



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

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STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION:
DENIAL

CASE FILE: LU 17-109861 DZ
(PC # 16-281887, DAR 15-265477)
1732 NE 2nd Ave

REVIEW BY: Design Commission
WHEN: August 31, 2017, 1:30pm
WHERE: 2020 SW Fourth Ave, Lincoln Room
Portland, OR 97201

Bureau of Development Services Staff: Grace Jeffreys 503-823-7840 /
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Please note this report does not recommend approval. Aspects of the proposal that do not meet the approval criteria are boxed and in underlined text, and a Summary of the Issues and Approval Criteria not met are in the “Conclusions” section.

GENERAL INFORMATION

Applicant: Maria Simon, Works Progress Architecture LLP
811 SE Stark St #210, Portland OR, 97214

Representative: Parker McNulty, ENT Ventures VI, LLC
1825 NW 23rd Ave., Portland OR, 97210

Site Address: **1732 NE 2nd Ave**

Legal Description: BLOCK 244 LOT 1&2, HOLLADAYS ADD; BLOCK 244 LOT 7&8, HOLLADAYS ADD

Tax Account No.: R396217590, R396217650

State ID No.: 1N1E27DD 08600, 1N1E27DD 08700

Quarter Section: 2830

Neighborhood: Eliot, contact Mike Warwick at 503-284-7010.

Business District: North-Northeast Business Assoc, contact at chair@nnebaportland.org

District Coalition: Northeast Coalition of Neighborhoods, contact Jessica Rojas at 503-388-5030.

Plan District: Central City - Lloyd District

Zoning: CXd, Central Commercial with Design overlay

Case Type: DZ, Design Review

Procedure: Type III, with a public hearing before the Design Commission. The decision of the review body can be appealed to City Council.

Proposal:

The applicant seeks **Design Review** approval for a new mixed-use building with below-grade parking on a 20,000 SF, half-block site in the Lloyd Subdistrict of the Central City Plan District, bounded by NE 2nd Avenue, NE Schuyler Street, and NE 3rd Avenue. A 6-story building is proposed with a 9-story option. Following are the primary program components (quantities approximate):

6-story option:

- FAR – Base 4:1; Bonuses up to 3:1 (33.510.210.C); Proposed – 4.32:1 using the residential bonus option (33.510.210.C.1);
- Height – Base 100' (33.510.205); Proposed – 69'-7";
- Gross Square Feet – 105,306 gross SF;
- Floor Area Above Grade – 86,419 SF above grade;
- Number of Units – 78 market rate apartments;
- Retail – 10,083 SF retail;
- Parking – 36 below-grade parking stalls accessed off NE Schuyler;
- Loading – 1 Standard B loading stall (9'Wx18'Lx10'H) at grade in plaza accessed off NE 3rd;
- Amenity – level 6 amenity room and balcony.

9-story option:

- FAR – Base 4:1; Bonus up to 3:1 (33.510.210.C); Proposed – 6.56:1 using the residential bonus option (33.510.210.C.1);
- Height – Base 100' (33.510.205); Proposed – 102'-7" (exceeds maximum allowance);
- Gross Square Feet – 150,119 gross SF;
- Floor Area Above Grade – 131,232 SF above grade;
- Number of Units – 117 market rate apartments;
- Retail – 10,083 SF retail;
- Parking – 36 below-grade parking stalls accessed off NE Schuyler;
- Loading – 2 Standard B loading stall (9'Wx18'Lx10'H) at grade in plaza accessed off NE 3rd and NE 2nd;
- Amenity – level 9 amenity room and balcony.

Exterior materials include white stucco, painted fiber cement, and vinyl windows with dark bronze aluminum clad metal panel accents, and ground level aluminum storefronts with painted metal flashings. Other materials include raw steel plate canopies at ground level entries and perforated metal screen at above-grade balconies.

No modifications or adjustments to standards have been requested.

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:

- Central City Fundamental Design Guidelines
- Special Design Guidelines for the Lloyd District
- 33.420, Design Overlay
- 33.825, Design Review

ANALYSIS

Site and Vicinity: The subject site is a half-block site in the Lloyd District Subdistrict of the Central City Plan District, and is the north half of the block bound by NE Schuyler and NE Broadway Streets, and NE 2nd and NE 3rd Avenues.

The site is comprised of 2 lots and has frontages on three sides along NE Schuyler, NE 2nd, and NE 3rd Avenues. The site and adjacent lots to the east, west, and south are zoned CXd, and north across NE Schuyler the lots are zoned EXd. Existing on the site are two warehouse structures with surface parking. The building abutting the rear lot line is commercial with ground floor windows and surface parking to the west. Across NE Schuyler St is a 1-story commercial building with minimal ground floor windows and surface parking against the street. The adjacent lots to the east and west contain car dealerships with surface parking, and a church also shares the western lot. One block west on NE Schuyler St is active commercial and retail uses.

NE Schuyler, NE 2nd, and NE 3rd are classified as Local Service Streets for all transportation modes in the City's Transportation System Plan. The site is within the Lloyd Pedestrian District and Lloyd special street design district.

At the urban scale of the street grid and city block, the site and immediate vicinity are at the very edge of the Central City Plan District, and therefore are in a critical transitional zone. The area derives character from both the larger commercial context of the Lloyd District to the south, as well as from the more residential context of the Albina Community Plan District directly across NE Schuyler and the Eliot Conservation District a half-block to the north.

The proposed development site is separated from the larger Lloyd District developments, including the Convention and Moda Centers, by the major transit streets of Broadway/Weidler. This coupled with the on/off ramps for the I-5, Interstate, and the Broadway Bridge make this a highly dynamic area at the vehicular scale and somewhat inaccessible at the pedestrian scale from the south. To the north of the site sits the residential neighborhood of Eliot.

Zoning: The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

The Design Overlay Zone [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Central City Plan District implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation Management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the Lloyd District Subdistrict of this plan district.

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

- EA 16-281887 PC: Pre-Application meeting held on January 10, 2017 for a proposed new 9-story residential development with ground floor retail and underground structured parking (Exhibit G.4).
- EA 15-265477 DA: Design Advice Request hearing held on January 28, 2016 for a new larger 9-story residential development with ground floor retail and underground structured parking (Exhibit G.2).

- EA 15-265471 PC: Pre-Application meeting held on January 5, 2016 for a proposed new 6-story residential development with ground floor retail and underground structured parking (Exhibit G.3).

Agency Review: A “Request for Response” was mailed **March 15, 2017**. The following Bureaus have responded with no issues or concerns:

- Water Bureau (Exhibit E.1)
- Fire Bureau (Exhibit E.2)
- Life Safety (Exhibit E.3)
- Urban Forestry (Exhibit E.4)

The **Bureau of Environmental Services** responded with the following comments (Please see Exhibits E-5.a, E-5.b, and E-5.c for additional details):

The previous BES response identified concerns with drywell setback requirements and site contamination.

In regards to the drywell setback requirements, a new code guide was released by BDS plumbing on 6/1/17 and it appears that a plumbing code appeal may no longer be required. Refer to the [BDS Drywell Location Code Guide](#) for additional information and contact BDS plumbing with questions.

The proposed stormwater management system includes drywell(s) located under the proposed building. BES has reviewed the submitted stormwater report and infiltration testing (described in previous BES response) and determined that the proposed facility is an allowable method of stormwater management per the SWMM. The drywells have been sized for the 100-year storm event since a safe escape route was not available.

Note that BES does not review for conformance with the [BDS Drywell Location Code Guide](#). BES recommends that the applicant determine if the conditions of the BDS Code Guide can be met prior to approval of this land use application since changes at permit review could impact the design and layout of the site.

BES Pollution Prevention reviewed the analytical data for suitability of placing a stormwater UIC disposal location at the site. During the review, it was noted the soil samples were taken at a maximum of 10 feet. The UIC depth will be 20 feet below grade. Therefore, there was not analytical data to review at depth of the UICs. The City inquired with DEQ to determine if they needed additional data in order to rule authorize the UIC, and we were told they are still reviewing the application. It is our understanding the applicant would like to move forward without DEQs approval and accepts the risk that if the UIC is not authorized and the stormwater design changes, it could affect the site design, potentially requiring the applicant to go through the City Design Review process again.

Although BES has no specific approval criteria for design review applications, BES reviews projects to ensure that the proposed design can accommodate stormwater management facilities that are approvable under PCC 17.38 and are reflected in the proposed design. Prior to conclusion of the design review application, BES recommends that the applicant confirm with BDS plumbing and DEQ that the above requirements related to setbacks and site contamination can be met at the time of permit review. Confirmation at this time will help avoid potential changes, complications or additional design review following approval of the design review application.

BES has no recommended conditions of approval.

The **Site Development Section of BDS** responded with the following comments (Please see Exhibit E-6 for additional details):

Site Development does not recommend approval until an approved stormwater disposal system is shown.

Geotechnical. To evaluate whether the foundation design of the proposed structure complies with the Oregon Structural Specialty Code, for buildings that are more than 6 stories, at the time of plan review the applicant must submit a geotechnical report and temporary shoring design where below grade excavation will take place adjacent to the public right of way.

If stormwater disposal facilities are to be located under the basement, geotechnical and structural recommendations must be submitted for a plumbing code appeal. See separate BES response.

Stormwater discharge and treatment. The Bureau of Environmental Services will review the project for conformance to the 2016 Stormwater Management Manual. **The location of two drywells under the basement floor does not meet the mandatory setback of the Stormwater Management manual and cannot be approved unless the applicant can show a successful plumbing code appeal has been made.**

BDS Staff response: For a more recent response regarding the BDS plumbing code appeal process for the drywells, refer to BES's response dated August 23, 2017. See E-5c for further details.

The **Bureau of Transportation Engineering** responded with the following comments (Please see Exhibit E-7 for additional details).

PBOT cannot recommend approval until the location off the utility vault in NE 3rd Ave is approved by PBOT's utility review section. If the vault location is approved prior to the Design Commission hearing, PBOT will have no objection to approval.

NOTE: The frontage improvements identified in this report shall be conditions of building permit approval. A bond and contract for the public works permit shall also be a condition of building permit approval.

BDS Staff response: PBOT's response mentions two Type A loading spaces are required; however, for the current 6-story proposal one Type B loading space is required and is proposed, and for the 9-story proposal two Type B loading spaces are required and are proposed.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on June 16, 2017. No response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

Procedural History:

A Design Advice Request (DAR) hearing on January 28, 2016 for a 9-story development for this site. (Exhibit G.2):

At that DAR hearing, the Design Commission was supportive of the overall scale and massing of the proposal, and the activated new alleyway created to the south of the structure. More specific discussion considered the following:

- 1. Height and Massing.** *The commission supports building to the height limit here. The zoning code is a map for our city, and directs how we will achieve our goals of density and livability.*

The commission liked the porosity of the building, but had some questions regarding the scale and functionality of the narrow spaces created at the upper levels.

- 2. Character.** *In these types of transitional areas, relating to context is more about designing a good building for next 50-100 years. The challenge is to make a good residential building that will help define this future neighborhood.*
 - a. Provide better articulation to break down the massing; consider significant projections and/or more diversity in the skin;*
 - b. The vertical elements appear relentless and the percentage of solids to glass appears equal; consider adding more transparency, modulating the rhythm, or shift the massing to break the tie and relentlessness.*
- 3. Pedestrians.** *Be as thoughtful to the streetscape as you are to the alley.*
- 4. Parking.** *Consider carefully the location of mechanical ventilation/louvers for parking in the pedestrian way;*
- 5. Active Frontages.** *Add scale and activity to the lobby.*
- 6. Materials.** *Materials will be key to the reading of the building. Well resolved details of materials will be critical given the extent of its use on the building.*

The application was submitted on January 24, 2017 and the applicant requested the project to be deemed complete on March 10, 2017. A hearing date of May 4, 2017 was scheduled. Since that time, the applicant has requested the hearing to be rescheduled four times:

- On April 6, 2017, the hearing was requested to be rescheduled to June (Exhibit A.4);
- On May 1, 2017, the hearing was requested to be rescheduled to July 6 (Exhibit A.5);
- On June 12, 2017, the hearing was requested to be rescheduled to July 20 (Exhibit A.6); and
- On July 13, 2017, the hearing was requested to be rescheduled to August 31 (Exhibit A.8).

ZONING CODE APPROVAL CRITERIA

(1) DESIGN REVIEW (33.825)

33.825.010 Purpose

Design Review ensures:

- That development conserves and enhances the recognized special design values of a site or area;
- The conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district;
- That certain types of infill development will be compatible with the neighborhood and enhance the area; and
- High design quality of public and private projects.

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 Lloyd District Special Design Guidelines.

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

The Lloyd District is a unique, multi-dimensional neighborhood in the Central City, with special features and assets found nowhere else in Oregon.

With the recent completion of the Oregon Convention Center, the District now serves as the “front door for Oregon and our city.” The District as a whole is emerging as a special area in the state and the region, and the way it is developed will determine its comfort and continued use.

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

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.

Lloyd District Design Goals

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

- Encourage the special distinction and identity of the Lloyd District;
- Integrate the sub-areas of the District for a visual and functional coherence of the whole; and
- Improve the safety, convenience, pleasure, and comfort of pedestrians.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within all 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. Central City and Lloyd District Guidelines are addressed concurrently.

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.

Findings for A1: The project site is nine blocks from the Willamette River, northeast of the Moda Center and Portland Farmers Market. The proposed building orients several architectural and landscape elements towards the river:

- Ground floor retail, a connecting lobby, and a new south plaza all draw pedestrians through the site, connecting the neighborhood to the north down to the commercial and

civic waterfront and greenway to the southwest.

- Ground floor retail activates the block and building overhangs protect pedestrians from weather, creating a stopping place between the neighborhood and the river and the greenway.
- The height of the building provides views back to the river on the south side. To further accentuate the views, the dwelling units on the southwest corner shift to create outdoor spaces creating a connecting gesture towards the Willamette River and downtown.

Although the proposal is not located close to the river, several design features are oriented towards the southwest in response. *This guideline has been met.*

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

Findings for A2: The project celebrates several Portland-related themes:

- A pedestrian focused streetscape is created by active commercial ground-level spaces which address all three street frontages as well as the new south plaza.
- Pedestrian linkages through the block are promoted by the through-floor lobby, ground floor retail, and the landscaped south plaza.
- To connect to Portland's vibrant food culture, the south plaza will host food trucks and vendors and provide outdoor seating, landscaping and lighting, creating a safe, welcome gathering space open to the public.

Several Portland-related themes have been integrated into the development's overall design concept. *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.

Findings for A3: The half-block site is located on a traditional 200-foot block, Holladay's Addition Block 244. The building façade along NE Schuyler Street runs the full width of the block, maintaining the historic 200-foot block proportion. A through-floor lobby from NE Schuyler to the landscaped south plaza promotes additional pedestrian linkages through the block, further enhancing the pedestrian environment. *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.

A5-1. Develop Identifying Features. Encourage the inclusion of features in the design of projects that give projects identity and a sense of place or significance within the District.

C3-1. Design to Enhance Existing Themes in the Broadway/Weidler Corridor. Use special design features which reinforce architectural themes and elements within the Broadway/Weidler Corridor. Look to buildings from throughout the corridor for architectural precedent.

C3-2. Orient Development along the Lloyd District's Eastern Edge toward Adjacent Neighborhoods. Design new projects along the eastern edge of the District so that they relate to the neighborhood through building orientation, building design and opportunities for public access.

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 A4, A5, A5-1, C3-1, C3-2, C4 and C5: The project lies in a transition zone between NE Broadway and the residential areas of the Albina Community Plan District and the Eliot Conservation District to the north. At the ground-level, the retail uses and the south plaza provide much needed urban development and pedestrian connections to a section of the neighborhood dominated by large streets with dense vehicular traffic and vast parking lots from nearby car dealerships. However, above the ground-level, the design is less successful at responding to the transitional nature of its context. Therefore, the findings for these guidelines are grouped in two parts: Part One is for the ground-level and Part Two is for above the ground-level:

Part 1: The ground-level. At the ground-level, the project works to develop a sense of place at the pedestrian level through active ground-level spaces, a pedestrian focused streetscape, and new linkages through the block structure:

- The project ties into the Lloyd District commercial network and Lloyd Center Shopping Mall through ground floor retail. This activated ground floor program will be further enhanced by food trucks, carts, and vendors hosted in the south plaza, connecting to Portland’s larger network of casual, outdoor eateries.
- The connection between the public and the building through the new south plaza will create a distinct link at the pedestrian scale, separating this project from others in the neighborhood that do not offer such a connection to the public.
- The surrounding context is dominated by car lots and small commercial structures and warehouses to the south and residential single family to the north. The applicant indicates that the building speaks toward the convergence of the residential neighborhood to the north and the commercial area to the south. The development caters to both uses and providing an avenue for some of the pedestrian traffic in the neighborhood to the north to make its way into an area. There are several retail establishments in the area and the addition of this proposed development’s ground floor retail will help capture some of that pedestrian traffic. Like many of the buildings in the Broadway/Weidler Corridor, the design promotes retail along the ground floor with large picture windows to encourage pedestrian use of the neighborhood.
- The creation of the south plaza extends the ideas discussed in the Public Right-of-Way Design Criteria onto the property itself. The incorporation of landscaping, public seating, and pedestrian circulation has all been addressed in the plaza itself.

The use of ground level active spaces, pedestrian scaled features, and the landscaped south plaza help enhance the area and create the desired sense of place within the project.

At the ground-level, these guidelines have been met.

Part 2: Above the ground-level. Above the ground-level, the proposal addresses this transitional location as follows:

- The proposals are of a similar height and color palate to others in the corridor. At the Design Advice Request (DAR) hearing held on January 28, 2016, the Design Commission supported building to the height limit in this location and considered the 9-story proposal at that time at a scale that is appropriate and in keeping with the expected further growth in that neighborhood. However, the 9-story option, at 102'-7", exceeds the height allowance in the Portland Zoning Code standards, and therefore is not approvable, nor does it provide the stepped transition intended by the zoning code at this location

(Refer to Exhibit G.2).

- Though the site is along the northwest edge of the District, the applicant indicates the project orients itself towards the neighborhood and serves as a transition between the single-family homes to the north and the busier commercial Broadway/Weidler Corridor to the south. However, given the large scale of the proposal and the overbearing repetition of the window pattern, as noted at the DAR, further articulation is needed to the overall massing of the building, such as more residential balconies or larger glazing areas to better respond to the transitional nature of the location.
- The design's use of modular units in the design will give a unique identity to the project. The upper floors in some locations push and pull to create a smaller, residential sense of scale for the dwelling units, and provide views of the city and generous outdoor space. However, given the transitional nature of the location and the large scale of the proposal, further articulation is needed to the overall massing of the building as noted at the DAR, such as further pushing and pulling, or, as mentioned above, more residential balconies or larger glazing areas, to better respond to the transitional nature of the location.
- The applicant states that the project's form ties to the common warehouse building type that has become emblematic of Portland's eastside. However, given this project is located at the north end of the Lloyd District and at the edge of the Albina Community Plan District rather than in the Central Eastside, a more residential treatment rather than the warehouse typology may be a more appropriate response.
- The applicant indicates that the building uses a limited palette of exterior materials to reinforce the design concept. The disparate elements of a building's function, such as doors and lighting are designed to incorporate with the base pallet.

Above the pedestrian level, due to concerns with articulation of the massing, these guidelines have not yet been met.

A5-2. Accommodate or Incorporate Underground Utility Service. Accommodate or incorporate underground utility service to development projects.

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 A5-2 and C10: The transformer vault and the generator will be located underground, with access through the public ROW. This will reduce any noise pollution and visual intrusion at the ground level and create easy access. The transformer vault will encroach beyond the east property line, below the sidewalk. The sidewalk paving will integrate the vault into the paving pattern to make it as visually unobtrusive as possible.

These guidelines have been met.

A5-3. Incorporate Works of Art. Incorporate works of art into development projects.

A5-5. Use Public Right-of-Way Design Criteria Established for the Lloyd District. Use the public right-of-way design criteria as established and administered by the City Engineer especially for the Lloyd District from the adopted Lloyd District Transportation Capital Improvements – District-Wide Design Criteria.

A5-6. Incorporate Landscaping as an Integral Element of Design. Incorporate landscaping as an integral element of design which is supportive of both the built and natural environment.

Findings for A5-3, A5-5 and A5-6: These criteria for the ground level exterior works are met in the following ways:

- Although not exactly a "Work of Art", the new publicly accessible landscaped plaza to the south provides public benefit as an accessible, activated gathering space. Additionally,

the plaza offers areas for local artists to do outdoor exhibitions in the future and leaves additional opportunities for more permanent installations.

- The Public Right-of-Way Design Criteria are addressed on the three street frontages, and are enhanced by extending these into the property itself through the creation of the south plaza.
- Landscaping is incorporated as an integral element of design. Street trees will be planted along the three street frontages as well as in the south plaza. Planters in the plaza further incorporate landscaping into the design of the project.

The street frontages and the south plaza will provide much needed urban development and pedestrian connections to the area. *These guidelines have been met.*

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.

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.

Findings for A7, A8 and C7: The proposal addresses these guidelines related to creating a sense of place as follows:

- The project provides strong and continuous street facing façades of NE Schuyler Street, NE 2nd Avenue, and NE 3rd Avenue, except for the openings into the new south plaza.
- The proposed south plaza provides a unique opportunity inspired by a commonly unused urban space. Bordered by the proposed building to the north and an existing building and parking lot to the south, the plaza is formed in the usually vacant mid-block space. Safety is provided through the highly-glazed retail spaces at the ground level and the residential unit windows above, as well as a scattering of balconies that line the plaza, all providing eyes into the open public space.
- The extensive ground floor windows visually and physically connect the interior spaces of the building with activities on the sidewalk, and are intended to promote quality, long term retailer and restaurants along the three frontages and the new plaza.
- The ground floor retail and pass through residential entry lobby add pedestrian scale and vitality to the street and the plaza. The large lobby entry serves as an organizational element for balancing the breaks along the facade. The lobby entrance is emphasized in this composition. The almost continuous active ground floor pulls the pedestrian around all sides of the building and through the south plaza. Additionally, all “back-of-house” program has been condensed to the southeast corner of the property, off the street frontage, to allow for an almost uninterrupted glass frontage along all three street facades.
- All four corners provide active, ground floor retail areas. Additionally, each of the proposed developments' corners vary in form, creating not only visual interest, but also guiding the eye around the building. This encourages the occupant to engage with all sides of the building and helps direct the occupant to the retail spaces, as well as the south plaza area.

The proposal creates a sense of urban enclosure, the streetscape is enhanced, and the corners encourage active intersections with retail uses and entries. *These guidelines have been met.*

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

A9-1. Provide a Distinct Sense of Entry and Exit. Design and develop gateways into and within the Lloyd District that are appropriate and relate to the District’s and sub-District’s emerging characteristics.

Findings for A9 & A9-1: The site is not located at a gateway location; however, the site is located at a junction point between a high traffic commercial district and a quiet residential neighborhood, along a commercial corridor with retail and industrial uses. The project use and scale of ground floor retail, and the residential apartments above, reinforce the themes of the retail/residential in the district, and help bridge the gap between these high traffic commercial and residential neighborhoods.

Located on a secondary street off Broadway, the project serves as a transition between the quiet residential neighborhood to the north and the nearby busy Broadway/Weidler Corridor which is a gateway into the center of the Lloyd District. The allowed heights along Broadway are 100’; the 6-story option, at 69’-7”, serves to reinforce the height transition from the residential zone to the north to the commercial corridor. However, as noted above, the 9-story proposal exceeds the allowable height limit of 100’.

These guidelines have been met for the 6-story option.

Due to the proposed height exceeding the Zoning Code standard, these guidelines and the Zoning Code standards have not yet been met for the 9-story option.

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.

B3. Bridge Pedestrian Obstacles. Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.

B3-1. Provide Pedestrian Crossings Spaced at Traditional One-Block Intervals. Provide and design for pedestrian crossings spaced at traditional one-block intervals where deemed safe and appropriate by the City Engineer.

Findings for B1, B3 and B3-1: The project enhances pedestrian access through active ground-level uses and provides a choice of pedestrian connections with a new mid-block plaza to the south:

- Retail space at the ground level engages the pedestrian with the building while new street trees define the furnishing zone and clearly mark the pedestrian thruway.
- NE Schuyler, NE 2nd, and NE 3rd, which front the site, are secondary streets off busier streets such as NE Broadway and NE MLK. These frontages are enhanced with active retail spaces.
- The site is located on a traditional 200’ Portland block which provides the typical pedestrian connectivity at one-block intervals. The new south plaza offers an additional, more protected, mid-block route for the pedestrian to travel between NE 2nd and 3rd Avenues, and the through lobby connects the plaza to NE Schuyler.

The proposal enriches and enhances the pedestrian system. *These guidelines have been met.*

B1-1. Protect Pedestrian Areas from Mechanical Exhaust. Incorporate mechanical exhausting systems in a manner that does not detract from the quality of the pedestrian environment.

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.

C1-1. Integrate Parking. Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

Findings for B1-1, B2 and C1-1: The proposal protects the pedestrian environment as follows:

- Exhausting assemblies are located on the roof, well away from the ground level frontages and areas of pedestrian access.
- Street trees will be planted along NE 2nd, NE Schuyler, and NE 3rd to provide a barrier between the pedestrian movement zone and the curb. Additional street parking will also serve as a barrier between the pedestrian and vehicular traffic.
- The parking structure for the building is located underground so as not to impede into the pedestrian realm. The garage entrance and exit is consolidated and located on NE Schuyler, and the remaining façades along NE Schuyler include active retail and lobby spaces, providing an interesting and active pedestrian area.
- Potential air intake for the below-grade generator is located on-site, at-grade, within the south plaza.
- However, the locations for the retail exhaust, generator exhaust, and mechanical ventilation for the below-grade parking have not yet been identified. These should be integrated into the design and located away from the public realm. As noted at the DAR hearing, the location of the mechanical exhausts should be carefully considered.

By locating exhaust assemblies on the roof, providing street trees, and locating parking below-grade, the proposal protects the pedestrian environment. Further information is needed to assess complete compliance with these guidelines.

Due to the lack of information regarding some of the exhaust systems, these guidelines have not yet been met.

B1-2. Incorporate Additional Lighting. Incorporate project lighting in a manner that reinforces the pedestrian environment and which provides design continuity to an area by enhancing the drama and presence of architectural features.

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 B1-2 and C12: The proposal provides new external lighting as follows:

- The retail entrances on the ground floor are recessed from the main pedestrian walkways and will include canopy lighting in the form of exterior grade linear lighting fixtures and recessed LED down lighters in soffits to highlight and enhance entry ways. Spill out of interior light from the open retail will add to this.
- The applicant indicates that the south plaza will be lighted to encourage pedestrian use at night. However, while drawing C6 on page 17 indicates three types of exterior lighting,

no locations for these fixtures are shown. Once locations are indicated, this aspect of the proposal can be assessed against the guidelines.

Much of the pedestrian lighting will come from the spill out of interior light from the open retail, which is enhanced by entry lighting. Further information is needed to assess complete compliance with these guidelines.

Due to the lack of information regarding the plaza lighting, these guidelines have not yet been met.

B1-3. Design Projects to Attract Pedestrians to the Broadway/Weidler Corridor. Incorporate design features in new projects or building renovation which attract pedestrians and encourage their safe and enjoyable movement throughout the Broadway/ Weidler Corridor and which support the corridor as a neighborhood retail area.

B3-2 Improve Pedestrian Crossings on N.E. Broadway. Provide pedestrian crossing amenities along N.E. Broadway that improve pedestrian safety and convenience.

Findings for B1-3 and B3-2: While the project is not on NE Broadway, the site is only a block away from the busy traffic, streetcar, and bicycle lanes on NE Broadway and NE Weidler. The existing neighborhood currently hosts many car dealerships, surface parking, and low-scaled commercial and industrial buildings. The new design brings new urban retail spaces and connects the residential neighborhood to NE Broadway. Along the new mid-block south plaza, additional retail and commercial opportunities are provided. These active ground floor uses proposed coupled with the south plaza will link the project to the greater Broadway/Weidler Corridor and the residential areas to the north. *These guidelines have been met.*

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.

B5. Make Plazas, Parks and Open Space Successful. Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.

C6. Develop Transitions between Buildings and Public Spaces. Develop transitions between private development and public open space. Use site design features such as movement zones, landscape elements, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

Findings for B4, B5 and C6: The entrances to the retail spaces and main lobby along NE Schuyler are recessed back to create a transition between the public thoroughfare and the privately-owned shops. The south plaza also serves as a semi-public transition space between the public sidewalk and the semi-private first floor entry.

The south plaza is intended to be a publicly accessible space. Integrated planters and benches are designed into the south plaza to encourage people to stop and stay. The building offers a pass-through lobby that connects the south plaza to NE Schuyler. Also, the retail spaces connect directly to the south plaza, which encourages outdoor activity. *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.

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

Findings for B6 and B6-1: Along the three street frontages, building entries are recessed, with a large recess occurring at the main lobby entrance. Above the smaller entries at the retail units, canopies have been added to provide further identification and weather protection. Along the south plaza, large overhangs provide cover for the entrances to the retail spaces. *These guidelines have been met.*

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

Findings for B7: The proposed design is fully ADA accessible. Vertical circulation via elevators provides barrier free route from below grade to above grade areas. *This guideline has been 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.

C2-1. Maximize View Opportunities. Maximize view opportunities.

Findings for C1 and C2-1: The ground floor retail, which opens to NE Schuyler and the south plaza, invites pedestrians in and allows them to see easily into the space. The upper floors provide view opportunities to the neighborhood to the north and to the busier commercial district along NE Broadway and the plaza to the south.

Eleven recessed individual unit balconies, located along the north and south facades, will provide increased views into the greater Lloyd District for some residents. As noted elsewhere for different reasons, additional balconies could be added to provide additional view opportunities. A slightly larger balcony at the 6th floor common rooms will provide all residents views to the central city and the mountains beyond. The 9-story option provides an increased visual connection to and from the building enhancing the view opportunities. *These guidelines have been met.*

C1-2. Integrate Signs. Carefully place signs and sign supports on and for buildings to integrate with the scale, color and articulation of the building design. Avoid large, excessively illuminated or freestanding signs that contribute to visual clutter.

Demonstrate how signage is one of the design elements of a new or rehabilitation project and has been coordinated by the project designer/architect. Submit a master signage program as a part of every Design Review application.

Incorporate signage that compliments and supports the pedestrian scale and use of the Broadway/Weidler Corridor and Holladay Street. While recognizing the dimensional provisions in the Code, size and scale of signs should be moderated in these pedestrian-oriented areas.

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 for C1-2 & C13: No signage is proposed now. Any signs over 32 SF will be reviewed through Design Review. *These guidelines are not applicable.*

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

C10-1. Use Masonry Materials. Except for window glazing, use masonry types of materials as the predominant exterior material for building walls. Use modular stone or masonry materials on the building base or first floor of buildings whenever possible.

C10-2. Design Exterior Building Walls that are Transparent in Glazed areas and Sculptural in

Surface. Design exterior building walls that are transparent or translucent in the glazed areas and which are textural, sculptural and articulated in surface character.

C10-3. Use Light Colors. The use of light color values is preferred for the predominant exterior building materials. Darker value materials should be used to accent or articulate the design.

Findings for C2, C10-1, C10-2, and C10-3: Most the proposed development will be clad in light-colored stucco with white vinyl window assemblies and dark painted, fiber-cement panel highlights. At the ground level, most the cladding is aluminum storefront window assemblies with Aluminum Clad Metal (ACM) panels and raw steel accents.

Some aspects of the proposal meet the guidelines:

- The dominant cladding material at upper floors will be cementitious stucco in keeping with clean lines of much of the adjacent cladding materials found in the subdistrict.
- The ground floor material is predominately glazing. The applicant advises that the first floor is designed to be an open framework that allows the spaces to be more flexible in nature and conform to the owner’s changing demands over time. The glazing on the ground floor is transparent to allow the pedestrian to easily see into the retail spaces.
- The building design is predominately a white material that is accented by a darker color at the major design moves.

However, many other aspects of the proposal do not yet meet the guidelines:

- The elevations do not call out all exterior materials, so it is unclear what some of the materials are intended to be.
- Elevations, details, and specifications do not align and cross refer, so it is unclear what is exactly intended.
- The applicant indicates that where the upper building cladding material touches the ground, it will be clad in a durable, yet easily repairable material to meet the demand exerted upon it while being low maintenance. It is unclear where this occurs and what this material is.
- Per the specification sheets provided, the upper five floors are clad in two coat stucco. Generally, a three-coat stucco system is considered a minimum to meet durability expectations.
- The proposed stucco is not traditional cementitious stucco applied over a concrete masonry base; therefore, it is not considered the preferred “masonry” material.
- Modular stone or masonry materials are not used on the building base or first floor of buildings as preferred.
- The design’s use of modular units pushed and pulled in the design has the potential to give a sculptural and articulated character to the development. However, given the large scale of the proposal, further articulation is needed to articulate the sculptural nature of the design.
- Other additional detail and specification information needed include the following: joint locations in stucco, location of spandrels, depth of punch at fiber cement panels, finish of perforated screens at balconies, type of material of MP-1, and soffit materials.

Further information is needed to assess complete compliance with these guidelines.

Due to the lack of consistent information regarding the materials and lack of the use of modular masonry at the ground level, these guidelines have not yet been met.

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 C8 and C9: The pedestrian level of the proposal has been carefully considered and has an inviting ground floor that provides a human scale for the pedestrian:

- The sidewalk level of the building is differentiated from the upper parts of the building in program, materiality and form. Most of the ground level is programmed with active uses in the form of retail and lobby spaces. This level is highly glazed with dark storefront systems framed with a dark metal cladding material, and provides a much greater degree of transparency between the interior and exterior than the upper levels. The ground level is also set back 4 feet from the property line along NE Schuyler, providing extra pedestrian space and protection, as well as accentuating the differentiation of the ground floor.
- The retail spaces on the ground floor are designed to be a variety of sizes to accommodate large or small shops as well as restaurants, coffee shops, or bars. The adjacent south plaza also serves to accommodate these future retail spaces.

The sidewalk-level has been differentiated and the spaces have been designed to accommodate a variety of active uses. *These guidelines have been met.*

C11. Integrate Roofs and Use Rooftops. Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective storm water management tools.

Findings for C11: The rooftop design is integrated in several ways:

- Although the rooftop is not proposed to be inhabited, there are some balconies throughout the project that will provide views for residents to downtown and the Lloyd District.
- The rooftop will mainly be used for mechanical equipment, and mechanical for the units are proposed to rise to the roof to avoid the need for penetration of the facades.
- No screens are proposed to hide the mechanical equipment; however, the drawings indicate minimum of 15 foot setbacks from street facing parapets.
- However, although some mechanical specifications have been provided, no cross referencing has been added to the drawings to indicate where these elements might be located on the roof tops and what the overall size and height of these will be. Without this information, compliance with the guidelines (and the standards) cannot be assessed.
- Other additional detail and specification information needed includes the location of the external Daiken units included in the specification.

Due to the lack of information regarding the mechanical proposal, this guideline has not yet been met.

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.

At the pedestrian level, the project works to develop a sense of place through active ground-level uses, a pedestrian focused streetscape, and a new plaza to the south creating new linkages through the block structure. Design Review Staff does **not yet recommend approval** due to concerns with the proposal not meeting the applicable design guidelines, the *Central City Fundamental Design Guidelines* and the *Special Design Guidelines for the Lloyd District*, especially the following:

- A4. Use Unifying Elements.
- A5. Enhance, Embellish, and Identify Areas.
- A5-1. Develop Identifying Features.
- C3-1. Design to Enhance Existing Themes in the Broadway/Weidler Corridor.
- C3-2. Orient Development along the Lloyd District's Eastern Edge toward Adjacent Neighborhoods.
- C4. Complement the Context of Existing Buildings.
- C5. Design for Coherency.
Above the pedestrian level, due to concerns with articulation of the massing, these guidelines have not yet been met.
- A9. Strengthen Gateways. Develop and/or strengthen gateway locations.
- A9-1. Provide a Distinct Sense of Entry and Exit.
Due to the proposed height exceeding the Zoning Code standard, these guidelines have not yet been met for the 9-story option.
- B1-1. Protect Pedestrian Areas from Mechanical Exhaust.
- B2. Protect the Pedestrian.
- C1-1. Integrate Parking.
Due to the lack of information regarding some of the exhaust systems, these guidelines have not yet been met.
- B1-2. Incorporate Additional Lighting.
- C12. Integrate Exterior Lighting.
Due to the lack of information regarding the plaza lighting, these guidelines have not yet been met.
- C2. Promote Quality and Permanence in Development.
- C10-1. Use Masonry Materials.
- C10-2. Design Exterior Building Walls that are Transparent in Glazed areas and Sculptural in Surface.
- C10-3. Use Light Colors.
Due to the lack of consistent information regarding the materials and lack of modular masonry at the ground level, these guidelines have not yet been met.
- C11. Integrate Roofs and Use Rooftops.
Due to the lack of information regarding rooftop mechanical, this guideline has not yet been met.

TENTATIVE STAFF RECOMMENDATION

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

Denial.

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Procedural Information. The application for this land use review was submitted on January 24, 2017, and was determined to be complete on March 10, 2017.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on January 24, 2017.

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 A.2.

Some of the information contained in this report was provided by the applicant. As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the recommendation of the Bureau of Development Services with input from other City and public agencies.

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 \$5,000.00 will be charged.**

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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded two weeks after the decision is mailed by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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

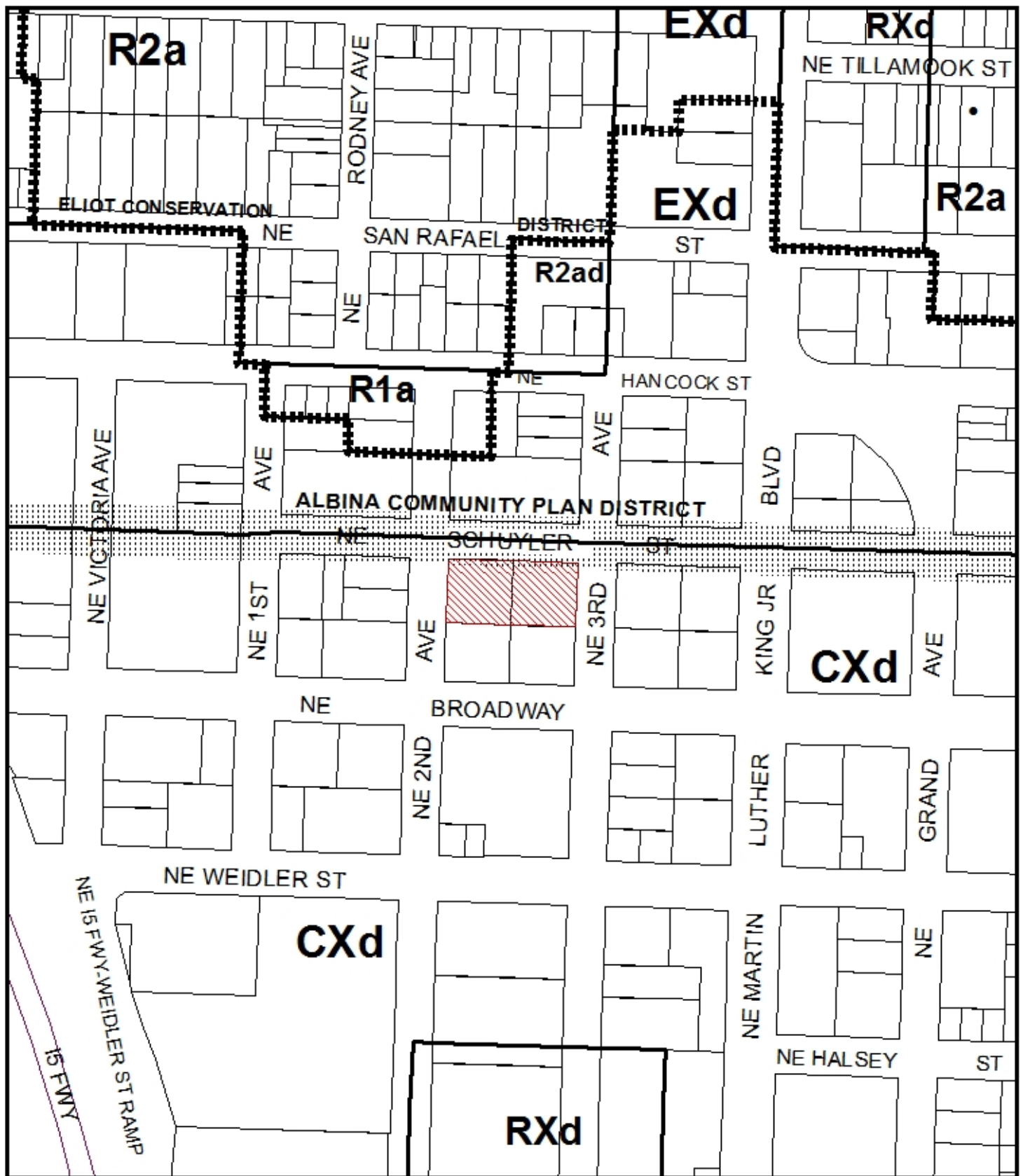
Date: August 25, 2017

EXHIBITS - NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement:
1. Initial Submittal narrative, cutsheets and drawings
 2. Request for an Evidentiary Hearing and 120-day Waiver, February 2, 2017
 3. Incomplete response, revised narrative and drawings, March 10, 2017
 4. Request to reschedule hearing from May 4, 2017 to June 1, 2017
 5. Request to reschedule hearing from June 1 to July 6, 2107
 6. Request to reschedule hearing from July 6 to July 20, 2107
 7. Revised narrative, cutsheets, and drawings, June 30, 2017
 8. Request to reschedule hearing from July 20 to August 31, 2017
 9. Revised narrative, cutsheets, and drawings, August 4, 2017
- B. Zoning Map (attached):
1. Zoning map
- C. Plans & Drawings:
1. Pages 1-4. PROJECT AND SITE - SUMMARY
 2. Pages 5-8. PROJECT AND SITE - VICINITY & CONTEXT
 3. Pages 9-10. PROJECT AND SITE - SITE PLANS (Exhibit C.3, page 10 attached)
 4. Pages 11-12. DESIGN CONCEPT - MASSING
 5. Pages 13-14. SITE DRAWINGS - CIVIL
 6. Pages 15-17. SITE DRAWINGS - LANDSCAPE
 7. Pages 18-20. BUILDING DRAWINGS - DIAGRAMS
 8. Pages 21-29. BUILDING DRAWINGS - FLOOR PLANS, EXTERIOR LIGHTING PLAN P.25
 9. Pages 30-33. BUILDING DRAWINGS - ELEVATIONS (Exhibits C.9, pages 30-32 attached)
 10. Pages 34-37. BUILDING DRAWINGS - SECTIONS
 11. Pages 38-41. PERSPECTIVES AND DETAILS - DETAILS & MATERIALS
 12. Pages 42-50. PERSPECTIVES AND DETAILS - RENDERINGS
 13. Pages 51-67. PERSPECTIVES AND DETAILS - EXTERIOR DETAILING
 14. Pages App.1-14. APPENDIX; 9-STORY OPTION (Exhibits APP, pages 30-32 attached)
 15. Pages 18-54. Product Cut Sheets
- 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. Mailing list
 6. Mailed notice
 7. 2nd Posting letter sent to applicant, notice to be posted, and Applicant's statement certifying posting
 8. 3rd Posting letter sent to applicant, notice to be posted, and Applicant's statement certifying posting
 9. 4th Posting letter sent to applicant, notice to be posted, and Applicant's statement certifying posting
 10. 2nd Mailing list
 11. 2nd Mailed notice
- E. Agency Responses:
1. Water Bureau

2. Fire Bureau
 3. Life Safety Review Section of Bureau of Development Services
 4. Bureau of Parks, Forestry Division
 - 5a. Bureau of Environmental Services
 - 5b. Bureau of Environmental Services, addendum
 - 5c. Bureau of Environmental Services addendum
 - 6a. Site Development Review Section of Bureau of Development Services
 - 6b. Site Development Review Section of Bureau of Development Services
 7. Bureau of Transportation Engineering and Development Review
- F. Letters: none received.
- G. Other:
1. Original LUR Application
 2. Summary Memo for Design Advice Request hearing held on January 28, 2016
 3. Summary Memo for Pre-Application Conference held on January 5, 2016
 4. Summary Memo for Pre-Application Conference held on January 10, 2017
 5. Request for Comment and PBOT and BES comments, January 31, 2017
 6. Incomplete letter, February 14, 2017
 7. PBOT Design Exception Approval for garage door/security gate locations, TR 17-185878.
 8. PBOT Public Works Submittal sheet, February 10, 2016.
 9. Staff email with concerns, March 21, 2017
 10. Staff email with submittal requirements, June 9, 2017

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).



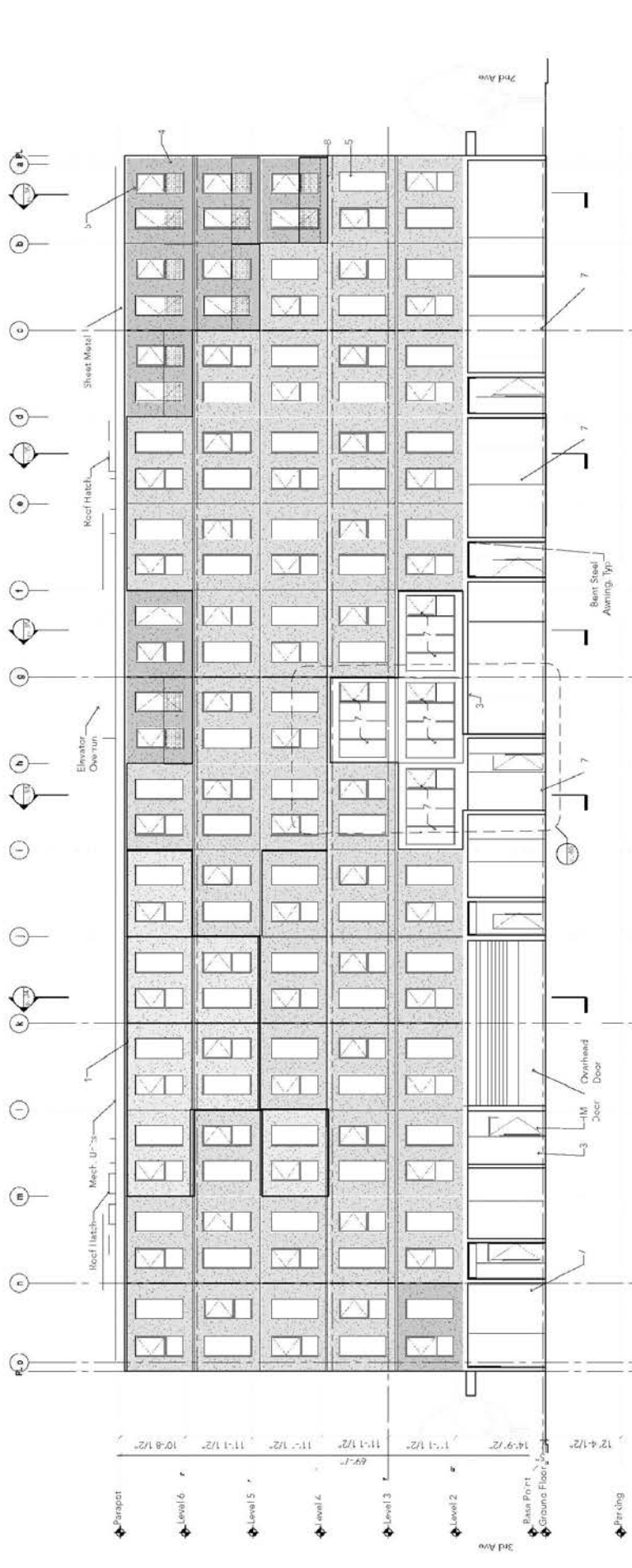
ZONING



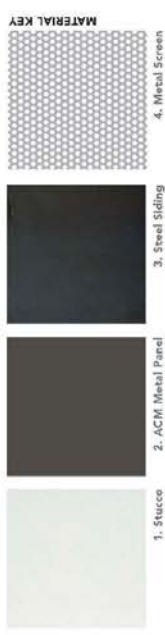
This site lies within the:
 CENTRAL CITY PLAN DISTRICT
 LLOYD DISTRICT SUB DISTRICT

- Site
- Historic Landmark

File No.	<u>LU 17-109861 DZ</u>
1/4 Section	<u>2830</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E27DD 8600</u>
Exhibit	<u>B</u> (Jan 29, 2017)



1/16" = 1'0"



MATERIAL KEY

- 1. Stucco, White
- 2. ACM Metal Panel, Dark Bronze
- 3. Bent Steel Panel
- 4. Perforated Metal Screen
- 5. Vinyl Window Assembly
- 6. Overhead Door
- 7. Stoneport Window Assembly
- 8. Bent Metal, Dark Bronze
- 9. Hardie Panel, Dark Bronze

C.9 BUILDING ELEVATIONS

NORTH ELEVATION

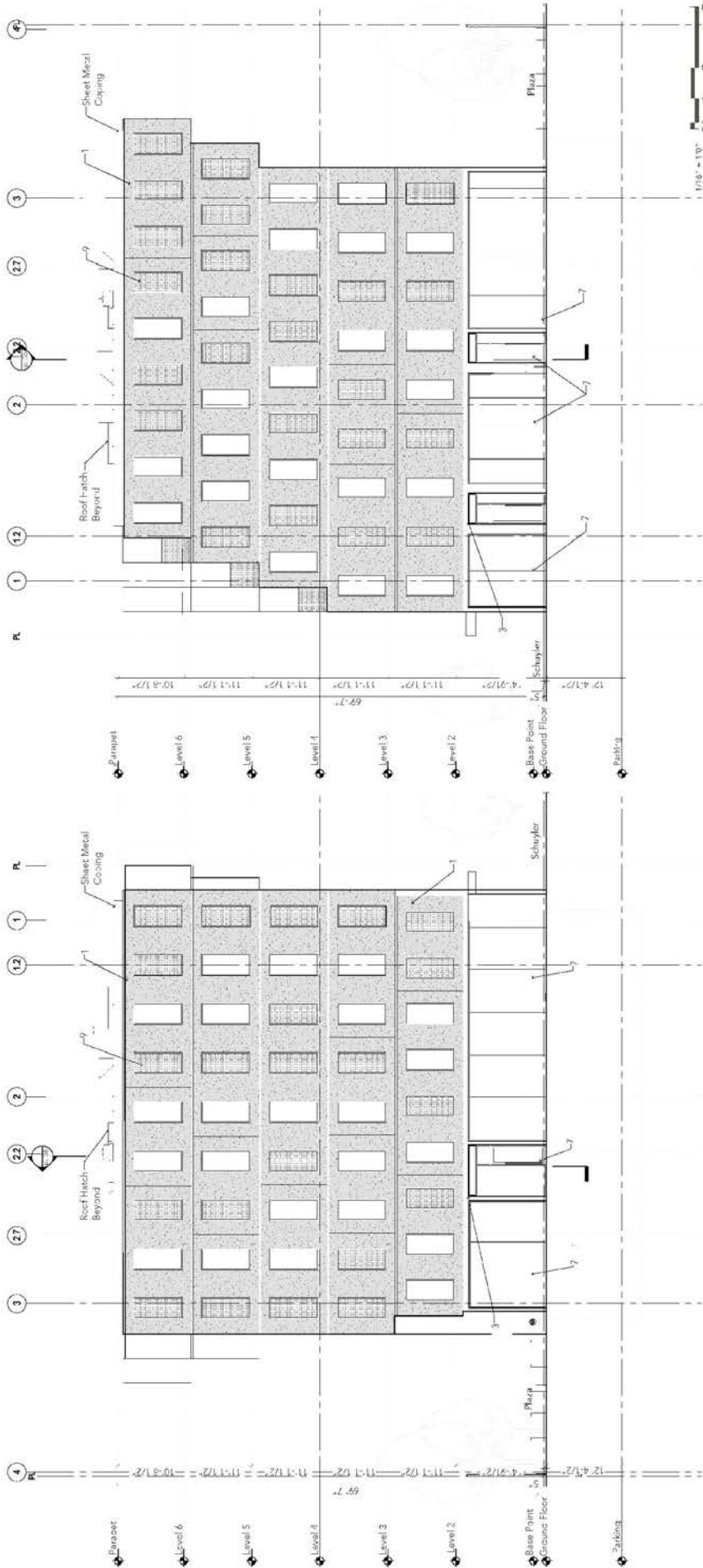


- 1. Stucco
- 2. ACM Metal Panel
- 3. Steel Siding
- 4. Metal Screen

- MATERIAL KEY**
- 1. Stucco, White
 - 2. ACM Metal Panel, Dark Bronze
 - 3. Raw Steel Panel
 - 4. Perforated Mca. Screen
 - 5. Vinyl Window Assembly
 - 6. Overhead Door
 - 7. Stone/roft Window Assembly
 - 8. Break Metal, Dark Bronze
 - 9. Hardie Panel, Dark Bronze

C.9 BUILDING ELEVATIONS

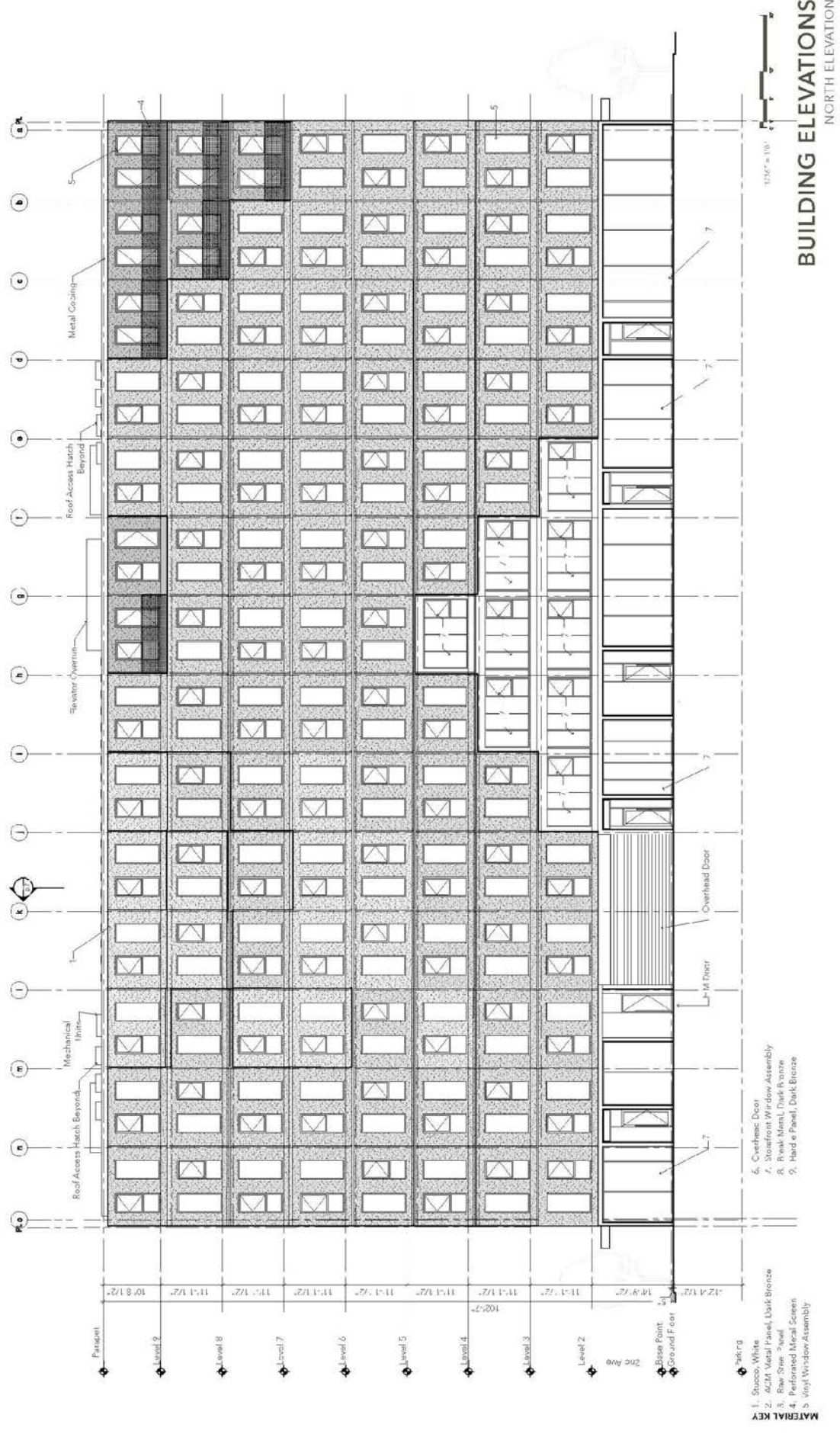
SOUTH ELEVATION



- MATERIAL KEY**
- 1. Stucco
 - 2. ACMF Metal Panel
 - 3. Steel Siding
 - 4. Metal Screen

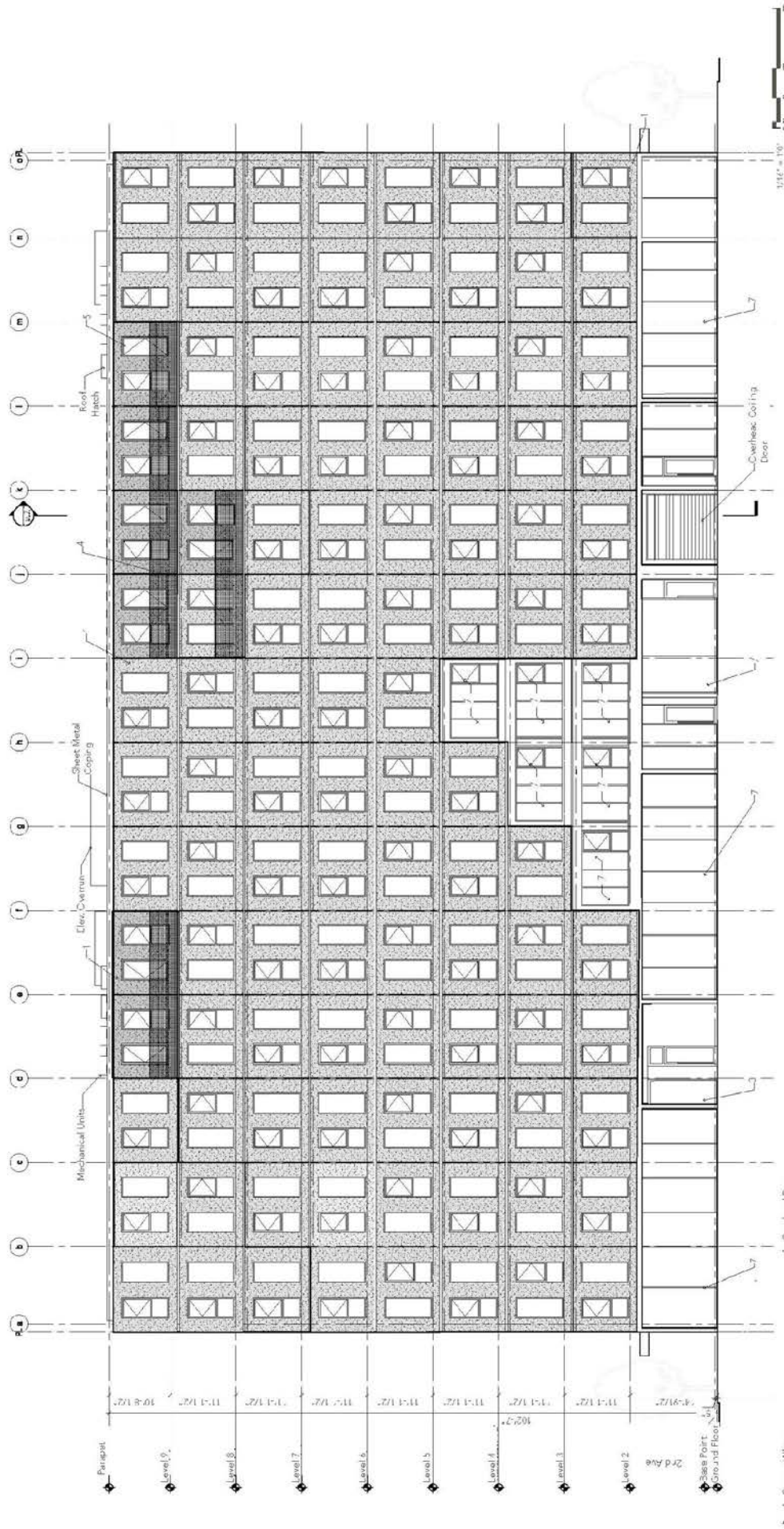
C.9 BUILDING ELEVATIONS
EAST + WEST ELEVATIONS

- MATERIAL KEY**
- 1. Stucco, White
 - 2. ACM Metal Panel, Dark Bronze
 - 3. Bare Steel Panel
 - 4. Perforated Metal Screen
 - 5. Vinyl Window Assembly
 - 6. Overhead Door
 - 7. Rime Free Window Assembly
 - 8. Black Metal, Dark Bronze
 - 9. Hardie Panel, Dark Bronze



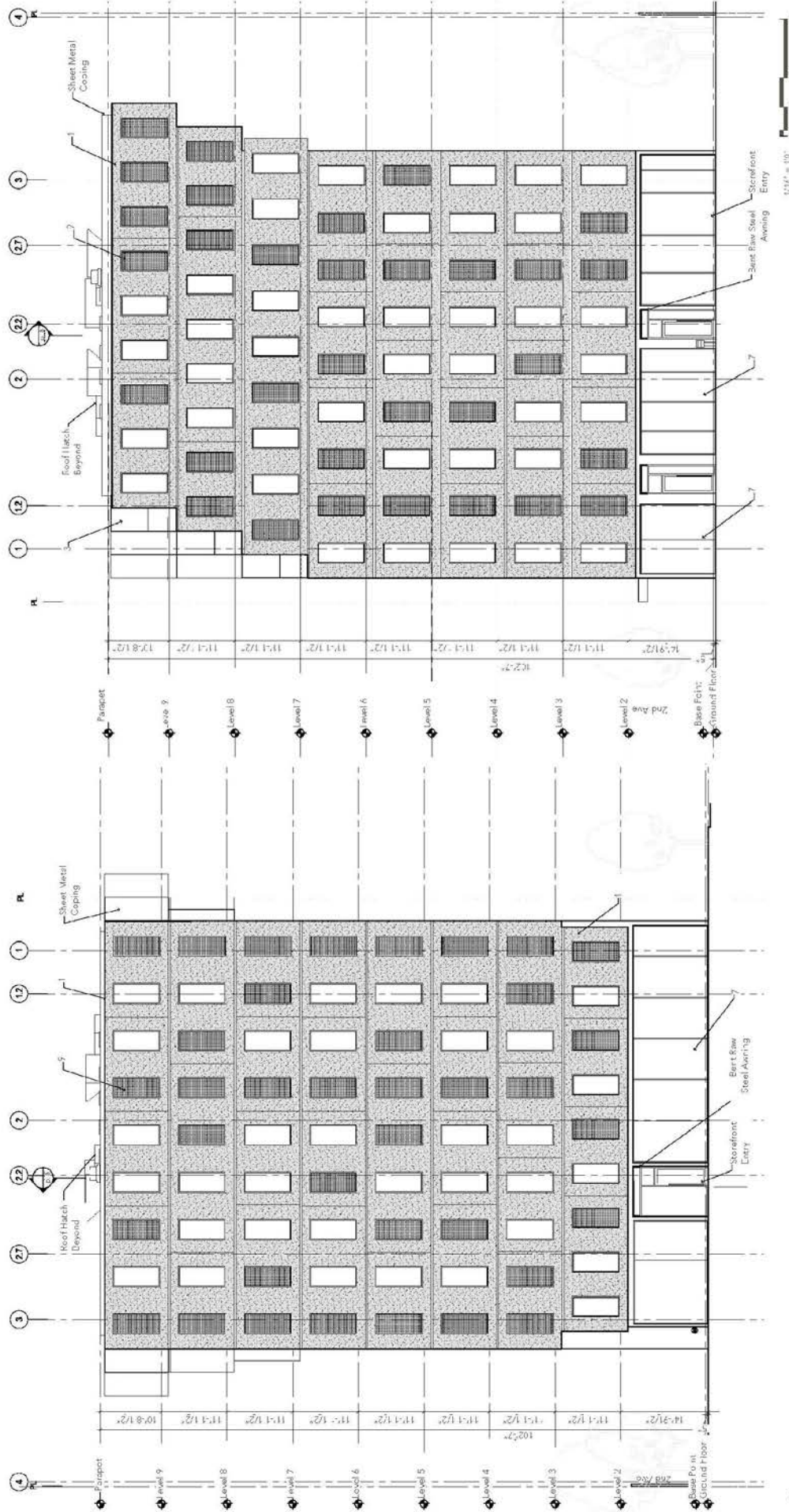
- MATERIAL KEY**
- 1. Stucco, White
 - 2. ACM Metal Panel, Dark Bronze
 - 3. Raw Steel Panel
 - 4. Performed Metal Screen
 - 5. Vinyl Window Assembly
 - 6. Overhead Door
 - 7. Storefront Window Assembly
 - 8. Rivet Metal, Dark Bronze
 - 9. Hard e Panel, Dark Bronze

BUILDING ELEVATIONS
NORTH ELEVATION



BUILDING ELEVATIONS
SOUTH ELEVATION

- MATERIAL KEY**
1. Sizzco, White
 2. A.C.M. Metal Panel, 3/16" Bronze
 3. Raw Steel Panel
 4. Perforated Metal Screen
 5. Vinyl Window Assembly
 6. Over-head Door
 7. Stovefront Window Assembly
 8. Break Metal, Dark Bronze
 9. Handle Panel, Dark Bronze



- MATERIAL KEY**
- 1. Stucco, White
 - 2. ACM Metal Panel, Dark Bronze
 - 3. Raw Steel Panel
 - 4. Perforated Metal Screener
 - 5. Vinyl Window Assembly
 - 6. Overhead Door
 - 7. Storefront Window Assembly
 - 8. Break Metal, Dark Bronze
 - 9. Hardie Panel, Dark Bronze

BUILDING ELEVATIONS
EAST + WEST ELEVATION