



STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 15-169591 DZM AD MS
 PC # 15-120750
NW 11th & Hoyt
REVIEW BY: Design Commission
WHEN: September 10, 2015 at 1:30 PM
WHERE: 1900 SW Fourth Ave., Room 2500A
 Portland, OR 97201

Bureau of Development Services Staff: Staci Monroe 503-823-0624 / staci.monroe@portlandoregon.gov

GENERAL INFORMATION

Applicant: Scott Passman | Ankrom Moisan Architects | 6720 SW Macadam, Suite 100 | Portland, OR 97219

Owners: John Carroll | Carroll Investments | 4129 SW Greenleaf Court Portland, OR 97221
 Debbie Thomas Geffrard | Debbie Thomas Real Estate | 3-D Investments LLC | 402 NW 13th Ave | Portland, OR 97209-2930

Site Address: 535-537 & 530 NW 11TH AVENUE

Legal Description: COUCHS ADD BLOCK 76 LOT 5&8 AND BLOCK 75 LOT 6
Tax Account No.: R180206900, R180206980
State ID No.: 1N1E34BC 05100, 1N1E33AD 03100
Quarter Section: 2929
Neighborhood: Pearl District, contact Patricia Gardner at 503-243-2628.
Business District: Pearl District Business Association, contact Carolyn Ciolkosz at 503-227-8519.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - River District
Zoning: EXd – Central Employment zone with a Design overlay
Case Type: DZM AD MP – Design Review with Modifications and an Adjustment and a Central City Master Plan 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 Design Review approval for a new 14-story, 153' tall residential building in the River sub district of the Central City plan district. The building will

provide 102 apartments and approximately 1,500 SF of retail on the ground floor along the east frontage. Parking for 52 vehicles will be provided within the building, the majority via a mechanized parking system that is accessed off NW Hoyt. Bike parking for tenants (155 in total) will be provided in a large room within the basement level. Outdoor terraces are provided for the 2nd floor units along the south end as well as Juliette balconies for some of the 2nd and 14th floor units. The building exterior finishes include brick, pre-cast concrete, metal panel, and aluminum storefront and vinyl windows.

The project also includes a Central City Master Plan Review for the transfer of floor area from 530 NW 11th located immediately east of the site. The 10,000 site is allowed a base Floor Area Ratio (FAR) of 6:1 with an additional 3:1 FAR for floor area committed to housing (total 9:1 FAR or 90,000 SF of floor area). The project seeks an additional 20,000 SF of floor area via a FAR transfer from 530 NW 11th bringing the total FAR for the site to 11:1, which would be slightly more than the 17,520 SF of extra floor area needed to accommodate the building as proposed. The 100' base height limit is increased to 145' via the 3:1 bonus FAR earned for the residential component. The additional 8', measured to the top of the building parapet, is requested through the housing height bonus of PZC Section 33.510.210.E.

The following Modifications are requested:

1. Ground Floor Windows - To allow artwork to substitute for some of the ground floor window requirement and to reduce the overall window length requirement from 50% to 40.5% along NW Hoyt (PZC Section 33.510.220).
2. Ground Floor Active Use - To reduce the ground floor active use requirement along NW Hoyt from 50% to 25% of the frontage (PZC Section 33.510.225).
3. Bike Parking - To reduce the width of 58 long-term bike parking spaces from 2'-0" to 18" (PZC Section 33.266.220.C.b).
4. Loading - To allow the one small Standard B loading space provided on site to be located within the drive aisle of the parking area in the garage (PZC Section 33.266.130.A)
5. Height Projections - To allow the rooftop mechanical room and screen enclosure to be within the 15' setback from the roof edges (proposed 4' at closest point), allow the stair enclosure to exceed 10' in height (15' proposed) and exceed the 10% roof coverage (20% proposed excluding roof screen (PZC Section 33.140.210.B.2)

The following Adjustment is requested:

1. Loading - To reduce the number of required on-site Standard B loading spaces from two to one 9' wide x 18' long x 10' vertical clearance (PZC Section 33.266.310.C).

Approval Criteria:

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

- Central City Fundamental Design Guidelines
- River District Design Guidelines
- Central City Master Plan – Section 33.510.255.E
- Modifications – Section 33.825.040
- Adjustments – Section 33.805.040
- Bonus Height - Section 33.510.210.E.4

ANALYSIS

Site and Vicinity: The site is located in the River District in the heart of the Pearl District. The project location has ideal pedestrian and transportation connections. The site is located directly on the southbound Portland Streetcar line for connections to the downtown core, Max light rail, and the South Waterfront District and one block from the northbound Portland Streetcar line for connections to NW 23rd Avenue, Good Samaritan Hospital, and the Nob Hill neighborhood. It is one block north of NW Glisan and three blocks north of NW Everett streets, which provide key east-west car and bus connections. The site is also within four blocks of Interstate 405.

The site is the quarter-block at the northeast corner of the block bounded by NW Hoyt, NW 11th, NW Glisan, and NW 12th. The site has 100' of frontage on NW Hoyt and 100' of frontage on NW 11th for a total of 10,000 square feet and is developed with a single story commercial building. The project also includes the one-story warehouse across 11th Avenue at 530 NW 11th. The project proposes to transfer 20,000 SF of floor area from the property across 11th to the site via the Central City Master Plan review.

NW 11th is designated as a Transit Access Street. Both street frontages are Local Service Bikeways. The site is located within the Northwest Triangle Pedestrian District.

Zoning: The Central Employment (EX) zone implements the Central Employment map designation of the Comprehensive Plan. The 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 development standards are intended to allow new development which is similar in character to existing development.

The Design Overlay (d) zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. 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 or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

Land Use History: City records indicate there is one prior land use review for 530 NW 11th site:

- LU 09-129849 DZ – A 2009 Design Review approval for a storefront alteration and sign.

Project History:

- EA 14-209169 – An Early Assistance meeting occurred with the project team and City Staff (BDS, BES, PBOT & Water only) on September 26, 2015.
- EA 15-120750 PC - A Pre-Application Conference occurred with the project team and City Staff on March 24, 2015.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed August 21, 2015. The following Bureaus have responded with no issue or concerns:

- Bureau of Environmental Services

- Water Bureau
- Fire Bureau
- Bureau of Transportation Engineering
- Site Development Review Section of BDS
- Plan Review Section of BDS

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on August 21, 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) DESIGN REVIEW

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

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

Section 33.825.055 Design Review Approval Criteria

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

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Central City Fundamental Design Guidelines and River District Guidelines.

River District Design Guidelines and Central City Fundamental Design Guidelines

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

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

River District Design Goals

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

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

Central City Plan Design Goals

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

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

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

Findings: The project includes a number of features that relate to Portland's identity. The visible on-site stormwater facility atop the 2nd floor expresses the rainy climate of the Pacific Northwest and can be experienced from the adjacent and upper floor units on the south side. A large amount of bike parking for the residents supports the bike culture of the City. The project has a goal to obtain LEED Gold certification through the LEED for Homes, Multifamily Mid-Rise program, which supports the City's sustainable growth values. *This guideline has been met.*

A3. Respect the Portland Block Structures. Maintain and extend the traditional 200-foot block pattern to preserve the Central City's ratio of open space to built space. Where superblocks exist, locate public and/or private rights-of-way in a manner that reflects the 200-foot block pattern, and include landscaping and seating to enhance the pedestrian environment.

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

B4. Provide Stopping and Viewing Places. Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.

Findings for A3, A7 and B4: The project develops the full 100' x 100' footprint of the site producing a standard ¼ block development. The building extends to the property line along both NW Hoyt and NW 11th frontages with the exception of four recessed entries that are setback approximately 3'-0" from the building's street façade. These setbacks at the building entries provide areas off the sidewalk to stop and visit or rest. *These guidelines have been met.*

A5-1. Reinforce Special Areas. Enhance the qualities that make each area distinctive

within the River District, using the following “Special Area Design Guidelines” (A5-1-1 – A5-1-5).

A5-1-1. Reinforce the Identity of the Pearl District Neighborhood. This guideline may be accomplished by:

- 1) Recognizing the urban warehouse character of the Pearl District when altering existing buildings and when designing new ones.
- 2) Recognizing the urban warehouse character of the Pearl District within the design of the site and open spaces.
- 3) Designing buildings which provide a unified, monolithic tripartite composition (base/middle/top), with distinct cornice lines to acknowledge the historic building fabric.
- 4) Adding buildings which diversify the architectural language and palette of materials.
- 5) Celebrating and encouraging the concentration of art and art galleries and studios with design features that contribute to the Pearl District’s “arts” ambiance. Consider features that provide connectivity and continuity such as awnings, street banners, special graphics, and streetscape color coordination, which link shops, galleries, entrances, display windows and buildings. Active ground level retail that opens onto and/or uses the sidewalk can contribute to the attraction of the “arts” concentration.

Findings for A5-1 and A5-1-1: The project relates to the historic character of Pearl District buildings by utilizing a brick exterior that is designed with a traditional load bearing expression. The building provides a unified, monolithic tripartite composition for a base, middle and top, with distinct cornice lines to acknowledge the historic building fabric. Active ground retail will open onto the sidewalk to connect the building to the community and the pedestrian realm. Common amenity space at the 2nd floor terrace is purposefully located on the exterior and faces down to the building entry and busy street.

The project’s activating elements (second story roof gardens, residential lobby and retail entries, art glass panels) are spaced regularly along the building’s frontage reflecting the serial “happenings” which are a feature of the best of the blocks in the Pearl District neighborhood. *These guidelines have been met.*

A5-3. Incorporate Water Features. Incorporate water features or water design themes that enhance the quality, character, and image of the River District. This guideline may be accomplished by:

- 1) Using water features as a focal point for integrated open spaces.
- 2) Taking cues from the river, bridges, and historic industrial character in the design of structures and/or open space.
- 3) Integrating stormwater management into the development.

Findings: The project integrates stormwater management into the development at the 2nd floor terrace. Rain water from the main rooftop is collected and piped to the 2nd floor planter area. The stormwater planter adds a landscape buffer and critical stormwater function that is attractive with or without water. Views are enhanced for south facing units that look down on the 2nd floor terrace. *This guideline has been met.*

A5-4. Integrate Works of Art. Integrate works of art or other special design features that increase the public enjoyment of the District. This guideline may be accomplished by:

- 1) Integrating art into open spaces or along pathways.
- 2) Incorporating art within the structure of the building.
- 3) Using “found objects” that are remnants from the area’s history.

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.

C3-1. Integrate Parking. Design parking garage exteriors to visually integrate with their surroundings. This guideline may be accomplished by:

- 1) Designing street facing parking garages to not express the sloping floors of the interior parking.

Findings for A5-4, A8 and C3-1: Active spaces for both retail and the residential lobby contain transparent glazing to visually connect these interior spaces with the adjacent sidewalks. Individual entries along both frontages marked with canopies and light fixtures provide direct pedestrian access. The applicant is working with the Regional Arts and Culture Council (RACC) to select an artist and install art glass panels within three bays along the edges of the garage on the Hoyt frontage. The applicant is interested in including a reference to Tanner Creek in the art glass, which historically ran beneath the site. Once installed, these panels will provide visual interest along the pedestrian environment. In addition to the three art glass panels along the garage bays, an overhead coiling garage door with 6" wide aluminum slats is proposed. Together the garage door and art panels will screen the mechanized parking equipment and vehicular and loading activities within the garage.

The proposal is seeking Modifications to both the Ground Floor Active Use and Ground Floor Window requirements. These Modification requests are due to design of the parking garage and width of the bays and columns along the NW Hoyt ground level.

For the reasons indicated in the Modification discussion below in Section (2) of this report, guidelines A8 and C3-1 have not been met.

A9. Strengthen Gateways. Develop and/or strengthen gateway locations.

A9-1. Provide a Distinct Sense of Entry and Exit. When developing at gateway locations, provide a distinct sense of entry and exit that relates to the special qualities of an area. This guideline may be accomplished by:

- 1) Orienting building massing and form towards the intersection of a major district entrance.
- 2) Creating structures or art or using special historic structures to frame a key district or special area entry.

Findings for A9 & A9-1: This site is not an identified gateway. *These guidelines are therefore not applicable.*

B1. Reinforce and Enhance the Pedestrian System. Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

B1-1. Provide Human Scale to Buildings along Walkways. Provide human scale and interest to buildings along sidewalks and walkways. This guideline may be accomplished by:

- 1) Providing street furniture outside of ground floor retail, such as tables and chairs, signage and lighting, as well as large windows and balconies to encourage social interaction.

- 2) Providing stoops, windows, and balconies within the ground floors of residential buildings.

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.

Findings for B1, B1-1 and B2: The project will improve both the NW Hoyt and NW 11th sidewalks and define the zones per district standards, including new street trees and lighting. The building wall at the ground level will be articulated by the brick veneer piers that anchor the project at the ground level. The ½” reveals in the brick with soldier course and stacked bonding details at the piers provide a layer of detail and richness along the sidewalk level. Canopies, light fixtures, art glass panels and the ornamental concrete panels that will flank the lobby entry are additional human scaled elements along the base that provide visual interest for pedestrians. Between the piers storefront glazing will connect pedestrians to the building lobby and retail spaces.

The required loading/trash/recycling functions will be carried out inside the building on the north side, so that there is very limited exposure of pedestrians to these activities. The highest level of pedestrian activity will be on 11th Avenue, associated with the Streetcar stop and the residential entrance. The loading bay and garage entrance will be located on Hoyt which has the lesser vehicular and pedestrian load. Safety will also be enhanced by mounted light fixtures that will light the base of the building while the entry alcoves have integral down lights illuminating the entrances and abutting sidewalk.

Louvers that provide ventilation for the garage are located along Hoyt above the art panels. The louvers are well integrated within the bays and located 8'-0" above the sidewalk so as to limit views and impacts on the pedestrian environment. Exhaust for an emergency generator located in the basement will occur in the form of a lantern atop the 2nd floor outdoor terrace at the south end. A letter from an industry engineer, states that exhaust from the generator will only occur in the event of an emergency when the generator is operational and for 29 minutes for a monthly testing at which time the residents fronting the outdoor space will be notified. Noise generated will be minimal as the generator is located in the basement, will meet the City's Noise Code requirements and would only occur in the event of an emergency.

These guidelines have been 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.

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 B6 and C10: Canopies provided above the building entrances along both street frontages are the only elements that project into the right-of-way. With depths of 3'-6 and 6'-0", and lengths of 6'-4" and 42'-6", the canopies will provide a generous amount of protection for pedestrians at the building entry points and along the sidewalk. The canopies will be comprised of composite metal panel,

which is used elsewhere on the exterior and well integrated into the facades above the storefronts for a coherent composition. *These guidelines have been met.*

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

Findings: All areas of the building, parking and 2nd floor terraces are designed for accessibility. The basement and upper floors are accessible by elevator from the main lobby. *This guideline has been met.*

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

Findings: The building's primary structure is post-tensioned concrete. The building's envelope is brick. Ornamental elements of precast concrete masonry accent the brick at entry piers and above at cornice lines. Metal panels in both flat and chevron profile occur on the upper corner facades, as spandrels, on portions of the west end wall, and for the rooftop screen and stair/elevator enclosures. The 22-gauge panels will be backed to provide a sturdy panel that resists 'oil-canning'. The spandrel metal panels are a composite system that ensures rigidity. The Innotech vinyl windows on the upper floors are similar to the commercial-grade vinyl systems, such as VPI, that have been previously approved due to their higher quality finish and detailing. Steel tracery in the form of signage, structural brackets, and light fixtures are highlights along the building. *This guideline has been met.*

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.

A1. Integrate the River. Orient architectural and landscape elements including, but not limited to lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and greenway. Develop access ways for pedestrians that provide connections to the Willamette River and Greenway.

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.

C1-1. Increase River View Opportunities. Increase river view opportunities to emphasize the River District ambiance. This guideline may be accomplished by:

- 1) Designing and locating development projects to visually link their views to the river.
- 2) Providing public stopping and viewing places which take advantage of views of River District activities and features.
- 3) Designing and orienting open space and landscape areas to emphasize views of the river.

C4. Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.

C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

C11. Integrate Roofs and Use Rooftops. Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements

to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

Findings for A4, A5, A1, C1, C1-1, C4, C5 and C11: The project incorporates elements of scale, massing, height and materials derived from the vocabularies in the Pearl and NW residential districts. Brick is a common material throughout the Pearl and it will be the primary material of the building. The building incorporates the typical elements of a tower building with a distinct base, middle, and top. Juliette balconies at both the 2nd floor and top floor are distinguished by decorative metal railings and help to further articulate the base and top elements of the building.

The building is a simple, straightforward, and coherent design with high quality materials and meaningful details. The brick material and piers that meet the ground anchor the building to the site. The regularized bays throughout provide consistency among all facades and are reminiscent of the warehouse aesthetic that permeates the district. Large canopies, lighting and signage provide human scale at the ground floor which is common in the district.

The rooftops have been considered to varying degrees. The 2nd floor podium roof provides outdoor spaces for several units with a landscape treatment that will provide visual and functional enhancement. At the main upper rooftop the mechanical equipment, stairs and elevator will be enclosed within a screen element comprised of metal panels that match those on the façade.

While the design is strong and coherent, more could be done to distinguish this building as residential to better activate and engage the façade, and provide a more distinct and sculptural top. Common themes throughout the River District, and more specifically the Pearl District, include residential buildings with generous outdoor spaces for the residents (terraces, balconies, rooftop decks) that take advantage of surrounding views (river, mountains and bridges) and provide façades that visually connect with their surroundings. The outdoor terraces atop the 2nd level at the south end only benefits a few units and the Juliet balconies only occur at the 2nd and 14th floors. More outdoor space, particularly on the façade in the form of terraces or balconies, is needed. The design of the building corners seem like an appropriate place and could receive this element rather easily without disrupting the building's strong parti. An outdoor space on the rooftop would also be appropriate, however, not the lone response as it does not address the need to better activate the façade of the residential building. At a minimum, the Juliet balconies could be extended across more of the building's façade.

Other distinguishing features of buildings in the area are the tops, which are articulated, sculptural, and contain ornamentation on the upper facades. This is especially true for those buildings with an Art Deco aesthetic similar to the proposed. Ways to further accentuate the upper facades include extending the decorative concrete panels, articulated parapet and the accent lighting on the upper portion of the 11th Avenue façade to the Hoyt Street façade and extending the Juliet balconies and Chevron panel detailing down to the 14th floor. The recommended terraces/balconies at the corners could also be a part of the solution. At 14-stories the roof will become part of the Central City's skyline and visible from many vantage points. As such, the rooftop elements and screen enclosure need to be more integrated with the building's design. There are numerous successful examples in the district.

The building is also seeking an additional 8’ of height through discretionary review in Section (4) below and a Modification to the rooftop elements in Section (2) below. As such, the design of the upper floors and rooftop are critical to meeting the approval criteria of Section 33.510.210.E.4 and 33.825.040. *These guidelines have not been met.*

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.

Findings for C7, C8 and C9: The ground floor and second floor “podium” façade is clearly differentiated from the tower above with large glazed areas, double-high proportions, second floor podium patios, Juliette balconies and precast pier bases, and capped with a precast cornice. Canopies, lighting and signage further define the sidewalk level of the building with human-scaled elements.

Commercial floor area at the ground level and highly glazed edges on the upper tower highlight and anchor the building’s primary corner at the 11th & Hoyt intersection. The building’s core is internalized and the egress stair is located at the west end allowing for more active areas along the street frontage and at the intersection. Uses within the commercial spaces along the entire frontage could easily spill out into the building frontage zone. *These guidelines have been met.*

C12. Integrate Exterior Lighting. Integrate exterior lighting and its staging or structural components with the building’s overall design concept. Use exterior lighting to highlight the building’s architecture, being sensitive to its impacts on the skyline at night.

Findings: Exterior lighting will emphasize retail and building entrance areas using a combination of wall and down lights and augmenting light spilling through large windows from the interior. At the east elevation close to the top above the main entry up and down fixtures will wash the three central piers highlighting these architectural elements, marking the entry, and adding an element of richness to the skyline, without adversely illuminating the nighttime sky. *This guideline has been met.*

C13. Integrate Signs. Integrate signs and their associated structural components with the building’s overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

Findings: Images of potential signage have been provided for reference only as the size of the two signs indicated would be below the Design Review threshold and therefore be exempt. It should be noted, however, that the signs shown both appear to be of quality materials and of a design that complement the building

and its finishes as well as appropriately scaled and placed on the façade. *This guideline is not applicable.*

(2) MODIFICATION REQUESTS

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 - To allow artwork to substitute for some of the ground floor window requirement and to reduce the overall window length requirement from 50% to 40.5% along NW Hoyt (PZC Section 33.510.220).

Modification #2 - To reduce the ground floor active use requirement along NW Hoyt from 50% to 25% of the frontage (PZC Section 33.510.225).

Findings: The proposal requests Modifications to both the Ground Floor Windows and Ground Floor Active Use standards along the NW Hoyt frontage primarily due to layout of the parking garage, narrow width of the bays and broad brick columns along the first level. Specifically:

- To allow art to substitute for approximately half of the transparent window requirements for length and area.
- To reduce the required length of windows and art from 50' to 40'-6" along the Hoyt frontage.
- To reduce the ground floor active use standard (active uses that are in spaces at least 25' deep and 12' tall) along the Hoyt frontage from 50% to 25%.

The site is a quarter block and incorporating ground level parking on such a small footprint is challenging. The design attempts to balance the program demands of active use and parking in a manner that maintains the cohesive rhythm of brick piers, which are an important part of the overall design. However, even with the art panels being pursued through the RACC process, the ground floor requirement along the Hoyt frontage is below the minimum requirement. A combination of more transparent surfaces (such as the egress door at the west end of the north façade) and a garage door design with more interest and texture could be incorporated to better meet the purpose of the standards being modified, which include providing a pleasant, rich, and diverse pedestrian experience and reinforcing the continuity of pedestrian-active ground-level building uses.

Additional details regarding the ground level conditions can be found above in Section (1) in the findings for Design Guidelines A8 and C1-1.

For these reasons, these approval criteria have not been met.

Modification #3 - To reduce the width of 58 long-term bike parking spaces from 2'-0" to 18" (PZC Section 33.266.220.C.b).

Findings: A total of 156 long-term bike parking spaces are proposed in the basement level in a common, secured bike room. 58 of the spaces will utilize a "Huntco" rack where the spacing recommended by the manufacturer is 18" between each rack, thereby necessitating a Modification to the 2' spacing required by the Zoning Code. It should be noted that the other 98 spaces will provide the required 2' spacing.

These racks are proposed to be used for long-term storage in a central controlled-access bike storage hub intended for use by residents and tenants of the project, and the bike storage room will be monitored by security. Because these racks will be used by residents and tenants, it can be assumed that they will have some familiarity with the rack systems. Transportation has considered the reduced 18" width on numerous projects and determined the stagger of the mounts allows for these racks to function as well as a rack meeting the 2' width. For these reasons, the bicycle parking system is safe and secure, located in a convenient area, and designed to avoid any intentional or accidental damage to bicycles. As such, the proposal is consistent with the purpose statement of the bicycle parking standards. The proposed functional and space efficient system also better meets the design guidelines because it eases floor plan demands and results in additional opportunities for active uses at the street, such as lobby and retail spaces (Central City Design Guideline A8 - Contribute to a Vibrant Streetscape). *The approval criteria have been met.*

Modification #4 - To allow the one small loading space provided on-site to be located within the drive aisle of the parking area in the garage (PZC Section 33.266.130.A)

Findings: The 9' wide x 18' long loading space is proposed to occur within the drive aisle, which effectively reduces the 22' width of the drive aisle in half and blocks access to a small portion of the parking spaces. The purpose of the parking related development standards of Section 33.266.130.A are stated below and the portion italicized are applicable to the Modification requested:

"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:

- *The parking area layout standards are intended to promote safe circulation within the parking area.*
- *Direct traffic in parking areas."*

The proposed project includes a parking garage for 52 vehicles that will mostly be parked via a mechanized system. This system is likely to be operated by an attendant or via a system that will orchestrate the removal or insertion of the parked vehicles. The operations must be systematic in order to ensure that there won't be any conflicts within the constrained garage area. Similarly, to accommodate vehicles expected to utilize the loading space which is located within

the parking aisle of the garage, the mechanized parking system must be effective and efficient. Accordingly, with tenants being aware of the only option that is available to park their vehicles (potentially within assigned spaces in the mechanized system), and with the loading space utilized on a supervised schedule, the parking area layout will promote safe circulation; traffic internal to the garage will be driven by the mechanized system and the proposed loading space in the drive aisle will have minimal impacts.

The applicant has adequately demonstrated that the transportation-related approval criteria relative to the requested Adjustment for the single small loading space and Modification for loading to occur within the drive aisle are satisfied. PBOT is supportive of both requests. Allowing the loading to occur within a drive aisle allows for more efficient use of the ground floor and more active uses along the pedestrian realm, better meeting Central City Design Guideline A8 (Contribute to a Vibrant Streetscape). *The approval criteria have been met.*

Modification #5 - To allow the rooftop mechanical room and screen enclosure to be within the 15’ setback from the roof edges (proposed 4’ at closest point), allow the stair enclosure to exceed 10’ in height (15’ proposed) and exceed the 10% roof coverage (20% proposed excluding roof screen (Section 33.140.210.B.2)

Findings: Rooftop elements proposed extend above the building’s top deck parapet by 10’. The Zoning Code allows rooftop projections for these elements above the maximum building height, so long as they are setback 15’ from the roof edges, limited in height (elevators to 16’ and other elements 10’) and do not cover more than 10% of the roof area. Staff has concerns related to the design of these rooftop elements that are discussed in detail in Section 1 above (Design Guidelines C5 and C11).

For the reasons stated in Section 1, the approval criteria have not been met.

(3) ADJUSTMENT REQUESTS

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.

The following Adjustment is requested:

1. To reduce the number of required on-site Standard B loading spaces from two to one 9’ wide x 18’ long x 10’ vertical clearance (PZC Section 33.266.310.C).

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.

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

Findings: Based on the number of residential units proposed (102), one large (35' long x 10' wide) or two small (9' wide x 18' long) loading spaces are required on the site. The applicant is requesting to reduce the number of the small on-site loading spaces from two to one, which will be provided within the garage on the ground level.

To address the approval criterion, the applicant submitted a loading demand analysis that was prepared by a professional traffic consultant. The 1,500 SF ground floor retail space will consist of two separate retail businesses totaling 828 SF and 679 SF in size. Although final tenants have not yet been determined, likely users according to the project's commercial real estate broker include "soft clothing" businesses catering to women's specialties or shoes, and/or a food service akin to a yogurt shop. The proposed 102 apartments will consist of 14 studios, 61 one-bedroom, and 27 two-bedroom units (the average unit size will be 804 SF).

Aside from the one loading space proposed on-site, there are several on-street truck loading in the immediate vicinity of the site. Two existing loading zones, an 18-ft zone on NW Hoyt Street and a 25-ft zone on NW 11th Avenue, are present along the subject block. The NW Hoyt Street loading zone will need to be shifted slightly to the east to accommodate the proposed garage entrance. An additional 60-ft long loading zone is present on the east side of NW 11th Avenue, across the street from the subject site to serve large vehicles. These three zones all include Monday through Saturday, 7:00 a.m. - 7:00 p.m. restrictions.

Expected truck loading demands for the proposed site development are derived from the following three purposes: moving trucks, retail deliveries, trash/recycling service. Based on information provided by the intended property management company, moving trucks are anticipated approximately 2-3 times per week after the initial occupancy of the residential units. Loading events will occur over several hours, conducted only during business hours, and supervised by building staff to enforce efficient use of the space. Single-unit/smaller rental trucks (20-26 ft long) are expected to be utilized for the proposed sized dwelling units, which can utilize either the proposed on-site loading space or any of the on-street loading zones. Truck deliveries to the two retail spaces on the ground floor are expected to occur 1-2 times per week for each business (2-4 deliveries per week in total). Because the two retail businesses are small in size, there will be very limited space for storage of bulky products. As such, these businesses are expected to be served primarily by 24-ft delivery trucks, using the adjacent curbside loading zone on 11th Avenue. In the rare event a larger delivery truck is needed, the 60-ft loading zone on the east side of NW 11th Avenue can be used. It is also important to note that although the adjacent truck loading zones on NW Hoyt and NW 11th do not have a time restriction beyond the 7:00 a.m. – 7:00 p.m. designation for truck deliveries, deliveries to the retail businesses would likely be of short duration, at 30 minutes or less. Trash/recycling service will occur several times a week. Receptacles will be moved for unloading from the trash room in the garage to where they would be accessible to a truck along the adjacent curb by the trash collection company.

Based on these findings, the proposed single on-site loading space and the adjacent on-street loading zones are expected to accommodate the anticipated loading demand of this project. To ensure timely loading and unloading to

maximize the availability on-site and curb loading zones, it is recommended that the residential move-ins and move-outs should be monitored by building staff. *This 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 a C, E, or I zone, the proposal will be consistent with the desired character of the area; and

Findings: By allowing a single on-site loading space and the adjacent on-street loading zones to serve this development more of the ground floor is retained for active uses which support the vibrant streetscape and pedestrian environment that characterize the River and Pearl sub districts. *This approval criterion is met.*

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

Findings: Only one Adjustment is requested. *This criterion does not apply.*

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

Findings: There are no city-designated scenic or historic resources on this site. *This criterion does not apply.*

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

Findings: Because there were no impacts identified in the findings, *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;

Findings: This site is not within an environmental zone. *This criterion does not apply.*

(4) BONUS HEIGHT

Height Bonus Option - 33.510.210.D & E

Base height allowed for this site is 100'. Additional height, up to a maximum of 75' over the base height, is allowed through general bonus heights and the bonus height option for housing. The building, measured to the top of the parapet, is proposed at 153'. A portion of this height is achieved by utilizing the 45' bonus height allowed outright per 33.510.210.D based on bonus 3:1 FAR earned with housing floor area. The additional 8', which includes a portion of the upper 14th floor and the parapet, is requested through discretionary review per Section 33.510.210.E. The rooftop elements that project above the 153' are being considered in Section 2 through a Modification request.

Approval criteria (33.510.210.E.4) for the discretionary 8' of residential bonus height are as follows:

a. The increased height will not violate an established view corridor;

Findings: There are no established view corridors on or near the project site. *This criterion is therefore not applicable.*

- b. If the site is within 500 feet of an R zone, the proposed building will not cast shadows that have significant negative impacts on dwelling units in R zoned lands.**

Findings: The site is not located within 50' of an R zone. *This criterion is therefore not applicable.*

- c. If the site is shown on Map 510-3 as eligible for the Open Space (OS) performance standard, the project must meet the performance standards of Subsection 33.510.205.E.**

Findings: The site is not included on map 510-3 as eligible for the Open Space performance standard. *This criterion is therefore not applicable.*

- d. If the site is on a block adjacent to the Yamhill or Skidmore Fountain/Old Town Historic Districts, the project must meet the performance standards of Subsection 33.510.205.D.**

Findings: The site is not adjacent to the Yamhill or Skidmore Fountain/Old Town Historic Districts. *This criterion is therefore not applicable.*

- e. The increased height will result in a project that better meets the applicable design guidelines.**

Findings: As discussed in detail in Section (1) Design Review above, the design of the upper facade of the building does not meet the Central City Fundamental Design Guidelines. The upper facades are in need of more articulation and ornamentation and the rooftop elements should be more integrated into the building's design.

This criterion has not been met.

- f. Approval of the increased height is consistent with the purposes stated in Subsection 33.510.205.A.**

Findings: The purpose statement of subsection 33.510.205.A is as follows: "The maximum building heights are intended to accomplish several purposes of the Central City Plan. These include protecting views, creating a step-down of building heights to the Willamette River, limiting shadows on public open spaces, ensuring building height compatibility and step downs to historical districts, and limiting shadows from new development on residential neighborhoods in and at the edges of the Central City." The project design is consistent with the purpose of this section as follows:

- There are no established view corridors on or near the project site.
- The site is several blocks south of Jamison Park and 5 blocks west and north of the North Park Blocks. The additional 8' of height will not cast any shadows on these public open spaces given the distance and existing tall buildings between.
- The building will be located 1.5 blocks east of the NW 13th Avenue Historic District. At 153' in height it will be shorter than the Casey building two blocks

south of the site, which tops out at 175' and is immediately adjacent to the NW 13th Avenue Historic District. Therefore, no new height impacts would occur on the historic district.

- The project is not adjacent to the Willamette River or residential neighborhoods.

This criterion is therefore met.

(5) CENTRAL CITY MASTER PLAN

33.510.255 A. Purpose

The Central City master plan adds development potential and flexibility for projects in specified areas. The additional development potential and flexibility is possible because the plan is used to demonstrate that the policy objectives of the Central City Plan and the public service needs of the area are addressed. The Central City master plan is an option; it is not a requirement. A Central City master plan may also be created through a legislative process initiated by the City.

A Central City master plan application will be approved if the review body finds that the applicant has shown that all of the following approval criteria of Section 33.510.255.E are met.

The **Central City Master Plan** request is necessary to enable floor area to transfer from 530 NW 11th Avenue site [immediately east of the site] to the project site [at the southwest intersection of NW 11th and Hoyt]. The maximum development capacity of each of the two sites is 9:1 (6:1 base FAR + 3:1 FAR bonus FAR).

The subject site is utilizing the residential bonus floor area option to achieve 9:1 FAR (90,000 SF floor area). The proposal is requesting to transfer 20,000 SF of floor area to develop the proposed 107,520 SF building. The amount of floor area requested exceeds what is needed by 2,450 SF, which is intended as a buffer to accommodate slight modifications as the design progresses. If approved through a Central City Master Plan, the site would receive 20,000 SF floor area (for a total of 11:1 FAR) from the 530 NW 11th Avenue site. The 530 NW 11th Avenue site is 5,000 SF in size and developed with a single story building of the same footprint. The base FAR is 6:1 and would allow 30,000 SF of floor area to be developed without bonus FAR. After the transfer, 10,000 SF (or 2:1 of unused FAR) would remain on the 530 NW 11th Avenue site.

As a point of information, four Central City Master Plans (CCMP) for the transfer of floor area have occurred in the past decade. The most recent, which were both approved, include PSU's College Station (aka University Pointe), Park West Avenue Tower and Ladd Tower. The fourth request was in 2006 for The Allegro building where the CCMP request was denied by City Council. Below is a brief summary of each:

- For PSU's College Station (aka University Pointe), in 2010 the full block development transferred 79,245 SF from Tri-Met's South Terminus to the project site resulting in an increase of FAR from 9:1 to 10.19:1. The project provided several physical and visual public benefits beyond the development proposal itself including a RACC-approved art element at the NW corner of the SW Jackson Street turnaround oval, two new wooden benches along the south edge of SW Jackson Street, a landscaped stormwater swale along the edge of the light rail tracks, and weathering steel dam walls within the existing stormwater facility.

- In 2007 the Park Avenue West Tower site received the majority of the FAR from the park block to the south (117,100 SF) to nearly double it's FAR to 23.7:1. The project's contribution to the public was the development of a half city block park (Director's Park).
- In 2007, Ladd Tower project obtained approval for a increase in FAR from 8.6:1 to 8.78:1 in the RX-zoned portion of the site and 9.1:1 to 9.22:1 in the CX-zoned portion of the site. On average the FAR did not exceed 9:1. Restoration of the Ladd Carriage House was undertaken as part of the overall proposal.
- In 2006 The Allegro project sought to transfer a total of 155,000 SF of floor area from two sites, to increase it's FAR from 9:1 to 13.28:1. The City Council upheld an appeal on the project and denied the CCMP stating that design merit alone was not a public benefit to just justify the large floor area transfer.

CCMP 1. The proposed plan is consistent with the policy objectives of the Central City Plan;

Findings: Each policy is addressed separately.

Policy 1: Economic Development. Build upon the Central City as the economic heart of the Columbia Basin, and guide its growth to further the City's prosperity and livability.

The project includes the development of 102 new rental units and 1,507 square feet of retail use in the center of the Pearl District. Development of rental housing units in the Central City will further support and facilitate the economic development of the Central City in several ways. First, a primary driver for economic vitality of retail uses in the Pearl District and the larger Central City is a critical mass of downtown residents. This project will add 102 more units and their residents to the economic engine of the Central City and do so in a manner that provides the maximum intended density. Second, the project will include 1,507 square feet of new retail uses which themselves will contribute to the economy of the district. Lastly, retaining and growing the residential occupancy of the Central City will locate residents close to a rich array of employment opportunities, providing a low impact job base for commercial uses in the Central City. *This policy is therefore met.*

Policy 2: The Willamette Riverfront. Enhance the Willamette River as the focal point for views, public activities, and development which knits the City together.

The proposal is not located on the Willamette Riverfront. *This policy does not apply.*

Policy 3: Housing. Maintain the Central City's status as Oregon' principal high-density housing area by keeping housing production in pace with new job creation.

The proposal directly implements this objective by providing high density housing in an area specifically designated for this type of housing in the Central City. The proposal will also locate residents close to employment opportunities in the Central City, further supporting both the residential density in the core and employment growth. *This policy is met.*

Policy 4: Transportation. Improve the Central City's accessibility to the rest of the region and its ability to accommodate growth by extending the light rail system and

by maintaining and improving other forms of transit and the street and highway system, while preserving and enhancing the City's livability.

The extension of mass transit is a public not private function. However, the Central City Plan calls for the reinforcing “the link between transit and land use by encouraging transit-oriented development and supporting increased residential and employment densities along transit streets, at existing light rail transit stations, and at other major activity centers”. Both sites in the CCMP are richly served by transit. The streetcar line runs down 10th and 11th Avenues, with streetcar stops within one block of the sites. Light rail runs within 5 blocks of both sites. The new residential units and retail reinforces the City's transit investment by providing more residents and more active retail in close proximity to the MAX and Streetcar lines. *This policy is met.*

Policy 5: Human Services. Provide social and health services for special needs populations and assist dependent individuals to become more independent.

The proposal is for a market-rate mixed-use development. *This policy does not apply.*

Policy 6: Public Safety. Protect all citizens and their property and create an environment in which people feel safe.

Ground floor retail and residential use increase street safety and create an active pedestrian space along the site's street frontages. By allowing the transfer of residential units under this proposal, the overall density of the neighborhood is increased, further activating the pedestrian spaces and creating more eyes on the street. Public art that is proposed for this development will add vitality and interest to the pedestrian environment and provide opportunities for surveillance on the street. In addition, proposed exterior lighting at the building perimeter will create a safe night-time pedestrian environment. *This policy is met.*

Policy 7: Natural Environment. Improve the Central City's environment by reducing pollution, keeping the Central City clean and green, and providing opportunities to enjoy nature.

The added residential density on the receiving site will implement this Policy in several ways. Density will be located proximate to the multi-modal transit options further encouraging the use of transit and discouraging the use of single occupancy vehicles. The streetcar stop is located only one block from the sites. The residential units are also located in a neighborhood with a diversity of commercial options encouraging foot or bike traffic and resulting in the reduction of non-renewable resource use and of airborne and storm water pollution from vehicles. Stormwater management for the project is provided via a vegetated flow-through planter on the second floor outdoor terrace. The project has a goal to obtain LEED Gold certification through the LEED for Homes, Multifamily Mid-Rise program.

This policy is met.

Policy 8: Parks and Open Spaces. Build a park and open space system of linked facilities that tie the Central City districts together and to the surrounding community.

While this policy does not directly apply to this proposal, the sites are served by several parks with direct access to the CCMP projects on a mature pedestrian

network. The parks include Jamison and Tanner Springs Parks located 3 and 5 blocks away from the sites and the North Park Blocks, located 3.5 blocks from the sites. *This policy does not apply.*

Policy 9: Culture and Entertainment. Provide and promote facilities, programs and public events and festivals that reinforce the Central City’s role as a cultural and entertainment center for the metropolitan and northwest region.

This policy is not directly applicable to the sites but the project is located close to cultural and entertainment venues, such as the Gerding Theater at the Armory, the Museum of Contemporary Craft, Powell’s City of Books, and Jamison Square. This proximity will allow residents to easily participate in the abundance of activities and cultural events offered in the area. In addition, the retail proposed at the ground floor level will contribute to the activities of the area. *This policy is met.*

Policy 10: Education. Expand education opportunities to meet the needs of Portland’s growing population and businesses, and establish the Central City as a center of academic and cultural learning.

This policy does not apply.

Policy 11: Historic Preservation. Preserve and enhance the historically and architecturally important buildings and places and promote the creation of our own legacy for the future.

There are no historically significant structures on either site. *This policy does not currently apply.*

Policy 12: Urban Design.

Enhance the Central City as a livable, walkable area which focuses on the river and captures the glitter and excitement of city living.

- A. Create a rich and enjoyable environment for pedestrians throughout the Central City.
- B. Strive for excellence in the design of new buildings.
- C. Encourage designers of new developments to sensitively enhance Portland’s human scale of buildings, streets and open space.
- D. Promote the formation of districts with distinct character and a diverse and rich mixture of uses (in non-industrial areas).
- E. Locate the highest densities in the Downtown and along potential and existing transit corridors, and step density down toward the Willamette River, residential neighborhoods, adjacent to the Central City and as the distance from the core increases.

Policy 15: Northwest Triangle.

Preserve the district’s character and architectural heritage while encouraging both industrial activity and missed use development.

- A. Encourage the growth of industry in the district.
- B. Recognize the importance and potential of the redeveloping rail yard area and encourage a mixture of uses, including housing.
- C. Focus development along the North Park Blocks extension.
- D. Develop 9th Avenue as a interim connection between the North Park blocks and the river through the placement of public art, special lighting and a park treatment until the Park Blocks extension is completed.
- E. Foster the developments of artist live/work space and gallery facilities.

As mentioned in Section 1 above, while the design of the building is strong and coherent, the facades need to be more activated and better engaged with the public surroundings (balconies, terraces), the upper facades need to be further articulated and accentuated, and the rooftop elements need to be more integrated into the design to provide a better “top”.

The art panel at the ground level will provide a richness and diversity along the pedestrian environment adding to the character of the district. Involving RACC, as encouraged by Staff, will help to ensure the art is of high quality and maintained over time. However, while art is a great visual contribution it is provided as mitigation for two development standards (Ground Floor Windows and Ground Floor Active Use) along the Hoyt frontage. And in the case of the ground floor windows, the length requirement will not be met even with the addition of the art panels (See Section 2- Modifications, above)

The applicant states that transferring the floor area from the single-story building across 11th will preserve the smaller scale development and maintain an important element of the Pearl District urban fabric that may otherwise be lost to redevelopment. The remaining 2:1 FAR on the 530 NW 11th site after the transfer would allow another 5,000 SF addition on top of the existing building or a new 10,000 SF building. With 3:1 bonus FAR a total of 25,000 SF could potentially be built. While the transfer of FAR does ensure that future development on the 530 NW 11th site will be smaller, it does not ensure the existing building will remain to contribute to the district’s character and architectural heritage where the building historically significant. A historic landmark designation for the building would be a way to actually preserve the single-story brick building. However, Staff does not believe the building merits Landmark designation due to the extensive exterior alterations. Staff also noted that preserving this building may discourage the potential for future development on the block that could better meet these policies.

Given the outstanding concerns with the design of the facades and the building’s top, the art already serving as mitigation for non-active ground floor conditions, and the fact that the single story building will not truly be preserved (nor necessarily merits preservation), the proposal needs to further consider how to provide a public benefit beyond the current design. While the Park Avenue West Tower is not a comparable example, as a public park was provided in exchange for nearly doubling the FAR, the University Pointe project is a more relative case. It received less FAR in the transfer (1.19:1) than the proposed project (2:1), yet it provided numerous elements beyond the proposal itself including a RACC art element at the NW corner and improvement along and within the LRT terminus immediately south of the site (furnishings, landscaped stormwater swale and weathering steel dam walls for existing stormwater facilities). The solution for this project could be similar to this case in that it could include a number of elements.

These policies have not been met.

Policy 13: Plan Review. *This policy does not apply.*

Policy 14: Downtown. Strengthen the Downtown as the heart of the region, maintain its role as the preeminent business location in the region, expand its role in retailing, housing, and tourism, and reinforce its cultural, educational, entertainment, governmental and ceremonial activities.

The proposal for new residential and retail use in a quarter block tower, together with the one-story warehouse, is consistent with this Downtown policy. The project will allow development at the planned densities for retail and residential uses. The additional site art and amenities will provide great contributions to the cultural experience in the Pearl and is an expansion of retail and housing in the downtown. *This policy is met.*

CCMP 2. The plan ensures that there will be adequate and timely infrastructure capacity for the proposed developments;

Findings: BES and PBOT have confirmed that existing utility and road infrastructure around the site is adequate to meet the proposed development's needs. Therefore, this proposal does not require any additional infrastructure capacity to be built. Any required sidewalk improvements will be built to current City standards. Sidewalk construction will occur in conjunction with the building construction, ensuring that adequate and timely infrastructure is in place at the time of building completion. In addition, the project must meet all City regulations and standards, including those in Title 33 (Zoning), Title 17 (Street Improvements), Portland Stormwater Manual, and pertinent building and fire codes. *This criterion is therefore met.*

CCMP 3. The plan provides for a useful and pleasant circulation system and for adequate open space within the plan boundaries;

Findings: All sidewalks serving both sites have been improved to City standards and provide direct access to the front doors of each site. The pedestrian system in the greater area of the two sites is also fully developed providing access to locations outside of the two sites including office, retail and park uses. The project site and the Sending Site (530 NW 11th) are relatively small in size at 10,000 and 5,000 square feet, respectively. There is no requirement to build open space on either site and both are built, or to be built, to the property line. There is a developed park system in close proximity to the properties. The vacated NW Irving Street is developed with park-like amenities and is one block north of the project site. Jamison Park is two blocks north and Tanner Springs Park is five blocks north of the project site; all within easy walking distances. *This criterion is therefore met.*

CCMP 4. Development will be placed and sized to protect significant public viewpoints and public view corridors; and

Findings: Neither of the sites are within a “scenic overlay zone” and there are no designated viewpoints around or through the sites. *Therefore, this criterion does not apply.*

CCMP 5. There are adequate assurances that required housing that is deferred or proposed for another site will be built.

Findings: There is no required housing proposed to be deferred or proposed for another site. *Therefore, this criterion does not apply.*

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. Staff has identified several concerns related to the project's requests for additional height, FAR and Modifications to ground level standards. These items also need to be addressed to meet several of the applicable design guidelines.

The outstanding issues to be resolved are related to:

1. **Activating the building facades and further accentuating the upper facades.**
2. **Integrating the design of the rooftop elements and screen enclosure.**
3. **Quality of the ground level on Hoyt frontage.**
4. **Public benefit for the transferred 2:1 FAR.**

Based on these issues, the following Central City Fundamental Design Guidelines and River District Design Guidelines have not been met:

- A5-3 Incorporate Works of Art
- A8 Contribute to a Vibrant Streetscape
- C3-1 Integrate Parking
- A4 Use Unifying Elements
- A5 Enhance, Embellish and Identify Areas
- A1 Integrate the River
- C1 Enhance View Opportunities
- C1-1 Increase River View Opportunities
- C4 Complement the Context of Existing Buildings
- C5 Design for Coherency
- C11 Integrate Roofs and Use Rooftops

The following additional approval criteria have not been met:

- PZC Section 33.825.040 - Modifications 1, 2 and 5
- PZC Section 33.510.255 - Central City Master Plan
- PZC Section 33.510.210.D – Bonus Height

TENTATIVE STAFF RECOMMENDATION

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

Staff is *recommending denial* of the Design Review, Bonus Height and Central City Master Plan requests at this time based on the unresolved items stated in the conclusion section above.

Staff is also *recommending denial* of the following Modifications:

- Ground Floor Windows - To allow artwork to substitute for some of the ground floor window requirement and to reduce the overall window length requirement from 50% to 40.5% along NW Hoyt (PZC Section 33.510.220).
- Ground Floor Active Use - To reduce the ground floor active use requirement along NW Hoyt from 50% to 25% of the frontage (PZC Section 33.510.225).

- Rooftop Projections - To allow the rooftop mechanical room and screen enclosure to be within the 15' setback from the roof edges (proposed 4' at closest point), allow the stair enclosure to exceed 10' in height (15' proposed) and exceed the 10% roof coverage (20% proposed excluding roof screen (PZC Section 33.140.210.B.2)

Staff *does recommend approval* of the following Modifications:

- Bike Parking - To reduce the width of 58 long-term bike parking spaces from 2'-0" to 18" (PZC Section 33.266.220.C.b).
- Loading - To allow the one small Standard B loading space provided on site to be located within the drive aisle of the parking area in the garage (PZC Section 33.266.130.A)

Staff *does recommend approval* of the following Adjustment:

- Loading - To reduce the number of required on-site Standard B loading spaces from two to one 9' wide x 18' long x 10' vertical clearance (PZC Section 33.266.310.C).

=====

Procedural Information. The application for this land use review was submitted on May 12, 2015, and was determined to be complete on July 10, 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 May 12, 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. In this case, the applicant waived the 120-day review period, as stated with Exhibit G-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 Design Commission, City Council will hold an evidentiary hearing, one in which new evidence can be submitted to them. Upon submission of their application, the applicant for this land use review chose to waive the 120-day time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing.

Who can appeal: You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. **Appeals must be filed within 14 days of the decision. An appeal fee of \$5,000.00 will be charged (one-half of the application fee for this case).**

Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

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

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.

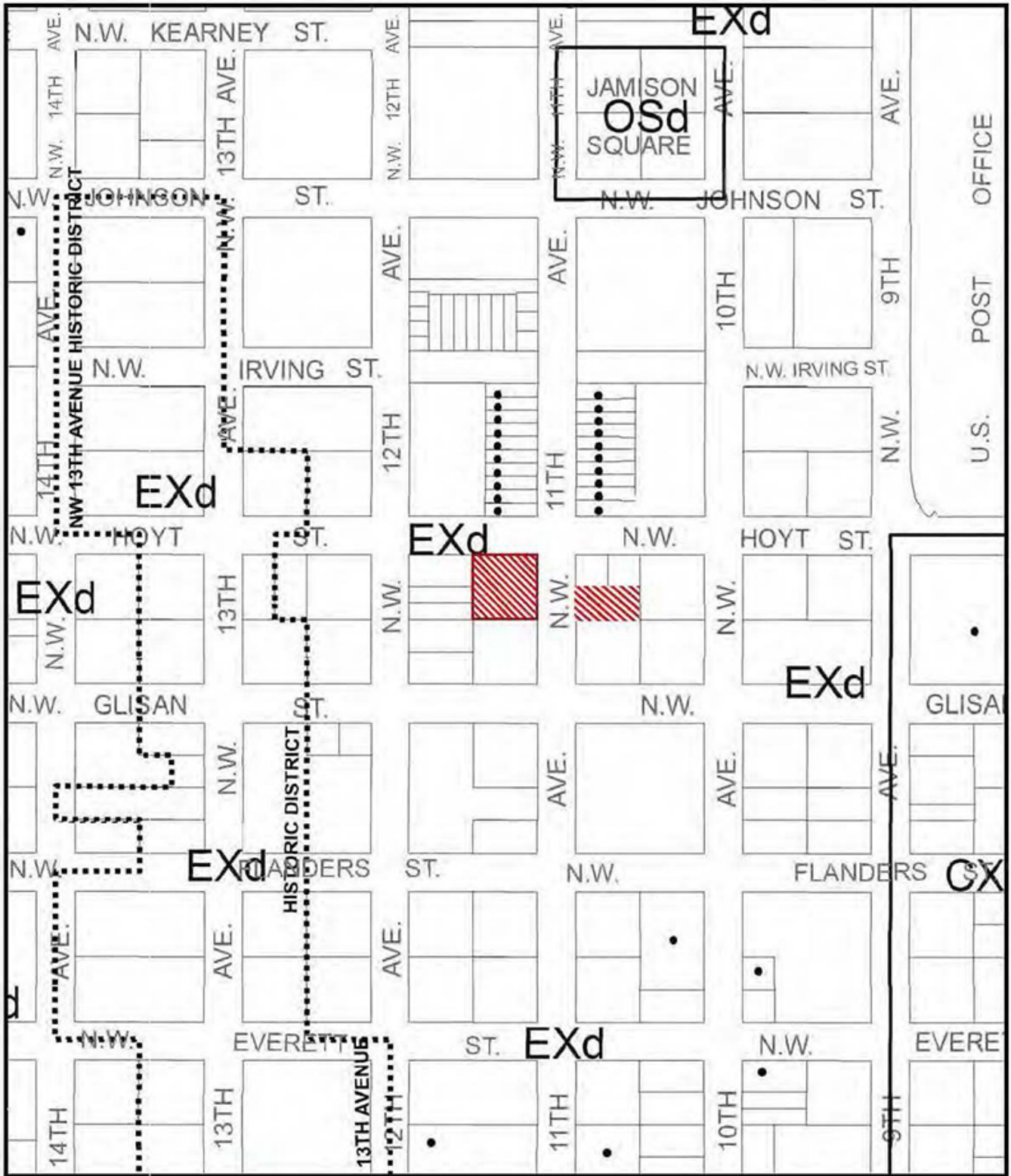
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Staci Monroe
August 31, 2015

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 1. Approval criteria & develop standard responses, Stormwater Report and Loading Analysis
 2. Letter from applicant team regarding RACC participation dated 8/26/15
 3. Letter from mechanical engineer dated 8/26/15
 4. Canopy exhibit showing location and dimensions.
 5. Ground floor window calculations along Hoyt & garage door options
- B. Zoning Map (attached)
- C. Plan & Drawings
 1. Through 60 (attached C20, C27 – C29, C33, C34)
- D. Notification information:
 1. Request for response
 2. Posting letter sent to applicant
 3. Notice to be posted
 4. Applicant's statement certifying posting
 5. Mailed notice
 6. Mailing list
- E. Agency Responses:
 1. Bureau of Environmental Services
 2. Water Bureau
 3. Fire Bureau

4. Bureau of Transportation Engineering
 5. Site Development Review Section of BDS
 6. Plan Review Section of BDS
- F. Letters - none
- G. Other
1. Original LUR Application
 2. Signed Evidentiary Hearing Request & 120-day Extension form dated 5/21/15
 3. BDS Planner Response for PRE-Application Conference dated 4/7/15
 4. Incomplete Letter dated 6/3/15
- H.



ZONING



Site



Historic Landmark



NORTH

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

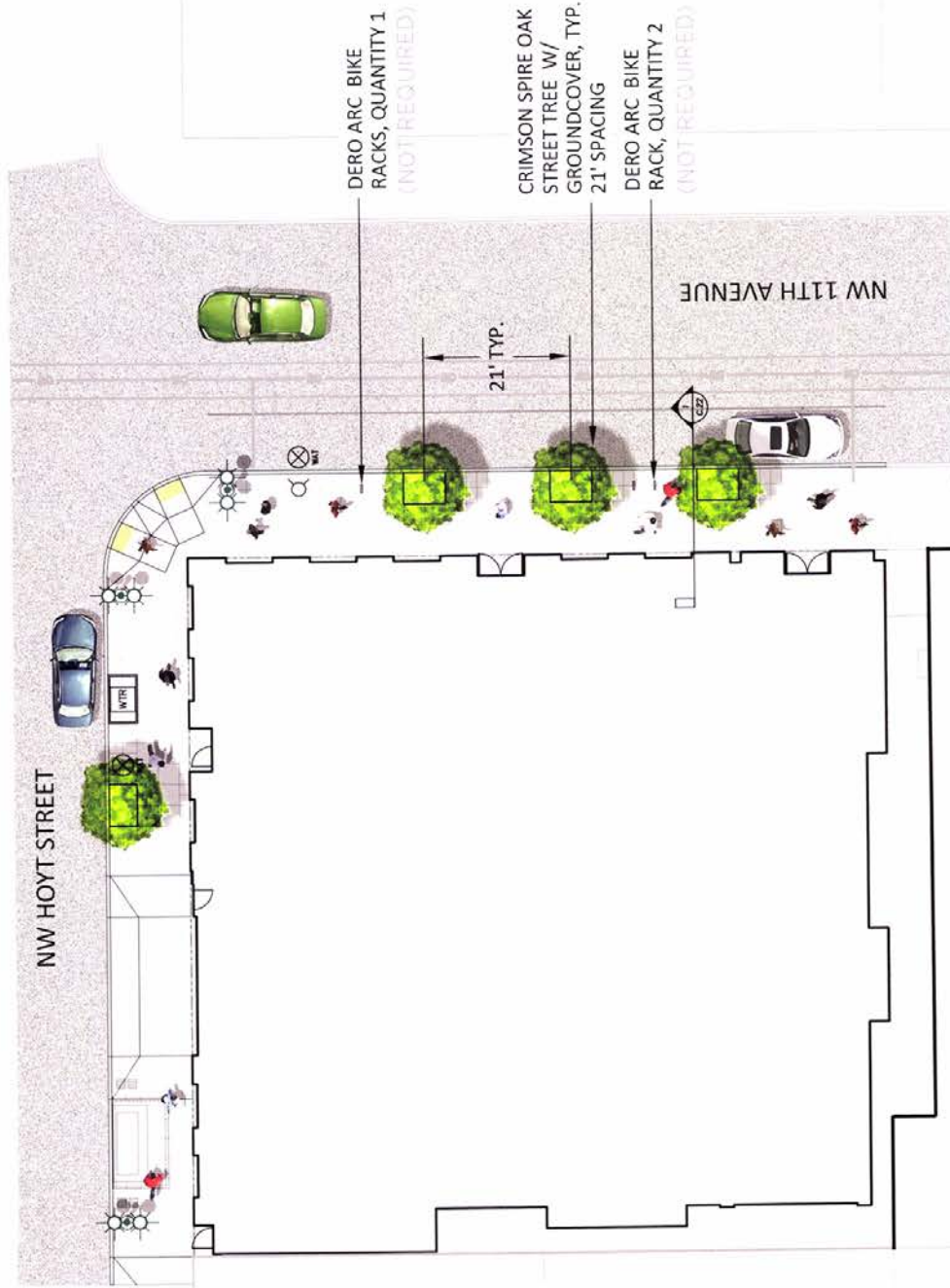
File No. LU 15-169591 DZM,AD,MS

1/4 Section 2929

Scale 1 inch = 200 feet

State_Id 1N1E33AD 3100

Exhibit B (July 21, 2015)

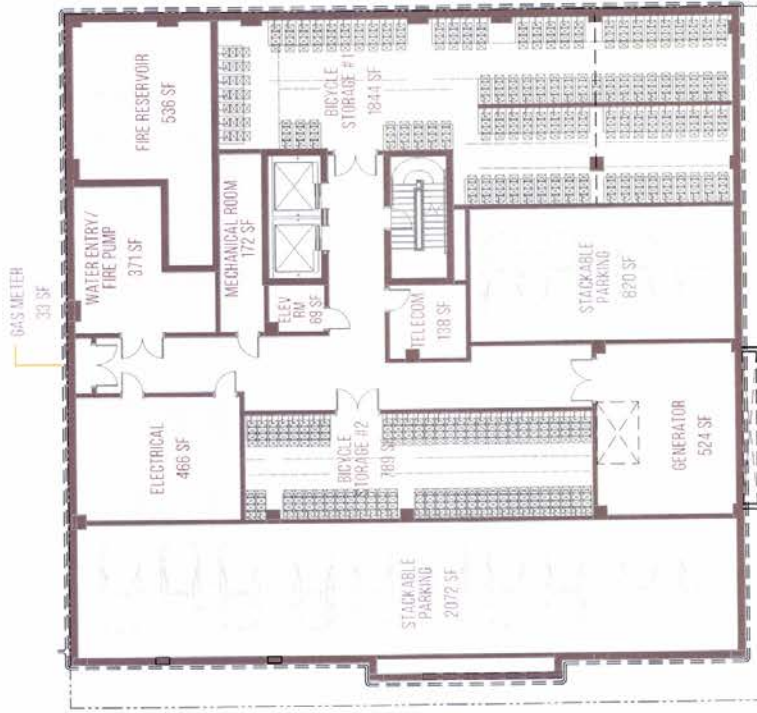


33,266 BIKE RACKS - SHORT TERM
 RESIDENTIAL = 1 PER 20 UNITS
 102 UNITS = 6 RACKS
 COMMERCIAL = 1 PER 5000 SF OR 2
 1738 SF = 2 SPACES

NOTE:
 Due to nature of ¼ block site, project is built out to the property line forgoing opportunity for short-term bike parking. Project will use the Bicycle Parking Fund to satisfy requirement. Per Landscape design a total of 3 short-term bike parking locations are proposed in the furnishing zone as an amenity with the understanding that the racks in the ROW are subject to PBOT approval.



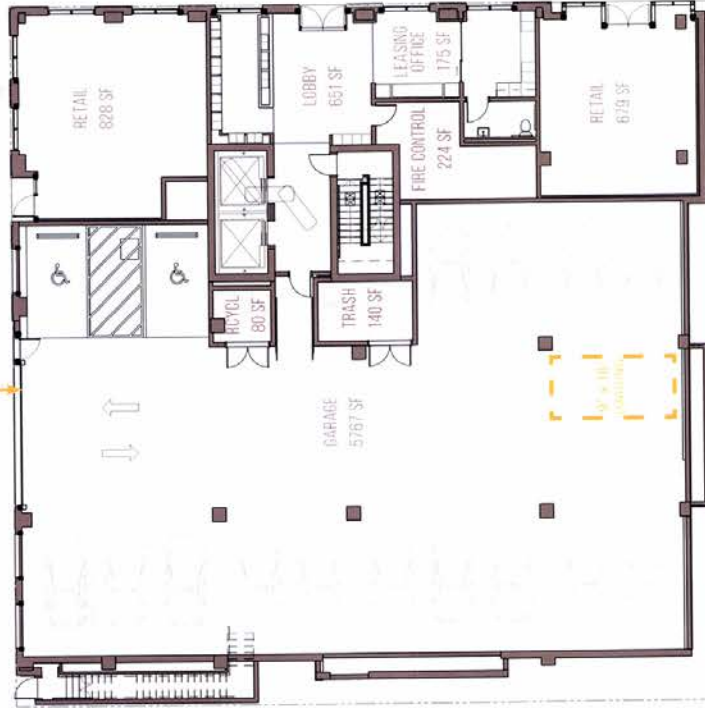
Overhead Door
PGE Vault



BASEMENT



ANKROM MOISAM ARCHITECTS & CARROLL INVESTMENTS
AUGUST 19TH 2015 LU 15 169591 02V.10

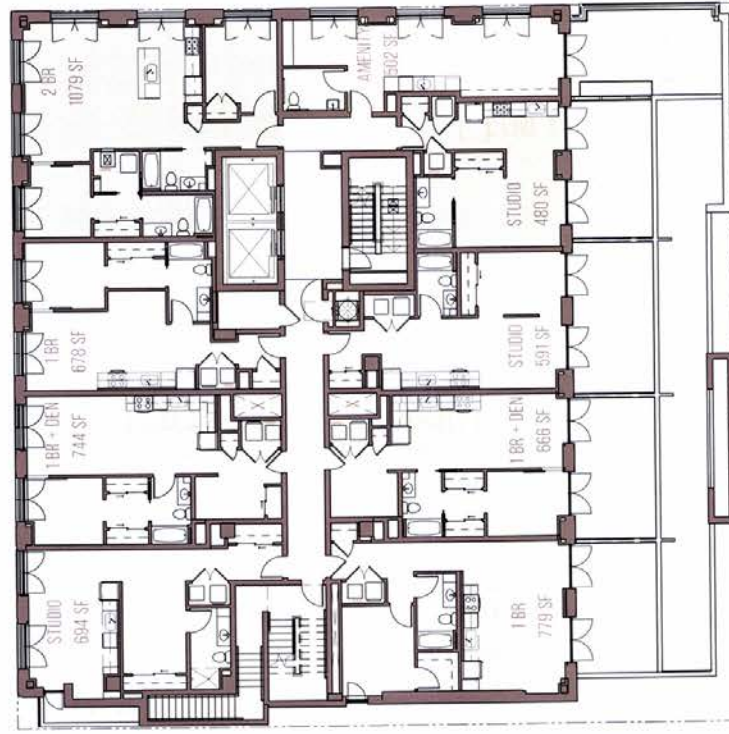


Trash & Loading Narrative: See Appendix D - Loading Demand Analysis by Kittelson in application



11TH & HOYT APARTMENTS | PORTLAND, OR

SECOND & TYPICAL FLOOR PLAN | C. 28



SECOND FLOOR



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 AUGUST 19TH 2015
 LU 15-169591 D2V.40

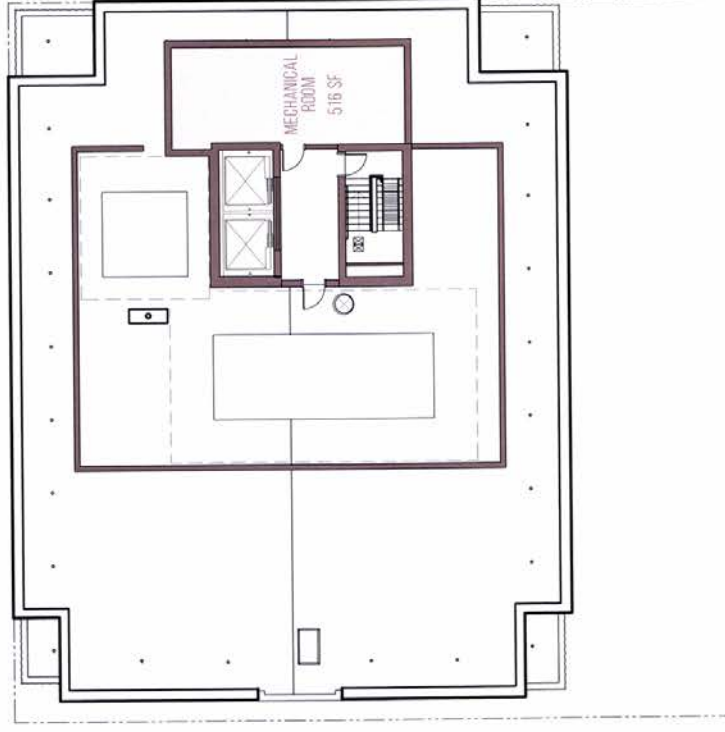


TYPICAL FLOOR | LEVEL 3 - LEVEL 13



11TH & HOYT APARTMENTS | PORTLAND, OR

14TH & 15TH FLOOR PLAN | C.29



ANKROM MOISAN ARCHITECTS & CARROLL INVESTMENTS
AUGUST 15TH 2015
11115-169591.D2W AD





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EAST ELEVATION

ANKROM MOISAN ARCHITECTS & CARROLL INVESTMENTS
AUGUST 19TH 2015
LU 15 168591.D2M 4D



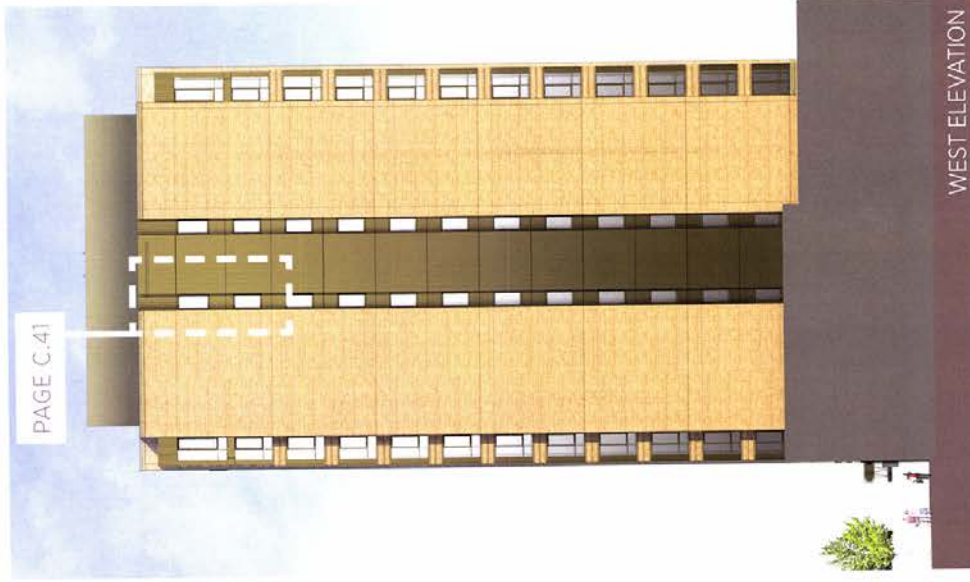
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NORTH ELEVATION





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WEST ELEVATION

SOUTH ELEVATION