



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

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STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 12-192298 DZM AD
PC #11-199333 EA
DAR #12-174184 EA
Jefferson Street Flats

REVIEW BY: Design Commission
WHEN: January 10, 2013
WHERE: 1900 SW Fourth Ave., Room 2500A
Portland, OR 97201

Bureau of Development Services Staff: Staci Monroe 503-823-0624 /
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GENERAL INFORMATION

Applicant: Armin Quilici (architect), 503-228-0311
Vallaster & Corl Architects
711 SW Alder, Penthouse
Portland, OR 97205

Owner: Sam Rodriguez
Mill Creek Residential
220 NW 2nd Avenue, Suite 500
Portland, OR 97209

Agni Group LLC
134 ½ E. Santa Fe Avenue
Santa Fe, NM 87505

Tri-County Metropolitan Transportation District
Attention: Kathryn Krygier
710 NE Holladay Street
Portland, OR 97232-2168

Site Address: SW Jefferson Street and SW 21st Avenue

Legal Description: SUB LOT 5 EXC PT IN ST-E 50' OF LOT 2 BLOCK D E 50' OF LOT 3 BLOCK D EXC PT IN ST-E 50' OF LOT 4 BLOCK D, CARTERS ADD TO P; SUB LOT 5 BLOCK D LOT 2-4 TL 6700, CARTERS ADD TO P; SUB LOT 5 BLOCK D LOT 5 EXC PT IN ST, CARTERS ADD TO P; SUB LOT 5 BLOCK D LOT 6&7 TL 5900, CARTERS ADD TO P; BLOCK D LOT 2&3 TL 6701, CARTERS ADD TO P

Tax Account No.: R140407680, R140407690, R140407710, R140407720, R140407700
State ID No.: 1S1E04BA 06800, 1S1E04BA 06700, 1S1E04BA 06000, 1S1E04BA 05900, 1S1E04BA 06701
Quarter Section: 3127
Neighborhood: Goose Hollow, contact Jerry Powell at 503-222-7173.
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: CXds – Central Commercial zone with Design and Scenic Resources overlays
Case Type: DZM AD – Design Review with a Modification and an Adjustment
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 seeks Design Review approval for a new residential development with 134 residential units in the Goose Hollow sub district of the Central City Plan District. The proposal includes demolishing the existing two-story building and surface parking lot (Trimet’s public lot) and constructing the following:

- 75’ tall residential building, varying 5-7 stories due to grade change.
- 123,820 SF of floor area (does not include 2 levels of below grade parking)
- 6.6:1 FAR obtained by utilizing the residential housing bonus of 33.510.210.C.1.a(1). (The base 4:1 FAR is allowed with a maximum bonus up to 3:1, for a total allowance of 7:1.)
- 2 levels of underground parking for 121 spaces (18 for the public’s use on 1st level and 101 for residents), with a single access point off of Howard’s Way.
- 7 short-term bike parking spaces near main entrance off of Jefferson and 20th and 150 long-term bike spaces within the garage.
- Resident amenities including rooms for the community, exercise, dog washing, bike repair and storage, and a roof deck (750 SF).
- Main entrance at the NE corner on Jefferson.
- Pocket park at SE portion of site with landscaping and water feature (~200 SF in size) adjacent to a Heritage Tree (Austrian Pine) in adjacent ROW to be protected. Other site landscaping proposed along the north, east and south edges of the building and site.
- Oriel window projection at the SE, NE and NW corners of the building.
- Exterior finishes include cast in place concrete, fiber cement panels, wood siding, aluminum storefront system and vinyl windows.

Modifications requested:

- The **minimum width for vehicle parking spaces** is 8.5’. The proposal does not provide 8.5’-wide parking spaces throughout the parking garage due to 9”-wide structural columns that reduce some spaces down to 7’-9” in width (Section 33.266.130.F.2); and
- The **ground floor window requirement** at the south elevation results in qualifying window features for 19.25 lineal feet and 50.5 SF. The proposal does not provide this amount of qualifying window features at the south elevation (Section 33.130.230).

Adjustment requested:

- The loading regulations require 2 on-site loading spaces that have a clearance of 10'. The proposal provides only one on-site loading space (instead of 2) and the proposed loading space has a clearance of only 8' (Section 33.266.310).

New development within the Central City Plan District requires Design Review per Section 33.420.041.A

Relevant Approval Criteria:

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

- Goose Hollow Design Guidelines
- Central City Fundamental Design Guidelines
- Modifications Through Design Review – Section 33.825.040
- Adjustment – Section 33.805.040

ANALYSIS

Site and Vicinity: The 18,755 SF site, which consists of five tax lots, is located on the south side of SW Jefferson Street and bound by SW 20th Avenue, Howards Way and SW 21st Avenue. The site is currently developed with a two-story commercial building on the western portion and a surface parking lot (Trimet) on the east portion of the site. A 26' change in elevation occurs on the property between the highest point (southwest corner) and the lowest point (northeast corner). A locally designated Heritage Tree exists southeast of the property in the adjacent right-of-way at the intersection of SW 20th and Howard's Way. The Austrian Pine tree has a diameter of 39" and a drip line of 28'.

The property is located in the Goose Hollow sub district of the Central City Plan District. It resides just outside and southwest of the Goose Hollow Pedestrian District. The abutting Jefferson Street is one of two main boulevards that go through Goose Hollow and is a Major City Traffic and Traffic Access street with light rail. The area's main MAX-line stop is one block to the east on Jefferson Street and is the last stop within the Central City before it leaves for the surrounding western suburban neighborhoods. Jefferson Street is at the bottom of a small ravine (formerly Tanner Creek) that runs from the west hills to downtown and is spanned by the Vista Bridge to the west.

The Goose Hollow neighborhood contains a mix of residential and commercial uses. On the south side of the property is Arbor Vista Condominiums. To the west, there are four commercial office buildings and parking, and to the east is First United Methodist church and classrooms. Across Jefferson Street to the north are Rasmussen BMW and Willamette Dental.

Zoning: 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 [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. 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 Scenic Resource Zone “s” overlay is intended to protect Portland’s significant scenic resources as identified in the Scenic Resources Protection Plan; enhance the appearance of Portland to make it a better place to live and work; create attractive entrance ways to Portland and its districts; improve Portland’s economic vitality by enhancing the City’s attractiveness to its citizens and to visitors; and implement the scenic resource policies and objectives of Portland’s Comprehensive Plan. The purposes of the Scenic Resource zone are achieved by establishing height limits within view corridors to protect significant views and by establishing additional landscaping and screening standards to preserve and enhance identified scenic resources.

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

- 92-00512 DZ – Design Review approval in 1992 for the Westside light rail line segments.
- 92-00089 AD – Adjustment approval in 1992 for an uncovered deck to extend into the rear yard setback.
- 93-00665 CU – Conditional Use approval in 1993 for three surface parking lots to replace on-street parking displaced by Westside light rail improvements. This approval included the following Condition of Approval:
 - A. Lots will be operated in accord with the final parking management plan (Ex. G 18), which shows how the lots will be managed to assure that prohibited parkers are kept from these lots. This final plan has been reviewed and found acceptable by the City Parking Manager.

Given the proposed relocation of the 18 public spaces approved under this prior land use on the site within the gated garage of the private development, a final parking management plan would need to be agreed upon. Transportation has imposed a Condition of Approval that requires the necessary agreements that addresses the access and operation of these public spaces prior to building permit issuance.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed November 30, 2012. The following Bureaus have responded with no issue or concerns:

- Plan Review Section of BDS (Exhibit E-1)
- Water Bureau (Exhibit E-2)
- Site Development Section of BDS (Exhibit E-3)
- Fire Bureau (Exhibit E-4)
- Bureau of Environmental Services (Exhibit E-5)
- Bureau of Transportation Engineering (Exhibit E-6)
- Bureau of Parks-Forestry Division (Exhibit E-7)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on November 30, 2012. Twelve (12) written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Melinda Samis, November 26, 2012, concerns regarding the building scale, neighborhood compatibility and parking impacts.
2. Jane Glazier, November 25, 2012, concerns regarding the building size and loss of trees.

3. Rachel Clark, December 1, 2012, concerns regarding the building mass, quality and quantity of green space, entry facing Jefferson, maintenance of the stair on 20th, and project name.
4. Carol Turtle, post-marked November 23, 2012, concerns with building scale, neighborhood character compatibility, size and quality of pocket park, and traffic.
5. Heather Norvelle, November 29, 2012, concerns with traffic, congestion, parking and building scale.
6. Greg Plummer, concerns with building scale and neighborhood character compatibility,
7. Arbor Vista Homeowners Association, concerns with neighborhood character compatibility, building mass, gateway elements, impacts on pedestrian environment, preservation of trees and plantings on site, quantity of green space, traffic and parking impacts as they related to Trimet's public spaces, availability and loss of on-street parking, and loading zones.
8. Linda Witt, November 29, 2012, concerns with the loss of public parking currently on the site for the students of the Alliance Francaise of Portland language school.
9. Ashley Moore, November 30, 2012, concerns with traffic congestion, loss of scenic views, loss of parking and construction noise.
10. Sherman Bucher, December 7, 2012, concerns with size of pocket park, lack of green space and building scale.
11. Robert Cowan, December 7, 2012, concerns with building height and scale.
12. Craig Rickert, December 17, 2012, concerns with neighborhood character compatibility.

Staff's Response: Responses to the concerns are summarized below:

- Neighborhood Scale and Character – A large majority of the responses included concerns with the height, number of stories and compatibility with the surrounding development. A Design Advice Request (DAR) was held on October 4, 2012. The DAR is a voluntary hearing with the Design Commission for the project to receive initial design feedback. Since the DAR, the design of the building has been revised to include smaller scale elements and provide more features that better respond to the surrounding area. The building is proposed to fit within the Zoning Code height and FAR allowances. See the finding below for responses to the applicable approval criteria.
- Parking – There is no minimum parking required for this site given its close proximity to frequent public transit in the downtown area, particularly light rail which abuts the property on Jefferson Street. The project proposes a total of 121 parking spaces in an underground garage within 2 levels. Most of the spaces (108) will be for the residents of the 134 unit building, while 18 of the spaces will be for the general public relocated from the surface parking lot that currently exists on the site. These public spaces will reside on the first level of the parking garage. An agreement between the building management and Trimet will need to be agreed upon to the building permit to ensure the access and management of these public spaces occurs. There are no applicable approval criteria for parking spaces, only criteria related to the design of parking areas and garages. Refer to findings below for discussion of the garage design.
- Traffic – Numerous responses were received regarding concerns with traffic and congestion in the immediate area. Impacts to traffic were assessed when the zoning of the site and surrounding area was changed. The impacts were based on the density and development potential allowed in the CX zone. There are no applicable approval criteria for traffic impacts.

- Loading – A couple of comments were received regarding loading issues in the area. See the findings under the Adjustment responses (Section 3) to the applicable criteria.
- Green Space and Trees – Several responses included concerns with retaining the trees on site, providing more green space, larger pocket park and more open space amenities. The trees that exist *on* the property are not designated as heritage trees and there no development standards that require them to be preserved. The designated heritage tree (Austrian Black Pine) within the right-of-way just southeast of the site is required to be preserved. An arborist report, dated November 7, 2012, has been provided that concludes the setback of the building and proposed improvements within the pocket park will not adversely impact the health or vitality of the heritage tree. Staff has identified the pocket park as a design issue to be further discussed by the Commission. Refer to the discussion in the findings below.

As a point of information, several of the comments referred to the green space and tree preservation required on the development immediately south of the project site, called Arbor Vista. Concerns regarding similar requirements for the subject development were stated. It should be noted that the property to the south (Arbor Vista) has two designated heritage trees *on* the site and the northeast corner was identified as a pocket park in the Goose Hollow Station Community Urban Design Plan. These elements specific to the Arbor Vista development are what guided its design for two separate buildings that resulted in more green space on the site.

- Pedestrian Friendly – A couple of comments were received regarding the pedestrian friendliness of the design. Since the initial DAR, the ground floor has been significantly redesigned to incorporate more active areas along the sidewalk. See the findings below for details.
- Distinct Entry and Exit – A couple of comments were received regarding the design lacking a distinct entry and exit. Staff has identified this as a design issue to be further discussed by the Commission. Refer to the discussion in the findings below.
- Loss of Scenic Views – One comment was received regarding the loss of scenic views from adjacent site. The proposed development is built to the height limitation of 75' established by the CX base zone. The property does not reside in the portion of the view corridor that limits height to 35', which is located north and west of the site. The height limitations of the view corridor are to ensure the views to and from the designated viewpoint (Vista Bridge) within the identified corridor (Jefferson Street) are maintained. There are no applicable approval criteria for the loss of views from adjacent properties.
- Miscellaneous – A couple of comments were received regarding the name of the project, construction noise and maintaining the stairway on 20th. The stairway is not located on the property and, therefore, is not subject to this review. There are no applicable approval criteria that address the name of the project or construction noise. Title 18 (Noise Control) would be regulate noise during construction and would be handled through the Code Compliance Section of BDS.

ZONING CODE APPROVAL CRITERIA

(1) DESIGN REVIEW (33.825)

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation,

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

Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design 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 and the River District Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland's character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

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 the River District as well as to the other seven 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.

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.

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

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 A2, A2-1, A5-5 and A5-6: Water, trees and greenery are consistent Portland themes, which have been integrated into the design. The heritage tree (Austrian Pine) just southeast of the site will be preserved and protected by setting back the building approximately 12’ and 14’ from 20th Avenue and Howard’s Way, respectively. At the base of the tree is a pocket park with landscaping and a water feature (see findings below for further discussion on the pocket park). Landscaping is also provided within the building setbacks along Jefferson SE 20th with larger planters along Howard’s Way.

The project includes several water features and design elements that gesture to the historic above-ground course of Tanner Creek that once traversed the property from east to west. A steel artistic sculpture mounted the concrete wall in the pocket park is a water-carrying device that transports water from the downspouts to the stormwater planter below. Along Jefferson Street near the benches at the west end, exposed downspouts from the roof empty into a planter with a stained concrete splash block that provides a visual amenity along the pedestrian environment and further highlights the flow of water across the site. Lastly, benches along Jefferson in front of these planters will be imprinted in bronze with graphics and text referencing the creek.

These guidelines are 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.

A5-4. Enhance SW Jefferson Street. Enhance SW Jefferson Street as a boulevard connecting Washington Park on the west to the Park Blocks in downtown. This guideline may be accomplished by any or all of the following:

- a. Enhancing the pedestrian environment using street furniture, art work and other amenities to make it a pleasant walkway;
- b. Orienting buildings to have the front entrances facing the street, and punctuating the ground floors with stopping places and display windows;
- c. Locating driveways and garage entrances on side streets where feasible, rather than across the sidewalks along SW Jefferson Street; or
- d. Buffering the pedestrian from the traffic on the street by separating the sidewalk from the street, using street trees, plantings or street furniture.

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, A-5, A5-2, A5-4 and C4: Jefferson Street itself is a mostly commercial street, especially west of Collins Circle. The neighboring commercial buildings to the west and across the street (BMW), contain similar modern design vocabulary as the proposed development. Metal, concrete, and considerable glazing are materials that respond to these non-residential structures. The lower scale of these commercial buildings is in response to the 30 to 45’ height limitation established by the view corridor from the Vista Bridge. The proposal responds to these smaller masses with a series of 4-story bays that read as separate volumes on the north façade due to the projection and material change.

The proposed development also responds to the lower scale residential building to the south (Arbor Vista) by breaking down the south façade with bays and balconies to add a residential scale to this side. The balconies are mostly grouped towards the center of the proposed building to avoid conflicts with the Arbor Vista balconies at the outer corners and take advantage of the courtyard across the street. A wood exterior has been added since the DAR to the smaller bays along the south façade, the balcony insets and the larger bay at the northeast corner of the building. This warmer material complements traditional residential exteriors found in the residential neighborhoods farther north and south of the site and the dense landscaping and heritage trees in the surrounding area.

The proposal enhances Jefferson Street with pedestrian-scaled features such as benches along the sidewalk, significant storefront along the ground level and balconies at the upper level to maximize viewing opportunities, a main entry oriented towards the street and a single vehicle access point located off a side street (Howard’s Way). Although the site does not front or face the neighborhood focal point (Collins Circle), it strengthens the Station Area by orienting its main entrance at the northeast corner towards the light rail station and circle. The entry is further emphasized with a large canopy and sign that both wrap this corner. The design incorporates elements displayed on surrounding mid and high-rise residential developments in the station area including a strong cornice line (deep projecting eave at northeast and northwest corners), a distinct base (concrete), and balconies.

These guidelines are met.

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

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 A7 and A8: The building is nearly built to all the abutting property lines providing a strong built edge in this urban environment. The exceptions occur at the pocket park in southeast corner, along Howard’s Way given the slight curve in the property line, and along the ground level along Jefferson and SW 20th where the setback ranges from about 2 to 4 feet. With varying setbacks along the sidewalk level to provide variety and articulation along the pedestrian environment, and upper floors that extend to the property line or beyond, the project reinforces the urban frame. Benches along the west end of the north façade help to integrate the setback with the sidewalk by providing a seating area for public use.

Relocating the active uses in the ground level along Jefferson, rather than parking as previously proposed, results in more windows and views into interior spaces and activities providing a more dynamic and vibrant streetscape.

These guidelines are met.

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

A9-1 Provide a Distinct Sense of Entry and Exit. When developing at gateway locations, provide a distinct sense of entry and exit that relates to the special qualities of an area.

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 A9, A9-1 and C7: The site is located approximately 600’ east of the Vista Bridge, which is an identified gateway and a symbolic entrance into the Goose Hollow District and the Central City. The bridge is also designated as a

major viewpoint that delineates the scenic corridor along Jefferson Street. From atop the Vista Bridge or by approaching the Bridge on Canyon Road, the proposed building will have a strong presence on Jefferson Street as the first high density residential building along this regional transit corridor. The northeast and northwest corners are articulated with glazing, pronounced upper eave and include an entry at the east end and balconies at the west end. The main entry at the northeast corner is highlighted with continuous storefront, a large canopy that wraps the corner, signage and a ground floor recessed 2'-6". Providing a high-density building at this location is appropriate given the light rail station just east of the site.

At the DAR hearing, the Commission voiced concerns regarding the gateway qualities of the project, specifically the exposed parking garage and the design of the northwest corner of the building.

- The project has been redesigned to shift the active floor area in the ground level from the southeast end to the northwest portion of the ground floor. The change results in more storefront and active uses along Jefferson and better conceals and internalizes the parking.
- The redesign affected the northwest corner with the addition of some glazing on the ground level and balconies at the 2nd floor units, and a shift in glazing of the upper floors at the northwest edge closer to the corner. Given the Commission's comment to "make a statement at the northwest corner", due to the visibility and proximity to an identified gateway and viewpoint, further discussion of the design and treatment of this corner should occur.

These guidelines are not yet met based on the comments in bullet point #2 above.

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.

Finding for A3: In this southwest portion of Central City the traditional 200'x200' block structure is not consistent given the slope and land contours at the base of the west hills. The site is 200' x 90', which is similar to a half block. The development will occupy the entire site providing a continuous 200' long building edge along this major corridor (Jefferson Street), which is consistent with building forms of a traditional block.

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.

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

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

Finding for B1, B1-2 and B7: The primary building entrance is located at the

northeast corner on Jefferson Street. This entrance is designed to be accessible for all people and is appropriately oriented towards the Jefferson Street Transit Station and cross walk located on the east side of 20th Avenue.

The existing frontages will all be improved and widened in some locations. The widest sidewalk will be along Jefferson with a 12' pedestrian corridor. The other three frontages will contain 4' deep planters and 6' wide sidewalks and an additional 0'-6" behind the sidewalk. These right-of-way improvements will ensure convenient access for pedestrian travel around the site and to adjoining properties and transit.

These guidelines are met.

B1-1. Provide Human Scale to Buildings along Walkways. Provide human scale and interest to buildings along sidewalks and walkways.

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 B1-1and B1-2: The pedestrian environment along Jefferson and 20th is enhanced by providing smaller scale elements and interesting features. These include balconies at some of the 2nd floor residential units, benches with decorative bronze inlay, stormwater planters that collect roof run-off, decorative steel grates, landscape lighting, storefronts, and an entry canopy with an appropriately sized sign. Along Howard's Way, the wall is articulated with a series of bays and balcony niches to reduce the scale and a canopy that marks the secondary entry to the building. The pocket park with benches, landscaping and water wall feature provides interest along the sidewalks at the southeast corner.

Encroachments into the right-of-way include stacked residential balconies in four locations, and the building wall in three locations (at the northeast, southeast and northwest corners of the building). The balconies project 1' to 2' over the property line. Open work railing provides transparency and results in a lighter element. They add interest and visual depth to the building without overwhelming the pedestrian environment. The building wall projections beyond the property line vary from 9" to 11". They only occur for about 10' of the wall length along each façade. They have considerable glazing and comply with the oriel windows standards established by The Bureau of Transportation (PBOT). Given the small amount of wall area that projects into the right-of-way and the generous amount windows within the projections, the encroachments will be imperceptible from the pedestrian level or elsewhere.

These guidelines are therefore met.

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

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

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 B2, B6-1 and C12: Vehicle access to the site has been limited to a single curb on Howard’s Way and is the only interruption of the sidewalk along the entire property. The garage entry is clearly delineated by a gate that will operate when vehicles access the site or street. This gate will reduce the speeds of cars and be a clear indicator to pedestrians of approaching vehicles.

The sign atop the canopy at the northeast corner will clearly identify the building entrance. The landscape lighting and recessed lights in the soffits of the 2nd floor and canopy will focus light on the sidewalk without over-illuminating the building, and provide interest and diversity along the pedestrian environment.

The loading space has been combined with the garage entry on Howard’s Way in an effort to consolidate the building’s vehicular service elements. Mechanical venting for the garage is setback 10’ from the sidewalk along 20th and is a vertical shaft comprised of metal louvers painted to match the metal elements elsewhere on the building. A stormwater planter the depth of this setback will soften the vent shaft. Exhaust louvers along the ground floor are limited to the upper portion of a storefront bay along the Jefferson façade; the louvers are set within the upper mullion for an integrated appearance. Decorative steel grates and landscaping screen the views into the parking area that occur along portions of the north façade ground level. Louvers needed for heat/cooling/exhaust for the individual units are all located on upper floors away from the pedestrian level and are integrated into the configuration of the upper windows and panel system. Lastly, the only two rooftop units are setback significantly from all roof edges, fully screened to match the building and will have no presence along the sidewalk.

These guidelines are 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.

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.

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.

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

Findings for B4, B5, B5-1, and C-9: The building is built nearly to the property lines: it has a varying setback along Jefferson and 20th (between 2’-4’), a setback along the south side due to slight curve in the property line, and a setback at the pocket park in the southeast corner because of the Heritage Tree. Two pre-case

concrete benches with bronze inlay are proposed in the setback along Jefferson providing spaces for the public to stop, rest or take in the views of the Vista Bridge. Bike parking for visitors is proposed in the setback adjacent to the entry at the northeast corner. Given the slope of the southern portion of the site, the setback along Howard's way is comprised of a series of stormwater planters and a landing/stair access down into the lower floor.

The location of the pocket park at the southeast corner of the site is appropriate given the adjacency of the heritage tree and pocket park on the opposing corner within the Arbor Vista development. The pocket park has been sized to correspond with the drip line of the Austrian Pine and is approximately 200 SF. At the DAR, The Commission voiced concerns with the lack of space and relief around the heritage tree and the need for more amenities. Since then, the area has been further developed to include benches, a variety of landscaping and a water wall feature. A large raised stormwater planter is adjacent to the pocket park to the north beneath the 2nd level. The water wall feature provides interest, both visual and audible. However, the outward facing benches (which are proposed in the sidewalk and not permitted by PBOT), the lack of access to the park and the lack of usability of the park remain concerns. The Commission's concern for more space and breathing room around the tree should also be further discussed.

These guidelines are not yet met, based on the unresolved issues related to the pocket park.

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.

C1-2. Integrate Signs and Awnings. Integrate signs and awnings to be complementary and respectful of a building's architecture. This guideline may be accomplished by any or all of the following:

- a. Placing signs and awnings to fit with and respect a building's architecture.
- b. Avoiding large, excessively illuminated or freestanding signs that contribute to visual clutter; or
- c. Integrating with a building's design an exterior sign program/system for flexible sidewalk level space that accommodates changing tenants.

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 B6, C1-2 and C13: Building signage is limited to the main entrance canopy that wraps the façade along the northeast corner. The sign wraps the canopy so that it is visible from the east and north. The 24" tall steel letters are individually attached to the canopy frame by a support plate. The letters are externally illuminated with lights set within the canopy frame in front of the letters, casting a shadow on the wall behind. This design is appropriately scaled for the pedestrian environment, well integrated in the canopy and results in an element that is interesting to view along this pedestrian and transit corridor. Given the location on a ground level canopy, the signs will have no impact on the Portland skyline.

The 4'-0" deep steel canopy combined with the 2'-6" deep recessed lower floor provides sufficient weather protection for those accessing the building and along the pedestrian environment. The steel canopy design complements the materials

and modern aesthetic of the building.

These guidelines are 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.

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 C-1 and C-11: The scenic resource overlay zone occurs on the northern portion of the site with the purpose of preserving the view corridor, which runs eastward on Jefferson from the designated viewpoint of the Vista Bridge. The reduced height restrictions within the view corridor apply to development and properties north and west of the subject site on Jefferson. The building is therefore subject to the 75’ height limit of the CX – Central Commercial zone; the building height proposed is 75’ at its tallest point.

Given the vantage points surrounding the building, the mechanical elements have been minimized and staff has worked with applicant to improve the screening and integration of the rooftop features. The stairs and elevator tower at the east end are combined in a single structure that rises from the roof as a simple, clean form. A 750 SF roof deck is east of the tower and is comprised of a pedestal paver system, open work canopy, low planter walls and tempered glass railings. Two mechanical enclosures are centrally located on the rooftop with low profiles, projecting 4’-6” above the roof surface. The mechanical screens and the stairs and elevator tower incorporate the fiber cement board from the building. The minimal number, central location and simple, complementary design of the rooftop elements will result in a clean rooftop that does not adversely affect the views from the Vista Bridge, or vantage points or on the Portland Skyline.

These guidelines are 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.

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 C1-1 and C8: A major concern expressed by the Design Commission during the DAR was the presence of a parking garage, rather than active spaces, along Jefferson Street and Howard’s Way. The project has since

been revised to relocate the common areas (media and bar room, library, mailboxes and dog wash room) along the majority of Jefferson Street and portions of 21st Avenue. These revisions to the ground level layout provide additional storefront glazing into active areas along the pedestrian environment and better define the sidewalk level of the building.

There is a small portion of the ground level along Jefferson that contains parking at the northwest corner. Due to the slope, the garage wall extends approximately 4' to 6' above the sidewalk at this location. Decorative metal mesh (1" wide by 2" tall) and flat horizontal bars that vary in length, within a rectangular frame, provide screening of the garage and interest along the pedestrian environment. The design of the screening compliments the modern aesthetic of the building and matches the materials and design of the garage gates and water wall feature in the pocket park. Along this north wall, stormwater planters, that include climbing hydrangeas and grasses provide additional buffer between the sidewalk and the garage space. Several benches added to the top of the stormwater planter provide areas for stopping along the sidewalk. The garage and loading entry on Howard's Way, as mentioned above, includes decorative metal gates and the small adjacent garage wall is softened with landscape planters.

The sidewalk level of the building is further differentiated from upper levels through the following ways: storefront glazing on the ground floor along Jefferson, 20th and 21st, a steel canopy with signage above the main building entry, rounded concrete columns and recessed 2nd floor residential level with small balconies.

These guidelines are met.

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

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

Findings for C2 and C5: The building is organized horizontally with a base, middle, and top. The base is comprised mostly of concrete and glass with aluminum sheet metal infill panels as part of the storefront glazing system. The middle section is clad with three different colored fiber-cement panels and horizontal wood paneling to articulate different volumes and wall planes. Wood paneling is also featured as an accent material on residential bays along Howard's Way. The top level is setback to diminish the building's apparent height on this sloped site. Furthermore, a deep roof overhang/fascia gives the building a top and a more residential appearance.

The building is also organized vertically into several distinct volumes, with each volume clad in a different material or color, to help scale the building down and give it more residential character. Secondary elements include bays and recessed balcony niches, which help to further break down the scale. The vertical composition of window patterns, stair tower and balcony niches provide a more slender appearance, especially along the Jefferson façade.

White finished Commercial-grade vinyl window are grouped together into compositional elements through the use of white spandrel panels and trim that match the window color. Horizontal louvers (required for PTAC units) are integrated into the window pattern and painted to match the window frame. The window and louvers are designed to appear as one integrated component.

The exterior finish materials have been revised since the original DAR hearing. Fiber cement board is now the primary exterior material, whereas the original design included metal panel. In addition to removing the metal panel, wood paneling has been introduced in some locations. The base, columns and balconies are comprised of precast concrete, which is sturdy material as is the steel used for the balcony railing, garage screens and gate. The vinyl windows will be a commercial grade type, which is a more durable product with a higher quality details and finishes. The aluminum storefront is a standard, reliable system as well.

Staff remains concerned with the lack of high-quality exterior finish materials and details, particularly with the extensive use of fiber cement board throughout the building and loss of previously proposed metal panel. Given the building's urban setting, the higher quality finish that is inherent in a rigid metal panel system is more appropriate. Over time, the fiber cement board has proven to not weather well with its numerous joints, caulking and texture that requires more maintenance than a metal panel. In addition, some of the significant building details, such as the deep eave that occurs at the northeast and northwest deserve a higher-quality finish given the prominence of this element.

These guidelines are not yet met due to the remaining concerns of the lack of high-quality exterior materials.

(2) MODIFICATION REQUESTS (33.825)

33.825.040 Modifications That Will Better Meet Design Review Requirements:

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

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

The following two Modifications are requested:

1. The minimum width for vehicle parking spaces is 8.5'. The proposal does not provide 8.5'-wide parking spaces throughout the parking garage due to 9"-wide structural columns that reduce some spaces down to 7'-9" in width (Section 33.266.130.F.2).

Findings: 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. The 18" wide x 20" long structural support columns throughout the

garage floors would project 9” into some of the spaces reducing a portion of the spaces down to 7’-9”. Since the overall width of the individual spaces will be 8’-6” in width, convenient entry and exit of the spaces will be maintained meeting the purpose of the standard. The columns are generally located near the back end of the space so as not conflict with car door operations. Building management could also limit these spaces to compact vehicles, if desired.

The modification better meets design guideline C1-1 (Integrate Parking) in that it allows more parking to be integrated in the development while allowing more of the ground level garage to accommodate active uses along Jefferson Street that enhances the relationship with pedestrians. *This criterion is met.*

2. The ground floor window requirement at the south elevation results in qualifying window features for 19.25 lineal feet and 50.5 SF. The proposal does not provide this amount of qualifying window features at the south elevation (Section 33.130.230).

Findings: The purpose of the ground floor window standard in the CX zone is to provide a pleasant, rich, and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk areas; encourage continuity of retail and service uses; encourage surveillance opportunities by restricting fortress-like facades at street level; and avoid a monotonous pedestrian environment. This ground floor window standard, which requires 50% of the length and 25% of the street-facing wall area to contain glazing into active areas or display cases, when applied to the south elevation is required to only be met at the garage wall facing Howard’s Way (not the residential wall area). The garage wall area on this south elevation equates to 202 SF, which results in the requirement of qualifying ground floor window features for 19.25 lineal feet and 50.5 SF.

The triangular-shaped garage wall on this south elevation results from the slope of the site. This portion of the garage would not be ideal for active use areas given the slope of the interior floor, grade change and adjacency to the garage entry. Furthermore, the active use areas on this level are more appropriately located in the northern and eastern portion of this floor along Jefferson where the pedestrian features are emphasized given the higher street classification and light rail transit stop. The southern garage wall could accommodate a display case to meet the standard; however, its purpose and design would appear odd at this garage entry location. The raised landscape planters proposed instead, will reduce the amount of bare wall and will provide visual interest, better meeting design guideline B1-1 (Provide human scale and interest to buildings along sidewalks and walkways).

This criterion is met.

(3) ADJUSTMENT REQUESTS (33.805)

33.805.010 Purpose

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site.

Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

33.805.040 Approval Criteria

The approval criteria for signs are stated in Title 32. All other adjustment requests will be approved if the review body finds that the applicant has shown that either approval criteria A. through F. or approval criteria G. through I., below, have been met.

The following one Adjustment is requested: The loading regulations require 2 on-site loading spaces that have a clearance of 10'. The proposal provides only one on-site loading space (instead of 2) and the proposed loading space has a clearance of only 8' (Section 33.266.310).

- A. Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and
- E. Any impacts resulting from the adjustment are mitigated to the extent practical; and

Findings: The purpose of the loading standards is found in Code Section 33.266.310.A and is stated as follows: *“A minimum number of loading spaces are required to ensure adequate areas for loading for larger uses and developments. These regulations ensure that the appearance of the loading areas will be consistent with that of parking areas. The regulations ensure that access to and from loading facilities will not have a negative effect on the traffic safety or other transportation functions of the abutting right-of-way”*. This purpose statement will be addressed below.

The applicant has proposed only one substandard on-site loading space after considerable engineering and architectural efforts to accommodate a standard space within the parking garage of the proposed building. Given the constraints acknowledged by City staff, small site, topography, height limit, MAX light-rail alignment, heritage tree, and the need to accommodate 18 public parking spaces on the site, and recognizing the smaller units that will largely make-up the building's tenant spaces, PBOT supports the proposal for only one on-site space. Although the space will not be able to accommodate larger sized moving vehicles, it will provide opportunities for some utilitarian trucks/vans.

- Further, PBOT has considered numerous options for on-street loading zones around the subject site, and, with the support of the City's Parking Control Manager, has agreed that a limited use loading zone along the SW Howards Way frontage of the site will allow for more conventional and larger moving vehicles, if necessary. A specified curb length along the SW Howards Way frontage will be identified for limited time loading/unloading activities; beyond the restricted time frame for loading/unloading activities, the zone will revert to on-street parking for the public. The zone will not be exclusive to tenants of the proposed building thereby providing other nearby residents opportunities to also utilize the space.
- To compensate for the part-time loss of on-street parking, the applicant will be creating another loading/unloading and general on-street public parking area along the site's SW 20th Ave frontage. A cut-out area of approximately 23-ft in length will be removed from the sidewalk corridor along SW 20th Ave. The space will be utilized for deliveries/pick-up by Fed-Ex/UPS and the like, for the general vicinity, and will be limited in timeframe for said use. Otherwise, the space opens up for on-street parking for the public. Because the resulting sidewalk corridor width

would no longer satisfy City standards, the applicant will need to seek approval of a Public Works Appeal for the modified sidewalk corridor. Said Public Works Appeal can be processed concurrent with the expected Building Permit for the new building.

It is not expected that creating a loading zone along the site's SW Howards Way frontage will result in a negative effect on traffic safety or other transportation functions of the right-of-way. The applicant prepared a voluntary and limited scope traffic analysis based on direction from the City's Design Commission at the prior DAR. The results of the report, prepared by a professional traffic consultant, indicate that based on the analysis and field observations, the intersection of SW Jefferson/SW 20th Ave currently operates under capacity during both the morning and afternoon peak hours and that queue storage provided, is sufficient to accommodate existing demand.

PBOT imposes the following conditions of approval to further ensure the new loading/unloading space along SW 20th will not have a negative effect on the traffic safety or other transportation functions of the abutting right-of-way:

- The applicant must submit and receive approval of a Public Works Appeal for the alternative right-of-way improvements along the site's SW 20th Ave frontage.
- The applicant must seek appropriate signage for the loading zones along the site's SW Howards Way and SW 20th Ave frontages. The signs must be installed prior to Certificate of Occupancy. The applicant should contact the City's Parking Control Section Manager Ramon Corona to address this requirement.

With these conditions of approval, PBOT is supportive of the applicant's Adjustment request. These approval criteria are met.

- B. If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in a C, E, or I zone, the proposal will be consistent with the desired character of the area; and

Findings: The site is located in the CXd (Central Commercial zone). *This criterion does not apply.*

- C. If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and

Findings: Only one adjustment is requested. *This criterion does not apply.*

- D. City-designated scenic resources and historic resources are preserved; and

Findings: The northern portion of the property falls within the scenic resource overlay. The proposed Adjustment for one loading space rather than two, will have no impact on the view corridor down Jefferson Street from the Vista Bridge. The loading space provided is within the building and the additional loading space on the street along Howard's Way, which is not within the scenic overlay zone, will not be visible from the scenic corridor. *This criterion is met.*

- F. If in an environmental zone, the proposal has a few significant detrimental environmental impacts on the resource and resource values as is practicable;

Findings: This site is not within an environmental zone. *This criterion does not apply.*

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 proposed design did take into account some of the strong guiding principles offered at the Design Advice Request (Exhibit G.3). However, as discussed in the findings above, some of the design issues mentioned by the Commission remain. And, a recent change to the proposal raises an additional design issue for consideration. The areas of concern are:

- *NW Corner* – The revisions to the north and west facades since the DAR do not appear significant enough to address the need for a design statement at the building’s NW corner, given the project’s proximity to the Vista Bridge, a Goose Hollow and Central City gateway and major viewpoint in the scenic overlay. (Guidelines A9, A9-1, C7)
- *Pocket Park* – The proposed design of the pocket park (landscaping, benches and water feature) may not be sufficient to address the prior DAR comments regarding more space and relief around the heritage tree. (Guidelines B4, B5, B5-1, C9)
- *Lack of High-Quality of Exterior Materials and Details* – Recent revision to remove metal panel as one of the primary exterior finishes results in a mostly fiber cement board building with significant building details (pronounced eave) in a similar finish. (Guidelines C2, C5)

TENTATIVE STAFF RECOMMENDATION

Staff does not yet recommend approval.

Additional Note: If the project is approved, the following conditions of approval from PBOT are recommended:

- The applicant must submit and receive approval of a Public Works Appeal for the alternative right-of-way improvements along the site’s SW 20th Ave frontage.
- The applicant must seek appropriate signage for the loading zones along the site’s SW Howards Way and SW 20th Ave frontages. The signs must be installed prior to Certificate of Occupancy. The applicant should contact the City’s Parking Control Section Manager Ramon Corona to address this requirement. Mr. Corona can be reached at (503) 823-5226.
- The applicant must submit and receive approval of an Encroachment Permit for the below grade encroachments currently shown on the submitted plans (parking stalls and mechanical rooms). Said encroachments must be designed to be severable.

- The applicant shall provide BDS and PBOT staff with any/all agreements with all interested parties for the 18 public parking spaces to be provided within the proposed parking garage. Said agreements must be submitted prior to the issuance of a Building Permit.

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Procedural Information. The application for this land use review was submitted on October 9, 2012, and was determined to be complete on October 30, 2012.

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 October 9, 2012.

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-5.

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

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

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. You may review the file on this case by appointment at the Development Services Building, 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 \$5,000.00 will be charged (one-half of the application fee for this case).**

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

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

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
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).

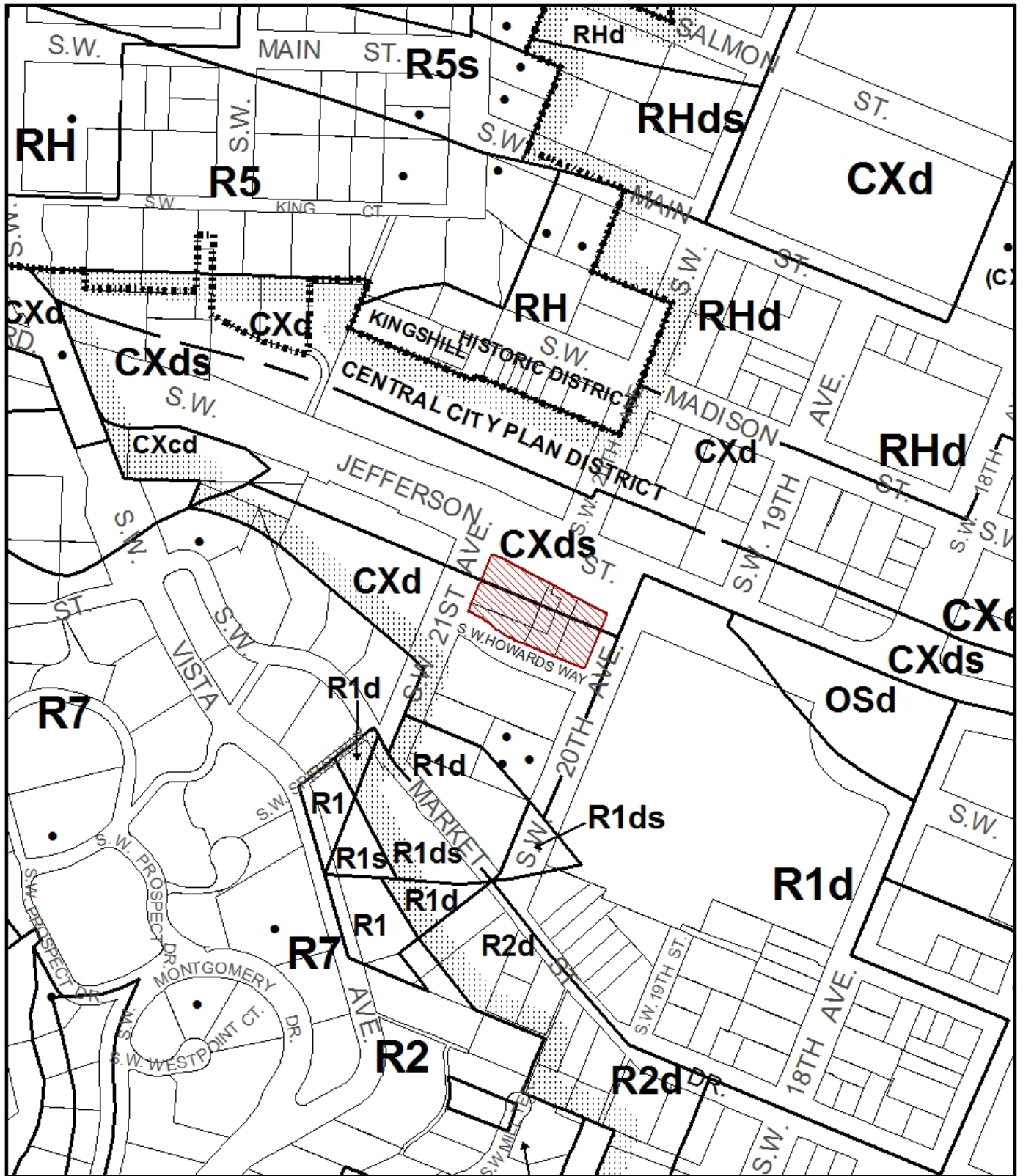
Staci Monroe
December 21, 2012

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Project Summary & Responses to Approval Criteria
 - 2. Preliminary Stormwater Report
 - 3. Geotechnical Report
 - 4. Traffic/Queuing Assessment Memorandum
 - 5. Tree Protection Letter for Heritage Tree
 - 6. Geotechnical Memorandum dated November 26, 2012
 - 7. Arborist Letter dated November 26, 2012
- B. Zoning Map (attached)
- C. Plan & Drawings
 - C0.1. Floor Plan Diagrams/FAR
 - C0.2. Elevation Wall Areas – Ground Floor Windows & Oriel Window Calculations
 - C1.1. Site Plan (attached)
 - C1.2. Survey
 - C1.4. Utility Plan
 - C1.5. Landscape Plan (attached)
 - C1.6. Landscape Details
 - C1.7. Plant Board
 - C1.8. Landscape Views
 - C2.1. Basement 3
 - C2.2. Basement 2
 - C2.3. Basement 1
 - C2.4. Level 1
 - C2.5. Level 2
 - C2.6. Typical Residential Plan
 - C2.7. Level 6
 - C2.8. Roof Plan (attached)
 - C3.1. North Elevation (attached)
 - C3.2. East Elevation (attached)
 - C3.3. South Elevation (attached)
 - C3.4. West Elevation (attached)
 - C4.1. N – S Building Sections
 - C4.2. E – W Building Sections
 - C4.3. E – W Building Sections


- C5.1. Walls Sections
- C5.2. Walls Sections
- C5.3. Walls Sections
- C5.4. Enlarged Elevations & Sections
- C5.5. Enlarged Elevations & Sections
- C5.6. Enlarged Elevations & Sections
- C6.1. Reflected Ceiling Plans
- C8.1. Material Details
- C9.1. Pedestrian Level Details
- C9.2. Entrance Canopy Details
- C9.3. Windows and Vents Details
- C9.4. Roof Details
- C9.5. Vents & Roof Details
- C9.6. Vehicle Gates & Screens Details
- C10.1. View of NE Corner of Building
- C10.2. View of NW Corner of Building
- C10.3. View of SE Corner of Building
- C10.4. View of South Side of Building
- C10.5. Night Rendering
- C10.6. Shadow Study
- C10.7. View of Roof
- C10.8. Material Detail
- C10.9. Material Samples
- 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
 - 7. 2nd posting letter sent to applicant
 - 8. 2nd notice to be posted
 - 9. 2nd applicant's statement certifying posting
 - 10. 2nd mailed notice
 - 11. 2nd mailing list
- E. Agency Responses:
 - 1. Plan Review Section of BDS
 - 2. Water Bureau
 - 3. Site Development Review Section of BDS
 - 4. Fire Bureau
 - 5. Bureau of Environmental Services
 - 6. Bureau of Transportation Engineering and Development Review
 - 7. Bureau of Parks, Forestry Division
 - 8. Bureau of Environmental Services Addendum dated December 19, 2012
- F. Letters
 - 1. Melinda Samis, November 26, 2012, concerns regarding the building scale, neighborhood compatibility and parking impacts.
 - 2. Jane Glazier, November 25, 2012, concerns regarding the building size and loss of trees.
 - 3. Rachel Clark, December 1, 2012, concerns regarding the building mass, quality and quantity of green space, entry facing Jefferson, maintenance of the stair on 20th, and project name.
 - 4. Carol Turtle, post-marked November 23, 2012, concerns with building scale, neighborhood character compatibility, size and quality of pocket park, and traffic.

5. Heather Norvelle, November 29, 2012, concerns with traffic, congestion, parking and building scale.
 6. Greg Plummer, concerns with building scale and neighborhood character compatibility,
 7. Arbor Vista Homeowners Association, concerns with neighborhood character compatibility, building mass, gateway elements, impacts on pedestrian environment, preservation of trees and plantings on site, quantity of green space, traffic and parking impacts as they related to Trimet's public spaces, availability and loss of on-street parking, and loading zones.
 8. Linda Witt, November 29, 2012, concerns with the loss of public parking currently on the site for the students of the Alliance Francaise of Portland language school.
 9. Ashley Moore, November 30, 2012, concerns with traffic congestion, loss of scenic views, loss of parking and construction noise.
 10. Sherman Bucher, December 7, 2012, concerns with size of pocket park, lack of green space and building scale.
 11. Robert Cowan, December 7, 2012, concerns with building height and scale.
 12. Craig Rickert, December 17, 2012, concerns with neighborhood character compatibility.
- G. Other
1. Original LUR Application
 2. Pre-Application Conference Summary Memo
 3. Design Advice Request Summary Memo
 4. Incomplete Letter with Agency comments attached
 5. 120-Day Waiver



ZONING

 Site

 Historic Landmark



This site lies within the:
CENTRAL CITY PLAN DISTRICT
GOOSE HOLLOW

File No.	LU 12-192298 DZ, AD
1/4 Section	3127
Scale	1 inch = 200 feet
State_Id	1S1E04BA 6701
Exhibit	B (Oct 10, 2012)



VILLAVESTER COSI
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1000
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PHONE: 303.233.0211
FAX: 303.228.3314
WWW.VCARCHITECTS.COM

OWNER
MILL CREEK RESIDENTIAL
TRUST

PROJECT NAME
JEFFERSON
STREET FLATS

REVISIONS

ISSUE DATES

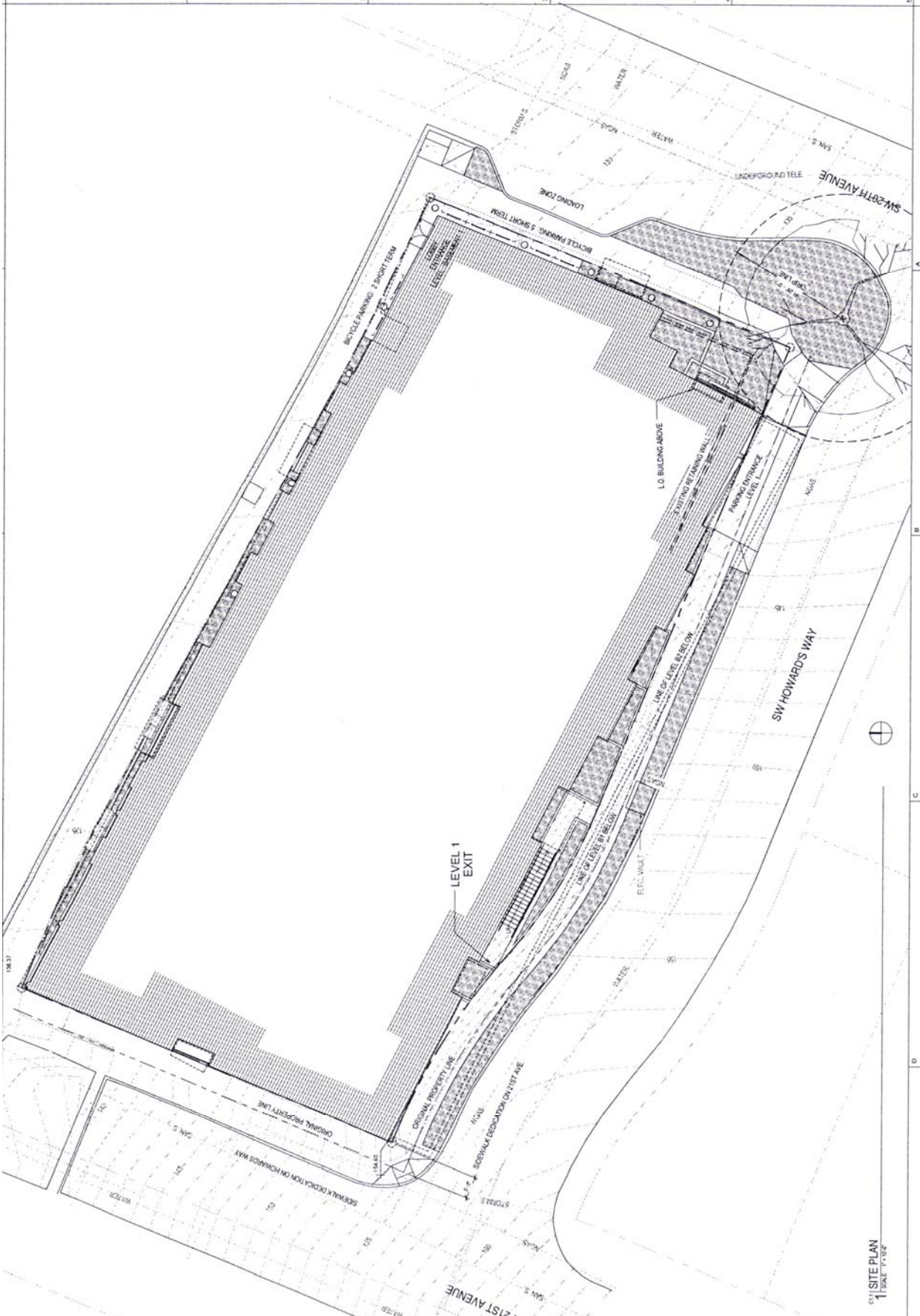
10/26/12
11/21/12

JOB NO. 1104
DRAWN: AUNY
CHECKED: CHANN
STATUS: D.D.

SITE PLAN

C1.1

5. ORIGINAL SHEET SIZE: 22"X34"



C1.1 SITE PLAN
SCALE: 1"=16'

W 12-192298 DENA



VALLASTER CORL
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PENTHOUSE SUITE
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L L C
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OWNER
MILL CREEK
COMMUNITY
TRUST

PROJECT NAME
JEFFERSON
STREET FLATS

REVISIONS
A

ISSUE DATES

JOB NO. 1104
DRAWN: SD
CHECKED: SD
STATUS: DR
PLANNING PLAN

C1.5

9 ORIGINAL SHEET SIZE: 27"X36"



PLANT SCHEDULE

- TREES
- ACER GRACILIS / YINE MAPLE
 - CORNUS ALBA 'ELEGANS' / EUROPEAN HORNBUSH
 - QUERCUS ALBA / WHITE OAK
 - QUERCUS ROBUR / COMMON OAK
 - QUERCUS ILEX / OAK LEAF
 - QUERCUS LAEVIS / WHITE OAK
 - QUERCUS LAEVIS 'MUNSTAD' / MUNSTEAD ENGLISH LAUREL
 - QUERCUS LAEVIS 'MOUNTAIN GRASS' / MOUNTAIN GRASS
 - QUERCUS LAEVIS 'WESTERN SWORD FERN' / WESTERN SWORD FERN
 - QUERCUS LAEVIS 'FRAGRANT SAKOCOCOA' / FRAGRANT SAKOCOCOA
- SHRUBS
- BECKMANNIA SYDACHNE / AMERICAN SLOUGH GRASS
 - CAREX OSHIMENSIS EVERGOLD / VARIEGATED JAPANESE SEDGE
 - EXISTING COTONEASTER
 - SARKOCOCOA HOOKERIANA HUMILIS / SWEET BOX
- GROUND COVERS
- BECKMANNIA SYDACHNE / AMERICAN SLOUGH GRASS
 - CAREX OSHIMENSIS EVERGOLD / VARIEGATED JAPANESE SEDGE
 - EXISTING COTONEASTER
 - SARKOCOCOA HOOKERIANA HUMILIS / SWEET BOX

PLANTING PLAN

W 12-192298 DEM AD



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OWNER
MILL CREEK RESIDENTIAL
TRUST

PROJECT NAME
JEFFERSON
STREET FLATS

ISSUE DATES:
10.14.12
11.21.12

JOB NO. 1104
DRAWN: AJM/JP
CHECKED: CMM/JP
STATUS: D.D.

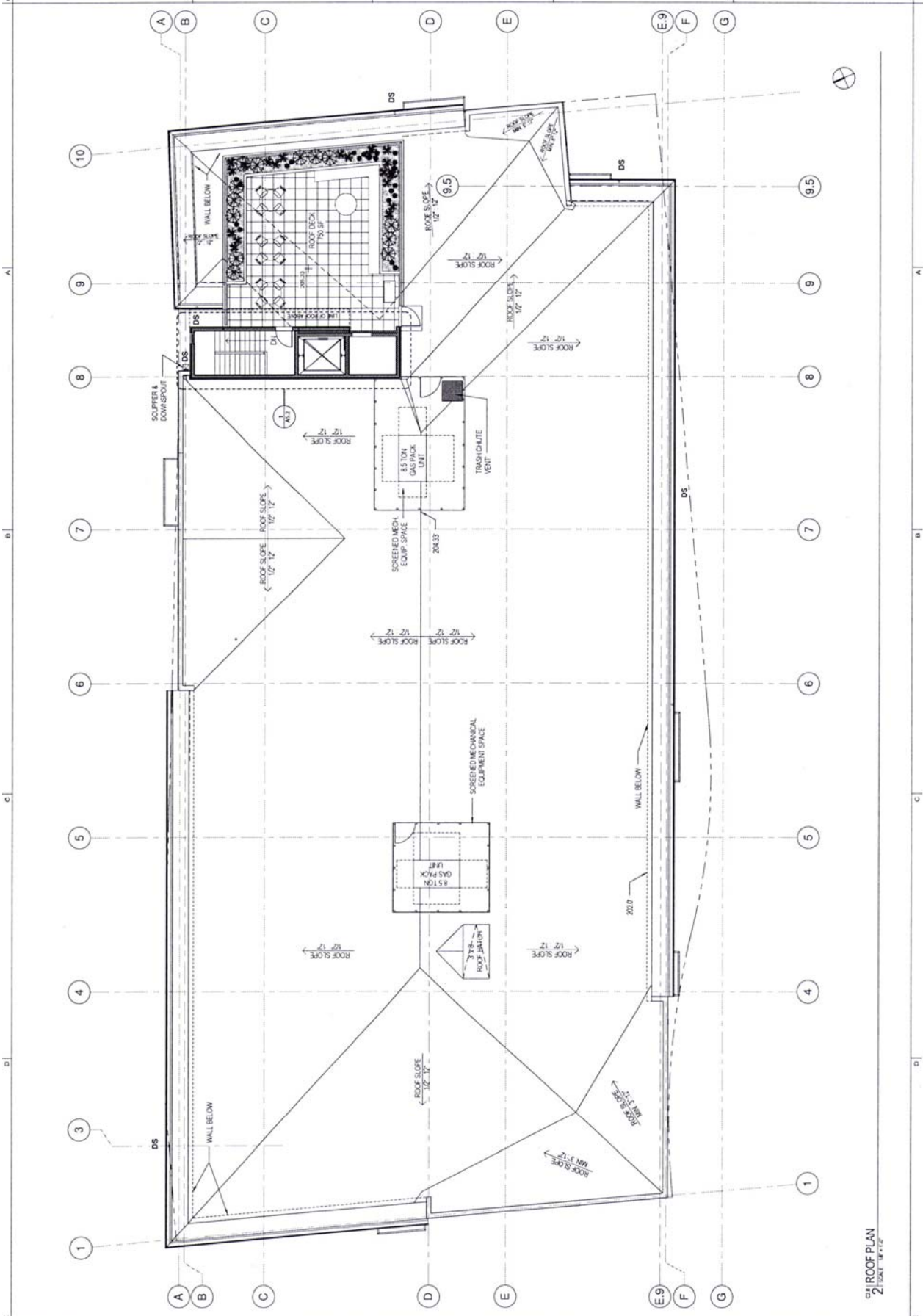
ROOF PLAN

ORIGINAL SHEET SIZE: 27"X36"

EXHIBIT
C2.8

LU 11-10006-02M-AD

LU 12-192298
DEM AD



21 ROOF PLAN
21 SCALE: 1/8" = 1'-0"



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TRUST

PROJECT NAME:
JEFFERSON
STREET FLATS

ISSUE DATES
10.9.12
11.21.12

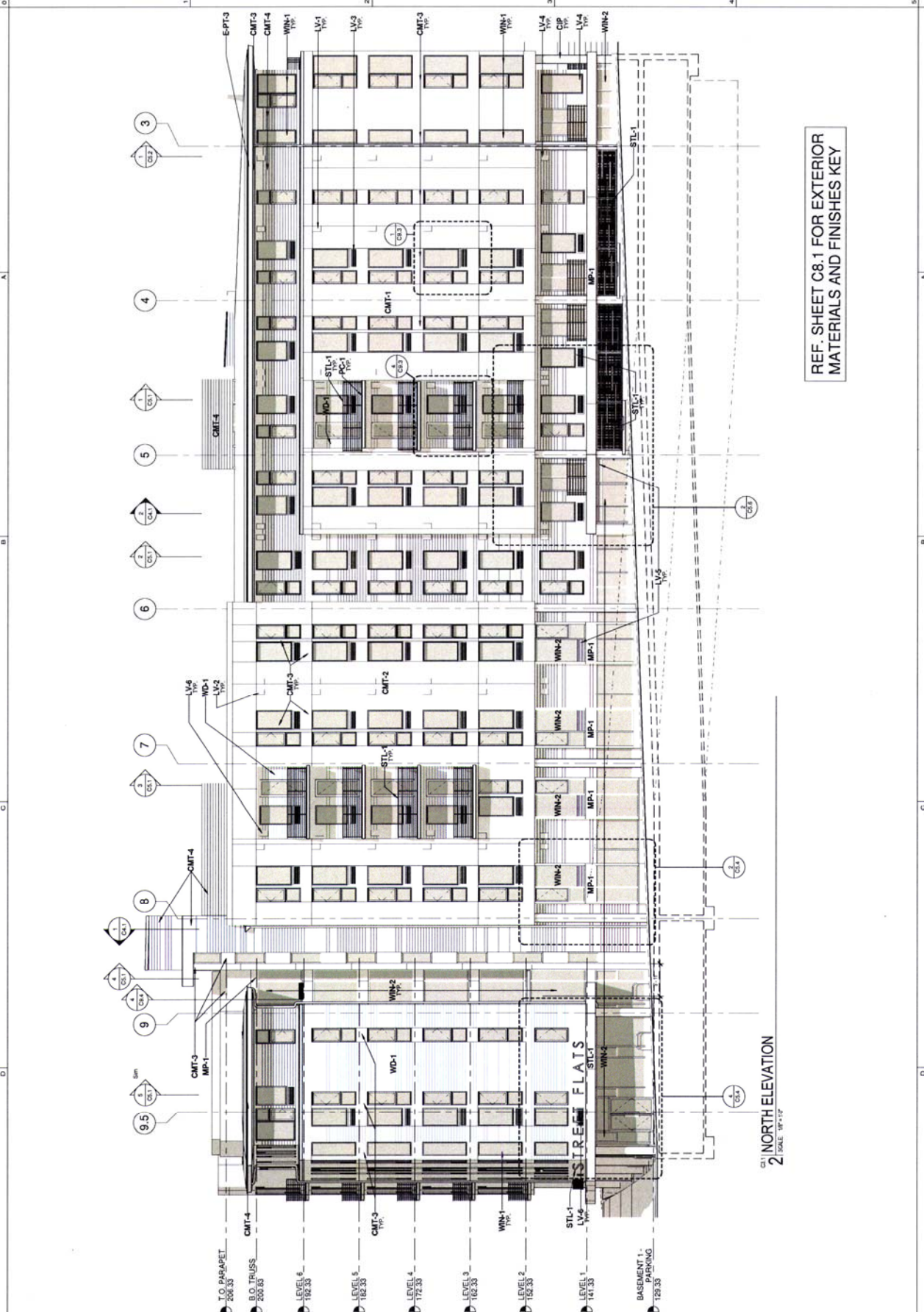
JOB NO.: 1104
DRAWN: ADR
CHECKED: CONAR
STATUS: S.D.

NORTH
ELEVATION

ORIGINAL SHEET SIZE: 2700x

EXHIBIT
C3.1

LU 11 10000 000 00



REF. SHEET C8.1 FOR EXTERIOR
MATERIALS AND FINISHES KEY

C3.1 NORTH ELEVATION
2
SCALE: 1/8" = 1'-0"

LU 12-192298 02k
AD

OWNER:
 MULLOBBY RESIDENTIAL TRUST

PROJECT NAME:
 JEFFERSON STREET FLATS

ISSUE DATES:
 10.8.12
 11.21.12

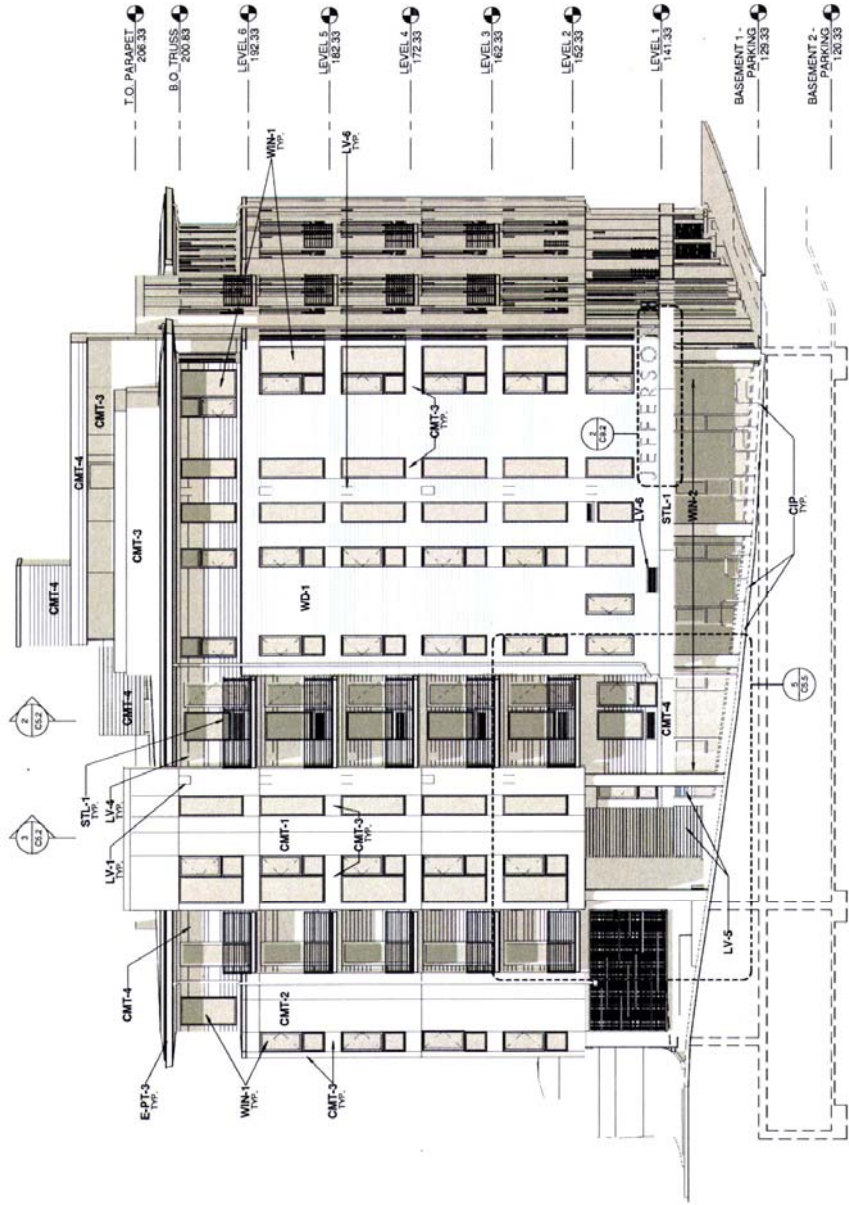
JOB NO.: 1104
 DRAWN: ANNA
 CHECKED: CHUCK
 STATUS: O.D.

EAST ELEVATION

ORIGINAL SHEET SIZE: 20"X30"

EXHIBIT C3.2

LU 11-19266 DDM AD



REF. SHEET C8.1 FOR EXTERIOR MATERIALS AND FINISHES KEY

021 EAST ELEVATION
 1" SCALE: 1/8"=1'-0"

W 12-192298
 DM AD



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 WWW.VCARCHITECTS.COM

OWNER:
 M.L. CHEEK RESIDENTIAL
 TRUST

PROJECT NAME:
 JEFFERSON
 STREET FLATS

ISSUE DATES:
 10.9.12
 11.21.12

JOB NO.: 1104
 DRAWN: AMY
 CHECKED: CHAMP
 STATUS: C.D.

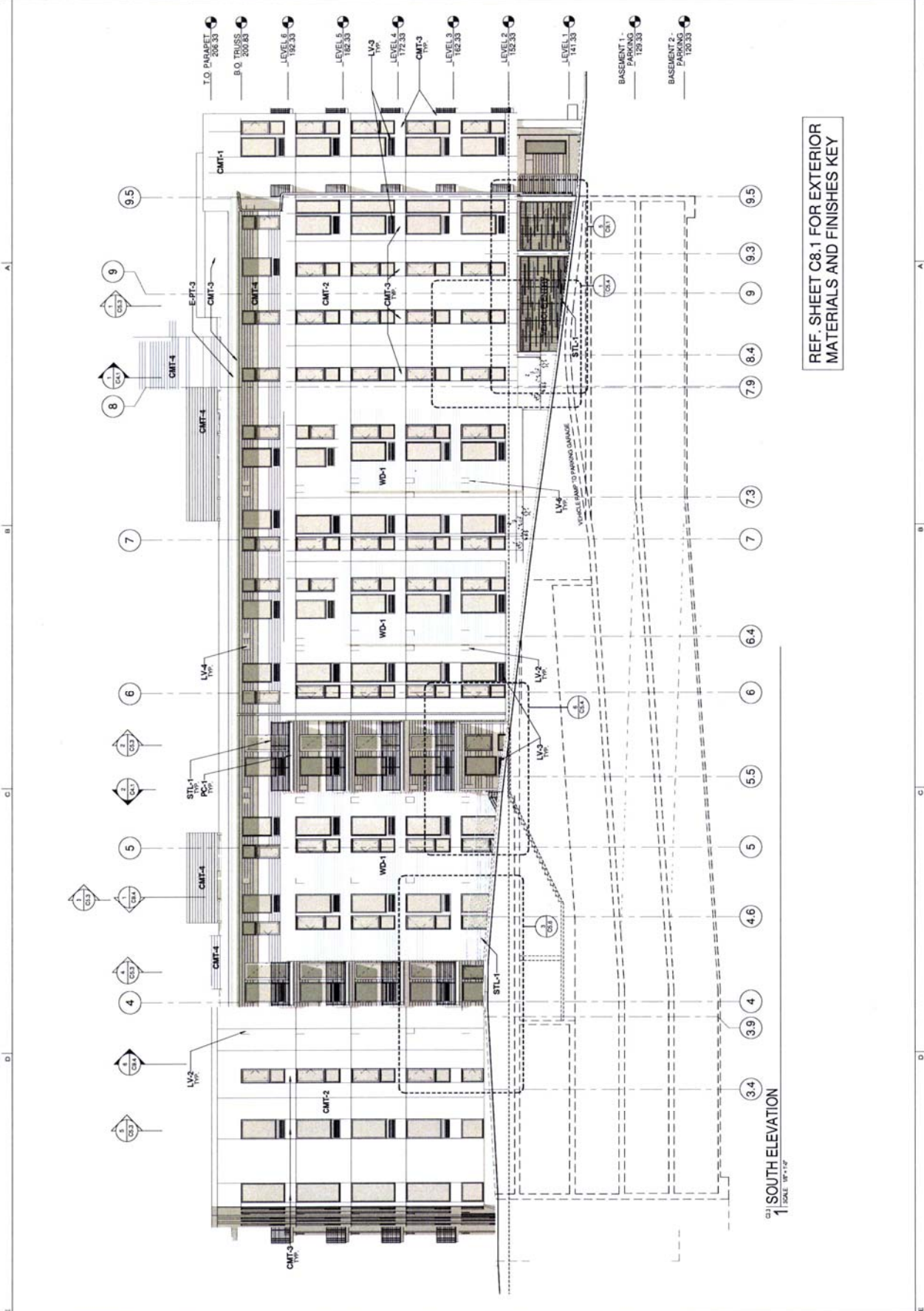
SOUTH
 ELEVATION

ORIGINAL SHEET SIZE 2200x

EXHIBIT
C3.3

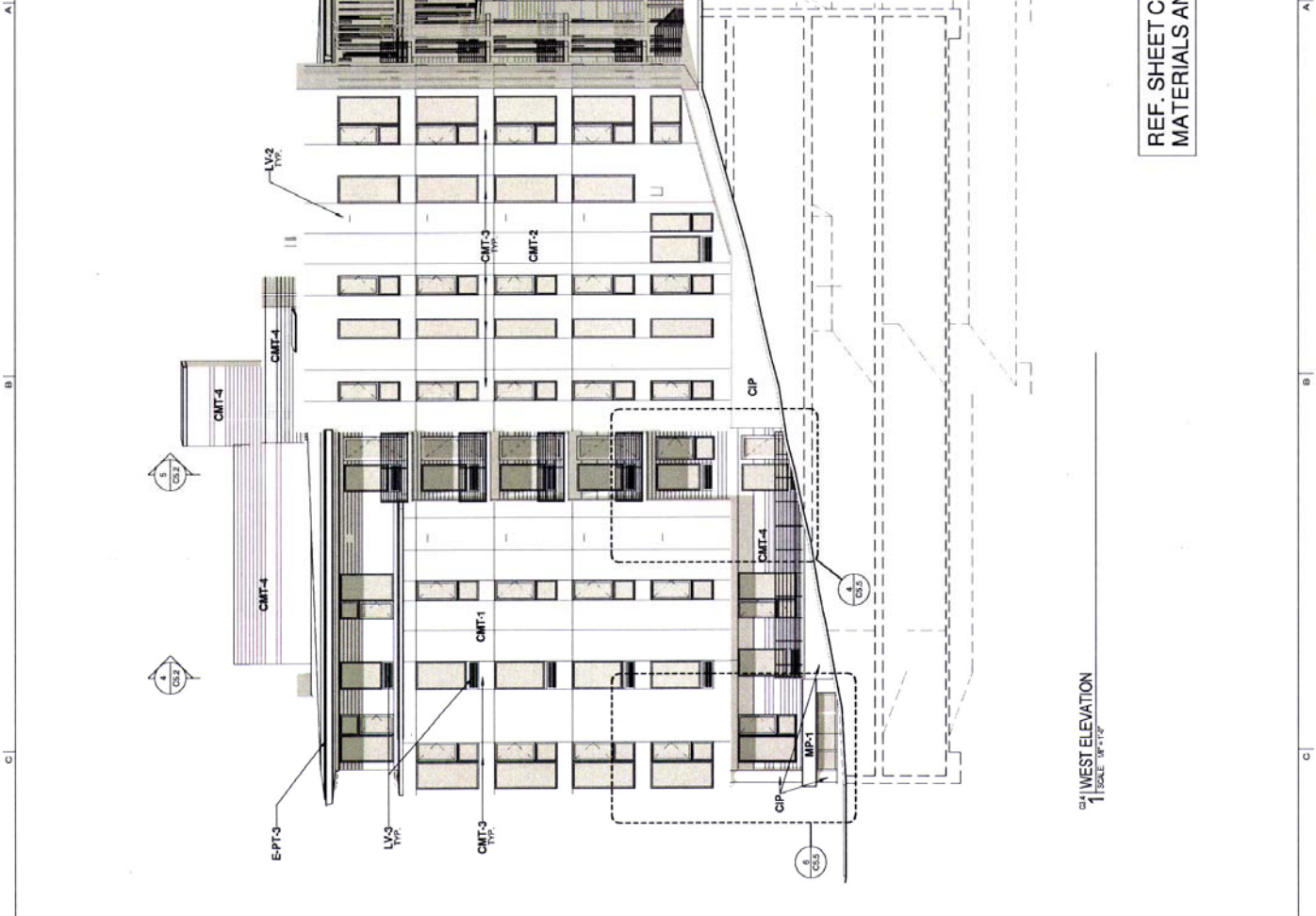
LU 11110808 0304 AD

W 12-19-2012
 JEM AD



REF. SHEET C8.1 FOR EXTERIOR
 MATERIALS AND FINISHES KEY

1 SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



- TO PARAPET 206.33
- LEVEL 6 162.33
- LEVEL 5 162.33
- LEVEL 4 172.33
- LEVEL 3 162.33
- LEVEL 2 152.33
- LEVEL 1 147.33
- BASEMENT 1 - PARKING 125.33
- BASEMENT 2 - PARKING 120.33

REF. SHEET C8.1 FOR EXTERIOR MATERIALS AND FINISHES KEY

WEST ELEVATION
SCALE: 1/8" = 1'-0"



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OWNER:
MILL CREEK RESIDENTIAL TRUST

PROJECT NAME:
JEFFERSON STREET FLATS

ISSUE DATES:
10.8.12
11.20.12

JOB NO.: 1104
DRAWN: ALP
CHECKED: CHOW
STATUS: O.D.

WEST ELEVATION

ORIGINAL SHEET SIZE: 24"X36"

EXHIBIT
C3.4

LU 11-18286 CONJAD

W 12-192298 DEM AD