



Revised STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION – Approval

CASE FILE: LU 15-259840 DZM
PC # 15-177695
1111 SE Sandy Blvd
REVIEW BY: Design Commission
WHEN: April 14, 2016, 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: Jeff Mitchem 503-823-7011 /
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Please Note: All new or updated text in this Revised Staff Report is boxed.

GENERAL INFORMATION

Applicant: David Mullens
Urban Development Group
735 SW 158th Avenue
Beaverton, OR 97006

Representative: Don Vallaster
Vallaster Corl Architects
711 SW Alder St Penthouse Ste
Portland, OR 97205

Site Address: 1111 SE Sandy Blvd
Legal Description: BLOCK 237 LOT 1&2&7&8 TL 800 LAND & IMPS SEE R150522 (R226515691) FOR BILLBOARD, EAST PORTLAND; BLOCK 237 LOT 7 EXC W 12' & EXC PT IN ST LOT 8 EXC W 12' & EXC PT IN STS, EAST PORTLAND

Tax Account No.: R226515690, R226515760, R226515760
State ID No.: 1N1E35CD 00800, 1N1E35CD 00700, 1N1E35CD 00700
Quarter Section: 3031

Neighborhood: Buckman, contact Matthew Kirkpatrick at 503-236-6350.
Business District: Central Eastside Industrial Council, contact Peter Fry at 503-274-2744.
District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.
Plan District: Central City - Central Eastside

Zoning: EXd, Central Employment with a Design Overlay
Case Type: DZM, Design Review with Modifications
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 Burnside Delta project is proposed on a triangular 10,231 SF site at a Central City Gateway location – E Burnside and SE Sandy Blvd. The proposed building is 6 stories above a basement level built into the slope of the site which drops approximately 14' in approximately 200' on the E Burnside frontage. Approximately 2,500 SF of retail space is proposed on either end of the E Burnside frontage at SE Sandy Blvd and SE 11th Ave. 85 residential units are proposed on levels 1-6 and a community room and deck are proposed on level 6. Both residential lobby and garage access (approximately 18 vehicle parking spaces and 56 bike parking spaces) are proposed on SE 11th Ave at mid-block.

Please Note:

All revised narrative appears in Boxed Text. The primary changes from the February 4, 2016 hearing are:

- **Cladding Material.** The proposed primary exterior cladding is 5/8" Ultra High Performance Concrete panel by Taktil (primary) accented with backed composite metal panel. Exposed cast-in-place is expressed intermittently at the ground level. Approximately 25 balconies (30% of total units) are proposed on levels 3-7.
- **Burnside Arcade.** The Drawing Set (Sheets C17 and C18) identified three options in response to Design Commission directive to pursue greater encroachment expression on the E. Burnside frontage. Design A is a 4' projection of internal floor area. Design B is a 6' projection of balconies and no internal floor area. Design C is an 8' projection including both internal floor area and balconies. ***Staff recommends approval of the project with the condition that Design C, the 8' projection (illustrated on Sheet C18) is constructed.***
- **Transformer Vault.** The Applicant is coordinating with PBOT and PGE to locate the vaults in both SE 11th Ave and Sandy Blvd ROW. The Utility Plan submitted by the Applicant indicates that the vault lids will be outside of the pedestrian through zone.
- **Ordinance No 187627.** Portland City Council authorizes PBOT to waive TRN 8.01 Major Encroachments for developments on East Burnside for arcaded structures.

Modifications and Design Exceptions requested:

- **Modification #1,** Parking Area Layout;
- **Modification #2,** Parking Space Dimension;
- **Modification #3,** Ground Floor Windows on SE Sandy Blvd and SE 11th Ave;
- **Modification #4,** Long-Term Bike Rack Size;
- **Modification #5,** Transit Street Main Entrance;
- **Design Exception #1,** Garage Door Setback – to allow the garage door setback to be less than 20'; and,
- **Design Exception #2,** Oriel Windows.

Approval Criteria:

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

- 33.825 Design Review
- Modification Criteria (33.825.040)
- Special Design Guidelines of the
- Central City Fundamental Design Guidelines

Central Eastside

ANALYSIS

Site and Vicinity: The site is a triangular shaped parcel with frontage on SE Sandy Blvd, SE 11th Ave, and East Burnside St. The site slopes significantly to the west, dropping approximately 14 feet along E. Burnside. The southwestern portion of the block supports a restaurant (Michael's) that will remain. Vicinity development facing the intersection of NE 12th Ave., Sandy Boulevard and E. Burnside are developed with parking lots or are vacant with billboards. Nearby to the east is the Linden, a 6-story apartment building outside the Design Overlay Zone. Other context includes retail and light industrial development, with various residential structures to the south and west.

With regard to the vicinity transportation network, East Burnside Street is classified as a Major City Traffic Street, Major Transit Priority Street, City Walkway, and Local Service Bikeway. SE Sandy Blvd is a Regional Main Street, Main Truck Street, Transit Access Street, City Walkway, and City Bikeway. The site is also located at the far eastern edge of a designated Freight District but not within any designated Pedestrian Districts. Both E Burnside and SE Sandy Blvd feature high-frequency bus service with a popular transfer stop at the intersection. The entire E Burnside frontage is a dedicated bus turn-out lane that is used as a driver shift changes. As such, busses remain parked for periods of time during shift changes.

The site vicinity is designated a Gateway in the Central City Plan signifying entry to the Central Eastside Industrial District (CEID), which is bounded by Interstate 84 to the north, the Willamette River to the west, SE Powell Boulevard to the south, and SE 12th Avenue to the east. The CEID is about 681 acres in area, contains approximately 1,122 businesses, and employs about 17,000 people. Block 76E is also located within the Kerns neighborhood, which is bordered by the Buckman, Lloyd, Sullivan's Gulch, Laurelhurst, and Sunnyside neighborhoods.

The area surrounding the subject site contains a wide variety of uses, such as manufacturing and production, warehouses, independent "creative" firms and start-up companies, small offices, scattered residential buildings, car dealerships, social service agencies, restaurants, bars, nightclubs, a skateboard park, and locally owned independent retail shops. E Burnside, from approximately SE 6th Avenue to SE 12th Avenue, has become a destination area for new retailers and restaurateurs in recent years, resulting in an increasingly pedestrian-oriented corridor that is active during daytime as well as nighttime hours.

Zoning: Central Employment (EX): The EX zone is a high-density zone characterized by a very high percentage of building coverage. The major types of new development will be light industrial, commercial, and mixed-use buildings with pedestrian oriented design. EX zones will be located near the center of the city where transit is readily available and where other commercial and employment opportunities are nearby. EX zones will usually be applied in combination with the Central City plan district.

Design Overlay (d): The Design Overlay Zone 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, and development of design guidelines for each district.

Central City Plan District: The Central City plan district implements the Central City Plan and other plans applicable to the Central City area. These other plans include the

Downtown Plan, the River District Plan, the University District Plan, and the Downtown Parking and Circulation Policy. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A *Notice of proposal in Your Neighborhood* was mailed **January 12, 2016**. The following Bureaus have responded with no issues or concerns:

- **Water Bureau** (Exhibit E.1)
- **Urban Forestry** (Exhibit E.2)
- **Life Safety Plans Examiner** (Exhibit E.3)
- **Site Development Section of BDS** (Exhibit E.4)
- **Fire Bureau** (Exhibit E.5)
- **Bureau of Environmental Services** (E.6)

The **Bureau of Transportation Engineering** responded indicating that the Applicant shall continue to coordinate with PBOT on the Major Encroachment process. (Exhibit E.7)

Neighborhood Review: A *Notice of Proposal in Your Neighborhood* was mailed on **January 12, 2016**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

1. Design Review (33.825)

33.825.010 Purpose

Design Review ensures:

- That development conserves and enhances the recognized special design values of a site or area;
- The conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district;
- That certain types of infill development will be compatible with the neighborhood and enhance the area; and
- High design quality of public and private projects.

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.

It is important to emphasize that design review goes beyond minimal design standards and is viewed as an opportunity for applicants to propose new and innovative designs. The design guidelines are not intended to be inflexible requirements. Their mission is to aid project designers in understanding the principal expectations of the city concerning urban design. The review body conducting design review may waive individual guidelines for specific projects should they find that one or more fundamental design guidelines is not applicable to the circumstances of the particular project being reviewed. The review body may also address aspects of a project design which are not covered in the guidelines where the review body finds that such action is necessary to better achieve the goals and objectives of design review in the Central City.

Findings: The site is designated with Design Overlay zoning (d) and the proposal is for non-exempt new construction and four modifications. Therefore the proposal requires Design Review approval. The approval criteria are *Central City Fundamental Design Guidelines – Central Eastside Subarea* and 33.825.040 -*Modifications That Will Better Meet Design Review Requirements.*

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

The Central Eastside is a unique neighborhood. The property and business owners are proud of the district's heritage and service to the community and region. Light industry, distribution/warehousing, and transportation are important components of the district's personality. To the general public, retail stores and commercial businesses provide the central focus within the district.

The underlying urban design objective for the Central Eastside is to capitalize on and emphasize its unique assets in a manner that is respectful, supportive, creative and compatible with each area as a whole. Part of the charm and character of the Central Eastside District, which should be celebrated, is its eclectic mixture of building types and uses. An additional strength, which should be built on, is the pattern of pedestrian friendly retail uses on Grand Avenue, East Burnside and Morrison Streets, as well as portions of 11th and 12th Avenues.

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 Eastside Design Goals

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

- Encourage the special distinction and identity of the design review areas of the Central Eastside District.
- Provide continuity between the Central Eastside and the Lloyd District.
- Provide continuity between the Central Eastside and the river, downtown, and adjacent residential neighborhoods. Enhance the safety, convenience, pleasure, and comfort of pedestrians.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within 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 addressed only those applicable to this proposal.

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

Findings: Although the site for the proposed building is approximately half a mile east of the Willamette River, at seven stories in height vistas from its street facing upper floor windows, ample balconies and level 7 amenity deck will provide a sense of the river's presence including oblique views of the water. *Therefore, this guideline is met.*

A5-1 Reinforce the Effect of Arcaded Buildings Fronting on East Burnside Street.

A unique characteristic of the Central Eastside District is the series of arcaded buildings over the sidewalk along East Burnside St to Sandy Blvd. They provide protection to the pedestrian in an auto-oriented environment. In addition, they help narrow the width of East Burnside, which is a physical and psychological obstacle to pedestrian movement. The arcading of building fronts is a beneficial tradition for pedestrians along E Burnside, and should be a continue practice.

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: The project proposes several types of encroachments within the abutting public right-of-way – floor area, well-integrated balconies and ground floor canopies projecting within the E Burnside ROW, and an Oriel window projection within the SE 11th Ave ROW. The E Burnside encroachment is proposed as three options for Commission consideration: Design A (4’ minor encroachment projection); Design B (6’ balcony projection); and, Design C (8’ major encroachment projection).

At the February 4, 2016 hearing, the Design Commission reiterated the importance of an arcaded component to the project citing the following recommendations:

- recognize that building is in Arcade district;
- a substantial amount of the building should project over sidewalk – gestural recognition;
- columns are not necessary;
- explore creative solutions on how to continue the concept of the street;
- a formal “arcade” is not necessary, the resolution could be a cantilever; and,
- a stepped or partial arcade is OK.

Pursuant to Design Commission direction at hearing #1 to more fully resolve the arcaded form, the Applicant generated three options for projections of varying depth over approximately 60 linear feet of the E Burnside St ROW – Design A (4’ minor projection), Design B (6’ balcony projection); and, Design C (8’ major projection). The Applicant prefers Design A citing grade (8.75% in 200’) and the

triangular shaped site (inefficient floor plates) as the primary constraints to any greater degree of arcade expression.

While the grade condition is a significant impediment to spill-out potential, explicit in these guidelines is the continuation of the **traditional arcaded form** of projecting building mass into the right-of-way to both **narrow the perceived width of the street and provide full pedestrian protection**. Staff finds that neither Design A nor Design B meet these intentions. Design A, at a depth of 4', is a traditional Oriel form, not a traditional Arcade form. Design B, at 6' projects into the ROW 2' less than the storefront canopy below. And, neither form represents the degree of building mass necessary to convey a perceived narrowing of the ROW while providing a degree of pedestrian protection beyond that of a standard canopy.

Staff finds that the 8' projection including some portion of internal floor area is the minimum mass necessary to appear referential to the traditional arcaded masses on adjacent blocks while offering an increased measure of pedestrian protection beyond that of a standard storefront canopy as encouraged by these guidelines.

Therefore, with the Condition of Approval that the amount of building mass projection be a minimum of 8' along the western-most one third of the E Burnside frontage (approximately 60'), this guideline is met.

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

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

A5-2. Acknowledge the Sandy River Wagon Road (Sandy Boulevard). Acknowledge the historical significance of the Sandy River Wagon Road (Sandy Boulevard) from East Burnside to 7th Avenue with an upgrade of the public right-of-way to be more pedestrian accommodating and which is related to its historical context. New development located adjacent to this diagonal alignment also should acknowledge the historical significance in a creative way that is attractive, informative, and appropriate.

A5-4. Incorporate Works of Art. Incorporate works of art into development projects.

Findings for A4, A5, A5-2 A5-4: The built context of the project vicinity is an eclectic mixture of building types – ranging from traditional masonry buildings to newer glass and metal infill. The proposed metal cladding (3/16" steel tread plate) and expressed concrete podium are emblematic of the industrial character in the surrounding area and exemplify architectural unification. The upper-story VPI vinyl windows and aluminum storefront are common systems in newer vicinity construction. The project's overhead panel garage door and canopied retail entries are also found throughout the Central Eastside.

The project incorporates a methodology of cladding expressed as a panelized system with floor-to-ceiling window openings organized into three primary bays separated by integrated balconies. The building form responds to the gateway location at E Burnside St and SE Sandy Blvd (Sandy River Wagon Rd) by presenting a flat-iron form directly to the acutely angled intersection. This flat-iron feature is further accentuated by well-integrated balconies which convey a "prow" like form recognizing the importance of the site as a gateway to the central city.

The project acknowledges the Sandy River Wagon Road and the historical character of the neighborhood by incorporating the following concrete wall treatments (Exhibit C.23 and C.33 respectively): (1) integrating within the concrete wall facing Sandy Blvd an embossed image depicting the Columbia River, City of Portland and the Sandy River Rd alignment and (2) an enlarged embossed image of the historical (circa 1926) mapping of the neighborhood on the windowless concrete wall south of garage door on the west elevation. In so doing, the project provides an additional element to the open space linkage that punctuates the length of the bisecting boulevard and references the historical importance of the site as a gateway to the Central Eastside Industrial District. *Therefore, these guidelines are met.*

A5-3. Plan for or Incorporate Underground Utility Service. Plan for or Incorporate Underground Utility Service to development projects.

Findings for A5-3: The proposed design will place all utilities underground. *Therefore, 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.

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 footprint of the proposed building will occupy the entire site thereby establishing urban enclosure where none currently exists. In addition, levels 2-5 will project over the property line into the SE 11th Ave ROW further reinforcing the street enclosure on the project's west elevation. At the residential entry and the garage door facing SE 11th Avenue this treatment provides space where people on foot can encounter one another and vehicles safely and graciously. In combination these design features provide an excellent balance between urban enclosure and pedestrian friendliness. *Therefore, these guidelines are met.*

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

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.

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.

B6-1. Provide Pedestrian Rain Protection. Rain protection is encouraged at the ground level of all new and rehabilitated commercial buildings located adjacent to

primary pedestrian routes. In required retail opportunity areas, rain protection is strongly recommended.

Findings for B1, B2, B4, B6, and B6-1: With the exception of a single proposed oriel, which is addressed below, the proposal employs standard treatments in the public right-of-way, including street trees and planted tree wells. It also enhances the sidewalks by providing generous covered walking surfaces for over half of the project’s frontage on both E Burnside and SE Sandy Blvd.

In addition to the overhanging upper floors, and projecting metal canopies and balconies, the undersides of canopies will include recessed LED lighting to accentuate these elements and emphasize entries at night. While these treatments are all straightforward and commonplace, in combination they result in a significant pedestrian zone abutting the project that will feel comfortable and safe both during the day and at night. *Therefore, 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: Due to site’s elevated disposition, the building will remain among the tallest structures in its vicinity, and will afford distant views to the river, downtown, and the west hills. The design responds appropriately to this opportunity with generous windows, ample balconies and a west-facing common outdoor area at the sixth floor. *Therefore, this guideline is met.*

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

Findings: The residential use proposed for this location represents a trending departure from the light manufacturing, automotive, building trade, wholesale, retail, and warehousing operations that have historically and are currently dominating the vicinity. The choice of cast-in-place concrete as a principle ground floor material responds well to the utilitarian quality of the surrounding neighborhood, while the proposed 5/8” Ultra High Performance Concrete panel (by Taktil) represents the unique application of a quality material of permanence. Accentuating the upper floor recesses with a backed composite metal panel will add interest and reflect contextually germane practices. *Therefore, this guideline is met.*

C1-1. Integrate Parking.

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

Findings: Although onsite parking is not required with redevelopment of this site, the proposal retains approximately the same number of stalls as are currently on the property. However, rather than a surface lot as currently exists, the proposal is for a partially below-grade parking garage accessed from SE 11th Avenue toward mid-block. This approach will not only improve the appearance of the site but will also allow for an interior although non-standard loading bay – the Standard B stall (9’Wx18’Lx10’H) is proposed to partially block an internal drive aisle which

requires a Modification to PZC 33.266.130 F.1.a, Parking Area Layouts requiring that parking areas be designed so that a vehicle may enter or exit without having to move another vehicle (Please refer to Modification #1 in Section 2 of this Staff Report). PBOT had indicated that prior to supporting this Modification, a Queuing Analysis shall be submitted. A queuing analysis has been submitted to PBOT's satisfaction. As such, Staff determines that the parking layout as proposed will be operationally supportable. *Therefore, this guideline is 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.

Findings: The palette of exterior materials is comprised of five primary components with texture and color variations: 5/8" ultra high performance concrete panel (concealed fasteners); backed composite metal panel; cast-in-place concrete; aluminum framed storefront; and, commercial-grade vinyl residential windows and doors. The proposed primary cladding material – 5/8" ultra high performance concrete panel (concealed fasteners) – will be sparingly accented with the composite metal panel at the unit balconies and amenity deck. Combined, these two materials present a well-restrained and coherent overall expression.

The building's accents are subtly employed to both distinguish and unify key programmatic components – the accenting composite metal panels at recessed balconies are subtly unified with other complimentary systems such as windows, doors, balconies, amenity deck and garage door with a common orange color; and, the integrated E Burnside St encroachment (4-floor volume arcade expression) and recessed sixth floor deck serve to distinguish the west elevation as the primary public amenity.

The 5/8" ultra high performance concrete panel is a material of permanence that is applied in an aesthetically consistent manner holding the building together as a harmonious whole. The graphite colored metal is characterized by a subtle reflectivity that will soften the building's overall appearance and unify the eroded upper floor with the lightness of the ground floor storefront glazing. This treatment creates a distinct, yet unified and well anchored building base with a mix of glazing and concrete with expressed columns. *Therefore, 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 project has two primary corners on E Burnside – SE 11th Ave and SE Sandy Blvd – that are well resolved as visually and physically active expressions. As stated above, the 11th Ave corner is well-distinguished as the building's primary public amenity – residential lobby and spill-out retail (with operable storefront) at the ground floor, west-facing residential units with views of Portland's downtown and west hills, the oriel projection and the 6th floor amenity deck.

Also as stated above, the Sandy Blvd corner responds to its location as a Central City Gateway by presenting a flat-iron form uphill directly to the acutely angled

intersection. Lined with well-integrated balconies, the building conveys a “prow” like form departing the Willamette River on a course of north-northwest. Ground-level active use (designed for a restaurant) will serve to further activate this corner. *Therefore, this guideline is met.*

C8. Differentiate the Sidewalk-Level of Buildings. Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

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

Findings for C8 and C-9: The proposed ground floor is approximately two-thirds glazed storefront balanced by more solid treatments along SE Sandy Blvd and at the garage entry facing SE 11th Avenue. Given the site’s grade differential, the building’s base is differentiated as a one-level volume oriented to SE Sandy Blvd and as a two-level volume oriented to SE 11th Ave. Distinguished with storefront glazing, the building’s base is further accentuated through expressed structure in the form of exposed columns on both the E Burnside and SE 11th Ave elevations.

Due to varying floor levels in these spaces (because 8.75% slope), sidewalk level activation through retail entry is limited to the corners at SE Sandy Blvd and SE 11th Ave. Despite this constraint, well-covered ground-floor storefronts (operable facing SE 11th Ave) take advantage of favorable orientation to the exposure of E Burnside creating very desirable ground floor tenant spaces for approximately two-thirds of this frontage. *Therefore, these guidelines are met.*

C11. Integrate Roofs and Use Rooftops. Integrate roof function, shape, surface materials, and colors with the building’s overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City’s skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective storm water management tools.

Findings: Rooftop mechanical equipment will be not be visible from street level viewpoints. And, because the building will be taller than most in the vicinity, private views of the rooftop will also be limited. At a distance the elevator overrun may be visible. Notwithstanding this limited visibility of the roof, the proposed mechanical equipment is appropriate in size and location, and is cohesively organized at central-roof and screened with perforated metal painted to match the color of the steel siding. *Therefore, this guideline is met.*

C12. Integrate Exterior Lighting. Integrate exterior lighting and its staging or structural components with the building’s overall design concept. Use exterior lighting to highlight the building’s architecture, being sensitive to its impacts on the skyline at night.

Findings: Exterior lighting proposed for the building includes the following:

- LED step lights at either side of garage door entry and at base of retail bay on SE 11th Ave and near art along SE Sandy Blvd,
- LED recessed lights in soffits at retail canopy entries, balconies facing corner of SE Sandy and Burnside and amenity deck,
- LED down lights at amenity deck.

These features are designed to downcast light in occupied outdoor space and improve nighttime visibility on the adjacent sidewalks and mark important

locations on the building without having any discernible effect on the skyline.
Therefore, this guideline is 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:

- 1. Modification of 33.266.130 F.1.a, Parking Area Layouts.** 1. Access to parking spaces. a. All parking areas, except stacked parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle. The project proposes that the internal loading space partially block an internal drive aisle.

Purpose: The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones. Together with the transit street building setback standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian Districts:

- Provide a pedestrian access that is protected from auto traffic and create an environment that is inviting to pedestrians and transit users.
- 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.

Findings for Modification 1: The applicant proposes one on-site loading space within the at-grade parking garage intended to serve truck loading demands associated with apartment move-in/outs. The entrance to the parking garage will be provided by a 20-foot wide driveway along SE 11th Ave, approximately 60 feet south of the extended curb line on E Burnside St. The entrance will include a sectional security gate located 12 feet from the finished curb line.

Loading movements will be forward ingress and back-out egress. A queuing analysis prepared by the applicant's representative (Kittelton and Associates) indicates that there will be sufficient stopping sight distance available for drivers traveling southbound on SE 11th Avenue to stop before reaching a single-unit truck backing out from the proposed site access driveway. In addition, drivers of single-unit trucks (26 feet in length or less) will be able to see if vehicles or bicyclists are present along SE 11th Avenue before attempting a backing maneuver onto the

adjacent roadway. Under these conditions, it was determined that backing maneuvers by single-unit trucks will not negatively affect traffic safety of drivers or bicyclists.

- A. ***The resulting development will better meet the applicable design guidelines.*** The proposed development better meets the applicable design guidelines (B2 Protect the Pedestrian, C1-1 Integrated Parking) by enhancing pedestrian convenience and safety through consolidating vehicle ingress/egress, parking and loading and internal garage access. The high speed of the garage door operations (1-7 seconds) and perforated metal combine to enhance pedestrian safety and building security – allowing a resident to open the garage door quickly without straddling the sidewalk and view pedestrians on either side of the door and proceed cautiously. Finally, the door closes quickly upon a car pulling into the garage and alleviates a significant security concern of intruders sneaking in through a garage door after a vehicle exits the garage.

A forward motion solution would displace a significant amount of program contributing to pedestrian convenience and safety (long-term bike parking, lobby access, mechanical parking, etc.) The location of the loading facility within the internal drive aisle should relieve congestion off-site within the public ROW. Similar loading situations occur in comparable buildings in the City and are handled with attentive building management. *Therefore this criterion is met.*

- B. ***On Balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*** The proposal is consistent with the intent of the standard. The intent of the 18'-0" setback is to allow for a car to turn off a street, cross the sidewalk, and queue in front of the garage door such that pedestrians can cross the sidewalk without having to walk around a car. In practice, the garage door operates so quickly that upon vehicular ingress, this condition is alleviated from occurring. From a vehicular egress perspective, there is little practical difference between queuing within the building or queuing outside the building.

The purpose of the standard is described as ensuring adequate areas for loading. As stated above, very similar conditions in comparable buildings exist in Portland and are handled without issue by attentive building management through careful loading scheduling. The standard also describes the need to ensure the appearance of loading areas will be consistent with that of parking areas. The parking area and loading facility are accessed via the same high-quality, fast acting overhead garage door. *Therefore this criterion is met.*

The overall solution is consistent with the purpose of the parking development and loading standards. *This Modification therefore merits approval.*

2. Modification of 33.266.130 F 2, Parking Space Dimension. For some parking spaces narrowed by building columns.

Purpose: The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones. Together with the transit street building setback standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian Districts:

- Provide a pedestrian access that is protected from auto traffic; and
- Create an environment that is inviting to pedestrians and transit users.

- 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.

Findings: The modification to reduce the width of 6 of the 18 garage parking spaces from 8'-6" to 7'-9" due to required structural column layout is in keeping with other parking garages of this type. The remaining parking spaces will be a minimum of 8'-6" wide. The drive aisles and other maneuvering spaces as well as bike parking, stairways, ADA parking spaces, and pedestrian walkways will comply with code requirements so that vehicles can enter and exit as well as pass each other within the parking garage in a safe manner.

A. **Better meets design guidelines.** *The resulting development will better meet the applicable design guidelines.* The proposed range of parking space sizes is an increasingly common feature of parking garages around the city and allows for more spaces to be provided within the development. This in turn incrementally relieves parking burden that would have to be accommodated by on-street parking which can in-turn meet project parking demand below-grade and not within the public ROW. In addition, because all spaces will be assigned, larger vehicles will be assigned larger spaces to fit safely in the garage. Therefore, this modification better meets design guidelines: C1-1 (Integrate Parking) in that it provides well-integrated in the development while allowing more of the ground level active uses along SE 11th Ave that enhance the relationship with pedestrians. *Therefore this criterion is met.*

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 parking area layout standards are intended to promote safe circulation within the parking area and provide for convenient entry and exit of vehicles. Structural concrete columns that are 16" wide x 24" long would be located between some parking stalls that would protrude up to approximately 9" into the 8'-6" clear width of the stall on each side. The columns are generally located near the back end or front end of the space so as not conflict with car door operations. This reduced width will accommodate a regular sized vehicle, however, may require additional maneuvering. Building management could also limit these spaces to compact vehicles, if desired. *Therefore this criterion is met.*

Therefore this Modification merits approval.

3. Modification of 33.140.230, for less than standard ground floor windows on SE Sandy Blvd and SE 11th Ave facades.
Standard

B. Required amounts of window area. In the EX zone, all exterior walls on the ground level which are 20 feet or closer to a street lot line, sidewalk, plaza or other public open space or right-of-way must have windows. The windows must be at least 50% of the length and 25% 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 the L2 standard.

C. Qualifying window features: Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances or display windows set into the wall. Display cases attached to the outside wall do not qualify. The bottom of the windows must be no more than 4 feet above the adjacent grade.

Purpose. In the EX zone, 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.

Findings: The west elevation along SE 11th Ave does not meet the required amount of window length (47%) and meets the requirement for amount of window area (40%). The SE Sandy Blvd frontage does not meet the required amount of window length (31%) and the required window area (23%). The compromise in ground floor transparency on SE 11th Ave is incremental at only 3% (or 2.25 linear feet), while the Sandy Blvd frontage is 10% short or approximately 20’.

- A. ***The resulting development will better meet the applicable design guidelines.*** The steeply sloped, triangular shaped site yields relatively compressed frontages of approximately 100’ on both SE 11th Ave and Sandy Blvd. Given this constraint, parking and loading access is limited to the SE 11th Ave frontage at the low end of the site. As stated earlier, the project seeks to meet two fundamental design objectives: the inclusion of some amount of vehicular parking and providing a significant amount of ground floor retail. As such, sustained glazing on the SE 11th Ave and Sandy Blvd frontages is not possible due to the exposure of structural foundation and retail back-of-house as the grade drops westward and the only viable options for building access (retail and residential lobby) are on the high- and low-sides of the site.

The project acknowledges the Sandy River Wagon Road and the historical character of the neighborhood by incorporating the following concrete wall treatments (Exhibit C.23 and C.33 respectively): (1) integrating within the concrete wall facing Sandy Blvd an embossed image depicting the Columbia River, City of Portland and the Sandy River Rd alignment and (2) an enlarged embossed image of the historical (circa 1926) mapping of the neighborhood on the windowless concrete wall south of garage door on the west elevation. In so doing, the project provides an additional element to the open space linkage that punctuates the length of the bisecting boulevard and references the historical importance of the site as a gateway to the Central Eastside Industrial District. These treatments contribute to the project better meeting Guidelines A5-2 Acknowledge the Sandy River Wagon Road and A5-4 Incorporate Works of Art. *Therefore this criterion is met.*

- B. ***On Balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*** Among the purposes of the required ground floor window standard are to provide a diverse pedestrian experience, encourage surveillance opportunities by restricting fortress-like facades at street level, and to avoid a monotonous pedestrian environment. By providing a well-glazed frontage (though above the 4’ sill height requirement), visual access from the building’s interior to the streetscape is maintained, and by providing imbedded concrete form artwork, many of the stated purposes are accomplished. Taking into account the provision of on-site, well-integrated parking and loading, the proposal is consistent with the overall intent of the ground floor window standard. *Therefore this criterion is met.*

This Modification therefore merits approval.

4. Modification of 33.266.220.C.3.b. Standards for all bicycle parking

Standards. A space 2 feet by 6 feet must be provided for each required bicycle parking space, so that a bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components. The project proposes the bikes racks be stacked and staggered at 18” on center.

Findings: The project includes 56 total long term bicycle parking spaces within the ground level parking garage, in addition to the balance of required long-term stalls within residential units.

- A. ***The resulting development will better meet the applicable design guidelines.*** Accommodating these bicycle parking spaces in a horizontal rack would consume considerable floor area. Relying upon a vertical/stacked bike rack is a more efficient use of space, and is identical to the parking system recently approved in numerous Design Reviews throughout Central City. The proposed functional and space efficient system eases floor plan demands and results in additional opportunities for active uses at the street, such as lobby space and retail tenant spaces which contributes to the project better meeting Guidelines A8 Contribute to a Vibrant Streetscape and B1 Reinforce and Enhance the Pedestrian System. *Therefore this criterion is met.*
- B. ***On Balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*** The primary purpose of the standard is to ensure that required bicycle parking is designed so that bicycles may be securely locked without undue inconvenience and damage. The proposed bike rack system is engineered to stack bikes vertically to allow the handle bars to overlap. This allows the proposed racks, within an 18” space, to provide the same level of service that would be provided by a standard 24” on center spacing. The staggered clearance between adjacent bikes and allowance for sliding hangers ease the hanging and locking of a bike. A 5’ minimum aisle is still provided behind each bicycle rack. The rack system will be located within a secure bike storage room within the parking garage. For these reasons, the bicycle parking system is safe and secure, located in a convenient area, and designed to avoid any intentional or accidental damage to bicycles; as such, the proposal is consistent with the purpose statement of the bicycle parking standards. The overall solution is consistent with the purpose of the bicycle parking standard. *Therefore this criterion is met.*

This Modification therefore merits approval.

5. Modification of 33.140.242 Transit Street Main Entrance

Purpose. Per 33.140.242 the main entry for retail spaces are required to face or be at a 45 degree angle to the Transit St. (E Burnside St.) The purpose of the standard is to locate the main entrance to a use on a transit street thereby providing convenient pedestrian access between the use and public sidewalks and transit facilities, and so promotes walking and the use of transit.

Findings. The project proposes to modify the entrance to the retail space on the NW corner of the lot from E Burnside St. to SE 11th Ave. The retail space requiring the

Modification (northwest corner of the site fronting E Burnside St) is relatively steep making it difficult to locate an accessible entrance on that Street.

- A. ***The resulting development will better meet the applicable design guidelines.*** The project's entire E Burnside St frontage lacks on-street parking, and because it features a dedicated stacking lane for Tri-Met busses the sidewalk is 8' narrower than abutting blocks. As a layover area for changing drivers, this lane will likely have idling buses for periods of time throughout the day. And, given the uphill one-way travel lane, bus acceleration impacts are likely to compromise the pedestrian realm. By contrast, SE 11th Ave is relatively flat permitting an accessible entrance to the retail tenant space, and is more conducive to spill-out activity given the presence of on-street parking and significantly lower traffic volumes. The contribution of sidewalk spill-out space to the livability and sense of the community of this important Gateway location is significant. Combined, these conditions better meet Guidelines B7 Barrier Free Design, B2 Protect the Pedestrian, C7 Design Corners that Build Active Intersections, C9 Develop Flexible Sidewalk Level Spaces. *Therefore this criterion is met.*
- C. ***On Balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*** The primary purpose of the standard encourages convenient pedestrian access between the use and public sidewalks and transit facilities. By orienting both the main building entry and the retail entry (including sliding storefront windows), SE 11th Ave is enlivened as an important connection between the core of the Central Eastside Industrial District (south) and the revitalizing E Burnside St – Couch St Couplet (north) – both transit streets. Additionally, the import of the main entrance is reinforced through the building's full-height volumetric projection facing the one-way east-bound traffic flow (and the adjacent bus stop) and will consequently be remain conducive to transit accessibility. For these reasons the proposal is consistent with the purpose statement of the transit street main entrance standards. *Therefore this criterion is met.*

Therefore, this modification merits approval.

6. Oriel Window Exception – Projection (4'-0") into the SE 11th Ave ROW

The applicant is seeking an exception to section F. Width of the building code guide Window Projection into Public Right-of-Way (IBC/32/#1) - Standards for windows allowed to project into public right-of-way. The request is for an oriel window projecting into the SE 11th Avenue right-of-way that exceeds the standard maximum width of 12'-0". 47'-9" is proposed.

- F. Width.** Maximum width of 12 feet for each projecting window element. When approved through Design Review, the width may vary provided the area of all windows on a wall which project into public right of way does not exceed 40% of the wall's area and the width of any single projecting window element does not exceed 50% of its building wall's length.

Findings: With the exception of maximum allowed width (12' allowed, 47'-9" proposed), the projection meets Oriel standards – approximately 25% (40% allowed) of wall area and 49% (50% allowed) of wall length. With Condition of Approval A that an 8' major projection be oriented to E Burnside St and the minor encroachment (Oriel Window) oriented to SE 11th Ave, Staff concludes that the project appropriately prioritizes the primary pedestrian environment abutting the

project site – in this case, the E Burnside frontage and the building is stronger and more compelling with the proposed oriel projection as follows:

- proportionally appropriate for the high-exposure northeast corner;
- containing primary living area which will provide eyes on the street below;
- well resolved exterior elements including operable windows; and,
- serves to reinforce the arcade (major projection) over E Burnside.

Therefore, the approval criteria are met and this exception merits approval.

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The applicant has addressed all major concerns expressed by Staff and designed a building that embodies the spirit intended by the applicable design guidelines, and responds well to the natural, cultural and built context. As described in the preceding findings, with Conditions of Approval B (See Guidelines A5-1, C10 and Findings for Oriel Window Exception) the proposal will resolve Staff concerns thereby meeting applicable design guidelines and warranting approval.

TENTATIVE STAFF RECOMMENDATION

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

Staff recommends **approval with conditions** of a new 7-story mixed-use building in the Central Eastside Subdistrict with ground level retail (approximately 2,500 sf) and 85 over-story apartments. Ground level includes 18 vehicle parking spaces and 56 bike parking spaces. And, approval of the following Modifications and Design Exception:

- **Modification #1**, Parking Area Layout;
- **Modification #2**, Parking Space Dimension;
- **Modification #3**, Ground Floor Windows on SE Sandy Blvd and SE 11th Ave;
- **Modification #4**, Long-Term Bike Rack Size;
- **Modification #5**, Transit Street Main Entrance;
- **Design Exception #2**, Oriel Windows.

Approval with conditions per the approved site plans, Exhibits C-1 through C-35, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled “ZONING COMPLIANCE PAGE- Case File LU 15-259840 DZM. All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled “REQUIRED.”

- B. The amount of building mass projection shall be a minimum of 8' along western most one-third of the E Burnside frontage (approximately 60').
- C. No field changes allowed.

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Procedural Information. The application for this land use review was submitted on November 3, 2015, and was determined to be complete on December 3, 2015.

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 November 3, 2015.

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 requested to extend the 120-day review period by 60 days. Unless further extended by the applicant, **the 120 days will expire on June 14, 2016.**

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.**

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).

Jeff Mitchem
April 8, 2016

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Narrative
 - 2. 120-Day Extension #1
 - 3. 120-Day Extension #2
 - 4. Original Plan Set Reviewed in First Staff Report – Not Approved/Reference Only
- B. Zoning Map (attached)
- C. Plan & Drawings
 - 1. Design Review Drawing Set (Sheet C.1-C.45)
 - Sheet C.9, Ground Level Floor Plan (attached)
 - Sheet C.10, Level One Floor Plan (attached)
 - Sheet C.13, North Elevation (attached)
 - Sheet C.14, South Elevation (attached)
- 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. Water Bureau
 - 2. Bureau of Parks, Forestry Division
 - 3. Life Safety Plans Examiner
 - 4. Site Development Section of BDS
 - 5. Fire Bureau
 - 6. Bureau of Environmental Services
 - 7. Portland Bureau of Transportation – 1st Response
 - 8. Portland Bureau of Transportation – 2nd Response
 - 9. Ordinance No 187627 waiving TRN 8.01 Major Encroachments for developments on East Burnside for arcaded structures.
- F. Letters - None
- G. Other
 - 1. Original LUR Application
 - 2. Pre-Application Conference Summary
 - 3. DAR Notes
- H. Hearing
 - 1. Staff Report, Land Use Review Hearing, February 4, 2016

2. Staff Presentation, Land Use Review Hearing, February 4, 2016
3. Staff Memo, Land Use Review Hearing, February 4, 2016



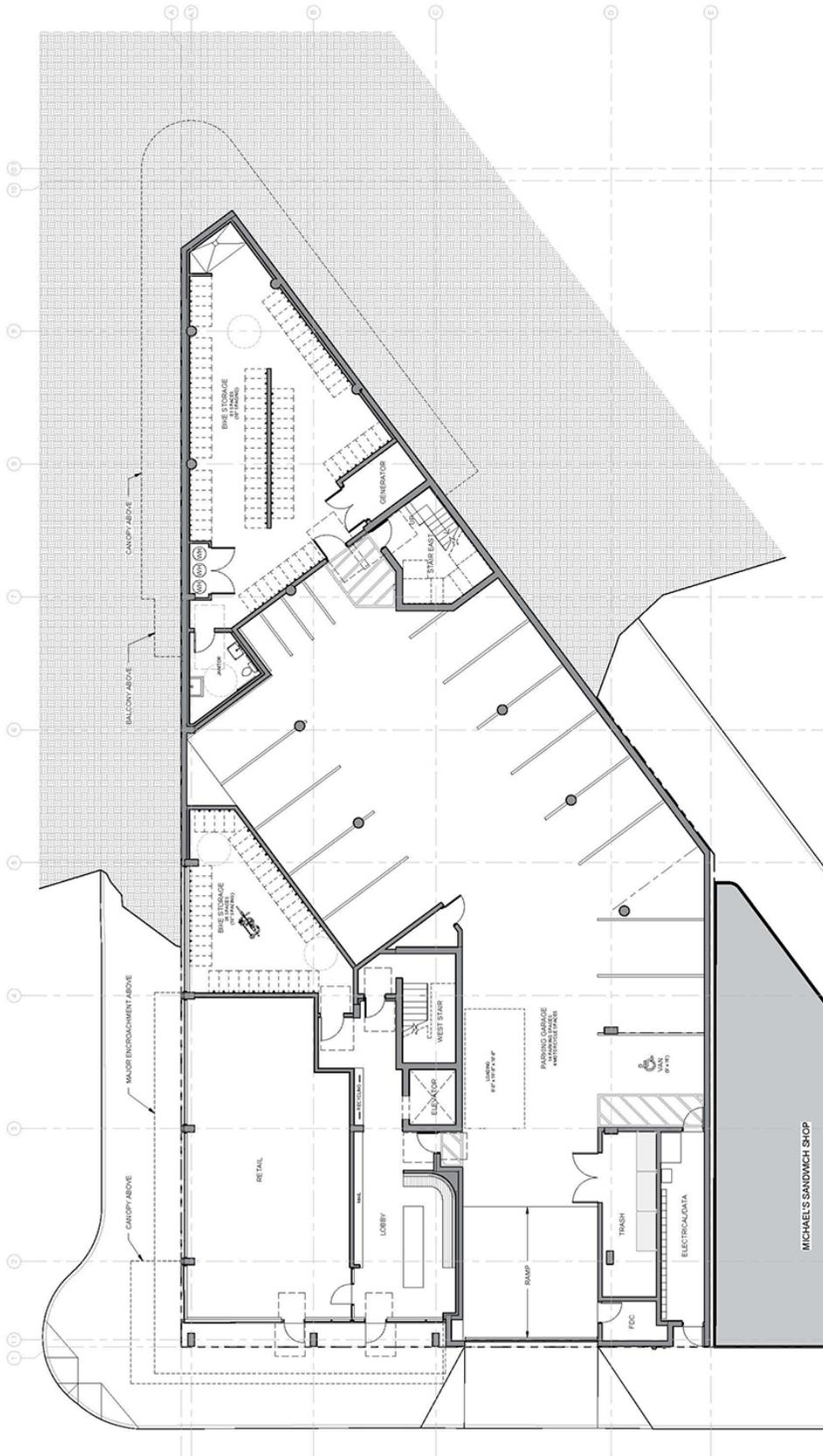
ZONING

- Site
- Historic Landmark



This site lies within the:
 CENTRAL CITY PLAN DISTRICT
 CENTRAL EASTSIDE SUBDISTRICT

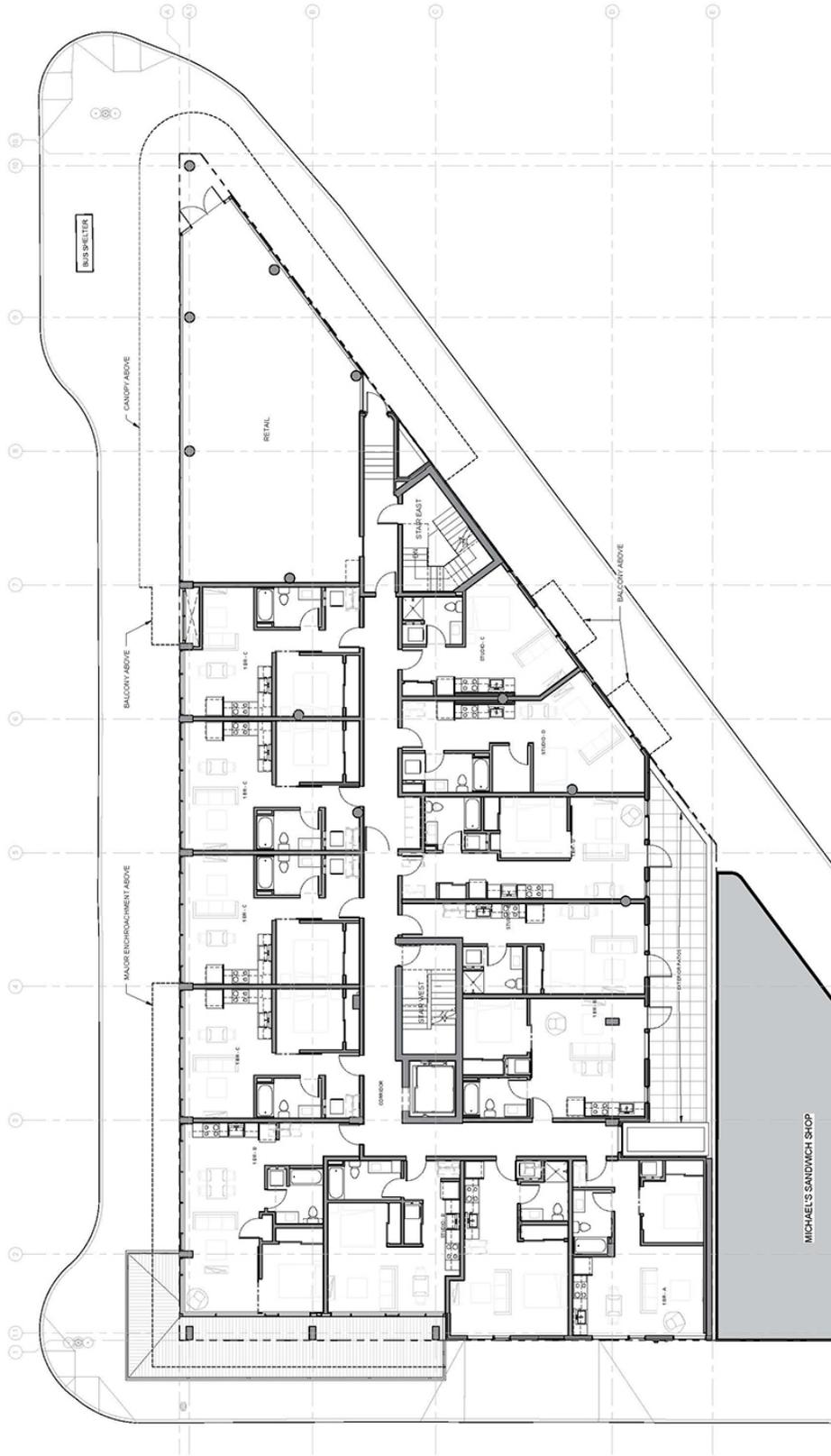
File No.	<u>LU 15-259840 DZM</u>
1/4 Section	<u>3031</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E35CD 800</u>
Exhibit	<u>B</u> (Nov 06, 2015)



FLOOR PLAN - BASEMENT

C09

VCA 11TH & BURNSIDE
VALLASTER CORL ARCHITECTS
DESIGN REVIEW SUBMITTAL
EA 15-177695 APRIL 14, 2016
LU 15-259840



FLOOR PLAN - LEVEL 01

C10

VCA 11TH & BURNSIDE
VALLASTER CORLI ARCHITECTS
DESIGN REVIEW SUBMITTAL
EA 15-177695 APRIL 14, 2016
LU 15-259840

MICHAEL'S SANDWICH SHOP



NORTH ELEVATION - DESIGN B

C13

V C A 11TH & BURNSIDE
VALLASTER COPELAND ARCHITECTS
DESIGN REVIEW SUBMITTAL
EA 15-177695 APRIL 14, 2016
LU 15-259840



SOUTH ELEVATION

C14

VCA 11 TH & BURNSIDE
VALLASTER CORP ARCHITECTS
DESIGN REVIEW SUBMITTAL
EA 15-177695 APRIL 14, 2016
LU 15-259840