



## **REVISED STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION**

CASE FILE: LU 19-145295 DZM  
EA 18-181375 APPT, PC 18-202411, EA 18-210300 DA  
**Hyatt Place**

REVIEW BY: Design Commission  
WHEN: July 18, 2019 approximate start time 5:00pm  
WHERE: 1900 SW Fourth Ave., Room 2500A  
Portland, OR 97201

**Bureau of Development Services Staff:** Arthur Graves 503.823.7803 |  
Arthur.Graves@portlandoregon.gov

### **GENERAL INFORMATION**

**Applicant:** Li Alligood | Otak, Inc. | 503.415.2384  
808 SW 3rd Ave #300 | Portland OR 97204

**Owner:** James Wong | Parq on 12th LLC  
606 Maynard Ave S #251 | Seattle WA 98104

**Developer:** Ray Harrigill | The Sunray Companies, LLC | 601.707.9225  
1012 Madison Ave Ste A | Madison MS 39110

**Site Address:** **350 NW 12<sup>th</sup> Avenue**

**Legal Description:** BLOCK 78 LOT 6&7, COUCHS ADD  
**Tax Account No.:** R180207240  
**State ID No.:** 1N1E33DA 02700  
**Quarter Section:** 3028  
**Neighborhood:** Pearl District, contact [planning@pearldistrict.org](mailto:planning@pearldistrict.org).  
**Business District:** Pearl District Business Association, contact at  
[info@explorethepearl.com](mailto:info@explorethepearl.com)

**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Central City (Plan District), Pearl District (Sub-District)  
**Zoning:** EXd: Central Employment (EX) base zone, and Design (d) overlay zone

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

### **Proposal:**

The applicant is seeking **Design Review** approval for a 23-story mixed use building, which includes hotel and residential uses, in the Pearl Sub-District of the Central City Plan District. The proposed height of the quarter-block building is 250' with 197,118 square feet of floor area. 170 hotel rooms and 110 dwelling units are proposed. No on-site

parking is proposed. Two loading spaces are proposed. Exterior materials include ribbed and flat metal paneling, aluminum windows, glass guardrails, steel canopies, formed concrete piers and aluminum storefronts.

The applicant is also requesting a modification to the development standards. Design review is required for new construction in the design overlay zone of the Central City Plan District.

One **Modification Review** is requested to **Bicycle Parking Standards** (33.266.220.C.3.B). The project proposes to reduce the width of the long-term bicycle parking spaces from 24 inches to 17 inches.

**Relevant Approval Criteria:**

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

- 33.825, Design Review
- 33.825.040, Modifications That Will Better Meet Design Review Requirements
- *The Central City Fundamental Design Guidelines*
- *The River District Design Guidelines*
- Oregon Statewide Planning Goals

## ANALYSIS

**Site and Vicinity:**

The 10,000 square foot, quarter-block site is located in the River District Subdistrict of the Central City Plan District and is bounded on the west by NW 12<sup>th</sup> Avenue [*City Walkway, City Bikeway, Minor Emergency Response Street*] and on the north by NW Flanders Street [*City Walkway, Major City Bikeway, Minor Emergency Response Street*]. (The site is also within the Northwest Triangle Pedestrian District.) The River District (and, specifically, the portion known as the Pearl District), a historically industrial area, has been redeveloped and now includes a mix of commercial, retail, some remaining industrial, and residential uses in a mixture of old warehouses and new buildings of varying heights.

The subject site is currently occupied by a surface parking lot. (a 15,000 square foot surface parking lot is also located across Flanders to the north-west) Immediately to the east is a single-story masonry building. Within the block, south of the site, is a half block development varying from 6 to 8-stories and clad in predominantly brick. The 13<sup>th</sup> Avenue Historic District is located less than 200 feet to the west.

**Zoning:**

The Central Employment (EX) zone allows mixed uses and is intended for areas in the center of the City that have predominantly industrial-type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area.

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

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

**Land Use History:** City records indicate there are no prior land use reviews for this site.

**Agency Review:** A “Notice of proposal in Your Neighborhood” was mailed **May 02, 2019**.

- Fire Bureau: May 02, 2019. Dawn Krantz. Responded with no concerns. Please see Exhibit E-1 for additional details.
- Bureau of Development Services – Life Safety: May 24, 2019. Geoffrey Harker. Responded with no concerns. Please see Exhibit E-2 for additional details.
- Bureau of Development Services – Site Development: May 28, 2019. Kevin Wells. Responded with comments about permitting and construction requirements. Please see Exhibit E-3 for additional details.
- Parks Bureau – Urban Forestry: May 29, 2019. Casey Clapp. Responded with comments about street tree planting requirements and comments to the removal of the existing silver maple at the northwest corner of the site. Please see Exhibit E-4 for additional details.
- Water Bureau: May 31, 2019. Michael Puckett. Responded with comments about domestic meter size and backflow information. Please see Exhibit E-5 for additional details.
- Portland Bureau of Transportation: June 03, 2019. Fabio de Freitas. Responded with no concerns and information about locating a proposed transformer in the right-of-way. Please see Exhibit E-6 for additional details.
- Bureau of Environmental Services: June 27, 2019. Emma Kohlsmith. Responded with concerns about information missing from the submittal to be able to confirm that the proposal meets SWMM requirements. Please see Exhibit E-7 for additional details.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **May 02, 2019**. A total of 31 written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

- June 20, 2019, David Dysert, Pearl District Neighborhood Association Planning and Transportation Committee Co-chair, with comments regarding design coherency, massing and material. See Exhibit F-1 for more details.
- June 28, 2019, Elizabeth Hawthorne, 311 NW 12<sup>th</sup> 9<sup>th</sup> Ave., Portland, OR: An initial email supporting the proposed development, however, requesting the project consider locating hotel and residential uses above the ground floor to allow the first few floors for parking. Additional comments suggested vehicle drop-off on both NW Flanders and NW 12<sup>th</sup>. See Exhibit F-2 for more details.
- June 28, 2019, Kristina Gregg, 311 NW 12<sup>th</sup> 9<sup>th</sup> Ave., Portland, OR: An initial email stating “strong objection” to the proposed development on the grounds of:

Size, Lack of parking, Congestion, and Current overbuilding in the Pearl. See Exhibit F-3 for more details.

- June 28, 2019, Mike Myers, McKenzie Lofts, Portland, OR: An initial email stating “strong objection” to the proposed development on the grounds of: Size, Height and Mass in contrast to other buildings in the Pearl District; potential traffic congestion, and exterior lighting. See Exhibit F-4 for more details.
- June 28, 2019, Sandy Parkerson, McKenzie Lofts, Portland, OR: An initial email stating “strong objection” to the proposed development on the grounds of: Size, Height and Mass in contrast to other buildings in the Pearl District; diminished solar gain due to the proposed development, potential traffic congestion, and concern for the removal of the silver maple tree on site. See Exhibit F-5 for more details.
- June 29, 2019, Ezra Rabie, 333 NW 9<sup>th</sup> Ave, Portland, OR: An initial email stating “strong objection” to the proposed development on the grounds of: Size, Height and Mass in regards to the “Pearl Historic District”. Additional comments addressed concerns for parking, bike safety and value to community in turn for FAR bonuses. See Exhibit F-6 for more details.
- June 29, 2019, Scott Shiigi, 333 NW 9<sup>th</sup> Ave, Portland, OR: An initial email stating “strong objection” to the proposed development on the grounds of: Size, Height and Mass in regards to the “Pearl Historic District”. Additional comments addressed concerns for parking, bike safety and value to community in turn for FAR bonuses. See Exhibit F-7 for more details.
- June 29, 2019, Bill Melcher, 333 NW 9<sup>th</sup> Ave, Portland, OR: An initial email stating “strong objection” to the proposed development on the grounds of: Size, Height and Mass in regards to the “Pearl Historic District”. Additional comments addressed concerns for parking, bike safety and value to community in turn for FAR bonuses. See Exhibit F-8 for more details.
- June 30, 2019, Marilynn Rabie, 333 NW 9<sup>th</sup> Ave, Portland, OR: An initial email stating “strong objection” to the proposed development on the grounds of: Size, Height and Mass in contrast to other buildings in the Pearl District. Additional comments addressed concerns for parking, and value to community in turn for FAR bonuses. See Exhibit F-9 for more details.
- June 30, 2019, Rita F. Silen, 416 NW 13<sup>th</sup> Ave, Portland, OR: An initial email stating objection to the proposed development on the grounds of: Size, Height and Mass in contrast to other buildings in the Pearl District. Additional comments addressed concerns for parking, bike safety, the lack of intended LEED certification, the removal of the existing silver maple tree and value to community in turn for FAR bonuses. See Exhibit F-10 for more details.
- July 01, 2019, Carol Adelson, 311 NW 12<sup>th</sup> Ave, Portland, OR: An initial email stating “strong objection” to the proposed development on the grounds of the proposed uses (residential and hotel) potentially interfering with and causing danger to pedestrian and vehicle traffic. See Exhibit F-11 for more details.
- July 01, 2019, Linda Alper and Kevin Cooney, 416 NW 12<sup>th</sup> Ave, Portland, OR: An initial email stating “strong objection” to the proposed development on the grounds of the proposed lack of parking, disparity of the proposed design from the aesthetic of the district, and value to community in turn for FAR bonuses See Exhibit F-12 for more details.

- July 01, 2019, Elizabeth Hawthorne, 311 NW 12<sup>th</sup> Ave, Portland, OR: An email clarifying previous comments and reiterating concern of the development's proposed lack of parking and removal of existing silver maple tree. See Exhibit F-13 for more details.
- July 01, 2019, Pam Williams, 416 NW 13<sup>th</sup> Ave, Portland, OR: An initial email stating opposition to the proposed development on the grounds of proportion, lack of integration with the district, height and design. See Exhibit F-14 for more details.
- July 01, 2019, Jane Starbird, Chown Pella Condominiums, Portland, OR: An initial email stating opposition to the proposed development on the grounds of the lack of parking, the proposed removal of the existing silver maple tree and because the development does not appear to, "reflect the values of the neighborhood". See Exhibit F-15 for more details.
- July 02, 2019, Tobi Travis, 408 NW 12<sup>th</sup> Ave, Portland, OR: An initial email stating "strong objection" to the proposed development on the grounds of lack of parking and vehicle congestion. See Exhibit F-16 for more details.
- July 02, 2019, Dante R. Marrocco, 311 NW 12<sup>th</sup> Ave, Portland, OR: An initial email stating "strong objection" to the proposed development on the grounds of: size, height and massing; impact to the safety of pedestrian and vehicle traffic; and congestion. See Exhibit F-17 for more details.
- July 04, 2019, Julia Marrocco, 311 NW 12<sup>th</sup> Ave, Portland, OR: An initial email stating "strong objection" to the proposed development on the grounds of: size, height and massing; impact to the safety of pedestrian and vehicle traffic; and congestion. See Exhibit F-18 for more details.
- July 04, 2019, Ethel Katz, 311 NW 12<sup>th</sup> Ave, Portland, OR: An initial email stating objection to the proposed development on the grounds of: size, height and massing in association to the quarter block site. Additional comments addressed concerns with the building's lack of integration to the district, removal of the existing silver maple tree. See Exhibit F-19 for more details.
- July 04, 2019, Arlene Matusow, 311 NW 12<sup>th</sup> Ave, Portland, OR: An initial email stating "strong objection" to the proposed development on the grounds of: potential traffic congestion, and impact to the proposed greenway. See Exhibit F-20 for more details.
- July 05, 2019, Sarah Mace, 408 NW 12<sup>th</sup> Ave, Portland, OR: An initial email stating "strong objection" to the proposed development on the grounds of: size, height and mass; lack of context with the existing development in the district; and removal of the existing silver maple tree. See Exhibit F-21 for more details.
- July 05, 2019, Karl Von Frieling, 311 NW 12<sup>th</sup> Ave, Portland, OR: An initial email stating objection to the proposed development on the grounds of: size, height and mass; lack of context with the existing development in the district; potential traffic congestion; and concern with the FAR transfer. See Exhibit F-22 for more details.
- July 06, 2019, Rita Fawcett, 416 NW 13<sup>th</sup> Ave, Portland, OR: An initial email stating "strong objection" to the proposed development on the grounds of: size, height and mass; lack of context with the existing development in the district; and removal of the existing silver maple tree. See Exhibit F-23 for more details.

- July 06, 2019, Supattra, McKenzie Lofts, Portland, OR: An initial email stating “strong objection” to the proposed development on the grounds of: size, height and mass; lack of context with the existing development in the district; and removal of the existing silver maple tree. See Exhibit F-24 for more details.
- July 07, 2019, Marie Jamieson, 416 NW 13<sup>th</sup> Ave, Portland, OR: An initial email stating opposition to the proposed development on the grounds of: size, height and mass; traffic congestion. See Exhibit F-25 for more details.
- July 07, 2019, Lawrence and Gail Hartman, 311 NW 12<sup>th</sup> Ave, Portland, OR: An initial email stating opposition to the proposed development on the grounds of: traffic congestion. See Exhibit F-26 for more details.
- July 07, 2019, Winston Chang, 416 NW 13<sup>th</sup> Ave, Portland, OR: An initial email stating “strong objection” to the proposed development on the grounds of: size, height and mass; and traffic congestion. See Exhibit F-27 for more details.
- July 07, 2019, Ashley Carson, 311 NW 12<sup>th</sup> Ave, Portland, OR: An initial email stating “strong objection” to the proposed development on the grounds of: size, height and mass; and traffic congestion. See Exhibit F-28 for more details.
- July 08, 2019, Jackie Gordon, 1025 NW Couch St., Portland, OR: An initial email stating “strong objection” to the proposed development on the grounds of: size, height and mass; and traffic congestion. See Exhibit F-29 for more details.
- July 08, 2019, Jared Hayes, 408 NW 12<sup>th</sup> Ave, Portland, OR: An initial email stating objection to the proposed development on the grounds of: lack of context with the neighborhood and removal of the existing silver maple. See Exhibit F-30 for more details.
- July 08, 2019, Dr. William Thierfelder, 420 NW 11<sup>th</sup> Ave., Portland, OR: An initial email stating support to the proposed development on the grounds of: increased jobs, residential units, hotel rooms and growth for the City. See Exhibit F-31 for more details.

Note: comments received after 7.09.19 will not appear in this document but will be included in the record for the submittal. All Design Commissioners will receive all submitted letters and all letters will be included in subsequent reports.

*Staff responded to each comment received stating that the comments have been entered into the record for the submittal, and that they will be forwarded to the applicant for response. Because the majority of comments involved opposition to the proposed size, height and mass of the building, which is being achieved through code allowed bonuses, staff forwarded contact information for the Bureau of Planning and Sustainability (BPS) to consider. Similarly, because an equally large number of comments were submitted regarding potential transportation impacts, which are also not in the purview of BDS Staff, contact information for the Portland Bureau of Transportation (PBOT) was provided.*

## **ZONING CODE APPROVAL CRITERIA**

### **(1) DESIGN REVIEW (33.825)**

#### **Chapter 33.825 Design Review**

#### **Section 33.825.010 Purpose of Design Review**

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

### **Section 33.825.055 Design Review Approval Criteria**

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

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

### **River District Design Guidelines and Central City Fundamental Design Guidelines**

The River District is a remarkable place within the region. The area is rich with special and diverse qualities that are characteristic of Portland. Further, the River District accommodates a significant portion of the region's population growth. This area emphasizes the joy of the river, connections to it, and creates a strong sense of community. The goals frame the urban design direction for Central City and River District development.

The Central City Fundamental Design Guidelines and the River District Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland's character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

### **River District Design Goals**

1. Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
2. Create a community of distinct neighborhoods that accommodates a significant part of the region's residential growth.
3. Enhance the District's character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
4. Strengthen connections within River District, and to adjacent areas.

### **Central City Plan Design Goals**

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

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

**A1. Integrate the River.** Orient architectural and landscape elements including, but not limited to lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and greenway. Develop access ways for pedestrians that provide connections to the Willamette River and Greenway.

**Findings for A1:** Setback approximately 10 blocks to the west from the Willamette River the building is not overtly oriented to the River. However, the building height and design provides visual connection to the Willamette River from its location in the heart of the Pearl District. The proposed design, with balconies at the residential (upper) levels and shared two-story event space at the top of the building also provides unobstructed views and connection to the Willamette River for both residential and hotel users.

*Therefore, this guideline is met.*

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

**A5-3. Incorporate Water Features.** Incorporate water features or water design themes that enhance the quality, character, and image of the River District. This guideline may be accomplished by:

- 1) Using water features as a focal point for integrated open spaces.
- 2) Taking cues from the river, bridges, and historic industrial character in the design of structures and/or open space.
- 3) Integrating stormwater management into the development.

**A5-4. Integrate Works of Art.** Integrate works of art or other special design features that increase the public enjoyment of the District. This guideline may be accomplished by:

- 1) Integrating art into open spaces or along pathways.
- 2) Incorporating art within the structure of the building.
- 3) Using "found objects" that are remnants from the area's history.

**Findings for A2, A5-3 and A5-4:** A water feature is proposed on the west elevation of the building to be located within the recess between the west elevation hotel entrance and the residential entrance. The proposed cascading water feature is approximately 7 feet wide and 20 feet in height. It is intended to be an art piece that evokes connections to Portland's tradition of fountains and water features while also providing a historic nod to Tanner Creek.

The proposed water feature, which is intending to meet three guidelines, is located at the base of a vertical expanse of metal panel running the entire height of the building's west elevation. While this may be an appropriate (and eventually successful) location for the feature, the current design and unresolved base to the tower is not yet fully developed in that it is neither integrated with the building nor "celebrating the building access points", as is stated in the Guideline A2.

*Therefore, this guideline is not fully met.*

**A4. Use Unifying Elements.** Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

**A5. Enhance, Embellish and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or



qualities by integrating them into new development.

**A5-1. Reinforce Special Areas.** Enhance the qualities that make each area distinctive within the River District, using the following “Special Area Design Guidelines” (A5-1-1 – A5-1-5).

**A5-1-1. Reinforce the Identity of the Pearl District Neighborhood.** This guideline may be accomplished by:

- 1) Recognizing the urban warehouse character of the Pearl District when altering existing buildings and when designing new ones.
- 2) Recognizing the urban warehouse character of the Pearl District within the design of the site and open spaces.
- 3) Designing buildings which provide a unified, monolithic tripartite composition (base/middle/top), with distinct cornice lines to acknowledge the historic building fabric.
- 4) Adding buildings which diversify the architectural language and palette of materials.
- 5) Celebrating and encouraging the concentration of art and art galleries and studios with design features that contribute to the Pearl District’s “arts” ambiance. Consider features that provide connectivity and continuity such as awnings, street banners, special graphics, and streetscape color coordination, which link shops, galleries, entrances, display windows and buildings. Active ground level retail that opens onto and/or uses the sidewalk can contribute to the attraction of the “arts” concentration.

**Findings for A4, A5, A5-1 and A5-1-1:** Hyatt Place continues the neighborhood’s tradition of architectural enhancements and diversification, for example street edges containing balconies, contrasting materials, and cladding materials and compositions responsive to the environment, views, and elements that characterize the River District neighborhood.

Proposed large, fully glazed storefront systems draw from the area’s tradition. While the integration of common pedestrian level features, such as canopies, new sidewalks, curb extensions, street trees, ornamental lighting, and large expanses of active ground-level storefront will also provide a strong identity in the neighborhood and improve connections with surrounding blocks, buildings, and neighborhoods.

*Therefore, these guidelines are met.*

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

**Findings:** Hyatt Place will establish and maintain a sense of urban enclosure through its massing being developed to the property line, or within 3 feet of the property line, providing a “strong built edge” on both street facing elevations (north and west).

*Therefore, this guideline is met.*

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

**B4. Provide Stopping and Viewing Places.** Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.

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

**Findings for A8, B4 and C6:** The proposal features a significant amount of glazing on all façades, particularly along the ground floor of the north façade on NW Flanders Street. The glazing provides views into the ground floor hotel lobby, lounge and café, where the interior space extends an additional floor to highlight the main hotel entrance. Glazing on the west elevation along NW 12<sup>th</sup> Ave also provides views into the hotel lobby as well as the main residential lobby.

Concrete columns at the property lines on the north and west elevations provide a bay structure and rhythm for the ground floor, while also providing recesses (the ground floor is setback 3-feet from the property line) for planters, furniture, and the proposed café areas to spill onto the sidewalk. The proposed folding glass wall on the north elevation provides an additional area of transparency and transition between the building and sidewalk.

*Therefore, this guideline is met.*

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

**B6. 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.

**Findings for B2 and B6:** A curb extension at the corner of NW 12<sup>th</sup> Ave and NW Flanders will provide limited traffic calming and pedestrian protection from both vehicle and bicycle traffic. Incidentally, the proposed addition of the Flanders Greenway also benefits the pedestrian in this area as it shows the removal of a traffic lane and creation of a protected bike lane along NW Flanders.

The proposal includes a lighting program that provides a variety of lighting fixtures and effects on both street facing façades. The ground floor lighting includes both security lighting, as well as architectural lighting. Mechanical systems are located approximately 20 feet above grade and away from pedestrians.

Ground level canopies on the north and west building frontages will provide shelter in poor weather and shade during the hot summer months, and create a friendly retail atmosphere for a variety of potential retail tenants. In addition, on both the north and west façade, the ground level of the building is recessed slightly beneath the 2<sup>nd</sup> floor, providing addition weather protection along the majority of each of these façades.

*These guidelines are met.*

**C8. Differentiate the Sidewalk-Level of Buildings.** Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

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

**C9-1. Reduce the Impact of Residential Unit Garages on Pedestrians.** Reduce the impact on pedestrians from cars entering and exiting residential unit garages by locating garage access on alleys, and active spaces on ground floors that abut streets. This guideline may be accomplished by:

- 1) Locating residential unit garage access on alleys.
- 2) Locating garage access on less trafficked streets.

**Findings for C8, C9 and C9-1:** The sidewalk-level of Hyatt Place is differentiated from the middle and top of the building with, as previously mentioned: cast in place concrete columns that help to frame and articulate the building edge and storefronts; a 3-foot recessed area for sidewalk seating and landscape planters; large storefront systems with significant glazing; a folding glass wall storefront system (on the north elevation); glass and steel canopies above all entrances and north elevation storefront systems; additional transom glazing above all proposed canopies; a water/art feature (on the west elevation). All together, these treatments help to facilitate a variety of active uses.

Because no parking is proposed on site, vehicle access across the sidewalk and pedestrian zone, will be reduced. The proposed loading area is screened by an aluminum and opaque glass overhead door to lessen the impact on pedestrians.

While there are many successful aspects of the proposed sidewalk-level of the building, there are still issues that remain unresolved. These are primarily: the design of the base of such a tall tower as it relates to the rest of the building, and the consistency and coherency of the two street facing elevations as they relate to one another. The base of the tower appears squat and undefined. Materials such as the cast in place concrete, are inconsistently interrupted with metal panel and metal louvers which lessens the visual strength of the sidewalk-level of the building. In addition, the rhythm created by the ground floor cast in place columns appears to have no relationship to the location of the vertical metal panel that is above it.

Proposed disparities between the north and west elevations include: canopies proposed at three different levels, from those above the storefront systems, to the hotel entries, to the residential entry; this in turn causes the storefront systems to also vary; location and prominence of proposed metal louvers; integration of metal panel; integration and location of the proposed water/art feature.

*Therefore, this guideline is not fully met*

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

**B1-1. Provide Human Scale to Buildings along Walkways.** Provide human scale and interest to buildings along sidewalks and walkways. This guideline may be accomplished by:

- 1) Providing street furniture outside of ground floor retail, such as tables and chairs, signage and lighting, as well as large windows and balconies to encourage social interaction.
- 2) Providing stoops, windows, and balconies within the ground floors of residential buildings.

**C7. Design Corners that Build Active Intersections.** Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

**Findings for B1, B1-1, and C7:** Hyatt Place maintains the established pedestrian system within the right-of-way that is consistent within the district. The proposed design also provides a 3-foot setback along the ground level of the north and west elevations to allow additional area for café seating and building frontage programming. The proposed articulation of the building at the ground level includes the integration of large windows providing views into the hotel lobby and café, canopies along the majority of both street facing elevations, and lighting within the frontage zone.

The corner of NW 12<sup>th</sup> Ave and NW Flanders is activated and strengthened through the previously mentioned large storefront glazing and canopies. Hotel signage on the canopies along with hotel entrances at the corner on both the north and west elevations, further activates the corner of the quarter block development. In addition, proposed glazing at the corner in the upper floors, from the 2<sup>nd</sup> floor to the 23<sup>rd</sup>, provides visual strength and articulation to the building's design.

*Therefore, these guidelines are met.*

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

**Findings for B5:** While not a plaza or park, the proposed Flanders Greenway, which is intended to provide improved pedestrian and bicycle connection from NW 24<sup>th</sup> Avenue to Tom McCall Waterfront Park and the Willamette River, encompasses many of the characteristics of a dynamic open space. Preliminary designs for the Flanders Greenway propose a “contra flow protected bike lane” and indicate reduced vehicle traffic through eastbound only access. Hyatt Place will engage the proposed Greenway through large operable fully glazed storefront systems and retail area along the entirety of the quarter-block.

*Therefore, this guideline is met.*

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

**Findings:** The proposed entrances to the hotel, residences main entry, and café's are located at grade—two on the north façade and two on the west façade. There are no ramps or stairs to traverse in order to gain entry into these two most-public spaces of the building. In addition, all ground level building entrances are designed to correlate to adjoining sidewalk grades in order to maintain graceful and functional entrances, minimizing the impact of grade changes. All applicable City, State and Federal design standards relating to accessibility and barrier-free circulation will be met both inside and outside the building. All residential units will comply with guidelines set by the fair housing act policy.

*This guideline is met.*

**C1. Enhance View Opportunities.** Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

**C1-1. Increase River View Opportunities.** Increase river view opportunities to emphasize the River District ambiance. This guideline may be accomplished by:

- 1) Designing and locating development projects to visually link their views to the river.
- 2) Providing public stopping and viewing places which take advantage of views of River District activities and features.
- 3) Designing and orienting open space and landscape areas to emphasize views of the river.

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

**Findings for C1, C1-1 and C11:** The proposed hotel and residential building is not within any existing view corridors. Windows are provided on all four elevations, however, most prominently on the north and west elevations (both street facing). The building's setback on the south elevation allows for significant glazing from the second floor to the top of the tower. The east elevation proposes the maximum glazing allowed by building code: 15%. Importantly, large areas of glazing are provided at the ground floor to provide both views into the building and views out to life on the street. The proposed shared amenity areas on the 22<sup>nd</sup> and 23<sup>rd</sup> floors are fully glazed allowing views to the south, west and east, to the Willamette River. In addition, an outside roof terrace is proposed on the 22<sup>nd</sup> floor, adjacent to (and south of ) the shared lounge/event space. All proposed shared amenity spaces take advantage of the roof to provide semi-public open space in an otherwise dense urban environment and also provide opportunities for views to the river and beyond.

The roofs, on both the 2<sup>nd</sup> floor and the tower, house mechanical equipment and eco-roofs. The eco-roofs provide for on-site management of stormwater and also create a more-pleasant view for residents in the vicinity who may be looking down on, or directly out onto, the proposed building's roofs. The large mechanical systems on the tower are fully enclosed behind a corrugated metal screen. A similar condition exists at the lower roof over the 2<sup>nd</sup> floor: mechanical systems are screened behind corrugated metal screens and an eco-roof cover the remainder.

All together, the roof is a well-integrated component of the building, housing usable space, an eco-roof, and integrated architectural elements to screen mechanical systems from users on the roof and views from beyond the site. However, as noted below in C2, C4, C5, the top of the tower, particularly on the north and west elevations, lacks a clear termination.

*Therefore, these guidelines are met.*

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

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

**C5. Design for Coherency.** Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window,

door, sign, and lighting systems, to achieve a coherent composition.

**Findings for C2, C4 and C5:** The base of Hyatt Place utilizes cast in place concrete, drawing heavily from other established buildings in the Pearl District and nearby 13th Avenue Historic District. The tower itself is simply constructed of 4-foot wide ACM metal panel and window wall systems. Proposed metal panels run the vertical length of the structure on each elevation providing a clear exterior treatment with logical breaks in the material dimension, to 2-feet wide, where it is overlapped by proposed balconies at the upper levels. Larger expanses of metal panel, most noticeably on the east and south elevations, maintain the established panel dimensions providing additional continuity with the buildings massing. Proposed concrete canopies, with metal fascia and glass guardrails, provide additional activity to the façade of the upper levels of the tower while breaking up the previously mentioned vertical metal panel bars.

Overall, the building presents a largely coherent composition: a design with shifting metal panel bars aligned with window wall systems and balconies interspersed at the residential levels. However, the integration of the main massing of the building with the base and top of tower remains unresolved. As mentioned previously the base lacks coherency and continuity. Similarly, the top of the tower, specifically on the north and west elevations, lacks a clear termination.

*Therefore, this guideline is not fully met*

**C10. Integrate Encroachments.** Size and place encroachments in the public right-of-way to visually and physically enhance the pedestrian environment. Locate permitted skybridges toward the middle of the block, and where they will be physically unobtrusive. Design skybridges to be visually level and transparent.

**C13. Integrate Signs.** Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

**Findings for C10 and C13:** Encroachments include the proposed steel and glass canopies on the west and north elevations. Canopies on the west elevation are proposed to extend approximately 6 feet into the right-of-way and vary in height from approximately 11 feet above the sidewalk (at the residential and bike access door entries), to approximately 15 feet above the sidewalk (at the corner hotel entrance). Canopies on the north elevation are proposed to extend approximately 4 feet into the right-of-way and vary in height from approximately 10 feet above the sidewalk (within the three eastern bays), to approximately 15 feet above the sidewalk (at the corner hotel entrance).

Signage is proposed on both of the hotel entrance canopies. Each sign is approximately 20 feet in length and 1'-6" in height. Each sign is constructed of individual perforated vinyl letters that are preceded by a nine-dot logo.

*Therefore, these guidelines are met.*

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

**Findings:** Recessed can lights are proposed in both of the hotel entrance canopies. The remaining canopies propose track lighting systems. LED lighting is proposed for both the loading entrance and the art/water feature. Lighting is primarily proposed to focus on the street level of the building to highlight architectural features and

illuminate the proposed art/water feature. Lighting is proposed to be located at the crown of the building as well, although this is not shown in drawings and so staff cannot determine the potential impact it may have on the skyline at night.

*Therefore, staff is not able to determine if this guideline is fully met.*

## **Oregon Statewide Planning Goals**

### **Goal 1: Citizen Involvement**

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

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

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

### **Goal 2: Land Use Planning**

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

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

### **Goal 3: Agricultural Lands**

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

### **Goal 4: Forest Lands**

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

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

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

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

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

#### **Goal 6: Air, Water and Land Resources Quality**

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

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

#### **Goal 7: Areas Subject to Natural Disasters and Hazards**

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

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

#### **Goal 8: Recreation Needs**

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



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

#### Goal 9: Economy of the State

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

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

#### Goal 10: Housing

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

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

#### Goal 11: Public Facilities and Services

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

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

#### Goal 12: Transportation

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

**Findings:** The City of Portland maintains a Transportation System Plan (TSP) to comply with Goal 12, adopted by Ordinances 187832, 188177 and 188957. The City's TSP aims to "make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs." The extent to which a proposal affects the City's transportation system and the goals of the TSP is evaluated by the Portland Bureau of Transportation (PBOT). As discussed earlier in this report, PBOT evaluated this proposal and found compliance. Therefore, the proposal is consistent with Goal 12.

#### Goal 13: Energy

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

**Findings:** With respect to energy use from transportation, as identified above in response to Goal 12, the City maintains a TSP that aims to "make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs." This is intended to promote energy conservation related to transportation. Additionally, at the time of building permit review and inspection, the City will also implement energy efficiency requirements for the building itself, as required by the current building code. For these reasons, staff finds the proposal is consistent with Goal 13.

#### Goal 14: Urbanization

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

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

#### Goal 15: Willamette Greenway

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

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

#### Goal 16: Estuarine Resources

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

Goal 17: Coastal Shorelands

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

Goal 18: Beaches and Dunes

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

Goal 19: Ocean Resources

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

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

**(2) MODIFICATION REQUESTS (33.825)****33.825.040 Modifications That Will Better Meet Design Review Requirements:**

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

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

**Modification #1:** 33.266.220.C.3.b Bicycle racks. The applicant requests a modification to the size of the required long-term bicycle parking spaces from the required 2 feet to 18 inches.

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

*Standard:* 33.266.220.C.3.b: A space 2 feet by 6 feet must be provided for each required bicycle parking space, so that a bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components. See Figure 266-11.

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

**Findings:** The project includes 174 total long-term bicycle parking spaces which are located in the mezzanine area. Due to the relatively small size of the quarter-block lot and the amount of program provided within the building, space within the building, and particularly on the ground floor and in the basement level, is already constrained. A vertically-oriented wall-mounted rack system is proposed that will allow for a more efficient use of space and is similar to other bicycle parking systems that have been approved recently in other Pearl District projects. The proposed functional and space efficient system better meets the design guidelines (A8 – *Contribute to a Vibrant Streetscape*, B1 – *Reinforce the Pedestrian System*, & C9 – *Develop Flexible Sidewalk-Level Spaces*) because it eases floor plan demands and results in a greater amount of active uses at the street, such as the hotel lobby and café area on the west and north façades.

*Therefore, this criterion is met.*

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

**Findings:** The proposed vertically-oriented wall-mounted bicycle rack system is engineered to allow the racks to be provided 18” on center spacing. A 5-foot minimum aisle is still provided behind each bicycle rack. The racks will be located within the secure and closed-to-the-public loading area. The bicycle parking system itself is safe and secure and located in a convenient area for employees and within portions of the building that are relatively well-protected. The proposal is consistent with the purpose statement of the bicycle parking standards.

*Therefore, this criterion is met and this Modification merits approval.*

## DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all requirements of Title 11 can be met, and that all development standards of Title 33 can be met or have received an Adjustment or Modification via a land use review, prior to the approval of a building or zoning permit.

### Regarding FAR:

The base FAR allowed for the site in the Central City Plan District is 6:1 (see Portland Zoning Code 33.510 – Map 510-2). Bonuses to the base FAR are allowed provided the first 3:1 of any increase must be earned through:

1. The inclusionary housing bonus option described in Subparagraph C.2.a;
2. The Affordable Housing Fund bonus option described in Subparagraph C.2.b.;
3. The historic resources transfer provisions described in Paragraph D.1. or
4. The riverfront open space bonus option described in Subparagraph C.2.c.

In addition, there is no limit to the amount of floor area that can be transferred to a site.

\*Buildings using bonus floor area must not exceed the maximum height limits shown on Map 510-3 unless eligible for bonus height.

### Regarding Height:

The base height for the site is 100 feet, although the site is eligible for height bonuses of up to 250’ (See Portland Zoning Code 33.510 – Map 510-3 and Map 510-4). Bonus height may be earned through FAR bonus or transfer per Portland Zoning Code 33.510.210.D.3.

Regarding Parking:

Per Portland Zoning Code 333.510 – there is no minimum parking required for development in the Central City Plan District.

**CONCLUSIONS**

**The following proposal cannot be approved at this time because the following Guidelines have not been met: A2, A5-3, A5-4, C2, C4, C5, C8, C9, C9-1 and C12.**

**TENTATIVE STAFF RECOMMENDATION**

Staff recommends denial of the proposed 23-story quarter block tower located in the Pearl Sub-District of the Central City Plan District.

=====

**Procedural Information.** The application for this land use review was submitted on April 9, 2019, and was determined to be complete on April 30, 2019.

*Zoning Code Section 33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on April 9, 2019.

*ORS 227.178* states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant waived the 120-day review period, as stated with Exhibit G-2.

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

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

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

**Appeal of the decision.** The decision of the Design Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the

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

**Who can appeal:** You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. **Appeals must be filed within 14 days of the decision. An appeal fee of \$5000.00 will be charged (one-half of the application fee for this case).**

Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

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

**Recording the final decision.**

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

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

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**Applying for your permits.** A building permit, occupancy permit, or development permit must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

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

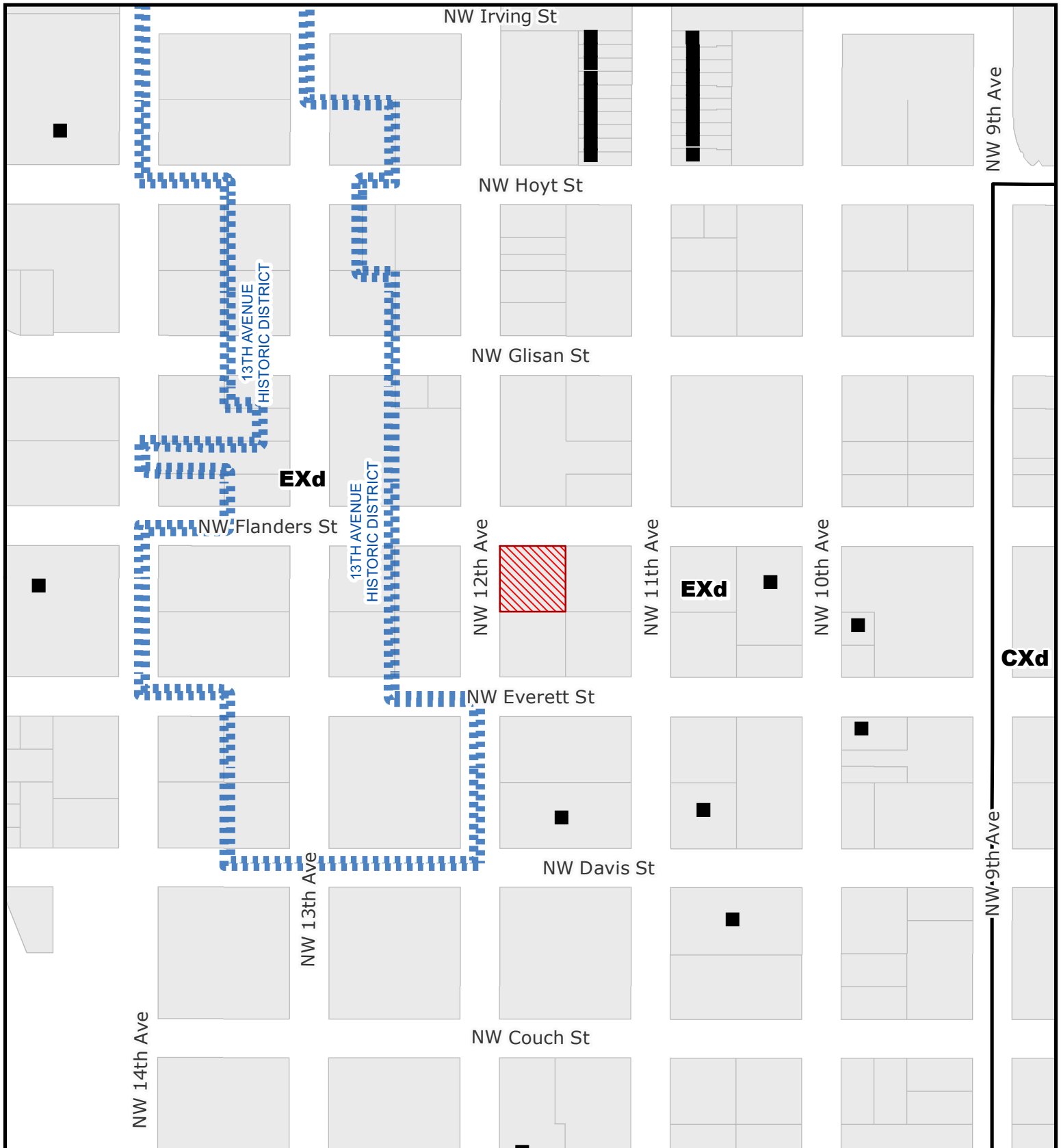
Arthur Graves  
July 10, 2019 – revised staff report

**EXHIBITS – NOT ATTACHED UNLESS INDICATED**

- A. Applicant's Statement
  - 1. Initial Submittal – Narrative, drawings, cutsheets: April 04, 2019
  - 2. Land Use schedule: May 05, 2019
  - 3. Revised massing scheme: June 03, 2019 – superseded
  - 4. Revised massing scheme: June 04, 2019 – superseded
  - 5. Revised massing scheme: June 13, 2019 – superseded
  - 6. Revised Art-Water feature schemes: June 18, 2019 – superseded
  - 7. Revised massing scheme: June 13, 2019 – superseded
  - 8. Revised drawing set: June 27, 2019
- B. Zoning Map (attached)
- C. Plan & Drawings
  - 1. Cover Sheet
  - 2. Index
  - 3. Existing Site Plan
  - 4. Proposed Site Plan
  - 5. Ground Floor Plan (attached)
  - 6. Floor Plans through C-9
  - 10. Elevations through C-13
  - 14. Enlarged Elevations and Sections through C-21
  - 22. Enlarged Axons and Details through C-34
  - 35. Materials and Colors through 42
  - 43. Landscape Plans through 46
  - 47. Lighting Plans through 51
  - 52. Civil Plans through 53
  - 54. Product Cut Sheets through 60
- D. Notification information:
  - 1. Request for response
  - 2. Posting letter sent to applicant
  - 3. Notice to be posted
  - 4. Applicant's statement certifying posting
  - 5. Mailed notice
  - 6. Mailing list
- E. Agency Responses:
  - 1. Fire Bureau: May 02, 2019. Dawn Krantz
  - 2. Bureau of Development Services – Life Safety: May 24, 2019. Geoffrey Harker.
  - 3. Bureau of Development Services – Site Development: May 28, 2019. Kevin Wells
  - 4. Parks Bureau – Urban Forestry: May 29, 2019. Casey Clapp
  - 5. Water Bureau: May 31, 2019. Michael Puckett
  - 6. Portland Bureau of Transportation: June 03, 2019. Fabio de Freitas.
  - 7. Bureau of Environmental Services: June 27, 2019. Emma Kohlsmith
- F. Community Responses:
  - 1. David Dysert, Pearl District Neighborhood Association Planning and Transportation Committee Co-chair, June 20, 2019.
  - 2. Elizabeth Hawthorne, community resident. June 28, 2019.
  - 3. Kristina and Stephen Gregg, community residents in opposition. June 28, 2019.
  - 4. Mike Myers, community resident in opposition. June 28, 2019.
  - 5. Sandy Parkerson, community resident in opposition. June 28, 2019.

6. Ezra Rabie, community resident in opposition. June 29, 2019.
  7. Scott Shiigi, community resident in opposition. June 29, 2019.
  8. Bill Melcher, community resident in opposition. June 29, 2019.
  9. Marilynn Rabie, community resident in opposition. June 30, 2019.
  10. Rita F. Silen, community resident in opposition. June 30, 2019.
  11. Carol Adelson, community resident in opposition. July 01, 2019.
  12. Linda Alper and Kevin Cooney, community residents in opposition. July 01, 2019.
  13. Elizabeth Hawthorne, community resident. July 01, 2019.
  14. Pam Williams, community resident in opposition. July 01, 2019.
  15. Jane Starbird, community resident in opposition. July 01, 2019.
  16. Tobi Travis, community resident in opposition. July 02, 2019.
  17. Dante R. Marrocco, community resident in opposition. July 02, 2019.
  18. Julia Marrocco, community resident in opposition. July 04, 2019.
  19. Ethel Katz, community resident in opposition. July 04, 2019.
  20. Arlene Matusow, community resident in opposition. July 04, 2019.
  21. Sarah Mace, community resident in opposition. July 05, 2019.
  22. Karl Von Frieling, community resident in opposition. July 05, 2019.
  23. Rita Fawcett, community resident in opposition. July 06, 2019
  24. Supattra, community resident in opposition. July 06, 2019
  25. Marie Jamieson, community resident in opposition. July 07, 2019
  26. Lawrence and Gail Hartman, community resident in opposition. July 07, 2019
  27. Winston Chang, community resident in opposition. July 07, 2019
  28. Ashley Carson, community resident in opposition. July 07, 2019
  29. Jackie Gordon, community resident in opposition. July 08, 2019
  30. Jared Hayes, community resident in opposition. July 08, 2019
  31. William Thierfelder, community resident in support. July 08, 2019
- G. Other
1. Original LUR Application
  2. Request for an Evidentiary Hearing Waiver – signed: April 26, 2019
  3. Request for Completeness and responses: May 07, 2019
  4. Early Assistance Summary
  5. Pre-Application Conference Summary
  6. Design Advise Request #1 Memo to Commission
  7. Design Advise Request #1 Summary Memo
  8. Design Advise Request #2 Memo to Commission
  9. Design Advise Request #2 Summary Memo





# ZONING

↑ NORTH

THIS SITE LIES WITHIN THE:  
CENTRAL CITY PLAN DISTRICT  
PEARL SUBDISTRICT



Site

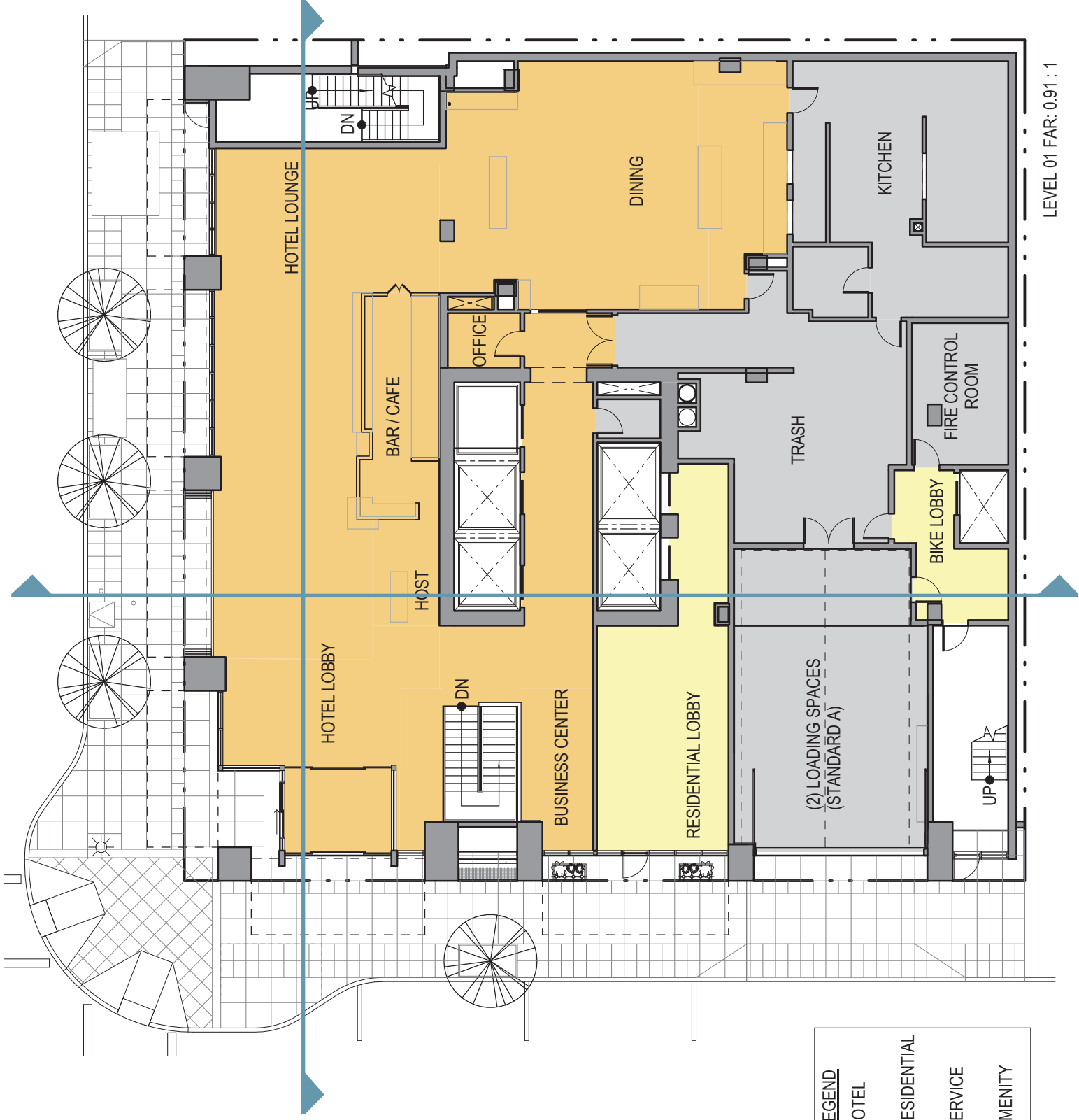


Historic Landmark

File No.	LU 19-145295 DZM
1/4 Section	3028
Scale	1 inch = 200 feet
State ID	1N1E33DA 2700
Exhibit	B Apr 12, 2019

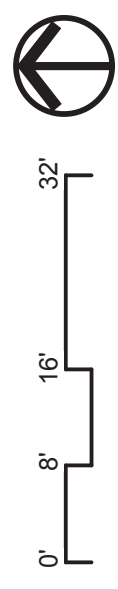


1 LEVEL B1 - PLAN  
1/16" = 1'-0"

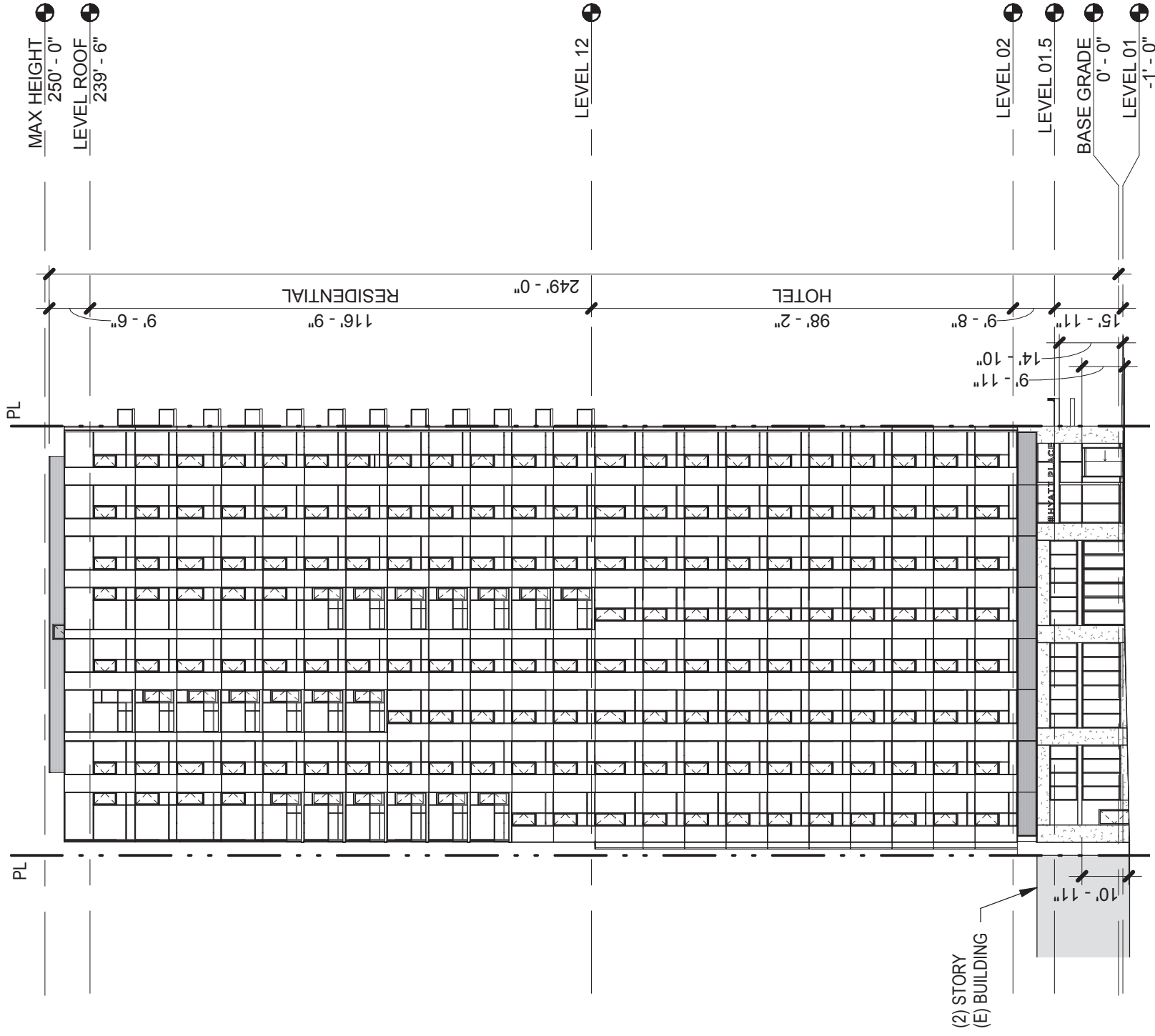


2 LEVEL 01 - PLAN  
1/16" = 1'-0"

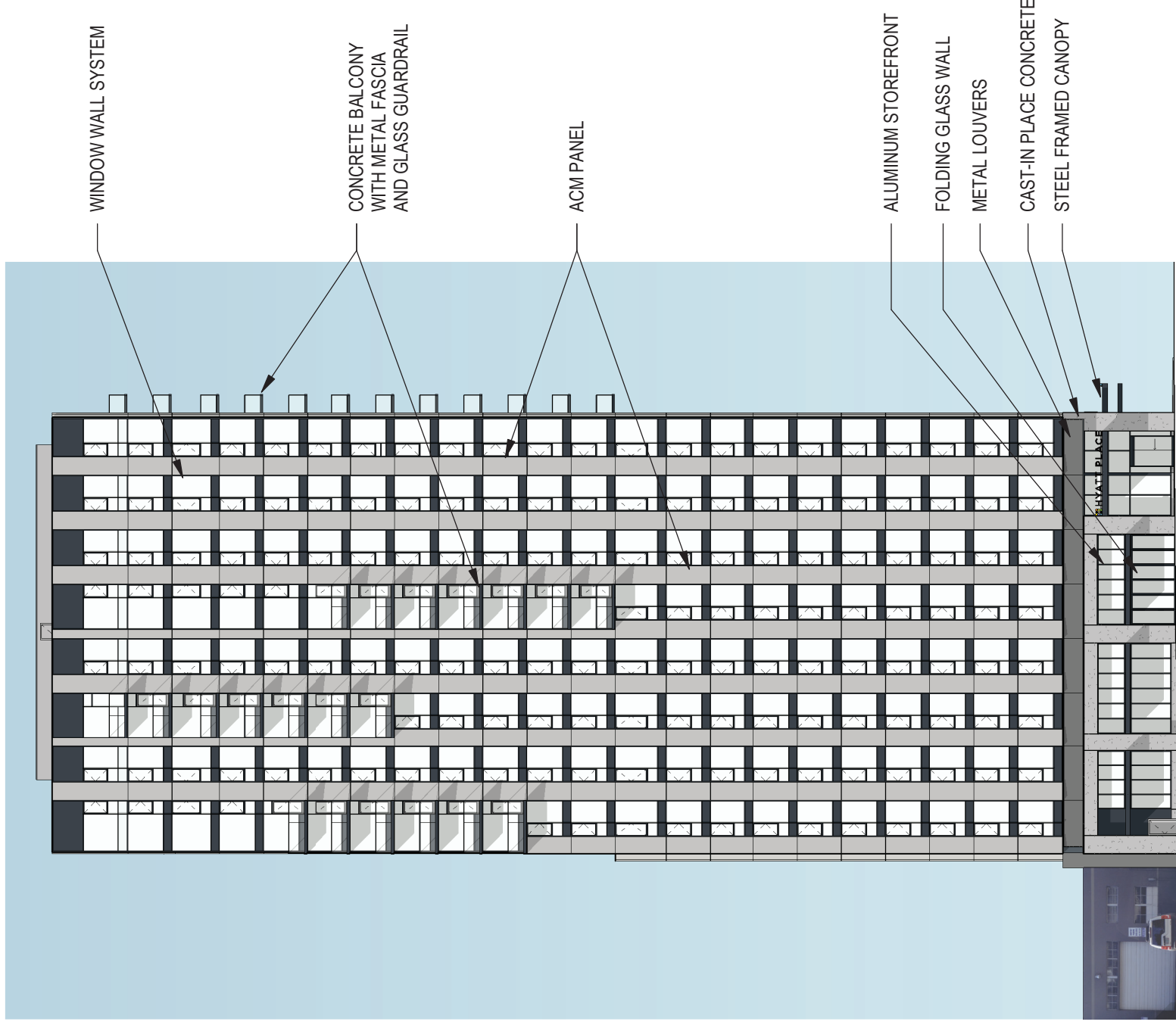
PROGRAM LEGEND	
<span style="display:inline-block; width:15px; height:15px; background-color:orange;"></span>	HOTEL
<span style="display:inline-block; width:15px; height:15px; background-color:yellow;"></span>	RESIDENTIAL
<span style="display:inline-block; width:15px; height:15px; background-color:gray;"></span>	SERVICE
<span style="display:inline-block; width:15px; height:15px; background-color:lightblue;"></span>	AMENITY



# HYATT PLACE | TYPE III DESIGN REVIEW | FLOOR PLANS - LEVEL B1 + LEVEL 01

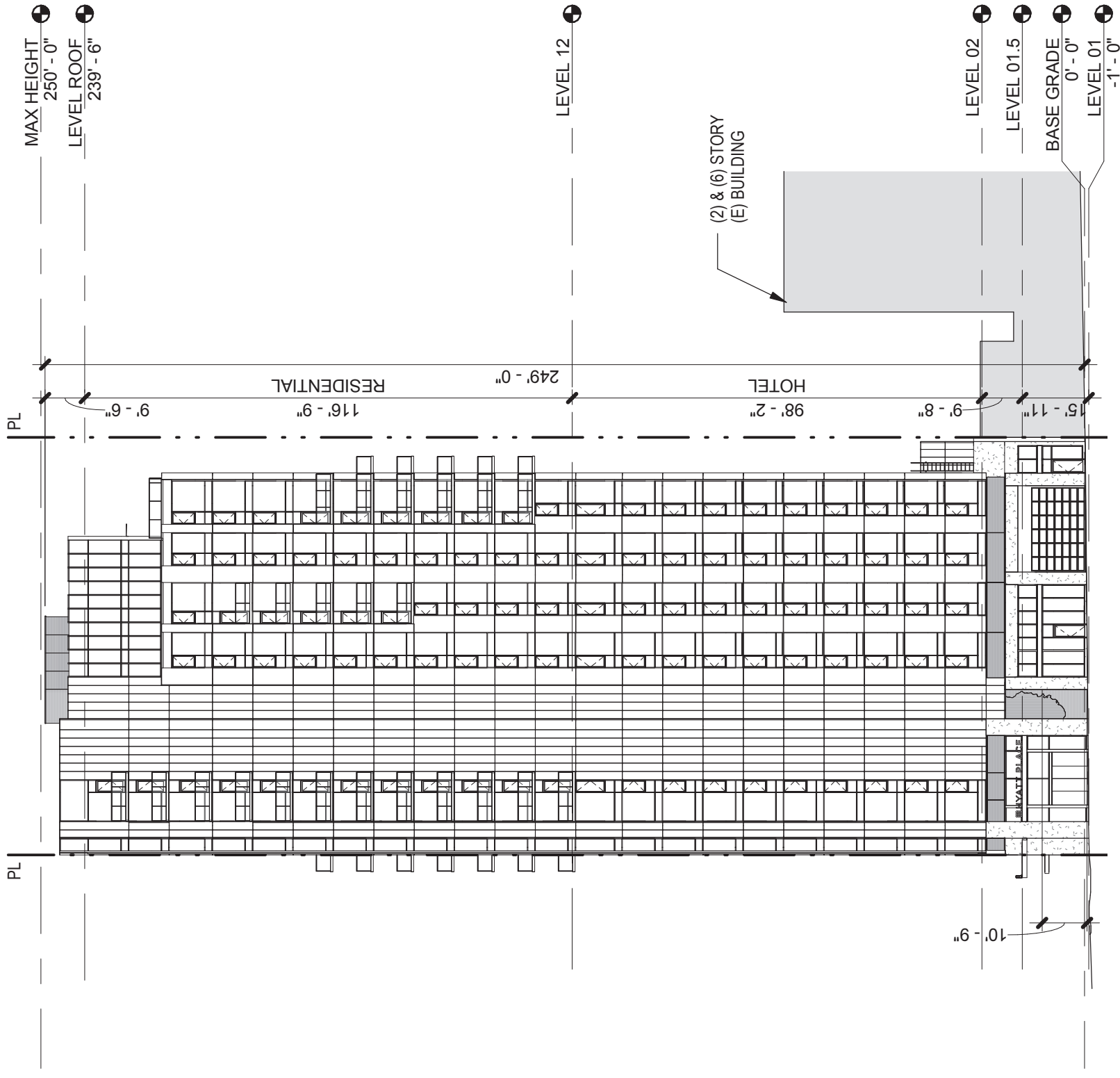


1 NORTH ELEVATION - BLACK & WHITE  
1/32" = 1'-0"

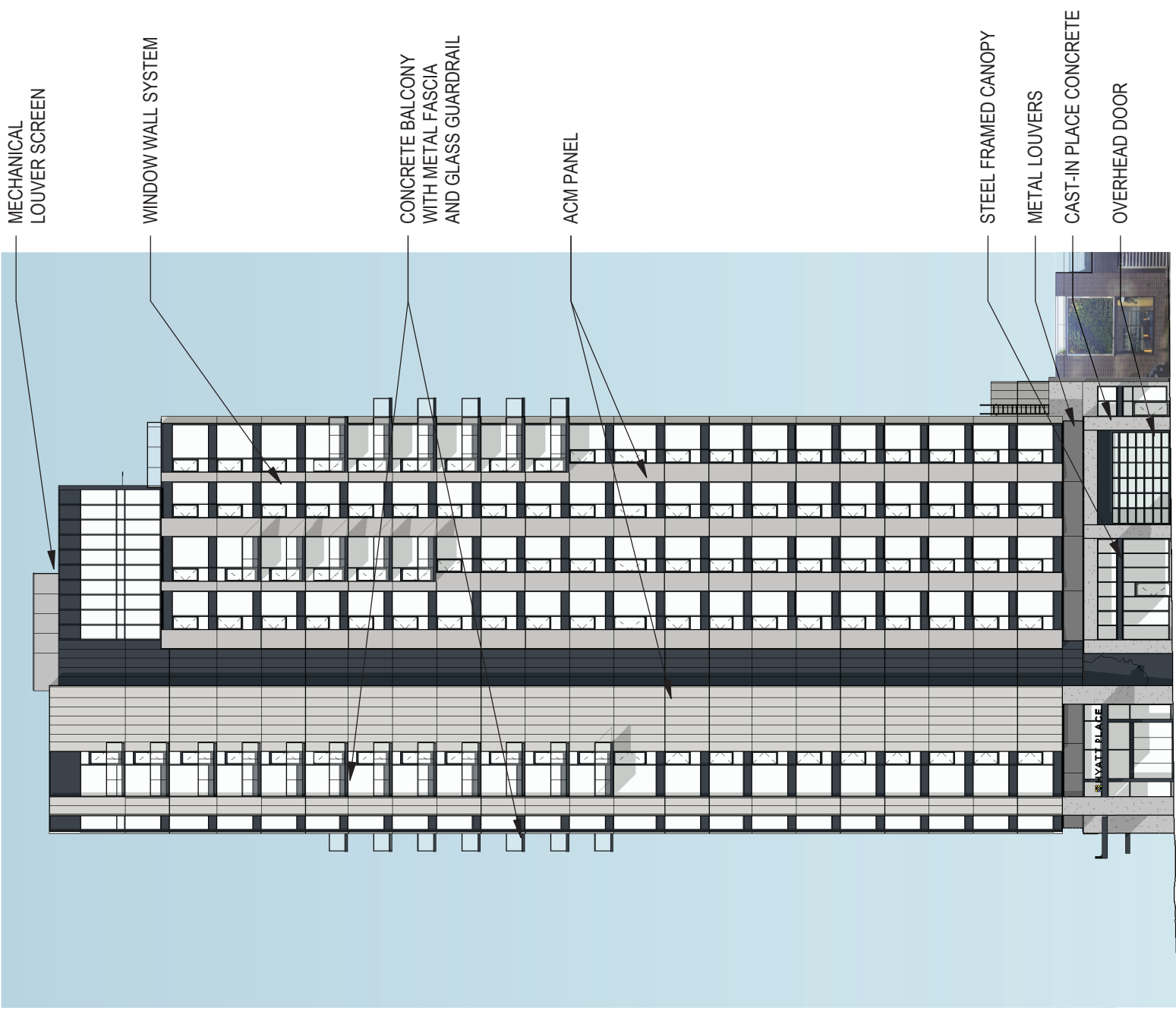


2 NORTH ELEVATION - COLOR  
1/32" = 1'-0"

# HYATT PLACE | TYPE III DESIGN REVIEW | ELEVATIONS - NORTH



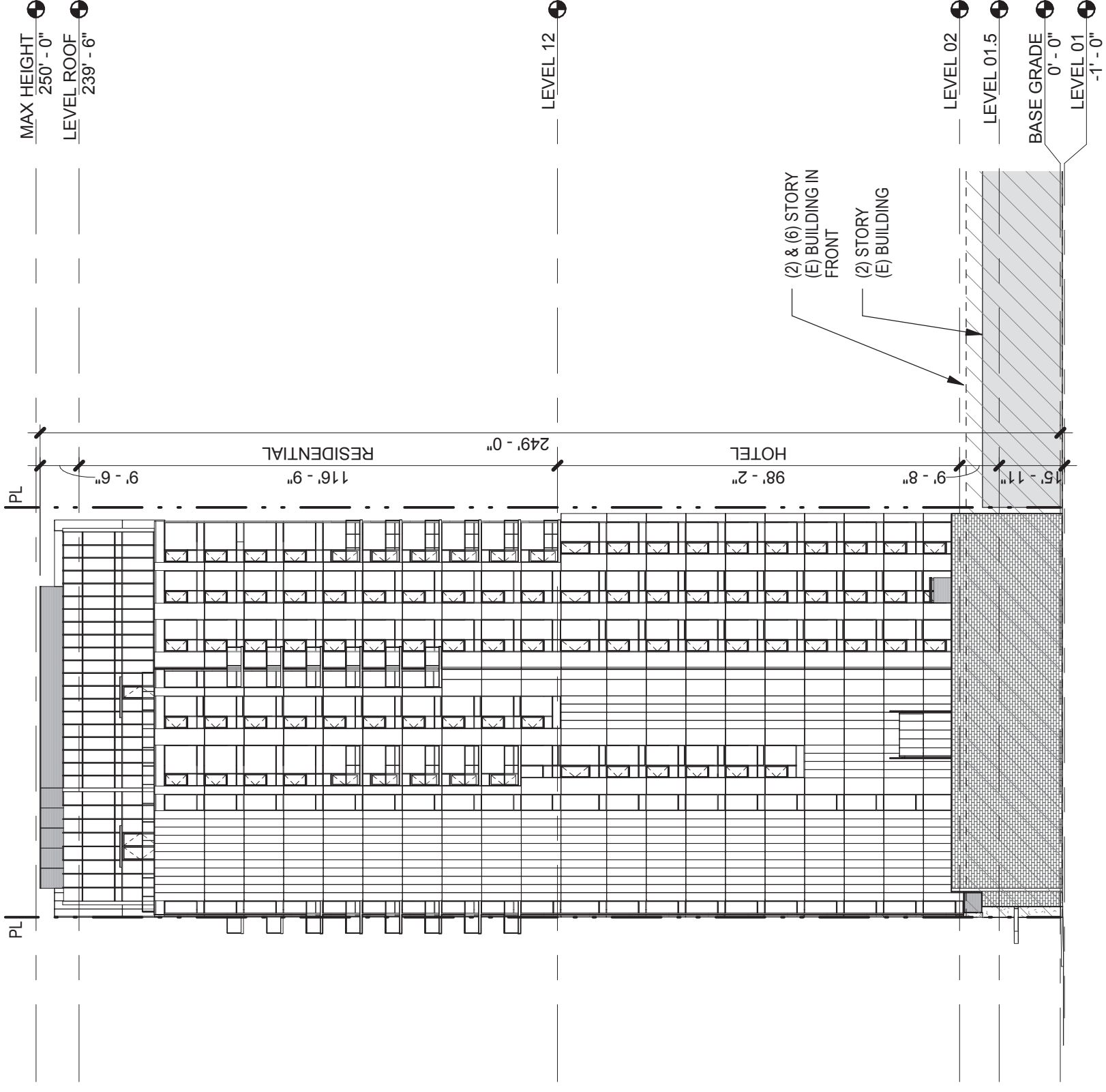
1 WEST ELEVATION - BLACK & WHITE  
1/32" = 1'-0"



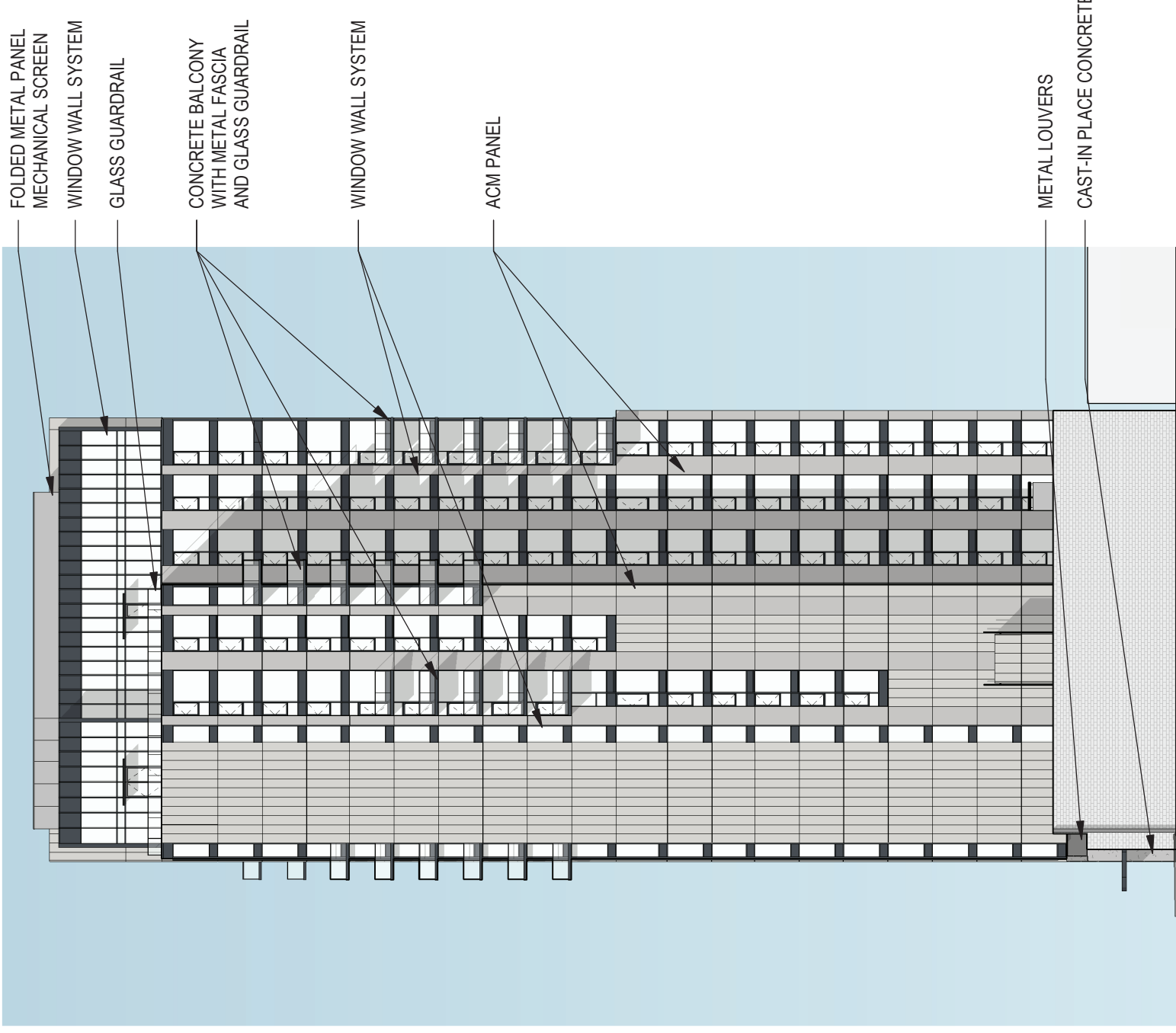
2 WEST ELEVATION - COLOR  
1/32" = 1'-0"

# HYATT PLACE | TYPE III DESIGN REVIEW | ELEVATIONS - WEST

JUNE 27, 2019 | PROJECT 18177 | LU 19-145295 DZM



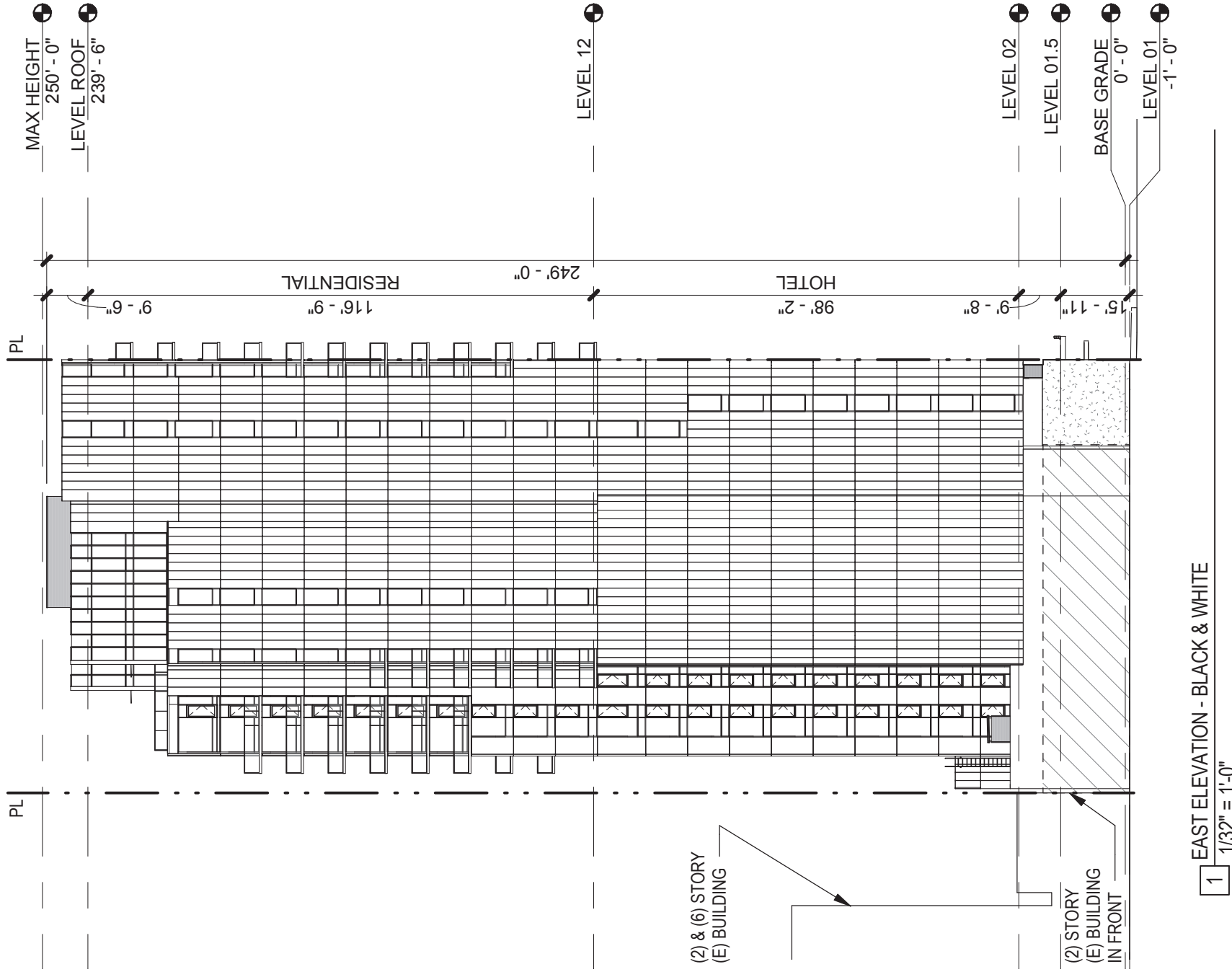
1 SOUTH ELEVATION - BLACK & WHITE  
1/32" = 1'-0"



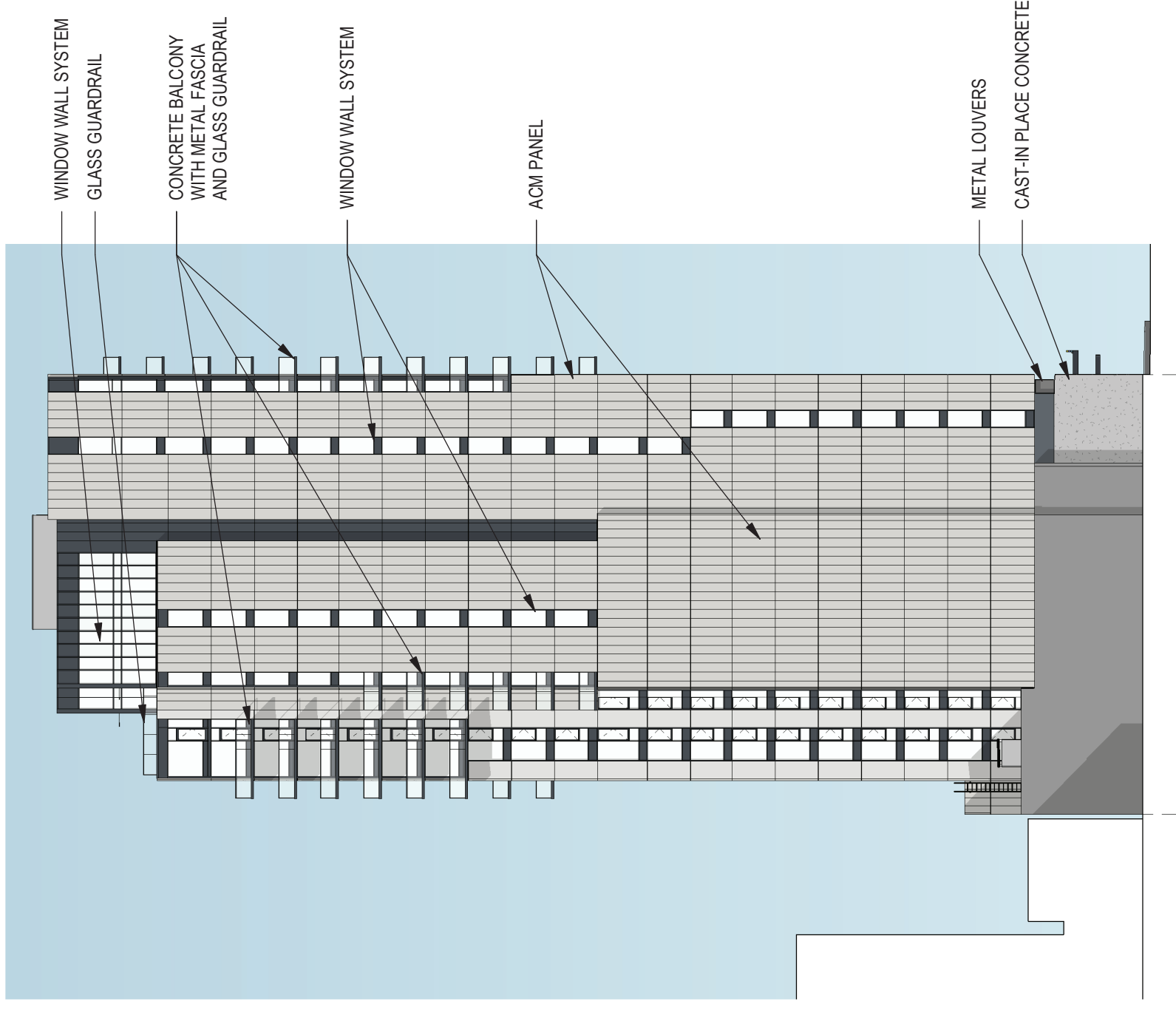
2 SOUTH ELEVATION - COLOR  
1/32" = 1'-0"

# HYATT PLACE | TYPE III DESIGN REVIEW | ELEVATIONS - SOUTH

JUNE 27, 2019 | PROJECT 18177 | LU 19-145295 DZM



1 EAST ELEVATION - BLACK & WHITE  
1/32" = 1'-0"



2 EAST ELEVATION - COLOR  
1/32" = 1'-0"

# HYATT PLACE | TYPE III DESIGN REVIEW | ELEVATIONS - EAST

JUNE 27, 2019 | PROJECT 18177 | LU 19-145295 DZM