



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

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REVISED STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 15-118576 DZM – Market Hill Commons
 PC # 14-113436
 REVIEW BY: Design Commission
 WHEN: March 17, 2016
 WHERE: 1900 SW Fourth Ave., Room 2500A
 Portland, OR 97201

Bureau of Development Services Staff: Grace Jeffreys / Grace.Jeffreys@portlandoregon.gov

NOTE: Changes in this report from the November 5, 2015 staff report are boxed.

GENERAL INFORMATION

Applicant: Andrew Tull, 3J Consulting Inc.
 5075 SW Griffith Dr Suite 150, Beaverton OR 97005

Owners: Sean O’Neill, Scotia Market Street & Gaines, LLC
 6340 N Campbell Ave Suite 240, Tuscon Az, 85718

Site Address: **SW 20th and SW Market (triangular site with no address)**

Legal Description: SUB LOT 8 BLOCK D TL 6400, CARTERS ADD TO P
Tax Account No.: R140407810
State ID No.: 1S1E04BA 06400
Quarter Section: 3127
Neighborhood: NW/NW, Goose Hollow, contact Jerry Powell at 503-222-7173.
Business District: Goose Hollow Business Association, contact Angela Crawford at 503-223-6376.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - Goose Hollow
Zoning: **R1d**, Medium Density Multi-family Dwelling 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 review body can be appealed to City Council.

Proposal:
 Applicant seeks Design Review for a new 16 unit residential development in the Goose Hollow Subdistrict of the Central City Plan District. Located on a vacant 16,000 square foot steeply-sloped site, the proposed five-story residential building will vary in height from approximately 55 feet to 20 feet due to grade changes. 29,074 square feet of floor area is proposed with one level of partially below grade parking for 18 spaces, including one van accessible space, and 16 residential units above. Vehicle and pedestrian access will be from SW 20th Ave. 24 long-term bike spaces will provided on site, and short-term bike spaces requirement will be met by paying into

the bicycle parking fund. Exterior finishes include slim brick, flat and profiled metal panels, profiled metal screen, anodized aluminum windows and doors, and painted metal balconies and railings.

The applicant requests the following **Modification Reviews** through Design Review:

- **Modification #1 - Minimum Building Setbacks (33.120.220)** To reduce the minimum side setback along the north side property line from 14'-0" to 13'-0" for the first two recessed bays at the east end of the façade.
- **Modification #2 - Building Length (33.120.230)** To increase the maximum building length from 100' to 146' – 9" within 30' of the property line;
- **Modification #3 - Pedestrian Standards (33.120.255)** To provide pedestrian connections to SW 20th Ave and to waive the requirements for pedestrian connections to SW Market and SW 21th Ave;
- **Modification #4 - Parking Standards (33.266, 33.266.130)** To allow stacked parking spaces without an attendant present, to reduce the size of parking spaces, and to locate a parking space as to obstruct the bike room entry.

Design review is necessary because the project proposes new development within a design overlay zone.

Relevant Approval Criteria:

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

- 33.825 Design Review
- 33.825.040 Modifications Through Design Review
- 33.510 Central City Plan District
- Central City Fundamental Design Guidelines
- Goose Hollow Design Guidelines

ANALYSIS

Site and Vicinity: The 16,000 SF site is roughly triangle-shaped and bordered by rights-of-way on three sides (SW 20th Ave to the southeast which is partially developed with a pedestrian stairway connection, SW Market Street to the southwest which is fully improved, and SW 21st Ave to the northwest which is not developed at all) and by occupied lots to the northeast. The site is steeply graded and descends 60' from its boundary along SW Market (the only fully developed right of way) to the northeast corner. The current condition of the site is undeveloped and relatively unmaintained, occupied by a variety of trees and grasses. The immediate vicinity of the site is mainly residential in character with housing types varying from modern to traditional. Located north of the site is the historic Jacob Kamm House, built in 1871 in the French Second Empire style. The 2½ story Kamm House was moved to this site in 1950, and is presently used as an office with apartments above. North of the Kamm House are the Arbor Vista Condominiums. East across SW 20th is the First United Methodist church and classrooms with an adjacent surface parking lot, and several modern attached houses fronting SW Market. The multiple building, 5-story Vista House condominium complex is located to the south across SW Market Street. Mature trees, both deciduous and coniferous, and formal plantings are abundant in the area.

The property is located in the Goose Hollow sub district of the Central City Plan District. The Goose Hollow neighborhood contains a mix of residential and commercial uses. It resides outside and southwest of the Goose Hollow Pedestrian District. Approximately 2 blocks NE of the site is SW Jefferson Street, one of two main boulevards that go through Goose Hollow. The area's main MAX-line stop is on Jefferson Street and it is the last stop within the Central City before it leaves for the surrounding western suburban neighborhoods. Jefferson Street is at the bottom of a small

ravine (formerly Tanner Creek) that runs from the west hills to downtown and is spanned by the Vista Bridge to the west.

Zoning: The Residential 1,000 (R1) is a medium density multi-dwelling zone. It allows approximately 43 units per acre. Density may be as high as 65 units per acre if amenity bonus provisions are used. Allowed housing is characterized by one to four story buildings and a higher percentage of building coverage than in the R2 zone. The major type of new housing development will be multi-dwelling structures (condominiums and apartments), duplexes, townhouse, and rowhouses. Generally, R1 zoning will be applied near Neighborhood Collector and District Collector streets, and local streets adjacent to commercial areas and transit streets. Newly created lots in the R1 zone must be at least 10,000 square feet in area for multi-dwelling development. There is no minimum lot area for development with detached or attached houses or for development with duplexes. Minimum lot width and depth standards may apply.

The “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

Land Use History: City records indicate that prior land use reviews include the following:

- 98-00356 DZ, for a multi-dwelling structure - design review application withdrawn.
- LU 02-008248 DZM, Design Review approval with modifications for an 8 unit condominium with attached parking structure. 4 modifications were approved: To reduce the minimum side setback from 6'-0" to 1'-0" for the garages on SW Market, to reduce the side yard setback from 5'-0" to 3'-6" at the covered garage, to increase the maximum building length from 100' to 193'-0" within 30' of the property line, and to waive the 8% window area requirement for the SW 21st Avenue street-facing façade. The initial Decision was appealed to LUBA and sent proposal back to Design Commission on a Voluntary Remand. Design Commission modified the Administrative Decision of approval and granted the revised proposal, denying the appeal.

Agency Review: A “Request for Response” was mailed June 2, 2015. The following Bureaus have responded with no issues or concerns:

The Bureau of Environmental Services responded with the following comment: Does not object to approval and has no recommended conditions of approval. The proposed development will be subject to BES standards and requirements during the permit review process. Please see Exhibit E-1 for additional details.

The Bureau of Transportation Engineering responded with the following comments: No objections to approval. Portland Transportation/Development Review has reviewed the application for its potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, Title 33, Title 17, and for potential impacts upon transportation services.

- Standard frontage improvements are triggered by the proposed development along all three frontages
- Dedications will be needed for standard street improvements
- Any dedications and street improvements will be conditions of building permit approval. The street improvement must be constructed under a separate public works permit.
- The dedications and street improvements must be in substantial conformance with the street cross sections conceptually approved in the Public Works Alternative Review (14-214199 PW) and currently being reviewed under a public works permit (15-119543 WT). The dedications and a bond and contract shall be conditions of building permit approval.

- A Driveway Design Exception (15-181577 TR) was approved to allow the driveway gate to be located at the property line subject to the following conditions of approval which will be enforced during building permit review:
 1. The security gate shall be a minimum of 20ft wide.
 2. The security gate shall be timed to fully open or close within 8 seconds.
 3. The parking garage shall be for residential use only.
 4. The security gate shall be activated by remote control devices issued to all drivers allowed access to the parking garage.

Please see Exhibit E-2 for additional details.

The Water Bureau initially responded with the following comment:

As a Condition of Approval, the Water Bureau stated: For SW 20th Ave, the applicant will need to request and pay the fee for a water main extension in SW 20th Ave, to be installed by the Portland Water Bureau as stated above, prior to the Water Bureau being able to approve of the proposed Design Review and sign off on any projects or building permits for this property location. Please see Exhibit E-3.a for additional details.

The Water Bureau then followed with the following comments:

The Water Bureau has no issues with the proposed development and design review request.

After researching the existing infrastructure in SW Market Street it has been determined the water main in SW Market Street may not be used due to lack of space for the installation of water vaults. Therefore, a water main extension in SW 20th Avenue will be required.

Prior to the Water Bureau signing-off of any associated building permit for this project the main extension must be paid for in full. The applicant should be aware a main extension project may take up to 120 days from date of payment to complete. Please plan for this time period in your schedule. The applicant may request a fee statement the main extension by calling the Water Development Service line t 503-823-7368 or by sending an email to devrev@portlandoregon.gov with the request. All costs are the responsibility of the applicant.

As an additional note, the new sanitary sewer laterals for the proposed development must be installed in a manner which provides 5' minimum of horizontal skin to skin clearance from the existing or any newly installed water service and service line within the public right-of-way, and the same spacing requirements will apply to new water services and existing sewer laterals, in order to meet Oregon State OAR 333 rules for proximity of sewer lines to potable water lines, prior to the Water Bureau signing off on any building permits and selling any water services to this development. Please see Exhibit E.3.b for additional details.

The Fire Bureau responded with the following comments:

A separate building permit is required for this proposal. All applicable Fire Code requirements shall apply at the time of permit review and development. The applicant shall contact the Fire Marshal's Office with any specific questions. Please see Exhibit E-4 for additional details.

The Site Development Section of BDS responded with the following comments:

The site is relatively steep; is not within the 100-year floodplain, and is located in the Potential Landslide Hazard Area. The project will include excavation into the hillside. At the time of plan review the applicant must submit a geotechnical report that includes recommendations for shoring and calculations for slope stability of the excavation and final grades. Permit plans must include both design and calculations for any planned shoring, either temporary or permanent. Additional geotechnical information may be required following our review of the building permit application. Please see Exhibit E-5 for additional details.

The Life Safety Section of BDS responded with the following comment:

A separate Building Permit is required for the work proposed and the proposal must be designed to meet all applicable building codes and ordinances. More information regarding building code requirements can be obtained by visiting the Bureau of Development Services Development Services Center - 1900 SW 4th Ave, 1st floor. Please see Exhibit E-6 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on June 18, 2015. A total of two written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Jennifer Bragar of Garvey, Schubert, Barer, representing the Vista House Condominium Association, June 18, 2015, wrote in support for proposal, and for modification (to pedestrian connections) to only connect the building's fourth floor with SW Market via an emergency access only bridge, and noted that SW Market is already connected to SW 20th via a public access staircase. Additionally, Vista House requests the approval to be conditioned that eco-roof be planted with low plantings that are maintained at no higher than 1-½ feet high.
Staff Response: Please refer to the Findings for Design Guidelines and Modifications and Condition B.
- William John Hawkins, III, Architect, FAIA, June 22, 2105, wrote in support of proposal stating no objections to proposal submitted.

Procedural History:

The first hearing was held on November 5, 2015. The previous Staff report, dated October 30, 2015, did not recommend approval of the overall proposal but did recommended approval of the three modification requests:

1. Minimum Building Setbacks (33.120.220) To reduce the minimum street setback from 3'-0" to zero along SW 20th Avenue;
2. Building Length (33.120.230) To increase the maximum building length from 100' to 138' – 2" within 30' of the property line;
3. Pedestrian Standards (33.120.255) – to provide pedestrian connections to SW 20th Ave and to waive the requirements for pedestrian connections to SW Market and SW 21th Ave.

Staff noted concerns related to the main entry sequence, the quality of exterior materials, and the lack of details, as outlined in the previous staff report and later echoed by the Commission.

There were two public testimonies at the hearing in support of the proposal: Jerry Powell, GHFL (Planning), and Mark Velky, Neighbor.

Below is a summary of the Design Commission's comments and suggestions:

Design Challenges

- The 20th Ave frontage at the first floor is not yet successful. Problems include the location of the entry entrance, the size of the lobby, the communicating stair and elevator, and the stair run to street. For both the residents as well as the security of the neighborhood, the entry needs to face SW 20th and the entry and the lobby need to function better and be more gracious. Consider shifting scheme, possibly to the west, or revising the program.
- The external stair at the south east and its relationship to the deck above highlights security concerns. Additionally, design as shown weakens the elevation. Consider glazing it in or making it interior.
- While the deck facing SW Market addresses that street, because it will be facing into the steep hillside, consider facing this deck towards the east instead to better activate SW 20th and provide a better aspect for this unit.
- More information is needed to assess the deck and railing design.

Materials and Detailing

- Galvanized profiled privacy screen is too hard an edge for residential environment, consider a more solid screen, possibly panelized and spaced off top and bottom;
- The brick faced fin emphasizes the thinness of the brick material, consider metal panel cladding here to provide a more coherent design;
- Provide more details of the brick at the corners, the top, terminal edges, and other junctions;
- Provide weight and gauge of metal claddings; concern voiced regarding stiffness, how it will remain smooth, and how it is seamed;
- Provide more and clearer details of railings and columns, what material and how they are attached.

Generally

- Clarify drawings and make them more readable;
- Provide more, clearer, and better resolved details showing how the building goes together;
- Provide better illustration of how building sits on the site, and show grades on plan;
- Bring samples of all materials to next hearing.

The applicant agreed to address the above issues and continue the hearing to December 17, 2015. After the first hearing, Land Use staff asked applicant to confirm the egress proposal meets code requirements. Applicant met with Life Safety, and revised scheme to include a protected access route from the stair terminating in the parking garage area.

Since that time, the applicant has requested to move the hearing date three times, first to January 21, 2016, then to February 18, 2016, and finally to March 17, 2016.

ZONING CODE APPROVAL CRITERIA**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 district guidelines.

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 and Goose Hollow Special Design Guidelines.

Goose Hollow District Design Guidelines and Central City Fundamental Design Guidelines

The Goose Hollow District is envisioned to be a predominantly urban residential, transit-oriented community located on the western edge of the Central City between Washington Park and Downtown Portland. When riding light rail through the West Hills tunnel to the Central City, it is the first neighborhood experienced before entering downtown Portland. The Urban Design Vision celebrates the sense of arrival from the west at Jefferson Street Station and Collins Circle, and from the north at the Civic Stadium Station and Fire Fighter's Park. This is done by integrating the history of the community with its special natural and formal (man-made) characteristics.

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.

Goose Hollow District Design Goals

The Goose Hollow District Design Goals are specific to the Goose Hollow District. These urban design goals and objectives are to:

- Enhance mixed-use, transit-oriented development around the light rail stations to make it a pedestrian-friendly station community.
- Provide open spaces to accommodate active public life.
- Strengthen connections to adjacent neighborhoods through light rail, bike and pedestrian access and assure a safe and pleasant bike/pedestrian environment.
- Preserve and enhance the community’s history and architectural character.

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.

A5-5. Incorporate Water Features. Incorporate water features or water design themes that enhance the quality, character, and image of the Goose Hollow District.

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 A2, A5-5 and C11: Water, greenery and trees are consistent Portland themes which have been integrated into the design. The building is set low into the steep hillside below SW Market Street fronting SW 20th, and has a large proposed flat roof with an ecoroof. The planted ecoroof that will collect the majority of the rainwater, soften the look of the building with low landscaping, and enhance view opportunities of surrounding properties. No rooftop mechanical is proposed beyond a low elevator overrun and access hatch. Additional landscaping is provided within the building setbacks along SW Market and along the north property line setbacks. By incorporating water, greenery and trees, the building will integrate well into this hilly, treed, mainly residential part of the Goose Hollow District.

To keep the landscaping of the ecoroof low scale and preserve views from above, since no landscape plan has been provided for the ecoroof, with Condition B that the landscaping of the ecoroof is planted with low plantings and maintained at no higher than 1- ½ feet high, these guidelines could be 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.

Findings for A4 and A5: The area is dominated by multi-family residential structures of varying age and development set into the steep hillside. Locating the building at the base of the slope at the NE corner of the site instead of the top of the slope along SW Market, the impact of the mass of the development on the residential buildings above and across SW Market is minimized. This siting unifies the proposal with adjacent development and respects the existing views as well.

Additionally, this siting also provides an opportunity to enhance the pedestrian quality of SW 20th. The proposal utilizes the street frontage along SW 20th Avenue as a unifying element, connecting the project to the more developed part of Goose Hollow along SW Jefferson. The steeply-sloped nature of this site and the location of the building on the NE corner of the site results in clear definition of the public rights-of-way along SW 20th, creating a sense of urban enclosure and defining and activating a previously undeveloped area. The building frontage maintains a consistent streetscape through the use of downtown street elements such as sidewalk, planting strip, streetlight and furniture zone.

These guidelines are therefore met.

A5-2. Strengthen the Identity of the Jefferson Street Station Area. This guideline may be accomplished by any or all of the following:

- a. Integrating Lincoln High School and the First United Methodist Church into the Jefferson Street Station area by providing pedestrian-friendly treatment along the surrounding streets. Streets lacking the pedestrian-friendly treatment of the light rail alignment can use elements such as street trees, landscaping, street furniture, art work, awnings, seating, special lighting and textured paving to improve the pedestrian environment;
- b. Recognizing the historic “Goose” theme and incorporating it in projects within the station area, where appropriate, in the form of art work, symbols or other design features;
- c. Strengthening the neighborhood focal point located in the station area. Arcades, awnings and/or balconies can provide pedestrian scale along all developments facing the Circle and can enhance pedestrian access to the Circle. To emphasize the Circle’s importance as a focal point adjacent development can orient their entrances and ground level windows towards the Circle and garage entries can be avoided on the streets fronting it where feasible;
- d. Orienting buildings around the public plaza to create an enclosed public place and providing seating and other amenities to ensure safety and convenient pedestrian access; or
- e. Using architectural vocabulary and materials that maintain continuity with existing developments and add to the character of the station area.

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

A8. Contribute to a Vibrant Streetscape. Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings’ active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and

activities.

B1-2. Orient Building Entries to Facilitate Transit Connections. Orient primary building entries at pedestrian circulation points which conveniently and effectively connect pedestrians with transit services.

Findings for A5-2, A7, A8 and B1-2: As described above, the steeply-sloped nature of this site and the location of the building on this site results in a clear definition of the public rights-of-way and a sense of urban enclosure on SW 20th Avenue. The structure is set back 3'-0" from the public right-of-way on SW 20th. The building's lobby is located adjacent to the public sidewalk off SW 20th, providing a direct link for residents via public sidewalk to SW Jefferson Street and the Goose Hollow/Jefferson Street Max Station. The SW 20th frontage is covered with a canopy overhang and includes lighting, providing an attractive, weather protected area adjacent to the streetscape. The landscaping and architectural details at the sidewalk level are at a human scale to provide interest.

A variety of materials are used to embellish the streetscape: brick and aluminum glazing along the building face adjacent to the public sidewalk, a canopy providing protection over the sidewalk, and painted metal balconies and railings at the upper residential portion of the development. From the Vista Bridge, the project will fit contextually to the varying hillside of staggered housing forms and architectural styles.

The building has been set back 3'-0" from the sidewalk, and a metal canopy over the setback offers protection, providing a place for pedestrians to stop, view the neighborhood, socialize and rest. This area is off the public sidewalk and does not conflict with other sidewalk uses. Covered balconies and overhangs provide weather protection at the pedestrian level of the building.

At the first hearing on November 5, 2015, the commission voiced concerns about the 20th Avenue frontage at the first floor. For both the residents as well as the security of the neighborhood, the commission felt that the entry and the lobby needed to function better, be better connected to the street, and be more gracious.

Since that hearing, the applicant has shifted the building 3'-0" to the west, thereby meeting the required 3'-0" street setback standard as well as providing an opportunity to create a more functional and connected street frontage. The entry door now opens directly towards SW 20th and the lobby sequence is more gracious. Additionally, the external stair at the south-east has been internalized, thereby eliminating the security concerns regarding its previous relationship to the adjacent deck. This has also allowed it to be better integrated with the façade.

Due to this 3'-0" shift to the west in the building location, the original Modification #1, Setbacks, *"To reduce the minimum street setback along SW 20th Avenue from 3'-0" to zero"* is no longer needed, as this standard is now met. But, a different Modification #1, Setbacks, has been added. *"To reduce the minimum side setback along the north side property line from 14'-0" to 13'-0" for the first two recessed bays at the east end of the façade."* Refer to Modification #1 below for findings for this Modification.

Finally, the 4th floor deck on the SE corner which originally faced SW Market has been reoriented to face towards SW 20th, and now provides better activation above ground floor for SW 20th, as well as a better aspect for this unit.

These guidelines are therefore met.

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.

C7-1. Reduce the Impact of Residential Unit Garages on Pedestrians. Reduce the impact on pedestrians from cars entering and exiting residential unit garages by locating garage access on alleys, wherever possible, and active spaces on ground floors that abut streets.

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 B1, B1-1, C7-1, C8 and C9: The pedestrian connections are an important feature of the project and the enhancement of this aspect has driven some design element changes since the proposal was submitted. The primary pedestrian route for access to the building is likely coming up SW 20th from the north where it connects to SW Jefferson transit area and downtown beyond. The main street level lobby had been located at the NE corner of the building and provides an accessible entry for visitors.

Pedestrians have been provided with the first priority entrance as the building's lobby is reached prior to the garage entrance. The vehicle garage exit is placed further up the hill, and this separation will create a safe environment for pedestrians and reduce the chances of pedestrian and vehicular conflicts.

Each level of the proposed building is differentiated by windows, overhangs, balconies and materials. A street level lobby has been provided at the building's main pedestrian entrance along SW 20th.

The sidewalk on SW 20th will have a covered area in front of the lobby which can easily accommodate a variety of flexible uses. With this covered area and lighting, the access routes for pedestrians are defined and convenient.

These guidelines are met.

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.

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.

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 Outdoor Lighting at Human Scale. Provide outdoor lighting at a human scale to encourage evening pedestrian activity.

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 for B2, B3, B4, B6, B6-1 and C12: As described above, this triangular site sits between SW Market Street to the southwest, SW 20th Avenue to the east and SW 21st Avenue to the west. The steeply sloping site slopes downward from SW Market Street and the building is designed to accommodate this slope. Sited at the NE corner of the site so as to front SW 20th Avenue, the proposal provides a natural stopping and resting place at the base of the public stairway which connects to SW Market above and to SW Jefferson transit area below. The proposal includes rebuilding the sidewalk and adding planting strips and curb cuts for the vehicular access. The sidewalk extension from SW 20th Avenue to SW Market Street, made of metal railing and many, many stairs, will remain and be unaffected by this development.

A street level lobby has been provided at the building’s main pedestrian entrance along SW 20th. The vehicular entrance and exit from the structure is beyond this lobby and the pedestrian area is differentiated from the vehicular accessway on the site.

Three types of lighting will be used: Soffit-mounted fittings, noted in specification as type L4, are located underneath the canopies, providing illumination for the sidewalk encouraging pedestrian activity at night. Two wall-mounted pillar sconces, noted in specification as type L2, are located on the NE corner of the building at level 2, which will provide wayfaring information and help locate the building at night. And down-lighting, wall-mounted pillar sconces, noted in specification as type L1, are located at the balconies outside each unit to provide local illumination. Exterior lighting has been integrated into the building design while being sensitive to impacts on the skyline at night.

These guidelines are met.

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

Findings for B7: The development provides an accessible entrance at the building’s main entrance along SW 20th, located closest to the SW Jefferson Street transit area and downtown. The proposed lobby connects the Garage Level to the First Floor with an elevator, providing access for all people.

This guideline is 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 for C1: The steepness of the site results in the building being oriented to view the east and northeast of the city skyline and the mountain range beyond. The building has been sited to the northeast corner of the site and set low into the steep hillside so as to protect existing views and view corridors. The multiple balconies and large glazing areas oriented to the east and north will provide opportunities for visual connections to the surrounding area. Additionally, this orientation also enhances and activates SW 20th as a pedestrian link from SW Market above to SW Jefferson transit area below.

Since the first hearing, the 4th floor deck on the SE corner, which originally faced SW Market, has been reoriented to face towards SW 20th, and now provides better activation above the ground level for SW 20th, as well as a better view opportunities for this unit.

This guideline is met.

C1-1. Integrate Parking. Design surface parking and parking garage exteriors to visually integrate with their surroundings. This guideline may be accomplished by any or all of the following:

- a. Designing street facing parking garages to not express the sloping floors of the interior parking;
- b. Designing the sidewalk level of parking structures to accommodate active uses, display windows, public art or other features which enhance the structure’s relationship to pedestrians; or
- c. Accommodating vending booths along sidewalks adjacent to parking facilities when active ground level uses are not possible.

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

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

Findings for C1-1, C4 and C5: The nature of this area of Goose Hollow is a mix of old and new, traditional and modern. The construction of this modern building with traditional colors and design lines will complement this varied context.

This triangular site sits between SW Market Street to the southwest, SW 20th Avenue to the east and SW 21st Avenue to the west. The steeply sloping site slopes downward from SW Market Street and the building is designed to accommodate this slope. Instead of locating the proposal off SW Market at the high side of the site, the building has been located at the NE corner of the site, thereby reducing the impact of the mass of the development on the residential buildings above and across SW Market. This siting also provides an opportunity to enhance the pedestrian qualities of SW 20th.

The east and north faces of the building have large exposures due to the sloped grade, and the design is unified by a large overhanging eave that returns to the ground at either end, framing these two facades. These downhill east and north facing facades are articulated with a warm brick, large glazed openings and metal balconies, reflecting the tree-covered feel of the neighborhood with earth tones and tree-like structure of the balconies. The uphill south and west facades face directly into the slope of the hill and SW Market above, and are metal-clad and solid, with punched windows, expressing the adjacent context.

The solid mass of the building is set into the sloped bank, and opens up to the downhill sides, expressed through the building mass, the eave framing elements, changes in materials, opening sizes, and balcony treatments, and unifies the architecture of the building. Through appropriate siting, massing, and materials, the proposed building enhances this residential section of Goose Hollow.

Since the first hearing, the glazing to the garage doors has been specified as translucent, and the cladding of the vertical fin on the NW corner has been changed from brick to metal to match the eave and fin on the SE corner, therefore the two conditions of approval relating to these elements have been removed.

Although onsite parking is not required with redevelopment of this site, the proposal includes 18 structured parking spaces, located in the partially below-grade ground floor. Access is located beyond the entry lobby, uphill to the south.

Since the first hearing, the ground floor plan has been revised to incorporate a protected egress path from stair 2, and a room has been added to meet long-term bicycle parking requirements. Due to these changes, five of the proposed parking spaces now do not meet required parking standards, 33.266:

- Space 8 is blocking the entrance into the long-term bike parking room;
- Spaces 9 and 17 do not meet the required size of 8'-6" x 16'-0"; and
- Spaces 15, 16, and 17 are stacked parking, for which the standard requires an attendant.

Modification #4 has been added to allow stacked parking spaces without an attendant present, to reduce the size of parking spaces, and to locate a parking space as to obstruct the bike room entry. Refer to the findings below for this modification.

Two spaces are not supportable as shown in the Modification Request. Space 8 blocks access to required bicycle parking and space 17 would require too great of a size reduction. Condition C has been added to not allow parking spaces 8 (adjacent to the bicycle room) and 17 (diagonally cut short by the egress path). With Condition of Approval C and this Modification Request, 16 total vehicle spaces would be approved.

With Condition of Approval C, and Modification #4 to Parking Standards, this guideline is met.

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

Findings for C2: As described above, the material pallet for this development is varied, using brick and flat and profiled metal panels as cladding, aluminum windows and doors, and architectural accents in the form of wide metal clad eaves, and painted metal balconies and railings, materials which can all be of quality and permanence.

However, as discussed at the first hearing, the brick proposed is a slim brick system, and details at the windows and material junctions are critical with this material. Additionally, details of the architectural concrete, the metal panel eave and roof junction, and the goose sign had not yet been provided.

Since the first hearing, further detail information has been provided to more clearly illustrate how the building elements work together, see exhibits C15 through C19. With regard to the edge conditions at the face brick cladding, detail 1A on C15 illustrates a proposed projecting fin of painted break metal which has been added to resolve the typical condition between face brick and the aluminum window wall system.

The design of the balconies and railings has also been refined, and the face-fixed verticals of the railings has been eliminated, refer to details 2C and E on Exhibit C19. Additionally, the cladding of the two vertical elements separating the balconies on the north elevation has been changed from a perforated profiled metal to the "Centria" metal paneling used elsewhere; see details 2 on exhibit C17. These refinements to the design all present cleaner and more elegant solutions.

This guideline is therefore met.

(3) 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:

- 1. Modification of 33.120.220, Setbacks:** To reduce the minimum side setback along the north side property line from 14'-0" to 13'-0" for the first two recessed bays at the east end of the façade.

Purpose: *The building setback regulations serve several purposes: They maintain light, air, separation for fire protection, and access for fire fighting; They reflect the general building scale and placement of multi-dwelling development in the City's neighborhoods; They promote a reasonable physical relationship between residences; They promote options for privacy for neighboring properties; They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity; Setback requirements along transit streets create an environment that is inviting to pedestrians and transit users; and They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.*

Findings for Modification 1:

A. The resulting development, on balance, will be consistent with the purpose of the standard for which a modification is requested. The very steep irregularly shaped site poses challenges to development. Since the first hearing, the entire structure has been setback off SW 20th by 3'-0" creating a more gracious street frontage and entry sequence, and allowing the building to better reflect the general scale of the area.

One effect of this building shift has been the shift of two recessed bays 1'-0" closer to the north property line. The minimum required setback is 14'-0 for building wall planes over 3,400 square feet. These recessed bays will sit 13'-0" from the north property line, making the total wall plane area 4,004 square feet at 13' -0" setback. This is referred to as Surface 4 on Exhibit C14. This is 604 square feet over the 3,400 square feet maximum limit of the standard.

One of the intents of the graduated minimum side setback standards in multi-dwelling zones is to reflect the general building scale and placement of multi-dwelling development in the City's neighborhoods. These two recessed bays sit well within the form of the building, behind decks and bays, so the impact of this modification to the setback here will be minimal. Additionally, these recessed bays within the setback will not impede fire access to the site and

the physical relationship is maintained between the proposed development and the church parking lot to the east. Finally, light, air and views are maintained by stepping back the building walls along the length of the north facade. Open-air balconies modulate the north side, and provide articulate of this elevation.

The proposed modification to the setback planes associated with Surface 4 will allow the building's primary entry along SW 20th to provide a better building access point which responds to the site's topography, which in turn better will better invite pedestrians into the structure and will allow users to have a better level of engagement with the public street and the building's primary access points.

B. The resulting development will better meet the applicable design guidelines. The two recessed bays projecting into the setback are clad with brick and aluminum windows, and fronted with metal balconies. By allowing this modification, the entire structure can be setback off SW 20th, creating a more gracious street frontage and entry sequence. In response to construction constraints of the steep slope of the site, the applicant uses multiple materials, architectural features and covered outdoor decks to create opportunities for engagement and interaction for the public and for resident so that the design guidelines A5 – *Enhance, Embellish and Identify Areas*, A8 – *Contribute to a Vibrant Streetscape* and B1 – *Reinforce and Enhance the Pedestrian System*, are better met for this standard.

This modification therefore merits approval.

- 2. Modification of 33.120.230, Building Length:** To increase the maximum building length from 100' to 146'-9" within 30' of the property line.

Purpose. *The maximum building length standard, along with the height and setback standard, limits the amount of bulk that can be placed close to the street. The standard assures that long building walls close to streets will be broken up into separate buildings. This will provide a feeling of transition from lower density development and help create the desired character of development in these zones.*

Findings for Modification 2:

A. The resulting development, on balance, will be consistent with the purpose of the standard for which a modification is requested. The irregular shape of the lot, as well as the steep slope is the primary reasons for the modification. Nearly the entire building proposal falls outside the 30' foot setback from the SW Market Street property line due to the steep grade and the irregular shape of the site.

The subject wall is located along the site's frontage onto SW Market Street. Currently dimensioned at 146 feet and 9 inches, the wall in question functions as the rear of the proposed building. The proposed building has been oriented to provide primary pedestrian and vehicular access from SW 20th Avenue and the building has been carefully placed into the hillside below Market Street in order to preserve hillside views to the City and River below from SW Market and for residents above.

The modification has been requested due to the topography of the site and the constraints placed on the property due to its frontage onto three public right-of-ways. The proposed design and the requested modification better allow the proposed structure to meet the intent of the design guidelines and to achieve consistency with the purpose of the standard for which the modification is requested.

The purpose of section 33.120.230 is to restrict the amount of bulk that can be placed within 30 feet of a public street. The standard requires longer buildings to be broken up into

separate structures to provide a feeling of transition from lower density development zones as the density transitions into the urban, high density zones. The purpose of this standard is met through the following approach:

- The proposed design minimizes the appearance of length and bulk through the incorporation of an articulated façade along SW Market.
- The building responds to the topography of the site - the majority of the building will be located below the grade of the street.
- As a whole, the proposed structure makes very efficient use of a site, which is constrained by grade and by its proximity to the three surrounding public streets.

B. The resulting development will better meet the applicable design guidelines. The design guidelines better met by the proposal are C1 – *Enhance View Opportunities*, C1-1 *Integrate Parking*, and C7-1 – *Reduce the Impact of Residential Unit Garages on Pedestrian*. As mentioned above, the majority of the building is located outside of the 30’ setback, and the mass of the building is located at the lowest point of the site the NE corner. The design forms a thoughtful composition of building elements that mitigate the building length driven by the steeply sloping site.

This modification therefore merits approval.

- 3. Modification of 33.120.255, Pedestrian Connections:** To provide pedestrian connections to SW 20th Ave and to waive the requirements for pedestrian connections to SW Market and SW 21th Ave.

Purpose. *The pedestrian standards encourage a safe, attractive, and usable pedestrian circulation system in all developments. They ensure a direct pedestrian connection between abutting streets and buildings on the site, and between buildings and other activities within the site. In addition, they provide for connections between adjacent sites, where feasible. The standards promote configurations that minimize conflicts between pedestrians and vehicles. In order to facilitate additional pedestrian oriented space and less impervious surface, the standards also provide opportunities for accessways with low traffic volumes, serving a limited number of residential units, to be designed to accommodate pedestrians and vehicles within the same space when special paving treatments are used to signify their intended use by pedestrians as well as vehicles.*

Findings for Modification 3:

A. The resulting development, on balance, will be consistent with the purpose of the standard for which a modification is requested. As noted above, the steep grade of the site, the triangular shape of the site, and the adjacency of the site to three public right-of-ways are the primary reasons for this modification. It is important to note that the narrow portion of the lot adjacent to SW 21st renders the frontage very difficult to develop or utilize for access.

The pedestrian connections are an important feature of the project. The primary pedestrian route for access to the building is likely coming up SW 20th from the north where it connects to SW Jefferson transit area and downtown beyond. The main street level lobby has been located at the NE corner of the building to address this, and provides a convenient and visible accessible entry for visitors. This entrance also directly links up to SW Market via a well-designed switchback stairway system at the end of SW 20th.

Pedestrians have been provided with the first priority entrance as the building’s lobby is reached prior to the garage entrance. The vehicle garage exit is placed further up the hill, and this separation will create a safe environment for pedestrians and reduce the chances of pedestrian and vehicular conflicts. The connections to SW 20th clearly designate the pedestrian realm separate from the vehicular path.

As a whole, the pedestrian connectivity to this building is well designed given the constraints of the site and will serve the residents and visitors of the building well over time.

B. The resulting development will better meet the applicable design guidelines. The design guidelines better met by the proposal are A5 – *Enhance, Embellish and Identify Areas*, A8 – *Contribute to a Vibrant Streetscape* and B1 – *Reinforce and Enhance the Pedestrian System*. As mentioned above, the mass of the building is located at the lowest point of the site the NE corner. The design forms a thoughtful composition of building elements that mitigate the building mass driven by the steeply sloping site. As a whole, the pedestrian connectivity to this building is well designed given the constraints of the site and will serve the residents and visitors of the building well over time.

This modification therefore merits approval.

4. Modification of 33.266, 33.266.130, Parking Standards, 33.140 Stacked Parking: To allow three stacked parking spaces without an attendant present, to reduce the size of two parking spaces, and to allow a space to obstruct the bike room entry.

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

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

The setback and landscaping standards:

- *Improve and soften the appearance of parking areas;*
- *Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;*
- *Provide flexibility to reduce the visual impacts of small residential parking lots;*
- *Direct traffic in parking areas;*
- *Shade and cool parking areas;*
- *Reduce the amount and rate of stormwater runoff from vehicle areas;*
- *Reduce pollution and temperature of stormwater runoff from vehicle areas; and*
- *Decrease airborne and waterborne pollution.*

Findings for Modification 4:

A. The resulting development, on balance, will be consistent with the purpose of the standard for which a modification is requested. The purpose of the standard is described as ensuring vehicle areas are safe and attractive for motorists and pedestrians. The applicant proposes stacked parking spaces without an attendant present, to reduce the size of parking spaces, and to locate a parking space as to obstruct the bike room entry.

The entrance to the parking garage will be provided by a 20-foot wide driveway at the south end of SW 20th, approximately 350 feet south of SW Jefferson Street. This is a dead-end situation; therefore there will be little on-street traffic in this location. The entrance will include a glazed over-head door located approximately 13 feet from the finished curb line and inset 3 feet from the property line. Loading movements will be forward ingress and egress. The

parking will be striped in conformance with the layout standards and unattended. The garage will be for resident parking, and the garage door will be operated via remote access garage door operation. The door itself will be a high-quality, glazed, overhead garage door.

The standard also describes the need to ensure the appearance of loading areas will be consistent with that of parking areas. The parking area is accessed via a high-quality, glazed, overhead garage door. The overall solution is consistent with the purpose of the parking development and loading standards.

Stacked Parking:

The use and operation of the parking area meets all general regulations of 33.266.100 Motor Vehicle Parking and 33.266.140 Stacked Parking Areas. Additionally, the project meets the standards in 33.266.140 Stacked Parking Areas Criteria (A) and (B).

The applicant proposes three stacked parking spaces without an attendant present. Of these three, one space, number 17, does not meet the minimum size standard, and as noted below, is not supportable for that reason. The other two spaces, numbers 15 and 16, meet the minimum size standards. For these two stacked parking spaces, there is temporary space to pull into to allow transition out of stacked parking spaces, without using the street outside. Because these spaces will be for the residents, there is temporary space to pull into within the parking area, and there is little auto traffic on the street outside; therefore the modification to allow no attendant for these two stacked parking spaces will have no effect on the pedestrian environment on SW 20th.

Reduced Size of Parking Spaces:

The use and operation of the parking area meets all general regulations of 33.266.100 Motor Vehicle Parking and 33.266.130 Parking Standards except spaces 9 and 17, which do not meet the minimum parking space size of 8'-6" x 16'-0".

For space 9, the reduction in length requested is 6" in length, from 16' long to 15'-6" long. Based on the need for residential parking in the area, the variety of car sizes generally, and the overall suitability of the parking area, the small 6" reduction in the length of the space will not have a detrimental effect on the safety or the attractiveness of the vehicle areas.

For space 17, the reduction in length requested is 3'-0", to 13' long. The 3' reduction in length may have a detrimental effect on the safety of the vehicle area, encouraging parked vehicles to protrude into the 20' clear access aisle; therefore the request to reduce this space is not supportable. See Condition C.

Obstruct the bike room entry:

The location of space number 8 obstructs the entry into the bike parking room; therefore the request to locate this space here is not approved. See Condition C.

B. The resulting development will better meet the applicable design guidelines. The design guidelines better met by the proposal are C1-1 *Integrate Parking*, and C7-1 – *Reduce the Impact of Residential Unit Garages on Pedestrian*. As mentioned above, the project employs a variety of measures to enhance pedestrian safety at SW 20th, including a recessed garage entry (approximately 3'), construction of new sidewalk and furnishing zone to city standards, as well as asphalt paving and curbs at the end of SW 20th.

Two spaces are not supportable as shown. Space 8 blocks access to required bicycle parking and space 17 would require too great of a size reduction. Condition C has been added to not allow parking spaces 8 (adjacent to the bicycle room) and 17 (diagonally cut short by the egress path). With Condition of Approval C and this Modification Request, 16 total vehicle spaces would be approved.

With Condition of Approval C, and Modification #4 to Parking Standards, this Modification merits approval.

DEVELOPMENT STANDARDS

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 proposal configures a modest density of development into a challenging, irregularly shaped and steeply sloped lot while still meeting a majority of the required standards, including the minimum density required of the zone. The modifications are a result of the site conditions, and mitigation has been provided to meet the intent of the standards and to better meet the applicable design guidelines.

By siting this development at the lowest point of the site at the north-east corner, its impact on the adjacent neighborhood has been minimized. The design of the building opens up towards the north and the east, the downhill sides, forming a thoughtful composition of building elements that mitigate the building mass driven by the steeply sloping site. This siting also provides the opportunity to enhance the urban and pedestrian qualities of SW 20th. The proposal defines the street frontage, creating a sense of enclosure and activating a previously undeveloped area.

Through appropriate siting, massing, and materials, the proposed building enhances this area. The design is well articulated, coherent, and will fit contextually to this hillside residential section of Goose Hollow.

TENTATIVE STAFF RECOMMENDATION

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

Staff **recommends approval** of this proposed new 16 unit residential development in the Goose Hollow Subdistrict of the Central City Plan District. The proposal includes the following, with Conditions of Approval A – C:

A new five-story residential building, which varies in height from approximately 55 feet to 20 feet due to grade changes. Located on a vacant 16,000 square foot steeply-sloped site, 29,074 square feet of floor area is proposed with one level of partially below grade parking for 16 spaces including one van accessible space, and 16 residential units above. Vehicle and pedestrian access will be from SW 20th Ave. 24 long-term bike spaces will provided on site, and short-term bike spaces requirement will be met by paying into the bicycle parking fund. Exterior finishes include slim brick, flat and profiled metal panels, profiled metal screen, anodized aluminum windows and doors, and painted metal balconies and railings.

Staff **recommends approval** of the following **Modification Reviews** through Design Review:

- **Modification 1 - Minimum Building Setbacks (33.120.220)** To reduce the minimum side setback along the north side property line from 14'-0" to 13'-0" for the first two recessed bays at the east end of the façade.
- **Modification 2 - Building Length (33.120.230)** To increase the maximum building length from 100' to **146' - 9"** within 30' of the property line;
- **Modification 3 - Pedestrian Standards (33.120.255)** To provide pedestrian connections to SW 20th Ave and to waive the requirements for pedestrian connections to SW Market and SW 21th Ave;
- **Modification 4 - Parking Standards (33.266, 33.266.130)** To allow stacked parking spaces without an attendant present, to reduce the size of parking spaces, and to locate a parking space as to obstruct the bike room entry.

Staff recommends the following **Conditions of Approval A-C:**

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.30. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-118576 DZM. No field changes allowed."
- B. The landscaping of the ecoroof to be planted with low plantings and maintained at no higher than 1- ½ feet high.
- C. Although 18 parking spaces are proposed, two parking spaces, labeled as 8 (adjacent to the bicycle room) and 17 (diagonally cut short by the egress path), are not approved, leaving a total of 16 spaces approved.

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Procedural Information. The application for this land use review was submitted on February 11, 2015, and was determined to be complete on May 28, 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 February 11, 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 A3. **Subsequently, the applicant further waived the 120-day review period beyond the full 245-day extension of the 120-day review period, which ended march 4, 2016, as stated with Exhibit A.12. Unless further extended by the applicant, the 120 days will expire on July 2, 2016.**

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.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

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. This Staff Report will be posted on the Bureau of Development Services website. Look at www.portlandonline.com. On the left side of the page use the search box to find Development Services, then click on the Zoning/Land Use section, select Notices and Hearings. Land use review notices are listed by the District Coalition shown at the beginning of this document. You may review the file on this case at the Development Services Building at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201.

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 on hearing or if you testify at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$5,000 will be charged (one-half of the BDS application fee, up to a maximum of \$5,000.00).**

Appeal Fee Waivers: 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 may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

Planner’s Name: Grace Jeffreys

Date: March 14, 2016

EXHIBITS

NOT ATTACHED UNLESS INDICATED

A. Applicant’s Statement:

1. Valuation Calculations
2. 3-4-15 applicant initial submittal
3. 3-17-15 Request for Evidentiary hearing and 120 Day Waiver
4. 5-27-15 Revised submittal
5. 6-30-15 Revised submittal

- 6. 7-2-15 Modification narrative and associated fee
- 7. 7-29-15 Letter regarding FLS meeting
- 8. 8-17-15 Revised drawings
- 9. 9-9-15 Revised drawings
- 10. 10-22-15 Revised narrative

- 11. 10-16-15 Revised drawings and specifications
- 12. 1-15-16 Request for Extension of 120-day Review period with a Continuation Hearing
- 13. 3-2-16 Revised Narrative

B. Zoning Map (attached):

- 1. Existing Zoning

C. Plans & Drawings:

- 1. Title sheet
- 2. Title sheet, page 2
- 3. Site Photos
- 4. Site/ Garage Floor Plan (attached)
- 5. First Floor Plan
- 6. Second Floor Plan
- 7. Third Floor Plan
- 8. Fourth Floor Plan
- 9. Roof Plan
- 10. East & North Elevations (attached)
- 11. West & South Elevations (attached)
- 12. Materials
- 13. Sections
- 14. North Façade Setback Diagrams
- 15. Details
- 16. Details
- 17. Details
- 18. Details
- 19. Details
- 20. Details
- 21. 3-D views
- 22. Daytime & Nighttime Rendering
- 23. Civil Cover
- 24. Civil Extg. & Demo
- 25. Civil Site Plan
- 26. Civil Prelim. Grading
- 27. Civil Utility Plan
- 28. Planting Plan
- 29. Planting Details
- 30. Specification sheets, cladding, glazing, vents & lighting.

D. Notification information:

- 1. Request for response
- 2. Posting letter and notice sent to applicant
- 3. Applicant’s statement certifying posting
- 4. Mailing list
- 5. Mailed notice
- 6. Revised Posting letter and notice sent to applicant
- 7. Revised Applicant’s statement certifying posting
- 8. Revised Mailing list
- 9. Revised Mailed notice

E. Agency Responses:

- 1. Bureau of Environmental Services
- 2. Bureau of Transportation Engineering and Development Review

- 3b. Water Bureau
- 3a. Water Bureau
- 4. Fire Bureau
- 5. Site Development Review Section of Bureau of Development Services
- 6. Bureau of Parks, Forestry Division

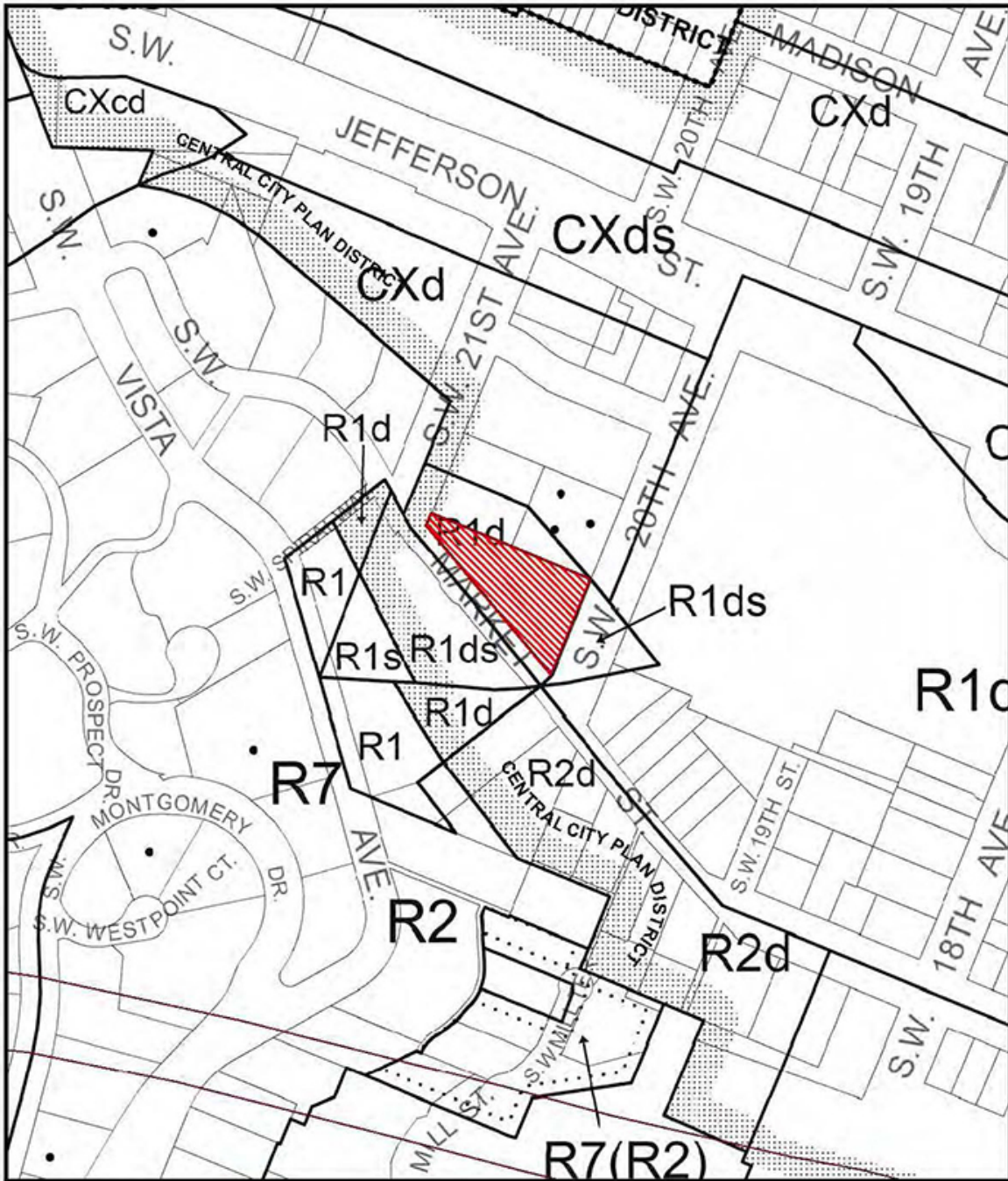
F. Letters:

- 1. Jennifer Bragar of Garvey, Schubert, Barer, June 18, 2015. Letter of support.
- 2. William John Hawkins, III, Architect, FAIA, June 22, 2105. Letter of support stating no objections to proposal submitted.

G. Other:

- 1. Original LUR Application
- 2. Request for Completeness
- 3. Site photos
- 4. Pre-Application Conference, 3/26/14
- 5. EA Summary Memo, 9/5/14
- 6. Incomplete letter, 4/2/16
- 7. Revised fees
- 8. Staff Report, 10/30/15
- 9. Staff memo to the commission, 10/30/15
- 10. Staff presentation at hearing, 11/5/15
- 11. List of testifiers from hearing, 11/5/15
- 12. Photos of SW 20th presented at hearing by Mark Velky, 11/5/15

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).



ZONING

 Site

 Historic Landmark



This site lies within the:
CENTRAL CITY PLAN DISTRICT
GOOSE HOLLOW SUB DISTRICT

File No.	<u>LU 15-118576 DZM</u>
1/4 Section	<u>3127</u>
Scale	<u>1 inch = 150 feet</u>
State_Id	<u>1S1E04BA 6400</u>
Exhibit	<u>B</u> (Jan. 13, 2015)

