



STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 13-211645 DZM
PC # 13-154618
11th & Jefferson Apartments
REVIEW BY: Design Commission
WHEN: January 9, 2014 @ 1:30pm
WHERE: 1900 SW Fourth Ave., Room 2500A
Portland, OR 97201

It is important to submit all evidence to the Design Commission. City Council will not accept additional evidence if there is an appeal of this proposal.

Bureau of Development Services Staff: Hillary Adam 503-823-3581 /
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GENERAL INFORMATION

Applicant: Steve Poland, Applicant
Ankrom Moison Associated Architects
6720 SW Macadam, Suite 100
Portland, OR 97219

Peter Wenner, Owner
PH Portland Jefferson LLC
100 N City Parkway Suite 1700
Las Vegas, NV 89106

Barbara Shaw, Owner
City Of Portland Housing Bureau
421 SW 6th Ave Suite 500
Portland, OR 97204

Site Address: 1101-1139 SW JEFFERSON ST

Legal Description: BLOCK 263 LOT 3-6 TL 5300, PORTLAND
Tax Account No.: R667729200, R667729200
State ID No.: 1S1E04AA 05300, 1S1E04AA 05300
Quarter Section: 3128

Neighborhood: Portland Downtown, contact Jennifer Geske at 503-750-9843.
Business District: None
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - West End

Zoning: RXd – Central Residential with Design overlay
Case Type: DZM – Design Review with Modifications requested
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 proposes a new 15-story building with 196 residential units, 13,000 square feet of commercial space, two levels of underground parking for 89 vehicles, a central bicycle storage room to accommodate 294 bicycles, one loading space accessed from SW 12th Avenue, and a common roof deck and community room on the 15th floor. A total of 201,336 gross square feet of floor area is proposed, for a total FAR of 11.94:1, with the 3.94:1 FAR over the 8:1 base FAR earned through the Large Dwelling Unit and Below Grade Parking bonus options in the Central City Plan District. Proposed exterior materials include brick, thin masonry cladding, two shades of metal panel, fiberglass windows, painted steel balconies, and metal panel canopies

Three modifications to the Zoning Code standards are requested:

1. 33.130.230 *Ground Floor Windows* to reduce the required window length from 39 feet to 28 feet;
2. 33.266.310.D *Size of loading spaces* to reduce the required length and clearance of the Standard A loading space from 35 feet to 31 feet and from 13 feet to approximately 12 feet, respectively; and
3. 33.266.220.C *Standards for all bicycle parking* to reduce the bicycle parking space width from the required 2 feet to 14.76 inches for all 300 required long-term bicycle parking spaces.

Design Review is required because the proposal is for a new building in the Central City Plan District.

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
- 33.825.040, Modifications That Will Better Meet Design Review Requirements
- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The subject property is located in the West End subarea of the Downtown subdistrict of the Central City Plan district. Currently, there are two three-story brick buildings on site with ground floor retail with residential units above. The residential units have not been used in an official capacity for several years in anticipation of redevelopment of the site and also potentially due to both buildings being deemed “Unsafe” by the Portland Fire Bureau.

The two buildings, originally the Cordova Hotel and the Cordova Hotel annex were designed by local architect Frederick Mason White, who made the papers as much for his architecture as for his early brushes with the law. Originally designed as apartments with storefront commercial, the east building was constructed in 1911 for the Reed Institute, and the west building was constructed in 1923 for M. Pallyay. Many notable businesses were located in the two buildings over the years including the Mural Room, the Jazz Quarry, and the Jefferson Theater.

The subject property is bound by SW 11th Avenue to the southeast, SW Jefferson Street to the southwest and SW 12th Avenue to the northwest and is located within the Downtown Pedestrian District. The Transportation System Plan designates the bounding streets as follows: SW 11th is a Central City Transit/Pedestrian Street, a Transit Access Street, Traffic Access Street, and a Community Main Street; SW 12th is a City Walkway; SW Jefferson is a Local Service Walkway, a City Bikeway, a Transit Access Street, and Traffic Access Street. The Portland Streetcar runs south along SW 11th Avenue and a stop is located at the corner of SW 11th & Jefferson. Additional transit services are located one block east on SW 10th Avenue, one block south on SW Columbia Street, and one block west on SW Jefferson Street.

North of the subject property is the 5-story Newton Apartments built in 1924 and facing SW 11th Avenue, and the 1982 9-story 1200 Building facing SW 12th Avenue. North of these buildings, is a 2½-story 1890 duplex, the 1880 Landmarked Morris Marks House, the 5-story 1909 Doricourt Apartments, a 1-story converted 1923 garage building, the 4-story Landmarked 1923 Campbell Court Hotel, and the 6-story 2009 Jeffrey Apartments. To the east is the 17-story 2006 Eliot condominium building, to the southeast the 7-story 2004 Museum Place apartments, to the south a Plaid Pantry with surface parking and the 6-story 2001 Cornerstone condominiums, to the southwest a 2-story 1921 commercial building, and to the west, two 1-story commercial buildings built in 1923 and 1960. The immediate area had a varied architectural aesthetic and includes a notable amount of surface parking.

Zoning: The Central Residential (RX) zone is a high-density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will be 100 or more units per acre. Allowed housing developments are characterized by a very high percentage of building coverage. The major types of housing development will be medium and high rise apartments and condominiums, often with allowed retail, institutional, or other service oriented uses. Generally, RX zones will be located near the center of the city where transit is readily available and where commercial and employment opportunities are nearby. RX zones will usually be applied in combination with the Central City plan district.

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.

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

- DZ 9-78 – Design Review approval for a new retail store;
- DZ 59-82 – Design Review approval to replace a glass storefront with solid wall;
- DZ 22-83 – Design Review approval for storefront remodels to the Jefferson Theater and Pizza Quarry spaces;
- EA 08-165448 PC – Pre-Application Conference for a 16-story 254-unit apartment building;
- EA 12-133525 APPT – Early Assistance appointment for 364-unit student housing development;

- LU 12-152628 DAR – Design Advice Request for 368-unit student housing development;
- EA 13-154618 PC – Pre-Application Conference for the current market-rate apartment proposal; and
- EA 13-165538 DAR – Design Advice Request for the current market-rate apartment proposal.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed December 20, 2013. The following Bureaus responded with comments.

The **Bureau of Environmental Services** responded with the following comment: “BES has no objections to the requested Design Review. Note that additional information may be required at the time of building permit review. Refer to the following:

The applicant has submitted a Special Circumstances request to pay an off-site stormwater management fee in lieu of meeting specific stormwater management requirements of the SWMM. The request is for a pedestrian-only walkway area (1,700 SF) and a bike maintenance shelter (608 SF) that cannot be managed because the specific design of the project will not allow gravity flow of stormwater runoff from these areas to be directed to a stormwater management facility. Since pollution reduction for these areas is less of a concern and flow control is not required for this project, BES has approved the Special Circumstances request.”

Please see Exhibit E-1 and E-1b for additional details.

The **Bureau of Transportation Engineering** responded with the following comment: “The applicant requests a Modification to the depth and clearance dimensional requirements for the on-site loading space that is proposed. The Code’s required depth dimension is 35-ft, whereas the applicant is proposing a width of 31-ft; the Code’s required clearance dimension is 13-ft and the applicant is proposing a clearance of 12-ft. PBOT has no concerns relative to the slightly shorter (length & height) loading space proposed by the applicant because the loading space will mostly serve the primary use of the building, the 195 residential units. While there will be a commercial component of the proposed building, loading/unloading activities for the limited use can be accommodated within the slightly smaller proposed space. It is highly likely as well, that the minimal dimensional exception being sought by the applicant will not affect the operation of the private driveway. Accordingly, PBOT has no objections to the proposed loading space modification request.”

PBOT also noted that the proposed utility vault is located partially within the pedestrian-through zone and has advised that the applicant apply for and receive a Design Exception for the proposal as soon as possible to avoid any conflicts with the land use decision. Revocable Encroachment Permits must also be obtained for the portions of the development located below grade in the right-of-way, including the underground parking structure, and utility rooms.

PDOT further noted that a 12-ft wide sidewalk corridor along SW Jefferson is required to meet the City’s Pedestrian Design Guide, which would require a 4-ft dedication. In July 2012, the applicant requested an appeal for the 4-ft dedication, which was approved, provided the applicant extend the SW Jefferson sidewalk curb 4-feet to the south.

Please see Exhibit E-2 for additional details.

The **Bicycle Program Specialist for the Bureau of Transportation** responded with the following comment:

“Obviously the current PBOT code does not even touch double-decker bicycle parking, only referencing (as of 5/2013) a footprint of 24”x 6 feet.

Block 17 case allowed a 18” OC, as long as there is a 6” vertical stagger.

The FALCO design only allows for 375mm (or just under 15”). I am unable to determine the vertical stagger.

Not many cities have code provision for two tier bicycle parking. San Francisco recently updated their code to allow them, assuming a 17” OC spacing and that the bicycle does not need to be lifted more than 12” off the ground.”

Due to the very narrow spacing on this product I would be hesitant to give PBOT’s consent.”

Please see Exhibit E-3 for additional details.

The **Life Safety Division of BDS** responded with the following comment:

“It is recommended that the applicant contact the project Process Manager to arrange a Preliminary Life safety Meeting.” Additional comments were provided related to various sections of the Building Code, including openings and accessible routes.

Please see Exhibit E-4 for additional details.

The **Water Bureau** responded with comments, noting the number, location, and size of existing water services to the subject property, adding that any changes to the existing services will be at the applicant’s expense.

Please see Exhibit E-5 for additional details.

The **Site Development Section of BDS** responded with the following comment:

“The project will include two basement levels, with excavations up to 30 feet deep adjacent to an existing building. Shoring will be required for construction. Shoring plans and calculations must be submitted with the building permit application – they may not be a deferred submittal.” Site Development further noted that a demolition permit will be required to remove the two existing buildings on site.

Please see Exhibit E-6 for additional details.

The **Bureau of Parks-Forestry Division** responded, noting that existing street trees will need to be protected. See Exhibit E-7 for additional details.

The following Bureau responded with no issue or concerns:

- **Fire Bureau**

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on December 20, 2013. At the time of writing this staff report, no written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

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.

Chapter 33.120 – Central Residential (RX) Zone

Chapter 33.266 – Parking and Loading

Chapter 33.510 – Central City Plan District

[Note: The proposal does not have to meet all development standards in order to be approved during this process, but will have to meet those standards (or appropriate adjustments/modifications be approved) before a building permit can be issued.]

Central Residential Zone Primary Uses (Table 120-1, Table 120-2 and 33.120.100)

Development Standard

- Household Living is an allowed use in this zone and Multi-Dwelling Structures are allowed.
- Retail Sales and Service or Office uses are allowed up to 20% of the net building area.

Proposal

- The proposed mixed-use structure is Household Living with less than 20% Retail Sales and Service or Office use. This standard is met.

Floor Area Ratios (33.510.200, Table 120, Map 510-2)

Development Standard

- Maximum FAR 8:1 allowed, Additional FAR, through bonus or transfer, available up to 4:1 in the West End.

Proposal

- The proposal has a floor area ratio of 11.94:1 based on a net site area of 16,860 SF and a building size of 201,336 SF. The additional 3.94:1 FAR will be achieved through the following bonuses:
 - 33.510.210.C.11 Large dwelling unit bonus option. In the West End subarea, where a dwelling unit is larger than 750 square feet, one square foot of bonus floor area is earned for every 1 square foot beyond 750 square feet. Several units are larger than 750 sf, thus potentially earning 13,034 square feet in bonus floor area. A covenant, not yet provided, is required for this bonus.
 - 33.510.210.C.16 Below-grade parking bonus option. In the West End subarea, a bonus of two additional square feet of floor area is earned for every 1 square foot of below-grade parking. The applicant proposes 31,132 square feet of below-grade parking area, thus potentially earning 62,264 square feet of bonus floor area.
 - The applicant has also indicated that 50,580 square feet of floor area was previously transferred to this site from the Jeffrey site, however no evidence of this transfer has been provided.
 - Since the applicant is limited to 67,440 square feet (4:1) of additional floor area over the standard 134,880 square feet (8:1), for a grand total of 202,320 square feet (12:1), the transfer from the Jeffrey and the total of the potentially earned bonus cannot be applied in their entirety to the total floor area allowed on this site. If the bonus options are to be applied, then the transfer from the Jeffrey is forfeit. Alternatively, the transfer from the Jeffrey can be applied with portions of the potentially earned bonuses forfeited. The applicant should clarify whether the bonuses or the transfer apply and only make reference to a maximum total of 67,440 square feet bonus potential.
 - This standard is met but requires clarification.

Minimum Density [Table 120-3]

Development Standard

- A minimum of one residential unit per 500 square feet of site area or 20 units for this 10,000 SF site.

Proposal

- 196 residential units are proposed. This standard is met.

Maximum Height (Table 120-3 and Map 510-3)

Development Standard

- Maximum height is 250 feet.

Proposal

- Building height is 160'-0". This standard is met.

Minimum and Maximum Setbacks (Table 120-3 and 33.120.220)

Development Standards

Minimum setbacks are 0 feet for building walls and 5 or 18 feet for garage entries. Maximum setbacks are 10 feet for 100% of the ground-level street-facing facades along a Transit Street in a Pedestrian District and 10 feet for 50% of the ground-level street-facing façade along an intersecting Transit Street. In this case, the applicant may choose on which of the 2 transit streets they apply the standards.

Proposal

- Standard 2, which requires 100% of the length of the ground level street-facing façade of the building to be within the maximum setback, is met on all three frontages. This standard is met.

Building Coverage (Table 120-3 and 33.120.225)

Development Standard

100% building coverage is allowed.

Proposal

- Not more than 100% site coverage is proposed. This standard is met.

Street Facing Façades (33.120.232)

Development Standard

At least 15% of the area of each façade that faces a street lot line must be windows or main entrance doors. In RX zones, the portions of the building that are in non-residential development are subject to the ground floor windows requirements of the CX zone in 33.130.230.B.2, which requires that 50% of the length and 25% of the ground level wall area be windows.

Proposal

- The proposal appears to meet the 15% requirement on each street-facing frontage; however, the requirement that 50% of the length be windows is not met at the street-level façade on SW 12th Avenue and a **Modification** is requested. This standard is not entirely met.

Required Windows Above the Ground Floor (33.510.221)

Development Standard

Windows must cover at least 15% of the area of street-facing facades above the ground level wall areas up to 9 feet above grade. In the West End, the regulation applies to the portion of a site within 200 feet of a streetcar alignment.

Proposal

- A significant amount of windows are proposed on all street-facing façades. This standard appears to be met.

Ground Floor Active Uses [33.510.225 and Map 510-7]

Development Standard

Buildings must be designed and constructed to accommodate lobbies, retail, residential, commercial & office uses. The standard applies to a minimum of 50% of the ground floor of walls that front public open spaces, plazas, or rights-of-way, and requires that the floor to ceiling dimension be a minimum of 12'-0", the interior space be at least 25'-0" deep, have ADA access, and include windows and doors, or be constructed to allow for the addition of doors and windows at a later date.

Proposal

- The interior commercial spaces appear to be at least 25'-0" deep, as measured from the primary entrance of each space. The applicant should provide dimensions clarifying this.
- The interior commercial spaces appear to be about 12'-0" in height, based on section drawings. The applicant should provide a floor-to-ceiling dimension clarifying this.
- ADA access appears to be provided to all potential commercial spaces, however, in the case of the multiple retail tenant option, ADA access to the southwest retail space appears to be indirect and cumbersome. This is further addressed below in the approval criteria.
- This standard appears to be met.

Minimum Active Floor Area [33.510.226 and Map 510-7]

Development Standard

On a portion of the site within 200 feet of a streetcar alignment, at least 50% of floor area in each building must be in one or more active uses where allowed by the base zone. These can include Household Living.

Proposal

- 100% of the building is in Household Living or Retail Sales and Service uses. This standard is met.

Screening (33.120.250)

Development Standard

All exterior garbage and recycling areas must be screened from the street and any adjacent properties. Mechanical equipment on the roof must be screened or set back from roof edges 3 feet for every foot of equipment height if within 50 feet of an R zone.

Proposal

- The garbage/recycling area is located entirely within the building.
- Rooftop equipment proposed is screened as required.
This standard is met.

Pedestrian Standards (33.120.255)

Development Standard

These pedestrian standards implement the State Transportation Planning Rule. Under the pedestrian standards, the site must contain a pedestrian circulation system connecting all adjacent streets to the main entrance and provide connections to other areas of the site.

Proposal

- The building contains direct access to all entrances via the public sidewalks. This standard is met.

Parking (33.266, and 33.510.263)

Development Standard

In the RX zone, for Household Living developments where 51+ units are proposed, 0.33 parking spaces are required per unit; therefore, 65 parking spaces are required.

Proposal

- 89 parking spaces meeting dimensional requirements are provided in two below-grade parking levels. This standard is met.

Bicycle Parking (33.266.210 and Table 266-6)

Development Standard

In the Central City Plan District, the following standards apply: 1.5 long-term bike parking spaces are required per each dwelling unit, plus 1 short-term space for every 20 dwelling units. For the retail sales and service portion of the building, 2 long-term bike parking spaces must be provided, plus 1 short-term space for each 5,000 sf of net

building area. The project consists of 196 dwelling units with 12,043 sf of retail space. Bike Parking requirements are:

Proposal

- Long-Term Residential Spaces 294 required 290 provided
- Long-Term Retail Spaces 2 required 2 provided
- Short-Term Residential Spaces 10 required 10 provided
- Short-Term Retail Spaces 3 required 3 provided

All proposed long-term spaces are proposed at 14.76 inches wide, less than the 24 inches required. In addition it does not appear that all of the required long-term spaces are provided. The applicant is requesting a **Modification** to the standard width of the required long-term bike parking spaces. This standard is not entirely met.

Loading Spaces (33.266.310)

Development Standard

One loading space at least 35 feet long, 10 feet wide, and having a clearance of 13 feet is required for buildings with more than 100 units and less than 20,000 square feet of floor area in uses other than Household Living.

Proposal

- One loading space is proposed at 31 feet long, 10 feet wide, with a clearance of 12 feet. This standard is not met and a **Modification** is requested for the reduced dimensions.

Signs (33.120.310 and Title 32) No signs over 32 SF in area are proposed for approval and therefore they do not need design review.

Street Trees (33.120.315) Street Trees will be provided as approved by the City Forester.

ZONING CODE APPROVAL CRITERIA

(1) DESIGN REVIEW (33.825)

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

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

Section 33.825.055 Design Review Approval Criteria

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

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

Central City Fundamental Design Guidelines

These guidelines provide the constitutional framework for all design review areas in the Central City.

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.

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.

Guidelines A1, A3, A5, A6, A7, A8, A9, B1, B2, B3, B4, B6, C1, C4, C6, and C11 are found to be met and are addressed below between pages 10-14.

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 accessways for pedestrians that provide connections to the Willamette River and greenway.

Findings: The proposed development is located twelve blocks from the Willamette River, and therefore has few opportunities for orienting to the river. Nevertheless, this is accomplished with the 15th floor rooftop deck located at the southeast corner of the building. This location will potentially provide limited views toward the river better than any other potential rooftop deck location. In addition, the main entrance for the residential units is located on SW 11th Avenue, immediately adjacent to a Portland Streetcar stop which runs directly to the South Waterfront district along the banks of the Willamette River, providing residents with relatively easy access to the river. *This guideline is 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 superblock 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 proposal is for a single 15-story building at the south end of the block bound by SW 11th & 12th, Jefferson and Main Streets. The existing buildings

maintain a fairly uniform street façade in their traditional form and matching heights; however the new building will provide a more dynamic anchor to the south end of this block through its material shifts and relatively transparent ground floor treatment. In addition, the proposed building will provide outdoor amenities for use by the tenants, as well as seating opportunities and landscape elements along the sidewalk to enhance the pedestrian environment. *This guideline is met.*

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.

Findings: The proposed building is located along a streetcar line with a streetcar stop located at the southeast corner. The applicant has indicated that the coupling element of streetcar connectors has been the basis for the design of the building. Also, the proposal includes integrated seating at the southeast corner in order to provide additional seating which can be used by people waiting for the streetcar. *This guideline is met.*

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

Findings: Unfortunately, rehabilitation of the existing buildings is not practical, as the subject property is zoned for a much higher level of residential density. While the existing buildings have relatively storied histories, they have not been deemed historically significant and, as such, are relatively expendable in terms of opportunities for the City to meet housing and density goals. The proposed development is aiming for LEED certification and, toward that end, will route construction waste from the demolition of the existing buildings accordingly. *This guideline is met.*

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

Findings: The immediate area has a range of building typologies and heights from the 1-story Plaid Pantry with surface parking lot directly to the south to the 17-story mixed-use building directly east. The proposed 16-story building will continue the relatively recent trend of taller residential buildings as most traditional buildings were 5 or fewer stories. The additional height will increase the sense of urban enclosure along the north side of Jefferson Street at this location. For the most part the proposed building is set a couple feet back from the property line in order to provide a wider sidewalk area, as well as space for integrated and movable outdoor seating, making the ground level of the building more welcoming as the line between public and private space is blurred. The proposal also includes canopies at the ground floor level, which nearly wrap the entire perimeter of the building. The canopies will provide an immediate sense of enclosure at the sidewalk level for passing pedestrians. *This guideline is met.*

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

Findings: As noted in A7 above, the ground level building edge is set back a couple feet from the property line, allowing space for the commercial activities of the building to spill onto the sidewalk, thus providing opportunities for engaging the public and encouraging interaction between the public and private realms. In addition, the ground floor along SW 11th and SW Jefferson is primarily comprised of glass storefront systems which allow extensive views between the interior and exterior of the building, including the residential lobby and retail spaces. The 2nd floor is treated similarly, with extensive views in and out of the building's residential amenity spaces, although offering a bit more privacy at this higher level. The garage access, trash, and loading areas are located along the western frontage as SW 12th Avenue is the street with the lowest transit and traffic classification. As such, this façade offers the least in the way of vibrancy and a Modification is requested to the ground floor windows standard which is discussed below. This façade does feature an area of green wall at the garage and loading entrances as well as an additional glass storefront entry for retail and offices. *This guideline is met.*

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

Findings: Although the subject property is not a designated gateway location, it will be one of the last buildings that will be seen as one passes through the West End into Goose Hollow over the Jefferson Street overpass. The Central City Plan District provides for increased residential building heights and FAR in the West End subarea in order to encourage higher-density residential development in the area bound by W Burnside to the north, SW 9th Avenue to the east, SW Market to the south, and the I-405 freeway to the west. The proposed building will strengthen the West End subarea by meeting the intent of the Central City Plan District for this area. *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.

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

Findings for B1 and B3: The proposal will maintain the existing sidewalks along SW 11th and 12th and will provide an additional 4 feet of sidewalk along the SW Jefferson frontage. The additional sidewalk area will be provided by extending the curb further south, rather than through a dedication. The additional sidewalk area will result in the loss of on-street parking spaces, but will provide continuity of the traffic and bicycle lane widths as well as provide space for street trees along this frontage. This curb extension will also continue the configuration of the pedestrian environment found on the block to the west, thereby reinforcing the pedestrian system in this area by providing consistency. *These guidelines are 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: The proposal provides for the safety of pedestrians by concentrating

vehicular movements to one area of the building along SW 12th Avenue. While this results in a relatively wide vehicular area, the number of locations where a pedestrian may come into conflict with a vehicle is reduced. In addition, the applicant is proposing can lighting to be integrated into the underside of the canopies along the sidewalk level which will provide illumination at night. Lighting is also proposed above the garage and loading bay entrances on SW 12th Avenue, as is a green wall which may help to absorb some of the carbon dioxide expelled by the vehicles in this area. Louver vents for the mechanical system are also proposed to be integrated above storefront systems and within the residential window units in order to minimize their effect on pedestrians as well as the architectural composition. *This guideline is met.*

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

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

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

Findings for B4, B6, and C6: As noted above, the majority of the ground floor level features a canopy that nearly wraps the perimeter of the building, thereby providing shelter along much of the street level façade. The canopy, as well as the proposed street trees, will also protect pedestrians from glare bouncing off of the storefront windows. Since the canopy is mostly located within the bounds of the property line, pedestrians will also have the option of not walking beneath it and are therefore not overly protected by an excessively deep canopy. Integrated seating is also proposed at the street façade, built in to the street level wall which is pulled back from the property line, thus providing areas for people to stop and rest without interfering with other sidewalk activities. As noted above the SW Jefferson Street curblin will be extended 4-ft further south to expand the width of the sidewalk. This extension, combined with a slightly recessed building that features integrated seating, an extensive canopy, and expansive views between the interior and exterior will facilitate a vibrant transition between the building and the public realm. *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.

Findings: The proposed building is oriented in a northwest to southeast line with the southwest façade serving as the primary façade. As such, there are a significant number of windows on this façade facing the SW hills. This is in contrast to the relatively limited amount of windows on the northeast façade which faces an interior property line. North of the proposed building is the 5-story Newton Apartments, an unprotected building on the City's Historic Resources Inventory on a relatively small lot, and the 1200 building built in 1982. While redevelopment of the properties to the north is unlikely in the near future, window openings are limited on this façade due to Building Code requirements. Balconies are proposed for some units on the south façade to provide opportunities to enjoy

southern sun exposure and views of the SW hills, though staff notes additional balconies could be provided for additional opportunities. A common rooftop deck is also proposed at the southeast corner which will provide views toward the SW hills, the Willamette River and potentially Mt. Hood. Two additional private rooftop decks are provided at the southwest penthouse unit and the northeast penthouse unit. *This guideline is met.*

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

Findings: As noted above the architecture in the immediate vicinity is varied in both age and aesthetic, ranging from 1880 Italianate to contemporary metal and glass residential towers. Brick, stucco, and concrete are also common materials in the area. The most recent buildings constructed near the subject property, the Jeffrey and the Eliot, include a combination of masonry veneer and metal panel and are slightly irregular in form. The proposed building is relatively regular in its form but employs shifts in the exterior materials as a means to break up the façade and avoid monotony. The strong brick and glass storefront base will complement the context of both contemporary and traditional buildings in the area. While metal panel and masonry veneer are used on other buildings in the area, the current proposal uses them in such a way as to help define the architectural expression of the building, rather than utilizing them simply as exterior cladding materials, thus adding to the variety of architectural vocabulary in the area. *This guideline is met.*

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

Findings: The proposal includes large window expanses, planar façade changes, commercial entrances and canopies that wrap the corner at both the SE and SW corners. The residential entrance is located at the northeast corner, toward the middle of the block and away from the corner commercial entrances. *This guideline is 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 stormwater management tools.

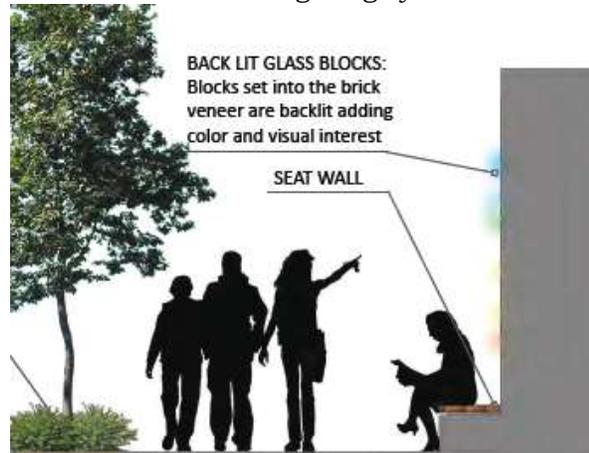
Findings: As noted above, the proposed mechanical equipment is concentrated at the north side of the central bar and is sufficiently hidden from view from the street and from higher points in the area by rooftop walls and screens on the proposed building. Rooftop decks are proposed for private use at the northeast and southwest corners and for common use at the southeast corner where a larger patio is proposed connected to an enclosed common room containing a full kitchen. Decorative planters are proposed at the rooftop deck; however stormwater will only be managed through the 2nd floor mezzanine courtyard planters. *This guideline is met.*

Guidelines B5, B7, C2, C5, C8, C9, C12, and C13 are found to not yet be met and are addressed below between pages 15-22.

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: The subject property is not located adjacent to any public parks or plazas; however, the South Park Blocks are located two blocks to the east. The proposed building’s entrance is to be located at the northeast corner of the building which will provide convenient access to the South Park Blocks either along SW Jefferson or via the mid-block crossings through the two superblocks to the east.

The applicant also proposes an art feature at the ground level façade along SW Jefferson Street, to include glass blocks set into the brick veneer and backlit with colored lighting to provide visual interest. No details have been provided for this art wall and staff has concerns with the proposed quality of such a feature, as well as the continued maintenance of such a feature which requires access from an interior retail space to ensure maintenance of the interior lighting system.



Provided the applicant can demonstrate, with additional details, that this art feature will add to, rather than detract from, the street level façade, this guideline will be met.

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

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

Findings: The proposal includes barrier-free access at the SW 11th Avenue residential entrance and at the rear courtyard via a ramp accessing SW 12th Avenue. The sidewalk level of the building is currently designed for use as either a single retail space (C.25) or four separate retail spaces (C.26), one of which is two levels. Therefore, the proposed design is relatively unobstructed and could be reconfigured to create smaller or larger spaces. Although not shown in the plan drawing of the Ground Level Plan (C.37), elevation and perspective drawings show that, in the multiple retail space option, the two center retail spaces may feature

accessible entries connecting directly to SW Jefferson Street. It is not as clear, however, how barrier-free access will be provided to the southwest retail space. In the multiple retail space option, it appears that the physically impaired will have to travel through a back hallway with several turns in order to gain access to this space. Staff wonders if a more direct route can be provided between this retail space and the public realm which will work for either option in order to maximize the flexibility and the accessibility of the sidewalk-level spaces.



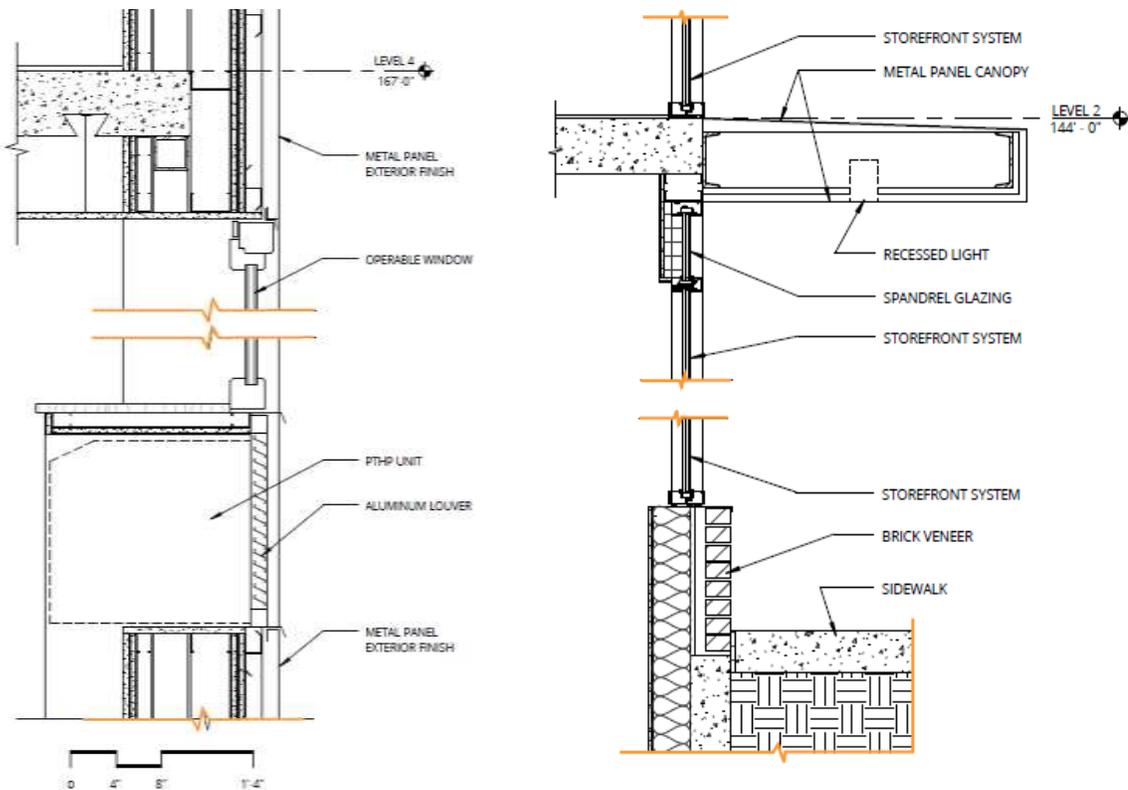
Provided the applicant can demonstrate that relatively easy barrier-free access is provided to the southwest retail space, these guidelines will be met.

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

Findings: Proposed materials include brick veneer, metal panel, thin masonry cladding, painted steel balconies, and aluminum storefront systems. The applicant has indicated that the metal panels will be a 16-gauge Northclad® aluminum panel system. The masonry veneer at the upper levels is proposed to be Arriscraft Thin-Clad units. Although the specific dimensions of the units have not been specified, they come in 4”, 8”, or 12” rises with a length of 24”. This same system was used on the Mirabella in South Waterfront. In general, staff supports the proposed exterior cladding materials as the metal is of a notably strong gauge and the thin-clad masonry has been used before successfully. These proposed materials will promote a sense of quality and permanence in the building.

Although the building materials proposed appear to be of high quality, staff notes that generally speaking, the design package is lacking in the number of details provided to fully comprehend how the individual elements of the building will be constructed in such a manner to meet this guideline. Staff also notes a lack of consistency between detail drawings and renderings. For instance, additional clarification is required for the proposed residential window systems as the drawing set indicates a “high performance fiberglass window frame, while the supporting documentation provided indicates the applicant intends to use innotech brand vinyl systems with interior steel reinforcement. Staff is supportive of either a high-performance fiberglass system or the steel-reinforced vinyl systems. Also with regard to the residential windows, the applicant has noted that they are punched to provide some relief in the wall plane, however staff believes

that the residential windows could be further recessed as they still appear to be rather flat with the exterior of the window frame, set nearly flush with the metal spandrel panels above and below and recessed approximately 1" from the exterior face of the thin-clad masonry (see below left & C.50).



Sheet C.49 shows an enlarged elevation (see above right) of the ground-level storefront. The detail indicates that the canopy will be a single piece of metal wrapped around a steel structure; however the notes indicate a “metal panel” canopy. Staff presumes that there will be breaks in the fabric of the canopy and these should be shown in the detail drawings as well as the renderings. In addition, staff notes that metal flashing is shown on a level brick sill at the storefront windows while the renderings do not indicate this type of system. Staff suggests a more permanent solution at the sidewalk level to be represented with consistent drawings.

Sheet C.51 provides a detail drawing for the proposed balcony system; however these are neither drawn nor rendered accurately. The detail drawings shows two diagonal lines indicated as “structural bracing” while the adjacent rendering only shows one structural member on each side of the balcony. The detail drawing also shows a “structural” support beneath the balcony but this is not shown in the adjacent rendering; in addition, based on the rendering, it appears that the “structural support” would interfere with the fenestration of the residential unit below. Staff suggests that a more integrated solution may be possible if the balconies were aligned with the window systems rather than offset, as shown in the rendering.

Additional detail drawings should also be provided for the following:

- Cornice details at various edges of the building, including the white metal panel overhang at the roof level (scaled section details);

- Rooftop patio railing details (scaled section details);
- Mechanical screen details (scaled section details showing mechanical systems);
- Specifications for the “decorative metal garage door” with renderings to match;
- Clarification on the brick landing at the SW 12th Avenue frontage (see C.53);
- Specification of colors proposed for Arriscraft Thin-Clad masonry panels, North-Clad metal panel, and metal spandrel panel including at SE and SW corners (color appears to change across renderings);
- Enlarged sections at material joints of the Arriscraft Thin-Clad masonry panels, North-Clad metal panels, and windows and doors indicating how the materials work across fields of the same material as well as how differing materials work with each other.

All of the details noted above should be incorporated into the final drawing set and not provided as separate exhibits.

Provided that the applicant can provide additional details and design refinement of the design to a satisfactory degree, as noted above, this guideline will be met.

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.

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: The applicant’s design is inspired by the distinctive C-shaped coupling mechanism used to connect streetcars. While not necessarily obvious to the average viewer of the building, the applicant has strengthened this aspect of the design since the August 2013 Design Advice Request, on recommendation of the Commission which expressed that this concept was not clearly expressed. Staff notes below that this concept could be further strengthened.



The current design uses the white metal panel as the “C” element with the metal panel covering the north end of the building and continuing in a horizontal band above the 2nd floor and at the top of the building with a darker secondary metal panel used in some locations to separate the white panels from the masonry cladding. This is most evident on the west and east elevations (see above and C.47). The inside of the “C” contains the areas of thin-clad masonry panels which are divided into vertical fields via narrow strips of the darker metal panel. These fields are further divided with vertical window bands, emphasizing the vertical expression of the building, particularly as viewed from the south, where the white metal panel is only present in horizontal bands at the top and near the bottom of the building. The thin-clad masonry and dark metal panel is also visible at the center of the north façade where the building is set back from the north property line, in a sense revealing the inside of the “C” on the north façade.

Staff acknowledges the advancements made since the DAR and especially notes that the proposed building is relatively simplistic in its design and choice of quality materials, but suggests that the “Coupling” concept could be made stronger and bolder through a more pronounced separation of the white metal panel and the thin-clad masonry. For instance, the “C” is distinct at the top of the west elevation where the white metal panel expresses itself in a wide cornice band separated from the thin-clad masonry by the darker metal panel; this is also true for portions of the south elevation, but gets lost where the thin-clad masonry extends past the darker metal panel to connect with the white metal panel. In addition, the thin-clad masonry feels unfinished at the top, except at the one instance where it meets the white metal panel on the south façade. Staff suggests the “C” would be stronger if all of the fields of thin-clad masonry were separated from the white metal panel, at top and bottom, and also had a more resolved cornice. Staff also suggests the architectural expression would be stronger if the SW canopy were also constructed of the white metal panel, rather than glass, as this would create a strong datum along the ground level of the south façade.

As viewed from the south and east, and to a certain degree, the west, the white metal panel creates an integrated horizontal expression at the street level which provides shelter to pedestrians, and also serves as a contemporary cornice detail which visually connects the bottom and top of the building. At the west end, the street level canopy is proposed to be glass which differentiates this corner, though the white metal band is still visible through the glass canopy. As the program for the southwest corner commercial space is slightly different than the other spaces, this change in architectural expression could be considered appropriate; however as noted above, this element could be stronger in its expression with the continuation of the white metal panel canopy.

In addition, staff notes that, for the most part, the building presents a strong base and top through the use of dark brick veneer and aluminum storefront systems at the first two levels which ground the building, with the white metal panel and light-toned thin-clad masonry at the top and upper levels, respectively. However, near the southwest corner on the south façade (see below and C.46), the thin-clad masonry which is otherwise only used at the residential portions of the building, breaks through the implied datum of the 2nd floor and extends to the sidewalk level, confusing the line between the residential and commercial areas of the building. While there may be instances where this would be a logical architectural move such as a primary entrance, staff does believe that it is appropriate here, as there is nothing else happening at this particular location which would prompt highlighting this area in this manner. As such, staff suggests that the thin-clad masonry be reserved for the upper levels only.



The Life Safety Division of BDS noted that “openings in exterior walls less than 3 feet to a property line are not allowed” and that “unprotected openings in exterior walls less than 5 feet to a property line are not allowed in an unsprinklered building.” Life Safety and planning staff suggested that A Preliminary Life Safety Meeting be held to determine, among other things, whether or not the proposed windows in the north façade would be allowed. It appears that the applicant made an appeal to not meet these requirements of the Building Code, which was subsequently denied on January 2nd. As a result of this denial, the distribution and overall extent of the north façade windows must be revised in order to meet the Building Code requirements. Staff notes that, even as currently designed, the north wall is relatively monolithic (see C.48) and will be visible for many years into the future. The applicant should also provide renderings of the building as viewed from the north so that the Commission can fully comprehend the impact of this façade of the cityscape.



Staff notes one additional area of concern with regard to coherency. The south elevation and renderings of the southeast corner appear to indicate an additional exterior material which is not specified on any drawings. This material appears at the entrance surround to the SE retail space and at an additional column to the west of the entrance. It also appears on the interior of the retail space as seen on sheets C.19 and C.20. Staff has concerns with the interior/exterior relationship of this unspecified material and suggests that such a change in material at the ground level façade may be more appropriate at the residential entrance to where it can be used to differentiate the residential aspect of the program from the rest of the commercial spaces.

At the rooftop, the mechanical units will be contained within a screened enclosure on the north side of the central bar and appear that they may be nearly invisible from both the street and higher points around the building; however additional details must be provided. Entrances, windows and doors appear to be typical storefront systems in a color to match the dark brick veneer, thus not overtly drawing unwarranted attention. Staff notes that louver vents are proposed to be integrated with the window systems at all levels for a fully integrated mechanical system; no extraneous vents appear to be evident. As noted above, lighting is proposed to be integrated into the metal canopy to light the pedestrian realm below the canopy. With the exception of the garage and loading bay lighting, it does not appear that pedestrian lighting is proposed at the southwest corner of the building. Although some signage is shown on a couple of renderings, no signage is formally proposed as part of this land use application; however the signage shown in renderings appear to be appropriately sized and a continuation of the proposed material palette.

With a satisfactory resolution of the following items, these guidelines will be met:

- *Strengthening of the “C” concept by additional separation of the white metal panel and the thin-clad masonry at top and the bottom of the building;*
- *Resolution of the top of the vertical fields of thin-clad masonry;*
- *Strengthening of the white metal panel as a datum for the base of the building, particularly at the southwest corner of the building, on both the west and south façades;*
- *Strengthening of the vertical slits of dark metal panel, through either widening or the introduction of additional balconies;*
- *Resolution of the ground level south façade where the thin-clad masonry is currently proposed to extend to the ground;*
- *Presentation of an approvable alternative for the north façade to mitigate for the potential loss of windows due to Building Code requirements; and*
- *Resolution to the identification, location, and application of southeast retail material; and*
- *Details of the rooftop mechanical screen to ensure the equipment is adequately screened.*

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: As noted above, lighting is proposed to be integrated into the sidewalk level white metal canopy. This canopy element is repeated at the penthouse level and it appears, through the rendering on C.17 that the penthouse canopy may also be lit, or is expected to reflect interior light, providing a sense of illumination

at night. Staff is supportive of reflected light on the penthouse canopy as a means to highlight the architecture, but notes that the means by which this may occur should be specified in the drawings. No lighting appears to be provided at the southwest glass canopy and not details are provided for the lights shown above the garage and loading bays. The applicant should provide a keyed lighting plan with specified fixtures for the entire site, not just the mezzanine courtyard, so that staff may properly evaluate the effect of the building’s lighting on the public realm, including lighting at the upper levels which may have an effect on the skyline.

Provided the applicant provides a keyed lighting plan with specified fixtures to demonstrate that the proposed lighting is integrated and appropriate, this guideline will be met.

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: As noted above, a few signs are represented in the renderings; however the proposal does not include any formal signage details. The signs shown in the drawings seem to be of the same material palette as the proposed building and located within the first two levels of the building. Staff suggests that the sign shown at the residential entrance should be located at the 1st level rather than 2nd level, as it is presumably identifying a 1st floor entrance and a ground level location would allow the sign to be more easily viewed from the street.

With relocation of the residential entrance sign, this guideline will be 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. 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 Modifications are requested and found to be approvable:

1. Section 33.130.230 *Ground Floor Windows* to reduce the required window length from 39 feet to 28 feet;

Purpose Statement: [Applies to RX zones] In the C zones, blank walls on the ground level of buildings are limited in order 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.

Standard: 33.130.230.B.3 General standard. The windows must be at least 50 percent of the length and 25 percent of the ground level wall area. Ground level wall areas include all exterior wall areas up to 9 feet above the finished grade. The requirement does not apply to the walls of residential units, and does not apply to the walls of parking structures when set back at least 5 feet and landscaped to at least the L2 standard.

Findings: Due to the property's location along a streetcar line to the east and a city Bikeway and Traffic Access Street to the south, the frontage with the lowest traffic and transit classification is SW 12th Avenue. As such, it was determined that the best location for vehicular access to the site would be SW 12th Avenue in order to minimize conflicts with other vehicles and transit modes. In order to access two levels of underground parking the garage access ramp dives steeply from the sidewalk, thus limiting the potential to incorporate loading or trash access within this same drive aisle. Therefore, two curb cuts and overhead doors are required, reducing the possible total length of ground floor windows on this façade to below the required minimum. Staff notes that concentration of the garage, loading, and trash access in the same general area reducing potential conflicts between pedestrians and vehicles and preserves the continuity and safety of the other two façades. The applicant is proposing mitigation through the addition of a green wall to be mounted proud of the brick veneer façade at this location.

The purpose of the standard to “provide a pleasant, rich, and diverse pedestrian experience” and to “encourage continuity of retail and service uses” is met and guideline B2 *Protect the Pedestrian* is better met by modification of this standard. *Therefore this Modification merits approval.*

2. Section 33.266.310.D *Size of loading spaces* to reduce the required length and clearance of the Standard A loading space from 35 feet to 31 feet and from 13 feet to approximately 12 feet, respectively;

Purpose Statement: 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 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.

Standard: Required loading spaces must meet the standards of this subsection.

- a. Standard A: the loading space must be at least 35 feet long, 10 feet wide, and have a clearance of 13 feet.

Findings: By reducing the clearance of the proposed loading space, this one foot of vertical space can be transferred to additional green wall area, therefore

slightly minimizing the negative impacts of the loading space on the sidewalk environment. The reduction in clearance will have little, if any, affect on traffic safety or other transportation functions of the abutting right-of-way. The increased area for the green wall will help the proposal better meet B2 Protect the Pedestrian as this will minimize the negative effects of vehicles areas and perhaps also absorb some of the carbon dioxide emitted by vehicles. In addition, the reduced length dimension also allows the this extra space to be devoted to additional sidewalk area, therefore better meeting guidelines B4 *Provide Stopping and Viewing Places* and C6 *Develop Transitions between Buildings and Public Spaces*. Therefore this Modification merits approval.

The following Modification is requested and not yet found to be approvable:

3. 33.266.220.C *Standards for all bicycle parking* to reduce the bicycle parking space width from the required 2 feet to 14.76 inches for all 294 required long-term bicycle parking spaces.

Findings: The applicant proposes to locate all required long-term bicycle parking in a central bike storage room on the 2nd floor in order reduce wear and tear on the common areas of the building and provide more enjoyable living spaces. In order to do so, the applicant is requesting a Modification to the 24” width standard in order to utilize a two-tier bicycle storage system with a typical center-to-center distance of 14.76 inches. The proposed Modification would significantly reduce the square footage dedicated to long-term bicycle storage, thus allowing more of this area to be devoted to other amenities and leasable commercial space.

While staff is supportive of the proposal to concentrate bikes in a central storage room rather than locating them in the units, as well as supporting the idea of a two-tier system so that vertical storage space is maximized, staff has significant concerns about the reduced width. Planning staff has conferred with PBOT’s bicycle program specialists, who have noted their hesitancy to support the proposed system, citing concerns with potential pedal and handlebar conflicts. The applicant has been attempting to secure a physical example of the proposed system so that staff can view it in person to gain a better understanding of how the system works with a variety of bicycles so that perhaps these concerns could be alleviated; however, this has not yet occurred. Staff anticipates that the applicant will present videos of the proposed system to the Design Commission in the hope that a video demonstration will be sufficient.

Staff notes that the Design Commission previously approved a modification to reduce the width to 18”, provided it was accompanied with a 6” vertical stagger for wall-mounted bicycle; however this Modification only applied to long-term spaces that were proposed in addition to the required minimum number of spaces which did not require a Modification to the standards. The applicant is requesting a Modification to the width standard for all required long-term spaces and is providing only the required number of spaces, with no additional spaces over the minimum. Staff also notes that C.10 of the drawing set indicates that 290 residential long-term bike parking spaces are provided, while 294 are required, while a separate drawing, provided to staff on October 30th but not included in the drawing set indicates that 300 spaces are provided.

Staff is currently not supportive of this Modification, although pending an in-person demonstration of the sufficient functionality of the proposed FALCO

system, staff's opinion could change. It is not likely that this question will be resolved by January 9th and staff welcomes the Commission's comments on this particular topic. In addition, staff notes that the specifications and enlarged details for the proposed FALCO long-term bicycle storage system should also be integrated into the design drawing package.

This Modification does not yet merit approval.

CONCLUSIONS

Staff notes that the proposed building presents a relatively simplistic use of high quality materials in a logical manner; the general program and layout of the building is also logical. Staff supports the "Coupling" concept of the design inspiration and suggests that this concept could be made stronger through relatively minor tweaks in the application of the exterior cladding systems. In addition, some aspects of the sidewalk level of the building's program are not fully resolved, specifically the accessibility and flexibility of the southwest corner space, and areas of added interest such as the art wall and unknown siding material at the southeast corner. Staff is also not yet convinced that the requested Modification to 33.266.220.C to reduce the width of the required long-term bicycle parking spaces is warranted. In addition, staff has noted several areas where additional clarification, details, and design consideration is needed in order for staff to recommend approval. Below is a comprehensive list.

Issues addressed in the Findings above, as well as elsewhere in the Staff Report, which require additional clarification, design consideration and/or details, include the following:

FAR Clarification

- The applicant must specify where the additional FAR over the 8:1 allowed by right is to come from. Since FAR has already been transferred, if it is not to be used as part of this application, then it must revert to the original property. The maximum FAR allowed on this site is 12:1; therefore if the transfer is to be used, then only a portion of the potential bonus FAR can be applied to the development. It must be clearly stated that a maximum 4:1 additional FAR can be earned with the "Total Bonus Earned" no more than 67,440 square feet. The total Floor Area allowed through the base zone, transfer, and bonus is equal to 202,320 square feet.

Design Considerations

- Presentation of an approvable alternative for the north façade to mitigate for the potential loss of windows due to Building Code requirements;
- Provision of unencumbered barrier-free access to both levels of the southwest retail space (see C.26, C.37, & C.38);
- Strengthening of the "C" concept by additional separation of the white metal panel and the thin-clad masonry at top and the bottom of the building;
- Strengthening of the white metal panel as a datum for the base of the building, particularly at the southwest corner of the building, on both the west and south façades;
- Resolution of the top of the vertical fields of thin-clad masonry;
- Strengthening of the vertical slits of dark metal panel, through either widening or the introduction of additional balconies;
- Resolution of the ground level south façade where the thin-clad masonry is currently proposed to extend to the ground;
- Clarification of balcony support systems and how these are integrated with the fenestration systems (see C.51);
- Relocation of the residential entry sign;

Details

- Details for Back-lit glass block art wall on SW Jefferson (see C.20 and C.27);
 - Resolution to the identification, location, and application of southeast retail material (see C.19 & C.20);
 - Clarification of residential window material and refinement of their integration within the wall plane (see C.50);
 - Flashing details, particularly those proposed at brick storefront sills (see C.49);
 - Cornice details at various edges of the building, including the white metal panel overhang at the roof level (scaled section details);
 - Rooftop patio railing details (scaled section details);
 - Mechanical screen details (scaled section details showing mechanical systems);
 - Specifications for the “decorative metal garage door” with renderings to match;
 - Clarification on the brick landing at the SW 12th Avenue frontage (see C.53);
 - Specification of colors proposed for Arriscraft Thin-Clad masonry panels, North-Clad metal panel, and metal spandrel panel including at SE and SW corners (color appears to change across renderings);
 - Enlarged sections at material joints of the Arriscraft Thin-Clad masonry panels, North-Clad metal panels, and windows and doors indicating how the materials work across fields of the same material as well as how differing materials work with each other;
 - Keyed Lighting Plan with fixtures specified for all exterior light fixtures; and
- All details must be incorporated into the final drawing set.

TENTATIVE STAFF RECOMMENDATION

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

Staff does not yet recommend approval of the proposed development.

As noted above, the following Guidelines are not yet met:

- B5 Make Plazas, Parks, and Open Space Successful
- B7 Integrate Barrier-Free Design
- C2 Promote Permanence and Quality in Development
- C5 Design for Coherency
- C8 Differentiate the Sidewalk Level of Buildings
- C9 Develop Flexible Sidewalk-Level Spaces
- C12 Integrate Exterior Lighting
- C13 Integrate Signs

The applicant must submit additional details, clarification, and revised drawings incorporating suggestions made above by staff or incorporating other suggestions made by the Design Commission or the applicant in order to meet these guidelines.

Staff recommends approval for the following **Modification** requests:

1. 33.130.230 *Ground Floor Windows* to reduce the required window length from 39 feet to 28 feet;
2. 33.266.310.D *Size of loading spaces* to reduce the required length and clearance of the Standard A loading space from 35 feet to 31 feet and from 13 feet to approximately 12 feet, respectively; and

Staff does not yet recommend approval for the following **Modification** request:

3. 33.266.220.C *Standards for all bicycle parking* to reduce the bicycle parking space width from the required 2 feet to 14.76 inches for all 300 required long-term bicycle parking spaces.

In addition, staff is still awaiting final approval from PBOT on the proposed below-grade encroachments. This question may or may not be answered by the January 9th hearing.

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Procedural Information. The application for this land use review was submitted on October 1, 2013, and was determined to be complete on November 13, 2013.

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 1, 2013.

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 did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: March 13, 2014.**

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

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

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

Appeal of the decision. The decision of the Design Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the review body, only evidence previously presented to the review body will be considered by the City Council.

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.

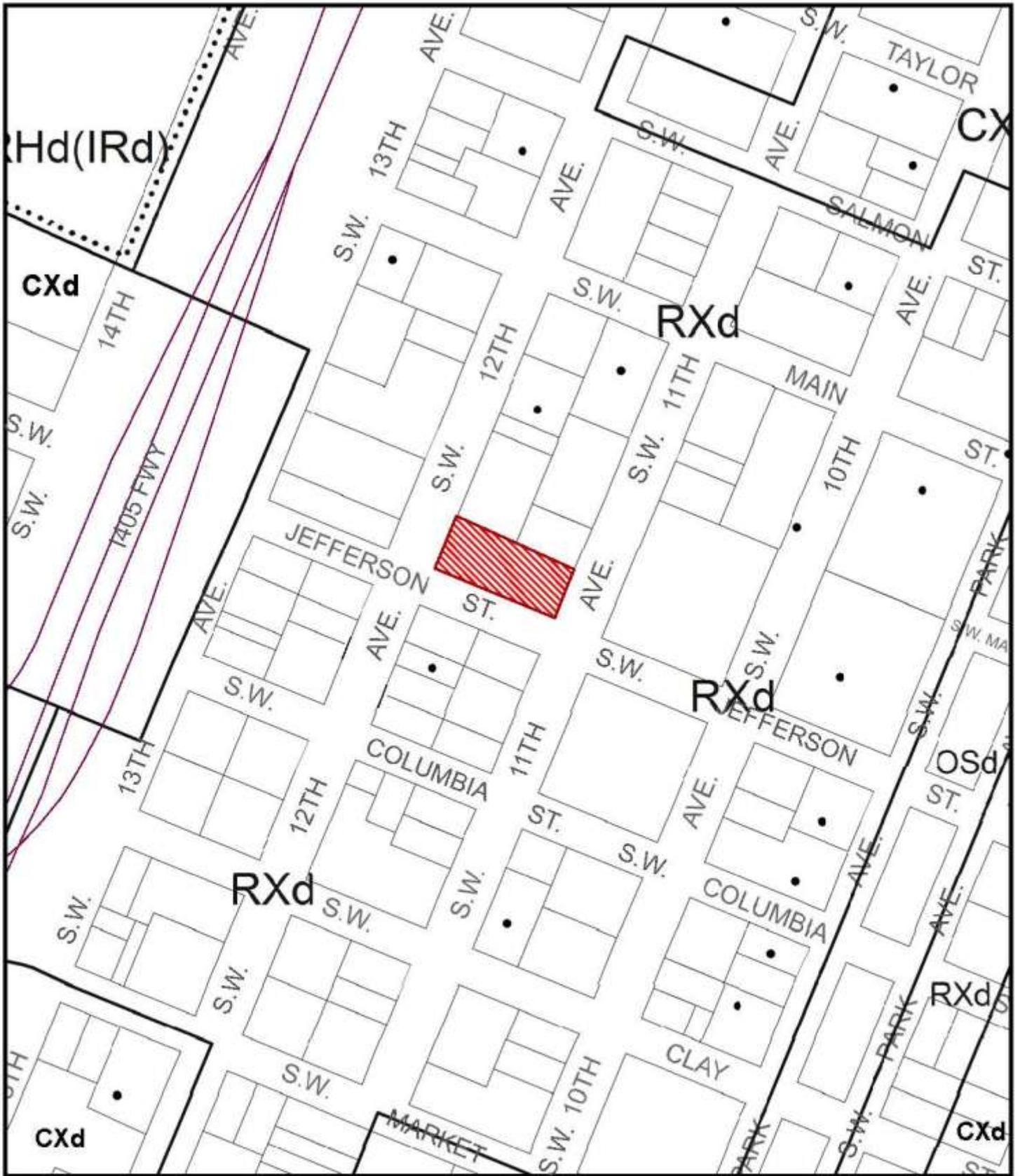
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Hillary Adam
January 2, 2014

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Original Design Narrative, dated October 1, 2013
 - 2. Original Drawing Set, dated October 1, 2013
 - 3. Letter from Jeff Reingold to Peter M. Wenner, dated November 8, 2013, allowing the proposed security gate at the northeast corner
 - 4. Completeness items, provided November 13, 2013
 - 5. Email from Ross Cichosz, of Pacific Power approving the proposed vault location, dated November 12, 2013
 - 6. Memorandum on trip generation from Kittleson & Associates, Inc., dated August 20, 2013
 - 7. Stormwater Management Report, received November 13, 2013
 - 8. Geotechnical Investigation and Site-Specific Seismic Hazard Evaluation, received November 13, 2013
- B. Zoning Map (attached)
- C. Plan & Drawings
 - X. Cover Sheet
 - 1. Table of Contents C.1
 - 2. Vicinity Map C.2
 - 3. Overall Area Diagram C.3
 - 4. Existing Site Conditions Plan C.4
 - 5. Frontage and Grading Plan C.5
 - 6. Utility and Storm Water Management Plan C.6
 - 7. Photos Project Site C.7
 - 8. Photos Neighborhood Images C.8
 - 9. Photos Neighborhood Images C.9
 - 10. Overview and Program Area Summary C.10
 - 11. Design Advice Request Hearing – Commissioner Comments C.11
 - 12. Design Advice Request – Comment Integration C.12
 - 13. Design Advice Request – Comment Integration C.13
 - 14. Design Advice Request – Comment Integration C.14
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 - 16. Overall Building Rendering C.16
 - 17. Overall Building Rendering – Evening C.17
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 - 21. Street View at 12th Avenue and Jefferson Street C.21
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 49. Enlarged Elevation – Wall Section – Exterior Detail C.49
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- D. Notification information:
1. Request for response
 2. Posting letter sent to applicant
 3. Notice to be posted
 4. Applicant's statement certifying posting
 5. Mailed notice
 6. Mailing list
- E. Agency Responses:
1. Bureau of Environmental Services
 2. Bureau of Transportation Engineering and Development Review
 3. PBOT Bicycle Program Specialist
 4. Life Safety Division of BDS
 5. Water Bureau
 6. Site Development Review Section of BDS
 7. Bureau of Parks, Forestry Division
 8. Fire Bureau
- F. Letters: none
- G. Other
1. Original LUR Application
 2. Incomplete Letter, dated October 22, 2013



ZONING



Site



Historic Landmark



NORTH

This site lies within the:
**CENTRAL CITY PLAN DISTRICT
 DOWNTOWN - WEST END**

File No.	<u>LU 13-211645 DZM</u>
1/4 Section	<u>3128</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E04AA 5300</u>
Exhibit	<u>B (Oct 04, 2013)</u>







