



City of Portland Design Commission

Type III Land Use Review

MEMORANDUM

Date: September 27, 2021
To: Design Commission
From: Megan Sita Walker, Design / Historic Review Team
503-865-6515 | MeganSita.Walker@portlandoregon.gov
Re: LU 21-061842 DZM HR – 550 SE MLK Housing
Type III Design Review w/ Modifications & concurrent Type II Historic Resource Review – September 30, 2021

Attached is a drawing set for the Type III Design Review w/ Modifications with a concurrent Type II Historic Resource Review scheduled on September 30, 2021. Please contact me with any questions or concerns.

I. PROGRAM OVERVIEW

Type III Design Review with Modifications and a concurrent Type II Historic Resource Review for a proposed new half block, 7-story "5-over-2" mixed-use building in the Central Eastside Subdistrict of the Central City Plan District. Ground-level uses include commercial retail spaces, residential amenities, parking with approximately 60 parking stalls, and approximately 132 residential dwelling units of varying sizes at levels 2-7. The Type II Historic Resource Review is required as a small portion of the east building wall is within the East Portland/ Grand Avenue Historic District.

The proposal requests approval of the following **Modifications** to required development standards:

Modification 1

- Request to modify Ground Floor Windows coverage, PZC, 33.510.220 to reduce from 40% coverage to 33.9% on SE Washington.
- Request to modify Ground Floor Windows length, PZC, 33.140.230.B, to reduce length from 50% to 36.2% on SE Washington.

Modification 2 – Request to modify Ground Floor Active Use, PZC, 33.510.225 on SE Martin Luther King Jr. Blvd to reduce the requirement from 50% to 23.1%. The standard requires the ground floor of walls that front onto a sidewalk be designed and constructed to accommodate active uses in accordance with standards of the section for height and depth of space, accessibility, and glazing requirements. Regarding the required minimum depth of 25', the Modification request is to allow 26.9% of the required space to only be between 13'-8" and 21'-3" deep.

II. DEVELOPMENT TEAM BIO

Architect	Marcus Lima GBD Architects
Owner's Agent	Sarah Zahn Urban Development + Partners
Owner	Burns Bros., Inc.
Project Valuation	\$ 24 million

III. DESIGN REVIEW APPROVAL CRITERIA

Design Review and Modification Approval Criteria

- *Central City Fundamental Design Guidelines*
- *Special Design Guidelines for the Design Zone of the Central Eastside District*
- *PZC, 33.825.040 Modifications That Will Better Meet Design Review Requirements*

Historic Resource Review Approval Criteria

- *Central City Fundamental Design Guidelines*
- *Special Design Guidelines for the Design Zone of the Central Eastside District*
- *Design Guidelines for East Portland/Grand Avenue Historic District Zone*

IV. STAFF RECOMMENDATION

Staff does not yet recommend approval of the Design Review - Staff found that the proposal as designed does not yet meet the Design Review approval criteria for the reasons boxed in the attached Staff Report, and therefore does not recommend approval of the Design Review. Specifically, staff found that the proposal as designed does not yet adequately respond to Context and Quality & Resilience related guidelines A5, C1, C3-1, C4, A5-4, A5-5, and some elements do not yet fully address A8 and C6. Additional information is needed to confirm whether guidelines B2, and C2 are met as designed.

Staff does not yet recommend approval of Modification 1

- Request to modify Ground Floor Windows coverage, PZC, 33.510.220 to reduce from 40% coverage to 33.9% on SE Washington.
- Request to modify Ground Floor Windows length, PZC, 33.140.230.B, to reduce length from 50% to 36.2% on SE Washington.

Staff recommends approval of the concurrent Type II Historic Resource Review for the portion of the East single-story brick wall with eco roof that is located within the East Portland/Grand Avenue Historic District.

Staff recommends approval with condition 'C' for Modification 2:

Request to modify Ground Floor Active Use, PZC, 33.510.225 on SE Martin Luther King Jr. Blvd to reduce the requirement from 50% to 23.1%. The standard requires the ground floor of walls that front onto a sidewalk be designed and constructed to accommodate active uses in accordance with standards of the section for height and depth of space, accessibility, and glazing requirements. Regarding the required minimum depth of 25', the Modification request is to allow 26.9% of the required space to only be between 13'-8" and 21'-3" deep.

V. RECOMMENDED CONDITIONS OF APPROVAL

In addition to the standard conditions, staff is recommending one (1) additional condition of approval ('C') associated with Modification 2 with relevant guidelines noted:

- C. *The ground level of the building will maintain retail space for at least the area shown on Exhibit C.18.*

Note: Staff is recommending this condition in order to address CCFDGs: A8 and C9 as related to the request to Modify Ground Floor Active Uses.

While it is not yet added as a recommended Condition as staff is not yet recommending approval of the Design Review, Urban Forestry has added a recommended condition tied to their recommendation of approval to ensure the protection of the Red Oak street tree. The applicant has confirmed that the condition can be met. See the recommended Condition of Approval language from Urban Forestry below and see Exhibit E-5 for additional information:

1. *Changes to ground floor use or façade materials will not require equipment or scaffolding that will require removal of the red oak street tree.*
2. *A Tree protection plan for the red oak street tree must be presented to Urban Forestry as a condition of the Final Plat.*

VI. PROCEDURAL NOTES

- The proposal had a Pre-Application Conference on November 10, 2020
- A Design Advice Request (DAR) was held with the Design Commission on January 7, 2021.
- The Land Use Review application was submitted on June 29, 2021.
- Staff issued an Incomplete letter on July 28, 2021 and the applicant requested that the case be deemed complete on August 6, 2021.
- On August 6, 2021 the applicant submitted a response to the Incomplete letter including: A response the DAR Summary Memo comments, Drawings and Appendix Set, and a Stormwater Report.
- A memo summarizing remaining issues to be addressed was issued on August 16, 2021.
- A hearing was scheduled for September 30, 2021, 55 days after being deemed complete.

Attachments: Drawing Packet
 Guidelines Matrix
 Staff Report dated September 20, 2021
 Infrastructure Bureau Comments
 Public Comments