



# City of Portland, Oregon - Bureau of Development Services

1900 SW Fourth Avenue - Portland, Oregon 97201 | 503-823-7300 | www.portlandoregon.gov/bds



## Type II and IIX Decision Appeal Form

LU Number: LU16-282848 DEM

### FOR INTAKE, STAFF USE ONLY

Date/Time Received 7/7/17 @ 2:42pm  Action Attached \_\_\_\_\_  
 Received By Mary Fee Amount \$250- waived  
 Appeal Deadline Date 7/7/17 @ 4:30pm   Fee Waived  
 Entered in Appeal Log Bill # 4153143  
 Notice to Dev. Review Neighborhood Cathedral Park

**APPELLANT: Complete all sections below. Please print legibly.**

PROPOSAL SITE ADDRESS 6620 N. RICHMOND DEADLINE OF APPEAL JULY 7 2017 4:30 PM  
 Name CATHEDRAL PARK NEIGHBORHOOD ASSOCIATION  
 Address <sup>/o Curt Schneider</sup> 6904 N Charleston Av City PORTLAND State/Zip Code 97203  
 Day Phone 503-490-0156 Email curt.j.schneider@gmail.com Fax N.A.

Interest in proposal (applicant, neighbor, etc.) NEIGHBORHOOD ASSOCIATION concern with modifications being requested, overall design, street/sidewalk improvements, other impacts  
 Identify the specific approval criteria at the source of the appeal:

Zoning Code Section 33. 420 .055 + .060 Zoning Code Section 33. 140 .230 B + C  
 Zoning Code Section 33. 218 .140 E Zoning Code Section 33. 583 .250 B

Describe how the proposal does or does not meet the specific approval criteria identified above or how the City erred procedurally:

PLEASE SEE THE ATTACHED LETTER

Appellant's Signature Curt Schneider, Cathedral Park N.A. Board Member  
CPNA Board approval July 5, 2017

### FILE THE APPEAL - Submit the following:

- This completed appeal form
- A copy of the Type II or IIX Decision being appealed
- An appeal fee as follows:
  - \$250, payable to City of Portland
  - No appeal fee is charged when appeal is filed by ONI recognized organizations for properties within organization's boundaries
    - Fee waiver request letter for low income individual is signed and attached
    - Fee waiver request letter for Unincorporated Multnomah County recognized organizations is signed and attached

The City must receive the appeal by 4:30 pm on the deadline listed in the Decision in order for the appeal to be valid. To file the appeal, submit the completed appeal application and fee (or fee waiver request as applicable) at the Reception Desk on the 5th Floor of 1900 SW 4th Ave, Portland, Oregon, between 8:00 am and 4:30 pm Monday through Friday.

A public hearing on the appeal will be held. The land use review applicant, those who testified and everyone who received notice of the initial hearing will receive notice of the appeal hearing date.

**Information about the appeal hearing procedure and fee waivers is on the back of this form.**





July 7, 2017

Portland Design Commission  
City of Portland  
1900 SW 4th Ave, Suite #5000  
Portland, Oregon 97201

Subject: Appeal of LU-16-282848 DZM—6620 N Richmond Apts.

Dear Design Commission:

The above-referenced proposed development is located in the Cathedral Park Neighborhood. The Cathedral Park Neighborhood Association (CPNA) is not opposed to this project and supports development of the site with some changes. CPNA is primarily concerned with design aspects of the proposal coupled with the lack of vehicular access for the unimproved N Oswego. We are in support of no street improvements for N Bradford due to the closeness of the adjacent railroad tracks for safety reasons.

It is important to note at the outset that this proposed development is located in what is presently disused industrial land. The roads are unpaved and there are no streetlights or other amenities. Where this project is located is, however, part of the last very large block of undeveloped waterfront property. The site and the surrounding area is a treasure for the City of Portland. The St. Johns Bridge is quickly becoming one of the most recognizable symbols of the City of Portland. This site affords sweeping views of the Bridge, the Willamette River and Forest Park, is near the 30 acre Cathedral Park, and the North Portland Greenway trail is to be located across the railroad tracks from this proposed development. This project and the surrounding properties are Portland's opportunity to build a memorable, beautiful and iconic Portland destination.

It is impossible for us to determine from the decision mailed to CPNA how this project was analyzed relative to the Community Design Guidelines, Section 33.825 Design Review, as well as the three Modifications that have been requested ([1] Section 33.583.250.B, Maximum Building Height, [2] Sec 33.140.230.B & C Required Amounts of Window Area, and [3] Section 33.266.130.F Parking Space Size). The Notice of Decision includes the Proposal, Relevant Criteria, Conclusion, and Administrative



Decision, however, there is no analysis, nor findings given that would support a decision of approval.

The CPNA is also concerned that the adjoining unimproved N Oswego Right-of-Way is not considered as part of the decision mailed out.

If this road frontage is not improved now, who will be expected to improve it and when? This project is immediately adjacent to a significant area of land that, pursuant to the updated Comp Plan, will be a Mixed Use Urban Center. This designation is intended for areas that are close to the Central City and within Town Centers where urban public services are available or planned, including access to high-capacity transit, very frequent bus service, or streetcar service. It is unclear whether the significant development of the immediately surrounding area was considered when this project was approved. Someone has got to make accommodation for the hundreds of cars that will accompany this new development, not to mention the thousands of new cars that will be on these roads – including N Oswego – as a result of the Mixed Use Urban Center designation.

The zoning across the unimproved N Oswego Av (a local access street in the Transportation System Plan) to the east is zoned R2 and is currently vacant and For Sale according to signs at the site. The CPNA is concerned about the lack of connectivity of that area, especially if no street/curb/sidewalk improvements are required as part of this proposal. The site plan notes a one-foot dedication is required of this project's developer but no improvements required. The CPNA would prefer to see that there is access provided through N Oswego street improvements that would enable pedestrians, parking etc. along the street for the area. Access from the proposed development for residents to the neighborhood to the northeast would be welcome through a stairway and ramp for physically handicapped people. As it appears, the only access seems to be from N Richmond, pretty well making the development 'isolated' from the rest of the neighborhood and hardly a part of it. This clearly can't therefore qualify as being part of the community.

If no street/curb/sidewalk improvements are required we hope it is not forever and that the developers agree to make the street improvements when development occurs across the street through some form of a performance bond posted with the city and/or a non-remonstrance agreement should a local improvement district be formed.

Regarding the concerns for the Modifications requested:

[1] Section 33.583.250.B, Maximum Building Height:

The developers are seeking a modification to add an additional floor to the building in exchange for an eco-roof. This does not seem like an 'even' trade-off for an additional floor of 'market-rate' apartments. No roof-top space for residents use or viewing shows



on the approved drawings accompanying the decision although a stairway roof access is proposed. (The Marvel 29 project at N Ivanhoe and N Philadelphia has just such an amenity.) This proposal facing the Willamette River, Forest Park and the St Johns Bridge misses the exceptional views accorded by a raised viewing area/plaza such on the roof.

The additional height will block views of the Bridgeview Condominiums located at N Richmond and N Crawford and in the R1 d Multi-Dwelling zone whereas a covered plaza would block views but at a lower height (for a four story building instead of a five story building). A letter of their concerns was submitted for review and comment. No where are their concerns addressed or resolved in the decision. The points they make in their letter are on point and need to be addressed. It would seem that some additional excavation of the site resulting in lowering of the project and alternatively stair stepping the units down the hill would alleviate the 'need' for this modification. As noted, no analysis has been made of the need/want for the additional height.

In 2015, the Cathedral Park Neighborhood Association engaged a group of Portland State University Masters in Urban Planning students to assist the Cathedral Park Neighborhood Association in reaching out to residents of the Cathedral Park Neighborhood to find out what their priorities are for development of the Cathedral Park Waterfront. The end result of our joint efforts was The Cathedral Waterfront Plan. (This document can be viewed online). As a result of the outreach, surveys and charrettes, CPNA discovered that residents' number one concern regarding development along the waterfront is loss of views. Most properties along the hillside in the Cathedral Park Neighborhood have wonderful views. For many these views were a large part of the reason for purchasing their properties. Any height variances which eliminate the views and lessen the quality of life for the existing residents should only be granted because the project will be providing some other public amenity that is commensurate with the loss to the neighborhood. No such amenity has been proposed for the current project.

Stairstepping the units down the hill, instead of a wall would go a long way in reducing view blockage of development to the north.

[2] Sec 33.140.230.B & C Required Amounts of Window Area:

The applicants are asking to reduce the number/size of required windows for the ground floor on the West Elevation (N Richmond Ave).. Again, this project will be located in an area adjacent to a new Mixed Use Urban Center. Pursuant to the 2035 Comp Plan update, development in Mixed Use Urban Centers will be pedestrian-oriented with a strong emphasis on design and street level activity. As such, projects in this area must include active uses which require storefront windows and create an appealing pedestrian atmosphere.

It is unclear why the applicant doesn't want to meet the window requirements. The ground floor window area should not be reduced. Multi-story, multi-unit buildings



in this area should create an appealing street frontage that takes advantage of the new urban character of the surrounding neighborhood. Further, the ground floor facing the Willamette River should have small retail space such as a coffee shop with a public space or seating area where the building residents and the public can sit and enjoy views of the Willamette River. A wall is not good design for the site.

Furthermore, it appears the applicants are asking to reduce the number/size of required windows for the ground floor due to (A) the choice in which they have designed the structure and (B) the sloping topography of the site. No analysis is made of why the required windows/ size can't be built. A different arrangement of underground parking with commercial retail or activity use along with residential use facing N Richmond could occur but no note of that possibility or impossibility is discussed. Could some excavation and further recessed parking together with commercial and residential use along N Richmond enable the window design standard to be met? Once the design of the building that relies on the proposed wall is allowed to be built it very likely will not be changed. With all of the new residents (96 units) present some amenity for them, e.g. coffee shop should be present on the ground floor. A wall is not good design for the site.

The CPNA wants ground floor windows— —eyes on the street for those living

[3] Section 33.266.130.F Parking Space Size:

We have no objection regarding this request.

#### Community Design Guidelines

- (1) Access for residents to N Oswego is not shown on plans for proposed project. An access for pedestrians would help tie this project within the neighborhood, which it currently proposed does not do.
- (2) The setback for the building does not comply with Section 33.218.140E which requires that the building be only 40 feet high on sites across the street from an R2 zone. This applies to the portion of the site within 15 feet of N Oswego Avenue. The east elevation of the structure is approximately five (5) feet from N Oswego right-of-way and the building scales to 44 to 54'8" feet depending upon what point one way and the building scales to 44 to 54'8" feet depending upon what point one uses in assessing the height. It is difficult to determine as the sketch may be the finished grade. Irrespective, using the sketch, the minimum shown on the right side of the sketch shows a height of approximately 44 ft and for finished grade it is 54 ft 8 inches. Conclusion: The structure needs to be setback from the N Oswego Av right-of-way at least 15 feet and may only be 40 feet tall at that point.

sign Standards may not be used as an alternative to design review as follows: H. In the EX zone within the St Johns plan district, structures more than 45 feet in height

In summary, the proposal (1) needs to go through the Design Review process and not the Community Design Standards process, (2) provide a first floor that would retain the window space requirements and provide eyes on the street, Willamette Cove Open Space, Willamette River, Forest Park and views of the St Johns Bridge as well as provide interest to pedestrians and visitors to the neighborhood as to the interior of the building instead of an ugly wall; (3) include retail space, (4) should provide a roof 'plaza' for residents, (3) street improvement provisions for N Oswego Av, and (5) be lowered to 40 feet in height at the northeast corner as it is adjacent to the R2 zone.

Respectfully,

Jennifer Vitello, Chair Cathedral Park Neighborhood Association  
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