



STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION – APPROVAL WITH CONDITIONS

CASE FILE: LU 18-281556 DZM
PC # 18-242546
1500 SW Taylor Apartments
REVIEW BY: Design Commission
WHEN: May 16, 2019 @ 1:30 PM
WHERE: 1900 SW Fourth Ave., Room 2500B
Portland, OR 97201

Bureau of Development Services Staff: Megan Sita Walker 503-823-7294 /
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GENERAL INFORMATION

Applicant: Robert Leeb | Leeb Architects
308 SW First Ave #200
Portland, OR 97204
(503) 228-2840

Owner: Eric Evans | Shelter Holdings
11624 SE 5th St Suite 210
Bellevue, WA 98005

OPC 1500 Taylor Street LLC
1211 SW 5th Ave #2230
Portland, OR 97204

Site Address: 1500 SW TAYLOR ST

Legal Description: BLOCK 319 LOT 1&2, PORTLAND; BLOCK 319 LOT 3 TL 4600, PORTLAND

Tax Account No.: R667733710, R667733730
State ID No.: 1N1E33DC 04700, 1N1E33DC 04600
Quarter Section: 3028

Neighborhood: Goose Hollow, contact planning@goosehollow.org.
Business District: Goose Hollow Business Association, contact Angela Crawford at 503-223-6376 & Stadium Business District, contact Tina Wyszynski at Tina.wyszynski@gmail.com

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - Goose Hollow

Zoning: CXd - Central Commercial with the Design Overlay

Case Type: DZM – Design Review with Modifications
Procedure: Type III, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

Proposal:

The applicant seeks Design Review approval for a new 7-story mixed-use apartment building with 107 market rate and affordable units, structured parking (approximately 22 stalls and 2 loading spaces), 163 long-term bike spaces, a rooftop amenity deck and eco-roof, and 782 SF of retail oriented to the corner of SW Taylor St and 15th Ave. Exterior materials include Norman brick, aluminum storefront, concrete bulkheads, and steel and glass canopies at the ground floor, and Norman brick, fiber cement panel, brake metal panel, with metal louvers, and commercial grade vinyl windows on upper floors.

One (1) **Design Exception** is requested:

1. **Window Projections into the Right-of-Way (OSSC/32/#1)** to increase the maximum width of the oriel window projections (Standard 'F') from the maximum 12' to:
 - 17'-4" and 16'-0" for two (2) bays along SW Taylor (North Elevation); and
 - 15'-8", 21'-4", 21'-4", and 18'-4" for four (4) bays along SW 15th (East Elevation).

Three (3) **Modifications** are requested as follows:

Modification 1 – Size of parking spaces; 33.266.130F. Table 266-4. Proposal to modify the space dimension from 8.5' x 16' to 7'-10" x 16' due to structural column encroachment.

Modification 2 – Size of Bicycle Rack spacing; 33.266.220.C3.b. Proposal is to modify the rack spacing from 24" on center to 18" on center.

Modification 3 – Eco Roof; 33.510.243.B.1. Proposal is to modify the Eco Roof standard on the 2nd-level and 3rd-level roof terrace from 100% eco roof coverage to approximately 46% eco roof coverage on the 2nd level terrace and 0% eco roof coverage on the 3rd level terrace to allow for private access to the terraces via individual units.

Design Review is necessary as the project proposes new development within a design overlay zone.

Relevant Approval Criteria:

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

- *Central City Fundamental Design Guidelines*
- *Goose Hollow District Design Guidelines*
- *33.825.040 Modifications That Will Better Meet Design Review Requirements*
- *Oregon Statewide Planning Goals*

ANALYSIS

Site and Vicinity: The vacant subject property occupies approximately 1/3-block bound by SW 15th Avenue to the east and SW Taylor Street to the north. A two-story

structure was previously demolished on the site – the Frederick van Voorhies Holman (1852-1927) home (circa 1890). Holman was a prominent lawyer and civic leader in Portland. He was the son of pioneers and initiated the donation of Holman Park, now part of Forest Park, which was ultimately acquired 12 years after his death. Holman was one of the initial organizers of the Portland Rose City and the lone individual who dubbed Portland as “the Rose City”.

Neighboring development includes a variety of buildings ranging in age – adjacent on SW 15th Avenue are a 3-story office building built in 1953, a surface parking lot, and the 3-story Lowndale Apartments built in 1924. A 7-story mixed use building was approved by the Design Commission in 2017, directly across SW 15th east of the subject site. To the north across SW Taylor, there is the recently constructed North Hollow Apartments (5 over 1 market rate apartments featuring ground level residential and retail at the corner of SW 15th Ave and Taylor St). To the west is an office building originally constructed in 1922, but modified and added on to in the 1980s. Further west is the Brutalist Oregonian production facility built in 1972 (soon to be re-developed with a mixed use project “The Press Blocks”.) Significant community landmarks nearby include Lincoln High School one block south, Civic Stadium located two blocks west and the sunken I-405 freeway one block east. SW 15th Ave is a Local Service Bikeway. SW Taylor is a City Bikeway and Traffic Access Street. SW Yamhill, a half block north, is a City Walkway and Regional Transitway and Major Transit Priority Street. SW Salmon Street, one block south, is a City Walkway and Transit Access Street.

Zoning: The Central Commercial (CX) zone is intended to provide for commercial and mixed use development within Portland's most urban and intense areas, specifically the Central City and the Gateway Regional Center. A broad range of uses are allowed to reflect Portland's role as a commercial, cultural, residential, 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 “d” Overlay Zone promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

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 Goose Hollow Subdistrict of this plan district.

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

- EA 16-175812 PC – Pre-Application Conference for previously proposed development.
- LU 16-250411 DZM – Design Review approval with modifications for an 11-story apartment building located on a 15,168 sf site in the Goose Hollow Sub-District of the Central City Plan District including the following key program components: 146 units, 1,250 square feet of ground-level retail, private courtyard, 80 auto parking

stalls and 2 Standard B loading stalls, 219 long-term bike spaces (6 rooms – 4 on level 2 parking, 1 on level 1 parking, 1 on mezzanine). This proposal was not built.

- EA 18-242546 PC – Pre-Application Conference for the proposed development.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **April 26, 2019**. The following Bureaus have responded with comments:

1. Bureau of Environmental Services
2. Life safety Division of BDS
3. Site Development Section of BDS
4. Water

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **April 26, 2019**.

No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

[1] DESIGN REVIEW (33.825)

Section 33.825.010 Purpose of Design Review

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

Section 33.825.055 Design Review Approval Criteria

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

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

Goose Hollow District Design Guidelines and Central City Fundamental Design Guidelines

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

The Central City Fundamental Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland’s character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**,

addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

Goose Hollow District Design Goals

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

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

Central City Plan Design Goals

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

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

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

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

A2-1. Recognize the Historic Tanner Creek Theme. Recognize the course of the historic Tanner Creek and emphasize the District's connection with the Creek on site developments of 20,000 square feet or more, including and immediately adjacent to the historic course of the Creek. This guideline may be accomplished by any or all of the following:

- a. Exposing the Creek using water features and fountains; or
- b. Incorporating interpretive trails, artwork, murals or sculptures that describe and symbolize the relation between the district and the history of Tanner Creek.

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

Findings for A2, A2-1, and A5-5: While Tanner Creek now runs in a channel deep below SW 16th avenue, the historic course was actually a few blocks south and west. Portland themes will primarily be integrated through the green roof and the integration of a rooftop patio which will allow residents access to the outdoors, where they can experience views of the City and surrounding landscape.

Therefore, these guidelines are 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.

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

Findings for A4, A5, and C4: The proposed building is designed to be a traditional expression compatible with the historic character of this eclectic part of the Goose Hollow neighborhood. The proposed building is 7-stories tall and is expressed as a masonry and box angled bays with punched windows (approximately 5 ½" from face of brick to face of sash and 3 ¾" from face of cladding to sash within window bays) paired vertically separated by cementitious and brick spandrel (Equitone). The primary exterior material is brick in two colors (coal creek and amber rose), similar to several other buildings in the vicinity, yet differentiated from the recently approved development directly east of the site. The traditional expression takes cues from nearby apartment buildings as well as the brick clad pavilion structure part of the soon-to-be-developed Press Blocks two blocks west (currently under review – LU16-273094 DZM). In addition, the two-level live/work units and amenity spaces fronting SW 15th Ave will further enhance the streetscape with ground-level program that brings activity to the street while referencing the residential character of the area. *Therefore, these guidelines are met.*

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

Findings for A7: The proposed building will be built to the property lines and will be 7-stories tall. While the zoning allows for taller buildings (250'), the proposed height is in keeping with the trend toward partial-block infill development with on-site amenity space. The proposed massing configuration will establish strong urban edges and reinforce the sense of enclosure. *Therefore, this guideline is met.*

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.

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.

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.

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

Findings for A8, C6, C7 and C9: In plan, the building is configured as an L-

shape orienting building walls and entries to the adjacent public streets, with a rooftop amenity spaces at the main roof and on 2nd and 3rd level terraces. The main entries to the building (residential lobby and retail) emphasize the corner of SW 15th Ave and Taylor St, and are identifiable by full-height windows and glass entry canopies. Additional flexibly active uses – including three (3) two-level live/work units– are oriented to SW 15th Avenue. The configuration of these live/work units allow the flexibility of the ground level to function as commercial space thereby activating the streetscape. *Therefore, these guidelines are met.*

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

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

Findings for B1 and B1-2: All sidewalks will be reconstructed to City standards with street trees on each frontage. The building's ground level program reinforces pedestrian and transit orientation – retail at the site's only intersection (SW 15th Ave and Taylor St), residential lobby and entrance favoring the same corner and active floor area (club room fitness rooms, and two-level work-live units) flanking the remainder of the SW 15th Ave frontage with access to MAX two blocks north. *Therefore, these guidelines are 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.

Findings for B-4: The main lobby entry to the building is located toward the site's only intersection (22' from the intersection of SW 15th Ave and Taylor St) Ave and is accentuated with a radius canopy and floor to ceiling glazing. Retail anchors the northeast corner and the club room and amenity space help to activate this frontage.

The main entry door at the residential lobby is inset by approximately 4' with continuous canopy coverage. This recessed entry point is sufficiently sized to provide convenient places for pedestrians to stop, view the surroundings, socialize and rest, outside of the main pedestrian movement zone on the abutting streets. *Therefore, this guideline is met.*

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

Findings for B7: The proposed building is designed to have barrier-free access to all, including the at-grade work-live units. *Therefore, this guideline is met.*

B2. Protect the Pedestrian. Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

B6-1. Provide Outdoor Lighting at Human Scale. Provide outdoor lighting at a human scale to encourage evening pedestrian activity.

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

Findings for B2, B6-1, and C12: The combined parking garage and loading access point is at the northwest corner on SW Taylor St which will limit conflicts between pedestrians and vehicles. Lighting along the project's public frontage is shown to be incorporated as recessed soffit within the continuous canopy and wall-mounted downlights emphasizing entries and illuminate at pedestrian scale. This lighting will provide safe entry for residents, illuminate the sidewalk for pedestrians, and provide modest ground-level architectural lighting for the building.

Though the building's mechanical rooms (fire, water, electrical) directly abut the sidewalk at the northwest corner adjacent to the garage door, the wall area is minimized so as to not significantly detract from the pedestrian environment. In addition, the garage gate is a gradient perforated metal door (set back approximately 4') which, though a utilitarian expression, is sufficiently detailed to ensure that headlight glare will not adversely impact pedestrians. *Therefore, these guidelines are 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.

C1-2. Integrate Signs and Awnings. Integrate signs and awnings to be complementary and respectful of a building's architecture. This guideline may be accomplished by any or all of the following:

- a. Placing signs and awnings to fit with and respect a building's architecture.
- b. Avoiding large, excessively illuminated or freestanding signs that contribute to visual clutter; or
- c. Integrating with a building's design an exterior sign program/system for flexible sidewalk level space that accommodates changing tenants.

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 B6, C1-2, and C13: All proposed entries and surrounding are shown to be recessed from the sidewalk (approximately 2' for the storefront and 4' for building entries). In addition to recessed storefront and entries, a minimum of 6' deep canopies are proposed within all but three bays for a total of 8' and 10' weather protection along storefronts, and at building entries, respectfully. In addition, a radius canopy is provided at the lobby entry for additional weather protection along the sidewalk. No signage is proposed, however, signage under 32 square feet is exempt from review. *Therefore, these guidelines are 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.

C11. Integrate Roofs and Use Rooftops. Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or

vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

Findings for C1 and C11: Traditionally expressed with well-glazed upper floors and a rooftop outdoor amenity deck, the building will provide significant views to the surrounding landscape. Compatible in massing with most traditional context development, it will become part of the fabric of the rapidly growing cityscape and will not interfere with existing views and view corridors. *Therefore, these guidelines are met.*

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

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

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

Findings for C1-1 and C7-1: The access to garage, loading and service areas are co-located on east end of the SW Taylor St elevation. Concentration of these uses limits conflicts between pedestrians and vehicles, as there is only one point of potential conflict rather than multiple points. The parking and loading are located interior to the block with active floor area wrapping most of the project frontage, while long-term bike parking is provided below grade. The applicant is requesting a Modification to reduce the width of some parking spaces, thus relieving pressure on active floor-area at the ground level. *Therefore, these guidelines are met.*

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

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

B1-1. Provide Human Scale to Buildings along Walkways. Provide human scale and interest to buildings along sidewalks and walkways.

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.

Findings for C2, C5, B1-1, and C8: The building as designed employs elements of a traditional tri-partite expression – a well glazed storefront base, a series of bay expressions accenting the main body of the building, and upper two levels subtly accentuated with pairs of recessed window planes, and balconies over the angled bays at the primary corner and ends of the building. Overall, the building presents a coherent composition to the streetscape and will serve as a traditionally inspired infill development within this rapidly developing neighborhood featuring a mix of classically-ordered historic buildings, mid-century commercial buildings, emerging contemporary mixed-use development and surface parking lots. Generally, the proposed building features quality materials, including masonry, cementitious

panel (Equitone), aluminum storefront, and commercial-grade vinyl windows.

The storefront bays are accented with deep recesses (2'-4') framed by brick column bases. Windows in the main body of the building are arranged in vertical pairs, with varied recess (approximately 5 ½" from face of brick to face of sash; 3 ¾" from the face of fiber cement cladding to the face of sash within the window bays; and approximately 1 ¼" from the face of fiber cement cladding to the face of sash within the other areas of fiber cement cladding). To ensure that the windows within all areas of fiber cement cladding are adequately recessed to create sufficient shadow lines, staff is recommending Condition of Approval "E". With this recommended condition, the punched double-height glazing volumes will create sufficient shadow lines and help to lighten the building's overall mass, especially the 150'-long west elevation along SW 15th Avenue.

The proposed bays serve to provide human scale and interest to the facades with the strong angled expression referencing tradition bay window typology common in the area. To ensure that the leading edge of these primary angled bays form a crisp angle for the full 4-story length, staff is recommending Condition of Approval "F". This recommended condition ensures that the field cut fiber cement panels are received with a finished architectural fin, ensuring the highly visible, long edges of the bays promote a sense of quality and permanence.

With Condition of Approval "E", that all windows set within the fiber cement panels shall be inset so that the face of the outer sash is a minimum of 3 ¾" from the face of exterior cladding as shown on drawing "11a" on Exhibit C-16; and

With Condition of Approval "F", that a powder coated steel fin with a minimum thickness of 1/8" shall be added to conceal the area where the proposed fiber cement panels meet at the acute angle along the outward facing edge of each oriel bay; these guidelines are met.

[2] Oregon Statewide Planning Goals

Goal 1: Citizen Involvement

Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a Committee for Citizen Involvement (CCI) to monitor and encourage public participation in planning.

Findings: The City of Portland maintains an extensive citizen involvement program which complies with all relevant aspects of Goal 1, including specific requirements in Zoning Code Chapter 33.730 for public notice of land use review applications that seek public comment on proposals. There are opportunities for the public to testify at a local hearing on land use proposals for Type III land use review applications, and for Type II and Type IIx land use decisions if appealed. *For this application, a written notice seeking comments on the proposal and notifying of the public hearing was mailed to property-owners and tenants within 400 feet of the site, and to recognized organizations in which the site is located and recognized organizations within 1,000 of the site. Additionally, the site was posted with a notice describing the proposal and announcing the public hearing.*

The public notice requirements for this application have been and will continue to be met, and nothing about this proposal affects the City's ongoing compliance with Goal 1. Therefore, the proposal is consistent with this goal.

Goal 2: Land Use Planning

Goal 2 outlines the basic procedures of Oregon’s statewide planning program. It states that land use decisions are to be made in accordance with a comprehensive plan, and that suitable “implementation ordinances” to put the plan’s policies into effect must be adopted. It requires that plans be based on “factual information”; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

Findings: Compliance with Goal 2 is achieved, in part, through the City’s comprehensive planning process and land use regulations. For quasi-judicial proposals, Goal 2 requires that the decision be supported by an adequate factual base, which means it must be supported by substantial evidence in the record. *As discussed earlier in the findings that respond to the relevant approval criteria contained in the Portland Zoning Code, the proposal complies with the applicable regulations, as supported by substantial evidence in the record. As a result, the proposal meets Goal 2.*

Goal 3: Agricultural Lands

Goal 3 defines “agricultural lands,” and requires counties to inventory such lands and to “preserve and maintain” them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.

Goal 4: Forest Lands

This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will “conserve forest lands for forest uses.”

Findings for Goals 3 and 4: In 1991, as part of Ordinance No. 164517, the City of Portland took an exception to the agriculture and forestry goals in the manner authorized by state law and Goal 2. Since this review does not change any of the facts or analyses upon which the exception was based, the exception is still valid and Goal 3 and Goal 4 do not apply.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

Goal 5 relates to the protection of natural and cultural resources. It establishes a process for inventorying the quality, quantity, and location of 12 categories of natural resources. Additionally, Goal 5 encourages but does not require local governments to maintain inventories of historic resources, open spaces, and scenic views and sites.

Findings: The City complies with Goal 5 by identifying and protecting natural, scenic, and historic resources in the City’s Zoning Map and Zoning Code. Natural and scenic resources are identified by the Environmental Protection (“p”), Environmental Conservation (“c”), and Scenic (“s”) overlay zones on the Zoning Map. The Zoning Code imposes special restrictions on development activities within these overlay zones. Historic resources are identified on the Zoning Map either with landmark designations for individual sites or as Historic Districts or Conservation Districts. *This site is not within any environmental or scenic overlay zones and is not part of any designated historic resource. Therefore, Goal 5 is not applicable.*

Goal 6: Air, Water and Land Resources Quality

Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

Findings: Compliance with Goal 6 is achieved through the implementation of development regulations such as the City’s Stormwater Management Manual at the time of building permit review, and through the City’s continued compliance with Oregon Department of Environmental Quality (DEQ) requirements for cities. The Bureau of Environmental Services reviewed the proposal for conformance with sanitary sewer and stormwater management requirements and expressed no objections to approval of the application, as mentioned earlier in this report. *The Bureau of Environmental Services reviewed the proposal for conformance with sanitary sewer and stormwater management requirements. With Condition of Approval “D”, Staff finds the proposal is consistent with Goal 6.*

Goal 7: Areas Subject to Natural Disasters and Hazards

Goal 7 requires that jurisdictions adopt development restrictions or safeguards to protect people and property from natural hazards. Under Goal 7, natural hazards include floods, landslides, earthquakes, tsunamis, coastal erosion, and wildfires. Goal 7 requires that local governments adopt inventories, policies, and implementing measures to reduce risks from natural hazards to people and property.

Findings: The City complies with Goal 7 by mapping natural hazard areas such as floodplains and potential landslide areas, which can be found in the City’s MapWorks geographic information system. The City imposes additional requirements for development in those areas through a variety of regulations in the Zoning Code, such as through special plan districts or land division regulations. *The subject site is not within any mapped floodplain or landslide hazard area, so Goal 7 does not apply.*

Goal 8: Recreation Needs

Goal 8 calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expediting siting of destination resorts.

Findings: The City maintains compliance with Goal 8 through its comprehensive planning process, which includes long-range planning for parks and recreational facilities. Staff finds the current proposal will not affect existing or proposed parks or recreation facilities in any way that is not anticipated by the zoning for the site, or by the parks and recreation system development charges that are assessed at time of building permit. Furthermore, nothing about the proposal will undermine planning for future facilities. *Therefore, the proposal is consistent with Goal 8.*

Goal 9: Economy of the State

Goal 9 calls for diversification and improvement of the economy. Goal 9 requires communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

Findings: Land needs for a variety of industrial and commercial uses are identified in the adopted and acknowledged Economic Opportunity Analysis (EOA) (Ordinance 187831). The EOA analyzed adequate growth capacity for a diverse range of employment uses by distinguishing several geographies and conducting a buildable land inventory and capacity analysis in each. In response to the EOA, the City adopted policies and regulations to ensure an adequate supply of sites of suitable size, type, location and service levels in compliance with Goal 9. The City must consider the EOA and Buildable Lands Inventory when updating the City’s Zoning Map and Zoning Code. *Because this proposal does not change the supply of industrial or commercial land in the City, the proposal is consistent with Goal 9.*

Goal 10: Housing

Goal 10 requires local governments to plan for and accommodate needed housing types. The Goal also requires cities to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Findings: The City complies with Goal 10 through its adopted and acknowledged inventory of buildable residential land (Ordinance 187831), which demonstrates that the City has zoned and designated an adequate supply of housing. For needed housing, the Zoning Code includes clear and objective standards. *Since approval of this application will enable an increase in the City’s housing supply, the proposal is consistent with Goal 10.*

Goal 11: Public Facilities and Services

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal’s central concept is that public services should be planned in accordance with a community’s needs and capacities rather than be forced to respond to development as it occurs.

Findings: The City of Portland maintains an adopted and acknowledged public facilities plan to comply with Goal 11. See Citywide Systems Plan adopted by Ordinance 187831. The public facilities plan is implemented by the City’s public services bureaus, and these bureaus review development applications for adequacy of public services. Where existing public services are not adequate for a proposed development, the applicant is required to extend public services at their own expense in a way that conforms to the public facilities plan. *In this case, the City’s public services bureaus found that existing public services are adequate to serve the proposal, as discussed earlier in this report.*

Goal 12: Transportation

Goal 12 seeks to provide and encourage “safe, convenient and economic transportation system.” Among other things, Goal 12 requires that transportation plans consider all modes of transportation and be based on inventory of transportation needs.

Findings: The City of Portland maintains a Transportation System Plan (TSP) to comply with Goal 12, adopted by Ordinances 187832, 188177 and 188957. The City’s TSP aims to “make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs.” The subject site is adjacent to two developed rights-of-way designated as Local Service Bikeway and a City Bikeway and Traffic Access Street. *The proposal is consistent with Goal 12.*

Goal 13: Energy

Goal 13 seeks to conserve energy and declares that “land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.”

Findings: With respect to energy use from transportation, as identified above in response to Goal 12, the City maintains a TSP that aims to “make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs.” This is intended to promote energy conservation related to transportation. Additionally, at the time of building permit review and inspection, the City will also implement energy efficiency

requirements for the building itself, as required by the current building code. *For these reasons, staff finds the proposal is consistent with Goal 13.*

Goal 14: Urbanization

This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an “urban growth boundary” (UGB) to “identify and separate urbanizable land from rural land.” It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

Findings: In the Portland region, most of the functions required by Goal 14 are administered by the Metro regional government rather than by individual cities. The desired development pattern for the region is articulated in Metro’s Regional 2040 Growth Concept, which emphasizes denser development in designated centers and corridors. The Regional 2040 Growth Concept is carried out by Metro’s Urban Growth Management Functional Plan, and the City of Portland is required to conform its zoning regulations to this functional plan. *This land use review proposal does not change the UGB surrounding the Portland region and does not affect the Portland Zoning Code’s compliance with Metro’s Urban Growth Management Functional Plan. Therefore, Goal 14 is not applicable.*

Goal 15: Willamette Greenway

Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

Findings: The City of Portland complies with Goal 15 by applying Greenway overlay zones which impose special requirements on development activities near the Willamette River. The subject site for this review is not within a Greenway overlay zone near the Willamette River, so Goal 15 does not apply.

Goal 16: Estuarine Resources

This goal requires local governments to classify Oregon’s 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those “management units.”

Goal 17: Coastal Shorelands

This goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for “water-dependent” or “water-related” uses.

Goal 18: Beaches and Dunes

Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes, but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.

Goal 19: Ocean Resources

Goal 19 aims “to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf.” It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19’s main requirements are for state agencies rather than cities and counties.

Findings: *Since Portland is not within Oregon’s coastal zone, Goals 16-19 do not apply.*

[3] MODIFICATION REQUESTS (33.825)

33.825.040 Modifications That Will Better Meet Design Review Requirements:

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. **Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and
- B. **Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

Modification #1: 33.266.130.F *Parking area layouts* – to reduce the width of some of the below-grade parking spaces from the required 8’-6” to as much as 7’-10”; and

Purpose Statement for 33.266.130: “The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones. Together with the transit street building setback standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian Districts:

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

The setback and landscaping standards:

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

Standard: 33.130.210.F.2 *Parking space and aisle dimensions.* Parking spaces and aisles must meet the minimum dimensions contained in Table 266-4. Table 266-4 states that parking spaces oriented at 90° to the drive aisle should have minimum dimensions of 8’-6” x 16’-0”.

- A. **Better meets design guidelines.** *The resulting development will better meet the applicable design guidelines; and*

Findings: As noted above under C1-1 *Integrate Parking* and C7-1 *Reduce the Impact of Residential Unit Garages on Pedestrians*, reduction of the width of some parking spaces allows a greater number of parking spaces to be provided below grade, reducing the pressure for parking located on the street or at the ground level of the building.

B. Purpose of the standard. *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Findings: The applicant is proposing approximately 22 at-grade parking spaces to serve the residential units. Approximately 14 of these spaces will be reduced up to 8 inches in width, for a total width of 7'-10" due to the presence of structural columns partially encroaching into the spaces. Staff notes that the columns are 2'-0" deep, thus compromising the width of the space for only 2'-0", while the remaining 14'-0" depth of the spaces are at the standard width. By allowing a reduced width, the applicant is able to accommodate more vehicles, which reduces the number of potential vehicles parked on the street and increases ground floor activation.

The purpose of the design standard is met and the design guidelines are better met by the proposal to reduce the width of some of the proposed at-grade parking spaces.

Therefore, this Modification merits approval.

Modification #2: 33.266.220.C.3 Standards for all bicycles – to reduce the width of all of the required 163 long-term bicycle parking spaces from the required 2'-0" to 1'-6".

Purpose Statement for 33.266.130.C: "These standards ensure that required bicycle parking is designed so that bicycles may be securely locked without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage."

Standard: 33.266.C.3 Bicycle racks. The Office of Transportation maintains a handbook of racks and citing guidelines that meet the standards of this paragraph. Required bicycle parking may be provided in floor, wall, or ceiling racks. Where required bicycle parking is provided in racks, the racks must meet the following standards:

- a. The bicycle frame and one wheel can be locked to the rack with a high security, U-shaped shackle lock if both wheels are left on the bicycle;
- b. A space 2 feet by 6 feet must be provided for each required bicycle parking space, so that a bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components. See Figure 266-11; and
- c. The rack must be securely anchored.

A. Better meets design guidelines. *The resulting development will better meet the applicable design guidelines; and*

Findings: By reducing the width of the bike parking, the applicant has the option of reducing the total amount of square footage devoted to bike parking, or providing additional spaces to better meet bike parking demand. Guideline C1-1 *Integrate Parking* is better met by the reduced width, as it allows for accommodation of either a greater number of bicycle parking spaces.

B. Purpose of the standard. *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Findings: With the reduction in width, the applicant will be able to accommodate a greater number of long-term bike parking spaces and ensure that demand for bike parking spaces is met. The purpose of the standard is met in that many of the bicycles will be stored privately within the units and that a greater number of spaces than required is to be provided, including space for non-traditional bicycles, which will provide extra space for bicycles to spread out if all spaces are not occupied.

Therefore, this Modification merits approval.

Modification #3: 33.510.243.B.1 Eco Roofs – to reduce the eco roof coverage the 2nd-level and 3rd-level roof terrace from 100% eco roof coverage to 46% eco roof coverage on the 2nd level terrace and 0% eco roof coverage on the 3rd level terrace to allow for private access to the terraces via individual units.

Purpose Statement for 33.510.243.B: “Ecoroofs provide multiple complementary benefits in urban areas, including stormwater management, reduction of air temperatures, mitigation of urban heat island impacts, air quality improvement, urban green spaces, and habitat for birds, plants and pollinators. The standards are intended to:

- Maximize the coverage of ecoroofs;
- Allow for the placement of structures and other items that need to be located on roofs; and,
- Support the architectural variability of rooftops in the Central City.”

Standard: 33.510.243.B Ecoroofs. In the CX, EX, RX, and IG1 zones, new buildings with a net building area of 20,000 square feet or more must have an ecoroof that meets the following standards:

1. The ecoroofs, including required firebreaks between ecoroofs areas, must cover 100 percent of the building roof area, except that up to 40 percent of the building roof area can be covered with a combination of the following. Roof top parking does not count as roof area. Roof area that has a slope greater than 25% does not count as roof area:

- a. Mechanical equipment, housing for mechanical equipment, and required access to, or clearance from, mechanical equipment;
- b. Areas used for fire evacuation routes;
- c. Stairwell and elevator enclosures;
- d. Skylights;
- e. Solar panels;
- f. Wind turbines;
- g. Equipment, such as pipes and pre-filtering equipment, used for capturing or directing rainwater to a rainwater harvesting system; or
- h. Uncovered common outdoor areas. Common outdoor areas must be accessible through a shared entrance.

2. The ecoroof must be approved by the Bureau of Environmental Services as meeting the Stormwater Management Manual’s Ecoroof Facility Design Criteria.

A. Better meets design guidelines. *The resulting development will better meet the applicable design guidelines; and*

Findings: The proposed ecoroof on the upper roof is designed to both exceed the ecoroof coverage standard for the overall roof area and provide common-access roof deck amenity space. As designed, the proposed modification allows for additional

activated lower-level roof terraces (on levels 2 and 3) that allow for increased activity at integrated roof terraces which will allow residents access to the outdoors, where they can experience views of the City and surrounding landscape, thus better meeting A2 *Emphasize Portland Themes*, C1 *Enhance View Opportunities*, and C11 *Integrate Roofs and Use Rooftops*.

B. Purpose of the standard. *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Findings: As stated above, the current design of the upper level roof exceeds the ecoroof coverage requirements (providing 73% coverage rather than 60%). Additionally, the overall ecoroof coverage for all roof area 68% ecoroof coverage. While the entirety of the 2nd-level and 3rd level terraces are not meeting the requirement for the individual roof areas, the site as a whole exceeds the coverage, thus meeting the coverage and flexibility requirements. Additionally, the 679 SF of ecoroof on the 2nd-level roof terrace is designed to bring interest and aid in providing privacy to private roof terraces. As such, this area of planting includes more diverse tall plantings that range in height which supports the habitat function of the ecoroof, thus meeting the purpose of the standard.

Staff finds these criteria are met, However, the Bureau of Environmental Services (BES) is not recommending approval as an updated Stormwater Report has not yet been provided to show that the current design can satisfy the SWMM requirements. As such staff has added Condition of Approval “D” to ensure concerns are adequately resolved before the hearing on May 16, 2019.

With Condition of Approval “D”, that a revised response from the Bureau of Environmental Services supporting the proposal shall be provided prior to the hearing on May 16th, 2019, this Modification merits approval.

[4] EXCEPTION TO “WINDOW PROJECTIONS INTO THE PUBLIC RIGHT-OF-WAY” IBC/32/#1

Windows that project into the public right-of-way have a maximum width of 12'. When approved through design review, the width may vary. The proposal includes a 31'-10" wide window projecting into the NW 19th Ave public right-of-way at the east elevation near the SE corner of the building.

A. Projection. Maximum projection of 4 feet into the right-of-way including trim, eaves and ornament.

Findings: The maximum projection is 2'-9 3/4". *This Criterion is met.*

B. Clearance. Clearance above grade as defined in Chapter 32, Section 3202.3.2 of the current Oregon Structural Specialty Code. (The 2004 edition of the Oregon Structural Specialty Code states that no projection is allowed for clearances less than 8 feet above grade. For clearances above grade greater than 8 feet, 1 inch of projection is allowed for each additional inch of clearance, provided that no such projection shall exceed a distance of 4 feet.)

Findings: Minimum clearance above grade is 16'-6" and the maximum projection is 34". *This Criterion is met.*

C. Area. Maximum wall area of all windows which project into public right-of-way on a wall is 40% of the wall's area.

Findings: Projecting wall area is under 40% on both elevations. *This Criterion is met.*

D. Wall Length. Maximum width of any single window which projects into public right-of-way is 50% of its building wall length.

Findings: Projecting wall length is under 50% on both elevations. *This Criterion is met.*

E. Window Area. Minimum of 30% window area at the face of the projecting window element. Projections greater than 2 feet 6 inches must have windows at all sides. Required side windows must be a minimum of 10% of side walls.

Findings: Front-facing window area of the projecting bay window is well over 30%. With a maximum projection of 34", the side walls are required to be glazed and are proposed to be glazed to well exceed the 30% requirement. *This Criterion is met.*

F. Width. Maximum width of 12 feet for each projecting window element. When approved through Design Review, the width may vary provided the area of all windows on a wall which project into public right of way does not exceed 40% of the wall's area and the width of any single projecting window element does not exceed 50% of its building wall's length.

Findings: The proposed projections range in width from approximately 10' to 21'-4". This Criterion is not met but is approvable with (1) compliance with standards C and D, and (2) a favorable recommendation through Design Review. Standards C and D are met. With regard to Design Review consideration, the building is stronger and more compelling with the proposed bay window as follows:

- typologically appropriate given the building's traditional architectural expression with angled bay expression;
- reflective of historical context development;
- proportionally appropriate to accent the project's primary corner (SW 15th Ave and Taylor St);
- effective design to modulate building mass to pedestrian scale;
- containing primary living/dining area which will provide eyes on the street below;
- restrained projection depth (34") with recessed glazing and quality materials.

This criterion is met.

G. Separation. Minimum separation of 12 feet measured from other projecting window elements on the same elevation or plane of wall. When approved through Design Review, required separation may vary provided the area of all projecting window elements on a wall does not exceed 40% of the wall's area and the width of any single projecting window element over the right-of-way does not exceed 50% of its building wall's length.

Findings: All proposed Oriels are separated by more than 12'. *This criterion is met.*

Staff recommends approval of this requested exception.

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

requirements of Title 11 can be met, and that all development standards of Title 33 can be met or have received an Adjustment or Modification via a land use review, prior to the approval of a building or zoning permit.

CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposal as revised pursuant to Design Commission comments, meets the Design Guidelines and Modification approval criteria, and therefore warrants approval.

TENTATIVE STAFF RECOMMENDATION

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

Staff is recommending *approval with conditions* of the Design Review and Modifications for a 7-story apartment building located on a 15,000 sf site in the Goose Hollow Sub-District of the Central City Plan District including the following key program components (approximate quantities): 107 units, 782 square feet of ground-level retail, private rooftop amenity deck, 22 auto parking stalls, 2 Standard B loading stalls, 163 long-term bike spaces.

- A. As part of the building permit application submittal, the following development-related conditions (B through F) 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 18-281556 DZM ". 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. A revised response from the Bureau of Environmental Services supporting the proposal shall be provided prior to the hearing on May 16th, 2019.
- E. All windows set within the fiber cement panels shall be inset so that the face of the outer sash is a minimum of 3 ¼” from the face of exterior cladding as shown on drawing “11a” on Exhibit C-16.
- F. A powder coated steel fin with a minimum thickness of 1/8” shall be added to conceal the area where the proposed fiber cement panels meet at the acute angle along the outward facing edge of each oriel bay.

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Procedural Information. The application for this land use review was submitted on December 21, 2018, and was determined to be complete on March 29, 2019.

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 December 21, 2018.

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 (Exhibit A-12). Unless further extended by the applicant, **the 120 days will expire on: July 27, 2019**

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

This report is not a decision. The review body for this proposal is the Design Commission who will make the decision on this case. This report is a recommendation to the Design Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Design Commission will make a decision about this proposal at the hearing or will grant a continuance. Your comments to the Design Commission can be mailed, c/o the Design Commission, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201 or faxed to 503-823-5630.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. You may review the file on this case by appointment at our office at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201. Please call the file review line at 503-823-7617 to schedule an appointment.

Appeal of the decision. The decision of the Design Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Design Commission, City Council will hold an evidentiary hearing, one in which new evidence can be submitted to them. Upon submission of their application, the applicant for this land use review chose to waive the 120-day time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing.

Who can appeal: You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. **Appeals must be filed within 14 days of the decision. An appeal fee of \$5,000 will be charged (one-half of the application fee for this case).**

Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the

appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

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

Recording the final decision.

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **14 days from the mail date of the Notice of Final Findings and Decision** 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 must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

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

Megan Sita Walker
May 2, 2019

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant’s Statement
 - 1. Original Narrative Original Narrative for DZ, Rec’d January 3, 2019
 - 2. Original Drawing Packet – Not Approved/For Reference Only
 - 3. Applicant response Incomplete letter/ Staff Memo, Rec’d March 25, 2019
 - 4. Revised Narrative, Rec’d March 25, 2019
 - 5. Revised Drawing Packet, Rec’d March 25, 2019 – For Reference Only
 - 6. Revised Drawing Packet, Rec’d April 29, 2019
 - 7. Revised Sketches, Rec’d February 26, 2019 – Not Approved/For Reference Only
 - 8. Revised Sketches, Rec’d March 5, 2019 – Not Approved/For Reference Only
 - 9. Revised Sketches, Rec’d March 12, 2019 – Not Approved/For Reference Only
 - 10. Revised Sketches, Rec’d March 18, 2019 – Not Approved/For Reference Only
 - 11. Revised Sheets, Rec’d April 22, 2019 – For Reference Only
 - 12. 120-Day wavier
- B. Zoning Map
- C. Plan & Drawings:
 - 1. Site Plan
 - 2. Floor Plan - Level 1 + Mezzanine
 - 3. Floor Plan - Level 2 + 3
 - 4. Floor Plan - Level 4 + 5
 - 5. Floor Plan - Level 6 + 7
 - 6. Floor Plan - Roof
 - 7. Exterior Elevations - North + South
 - 8. Exterior Elevations - East + Stair Tower
 - 9. Exterior Elevations - West + Stair Tower
 - 10. Building Section - Cross + Long
 - 11. Wall Sections
 - 12. Wall Sections
 - 13. Wall Sections
 - 14. Wall Sections
 - 15. Wall Sections
 - 16. Details
 - 17. Details
 - 18. Details
 - 19. Details
 - 20. Details
 - 21. Details
 - 22. Details
 - 23. Details
 - 24. Details
 - 25. Details
 - 26. Enlarged Floor Plan - Bike Room
 - 27. Materials
 - 28. Materials
 - 29. Landscape - Planting Plan
 - 30. Landscape - Roof Terrace Plan
 - 31. Landscape - Roof Terrace Plan
 - 32. Lighting Plans
 - 33. Grading Plan
 - 34. Utility Plan
 - 35. Lighting Cut Sheets
 - 36. Lighting Cut Sheets
 - 37. Materials
 - 38. Materials
 - 39. Materials

D. Notification information:

1. Request for Response
2. Posting Letter sent to applicant
3. Notice to be posted
4. Applicant's statement certifying posting
5. Mailed notice
6. Mailing list

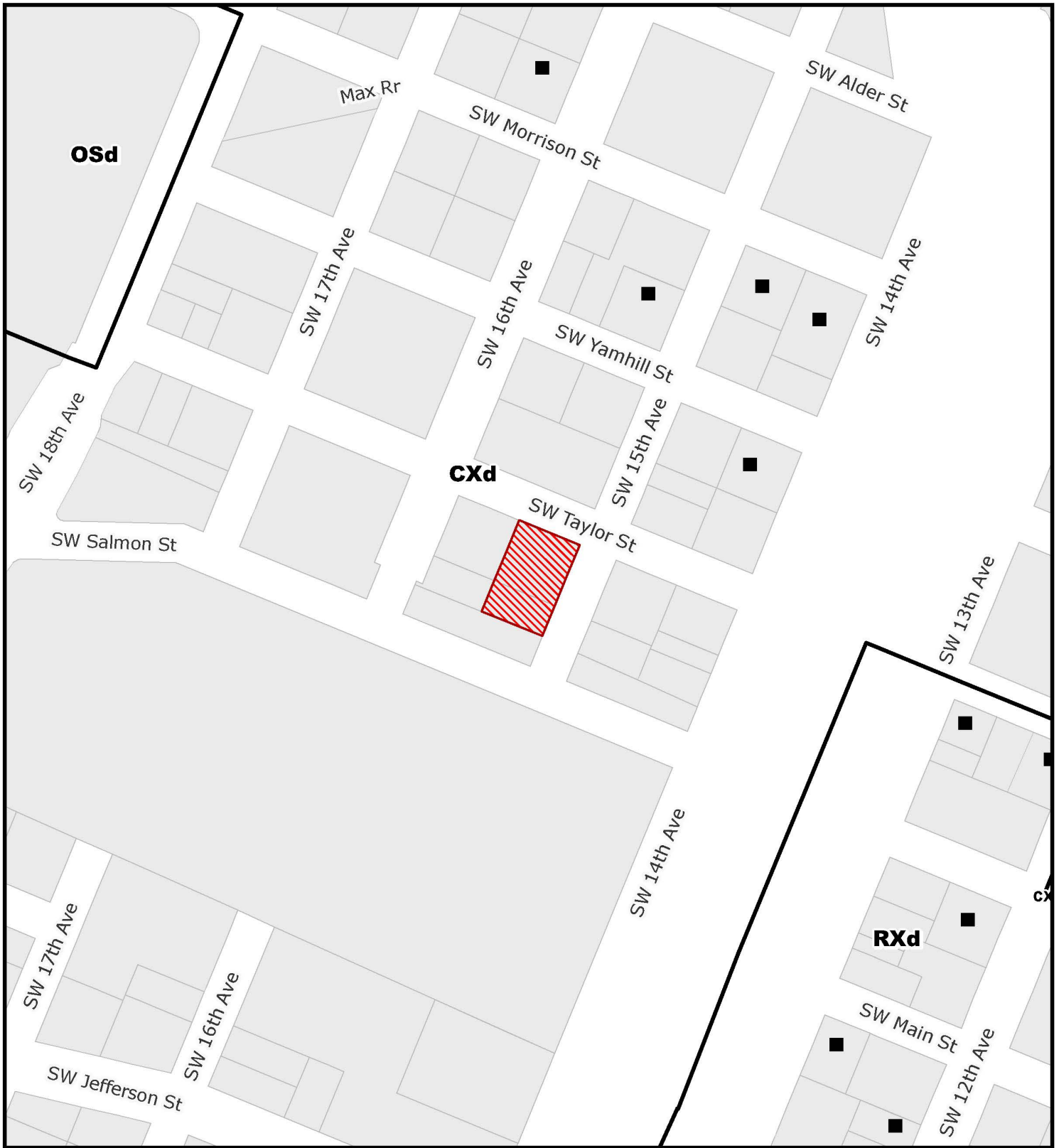
E. Agency Responses:

5. Bureau of Environmental Services
6. Life safety Division of BDS
7. Site Development Section of BDS
8. Water

F. Correspondence: none

G. Other

1. Original LUR Application
2. Incomplete Letter, sent January 11, 2019
3. Email correspondence between staff and the applicant



ZONING



THIS SITE LIES WITHIN THE:
CENTRAL CITY PLAN DISTRICT
GOOSE HOLLOW SUBDISTRICT



Site



Historic Landmark

File No.	<u>LU 18-281556 DZM</u>
1/4 Section	<u>3028</u>
Scale	<u>1 inch = 200 feet</u>
State ID	<u>1N1E33DC 4700</u>
Exhibit	<u>B Dec 26, 2018</u>