



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

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STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 16-281912 DZM AD
PC # 16-206022
Raleigh 22 Apartments
REVIEW BY: Design Commission
WHEN: 3/23/2017 1:30 PM
WHERE: 1900 SW Fourth Ave., Room 2500A
Portland, OR 97201

It is important to submit all evidence to the Design Commission. City Council will not accept additional evidence if there is an appeal of this proposal.

Bureau of Development Services Staff: Tanya Paglia 503-823-4989 /
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GENERAL INFORMATION

Applicant: Kurt Schultz
SERA Design & Architecture
338 NW 5th Ave
Portland, OR 97209

Tom Dichiara
Cairn Pacific Holdings LLC
1015 NW 11th Ave #242
Portland, OR 97209

2222 Raleigh LLC
1900 S Norfolk St #150
San Mateo, CA 94403

Site Address: 2222 NW RALEIGH ST

Legal Description: BLOCK 309 LOT 1&2 LOT 6&7&10, COUCHS ADD; BLOCK 309
LOT 8 E 10' OF LOT 9, COUCHS ADD; BLOCK 309 W 50' OF
LOT 9, COUCHS ADD

Tax Account No.: R180234390, R180234470, R180234490
State ID No.: 1N1E28CD 04000, 1N1E28CD 04200, 1N1E28CD 04300
Quarter Section: 2827

Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: Nob Hill, contact Nob Hill at nobhillportland@gmail.com.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest
Zoning: EXd – Central Employment with a Design Overlay
Case Type: DZM AD – Design Review with Modifications and an Adjustment 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 seeks Type III Design Review approval for a mixed use market rate apartment building with 173 units, ground floor retail, and basement parking in the Northwest Plan District. The 70'-0" tall, 6-story building will be located on a 37,000 SF, L-shaped site. In response to the L-shape, the proposed building is divided into two wings connected by a glass link. The east wing faces onto NW Raleigh and NW 22nd Ave, while the west wing faces NW Raleigh and NW Quimby. The main apartment building lobby is located at the recessed glass link that divides the two wings and faces NW Raleigh. The proposed building will include 6,118 SF of ground floor commercial space along the Raleigh and 22nd frontages, and 1,746 SF on the southern façade facing Quimby.

The primary cladding material is brick with the east wing of a light limestone colored brick and the west wing of a grey brick. Recessed seams between brick masses are clad in standing seam metal wall panels as are the interior courtyard walls facing south and east. Other materials include aluminum storefront systems, steel canopies, vinyl windows, steel balconies with glass railings, and fencing composed of wood with steel framing. A wood storefront with sliding glass panels is used in the northeast corner's retail frontages in addition to the use of wood at the lobby's entry vestibule.

The total FAR of the proposal is 145,431 SF and total allowed FAR for the site is 111,000 SF. The proposal will utilize a historic landmark FAR transfer of 35,000 SF from another site as follows:

The FAR sending site is located at 535 NW 16th Avenue and is known as the Glisan Center. The sending site has a base FAR of 3:1 for a total of approximately 115,002 SF of base FAR of which 80,002 SF currently remains available. The sending property and receiving property are both zoned EX(d) and are located in the NW Plan District within two miles of each other.

Modifications are requested to the standards for parking stall width and long-term bike parking dimensions. An Adjustment to the size limitation on retail sales and service uses in the EX zone is also requested.

Design review is required because the proposal is for new development in the Northwest Plan District.

Relevant Approval Criteria:

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

- Community Design Guidelines (CDG)
- 33.825.040 Modification Criteria
- 33.825 Design Review
- 33.805 Adjustments
- 33.805.040 Adjustments Approval Criteria

ANALYSIS

Site and Vicinity: The subject site is located in the Northwest Plan District and the Northwest Pedestrian District. The L-shaped site is roughly the same size as a Portland 3/4 block and is currently developed with the George Moreland Plumbing Design Center and a surface parking lot. The proposed building will be located on the east edge of the superblock bounded by NW 23rd, NW 22nd, NW Quimby, and NW Raleigh, all *Local Service Walkways*. NW 23rd, NW 22nd, NW Quimby are also *Local Service Bikeways*, while NW Raleigh is a *City Bikeway*. NW 23rd is also a *Major Transit Priority Street* and *Community Main Street*. NW 21st and NW 23rd Avenues are the major north-south commercial corridors of the Northwest Plan District. They can be characterized as successful, vibrant retail streets offering amenities like small retailers, boutique shops and a wide-range of restaurants to residents, office workers, and visitors including tourists.

The immediate vicinity, which includes the adjacent Conway Master Plan area, has seen much redevelopment as of late with new residential and mixed-use buildings built and slated to be built. To the east of the site across NW 22nd Ave is Block 296, a recently developed site that includes the adaptive reuse of an existing 1-story cast in place concrete warehouse building that is approximately 36,000 SF in area. The warehouse is located on the western end of the Block 296 superblock and is now occupied by a grocery store (New Seasons), a brewery, and an as yet unoccupied retail space. The brewery is located directly across the street from the proposed building's eastern façade and will include outdoor seating at the ground level as well as a roof deck and bar. Other existing warehouse and industrial-type buildings exist in the area, as do a number of single family houses, though the area is rapidly changing. The eastern end of Block 296 is occupied by a 6-story mixed-use building with ground floor retail and 114 apartments above known as the LL Hawkins building.

Northwest Portland is recognized as the City's most intensely developed urban neighborhood – a place of diverse housing options, substantial employment, and regionally recognized destination retail. It is a close-in neighborhood with a mix of land uses located side-by-side in a compact geographic area. And, while the district is known for a large supply of high value vintage older homes, nearly 90% of residential units district-wide (including apartments) are renter-occupied.

Zoning: The Central Employment (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 Northwest Plan District implements the Northwest District Plan, providing for an urban level of mixed-use development including commercial, office, housing, and employment. Objectives of the plan district include strengthening the area's role as a commercial and residential center. The regulations of this chapter: promote housing and mixed-use development; address the area's parking scarcity while discouraging

auto-oriented developments; enhance the pedestrian experience; encourage a mixed-use environment, with transit supportive levels of development and a concentration of commercial uses, along main streets and the streetcar alignment; and minimize conflicts between the mixed-uses of the plan district and the industrial uses of the adjacent Guild's Lake Industrial Sanctuary.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A "Notice of proposal in Your Neighborhood" was mailed **March 1, 2017**. The following six Bureaus, Divisions and/or Sections responded with no objections and included comments found in Exhibits E1-E6:

- Site Development Review Section of the Bureau of Development Services (Exhibit E-1)
- Life Safety Division of the Bureau of Development Services (Exhibit E-2)
- Fire Bureau (Exhibit E-3)
- Bureau of Environmental Services (Exhibit E-4)
- Bureau of Transportation Engineering and Development Review (Exhibit E-5)
- Water Bureau (Exhibit E-6)

Please note - the response from the Bureau of Transportation Engineering and Development Review included the following comment:

A Driveway Design Exception for a garage gate closer than 20-ft from the street property line with conditions on how the gate operates and parking assigned shall be conditions of building permit approval.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **March 1, 2017**. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Marilyn Murdoch, neighboring property and business owner, 3/13/2017, stating concerns with neutrality and conservatism of building design and color.

Staff Response: The finding below discuss how the project meets applicable Design Guidelines.

No written responses have been received from the Neighborhood Association in response to the proposal.

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 Community Design Guidelines.

Community Design Guidelines

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

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

P1. Plan Area Character. Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and traditions.

D7. Blending into the Neighborhood. Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

Findings for P1 and D7: The subject property is located within the Transition Area of the Northwest District Plan Area. The architecture of this district has been characterized by its abundance of larger developments, including institutional and industrial uses, as well as a great deal of surface parking, although the area is undergoing a great deal of redevelopment and change. Per the Community Design Guidelines Appendix J which draws from the Adopted Northwest District Plan, the architecture and urban fabric are described as follows:

“While pockets of the Transition Area include pre-World War II buildings typical of the Nob Hill neighborhood to the south, such as a mix of small apartment buildings and detached houses, much of the area is characterized by large-scale institutional and industrial buildings built since World War II...Further north, architecture in the Transition Area is characterized by tilt-concrete industrial buildings, often with few windows, and by a cluster of modern mid-rise office buildings... A key departure from the usual Northwest District development pattern is the existence in the Transition Area of large “superblocks,” including blocks that are 460-feet by 460-feet and others that are 980-feet in length. Also, the Transition Area, particularly in its industrial areas, includes large vehicle parking areas, sometime a full block in size.”

The project site sits on the eastern end of the block bounded by NW 23rd, NW 22nd, NW Quimby, and NW Raleigh, one of the super blocks located in the northern part of the NW District. The L shaped property is roughly the same size as a Portland ¾ block.

The guidelines call for new development to contribute to integrating the Transition Area into the more typical urban fabric of the Northwest District by adopting its finer-grained scale and pedestrian oriented form. This can be achieved by including elements such as smaller retail spaces, a pattern of partial block building massing, and active street frontages created by buildings located right along the sidewalk. In response to the guidelines and the large size of the lot, the proposed building is divided into two wings connected by a glass link to help create the more fine grained massing desired in the NW Plan District.

The east wing faces NW Raleigh and NW 22nd Ave and the west wing's ends face NW Raleigh and NW Quimby. The two wings are expressed with different brick colors, and are further broken down into smaller masonry masses to reflect the residential scaled streetcar era apartment buildings of the district. Recessed seams between brick masses are clad in standing seam metal wall panels. The building is further broken down by exterior balconies on levels 2-6.

The main building lobby is located at the recessed glass link that divides the two wings. The main entry faces NW Raleigh and has a recessed plaza similar to many courtyard entrances found in streetcar era apartment buildings in the district. The building lobby is fully glazed and connects to a pedestrian courtyard space that links to NW Quimby Street to the south.

The building responds to the Plan Area and neighborhood by containing a mix of uses consisting of residential above commercial with a traditional ground floor storefront expression. The building's materials are compatible with the existing neighborhood, with a predominantly masonry façade to reflect the masonry nature of much of the traditional as well as recent development. The northeast corner is highlighted with a wood store front similar to the recently built LL Hawkins Building nearby. The building's outdoor areas include attractive screening and landscaping that soften the interfaces of the building's public and private spaces.

These guidelines are met

- E1. The Pedestrian Network.** Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.
- D4. Parking Areas and Garages.** Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.
- D5. Crime Prevention.** Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

Findings for E1, D4, and D5: The proposal includes a number of features which will contribute to making the area more active, pleasant and safe for pedestrians, not least of which is the proliferation of active ground level uses in the building's program. Sidewalk improvements required by the Bureau of Transportation will result in building new 12' sidewalks on all frontages. An opportunity for greater activity along the

sidewalk is created by the provision of an outdoor plaza adjacent to the commercial space on the south side of the building which could be used for outdoor dining.

The proposal places all parking in the basement with access located in the least prominent place possible, in the NW corner, far from any intersections. The garage entry is well integrated into the building design, with brick piers on both sides and aligning with architectural elements – balconies and windows – above. The garage gates are located close to the back of the sidewalk to promote safety by avoiding a non-pedestrian oriented deep recess that could provide opportunities for undesirable activities. The residential and parking entrances will be secured by a key-card system.

Safety is further promoted by a number of measures such as the inclusion of a large amount of glazing in the design of the ground level that, when combined with the active uses proposed, will provide eyes on the street. The active ground floor will also provide the area with increased pedestrian activity at all times of day as well as illumination through the windows at night. Exterior fixtures at the entrances will provide further nighttime illumination.

These guidelines are met

E2. Stopping Places. New large-scale projects should provide comfortable places along pedestrian circulation routes where people may stop, visit, meet, and rest.

Findings for E2: The proposal includes a public outdoor space adjacent to a commercial space on NW Quimby that allows the opportunity for café seating or other outdoor active use possibilities. The mixed-use building will also provide a public entry courtyard off of NW Raleigh as well as public outdoor spaces adjacent to active retail on NW Quimby and NW 22nd Ave. The mini-plaza on NW Raleigh created by the recessed lobby will include landscaping and a bench where people can stop and rest and where active outdoor interactions can occur.

This guideline is met.

E3. The Sidewalk Level of Buildings. Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.

E5. Light, Wind, and Rain. Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

Findings for E3 and E5: The building's ground level includes human-scaled elements and pedestrian amenities. The sidewalk level exterior is defined by extensive glazing, wood and aluminum storefronts, steel and wood canopies, exterior lighting, and masonry detailing. Most of the proposed building's façade will be right along the sidewalk, providing a sense of enclosure with highly glazed areas creating an active streetscape with visual interest. Where private outdoor space interfaces with the sidewalk zone, high quality and visually interesting wood fences will provide partial screening while also allowing a visual connection with the areas beyond. The proposal provides canopies for pedestrians at all street frontages and provides insets to the building wall for people to stop, visit, and meet under cover.

The east wing has ground floor retail activating NW Raleigh and NW 22nd Ave. Residential units face a private courtyard space to the south of the east wing which also links back to NW 22nd Ave. The west wing has the residential leasing office activating NW Raleigh and ground floor retail activating NW Quimby to the south. Residential units face the landscaped courtyard to the wing's east and others have patios in the landscaped setback all along the western property line. A common club room on level 6 in the west wing opens to a roof terrace looking southwest to NW Quimby.

These guidelines are met

E4. Corners that Build Active Intersections. Create intersections that are active, unified, and have a clear identity through careful scaling detail and location of buildings, outdoor areas, and entrances.

Findings for E4: The main intersection of the subject site at NW 22nd Ave and NW Raleigh will be activated by ground floor retail space with canopies and large storefront windows. The corner is differentiated from the rest of the building by being a “floating” corner where the upper levels sit on top of the glazed retail base without any brick piers coming to the ground as they do in all other parts of the building's ground floor. Wood storefront with sliding glass panels are proposed for the retail frontages at this corner. This highly glazed base at the corner will allow views into the retail space from both streets.

This guideline is met.

D1. Outdoor Areas. When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;

D3. Landscape Features. Enhance site and building design through appropriate placement, scale, and variety of landscape features.

Findings for D1 and D3: The proposed building will provide a public entry courtyard off of NW Raleigh as well as public outdoor spaces adjacent to active retail on NW Quimby and NW 22nd Ave. Pedestrian oriented courtyards link all the street frontages with extensive landscaping and outdoor seating areas. The outdoor space adjacent to the east of the retail facing NW Quimby offers the opportunity for outdoor dining in a location oriented to take advantage of sun.

The site's multiple outdoor spaces provide interest by utilizing landscaping and a unique paving pattern employing permeable pavers. The site's southern courtyard space (Paseo) will be an active area at all times of day and night providing residents with amenities such built in benches, a fire table, movie screen, tables and chairs, etc. While not accessible to the general public the activity and nighttime lighting will be somewhat visible from the adjacent right-of-way through the slatted wood gate, creating a private space that enlivens the public realm as well. The proposed building will be set back from the western property line to create a mix of private and public open space along the building's west side. This placement also allows for a four-sided building with balconies and windows covering the western façade creating a safer and more interesting pedestrian experience overall.

This guideline is met.

D2. Main Entrances. Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

Findings for D2: The residential lobby is located at the recessed glass link that divides the building's two wings and helps to accentuate the main entry which faces NW Raleigh. The recessed courtyard created by the recess is similar to many courtyard entrances found in streetcar era apartment buildings in the district. The landscaping in this entry zone will include uniquely patterned permeable pavers to differentiate it from the adjacent sidewalk zone and call attention to the entry. The façade in this recess, with the exception of the parapet, is entirely glazed. The floors above the main entry will feature corridors whose rear walls will be highly visible from the right-of-way. These corridor walls will feature brightly colored, intricately patterned designs calling attention to the recessed link and adding visual interest to the pedestrian environment. The corridors will be brightly lit at night making the lobby recess a prominent and inviting element at all hours. Retail entrances on all facades will be marked with canopies and exterior lighting.

This guideline is met.

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings for D8: In general, the proposed building is well composed and achieves its goal of reflecting the character of residential streetcar era apartment buildings of the district and respecting the masonry character of the warehouses that historically occupied much of the area, many of which remain. The proposed building is large, but broken into smaller forms with portions of each façade broken into smaller pieces to provide relief. Shifts in wall plane and materials to accent recesses reduce the sense of massiveness, especially along the building's longest façade facing NW Raleigh.

The building design manages to achieve this breaking-up of the large mass into smaller volumes while also retaining a cohesive composition. While the design employs variation in materials and wall plane to create a human scale and add interest, the overall framing in brick with a consistent rhythm of window bays above and storefronts at the ground level anchored by brick piers creates a cohesive design.

The building is primarily clad in brick, a high quality, traditional and lasting material. The use of two colors of brick for the building's two wings adds visual interest to the project and aids in dividing its mass. The materials palette also features other durable high quality components such as steel canopies and aluminum and wood storefront systems.

While the building's employment of standing seem metal adds texture and a modern, European accent to the building, Staff has concerns with the condition of standing-seem-panel-interfacing-with-windows that covers such a vast expanse of the building. As a less traditional material, the standing seem metal has the opportunity to introduce some contrast and flair to the design, but the interface of the window heads and sills with the standing seem panel material above and below is a challenging condition and would need to be handled with attention and craft. Staff contends that large fields of standing seem metal panels and windows together is uncommon in Portland. Where standing seem metal and windows are found together on exterior walls, flat metal is often interchanged above and below windows as it is an easier condition to install. Upon discussion with the Applicant regarding these concerns, the Applicant has agreed to bring a mock-up of the proposed condition to the hearing on March 23rd for the review of Commissioners.

Because the building’s parti is two masses broken down by a glass link with smaller shifts in the two masses, Staff discussed concerns about cohesion with the Applicant due to the standing seem metal courtyard walls departing from the core idea for the building. The concerns are that the two building wings of the parti are differentiated by color with the east wing a lighter color and the west wing darker. The standing seem walls differ from the scheme with the east wing’s courtyard wall a dark metal panel, and the west wing’s courtyard wall a light metal panel. Staff suggests a condition of approval below to better align the courtyard walls with the parti. Staff notes that the Applicant does not agree that this is an issue and prefers to have the metal panels contrast the color of the adjacent brick.

With the approval by the Design Commission on March 23rd of a mock-up of the proposed window and standing seem metal conditions, this guideline will be met.

With a condition of approval that the metal panels of the courtyard (paseo) walls facing south and east match the rest of the wing of the building on which they are located, this guideline will be 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:

Modification #1: Bicycle Parking, PZC 33.266.220.C.3.b – decrease the width of bicycle rack spacing from 24” to 18” width.

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: 33.266.220.C.3.b – 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.

- 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.

Findings: The purpose of the regulation is to provide safe and convenient places to park vehicles (33.266.200) and to avoid undue damage to stored bicycles. The proposed reduction in width of required spaces from 24” to 18” allows more bicycles to be stored within a certain area. Staff, as well as the Bureau of Transportation, considers the proposed reduction as sufficient for ensuring protection of stored bicycles. The rack proposed, the Saris Cycling Group stretch parking rack system, features a high and low rack with the lowest rack allowing bikes to rest on the floor.

In addition, the proposed Modification better meets pedestrian oriented guidelines by enabling more bicycles to be stored which should then mean greater bicycle activity in the area. The encouragement of active transportation allows bicycle and pedestrian modes of transportation to be dominant rather than vehicular modes. Encouraging increased cycling is conducive to making walking a primary means of transportation which is critical for making a safer and more vibrant pedestrian environment.

This Modification merits approval.

Modification #2: Parking Space Dimension, PZC 33.266.130 F 2 – alter parking stall standard for some parking spaces narrowed by building columns.

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: 33.266.130.F.2 – Parking spaces and aisles must meet the minimum dimensions contained in Table 266-4. A space 8’-6” by 16’ must be provided for each vehicle parking space.

- 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.*

Findings: The applicant proposes to have concrete columns that are 16” wide x 24” long located between some parking stalls that would protrude 8” into the 8’-6” clear width of the stall on each side (parking spaces are 8’-6” x 16’ with 20’ wide aisles). The modification to reduce the width of some garage parking spaces from 8’-6” to 7’-10” due to required structural column layout is in keeping with other parking garages of this type. The remaining parking spaces will be a minimum of 8’-6” wide. The proposed parking will be 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. In addition, larger vehicles can be assigned larger spaces to fit safely in the garage.

This modification better meets design guidelines in that it provides parking for building residents that is well-integrated in the development while allowing the ground floor to be dedicated to active uses that improve the pedestrian environment rather than vehicular uses. The parking area layout standards are intended to promote safe circulation within the parking area and provide for convenient entry and exit of vehicles.

The proposed range of parking space sizes is an increasingly common feature of parking garages around the city and allows for more spaces to be provided within the development. This in turn incrementally relieves parking burden that would have to be accommodated by on-street parking.

This Modification merits approval.

(3) ADJUSTMENT REQUESTS (33.805)

33.805.010 Purpose

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

33.805.040 Approval Criteria

The approval criteria for signs are stated in Title 32. All other adjustment requests will be approved if the review body finds that the applicant has shown that either approval criteria A. through F. or approval criteria G. through I., below, have been met.

The following adjustment(s) is/are requested:

Adjustment #1: 33.562.110 Retail Sales and Service Uses in the EX Zone

Standard 33.562.110.C – On sites shown on Map 562-2, Retail Sales and Service uses are allowed up to 3,000 square feet of net building area for each use. On sites where only a portion of the site is shown on Map 562-2, Retail Sales and Service uses are allowed up to 3,000 square feet of net building area for each use on the portion shown on Map 562-2, and up to 20,000 square feet of net building area for each use on the remainder of the site.

Proposal: The applicant proposes to increase the allowable square footage of retail uses along the Raleigh/NW 22nd frontages from 3,000 to 6,118 square feet. The larger area will likely be demised to smaller spaces of 3,000 square feet or less, however the applicant would like the flexibility to not demise the space into smaller increments until retail tenants are established.

- A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified.

Findings: The purpose statement for 33.562.110 is: “These regulations limit the size of Retail Sales and Service uses to promote neighborhood-serving commercial development, help reduce traffic congestion associated with large-scale retailers, and to concentrate such uses along main streets and the streetcar alignment.”

Based on the legislative background information noted in the Northwest District Plan for this code provision, the idea behind limiting retail sales and service uses on a portion of this site stems from the intent to “reinforce area main streets and the streetcar corridor as the focus for retail and service uses in the area” and to “prevent

large-scale retail/service uses that overburden the district's transportation system and that are out of scale with the neighborhood." The background goes on to say that areas further than 200 feet from the main streets (such as NW 21st and NW 23rd) should be limited to 3,000 SF for retail while areas along these two corridors may have retail spaces up to 20,000 SF in area. Staff has inferred that the intent is to concentrate larger retailers along the transportation corridors with smaller retailers located interior to the neighborhood. Staff notes that the area is experiencing rapid expansion in residential and commercial uses, boding well for new retail spaces.

The Applicant has stated that retail uses exceeding 3,000 SF are not expected, but holding off on demising the spaces allows flexibility for a variety of retail layouts. No parking is proposed for the project's commercial spaces so traffic congestion is not a consideration.

For these stated reasons, the approval criterion is met.

- B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS C, E, or I zone, the proposal will be consistent with the desired character of the area.

Findings: The project is in an Employment zone and is within the Transition Area of the Northwest Plan District. The desired characteristics of the Transition Area primarily speak to the desired character along NW 21st Avenue and the streetcar alignments, which is to develop main streets that divide spaces into suitable sizes for small tenants. The applicant is requesting an Adjustment to increase the allowable retail area, including the portion restricted to 3,000 SF, to 6,118 SF in order to have flexibility with tenant improvement and layouts. Numerous entrances are proposed which supports the eventual division into smaller spaces. Therefore, while the space is currently around 6,118 SF, it is likely that smaller retail tenants of various sizes will occupy the space throughout the building's lifetime, as this is the nature of the neighborhood.

This approval criterion is met.

- C.** If more than one adjustment is being requested, the cumulative affect of the adjustments results in a project which is still consistent with the overall purpose of the zone.

Only one Adjustment is requested; therefore, this criterion does not apply.

- D.** City-designated scenic resources and historic resources are preserved.

No city-designated scenic or historic resources will be affected by this proposal; therefore this criterion does not apply.

- E.** Any impacts resulting from the adjustment are mitigated to the extent practical; and

Staff has not identified any potential impacts from the requested adjustment; therefore, this criterion does not apply.

- F.** If in an environmental zone, the proposal has a few significant detrimental environmental impacts on the resource and resource values as is practicable;

The proposal is not within an environmental zone; therefore, this criterion does not apply.

CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposal employs a highly active ground floor program as well as outdoor spaces, including numerous balconies and a roof terrace, to create a building that will contribute to a thriving pedestrian area. This site is located in the Northwest Plan Area where a finer grain of façade articulation is a desired characteristic. Breaking up large building elevations into smaller areas is specifically recommended by the Community Design Guideline P1, Plan Area Character including Appendix J. With a large site that includes a long northern frontage to work with, the proposed design has achieved the desired breaks in massing desired in this area. Such breaks are achieved by shifts in building plane and materials as well as design elements which offer variation along the facades such balconies and the unusual graphic designs found in the glazed link above the lobby. Staff has found that the applicable Community Design guidelines and the Modification and Adjustment approval criteria will be met with the proposed design in combination with the recommended Conditions of Approval.

TENTATIVE STAFF RECOMMENDATION

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

Staff recommends approval of the Design Review for a 21-story residential tower with 143 residential units, 8,404 SF of commercial space, and 168 parking spaces in the North Pearl sub area of the River sub district of Central City plan district.

Staff recommends approval of the following Modifications and Adjustment:

- *Bike Parking Dimensions* – To reduce the required 2' width of the long-term bike parking spaces to 18" (PZC Section 33.266.220.B).
- *Parking Stall Dimensions* – To reduce the required 8'-6" width of parking stalls to 7'-10" due to required structural column layout (PZC Section 33.266.130F ; Table 266-4).
- *Retail Sales and Service in the EX Zone Size Limitation* – To increase the allowable square footage of retail uses along the Raleigh/NW 22nd frontages from 3,000 to 6,118 square feet (PZC Section 33.562.110.C2).

Staff recommends the following conditions of approval:

- A. As part of the building permit application submittal, the following development-related conditions (B through E) 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 16-281912 DZM AD". All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.
- D. A mock-up of the proposed window and standing seam metal conditions is approved by the Design Commission at the hearing on March 23rd 2017.

- E. The metal panels of the courtyard (paseo) walls facing south and east match the color of the wing of the building on which they are located.
- F. The location of the parking garage gate does not meet PBOT standards but the application is approved with the condition that a Driveway Design Exception is granted by the time of building permit and that the parking spaces be designated for residential users only and each residential user space be equipped transponder that opens the gate within 50 feet of the gate.

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Procedural Information. The application for this land use review was submitted on December 5, 2016, and was determined to be complete on January 30, 2017.

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 December 5, 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 did not waive or extend the 120-day review period.

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 review body, only evidence previously presented to the review body will be considered by the City Council.

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 \$5000.00 will be charged.**

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.

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.

- 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.

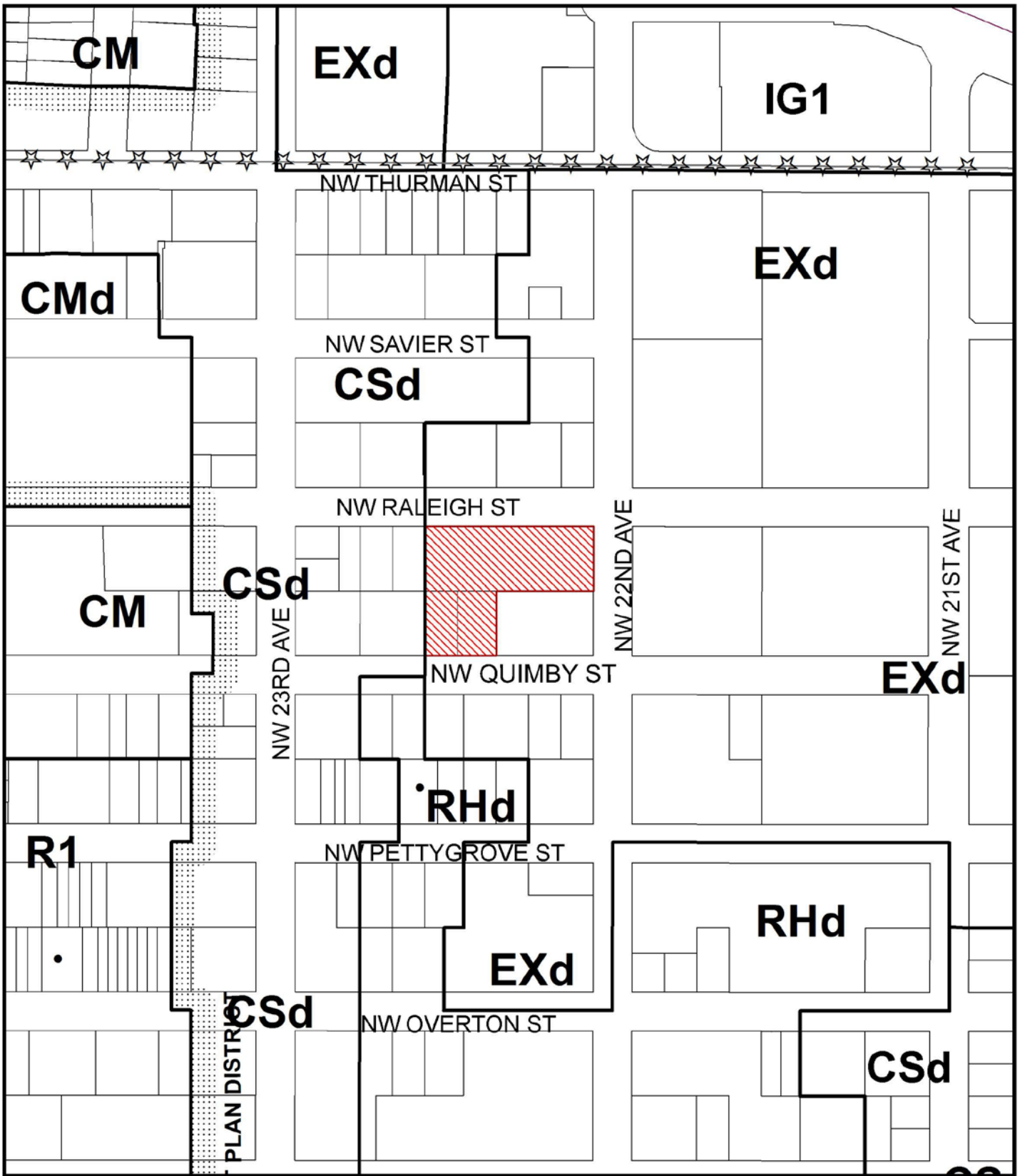
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Tanya Paglia
3/8/2017




EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 1. Applicant's Written Statement, LEED Narrative, Response to Approval Criteria, Development Standards 12/6/2016
 2. Original plan set – NOT APPROVED/reference only 12/2/2016
 3. Second plan set – NOT APPROVED/reference only 1/30/2017
 4. Third plan set – NOT APPROVED/reference only 2/24/2017
 5. Product Cut Sheets 12/6/2016
- B. Zoning Map (attached)
- C. Plan & Drawings
 1. Cover
 2. Table of contents
 3. Context view from SW
 4. Context view from NW
 5. View from NE
 6. South perspective from Quimby
 7. Entry forecourt
 8. View from SW
 9. View from NW
 10. Vicinity Map
 11. Building context
 12. Existing conditions of site
 13. Nearby Conway Master Plan context
 14. Precedents
 15. Site plan (attached)
 16. Site utility and stormwater plan
 17. FAR diagrams
 18. Concept diagrams
 19. Garage plan option A
 20. Garage plan option B
 21. Level 1 plan
 22. Levels 2-5 plan
 23. Level 6 plan
 24. Roof plan
 25. Landscape - Ground level plan

26. Landscape - Ground level palette
 27. Landscape - Courtyard plan
 28. Landscape - Courtyard palette
 29. Landscape - Level 6 plan
 30. Landscape - Courtyard materials
 31. Landscape views
 32. Exterior lighting plan
 33. Exterior lighting cut sheets
 34. North elevation (attached)
 35. East elevation (attached)
 36. South elevation (attached)
 37. West elevation (attached)
 38. North elevation – Linework only
 39. East elevation - Linework only
 40. South elevation - Linework only
 41. West elevation - Linework only
 42. North/South section @ ramp
 43. North/South section @ lobby
 44. Enlarged elevation - NW Raleigh St
 45. Enlarged elevation - NW 22ND Ave
 46. Enlarged elevation - NW Quimby St
 47. Vertical window intake louver locations
 48. Street adjacent gates
 49. Garage door
 50. Mechanical enclosures
 51. Details - Exterior
 52. Details - Exterior
 53. Details - Exterior vents
 54. Details - Canopy
 55. Details - Balcony
 56. Details - Roof
 57. Materials
- 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. Site Development Review Section of the Bureau of Development Services
 2. Life Safety Division of the Bureau of Development Services
 3. Fire Bureau
 4. Bureau of Environmental Services
 5. Bureau of Transportation Engineering and Development Review
 6. Water Bureau
- F. Letters
1. Marilyn Murdoch, neighboring property and business owner, 3/13/2017, stating concerns with neutrality and conservatism of building design and color.
- G. Other
1. Original LUR Application
 2. Pre-Application Conference notes, EA 16-206022 PC, 8/17/2016
 3. Request for Completeness with BES, Site Development & PBOT responses, 12/12/16
 4. Incomplete letter, 1/3/17



ZONING

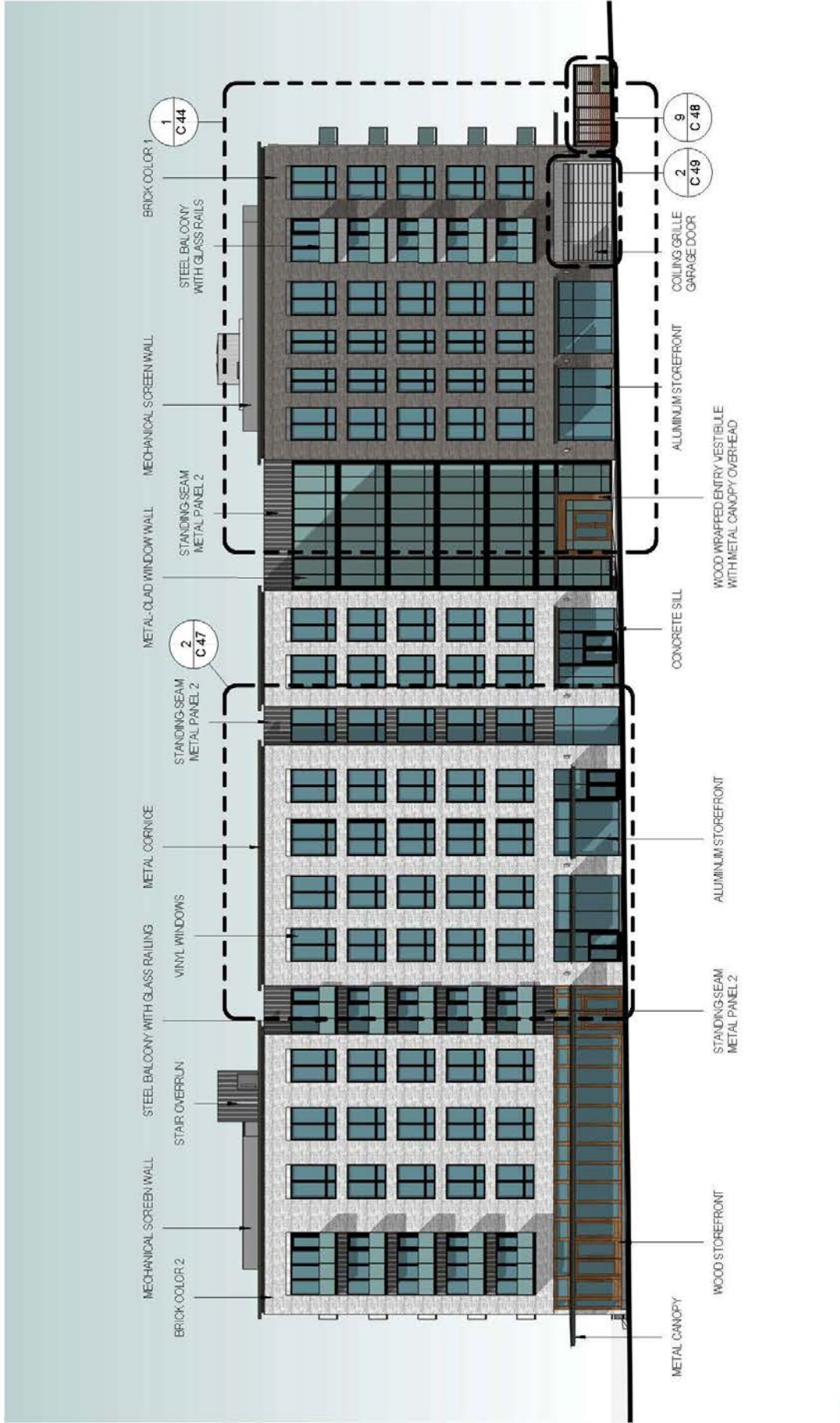
-  Site
-  Recreational Trails
-  Historic Landmark

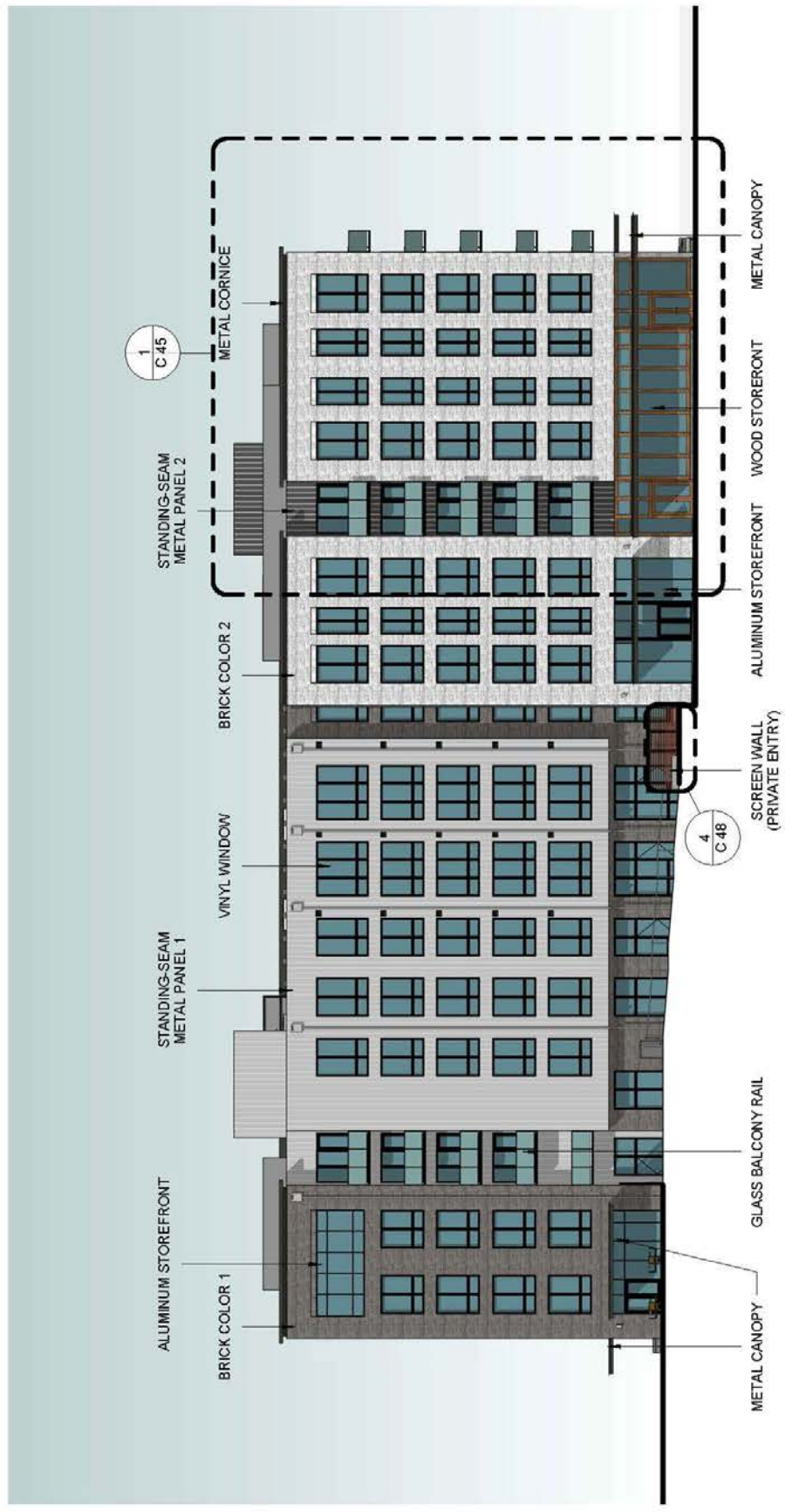


This site lies within the:
NORTHWEST PLAN DISTRICT

File No. LU 16-281912 DZM AD
 1/4 Section 2927 2827
 Scale 1 inch = 200 feet
 State_Id 1N1E28CD 4000
 Exhibit B (Feb 15, 2017)









SOUTH ELEVATION C 36

