/or office uses with entrances at the ground level – including potential ground level improvements to the Portland Firehouse #3, both of these two public spaces would be enhanced, and a unique and vibrant mid-block connection between them created. Without additional design development and ground floor activation of these spaces, these guidelines are not met.



For both these areas of the building, the design guidelines are not met.

Issue 3: Materials board and samples

- a. Foam backed metal panel
- b. Vinyl windows
- c. Brick color and module
- d. Storefront and garage door

C2: PROMOTE QUALITY AND PERMANENCE IN DEVELOPMENT

Use design principles and building materials that promote quality and permanence.

Findings: Modera Glisan establishes a strong contextual response with the surrounding Warehouse/loft District through the use of high quality permanent materials. Exterior materials are of high quality brick masonry with metal panels as the accent material at the penthouse and window spandrels. The exterior facades will have larger window openings than the heavier historic buildings in the warehouse district to have a lighter, more modern character.

However, while the materials stated are generally understood as high-quality construction materials, a material board and material samples have not yet been submitted into the record for review. Particularly important in the evaluation of the materials not yet submitted are the gauge and finish of the metal panel proposed, the module and color of the brick and associated grout color, the color, finish and operation of the vinyl window system, and the color and style of the garage door. Without additional information provided, this guideline is not 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.

The following modifications are requested:

33.825.040 Modifications That Will Better Meet Design Review Requirements

- 1) *Modification to the Parking Layout Standard (33.266.130.F)*
- 2) *Modification to the Bicycle Parking Standard (33.266.220.C.3)*

Modification 1: 33.266.130.F; Table 266-4: Parking spaces must be 8.5' x 16' (clear dimension)

Proposed Design: In the basement parking garage, all parking spaces are 8.5' x 16' with 20' wide aisles. Concrete columns that are 16" wide x 24" long are located between some parking stalls that would protrude 8" into the 8.5' clear width of the stall on each side. The parking garage is a private residential garage and not open to the public. All parking spaces will be assigned to individual tenants. The assigned space allows each tenant to be familiar with their own parking stall and maneuver accordingly.

33.825.040 Approval Criteria: The applicant contends that the proposed design better meets the design guidelines in the following ways:

- 1. **33.266.130** – to reduce the width of 25 of the 206 proposed parking spaces from 8'-6" down to 7'-10".

Purpose Statement: "The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones. Together with the transit street building setback standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian Districts:

- Provide a pedestrian access that is protected from auto traffic; and
 - Create an environment that is inviting to pedestrians and transit users.
- The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles.

Standard: As listed in Table 266-4, parking spaces at a 90° angle to a 2-way drive aisle must be 8'-6" wide x 16'-0" deep.

Findings for Modification #1: The proposed reduction of the parking stall width to 7'-10" is limited to where structural columns intersect with the parking stall stripe at the entry point of the stall and affects only 25 stalls out of 206 total. Users of these stalls will be residents of the building with an assigned stall; therefore those who park in the reduced width stalls will be accustomed to safely parking in a narrower space. Again, by slightly reducing the width of some of the stalls, more parking can be provided, thus relieving pressure on on-street parking, thereby better meeting guideline C3-1 *Integrate Parking*.

The purpose of the standard is met and guideline C3-1 is better met; therefore, this Modification merits approval.

2. **33.266.220** – to reduce the width of required long-term bicycle parking spaces from 2'-0" to 1'-6";

Purpose Statement: These standards ensure that required bicycle parking is designed so that bicycles may be securely locked without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.

Standard: A space 2 feet by 6 feet must be provided for each required bicycle parking space, so that a bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components.

Findings for Modification #2: Reduction of long-term bicycle parking width has become a fairly standard request. Reduction of the bike parking width from 24" to 18", provided it is accompanied with a 6" vertical stagger to ensure protection against damage from adjacent bicycles, allows the opportunity to provide less area overall dedicated to bike parking, which allows those areas to be dedicated to other uses. In this case, the bike parking is located in the basement which allows guideline C3-1 *Integrate Parking* to be better met as the bike parking is concentrated and integrated within the belly of the building rather than being provided in various location which may take away from more active areas.

The purpose of the standard is met and guideline C3-1 is better 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.

CONCLUSIONS

The required design review process for large scale development proposals exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value.

Many aspects of the proposal such as the massing, façade composition, materials and development of plaza areas adjacent to the to-be-restored Portland Firehouse #3 [commonly know at the Touché Restaurant] have notably met many of the Design Guidelines and merit approval. Additionally, both Modification Requests to parking stall widths and long term bike parking are also approvable.

However, Staff has identified three critical areas of concern that remain and need additional design development and changes before approval can be recommended:

Issue 1: Architectural Coherency and Contextual Response to the River District

- a. West-facing stair tower expression
- b. SE corner rooftop condition

Issue 2: Ground Level Storefront and Plaza Activation

- a. NW 15th Avenue storefront electrical transformer frontage
- b. Plaza frontages at southern and western building ground floor

Issue 3: Materials board and samples

- a. Foam backed metal panel
- b. Vinyl windows
- c. Brick color and module
- d. Storefront and garage door

Design Guidelines not yet met:

Portland Personality

- A4 Use Unifying Elements
- A5 Enhance, Embellish and Identify Areas
- A5-1 Reinforce Special Areas
- A5-1-1 Reinforce Identity of the Pearl District
- A8 Contribute to an Active Streetscape
- A9 Strengthen Gateways
- A9-1 Provide a Distinct Sense of Entry and Exit

Pedestrian Emphasis

- B1 Reinforce and Enhance the Pedestrian System
- B1-1 Provide Human Scale Interest along Walkways
- B4 Provide Stopping and Viewing Places
- B5 Make Plazas, Parks and Open Space Successful

Project Design

- C2 Promote Permanence and Quality in Development
- C4 Complement the Context of Existing Buildings
- C5 Design for Coherency
- C6 Develop Transitions and Open Space Successful
- C9 Develop Flexible Sidewalk-Level Spaces

With additional design development and changes to the proposal, Staff could recommend approval. However, as multiple Design Guidelines are not met, Staff recommends denial.

TENTATIVE STAFF RECOMMENDATION

(May be revised upon receipt of new information at any time to the Design Commission decision)

Denial.

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Procedural Information. The application for this land use review was submitted on August 1, 2016, and was determined to be complete on **September 16, 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 August 1, 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 A.1. Unless further extended by the applicant, **the 120 days will expire on: September 16, 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. 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 recommendation of the Bureau of Development Services with input from other City and public agencies.

This report is not a decision. The review body for this proposal is the Design Commission who will make the decision on this case. This report is a recommendation to the Design Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Design Commission will make a decision about this proposal at the hearing or will grant a continuance. Your comments to the Design Commission can be mailed, c/o the Design Commission, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201 or faxed to 503-823-5630.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. You may review the file on this case by appointment at our office at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201. Please call the file review line at 503-823-7617 to schedule an appointment.

Appeal of the decision. The decision of the Design Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Design Commission, City Council will hold an evidentiary hearing, one in which new evidence can be submitted to them. 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.

Who can appeal: You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/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).**

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. Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

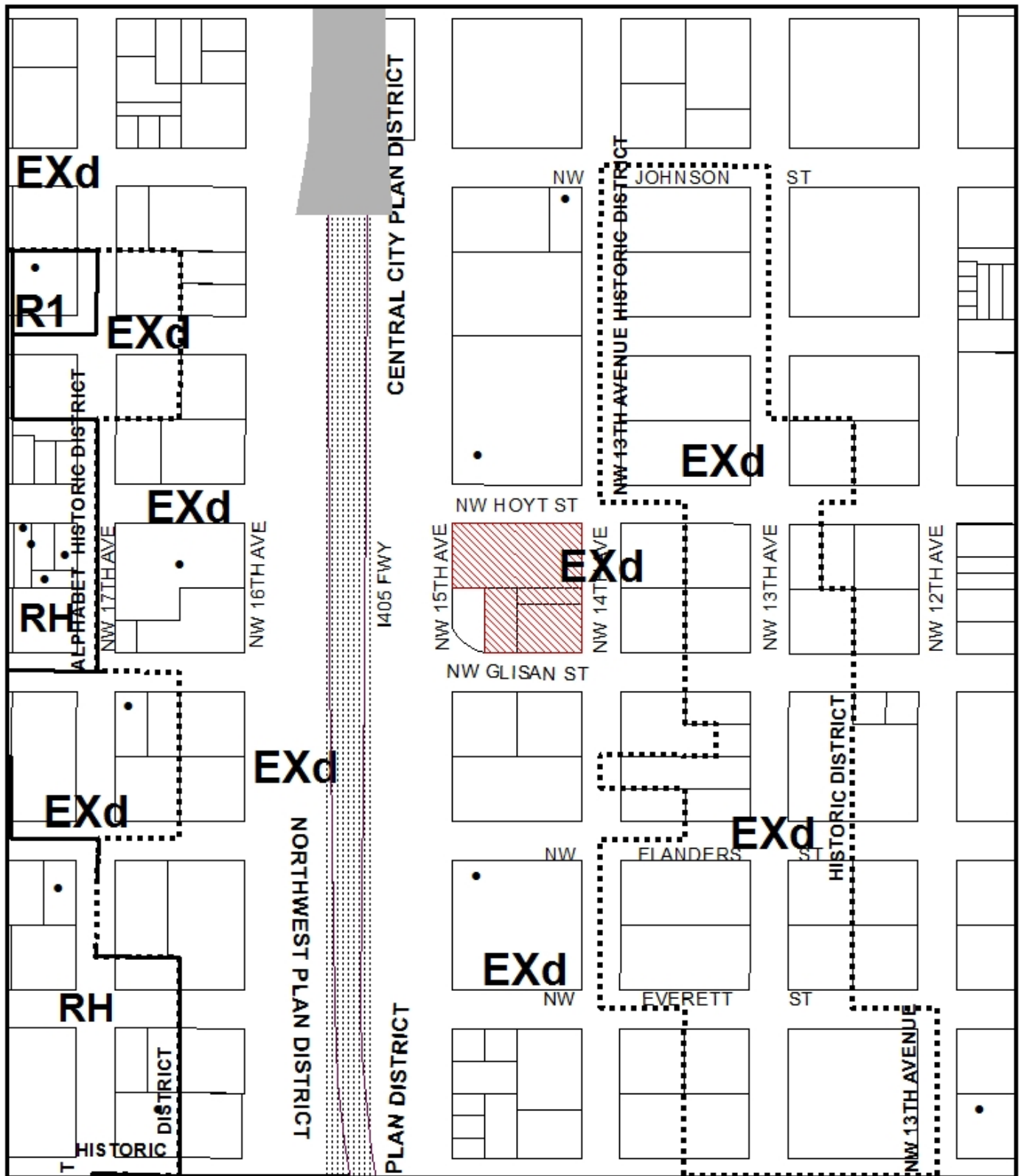
Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

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).

Tim Heron
December 5, 2016

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement & Drawings
 - 1. August 1, 2016 120-day waiver
 - 2. September 16, 2016 Revised Submittal – Narrative and Drawings
 - 3. November 9, 2016 Revised Narrative
 - 4. November 14, 2014 PARTIALLY Revised Drawing Submittal
- B. Zoning Map (attached)
- C. Plan & Drawings
 - 1. – 70. Site Plan, Elevations, Sections, Renderings (some attached)
- 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
 - a. RFC Response
 - b. RFR Response
 - 2. Bureau of Transportation Engineering and Development Review
 - a. RFC Response
 - b. RFR Response
 - 3. Water Bureau
 - 4. Life Safety
 - 5. Fire Bureau
 - 6. Site Development Review Section of BDS
 - a. RFR Response
- F. Letters [none received]
- G. Other
 - 1. Original LUR Application
 - 2. August 22, 2016 Incomplete Letter
 - 3. October 19, 2016 Staff Memo and Issues to Consider Letter



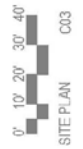
ZONING

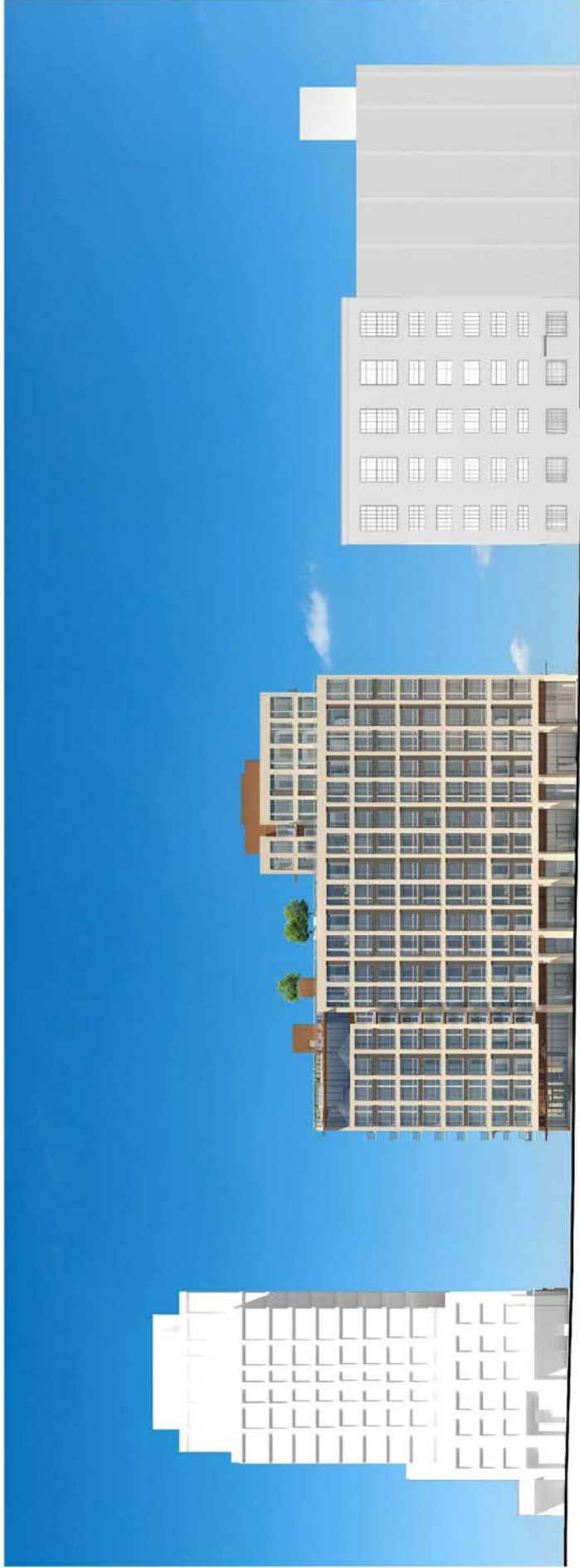
This site lies within the:
CENTRAL CITY PLAN DISTRICT
RIVER DISTRICT SUBDISTRICT

-  Site
-  Historic Landmark

File No.	<u>LU 16-214234 DZM</u>
1/4 Section	<u>2928</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E33AD 4900</u>
Exhibit	<u>B</u> (Aug 02, 2016)







NW 14TH AND GLISAN
HOLLAND

MODERA GLISAN

THE AVENUE LOFTS

