



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 - APPROVAL

CASE FILE: LU 17-109861 DZ
(PC # 16-281887, DAR 15-265477)
1732 NE 2nd Ave
REVIEW BY: Design Commission
WHEN: October 5, 2017, 1:30pm
WHERE: ***Special Location***
CH2M Building, Lincoln Room
2020 SW Fourth Ave, Portland, OR 97201

Bureau of Development Services Staff:

Grace Jeffreys, 503-823-7840, Grace.Jeffreys@portlandoregon.gov

Note: Changes in this report from the August 25, 2017 Staff Report are boxed.

GENERAL INFORMATION

Applicant: Maria Simon, Works Progress Architecture LLP
811 SE Stark St #210, Portland OR, 97214
(503) 234-2945, maria@worksarchitecture.net

Representative: Parker McNulty, ENT Ventures VI, LLC
1825 NW 23rd Ave., Portland OR, 97210
(707) 486-8063, parker@carbongrp.com

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: Proposed – 4.31:1 using the residential bonus option (33.510.210.C.1), Base - 4:1 and Bonuses up to 3:1 (33.510.210.C);
- Height: Proposed – 70'-4", Base - 100' (33.510.205);
- Floor Area Above Grade: 86,272 SF;
- Number of Units: 77 market rate apartments;
- Retail: 10,083 SF;
- Parking: 34 below-grade parking stalls accessed off NE Schuyler;
- Bikes: 121 long-term spaces proposed in below-grade level (118 required); 6 short-term spaces proposed at grade (6 required);
- Loading: 1 Standard B loading stall proposed (9'Wx18'Lx10'H) at grade in plaza accessed off NE 3rd;
- Amenity: Landscaped plaza, level 6 amenity room and balcony.

9-story option:

- FAR: Proposed – 6.56:1 using the residential bonus option (33.510.210.C.1), Base - 4:1 and Bonuses up to 3:1 (33.510.210.C);
- Height: Proposed – 98'-11", Base - 100' (33.510.205);
- Floor Area Above Grade: 131,232 SF;
- Number of Units: 130 market rate apartments;
- Retail: 9,343 SF;
- Parking: 29 below-grade parking stalls accessed off NE Schuyler;
- Bikes: 195 long-term spaces proposed in below-grade level (197 required); 10 short-term spaces proposed at grade (9 required);
- Loading: 2 Standard B loading stalls proposed (9'Wx18'Lx10'H) at grade in plaza accessed off NE 3rd; and NE 2nd;
- Amenity: Landscaped plaza, level 9 amenity room and balcony.

Exterior materials include white stucco, vinyl windows, spandrel glass, dark bronze break metal with gaskets, and dark bronze aluminum clad metal panel accents, over ground level aluminum storefronts with raw steel panel siding and canopies. Other materials include perforated metal screen at above-grade balconies.

No modifications or adjustments to standards have been requested.

An **Exception** is requested:

“Window Projections Into the Right of Way” Code Guide (6/1/2005) – to allow an oriel window on the north elevation that is 14'-6" wide, which greater than the allowed 12' width, and to not require windows at the sides of the 4'-0" projection, which is greater than the allowed 2'-6" without windows.

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 Portland Zoning Code (PZC). 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 are 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 regard 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 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 now 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 was held on January 28, 2016 for a 9-story development. (Exhibit G.2). At that 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).

The first Design Review hearing was held on August 31, 2017. At that hearing, the Commission commented are follows:

1. Contextual Response. Consider further design refinements.

- a. Pay more attention to the erosion aspects of the design.
- b. Study further articulation of the expression of the individual modules (changes to windows, bays, colors, or textures).

2. Pedestrian Realm.

- a. Provide further pedestrian protection to meet the guidelines.
- b. The entries need further consideration and design refinements.
- c. Provide studies illustrating how the ground floor structure impacts the functionality of the retail spaces.

3. Permanence and Quality.

- a. Provide a mock-up (to a reasonable scale) to illustrate junctions of module/gasket/window.

4. Other.

- a. Oriel windows shown need an Exception request.
- b. Provide illustrations of how bike parking requirements are met.

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.

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, 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.

The findings for these guidelines are grouped in two parts: Part One relates to the design at the ground-level and Part Two relates to the design above the ground-level:

Part 1: The design at 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 does 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.

Part 2: The design above the ground-level. Above the ground-level, the proposal responds to the transitional nature of its context 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. Since the first Design Review hearing held on August 31, 2017, the 9-story option has been lowered to 98'-11", which is now below the 100' maximum height allowed in the Portland Zoning Code.
- The site is along the northwest edge of the District, and the applicant indicates the project orients itself towards the neighborhood, and is designed to serve as a transition between the single-family homes to the north and the busier commercial Broadway/Weidler Corridor to the south.

- To ensure the proposal responds to this transitional context and unifies and connects to these diverse adjacent areas, at the first Design Review hearing the Commission asked the applicant to give more attention to the erosion aspects of the design. In response, the faces of the recessed modules are now fully glazed with dark colored vinyl windows, providing greater contrast which accentuates the design moves, reinforcing the design concept and strengthening the overall approach to the massing.
- The Commission also asked for studies of further articulation of the expression of the individual modules (changes to windows, bays, colors, or textures). And, although these have not been provided to date, the change to greater transparency and contrast of the recessed modules as described above provides breaks in the building rhythm, and relief to the overall building massing for both the 6- and 9-story options. ***The applicant is invited to present their articulation studies at the second hearing on October 5, 2017.***

- 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.
- 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.

These guidelines have 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.

Since the first Design Review hearing, a Design Exception has been requested for the singular oriel window proposed on the 6th floor on the north elevation. Refer to the findings below under Design Exception for further detail.

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” programs have 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 varies 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.

▪ At the first Design Review hearing, the Commission noted some concern about the impact the proposed steel structure might have on the retail spaces and activation of the street frontages. Since this hearing, the floor plans indicate that the diagonals that cut across the ground floor retail spaces have been reduced, however, no further sections or details have been provided. ***As long as the applicant provides sufficient documentation at the October 5, 2017 hearing that ensures there are active interior spaces adjacent to the sidewalks, these guidelines are met. That additional documentation should include, but is not limited to, sections and details showing the vertical extent and impact of the structure.***

With acceptance of the Design Commission of additional materials provided by the applicant at the October 5, 2017 hearing, 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.

Since the first Design Review hearing, the applicant has reduced the height of the 9-story

proposal to 98'-11", which now complies with the 100' maximum height standard.

These guidelines have been 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.

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.

- Since the first hearing, the locations for the retail exhaust, generator exhaust, and mechanical ventilation for the below-grade parking have now been identified. Louvers above retail entrances have been added for retail intake, and the generator intake is located in the landscaped plaza. Retail, generator, and below-grade services exhausts have all been located on the roof. These systems have been integrated into the design and located away from the public realm.

By integrating mechanical intakes within the architecture and by locating exhaust assemblies on the roof, as well as by providing street trees and locating parking below-grade, the proposal protects and enhances the pedestrian environment.

These guidelines have 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 south plaza will be lit to encourage pedestrian use at night. Since the first Design Review hearing, information has been provided to illustrate the exterior lighting at the plaza. LED strip lighting is integrated into the paving design, and accent up-lighting will be provided in the planters. (Exhibit C.6, page 17).

These guidelines have 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.

At the first Design Review hearing, the Commission asked the applicant to consider increased pedestrian protection. Since that time, the size and number of canopies have been increased, and a large, new canopy has been added to the main entrance (Exhibit C.8, page 30). *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: Above the ground level, the proposed development will be clad in light-colored stucco and vinyl window assemblies with dark bronze aluminum-clad metal (ACM) panels, break-metal flashings and spandrel glass (east and west elevations only). Perforated metal screen are proposed at the balconies. At the ground level, the development is clad in aluminum storefront window assemblies with raw steel accents and canopies. The proposal meets the guidelines as follows:

- The building design is predominately a white material that is accented by a darker color at the major design moves. 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.

Since the first hearing, additional information has been provided to illustrate the proposal:

- At the first hearing, the Commission questioned the durability of the proposed two coat stucco. Generally, a three-coat stucco system is considered a minimum to meet durability expectations. ***As long as the applicant provides adequate information at the October 5, 2017 hearing demonstrating high durability of the proposed stucco, these guidelines are met. That additional documentation should include, but is not limited to, examples of the use of this material in a similar climate, over time, and preferably of a light color.***
 - The ground floor design is almost completely glazed, with fully active uses behind, creating an opportunity for a high-level of pedestrian activation on all frontages. Due to this high-level of glazing, there is little scope for adding modular stone or masonry materials on the building base or first floor of buildings as the guidelines encourage.
 - The proposal's use of modular units, which are periodically pushed and pulled, adds a sculptural and articulated character to the development. In response the Commission's comments about strengthening the erosion aspect of the design at first Design Review hearing, the recessed modules have been further differentiated by utilizing a fully glazed design with dark framed windows and doors.
 - 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.
 - At the first hearing, the Commission also queried the detail at the junction of each module. In response, further details have been provided to better describe this condition (Exhibit C.13, pages 52, 56, 60 and 61). ***As long as the applicant provides adequate information at the October 5, 2017 hearing demonstrating quality and permanence of the gasket detail, these guidelines are met. That additional documentation should include, but is not limited to, samples of the gasket and precedent examples of the use of this detail.***
- With acceptance of the Design Commission of additional materials provided by the applicant at the October 5, 2017 hearing, these guidelines have 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 that the mechanical equipment will be setback a minimum of 15 feet from street facing parapets. Since the first hearing, the location and maximum heights and sizes of mechanical elements have been noted on the roof tops to ensure compliance with the zoning standards.

This guideline has been met.

(2) DESIGN EXCEPTIONS

The following Design Exception (1) is requested:

1. “*Window Projections Into the Right of Way*” Code Guide (6/1/2005) – to allow an oriel window on the north elevation that is 14’-6” wide, which greater than the allowed 12’ width, and to not require windows at the sides of the 4’-0” projection, which is greater than the allowed 2’-6” without windows.

Standard:

According to chapter 32 of the Oregon Structural Specialty Code, and revision OSSC/32/#1 by Standard: ENB-15.51, “*Window Projections Into the Right of Way*” Code Guide (6/1/2005) and Oregon Structural Specialty Code 2014 Edition requires that the standard window projection is limited to 4’-0”. It also states that oriel windows are required to provide for at least 8’-1” of clearance under the projection. The area of the windows is limited to 40% of the overall area of the projection into the right of way. The wall length is limited to 50% of the overall building’s length and the window in the projection is limited to 40% in that projection. Projections over 2’-6” are required to provide windows on the sides of the projection or can be modified through the Design Review Process. The Oriel window is limited to a maximum width of 12’ or can be modified through the Design Review process. There must be a separation of at least 12’ between each oriel window.

Proposal:

This proposal seeks a modification to the oriel window 12 feet maximum length and the requirement for windows at all sides of projections greater than 2’-6” as outlined in ENB-15.51 and “*Window Projections Into the Right of Way*” Code Guide (6/1/2005). The building has been designed for modular construction. To showcase the capabilities of modular construction and to break up the facade, the building’s massing pushes and pulls the modular units to create a variety of cantilevers that provide visual interest on the façade. In one instance of this condition, the cantilever extends beyond the north boundary of the

property line into the public right of way. This projection is important to helping to complete the cohesive composition of undulations on the facade.

Request:

The proposed projection is one module wide – 14'-5" and extends 4'-0" into the right of way at a height of 58'-3" above the adjacent sidewalk. The proposed projection requests exceptions are granted to allow for a width greater than 12ft and no windows on the sides of the projection (greater than 2'-6"). The increased width and solid side panels are on balance with the purpose of the standard since the projection is well above the adjacent grade, consistent with the module width of the rest of the building, and part of a cohesive and visually interesting façade composition. The projection complies in general with all other oriel window requirements.

By allowing Window Projections into Public Right-of-Way over the maximum width standard of 12 feet, and to not require side wall windows for projections greater than 2'-6" for this one oriel window, the undulating modular expression of the proposal is enhanced. Therefore, Guidelines C4. *Complement the Context of Existing Buildings* and C5. *Design for Coherency* are better met by the proposal.

This Exception warrants approval.

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. Since the first hearing, above the ground level more glazing has been added to the recessed modules above the ground level to strengthen the design concept and increase the coherency of the proposal, as well as reinforce the breaking down of the massing in response to the transitional nature of the context.

However, the following aspects of the proposal, as noted at the August 31, 2017 hearing, require further demonstration to show the proposal meets all the guidelines:

1. Active interior spaces adjacent to the sidewalks;
2. High durability of the proposed stucco; and,
3. Quality and permanence of the gasket detail.

With demonstration from the applicant at the hearing on October 5, 2017 that these concerns have been addressed, the proposal will provide a building that embodies the spirit intended by the applicable design guidelines, and responds well to the natural, cultural and built context. The proposal could then meet the applicable design guidelines and modification criteria and therefore warrant approval.

TENTATIVE STAFF RECOMMENDATION

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

With demonstration of items 1, 2 and 3 as noted above, staff recommends Design Review approval of new 6-story mixed-use building with 77 market-rate units, ground floor retail, below-grade parking for 34 vehicles, 6 short-term and 118 long-term bike parking spaces, and one standard B loading space.

Staff also recommends Design Review approval of an alternative option for this site for a 9-story mixed-use building with 130 market-rate units, ground floor retail, below-grade parking for 29 vehicles, 9 short-term and 197 long-term bike parking spaces, and two standard B loading spaces.

Staff recommends approval of the following Design Exception:

1. *“Window Projections Into the Right of Way” Code Guide (6/1/2005)* – to allow a 14'-6" wide oriel window on the north elevation, and to not require windows at the sides of the 4'-0" projection.

This recommendation is per Exhibits C-1 through C-14 (pages 1-67 and Appendix pages 1-16) and is subject to the following conditions A through D:

- A. As part of the building permit application submittal, the following development-related conditions (B through G) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 17-109861 DZ". All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.
- D. The applicant must demonstrate through the required covenants continuation and maintenance of the housing in accordance with the Portland Zoning Code (33.510.210.C.1.c of the Zoning Code in effect on January 24, 2017).

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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: September 29, 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 10, 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 31, 32 and 33 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.1-16. APPENDIX; 9-STORY OPTION (Exhibits APP, pages 8,9 and 10 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, second addendum
 - 6a. Site Development Review Section of Bureau of Development Services
 - 6b. Site Development Review Section of Bureau of Development Services, addendum
 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
- H. Design Commission Exhibits:

(Received before first Hearing)

1. Staff Report for first hearing, 8/25/17
2. Staff Memo for first hearing, 8/25/17

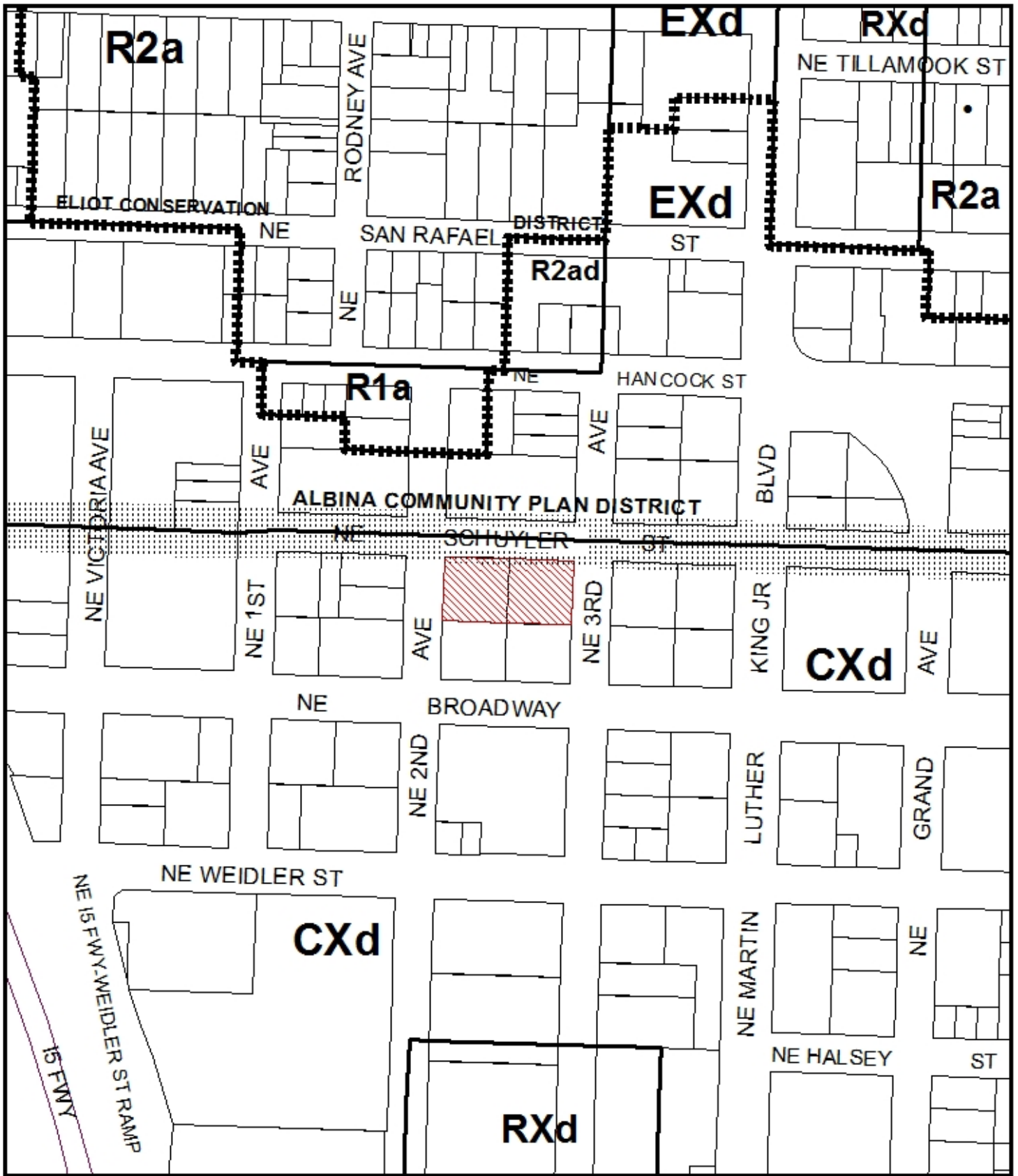
(Received at first Hearing)

3. Staff presentation, 8/31/17
4. Applicant presentation, 8/31/17

(Received before the second Hearing)

5. Staff email with notes from first hearing and revised schedule, 9/1/17
6. Design Exception request, 9/22/17
7. Revised Narrative, 9/28/17
8. Staff Memo for second hearing, 9/28/17

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).



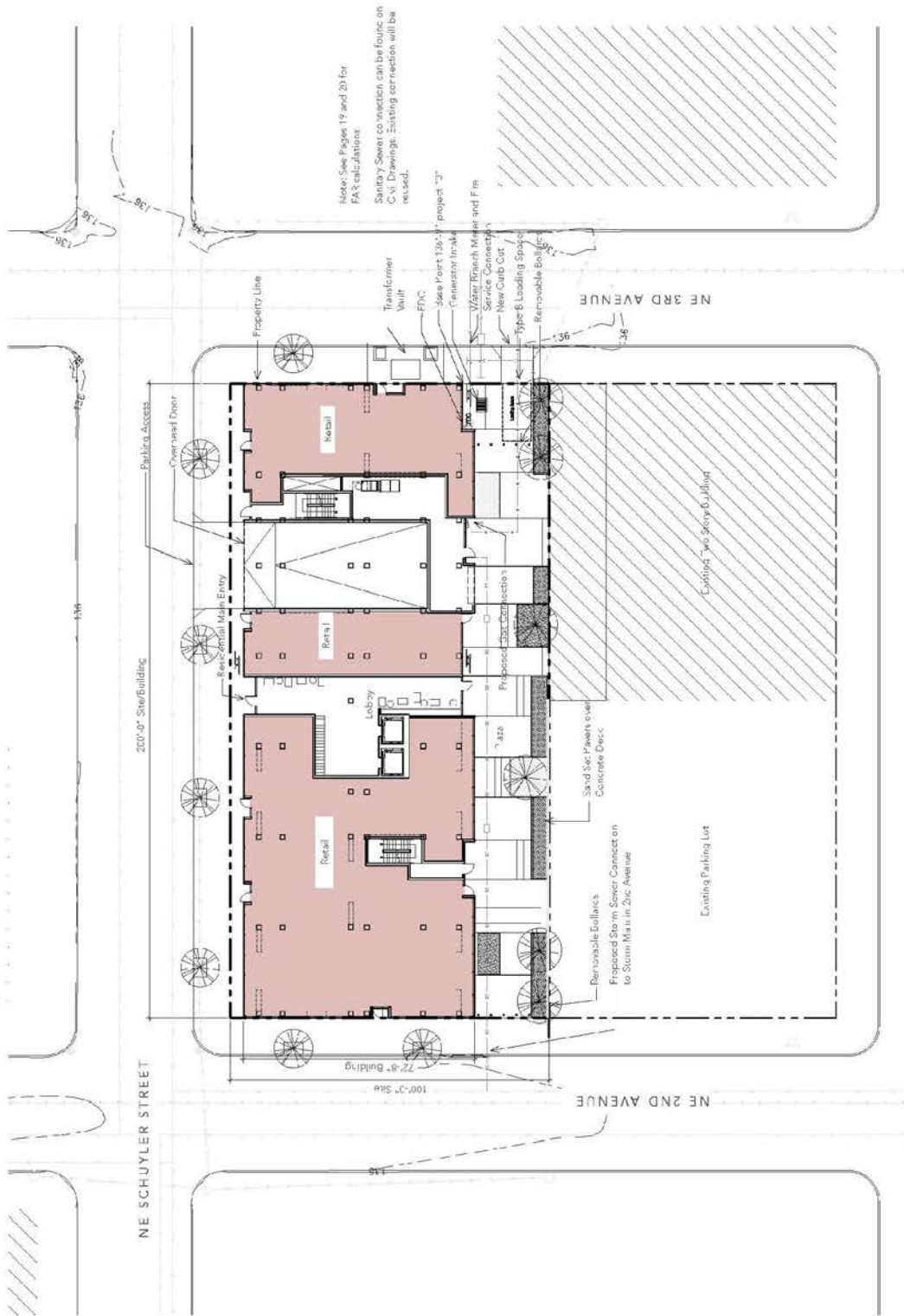
ZONING



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)



C.3 SITE PLAN

PROPOSED
1:32" = 1'-0"

LU 17-109861 DZ 09.22.2017 | Page 10

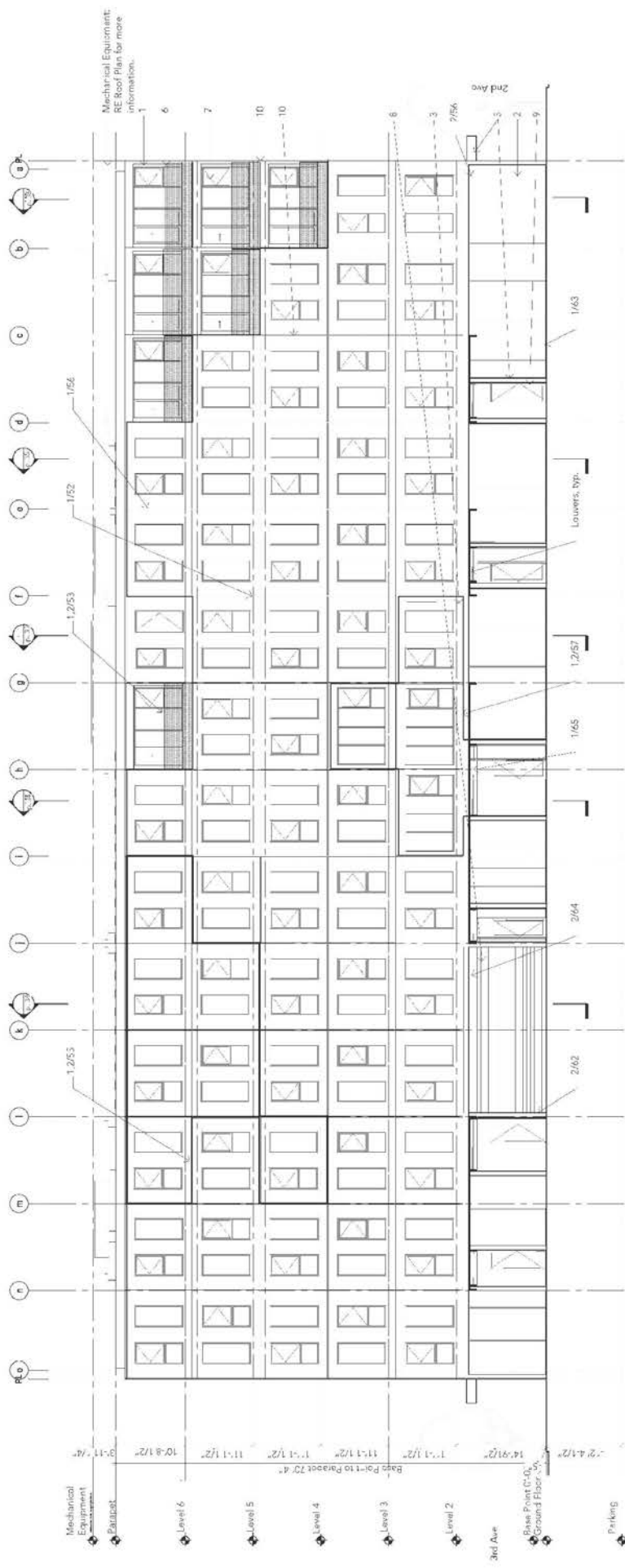
1732 NE 2nd Avenue

PROJECT AND SITE INFORMATION

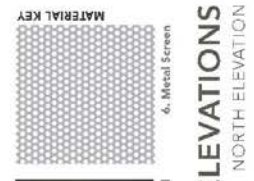
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WORKS PROGRESS ARCHITECTURE, LLP

W.P.A



1/16" = 1/8"

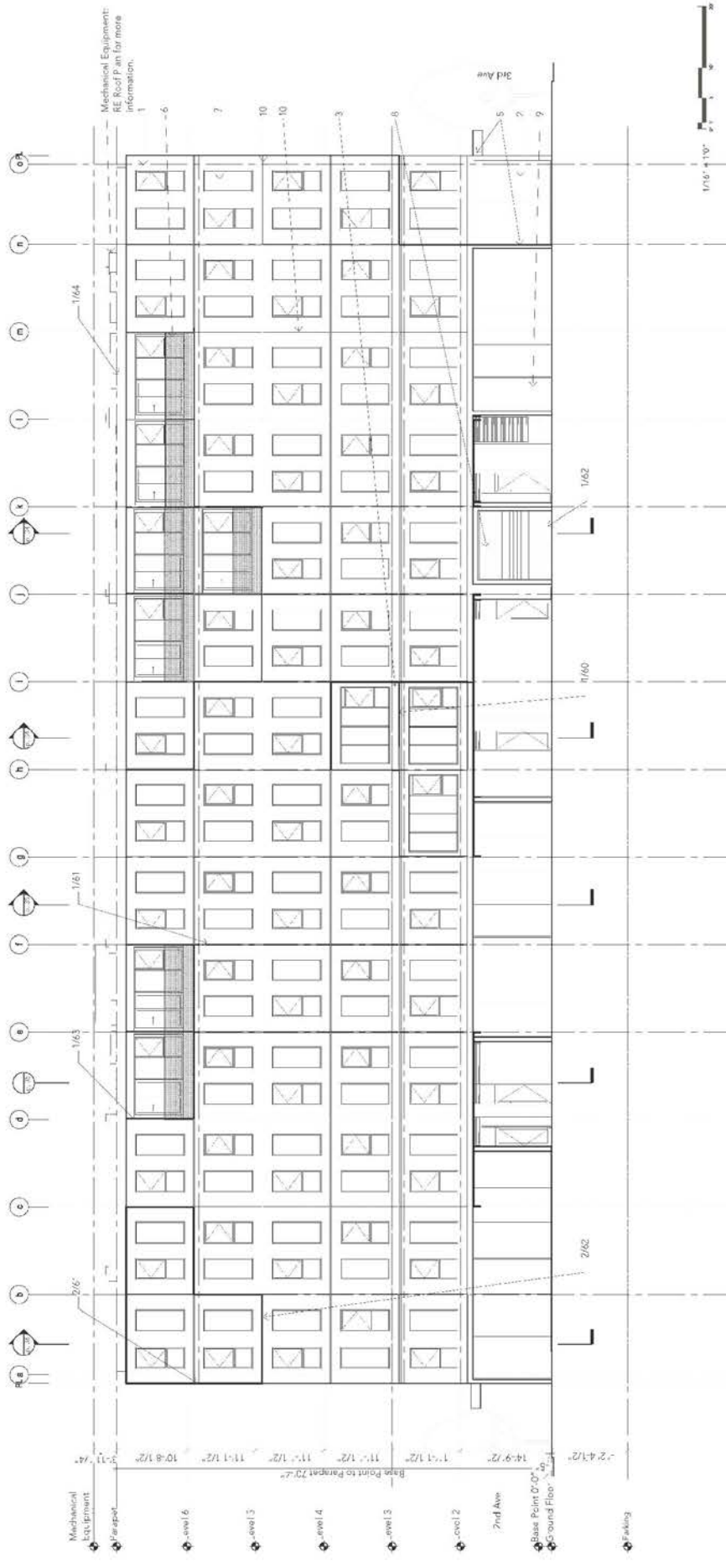


- MATERIAL KEY**
- 1. Stucco
 - 2. Glass
 - 3. Spandrel Glass
 - 4. ACM Metal Panel
 - 5. Raw Steel Panel
 - 6. Metal Screen

C.9 BUILDING ELEVATIONS

NORTH ELEVATION

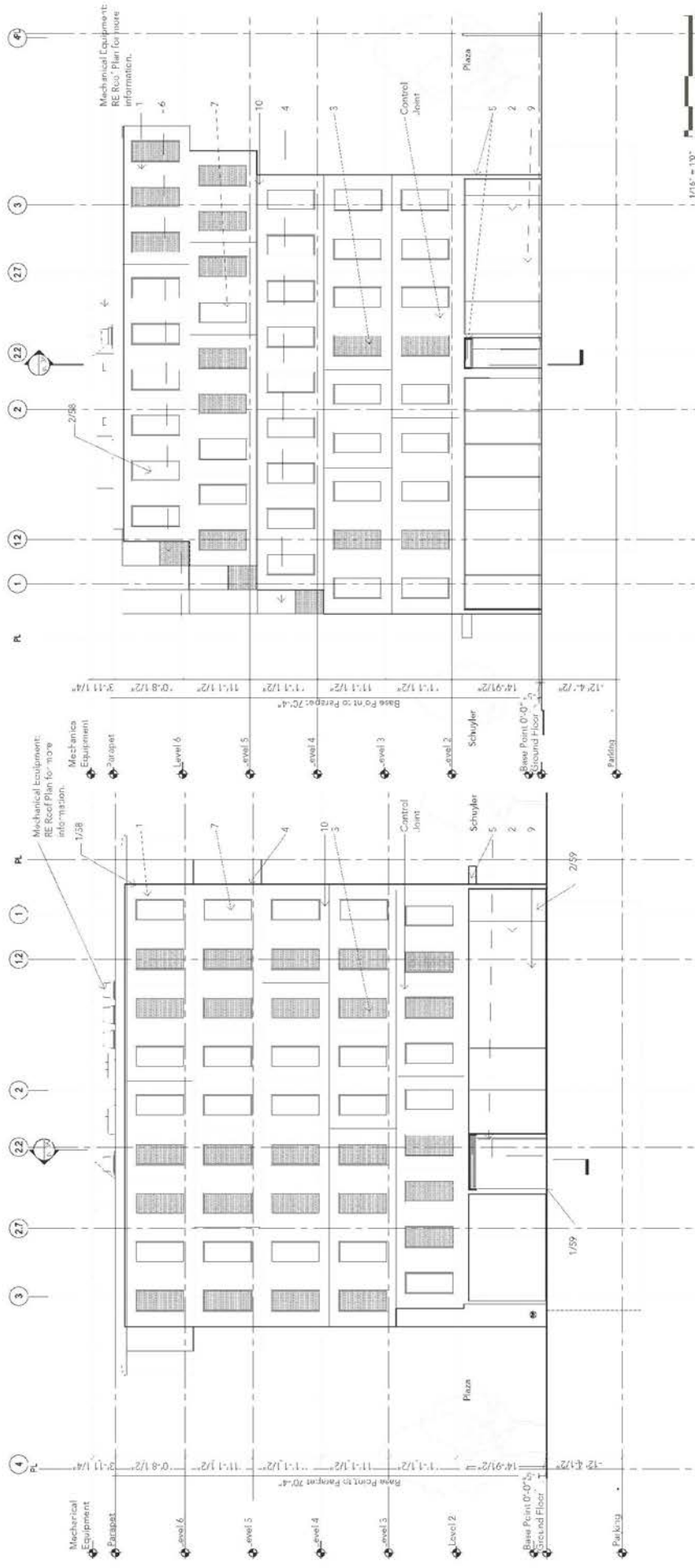
- MATERIAL KEY**
- 1. Stucco, White
 - 2. Glass
 - 3. Spandrel Glass
 - 4. ACM Metal Panel, Dark Bronze
 - 5. Raw Steel Panel
 - 6. Perforated Metal Screen
 - 7. Vinyl Window Assembly
 - 8. Overhead Door
 - 9. Storefront Window Assembly
 - 10. Break, Mesh, Dark Bronze w/ J-Glaze



- 1. Stucco, White
- 2. Glass
- 3. Spandrel Glass
- 4. ACM Metal Panel, Dark Bronze
- 5. Raw Steel Panel
- 6. Perforated Metal Screen
- 7. Vinyl Window Assembly
- 8. Overhead Door
- 9. Storefront Window Assembly
- 10. Break Metal, Dark Bronze w/ Jt. Glazent

C.9 BUILDING ELEVATIONS

SOUTH ELEVATION



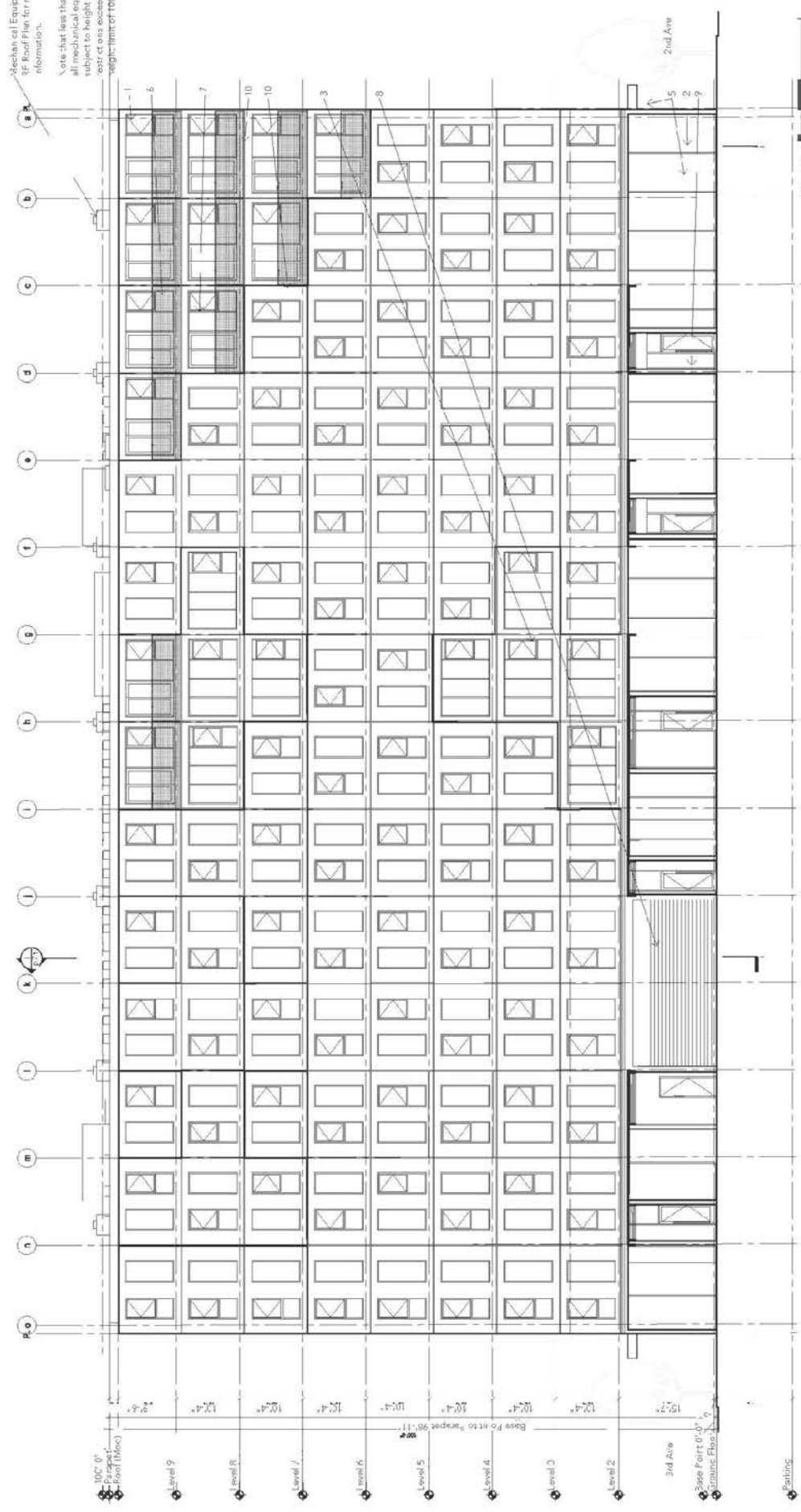
- MATERIAL KEY**
1. Stucco, White
 2. Glass
 3. Spandrel Glass
 4. ACM Metal Panel, Dark Bronze
 5. Raw Steel Panel
 6. Perforated Metal Screen
 7. Vinyl Window Assembly
 8. Overhead Door
 9. Storefront Window Assembly
 10. Break Metal, Dark Bronze w/ J. Glass

C.9 BUILDING ELEVATIONS

EAST + WEST ELEVATIONS

Mechanical Equipment
 3/4" Roof Plan for more
 information.

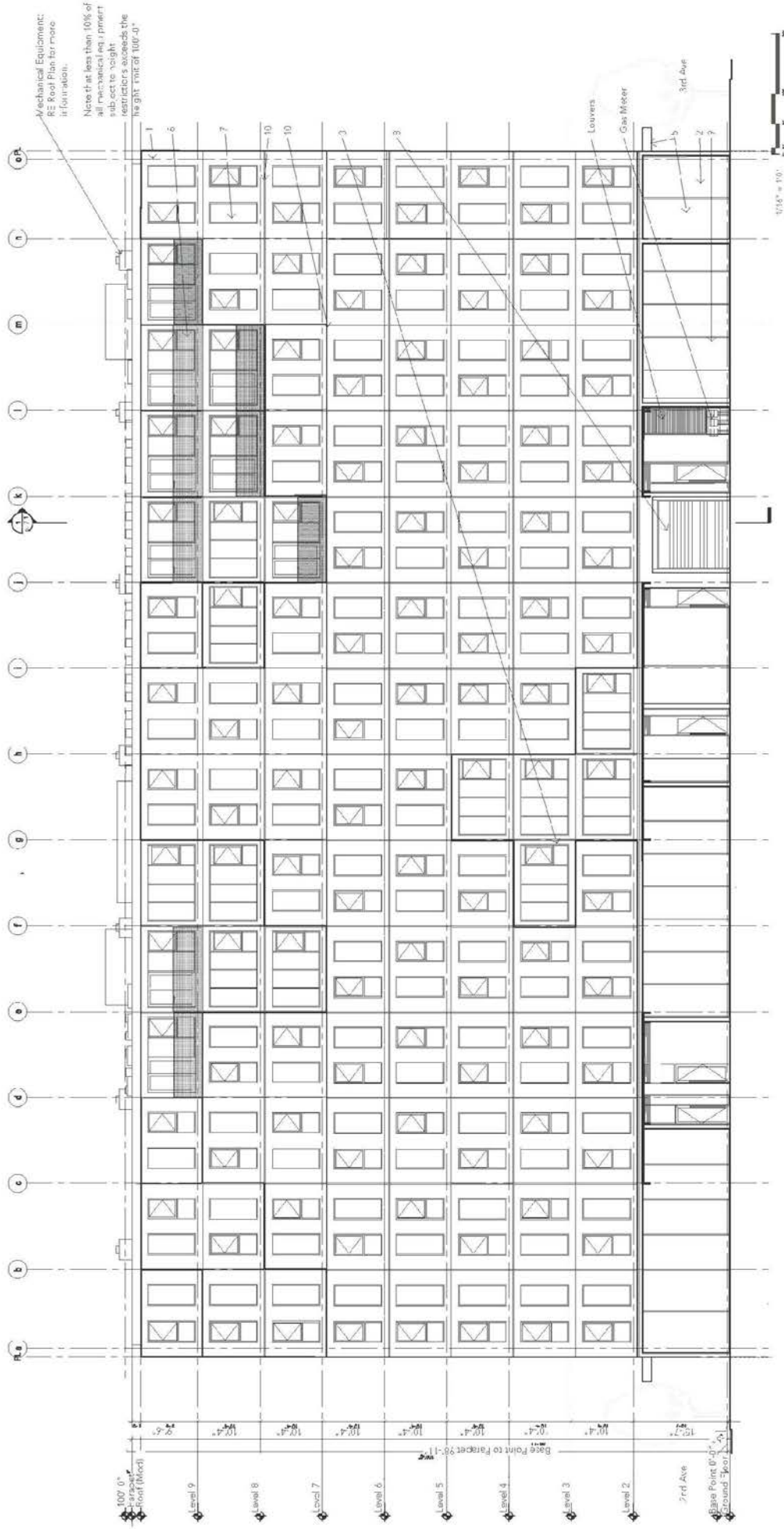
Note that less than 13% of
 all mechanical equipment
 is subject to height
 restrictions as the
 height limit of 100'-0"



MATERIAL KEY

- 1. Guacco, White
- 2. Glass
- 3. Spandrel Glass
- 4. ACM Metal Panel, Dark Bronze
- 5. Raw Steel Panel
- 6. Perforator, Metal Screen
- 7. Vinyl Window Assembly
- 8. Overhead Door
- 9. Storefront Window Assembly
- 10. Break Metal, Dark Bronze w/ Chalk

BUILDING ELEVATIONS
 NORTH ELEVATION

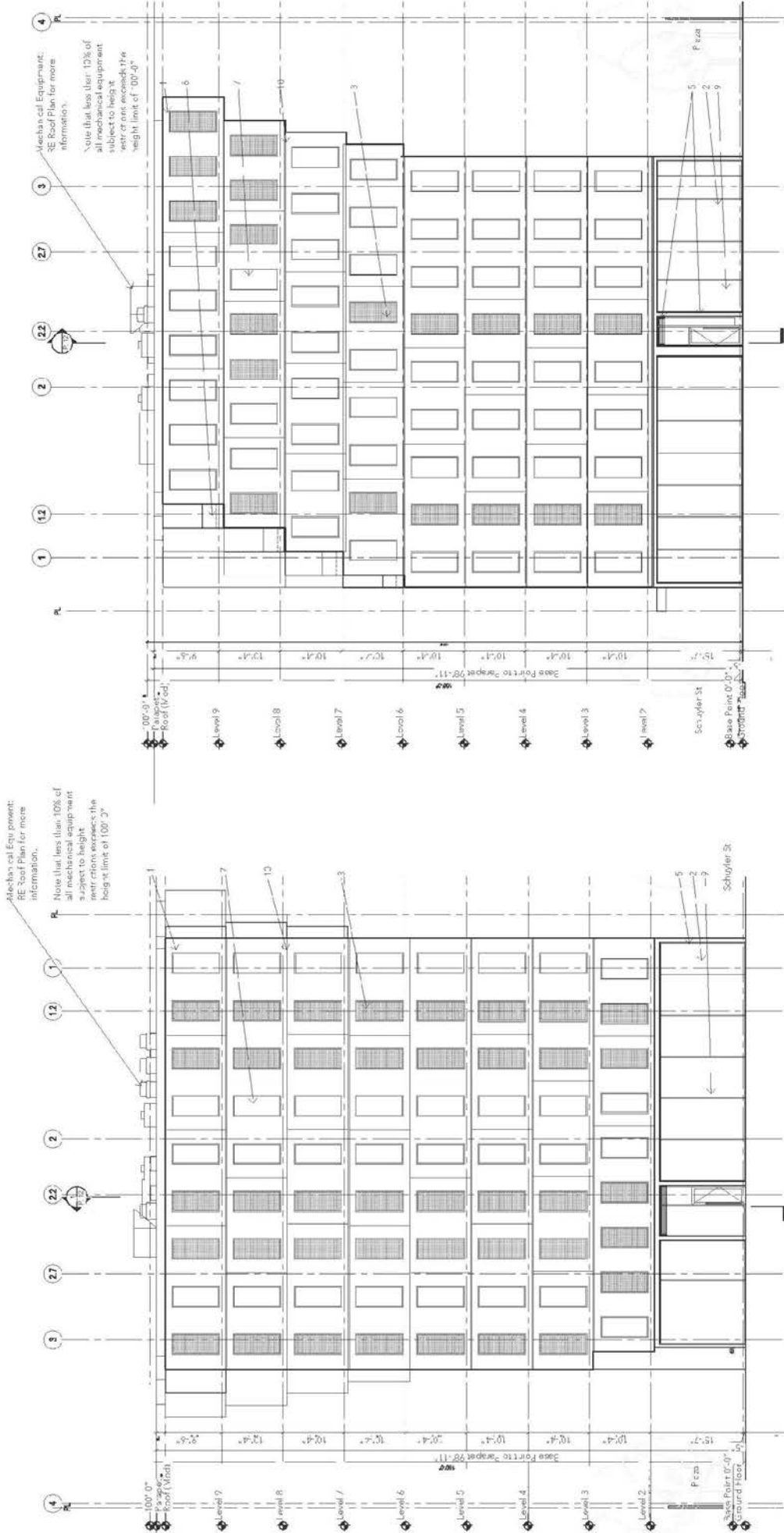


MATERIAL KEY

- 1. Stucco, White
- 2. Glass
- 3. Spandrel Glass
- 4. ACM Metal Panel, Dark Bronze
- 5. Raw Steel Panel
- 6. Performer Metal Screen
- 7. Vinyl Window Assembly
- 8. Over-head Door
- 9. Storefront Window Assembly
- 10. Break Metal, Dark Bronze with Gasket

BUILDING ELEVATIONS

SOUTH ELEVATION



Mechanical Equipment:
 RE: Roof Plan for more information.
 Note that less than 10% of all mechanical equipment is subject to height restrictions exceeding the height limit of 100'-0".

Mechanical Equipment:
 RE: Roof Plan for more information.
 Note that less than 10% of all mechanical equipment is subject to height restrictions exceeding the height limit of 100'-0".

1/16" = 10'

- MATERIAL KEY**
- 1. Sausco, White
 - 2. Glass
 - 3. Spandrel Glass
 - 4. ACM Metal Panel, Dark Bronze
 - 5. Raw Steel Panel
 - 6. Performance Vertical Screen
 - 7. Vinyl Window Assembly
 - 8. Overhead Door
 - 9. Storefront Window Assembly
 - 10. Break Metal, Dark Bronze with Cabinet

BUILDING ELEVATIONS

EAST + WEST ELEVATION