



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

Carmen Rubio, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7310
TTY: (503) 823-6868
www.portland.gov/bds

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

CASE FILE: LU 22-163683 DZM
[DAR # 22-119814; PC # 21-117524]
REVIEW by: Design Commission
WHEN: FEBRUARY 16, 2023
WHERE: REMOTE ACCESS: Design Commission Agenda
<https://www.portlandoregon.gov/bds/dcagenda>

This land use hearing will be limited to remote participation via Zoom.
Please refer to the instructions included with this notice to observe and participate remotely.

Bureau of Development Services Staff: Arthur Graves 503.865.6517
Arthur.Graves@portlandoregon.gov

GENERAL INFORMATION

Applicant: Brian Varricchione | Mackenzie
1515 SE Water Ave #100 | Portland OR 97214
971.346.3742 | bvarricchione@mcknze.com

Owner: Steve Master | Master Development, LLC
520 Conger St | Eugene, OR 97402

Owner: Philip & Dianne Dougherty Liv Tr
520 Conger St | Eugene, OR 97402

Site Address: 701 NE 7th Ave

Legal Description: BLOCK 84 LOT 5 S 16.9' OF LOT 6, HOLLADAYS ADD; BLOCK 84 N 33.1' OF LOT 6 LOT 7&8, HOLLADAYS ADD

Tax Account No.: R396204310, R396204320

State ID No.: 1N1E35BC 02200, 1N1E35BC 02100

Quarter Section: 2931

Neighborhood: Lloyd District Community, contact Keith Jones at president@lcapdx.org

Business District: Lloyd District Community Association, contact at admin@lloydddistrict.org

District Coalition: Northeast Coalition of Neighborhoods, contact at info@necoalition.org

Plan District: Central City (Plan District), Lloyd District (Sub-District)

Zoning: CXd: Central Commercial (Base Zone), Design "d" (Overlay Zone)

Case Type: DZM: Design Review with Modification

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

Proposal:

Type III **Design Review** for a proposed 15-story residential apartment building with 240 dwelling units on a half-block site in the Lloyd Subdistrict of the Central City Plan District. The ground floor of the building will provide resident amenities. The rooftop will have an amenity deck and an ecoroof. Below grade parking for 164 vehicles is proposed with access from NE Irving St.

A **Modification** is requested for:

- Parking Dimensions - 33.266.130.F.2 – To reduce the parking space width from the standard 8'-6" x 16'-0" dimension for 91 spaces (55% of the parking spaces). The proposed width reduction is approximately 9-inches and is due to the locations of structural columns and shear walls.

Note: The site fronts the **Green Loop** alignment, which will be on either NE 7th Ave (the site's east frontage) or on NE Irving (the site's south frontage). While the City has not landed on an approved alignment, early analysis suggests it may be more likely to be on NE 7th. However, NE Irving is not "off the table" for consideration. This Staff Report therefore must be based on a proposed Green Loop alignment of NE 7th Ave or NE Irving.

Design Review is required for proposed non-exempt development in the "d" overlay.

Relevant Approval Criteria:

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

- 33.420, Design Overlay
- 33.825, Design Review
- The Central City Fundamental Design Guidelines
- Lloyd District Design Guidelines
- 33.825.040 Modification Criteria

ANALYSIS

Site and Vicinity:

The site is located within the Central City Plan District, more specifically, the Lloyd Sub-district. The site is a half-block composed of NE Oregon St (Local Service Traffic, Major Transit Priority Transit St, Major City Walkway, Local Service Bikeway) to the north, NE 7th Ave St (Local Service Traffic and Transit St, Major City Walkway, Major City Bikeway) to the east, NE Irving St. (Local Service Traffic, Transit St, Pedestrian Walkway, and Bikeway) to the south. The site is currently a single-story brick office building to the north, and a surface parking lot to the south.

The site lies at the southern edge of the Lloyd District and is within close proximity to I-84. The Oregon Square Blocks, for which the Design Commission approved a new two building office complex in 2021, lies kitty-corner to the northeast of the subject site.

The new Earl Blumenauer Bicycle and Pedestrian Bridge crossing Sullivan's Gulch and I-84 is located one block to the south of the subject site.

The Portland Streetcar A Loop line runs south along NE 7th Ave and turns west at NE Oregon St, passing the subject site. The closest stop is 1.5 blocks to the west of the site. A parking garage structure for the Metro government building lies to the immediate south of the site. Another parking garage for the 600 Holladay building lies to the immediate north of the site. A third parking structure, this one for the State of Oregon office building, lies to the immediate east of the site. A surface parking lot currently abuts the subject site to the immediate west.

As stated in the Proposal description above, the site fronts the Green Loop alignment, which will be on either NE 7th Ave (the site's east frontage) or on NE Irving (the site's south frontage). While the City has not landed on an approved alignment, early analysis suggests it may be more likely to be on NE 7th. However, NE Irving is not "off the table" for consideration. This Staff Report therefore must be based on a proposed Green Loop alignment of NE 7th Ave or NE Irving.

Zoning:

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 Lloyd Sub-District of this plan district.

The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

The Design overlay zone ensures that Portland is both a city designed for people and a city in harmony with nature. The Design overlay zone supports the city's evolution within current and emerging centers of civic life. The overlay promotes design excellence in the built environment through the application of additional design standards and design guidelines that:

- Build on context by enhancing the distinctive physical, natural, historic and cultural qualities of the location while accommodating growth and change;
- Contribute to a public realm that encourages social interaction and fosters inclusivity in people's daily experience; and
- Promotes quality and long-term resilience in the face of changing demographics, climate and economy.

Land Use History: City records indicate the following prior land use reviews for this site:

- **EA 22-119814 DAR** – A Design Advice Request for a new multi-dwelling residential building with approximately 260 dwelling units.
- **EA 21-117524 PC** – A Pre-Application Conference for a new multi-dwelling residential building with approximately 200 dwelling units. The proposed 10-story building will be approximately 168 feet in height with 180,000 square feet of floor area. The project includes 238 spaces of below grade parking and onsite loading, both will be accessed from NE Irving St.
- **EA 19-215794** – An Early Assistance meeting for two high rise towers including apartments and hotel/condos for a total of 485 units.

- **EA 19-134411 DAR** – CANCELLED - A Design Advice Request for a new 7-story mixed use project including 380 units and 2 levels of parking.
- **EA 19-109896 APPT** – An Early Assistance meeting, zoning only, to follow-up ground floor uses and massing options in relation to EA 18-266517 PC.
- **EA 18-265517 PC** – A Pre-Application Conference to discuss a new 7 story mixed use project across two blocks. Approximately 200 units are proposed in each of the two buildings. Approximately 170 parking spaces are proposed between the two building. The garage entrances are located off of NE Irving Street.
- **EA 18-192779 APPT** – Proposal for a street vacation for NE 6th Ave between NE Irving St and NE Oregon St. Notes indicate “future street vacation of NE 6th Ave at this location is in direct conflict with the connectivity standards under 33.654 of the Zoning Code that are applicable during the Land Division review process.”
- **EA 16-238877 APPT** – Proposal is to increase parking area for Land Rover Portland.
- **LU 15-122380 DZ** – Proposal for a minor building addition and site improvements; withdrawn.
- **LUR 98-00752** – Approval of Modification to LUR 94-351DZ Conditions of Approval for an auto dealership.
- **LUR 98-00743 DZ** – Approval of additional change to bring the site into conformance with LUR 94-00351 DZ [under enforcement].
- **LUR 98-00351 DZ AD** – Approval minor changes to existing development.
- **LUR 94-00351 DZ** – Approval of revisions to existing development.
- **ADJ 7-89** – Variance to approve a reduced garage setback.
- **DZ 30-89** – Design Review approval for auto dealership.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **January 26, 2023**.

- Bureau of Development Services Life Safety / Building Code Section: Chanel Horn: January 17, 2023. (Exhibit E-1). With no objections to the proposal.
- Fire Bureaus: Dawn Krantz, January 23, 2023. (Exhibit E-2). With no concerns.
- Portland Water Bureau: Michael Puckett: January 24, 2023. (Exhibit E-3). With no concerns.
- Parks Bureau, Urban Forestry: Dan Gleason: January 30, 2023. (Exhibit E-4). With objections to approval due to the removal of three red maple street trees – see revised Urban Forestry submittal below (Exhibit E-8).
- Bureau of Environmental Services: Abigail Cermak: January 30, 2023. (Exhibit E-5). With no objections to approval of the Design Review.
- Portland Bureau of Transportation (PBOT): Michael Pina: January 31, 2023. (Exhibit E-6). With no objections to the proposal. BDS staff reached out to Senior staff at PBOT’s Planning and Projects Group to discuss the proposal’s response and interaction with the future Green Loop and is hopeful to receive information prior to the hearing.
- Bureau of Development Services Site Development: Kevin Wells: January 31, 2023. With no concerns. (Exhibit E-7).

- Parks Bureau, Urban Forestry: Dan Gleason: February 06, 2023. (Exhibit E-8). With no objections to approval.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **January 26, 2023**.

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

Procedural Summary: The application was deemed incomplete 21 days after the submittal date, as allowed by Code. The applicant provided a complete application on 12-27-22. As allowed by Code, a hearing was scheduled within 51 days of receipt of a complete application.

ZONING CODE APPROVAL CRITERIA

[1] DESIGN REVIEW (33.825)

Chapter 33.825, Design Review

Section 33.825.010 Purpose

Design review implements the Design overlay zone, strengthening these areas as places designed for people. Design review supports development that builds on context, contributes to the public realm, and provides high quality and resilient buildings and public spaces.

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 Lloyd District Special Design Guidelines.

Special Design Guidelines for the Design Zone of the Lloyd District of the Central City Plan and Central City Fundamental Design Guidelines

The Lloyd District is a unique, multi-dimensional neighborhood in the Central City, with special features and assets found nowhere else in Oregon.

With the recent completion of the Oregon Convention Center, the District now serves as the "front door for Oregon and our city." The District as a whole is emerging as a special area in the state and the region, and the way it is developed will determine its comfort and continued use.

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

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.

Lloyd District Design Goals

The following goals and objectives define the urban design vision for new development and other improvements in the Lloyd District

- Encourage the special distinction and identity of the Lloyd District;
- Integrate the sub-areas of the District for a visual and functional coherence of the whole; and
- Improve the safety, convenience, pleasure, and comfort of pedestrians.

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. Central City and Lloyd District Guidelines are addressed concurrently.

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

Findings:

By the applicant’s own admission in submitted project narratives stating, “The applicant has not proposed to incorporate Portland-related themes into the development proposal.”, this guideline has not been addressed.

Therefore, this guideline has not been 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:

The proposed half-block development maintains the existing 200-foot block pattern for the site (the traditional 200’ block pattern found in the Central City plan district). In addition, the proposed development responds positively to the concept within the guideline of “contributing to the creation of vibrant pedestrian experiences” through significant glazing along the east and north frontages,

canopies along the three building frontages, and through the inclusion of a seating/gathering area at the exterior of the building at the north-east corner.

Therefore, this guideline has been met.

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.

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

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

A5-1. Develop Identifying Features. Encourage the inclusion of features in the design of projects that give projects identity and a sense of place or significance within the District.

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

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

Findings for A1, A4, A5, A5-1, C4, and C5:

Although the proposed half-block 15-story tower development is located approximately six-blocks to the east of the Willamette River, the building cannot be directly oriented to the river due to its location on the eastern half of the block defined by NE 6th Ave (to the west), NE Oregon St (to the north), NE 7th Ave (to the east), and NE Irving St (to the south). However, the proposal does include significant glazing for proposed units on the west elevation.

The proposed 15-story residential building is consistent with the prevailing architectural vocabulary of the Lloyd District: tripartite building, tall vertical massing; significant glazing; use of masonry (in this case, only at the base); contrast and material combinations (base masonry is a dark grey, where the dominant cementitious material (Equitone with concealed fasteners) is closer to white); use of light colors (white Equitone). Additional ground floor and right-of-way features further integrate the building into the sub-district: tall ground floor; large clear glazed storefront systems; recessed entries; canopies; exterior stepped seating amenity; landscaped right-of-way. Collectively, the building successfully draws from many themes specific to the sub-district.

However, the majority of precedents for the building in the district are office buildings which inherently lack residential detailing and identity. This building includes a strong coherent and consistent design for much of the upper levels but lacks a clear identity as a residential building within the district. The use of balconies at the 14th and 15th levels contributes somewhat to the building's residential identity but the move is subtle and not noticeable from the pedestrian realm. In addition, while the 14th and 15th levels include balconies for the 15 total units on those levels, the remaining 225 units in the building do not include balconies (15 of 240 units = 6.25%). This is significant both as an equitable distribution of private outdoor area, as well as missing architectural features helping to humanize the sub-district and provide a clear identity to the building. Note: The Aster Tower at NE Holladay St and NE 9th Ave is a similar development

but clearly reads both as compatible with the Lloyd Sub-District per massing, color, contrast, etc. however clearly reads as a residential tower due to the single vertical run of balconies along the south-west and north-east elevations. Consistent with previous Commission DAR comments, staff supports the integration of additional balconies into the design to help increase the architectural vocabulary of the district, to contribute to the building's identifiable features in the district, and to provide much needed private outdoor amenities with views to the surrounding area to a greater number of units in the building.

Similarly, the building's base is well composed and coherent for two of the three frontages with: tall ground floors; large clear glazed storefront systems; and canopies. However, unlike the north and east elevations, the south is largely dark masonry with proportionately less clear glazing and activated interior resulting in a frontage reading as secondary and back-of-house. Consistent with previous Commission DAR comments, staff supports greater clear glazing and genuine interior activation along this potential half-block frontage, which may be the Green Loop route through the sub-district.

Because of the lack of balconies at the building's middle, and lack of continuity with the north and east frontages at the building's south frontage base – resulting in less clear glazing and genuine activation at the ground level – these guidelines are not fully met.

Therefore, these guidelines have not been met.

A5-2. Accommodate or Incorporate Underground Utility Service. Accommodate or incorporate underground utility service to development projects.

Findings:

Utilities for the proposal will be undergrounded or interior to the building.

Therefore, this guideline has been met.

A5-3. Incorporate Works of Art. Incorporate works of art into development projects.

A5-4. Incorporate Water Features. Enhance the quality of major public spaces by incorporating water features.

A9. Strengthen Gateways. Develop and/or strengthen gateway locations.

A9-1. Provide a Distinct Sense of Entry and Exit. Design and develop gateways into and within the Lloyd District that are appropriate and relate to the District's and sub-District's emerging characteristics.

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.

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 A5-3, A5-4, A9, A9-1, B4, B5:

Per previous DAR Commission comments, staff has suggested the applicant work with the Regional Arts and Culture Council (RACC) to ensure features of substance are integrated into the overall development. Staff reached out to RACC and RACC expressed interest in this site/proposed development as a viable location for public art and/or water; the site's proximity to the Earl Blumenauer Bicycle and

Pedestrian Bridge and Green Loop frontage are certainly reasons for this being an exciting and viable location for public Art and/or Water.

In the absence of RACC involvement, staff has stressed both the proposed art and water features must therefore be reviewed on their merits regarding their associated Guidelines, which are not currently being met. In the current proposal, both *Works of Art* and *Water Features* remain undefined and unresolved in the submittal beyond generalities and precedents leaving staff unable to respond to any actual proposed designs.

It should be noted that, while not a formal gateway, the site is at a prominent location just one block north of the new Blumenauer Bicycle and Pedestrian Bridge, a southern entry into the sub district, and has frontage on the future Green Loop on NE 7th or NE Irving. This adjacency to major public infrastructure warrants a meaningful response to these guidelines.

Seating that provides an area for people to stop, rest, and socialize adjacent to the Portland Streetcar line to the north and Green Loop to the east is proposed at the north-east corner of the building with a stone-stepped feature including four integrated wood benches and scattered sedum plantings. This feature continues along approximately 25-feet of the north building frontage, and approximately 45-feet of the east building frontage. Absent is an equal response to the south elevation which includes substantially less glazing than the north and east elevations, and no seating. These features are equally important for the south elevation as the others both for pedestrian comfort and for Green Loop activation, as NE Irving St is also a potential Green Loop route. Because of the lack of activation along the south elevation these guidelines are not fully met.

Additional balconies within the middle portion of the building would further add to the success of the adjacent plazas (Oregon Convention Center Plaza, and Oregon Convention Center Square), and open space (Green Loop) through increased views from residents.

Due to the site's gateway location 1 block from the Earl Blumenauer Bicycle and Pedestrian Bridge and because of the lack of balconies at the building's middle, lack of RACC involvement for public art and/or water or lack of a well-defined art and water proposal, and lack of continuity with the north and east frontages at the building's south frontage base – resulting in less clear glazing and genuine activation at the ground level – additional design considerations and revisions are necessary.

Therefore, these guidelines are not met.

A5-5. Use Public Right-of-Way Design Criteria Established for the Lloyd District.

Use the public right-of-way design criteria as established and administered by the City Engineer especially for the Lloyd District from the adopted Lloyd District Transportation Capital Improvements – District-Wide Design Criteria.

Findings:

The project proposes standard right-of-way design criteria established for the Lloyd District at all three public streets – NE Oregon St, NE 7th Avenue, and Irving Street. In addition, because of the proposed implementation of the Green Loop along NE 7th Ave the project includes significant landscaping within the right-of-way along this frontage.

Therefore, this guideline is met.

A5-6. Incorporate Landscaping as an Integral Element of Design. Incorporate landscaping as an integral element of design which is supportive of both the built and natural environment.

Findings:

Partially responding to the previous Commission comments (EA 22-119814 DAR) landscaping has been added within the right-of-way between the building and adjacent to the Green Loop route along NE 7th Ave. On site, landscaping is proposed predominantly on the roofs via eco-roof. Landscaping is provided sparsely around the building's ground floor: from an above ground planter on the north and south elevations using vines to diminish the effect of solid masonry walls; and at the north-east corner stepped feature, with sedums planted withing the steps, to provide a visual buffer. While the building is proposed to be located at the property line along a significant portion of its frontages, because of the green loop adjacency, staff has concerns with the lack of proposed landscaping at the pedestrian level on site. In addition, staff has concerns with the viability and success of proposed ground level plants: vines on the south elevation appear to be in an above ground planter within the right-of-way, with southern solar exposure. The planter on the north elevation also appears to be above ground. Irrigation of the planters is not detailed. Proposed sedums in the north-east corner stepped feature are not detailed, are under cover (canopies), and seem to be located in areas that will attract more than passive use. Because of these issues this guideline is not fully met at this time.

Therefore, this guideline is not met.

A6. Reuse/Rehabilitate/Restore Buildings. Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

Findings:

The existing single-story buildings on-site are proposed to be removed for a higher and better use of the site in accordance with the development goals of the Central City Plan District

Therefore, this guideline does not apply.

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

B1-1. Protect Pedestrian Areas from Mechanical Exhaust. Incorporate mechanical exhausting systems in a manner that does not detract from the quality of the pedestrian environment.

B1-2. Incorporate Additional Lighting. Incorporate project lighting in a manner that reinforces the pedestrian environment and which provides design continuity to an area by enhancing the drama and presence of architectural features.

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.

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 A7, B1-1, B1-2, C8, and C12:

The proposed development provides a strong and continuous façade on all street frontages establishing a sense of urban enclosure to the site that is currently a surface parking lot and single-story office building.

The building's roughly tripartite base/ground floor adjacent to the sidewalk is differentiated from the middle and top primarily through the use of: Tall clear glazed storefront systems as seen on the north and east street facing elevations; Height of the ground floor, which varies with the topography of the site from approximately 25-feet at the south-west corner to 13-feet at the north-east corner, in contrast to the middle floors which are 10-feet in height; Canopies which are located along the three street facing elevations; Signs, which are located only at the building's base; Cladding, the ground floor utilizes a dark split stone veneer and exposed concrete where light colored Equitone fiber cement panels with concealed fasteners are the dominant cladding for the building's base and top.

Lighting will be incorporated into exterior canopies and at building entrances to illuminate the pedestrian realm. Entrances (on the north and east frontages) include square flush-mounted fixtures to be mounted within the soffits. Recessed linear ceiling lights are proposed to be embedded within the canopies for their full length. In addition, ornamental street pole lights per the Lloyd District standards are proposed within the sidewalk right-of-way at the north-east and south-east corners. Other than lighting at the ground floor, the rooftop community room is fully transparent and will provide an interior glowing element on the top floor at night.

Mechanical exhaust systems are primarily located on the roof away from the pedestrian environment. Ground floor ventilation louvers for the below grade parking are located on the south elevation above the vehicle access door and dog wash/bike storage room. With the tall floor to ceiling height at the southwest corner of the site, the louvers are high above the pedestrian realm. Louvers are further separated from the sidewalk by proposed canopies along this frontage.

Therefore, these guidelines are met.

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

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 B1 and C6:

Existing sidewalks will be improved adjacent to the half-block development, along NE Oregon Street (north), NE Irving Street (south), and NE 7th Avenue (east). Additionally, the sidewalk design has been developed to fit within PBOT's Pedestrian Design Guidelines to include defined building frontage, movement, furnishing, and curb zones.

The proposed building provides varied transitions from private to public: Main entrances on the east and north frontages are recessed approximately 10-feet from the property line with large canopies unique from other canopies on the building in color (cerulean blue), dimension/thickness (approximately 18-inches), and

integrated soffit lighting. The stepped seating feature at the north-east corner of the building provides an additional transition from the building to the right-of-way. While the feature reads as steps, which traditionally are a visual queue leading to an entrance, this amenity provides a seating and gathering space on the exterior of the building adjacent to, but not for, the main entrances.

Therefore, these guidelines have been 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:

Proposed improvements to the NE 7th Avenue sidewalk include distinctive paving, street trees, low plantings, and bicycle racks, while the on-street parking and existing bicycle lane further define an edge to the pedestrian space and buffer the sidewalk from traffic. Lighting will be incorporated into the exterior canopies and at building entrances to illuminate pedestrian space. Signs are pedestrian scale and proposed to be located only at the building's ground floor. All venting from the building will be at the roof, with the exception of parking garage ventilation which will be high above the sidewalk elevation and separated from the sidewalk area with proposed canopies along the south elevation.

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:

Proposed sidewalk design meeting this guideline is demonstrated through: the crossings at the northeast and southeast corners which meet PBOT's design criteria for the Lloyd District; the sidewalks on NE Oregon Street and NE Irving Street, which meet PBOT's criteria for Lloyd District; and the sidewalk design along NE 7th Avenue, which is intended to be differentiated and contribute to the Green Loop character through increased width and landscaping.

Therefore, this guideline is met.

B6. Develop Weather Protection. Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

B6-1. Provide Pedestrian Rain Protection. Rain protection is encouraged at the ground level of all new and rehabilitated commercial buildings located adjacent to primary pedestrian routes. In required retail opportunity areas, rain protection is strongly recommended.

Findings for B6 & B6-1:

Weather protection will be provided for pedestrians walking alongside the building through a series of overhead canopies at all frontages, including NE Oregon St, NE 7th Ave, and NE Irving St. Canopies are provided along NE Oregon Street at the north building entry and at the north-east corner providing weather protection for the corner seating feature. Separated canopies continue to the south along the east

elevation to the main entrance on this frontage. While no canopies are provided in front of the proposed pool and spa area, a continuous canopy is provided further south on this frontage in front of the pool equipment area, fitness, and sport court areas. This canopy continues around the south-east corner of the building (in front of the sport court area on this elevation). An additional canopy is provided in front of the proposed bike/dog wash area extending across the garage door access to below grade loading and parking.

Note: The two proposed canopies over the main entrance on the north and east elevations are differentiated from the other proposed canopies on the building by color (a cerulean blue), enhanced lighting, and thickness (approximately 18-inches).

The current design does not provide continuous canopies along the east elevation in front of the proposed pool/spa area (approximately 50 linear feet). Drawings indicate this area as a placeholder for a potential public Art and public Water feature. To ensure continuous weather protection along this elevation canopies should be included along the entire frontage whether public Art and public Water features are installed or not.

Therefore, these guidelines are not fully met.

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

Findings:

The applicant states, “*Building entrances at NE Oregon Street and NE 7th Avenue provide barrier-free entry for tenants and guests, without the need for ramps or other special accommodations.*”. It is further assumed by staff all spaces in the buildings and outdoors (rooftop, etc.) have been designed for barrier-free access, including accessible routes to each apartment. Vertical circulation via public elevators provides barrier-free routes from below-grade to above-grade areas. To ensure barrier-free design is integrated with the building's overall design concept staff has requested additional information be provided before this guideline can be met.

Therefore, this guideline is not yet 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.

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.

C2-1. Maximize View Opportunities.

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 A8, C1, C2-1, and C7:

Significant ground floor glazing is provided on the north elevation ground floor for almost the entirety of the frontage allowing views into the lobby, offices, a conference room, and “co-working” area.

Significant ground floor glazing is further provided at the pedestrian level for most of the east elevation of the building providing clear views into the building from the a Green Loop route running along the NE 7th Ave (east) frontage. Clear glazing is not provided along approximately 50 linear feet of the east elevation at the pedestrian level where internal programming includes a pool and spa. Incidentally, staff has had discussions with the applicant regarding this area as a possible location for a potential public Art feature and public Water Feature (per *Guidelines A5-3 and A5-4*), however no current design for either is proposed.

Significant glazing and activation continue at the ground floor around each of the building’s corners (north-east and south-east) providing additional views and connections into the building. Views from the north-east corner are provided into the lobby, conference room, and “co-working” area. At the exterior of the north-east corner adjacent to the building and under canopy is a stone stepped seating feature with delicate landscaping, and wood benches, providing further activation at the adjacent sidewalk, Portland Streetcar (to the north along NE Oregon St. and NE 7th Ave.) and potential Green Loop route (to the east along NE 7th Ave). Because the description of this exterior seating area has evolved and is currently shown as a “concept sketch” (sheet C.25) staff is not able to fully understand and support the incomplete design. Details fully responding to staff and Commissioner comments from the DAR (EA 22-119814 DA) regarding the materials, construction, coverage, and proposed plantings, are needed to fully understand and support the design along this critical corner of the building at the pedestrian realm.

Significant glazing is provided at the south-east corner of the building allowing views into the “sport court” and “fitness” areas. Views out provide connection to the adjacent pedestrian realm, Green Loop, and Blumenauer Bicycle and Pedestrian Bridge to the south.

However, while glazing is provided at the south-east corner, further glazing and genuine activation along the south elevation of the half-block frontage is not uniformly maintained and integrated. Because of the lack of additional glazing, genuine activation, and views along this elevation, which is also a proposed route for the Green Loop, additional response is required for these guidelines to be fully met.

The building’s middle includes glazing but lacks balconies which would greatly contribute to views and outdoor connections for individual units. Balconies are included for the 10 units on the 14th level and 5 units on the 15th level which is less than 7-percent of the total units proposed. While a community room and outdoor area is provided on the 15th level providing views to amenities in the north, east, and south, additional balconies for individual units should be included to better enhance views for residents and activate the streetscape below.

Therefore, on whole, these guidelines are not met.

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

Findings:

Interior activation along the frontages, in particular the east frontage, is specific to the proposed residential use: pool/spa area, fitness, sport court. Due to changes in the topography of the site along this frontage staff echoes Commissioner DAR concerns regarding the flexibility and the adaptability of use if interior programming were to change in the future. Staff has requested schematic drawings from the applicant addressing these concerns and has received a plan drawing partially addressing the issue. Unfortunately, while the drawing (sheet APP.15) indicates possible new access points into the frontage it does not fully clarify how these spaces can be utilized with the existing slope. If additional drawings that include sections and spot elevations are provided, the proposed flexibility of the frontage may be clear and the guideline may be met.

Therefore, on whole, this guideline is not met.

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

C10-1. Use Masonry Materials. Except for window glazing, use masonry types of materials as the predominant exterior material for building walls. Use modular stone or masonry materials on the building base or first floor of buildings whenever possible.

C10-2. Design Exterior Building Walls that are Transparent in Glazed areas and Sculptural in Surface. Design exterior building walls that are transparent or translucent in the glazed areas and which are textural, sculptural and articulated in surface character.

C10-3. Use Light Colors. The use of light color values is preferred for the predominant exterior building materials. Darker value materials should be used to accent or articulate the design.

Findings for C2, C10-1, C10-2, and C10-3:

Stone masonry (Roda Linear Walling split stone veneer) is proposed at the building base. Integral color fiber-reinforced cement panels (Equitone, tectiva in color TE-90 (white)), with concealed fasteners, are proposed on the upper residential mass.

All exterior glazing will be transparent with the exception of the glazing adjacent to the pool/spa area along NE 7th Avenue and spandrel glazing at the residential floor slab edges. All ground floor glazing and masonry is set back from the outside face of the residential levels above, providing depth and shadow. The vertically aligned windows for the residential floors on levels 2 through 15 are composed in a rhythm of alternating widths and spacing that correspond to living and bedroom spaces. The windows are composed as a series of contiguous vertical punched openings for relief with alternating vertical fins providing additional depth and shadow.

The predominant cladding of the exterior is a light integral color fiber-cement panel with concealed fasteners (Equitone, tectiva in color TE-90 (white)), that is treated to resemble pre-cast concrete and is exclusively applied to the massing of the residential floors (levels 2 through 15) with a darker stone masonry at the ground floor for accent and differentiation.

Overall, the building materials meet quality and permanence expectations: Fiber-reinforced cement (Equitone) panels with concealed fasteners that resemble concrete panels; Commercial curtainwall for glazing at ground level, vertical accents, and rooftop community room; Glazing system (Intus uPVC window wall system) for residential units; Masonry (Roda Linear Walling split stone veneer) for opaque exterior walls at ground floor; Natural wood in protected conditions on the underside of canopies, recessed roof deck soffits, and the roof overhang at the community room.

Therefore, this guideline is met.

C1-2. Integrate Signs.

Carefully place signs and sign supports on and for buildings to integrate with the scale, color and articulation of the building design. Avoid large, excessively illuminated or freestanding signs that contribute to visual clutter. Demonstrate how signage is one of the design elements of a new or rehabilitation project and has been coordinated by the project designer/architect. Submit a master signage program as a part of every Design Review application. Incorporate signage that compliments and supports the pedestrian scale and use of the Broadway/Weidler Corridor and Holladay Street. While recognizing the dimensional provisions in the Code, size and scale of signs should be moderated in these pedestrian-oriented areas.

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

Findings for C1-2 and C13:

Signs are proposed at the ground floor level on the three street facing elevations. Specifically, a 19 square foot, horizontally oriented, sign is proposed on the east elevation at the south-east corner – located above the canopy. An 8 square foot sign, vertically oriented, is also proposed on the east elevation – located attached to a ground floor column located between the east elevation entrance and the north-east corner of the building. A 12 square foot, horizontally oriented, sign is located below the main entrance canopy on the north elevation. (Note: this treatment is not repeated at the east elevation main entrance.) A 10 square foot sign “crash bar” is located above the entrance to below grade parking on the south elevation. All signs are modest in size and pedestrian oriented when compared to the size of the building. Signs will not affect the Portland Skyline.

Note: All proposed signs are below 32 square feet in size and, thus, are exempt from design review.

Therefore, these guidelines are 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:

Proposed encroachments include vertical fins located adjacent to windows above the ground level on the north, east, and south facades. Fins on these elevations project 8-inches from the building across the property line. Additional encroachments include canopies which are provided along NE Oregon Street from the north building entry and wrap around the corner along NE 7th Avenue to the NE 7th Avenue entry. A continuous canopy frames the fitness and sport court along NE 7th Avenue, wrapping around the southeast corner onto NE Irving Street. There is also a canopy that provides weather protection at the south bicycle storage and parking garage entrance along NE Irving Street. Canopies are well integrated within the ground floor design concept and project approximately 5-feet into the adjacent right-of-way on the north, east, and south ground level facades.

Therefore, this guideline is met.

C1-1. Integrate Parking. Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

C8-1. Allow for Loading and Staging Areas on Sidewalks. On local service streets, adjacent businesses may use the sidewalk area for temporary loading and staging as long as pedestrian access through it is maintained.

Findings for C1-1 and C8-1:

Parking for 164 vehicles is proposed for the site. Proposed on site-parking is below grade and accessed at a single location on the south elevation.

Allowing loading on the sidewalk for this development is not necessary because loading is provided in the below grade parking structure accessed on the south elevation, from NE Irving St.

Therefore, these guidelines have been met.

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 storm water management tools.

Findings:

The level 2 roof adjacent to the west elevation is entirely planted as an eco-roof. Level 15 includes five units, a community room, covered deck, and an eco-roof. The majority of the level 15 roof is also planted as an eco-roof with screened mechanical equipment along the north portion of the roof. Collectively, the roofs are largely utilized to meet current requirements for stormwater management.

Altogether, the roofs are well-integrated components of the building, housing usable space, eco-roofs, and integrated architectural elements to screen mechanical systems from users on the roof and views from beyond the site.

Therefore, these guidelines are met.

[2] MODIFICATION REQUESTS (33.825)

33.825.040 Modifications That Will Better Meet Design Review Requirements:

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

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

- B. Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.
- C. Mitigation of impacts.** Any impacts resulting from the modifications are mitigated to the extent practical.

Modification: Parking Stall Dimensions, PZC 33.266.130.F.2 (Table 266-4): To decrease the minimum stall dimension for 91 parking stalls (of the total 164 stalls proposed) from the required 8'-6" x 16'-0" dimension for vehicles parking at 90 degrees to a reduced width of 7'-9". The 16'-0" length in all cases will not be impacted.

Purpose. The development standards promote vehicle areas that are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones.

Together with the transit street building setback standards in the base zone chapters, the vehicle area location regulations:

- Provide pedestrian access that is protected from auto traffic;
- Create an environment that is inviting to pedestrians and transit users, especially on transit streets and in Pedestrian Districts;
- Limit the prominence of vehicle areas along street frontages and create a strong relationship between buildings and the sidewalk;
- Create a sense of enclosure on transit and pedestrian street frontages; and
- Limit the size of paved parking area and the type of paving material allowed in order to limit increases in temperature associated with asphalt and reduce impacts from urban heat islands.

The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles.

Standard: 33.266.130.F.2 (Table 266-4): The minimum stall dimension for vehicles parking at 90 degrees is 8'-6" x 16'-0".

A. Better meets design guidelines.

Findings:

Arranging the structural columns requires attention to how it will impact the plan layouts of the many levels of the building: residential units, parking levels, ground floor, and the associated exterior walls of the ground floor. The columns have been arranged to the greatest benefit of the ground floor to have an inset of the exterior wall on the ground floor. This results in having a column inset into the parking space stripe by that same distance. This provides more area between the building and the NE 7th Avenue Right of Way. This meets *Central City Fundamental Design Guideline A8, Contribute to a Vibrant Streetscape*, by integrating building setbacks with adjacent sidewalks, and *Lloyd District Design Guideline C1-1, Integrate Parking* by integrating parking in a manner that is complementary to the site and the surroundings through accommodating resident parking on-site.

B. Purpose of the standard.

Findings:

This modification meets the purpose of the parking space standards, as it accommodates structured parking that provides the required 8'-6" width at the

central portion of the parking space where there are car door swings and so “create[s] an environment inviting to pedestrians and transit users,” “limit[s] the prominence of vehicle areas along street frontages and create[s] a strong relationship between buildings and the sidewalk,” and “promote[s] safe circulation with the parking area” as specified in PZC 33.266.130.A

C. Mitigation of impacts.

Findings:

The impact resulting from this modification has been mitigated as much as possible by locating the columns to be clear of the car door opening area, and by ensuring that shear walls are located only along one side of parking spaces so doors can open freely on the other side.

Therefore, this Modification merits approval.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all 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

This project will provide much needed housing, and to an area of the Central City that has traditionally been mostly commercial. It was designed with Lloyd District in mind. The proposal meets many of the design guidelines, and there remains only a few items to resolve before recommending approval (as outlined in the findings above):

1. Lack of response to required public Art and Water feature guidelines,
2. Lack of response to Portland Themes (A2) Guideline,
3. The blank wall area and inactive interior programming (bike storage and dog wash) at the south ground floor elevation,
4. Flexibility of the programming along NE 7th Ave,
5. Lack of continuous canopies along NE 7th Ave,
6. Lack of proposed balconies,
7. Likely success of landscaping in the above-ground planters, including the viability of vines growing up the wall,
8. Details of the northeast corner seating element and likely success of the covered sedums, and
9. Confirmation of barrier-free design throughout the building.

The design review process implements the Design overlay zone, strengthening these areas as places designed for people. Design review supports development that builds on context, contributes to the public realm, and provides high quality and resilient buildings and public spaces. As indicated in detail in the findings above, the proposal does not yet fully meet the applicable approval criteria and therefore does not yet warrant approval.

TENTATIVE STAFF RECOMMENDATION

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

Staff cannot yet support the proposal, due to the items noted above.

The following guidelines have not yet been met:

- A2. Emphasize Portland Themes.
- A4. Use Unifying Elements.
- A5. Enhance, Embellish, and Identify Areas.
- A5-1. Develop Identifying Features.
- C4. Complement the Context of Existing Buildings.
- C5. Design for Coherency
- A5-3. Incorporate Works of Art.
- A5-4. Incorporate Water Features.
- A5-6. Incorporate Landscaping as an Integral Element of Design.
- B4. Provide Stopping and Viewing Places.
- B5. Make Plazas, Parks and Open Space Successful.
- A8. Contribute to a Vibrant Streetscape.
- C1. Enhance View Opportunities.
- C2-1. Maximize View Opportunities.
- C7. Design Corners that Build Active Intersections.
- C9. Develop Flexible Sidewalk-Level Spaces
- A9. Strengthen Gateways.
- A9-1. Provide a Distinct Sense of Entry and Exit
- B6. Develop Weather Protection.
- B6-1. Provide Pedestrian Rain Protection.
- B7. Integrate Barrier-Free Design

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Procedural Information. The application for this land use review was submitted on July 15, 2022, and was determined to be complete on December 27, 2022.

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 July 15, 2022.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant waived the 120-day review period, as stated with Exhibit (Exhibit A2). Unless further extended by the applicant, **the 120 days will expire on: December 27, 2023.**

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

This report is not a decision. The review body for this proposal is the Design Commission who will make the decision on this case. This report is a

recommendation to the Design Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Design Commission will make a decision about this proposal at the hearing or will grant a continuance. Any new written testimony should be emailed to Arthur Graves at Arthur.Graves@PortlandOregon.gov. If you cannot email comments and must mail comments via USPS mail, your comments to the Design Commission can be mailed c/o the Design Commission, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201.

Please note regarding USPS mail: USPS mail is only received a couple times a week, and testimony must be received before the close of the record. Therefore, please mail testimony well in advance of the hearing date.

If you are interested in viewing information in the file, please contact the planner listed on this decision. The planner can provide information over the phone or via email. Please note only digital copies of material in the file are available for viewing. A digital copy of the Portland Zoning Code is available on the internet at <http://www.portlandoregon.gov/zoningcode>.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. This Staff Report will be posted on the Bureau of Development Services website. Look at www.portlandonline.com. On the left side of the page use the search box to find Development Services, then click on the Zoning/Land Use section, select Notices and Hearings. Land use review notices are listed by the District Coalition shown at the beginning of this document. You may review the file on this case at the Development Services Building at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201.

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

Who can appeal: You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. **Appeals must be filed within 14 days of the decision. An appeal fee of \$5,789 will be charged.**

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>. Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chairperson or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

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

Recording the final decision.

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

- *Unless appealed*, the final decision will be recorded after **March 02, 2023**, by the Bureau of Development Services.

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

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

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

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

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

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

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

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

Arthur Graves
February 06, 2023

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant’s Submittals
 - 1. 2022.07.15: Initial Submittal
 - 2. 2022.07.29: Waiver
 - 3. 2022.11.18: Revised Drawings
 - 4. 2023.01.13: Revised Drawings
 - 5. 2023.01.14: Revised Drawings
 - 6. 2023.01.27: Revised Drawings
 - 7. 2023.01.31: Revised Drawings
- B. Zoning Map (attached)
- C. Plan & Drawings
 - 1. CONTENTS + PROJECT TEAM
 - 2. PROJECT DESCRIPTION


3. ZONING SUMMARY
 4. EXISTING SITE + PHOTOS
 5. PROPOSED SITE PLAN
 6. CIVIL PLAN
 7. FLOOR PLANS
 8. BUILDING ELEVATIONS
 9. SITE SECTIONS
 10. BUILDING SECTIONS
 11. MATERIALS
 12. ENLARGED DETAILS
 13. LANDSCAPE PLANS
 14. GREEN LOOP DESIGN
 15. LIGHTING PLAN
 16. SIGNAGE
 17. PUBLIC ART CONCEPT
 18. RENDERINGS
 19. URBAN CONTEXT
 20. PRECEDENTS
 21. MASSING AND DESIGN CONCEPT
 22. RESPONSE TO DAR
 23. DESIGN PROGRESSION
 24. DESIGN FLEXIBILITY
 25. FLOOR AREA RATIO
 26. GROUND FLOOR GLAZING AREAS
 27. BIKE PARKING
 28. MODIFICATION
 29. B & W ELEVATIONS W/ SHADOWS
 30. COLOR ELEVATIONS W/O SHADOWS
 31. B & W ELEVATIONS W/O SHADOWS
 32. MATERIAL PERCENTAGES
 33. BIRD SAFE GLAZING
 34. DESIGN GUIDELINE COMPLIANCE
- 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 Development Services Life Safety / Building Code Section: Chanel Horn: January 17, 2023.
 2. Fire Bureau: Dawn Krantz, January 23, 2023.
 3. Portland Water Bureau: Michael Puckett: January 24, 2023.
 4. Parks Bureau, Urban Forestry: Dan Gleason: January 30, 2023
 5. Bureau of Environmental Services: Abigail Cermak: January 30, 2023.
 6. Portland Bureau of Transportation: Michael Pina: January 31, 2023.
 7. Bureau of Development Services Site Development: Kevin Wells: January 31, 2023.
 8. Parks Bureau, Urban Forestry: Dan Gleason: February 06, 2023.
- F. Letters: No responses were received.
- G. Other
1. Original LUR Application
 2. Green Loop Maps: Full Map and Site Map
 3. Incomplete Letter: August 05, 2022.



4. Email with Applicant: Project to remain Incomplete: 2022.11.18
5. Email with Applicant: Project to remain Incomplete: 2022.12.02
6. Email with Applicant: Remaining issues: 2023.01.09
7. Email with Applicant: Remaining issues: 2023.01.23

H.



For Zoning Code in effect Post August 1, 2021

ZONING 
 THIS SITE LIES WITHIN THE:
 CENTRAL CITY PLAN DISTRICT
 LLOYD SUB DISTRICT

-  Site
-  Recreational Trails

File No.	<u>LU 22 - 163683 DZM</u>
1/4 Section	<u>2931</u>
Scale	<u>1 inch = 200 feet</u>
State ID	<u>1N1E35BC 2200</u>
Exhibit	<u>B Jul 18, 2022</u>