



STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 15-102181 DZM
PC # 13-235106
SE 9th & Belmont Apartments
REVIEW BY: Design Commission
WHEN: Thursday June 11, 2015 at 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: Chris Caruso 503-823-5747 /
Chris.Caruso@portlandoregon.gov

GENERAL INFORMATION

Applicant: Robert Brendle / Ankrom Moisan Architects (503-952-1350)
6720 SW Macadam Ave Suite 100 / Portland, OR 97219

Owner: Concept Real Estate-Five LLC
829 SE 9th Ave #201 / Portland, OR 97214-2260

Representative: Peter Eggspuehler / Foresight Development
829 SE 9th Ave Suite 201 / Portland, OR 97214

Site Address: 915 SE BELMONT ST

Legal Description: BLOCK 205 LOT 1 EXC PT IN ST LOT 2-4 LAND & IMPS SEE
R150449 (R226513811) FOR BILLBOARD, EAST PORTLAND

Tax Account No.: R226513810

State ID No.: 1S1E02BA 04600

Quarter Section: 3131

Neighborhood: Buckman, contact Matthew Kirkpatrick at 503-236-6350.

Business District: Central Eastside Industrial Council, contact Peter Fry at 503-274-2744.

District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.

Plan District: Central City - Central Eastside

Zoning: EXd – Central Employment with Design overlay

Case Type: DZM – Design Review with Modifications

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 is seeking Design Review approval for a new 6-story, brick, 105-unit apartment building with ground floor retail and 17 internal parking spaces in the Central Eastside Subdistrict of the Central City Plan District.

The following Modification is requested:

1. 33.266.220 Bicycle Parking. To provide wall-mounted long-term bike racks in place of the 2 foot wide standard spaces.

Design Review is required for new construction in the Central City Plan District.

Approval Criteria:

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

- 33.825 Design Review
- 33.825.060 Modifications thru Design Review
- Central City Fundamental Design Guidelines
- Special Design Guidelines for the Central Eastside

ANALYSIS

Site and Vicinity: The 20,000 SF site comprises a half block of land bounded by SE Morrison Street, SE 9th Avenue, and SE Belmont Street. The site to the west, across the street was recently renovated into a number of retail spaces, including Grand Central Bowl. Lots to the south east have also been renovated for a brewery. The area around the site is developed with a combination of low-scale commercial and industrial buildings typical of the older early 20th Century industrial development of the Central Eastside. A few new mid-rise mixed-use buildings have been constructed farther north and east around East Burnside Street and 10th Avenue. The area is becoming popular with local retailers and has an active nightlife scene with multiple restaurants and bars.

The City of Portland's Transportation System Plan designates SE Morrison Street a Major City Traffic Street, a Major Transit Priority Street, a City Bikeway, a City Walkway, and a Regional Main Street. Both NE Davis Street and SE 9th Avenue are designated Local Service Bikeways, Local Service Walkways. The site is within a designated freight district and is in Central Eastside Parking Sector 2. There is no designated Pedestrian District in this area.

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 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 there are no prior land use reviews for this site.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **May 14, 2015**. The following Bureaus have responded with no issue or concerns:

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

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **May 14, 2015**. 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) Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055, Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because the site is located generally within the Central City Plan District, the applicable design guidelines are the Central City Plan Fundamental Design Guidelines. As the site is also specifically located within the Design Zone of the Central Eastside District, the Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan also apply.

Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan and Central City Fundamental Design Guidelines

The Central Eastside is a unique neighborhood. The property and business owners are proud of the district’s heritage and service to the community and region. Light industry, distribution/warehousing, and transportation are important components of the district’s personality. To the general public, retail stores and commercial businesses provide the central focus within the district.

The underlying urban design objective for the Central Eastside is to capitalize on and emphasize its unique assets in a manner that is respectful, supportive, creative and compatible with each area as a whole. Part of the charm and character of the Central Eastside District, which should be celebrated, is its eclectic mixture of building types and uses. An additional strength, which should be built on, is the pattern of pedestrian

friendly retail uses on Grand Avenue, East Burnside and Morrison Streets, as well as portions of 11th and 12th Avenues.

The Central City Fundamental Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland’s character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

Central Eastside Design Goals

The following goals and objectives define the urban design vision for new development and other improvements in the Central Eastside

- Encourage the special distinction and identity of the design review areas of the Central Eastside District.
- Provide continuity between the Central Eastside and the Lloyd District.
- Provide continuity between the Central Eastside and the river, downtown, and adjacent residential neighborhoods.
- Enhance the safety, convenience, pleasure, and comfort of pedestrians.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within all of the Central City policy areas. The nine goals for design review within the Central City are as follows:

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City’s districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City’s districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

A2. Emphasize Portland Themes. When provided, integrate Portland-related themes with the development’s overall design concept.

A2-1. Recognize Transportation Modes, Produce, and Commerce as Primary Themes of East Portland. Recognize and incorporate East Portland themes into a project design, when appropriate.

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.

C4. Complement the Context of Existing Buildings. Complement the context of

existing buildings by using and adding to the local design vocabulary.

C3-1. Design to Enhance Existing Themes in the District. Look to buildings from throughout the district for contextual precedent. Innovation and creativity are encouraged in design proposals, which enhance overall district character.

Findings for A2, A2-1, A4, A5, C4 & C3-1: The area historically operated as a working/industrial manufacturing district with a mix of uses within buildings of varying styles and materials. The immediate area around the site contains a modern multi-story government office building, several renovated low-scale streetcar-era commercial structures, a quanset hut, manufacturing buildings, and surface parking lots. The neighborhood is starting to redevelop in a new direction with the construction of a number of mid-rise apartment buildings around the periphery of the Central Eastside. This proposed building's brick exterior which is highlighted by dimensional patterning and recesses, the simple rectilinear form, and repetitive window openings match a number of local early 20th Century mid-rise warehouse style buildings. Though the immediately adjacent buildings are one and two-story structures, the proposed building massing and its location at the lot lines anticipates the desired height and prominence of buildings in this portion of the Central Eastside.

Southeast Morrison and SE Belmont Streets form a couplet of one-way streets and handle a tremendous amount of commuter traffic to and from the Morrison Bridge. This requires restrictions on vehicle access points so that the only street available for commercial loading and unloading will be SE 9th Avenue. This sidewalk will be widened and will be able to accommodate the traditional commercial activities such as loading and unloading to this site as well as neighboring businesses as the existing on-street parking will remain in place. *These guidelines are therefore 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 superbblock 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.

A7. Establish and Maintain a Sense of Urban Enclosure. Define public rights-of-way by creating and maintaining a sense of urban enclosure.

Findings for A3 & A7: This project occupies one half of a standard 200' x 200' Portland city block and maintains the traditional block pattern. Adjacent public rights-of-way are defined by the building walls which are placed at the lot lines and maintain a sense of urban enclosure. A series of recessed entries with canopies provide places for seating and landscape planters if the retail tenants wish to provide them. The public rights-of-way are enhanced by the strong building lines at the property edges. *These guidelines are therefore met.*

A5-3. Plan for or Incorporate Underground Utility Service. Plan for or Incorporate Underground Utility Service to development projects.

Findings: This site is impacted by an existing set of Pacific Power high-voltage supply lines that run along SE 9th Avenue through the neighborhood and up into the Lloyd District. The proposal retains these overhead lines which in turn require the building mass step-back for clearances.

Staff issues still outstanding:

- *Power Line Location Driving Building Form.* The existing power lines could be

undergrounded as part of this proposal if deemed an important part of the development. However, any undergrounding appears to also impact the blocks to the north and south. The costs and impacts may make relocating the power lines untenable.

This guideline is therefore not yet met with the current high-voltage line location but could be met with below-grade power lines.

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.

A5-4. Incorporate Works of Art. Incorporate works of art into development projects.

Findings for A8 & A5-4: The building features one grand entry which is along SE 9th Avenue and marks the main apartment lobby entry. Separate retail entries are punctuated with projecting canopies. Both of these architectural elements create physical connections into active interior spaces. A majority of the remaining street level façade of the building is designed with large glazed storefront windows that also have direct visual and physical connections to the adjacent sidewalks. This pattern is cut short on the north façade by the transformer location facing SE Morrison Street. No artwork is proposed at this time but could be incorporated if desired.

Staff issues still outstanding:

- *Transformer location.* The location of the transformer above-grade along SE Morrison Street reduces the amount of Ground Floor Windows possible on the north façade. Staff believes that this location is not approvable and that the brick and CMU block transformer enclosure that becomes part of the building base is not acceptable mitigation for the loss of required ground floor windows. The application would be approvable if the transformer were located below-grade and not within the building's exterior walls. This would allow for an increased percentage of ground floor windows.

These guidelines are therefore not yet met with the current transformer location but could be met with a below-grade transformer.

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.

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.

B3-1. Reduce width of Pedestrian Crossings.

- a. Where possible, extend sidewalk curbs at street intersections to narrow pedestrian crossings for a safer pedestrian environment.

b. Maintain large service vehicle turning radii where necessary.

C8-1. Allow for Loading and Staging Areas on Sidewalks. On local service streets, adjacent businesses may use the sidewalk area for temporary loading and staging as long as pedestrian access through it is maintained.

Findings for B1, B2, B3, B3-1 & C8-1: The existing pedestrian zones on all three street frontages will be maintained. New sidewalks as required by PBOT will be designed to provide the various activity and furnishings zones desired in this area and will match nearby sidewalk patterns. Pedestrians will be protected from vehicular movement by the complete separation of the parking area from the sidewalks by an overhead door that will alert pedestrians to cars when it opens and closes. Night-lighting is provided by fixtures mounted to the building and the canopies that will illuminate the sidewalks, creating a safer environment. The large street-level windows and overhead doors also promote “eyes on the street”. All building mechanical equipment will be on the roof and all vents will be located above the pedestrian zone, so there will be no adverse impacts on pedestrians from exhaust vents or other equipment.

The newly constructed rights-of-way will include curb extensions and accommodations for a planting strip with street trees, all of which improve the pedestrian environment and reduce the width of pedestrian crossings. New street trees along all three frontages will continue these visual and environmental improvements. The various building entries are recessed from the sidewalks which creates a nice transition from the building to the public ways. Canopies are provided around the building and offer protection from the elements, as well as provide ambient lighting at the pedestrian level. Loading and staging space will be available along NE 9th Avenue which will include a sidewalk that is wide enough to accommodate pedestrian access together with loading. *These guidelines are therefore 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.

B6-1. Provide Pedestrian Rain Protection. Rain protection is encouraged at the ground level of all new and rehabilitated commercial buildings located adjacent to primary pedestrian routes. In required retail opportunity areas, rain protection is strongly recommended.

Findings for B6 & B6-1: Canopies that project over the sidewalks are provided around all three sides of the building. These encroachments provide weather protection for pedestrians at all the building entrances. The use of brick and painted metal minimizes any potential glare that would come off the building. *These guidelines are therefore met.*

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

Findings: The proposed design is fully ADA accessible. *This guideline is therefore met.*

C1. Enhance View Opportunities. Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

Findings: This project provides strong views of downtown, the Willamette River, Mt Hood, and the West Hills by providing windows on all sides of the upper floors, and terraces for the 2nd level units. *This guideline is therefore met.*

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

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.

C1-1. Integrate Parking.

- a. Integrate parking in a manner that is attractive and complementary to the site and its surroundings.
- b. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

Findings for C2, C5 & C1-1: This project incorporates quality building materials that provide permanence and integrity. This includes architectural concrete, brick, glass, CMU block, and steel. The materials are used to articulate the masses and facades while providing a cohesive materials palette around all sides of the building. Parking is integrated into the building with an overhead door pulled close to the lot line. This door location and door patterning maintains the building's base and repeats the pattern of overhead doors around the ground level.

Staff issues still outstanding:

- *Building Ground Level Setback.* The building is set back from the SE 9th Avenue lot line due to clearance requirements from overhead Pacific Power high-voltage supply lines that run through this neighborhood. While the recessed upper stories creates an interesting ground floor podium, Staff believes that the pulled back corners of the ground floor make this one story podium seem like an attachment instead of a strong, cohesive base for the building. A more approvable design could carry this podium, perhaps at two-stories to match the adjacent Grand Central Bowl building height. If the taller podium was carried around all three sides, additional outdoor spaces could also be provided for the north and south 2nd floor units as well as providing a stronger contextual massing response to adjacent building scales. Staff believes that the podium and tower portions of the building need further integration to create a cohesive composition.
- *Ground Level Storefront Patterning and Arrangement.* The ground level window types, interspersed with overhead doors, the garage door, the main entry surround, and recessed retail entries, create a variety of mullion patterns and window widths that do not contribute to a cohesive façade around the building base. Staff believes that the glazing patterns and divisions should be more consistent around the ground floor. The location of the transformer above-grade and facing SE Morrison Street reduces the amount of possible Ground Floor Windows on this north façade. This in turn alters the overall storefront patterning and introduces exposed CMU block at the street level, which again contributes to the inconsistent ground level composition. Staff believes the building design would benefit with the transformer located below-grade so that a consistent glazing and brick pattern can be achieved on the ground level.
- *East Elevation & Brick Color.* Staff believes that the east elevation appears very flat and is inconsistent with the rest of the building design. The recessed brick patterns surrounding sets of windows on the other elevations could be carried around to this elevation to help break up the repetitive bands of windows.

Additional façade variety could also be achieved with two colors of brick, one for the outer wall planes and one for the recessed planes around the windows. Staff believes that even a subtle color shift would add visual interest to all sides of the building, making the walls appear more dimensional.

- *Window Styles & Depth.* Staff believes that the windows themselves should be set farther into the exterior wall to create a more warehouse-type look that the applicant is striving for with this design. This may require a different surround closure at the window jambs or may require a different type of windows system that has deeper exterior jambs. Overall, the window style changes on the west elevation are the most successful as they are integrated with balcony placement and recessed wall planes which create additional building dimension across what could be a long and repetitive façade. Staff believes that the window types on the north, south, and east elevations are less cohesive and are therefore less successful with the east elevation windows appearing the most repetitive and flat across this façade. The window patterns around all sides of the building should be more cohesive and be surrounded by articulated planes of brick. The top story windows on the east and west facades are also wider and taller than the stories below which makes the upper floor seem heavier than the lower floors. These windows are also not consistent with the north or south windows, which does not allow for a cohesive composition. Staff believes that these upper window proportions should be adjusted so they are smaller and consistent around the top of the building, more in keeping with traditional warehouse and older apartment buildings in the area as described in the applicant's narrative.
- *Juliette Balconies.* The setting back of the upper stories to accommodate the Pacific Power high-voltage lines along SE 9th Avenue reduces the overall amount of unit floor area. While the step back creates terraces for the 2nd floor tenants, it reduces the potential for either recessed or projecting balconies on the upper floors. Staff does not believe that the juliette balconies provide adequate outdoor spaces for the upper units and that the proposal should strive to provide some useable outdoor areas such as a common roof deck, projecting unit balconies, or recessed unit balconies. Staff believes that deeper unit balconies in place of the juliette balconies would also provide a later of dimension that could break up the long expanses of wall surface, particularly on the building ends and east (rear) wall.
- *Cornice Scale.* Staff feels that the cornice at the top of the building appears short when seen in the renderings and elevations and is not in proportion with the overall mass and traditional architectural style of the building. Traditional brick building cornices can be several feet tall and can project out a foot or more from the building wall as they near the top. Staff believes that the building cornice should be taller and deeper to provide a strong top to this traditional design.

These guidelines are therefore not yet met as listed above but could be met with changes made to the building design as listed above.

C7. Design Corners that Build Active Intersections. Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

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.

C9. Develop Flexible Sidewalk-Level Spaces. Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

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 for C7, C8, C9 & C10: Both outer building corners are highlighted by a slight recess along SE Morrison and SE Belmont Streets. This recess follows the overall building step back between the ground floor and the upper floors. The corners are further delineated by brick quoining and single tall storefront windows on either side. Retail spaces are located at each of these corners and are not interrupted by stairs or the main building entry. These ground retail level spaces are flexible on the interior and can be utilized in a variety of ways over time.

The building design provides a clear differentiation between the base and the upper levels by stepping the building back at the 1st floor ceiling along the east and west facades. The ground level height is also taller than the upper stories, which allows for storefront glazing that has a larger module than the unit windows above. The building locates active indoor uses including several retail spaces and the main lobby in areas with ground floor windows and doors that are adjacent to the public rights-of-way. The ground level design also provides weather protection with recessed entries and canopies that project over the sidewalks. These projecting canopies are high enough over the sidewalks as to not encroach into desired clear areas for pedestrian movement. *These guidelines are therefore 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 storm water management tools.

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.

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.

C1-2. Integrate Signs.

- a. Retain and restore existing signage which reinforces the history and themes of the district, and permit new signage which reinforces the history and themes of the East Portland Grand Avenue historic district.
- b. Carefully place signs, sign supports, and sign structures to integrate with the scale, color and articulation of the building design, while honoring the dimensional provisions of the sign chapter of the zoning code.
- c. Demonstrate how signage is one of the design elements of a new or rehabilitation project and has been coordinated by the project designer/ architect. Submit a Master Signage Program as a part of the project's application for a design review.

Findings for C11, C12, C13 & C1-2: The building has integrated the necessary functional elements into the overall design by placing the individual mechanical

units on the roof. These units are grouped in pairs and are set back from the building edges so that the equipment will not be visible from the sidewalks across the streets. This is in keeping with similar mid-rise warehouse buildings in the area so that this building fits into the neighborhood. Smaller metal grilles are incorporated into the brick at the ground level. The grilles are set back from that face of brick and are all the same height so they align and present a consistent datum around the ground level façade.

The building lighting strategy defers to the architecture by highlighting the canopies and the main entry. It also provides ample storefront lighting at the pedestrian level thru the use of large clear glazed windows into the retail and lobby spaces. Only one sign, the building name, is proposed as part of this review. This sign is integrated into the face of the main entry surround so that it becomes a prominent feature that highlights the lobby door location. The sign is framed in a rectilinear manner with materials that complement the building, and do not disrupt or clutter the overall form. *These guidelines are therefore 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:

Modification #1: Standards for all Bicycle Parking (33.266.220.C). Reducing long-term bicycle parking space widths. 39 of the 53 provided long-term bike parking spaces provided in this proposal will be wall-hung racks in a shared bike room. The proposed vertical rack system provides spaces that are spaced 1'-6" on center and staggered 6" vertically. The remainder of the spaces are floor-mounted racks spaced 2' wide x 6' long as required.

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: Bike parking spaces must be 2' wide x 6' long.

Findings: All residential units will have access to a bike parking space either in the unit or in the bike room which is located on the ground floor in a protected area not accessible by the general public, therefore meeting the goals of security, convenience, and safeguarding. A wall-mounted staggered bike parking system will be installed in the bike room which allows residents to vertically hang and lock their bicycles with 6" staggered clearances to adjacent bikes. The specified bike rack system staggers the frames at 20" on center. The 20" on-center separation may be a narrower dimension than the code requirement, but the stagger and allowance for sliding hangers will help assist hanging and locking a bike. Additionally, the loops to which the bikes are hung project out of the wall to further ease hanging and locking a bike. A 5'-0" minimum aisle is still provided

behind each run of wall racks. For all of these reasons, the purpose statement is satisfied. The functional and space-efficient system of the wall-mounted bike racks alleviates floor plan demands, which in turn results in active uses at the street, like the generous main lobby and multiple retail spaces. The proposal better meets design guidelines C8. *Differentiate the Sidewalk-Level of Buildings*, and C9. *Develop Flexible Sidewalk-Level Spaces*.

The criteria are met and this modification request is therefore approvable.

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 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 proposed building has several areas that meet some of the approval criteria such as creating a cohesive composition of visually interesting materials. However a variety of issues which are presented in the Staff Report findings, remain to be resolved. The list below summarizes the issues in order of their appearance in the Staff Report findings:

A5-3. Plan for or Incorporate Underground Utility Service. Plan for or Incorporate Underground Utility Service to development projects.

- *Power Line Location Driving Building Form.*

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.

- *Transformer location.*

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

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.

C1-1. Integrate Parking.

c. Integrate parking in a manner that is attractive and complementary to the site and its surroundings.

d. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

- *Building Ground Level Setback.*
- *Ground Level Storefront Patterning and Arrangement.*

- *East Elevation & brick Color.*
- *Window Styles & Depth.*
- *Juliette Balconies.*
- *Cornice Scale.*

Until these issues are resolved, the proposal does not meet the applicable design guidelines and modification criteria and therefore does not warrant approval at this time.

TENTATIVE STAFF RECOMMENDATION

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

Staff recommends denial of the requested Design Review for this new 6-story, brick, 105-unit apartment building with ground floor retail and 17 internal parking spaces in the Central Eastside Subdistrict of the Central City Plan District. Staff recommends:

Approval of Modification #1:

1. 33.266.220 Bicycle Parking. To provide wall-mounted long-term bike racks in place of the 2 foot wide standard spaces.

=====

Procedural Information. The application for this land use review was submitted on January 7, 2015, and was determined to be complete on April 21, 2015.

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 January 7, 2015.

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. While the applicant did not waive the 120-day review period within 21 days of the application submittal date, the applicant did waive the 120-day review period, as stated with Exhibit A-2.

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 \$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.

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).

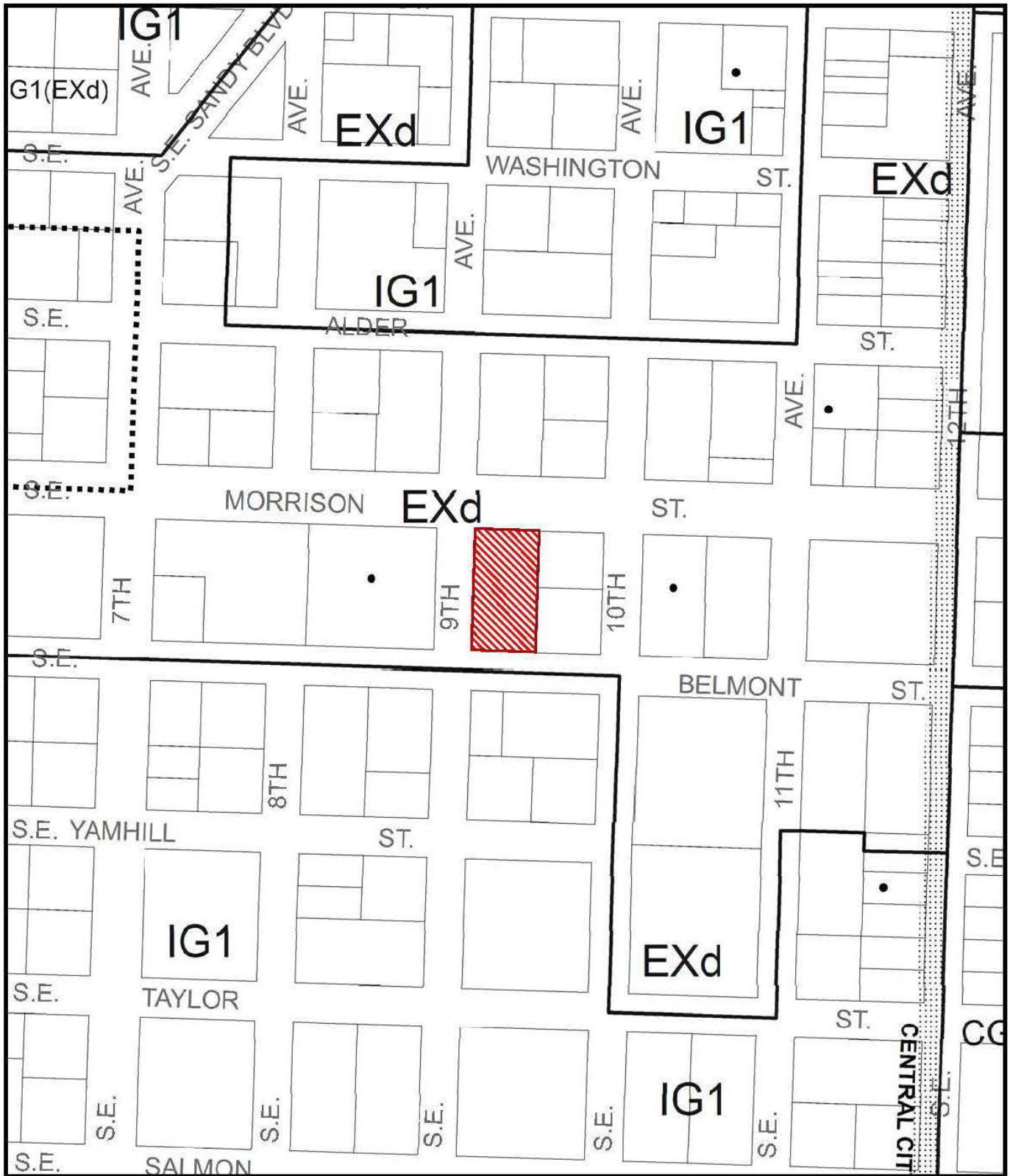
Chris Caruso
 June 1, 2015

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant’s Information
 - 1. Project Narrative
 - 2. 120-Day Waiver
- B. Zoning Map (attached)
- C. Plan & Drawings
 - 1. Cover Sheet
 - 2. Table of Contents
 - 3. CG 0.02 Vicinity Plan
 - 4. CG 0.03 Vicinity Plan
 - 5. CC 0.01 Utility Plan
 - 6. CC 0.02 Grading Plan
 - 7. CL 0.01 Landscape – Planting Plan
 - 8. CL 0.02 Landscape – Planting Plan
 - 9. CL 0.03 Landscape – Plant Types
 - 10. CD 0.01 Ground Floor Window Area

11. CD 0.02 Allowable Building Envelope Diagram
 12. CD 0.03 Utility Undergrounding Diagram
 13. CD 0.04 Central Eastside Industrial District Scale Transitions – Diagrams and Precedent
 14. CD 0.05 Transformer Location Diagram
 15. CD 0.06 North Elevation – Retail Stepping Diagram
 16. CD 0.07 Façade Parti Diagram
 17. CA 1.01 Level 1 Plan (attached)
 18. CA 1.02 Level 2 Plan
 19. CA 1.03 Level 3-6 Plan
 20. CA 1.04 Roof Plan
 21. CA 1.05 Bicycle Storage Room Plan
 22. CA 1.06 Bicycle Storage Room Interior Elevations
 23. CA 2.01 West Elevation (attached)
 24. Ca 2.02 South Elevation (attached)
 25. CA 2.03 East Elevation (attached)
 26. CA 2.04 North Elevation (attached)
 27. CA 3.01 Building Section: North-South
 28. CA 3.02 Building Section: East-West
 29. CA 4.01 Wall Sections
 30. CA 4.02 Wall Sections
 31. CA 5.01 Lobby Entry
 32. CA 5.02 Retail Entries
 33. CA 5.03 Juliette Balcony
 34. CA 5.04 Garage Entry/Planter and Terrace Screen
 35. CA 5.05 Generator Enclosure
 36. CA 5.06 Site Lighting
 37. CA 6.01 Detail: Store Front
 38. CA 6.02 Details: Cornice and Brick Banding
 39. CA 6.03 Details: Vinyl Windows
 40. VA 6.04 Details: Vinyl Windows
 41. CA 6.05 Detail: Juliette Balconies
 42. CA 6.06 Details: garage Entry Door
 43. VA 6.07 Details: Terrace and Planter
 44. CA 6.08 Details: Lobby Entry and Canopy
 45. CA 7.01 Perspective 1
 46. CA 7.02 Perspective 2
 47. CA 8.01 Product Information – Aluminum Storefront
 48. CA 8.02 Product Information – Vinyl Windows
 49. CA 8.03 Product Information – Exterior Light Fixtures
 50. CA 8.04 Product Information – Bicycle Storage Racks
 51. CA 8.05 Product Information – Roof Top Equipment
 52. CA 8.06 Product Information – Louvers/Elevator Over Run
 53. Stormwater Report
- 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. Water Bureau
 2. Life Safety
 3. Bureau of Environmental Services

4. Bureau of Transportation Engineering and Development Review
5. Urban Forestry
- F. Letters: none received
- G. Other
 1. Original LUR Application
 2. Incomplete Letter
 3. Staff Email, March 12, 2015
 4. Staff Email, May 8, 2015
 5. Staff memo, June 1, 2015
- H. Not used



ZONING



Site



Historic Landmark

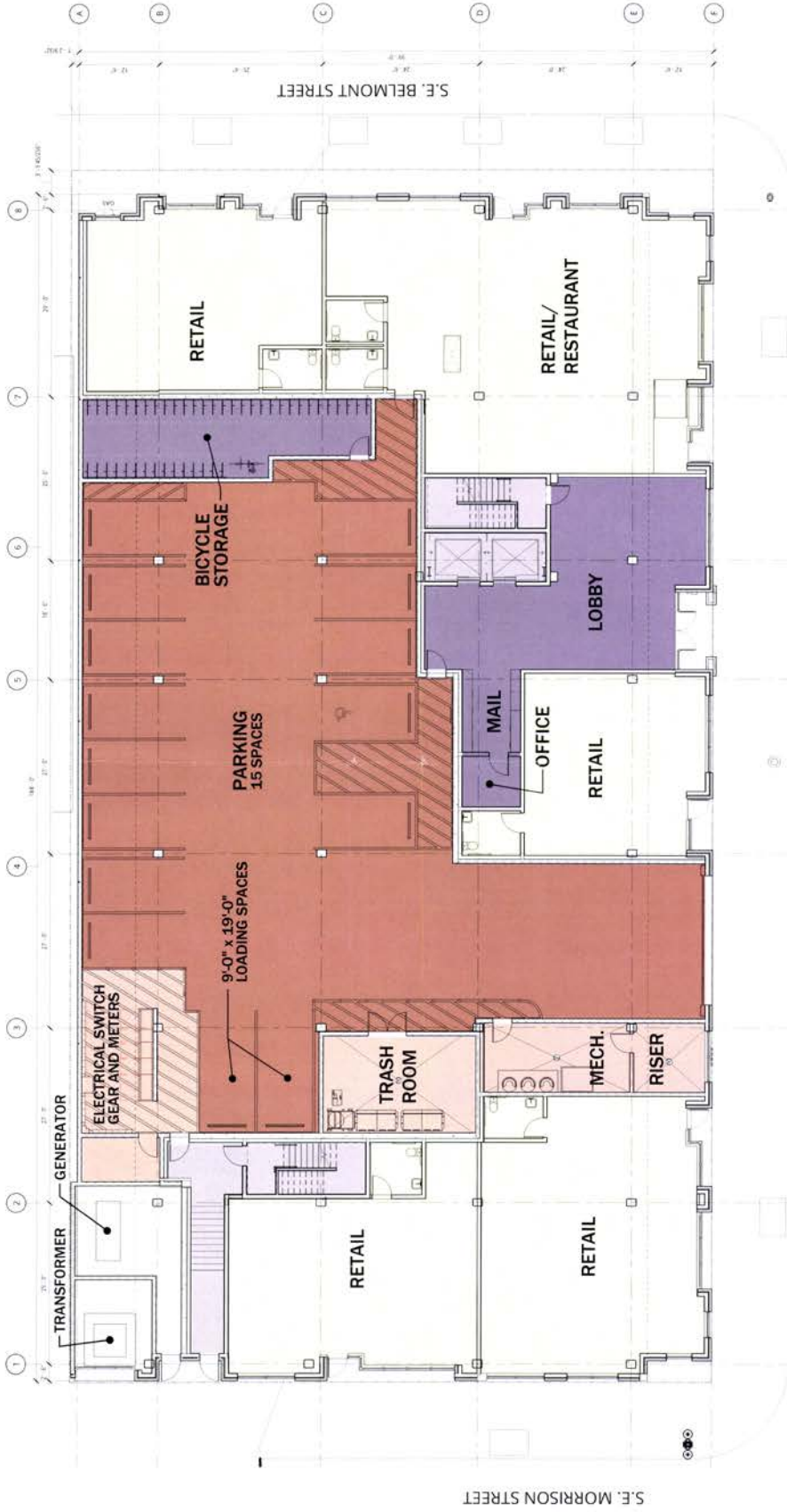


This site lies within the:
CENTRAL CITY PLAN DISTRICT
CENTRAL EASTSIDE SUBDISTRICT

File No. LU 15-102181 DZM
 1/4 Section 3131
 Scale 1 inch = 200 feet
 State_Id 1S1E02BA 4600
 Exhibit B (Apr 21, 2015)

9TH AND BELMONT - LU 15-102181

LEVEL 1 PLAN



S.E. 9TH AVENUE

LEVEL 1 AREA: 17,675 SF
TOTAL BUILDING AREA: 90,355 SF

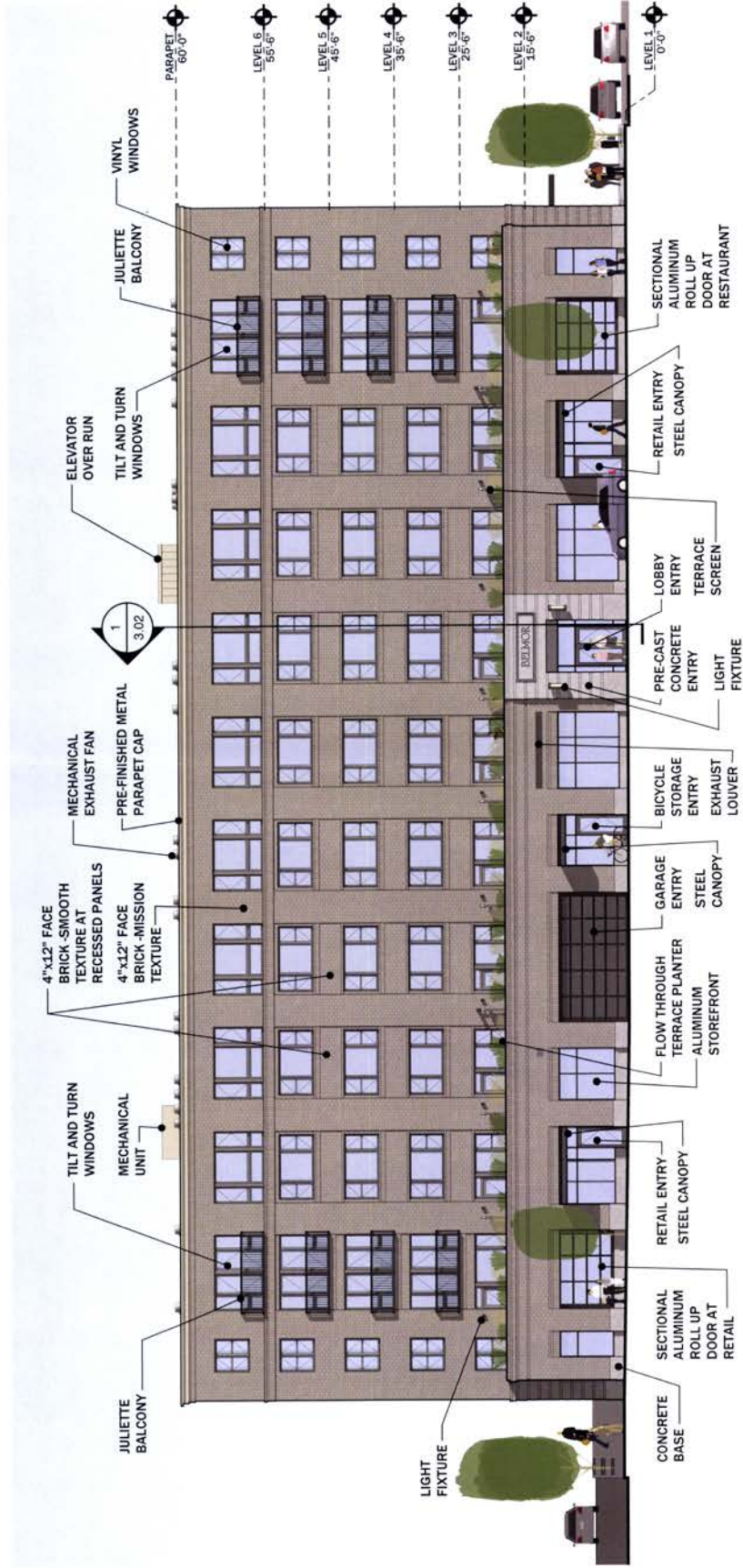


CA 1.01
EXH. C-17

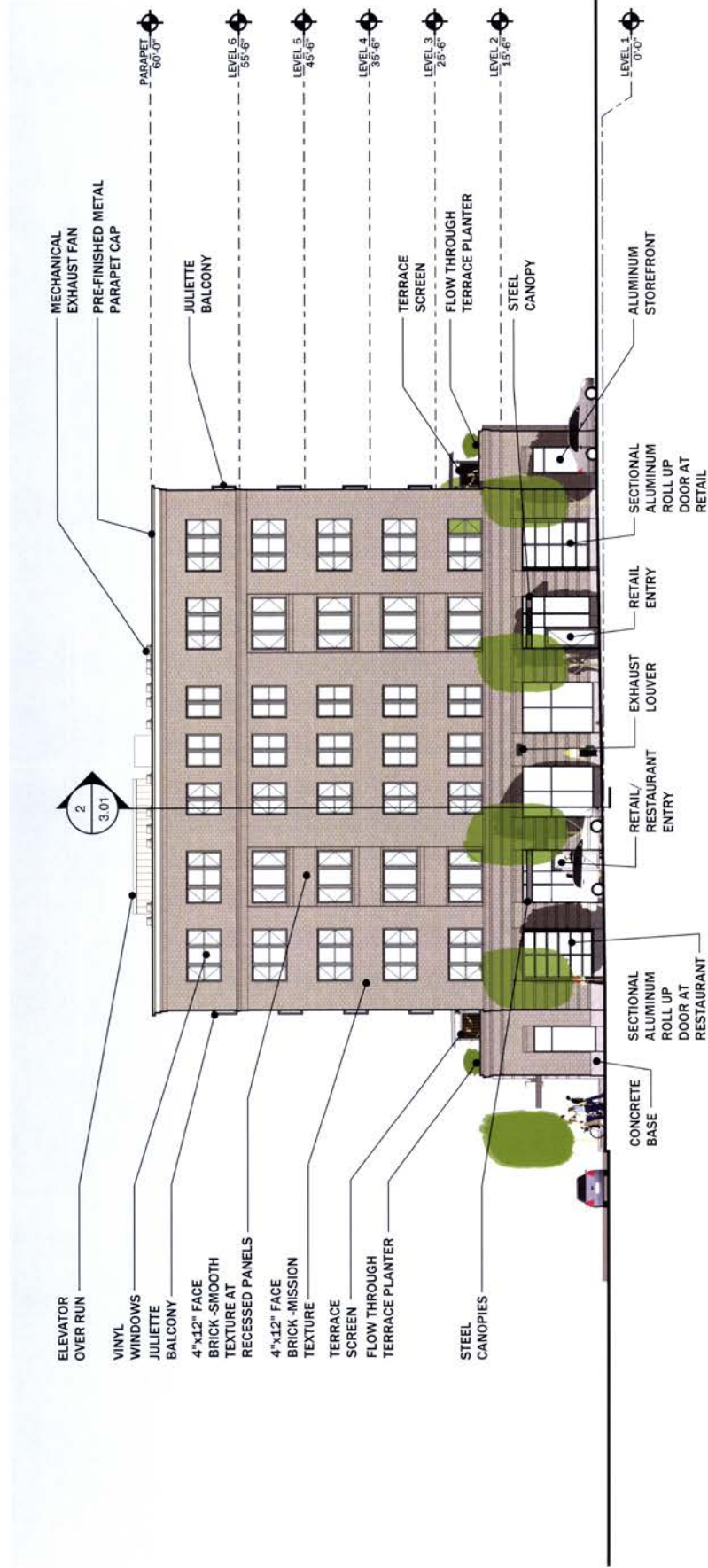


9TH AND BELMONT - LU 15-102181

WEST ELEVATION

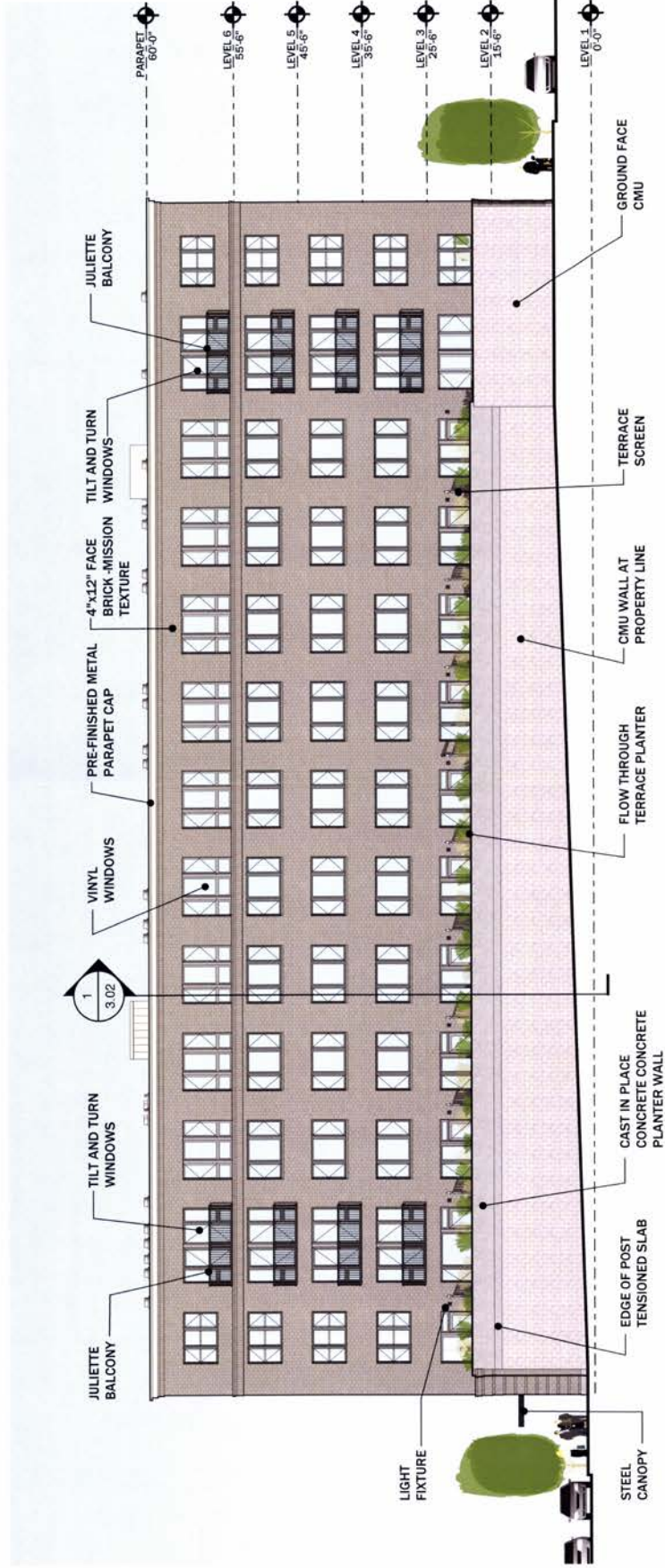


SOUTH ELEVATION



9TH AND BELMONT - LU 15-102181

EAST ELEVATION



Anikrom Moisan



CA 2.03
EXH. C-25

NORTH ELEVATION



CA 2.04