

March 19, 2008

City of Portland Development Services
Planning and Zoning

Subject: Adjustment request (second set of revisions per Suzanne Savin's Comments dated March 5, 2008)(revised per Suzanne Savin's comments dated February 20, 2008) for an R-1 zoned lot located at SW 18th Ave. and Mill St. Terrace owned by John Reilly Submitted by William Hawkins and Philip Sydnor

ADJUSTMENTS REQUIRED FOR THE ST. ANDREWS CONDOMINIUMS IN AN R-1 ZONE:

1. FRONT (WEST) SETBACK ADJUSTMENT, ALONG S.W. 18TH AVENUE

CODE MINIMUM FRONT SETBACK: ZONING CODE, CITY OF PORTLAND, TABLE 120-3 (R-1) REQUIRES A 3 FT. SETBACK

REASON FOR SETBACK (Section 33.120.220 Setbacks)

- "They maintain light, air, separation for fire protection, and access for firefighting;"
- "They promote a reasonable physical relationship between residences;
- "They promote options for privacy for neighboring properties;"
- "They require larger front setbacks than side and rear setbacks to promote open, visually pleasing front yards;"
- "They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fir the topography of the site, allow for required outdoor areas, and allow for architectural diversity; and"
- "Setback requirements along transit streets create an environment that is inviting to pedestrians and transit users."

ADJUSTMENT REQUEST: 1'-0" setback for portions of the front façade, 33.805.040 approval

SUMMARIZE THE ADJUSTMENT REQUEST: Move the building West to remove it from the required 60 ft. high cliff to be excavated at the East property line and the existing neighbor to the East.

CRITERIA A. Granting the adjustment will equally or better meet the purpose of the regulation to be modified because:

1. The existing Public Right-of-Way in front of the proposed building will be 15'-2", 10' wider than the public Right-of-Way in front of the existing properties to the south, also along 18th Avenue. 18th Avenue is also substantially wider in front of the proposed building than it is in front of the properties further South. Bringing the building closer to the property line establishes a "Front Yard" more in proportion with the existing properties to the South. Allowing the building's pedestrian access (stair, landing, ramp, and planters) on the public Right-of-Way directly adjacent to the building allows enough space for an 8 ft. wide public sidewalk directly adjacent to the street curb, which is 3' wider than the existing sidewalk directly adjacent to the street currently existing further South along 18th Avenue (see sheet A1.1 – Site Plan). PDOT approved that proposal on March 13, 2008.
2. Mill St. and 18th Ave. south of the property have overall 30 ft. Right-of-Ways, while the proposal's street right-of-way in front of the property is 60 ft. Therefore, the proposal offers more front yard than all the other structures on the remainder of the street.
3. The 15 ft. deep driveway will have no parking, as it is the entrance and exit for the parking garage. No cars will back into the street, thereby offering a better driver visibility than the garages on the remainder of the street.
4. The proposal is not a "snout house," which is the reason for which the setbacks were

written. The garage entrance is subdued and the entrance is "not closer to the street property line than the front facade of the residential portion of the building."

- CRITERION B:** The Proposal meets Criterion B because it will add to the livability or appearance of the residential area. The proposed structure being placed closer to the West (front) property line continues the "Building to Street" relationship currently established on SW 18th Avenue. Therefore the proposed adjustment causes the structure to conform to the appearance of the surrounding area.
- CRITERION C:** The cumulative effect of the requested adjustments allows for an otherwise unbuildable site to be built upon. The overall adjustments provide space on the site for (4) condominium units and off street parking for each. Without the requested adjustments, a much smaller structure would have to be built which would not maximize the intended density of the R1 Zone. The requested adjustments provide conditions for a medium density structure as specified in the definition of an R1 Zone. Therefore, the proposed adjustments cumulative effect results in a project which is consistent with the overall purpose of the R1 Zone and meets Criterion C.
- CRITERION D:** Not applicable, The Property is not in a City-designated scenic or historic resource.
- CRITERION E:** The proposed adjustment meets Criterion E because no negative impacts are caused to the surrounding neighborhood. SW Mill Street Terrace is directly in front of the site on the West (Front side) providing a continuous and open area which will not be impacted by the adjustment. Furthermore, the adjustment allows the proposed building to be moved away from the adjacent neighbor to the East.
- CRITERION F:** Not applicable. The Proposal is not in an environmental zone and it has as few significant environmental impacts on the resource and resource values as is practical.

2. SIDE (NORTH) SETBACK ADJUSTMENT, ALONG HIGHWAY 26 AND THE EXISTING PUBLIC BIKE TRAIL

CODE MINIMUM SIDE SETBACK: 5-14, & TABLE 120-4 (R-1) REQUIRES A 10 FT. SETBACK

REASON FOR SETBACK (Section 33.120.220 Setbacks)

- "They maintain light, air, separation for fire protection, and access for firefighting;"
- "They promote a reasonable physical relationship between residences;
- "They promote options for privacy for neighboring properties;"
- "They require larger front setbacks than side and rear setbacks to promote open, visually pleasing front yards;"
- "They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fir the topography of the site, allow for required outdoor areas, and allow for architectural diversity; and"
- "Setback requirements along transit streets create an environment that is inviting to pedestrians and transit users."

ADJUSTMENT REQUEST: 2'-6" setback for a 16'-0" segment of the façade and 5'-0" setback for the remaining majority of the facade

SUMMARIZE THE ADJUSTMENT REQUEST: Move the building away from the required cliff on the South side of the property and the existing neighbor to the South, closer to the North property line, with a 2'-6" setback at the bay window area of the facade.

- CRITERIA A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified because:
1. The side setback (along Highway 26) already 'maintains light, air, a separation for fire protection, and access for fire fighting." The existing trail is adjacent to the Proposal's North property line.

2. A "reasonable physical relationship" does not apply when the property has no residential units to its North, nor any possibility of them being constructed.
3. There are no adjacent properties which present privacy issues (Highway to the North; Cliff to the East; Cliff to the South, and mostly the right-of-way for Mill Street to the West.
4. The extreme rise (to 60 ft.) to the East and South of the property requires that the proposed building be brought as far to the North and West properties as much as possible. The adjustments make the East setback, where an existing house is located, and the South setback, where the steep cliff is to be located, as large as can be permitted.

CRITERION B: The Proposal meets Criterion B because the proposed structure being placed closer to the North (side) property line does not detract from the livability or appearance of the surrounding area. There is no existing neighbor to the North of the site nor will there ever be a structure built to the North. Highway 26 and a bike trail are located to the North and therefore a large open area currently exists and shall continue to exist along the North property line. Furthermore, moving the structure to the North, closer to the Highway, moves the building away from the existing adjacent structure to the South.

CRITERION C: The cumulative effect of the requested adjustments allows for an otherwise unbuildable site to be built upon. The overall adjustments provide space on the site for (4) condominium units and off street parking for each. Without the requested adjustments, a much smaller structure would have to be built which would not maximize the intended density of the R1 Zone. The requested adjustments provide conditions for a medium density structure as specified in the definition of an R1 Zone. Therefore, the proposed adjustments cumulative effect results in a project which is consistent with the overall purpose of the R1 Zone and meets Criterion C.

CRITERION D: There are no city-designated scenic resources on the site or adjacent.

CRITERION E: The proposed adjustment meets Criterion E because no negative impacts are caused to the surrounding neighborhood. Highway 26 and a bike trail are located on the North side of the site. There is no buildable private property adjacent to the North side of the site.

CRITERION F: The Proposal is not in an environmental zone and it has as few significant environmental impacts on the resource and resource values as is practical.

3. HEIGHT ADJUSTMENT

CODE HEIGHT REQUIREMENT: 25/45, TABLE 120 120-3 (The 25 ft. height applies only to the portion of the structure within 10 ft. of the front property line). Figure 970-7, Base point 2 states: "When the highest grade is more than 10 ft. above the lowest grade, the base point is the elevation 10 ft. above the lowest grade." Therefore, the permitted height is 10 ft. (+) 45 ft., or 55 ft. above the lowest grade at the N.W. corner of the property, due to the hillside, 5 ft. above the level of a nearby sidewalk.

REASON FOR HEIGHT STANDARDS (Section 33.120.215 Height)

- "They promote a reasonable building scale and relationship of one residence to another."
- "They promote options for privacy for neighboring properties"
- "They reflect the general building scale of multi-dwelling development in the city's neighborhoods."

ADJUSTMENT REQUEST: A – Adjust the overall 55 ft. height currently permitted to 59'-4"

B – Adjust the 25 ft. height limit for the first 10 ft. of the building from the property line to the overall requested height limit, 59'-4".

SUMARIZE ADJUSTMENT REQUEST: Slightly increase the overall height, featuring a mansard roof

with dormers and gable ends, to add scale and compatibility with adjacent structures. (The top of the primary walls is 52 feet. The Mansard roof and gables are the only elements to extend above the current overall 55' height limit.) In consideration of height, it should be noted that the building is deeply recessed into the cliff on the property, making the only segment of the building above the height requirement the Northwest corner. The roof level on the east side of the property is below the Montgomery Street, elevation on which an existing house is located. The proposed buildings upper floors must be raised up to allow the second floor to have views above and beyond Highway 26 while still maintaining a Garage entry point at grade with 18th Avenue.

CRITERION A: The proposal meets Criterion A because it causes no impact on adjacent structures. The general building scale of the neighborhood is maintained, as on 18th Avenue south of the Highway 26 overpass, there are only existing multi-story condominiums and no single family houses. The proposed adjustment allows for the decorative dormers and pedimented gables on the Mansard-like roof. These elements provide scale and residential character to the otherwise 5 story building (including garage level).

The existing buildings South of the proposed structure along both sides of 18th Avenue are approximately 48 feet in height. The existing buildings on the West side of 18th Avenue do not conform to the 25 foot height limit within the first 10 feet from the front property line. The South section of the proposed structure, the section of the building with the Roof Terrace, has a height of 52 feet. The existing building to the South (which is on higher grade) is adjacent to this lower section of the proposed structure (See attached 3-dimensional site analysis drawings).

There is privacy in the proposed plan. There are no existing buildings to the North of the proposed structure, nor are there any buildings directly across 18th Avenue to the west, where Mill Street Terrace intersects 18th Avenue. No units look directly into the proposal's façade due to the change in total street width from 30 ft. to 60 ft. in front of the proposed structure. The house to the East, at the top of the 60 ft. cliff, will maintain its privacy as it looks across the roof the proposed structure (see A1.1 – Vicinity Plan).

CRITERION B: The proposal meets Criterion B because the proposed height adjustment does not detract from the appearance of the neighborhood. The proposed overall height adjustment provides space for architectural elements which break up the overall mass and height of the building. The adjustment to allow the building to exceed the 25 foot height limit within the first 10' of the front property line provides a building scale which is consistent with the buildings further South on the West side of 18th Avenue. Furthermore, the lower portion of the front façade has been broken up with posts and reveals in the stonework to provide human scale along 18th Avenue (see sheet A3.1 – Front (West) Elevation).

CRITERION C: The cumulative effect of the requested adjustments allows for an otherwise unbuildable site to be built upon. The overall adjustments provide space on the site for (4) condominium units and off street parking for each. Without the requested adjustments, a much smaller structure would have to be built which would not maximize the intended density of the R1 Zone. The requested adjustments provide conditions for a medium density structure as specified in the definition of an R1 Zone. Therefore, the proposed adjustments cumulative effect results in a project which is consistent with the overall purpose of the R1 Zone and meets Criterion C.

CRITERION D: There are no city-designated scenic or historic resources.

CRITERION E: The proposal meets Criterion E because no negative impacts are caused to the surrounding neighborhood. The location of the building does not obstruct the view of any of the other adjacent buildings or the buildings to the Southwest on 18th Avenue. The increase in height of the building is mitigated through the use of a rich architectural vocabulary. The stone pattern, columns, gables, and other decorative architectural features provide human scale

to the building. Furthermore, the top of the primary walls is 52 feet. The Mansard roof and gables are the only elements to extend above the current overall 55' height limit (see sheet A3.1 – Front (West) Elevation).

CRITERION F: The Proposal is not in an environmental zone and it has as few significant environmental impacts on the resource and resource values as is practical.

4. TOTAL BUILDING COVERAGE

CODE MAXIMUM BUILDING COVERAGE: TABLE 120-3 (R-1) REQUIRES 60% OF SITE

PURPOSE FOR MAXIMUM BUILDING COVERAGE: (Section 33.120.225 Building Coverage)

“The building coverage standards, along with the height and setback standards, limit the overall bulk of structures. They assure that larger buildings will not have a footprint that overwhelms adjacent development. The standards help define the character of the different zones by determining how built-up a neighborhood appears.”

DEFINITION FOR BUILDING COVERAGE: (Section 33.910 – Building Coverage)

“The area that is covered by buildings or other roofed structures. A roofed structure includes any structure more than 6 feet above grade at any point, and that provides an impervious cover over what is below. Building coverage also includes uncovered horizontal structures such as decks, stairways, and entry bridges that are more than 6 feet above grade. Eaves are not included in building coverage.”

ADJUSTMENT REQUEST: Provide below grade a First Floor/ Garage Level with an 82% total lot coverage footprint

SUMMARIZE THE ADJUSTMENT REQUEST: The total site area = 5,750 sq. ft. The First Floor/ Garage Level has a total footprint of 4,730 square feet or 82% of the site. The majority of the First Floor, except for the Northwest corner of the floor, will be below grade with an open Garden Terrace covering 1,276 square feet of the South side (see sheet A2.2 – Second Floor Plan for the Garden Terrace location). **The remaining building footprint which contains the upper floors is 3,385 square feet or 58.8% of the site. The footprint of the exposed upper floors complies with the required maximum building coverage required by the code.** Furthermore, the majority of the perimeter of the Second Floor Garden Terrace does not extend more than 3'-6" above the adjacent grade. The Adjacent grade on the East and South Sides extends much higher than the Second Floor Roof/ Garden Terrace (see sheet A1.2 – Site Plan). The only side of the Second Floor Roof/ Garden Terrace which does extend more than 6' above grade is the West side, street side, where it is an average of 12 feet above the sidewalk (see sheet A3.1 – Front (West) Elevation). This is also the access point for the Garage. It should also be noted that the entire West (street) side of the Second Floor Roof/ Garden Terrace contains 485 square feet of Landscape/ Flow-Through Planter Area for the Structure's stormwater (see sheet A2.2 – Second Floor Plan). The proposed Landscape/ Flow-Through Planter Area on the Second Floor Garden Terrace was verbally approved by Timothy Bowers on January 14, 2008 at a preliminary over-the-counter meeting.

Additionally, the proposed project complies with the minimum Landscaped areas as required in Table 120-3 and section 33.120.235.

- The minimum required landscaped area is 20%.
- The total site area to remain without structure is 1,100 square feet. This area will comply with the L1 standard as required in sections ss.120.235 and 33.248 (see site plan sheets A1.1, A1.3, A1.4 and A2.2 – Second Floor Plan).
- The 809 square foot Second Floor Garden/ Roof Terrace will have Landscape/ Flow-Through Planter Areas for storm water = 258 square feet (see Site Plan sheets A1.1, A1.3, A1.4 and A2.2, Second Floor Plan).
- **The Total Landscaped Area = 1,628 square feet or 28% of the total site area.**

- CRITERIA A:** The proposal equally meets the purpose of the required maximum building coverage percentage required because the additional area of the building's footprint which is over the required 60% maximum is below grade. The total area of open, recreational space and landscaped space on the lot is 2,300 square feet or 40% of the site. The majority of this area is located on the ground level, the Second Floor level.
- CRITERIA B:** The proposal meets Criterion B because the proposed total increase in building coverage does not detract from the appearance of the neighborhood. The additional area of building is below grade and not visible to any of the adjacent existing buildings. The Garage Entry is visible only at its entry point on 18th Avenue. It should be noted that a maintained landscaped area will be provided on either side of the Garage Entry.
- CRITERION C:** The cumulative effect of the requested adjustments allows for an otherwise unbuildable site to be built upon. The overall adjustments provide space on the site for (4) condominium units and off street parking for each. Without the requested adjustments, a much smaller structure would have to be built which would not maximize the intended density of the R1 Zone. The requested adjustments provide conditions for a medium density structure as specified in the definition of an R1 Zone. Therefore, the proposed adjustments cumulative effect results in a project which is consistent with the overall purpose of the R1 Zone and meets Criterion C.
- CRITERION D:** There are no city-designated scenic or historic resources.
- CRITERION E:** The proposal meets Criterion E because no negative impacts are caused to the surrounding neighborhood. The location of the building does not obstruct the view of any of the other adjacent buildings or the buildings to the Southwest on 18th Avenue. The increase in building coverage is mitigated because the additional area is below grade. The location of the Second Floor Garden Terrace above the garage is located on the South side of the building so that a wide open area (25 feet at the closest point) is achieved between the proposed structure and the existing building further South on SW 18th Avenue. The location of the Second Floor Garden Terrace also provides an open area of 16 feet between the East side of the proposed structure and the existing house at the top of the new cliff to the East.
- CRITERION F:** The proposal is not in an environmental zone.