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CITY OF PORTLAND
Office of the City Auditor
1221 SW Fourth Avenue, Room 130
Portland, OR 97204-1900

I hereby certify this Land Use Document No. LU 16-197257 DZM – Order of Council to be a complete and exact copy of the original as the same appears on file and of record in my office and in my care and custody on December 21, 2016.

MARY HULL CABALLERO
Auditor of the City Of Portland
By 
Deputy

RETURN TO CITY AUDITOR
131/130/Auditor's Office

6



December 13, 2016

David Turville and Trish Nixon, LRS Architects Inc.
720 NW Davis, Suite 300
Portland, OR 97209

Julie Garver, Innovative Housing Inc.
219 NW 2nd Ave
Portland, OR 97209

Faez Soud, Portland Housing Bureau
City of Portland Oregon
421 SW 6th Ave #500
Portland, OR 97204-1620

RE: LU 16-197257 DZM

Appeal of LRS Architects Inc. against Design Commission's decision to approve with conditions-specifically C.1 and C.2 corner building element-a new ¼ block 12-story residential building located at NW 14th Ave and NW Raleigh St (Hearing; LU 16-197257 DZM)

To Whom It May Concern:

Enclosed is a copy of the Order of Council on LU 16-197257 DZM. This Order must be recorded with the Multnomah County Recorder within 10 days of receipt of this letter. **Please send a check for \$66.00 made payable to the Multnomah County Recorder, indicating the file number on your check and SEND TO: The City of Portland, Office of the City Auditor, 1221 SW 4th Ave. Room 130, Portland, OR 97204-1900**

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with LUBA within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. LUBA's address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call LUBA at 1-503-373-1265 or visit LUBA's website (www.oregon.gov/LUBA) for further information on filing an appeal.

Yours sincerely,
Mary Hull Caballero
Auditor of the City of Portland

By: 

Karla Moore-Love, Council Clerk

Encl.



APPEAL OF LRS ARCHITECTS INC AGAINST DESIGN COMMISSION'S DECISION TO APPROVE WITH CONDITIONS-SPECIFICALLY C.1 AND C.2 CORNER BUILDING ELEMENT-A NEW ¼ BLOCK 12 STORY RESIDENTIAL BUILDING LOCATED AT NW 14TH AVE AND NW RALEIGH ST (HEARING; LU 16-197257 DZM)

Applicant/Appellant: David Turville and Trish Nixon, LRS Architects
720 NW Davis, Suite 300, Portland, OR 97209

Owner: Julie Garver, Innovative Housing Inc
219 NW 2nd Ave, Portland, OR 97209

Faez Soud, Portland Housing Bureau, City of Portland
421 SW 6th Ave #500, Portland, OR 97204-1620

Site Address: NW 14th and NW Raleigh

Legal Description: BLOCK 258 TL 711, COUCHS ADD

Zoning: EXd, Central Employment with a Design overlay

Procedure: **Type III**, with a public hearing before the Design Commission. The decision of the review body can be appealed to City Council.

Original Proposal:

The applicant seeks Design Review approval for a new ¼-block 12-story residential building located in the North Pearl Subarea of the River Subdistrict of the Central City Plan District bounded by NW 14th Ave and NW Raleigh Street. Key components of the development program are (approximate quantities):

- 105,242 SF of floor area, 10.5242 of FAR;
- 661 square feet of ground floor retail;
- 93 affordable apartments;
- 15 parking stalls at ground level;
- 155 long-term bike parking spaces (142 required) in two bike rooms (levels 1 & 2) and in units;
- 0 short-term spaces (12 required), code requirement met via paying into bike parking fund;
- Amenity spaces - Level 2 communal rooms and outdoor play area, Level 12 roof terrace;
- Eco-roofs and solar panels provided on the roof.

Design. A design goal is to achieve a contemporary interpretation of the traditional warehouse expressed as follows:

- *Massing.* The massing is split into three separate vertical elements by recessed notches on both street faces. Two brightly colored, rotated oriel windows are added to the corner element;
- *Podium.* A single-level podium faces the street frontages, but does not extend to the side walls;
- *Amenity.* Common rooms and outdoor play on Level 2, communal roof terrace on Level 12;
- *Entries.* The main residential lobby entry is on NW 14th Ave and a connecting bike lobby is on NW Raleigh St. A retail unit is located the corner;
- *Vehicle Access.* A shared parking and loading access is located off NW Raleigh, across from the Ramona (the quieter street frontage).

Materials. Exterior materials are:

- *Primary Cladding at ground level.* Brick veneer, aluminum storefront (setbacks from brick face: storefront 8-5/8", louvers 3-1/2");
- *Primary Cladding above ground level.* Profiled metal panels – 12" wide, 22 gauge (window trim is 1.5" to 7.5" proud of window frame, louvers are flush mounted);
- *Metal Trim.* Includes canopy soffits, and corner and window trims. No gauge is specified;
- *Storefronts.* Aluminum storefronts, clear anodized;
- *Windows.* VPI windows, white generally with orange at the red/orange metal panels.

Modifications/Design Exceptions. The following are requested:

1. *33.510.205.H Height* - To allow an additional 29'-8" height over the 100' base height, for a total height of 129'-8";
2. *33.266.130.F. (Table 266-4) Parking Space Size* – To allow 4 out of the 15 proposed parking spaces to be 8' wide, instead of the required 8'-6" wide (no parking spaces are required);
3. *33.266.130.F. Long-term Bike Parking* – To allow wall mounted bike racks to be mounted 18" with a 6" stagger, instead of the required 2'-0" on-center spacing (PZC Section 33.266.220);
4. *33.266.310.D.b. Loading Size* – To allow a reduced size loading space length of 16' long x 9' wide x 10' high, instead of the required 18' long x 9' wide x 10' high;
5. *Exception. OSCC 3202.3.2. / IBC/32#1. Window Projections into a Right-of-Way* - To not require side windows on oriel windows over 2'-6" deep, and to allow oriels that are 29'-11" wide on NW 14th and 30'-10" wide on NW Raleigh, instead of the maximum 12' wide allowed.

Standards. The following summarizes the proposed building's features to the applicable plan district standards – 33.510 Central City Plan District:

- **Max FAR** – Allowable FAR is 4:1 as shown on zoning maps and the site is eligible to earn up a total of 9:1 FAR maximum through bonuses (Map 510-2, 33.510.200.C.5). FAR above 9:1 can be transferred from a Historic Resource (33.510.200.H). *Proposed FAR is 10.52:1 with Middle-income housing bonus of 5:1 (90,000 SF) and Transfer from a Historic Resource of 1.5242:1 (15,242 SF) = 105,242 SF total FAR.*
- **Max Height** – Allowable height is 100' with additional height allowed as a modification through design review (Map 510-3, 33.510.205.H). *Modification through design review is requested to reach 129'-8".*
- **Ground Floor Windows** - This standard is required for street frontages. The windows must be at least 50 percent of the length and 25 percent of the ground level wall area. Ground level wall areas include all exterior wall areas up to 9 feet above the finished grade. (33.510.220, 33.140.230). *Proposed: complies.*
- **Rooftop mechanical equipment** - Screening is required for this location. It should be part of the overall building design. (Map 510-11, 33.510.224). *Proposed: complies.*

Design review is necessary because the project proposes new development within a design overlay zone, per section 33.420.041 of the Portland Zoning Code.

The City Council appeal hearing was opened in the Council Chambers, 1221 SW 4th Avenue on November 23, 2016 at approximately 2:00 p.m. After hearing public testimony and considering the evidence in the record, Council voted 4-0 to tentatively grant the appeal with modifications to remove conditions C.1 and C.2 of the Design Commission's decision and ordered staff to prepare Council final findings for consideration and adoption on December 7, 2016 at approximately 9:30 a.m. On December 7, 2016 at approximately 2:00 p.m. Council voted 4-0 to adopt findings and a final decision to grant the appeal and

amend Design Commission's decision approving a Design Review for a new 1/4-block 12-story residential building located at NW 14th Avenue and NW Raleigh Street.

DECISION

Based on evidence in the record and adoption of the Council's Findings and Decision in **Case File LU 16-197257 DZM** and by this reference made a part of this Order, **it is the decision of Council to Grant the appeal of LRS Architects Inc. and amend Design Commission's decision to approve Design Review** for a new 1/4-block, 12-story, residential building in the North Pearl Subarea of the River District Subdistrict of the Central City Plan District including the following key program components: 105,242 gross SF total; 661 square feet of ground floor retail; 93 affordable apartments; 15 at-grade parking stalls; 155 long-term bike parking spaces (142 required) in two bike rooms (levels 1 and 2); and, 0 short-term spaces (12 required, code requirement met via paying into bike parking fund.)

Approval of the following **Modification** requests:

1. 33.510.205.H Height - To allow an additional 29'-8" height over the 100' base height, for a total height of 129'-8";
2. 33.266.130.F. (Table 266-4) Parking Space Size - To allow 4 out of the 15 proposed parking spaces to be 8' wide, instead of the required 8'-6" wide (no parking spaces are required);
3. 33.266.130.F. Long-term Bike Parking - To allow wall mounted bike racks to be mounted 18" with a 6" stagger, instead of the required 2'-0" on-center spacing (PZC Section 33.266.220);
4. 33.266.310.D.b. Loading Size - To allow a reduced size loading space length of 16' long x 9' wide x 10' high, instead of the required 18' long x 9' wide x 10' high.

Approval of the following **Exception** request:

1. Exception. OSCC 3202.3.2. / IBC/32#1. Window Projections into a Right-of-Way - To not require side windows on oriel windows over 2'-6" deep, and to allow oriels that are 29'-11" wide on NW 14th and 30'-10" wide on NW Raleigh, instead of the maximum 12' wide allowed.

Approvals per Exhibits C.1-C.41, signed, stamped, and dated October 4, 2016, subject to the following **Conditions of Approval**:

- A. As part of the building permit application submittal, the following development-related conditions (A through I) 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 16-197257 DZM." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Conditions B.1-4 related to the security gate:
 1. The security gate must fully open/close in 13 seconds or less.
 2. The parking spaces must be reserved for residential use only.
 3. A remote control device with a 50-foot minimum detection radius must be issued to all residents who are allowed access to the parking spaces.
 4. The security gate details and specifications must be added to the door schedule sheet of the building permit plan set.

C. Conditions C1 and C2 removed through this appeal./9

- D. The bike lobby entrance to be recessed in depth so that the out-swinging door does not encroach into the Right-of-Way, to be two (2) full glazing modules wide, and to be fully accessible.
- E. All visible metal trim elements to be a minimum of 22 gauge.
- F. The brick pilasters are to be setback from the metal above, or a transitional trim element is introduced to create a stronger demarcation of the base.
- G. The lighting of the notches is to be shrouded.
- H. Prior to the issuance of any building permit the applicant must demonstrate through the required covenants how FAR is achieved in accordance with the Portland Zoning Code.
- I. No field changes allowed.

IT IS SO ORDERED:

DEC 13 2016

Date



Mayor Charlie Hales
Presiding Officer at Hearing of
December 7, 2016
2:00 p.m. Session