



Hyatt Place & The Allison Residences

350 NW 12th Ave, Portland, Oregon

Request for
Design Review Approval
Modification Approval

Prepared for:
Park On 12th, LLC
606 Maynard Ave S #251
Seattle, WA 981104

April 9, 2019

Prepared By:
Otak, Inc.
808 SW Third Avenue, Suite 300
Portland, OR 97204

Project No. 18177



SITE INFORMATION

JURISDICTION: Portland, Oregon
ADDRESS: 350 NW 12th Avenue
LOCATION: SE corner of NW 12th and NW Flanders
STATE ID: 1N1E33DA 2700
ASSESSOR ID: R140647
SIZE: 10,000 sf (0.23 ac)
PROJECT VALUE: \$66,000,000

APPLICANT/PROPERTY OWNER

OWNER: Parq on 12th LLC
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PROJECT DEVELOPMENT TEAM

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I. Requests

Design Review approval is requested for development of a new 23-story tower containing 170 hotel rooms and 110 dwelling units. No adjustments or modifications are requested.

The subject site is located at the southeast corner of NW Flanders St and NW 12th Ave in the Pearl District. It is zoned EX Central Employment with the d Design overlay (EXd) and is located within the River District subarea of the Central City Plan District. New development in this district with a valuation of more than \$2,297,050 is subject to Type III Design Review. The proposed development is estimated to have a valuation of \$66,000,000 and is subject to Type III review.

It is currently developed as a surface parking lot, and a small storage structure is located on the northwest corner. The properties to the west, north, east, and south are also zoned EXd. The site to the east is developed with a warehouse building; the site to the south is developed with the Oakwood Apartments (formerly the Janey).

II. Project Description

The project proposes a 23-story mixed use building consisting of hotel/hospitality and residential uses. Levels 2 to 11 feature 170 hotel rooms and support spaces. The first floor provides all hotel hospitality services including a prominent corner entrance, lobby, check-in and hospitality offerings including a bar/coffee bar, seating for bar and café service for guests and the public and a breakfast area. The residential entrance and lobby are also located on the first floor as is a two-bay loading area for building services.

The upper floors from 12 to 23 provide 110 one-bedroom and studio units. Separate elevator banks serve the two functions independently. Hotel guests and residents will have access to a shared event/lounge space on the 22nd floor. In addition, a shared fitness facility is located immediately adjacent to the event space. The event space provides a large terrace for outdoor uses. The space is a double high space that offers views of downtown, connection to the Willamette river and views to the north-east, east and south as well as the west. The space provides a lantern-like crown that creates a dramatic, sculpted top to the project.

The building offers outdoor decks and strategic locations in the residential portion of the tower to articulate the architectural form and provide enhanced views in key view locations. The ground floor provides a tall space with large street level windows (approximately 22 ft, above grade) to connect the activity of the ground level functions to activate the street. The proposed development does not propose to provide vehicular parking.

The proposed FAR and height will require FAR transfer from Sector 1. The applicant is currently in discussions with various potential FAR providers and is focusing efforts on purchasing FAR from within the Pearl District as requested by the Pearl District Neighborhood Association (PDNA) Transportation and Land Use Committee.

The project has registered with the Green Globes Building Rating system. Sustainable features include a highly efficient HVAC system, innovative in-slab ducts, and low energy light fixtures. At least 60 percent of the roof surfaces of the building will utilize an ecoroof system to assist with mitigating the heat island effect of the urban environment, while also providing stormwater management support and insect and bird habitat. Bird safe glazing will be installed on lower-level windows to protect avian populations in the area.

III. Project Background

The design has been refined and advanced in response to comments received from the Design Commission and City of Portland staff. The comments received and design responses are summarized below. The project team also attended two meetings of the Pearl District Neighborhood Association Land Use and Transportation Committee to introduce the project and to share revised designs.

Early Assistance Meetings

The project team attended two early assistance meetings with the City of Portland.

Early Assistance Meeting #1 – July 11, 2018

At the time of this meeting, the project was an 11-story hotel with a FAR of 9:1.

Staff Notes on Specific Design Review Issues

Staff noted that the design should respond to the area context including the 13th Avenue Historic District and the 11th Avenue Streetcar alignment. Staff encouraged the team to continue locating active uses at the street facing façades with storefronts and overhead canopies. They also noted that utilities, loading and other back of house functions should be carefully planned so they have a minimal impact on the street facing façade. Staff noted that materials should be high-quality, durable components that complement the existing character of the neighborhood. They encouraged venting vertically to minimize the impact of vents on the façade. End walls should be designed with other elements of the building and signage should complement the building architecture.

Current Design Response

At the ground floor, the building continues to have a strong presence for the pedestrian realm and the high foot traffic which is indicative of this area. The articulation of the storefront bays, coupled with the canopy projections, convey a human scale that blends historic architectural vocabulary with modern material use and texture. Loading bays have been moved to the 12th avenue side and most back of house functions are programmed for below grade or away from the street-face of the building. A strong base material of concrete and storefront glazing sets the standard for quality and permanent materials. In the upper stories, Aluminum Composite Panels are composed with a refined Aluminum window wall system. Unit venting is horizontal, but is minimized by in-slab ducting, balcony vents, and inconspicuous reveals in the window wall system. The south end wall is articulated with a window that terminates the hotel corridor. Window corners are wrapped at strategic instances in the tower to bring the articulation of the façade to a complete resolution. Signage is under 32 sf for each façade, and announces the hotel use in a subdued, but hierarchical fashion with a prominent location at the Northwest corner canopy.

Early Assistance Meeting #2 (Preapplication Conference) - August 21, 2018

At the time of this meeting, the project was a 23-story hotel/apartment with a FAR of 18:1.

Staff Notes on Specific Design Review Issues

In addition to notes from the Early Assistance meeting Staff had additional comments in response to the change in program and height increase. Staff noted, given the new height of the building, the massing and design should respond to the surrounding urban fabric. The proposed configuration of loading spaces to an exit stair creates a wide section of inactive ground floor façade area.

Current Design Response

The composition of the tower is expressed through shifting masses which reflect the interior programs expressing thoughtful articulation which resolves in an architectural expression that is unified and complete. The tower is reduced to major elements using a consistent façade language and material, while also expressing depth and interest through strategic pushing and pulling of façade surfaces. The upper stories are pulled away from the south façade to introduce a rooftop terrace with views to the Willamette

River, downtown Portland, and the West Hills. The roof amenity mass is connected to the ground floor at a deliberate vertical “slot” along the West façade which features the integrated public art that represents Portland and water themes. At the ground floor along 12th Avenue, the loading bay overhead door is flanked by the residential entrance to the north and the bicycle user entrance to the south. Storefront glazing has been added at the bicycle user entrance to illuminate the space and provide transparency at this informal arrival point. Translucent glass panels on the overhead door will allow light to be emitted at the loading bay, while concealing any back of house functions.

Design Advice Review Meetings

The project has been reviewed by the Design Commission at two DARs on October 4 and December 3, 2018. The following is a summary of the advice received and how the team responded to address the comments and suggestions made.

Design Advice Review #1: October 4, 2018

The team presented a preliminary concept to the Design Commission for discussion (see APP.20 for the design presented at this meeting).

Design Commission comments:

- **Massing:** further sculpting and articulation of the tower form was requested. Proposed balconies were supported but required further integration into the façade architecture. A single-story event space with terrace was proposed at the top of the tower and supported by the Commission as an important element at the top of the building. The suggestion was to make more of this element with further articulation.
- **Transparency:** The lot line wall (East elevation) was acknowledged as important to provide as much glass as possible to bring interest to this lot line elevation.
- **Ground Floor:** The Commission suggested the ground floor is the most important part of the design in responding to context. They supported the direction offered for the ground floor.
- **Loading:** The Commission suggested moving the loading bays from NW Flanders to NW 12th Avenue to get all loading off the Bikeway proposed for NW Flanders. Inactive areas within the ground floors were suggested to be moved away from street walls.
- **Quality and Permanence:** The Commission noted that the emphasis on building cladding should be for quality and design rather than material type.

Team Response:

- **Massing:** Adjustments included creating a two-story glazed event space giving much more emphasis of the top of the tower. Massing was refined by dividing the tower into two forms. The two masses are separated by a recessed “slot” that extends from bottom to top on both the west and east elevations. The slot was integrated with the building crown. The number and extent of balconies were increased giving emphasis to mid-scale texture and capturing significant views.
- **Transparency:** Portions of the east elevation were moved back from the property line to permit the addition of more glass to the façade. The upper level Northeast corner is wrapped in glazing to further emphasize the building vocabulary. Level 22-23 are moved further away from the East property line to allow for a higher percentage of glazing. The south elevation was developed with more windows and articulation of the façade elements.
- **Ground Floor:** The ground floor continued to develop as a powerful street-facing solution for creating contextual response and an active street.

- **Loading:** The loading bays were moved from NW Flanders Street to NW 12th Avenue.
- **Quality and Permanence:** The team continued to develop the building cladding solution and considered a series of shaped metal panels that flank each of the hotel and residential windows. To further articulate the tower expression, panels were shifted one-half panel at key locations such as the change from hotel to residential. Flat areas of the façade were proposed as fiber cement panels. The ground level materials (concrete columns, large window openings, robust window framing and canopy details and materials) were selected for their quality and longevity.

Design Advice Review #2: December 3, 2018

The team presented a refined preliminary concept to the Design Commission for discussion (see Sheet APP.20 for the design presented at this meeting).

Design Commission comments:

- **Overall:** The primary comments by the Commission included requests for further articulation of the tower (eroding the mass), further support for and integration of balconies, and further refinement of the crown element at the top of the building. The east wall was considered much improved with more glazing to bring the elevation into parity with the other elevations.
- **Northwest Corner:** Commissioners suggested increasing the design prominence including increased transparency and openness to of the NW corner at the intersection.
- **Public Realm:** Comments included providing more landscaping integrated into the site and seeking ways to provide more trees on 12th Avenue. The Commission was supportive of the ground floor plan organization but suggested further identification of the hotel and residence entrances. The hotel entrance at the corner is strong, but the Commission desired including entry capability from the north at the corner. The Commission suggested that canopies and other details be tailored in scale to specific uses along the sidewalk to create human scale, that bicycle access needed to be improved and made clear and welcoming, and that art and water features should be architecturally integrated.
- **Quality and Permanence:** the Commission did not comment on specific materials but placed an emphasis on quality and design rather than material type.

Team Response:

- **Overall:** Massing was further refined by moving the fitness center from the NW corner of the building to the SE corner. This creates a single, glazed two-story crown for the tower that is much more coherent and focuses the architecture of the crown into a more powerful statement. The slots are further integrated with the crown articulating the paired tower forms of the building. Windows at balconies have been inset some 8 inches to better integrate balconies in the façade. Panels at balconies have been modified to permit more window opening to deck and further integrating balconies. The east wall has added windows to the maximum allowed by building code (15%).
- **Northwest Corner:** The NW corner of the building has been revised to add large balconies in the west wall at the residential units and two additional windows in each of the hotel rooms. This greatly enriches response to the corner making it active and adding to the texture and interest of the corner at the intersection.
- **Public Realm:** Landscaping is proposed per the River District Right-of-Way Standards. The hierarchy of the two primary entrances – hotel and residences – has been reinforced. The Hotel entrance is prominently located on the Northwest corner of the site, with a large glass vestibule that opens to both the North and the West. The height of the canopy, coupled with the signage, further emphasizes the hotel entrance prominence. The residential entrance is announced by a lower canopy which provides a more personal scale. Landscape elements at this location further reinforce the residential nature of this entrance. The bike entrance has been made more open and welcoming with storefront glazing. The lighting design further promotes transparency, safety, and activity for this

entrance. Art and water features are architecturally integrated into the building with the addition of the “design installation”, a feature utilizing panels that become a metaphor for rain or waterfall that satisfy the art and water requirement and utilize Portland Themes in its expression.

- **Quality and Permanence:** The material and detail systems for the façade have been refined to greatly increase the coherence of the design. Panels are now all Aluminum Composite Material (ACM) panels. Components have clear relationship to one another defining use or position in the façade. The building crown now is a single entity greatly adding to the clarity of the building top and providing a lantern like evening experience bringing the building to a strong conclusion.

Please refer to sheet APP.21 for the design team’s submittal in response to DAR #2 Comments.

IV. Compliance with Title 33 Zoning Ordinance

Zoning Summary

Base zone	EX – Central Employment
Overlay Zone	d - Design
Historic District	NA
Conservation District	NA
Plan District	Central City Plan District
Plan Subdistrict	River District

A. 33.140 Employment and Industrial Zones

General

33.140.100 Primary Uses

Response: The subject site is in the EX Central Employment zone. Table 140-1 identifies permitted uses in the EX zone. The proposed uses are multifamily residential and hotel; multifamily residential is a “Household Living” use and is permitted outright in the EX zone, and a hotel is a “Retail Sales and Service” use, which is also permitted outright in the EX zone.

These standards are met.

Development Standards

Response: The site is located within the Central City Plan District, and the standards of Chapter 33.510 supersede the standards of this section. Compliance with the standards of Chapter 33.510 is addressed in Section III.E of this narrative.

B. 33.245 Inclusionary Housing

33.245.020 Where These Regulations Apply

The regulations of this chapter apply to the following:

- New buildings with 20 or more dwelling units; and*
- Alterations to existing buildings that add 20 or more dwelling units.*

Response: The proposed building contains more than 20 dwelling units and is subject to the regulations of this chapter.

33.245.040 Inclusionary Housing Standards

Affordable dwelling units must be provided as follows, or a fee-in-lieu of providing affordable dwelling units must be paid. Adjustments are prohibited:

- A. *On-site affordable dwelling units. When the affordable dwelling units will be located on-site, affordable dwelling units must be provided at one of the following rates. For the purpose of this Section, affordable dwelling units located within the boundaries of a Central City Master Plan are considered to be on-site:*
1. *Central City and Gateway plan districts. Inside the Central City and Gateway plan districts, affordable dwelling units must be provided at one of the following rates:*
 - a. *10 percent of the total number of dwelling units in the new building or the alteration must be affordable to those earning no more than 60 percent of the area median family income; or*
 - b. *20 percent of the total number of dwelling units in the new building or the alteration must be affordable to those earning no more than 80 percent of the area median family income; or*
- [...]

Response: The proposed building includes 110 dwelling units. Prior to building permit submittal the applicant will determine whether affordable dwelling units will be provided on site or a fee-in-lieu of providing affordable dwelling units will be paid.

C. 33.266 Parking, Loading, and Transportation and Parking Demand Management

Motor Vehicle Parking

33.266.110 Minimum Required Parking Spaces

Response: The site is located within the Central City Plan District, and the standards of Chapter 33.510 supersede the standards of this section. Compliance with the standards of Chapter 33.510 is addressed in Section III.E of this narrative.

Bicycle Parking

33.266.210 Required Bicycle Parking

- A. *Number of spaces required.*
1. *The required minimum number of bicycle parking spaces for each use category is shown on Table 266-6. No bicycle parking is required for uses not listed.*
 2. *The required minimum number of bicycle parking spaces is based on the primary uses on a site. There are no bicycle parking requirements for accessory uses. However, if the required number of spaces for the primary uses is based on net building area, the net building area of accessory uses is included with the primary uses in the calculation. For example, a Manufacturing and Production use of 45,000 square feet with 15,000 square feet of accessory Office use would have a bicycle parking requirement of 4 spaces, based on 60,000 square feet of net building area. If the primary use is not listed in Table 266-6, no bicycle parking is required for the accessory use.*
 3. *When there are two or more separate primary uses on a site, the required bicycle parking for the site is the sum of the required parking for the individual primary uses.*
- [...]

Response: There are two separate primary uses on the site: a temporary lodging/hotel use and a multifamily residential use. Compliance with Table 266-6 is addressed below.

33.266.220 Bicycle Parking Standards

- A. *Short-term bicycle parking.*
- [...]
2. *Standards. Required short-term bicycle parking must meet the following standards:*

- a. *Short-term bicycle parking must be provided in lockers or racks that meet the standards of Subsection 33.266.220.C.*
- b. *Location. Short-term bicycle parking must be:*
 - (1) *Outside a building;*
 - (2) *At the same grade as the sidewalk or at a location that can be reached by an accessible route; and*
 - (3) *Within the following distances of the main entrance:*
 - *Building with one main entrance. For a building with one main entrance, the bicycle parking must be within 50 feet of the main entrance to the building as measured along the most direct pedestrian access route. See Figure 266-8;*
 - *Building with more than one main entrance. For a building with more than one main entrance, the bicycle parking must be along all façades with a main entrance, and within 50 feet of at least one main entrance on each façade that has a main entrance, as measured along the most direct pedestrian access route. See Figure 266-9;*
- c. *Bicycle Parking Fund.*
 - (1) *This option may be used only if it is not possible to provide all of the required short-term bicycle parking on site in a way that complies with all of the standards in A.2.b. This option may not be used if:*
 - *There are surface parking areas, plazas, exterior courtyards, or other open areas on the site, other than required landscaping;*
 - *Those open areas are large enough, separately or in combination, to accommodate all required short-term bicycle parking; and*
 - *The open areas meet the locational requirements of A.2.b.*
 - (2) *Fund use and administration. The Bicycle Parking Fund is collected and administered by the Office of Transportation. The funds collected will be used to install bicycle parking and associated improvements in the right-of-way.*
 - (3) *This option may not be used if any required short-term bicycle parking is provided on site.*

Response: The site is a quarter block in area, and the City's standards require that the building façades be located at or near the NW Flanders St and NW 12th Ave. This eliminates opportunities to provide short-term bicycle parking on-site.

There are no surface parking areas, plazas, exterior courtyards, or other open areas on the ground floor of the site. The applicant requests payment into the bicycle parking fund in lieu of providing short-term bicycle parking on-site.

B. Long-term bicycle parking.

[..]

2. *Standards. Required long-term bicycle parking must meet the following standards:*
 - a. *Long-term bicycle parking must be provided in racks or lockers that meet the standards of Subsection 33.266.220.C;*
 - b. *Location. Long-term bicycle parking must be located on the site or in an area where the closest point is within 300 feet of the site;*
 - c. *Covered Spaces. At least 50 percent of required long-term bicycle parking must be covered and meet the standards of Paragraph 33.266.220.C.5, Covered Bicycle Parking; and*
 - d. *Security. To provide security, long-term bicycle parking must be in at least one of the following locations:*
 - (1) *In a locked room;*
 - (2) *In an area that is enclosed by a fence with a locked gate. The fence must be either 8 feet high, or be floor-to-ceiling;*
 - (3) *Within view of an attendant or security guard;*

- (4) Within 100 feet of an attendant or security guard;
- (5) In an area that is monitored by a security camera; or
- (6) In an area that is visible from employee work areas.

Response: Long-term bicycle parking is located on site, within the mezzanine area of the building. This is a covered, secure (locked) area that is accessible to building residents and employees. See Sheet C.05 for details of the racks and dimensions.

Table 266-6 Minimum Required Bicycle Parking Spaces

Response: Table 266-6 identifies the requirements for long-term and short-term bicycle parking spaces. Tables 1 and 2 below demonstrate compliance with these requirements. See Sheet C.05 for location and dimensional details.

Table 1 – Long-Term Bicycle Parking Spaces

Use Category	# of Units	Long-Term Spaces		Comments
		Required	Provided	
Household Living – Multi-Dwelling	110	1.5 per unit = 165	170	Exceeds requirement. (+5)
Retail Sales and Service – Temporary Lodging	170	1 per 20 rentable rooms = 9	10	Exceeds requirement. (+1)

Loading

33.266.310 Loading Standards

[...]

C. Number of loading spaces.

[...]

- 2. Buildings where any of the floor area is in uses other than Household Living must meet the standards of this Paragraph.
 - a. Buildings with any amount of net building area in Household Living and with less than 20,000 square feet of floor area in uses other than Household Living are subject to the standards in C.1. above.
 - b. One loading space meeting Standard A is required for buildings with at least 20,000 and up to 50,000 square feet of net building area in uses other than Household Living.
 - c. Two loading spaces meeting Standard A are required for buildings with more than 50,000 square feet of net building area in uses other than Household Living.

Response: Over 100,00 sf of the floor area is in Temporary Lodging/Hotel use, and Two Standard A loading spaces are required.

D. Size of loading spaces. Required loading spaces must meet the standards of this subsection.

- 1. Standard A: the loading space must be at least 35 feet long, 10 feet wide, and have a clearance of 13 feet.
- 2. Standard B: The loading space must be at least 18 feet long, 9 feet wide, and have a clearance of 10 feet.

Response: Two Standard A loading spaces meeting the above dimensional requirements are provided on the ground floor of the building. These spaces are accessed from 12th Ave. See Sheet C.04.

E. *Placement, setbacks and landscaping. Loading areas must comply with the setback and perimeter landscaping standards stated in Table 266-7 below. When parking areas are prohibited or not allowed between a building and a street, loading areas are also prohibited or not allowed.*

Response: The loading area is within the building, and no landscaping is required.

F. *Forward motion.*

[...]

2. *In the Central City plan district. In the Central City plan district, loading facilities that abut a light rail or streetcar alignment must be designed so that vehicles enter and exit the site in a forward motion*

G. *Paving. In order to control dust and mud, all loading areas must be paved.*

Response: The site is located within the Central City Plan district and does not abut a light rail or streetcar alignment. Vehicles can enter and exit the site in either a forward or a rear motion.

Transportation and Parking Demand Management

33.266.410 Transportation and Parking Demand Management

B. *Transportation and parking demand management in the commercial/mixed use zones. In the commercial/mixed use zones, a TDM plan is required when new development includes more than 10 dwelling units, or an alteration to existing development includes the addition of more than 10 dwelling units. Sites in the Central City plan district, and sites that are located far from transit, as described in Paragraph 33.266.110.B.2, are exempt from this requirement.*

[...]

Response: The site is in the Central City plan district and is exempt from TDM plan requirements.

D. 33.420 Design Overlay Zone

33.420.025 Where These Regulations Apply

The regulations of this chapter apply to all design overlay zones. Design review may also be a requirement of a plan district, other overlay zone, or as a condition of approval of a quasi-judicial decision.

Response: The site is located within the d Design Overlay Zone and is subject to the regulations of this section.

33.420.041 When Design Review is Required

Unless exempted by Section 33.420.045, Exempt From Design Review, design review is required for the following:

A. *New development;*

[...]

Response: The proposal is for new development within the d Design overlay, and design review is required.

33.420.051 Design Guidelines

Guidelines specific to a design district have been adopted for the areas shown on maps 420-1 through 420-3 and 420-5 through 420-6 at the end of this chapter. All other areas within the design Overlay Zone use the Community Design Guidelines.

Response: Per Map 420-1, the subject site is located within the Central City Plan District and the River District Design Subdistrict, and development of the site is subject to both the Central City Fundamental Design Guidelines and the River District Design Guidelines. Conformance with the applicable Design Guidelines is addressed in Section V of this narrative.

33.420.060 When Community Design Standards May Not Be Used

The Community Design Standards may not be used as an alternative to design review as follows:

- A. *In the Central City plan district. See Map 420-1; [...]*

Response: The subject site is located within the Central City plan district, and the proposed development is not eligible to use the Community Design Standards.

E. 33.510 Central City Plan District

General

33.510.020 Where the Regulations Apply

The regulations of this chapter apply to the Central City plan district. The boundaries of the plan district and its subdistricts are shown on Map 510-1 at the end of this chapter, and on the Official Zoning Maps. For other regulations, in cases of conflict the most restrictive regulation controls. The information depicted on Maps 510-1 through 510-23 is part of the plan district regulations and is subject to the same amendment procedures as amendments to the text of this chapter.

Response: Per Map 510-1, the subject site is located within the Central City Plan District and the River District Design Subdistrict, and development on the site is subject to the standards of this section.

Development Standards

Response: Table 2 illustrates compliance with 33.510.200-221 and 225. Additional detail is provided below.

Table 2 – Conformance with Development Standards

Standard	Central City Plan District	Proposed	Finding
Maximum FAR	6:1	18.7:1	Additional FAR achieved through inclusionary housing bonus and FAR transfer. Complies with standard. (APP.19)
Maximum FAR with Inclusionary Housing bonus	9:1		
Maximum FAR Transfer	No limit		
Base Height	100 ft.	250 ft.	Complies with standard. (C.10-13)
Height with FAR bonus	250 ft.		
Required Building Lines	<ul style="list-style-type: none"> ▪ 75% of building at 0 ft ▪ 75% of building within 12 ft. and active use 	<ul style="list-style-type: none"> ▪ 12th Ave: 95% ▪ Flanders St: 97% 	Complies with standard. (C.05)
Ground Floor Windows	40% transparency between 2 and 10 ft	<ul style="list-style-type: none"> ▪ 12th Ave: 60% ▪ Flanders St: 71% 	Complies with standard. (APP.09)
Windows Above Ground Floor	15% transparency above 10 ft.	<ul style="list-style-type: none"> ▪ 12th Ave: 36% ▪ Flanders St: 47% 	Complies with standard. (C.10,11)

Ground Floor Active Uses	50% of ground floor: <ul style="list-style-type: none"> ▪ 12 ft. clear height ▪ 25 ft. deep 	<ul style="list-style-type: none"> ▪ 12th Ave: 57.3% ▪ Flanders St: 76.4% 	Complies with standard. (APP.12)
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33.510.205 Floor Area Bonus and Transfer Options

[...]

B. *Priorities for the use of bonus and transfer options. When FAR will be increased using bonuses or transfers, the following regulations specify which bonus and transfer options must be used before other bonus or transfer options:*

1. *Unless otherwise specified in Subparagraph B.2. the first 3 to 1 of any increase in FAR on a site must be earned or gained through use of one of the following options:*

a. *The inclusionary housing bonus option described in Subparagraph C.2.a;*

[...]

C. *Floor area bonus options. Additional development potential in the form of floor area is earned for a project when the project includes any of the specified features listed below. The bonus floor area amounts are additions to the maximum floor area ratios shown on Map 510-2.*

[...]

2. *Bonus floor area options.*

a. *Inclusionary housing bonus option. Projects that include buildings that trigger 33.245, Inclusionary Housing, receive bonus floor area. The amount of bonus floor area earned is an amount equal to the net building area of the building that triggers 33.245, up to a maximum increase of 3 to 1 FAR on the site.*

[...]

Response: The proposed development triggers 33.245 Inclusionary Housing. The net building area of the building that triggers 33.245 is 187,161 sf, and 3:1 inclusionary housing bonus FAR is available.

D. *Floor area transfer options. Transferring floor area from one site to another is allowed as follows. The transferred floor area is in addition to the maximum floor area ratio shown on Map 510-2. There is no limit to the amount of floor area that can be transferred to a site. Transferring floor area is only allowed in situations where stated. Adjustments to the floor area transfer requirements are prohibited. When FAR is transferred from one site to another, the sending site must retain an amount equal to the minimum FAR required by 33.510.200.C., or an amount equal to the total surface parking area on the site multiplied by the maximum floor area ratio allowed shown on Map 510-2, whichever is more.*

[...]

2. *Transfer of floor area within a floor area transfer sector. In the RX, CX, EX, and OS zones, floor area, including bonus floor area and bonus floor area earned through a bonus that no longer exists in the zoning code, may be transferred between sites. The sites are not required to be abutting, however both the sending site and the receiving site must be located within the same floor area transfer sector shown on Map 510-23. In addition, floor area transfers are subject to the following requirements:*

a. *The sending site must not be a Historic or Conservation landmark or a contributing resource in a historic or a conservation district;*

b. *If bonus floor area is included in the transfer, the public benefit to be provided in exchange for the bonus floor area must be completed in advance or at the time of issuing any occupancy permit on the receiving site taking advantage of the bonus floor area; and*

c. *The property owner(s) must execute a covenant for both sites. The covenants must comply with the regulations of 33.700.060, must be recorded with the deeds for each site, and must reflect the existing floor area on each site and the respective increase and decrease of potential floor area.*

Response: The applicant is in discussions with property owners in Sector 1 to transfer 9.7:1 FAR to the site under option D.2 above. The property owner(s) will execute the required covenants and documentation once the transfer has been agreed upon.

33.510.210 Height

B. Base height.

1. *Base heights are shown on Map 510-3. Heights greater than shown on Map 510-3 are allowed through the bonus height or height transfer options specified in Subsections D. and E. Adjustments to height limits shown on Map 510-3 are prohibited.*
[...]

Response: Map 510-3 shows a base height of 100 ft. for the subject site. The proposed height is 250 ft., per D below.

C. Shadow study. Sites shown on Map 510-3 as requiring a shadow analysis [...].

Response: Per Map 510-3, no shadow study is required.

D. Bonus height options. Bonus height can be achieved through the following options: [...]

3. *Bonus height earned through an FAR bonus or transfer. Except for sites in the South Waterfront height opportunity area, the bonus heights shown on Map 510-4, or allowed by Subparagraph D.3.e, are allowed when the following are met. Projections above the height limits shown on Map 510-4, or allowed by Subparagraph D.3.e are prohibited:*
 - a. *The site must be shown on Map 510-3 as eligible for a height increase;*
 - b. *The proposal must earn an additional FAR of at least 1 to 1 through use of one of the following FAR bonus or transfer options. The site shown on Map 510-4 as requiring residential is only allowed to earn the additional 1 to 1 through the bonus option listed in D.3.b (1):*
 - (1) *The inclusionary housing bonus option of Subparagraph 33.510.205.C.2.a;*
 - (2) *The Affordable Housing Fund bonus option of Subparagraph 33.510.205.C.2.b; or*
 - (3) *The historic resource transfer of Paragraph 33.510.205.D.1.*
 - c. *Limit shadow. The following additional shadow standard and approval criterion are intended to limit the effects of shadow cast by buildings using bonus height. The shadow study standard applies to sites shown on Map 510-4 as requiring a shadow study. The shadow approval criterion applies to sites within 500 feet of a residential zone located outside of the Central City when more than 75 feet of bonus height is proposed:[...]*

Response: Per Map 510-4, the allowable bonus height for the site is 250 ft. The development has earned an additional FAR of 3:1 through the inclusionary housing bonus option of 33.510.205.C.2.a and will achieve the remaining bonus height through FAR transfers within Sector 1.

See Sheets C.10-13 for details of the building height and projections.

33.510.215 Required Building Lines

[...]

B. Required building line standards.

1. *General Standards. Unless otherwise specified in Paragraphs B.2. through B.5., new development and major remodels in the RX, CX and EX zones must meet one of the following standards. Exterior walls of buildings designed to meet the requirements of this Paragraph must be at least 15 feet high measured from the finished sidewalk at the building's edge:*

- a. *The building must extend to the street lot line along at least 75 percent of the lot line; or*
- b. *The building must extend to within 12 feet of the street lot line along at least 75 percent of the length of the street lot line. The space between the building and the street lot line must be designed as an extension of the sidewalk and committed to active uses such as sidewalk cafes, vendor's stands, or developed as "stopping places."*

Response: The proposed development is within the EX zone and subject to these standards.

The 12th Ave frontage of the building is located within 12 ft. (between 0 ft. and 3 ft.) from the lot line for 95% percent of the length of the street lot line per b. above. The space between the building and the lot line is intended to be used as an extension of the interior space and allow sidewalk seating and other active uses.

The Flanders St frontage of the building is located at the lot line along 97% percent of the lot, per a. above.

See Table 3 and Sheet C.05 for details.

33.510.220 Ground Floor Windows

B. Ground floor windows. The following ground floor window standards apply in the RX, CX and EX zones. The standards of B.1 and B.2 apply to new development and major remodeling projects. B.3. only applies to major remodeling projects. To meet the standards, ground floor windows must be windows that allow views into work areas or lobbies, or be windows in pedestrian entrances. Windows into storage areas, vehicle parking areas, garbage and recycling areas, mechanical and utility areas and display cases attached to outside walls do not qualify. Windows into bicycle parking areas are allowed to qualify for up to 25 percent of the ground floor windows coverage requirement. The bottom of the windows of nonresidential spaces must be no more than 4 feet above the finished grade:

1. *Ground level façades that face a street or open area shown on Map 510-8 [...]*
2. *All other ground level façades that face a street lot line, sidewalk, plaza, or other publicly accessible open area or right-of-way must have windows that cover at least 40 percent of the ground level wall area. For street facing façades of dwelling units the regulations of 33.130.230.B.4 apply. For the purposes of this standard, ground level wall area includes all exterior wall area from 2 feet to 10 feet above the finished grade.*

Response: The proposed development is within the EX zone and is new development and is not within an area shown on Map 510-8. The standards of B.2 are applicable.

The ground level façade facing 12th Ave has windows that cover 60% of the ground level wall area between 2 and 10 ft. above the finished grade. The ground level façade facing Flanders St has windows that cover 71% of the ground level area between 2 and 10 ft. above the finished grade. These windows provide views into the residential and hotel lobbies and the café area of the hotel. See Sheet APP.09 and Table 2 for details.

3.510.221 Windows Above the Ground Floor

[...]

B. Where this regulation applies. The regulation of this section applies to sites near the streetcar alignment shown on Map 510-13 as follows:

[...]

3. *In all other subdistricts, the standard in Subsection C. applies to the portion of a site within 200 feet of a streetcar alignment.*

- C. *Standard. Windows must cover at least 15 percent of the area of street-facing façades above the ground level wall areas. This requirement is in addition to any required ground floor windows. Ground level wall areas include all exterior wall areas up to 10 feet above the finished grade.*

Response: The site is located within 200 ft. of the 11th Ave streetcar alignment and is subject to these standards.

Windows cover 47% of the area of Flanders St façade above 10 ft., and windows cover 36 % of the area of the 12th Ave façade above 10 ft.

See Sheet C.10, C.11 and Table 2 for details.

33.510.223 Bird-Safe Exterior Glazing

[...]

- B. *Development subject to the bird-safe exterior glazing standards. The bird-safe glazing standards apply to new buildings and major remodeling projects. For new buildings, the standards apply per façade when the façade has 30 percent or more glazing within the first 60 feet measured from the grade adjacent to the façade. [...]*
- C. *Bird-safe exterior glazing standards. At least 90 percent of the windows and glazing on the following portions of each façade must choose treatment patterns and application techniques from the Portland Bird Safe Windows List:*
1. *Windows and glazing, including glazed balcony railings, located within the first 60 feet of the building measured from the grade adjacent to the façade;*
 2. *Windows and glazing located within the first 15 feet of the building above an adjacent ecoroof, roof garden, or other vegetated or landscaped roof area; and*
 3. *The glazed portions of sky bridges or fences.*

Response: The proposed development is a new building and has more than 30% glazing within the first 60 ft. of the building measured from the adjacent grade. Therefore, the proposed development is subject to these standards within the first 60 ft. of the building on 12th Ave and Flanders St, as well as the first 15 ft. of the building above the 2nd-level ecoroof.

100% of the windows and glazing within 60 ft. of the building grade and 100% of the windows and glazing located within 15 ft. of the 2nd-level ecoroof will be treated with bird-safe exterior glazing.

The treatment has been selected from the Portland Bird Safe Windows list and is a Walker Textures Clear Glass pattern 713 for Low-E windows.

See Sheet APP.10 and APP.11 for details.

33.510.225 Ground Floor Active Uses

[...]

- B. *Sites and development subject to the ground floor active use standard. The ground floor active use standards apply to new development and major remodels on sites with frontage on a street shown on Map 510-9.*
- C. *Ground floor active use standards.*
1. *Dwelling units are prohibited on the ground floor.*
 2. *Buildings must be designed and constructed to accommodate uses such as those listed in Subsection A. Areas designed to accommodate these uses must be developed at the time of construction. This standard must be met along at least 50 percent of the ground floor of walls that front onto a sidewalk, plaza, or other public open space. Areas designed to accommodate active uses must meet the following standards:*

- a. *The distance from the finished floor to the bottom of the structure above must be at least 12 feet. The bottom of the structure above includes supporting beams;*
 - b. *The area must be at least 25 feet deep, measured from the street-facing façade;*
 - c. *The area may be designed to accommodate a single tenant or multiple tenants. In either case, the area must meet the standards of the Accessibility Chapter of the State of Oregon Structural Specialty Code. This code is administered by BDS; and*
 - d. *The street-facing façade must include windows and doors.*
3. *In the Pearl District and West End subdistricts, on the portion of a site within 100 feet of a streetcar alignment shown on Map 510-13, parking is not allowed in the portions of a building that meet the ground floor active use standard of Paragraph C.*

Response: Map 510-9 indicates that the site is subject to these standards on both the Flanders St and 12th Ave frontages. The proposed ground floor uses include residential and hotel lobby and associated café uses.

57.3% of the 12th Ave façade is at least 12 ft. in interior height and 25 ft. in depth. 76.4% of the Flanders St façade is at least 12 ft. in interior height and 25 ft. in depth. No parking is provided on-site.

See Sheet APP.12 and Table 2 for details.

33.510.243 Ecoroofs

- B. *Ecoroof standard. 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.*

Response: The site is located within the EX zone and the proposed building exceeds 20,000 sq. ft. The proposed development is subject to these standards.

An ecoroof covering 60.3% of the building roof area is proposed. The remaining 39.7% of the building roof area is covered with architectural roof coverings, mechanical equipment, and amenity deck pavers.

The ecoroof meets the SWMM's Ecoroof Facility Design Criteria as demonstrated in C.09, C.47-49

33.510.244 Low-Carbon Buildings

[...]

B. *Low-carbon building standard. New development with a net building area of at least 50,000 square feet, and alterations to existing development that increase net building area by at least 50,000 square feet must provide a letter from the Bureau of Planning and Sustainability that verifies that the project has registered for a green building certification program, approved by the Bureau of Planning and Sustainability, and has prepared a preliminary description of how the building can achieve the certification.*

Response: The proposed development exceeds 50,000 sq. ft. in net building area and is subject to this standard. The development has been registered with the Green Globes program. The registration and preliminary description of how the building can achieve the certification is included as Appendix 2.

33.510.263 Parking and Loading Access

The regulations of this section apply to all parking and loading access.

[...]

B. *Parking and loading access standards.*

1. *Motor vehicle access to or from any parking area, loading area, or parking structure is prohibited on or along the following streets unless the street listed is the site's only frontage, in which case access is not allowed: [...]*
2. *Unless addressed by Paragraph B.1., motor vehicle access to any parking area, loading area, or parking structure is not allowed in the following situations:*
 - a. *To or from any of the following streets:*
 - (1) *Major City bikeway;*

[...]

Response: The site is located on NW Flanders St, which has been recently classified as a Major City Bikeway. At the request of the PDNA Transportation and Land Use Committee and the Design Commission, the loading access was relocated from NW Flanders St to NW 12th Ave. This standard is met.

See Sheet C.05 for details.

F. 33.825 Design Review

33.825.025 Review Procedures

This section lists procedures for design review for proposals in design overlay zones. These procedures also apply where design review is required by the regulations of a plan district or overlay zone, or as a condition of approval of a quasi-judicial decision.

The procedures stated in this section supersede procedural and threshold statements in the City's adopted design guidelines documents.

A. *Procedures for design review. Procedures for design review vary with the type of proposal being reviewed and the design district in which the site is located. Design review in some design districts requires an additional procedural step, the Neighborhood Contact requirement, as set out in Section 33.700.025, Neighborhood Contact. Some proposals in the Central City plan district must provide a model of the approved proposal, as set out in Paragraph A.4. When determining procedure type for exterior alterations based on project valuation, the dollar amount refers to the value of the exterior changes and any new floor area only. It does not include interior or subgrade alterations.*

Response: The proposed development is not subject to Section 33.700.025, Neighborhood Contact. However, the design team attended two meetings of the Pearl District Neighborhood Association Land Use and Transportation Committee to provide updates and request input.

1. *Proposals subject to design review are reviewed according to the procedure type listed in Table 825-1. When a proposal is subject to more than one procedure type, the higher procedure type applies. For example, a proposal located in the Central City Plan District may not exceed the dollar threshold for a Type II procedure, but because it is also in the Downtown Design District and it exceeds the square footage threshold for a Type II procedure, the proposal would be subject to a Type III procedure.*

Response: The proposed development is valued at more than \$2,297,050. Per Table 825-1, it is subject to Type III review.

[...]

4. *Models of proposals in the Central City plan district. For proposals located in the Central City plan district shown on Map 510-1, a three dimensional digital model of the proposal is required with an application for Design Review. This requirement applies only to new developments or changes in the bulk of existing buildings. Before a building permit is issued, a three dimensional digital model of the proposal as approved must be submitted to the Bureau of Planning and Sustainability. The model requirements will be waived if the application does not involve a change in the bulk of buildings on a site for which the City possesses an accurate digital model.*

Response: A three-dimensional model of the proposal has been submitted with this application. See the electronic submittal files.

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. The review body may not consider modifications to standards for which adjustments are prohibited. 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:

Response: A modification to the bicycle parking dimensional standards of 33.266.220.C.3.b is requested. This modification would reduce the width of the long-term bicycle parking spaces from 2 ft. to 1.5 ft.

As shown in Table 1, 174 long-term bicycle parking spaces are required to serve the two uses on site; 174 bicycle parking spaces are provided.

Table 3 – Long-Term Bicycle Parking Spaces

Use Category	# of Units	Long-Term Spaces		Comments
		Required	Provided	
Household Living – Multi-Dwelling	110	1.5 per unit = 165	165	Meets requirement.
Retail Sales and Service – Temporary Lodging	170	1 per 20 rentable rooms = 9	9	Meets requirement.

Approval of the requested modification would allow the site to accommodate long-term bicycle parking spaces that exceed the requirement.

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

Response: Due to the nature of the ¼ block project site, there is limited area within the building footprint to accommodate the required loading spaces, egress stairs, active ground floor spaces, and hotel and residential support functions. To preserve the critical ground floor functions of the proposed building, long-term bicycle parking is proposed on Level 1.5. A dedicated, secure bicycle room is provided for long-term bicycle parking. However, structural columns are located within the room and required clearances for the entry doors have reduced the area available for mounting of the bike racks and their aisles. The proposed modification will allow the development to meet the long-term bicycle parking requirements.

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

Response: The purpose of 33.266.200 is:

Bicycle parking is required for most use categories to encourage the use of bicycles by providing safe and convenient places to park bicycles. These regulations ensure adequate short and long-term bicycle parking based on the demand generated by the different use categories and on the level of security necessary to encourage the use of bicycles for short and long stays. These regulations will help meet the City's goal that 10 percent of all trips be made by bicycle.

The proposed modification is consistent with the purpose of the Bicycle Parking chapter. The modification will allow the provision of additional bicycle parking spaces. The proposed vertical bike racks were selected from the City's list of preferred bike racks and will be staggered to allow enough space for bikes to be hung and removed without moving another bicycle.

33.825.055 Approval Criteria

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

Response: The proposed development is subject to the Central City Design Guidelines and the River District Design Guidelines. Conformance with these guidelines is addressed in Section V of this narrative.

33.825.065 Design Guidelines

- A. *Purpose. Design guidelines are the approval criteria used to review new development and modifications to existing development. They ensure the conservation and enhancement of the special characteristics of each design district.*
- B. *Design guidelines. Guidelines specific to a design district have been adopted for the areas shown on maps 420-1 through 420-3 and 420-5 through 420-6. Where two of the design districts shown on those maps overlap, both sets of guidelines apply. All other areas within the Design Overlay Zone or proposals subject to design review use the Community Design Guidelines. A district's design guidelines are mandatory approval criteria used in design review procedures. The design guidelines may consist of a common set of design guidelines for the whole district and special design guidelines for subdistricts. Where subdistrict guidelines conflict with the district guidelines, the subdistrict guidelines control.*
- C. *Waiver of design guidelines. If a design district's design guidelines document includes goals for the design district, the review body may waive one or more of the guidelines as part of the design review procedure.*

Response: The subject site is located within the Central City and within the River District and is subject conformance with the Central City Design Guidelines and the River District Design Guidelines. Table 4 in Section V below addresses applicable design guidelines and how they are met.

V. Conformance with Applicable Design Guidelines

The subject site is located within the Central City and within the River District and is subject conformance with the Central City Design Guidelines and the River District Design Guidelines. Table 4 below addresses applicable design guidelines and how they are met.

Table 4 – Conformance with Central City and River District Design Guidelines

Design Guidelines	Comments
A1 Integrate the River	
<p>Orient architectural and landscape elements including, but not limited to, lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and greenway.</p> <p>Develop accessways for pedestrians that provide connections to the Willamette River and greenway.</p>	<p>The building design provides views in all directions especially for upper levels. The design integrates the river by providing strategically located balconies at upper levels, particularly at corners, looking north, east and south that connect to the river. The design provides top of building event/lounge and fitness spaces available to the public, to hotel guests and building residents. These spaces have strong views of the river and city looking east and south to integrate the river in the user experience. The event/lounge area provides a large terrace from which these same views are seen.</p> <p>See Sheet APP.13 for illustration of the view corridors.</p>
A2 Emphasize Portland Themes	
<p>When provided, integrate Portland-related themes with the development’s overall design concept.</p>	<p>The immediate neighborhood was once an industrial and working area supported by tough, simply designed structures that showed this working character through the materials, details and scale of the structures and streets. The building design responds to this history at the ground level by using tough, large scale concrete columns to define the street edge. The canopies and windows also use robust framing materials to also recall the industrial character of the neighborhood.</p> <p>The design will include a special “design installation” located in the recess, or slot, in the west building façade occupying the first 60 feet of the slot above the second level. It will be composed of a series of metal vertical panels mounted perpendicular to the building face. The installation assemblage is a metaphor for rainfall, responding to the guideline of emphasizing Portland themes. The panels are arranged to</p>

	<p>suggest a cascade of rain growing in intensity as they descend to the street. These will be illuminated to provide a subtle glow to the panels during twilight and evening hours.</p> <p>See Sheet C.27 and APP.08 for details.</p>
A3 Respect the Portland Block Structure	
	<p>The site is a ¼ block infill site. This guideline is not applicable.</p>
A4 Use Unifying Elements	
<p>Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.</p>	<p>River District Right-of-Way Standards will be adjacent to the site to unify the public realm with the neighborhood. Similarly, historic light fixtures and street tree requirements will be incorporated per City of Portland standards.</p> <p>The ground level materials, including large scale concrete columns and robust window and canopy detailing, are intended to respond to similar features found in this post-industrial area. Similar uses of large-scale concrete columns and concrete walls at the ground are found across the street and within two blocks from the site.</p> <p>See Sheet C.46 for the River District ROW Standards. See Sheet C.17 - 24 for ground level elements. See Sheet APP.17 for precedent of material.</p>
A5 Enhance, Embellish, and Identify Areas	
<p>Enhance an area by reflecting the local character within the right-of-way.</p> <p>Embellish an area by integrating elements in new development that build on the area's character.</p> <p>Identify an area's special features or qualities by integrating them into new development.</p>	<p>The proposed use of River District Right-of-Way Standards will enhance and extend the unity of the area public realm. See Sheet C.46.</p> <p>The 13th Avenue historic district is one block from the site. Its special features include long canopies, raised docks and a mix of scales and materials. Immediately adjacent to the site the mix of features materials, scales and details is more eclectic but still reflects the industrial past of the area. The project takes cues from this scale and texture in the design of the ground level of the building.</p> <p>The ground level materials including large scale concrete columns and robust window and canopy detailing are intended to respond to similar features found in this post-industrial area. Similar uses of large-scale concrete columns and concrete walls at the ground are found across the street and one or two blocks from the site.</p>

	<p>The special “design installation” described earlier is also intended to enhance, embellish and identify this location within the neighborhood.</p> <p>See Sheet C.17 - 24 and APP.16.</p>
<p>A5-1 Reinforce Special Areas</p>	
<p>A5-1-1 Reinforce the Identity of the Pearl District Neighborhood</p>	<p>In addition to the physical nature of the immediate context, building uses are also an eclectic mix with residential and office building entries, coffee shops, local small retail outlets including a number of small art related shops. This part of the Pearl District is also home to a number of art galleries, and the art installation proposed for “the slot” is intended to contribute to the creativity evident in this area.</p> <p>Along NW Everett there a several small restaurants that spill onto the sidewalk in good weather, as do the coffee shops. The hotel hospitality uses for the project contribute to this mix offering outdoor café table service with one bay of window area equipped with a fully opening wall connecting the café interior to the street.</p> <p>The ground level materials include large scale concrete columns and robust window and canopy detailing. Both are intended to reinforce the urban warehouse character of the Pearl District. Similar uses of large-scale concrete columns and concrete walls at the ground and large-scale glazing areas recall warehouse service doors that are found throughout the District but particularly in the adjacent 13th Avenue historic district.</p> <p>Canopies are placed at heights to create a human scale at the residential entry and along the hotel activity on NW Flanders. Glazing is also set back from the property line to provide human scaled resting spaces and areas from which to view the hospitality activity inside. The hotel entry canopy is higher, providing a strong sense of arrival and wayfinding certainty.</p> <p>The metal panel material palette for the building joins other recent structures to diversify the architectural language of the area. The design takes cues from immediate neighbors, however, for patterns and scale of façade elements to reinforce neighborhood identity.</p>
<p>A5-3 Incorporate Water Features</p>	
<p>Incorporate water features or water design themes that enhance the quality, character, and image of the River District.</p>	<p>The special Slot Feature proposed for the west building façade with its theme of water – rain, a waterfall or flowing water – is intended as a</p>

	metaphor for actual water to respond to this guideline. See the earlier description of its character and features and Sheet APP.08.
A5-4 Integrate Works of Art	
Integrate works of art or other special design features that increase the public enjoyment of the District.	<p>The special Slot Feature proposed for the west building façade with its theme of falling rain is proposed as an art installation intended to increase the public enjoyment of the district. The site for placing the installation – the first 60 feet above Level 02 of the west elevation slot – was specifically selected as the best spot to view the installation and offers the best opportunity to integrate the art most effectively into the building composition. Composed of painted metal panels cascading down the building face, the piece will be a subtle addition to the richness of the artistic nature of the Pearl District.</p> <p>See Sheet APP.08.</p>
A6 Reuse/Rehabilitate/Restore Buildings	
	No reusable buildings exist on site. This guideline is not applicable.
A7 Establish and Maintain a Sense of Urban Enclosure	
Define public rights-of-way by creating and maintaining a sense of urban enclosure.	<p>A prime focus of the design is to establish a strong sense of urban enclosure by defining the public right-of-way that forms two of the site boundaries. The building comes to the property line on 12th Ave and Flanders St. The public realm is clearly defined by the robust ground level columns. The large street level storefront windows are set back from the façade in important locations to allow enhanced sidewalk seating. Entries and access points are clearly defined and provide a hierarchy to enhance positive wayfinding.</p> <p>The public realm is further defined by the treatment of the sidewalk areas defined by the River District Right-of-Way Standards including three sidewalk zones (building frontage zone, pedestrian zone, and a furniture zone) and a 3-foot setback along NW 12th Ave and NW Flanders Street to provide expanded café seating and resting and stopping points.</p> <p>See Sheets C.04, C.05, and C.46.</p>
A8 Contribute to a Vibrant Streetscape	
Integrate building setbacks with adjacent sidewalks to increase the space for potential public use.	The building design uses large scale concrete columns, robust detail elements for canopies and building glazing, large window openings providing views deep into the building interior and a clear hierarchy of scales, building lighting, canopy

<p>Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks.</p> <p>Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.</p>	<p>heights and entry features for understandable use by the public. Length of active ground level glazing areas meet or exceed requirements.</p> <p>The hotel lobby and hospitality amenities occupy the whole street frontage along NW Flanders with an operable wall for further connection to the public realm and a full view of the hotel activities.</p> <p>To increase space for public use, the building walls along NW Flanders and part of NW 12th Avenue are set back approximately 3 feet to provide more space for outdoor tables for hotel-provided café service as well as space to simply step out of the traffic area to rest or view the building interiors. Hotel and residential entries are differentiated for clear understanding by the public.</p> <p>See Sheets C.04, C.05, C.46, and APP.09.</p>
<p>A8-1 Design Fences, Walls, and Gateways to be Seen Over</p>	
	<p>No fences, walls, or gateways are proposed. This guideline is not applicable.</p>
<p>A9 Strengthen Gateways</p>	
	<p>This site is not an identified gateway. This guideline is not applicable.</p>
<p>B1 Reinforce and Enhance the Pedestrian System</p>	
<p>Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed.</p> <p>Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb.</p> <p>Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.</p>	<p>The project utilizes the River District Right-of-Way Standards in the development of the sidewalk and public realm. The standards require a clearly defined path bordered on the curb side by a furniture zone which may include street furniture, planting areas and tree areas.</p> <p>The design also provides a 3-foot setback along a dominant portion of the street frontage to provide more room at the sidewalk for stopping, resting, more space for café sidewalk tables and chairs to bring active use outside and looking into active spaces.</p> <p>The design incorporates a full-length operable wall in one of the column bays along NW Flanders. Entries are clearly delineated and located for ease of access and direct wayfinding.</p> <p>See Sheets C.04, C.05, and C.46.</p>
<p>B1-1 Provide Human Scale to Buildings along Walkways</p>	
<p>Provide human scale and interest to buildings along sidewalks and walkways.</p>	<p>The design provides an active street presence for most of the length of the street façades. Large windows defined by a concrete colonnade</p>

	<p>promote vision far into the building interior bringing the life of the interior to the street.</p> <p>Scale elements such as canopies are located at specific heights to modulate vertical scale: lower for seating and sidewalk cafe areas, and higher at the hotel entrance for clear definition and enhancement of the active intersection. The lower canopies are set approximately 10 feet from the sidewalk level – consistent with most of the canopies in the neighborhood. This height offers ample protection from weather at a comfortable human scale. The windows are large and afford views into the building. Window height is modulated where canopies interrupt the full window height and assure comfortable scale at the sidewalk.</p> <p>The concrete columns become the organizer of the window spaces. They are used to separate uses such as the two primary entrances and the internal zones of the hotel as they relate to the street. The same notion of large columns defining window areas is used at the Louisa Apartments with great effect.</p> <p>Gathering space and street furniture are provided in appropriate zones to further respond to human scale.</p> <p>Street trees provide additional texture, color and a softening of the urban edge.</p> <p>See Sheet C.04, C.05, C.17-22, C.46, APP.04, and APP.05.</p>
B2 Protect the Pedestrian	
<p>Protect the pedestrian environment from vehicular movement.</p> <p>Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian.</p> <p>Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.</p>	<p>While little is known about the design for the proposed Flanders Street Bikeway, it is likely that a row of parked cars will occur at the curb along NW Flanders offering protection to pedestrians. NW 12th Avenue offers the same parking situation but for less of the street frontage. A curb cut will be located at south end of the building to accommodate a two-bay loading zone.</p> <p>On both streets a furniture and planting zone lies next to the curb offering further pedestrian protection.</p> <p>Exhaust and intake vents will be located behind a continuous louver system that is located immediately below the level two floor slab high above the ground. The vents extend fully along</p>

	<p>the length of the north elevation and the west elevation except for the recessed slot extending to the top of the building. The generator fuel fill station will be enclosed within the loading area. The generator exhaust pipe occurs at level two facing south and is not visible from the street. The gas meter is also located within the loading area.</p> <p>The required FDC (Fire Department Connection) will be located in the wall immediately south of the bike facility entrance at the southwest corner of the site. No other equipment will be visible from the street and all rooftop equipment at building top and Level 2 will be screened from view.</p> <p>The building provides canopies at approximately 10 feet above the sidewalk level for most of the length of the street façades and 14 feet at the hotel entrance to provide ample protection from rain and weather. These offer complete covering of the walking zone next to the building property line as well as café seating areas.</p> <p>A complete ground level lighting system will provide downlight at canopies for ease of movement and safety. The ground level lighting scheme will also provide accent lighting at entries and other architectural features. The hotel canopies will be solid with direct down lighting in the two canopy soffits.</p> <p>The main entrance will have signage consisting of individual backlit letters demarking the Hyatt Place entry located on the leading edge of the two entry canopies. Signage for the project is minimal. Hyatt requires only the canopy signs for identification. The residence is identified by logo and residence name applied to the entrance doors.</p> <p>See sheets C.21, C.46, C.50 and C.51.</p>
B3 Bridge Pedestrian Obstacles	
	There are no existing or proposed pedestrian obstacles. This guideline is not applicable.
B4 Provide Stopping and Viewing Places	
<p>Provide safe, comfortable places where people can stop, view, socialize, and rest.</p> <p>Ensure that these places do not conflict with other sidewalk uses.</p>	<p>The project provides stopping and viewing places along all of NW Flanders and a portion of NW 12th Avenue.</p> <p>The residential entrance will feature plantings within the 3- foot setback adjacent to the property</p>

	<p>line. Pedestrians can view the active interior uses along this entire length.</p> <p>The street realm provides a 12-ft. sidewalk with adequate room for café table seating, benches for resting and out-of-the traffic way stopping places within the 3-foot setback for stopping and viewing.</p> <p>These areas are protected by canopies that cover the entire walking zone and areas for table seating and occasional seating. Trees along the street add to the viewing and stopping ambiance of the street.</p> <p>See Sheet C.04, C.05, APP. 01 and APP.02</p>
B5 Make Plazas, Parks, and Open Space Successful	
	The site is not adjacent to and does not contain plazas, parks, or public open space. This guideline is not applicable.
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.	<p>The design provides canopy weather protection along approximately 64.8 percent of the building street frontage. All building entrances and access points are provided with protection by the canopies.</p> <p>Projecting decks are provided in key locations at upper levels of the building. Though not located at the sidewalk level, these contribute shading for portions of the façade.</p> <p>See Sheet C.17-22, C.31 and C.32</p>
B7 Integrate Barrier-Free Design	
Integrate access systems for all people with the building's overall design concept.	<p>All areas of the project offer barrier-free design and comply with universal access standards.</p> <p>At the street level, clearly-defined entrances and understandable wayfinding contribute to a highly legible design.</p> <p>See Sheet C.46.</p>
C1 Enhance View Opportunities	
Orient windows, entrances, balconies, and other building elements to surrounding points of interest and activity.	<p>The Level 22 of the tower provides an Event/Lounge space and fitness center for hotel guests, residents and occasional public events. Large areas of glazing for these functions provides primary views to the river, the mountains, the city's unique bridges, the city east, west and south, the west hills and views east to the buttes.</p> <p>The site is situated a half block north of the Casey Tower. Primary views from that building are</p>
Size and place new buildings to protect existing views and view corridors.	

<p>Develop building façades that create visual connections to adjacent public spaces.</p>	<p>protected for direct east and south views and views north and west. Other buildings to the west are short enough to not be affected by the proposed tower.</p> <p>The Event/Lounge space opens to a south-facing deck with further enhanced views. Upper floors of the tower provide views in all directions and decks in selected locations further enhance the views.</p> <p>Adjacent public spaces are limited to the public rights-of-way. The building façades are intended to create visible connections to adjacent sidewalks and streets.</p> <p>See Sheet APP.03 and APP.13.</p>
<p>C2 Promote Quality and Permanence in Development</p>	
<p>Use design principles and building materials that promote quality and permanence.</p>	<p>The building has been designed using quality materials selected for their permanence and using construction techniques that support achieving a quality project capable of long life.</p> <p>The design principles that shape the building include creating a clear, understandably articulated massing scheme, organizing and articulating the components of the façade so that the design intent of each component is defined in relation to the others.</p> <p>Establishing clear hierarchy among the façade components and the larger massing elements – ground level, middle and top - is primary. With a quarter block site, opportunity for large scale carving of façades or features at the top is limited. This means smaller, deliberate moves, but clear intent in shaping the mass can be established to create a coherent design.</p> <p>The exterior wall utilizes metal panels, both shaped and flat, in conjunction with a window wall glazing system. These high-quality components work together to define the areas of the façade - residential and hotel windows, flat areas - involving less glazing and special window treatment at balconies.</p> <p>At the ground level the design utilizes formed concrete columns and lintels and a robust storefront glazing system of high quality to respond to neighborhood context. Similarly, canopies and entrances use quality materials and robust detailing to achieve correct human scale as well as giving emphasis to entries.</p>

	Please refer to the cut sheets (Sheets C.56-C.62) for further detail and information.
C3 Respect Architectural Integrity	
<p>Respect the original character of an existing building when modifying its exterior.</p> <p>Develop vertical and horizontal additions, that are compatible with the existing building, to enhance the overall proposal's architectural integrity.</p>	<p>The proposed development is new construction. This guideline is not applicable.</p>
C4 Complement the Context of Existing Buildings	
<p>Complement the context of existing buildings by using and adding to the local design vocabulary.</p>	<p>The ground level of the project uses robust concrete columns, concrete lintels and robust canopy detailing as a direct reflection of the context of existing buildings including the industrial design features found in the 13th Avenue Historic District, specifically canopy design and material. The Mackenzie Lofts directly across NW Flanders uses cast concrete as the primary material for the ground floor. The Louisa nearby uses a similar system of robust concrete columns to define a ground floor of large window openings.</p> <p>The project proposes a high-quality metal panel system for the tower façades above the ground level. Earlier versions of the design proposed using fiber cement panels in addition to metal. As the design thinking evolved, the team concluded that a single material, a high-quality metal panel that could be shaped and also used as flat panels provided more simplicity and coherency. Metal panels are to be found in the neighborhood. The material and the detail design envisioned for the project will add another strong architectural and material language to the local design vocabulary.</p> <p>The shape and proportion of the panels is intended to respond and relate to the proportions of the panel system used at the Casey. Shaped metal panels are used as cladding at the recently completed Canopy Hotel located at NW 9th and NW Glisan. The top of the building features a large glazed lantern like space that is similar to treatment at the Casey.</p> <p>See Sheets C.19, C.26 APP.14 - APP.16.</p>
C5 Design for Coherency	
<p>Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign,</p>	<p>The mass of the building has been developed to differentiate the programmatic difference of hotel and residential spaces using a shifting panel motif.</p>

<p>and lighting systems, to achieve a coherent composition.</p>	<p>The simple tower form is topped with a lantern-like glazed crown that houses the two-story event/lounge space and fitness center.</p> <p>Responding to Commission comments, greater coherency has been achieved by bringing the fitness center into close proximity with the event/lounge space to achieve a single expression of a lantern along the south elevation increasing the impact of the building top</p> <p>Similarly, the tower mass has been separated into two elements. The two masses are united using a setback slot element that rises from the ground to the top of the building on both the west and east elevations and connects the crown element at the top of the building.</p> <p>Material choices for the body of the tower involved finding a high quality, permanent material of relatively light weight and solid technical performance. The material is versatile and can be shaped into forms that give additional detail and scale to the façade. It is a permanent material and works well technically when used in conjunction with the window wall system proposed for all window openings aside from the ground floor. A high-quality window wall is proposed also for the glazing of the crown element at the building top.</p> <p>The ground floor provides a sturdy base on which the tower rests. The language of the ground floor solution responds specifically to the neighborhood context using materials and detailing and scale consistent with neighboring buildings and references back also to the 13th Avenue historic district.</p> <p>The tower sits comfortably on the robust concrete columns and lintels of the first floor. The large expanses of glass allow the active interiors to spill onto the street. The first-floor design is coherent in its compositional relationships and comfortably receives and supports the tower and its architectural language.</p> <p>Balconies are used strategically to provide views and to animate the upper levels of the tower. The balconies are simple slab extensions and use a glass rail system for the balustrade. These are located and organized to activate the façade at</p>
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	<p>mid-scale as well as provide key views for residents.</p> <p>All detail features are developed to complement the sense of coherency of the building design. A comprehensive lighting scheme illuminates key features of both ground level and the top floor event and fitness spaces.</p> <p>See Sheet APP.18.</p>
<p>C6 Develop Transitions between Buildings and Public Spaces</p>	
<p>Develop transitions between private development and public open space.</p> <p>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.</p>	<p>Additional space available to the public realm is provided by the intermittent 3-foot set back of the ground level windows. This gives opportunity for seating, resting areas, and outside café table service. The building frontage zone, while already part of the public realm, augments the extra space provided by the 3-foot setback and provides an ample viewing platform for activity on the new bikeway.</p>
<p>C7 Design Corners that Build Active Intersections</p>	
<p>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.</p> <p>Locate flexible sidewalk-level retail opportunities at building corners.</p> <p>Locate stairs, elevators, and other upper floor building access points toward the middle of the block.</p>	<p>The design specifically addresses the active intersection of Flanders St and 12th Ave by locating the hotel entrance at the corner at the intersection. The entry vestibule addresses both SW 12th and SW Flanders and the opportunity to enter from both streets.</p> <p>Comments from the Commission during DAR #2 requested the team adjust the design to further celebrate and emphasize the street corner intersection. The team responded by adding outdoor decks at the residential levels of the tower giving additional visual emphasis to the active intersection. The western facing hotel spaces are provided with two strip windows that give additional emphasis for the lower hotel floors. These additions significantly add to importance of the active intersection. The decks, the added windows along with a prominent hotel corner entrance make a strong solution for the active corner.</p> <p>Exit stairs have been located far from the active intersection as they open to the street. The elevator core, too, is located at the middle of the block well away from the street façades. This provides a flexible design opportunity at the intersection corner to build a strong and expressive solution celebrating an active street corner.</p> <p>See Sheet C.04, C.21, APP.01. APP.07.</p>

C8 Differentiate the Sidewalk Level of Buildings	
<p>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.</p>	<p>The design provides a highly differentiated sidewalk level responsive materially and in terms of scale to the immediate neighborhood context.</p> <p>The robust concrete columns and lintels define the street realm and provide a frame for large windows and deep views into the active spaces of the ground floor.</p> <p>Generous canopies enhance and protect the street realm and additional space is provided with a 3-foot set back of ground level windows. This strong first floor provides a suitable base to the upper levels clad with metal panels and scaled to the size of individual hotel and residential spaces.</p> <p>See Sheet C.10, C.11, C.17 - C.23X, APP.01, APP.02.</p>
C9 Develop Flexible Sidewalk-Level Spaces	
<p>Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.</p>	<p>The sidewalk level interior spaces are defined from the street with the large-scale concrete columns that create bays suitable for future internal division of floor space.</p> <p>The hotel interior is delineated with a large corner entrance and lounge and café spaces located along SW Flanders. The bays also differentiate the residential entrance and service bays.</p> <p>A 3-foot setback of ground level windows also enhances use flexibility particularly at the exterior café seating area. Generous canopies protect the sidewalk realm.</p> <p>See Sheet C.05X, APP.04, APP.05.</p>
C10 Integrate Encroachments	
<p>Size and place encroachments in the public right-of-way to visually and physically enhance the pedestrian environment.</p> <p>Locate permitted skybridges toward the middle of the block, and where they will be physically unobtrusive. Design skybridges to be visually level and transparent.</p>	<p>The ground level canopies enhance and protect the right of way. Upper level balconies are integrated into a cohesive array complementing building corners and enhancing views.</p> <p>See Sheet APP.01, APP.02, APP.07.</p>
C11 Integrate Roofs and Use Rooftops	
<p>Integrate roof function, shape, surface materials, and colors with the building's overall design concept.</p>	<p>The design features a generous terrace outside the event/lounge at the 22nd floor.</p> <p>Rooftop mechanical equipment will be set behind screen walls and will not be visible from the street</p>

<p>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.</p> <p>Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.</p>	<p>or adjacent buildings. An ecoroof covers the roof aside from standing mechanical equipment and service paths. The remainder of the rooftop and roofs over enclosed mechanical spaces including the Level 2 rooftop in the southeast corner of the project will also be an ecoroof. All ecoroof areas are a key part of the water management strategy for the building.</p> <p>See Sheets C.47 - Landscape Plan – Level 02, C.48 - Landscape Plan – Level 22, C.49 - Landscape Plan – Level Roof and the Appendix C Preliminary Stormwater Report.</p>
<p>C12 Integrate Exterior Lighting</p>	
<p>Integrate exterior lighting and its staging or structural components with the building’s overall design concept.</p> <p>Use exterior lighting to highlight the building’s architecture, being sensitive to its impacts on the skyline at night.</p>	<p>Exterior lighting will be focused at the street level of the building, highlighting architectural features and providing public way lighting of the ground path.</p> <p>The “design installation” proposed will be lighted for a subtle evening viewing experience. Exterior lighting will also be provided to highlight the building crown. This accent lighting plus the glow of lighting from within the crown spaces will produce a lantern effect at the top of the building.</p> <p>See Sheet C.50-C.53.</p>
<p>C13 Integrate Signs</p>	
<p>Integrate signs and their associated structural components with the building’s overall design concept.</p> <p>Size, place, design, and light signs to not dominate the skyline.</p> <p>Signs should have only a minimal presence in the Portland skyline.</p>	<p>A backlit standing letter sign announcing Hyatt Place will be mounted on the leading street facing edge of each of the two hotel entrance canopies. Each sign will be approximately 18 inches tall and 20 ft. wide (30.0 sq. ft.).</p> <p>See Sheet C.21.</p>

VI. Compliance with Other Applicable Standards

A. 11.50 Trees in Development Situations

11.50.020 When a Tree Plan is Required.

(Amended by Ordinance No. 188816, effective March 16, 2018.) A tree plan is required in conjunction with all development permits, unless there are no Private Trees 12 inches or more in diameter, no City Trees 6 inches or more in diameter, and/or no Street Trees 3 inches or more in diameter, and the site or activity is exempt from Section 11.50.050 On-Site Tree Density Standards; and Section 11.50.060 Street Tree Planting Standards. If multiple development permits are required for a development proposal, including demolitions and subsequent construction, the same Tree Plan shall be included with each permit. For tree removal when no development permit is required, following completion of the development permit, or when tree preservation does not apply per Subsection 11.50.040 A.1., see Chapter 11.40.

Response: There are no trees on site. There is a 56" DBH street tree, a Silver Maple, at the SE corner of Flanders and 12th Ave adjacent to the site. There are no street trees on the Flanders St frontage. A Tree Plan is required.

See Sheet C. 46 - Landscape/Tree Plan - Level 01.

11.50.040 Tree Preservation Standards.

A. *Where these regulations apply.*

1. *This Section applies to trees within the City of Portland and trees on sites within the County Urban Pocket Areas in the following situations. On sites where these regulations do not apply, tree removal is subject to the requirements of Chapter 11.40, Tree Permit Requirements.*
 - a. *On sites. Development activities with ground disturbance or a construction staging area greater than 100 square feet on unpaved portions of the site within the root protection zone, as defined in Subsection 11.60.030 C.1.a., of one or more Private Trees 12 or more inches in diameter and/or one or more City Trees 6 or more inches in diameter.*
 - b. *In streets. Development activities with ground disturbance or construction staging not limited to existing paved surfaces where there are one or more Street Trees 3 or more inches in diameter.*

[...]

Response: Development activities on the site and street frontages will require removal the removal of the existing street tree. The regulations of this section apply.

C. *Tree Preservation Requirement. Any trees preserved shall be protected in accordance with the specifications in Section 11.60.030. The regulations for Private Trees in Subsection 11.50.040 C.1. sunset after December 31, 2019. After December 31, 2019 the regulations in effect will be those in effect on January 1, 2015.*

[...]

2. *City and Street Trees.*

- a. *Retention. For development on City owned or managed sites, new public streets, or improvements to existing streets, applicants are required to consult with the City Forester at the preliminary project design phase if City or Street Tree removal is likely to occur to complete the project. The purpose of this consultation is to identify potential impacts and opportunities to retain existing trees, as well as any measures required to protect trees on site, on adjacent sites, or in the street.*
- b. *Mitigation. Any required mitigation specified below shall occur on the site, in the street planter strip, or in the same watershed either by planting or a payment into the Tree Planting and Preservation Fund. The City Forester may reduce or waive the following mitigation requirements.*
 - (1) *Approved Street Tree removal in conjunction with improvements to partially or fully unimproved streets. Each tree at least 12 inches in diameter that is allowed to be removed shall be replaced with at least one tree. Trees planted to meet Street Tree Planting Standards will be credited toward meeting this requirement.*
 - (2) *Any other Street or City Tree allowed to be removed that is 6 or more inches in diameter shall be replaced with at least one tree in addition to trees required to meet required tree density or Street Tree planting standards.*

Response: The applicant consulted with the City Forester during two early assistance meetings with the City. The City Forester Indicated that full development of the site could be significantly affected by preservation of the tree and determined that 2 trees must be planted to mitigate the removal of the tree. These trees are in addition to trees required to meet the Street Tree Planting

Standards, below. If there is not adequate space to plant mitigation trees, payment of \$812.50 per tree may be paid into the Tree Planting and Preservation fund.

11.50.050 On-Site Tree Density Standards

A. *Where these Regulations Apply. This Section applies to sites within the City of Portland and the County Urban Pocket Areas. Unless exempted in Subsection 11.50.050 B., the following are subject to the On-Site Tree Density Standards:*

1. *New Development;*
2. *Exterior alterations to existing development with a project valuation that is more than the threshold stated in Subsection 33.258.070 D.2.a.B. Exemptions.*
 1. *The following development activities are exempt from the on-site tree density standards:*
 - c. *On portions of sites located within an IH, IG1, EX, or CX zone.*

Response: The site is located in the EX zone and is exempt from the standards of this section.

11.50.060 Street Tree Planting Standards.

A. *Where these Regulations Apply.*

1. *This Section applies to projects within or fronting on any City-owned or -managed streets.*
2. *For alterations where the project value is more than \$25,000, the cost of required Street Tree improvements is limited to 10 percent of the value of the proposed development.*

Response: The site fronts two City-owned streets, Flanders St and 12th Ave, and these regulations are applicable.

[...]

C. *Street Tree Planting Requirement. Any proposed change in width in a public street right-of-way or any other proposed street improvement, including the development of new public streets, shall include areas for tree and landscape planting where practical. Utility connections and specifications for planting such areas shall be integrated into the site plan. Specific locations and species will be determined by the Responsible Engineer and City Forester. Planting in public streets shall meet the specifications in Chapter 11.60 and the following:*

1. *One Street Tree shall be planted or retained for each full increment of 25 linear feet per side of street frontage. When the required number of trees cannot be planted, a fee in lieu of planting may be required. For City projects, required trees that cannot be planted within the improvement area may be planted elsewhere in the same watershed, instead of paying a fee in lieu of planting.*

[...]

Response: The site has approximately 100 ft. of street frontage along 12th Ave and approximately 100 ft. of street frontage along Flanders St Each frontage would require 4 streets to meet the standards of C.1 above. One street tree is proposed along 12th Ave, and 3 trees are proposed along Flanders St, for 4 trees total.

The required number of street trees cannot be planted due to a number of conflicting spacing and utility requirements.

- 12th Ave: There is a street light at the south property line, and there cannot be a tree planted within 20 feet of a street light per River District Guidelines section 2.8.4 Mixed Layer Street Trees. There is a driveway located north of the southern property line. City of Portland Street Tree Planting Standards 3.b.ix states that street trees should not be located at building entrances, so trees are not proposed there. There is a stop sign at the corner of 12th Ave, and trees cannot be planted within 20 feet of signage per City of Portland Street Tree Planting

Standards – Appendix A: Street tree spacing diagram. There is only room for one tree to be planted on the 12th Ave. Streetscape.

- Flanders St: As part of the “mixed street” layout, a new street light will be installed on the west side of the Flanders street frontage. The first street tree will be 20 feet from that street light. The locations of the three trees that are planted on the Flanders frontage have been coordinated with underground vaults to maximize tree numbers. There is a driveway on the neighboring property to the east.

Therefore, the applicant requests payment in lieu of planting for 4 street trees. With the addition of the two mitigation trees required for removal of the existing street tree per 11.50.040.C.2.b above, payment in lieu of planting is requested for 6 trees total in the amount of \$4,875 (6 trees x \$812.50 = \$4,875).

See Sheet C.46 - Landscape/Tree Plan - Level 01.

11.50.070 Tree Plan Submittal Requirements.

(Amended by Ordinance Nos. 188278 and 188816, effective March 16, 2018.) A tree plan submittal shall include the following information. The tree plan information may be combined with other relevant plan sheets. The submittal shall include:

- A. *Site Plan Requirements. The site plan shall include the following information with sufficient detail to show that the proposal complies with this Title.*
 - 1. *Existing improvements;*
 - 2. *Any construction staging areas on site;*
 - 3. *Proposed alterations including structures, impervious area, grading, and utilities;*
 - 4. *Existing trees:*
 - a. *Trees on the site. Indicate the location and the diameter size of: [...]*
 - b. *Trees in the street. For the street area adjacent to the development site or development impact area, indicate the location and the diameter size of:*
 - (1) *Any Heritage Trees and trees required to be preserved as part of a condition of land use approval*
 - (2) *All trees within the adjacent street that are at least 3 inches in diameter.*
 - 5. *Proposed tree activity:*
 - a. *Indicate trees to be retained and proposed tree protection measures meeting the specifications in Chapter 11.60. Trees that are retained but are not protected in accordance with the protection requirements in Chapter 11.60 may not be used to meet preservation or density standards.*
 - b. *Indicate trees to be removed. It is the applicant’s responsibility to obtain the appropriate consent from the adjacent property owner for tree removal when the tree is only partially on the site.*
 - c. *Show location, species, planting size and number of trees proposed to be planted. Trees to be planted shall meet the specifications in Chapter 11.60.*

Response: A Tree Plan meeting these requirements has been submitted. See Sheet C. 46 - Landscape/Tree Plan - Level 01.

- B. *Narrative requirements.*
 - 1. *If alternative tree protection measures are proposed, documentation addressing the requirements in Section 11.60.030, Tree Protection Specifications, shall be included.*
 - 2. *If a tree is to be exempted from tree preservation standards based on poor tree health or condition, supporting documentation from an arborist shall be included.*

3. *If a tree is to be exempted from tree preservation standards based on it being listed on the Nuisance Plants List, supporting documentation from a landscape professional or an arborist shall be included.*

Response: No alternative tree protection measures or exemptions are proposed. These requirements are not applicable.

VI. Conclusion

The request Design Review approval has been shown to be consistent with the applicable standards of Title 33 Zoning, the Central City and River District Design Guidelines, and other applicable standards. The applicant respectfully requests approval of the application.