



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

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STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 16-100496 DZM MS
PC # 14-242574
Block 290
REVIEW BY: Design Commission
WHEN: May 19, 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: Hillary Adam 503-823-3581 /
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GENERAL INFORMATION

Applicant: Alex Yale, Architect
YBA Architects PC
123 NW 2nd Ave, Suite 204
Portland, OR 97209

Adrian Boly, Block 290, LLC, Owner
c/o Guardian Real Estate Services, LLC
710 NW 14th Ave
Portland, OR 97209

Russell A. Marzen, Owner
XPO Properties, Inc.
1851 West Oak Parkway
Marietta, GA 30062

Site Address: BLOCK 290

Legal Description: INC PT VAC ST BLOCK 291, COUCHS ADD; INC PT VAC ST
BLOCK 290, COUCHS ADD

Tax Account No.: R180230010, R180230190
State ID No.: 1N1E33BA 00100, 1N1E33BA 00101
Quarter Section: 2927

Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: Nob Hill, contact at nobhillportland@gmail.com.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest

Zoning:	EXd – Central Employment with Design overlay
Case Type:	DZM MS – Design Review with Modifications and Master Plan Amendment
Procedure:	Type III, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

Proposal:

Type III Design Review and Master Plan Amendments to the Con-way Master Plan for a new multi-story residential building with ground floor retail, below-grade parking, and roof terraces. Proposed exterior materials include: brick in varying shades, metal panel, high-density fiber cement plank, butt-glazed storefront, aluminum and wood sliding storefronts, metal canopies, vinyl windows and doors, and glass balconies. The proposal also includes development of the NW Quimby festival street.

Modifications are requested to:

1. Con-way Master Plan Map 05-01 – to increase maximum height from 47’ to 49’;
2. Con-way Master Plan Standard #7 – to reduce 16’ clearance and 50’ depth requirements for ground floor retail fronting on NW 21st Avenue and the square to 14’ and as little as 20’ in some locations, respectively;
3. Con-way Master Plan Standard #8 – to reduce the 16’ clearance and 25’ depth requirements for ground floor active use spaces fronting on streets and open spaces to 14’ and as little as 20’ in some locations, respectively;
4. Con-way Master Plan Standard #10 – to reduce the minimum area of the public square from 16,000sf to 15,780sf; and
5. 33.266.220.C.3.b – to reduce the width of required long-term bicycle parking spaces from 24” to 18”.

Master Plan Amendments are requested to:

1. Amend the boundaries of designated open areas and development areas by revising Map 04-7, and subsequently revising Map 05-1 and 05-6 of the Master Plan to align with the new boundaries; and
2. Amend Map 06-01 to allow garage access from NW Pettygrove.

Design Review is required because the proposal is for new development is a design overlay.

Note: The Notice of Proposal, dated April 27, 2016, indicated that Modification #1 was requested to increase the height to 51’. In addition, the Notice indicated that the connection between the square and the park was requested to be reduced from 25’ to 16’ clearance, however, the clearance dimension is only required if the connection is within a building; therefore, the proposed connection is beneath a building and therefore the clearance requirement does not apply.

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:

- Community Design Guidelines
- Section 5 of the Con-way Master Plan
- 33.825.040 Modifications That Will Better Meet Design Review Requirements
- Approval Criteria 1-3 of Section 8 of the Con-way Master Plan

ANALYSIS

Site and Vicinity: The subject property is comprised of two long blocks, typical of the Northwest neighborhood, with a vacated portion of NW Quimby Street between the two blocks, totaling 211,600 square feet of site area. The proposed project area does not cover the entire area, but rather is focused on the southwest corner of the site as well as the majority of the vacated Quimby parcel. The property owners intend to establish three separate parcels with the northern half block as one parcel, the project area as a second parcel, and a third parcel at the southeast corner to be developed as a public park. Creating three separate parcels is subject to a separate process outside of this land use process. The southern half of the site is currently occupied by 43,868 square foot industrial building which also provides area for automobile parking. The northern half of the site is currently used as a surface parking lot. The subject property is the southern terminus of the Con-way Master Plan area, which is in the process of redevelopment from office use and surface parking to a mixed-use neighborhood.

Nearby development includes: to the east, multi-dwelling developments built in 2006, 2011, and 2013, as well as 1-story mid-century commercial developments; to the south, single-story mid-century warehouses, a two-story 1908 commercial building, as well as vintage single- and multi-dwelling structures and a new multi-dwelling building; to the west, a 1906 residence converted to commercial use, the 40,000sf 1-story Legacy Recycling Center, the 7-story Q21 mixed-use development, and the 6-story LL Hawkins multi-dwelling building with New Seasons further west. The recently approved Block 294 and 295 mixed-use developments are further northwest. Surface parking extends to the north with the 5-story XPO building further north.

The Con-way Master Plan area is located within the boundaries of the Northwest Plan District. The aggregate site area contained within the proposed Master Plan limits, excluding current rights-of-way, is 762,168 sq. feet, or 17.49 acres. Present uses of the Master Plan area include office, industrial, warehousing and surface parking, and recently, retail and high-density residential uses. The area originally accommodated a trucking depot and truck maintenance facilities; it evolved over time to include headquarters office facilities that supported the trucking operations. Trucking operations have moved to off-site locales. Con-way, and its property, was recently purchased by XPO. Today, XPO owns and occupies office buildings on Blocks 293 and 294. Block 295W, is occupied by a 3-story office building currently proposed for renovation. Block 296W was recently renovated for use as a grocery store and other small commercial uses and Block 296E was recently developed as a 6-story mixed use building. As noted, Block 290 contains a vacant truck maintenance building. A small industrial building is located on Block 16. The balance of the Master Plan area includes paved lots which are used as parking.

Northwest Portland is recognized as the City's most intensely developed urban neighborhood – a place of diverse housing options, substantial employment, and regionally recognized destination retail. It is a close-in neighborhood with a mix of land uses located side-by-side in a compact geographic area. As noted in Appendix D of the approved Master Plan, as of 2009 population of Northwest Portland was estimated at close to 9,400 residents. And, while the district is known for a large supply of high value vintage older homes, nearly 90% of residential units district-wide (including apartments) are renter-occupied.

The northernmost boundary of the Master Plan area is I-405, the southernmost boundary is NW Pettygrove Street, the westernmost boundary is NW 22nd Avenue and the easternmost boundary is almost to NW 20th Avenue. NW 21st (included within the Master Plan area boundary) and NW 23rd Avenues are the major north-south

commercial corridors of the Northwest Plan District. They can be characterized as successful, vibrant retail streets offering amenities like small retailers, boutique shops and a wide-range of restaurants to residents, office workers, and visitors including tourists. The Master Plan area is unlike the rest of the district in that it includes a vast area of surface parking lots and a few large office buildings.

Zoning: The Central Employment (EX) zone allows mixed uses and is intended for areas in the center of the City that have predominantly industrial-type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area.

The Design Overlay Zone [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Northwest Plan District implements the Northwest District Plan, providing for an urban level of mixed-use development including commercial, office, housing, and employment. Objectives of the plan district include strengthening the area's role as a commercial and residential center. The regulations of this chapter: promote housing and mixed-use development; address the area's parking scarcity while discouraging auto-oriented developments; enhance the pedestrian experience; encourage a mixed-use environment, with transit supportive levels of development and a concentration of commercial uses, along main streets and the streetcar alignment; and minimize conflicts between the mixed-uses of the plan district and the industrial uses of the adjacent Guild's Lake Industrial Sanctuary.

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

- EA 11-160116 PC – Pre-Application Conference for a Type III Master Plan for redevelopment of the 15.62 acre Con-way site;
- EA 11-188950 APPT – Design Advice Request for the Con-way Master Plan;
- LU 12-135162 MS – Approval of Northwest Master Plan for the Con-way site;
- EA 14-242574 PC – Pre-Application conference for the current proposal;
- EA 15-125245 DA – Design Advice Request for the current proposal. There were three Design Advice hearings, held on April 23, 2015, June 11, 2015, and August 20, 2015. Exhibits G-4, G-5, and G-6 summarize the comments from these hearings;
- EA 15-198024 APPT – Early Assistance appointment for reconfiguration of the existing site into three tax lots.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **April 27, 2016**.

The **Bureau of Transportation Engineering** responded with the following comment: “The applicant is required to provide a site specific TDM plan or approval of the Conway Master Plan TDM plan prior to approval of this land use review. At this time, PBOT cannot support approval because neither requirement has been met. PBOT continues to have serious concerns to the significant building encroachments into the vacated NW Quimby right-of-way and to a lesser extent into the eastern boundary of the site into what was proposed as public park. If PBOT had known the park area would be reduced,

PBOT would have recommended the standard 60-ft wide pedestrian facility similar to the requirement for the other superblocks in the master plan area. Lesser amounts than the full 60-ft clear area can be considered with Design Commission recommendations that balance the desire for a clear vertical space that reinforces the openness of the standard 200-ft block pattern.” Please see Exhibit E-1 for additional details.

The **Bureau of Environmental Services** responded, noting that they do not recommend approval, as the proposed stormwater management plan is not approvable and a revised stormwater management plan may affect the final site design; BES has requested additional information. BES noted that if the application is deemed approvable at a later date, the following conditions should be included in the final decision:

1. Prior to permit approval, the applicant must address the ownership of the public sewer and easement in vacated NW Quimby St to the satisfaction of BES.
2. Prior to permit approval, the applicant must assess the Block 291 drainage system and provide an acceptable route of stormwater discharge per PCC 17.38 to the satisfaction of BES.

Please see Exhibit E-2 for additional details.

The following Bureaus have responded with no issue or concerns:

- Water Bureau
- Fire Bureau
- Life Safety Division of BDS
- Site Development Section of BDS
- Bureau of Parks-Forestry Division

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **April 27, 2016**.

A total of twelve written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal, prior to issuance of the staff report.

1. Chris Smith, on April 13, 2016, wrote in opposition to Master Plan Amendment #2 to allow access from NW Pettygrove. See Exhibit F-1 for additional details.
2. Ted Timmons, on April 15, 2016, wrote with concerns with allowing garage access from NW Pettygrove, suggesting the access should be from NW 20th avenue. See Exhibit F-2 for additional details.
3. David Lewis, on April 21, 2016, wrote with concerns with allowing garage access from NW Pettygrove, intended as a green street, and adjacent to a pedestrian plaza and a future city park. See Exhibit F-3 for additional details.
4. Chris Shaffer, on April 29, 2016, wrote in opposition to Master Plan Amendment #2 to allow garage access from Pettygrove, intended as a green street, and adjacent to a pedestrian plaza and a future city park. See Exhibit F-4 for additional details.
5. Jessica Engelman, on April 29, 2016, wrote in opposition to Master Plan Amendment #2 to allow garage access from Pettygrove, intended as a green street, and adjacent to a pedestrian plaza and a future city park. See Exhibit F-5 for additional details.
6. Joseph Edge, on April 29, 2016, wrote in opposition to Master Plan Amendment #2 to allow garage access from Pettygrove, intended as a green street, and adjacent to a pedestrian plaza and a future city park. See Exhibit F-6 for additional details.
7. Lucy Wong, on April 30, wrote in opposition to Master Plan Amendment #2 to allow garage access from Pettygrove, intended as a green street, and adjacent to a pedestrian plaza and a future city park. See Exhibit F-7 for additional details.

8. Emily Guise, on April 30, wrote in opposition to Master Plan Amendment #2 to allow garage access from Pettygrove, intended as a green street, and adjacent to a pedestrian plaza and a future city park. See Exhibit F-8 for additional details.
9. Ron Walters, on May 2, 2016, wrote in opposition to the proposal, stating that it does not meet the standards, guidelines or intentions of the Master Plan. He noted that 86% of respondents to an online survey he created opposed the proposal. See Exhibit F-9 for additional details.
10. Gabrielle Ackerman, on May 2, 2016, wrote with suggestions that this space could be used as a multi-use community center, including an indoor swimming pool. See Exhibit F-10 for additional details.
11. Steve Pinger, on May 2, 2016, provided correspondence from Northwest District Association to the applicant, which noted opposition to the proposal due to the reduced width of the square, the increased height of the southeast corner of the building, and the joining of all the buildings (previously shown to be separate) resulting in reduced connections between the sidewalk and the square and a perception of privatization of the square. See Exhibit F-11 for additional details.
12. Steve Pinger, on May 6, 2016, submitted a letter by Greg Theisen, Acting Chair of the Northwest District Association Planning Committee, dated May 5, 2016 stating that the Master Plan should be updated prior to review of this development proposal as prior comments indicated that Block 291 and the Park should be developed in concert with Block 290. He noted that the proposal includes approximately 160,000sf of floor area while the Master Plan assumed 120,000sf at this location, noting that the additional square footage has a negative impact on the square and the Park. He noted that since August 2015, the square has shifted to a more north-south orientation and the eastern portion of the building is now 6 stories, limiting the square's access to sunlight. He noted that connecting the wings of the building has resulted in the square feeling more privatized, as connections to the square are now through buildings rather than between buildings. He noted the issues of the conception of the project regarding master planning with the adjacent blocks and the appropriateness of the development program given the limitations of the site need to be resolved and, assuming that can be achieved, NDWA would support the project if the width and arrangement of entries into the square return to the arrangement shown in the August 20th submittal and that the connection above the first floor are reduced to the width of upper level corridors.

Staff note: Scope of Review and Process. With regard to NWDA's comments regarding concurrent development on Block 291 and at the Park, the purpose of design review is not to force development to occur, but to review development that is proposed. No development is currently proposed for Block 291 and no development is currently proposed at the Park. With regard to comments about the need to revise the Master Plan prior to review of this development, staff does not believe that this separation is necessary as the Master Plan will only be amended through this review if it is warranted by the merits of the proposal. Staff believes that reviewing the proposed amendments to the Master Plan with a specific proposal is more beneficial than reviewing potential revisions to the Master Plan without a specific proposal under consideration.

NW Pettygrove. Many of the respondents noted that NW Pettygrove is intended to be developed as a green street, as identified in the Northwest District Plan, North of Lovejoy Project, and North Pearl District Plan. Staff notes that the subject property is not within the boundaries of the North Lovejoy Project and North Pearl District Plan study areas. The 2003 Northwest District Plan identified Pettygrove as a green street, but noted that bicycle facilities may be more appropriate along Thurman while Pettygrove was more appropriate for pedestrian connections. Interestingly, the City's 2006 Transportation System Plan did not identify Pettygrove as either a City Bikeway or

a City Walkway, however, Raleigh and Overton are designated City Bikeways. The 2010 Portland Bicycle Plan for 2030 noted NW Pettygrove as a “future bicycle boulevard”; however, the 2015 Neighborhood Greenway Map noted that NW Raleigh (two blocks north) and NW Overton (one block south) are existing greenways (aka bicycle boulevards) while Pettygrove is neither an existing nor funded greenway. Given the lack of infrastructure dedicated to bicycle safety in other parts of the city compared to the adjacency of other green streets in Northwest, Pettygrove has not been identified as a priority for green street development. The River District Right-of-Way Standards, which have been applied in the Pearl District, do not apply to this section of NW Pettygrove. In addition, no green street improvements are required as part of this development. Staff further addresses these concerns in the findings below under E1, D4, and Amendment #2.

ZONING CODE APPROVAL CRITERIA

(1) DESIGN REVIEW (33.825)

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 Community Design Guidelines and Section 5 and Section 8 of the Con-way Master Plan.

Community Design Guidelines

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.

P1. Plan Area Character. Enhance the sense of place and identity by incorporating site and building design features that respond to the area’s desired characteristics and traditions.

Findings: The subject property is located within the Transition Area of the Northwest Plan District. The desired characteristics and traditions of this area

suggest that new development should incorporate the following: partial-block development; street frontages lined with buildings; dividing the façades and rooflines of larger buildings into distinct components that reflect the established pattern of 50 to 100 foot-wide increments; larger structures that provide a sense of urban enclosure along main streets with a finer grain of façade articulation and roofline variation along east-west streets; and extending the NW 21st Avenue main street retail pattern of ground floor windows close to the sidewalks with spaces suitable for small tenants with residences or offices at the upper floors.

While the proposed development is designed to be one contiguous building, each wing surrounding the public square is designed as a distinct volume with varying heights, further articulated through massing changes and material color. The rooflines are particularly varied along NW Pettygrove, ranging from 4 to 1 to 6 stories along this frontage. The wings of the building are designed as long, narrow volumes, approximately 50 feet wide. Retail is proposed at the ground floor with residences above. The ground level is heavily glazed along NW 21st, with a ground floor plan that can be divided in various ways allowing for smaller or larger spaces, as the market demands. *This guideline is met.*

P2. Historic and Conservation Districts. Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area’s historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

Findings: The site is not located within a historic district. The nearest historic district is several blocks away. *This guideline is not applicable.*

P3. Gateways. Develop or strengthen the transitional role of gateways identified in adopted community and neighborhood plans.

Findings: The site is not located at an identified gateway. *This guideline is not applicable.*

E1. The Pedestrian Network. Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.

Findings: Sidewalks will be rebuilt to PBOT standards as part of this development. Street trees are proposed along both public frontages, NW 21st Avenue and NW Pettygrove Street. This will ensure an efficient, pleasant and safe network of sidewalks for pedestrians.

The applicant is also proposing additional pedestrian connections, as the project requires development of a public square, and the applicant has elected to develop the Quimby festival street as part of this proposal. Over the course of three Design Advice Requests, the applicant was provided direction by the Design Commission that the Quimby festival street could be designed to accommodate vehicles in a limited manner. However, because the purpose of this street is to be used for neighborhood community events, it was advised that the garage access should not be located on this parcel as this would make it infeasible to close down the street for such events. The design of Quimby, with its differentiated paving pattern, narrower “roadway”, and one-way direction west will serve as signals to vehicle drivers that this is a special street, thus slowing vehicle traffic and minimizing conflicts between pedestrians, cyclists, and vehicles. PBOT is requesting a pedestrian easement along Quimby (for the full 60’ width of the vacated street),

which will allow pedestrian access. PBOT has also suggested to the applicant that bollards, or some other deterrent be proposed in order to limit vehicular access except on a limited basis.

The proposed garage location is discussed in greater detail below under D4 and Amendment #2; however, staff notes that one of the proposed pedestrian entries into the square just west of the garage entry has the potential to create conflicts between pedestrians and vehicles. Staff suggests that this pedestrian entry should be reconfigured so that the blind corner between the garage entry and the pedestrian path is eliminated and greater distance is established.

This guideline is not yet met; however, with resolution of the pedestrian entry to the square adjacent to the garage entrance and the provision of bollards at the east and west end of Quimby, this guideline may be met.

E2. Stopping Places. New large-scale projects should provide comfortable places along pedestrian circulation routes where people may stop, visit, meet, and rest.

Findings: Benches are provided along NW Quimby, along the “pedestrian way” between the building and the park, and within the square. Movable chairs are also shown to be located within the square which can be moved to either sun or shade depending on the sitters’ desires. In addition, steps are proposed facing the park, which may provide opportunities for resting. *This guideline is met.*

E3. The Sidewalk Level of Buildings. Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.

Findings: While the ground level and upper levels of the building have a similar language, the ground level is differentiated to provide human scale. The taller portions of the building feature planar shifts from the ground level façade, which provide an overhang for pedestrians at the ground level. In addition, canopies, signage, and pedestrian-oriented lighting are also provided to bring down the scale of the building. Benches and seating opportunities are also provided along Quimby, along the pedestrian way, and within the square to provide multiple opportunities for large and small gatherings. *This guideline is met.*

E4. Corners that Build Active Intersections. Create intersections that are active, unified, and have a clear identity through careful scaling detail and location of buildings, outdoor areas, and entrances.

Findings: The proposed building features ground level retail at all corners. The majority of these corners are designed with acute angles with at least one glazed wall. The angles are intended to direct flow into the courtyard, however, wider openings at the northwest and southwest would perhaps accomplish this more successfully as some of these angles seem like they may have a tendency to block the natural flow of pedestrians. Staff notes that while significant amounts of glazing will allow the activity within the square to be seen from the street, the provision of some opaque portions allow a little mystery and the opportunity for a reveal of the square upon entering.

While the Pettygrove and NW 21st building frontages align with neighboring buildings, the building extends beyond the standard 200’ x 200’ city block at the east and the north. This will not be very noticeable at the east until a building is

constructed to the north on Block 291, however, it will be rather noticeable on Quimby, particularly because the ground level of the Q21 building is set back 30' from the Quimby frontage at the NW 21st corner, creating a building forecourt or plaza. The juxtaposition of the proposed building extending 13' north into Quimby, adjacent to Q21 receding 30' south of Quimby, would create a unique and dynamic intersection, which is not likely to be repeated in other parts of the city bound by the 200' x 200' grid. Staff notes that PBOT is requesting a pedestrian easement along the full width (60') of the vacated Quimby parcel and is not supportive of the encroachment into Quimby.

Given that Q21 features an urban plaza, it may make more sense to shift the entry into the square northward so that it aligns with the Q21 plaza, thus providing views and a clear path directly into the square from the Q21 plaza. Another option may be to trim the southwest corner of the north wing so that this path between the Q21 plaza and the square is more linear.

This guideline is not yet met; however, with additional consideration of the proposed acute angles, resolution of the encroachment into Quimby, as well as the northwest corner and the northwest entry into the square, this guideline may be met.

E5. Light, Wind, and Rain. Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

Findings: The proposed development is designed to provide opportunities for both sun and shade so that visitors to the site may determine their own level of protection from the elements. The majority of the square is designed to maximize access to sunlight, as the building extends beyond the intended boundary lines for the development on the east and the north; this is further discussed below. The south wing of the building is designed to be only one story and is approximately 18 feet in height in order to ensure more sunlight can enter the square. The second floor of the west, north, and east wings of the building, and the 2nd floor terrace of the south wing, extend over the ground floor walls in order to provide shade and shelter at the ground floor within the square and along the west, north, and east frontages. Staff notes that this does not occur along the south frontage of the south wing as this portion of the building is primarily one story. Staff also notes that no canopies are provided along this building frontage either, which should be provided in order to provide shelter along this frontage.

This guideline is not yet met; however, with the introduction of canopies along the south frontage, this guideline may be met.

D1. Outdoor Areas. When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;

D3. Landscape Features. Enhance site and building design through appropriate placement, scale, and variety of landscape features.

Findings for D1 and D3: Because the Con-way Master Plan calls for a public square to be built on Block 290W, the applicant proposes a public square in the middle of the building. The Conway Master Plan also requires that the square shall have no dimension less than 100 feet and shall be 16,000 square feet in area. While the applicant has requested a Modification to reduce the area of the square by 220 square feet, the dimensions at the ground level of the square are

113' in the east-west direction and 139'-8" in the north-south direction; both dimensions are well above the 100' minimum. The square is designed to provide space for pedestrian cross traffic while also encouraging people to linger with plentiful fixed and movable tables and chairs, sun and shade opportunities and simplified landscaping to provide focus and increased access to sunlight.

The square is connected to the public sidewalk at three locations and connected to the pedestrian way and park on the east in one location. However, the potential for the square to feel privatized has been an ongoing concern. At the prior Design Advice Requests, the Commission stated a strong preference for the square to feel open and inviting to pedestrians on the sidewalk, noting that glimpses of light from the right-of-way and wide openings to the sidewalk would be important. They also noted that the paving should be simplified to a single paver so that the square does not feel branded with the building. The proposed paving pattern, an irregular striped pattern, begins at the building edges facing the right-of-way and, on the east, extends beyond the edge of the building into the pedestrian way, overtaking what should be public park space. Staff believes that this paving pattern while potentially interesting, is rather chaotic, results in a feeling of privatization, and is ineffective in drawing people into the square. As such, staff suggests that a more successful paving pattern would be one that allows the right-of-way paving pattern to bleed into the square, where it could lead to a special paving pattern only discovered upon committing to the square. This would allow the square to feel less privatized but also provide the opportunity for an artistic feature unique to this square. Staff also believes that the angles at the ground floor entrances to the square could be modified so that they may better encourage pedestrian flow into the square rather than presenting hard angles at the right-of-way.

The proposed paving pattern on Quimby, however, is appropriate as it induces traffic calming and marks Quimby as a special street, not tied to the proposed development. The applicant has developed a plan for the improvement of the Quimby parcel as a festival street, which includes a 10' sidewalk on the north, a 2' mountable curb, a 10' parking lane, 11' drive aisle, 7' bike lane, and 15' curbside sidewalk on the south. The parking lane, drive aisle, and bike lane may then be converted to other uses when community events occur. Festival street lighting is also proposed to lend to the festive atmosphere of this "street".

Because the park is not currently proposed for development, it is difficult to ascertain how the proposed development will interact with the park. However, the applicant proposes to turn the development toward the park by including stadium seating along the east edge of the pedestrian way. This seating will provide a hard but porous edge to the park while encouraging opportunities for people and nature watching. Staff notes, however, that while the stadium seating and concrete steps from the pedestrian way to the park indicate a grade change, there does not appear to be an accessible path between the assumed park elevation and the pedestrian way elevation, other than the sidewalks at Pettygrove and Quimby. Staff strongly encourages the creative introduction of a ramp so that those with mobility concerns do not have to travel up to 100' and back from the center of the park to reach the eastern entry to the square. Staff also notes that the proposed stormwater planters at the northeast corner of the pedestrian way create a physical barrier between the pedway and the park and should be relocated so that they are closer to the building they are serving.

Staff also notes that various balconies and terraces are proposed at the upper levels. Some of the balconies are traditional projecting balconies, while others are Julietts. Staff notes that the Julietts are accessed via a vinyl slider, which is rather

illogical as it results in one fixed pane of glass in front of another; these sliders should be revised to swinging doors for a fully open Juliet or the Juliets be revised to true balconies. While some of the terraces are very generous, some others appear to be barely usable, particularly those that are no wider than the out-swinging doors that provide access to them. Staff strongly suggests that as the design evolves, these balconies should be revised to be much more generous.

This guideline is not yet met; however, with reconsideration of the paving within and entries into the square, introduction of a ramp between the park and the pedway, relocation of the stormwater planters in the pedway, reconsideration of the Juliet balconies and the narrow terraces, this guideline may be met.

D2. Main Entrances. Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

Findings: The building features many entrances to the rights-of-way, the square, NW Quimby, and the pedestrian way on the east. These entrances are in the form of both swinging doors and sliding doors, which open the interior spaces to the exterior during good weather. Staff notes, however, that the 1-story southern wing only features sliding doors along the NW Pettygrove frontage, therefore, during the cooler months or during times of inclement weather, pedestrians would not have the option to enter this space from Pettygrove. Staff has also noted that there are no canopies along this frontage and therefore suggests that canopies and at least one swinging door should be introduced on the south façade.

Staff also notes that the ground level retail spaces at the north wing appear to be accessible only from the square side of the building; this does not appear to be equitable. While the proposal may meet building code requirements for accessibility, staff notes that equitable access should be provided on both sides of the building to individual retail spaces so that those with mobility issues do not have to travel further than those without mobility issues to access the same services. Similar issues may occur in the east wing and the west wing.

The primary residential building entrance is located on NW Quimby. While the ground level of the building is primarily glazed including all of the commercial entries, the residential entry is proposed to be solid black metal doors. Staff notes that the elevators in the residential lobby face away from these doors and are located immediately next to a glazed entry to the square, which most tenants will likely use due to its proximity to the elevators. Because the primary residential doors are less likely to be used resulting in less foot traffic, and because black metal is not inviting to those coming home or to those coming to visit, staff suggests that the main doors be revised to glass.

This guideline is not yet met; however, with the introduction of canopies and a swinging door to the south façade of the 1-story wing, additional consideration of equitable access at retail entries, and the revision of the main residential entry doors to glass, this guideline may be met.

D4. Parking Areas and Garages. Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

Findings: The proposed parking is located below grade which will minimize the negative impacts of parking which currently exist on the site. The exterior of the garage is a black metal high-speed door with black metal panel above. Due to the design of the building with alternating vertical expressions of brick and black metal panel, the garage door opening is fairly well integrated with the design. As is noted under E1 and Amendment #2, Pettygrove, rather than Quimby, as the location for the garage entrance, is attractive and complementary to the site as the Quimby festival street has the intention of being shut down to traffic on festival days. However, as is noted above, staff has concerns with the proximity of the adjacent narrow pedestrian entrance to the square with that of the garage entrance as it creates a blind corner and potential conflicts between pedestrians and vehicles. Therefore, staff suggests relocation of this pedestrian entrance.

This guideline is not yet met; however, with relocation of the pedestrian entrance to the square west of the garage, this guideline could be met.

D5. Crime Prevention. Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

Findings: The building will provide eyes on the street through extensive use of glazed ground floor pass-through retail spaces, upper floor windows, balconies, and terraces, and through activated outdoor areas including the square, Quimby festival street, and the pedestrian way on the east. Ground level entries are frequent and activate the sidewalks as well as the square. Pedestrian-oriented lighting is proposed throughout the development. *This guideline is met.*

D6. Architectural Integrity. Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

Findings: The proposal is for an entirely new building. The existing warehouse building will be removed from the site. *This guideline is not applicable.*

D7. Blending into the Neighborhood. Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

Findings: Aspects of the proposed building are similar to those of Q21, which was designed by the same by the same architecture firm for the same development team as the current project. Those aspects include one large building broken up into smaller volumes, angled walls, shades of grey masonry in a vertical panel expression, and dark metal panel. The two buildings will relate to one another, specifically. Within the Con-way Master Plan area, four developments have so far been approved, and with the exception of the renovation of an existing concrete warehouse, all of the approved proposals feature brick, in varying shades, as a primary cladding material. The proposed building features brick, in varying shades, as a primary cladding material. While the development to the south and east is rather varied with regard to typology, use, and age, the proposed development meets the desired character of the area with regard to its program and the means by which the building is broken up into smaller volumes. *This guideline is met.*

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings: The proposed building has a specific design aesthetic of vertical panels within fields or angled planes. In some instances, the vertical panels extend unbroken all the way up the volume, while in other instances, the panels shift mid-way up the volume with no associated planar shift. Likewise, the volumes are often expressed as juxtaposed planes, rather than solid volumes, as high-density fiber cement is often used as a side wall material, intersecting with perpendicular or angled brick walls at the corners. In addition, some planes change material within the same plane so that it appears that the brick is overlaid on the fiber cement (see east façade at opening between the square and park on page 81). Staff notes that the vertical panels, in brick, metal, glass, and fiber cement, in most instances extend to the tops of the walls, which may result in varying coping details across a single wall, varying colors of coping across a single wall, or a single color coping across a multi-colored wall; this is not clear.

Besides detailing concerns, staff notes that the varied panels and shifting planes, while potentially interesting, feels rather chaotic both in the elevations and renderings, and particularly as a backdrop for the future park as well as the public square. Staff imagines that visitors to the park will go to the park with a desire to feel a sense of calm; however, the proposed east façade has the potential to disrupt that feeling. Therefore, staff suggests that this façade, in particular, should be significantly simplified so that the future park may provide opportunities for serenity within the neighborhood. In contrast, the interior façades of the square must balance a sense of calm and that of activity to support the desired activities in the square.

The drawings indicate “most [mechanical] equipment and vents will be shorter than the parapet” and painted grey to match the proposed light grey PVC membrane roof. While this may be a sufficient method of treatment for equipment on the 6-story volumes, the equipment on the 4-story volume will be easily seen from the neighboring buildings. Staff suggests that an alternate roof treatment and mechanical enclosure should be proposed for the 4-story volume as this is a relatively large and highly visible roof area.

With regard to the proposed materials, generally, they appear to be of high quality. However, staff notes that the high-density fiber cement was a recently introduced material and staff has not seen specifications or a material sample of the intended product. Generally, the Design Commission has limited use of fiber cement as an exterior material and staff notes that the majority of the ground level façades facing the square, not proposed to be glazed, is proposed to be this material. The fiber cement, as noted above, is also proposed as a secondary material at the upper levels, as a soffit material for the 2nd floor overhangs and is proposed to be both vertically- and horizontally-oriented. In order to support this material, its quality must be demonstrated at the May 19, 2016 hearing. Staff suggests, however, that its use as an upper floor material should be eliminated. Staff also notes that the brick proposed is not a standard brick, but a long brick, not yet seen in the Con-way Master Plan area. Staff also notes that the gauge of the backed metal panel has not been indicated, so staff cannot yet verify its resistance to oil-canning.

This guideline is not yet met; however with additional consideration of the planar and volumetric articulation of the building, composition of the façades (particularly the east façade facing the park), clarification of the detailing of coping at parapets across varying panels, demonstration of the quality of the fiber cement product and elimination of its use at upper

floors, and clarification on the gauge of the metal panel, this guideline may be met.

NW Master Plan Design Guidelines

Introduction

The existing Community Design Guidelines, along with these new seven (7) Con-way Master Plan design guidelines, are the applicable approval criteria for design review. Design guidelines are mandatory approval criteria that must be met as part of design review and historic design review. They inform developers and the community as to what issues will be addressed during the design review process. The guidelines state broader concepts than typical development standards in order to provide flexibility to designers, yet they are requirements.

Applicants are responsible for explaining, in their application, how their design meets each applicable guideline.

The design review process is flexible. It is intended to encourage designs that are innovative and appropriate for their locations. For this reason design guidelines are qualitative statements. Unlike objective design standards, there are typically many acceptable ways to meet each design guideline. Examples of how to address specific guidelines are included in this section for each design guideline. It is not the City's intent to prescribe any specific design solution through the design guidelines.

During the design review process, the review body must find that the proposal meets each of the applicable design guidelines. Proposals that meet all applicable guidelines will be approved; proposals that do not meet all of the applicable guidelines will not be approved.

If the review body approves the proposed design, they may add conditions to their approval to ensure the proposal's compliance with the guidelines. If the review body does not approve the proposed design, they would prefer that the applicants revise the design to address deficiencies rather than have the city impose a specific solution through conditions. They may find that such action is necessary to better achieve the goals for design review.

In some cases, a design guideline may be waived during the design review process. An applicable guideline may be waived as part of the design review process when the proposed design better meets the goals of design review than would a project that had complied with the guideline. If a waiver is requested, the applicants must explain, in their application, how the goals of design review are better met in the proposed design than would be possible if each guideline being considered for waiver was followed. Allowing the waiver of one or more guidelines during the design review process reflects the City's concern that the design guidelines not become a rigid set of requirements that stifle innovation.

Goals of design review:

1. Encourage urban design excellence;
2. Integrate urban design and preservation of our heritage into the development process;
3. Promote the development of diversity and areas of special character within the district;
4. Establish an urban design relationship between the district and the Northwest District as a whole;
5. Provide for a pleasant, rich and diverse experience for pedestrians;
6. Assist in creating a 18-hour district which is safe, humane and prosperous; and
7. Ensure that development proposals are at a human scale and that they relates to the scale and desired character of its setting and the Northwest District as a whole.

Guideline 1: Provide human scale to buildings and edges along sidewalks, squares and pedestrian accessways.

Findings: As is noted above, the ground level and upper levels of the building have a similar language; however, the ground level is differentiated to provide human scale. The taller portions of the building feature planar shifts from the ground level façade, which provide an overhang for pedestrians at the ground level. In addition, canopies, signage, and pedestrian-oriented lighting are also provided to bring down the scale of the building. Benches and seating opportunities are also provided along Quimby, along the pedestrian way, and within the square to provide multiple opportunities for large and small gatherings. *This guideline is met.*

Guideline 2: Develop urban edge variety adjacent to parks, pedestrian accessways and greenstreets. Program uses on the ground level of buildings adjacent to parks, accessways and greenstreets that activate and expand the public realm. Design the lower stories of buildings to include elements that activate uses and add variety and interest to the building facades.

Findings: As is noted above, the ground level of the building is primarily composed of pass-through retail spaces with frontage at the perimeter and at the square for all of the spaces. This will create a unique retail experience as most retail spaces in the city have a single entry point, while these will be accessible from either side. The ground level features significant amounts of glazing which will allow the activity within the square to be seen from the perimeter of the building. However, the provision of some opaque portions of wall allow a little mystery and the opportunity for a reveal of the square upon entering. The building features many entrances to the rights-of-way, the square, NW Quimby, and the pedestrian way on the east. These entrances are in the form of both swinging doors and sliding doors, which open the interior spaces to the exterior during good weather. *This guideline is met.*

Guideline 3: 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.

Findings: Weather protection is provided, primarily within the boundary of the property, through the 2nd floor overhangs along the building frontages and at the entries to the square, which are fully covered by the building above. Canopies are also provided at entries to the building. However, no canopies or overhangs are provided along the south façade of the 1-story southern wing of the building. Staff has above suggested that canopies should be added to this frontage in order to provide weather protection along NW Pettygrove.

This guideline is not yet met, however, with the provision of canopies along the south frontage of the south wing, this guideline may be met.

Guideline 4: Develop buildings that are appropriately scaled to the neighborhood. Façades should be well articulated and offer diversity in volume and form along the street edge.

Findings: As is noted above, while the proposal is for a single building, the mass of the building is broken into distinct volumes, making it more compatible with the existing character of the neighborhood. Within these volumes, the building features planar shifts to further break up the mass of the building. Staff has noted concerns under D8 above regarding the articulation of the façades as a planar expression rather than a volumetric expression, as well as the juxtaposition of

shifting vertical panels within the same plane. Generally, staff believes that the proposal stresses diversity in volume and form at the expense of coherency. As is noted under D8 above, staff suggests that the façades be simplified, particularly at the east, facing the park.

This guideline is not yet met; however, with additional consideration of the planar and volumetric articulation of the building, composition of the façades (particularly the east façade facing the park), this guideline may be met.

Guideline 5: Provide transitions between the public and private realms when residential structures abut streets, parks and pedestrian accessways.

Findings: This guideline is intended for residential units developed at the ground level. No residential units are proposed at the ground level as part of this proposal. *This guideline is not applicable.*

Guideline 6: Integrate high-quality materials and design details.

Findings: As is noted under Guideline D8 above, the proposed materials are generally high quality. These materials include brick, glazed curtain wall, aluminum storefront, aluminum storefront sliding doors, wood storefront sliding doors, powder coated steel canopies and signs, glass balconies, and concrete. Staff has expressed concerns regarding the proposed high-density fiber cement plank, as it is used rather extensively and no sample or specifications have been provided. Staff has also noted that the gauge of the metal, proposed to be backed, has not been provided. In addition, the drawings are a bit unclear but appear to indicate in the elevation notes #22 and #23 that parapet coping will change as the panel material below changes; staff has concerns with the detailing of this and notes that this detail, across material panels, should be provided in order to clarify the intent. Staff has also noted that the proposed brick is a long brick at 2.25” x 15.5”, rather than a standard brick.

In addition to the staff’s previously noted concerns, staff also notes that the elevation drawings are rather small to adequately convey the intended design as it is difficult to discern between black metal and black louver, orientation of the fiber cement plank, as well as planar shifts between materials and/or floors. Staff suggests that larger elevation drawings would help minimize the potential for misunderstanding the design intent, as would enlarged partial plans, particularly where material changes occur.

This guideline is not yet met; however, with demonstration of the quality of the fiber cement product, clarification on the gauge of the metal panel, and clarification of the detailing of coping at parapets across varying panels and other design details through the provision of enlarged drawings and partial plans, this guideline may be met.

Guideline 7A: Provide private open spaces that are well integrated with adjacent development, act as gathering places designed to adapt to a variety of activities, are linked together and to other nearby open spaces, are accessible to the public and provide distinctive neighborhood identity.

Findings: The proposed development of the square, Quimby festival street, and pedestrian way at the east, while occurring on private property, will be publicly accessible. The pedestrian way is intended to be a continuation of the pedestrian

accessways, which will be developed to the north as part of future proposals within the Con-way Master Plan area. It also serves as a buffer between the proposed development and the future park, which has yet to be designed. The proposed Quimby festival street is designed as a special street, allowing for limited vehicular access, and which can be closed down to vehicle access for community events. The proposed square is a central component to this development and is envisioned to be the heart of the neighborhood, and is accessible from public ways at the west, south, and east. These private, publicly-accessible spaces are further discussed below. *This guideline is met.*

Guideline 7B: Square – Design the square to be a significant iconic urban place and include commercial focal points as adjacent uses.

7.B.1 – Provide architectural context around the perimeter of the square. Activate the square with active ground floor uses that offer opportunities such as outdoor dining from private establishments that adjoin the square.

7.B.2 – Provide ground level sight lines and pedestrian access from the square into the neighborhood park.

7.B.3 – Mass adjacent buildings to enclose the square and to optimize solar exposure.

7.B.4 – If possible, provide additional commercial space and/or multi-family housing at the upper levels of the surrounding development, to help put “eyes” on the square.

7.B.5 – If/when commercial uses such as cafes are located on the second floors, provide balconies for outdoor dining to activate the square from the upper levels.

7.B.6 – Design the square to be flexible and to support commerce, activities, and events such as farmers/public markets, dining, fairs, art shows, and small musical performances, etc.

7.B.7 – Consider opportunities for neighborhood facilities such as schools, libraries, meeting places, full service bike station and community centers to abut the square and provide for 18 hour activity.

7.B.8 – Design the square as a simple and flexible urban space; include high quality furnishings and materials particularly at the ground plane. The square should be appropriately sized for the activities and functions envisioned in the space.

7.B.9 – Incorporate elements that evoke the history of the neighborhood such as a water feature or public art to give identity to the square.

7.B.10 – Provide landscape elements consisting primarily of shade trees, possibly including low shrubs and ground covers that allow for surveillance and security.

7.B.11 – Provide furnishings such as lighting, trash containers, fixed benches, movable tables and chairs, bollards and planters.

7.B.12 – Design the eastern edge of the site so that it is well integrated with the neighborhood park.

7.B.13 – Provide for universal accessibility.

7.B.14 – Provide public access easements for the square.

7.B.15 – In the event that construction of the square significantly lags construction of the neighborhood park, interim improvements shall be allowed. Interim improvements include activities and treatments, such as demolition, grading, seeding, installing temporary paving, allowing public access and the like. Phase 1 improvements are to be mutually agreed upon by Con-way, property owner, and Portland Parks and Recreation. Phase 1 improvements, as described above, shall not be subject to Design Review and shall be allowed outright on the square.

Findings: The square is surrounded on all four sides by ground level retail which will be sustained by this burgeoning neighborhood and the residential units at the upper floors and nearby residential development. These ground floor retail spaces have relatively open floor plans and may be internally designed to accommodate a variety of uses to support activity in the square. The 2nd floor overhang provides opportunities for sheltered dining at these retail spaces and fixed benches and

movable chairs and tables are shown to be provided within the square; trash receptacles are also proposed.

Sightlines are provided into the square from the centerline of the park through a 31-foot-wide passageway, which widens at the park frontage. The building massing surrounding the park is designed to maximize access to afternoon sunlight, as the taller portions of the building are located at the north and east, while the southern wing is 1-story tall and the western wing is 4 stories tall with the mass receding as it rises. Terraces and balconies facing the square will help activate the square at upper levels. The square is designed to be a generally open area, at 15,780 square feet, 113' x 139'-8", with some fixed and some movable seating, as well as tables.

The proposed wood seat surrounding the single tree in the northeast corner can be used as a stage for performances. The applicant has indicated that the design of the proposed benches is inspired by the sawmill history of the Slabtown neighborhood. Staff has noted above that the proposed paving pattern should be simplified per prior Design Commission direction, and has suggested that the right-of-way pattern should bleed into the square so that it feels like a natural extension of the public realm, rather than a private branded space; a smaller creative paving pattern could then be introduced at the center of the square to give the square identity or provide an opportunity for storytelling.

Rather than providing multiple shade trees, the applicant is proposing a single ornamental tree, which will change with the seasons and provide interest. Because the neighborhood has a stated desire to increase access to sunlight, the single tree, in combination with the 2nd floor overhangs, seems more appropriate than multiple trees. Additional landscape planters are not provided, thereby providing maximized visibility and flexibility throughout the square. Lighting is proposed to be integrated with the benches and provided at the soffits. The eastern edge of the building continues the pattern of the ground level pass-through retail, thus providing an active edge to the north-south pedestrian way. The eastern edge of the pedestrian way, with the exception of the northeast stormwater planters, is designed to focus attention toward the park and provide connections. While the square is accessible to all at each of the proposed openings, as staff noted under D1 and D3 above, a ramp should be provided near the midpoint of the pedestrian way to ensure that the connection between the park and the square is accessible to all. The applicant has stated an intent to provide public access to the square and this will be secured at time of permit via an easement.

This guideline is not yet met; however, with reconsideration of the square paving pattern, and provision of a ramp at the midpoint of the pedestrian way, and recording of easements allowing public access for at least 18 hours a day, this guideline may be met.

Guideline 7C: NW Quimby Parcel – Provide a multi-use street and open space that links the neighborhood park and square to the south and development to the north, and serves primarily as a pedestrian and bicycle connection.

7.C.1 – Provide through pedestrian and bicycle connections between NW 21st and 20th.

7.C.2 – Provide emergency and service access as needed to adjacent developments.

7.C.3 – As needed, provide access to building entrances and pedestrian accessways to the north of the parcel.

7.C.4 – Provide transitions to hard and landscape elements included in the neighborhood park to the south of the parcel.

7.C.5 – Provide public access easements.

7.C. 6 – Accommodate underground public utilities as needed.

7.C.7 – Provide a location for a flexible festival street to host a farmers market, art walk or other programmed neighborhood events.

7.C.8 – Design the festival street to reflect the character of the potential square on the west end as well as the neighborhood park on the east end.

Findings: The Quimby Street parcel is proposed to be developed for multi-modal use including pedestrians, bicyclists, as well as automobile. Because automobiles are shown to be allowed, emergency and service access will also be provided, as will loading within this area; however, staff notes that PBOT has requested bollards or some other deterrent so that vehicles access is limited more explicitly. As is also noted above, PBOT is requesting a pedestrian access easement for the full width (60' of the Quimby parcel, meaning, PBOT is not supportive of the proposed encroachment into Quimby.

Because the design of the park is as yet unknown, the applicant proposes sidewalk along the southern line of the Quimby parcel, adjacent to the park. The proposed design of the Quimby parcel will be able to accommodate community events as is shown on pages A14 and A15. As staff has noted above, Quimby is designed to have a striped paving pattern with a rolled curb at the north, between the sidewalk and the parking aisle, and no curb at the south, between the bike lane and the sidewalk. The curbless bike lane will provide additional room for cycling, while the striped paving pattern will encourage reduced vehicle speeds.

In order to ensure that the north property line of the Quimby parcel will be able to feature windows in a building built to edge of the proposed sidewalk, the future property line should be established at least 10 feet south of the northern Quimby street lot line. Again, the applicant has stated an intent to provide public access to the square and this will be secured at time of permit.

This guideline is not yet shown to be met; however, with resolution of the encroachment into Quimby, provision of bollards at the ends of Quimby, assurance that the future land division and property line adjustments establish the north property line of Quimby 10 feet south of Bock 291, and recording of easements allowing public access for at least 18 hours a day is provided at time of permit, this guideline will be met.

Guideline 7D: Pedestrian Accessways – Provide a network of pedestrian accessways that, together with public greenstreets and building forecourts, form a special pedestrian circuit or network of connected open spaces in the neighborhood, in addition to adjacent development.

Findings: The subject property does not technically include an area for a designated pedestrian accessway; however as is discussed elsewhere, the proposal does provide a similar connection at the eastern edge of the property which will connect to the north-south pedestrian accessways to the north. *This guideline is not applicable.*

Guideline 7E: Building Forecourts – Provide building forecourts on specific blocks that serve as multi-use outdoor spaces open to the public.

Findings: The subject property does not include an area for a designated building forecourt. *This guideline is not applicable.*

Guideline 7F: Pocket Park – Provide land for a small pocket park west of St. Patrick’s Church.

Findings: The subject property does not include an area for a designated pocket park. *This guideline is not applicable.*

(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. **Con-way Master Plan Map 05-01** – to increase maximum height from 47’ to 49’.

Findings: The proposed height of 49’ includes a floor-to-floor height of 15’-8” for the ground floor, a floor-to-floor height of 10’-8” for the upper level residential units and a modest parapet. Staff notes that the proposed floor heights are not excessive, and the ground floor height is proposed to be reduced in Modifications #2 and #3, thus reducing the potential request for additional height. While the intent of this standard is to ensure access to sunlight, staff believes that the request is relatively minimal. The residential units at the 3rd and 4th floors of the western wing of the building are narrow linear units oriented north-south and pull away from the eastern façade of the building below in an attempt to allow more sunlight to enter the square. No purpose statement is provided for this standard; however, the purpose of the height standards in the EX zone, generally are to limit the bulk and intensity of an area. Staff believes that guidelines P1 and 4 are better met by this Modification as the proposed west wing is appropriately scaled to the neighborhood, serving as a transition between the 7-story Q21 to the west and the 1-story southern wing to the east, as well as between the 6-story northern wing and the 2-story vintage building across Pettygrove to the south. *This Modification warrants approval.*

2. **Con-way Master Plan Standard #7** – to reduce 16’ clearance and 50’ depth requirements for ground floor retail fronting on NW 21st Avenue and the square to 14’ and as little as 20’ in some locations, respectively.

Findings: The Purpose statement reads as follows: “This requirement ensures that Retail Sales, service, or Neighborhood Facility uses are developed along NW 21st

Avenue; these uses activate and enrich the public realm. The requirement specifically focuses on Retail Sales and Service uses because they generate more activity and interaction within the public realm than do other active ground floor uses, and help to establish and reinforce a lively and vibrant public realm along NW 21st Avenue.”

This requested Modification applies to that part of the building fronting on NW 21st and fronting on the square, which essentially amounts to the whole building. With regard to the portion of the building fronting on NW 21st, the ground level of the western wing is indicated to be 46'-9" at its widest, narrowing to approximately 37' at the north end. The northwest corner of the building is approximately the same depth. The remainder of the retail spaces fronting on the square range from 20' deep to just under 50' deep. Since the first Design Advice Request, successful design of the square has been of primary importance and it was stated multiple times that significant reduction of the area of the square would make it unsuccessful. As such, reduction of the depth of the retail spaces was considered acceptable as a means to ensure that the square would not be compromised. This is in part due to the fact that the retail spaces will be accessible from both the perimeter of the building and from the square. In addition, the square will be visible from the perimeter of the building, through the retail spaces, due to the extensive glazing, thus revealing multiple layers of activity. Likewise, reducing the height of retail spaces from 16' to as little as 14', while relatively minimal, helps to reduce the impact that a taller building, may have on the square with regard to access to sunlight, as is noted above. Staff notes that this reduction in clearance only occurs at the southwestern corner of the property, while the rest of the ground floor retail spaces meet or exceed the 16' clearance requirement. Therefore, staff finds that the purpose of the standard is met and Guideline 7B, particularly 7.B.8, is better met by the proposal. *This Modification warrants approval.*

3. **Con-way Master Plan Standard #8** – to reduce the 16' clearance and 25' depth requirements for ground floor active use spaces fronting on streets and open spaces to 14' and as little as 20' in some locations, respectively.

Findings: The purpose statement reads as follows: “These regulations reinforce the continuity of the pedestrian-oriented environment, provide a pleasant, rich and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk areas, and also help to maintain a healthy urban district with architectural elements or improvements that provide visual interest and interrelate with the pedestrian environment.”

This standard applies to the southern and eastern frontages of the building. Similar to Modification #2, the reduction of ground level clearances at the southwest corner will help minimize the impacts of a taller building while allowing for typical development heights and the requested reduction in clearance is relatively minimal. The 25' depth requirement applies at the south wing and at a narrow portion of the east wing where the building angles back from the pedestrian way. Again, the request is relatively minimal and serves to help maximize the area devoted to the square, which is of primary importance to the neighborhood. The varying depths of the retail spaces will appeal in different ways to different proprietors and will help to create a varied shopping and/or dining experience. Therefore, staff finds that the purpose of the standard is met and Guideline 7B, particularly 7.B.8, is better met by the proposal. *This Modification warrants approval.*

4. **Con-way Master Plan Standard #10** – to reduce the minimum area of the public square from 16,000sf to 15,780sf.

Findings: The purpose statement reads as follows: “The square shall be a significant, iconic, urban place, framed by active buildings on at least three sides, and connected to nearby open spaces.”

The applicant has attempted to design a square that will meet the intent of this purpose statement by framing the square on four sides with active buildings that contain ground floor retail and upper floor residential units. The ground floor retail is highly glazed with entrances on both the perimeter as well as facing the square. This design is intended to increase activity through the square by making it both physically and visually porous from the street-side of the building. The applicant proposes a single tree to mark the seasons; it will be surrounded by a wood platform that serves as both seating and potentially a stage for community events. Fixed and movable seating and tables are proposed. Lighting is integrated with the wood benches and the soffit created by the 2nd floor overhang which provides shelter at the perimeter of the square. Staff has noted concerns with the proposed paving pattern, which will be resolved in response to other guidelines, but have little bearing on the proposed area of the square.

The applicant is requesting a reduction of 220 square feet for the area of the square; however, additional areas, including the entries into the square are not counted toward the total area provided of 15,780. These areas will serve as natural aprons to the square and, if counted, would easily exceed 220 square feet. The Con-way Master Plan gives no indication that these areas should or should not be counted toward the total area. Staff finds that the Modification request is minimal (at less than 1.5% of the total area required), and that with consideration of the additional area provided by the aprons, and the intended design of the square, the purpose is met and Guideline 7B is better met, particularly 7.B.1 and 7.B.8. *This Modification warrants approval.*

5. **33.266.220.C.3.b** – to reduce the width of required long-term bicycle parking spaces from 24” to 18”.

Findings: The reduction of bike parking area results in either a reduced amount of area dedicated to the relatively inactive use of bicycle storage, or the ability to store more bicycles within the same area. In this instance, the proposed bike parking is located in the basement and within the units, and therefore will not impact ground level uses, but will minimize areas devoted to bicycle storage; therefore, D4 Parking Areas and Garages is better met. The proposed bike parking is set at 18 inches on-center with a 6” vertical stagger between spaces, which staff has found in many other instances to be sufficient to meet the purpose of the standard with regard to convenience and safety. *This Modification warrants approval.*

(3) Con-way Master Plan Amendment Approval Criteria Amendment Process

The master plan provides for an amendment process in Chapter 33.562.300.F that does not reflect the nature of the proposed master plan in that it requires an amendment for a variety of circumstances not anticipated as part of the Con-way Master Plan. Therefore, the master plan will replace Chapter 33.562.300.F with the following:

Amendments to the Con-way Master Plan.

Amendment Required and Review Procedures. The Con-way Master Plan is a market-driven master plan that provides for a flexible development framework that

anticipates a broad variety of potential allowed outcomes. Because there is not an exact and specific development outcome required for the ultimate build-out of the Con-way Master Plan the amendment process will be required for only very significant deviations from the approved Master Plan.

Review Procedures. Amendments to the Con-way Master Plan are reviewed as follows:

1. The following amendments will be processed through a Type III procedure before the Hearings Officer:
 - a. A change that increases the overall density of the entire Con-way master plan area above a 3:1 floor area ratio;
 - b. Changes to the Master Plan boundary;
 - c. Increase in the overall maximum square footage of uses as allowed in Section 5, Standard 2.
2. The following amendments will be processed through a Type III procedure before the Design Commission:
 - a. Removal of dedicated open space; or
 - b. Changes to the Design Standards and Guidelines.
3. If amendments are proposed that include changes to 1 and 2 above, then the Design Commission will make a recommendation regarding any items under 2 above to the Hearings Officer who will make the final decision under a Type III procedure.

Approval Criteria. The approval criteria for an amendment to the Con-way master plan are as follows:

1. Overall. The amendment is consistent with the approved Con-way Master Plan’s vision and purpose;
2. Design. The urban design elements provided in the purpose statements of the Design Standards and Guidelines of the approved Con-way master plan continue to be met after the amendment;
3. Transportation. The net new weekday p.m. peak hour trip generation of the overall Master Plan site with the amendment remains less than or equal to 1,535 trips. In the event that the Master Plan site net new weekday p.m. peak hour trip generation exceeds 1,535 trips, a transportation impact study will be required to demonstrate what mitigation measures (if any) will be required of the amendment to satisfy City of Portland and Oregon Department of Transportation operating standards at impacted intersections.

Master Plan Amendment #1: Amend the boundaries of designated open areas and development areas by revising Map 04-7, and subsequently revising Map 05-1 and 05-6 of the Master Plan to align with the new boundaries.

1. **Overall.** The amendment is consistent with the approved Con-way Master Plan’s vision and purpose;

Findings: As described in the Con-way Master Plan, Section 2 “Overall Scheme”, the intent of the plan is that “these properties be developed in a manner that generates a vibrant mixed-use urban environment. This chapter also discusses how this will be accomplished by addressing proposed densities through height and massing, phasing of development, review procedures, design standards, design guidelines and principles, and transportation. These elements are generally discussed in Section 2 and in more detail in their respective sections.

Open space is discussed as follows: “New open space uses where illustrated on Map 02-2 [also 04-7] are a significant component of Con-way’s Master Plan.

Approximately 25% of the total land area owned by Con-way is designated to become open space as a part of this application. All open space will be accessible to the public. These spaces have not yet been designed but guiding principles have been established in Section 5.”

Block 290 is specifically discussed as follows in Section 2: “Block 290 will be the site for two major open spaces being proposed. A neighborhood park will be located on the easterly portion of this block – property that may be conveyed to the Parks Bureau. A privately owned and developed, but publicly accessible urban square will be located on the westerly side of this block. The square will be fronted on two sides by mixed-use buildings with ground-level, commercial retail uses; these will be complementary to the varied functions and activities that will occur in the square.

The Quimby parcel is later discussed in Section 6: “A parcel that would extend NW Quimby Street between NW 20th and 21st Avenues is currently private property and owned by Con-way. The parcel is designated as a local street in the Transportation Element of the City of Portland Comprehensive Plan. The design of this parcel will be important in that it is envisioned to have special qualities that allow it to successfully link the neighborhood park and square to the south with private development to the north. Design improvements proposed for the Quimby parcel are subject to approval by the Portland Bureau of Transportation... Based on the traffic study and on the desire to carefully integrate the Quimby parcel with design of a neighborhood park and adjacent development, through pedestrian and bicycle access is the priority transportation function for the Quimby parcel.”

Staff notes that the Master Plan contains maps (02-2 and 04-7) which indicate the location of designated open areas as well as maps that indicate the location of intended building footprints (02-1 and 04-1, as well as those related to the design standards). While these maps clearly relate to the standard 200' x 200' city block, staff could not find commentary or a justification for establishing this as this intended footprint of future buildings; the only indication that this may be a specific desire is the sense that such a footprint is the most logical as one travels across this city.

The applicant proposes to amend the designated open areas by extending the buildable area of Block 290W 13' to the north and 15' to the east. This amounts to a removal of 5,756 square feet of designated open space that is then transferred to the area dedicated to the “square and associated development”. The applicant has indicated that this transfer is necessary in order to accommodate the proposed development which must provide for a square approximately 16,000 square feet in area with dimensions no less than 100 feet, as well as retail on four sides, which is desired by the neighborhood.

When first proposed during the first Design Advice Request, the proposal occupied the entire western 60' of the designated Neighborhood Park. While a pedestrian accessway was not designated in this area as part of the Master Plan, the Plan did indicate that the north-south pedestrian accessways would terminate in open space. Thus it was difficult to reconcile the then proposed footprint of the building with the removal of open space. The proposed footprint of the building decreased in subsequent Design Advice proposals, with the final Design Advice proposal showing the footprint extending 30' into the park area with a 12' overhang. The current proposal has been reduced from the prior proposals, and is now showing a maximum 15' extension into the designated park area. The adjacent 45' between the building and the future park is proposed to be developed as a continuation of the north-south pedestrian accessways. With regard to the reduction of open space in

the Quimby parcel, the prior proposal showed a reduction of 11' at the ground level with a 15' reduction at the upper levels. The current proposal shows a maximum encroachment of 13' into the Quimby parcel at the ground and above. The applicant also proposes to reconfigure the park parcel to be 200' wide in the east-west direction and 206' wide in the north-south direction while narrowing the Quimby parcel to 54' where it is adjacent to the park.

At the Design Advice Requests, the Design Commission repeatedly expressed concern over the proposed removal of open space and the expansion of the building footprint area beyond the standard 200' x 200' block. The Commission expressed less concern about expansion into the Quimby parcel, but noted that a 45' width was too narrow. The Commission generally expressed doubt that the proposal could meet all the expectation of the Master Plan's open space requirements without incorporating additional development area (Block 291) into the proposal. By including development on Block 291, as was anticipated by the Master Plan, the additional building area could relieve the financial and development envelope burden that Block 290 has by the requirement to provide an open public square. However, as staff has noted above, the market has not provided this opportunity and no development is proposed on Block 291. Staff cannot require that additional development be proposed; we can only judge the proposed development on its merits. Prior Design Commission comments indicated that in order for the removal of open space to be approved, the design of the proposal must demonstrate that this transfer of open area to development area is warranted. In addition, PBOT has indicated that they will require a pedestrian access easement for the full width (60') of the vacated Quimby street, and therefore, encroachment into Quimby is not supported by PBOT.

The design of the Quimby parcel was intended to be undertaken as part of a comprehensive Master Planning process designed in concert with the square and the park. The park was envisioned to be designed through a public process including extensive outreach led by or done in collaboration with Portland Parks and Recreation; park planning and development was also envisioned to occur within the first phase of development. Unfortunately, this has not yet occurred as Portland Parks and Recreation has other priorities. Therefore, the applicant has elected to design and develop the extent of the Quimby parcel as well as the remaining 45' of the western portion of the park.

Staff notes that the proposed FAR for the Con-way Master Plan area is limited to 3:1 across the whole site. The proposed development is 146,7363 square feet which amounts to an FAR of 1.89:1 for the project area, including the Quimby parcel. The FAR within the footprint of the building area and not including the Quimby parcel, however, equals an FAR of 3.25:1.

Staff notes that while the applicant is designing and developing the Quimby parcel and the remaining 45' of the western 60' of the designated Neighborhood Park, it is not clear that the public is gaining an equivalent value in exchange for what (open space) is being ceded for private development. In addition, the design of Quimby is subject to approval by the Bureau of Transportation and currently, PBOT does not support the encroachment into Quimby.

Therefore, this approval criterion is not yet met.

- 2. Design.** The urban design elements provided in the purpose statements of the Design Standards and Guidelines of the approved Con-way master plan continue to be met after the amendment;

Findings: Purpose statements appear only under Design Standards and Guidelines #5, #6, #7, #8, and #10. Staff has addressed each below:

#5 Neighborhood Facilities within the NW Master Plan Area.

Purpose: “This regulation encourages creation of facilities to serve those who live and work in the NW Master Plan Area. These facilities are necessary elements of a neighborhood.”

Findings: As this amendment does not affect neighborhood facilities, this amendment will have no effect on this urban design element. *This purpose statement does not apply.*

#6 Required Building Lines.

Purpose: “Required building lines are intended to enhance the urban quality of the NW Master Plan Area.”

Findings: Map 05-4 indicates the location of required building lines; however, no required building lines are shown on Block 290. A note on Map 05-4 states that “required building lines will apply to any buildings planned as part of a park Master Plan that front NW 21st or a public square.” As this amendment does not affect designated required building lines, and is not a part of a park Master Plan, this amendment will have no effect on this urban design element. *This purpose statement does not apply.*

#7 Special Required Ground Floor Retail Sales, Service, or Neighborhood Facility Uses on NW 21st Avenue and Buildings that Front the Square.

Purpose: “This requirement ensures that Retail Sales, Service, or Neighborhood Facility uses are developed along NW 21st Avenue; these uses activate and enrich the public realm. The requirement specifically focuses on Retail Sales and Service uses because they generate more activity and interaction within the public realm than do other active ground floor uses, and help to establish and reinforce a lively and vibrant public realm along NW 21st Avenue.”

Findings: The proposed amendment retains the requirement for ground floor retail sales and service uses fronting on NW 21st and on the square; therefore, the proposed amendment will have no effect on this urban design element. *This purpose statement is met.*

#8 Standards on Streets and Open Spaces.

Purpose: “These regulations reinforce the continuity of the pedestrian-oriented environment, provide a pleasant, rich and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk areas, and also help to maintain a healthy urban district with architectural elements or improvements that provide visual interest and interrelate with the pedestrian environment.”

Findings: The proposed amendment retains the requirement for standards on streets and open spaces that support a pedestrian-oriented environment, but will shift the line on the corresponding map (05-6). The proposed amendment will have a minimal effect of this standard, revising the exact location where this standard is required along the eastern building frontage. *This purpose statement is met.*

#10 Square Standards.

Purpose: “The square shall be a significant, iconic urban place, framed by active buildings on at least three sides, and connected to nearby, open spaces.”

Findings: The purpose of the requested amendment is to increase the area devoted to the public square (by extending the footprint of the building to the east and north) while ensuring the square will be enclosed on four sides in response to neighborhood desires that were only voiced after the Master Plan

was approved. The square was shown in the Master Plan to only have two building edges framing the square on this block, with the purpose statement indicating that the square was to have at least three sides, one of which could be across Quimby at Block 291. The neighborhood has since advocated for a four-sided square so that the square has a distinct character and a sense of enclosure. The proposed square is therefore designed with four sides with connections to the sidewalks and future park at the west, south, and east. *This purpose statement is met.*

Based on the findings noted above, this approval criterion is met.

- 3. Transportation.** The net new weekday p.m. peak hour trip generation of the overall Master Plan site with the amendment remains less than or equal to 1,535 trips. In the event that the Master Plan site net new weekday p.m. peak hour trip generation exceeds 1,535 trips, a transportation impact study will be required to demonstrate what mitigation measures (if any) will be required of the amendment to satisfy City of Portland and Oregon Department of Transportation operating standards at impacted intersections.

Findings: The proposed amendment will have no effect on trip generation. *This approval criterion is met.*

Because all three criteria have not been shown to be met (#1), this Amendment does not warrant approval.

Master Plan Amendment #2: Amend Map 06-01 to allow garage access from NW Pettygrove.

- 1. Overall.** The amendment is consistent with the approved Con-way Master Plan’s vision and purpose;

Findings: As described in the Con-way Master Plan, Section 2 “Overall Scheme”, the intent of the plan is that “these properties be developed in a manner that generates a vibrant mixed-use urban environment. This chapter also discusses how this will be accomplished by addressing proposed densities through height and massing, phasing of development, review procedures, design standards, design guidelines and principles, and transportation. These elements are generally discussed in Section 2 and in more detail in their respective sections; however, the specifics of Map 06-1 *Potential Future Underground Garage Locations and Access* are minimally addressed.

Map 06-1 appears to be discussed primarily with regard to the potential for underground parking as a means to address the relative lack of parking in the Northwest neighborhood. Specifics are not provided for why garage access on certain streets is restricted. Staff can only assume that this is because, relatively, the same streets are labeled as “Neighborhood Community Main Street” on Map 02-5 *Street Plan* and as a potential streetcar alignment on Map 02-6 *Potential Streetcar Alignment*.

When the Master Plan was created, large multi-block below-grade structures were envisioned so that the garage access would be limited. Unfortunately, the market has not followed the plan and only one proposal within the Master Plan area has followed this course. The other developments were for smaller areas of land or renovation of existing buildings.

Location of the garage entrance was extensively discussed during the Design Advice Requests in 2015 and continues to be a concern for the neighborhood. The Con-way Master Plan restricts parking garage access from NW 21st and NW Pettygrove. The proposed development area has right-of-way frontage on NW 21st, Pettygrove, and NW 20th at the Quimby parcel. Because the Quimby parcel, at the north of the property, is intended to be developed as a festival street, and “pedestrian and bicycle access is the priority transportation function for the Quimby parcel” with limited vehicular access, and because the east side of the property is intended to be developed as a park, and because NW 21st is intended to be a contiguous retail corridor, the Design Commission previously indicated that the most appropriate location for garage access is the Pettygrove frontage on the south. If garage access were to be provided on Quimby, it would be infeasible to close down Quimby for community events, thus defeating the intended purpose and function of the Quimby festival street.

Staff notes that the Northwest District Plan of 2003 identifies Pettygrove as a “greenstreet” but notes that bicycle system improvements may be most appropriate on NW Thurman to serve as a connection between Forest Park and the Willamette River Greenway, which are separated by a “distance too great for most pedestrians” while pedestrian improvements are more appropriate on NW Pettygrove which will serve to link neighborhood parks.

For the above stated reasons, this approval criterion is met. However, staff suggests consideration of a future condition of approval to require that the Pettygrove access be closed and re-routed to NW Raleigh or NW 20th Avenue when development at Block 291 is constructed so that the vision of the Master Plan is fulfilled. Staff notes that NW Raleigh is currently a City Bikeway, so unless that designation is lifted and realigned with NW Pettygrove, the proposed condition would only make sense if the rerouted garage access was provided directly from NW 20th Avenue between Quimby and Raleigh. This condition would have to be tied to both Blocks 290 and 291.

2. **Design.** The urban design elements provided in the purpose statements of the Design Standards and Guidelines of the approved Con-way master plan continue to be met after the amendment;

Findings: Purpose statements appear only under Design Standards and Guidelines #5, #6, #7, #8, and #10. Staff has addressed each below:

#5 Neighborhood Facilities within the NW Master Plan Area.

Purpose: “This regulation encourages creation of facilities to serve those who live and work in the NW Master Plan Area. These facilities are necessary elements of a neighborhood.”

Findings: As this amendment does not affect neighborhood facilities, this amendment will have no effect on this urban design element. *This purpose statement does not apply.*

#6 Required Building Lines.

Purpose: “Required building lines are intended to enhance the urban quality of the NW Master Plan Area.”

Findings: As this amendment does not affect designated required building lines, this amendment will have no effect on this urban design element. *This purpose statement does not apply.*

#7 Special Required Ground Floor Retail Sales, Service, or Neighborhood Facility Uses on NW 21st Avenue and Buildings that Front the Square.

Purpose: “This requirement ensures that Retail Sales, Service, or Neighborhood Facility uses are developed along NW 21st Avenue; these uses activate and enrich the public realm. The requirement specifically focuses on Retail Sales and Service uses because they generate more activity and interaction within the public realm than do other active ground floor uses, and help to establish and reinforce a lively and vibrant public realm along NW 21st Avenue.”

Findings: The proposed amendment retains the garage and loading access restriction for the length of NW 21st Avenue. NW Pettygrove is not addressed in this standard; therefore, the proposed amendment will have no effect on this urban design element. *This purpose statement does not apply.*

#8 Standards on Streets and Open Spaces.

Purpose: “These regulations reinforce the continuity of the pedestrian-oriented environment, provide a pleasant, rich and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk areas, and also help to maintain a healthy urban district with architectural elements or improvements that provide visual interest and interrelate with the pedestrian environment.”

Findings: As is described above, the site is surrounded by streets or uses intended to be highly pedestrian-oriented, in particular: NW 21st at the west which is intended for contiguous retail, Quimby at the north intended for use as a festival street, and the east which is intended to be developed as a public park. The retail-lined square at the center of the development will be highly activated with pedestrians. As staff noted above, the narrow passageway adjacent to the garage entry should be relocated in order to ensure pedestrian safety at this location. ***Therefore, with resolution of the pedestrian entrance to the square adjacent to the garage entrance, this purpose statement is met.***

#10 Square Standards.

Purpose: “The square shall be a significant, iconic urban place, framed by active buildings on at least three sides, and connected to nearby, open spaces.”

Findings: The proposed amendment will have no effect on the design of the square. *This purpose statement does not apply.*

This criterion is not yet met; however with resolution of the entrance to the square adjacent to the garage entrance, this approval criterion may be met.

- 3. **Transportation.** The net new weekday p.m. peak hour trip generation of the overall Master Plan site with the amendment remains less than or equal to 1,535 trips. In the event that the Master Plan site net new weekday p.m. peak hour trip generation exceeds 1,535 trips, a transportation impact study will be required to demonstrate what mitigation measures (if any) will be required of the amendment to satisfy City of Portland and Oregon Department of Transportation operating standards at impacted intersections.

Findings: As is noted above, the Bureau of Transportation has not received a Transportation Demand Analysis, as was requested in PBOT’s completeness response. Because this information has not been provided, PBOT cannot ascertain whether mitigation measures will be required, and therefore cannot recommend approval.

This approval criterion is not met.

Because all three criteria have not yet been shown to be met (#2), this Amendment does not warrant 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

Staff recognizes the challenges of accommodating the required public square as well as supportive private development on this site, which meets the standards outlined in the Con-way Master Plan, and that also meets the demands of the neighborhood and the expectations of the Design Commission. In order to ensure that the public square is successful, concessions toward depth and height of retail spaces have been proposed and supported by staff; however, toward this effort, the proposal also seeks to take away open space designated as a festival street and a park, which remains a significant issue for staff.

TENTATIVE STAFF RECOMMENDATION

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

Denial.

The following concerns require resolution before staff can recommend approval:

- Revised stormwater management proposal (BES);
- Site-specific TDM plan or approval of the Con-way Master Plan TDM (PBOT);
- with resolution of the pedestrian entry to the square adjacent to the garage entrance, and the provision of bollards at the east and west end of Quimby (E1, D4);
- Additional consideration of the proposed acute angles, resolution of the encroachment into Quimby, as well as the northwest corner and the northwest entry into the square (E4);
- Reconsideration of the paving within and entries into the square, introduction of a ramp between the park and the pedway, relocation of the stormwater planters in the pedway, reconsideration of the Juliet balconies and the narrow terraces (D1, D3);
- Introduction of canopies and a swinging door to the south façade of the 1-story wing, additional consideration of equitable access at retail entries, and the revision of the main residential entry doors to glass (D1, E5, 3);
- Relocation of the pedestrian entrance to the square west of the garage (D4);
- Additional consideration of the planar and volumetric articulation of the building, composition of the façades (particularly the east façade facing the park), clarification of the detailing of coping at parapets across varying panels, demonstration of the quality of the fiber cement product and elimination of its use at upper floors, and clarification on the gauge of the metal panel (D8, 4, 6);
- Clarification of the detailing of coping at parapets across varying panels and other design details through the provision of enlarged drawings and partial plans (6);
- Provision of a ramp at the midpoint of the pedestrian way, and recording of easements allowing public access for at least 18 hours a day (7B);

- Resolution of the encroachment into Quimby, provision of bollards at the ends of Quimby, assurance that the future land division and property line adjustments will establish the north property line of Quimby 10 feet south of Bock 291, and recording of easements allowing public access for at least 18 hours a day is provided at time of permit (7C); and
- Clarification that the public is gaining an equivalent value in exchange for what (open space) is being ceded for private development (Amendment #1)

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Procedural Information. The application for this land use review was submitted on January 5, 2016, and was determined to be complete on March 29, 2016.

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 January 5, 2016.

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: July 27, 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).

Hillary Adam
May 9, 2016

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 1. Original Drawing Submittal Set
 2. Project Description
 3. Design Narrative, received March 29, 2016
 4. Revised Drawing Set, received March 29, 2016
- B. Zoning Map (attached)
- C. Plan & Drawings
 1. Drawing Set for May 19, 2016 hearing (140 sheets) (pp. 37, 48, 49, 54, and 55 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. Bureau of Transportation Engineering and Development Review
 2. Bureau of Environmental Services
 3. Water Bureau
 4. Fire Bureau
 5. Bureau of Parks, Forestry Division
 6. Site Development Review Section of BDS
- F. Letters
 1. Chris Smith, on April 13, 2016, wrote in opposition to Master Plan Amendment #2 to allow access from NW Pettygrove.
 2. Ted Timmons, on April 15, 2016, wrote with concerns with allowing garage access from NW Pettygrove, suggesting the access should be from NW 20th Avenue.

3. David Lewis, on April 21, 2016, wrote with concerns with allowing garage access from NW Pettygrove, intended as a green street, and adjacent to a pedestrian plaza and a future city park.
 4. Chris Shaffer, on April 29, 2016, wrote in opposition to Master Plan Amendment #2 to allow garage access from Pettygrove, intended as a green street, and adjacent to a pedestrian plaza and a future city park.
 5. Jessica Engelman, on April 29, 2016, wrote in opposition to Master Plan Amendment #2 to allow garage access from Pettygrove, intended as a green street, and adjacent to a pedestrian plaza and a future city park.
 6. Joseph Edge, on April 29, 2016, wrote in opposition to Master Plan Amendment #2 to allow garage access from Pettygrove, intended as a green street, and adjacent to a pedestrian plaza and a future city park.
 7. Lucy Wong, on April 30, wrote in opposition to Master Plan Amendment #2 to allow garage access from Pettygrove, intended as a green street, and adjacent to a pedestrian plaza and a future city park.
 8. Emily Guise, on April 30, wrote in opposition to Master Plan Amendment #2 to allow garage access from Pettygrove, intended as a green street, and adjacent to a pedestrian plaza and a future city park.
 9. Ron Walters, on May 2, 2016, wrote in opposition to the proposal, stating that it does not meet the standards, guidelines or intentions of the Master Plan. He noted that 86% of respondents to an online survey he created opposed the proposal.
 10. Gabrielle Ackerman, on May 2, 2016, wrote with suggestions that this space could be used as a multi-use community center, including an indoor swimming pool.
 11. Steve Pinger, on May 2, 2016, provided correspondence from Northwest District Association to the applicant, which noted opposition to the proposal due to the reduced width of the square, the increased height of the southeast corner of the building, and the joining of all the buildings (previously shown to be separate) resulting in reduced connections between the sidewalk and the square and a perception of privatization of the square.
 12. Steve Pinger, on May 6, 2016, submitted a letter by Greg Theisen, Acting Chair of the Northwest District Association Planning Committee, dated May 5, 2016 stating that the Master Plan should be updated prior to review of this development proposal as prior comments indicated that Block 291 and the Park should be developed in concert with Block 290. He noted concerns with increased height at the southeast, the full-width connection of the wings of the building, previously proposed to be separate buildings, narrowness and arrangement of entries to the square, and a feeling of privatization of the square.
- G. Other
1. Original LUR Application
 2. Revised LURR Application, dated March 29, 2016
 3. Incomplete Letter, dated February 4, 2016
 4. Design Advice Summary #1, for April 23, 2015
 5. Design Advice Summary #2, for June 11, 2015
 6. Design Advice Summary #3, for August 20, 2015



ZONING

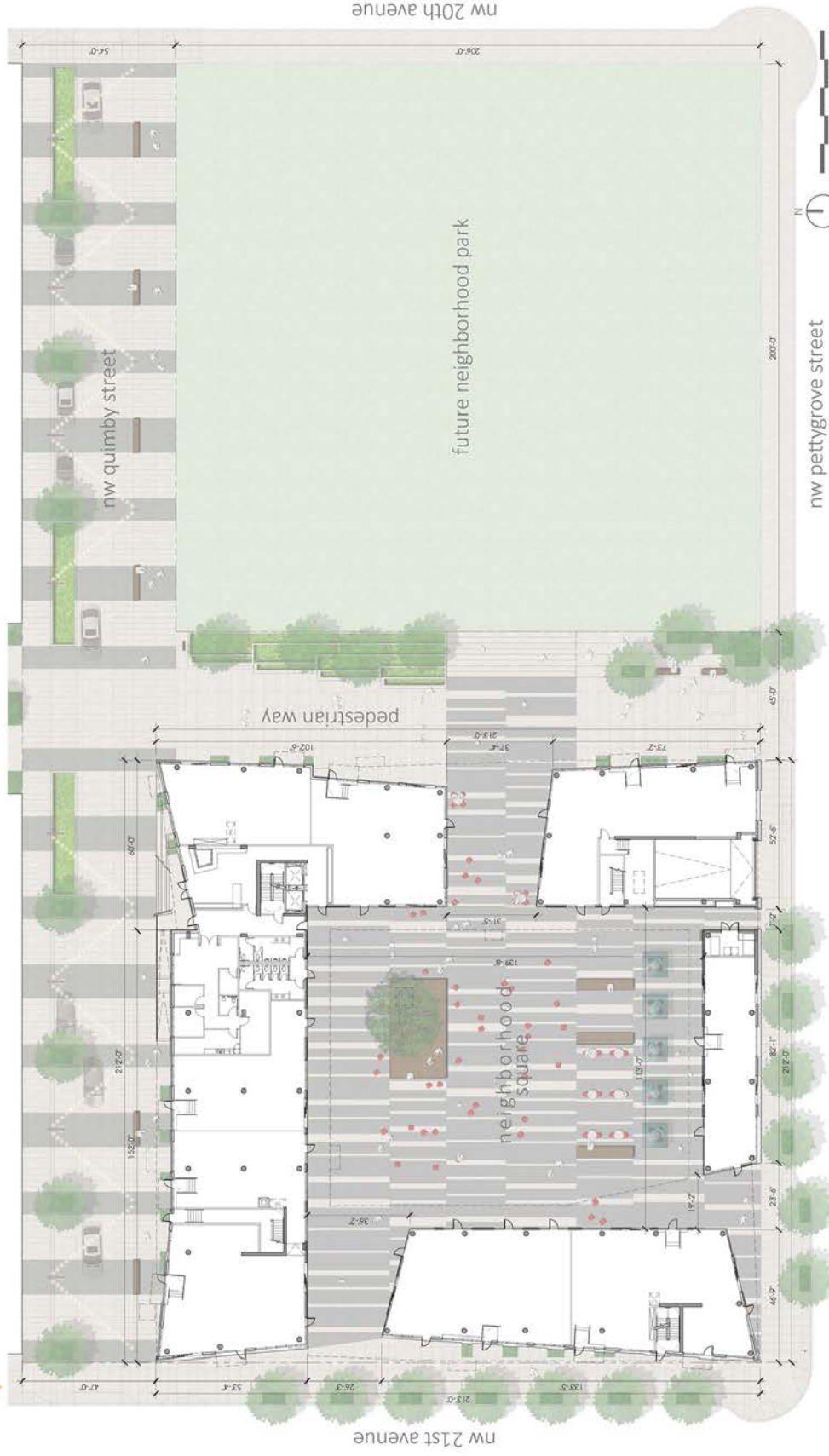


This site lies within the:
NORTHWEST PLAN DISTRICT

-  Project Area
-  Site
-  Recreational Trails
-  Historic Landmark

File No.	LU 16-100496 DZM
1/4 Section	2927 2827
Scale	1 inch = 200 feet
State_Id	1N1E33BA 100
Exhibit	B (Mar 31, 2016)

site plan



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GUARDIAN
REAL ESTATE SERVICES LLC

MAY 2016

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nw pettygrove street



0' 10' 20' 30' 40' 50'
DESIGN REVIEW
BLOCK290 37

nw 21st avenue

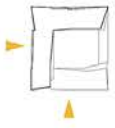
nw 20th avenue

nw quimby street

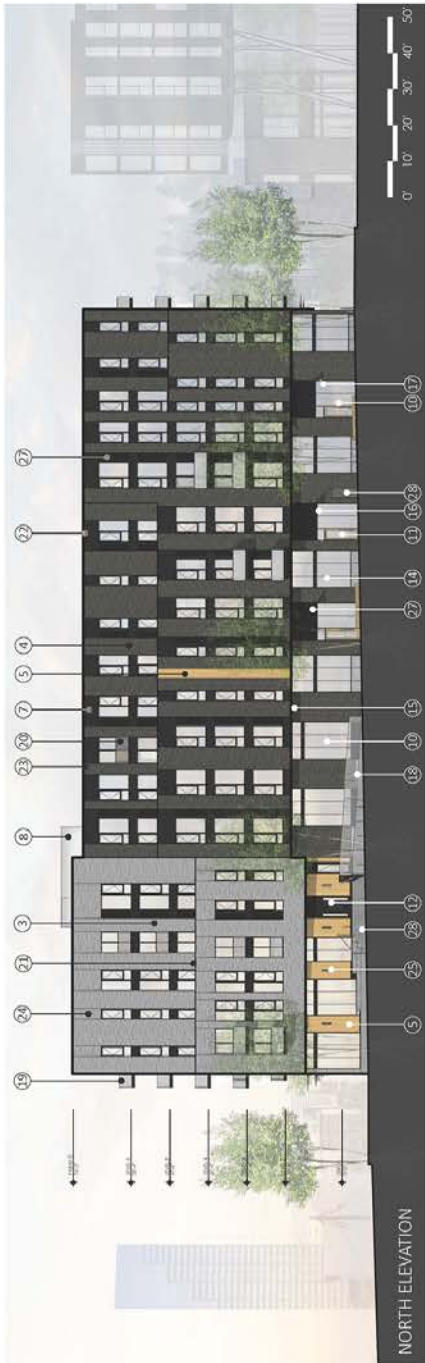
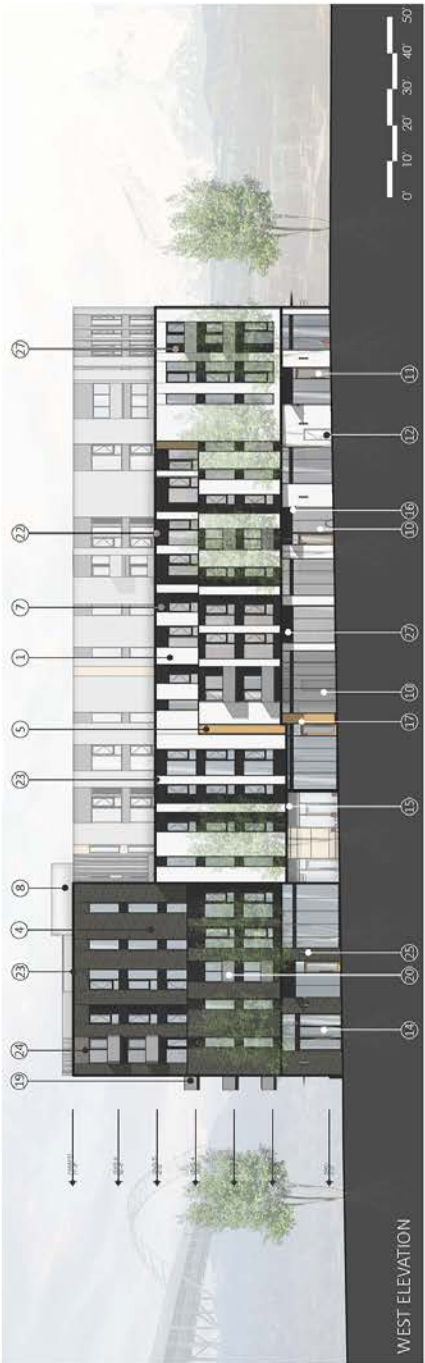
pedestrian way

future neighborhood park

neighborhood square



building elevations | west + north



- 1 WHITE BRICK VENEER, 2-1/4" x 11-9/16"
- 2 LIGHT GRAY BRICK VENEER, 2-1/4" x 15-9/16"
- 3 GRAY BRICK VENEER, 2-1/4" x 15-9/16"
- 4 DARK GRAY BRICK VENEER, 2-1/4" x 15-9/16"
- 5 HIGH-DENSITY FIBER CEMENT PLANK, VERTICAL

- 6 HIGH DENSITY FIBER CEMENT PLANK, HORIZONTAL
- 7 METAL PANEL CLADDING SYSTEM, COLOR 1
- 8 METAL PANEL CLADDING SYSTEM, COLOR 2
- 9 BUTT-GLAZED ALUMINUM CURTAINWALL
- 10 BUTT-GLAZED ALUMINUM STOREFRONT
- 11 WOOD STORE FRONT DOOR
- 12 METAL DOOR
- 13 WOOD LIFT SLIDE DOORS
- 14 ALUMINUM LIFT SLIDE DOORS
- 15 HIGH-DENSITY FIBER CEMENT PLANK SOFFIT

- 16 POWDER COATED STEEL CANOPY
- 17 POWDER COATED STEEL BLADE SIGN
- 18 GLASS GUARDRAIL
- 19 POWDER COATED STEEL BOLT-ON BALCONY WITH GLASS GUARDRAIL
- 20 GLASS JULIET BALCONY
- 21 CAST CONCRETE PARAPET CAP, STAINED TO MATCH BRICK
- 22 METAL COPING TO MATCH METAL CLADDING
- 23 METAL COPING TO MATCH BRICK

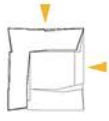
- 24 CANTED THIN BRICK WINDOW HEADER
- 25 MATTE BLACK WALL SCORE
- 26 BLACK HIGH-SPEED GARAGE DOOR
- 27 BLACK METAL LOUVER
- 28 SITE-CAST CONCRETE

YBA
architects

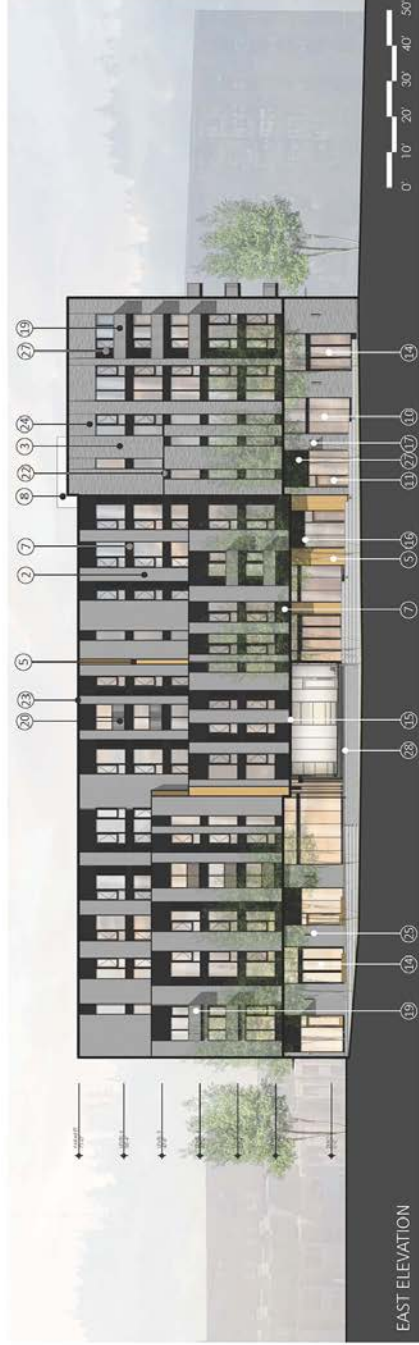
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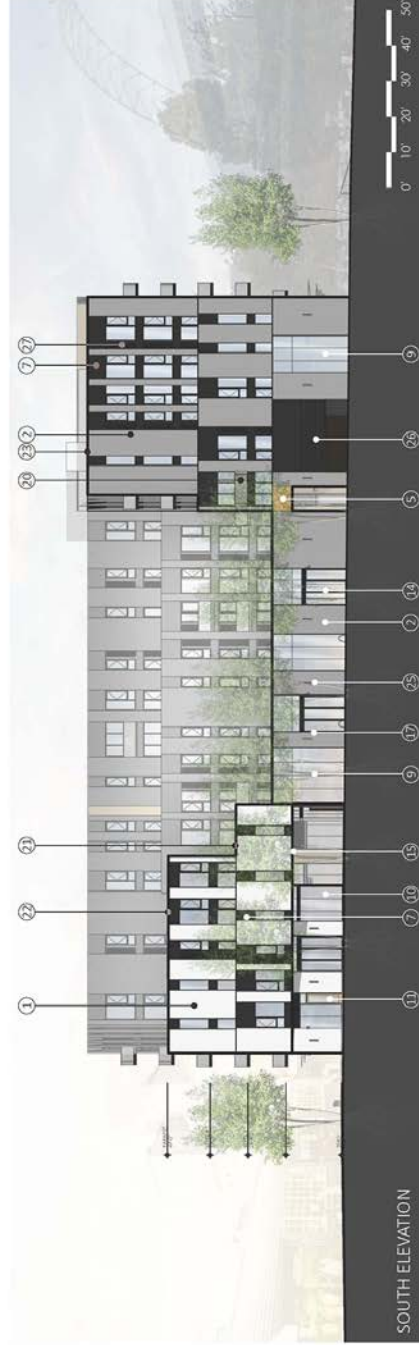
BLOCK290 DESIGN REVIEW 48



building elevations | east + south



EAST ELEVATION



SOUTH ELEVATION

- ① WHITE BRICK VENEER, 2-1/4"x15-9/16"
- ② LIGHT GRAY BRICK VENEER, 2-1/4"x15-9/16"
- ③ GRAY BRICK VENEER, 2-1/4"x15-9/16"
- ④ DARK GRAY BRICK VENEER, 2-1/4"x15-9/16"
- ⑤ HIGH-DENSITY FIBER CEMENT PLANK, VERTICAL
- ⑥ HIGH-DENSITY FIBER CEMENT PLANK, HORIZONTAL
- ⑦ METAL PANEL CLADDING SYSTEM, COLOR 1
- ⑧ METAL PANEL CLADDING SYSTEM, COLOR 2
- ⑨ BUTT-GLAZED ALUMINUM CURTAINWALL
- ⑩ BUTT-GLAZED ALUMINUM STOREFRONT
- ⑪ WOOD STORE FRONT DOOR
- ⑫ METAL DOOR
- ⑬ WOOD LIFT SLIDE DOORS
- ⑭ ALUMINUM LIFT SLIDE DOORS
- ⑮ HIGH-DENSITY FIBER CEMENT PLANK SOFFIT

- ⑯ POWDER COATED STEEL CANOPY
- ⑰ POWDER COATED STEEL BLADE SIGN
- ⑱ GLASS GUARDRAIL
- ⑲ POWDER COATED STEEL BOLT-ON BALCONY WITH GLASS GUARDRAIL
- ⑳ GLASS JULIET BALCONY
- ㉑ CAST CONCRETE PARAPET CAP, STAINED TO MATCH BRICK
- ㉒ METAL COPING TO MATCH METAL CLADDING
- ㉓ METAL COPING TO MATCH BRICK
- ㉔ CANTED THIN BRICK WINDOW HEADER
- ㉕ MATTE BLACK WALL SCIENCE
- ㉖ BLACK HIGH-SPEED GARAGE DOOR
- ㉗ BLACK METAL LOUVER
- ㉘ SITE-CAST CONCRETE

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building elevations | square east + south



- ① WHITE BRICK VENEER, 2-1/4"x15-9/16"
- ② LIGHT GRAY BRICK VENEER, 2-1/4"x15-9/16"
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- ⑰ POWDER COATED STEEL BLADE SIGN
- ⑱ GLASS GUARDRAIL
- ⑲ POWDER COATED STEEL BOLT-ON BALCONY WITH GLASS GUARDRAIL
- ⑳ GLASS JULIET BALCONY
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- ㉒ METAL COPING TO MATCH METAL CLADDING
- ㉓ METAL COPING TO MATCH BRICK
- ㉔ CANTED THIN BRICK WINDOW HEADER
- ㉕ MATTE BLACK WALL SCIENCE
- ㉖ BLACK HIGH-SPEED GARAGE DOOR
- ㉗ BLACK METAL LOUVER
- ㉘ SITE-CAST CONCRETE

BLOCK290 DESIGN REVIEW 54

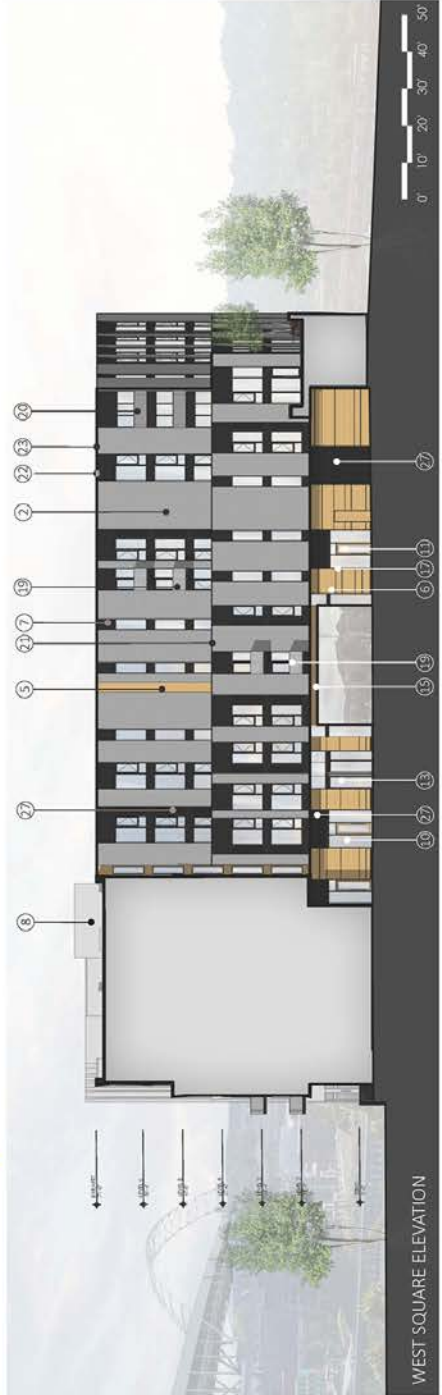
1417 NW 20th Ave Portland, OR

MAY 2015

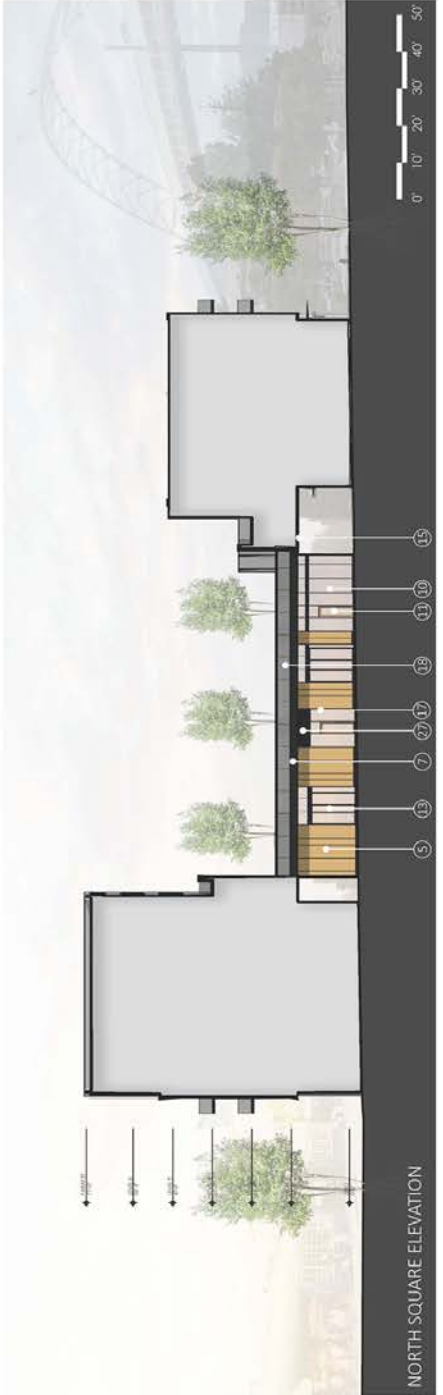




building elevations | square west + north



WEST SQUARE ELEVATION



NORTH SQUARE ELEVATION

- 1 WHITE BRICK VENEER, 2-1/4"x15-9/16"
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- 13 WOOD LIFT SLIDE DOORS
- 14 ALUMINUM LIFT SLIDE DOORS
- 15 HIGH-DENSITY FIBER CEMENT PLANK SOFFIT
- 16 POWDER COATED STEEL CANOPY
- 17 POWDER COATED STEEL BLADE SIGN
- 18 GLASS GLUEBAR/RAIL
- 19 POWDER COATED STEEL BOLT-ON BALCONY WITH GLASS GUARDRAIL
- 20 GLASS JULIET BALCONY
- 21 CAST CONCRETE PARAPET CAP, STAINED TO MATCH BRICK
- 22 METAL COPING TO MATCH METAL CLADDING
- 23 METAL COPING TO MATCH BRICK
- 24 CARTED THIN BRICK WINDOW HEADER
- 25 MATTE BLACK WALL SCOFFICE
- 26 BLACK HIGH-SPEED GARAGE DOOR
- 27 BLACK METAL LOUVER
- 28 SITE-CAST CONCRETE

BLOCK290 DESIGN REVIEW 55

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