



City of Portland, Oregon - Bureau of Development Services

1900 SW Fourth Avenue • Portland, Oregon 97201 | 503-823-7300 | www.portland.gov/bds



Type III Decision Appeal Form

LU Number: _____

FOR INTAKE, STAFF USE ONLY

Date/Time Received _____

Action Attached _____

Received By _____

Fee Amount _____

Appeal Deadline Date _____

Y N Fee Waived (fee waiver submitted w/appeal)

Entered in Appeal Log _____

Bill # _____

Notice to Auditor _____

Y N Unincorporated MC

Notice to Dev. Review _____

APPELLANT: Complete all sections below. Please print legibly.

PROPOSAL SITE ADDRESS _____ DEADLINE OF APPEAL _____

Name _____

Address _____ City _____ State/Zip Code _____

Day Phone _____ Email _____ Fax _____

Interest in proposal (applicant, neighbor, etc.) _____

Identify the specific approval criteria at the source of the appeal:

Zoning Code Section 33. _____ . _____

Zoning Code Section 33. _____ . _____

Zoning Code Section 33. _____ . _____

Zoning Code Section 33. _____ . _____

Describe how the proposal does or does not meet the specific approval criteria identified above or how the City erred procedurally:

Appellant's Name _____

FILE THE APPEAL - Submit the following:

I acknowledge this typed name as my signature

- This completed appeal form
- A copy of the Type III Decision being appealed
- An appeal fee as follows:
 - Appeal fee as stated in the Decision, payable to City of Portland
 - Fee waiver for Civic Life Recognized Organizations approved (see instructions under Appeals Fees A on back)
 - Fee waiver request letter for low income individual is signed and attached
 - Fee waiver request letter for Unincorporated Multnomah County recognized organizations is signed and attached

Email this application and supporting documents to: LandUseIntake@portlandoregon.gov

To file the appeal, this completed application form and any supporting documentation must be emailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of the Decision. To be valid, the City must receive the appeal by 4:30 p.m. on the deadline listed in the Decision. Once the completed appeal application form is received, a Land Use Services Technician will contact you with instructions on how to pay the fee.

The Portland City Council will hold a hearing on this appeal. The land use review applicant, those who testified and everyone who received notice of the initial hearing will receive notice of the appeal hearing date.

Information about the appeal hearing procedure and fee waivers is on the back of this form.

Type III Appeal Hearing Procedure

A Type III Decision may be appealed only by the applicant, the owner, or those who have testified in writing or orally at the hearing, provided that the testimony was directed to a specific approval criterion, or procedural error made. It must be filed with the accompanying fee by the deadline listed in the decision. The appeal request must be submitted on the Type III Appeal Form provided by the City and it must include a statement indicating which of the applicable approval criteria the decision violated (33.730.030) or what procedural errors were made. If the decision was to deny the proposal, the appeal must use the same form and address how the proposal meets all the approval criteria. There is no local Type III Appeal for cases in unincorporated Multnomah County.

Appeal Hearings for Type III Decisions are scheduled by the City Auditor at least 21 days after the appeal is filed and the public notice of the appeal has been mailed.

Appellants should be prepared to make a presentation to the City Council at the hearing. In addition, all interested persons will be able to testify orally, or in writing. The City Council may choose to limit the length of the testimony. Prior to the appeal hearing, the City Council will receive the written case record, including the appeal statement. The City Council may adopt, modify, or overturn the decision of the review body based on the information presented at the hearing or in the case record.

Appeal Fees

In order for an appeal to be valid, it must be submitted prior to the appeal deadline as stated in the decision and it must be accompanied by the required appeal fee or an approved fee waiver. The fee to appeal a decision is one-half of the original Bureau of Development Services Land Use Services application fee. The fee amount is listed in the decision. The fee may be waived as follows:

Fee Waivers (33.750.050)

The director may waive required fees for Office of Community & Civic Life Recognized Organizations and for low-income applicants when certain requirements are met. The decision of the director is final.

A. Office of Community & Civic Life Recognized Organizations Fee Waiver

Neighborhood or business organizations recognized by the City of Portland Office of Community & Civic Life or Multnomah County are eligible to apply for an appeal fee waiver if they meet certain meeting and voting requirements.

These requirements are listed in the Type III Appeal Fee Waiver Request for Organizations form and instruction sheet available from the Bureau of Development Services Development Services Center, 1st floor, 1900 SW 4th, Portland, OR 97201. Recognized organizations must complete the Type III Appeal Fee Waiver Request for Organizations form and submit it prior to the appeal deadline to be considered for a fee waiver.

B. Low Income Fee Waiver

The appeal fee may be waived for an individual who is an applicant in a land use review for their personal residence, in which they have an ownership interest, and the individual is appealing the decision of their land use review application. In addition, the appeal fee may be waived for an individual residing in a dwelling unit, for at least 60 days, that is located within the required notification area. Low income individuals requesting a fee waiver will be required to certify their annual gross income and household size. The appeal fee will only be waived for households with a gross annual income of less than 50 percent of the area median income as established and adjusted for household size by the federal Department of Housing and Urban Development (HUD). All financial information submitted to request a fee waiver is confidential. Fee waiver requests must be approved prior to appeal deadline to be considered for a fee waiver.



Type III Decision Appeal Fee Waiver Request for Organizations

FOR INTAKE, STAFF USE ONLY

LU Number: LU 21-038539 DZ

Date/Time Received 10/22/21 @11:48AM

Received By Mary Butenschoen/Bryan Tierney

Directors Approval Letter Requested

Waiver Approved by Director

Waiver Denied

Date waiver Approved/Denied: _____

APPLICANT: Complete all sections below that apply to the proposal. Please print legibly.

This form is to request a waiver for the fee charged for an appeal. To file an appeal, a separate form must be completed.

Development Site Address or Location _____

Full Block bounded by SW Madison St, SW Main St, SW 20th Ave, & SW 19th Ave

File Number 21-038539DZ Appeal Deadline Date 10/22/2021

Organization and Appeal Information

Organization Name Goose Hollow Foothills League

Person Authorized by the Organization to file the Appeal Scott Schaffer

Street Address 2257 NW Raleigh St

City Portland State OR Zip Code 97210

Day Phone 503-823-4288 FAX N/A email planning@goosehollow.org

By signing this form, the organization confirms that:

yes no The organization testified orally or in writing at the hearing, and the testimony was directed to a specific approval criterion;

yes no The appeal is being made on behalf of the recognized organization, and not on behalf of an individual; and

yes no The vote to appeal was done in accordance with the organization's bylaws.

Name/Title Scott A. Schaffer, GHFL President and GHFL Planning Committee Co-Chair

Signature/Date

Please complete all of the information requested below.

See reverse side for additional information on fee waiver requirements.

Date of meeting when the vote to appeal the land use decision was taken : 09/17/2021 (Board) 9/1/2021 (Planning)

The decision to appeal was made by a vote of (check one of the following):

The general membership in a meeting of the organization as listed above. Board Meeting Video -- 21:15 mark

The board in a meeting of the organization as listed above. (<https://www.youtube.com/watch?v=0RxRSh0dzFc>)

The land use subcommittee in a meeting of the organization as listed above. (written Planning minutes attached)

Please include at least one of the following:

A copy of the minutes from the meeting when the vote to appeal was taken.

Vote results to appeal - Number of YES votes to appeal 9 Number of NO votes to appeal 0

To request a waiver of an appeal fee for a land use review take:

This completed fee waiver request form and any supplemental information necessary to qualify for a fee waiver.

The City must receive the appeal fee waiver request and the appeal by 4:30 pm on the deadline listed in the Decision in order for the appeal to be valid. To file the appeal, submit the completed appeal application and fee waiver application at the Reception Desk on the 5th Floor of 1900 SW 4th Ave, Portland, Oregon, between 8:00 am and 4:30 pm Monday through Friday.

Information about Type III Appeal Fee Waiver Requests for Organizations

The following information will help neighborhood, community, business and industrial associations and other organizations that are recognized or listed in the Office of Neighborhood Involvement Directory to apply for fee waivers when appealing a City land use review decision. The Portland Zoning Code, the Office of Neighborhood Involvement and the Oregon statutes, which regulate public meetings and public records, all describe requirements that associations and organizations must meet when requesting a fee waiver from the City for a land use appeal.

In order for an appeal to be valid, it must be accompanied by the required appeal fee or a waiver request that was approved before the appeal deadline as stated in the specific land use decision (Section 33.730.020 of the Portland Zoning Code). The Bureau of Development Services Director may waive a land use review appeal fee for a recognized organization under certain circumstances (Section 33.750.050). A recognized organization is one that is listed by the Office of Neighborhood Involvement (Portland Zoning Code Chapter 33.910).

Because the City understands that the timelines for appeals are short, we will allow the waiver and appeal to be submitted at the same time. However, if the request for a fee waiver is denied, the appeal may be invalid because the deadline passed and the fee did not accompany the appeal. Within 48 hours of receiving the fee waiver request, the Bureau of Development Services Director, or the Director's delegate, will notify the organization's contact person as to whether the request for a fee waiver is approved, or if additional information is needed to make a decision on the fee waiver request. The Director's decision to waive an appeal fee is final.

Zoning Code Requirements

The Portland Zoning Code states that the appeal fee may be waived for a recognized organization if all of the following conditions are met:

1. The recognized organization has standing to appeal. This applies only to appeals of a Type III land use review, and means that the recognized organization testified, either orally or in writing, at the initial evidentiary hearing;
2. The appeal is being made on the behalf of the recognized organization; and
3. The appeal contains the signature of the chairperson or the other person authorized by the organization, confirming the vote to appeal was done in accordance with the organization's bylaws.

Applicant contact

While it is not a requirement of the Zoning Code, you are encouraged to notify the applicant or their representative prior to the meeting where an appeal of the City's decision will be discussed and voted on. This gives the applicant, or their representative, an opportunity to attend the meeting and participate in the discussion.

Where to obtain the Type III Decision Appeal Fee Waiver Requests and Appeal Forms

To file an appeal, a separate form must be completed and submitted. Both the Appeal Fee Waiver Form and Appeal Form are available from the Bureau of Development Services, Development Services Center, 1st floor, 1900 SW Fourth Avenue, Portland, OR 97201.



GOOSE HOLLOW Foothills LEAGUE

Neighborhood Association

Benjamin Nielsen, Planner
Portland Land Use Services
1900 SW Fourth Ave.
Suite 5000
Portland, OR 97201

RE: Supplemental Arguments in Support of Appeal of Approval of
LU 21-038539 DZ – Modera Main

Statement of Appeal: In 2015, the Portland City Council rejected a large apartment project planned for a full block in Goose Hollow referred to as “Block 7”. This project would have included 260-280 apartment units, ostensibly be about 9-stories tall, and include 225 parking spaces dedicated to the Multnomah Athletic Club located across the street. Now, and after being rejected by City Council 5 years earlier, the same developers have proposed an even larger project with these same 225 MAC parking spaces, now including 337 apartment units in 17 floors soaring over adjacent historic homes and much smaller multi-dwelling buildings. City Council must be consistent in rejecting this project as well. The applicant of the proposed project has unlawfully misapplied and misinterpreted the growth parking provisions of PCC 33.510.261 (F4) in order to secure more parking spaces that will be used exclusively for the MAC. All other parking spots will be for use by residents of the building. The dedicated, excessive parking aspect of the project does not fit the operative definitions of the ordinance, violates Design Guidelines A8 and B1, and must be re-evaluated by City Council.

Statement of Remedy: The applicant’s proposed project should be rescoped to eliminate the dedicated excess parking and to allow for shared public parking within the building as the code requires so that the advantage of additional spaces is shared with the community instead of for exclusive use.

Supporting Arguments:

The Goose Hollow Foothills League, on behalf of the community, appeals to the City Council to modify the Design Commission's approval of the Modera Main Street project. The proposed 17-story building is sized to accommodate 225 additional dedicated parking spots for the Multnomah Athletic Club contrary to the requirements of the Growth Parking Code (PCC 33.510.261).

In fact, it is our view that the Title 33 issue, specifically the applicant's erroneous reading of the sub-paragraph 33.510.261 (F4) "*Growth Parking may be operated as either accessory or commercial parking at all times*" would permit additional parking in the Central City that was unanticipated by the City commissioners when the Council adopted that language as part of the CC2035 Planning Up-date. The intent of this code was to allow and encourage shared use parking and cut down on the amount of new parking built; whereas, the applicant seeks to legalize building a parking garage in a high density residential zone as long as it has some residential units over it. Such a reading would essentially privatize such parking garages and take them well out of the public benefit as the Council envisioned in adopting PCC 33.510.261. This plan allows for exactly the opposite effect on central city parking than the Council sought to achieve with the adoption of changes to PCC 33.510.260. The applicant's reading of this title 33 provision not only violates the city code but is contrary to its purpose and underlying policy as stated in the Comprehensive Plan and commentary for the CC2035 Up-date, and is in violation of the statewide plan as well.

Due to city incentives for the Block 7 project's inclusionary housing, the 4:1 FAR and 100' maximum height of this building would be raised to an intimidating 7:1 and 175 feet. No other local building even comes close to these numbers. But the project is even more unbalanced. Due to incentives provided by the recent zone change on Growth Parking (PCC 33.510.261) and the MAC's need for additional parking for its members, the planned building bulks up on steroids to a hugely disproportionate 9.98:1 FAR in order to shoehorn enough (337) residential units to allow over 400 total parking spots—225 dedicated to the MAC. Rather than disincentivize parking and car traffic, the Growth Parking regulation only seems to encourage it for this project. While we as a neighborhood welcome new neighbors, this hugely disproportionate project goes way overboard on what was intended by our Goose Hollow Design Guidelines.

The Portland Design Commission did not believe it was able to comment on issues outside of its rather narrow purview of design guidelines. In spite of that, this Design review is the only public forum available to the public affected by the proposed project, and the neighborhood brought this issue and its ramifications to the attention of the Design Commission.

Further, per PCC 33.825.055 the following design guidelines have not been satisfactorily met by the design, even as noted by one of the Design Commissioners.

Other Codes that are not met by this project design:

- A8 - Contribute to a Vibrant Streetscape
 - Because the developer is attempting to inappropriately maximize growth parking this guideline is NOT met.

It appears that the architects put $\frac{3}{4}$ effort into the vibrant streetscape, with one side—the most needy and barren because of the inherent location—being directly across from the current MAC parking garage. Commissioner Livingston noted this same issue when she called the MAC garage “a really large parking garage across the street”. The MAC parking garage is simply that: a three-level parking garage surrounded by a simple landscape of trees, ivy, and some shrubs. The current MAC parking garage side and the potentially future MAC parking garage entry are “equally void of pedestrian friendly activity” which Commissioner Livingston decided was “something that [she is not] able to support (transcript 56:18-56:39).

The CC2035 (pages 51-53) proposes achieving the guidelines in five different ways:

1. Developing the sidewalk view of the project to encourage the use of adjacent public space;
2. Integrating building setbacks with adjacent public setbacks to create stopping and viewing places;
3. Capitalizing on sidewalk opportunities;
4. Orienting residential development to the sidewalk; and,
5. Incorporating flexible seating space at the sidewalk level.

The clear language of CC2035 states, “This guideline may be accomplished by...” and lists the above five criteria for accomplishing the guideline (in this case A8 - Contribute to a Vibrant Landscape).

Commissioner Molinar stated that her “biggest struggle” was Guideline A8, noting that that side of the building (Main Street) really doesn't feel like it has enough active use (00:47:57.000 --> 00:48:16.000). Commissioner Molinar noted that even in the daytime, the street felt “pretty desolate” (00:22:02.000 --> 00:22:14.000). Granted, this was during a discussion of lighting, but it speaks to the current ambience, and the side of the street that Modera Main Street would complement. It stands to reason that we should be expecting the Modera plans to brighten the streetscape.

Chair, Commissioner Livingston, concluded that she could not vote yes to approve the design based on failure to meet A8 guidelines. Other commissioners were notably not

satisfied with it. The Moderna Main Street plan deserves to be looked at as a whole by the City Council as representatives and guardians of our City and with serious consideration to how use of the growth parking interpretation by the applicant relates to other development issues. Examples include a non-inclusive parking plan and regrettably tall and massive stature; all comprising a problematic scene for pedestrians and neighbors.

- B1 - Reinforce and Enhance the Pedestrian System

Because of the developer's objective to improperly maximize growth parking, this guideline is not met.

This guideline requires that the developer:

- 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.

Per the design drawings, both of these points are egregiously missed especially along Main Street. Very little is proposed that would improve or reinforce the pedestrian system. Pedestrians will have to contend with a large parking garage entrance that is across the street from the MAC's 3 story parking garage. There is little here that encourages movement and instead a "superblock" is created that further deadens the street.

- B1-1 Provide Human Scale to Buildings along Workways
 - This sub-guideline is not met for the same reason as stated for B-1. What the developer has offered here is short of the bare minimum. None of the sidewalks allow for furnishing zones and they minimize pedestrian activity. Small planters do not offer a meaningful break of the large massing described in the full case file.

References:

The CC2035 language:

Policy 3.13 Auto parking. Support Central City parking needs, particularly for retail, employment and residential growth, as well as for access to major attractions such as universities and event venues. Continue to limit the growth of the overall auto parking supply, and maximize the joint use of existing and new stalls to manage parking in a more efficient and dynamic manner, to lower the costs of construction and meet mode split and climate action goals for the city. Maintain no auto parking minimum requirements in the Central City and set maximum auto parking ratios to encourage other modes and allow new long-term parking only if associated with new development or to serve buildings with little parking.

The very discussion of the proposed code amendment the Commissioners were given, justifying the new code language to activate the CC2035 policy 3.13 (above) was:

COMMENTARY (*excerpted from cc2035-adopted-v2a1-3, p238*)

The Central City parking code underwent a substantial rewrite. All the previous code sections 33.510.261-33.510.267 are deleted and replaced with Parking and Access sections 33.510-261-33.510.263.

These code provisions better reflect and support current and future market conditions and expected future travel patterns. The Central City Transportation Management Plan (CCTMP) was adopted in 1995 and provides the transportation policies and guidance for the administration of the zoning code regulations for off-street parking within the Central City Plan District. The CCTMP was a key element of the Statewide Implementation Plan to address high levels of carbon monoxide. Since that time much has changed. Improvements in vehicle emissions technology have greatly reduced the impact of carbon monoxide pollution in Portland. Since 1996 substantial changes have taken place in the Central City subdistricts in terms of development growth (and the character of development) and investment in transportation infrastructure (e.g., transit/rail and bike systems). The CCTMP is outdated and not suited to respond to current conditions and new challenges. The Central City 2035 Plan, along with the revisions to the Transportation System Plan (part of the Comprehensive Plan), update and incorporate elements of the CCTMP that are still relevant, and create new policies, zoning code language, and a transportation system project list. Thus, a stand-alone, long-range transportation plan for the Central City is no longer needed.

(Commentary continued - p.240)

33.510.261.F. Growth Parking in the Central City is for buildings that add net building area either as part of new development or by adding floor area to existing development.

The following provisions will apply:

- No minimum parking requirements in the Central City to encourage the use of alternative modes and support the mode split goals for the Central City.*
- Maximum ratios. Impose maximum parking ratios on all uses in the Central City to limit the growth of the parking supply and encourage the use of alternative modes to support the mode split goals for the Central City.*

- Adjust parking ratios in all Central City districts outside the downtown downward to limit the growth of the parking supply and reflect investments in transit, bicycling, walking and residential infrastructure. For the entire Central City, based on development potential in the different districts, maximum ratios are lowered by about 30 percent for office/employment and residential uses compared to previous ratios.
- Adjust parking ratios for offices in a few downtown parking sectors upward to reflect actual demand for parking in downtown and lower others to maintain an average ratio of 1.0 per 1000 sf of net commercial space in former Downtown Sectors 1 through 6.

(Commentary Continued– p.242)

- Standardize parking ratios for residential and hotels throughout the Central City while lowering their average ratios. New maximums are added where there were none.
- Reduce parking sectors from 26 to 6 by combining multiple parking sectors.

33.510.261.F4. Operation: The code eliminates restrictions on accessory parking as follows: (a) in commercial, employment, mixed use and industrial zones, (b) under a maximum ratio and (c) built in a structure.

The intent of this code change is to simplify the code by eliminating unnecessary restrictions that the City doesn't have the means to enforce. It will also allow greater efficiency in the use of the existing parking supply, to serve multiple trips to the Central City throughout the day and week, **rather than exclusively requiring parking to be accessory to a specific use.** This will lead to less new parking being built over time, since new development will be able to tap into existing supply before having to add new parking with new development. All new parking approved under this format will be considered Commercial Parking. (**Emphasis added to highlight city goal through growth parking of not tying parking to a specific use [e.g. exclusively for use by a private club such as the MAC]**)

Recommended Code Language – p.239

Parking and Access

33.510.261 Parking Built After [insert effective date]

A. Purpose. The parking and access regulations implement the Central City 2035 Plan and the Transportation System Plan by managing the supply of off-street parking to improve mobility, promote the use of alternative modes, support existing and new economic development, maintain air quality, and enhance the urban form of the Central City.

B. Description of types of parking. In the Central City plan district, there are three types of parking. While a proposal may include several types of parking (for example, a garage may include some Growth Parking and some Preservation Parking), each type of parking is an exclusive category. The same spaces can be more than one type of parking, such as both Growth Parking and Visitor Parking, if the regulations for both types are met.

1. Growth Parking. Growth Parking is created in conjunction with additions of net building area. Net building area is added either as part of new development or by adding floor area to existing development.

In the case of new development, the land use or building permit for the parking must be requested by the time the foundation of the new building is complete. If the parking is requested after the foundation is complete, it will be Preservation Parking. In the case of additions of net building area to existing development, the land use or building permit for the parking must be requested by the time the building permit for the new net building area is issued. If it is requested after the building permit for the new net building area is issued, it will be Preservation Parking.

The ratios for Growth Parking are based on the needs of both employees and those who come to the building for other reasons, such as customers and clients.

...

(Recommended code language continued - p.241)

F. Growth Parking. The regulations of this subsection apply to Growth Parking. Adjustments to the regulations of this subsection are prohibited.

1. When Growth Parking is allowed. Growth Parking is allowed when net building area is added to a site either as part of new development or an alteration to existing development.

2. Minimum required parking. There are no minimum parking requirement for Growth Parking.

3. Maximum allowed parking. Growth Parking is limited to the maximum ratios in Table 510-1. Where there is more than one use on a site, the amount of parking allowed is calculated based on the net building area of each use.

4. Operation. Growth Parking may be operated as either accessory or commercial parking at all times.



GOOSE HOLLOW FOOTHILLS LEAGUE

1819 NW EVERETT ST. #205 Portland, OR 97209

(503) 223-3331 • FAX (503) 223-5308

Planning Committee

September 1, 2021

Minutes

The meeting was called to order at 7:05 by Co-Chair Scott Schaffer

Meeting commenced with general discussion committee member's activities while additional members continued to sign in.

There was only a single agenda item for this meeting:

Status of "Modera Main" design review: Scott outlined the progress of the review by the Design Commission and where in the process the review is now. He said that the Design Commission, in its meeting tomorrow (Sept 2) could approve the design and adopt the staff's findings, or continue the hearing, or approve the project subject to revised staff findings (which might require another hearing in order to approve the findings).

There is, in other words, a lack of clarity as to when the design commission's decision is made, and when it is "final". Should the commission's decision be to allow the building as presented, the neighborhood association would have fourteen days to file an appeal with the City. Given that the Planning Committee has executive authority under GHFL bylaws, allowing it to act in behalf of the GHFL Board when the Board is unable to act in a timely manner, and given that the Design Commission could act too soon for the Board to be able to respond, the Planning Committee must be ready to act in the board's stead. Also, according to the GHFL bylaws, the Planning Committee must bring the issue to the board at its next meeting for their review.

Co-Chair Schaffer asked if there was a motion.

It was moved by Sean "to file an appeal of the Design Commission's decision, should that commission approve the Mill Creek Residential Trust "Modera-Main" project as proposed"

The motion was seconded by Marilyn Webber.

There was further discussion of the neighborhood's rights to appeal, and what we could expect the next steps to be.

The question was called and **the vote was unanimous in favor of appeal** should the circumstance require. The vote included six (6) attending GHFL Board members, which is a majority of the 10 that currently sit on the Board.

Additional discussion ensued about getting certain drawings into the record at tomorrow's meeting, the setback of the building from Main Street, and the applicant's credibility.

The meeting was adjourned at 7:40

Members Present: Rachel Clark, Jeff Malmquist, Judy Widen, Sherry Salomon, Connie Humphries, Eric Simon, Jerry Powell, Scott Schaffer, Ani Meharry, David Delaney, Marilyn Webber, Sean O'Donnell, Catharine Sims-O'Donnell.



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Dan Ryan, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portland.gov/bds

**FINAL FINDINGS AND DECISION BY THE DESIGN
COMMISSION RENDERED ON SEPTEMBER 23, 2021**

FINAL DECISION BY THE DESIGN COMMISSION

The Design Commission has **approved** a proposal in your neighborhood. This document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 21-038539 DZ
PC # 19-267776
Modera Main

BUREAU OF DEVELOPMENT SERVICES STAFF: Benjamin Nielsen 503-865-6519 /
Benjamin.Nielsen@portlandoregon.gov

GENERAL INFORMATION

Applicant/

Representative: Francis Dardis, Ankrom Moisan Architects
38 NW Davis St, Ste 300, Portland, OR 97209
(503) 997-9372, francisd@ankrommoisan.com

Owner's Agents: Sam Rodriguez & Cassidy Bolger, Mill Creek Residential Trust
720 SW Washington St #720, Portland, OR 97205

Owner on Record: MAC Block 7 LLC
1849 SW Salmon St, Portland, OR 97205-1726

Site Address: Full Block bounded by SW Madison St, SW Main St, SW 20th Ave, & SW 19th Ave

Legal Description: BLOCK 7 TL 9300, AMOS N KINGS; BLOCK 7 TL 9400, AMOS N KINGS; BLOCK 7 TL 1800, AMOS N KINGS; N 1/2 OF N 1/2 OF SE 1/4 BLOCK 7, AMOS N KINGS; BLOCK 7 TL 1700, AMOS N KINGS; BLOCK 7 TL 1600, AMOS N KINGS; BLOCK 7 TL 1500, AMOS N KINGS; BLOCK 7 TL 2000, AMOS N KINGS; BLOCK 7 TL 2100, AMOS N KINGS; BLOCK 7 TL 9500, AMOS N KINGS

Tax Account No.: R024401010, R024401030, R024401070, R024401090, R024401110, R024401130, R024401150, R024401170, R024401190, R024401210

State ID No.: 1N1E33CD 09300, 1N1E33CD 09400, 1S1E04BA 01800, 1S1E04BA 01900, 1S1E04BA 01700, 1S1E04BA 01600, 1S1E04BA 01500, 1S1E04BA 02000, 1S1E04BA 02100, 1N1E33CD 09500

Quarter Sections: 3027, 3127

Neighborhood: Goose Hollow, contact Jerry Powell or Scott Schaffer at planning@goosehollow.org.

Business District: Goose Hollow Business Association, contact Angela Crawford at 503-223-6376.

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

Plan District: Central City - Goose Hollow
Zoning: RM4d – Multidwelling Residential 4 with Design Overlay

Case Type: DZ – Design Review

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 requests Design Review approval for a proposed 17-story, approximately 175'-0" tall residential apartment building with 337 residential dwelling units, comprising a mix of studio to 3-bedroom apartments and structured parking, totaling approximately 434,720 square feet of new floor area. Structured parking proposed on the site includes 403 spaces spread across levels B2 (basement 2) to 5, and it includes a tunnel under SW Main St to the MAC parking garage to the north of the site. (Note: this tunnel, which is not subject to Design Review approval, has been evaluated under a separate Major Encroachment Review under case number 20-211803 TR, and approved by City Council through emergency Ordinance No. 190495 on 7/14/2021.) The proposal also includes a large amenity deck for residents on level 6 and another amenity deck on level 17. Together, these two amenity decks include outdoor seating areas, barbeque ranges, fire pits, and a small pool.

As part of the Design Review, the applicant also requests an exception to the Window Projections Into Public Right-of-Way Code Guide standards (<https://www.portlandoregon.gov/bds/article/68600>) to allow window projections on the north side of the building to be separated by fewer than the required 12 feet. Two pairs of window projections on the north elevation each have separations between windows within each pair of approximately 4'-0".

Design Review is required for proposed new development in the design overlay zones of the Goose Hollow Subdistrict in the Central City Plan District and for requested exceptions to the Window Projections Into Public Right-of-Way Code Guide standards.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines
- Goose Hollow District Design Guidelines

Both sets of guidelines may be found online here: <https://www.portland.gov/bps/design-guidelines>.

ANALYSIS

Site and Vicinity: The subject site is a 43,556 square foot city block, known as “Block 7”, in the Goose Hollow Subdistrict of the Central City Plan District. The site is currently undeveloped and is a de facto green space with lawn, shrubs, and trees as well as small on-site parking areas. The block is bound by SW Main St, SW 19th Ave, SW Madison St, and SW 20th Ave.

Directly north of the subject site, across SW Main St, lies the Multnomah Athletic Club (MAC) Salmon Street parking structure. Properties to the west of the subject site are primarily developed with residential uses, including multistory towers, courtyard apartments, and single-dwelling scale residences. Portions of development in this area lie within the Kings Hill Historic District.

A row of single-dwelling scale buildings in the Queen Anne style like to the south of the site, across SW Madison St. Though not designated with historic resource protections, four of these structures are listed on the city’s Historic Resource Inventory. Development to the east of the site across SW 19th Ave includes the 11-story tall Legends Condominium and a row of single-dwelling scale structures fronting SW Main Ave.

SW 20th Ave is classified as a City Bikeway and Neighborhood Walkway in the city’s Transportation System Plan. It is classified as local service for all other transportation modes. SW 19th Ave, SW Main St, and SW Madison St are all classified as local service for all transportation modes. The entire site lies within the Central City Pedestrian District.

Zoning:

The RM4 zone is a high density, urban-scale multi-dwelling zone applied near the Central City, and in town centers, station areas, and along civic corridors that are served by frequent transit and are close to commercial services. It is intended to be an intensely urban zone with a high percentage of building coverage and a strong building orientation to the pedestrian environment of streets, with buildings located close to sidewalks with little or no front setback. This is a mid-rise to high-rise zone with buildings of up to seven or more stories. The Design overlay zone is applied to this zone.

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 2035 Plan. The regulations address the unique role the Central City plays as the region’s premier center for jobs, health and human services, tourism, entertainment and urban living. The regulations encourage a high-density urban area with a broad mix of commercial, residential, industrial and institutional uses, and foster transit-supportive development, pedestrian and bicycle-friendly streets, a vibrant public realm and a healthy urban river. The site is within the Goose Hollow Subdistrict of this plan district.

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

- **CU 039-65:** Conditional Use Review with recommended conditions to construct additions to two parking lots accessory to Multnomah Athletic Club.

- **CU 080-80:** Approval with conditions of a Conditional Use Review to an athletic club in order to construct a parking and athletic facility.
- **LUR 91-00740 CU:** Approval of a Conditional Use Master Plan for the MAC. While the Master Plan is no longer in effect following the change in zone on the MAC site from RH to CXd in 1995 (LUR 95-00743 ZC), note that the boundaries of the Master Plan included the site (Block 7) that is the subject of this pre-application conference, and identified the development of mixed-use or residential on this block.
- **LUR 92-00813:** Approval of proposed Multnomah Athletic Club Master Plan goals, as submitted, per Exhibit A.
- **LUR 95-00743 ZC:** Approval of a Zoning Map Amendment from RH to CXd. This land use review includes a condition of approval (Condition A) that references Block 7.
- **LUR 97-00184:** Zoning Use Determination to provide clarification of allowed square footage of west addition to clubhouse.
- **LUR 10-146374 TPA:** Approval of a Traffic and Parking Analysis for an expansion to the MAC, and approval of a revision to Condition A from LUR 95-00743 ZC.
- **LU 14-105474 CP ZC:** Withdrawn Comprehensive Plan Map and Zoning Map Amendment to change the zoning on the subject properties from RHd to CXd. The effect of the applicant's withdrawal of the application and the Council's action is that the site's comprehensive plan designation remains High Density Multi-Dwelling and the zoning remains RH.
- **20-211803 TR** – Major Encroachment Transportation Review for the proposed MAC tunnel under SW Main St. This encroachment was approved by City Council Ordinance No. 190495 on July 14, 2021 as an emergency ordinance.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **July 16, 2021**. The following Bureaus have responded with no issue or concerns:

- Water Bureau

The Bureau of Environmental Services responded with no objections and within information about sanitary sewer and stormwater management requirements and permitting information. Please see Exhibit E.1 for additional details.

The Bureau of Transportation Engineering with no objections and with information about permitting requirements, approval of the Major Encroachment Review for the tunnel, and conditions associated with the Driveway Design Exception for the parking garage overhead door. Please see Exhibit E.2 for additional details.

The Fire Bureau's response states that all applicable Fire Code requirements shall apply at the time of permit approval. Please see Exhibit E.3 for additional details.

The Site Development Section of BDS responded with no objections and with details about information that will be required at the time of building permit review. Please see Exhibit E.4 for additional details.

The Bureau of Parks—Urban Forestry Division responded with a recommendation to deny the proposal at this time, citing the proposed removal of healthy trees on the north side of SW Main St to build the proposed tunnel connection under SW Main St. Urban Forestry also notes that numerous young trees planted in recent years have died due to climate change. Urban Forestry notes that the development is “counter to the city’s stated goals of increasing the canopy coverage, reducing emissions, and retaining trees where feasible.” Notably, however, Urban Forestry notes that the proposed removal of all street trees adjacent to the subject site has

already been approved through the Public Works permitting process, and that 14 replacement street trees are required to mitigate for their loss. Please see Exhibit E.5 for additional details.

Staff Response: Although the language in the Urban Forestry response is somewhat confusing, it is clear that the objection to approval is tied only to proposed removal of trees on the north side of SW Main St in association with construction of the proposed tunnel under SW Main St. Since the tunnel is not subject to Design Review approval (being subject instead to Major Encroachment Review approval by the City Council), and since the planting and removal of street trees are standard improvements in the right-of-way that are also not subject to Design Review approval, staff finds the proposed removal of trees on the north side of SW Main St is not germane to the Design Review proposal under review. Any authorization for removal of trees on the north side of SW Main St should be evaluated by Urban Forestry during the permitting process for the proposed tunnel.

Regarding the required mitigation of 14 replacement street trees, staff notes that the proposal includes 29 street trees.

The Life Safety Review Section of BDS responded with general life safety comments. Please see Exhibit E.6 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **July 16, 2021**.

A total of 76 written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal before the August 5, 2021 Design Commission hearing. Brief summaries of these responses are as follows:

1. Steve Witten, 1234 SW 18th Ave #309, Portland, OR 97205, 06/29/2021. Testimony in opposition citing the need for the MAC to justify the need for additional parking, among other issues. See Exhibit F.1.
2. Scott A. Schaffer, Goose Hollow Foothills League (GHFL) President, 07/06/2021. Request for information provided by the applicant and follow-up comments. See Exhibit F.2.
3. Melanie Yoo-Gott, SW Main & 19th, 07/08/2021. Testimony in opposition citing concerns about shading caused by the proposed development. See Exhibit F.3.
4. Thomas and Elizabeth Cooksey, 1132 SW 19th Ave, Unit 607, Portland, OR 97205, 07/11/2021. Testimony in opposition citing loss of green space and trees on the subject site. See Exhibit F.4.
5. David Delaney, 07/12/2021. Testimony in opposition citing the amount of floor area proposed, scale and height of the proposed building, and safety issues from increased traffic. See Exhibit F.5.
6. Linda L. Blakely, 1132 SW 19th Ave #901, Portland, OR 97205, 07/12/2021. Testimony in opposition to the proposal and removal of trees on the subject site and surrounding street trees. See Exhibit F.6.
7. Karl Reer, 07/13/2021. Testimony requesting reduction in size and number of parking spaces in the proposed development. See Exhibit F.7.
8. Eva Kutas, 1132 SW 19th Ave, Portland, OR 97205, 07/13/2021. Testimony in opposition citing concerns about height and mass of the building, increased traffic, use of parking spaces, loss of mature trees, and shading that will be caused by the building. See Exhibit F.8.
9. Jason Hobson, 1234 SW 18th Ave, Apt. 411, Portland, OR 97205, 07/14/2021. Testimony citing concerns about the size of the building in relation to the neighborhood,

- number of parking spaces and resultant increase in traffic, and loss of trees. See Exhibit F.9.
10. Charles & Irene Cancilla, 07/14/2021. Testimony in opposition citing bulk and scale of the building, obstruction of views, diminished property values and ambience of neighborhood, and exacerbation of existing parking problems. See Exhibit F.10.
 11. Melanie Yoo-Gott, 07/14/2021. Additional testimony regarding massing and shading from the proposed development. See Exhibit F.11.
 12. Nylah Brooks, 07/15/2021. Testimony in opposition to building on indigenous land and loss of open space and the natural ecosystem on the subject site. See Exhibit F.12.
 13. Marilynn Weber, 1132 SW 19th Ave #805, Portland, OR 97205-1744, 07/15/2021. Testimony in opposition citing loss of existing mature trees, scale of the proposed building, and increase in traffic. See Exhibit F.13.
 14. Leslie Cagle, 07/15/2021. Testimony with concerns about increase in traffic, loss of mature trees, height and scale of the building, and number of parking spaces. See Exhibit F.14.
 15. Bruce Marcel, 07/15/2021. Testimony in opposition citing how proposed development does not complement existing architecture or character in the neighborhood, inappropriate scale of development, impact on pedestrians from cars, obstruction of scenic viewpoints, exceeded maximum FAR, and need for Central City Parking Review. See Exhibit F.15.
 16. Scott A. Schaffer, GHFL President, c/o Neighbors West-Northwest, 2257 NW Raleigh St, Portland, OR 97210, 07/15/2021. Testimony in opposition citing the incompatible scale of the proposed building—particularly along SW Main St and at the northeast corner of the building—lack of parking dedicated to residents of the building, lack of human scale and interest, and dead pedestrian realm along SW Main St. See Exhibit F.16.
 17. Caroline “Kaki” Brenneman, 07/16/2021. Testimony in opposition citing how proposed development does not complement existing architecture or character in the neighborhood, inappropriate scale of development, impact on pedestrians from cars, obstruction of scenic view corridors, loss of property value and livability. See Exhibit F.17.
 18. Chrys Martin and Jack Pessia, 07/18/2021. Testimony in opposition citing change in times of use at the MAC since the start of the pandemic, out of scale height and mass of the proposed building, how proposed development does not complement existing architecture or character in the neighborhood, pedestrian safety, loss of open space, shading caused by the proposed building, and obstruction of scenic view corridors. See Exhibit F.18.
 19. Ben Whiteley, 2020 SW Market Street Drive, Portland, OR 97201, 07/18/2021. Testimony in opposition citing out-of-character scale of the proposed building, increase in traffic, reduced quality of life, shading by the proposed building, and obstruction of scenic views. See Exhibit F.19.
 20. Connie Humphries, 7/18/2021. Testimony citing concerns about the scale of the proposed building, shading, and increased traffic. See Exhibit F.20.
 21. Ellen Levine, 1234 SW 18th Ave, Unit 209, Portland, OR 97205, 7/18/2021. Testimony in opposition noting the proposal’s incompatibility with the character of the neighborhood, increase in traffic and decrease in pedestrian safety, and removal of existing trees and loss of open space. See Exhibit F.21.
 22. Tyler Krauss, 2211 SW Park Place, Portland, OR 97205, 07/19/2021. Testimony in opposition citing out-of-context mass and height of the proposed building, increase in

- traffic and conflict with pedestrians, removal of trees and open space, and shadows cast by the proposed building. See Exhibit F.22.
23. Jim and Anne Bethell, 07/19/2021. Testimony in opposition citing height and lack of compatibility with the neighborhood, increased traffic, loss of sunlight and trees, and decrease in livability. See Exhibit F.23.
 24. Becky & Joe Patterson, 1132 SW 19th Ave, Portland, OR 97205, 07/19/2021. Testimony in opposition citing height and scale and possible conflicts with view corridors. Includes attached testimony from Scott Shaffer. See Exhibit F.24.
 25. Warren Bull, 07/19/2021. Testimony in opposition citing scale and height of the proposed development, lack of parking for building residents, and increase in traffic. See Exhibit F.25.
 26. Richard Friedmar, 07/19/2021. Testimony citing agreement with attached comments from Rick Potestio and John Etter. See Exhibit F.26.
 27. Laurie Goldsmith, 1132 SW 19th Ave #508, Portland, OR 97205, 07/20/2021. Testimony in opposition citing scale and height of building—including excessive FAR—out-of-scale character, and lack of human scale along walkways. See Exhibit F.27.
 28. Sandee Blank, 07/20/2021. Testimony with no objections, citing provision of needed parking and increased property taxes. See Exhibit F.28.
 29. Ayesha Khan, 07/21/2021. Testimony in opposition citing incompatible height and mass of the proposal, increase in traffic, loss of open space and trees, and shade cast by the proposed building. See Exhibit F.29.
 30. Janet Elgin, 07/21/2021. Testimony in opposition. See Exhibit F.30.
 31. Ron Demele, 07/21/2021. Testimony in opposition citing loss of sunlight, large scale and height, increased traffic and noise, loss of mature trees, and reduced quality of life. See Exhibit F.31.
 32. Greata T. Beatty, 1132 SW 9th Ave #603, Portland, OR 97205, 07/21/2021. Testimony in opposition citing out-of-scale and out-of-character development, lack of human scale, increased traffic and air pollution, and loss of a potential park in the neighborhood. See Exhibit F.32.
 33. Leslye Epstein, 1132 SW 19th Ave #911, Portland, OR 97205, 07/21/2021. Testimony in opposition citing the loss of the open space and trees. See Exhibit F.33.
 34. Jeff Bell, 2020 SW Main St, Portland, OR 97205, 07/21/2021. Testimony in opposition citing out-of-scale character of proposed building and increase in traffic. See Exhibit F.34.
 35. Danielle Fischer, 2211 SW Park Place, Unit 604, Portland, OR 97205, 07/21/2021. Testimony in opposition citing inappropriate scale, increase in traffic and capacity on roads, incompatibility of the proposed building, and lack of human scale. See Exhibit F.35.
 36. Fred Ross, 588 S Vista Oro, Palm Springs, CA 92264, 07/21/2021. Testimony in opposition citing the scale and height of the proposed building and increase in parking contradicting climate goals. See Exhibit F.36.
 37. Helen B. Dennis, 1132 SW 19th Ave #404, Portland, OR 97205, 07/21/2021. Testimony in opposition increased traffic and resultant impacts to pedestrian safety and overall size of the proposed building. See Exhibit F.37.
 38. Ethan Matthews, 07/21/2021. Testimony in opposition citing scale and height of the proposed building, increase in traffic, and loss of open space. See Exhibit F.38.

39. Reba Stromme, 1132 SW 19th Ave, Portland, OR 97205, 07/21/2021. Testimony in opposition citing increase in traffic and loss of trees and open space. See Exhibit F.39.
40. Alan Willis, 1132 SW 19th Ave, Unit 801, Portland, OR 97205, 07/21/2021. Testimony in opposition citing disproportionate bulk and height of proposed building. See Exhibit F.40.
41. Joanne L. Ross, 1132 SW 19th Ave, Unit 105, Portland, OR 97205, 07/21/2021. Testimony in opposition criticizing the building's design and citing concerns about traffic. See Exhibit F.41.
42. Seth C. Leavens, 07/22/2021. Testimony in opposition citing MAC's need for additional parking for their event business. See Exhibit F.42.
43. Rachel Clark, 1225 SW 19th Ave, Portland, OR 97205, 07/22/2021. Testimony in opposition citing the building's poor relationship to the neighborhood's context and negative impacts on the public realm. See Exhibit F.43.
44. C. Antoinette Winterspring, 1811 NW Couch St, Portland, OR 97209, 07/22/2021. Testimony in opposition citing the scale of the building, impacts on walkability, and loss of trees, open space, and sunlight. See Exhibit F.44.
45. Annette Guido, 1132 SW 19th Ave, Portland, OR 97209, 07/22/2021. Testimony in opposition citing out-of-scale building. (Email received twice.) See Exhibit F.45.
46. Carolyn Ofiara, 1132 SW 19th Ave, Portland, OR 97209, 07/22/2021. Testimony in opposition citing impact on pedestrians and "impression of a huge brick 'cliff'". See Exhibit F.46.
47. Jeff Malmquist, 2020 SW Main St #408, Portland, OR 97205, 07/22/2021. Testimony in opposition citing height and mass of the building, impacts to the pedestrian system, and increase in traffic. See Exhibit F.47.
48. Melanie Yoo-Gott, 07/22/2021. Testimony in opposition citing impacts to sky, light, and air; pedestrian, traffic, and climate impacts caused by the parking garage; building's ugliness; and on-going impacts to the neighborhood of current construction projects along SW 18th Ave. See Exhibit F.48.
49. Amanda Hays, 07/22/2021. Testimony demanding withdrawal of the development plan, citing concerns about the building's scale, impacts to pedestrian safety and walkability, increased traffic and pollution, and loss of open space, trees, and oxygen. See Exhibit F.49.
50. Steven Blair, 1132 SW 19th Ave #912, Portland, OR 97205, 07/22/2021. Testimony in opposition citing reputation of the developer, increased on-street parking demands, loss of established trees, and design and scale of the building. See Exhibit F.50.
51. Jerald M. Powell, 1924 SW Madison St, Portland, OR 97205, 07/22/2021. Testimony in opposition citing the building's overall scale, lack of compatibility with the neighborhood, impacts to public viewpoints, and misuse of zoning provisions of underutilized private residential parking. (Email received twice.) See Exhibit F.51.
52. Bob Blanchard, 1132 SW 19th Ave, Unit 812, Portland, OR 97205, 07/22/2021. Testimony in opposition citing concerns about the scale of the building and the impacts to pedestrians of increased traffic. See Exhibit F.52.
53. Judith E. Widen, 1132 SW 19th Ave, Unit 809, Portland, OR 97205, 07/22/2021. Testimony in opposition citing the size, height, and mass of the building; lack of articulation along SW Main St and portions of SW 19th and 20th Avenues; increased traffic and risk to pedestrians and cyclists; and loss of open space. Testimony also identifies various errors in the documents submitted with the application and concern

- about possible influence of the developer (Sam Rodriguez) over other Design Commissioners. See Exhibit F.53.
54. Joe Patterson, 07/22/2021. Testimony in opposition to the scale of the building and need for more setbacks. See Exhibit F.54.
 55. Warren Gerald Gast, 2020 SW Main St #708, Portland, OR 97205, 07/22/2021. Testimony in opposition citing increase in traffic congestion, degradation of living conditions in the neighborhood, and destruction of mature street trees. Testimony also notes errors in the stormwater report. See Exhibit F.55.
 56. Richard Potestio, 221 SW Park Place #502, Portland, OR 97205, 07/22/2021. Testimony in opposition citing the scale of the proposal and its relation to the MAC's parking program and subsequent increase in traffic that runs contrary to PBOT goals. See Exhibit F.56.
 57. Eileen Yumibe, 2211 SW Park Place, Portland, OR 97205, 07/22/2021. Testimony with concerns about pedestrian safety from increased traffic and loss of mature trees. See Exhibit F.57.
 58. Daniel A. Salomon, 1701 SW Columbia St #118, Portland, OR 97201, 07/22/2021. Testimony in opposition citing removal of mature trees on the subject site and in the rights-of-way and the impacts this will have to people without air conditioning in the neighborhood. See Exhibit F.58.
 59. Byron Palmer, 1234 SW 18th Ave, Unit 310, Portland, OR 97205, 07/22/2021. Testimony objecting to the increase in traffic generated by the proposal and the climate change impacts from the increase in parking spaces and removal of trees. See Exhibit F.59.
 60. Michael Leis, 1840 SW Main St, Portland, OR 97205, 07/22/2021. Testimony in opposition citing lack of response to neighborhood context and human scale, imposition of shadow, lack of sufficient ground-level setbacks, and low quality of the building. The testimony also questions why alternative solutions to provide MAC parking and retain open space were not considered by the city. See Exhibit F.60.
 61. Scotty Iseri, 2021 SW Main St, Portland, OR 97205, 07/22/2021. Testimony in opposition citing the building's inconsistency with the character of the neighborhood, the height of the building, and increased traffic. See Exhibit F.61.
 62. Amy Marks, 100 SW Birdshill Rd, Portland, OR 97219, 07/22/2021. Testimony in opposition citing height of the building and providing information about nearby buildings on SW Main. See Exhibit F.62.
 63. Renae Bell, 2020 SW Main St, Apt 505, Portland, OR 97205, 07/22/2021. Testimony in opposition citing the height and scale of the building, loss of open space, and noting many vacant apartment buildings and offices in nearby parts of town. See Exhibit F.63.
 64. Sarah Marks, 1826 SW Main St, Portland, OR 97205, 07/22/2021. Testimony with concerns about the height of the proposed building and loss of trees, habitat, and open space. See Exhibit F.64.
 65. Sean O'Donnell, 2020 SW Main St, Unit 406, Portland, OR 97205, 07/22/2021. Testimony in opposition citing incompatibility of the proposed building, increased traffic and impacts to pedestrian safety, shading caused by the building, building's ugliness, and removal of mature trees. See Exhibit F.65.
 66. Catherine E. Sims, 2188 SW Park Place, Suite 301, Portland, OR 97205, 07/22/2021. Testimony in opposition citing size and scale of the building, increase in traffic and related decrease in walkability, loss of open space and trees, and shadows cast by the proposed building. The testimony also cites misrepresentation of renderings, notes the

site lies within view corridors, and challenges the city’s “growth parking” concept. See Exhibit F.66.

67. Cuylie Johnson, 07/22/2021. Testimony in opposition citing carbon emissions from new parking spaces, displacement of wildlife and destruction of open space and habitat, and harm to the community. See Exhibit F.67.
68. Alison Heryer, 07/22/2021. Testimony in opposition citing the out-of-scale building, impacts of traffic, and questioning the integrity of the Design Commission since the developer is a commissioner. See Exhibit F.68.
69. Myriam Zagarola, 07/22/2021. Testimony in opposition citing increase in traffic and resultant danger to pedestrians, size of the building, and removal of mature trees. See Exhibit F.69.
70. Darcy Henderson, 07/23/2021. Testimony noting that granting a zoning change to MAC to allow for underground parking with open space and landscaping above would have been a better option. See Exhibit F.70.
71. Stephanie A, 07/25/2021. Testimony in opposition citing the need for deeper setbacks from the street, need for replacement green space, and the replacement of a character-defining element of the neighborhood with a non-descript development. See Exhibit F.71.
72. Priscilla Seaborg, 07/28/2021. Testimony in opposition citing increases in traffic, difficulty finding parking, loss of trees and green space, and past agreements between City Council and MAC to leave this site undeveloped. See Exhibit F.72.
73. Sybil Hedrick Park, 909 SW 18th Ave, Portland, OR 97205, 07/30/2021. Testimony with concerns about lost street parking during construction and need for additional Zone A parking options. See Exhibit F.73.
74. Sean O'Donnell, 2020 SW Main St, Portland, OR 97205, 08/04/2021. Request for a continuance of the hearing, pursuant to ORS 197.763(6)(b). See Exhibit F.74.

The Design Commission granted a continuance at the request of the testifier and the applicant, pursuant to ORS 197.763(6)(b).

75. Tina Wyszynski, Stadium District Business Association, 1711 SW Clay St, Portland, OR 97201, 08/05/2021. Testimony in support of the proposal citing 2018 code amendments, compliance with height and density allowances, increase in residents in neighborhood, and shared parking. See Exhibit F.75.
76. Robert Goodwin, 1000 SW Vista Ave, Portland, OR 97205, 08/05/2021. Testimony in support citing need for housing and noting the proposal should respond better to minimizing traffic, loss of trees, and loss of sunlight. See Exhibit F.76.

The Design Commission heard oral testimony from the public at the August 5, 2021 Design Commission hearing. The following written public testimony was also received during that hearing:

1. Judith E. Widen, 1132 SW 19th Ave, Portland, OR 97205, 08/05/2021. Testimony in opposition citing errors in applicant’s submittals and influence of MAC on the proposal. See Exhibit H.3.
2. Mary MacIntyre, 1914 SW Madison St, Portland, OR 97205, 08/05/2021. Testimony in opposition citing removal of trees and greenery on the site and scale and design of the proposed building. See Exhibit H.4.
3. Jerald Powell, 1924 SW Madison St, Portland, OR 97205, 08/05/2021. Request to hold the record open. See Exhibit H.5.

The Design Commission granted a continuance at the request of the testifier and the applicant, pursuant to ORS 197.763(6)(b).

4. Scott Schaffer, GHFL President, 08/05/2021. Testimony in opposition citing issues that remain uncorrected from the two Design Advice Requests for the proposal, large amount of FAR for a site with a maximum base FAR of 4:1, and lack of public amenity in return. See Exhibit H.6.
5. Jon Beil, 2914 NE 55th Ave, Portland, OR 97213, 08/05/2021. Testimony in opposition citing height of the building and validity of prior agreements between MAC and the city to not build more surface parking. See Exhibit H.7.

Additional public testimony was received after the August 5, 2021 Design Commission hearing and the August 19, 2021 continued hearing:

1. David Delaney, 08/06/2021. Question for BDS staff regarding size of other large residential structures in Portland and an associated table showing square footage of such structures. See Exhibit H.8.
2. Elizabeth Cooksey, 1132 SW 19th Ave, Unit 607, Portland, OR 97205, 08/06/2021. Written of testimony in opposition presented during the August 5, 2021 hearing. See Exhibit H.10.
3. Marilyn Weber, 08/07/2021. Request for written hard copy of the 16 people who testified. See Exhibit H.11.

The BDS Hearings Clerk sent Marilyn Weber a copy of the transcript of the August 5, 2021 hearing in response to this request. See Exhibit H.14.

4. David Delaney, 08/09/2021. Testimony in opposition citing the size and scale of the building, providing illustrations of the proposed building in context and a table of other large residential developments in the city. See Exhibit H.16.
5. Jerald M. Powell, 1924 SW Madison St, Portland, OR 97205, 08/12/2021. Testimony in opposition citing how the proposal deviates from the rhythm of the surrounding streetscape, scale of development along SW Main St and SW 19th Ave, misapplication of city policy to encourage shared parking in the Central City, and the misapplication of zoning code section 33.510.261.F.4 in allowing parking spaces to be divided into separate sections within the parking garage to serve different tenants. See Exhibit H.19.

Regarding the 405 Growth Parking spaces proposed as part of the overall development, they are allowed by Table 510-1, which states that Residential Uses may provide 1.2 spaces of Growth Parking per dwelling unit. Zoning code section 33.510.261.F.4 states: "Operation. Growth Parking may be operated as either accessory or commercial parking at all times." Nowhere in this chapter does it say how the parking must be configured within the building.

6. Rachel Clark, 1225 SW 19th Ave, Portland, OR 97205, 08/12/2021. Testimony in opposition citing concerns with window quality and the building wall along SW Main St and its negative impact on the pedestrian realm. See Exhibit H.20.
7. Judith E. Widen, 1132 SW 19th Ave, Portland, OR 97205, 08/12/2021. Testimony in opposition noting that the proposal is a parking garage designed as a proposal for housing. See Exhibit H.21.
8. Melanie Yoo-Gott, 08/17/2021. Testimony in opposition citing building height and scale, questioning why a shade and traffic studies are not required, and questioning if it is possible to set up a construction area in the neighborhood without having negative impacts on the neighborhood. See Exhibit H.22.

9. Greg Plummer, 08/17/2021. Testimony in agreement with Exhibit H.22. See Exhibit H.24.
10. Tina Wyszynski, 08/17/2021. Testimony noting threatening email message from member of Goose Hollow Foothills League Board of Directors with request to include it in the record. See Exhibit H.25.
11. Melanie Yoo, 08/18/2021. Testimony in opposition citing the effects of urban heat islands and lack of public amenity space. See Exhibit H.27.
12. Judith E. Widen, 1132 SW 19th Ave, Portland, OR 97205, 08/18/2021. Request for clarification about emergency Ordinance No. 190495 and questioning why it was an emergency and asking questions about the Major Encroachment Review. The comments also included an appendix of information cited as sources of testifier's questions. See Exhibit H.29.

Staff directed these questions to PBOT since the Major Encroachment Review was a PBOT-directed land use review. PBOT provided answers in Exhibit H.31.

13. Judith E. Widen, 1132 SW 19th Ave, Unit 809, Portland, OR 97205, 08/19/2021. Testimony noting changes between the Request for Response notice and Notice of a Proposal notices sent by the city, specifically noting the approval of Major Encroachment Review 20-211803 TR and emergency Ordinance No. 190405. Testifier expressed concern that BES did not have a chance to review that encroachment and questioned why it was an emergency. See Exhibit H.30.

PBOT provided responses to these questions in Exhibit H.31. The Major Encroachment Review 20-211803 TR is not subject to approval by the Design Commission.

The Design Commission heard additional oral testimony at the continued hearing on August 19, 2021. Additional written testimony was received during this continued hearing:

1. Sean O'Donnell, 2020 SW Main St, Portland, OR 97205, 08/19/2021. Request for a continuance of the hearing. See Exhibit H.32.

The Design Commission did not grant the continuance, but pursuant to ORS 197.763(6)(c) and Portland zoning code section 33.730.100.B.3, the Design Commission held the record open for additional evidence, testimony, and arguments for 7 days, which period ended at 3:30pm on August 26, 2021. The Design Commission also held the record open for another 7 days beyond this point, ending at 3:30pm on September 2, 2021, for responses to new evidence, arguments, and/or testimony submitted during the period following the continued hearing to 3:30pm on August 26, 2021.

2. Melanie Yoo, 08/19/2021. Question for staff regarding where car exhaust is being expelled. See Exhibit H.33.

As noted above, following the end of the continued hearing at 3:30pm on August 19, 2021, the Design Commission held the record open for the submittal of additional evidence, testimony, and arguments concerning the proposal until 3:30pm on August 26, 2021. The following public testimony was received during that period:

1. Glynis Watkins, 08/24/2021. Testimony in opposition citing loss of old-growth trees and green space. See Exhibit H.35.
2. David Delaney, 08/25/2021. Testimony in opposition citing the size and scale of the building, providing illustrations of the proposed building in context and a table of other large residential developments in the city. See Exhibit H.36.

3. Melanie Yoo, 08/25/2021. Testimony in opposition citing lack of vibrant streetscape and loss of mature trees, increase in traffic and subsequent pedestrian conflicts, poor response to context, car exhaust, and lack of public amenity. See Exhibit H.37.
4. Marilyn Weber, 1132 SW 19th Ave #805, Portland, OR 97205, 08/25/2021. Testimony in opposition. See Exhibit H.38.
5. Jerald M. Powell, GHPL Planning Committee Co-chair, 08/26/2021. Testimony in opposition (received twice) questioning whether zoning code section 33.510.261.F.4 permits the proposed parking to be operated as commercial parking and citing code commentary from the Central City 2035 Plan code amendments for this section. Testimony also cites failure to meet several guidelines and the building's height and bulk in proximity to the Kings Hill Historic District. See Exhibit H.39.

During this period, the applicant also submitted additional evidence about proposed public art on the site. See Exhibit H.40.

As noted above, the Design Commission granted a second 7-day period for the submittal of responses to new evidence, testimony, and arguments submitted between 3:30pm on August 19 and 3:30pm on August 26, 2021. This 7-day period ends at 3:30pm on September 2, 2021. Only responses that reflect this criterion are exhibited, though staff notes that these responses do not *directly* address any evidence, testimony, or argument submitted during that timeframe. The following responses have been received to-date:

1. Melanie Yoo, 09/01/2021. Testimony in opposition noting loss of sunlight and green. See Exhibit H.42.
2. Alyssa Kirkbride, 09/01/2021. Testimony in opposition noting loss of green space, calm, habitat, and carbon offset. See Exhibit H.43.
3. Rachel Clark, 09/02/2021. Testimony in opposition citing building's non-contextual size and massing, inadequacy of landscaping, and mis-reading of zoning code regarding parking. See Exhibit H.44.

During this period, Commissioner Santner also submitted an email as the Design Commission's representative on the Regional Arts & Culture Commission citing other works of art designed and fabricated by sculptor Ivan McLean which have been installed in the city. See Exhibit H.41.

Procedural History.

- Application filed: April 19, 2021.
- Incomplete letter sent: May 18, 2021.
- Deemed complete: June 16, 2021.
- Hearing #1 (within 51 days): August 5, 2021.
 - Requests were made for a continuance of the hearing by the public and the applicant.
 - A request was also made by a member of the public to hold the record open for the submittal of additional evidence.
 - The Design Commission chose to continue the hearing.
- Hearing #2: August 19, 2021.
 - Requests were made by the public to continue the hearing and to hold the record open for the submittal of additional evidence.
 - The Design Commission chose to hold the record open for additional evidence for seven days, ending at 3:30pm on August 26, 2021, and to further hold the record open for responses to new evidence submitted during that time, closing

the record at 3:30pm on September 2, 2021. The applicant waived their right to final rebuttal in support of the application.

- Hearing #3: September 23, 2021. (This hearing was originally scheduled for 4:00pm on September 2, 2021; however, this hearing was postponed due to lack of a quorum.)
- Design Commission Decision vote: September 23, 2021.
- Final Findings & Decision mailed: October 8, 2021.

ZONING CODE APPROVAL CRITERIA

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 district guidelines.

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

Goose Hollow District Design Guidelines and Central City Fundamental Design Guidelines

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

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

Goose Hollow District Design Goals

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

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

Central City Plan Design Goals

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

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

Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project. Staff has also grouped the guidelines under three broad topic areas: Context, Public Realm, and Quality & Permanence.

Context

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

Findings for A1: The proposal meets this guideline in the following ways:

- The 17th-floor roof terrace is oriented towards, and affords views to, the Willamette River to the east.
- Balconies on the east side of the tower are oriented towards the river.

Therefore, this guideline is met.

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

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

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

Findings for A2 and A2-1: The proposal meets this guideline in the following ways:

- The proposed stream feature along the west side of the subject site highlights the site's topography, and, although the site does not lie above or immediately adjacent to the historic course of Tanner Creek, helps to emphasize the historic flows of water from the surrounding hills into the Central City.
- The proposed building is clad primarily in brick, which is a traditional building material in the Central City.

Therefore, these guidelines are met.

A3. Respect the Portland Block Structures. Maintain and extend the traditional 200-foot block pattern to preserve the Central City’s ratio of open space to built space. Where superblocks exist, locate public and/or private rights-of-way in a manner that reflects the 200-foot block pattern, and include landscaping and seating to enhance the pedestrian environment.

Findings for A3: The proposal occupies a full, established block in the Goose Hollow subdistrict that approximates the standard 200-foot by 200-foot blocks that are typical in the Central City.

Therefore, this guideline is 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.

A5-2. Strengthen the Identity of the Jefferson Street Station Area. This guideline may be accomplished by any or all of the following:

- a. Integrating Lincoln High School and the First United Methodist Church into the Jefferson Street Station area by providing pedestrian-friendly treatment along the surrounding streets. Streets lacking the pedestrian-friendly treatment of the light rail alignment can use elements such as street trees, landscaping, street furniture, art work, awnings, seating, special lighting and textured paving to improve the pedestrian environment;
- b. Recognizing the historic “Goose” theme and incorporating it in projects within the station area, where appropriate, in the form of art work, symbols or other design features;
- c. Strengthening the neighborhood focal point located in the station area. Arcades, awnings and/or balconies can provide pedestrian scale along all developments facing the Circle and can enhance pedestrian access to the Circle. To emphasize the Circle’s importance as a focal point adjacent development can orient their entrances and ground level windows towards the Circle and garage entries can be avoided on the streets fronting it where feasible;
- d. Orienting buildings around the public plaza to create an enclosed public place and providing seating and other amenities to ensure safety and convenient pedestrian access;
or
- e. Using architectural vocabulary and materials that maintain continuity with existing developments and add to the character of the station area.

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

Findings for A4, A5, A5-2, and C4: The proposal meets these guidelines in the following ways:

- The proposed development incorporates landscaped setbacks along the south, east, and west frontages that help to connect this building to the pattern of development in this portion of the neighborhood.
- The rowhouse/townhouse-style design of the podium entries facing SW Madison St, SW 19th Ave, and SW 20th Ave also relates to adjacent development patterns. Sidewalk-level residential entries along SW Madison St also reflect the pattern of entries across this street, helping to maintain continuity with existing

development in the station area.

- The proposed building utilizes brick cladding as its primary material, maintaining continuity with other recent large-scale multi-dwelling developments within the district, such as the Legends Condominium, and other nearby institutional buildings, such as the MAC and Zion Lutheran Church buildings.
- At the August 5, 2021 hearing, Commissioner McCarter recommended that the applicant revise the streetscape design to include “tree lawns”, which are more commonly known in Portland as vegetated planter strips, in place of the tree wells in the frontage zone of sidewalks along the SW Madison St sidewalk, arguing that the lawns would both better match the context of development across the street than the more-urban tree wells, and that they would lead to healthier trees, due to the extra area of soil allowing for air and ground water to penetrate to the trees root systems. The rest of the Commission agreed. The applicant revised the site plan and proposed these vegetated planter strips along this street, and the other three, at the August 19, 2021 hearing and indicated that they have submitted the required Public Works Alternative Review to have these permitted (permit number 21-075925 TR).

Therefore, these guidelines are met.

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

Findings for A5-5: The proposal meets this guideline with a proposed running water feature between the sidewalk and building face along SW 20th Ave, helping to emphasize the site’s topography and providing a sense of the long-buried and piped creeks and springs which used to flow down the hills through the neighborhood.

Therefore, this guideline is met.

A5-6. Incorporate Works of Art. Incorporate works of art or other special design features that increase the public enjoyment of the District.

Findings for A5-6: The proposal includes a space immediately north of the lobby entry plaza for a sculpture. Though studies for such a sculpture have been provided, there was no clear indication of a final design, size, or material for the sculpture at the first or continued hearings. As such, staff believed this guideline was not yet fully met and recommended a condition of approval requiring that either approval through an additional Design Review to evaluate the proposed sculpture or approval for a proposed sculpture by the Regional Arts & Culture Council’s Public Art Committee must be granted before the building permit may be issued.

Following the continued hearing on August 19, 2021, the applicant submitted additional evidence describing the proposed artwork and giving its conceptual shape, materials, dimensions, anchoring detail, and placement on the site. This additional material demonstrates that the proposed artwork will increase public enjoyment of the district.

Therefore, 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.

Findings for C1: The proposal meets this guideline in the following ways:

- Windows on the lower levels of the building are oriented towards their adjacent street frontages. These windows also create visual connections between the building and the adjacent public realm.
- Windows on upper stories are oriented to provide views to the surrounding hills, more-distant mountains, the river, and the greater Central City. Rooftop terraces on Levels 6 and 17 are oriented to provide similar views.
- The Central City 2035 Scenic Resources Protection Plan identifies several view corridors which cross through the site, though only portions of two were codified and mapped into zoning code chapter 33.510, Central City Plan District. This code chapter also prohibits any extensions above the bonus height limit due to these corridors. As such, at 175'-0" tall (the maximum bonus height), the building does not intrude into the protected view corridor CC-SW16, which appears to be focused on a view to Mt. Saint Helens as viewed from a vantage point at SW Vista Avenue at the top of a public staircase just north of SW Montgomery Drive (approximate elevation of 358'-360'), though it will likely loom large in the mid-foreground.

A sliver of the northern portion of the site also lies within the protected view corridor CC-SW02, located at the Lewis & Clark Monument at the entrance to Washington Park at SW Park Place and providing a partially-obscured view to Mt. Hood. (The view appears to be obscured by the Vista St. Clair tower.) This viewpoint has a similar elevation as CC-SW16, at approximately 356', and similarly, the building does not further obscure the view of the mountain from this viewpoint.

Therefore, this guideline is met.

Public Realm

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

Findings for A7: The proposal meets this guideline in the following ways:

- The podium level of the building extends approximately 4-6 stories from grade level, depending upon where one measures on the steeply sloped site. Although the building is setback from the edge of the sidewalk along SW 20th Ave, SW Madison St, and much of SW 19th Ave, the podium serves to define the edges of the rights-of-way along these streets and, together with existing development on the other side of all three streets, creating a sense of urban enclosure along these streets.
- The sense of enclosure is heightened on the north side of the building where the tower extends up from near the edge of the sidewalk. Large windows at the corners of the north elevation and recessed bays with planters at the ground levels help to create a sense of human scale. Projecting bay windows on podium levels above the sidewalk also help to create a sense of enclosure.
- The proposed building also has edges within the pedestrian sphere that are well-articulated and give the urban enclosure created by the building a more-human scale. Bay windows create articulation on the north, west, and south facades of the building. The podium massing on the east, south, and west facades is broken down into rowhouse-scaled components, providing additional articulation along the adjacent sidewalks.

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.

Findings for A8: The proposal meets this guideline in the following ways:

- The building's main residential lobby is located on its east elevation, and the entry into this active space is delineated with a large canopy, a recess in the building's façade with combined change in material, large windows, public art adjacent to the lobby entrance, and a two-level atrium on the building's interior. The combination of elements reveal that this is an important interior space, and the large windows reveal the activities happening inside while maintaining a cohesive overall composition.
- Residential dwelling units at the sidewalk levels of the building are oriented towards the sidewalk and set behind layers of landscape plantings on the building's east, south, and west facades.
- Patios provided at sidewalk-level residential units on the south façade help to bring additional activity and vibrancy to the streetscape along SW Madison St.

Therefore, this guideline is 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.

Findings for B1 and B1-1: The proposal meets these guidelines in the following ways:

- The proposal includes public sidewalks along all four streets that are designed to city standards and include clearly distinguished frontage zones, movement zones, and furnishing zones.
- Building walls are articulated at the sidewalk levels (and above) with recesses and setbacks in the building's massing along all four street frontages. On the south façade and large portions of the west and east facades, this massing is further arranged into rowhouse or townhouse-like masses that help to create a more human-scale to this otherwise large building along these adjoining sidewalks. On the north façade, recesses at window bays at the ground level provide room for planters and help to break down the large building massing.
- A series of large windows, bay window projections, entry doors, and landscape planters provides for additional human scale along surrounding sidewalks on all four elevations.

Therefore, these guidelines are met.

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

Findings for B1-2: The proposal meets this guideline in the following ways:

- The building's main lobby is oriented towards SW 19th Ave, which provides a direct and convenient connection to the Goose Hollow/SW Jefferson St MAX stop and bus stops along SW Jefferson St.
- An entrance to one of the building's bike rooms is located at the southwest corner of the subject site, providing a convenient connection for cyclists who are also using the transit system.

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.

Findings for B2: The proposal meets this guideline in the following ways:

- The proposal has only one driveway into the parking garage for the entire block—including parking and loading access—which limits vehicular conflicts across the sidewalk to this one location.
- Exterior lighting is provided in the form of recessed downlights in canopies and soffits near building entries, bollards at some egress pathways, and wall-mounted step lights along pathways and at unit patios.
- Nearly all building equipment is located on the roof of the tower portion of the building, keeping it out of the pedestrian realm.
- Exhaust systems for the dwelling units are handled at the dwelling-unit level utilizing through-wall systems that are elevated above sidewalk level. Exhaust for the parking garage appears to be routed through large vents at Level 5 of the building, well away from the pedestrian realm.
- Building service areas are generally located in the subterranean levels rather than being placed the building face, affording more room for active uses at the building's edges along its four block faces.
- Most of the exhausting for the structured parking garage appears to be handled through large louvers at Level 5, which are well away from the pedestrian environment.
- The building's generator is located at the sidewalk level (which is Level 2 at the generator location) along the north façade of the building. In the initial drawings provided to the Design Commission, large louvers were placed at pedestrian level for venting of the generator, which, even though generators typically only run once a month, would detract from the pedestrian environment with noise, heat, and exhaust fumes when on, and with inactive frontage along the sidewalk at all times. This consideration was all the more important given the harshness of the pedestrian realm created by the existing MAC parking garage on the north side of the street. Thus, staff had recommended conditions of approval limiting venting for the generator to at least Level 4 or higher so that it would be at least above pedestrian height and moving the generator itself to a higher level to provide room at the sidewalk level for active use spaces along the sidewalk, to better meet this guideline.

For the August 19, 2021 continued hearing, the applicant presented a revised

design for the ground levels of the north elevation which relocated louvers and the exhaust flue for the generator to Level 3 of the building, above head height and extended office space farther along the street frontage of Level 2. Both changes were found by a majority of commissioners to improve the pedestrian environment along SW Main St and satisfy this guideline.

- Though most of the venting for the structured parking garage appears to be occurring at Level 5, some louvers for garage venting (determined to be for intake air at the August 19, 2021 hearing) are placed on the east side of the garage door on the north elevation. Like the louvers for the generator, these were also initially located at sidewalk level (here, Levels 1 and 2). Ventilation for the parking garage will likely be running continually and, in this original location, would detract from the pedestrian environment. Staff therefore initially recommended a condition of approval that all parking garage ventilation be directed to Level 3 or higher when located east of the garage door and to Level 4 or higher when located west of the garage door.

For the August 19, 2021 continued hearing, the applicants presented a revised design for the ground levels of the north elevation which relocated the louvers for parking garage intake air above windows (and well above head height) at Level 2, and located the air intake shaft behind proposed active office space on Levels 1 and 2. These revisions were found by a majority of commissioners to improve the pedestrian environment along SW Main St and satisfy this guideline.

Therefore, this guideline is met.

B3. Bridge Pedestrian Obstacles. Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.

Findings for B3: The proposal does not include any alterations within its surrounding rights-of-way that trigger Design Review, and the proposal lies upon a relatively standard-size Central City block (and is not a superblock) along streets with standard 60-foot rights-of-way. Proposed sidewalk designs align with city standards, creating a standard movement zone with defined frontage and furnishing zones that help to keep the sidewalks obstacle free, and are not subject to Design Review approval.

Although it is a major focus of contention for this proposal among neighborhood residents and the Goose Hollow Foothills League (and for that matter the Urban Forestry Division of Portland Parks & Recreation), and although it falls outside the purview of this Design Review, being underground, the proposal includes a driveway tunnel under SW Main St (being evaluated separately under Major Encroachment Review) that will provide some level of shared parking access between the proposed development and the MAC parking garage to the north, which helps to accomplish this guideline (CCFDG p. 73).

The negative effects of traffic and the potential for increased conflicts (and collisions) with pedestrians were also a major point of critique and objection by neighborhood residents. Such impacts are generally addressed through standard improvements within the rights-of-way that may help to calm or slow traffic. Since such improvements are considered “standard improvements in the right-of-way”, they are not subject to Design Review approval. Instead such improvements are subject to the Public Works Permitting process. Again, though technically outside the purview of this Design Review and the authority of the Design Commission, the development team should endeavor to work with PBOT during the Public Works Permitting process to reduce impacts to pedestrians from existing, and any increased, traffic adjacent to the site.

Therefore, this guideline is met.

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

Findings for B4: The proposal meets this guideline in the following ways:

- The proposal includes a wide open space with benches adjacent to the main lobby entrance off SW 19th Ave, providing space off the public sidewalk for people to stop, sit and rest, and socialize.
- Stoops leading into individual dwelling unit entries from SW Madison St are over 7 feet wide, providing space for residents and their guests to sit, rest, and socialize on the steps leading to these units.

Therefore, this guideline is 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: There are no public plazas, parks, or open spaces near the subject site.

Therefore, this guideline does not apply.

B5-1. Enhance the Design of Pocket Parks. Design pocket parks in residential areas with a variety of experiences that encourage their use all year round. This guideline may be accomplished by any or all of the following:

- a. Providing some shaded places protected from the wind and rain as well as generous sunny areas that will allow its use during different times of the day and year;
- b. Providing seating, trees, grass, flowering plants, paved or textured areas and/or water features; or
- c. Providing for children’s play equipment with protected soft surfaces, seating and water fountains.

Findings for B5-1: The subject site does not lie “at or near designated [pocket park] locations”, according to the Goose Hollow Station Community Plan.

Therefore, this guideline does not apply.

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.

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 B6 & C6: The proposal has few areas where integrated weather protection systems—typically those that extend over public sidewalks or entry points to buildings—would typically be placed, primarily due to the building setbacks and ground level residential uses along the south, west, and most of the east sides. Canopies that might

typically be provided at window bays of a building wall close to the sidewalk edge could be provided at the north elevation, though this would lead to further shading and darkening of the north elevation, likely resulting in a less pleasant pedestrian environment, despite the rain protection such canopies might provide.

These issues aside, weather protection is provided at the building's three main entries—the main lobby entry on the east elevation, the garage lobby entry on the north elevation, and the mail room lobby entry on the west elevation. These canopies are appropriately-scaled for a residential building and provide for some level of weather protection for people entering or exiting the building. In a similar manner, ground level entries into individual dwelling units along SW Madison St are setback from the building face, providing for a covered area that helps to shelter residents and their guests from the effects of rain and sunlight at these entries. In both situations—canopies and setback entries at individual units—these systems help to delineate and provide for transitions between the private development and the public realm along the sidewalks.

Finally, Guideline C6 is more fully accomplished through the provision of lush landscaping consisting of trees, shrubs, and groundcover plants along the building's western, southern, and eastern frontages. These landscape elements in particular provide an important buffer and transition zone between the ground level residential units and public sidewalk, leading to both increased privacy for residents and increased activation of the public sidewalks, via open windows, curtains, and blinds, for passing pedestrians.

Therefore, these guidelines are met.

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

Findings for B6-1: Exterior lighting is provided in the form of recessed downlights in canopies and soffits near building entries, bollards at some egress pathways, and wall-mounted step lights along pathways and at unit patios. These fixtures are all located along the ground level floors of the building and are human in scale, and their presence helps to encourage pedestrian activity in these locations in the evening.

At the final continued hearing on September 23, 2021, commissioners discussed the need to add additional lighting to the site, finding that very little was included in the proposal, particularly on the building's north and west faces. To improve safety and evening activity along sidewalks in these areas, and to place lighting that is at a human scale, commissioners determined that recessed downlights should be added to the underside of projecting window bays on the north elevation, and step lights should be added at the high points of the retaining wall of the water feature on the west elevation of the building. These were incorporated into the Design Commission's decision as conditions of approval.

With the following conditions of approval, this guideline will be met:

- *One step light shall be installed near the high point of each step of the retaining wall in the water feature along SW 20th Ave.*
- *One recessed can light shall be installed under each window projection along SW Main St.*

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

Findings for B7: The proposal provides for at-grade access at all primary public entries into the building, and, although individual dwelling unit entries along the south elevation

have a few steps in some locations, accessible access to these units may also be obtained through internal corridors.

Therefore, this guideline is met.

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

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

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

Findings for C1-1 and C7-1: The proposal meets these guidelines in the following ways:

- The proposed parking garage is almost entirely wrapped by active uses at the ground floor and floors above. As such, it does not express its sloping floors on the building's exterior, and the building provides active uses along most of the sidewalk levels around the parking garage.
- The proposal consolidates all parking access into one garage accessed only from SW Main St. Although access to this garage is not provided from an alley, the amount of total street frontage occupied by the garage entry is only about 30 feet out of approximately 770 feet of building perimeter.

Therefore, these guidelines are met.

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 C7: The proposal meets this guideline in the following ways:

- Stairs and elevators are located away from the corners of the building, leaving space at all four corners for active uses in the form of lobbies, entries, and residential dwelling units facing the street.
- On the tower portion of the building, balconies are placed at the corners, which gives the corners more prominence.
- At the sidewalk levels of the building, the building massing has varying planes at the southeast and southwest corners. Large windows and balconies are used at the northeast and northwest corners.

Therefore, this guideline is 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.

Findings for C8: The proposal meets this guideline in the following ways:

- On the south façade and large portions of the west and east facades, the building’s massing is arranged into rowhouse or townhouse-like masses that help to define the podium level of the building, in contrast with the tower.
- Projecting bay windows, large windows at semi-public spaces within the building, individual dwelling unit entries, and canopies at primary entries all help to differentiate the sidewalk levels of the building in varying combinations across all four facades.
- A simple coping band, change in brick color and texture, and stepped back massing of the tower on the building’s south and east facades combined help to provide further differentiation to the sidewalk levels of the building.
- The same coping band and change in brick color and texture continue around the north façade. Slightly recessed bays are used at the sidewalk level and projecting window bays on upper floors of the podium level to help further define the sidewalk levels of the building along this elevation.

Therefore, this guideline is met.

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

Findings for C9: The proposed structure has only residential household living uses, with associated amenity spaces, and parking uses, and this is consistent with the site’s RM4 zoning. Thus, ground level commercial/retail spaces that would typically occupy the ground levels of buildings in the Central City and which easily meet this guideline are not proposed or appropriate. That said, the sidewalk levels of the proposed building include street-facing residential dwelling units and, along the east side of the building in particular, a lobby, offices, and amenity spaces—all of which provide for some measure of flexibility in their uses and interior layouts.

Therefore, this guideline is met.

Quality & Permanence

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

Findings for C2: The proposal meets this guideline in the following ways:

- Modular brick veneer is used as the building’s primary cladding system. Brick cladding is a high-quality, time-tested system
- Honeycomb-backed metal panels are proposed for use as accent cladding. The honeycomb backing helps to prevent oil-canning, pillowing, and warping and makes this material a high-quality and durable material.
- Glass guardrails are proposed at unit balconies and at terraces. These are high-quality rails that should weather well and be long-lasting.
- Proposed detailing of the primary building materials, with caveats noted below, shows that the building will be built and clad in a manner that results in high-quality construction that will be durable and enduring.
- VPI Endurance vinyl windows are proposed for windows and balcony/terrace

doors at individual dwelling units; however, these windows are specifically designed for use on 3 to 12-story buildings, according to the manufacturer's product information and website, which staff believed made them both inappropriate and of insufficient quality and permanence for use on a 17-story tower. Staff, therefore, initially recommended that commercial high-rise grade metal windows should be used to provide a higher quality and greater durability and permanence that are more appropriate for a tower of such prominence in the neighborhood.

The applicant submitted evidence for the August 19, 2021 hearing from their engineer that the proposed VPI Endurance vinyl windows would meet and exceed code required minimums for strength and performance, and, upon deliberations, a majority of commissioners found that this window product would provide satisfactory permanence and quality in the proposed tower.

- Proposed PTHP/PTAC grilles were initially proposed to be a manufacturer-provided system, likely similar to that used at the Modera Belmont building at the block bound by SE 7th Ave, SE Belmont St, SE 6th Ave, and SE Morrison St. The grilles on that building are showing that they are of insufficient quality, and their use on a 17-story tower would further exacerbate these issues. Therefore, staff recommended that a more-robust metal louver system be designed to sufficiently integrate the PTHP/PTAC units within the overall building façade.

The applicant revised the proposal for the August 19, 2021 hearing to include an aluminum PTHP louver system finished with a dark color to match the window system and metal trims around them. The applicant also showed that the same system has been installed at the Alta Peak apartment building at SW 16th Ave & Burnside. After deliberating on the revisions, a majority of commissioners found that the proposed system, specifically with its dark color, would provide the necessary quality and permanence needed to both integrate the louvers well into the overall window system and to be enduring components that will not show wear in the same way as the grille system used at Modera Belmont.

- Venting for individual units was initially proposed to be provided via through-wall PVC exhaust vents. As with the vinyl windows, staff believed that these PVC vents were of insufficient quality for use on a high-rise tower, particularly one that will be of such prominence within the neighborhood. Staff recommended that a metal louver system should be used instead.

The applicant revised the proposal for the August 5, 2021 hearing to include a sheet metal louver system, similar to the one used on the Modera Buckman apartment building at SE 12th Ave & Belmont St. A majority of commissioners found at that hearing that this would be a satisfactory system that would meet this guideline.

- Metal copings and exposed metal flashings are used frequently across the building's facades. These are important components that require high-quality, higher-gauge metal to help ensure that they do not pillow, oil-can, or warp, as these effects would lessen the overall quality of the building. As such, metal copings and exposed metal flashings shall be of 22-gauge thickness or thicker when they have exposed faces of 10 inches or less, and 20-gauge or thicker when the exposed face is greater than 10 inches. While the applicant has verbally proposed 20-gauge copings at the August 5, 2021 hearing, and some drawing revisions show this, staff continues to recommend a condition of approval requiring these gauges will help to ensure this guideline is fully met.

With the following condition of approval, this guideline will be met:

- *Metal copings and exposed metal flashings shall be at least 22-gauge in thickness when they have exposed faces of 10 inches or less, and they shall be of least 20-gauge thickness when they have exposed faces greater than 10 inches.*

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: The proposal meets this guideline in the following ways:

- The overall building composition is relatively simple and straightforward and reads clearly as a multi-dwelling residential building. The building's massing and articulation is logical and consistent with the goals both are trying to achieve—particularly at the sidewalk levels. In a similar vein, the building's cladding and patterning, with one exception identified and conditioned in the Findings for C11 below, generally follow a regular rhythm that helps to create a cohesive composition overall.

Therefore, this guideline is 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.

Findings for C10: The proposal meets this guideline in the following ways:

- One canopy at the northeast corner of the building projects over the right-of-way. This canopy is well-integrated within the overall design of the building and provides for weather protection, enhancing the pedestrian environment.
- A column of balconies, also at the northeast corner, projects slightly over the right-of-way. These are also well-integrated within the overall design of the building. They enhance the pedestrian environment by providing space for building residents to relax outside, helping to enliven the street in this area.
- Bay windows project over the right-of-way on the north elevation of the building. These are well integrated within the overall design of the building's north façade and help to provide human scale to the pedestrian realm on this side of the building.

As noted in the proposal, some of these do not meet the “Window Projections Into Public Right-of-Way Code Guide” standards (henceforth referred to as Code Guide), since the projecting window bays near the middle of the block are arranged in pairs, and within each pair, the bay windows are separated by approximately 4'-0”, which is less than the required 12'-0”

- From the Code Guide: Standard G, Separation. Minimum separation of 12 feet measured from other projecting window elements on the same elevation or plane of wall. When approved through Design Review, required separation may vary provided the area of all projecting window elements on a wall does not exceed 40% of the wall's area and the width of any single projecting window element over the right-of-way does not exceed 50% of its building wall's length.
- The total area of the pair of projecting windows on the eastern side of the garage opening on the north elevation cover approximately 15% of the

wall's area, and the pair on the western side of the garage opening on the north elevation cover approximately 11% of the wall's area. Taken across the whole of the north elevation, minus the penthouse level, both pairs, along with individual projecting window bays at the northeast corner and northwest corner of the building cover approximately 5% of the area of the façade.

- Each of the window projections within both pairs of projecting windows is approximately 11'-8" in width. The walls from which they project are approximately 33'-4" in width. Therefore, the width of each projecting bay for which an exception is requested is less than 50% (at approximately 35%) of the wall length from which the project.
- *Therefore, the requested design exception to the Code Guide standards merits approval.*
- As noted in the proposal at the top of this report, the proposed tunnel under SW Main St is not subject to Design Review approval (per zoning code paragraph 33.420.041.D) and is instead subject to Major Encroachment Review (under permit number 20-211803 TR). That review was approved by City Council on July 14, 2021, per emergency Ordinance No. 190495.

Therefore, this guideline merits approval.

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 C11: The proposal meets this guideline in the following ways:

- Roof terraces on Level 6 and Level 17 provide usable outdoor space for tenants to recreate and relax as well as providing planters and landscaped areas.
- Building mechanical equipment is also located within screened enclosures on the Level 6 and 17 roof terraces as well as the tower roof. These enclosures are well integrated in form, being simple boxes, with the rest of the building; however, some of the proposed metal paneling at the Level 6 and Level 17 enclosures (which also include stairwells) initially varied from the standard "charcoal/black" color and flat panel texture used for the building's penthouses and metal accents and appears pale in color. Staff believed that these enclosures would be better integrated if the panels were all matched the "charcoal/black" color used across the rest of the enclosure. Commissioners affirmed staff's recommendation at the August 5, 2021 hearing, and the applicant provided revisions for the August 19, 2021 hearing showing charcoal metal panels in place of the original light-colored panels at these locations.
- Levels 16 and 17 include penthouses that are set back from the edge of the tower massing, providing space for outdoor terraces and helping slightly to reduce the building's apparent height. These penthouses are clad with the building's "charcoal/black" accent metal panels, which helps to integrate them into the overall composition while providing for a more traditional "base-middle-top" composition.

Therefore, this guideline is 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 for C12: The proposal uses exterior lighting rather judiciously, which helps to reduce impacts of lighting on neighboring residents. Most lighting is located at the sidewalk levels of the building, as described in Findings for B2. These fixtures are well-integrated into the building’s architectural elements and landscaping and, being so close to the ground, will have little impact on the skyline at night.

A series of string lights is proposed at the center of the Level 17 roof terrace. Such lights have become increasingly common features on multi-dwelling development in the city. They typically feature bulbs with lower light output than more utilitarian fixtures. This combined with their placement towards the center of the roof terrace helps to limit their impact on the skyline at night.

It is likely that there are some other light fixtures that will be needed near egress doors on the Level 6 and Level 17 roof terraces. Since these are not yet indicated, they cannot yet be approved through Design Review; however, they will need such approval if and when they are added to the drawings, as these fixtures, when improperly designed and shielded, can have outsized impacts on the skyline at night.

Therefore, this guideline is met.

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The Design Commission voted to approve the proposal with five conditions by a vote of 4 in favor to 1 opposed at the final continued hearing on September 23, 2021. Commissioners voting in favor cited, in particular, the building’s strong design response to Guidelines *A2-1 – Recognize the Historic Tanner Creek Theme, A5 – Enhance, Embellish, and Identify Areas, A5-5 – Incorporate Water Features, A5-6 – Incorporate Works of Art, A8 – Contribute to a Vibrant Streetscape, B1-1 – Provide Human Scale to Buildings along Walkways, B1-2 – Orient Building Entries to Facilitate Transit Connections, B2 – Protect the Pedestrian, B4 – Provide Stopping and Viewing Places, C1-1 – Integrate Parking, C5 – Design for Coherency, C7-1 – Reduce the Impact of Residential Unit Garages on Pedestrians, and C10 – Integrate Encroachments*. The dissenting commissioner cited the building’s relationship to the sidewalk along SW Main St and lack of “real, occupied, active spaces” as not satisfactorily meeting Guidelines *A8 – Contribute to a Vibrant Streetscape, B1 – Reinforce and Enhance the Pedestrian System, and B1-1 – Provide Human Scale to Buildings along Walkways*.

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposal meets the applicable design guidelines and therefore warrants approval.

DESIGN COMMISSION DECISION

It is the decision of the Design Commission to approve Design Review for a proposed 17-story, approximately 175'-0" tall residential apartment building with 337 residential dwelling units and 403 structured parking spaces in the Goose Hollow Subdistrict of the Central City Plan District and to approve the requested exception to the Window Projections Into Public Right-of-Way Code Guide standards.

Approvals per Exhibits C.1 – C.97, signed, stamped, and dated September 24, 2021, subject to the following conditions:

- A.** As part of the building permit application submittal, the following development-related conditions (B – F) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE- Case File LU 21-038539 DZ. All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B.** At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C.** No field changes allowed.
- D.** Metal copings and exposed metal flashings shall be at least 22-gauge in thickness when they have exposed faces of 10 inches or less, and they shall be of least 20-gauge thickness when they have exposed faces greater than 10 inches.
- E.** One step light shall be installed near the high point of each step of the retaining wall in the water feature along SW 20th Ave.
- F.** One recessed can light shall be installed under each window projection along SW Main St.

By: 
Julie Livingston, Design Commission Chair

Application Filed: April 19, 2021
Decision Filed: September 24, 2021

Decision Rendered: September 23, 2021
Decision Mailed: October 8, 2021

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on April 19, 2021, and was determined to be complete on June 16, 2021.

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 19, 2021.

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. Unless further extended by the applicant, **the 120 days will expire on: June 15, 2022.**

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. This report is the final decision of the Design Commission with input from other City and public agencies.

Conditions of Approval. This approval may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appeal of this decision. This decision is final unless appealed to City Council, who will hold a public hearing. **Appeals must be filed by 4:30 pm on October 22, 2021.** The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. **Towards promoting social distancing during the COVID-19 pandemic, the completed appeal application form must be e-mailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application.

If you are interested in viewing information in the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note that due to COVID-19 and limited accessibility to files, only digital copies of material in the file are available for viewing. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

If this decision is appealed, a hearing will be scheduled and you will be notified of the date and time of the hearing. The decision of City Council is final; any further appeal is to the Oregon Land Use Board of Appeals (LUBA).

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, one in which new evidence can be submitted to City Council.

Who can appeal: You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An**

appeal fee of \$5,513.00 will be charged (one-half of the application fee for this case with a maximum of \$5,513.00). Last date to appeal: October 22, 2021

Neighborhood associations may qualify for a waiver of the appeal fee. 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 website: <https://www.portlandoregon.gov/bds/article/411635>. Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

Recording the final decision.

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

- *Unless appealed*, the final decision will be recorded on or after **October 25, 2021** by the Bureau of Development Services.

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

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

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

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

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).

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
 1. Narrative/Zoning Summary
 2. Original Drawing Set
 3. Neighborhood Contact Information
 4. Completeness Response, received 06/16/2021
 5. Stormwater Report, received 06/16/2021
 6. Revised Drawing Set, received 06/16/2021

7. Revised Drawing Set, received 07/15/2021
 8. Revised Drawing Set, received 07/20/2021
 9. Revised Stormwater Report, received 07/21/2021
 10. Revised Drawing Set, received 07/22/2021
 11. Tree plan for Modera Main St, received 07/26/2021
 12. North wall louvers diagram and email, 07/26/2021
 13. North wall louvers diagram and email, 07/27/2021
 14. North elevation and generator room and mail room plan, 07/28/2021
 15. Revised sheets C9-C17, C57, C61, C75-78, and C81, 07/28/2021
 16. North Elevation Clarification diagram, 07/29/2021
 17. Revised enlarged north elevation and VPI Endurance email thread, 08/03/2021
 18. Revised sheets C.50, C.86, and C.37B, 08/04/2021
 19. PTHP Grille photos, 08/04/2021
 20. Cutsheets for PTHP/PTAC Grilles from Reliable, 08/04/2021
- B. Zoning Map (attached)
- C. Plan & Drawings
1. Vicinity Plan
 2. Block Plan
 3. Site Plan (attached)
 4. Basement B2 Plan
 5. Basement B1 Plan
 6. Level 1
 7. Level 2
 8. Grade Level Plan (attached)
 9. Level 3
 10. Level 4
 11. Level 5
 12. Level 6
 13. Level 7 - 10
 14. Level 11 - 15
 15. Level 16
 16. Level 17
 17. Roof Level
 18. West Elevation (Color) (attached)
 19. South Elevation (Color) (attached)
 20. East Elevation (Color) (attached)
 21. North Elevation (Color) (attached)
 22. North-South Section
 23. East-West Section
 24. B/W West Elevation
 25. B/W South Elevation
 26. B/W East Elevation
 27. B/W North Elevation
 28. Enlarged Elevation | Madison St
 29. Enlarged Elevation | Madison St
 30. Enlarged Elevation | Madison St
 31. Enlarged Elevation | SW 19th Ave
 32. Enlarged Elevation | SW 19th Ave | Lobby Entry
 33. Enlarged Section | SW 19th Ave Main | Lobby Entry
 34. Enlarged Elevation | SW 19th Ave
 35. Enlarged Elevation | Main St
 36. Enlarged Section | Main St Parking Lobby
 37. Enlarged Elevation | Main St | Garage Entry
 38. Enlarged Section | Main St | Garage Entry
 39. Enlarged Elevation | Main St

40. Enlarged Elevation | SW 20th Ave
41. Enlarged Section | SW 20th Ave | Mail Room Lobby
42. Enlarged Elevation | SW 20th Ave
43. Enlarged Elevation | Courtyard - West
44. Enlarged Elevation | SW Madison St
45. Enlarged Elevation | SW 19th Ave
46. Enlarged Elevation | SW 19th Ave
47. Enlarged Elevation | SW 20th Ave - North
48. Enlarged Elevation | Main St - West
49. Building Details | Typical Spandrel
50. Building Details | Typical Window Plan & Exhaust Vents
51. Building Details | Level 6 Parapets
52. Building Details | Level 6 Parapet and Level 16 Brick Coping
53. Building Details | Level 16 Roof Terrace Parapet
54. Building Details | Level 18 /Roof Edge
55. Building Details | Typical Mechanical Screen & Typical Balcony
56. Exterior Materials & Colors
57. Landscape | Street Level Plan
58. Landscape | SW 20th Ave
59. Landscape | SW Madison St
60. Landscape | SW 19th Ave
61. Landscape | SW Main St
62. Landscape | SW Ave Water Feature
63. Landscape | Patio Sections along SW Madison St
64. Landscape | Street Level Planting Images
65. Landscape | Street Level Materials
66. Landscape | Street Level Planting
67. Landscape | Street Level Grading Plan
68. Landscape | Level 6 Plan
69. Landscape | Level 6 Planting
70. Landscape | Level 17 Plan
71. Landscape | Level 17 Materials
72. Landscape | Level 17 Planting
73. Landscape | Details
74. Landscape | Details
75. Existing Street Tree Conditions
76. Existing Tree Canopy & Root Protection
77. Post-development Landscape & Tree Canopy
78. Exterior Lighting
79. Civil | 30% PBOT | Site Utility
80. Civil | 30% PBOT | Stormwater
81. Civil | 30% PBOT | SW Main St
82. Civil | 30% PBOT | SW 19th Ave
83. Civil | 30% PBOT | SW Madison St
84. Civil | 30% PBOT | SW 20th Ave
85. Exterior Products Cutsheets
86. Exterior Products Cutsheets
87. Exterior Products Cutsheets
88. Exterior Lighting Cutsheets
89. Bicycle Rack Cutsheets
90. Forecourt Art Sheets
91. Exterior Products | Windows | VPI Endurance Series
92. Exterior Products | PTHP Louvers
93. Exterior Products | PTHP Louvers
94. Enlarged Elevation | Courtyard – West

95. Site Plan | Planting Strip
 96. Enlarged Elevation | Main St | Garage Level
 97. Enlarged Elevation | Main St | Garage Level
- 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. Bureau of Environmental Services
 2. Bureau of Transportation Engineering and Development Review
 3. Fire Bureau
 4. Site Development Review Section of BDS
 5. Bureau of Parks, Forestry Division
 6. Life Safety Review Section of BDS
- F. Letters
1. Steve Witten, 06/29/2021, testimony in opposition
 2. Scott A. Schaffer, 07/06/2021, Request for information
 3. Melanie Yoo-Gott, 07/08/2021, testimony in opposition
 4. Thomas and Elizabeth Cooksey, 07/11/2021, testimony in opposition
 5. David Delaney, 07/12/2021, testimony in
 6. Linda L. Blakely, 07/12/2021, testimony in opposition
 7. Karl Reer, 07/13/2021, testimony requesting reduction in size and number of parking spaces
 8. Eva Kutas, 07/13/2021, testimony in opposition
 9. Jason Hobson, 07/14/2021, testimony with concerns
 10. Charles & Irene Cancilla, 07/14/2021, testimony in opposition
 11. Melanie Yoo-Gott, 07/14/2021, testimony in opposition
 12. Nylah Brooks, 07/15/2021, testimony in opposition
 13. Marilyn Weber, 07/15/2021, testimony in opposition
 14. Leslie Cagle, 07/15/2021, testimony with concerns
 15. Bruce Marcel, 07/15/2021, testimony in opposition
 16. Scott A. Schaffer, 07/15/2021, testimony in opposition
 17. Caroline "Kaki" Brenneman, 07/16/2021, testimony in opposition
 18. Chrys Martin and Jack Pessia, 07/18/2021, testimony in opposition
 19. Ben Whiteley, 07/18/2021, testimony in opposition
 20. Connie Humphries, 7/18/2021, testimony citing concerns
 21. Ellen Levine, 7/18/2021, testimony in opposition
 22. Tyler Krauss, 07/19/2021, testimony in opposition
 23. Jim and Anne Bethell, 07/19/2021, testimony in opposition
 24. Becky & Joe Patterson, 07/19/2021, testimony in opposition
 25. Warren Bull, 07/19/2021, testimony in opposition
 26. Richard Friedmar, 07/19/2021, testimony in opposition
 27. Laurie Goldsmith, 07/20/2021, testimony in opposition
 28. Sandee Blank, 07/20/2021, testimony with no objections
 29. Ayesha Khan, 07/21/2021, testimony in opposition
 30. Janet Elgin, 07/21/2021, testimony in opposition
 31. Ron Demele, 07/21/2021, testimony in opposition
 32. Greata T. Beatty, 07/21/2021, testimony in opposition
 33. Leslye Epstein, 07/21/2021, testimony in opposition
 34. Jeff Bell, 07/21/2021, testimony in opposition
 35. Danielle Fischer, 07/21/2021, testimony in opposition
 36. Fred Ross, 07/21/2021, testimony in opposition

37. Helen B. Dennis, 07/21/2021, testimony in opposition
 38. Ethan Matthews, 07/21/2021, testimony in opposition
 39. Reba Stromme, 07/21/2021, testimony in opposition
 40. Alan Willis, 07/21/2021, testimony in opposition
 41. Joanne L. Ross, 07/21/2021, testimony in opposition
 42. Seth C. Leavens, 07/22/2021, testimony in opposition
 43. Rachel Clark, 07/22/2021, testimony in opposition
 44. C. Antoinette Winterspring, 07/22/2021, testimony in opposition
 45. Annette Guido, 07/22/2021, testimony in opposition
 46. Carolyn Ofiara, 07/22/2021, testimony in opposition
 47. Jeff Malmquist, 07/22/2021, testimony in opposition
 48. Melanie Yoo-Gott, 07/22/2021, testimony in opposition
 49. Amanda Hays, 07/22/2021, testimony demanding withdrawal of the development plan
 50. Steven Blair, 07/22/2021, testimony in opposition
 51. Jerald M. Powell, 07/22/2021, testimony in opposition
 52. Bob Blanchard, 07/22/2021, testimony in opposition
 53. Judith E. Widen, 07/22/2021, testimony in opposition
 54. Joe Patterson, 07/22/2021, testimony in opposition
 55. Warren Gerald Gast, 07/22/2021, testimony in opposition
 56. Richard Potestio, 07/22/2021, testimony in opposition
 57. Eileen Yumibe, 07/22/2021, testimony with concerns
 58. Daniel A. Salomon, 07/22/2021, testimony in opposition
 59. Byron Palmer, 07/22/2021, testimony objecting to the increase in traffic
 60. Michael Leis, 07/22/2021, testimony in opposition
 61. Scotty Iseri, 07/22/2021, testimony in opposition
 62. Amy Marks, 07/22/2021, testimony in opposition
 63. Renae Bell, 07/22/2021, testimony in opposition
 64. Sarah Marks, 07/22/2021, testimony with concerns
 65. Sean O'Donnell, 07/22/2021, testimony in opposition
 66. Catherine E. Sims, 07/22/2021, testimony in opposition
 67. Cuylie Johnson, 07/22/2021, testimony in opposition
 68. Alison Heryer, 07/22/2021, testimony in opposition
 69. Myriam Zagarola, 07/22/2021, testimony in opposition
 70. Darcy Henderson, 07/23/2021, testimony with ideas about alternatives
 71. Stephanie A, 07/25/2021, testimony in opposition
 72. Priscilla Seaborg, 07/28/2021, testimony in opposition
 73. Sybil Hedrick Park, 07/30/2021, testimony with concerns
 74. Sean O'Donnell, 08/04/2021, request for a continuance of the hearing
 75. Tina Wyszynski, 08/05/2021, testimony in support
 76. Robert Goodwin, 08/05/2021, testimony in support
- G. Other
1. Original LUR Application
 2. Signed Request for an Evidentiary Hearing and Waiver of Right to a Decision within 120 Days
 3. Incomplete application letter, 05/18/2021
 4. Emailed copy of summary notes from EA 20-222284 DA, 05/19/2021
 5. PBOT preliminary response emailed to applicant, 05/19/2021
 6. Email from staff to applicant re: deadlines and hearing date, 06/17/2021
 7. Email thread between staff and applicant re: posting board text, 07/01/2021
 8. Email thread between BDS and Urban Forestry staff re: Exhibit E.5, 07/23 – 07/26/2021
 9. Email from Urban Forestry to BDS staff re: Exhibit A.11, 07/26/2021
 10. Email thread between Christe Carlson White and staff re: Exhibit E.5, 07/26 – 07/29/2021

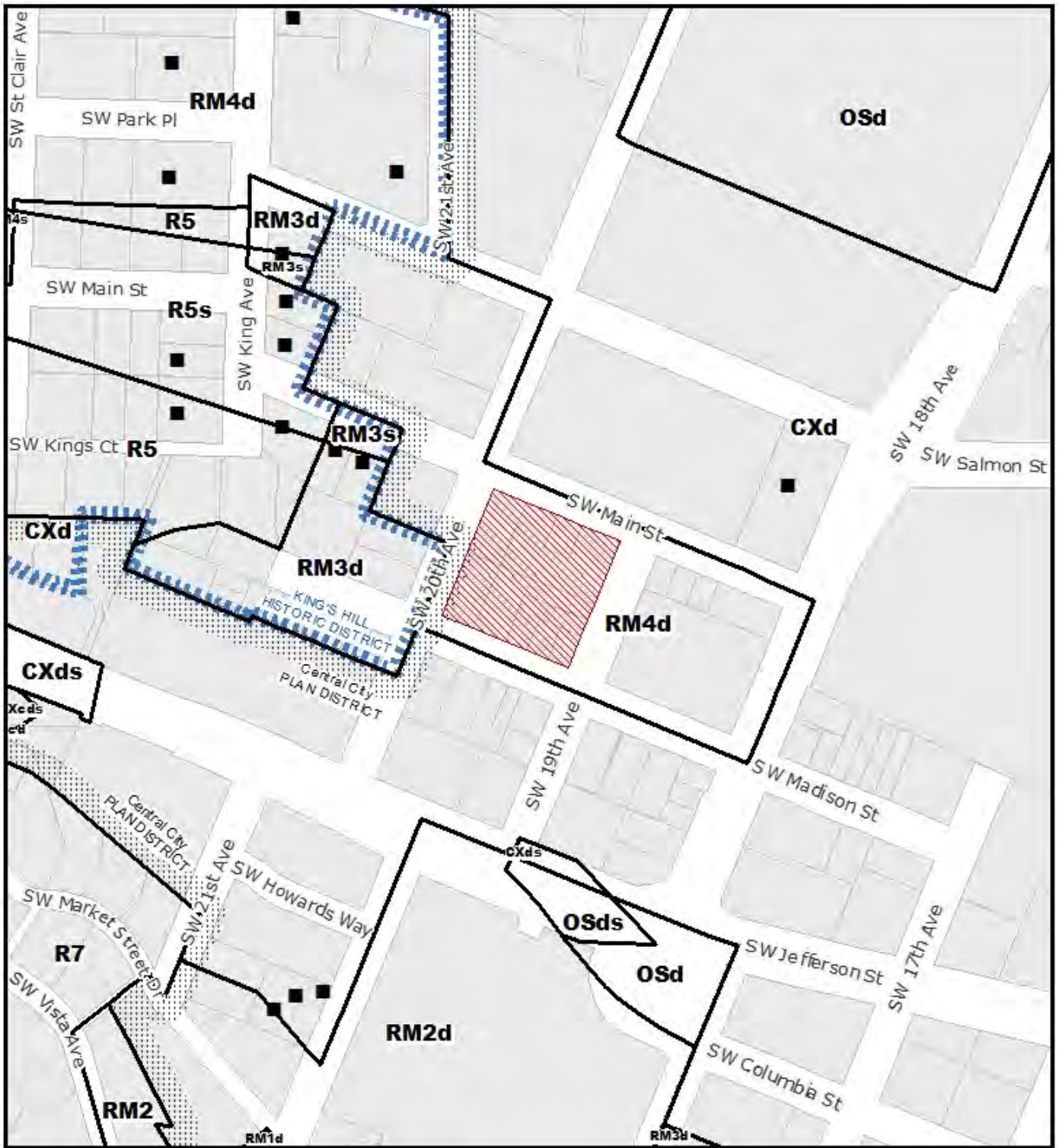
11. Email thread between staff and applicant re: north wall louvers, (see also Exhibits A.12 & A.13), 07/26 – 07/27/2021
 12. Email from applicant re: staff concerns, 07/27/2021
 13. Staff Report, 07/28/2021
 14. Email thread between applicant and staff re: staff report, 07/28 – 7/29/2021
- H. Hearing
1. Staff Presentation to Design Commission
 2. Applicant Presentation to Design Commission
 3. Written testimony in opposition from Judith E. Widen, 08/05/2021
 4. Written testimony in opposition from Mary MacIntyre, 08/05/2021
 5. Written request to hold the record open by Jerald Powell, 08/05/2021
 6. Written testimony in opposition from Scott Schaffer, GHFL President, 08/05/2021
 7. Written testimony in opposition from Jon Beil, 08/05/2021
 8. Question for BDS staff from David Delaney, 08/06/2021
 9. Email from Commissioner McCarter re: request for composite drawing of north elevation, 08/06/2021
 10. Written testimony in opposition from Elizabeth Cooksey, 08/06/2021
 11. Request for hardcopy of 16 people who testified at hearing by Marilyn Weber, 08/07/2021
 12. Email thread between Commissioner McCarter and staff re: Exhibit H.6, 08/08 – 08/19/2021
 13. Email thread between applicant and staff re: planter strips in the ROW, 08/09 – 08/10/2021
 14. Copy of transcript of the August 5, 2021 hearing sent to Marilyn Weber, 08/09/2021
 15. Email thread between developer and staff re: hearing timeline and procedures, 08/09 – 08/19/2021
 16. Written testimony in opposition from David Delaney, 08/09/2021
 17. Email from applicant re: design revisions and public art, 08/10/2021
 18. Email thread between applicant and staff re: revised drawings, 08/12/2021
 19. Written testimony in opposition from Jerald M. Powell, 08/12/2021
 20. Written testimony in opposition from Rachel Clark, 08/12/2021
 21. Written testimony in opposition from Judith E. Widen, 08/12/2021
 22. Written testimony in opposition from Melanie Yoo-Gott, 08/17/2021
 23. Email thread between applicant and staff re: generator exhaust, 08/17/2021
 24. Written testimony in opposition from Greg Plummer, 08/17/2021
 25. Written testimony from Tina Wyszynski, 08/17/2021
 26. Drawing set for August 19, 2021 continued hearing, received 08/18/2021
 27. Written testimony in opposition from Melanie Yoo, 08/18/2021
 28. Revised Site Plan | Planting Strip sheet for August 19, 2021 hearing, received 08/18/2021
 29. Written testimony from Judith E. Widen, 08/18/2021
 30. Written testimony from Judith E. Widen, 08/19/2021
 31. PBOT response to Exhibits H.29 and H.30, 08/19/2021
 32. Written request for a continuance by Sean O'Donnell, 08/19/2021
 33. Question for BDS staff from Melanie Yoo, 08/19/2021
 34. Applicant Presentation at August 19, 2021 hearing
 35. Written testimony in opposition from Glynis Watkins, 08/24/2021
 36. Written testimony in opposition from David Delaney, 08/25/2021
 37. Written testimony in opposition from Melanie Yoo, 08/25/2021
 38. Written testimony in opposition from Marilyn Weber, 08/25/2021
 39. Written testimony in opposition from Jerald M. Powell, 08/26/2021
 40. Drawings re: art/sculpture material for September 2, 2021 hearing, received 08/26/2021

Documents below were received after the close of the record to new testimony at 3:30pm on August 26, 2021 and before the close of the record to responses to new testimony at 3:30pm on September 2, 2021

41. Email from Commissioner Santner re: RACC thoughts on the proposed artist Ivan McLean, 08/31/2021
42. Written testimony in opposition from Melanie Yoo, 09/01/2021
43. Written testimony in opposition from Alyssa Kirkbride, 09/01/2021
44. Written testimony in opposition from Rachel Clark, 09/02/2021

Other

45. Revised Staff Report, 09/21/2021
46. Testifier Sign-in Sheets



ZONING



For Zoning Code in effect
August 1, 2020 - July 31, 2021

CENTRAL CITY PLAN DISTRICT
GOOSE HOLLOW SUB DISTRICT



Site



Historic Landmark

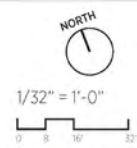
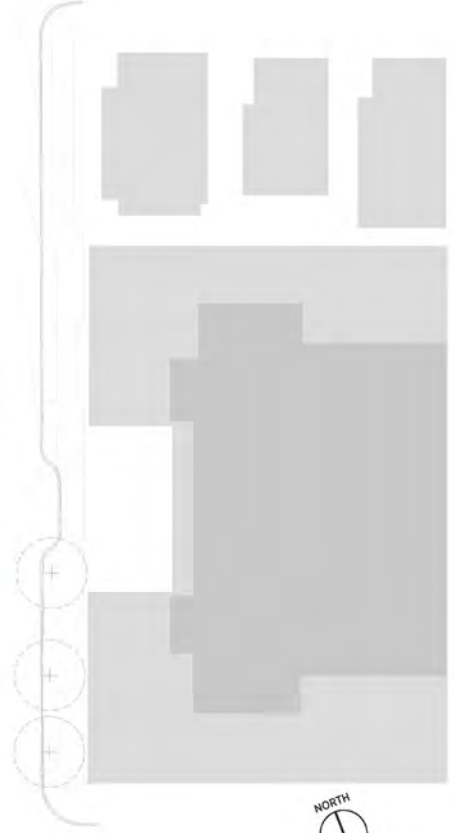


Recreational Trails

File No.	LU 21 - 038539 DZ
1/4 Section	3127,3027
Scale	1 inch = 200 feet
State ID	1N1E33CD 9400
Exhibit	B Jun 24, 2021

APPROVED
 City of Portland
 Bureau of Development Services
 Planner: *Steph N* 09/24/2021
 Date: _____
 *This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

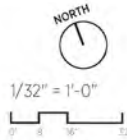
Site Plan | Planting Strip



APPROVED
 City of Portland
 Bureau of Development Services
 Planner: *[Signature]* 09/24/2021
 Date: 09/24/2021
 *This approval applies only to the reviews requested
 and is subject to all conditions of approval.
 Additional zoning requirements may apply.

Grade Level Plan

See Exhibit C.96 for approved revisions
 to this section of the grade level plan.



West Elevation



APPROVED
City of Portland
Bureau of Development Services
Planner / *[Signature]* 09/24/2021
Date:
*This approval applies only to the reviews requested
and is subject to all conditions of approval.
Additional zoning requirements may apply.

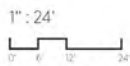
Existing MAC
Parking

SW Main St

SW 20th Ave

SW Madison St

Existing Single
Family Home



Modera Main Street | SW 19th Ave & Main St Portland
Mill Creek Residential Trust
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Type III Design Review C.18
07.15.21 LU 20-193235
LU 21-038539 DZ - Exhibit C.18

South Elevation



APPROVED
City of Portland
Bureau of Development Services
Planner / *[Signature]* 09/24/2021
Date:
*This approval applies only to the reviews requested
and is subject to all conditions of approval.
Additional zoning requirements may apply.



SW 20th Ave

SW Madison St

SW 19th Ave

Modera Main Street | SW 19th Ave & Main St Portland
Mill Creek Residential Trust
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Type III Design Review C.19
07.15.21 LU 20-193235
LU 21-038539 DZ - Exhibit C.19

East Elevation

APPROVED
City of Portland
Bureau of Development Services
Planner: *[Signature]* Date: 09/24/2021
*This approval applies only to the reviews requested
and is subject to all conditions of approval.
Additional zoning requirements may apply.



1" = 24'
0' 6' 12' 24'

SW Madison St

SW 19th Ave

SW Main St

Modera Main Street | SW 19th Ave & Main St Portland
Mill Creek Residential Trust
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Type III Design Review C.20
07.15.21 LU 20-193235
LU 21-038539 DZ - Exhibit C.20

North Elevation

APPROVED
City of Portland
Bureau of Development Services
Planner: *[Signature]* 09/24/2021
Date: 09/24/2021
*This approval applies only to the reviews requested
and is subject to all conditions of approval.
Additional zoning requirements may apply.

See Exhibit C.96 for
approved revisions
to this section of the
North Elevation.



1" = 24'
0 6' 12' 24'

Modera Main Street | SW 19th Ave & Main St Portland
Mill Creek Residential Trust
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Type III Design Review C.21
07.15.21 LU 20-193235
LU 21-038539 DZ - Exhibit C.21