



**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 16-129367 DZM**  
**2211 SW 4<sup>th</sup> Avenue Apartments**  
PC # 15-114048  
**REVIEW BY:** Design Commission  
**WHEN:** July 21, 2016 at 1:30PM  
**WHERE:** 1900 SW Fourth Ave., Room 2500A  
Portland, OR 97201

**Please note:** Changes to the June 16, 2016 Staff Report in underlined text.

**Bureau of Development Services Staff:** Tim Heron 503-823-7726 /  
[Tim.Heron@portlandoregon.gov](mailto:Tim.Heron@portlandoregon.gov)

### **GENERAL INFORMATION**

**Applicant:** Joshua Scott, Koz Development  
1208 10th St, Suite 201  
Snohomish, WA 98290

**Owner:** Bpm-Ub LLC  
610 SW Alder St #1221  
Portland, OR 97205

**Site Address:** 2211 SW 4<sup>th</sup> Avenue  
**Legal Description:** BLOCK 23 TL 1100, CARUTHERS ADD  
**Tax Account No.:** R140902240  
**State ID No.:** 1S1E04DD 01100  
**Quarter Section:** 3228

**Neighborhood:** Portland Downtown, contact Rani Boyle at 503-725-9979.  
**Business District:** None  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

**Plan District:** Central City - University District  
**Zoning:** CXd, Central Commercial with design overlay  
**Case Type:** DZM, Design Review with Modifications  
**Procedure:** Type III, with a public hearing before the Design Commission.  
The decision of the Design Commission can be appealed to City Council.

**Proposal:**

The proposed project is for the new construction of a 6 level, 108 unit studio apartment building with ground floor commercial space and parking on a triangular site at SW 4<sup>th</sup> Avenue and SW Grant Street adjacent to I-405. The grade level floor has two commercial spaces, one along each street frontage, and commercial parking area for 23-stalls and two loading stalls accessed from SW Grant Street. All other levels above grade level are residential units and associated services, including a second level long-term bike parking facility accessed by a separate stair and elevator corridor.

The building materials include board formed concrete, brick, corrugated metal and VPI vinyl window systems.

Modification request of 33.266.220.C.3.b. Standards for all bicycle parking to reduce the required 2'-0" bike parking spacing for wall mounted racks to be stacked and staggered at 18" on center.

*This Modification is no longer requested as the revised design meets this standard.*  
Modification request to 33.510.220 Ground Floor Windows along SW Grant Street to reduce the required clear glazing into active area requirement of 50% linear frontage [62-feet] to 46% [59-feet].

Because the proposal is for new development in the University sub District of the Central City Plan District, design review is required.

**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:

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

**ANALYSIS**

**Site and Vicinity:** The site is located within the downtown Portland neighborhood and borders the Portland State University campus and is at the gateway to the South Portland neighborhood area. The site is a triangular shaped parcel fronting SW 4<sup>th</sup> Avenue, a Central City Transit Street, SW Grant Street, a local service street, and the I-405 Freeway. I-405 is an Oregon Department of Transportation freeway by-pass from the I-5 Freeway, and connects US Route 30 and other local service streets. Currently the site is used as a "pay to park" uncovered surface parking lot, with no existing built structures. The existing parking area covers the majority of the site and consists of 40 parking spaces with 2 curb cut access drive isles, one from SW Grant Street and the other from SW 4<sup>th</sup> Avenue.

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

The Design Overlay Zone [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each

district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

**Land Use History:** City records indicate that no prior land use reviews exist on the site. Relevant to this Land Use Review however is the Design Advice Request Hearing EA 15-153663 DA on June 18, 2015. A Summary of those notes are as follows:

This memo summarizes **Design Commission** design direction provided on June 18, 2015. Commissioners in attendance: Savinar, Simpson, Wark.

### Summary of Commission Comments

#### General Comments

- **Massing, Scale and Form.** The building's bulk is uniformly massed for the full site with minor variations in texture, transparency and reflectivity, balconies and projected corner units (northeast.) In general terms, the project feels programmatically heavy and that it "needs to lose a pound or two". Commission recommends better resolving the northeast corner (the "tip of the arrow".) Potential considerations include more erosion, glazing and/or balconies.
- **Design Intent.** Preliminary drawings and narrative do not adequately convey the project's basic design parti and reasoning behind the composition of the building facades. Commission recommends the Applicant more fully explore/convey what is fundamentally unique about the project site/context and how that is manifested in the design parti.
- **Materials.** Façade distinctions are conveyed through material shifts – board formed concrete at the ground level and corrugated metal on the upper stories. Exterior material quality and detailing are preliminary, yet specify metal panel (Alucobond or equivalent), VPI white vinyl window and wood or composite lap siding accent. Commission recommends the Applicant explore masonry based material to replace the metal as a primary cladding material on upper floors.
- **South Elevation.** The project will be highly visible from the south across the I-405 freeway. The preliminary drawing set indicates that the south elevation is treated as a back-of-house condition. Commission recommends the Applicant more fully resolve this elevation considering its visual prominence from the south.
- **Parking Deck.** The status-quo configuration is a "no-go" condition. Commission recommends studying a fundamental re-configuration of the parking deck – stacked parking, no open walls, active liner spaces, one garage opening, etc.
- **Rain Garden Planter on Building Wall.** Preliminary drawings indicate vertically stacked Rain Garden Planters on the east and north elevations. Much remains unresolved regarding the general viability of such an unprecedented system including, but not limited to structural details, materials durability and maintenance over the life of the building, stormwater performance characteristics, etc. Commission recommends the Applicant more fully resolve this system prior to the next DAR. If the system proves infeasible, explore alternative solutions for mitigating the resulting blank wall conditions.
- **Ground Level.** Design detail (board formed concrete work, garage doors, etc.), quality and vibrancy of the ground level at the SW 6<sup>th</sup> and Grant frontages is critical for consistency with the approval criteria. While generally supportive of the use of board-formed concrete or similar, the Commission recommends the Applicant produce the details/specifications necessary to ensure a high quality result.
- **Vents and Louvers.** Though preliminary drawings do not depict, integration with building skin/window systems will be required.

- **Mechanical.** Though preliminary drawings do not depict, design integration with building facades and/or rooftop treatment.

#### **Guidelines to Consider**

- **Enhance, Embellish, Identify Areas (A5).** Preliminary drawings depict metal panel as a primary cladding material on the upper floors of all elevations. Historical context and more recently approved buildings in the vicinity are clad primarily in masonry with metal panel as accent. Commission advises that brick or comparable quality material be used as a primary cladding material.
- **Ground Floor Active Uses (A8).** Preliminary street level floor plans indicate that ground floor active use is non-existent – extensive blank wall, bike storage/repair, lobby, electrical room and garage access. Commission advises that more activation strategies be applied to the ground floor.
- **Pedestrian Amenities/Protection (B6).** Preliminary drawings indicate little in the way of pedestrian amenities at the project frontage zone – seating, recessed entries, canopies, etc. Commission advises exploring greater opportunities for pedestrian amenities.
- **Pedestrian Protection (B2).** The Grant St elevation is dominated by garage door entries (2) for auto and loading access creating a perilous condition for pedestrian safety. Commission advises a reconfiguration/reduction/elimination of ground floor parking and one garage door at most.
- **Coherency (C5).** Preliminary elevation studies depict the vertically stacked Rain Garden Planters on the east and north elevations as disparate façade components. Commission advises that should these features be determined to be technically viable they be better integrated within a more coherent overall building composition.
- **Active Corners (C7).** Preliminary ground floor diagrams indicate that the building's corners (3) are programmed with inactive uses – residential lobby, electrical room and long-term bike parking. Commission advises that more active uses be considered for these corners.

**Agency Review:** A “Notice of proposal in Your Neighborhood” was mailed **May 27, 2016**. The following Bureaus have responded with no issue or concerns:

- The Bureau of Environmental Services
- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- The Bureau of Transportation Engineering
- Oregon Department of Transportation responded with Conditions of Approval as noted:
  1. The applicant shall ensure that the proposed building is not supported by the I-405 slope and shall ensure that the slope is not impacted in any way. ODOT shall review geotechnical information to ensure that the I-405 slope is not affected or relied upon to support the building structure.
  2. The applicant shall be able to construct the building without utilizing the I-405 right of way or obtain a construction easement from ODOT. The application for construction easement requires support of ODOT Region 1, the ODOT Chief Engineer and approval from FHWA. Given the high level of importance of the I-405 right of way, ODOT Region 1 is unlikely to support the request.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **May 27, 2016**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## ZONING CODE APPROVAL CRITERIA

### (1) DESIGN REVIEW (33.825)

#### 33.825.010 Purpose

Design Review ensures:

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

#### 33.825.055 Design Review Approval Criteria

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

It is important to emphasize that design review goes beyond minimal design standards and is viewed as an opportunity for applicants to propose new and innovative designs. The design guidelines are not intended to be inflexible requirements. Their mission is to aid project designers in understanding the principal expectations of the city concerning urban design.

The review body conducting design review may waive individual guidelines for specific projects should they find that one or more fundamental design guidelines is not applicable to the circumstances of the particular project being reviewed.

The review body may also address aspects of a project design which are not covered in the guidelines where the review body finds that such action is necessary to better achieve the goals and objectives of design review in the Central City.

**Findings:** The site is designated with design overlay zoning (d). Therefore the proposal requires Design Review approval. Because the site is within the Central City Plan District, the applicable approval criteria are listed in the Central City Fundamental Design Guidelines.

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

**Please note: The following areas of the proposal meet aspects of the Design Guidelines as noted below.**

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

**Findings for A1:** Although located well away from the river, this guideline is met through the incorporation of a large glass wall oriented to the east with views to the river. This full building height glass wall is encountered upon exiting the elevator at all levels.

*These guidelines are therefore met.*

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

**Findings:** Efficient utilization of available, underutilized real estate to provide housing for those wanting to live within the central city is certainly a basic theme that is appropriate for Portland.

Additionally, the design focus offered to the bike entrance/parking is an element that emphasizes Portland commitment to alternative transportation.

*This guideline is therefore met.*

**A3. Respect Portland Block Structures.** Maintain and extend the traditional 200-foot block pattern to preserve the Central City's ratio of open space to built space. Where superblock exist, locate public and/or private rights-of-way in a manner that reflects the 200-foot block pattern, and include landscaping and seating to enhance the pedestrian environment.

**Findings:** The development of this triangular shaped block respects the structure and character of Portland city blocks. The building is proposed to be built to the property lines and activated with ground floor uses and large areas of glazing. Rain and sun protection for pedestrians will be provided around the perimeter of both street frontages.

*This guideline is therefore met.*

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

**Findings:** Generally speaking, a new building on the site of a previous surface parking lot will naturally be an enhancement and embellishment to the area. The community room located along SW 4<sup>th</sup> Avenue will provide an identifying glimpse into the public life and identity of the building use, and the commercial space with large clear storefront windows along SW Grant Street provides the opportunity for new active uses along this street frontage.

*This guideline is therefore met.*

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

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

**Findings:** The addition of a new, multi-story, urban building fronting the rights-of-way on two facades will establish an extension of the urban enclosure offered elsewhere in the central city district. Improvement to the existing streetscape at this location is quite simple given the current site is a surface parking lot offering minimal, if any, vibrancy to the streetscape.

Integrating 108 small studio apartments with a vibrant pedestrian commercial experience is a fundamental requirement that has had much discussion since the start of the project. The most recent design proposes to nearly fully line the public realm at the pedestrian level with storefront window glazing and views into active spaces.

Significant changes have been proposed along Grant Street to further enhance the viability of retail along that façade since the June 2015 DAR. The space has been expanded to occupy the corner entry, shifting the private entrance to the apartments further south along SW 4<sup>th</sup> Avenue, and providing a public gesture instead at the corner. The depth of the space has been increased to 25', and additional storefront glazing has been added to the façade.

Changes since the June 16, 2016 Design Commission hearing that improves urban enclosure and activates the streetscape by expanding the amount of ground floor active area at the SE corner with an additional 700 SF commercial space averaging 25' deep along SW 4<sup>th</sup> Avenue and increasing the overall amount of ground floor window area along SW Grant Street as to eliminate the originally requested Modification to Ground Floor Windows.

An additional change that will activate the streetscape is the redesign and reorientation of long term bike parking access to the second floor from the SE corner lobby, now replaced by the 700 SF commercial space, to the NW corner of the building on SW Grant Street via a 6-foot wide bike ramp and entrance. This change in design will greatly improve rider convenience than the narrow lobby and elevator access originally proposed, and improves the pedestrian activation of this corner entrance to the building for bike users and pedestrians alike.

*These guidelines are therefore met.*

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

**Findings:** Much consideration has been given to the “gateway presence” of this building. As the first building in the Central City entering downtown over the SW 4<sup>th</sup> Avenue bridge over I-405, it occupies a position of prominence.

The triangular geometry of the site presents an interesting view of the structure approaching from the south. The utilization of this site beyond a surface parking lot conceptually points to the fact that a visitor/resident has now entered the Central City reinforces the gateway presence of this building.

Changes since the June 16, 2016 Design Commission hearing that improve the building's gateway design and prominence include adding 700 SF more leasable commercial area at the SE ground floor corner along SW 4<sup>th</sup> Avenue, activating the upper level NW and SE corners of the building with covered residential unit balconies, wrapping the brick material and window patterns from the street facing elevations to the south facing elevations, and increasing the overall height and presence of the building by 5' to 81' total.

*This guideline is therefore met.*

**B1. Reinforce and Enhance the Pedestrian System.** Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture

zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

**Findings:** The development, enhancement, and extension of the pedestrian system associated with this project all reinforce the existing pedestrian system of the district. The separate furnishing/landscape, sidewalk, and frontage zones have been designed to match the standards and street trees will be incorporated within the improvements.

Pedestrian benches are proposed at multiple locations along the building façade, located at key points and relating to the building articulation. Canopies over the public right of way have been provided to embrace and offer shelter to pedestrians. Entrances to the building have been recessed providing additional articulation of the ground floor façade.

Changes since the June 16, 2016 Design Commission hearing that reinforce and enhance the pedestrian system include expanding the amount of ground floor active area at the SE corner with additional commercial space averaging 25' deep and a total of 700 SF along SW 4<sup>th</sup> Avenue and increasing the overall amount of ground floor window area along SW Grant Street as to eliminate the originally requested Modification to Ground Floor Windows.

An additional change that will improve the pedestrian system is the redesign and reorientation of bike parking access to the second floor long term bike parking from the SE corner lobby, now replaced by the 700 SF commercial space, to the NW corner of the building on SW Grant Street via a 6-foot wide bike ramp and entrance. This modification will greatly improve rider convenience than the narrow lobby and elevator access originally proposed, and improves the activation of this corner entrance to the building for bike users and pedestrians alike.

*This guideline is therefore met.*

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

**Findings:** Several features and revisions to the building lend themselves to pedestrian safety. First and foremost, the establishment of a furnishing/landscape zone within the sidewalk will provide a missing element separating pedestrians from the vehicles parking along SW 4<sup>th</sup> Avenue. The project includes the elimination of an existing curb cut/vehicular access along SW 4<sup>th</sup> Avenue, minimizing pedestrian-vehicular conflict by vehicles exiting the existing parking lot. The garbage room and parking entrance have been located as far west as possible along SW Grant Street.

As previously mentioned, canopies have been provided to offer shelter to pedestrians along the building facades.

*This guideline is therefore met.*

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



**Findings:** Benches have been added along the building, providing a safe and comfortable places for pedestrians to rest.

*This guideline is therefore met.*

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

**Findings:** Integrated canopies have been provided along both rights-of-way. The entrances to all main floor spaces have been recessed into the building.

*This guideline is therefore met.*

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

**Findings:** Access systems for all people have been carefully incorporated into the revised design. Most notably, in addition to the primary pedestrian accessible entrances to the building, a bicycle entrance has been redesigned to allow direct access to and from the building for those arriving or departing on bicycle from the NW corner of the building along SW Grant Street via an ADA compliant 6' wide concrete ramp. This is a feature that had previously not been offered and is an improvement to barrier-free access and usability. Interior unit designs will be fully compliant with the Oregon Structural Specialty Code.

*This guideline is therefore met.*

**C1. Enhance View Opportunities.** Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

**Findings:** View opportunities have been enhanced in several important ways with this building. First, as proposed, the building is not at its allowable building height limit. There are several factors leading to this, but the end result is that the visual impact to views by the building to the west hills area will be lessened.

For residents, a primary view opportunity has been created at the extensively glazed elevator lobbies that face east and allow all exiting the elevator at each level to experience the beauty of Portland, the river, and mountains beyond.

Changes since the June 16, 2016 Design Commission hearing that enhance view opportunities include expanding the amount of ground floor active area at the SE corner with additional commercial space along SW 4<sup>th</sup> Avenue, activating the upper level corners of the building with covered residential unit balconies, wrapping the brick material and window patterns from the street facing elevations to the south facing elevations, and increasing the overall height of the building by 5' to 81' total.

*This guideline is therefore met.*

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

**Findings:** The structure and materials proposed for this building promote quality and permanence. A majority of the building is constructed with a masonry veneer. The ground level is glass and concrete. The upper level facades that are not masonry are clad in a metal siding product over a rain screen wall assembly.

Material samples and specifications brought to the June 16, 2016 Design Commission hearing were adequate to show quality and permanence as required by this guideline. Board formed concrete will be specified at 1"x5" rough cut cedar plank, the brick will be the standard industry module, the folded metal panel will be a minimum 22 gauge metal, and the VPI white vinyl window system was acknowledged as a high quality window system.

*These guidelines are therefore met.*

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

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

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

**Findings:** The clear organizational structure of the proposed building demonstrates attention to coherency. Proportions of the ground floor storefront level, punched upper level window openings, projecting balconies, and a metal cap on the building demonstrate a thoughtfully placed fenestration and coherent base, middle and top to the building. Utilizing punched window openings within masonry walls and composed as a 6 story mass, the proposed building fits well with the scale and aesthetics of other buildings in its context.

Changes since the June 16, 2016 Design Commission hearing that improve the building's response to context, coherency and develops transitions between building and public spaces include expanding the amount of ground floor active area at the SE corner with additional commercial space along SW 4<sup>th</sup> Avenue, activating the upper level corners of the building with covered residential unit balconies, and wrapping the brick material and window patterns from the street facing elevations to the south facing elevations. The increased percentages of brick material and ground floor active area greatly improve the building's general response to the buildings in the area and to the adjacent streetscapes.

*These guidelines are therefore met.*

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

**Findings:** The sidewalk levels of both street frontages will be enhanced by the concrete finishes and aluminum storefront glazing patterns. In addition, street trees and furniture will reduce the scale of the buildings and provide places for casual interaction. Painted steel canopies will articulate the ground floor facades and provide weather protection for pedestrians.

*This guideline is therefore met.*

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

**Findings:** With the incorporation of greater depth at the available retail space along SW Grant Street, active uses are promoted.

Changes since the June 16, 2016 Design Commission hearing that improve urban enclosure and activate the streetscape include expanding the amount of ground floor active area at the SE corner with an additional 700 SF commercial space averaging 25' deep along SW 4<sup>th</sup> Avenue and increasing the overall amount of ground floor window area along SW Grant Street as to eliminate the originally requested Modification to Ground Floor Windows.

*This guideline is therefore met.*

**C10. Integrate Encroachments.** Size and place encroachments in the public right-of-way to visually and physically enhance the pedestrian environment. Locate permitted skybridges toward the middle of the block, and where they will be physically unobtrusive. Design skybridges to be visually level and transparent.

**Findings:** The primary encroachment for the project are minimal projections consisting of ground level canopies above storefronts and upper level balconies that provide residents a wider panorama of views and experiences from their individual units.

*This guideline is therefore met.*

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

**Findings:** An eco-roof is proposed for the upper roof to the building providing treatment of storm water prior to discharge. Additionally, the roof over the main level where not occupied by upper floor space has been developed into a rooftop garden providing an extension of I-405 landscaping and a buffer between residents at the lower level and I-405.

*This guideline is therefore met.*

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

**Findings:** Exterior lighting is an important component in creating compelling pedestrian spaces and highlighting important architectural features. For this development, minimal exterior lighting is proposed in the form of regularly spaced recessed can-lighting in the overhanging canopies, as well as regularly spaced wall sconces along both street frontages.

*This guideline is therefore met.*

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

**Findings:** The proposed signage is minimal in scope and scale, as well as being less than 32 SF and exempt from Design Review.

*This guideline is therefore met.*

## **(2) MODIFICATION REQUESTS (33.825)**

### **33.825.040 Modifications That Will Better Meet Design Review Requirements:**

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

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

The following modifications are requested:

**Modification request 1:** 33.266.220.C.3.b. Standards for all bicycle parking to reduce the required 2'-0" bike parking spacing to be stacked and staggered at 18" on center.

#### **1. Modification request of 33.266.220.C.3.b. Standards for all bicycle parking**

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

**Findings:** The project includes 163 total long term bicycle parking spaces within the second floor bike storage room above the parking garage.

- A. The resulting development will better meet the applicable design guidelines.** Accommodating these bicycle parking spaces in a horizontal rack would consume considerable floor area. Relying upon a vertical/stacked bike rack is a more efficient use of space, and is identical to the parking system recently approved in numerous Design Reviews throughout Central City. The proposed functional and space efficient system eases floor plan demands and results in additional opportunities for active uses at the street, such as lobby

space and retail tenant spaces which contributes to the project better meeting Guidelines A8 Contribute to a Vibrant Streetscape and B1 Reinforce and Enhance the Pedestrian System. *Therefore this criterion is met.*

- B. ***On Balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*** The primary purpose of the standard is to ensure that required bicycle parking is designed so that bicycles may be securely locked without undue inconvenience and damage. The proposed bike rack system is engineered to stack bikes vertically to allow the handle bars to overlap. This allows the proposed racks, within an 18” space, to provide the same level of service that would be provided by a standard 24” on center spacing. The staggered clearance between adjacent bikes and allowance for sliding hangers ease the hanging and locking of a bike. A 5’ minimum aisle is still provided behind each bicycle rack. The rack system will be located within a secure bike storage room above the parking garage with elevator access. For these reasons, the bicycle parking system is safe and secure, located in a convenient area, and designed to avoid any intentional or accidental damage to bicycles; as such, the proposal is consistent with the purpose statement of the bicycle parking standards. The overall solution is consistent with the purpose of the bicycle parking standard. *Therefore this criterion is met.*

*This Modification therefore merits approval.*

## **DEVELOPMENT STANDARDS**

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

## **CONCLUSIONS**

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value.

Since the June 16, 2016 Design Commission hearing, several issues related to massing, building skin contextual response and coherency, ground floor activation, and permanence and quality of materials have been adequately addressed.

As described in the findings above, the design guidelines are met and the project warrants approval.

**TENTATIVE STAFF RECOMMENDATION**

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

Approval for new construction of a 6 level, 108 unit studio apartment building with ground floor commercial space in the Central City Plan District;

Approval of commercial parking area for 23-stalls and two loading stalls accessed from SW Grant Street;

Approval of Modification request: 33.266.220.C.3.b. Standards for all bicycle parking to reduce the required 2'-0" bike parking spacing to be stacked and staggered at 18" on center.

Approval to include the following Conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 16-129367 DZM." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The applicant shall ensure that the proposed building is not supported by the I-405 slope and shall ensure that the slope is not impacted in any way. ODOT shall review geotechnical information to ensure that the I-405 slope is not affected or relied upon to support the building structure.
- C. The applicant shall be able to construct the building without utilizing the I-405 right of way or obtain a construction easement from ODOT. The application for construction easement requires support of ODOT Region 1, the ODOT Chief Engineer and approval from FHWA. Given the high level of importance of the I-405 right of way, ODOT Region 1 is unlikely to support the request.

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**Procedural Information.** The application for this land use review was submitted on March 1, 2016, and was determined to be complete on May 20, 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 March 1, 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 waived the 120-day review period, as stated with Exhibit A.1.

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

**Who can appeal:** You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. **Appeals must be filed within 14 days of the decision. An appeal fee of \$5,000.00 will be charged (one-half of the application fee for this case).**

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

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

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will

mail instructions to the applicant for recording the documents associated with their final land use decision.

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

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

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

For further information on recording, please call the County Recorder at 503-988-3034. For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

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

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

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

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

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

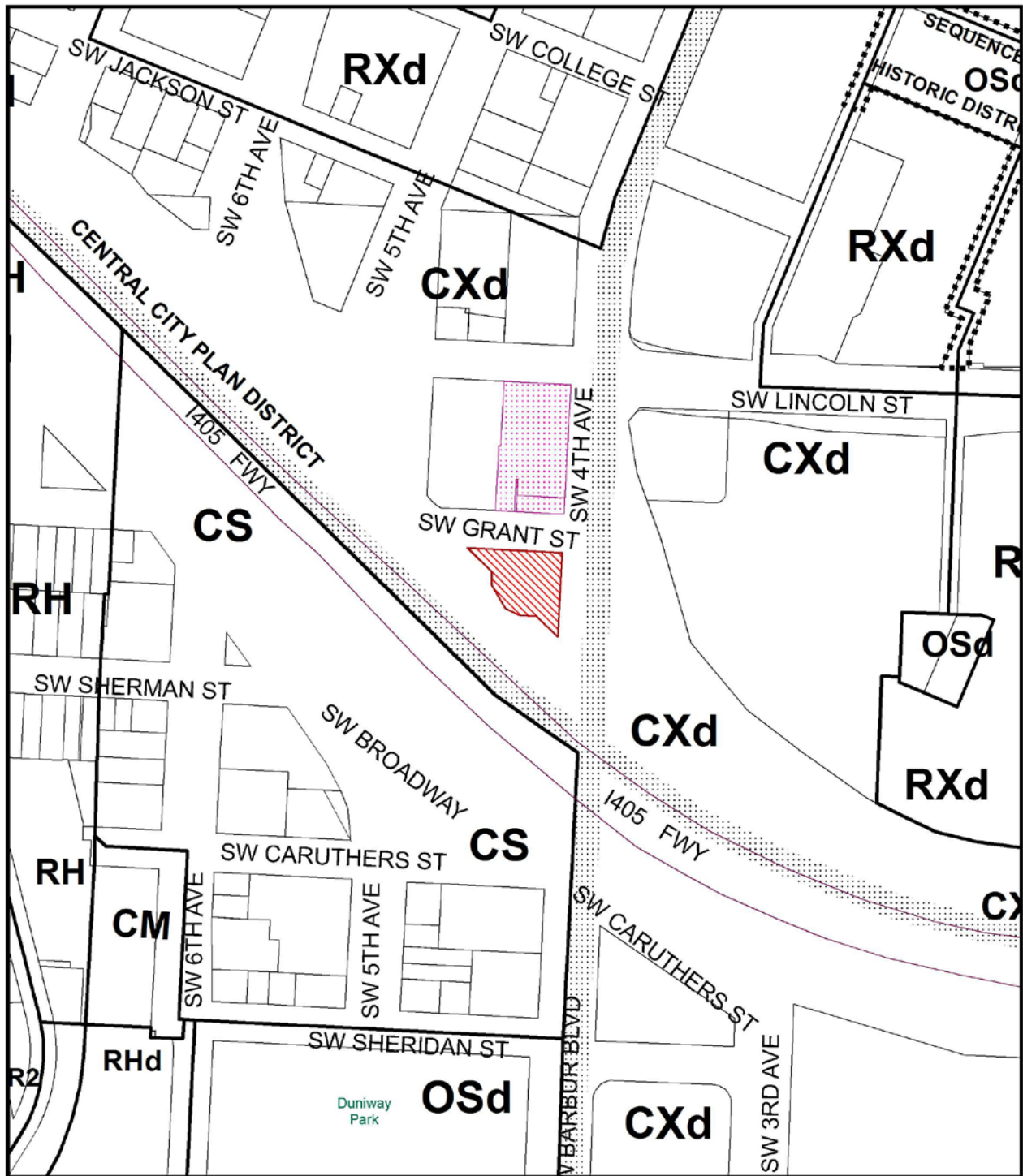
**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**

Tim Heron  
July 18, 2016



**EXHIBITS – NOT ATTACHED UNLESS INDICATED**

- A. Applicant's Statement & Drawings
  - 1. March 1, 2016 120-day waiver
  - 2. April 21, 2016 Revised Submittal Drawings
  - 3. April 22, 2016 Revised Submittal Narrative & request to deem complete
  - 4. May 17, 2016 Response to RFC for BES and PBOT
  - 5. May 18, 2016 Revised Submittal Narrative and Drawings
  - 6. May 27, 2016 Modification Narrative and Fees
  - 7. July 12, 2016 Revised Submittal Narrative and Drawings
- B. Zoning Map (attached)
- C. Plan & Drawings
  - 1. – 46. Site Plan, Elevations, Sections, Renderings (some 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 Environmental Services
    - a. RFC Response
    - b. RFR Response
  - 2. Bureau of Transportation Engineering and Development Review
    - a. RFC Response
    - b. RFR Response
  - 3. Water Bureau
  - 4. Life Safety
  - 5. Fire Bureau
  - 6. Site Development Review Section of BDS
    - a. RFC Response
    - b. RFR Response
  - 7. Oregon Department of Transportation
    - a. ODOT Revised Response with Recommended Conditions of Approval
- F. Letters – none received
- G. Other
  - 1. Original LUR Application
    - a. Resubmitted LUR Application
  - 2. March 10, 2016 Incomplete Letter and Issues to Consider
  - 3. May 3, 2016 Remaining Incomplete Items [after Applicant requested complete]
  - 4. June 6, 2016 Staff Report and Recommendation for June 16, 2016 Hearing
  - 5. June 10, 2016 Staff Memorandum to the Design Commission
- H. Design Commission June 16, 2016 Hearing
  - 1. Staff Presentation
  - 2. Testimony Sheet – none presented
  - 3. July 15, 2016 Staff Memorandum to the Design Commission



# ZONING

-  Site
-  Also Owned Parcels



This site lies within the:  
 CENTRAL CITY PLAN DISTRICT  
 SOUTH DOWNTOWN/UNIVERSITY SUBDISTRICT

File No.	LU 16-129367 DZM
1/4 Section	3228
Scale	1 inch = 200 feet
State_Id	1S1E04DD 1100
Exhibit	B (Jun 07, 2016)

DESIGN REVIEW SUBMITTAL

revised July 21, 2016

2211 8W 4TH

