



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

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FINAL FINDINGS AND DECISION BY THE DESIGN
COMMISSION RENDERED ON March 16, 2017

The Design Commission has **approved** a proposal in your neighborhood. This document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 16-266376 DZM
PC # 16-199771
NW 17th & Pettygrove

BUREAU OF DEVELOPMENT SERVICES STAFF: Hannah Bryant 503-823-5353 /
Hannah.Bryant@portlandoregon.gov

GENERAL INFORMATION

Applicant: Marcus Lima | GBD Architects
1120 NW Couch Street, Suite 300
Portland, OR 97209

Owner: Doug Burges | Keller Holland Pettygrove Investors, LLC
111 Main St, Suite 700
Vancouver, WA 98660

Site Address: **1331 NW 17TH AVE**

Legal Description: BLOCK 232 LOT 5&8, COUCHS ADD; BLOCK 232 LOT 2, COUCHS ADD; BLOCK 232 LOT 3 LAND & IMPS SEE R141042 (R180221011) FOR BILLBOARD, COUCHS ADD; BLOCK 232 LOT 6&7, COUCHS ADD

Tax Account No.: R180220970, R180220990, R180221010, R180221030

State ID No.: 1N1E33AB 04100, 1N1E33AB 03800, 1N1E33AB 03900, 1N1E33AB 04000

Quarter Section: 2928

Neighborhood: Northwest District, contact John Bradley at 503-313-7574.

Business District: Pearl District Business Association, contact Carolyn Ciolkosz at 503-227-8519.; Nob Hill, contact Nob Hill at nobhillportland@gmail.com.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest

Other Designations: None

Zoning: **EXd**, Central Employment with a design overlay

Case Type: **DZM**, Design Review with Modifications

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

Proposal:

The applicant seeks Design Review approval for a ¾ block, seven-story mixed-use building, with six floors of residential units over a ground level that includes retail, parking, service, residential amenity space and one live-work unit. The 196 residential units are a mix of one-, two-, and three-bedrooms, with one third of each unit type dedicated to affordable housing. There are 22 surface-level parking spaces and one level of underground parking for an additional 97 cars and 180 long-term bicycle spaces.

Program:

- Height: 82' to top of parapet.
- Floor Area Ratio: 7:1 with underground parking bonus.
- Program: 9200 square feet of ground floor commercial along NW 18th Ave. and NW Pettygrove Street, with 196 residential units above, with a mix of market rate and affordable units.
- Parking and loading:
 - 22 parking, and 2 loading spaces at grade, in structured parking off NW Overton Street.
 - 97 parking spaces below grade, accessed off NW 17th Avenue.
 - 180 long-term bicycle parking spaces below grade, accessed off NW 17th Avenue.
 - 12 short-term, covered bike spaces are provided on-site, located along NW 18th Avenue.

Exterior building finishes:

- Frontages:
 - Ground floor: Board formed concrete, aluminum storefront systems, tropical hardwood at entries.
 - Stories 2-7: Granite norman brick and manganese ironspot norman brick, composite metal-clad vertical oriels, black vinyl windows with black brake metal surround, black aluminum vertical louvers between brick modules, fiber cement with concealed fasteners at parapet.
- Sidewall elevations facing inner-block second floor terrace: cast stripe fiber cement panels, vinyl windows, aluminum storefront system.
- Rooftop structures: Metal box rib siding.

The applicant further seeks Design Review approval for the following Modifications to the zoning code. Because the proposal is for new development in the design overlay zone, with additional modifications, Design Review is required.

The following **Design Exceptions** are requested:

1. Oriel Window Standards –
 - The width of proposed oriels is greater than the maximum (max. width = 34').
 - The separation between oriels is less than the minimum (min separation = 6'-8").
2. Garage Door Design/Location (Permit 16-273520-TR)–
 - The garage doors are proposed to be located closer to the curb than PBOT requires. A queuing analysis has been prepared, and the exception is approved by PBOT with conditions (see Agency Review).

The following **Modification** is requested:

33.266.220.C.3.b, Bike Parking Standards – Bike Parking standards ensure that required bicycle parking is designed so that bicycles may be securely locked without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.

- Modification request for 18” staggered bike spacing.

Relevant Approval Criteria:

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

- *Community Design Guidelines*
- *33.825.040 - Modifications*

ANALYSIS

Site and Vicinity: Located within the Eastern Edge subdistrict of the Northwest Plan District, the 30,000 SF, ¾ block site is located at the southwest corner of NW 17th Avenue and NW Pettygrove. The L-shaped site has full block frontages on NW 18th Avenue (*Transit Street, City Bikeway*) and NW Pettygrove Street. It has half block frontages on both NW Overton Street (*City Bikeway, Major Emergency Response Street*) and NW 17th Avenue. The site is located in a pedestrian district, one block from the street car stop at NW 18th and NW Northrup. It is one block west from the I-405 overpass. The highway is approximately 95’ high at the point nearest this site.

Current conditions include two single-story commercial buildings and a surface parking lot. The remaining ¼ block is developed with a 1.5 story building housing Dynasport – an auto-mechanic shop- and Huser Integrated Technologies – a software/cyber security company. To the east is Floor Factors, a two-story flooring showroom and warehouse. Parr Lumber’s materials storage lot is across the street to the west. One- and two-story warehouses occupy much of the rest of the neighborhood. There is a smattering of both old and contemporary three- to five-story buildings scattered around the nearby area, and there are numerous pending Design Review applications for new 6-8 story buildings in the immediate vicinity. Predominant uses in the neighborhood include housing office/creative space, light industrial uses, and some retail.

There are many surface parking lots and vehicle areas throughout the neighborhood. Most are fairly small and are often located between the building they serve and the street. Many also have a long, continuous curb-cut with pull-in parking – a common pattern in industrial urban areas. Some parking lots lie to the side of buildings and are likely to occupy areas where other buildings once stood. Newer, higher-intensity development in the neighborhood provides structured parking.

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 no prior land use reviews for this site.

Agency Review: A "Notice of proposal in Your Neighborhood" was mailed January 10, 2017. The following Bureaus have responded with no issue or concerns:

The Bureau of Environmental Services responded with the following comments:

Based on the submitted infiltration testing, showing zero inches per hour at 2 ft bgs, BES will allow stormwater from the proposed project to discharge offsite to the combined sewer. However, the stormwater flows must be split approximately equally between the combined sewer in NW Pettygrove and the combined sewer in NW Overton, due to capacity issues in this location. Please see Exhibit E-1 for additional details.

The Bureau of Transportation responded with the following comments:

Garage doors are proposed to be located closer to the curb than PBOT requires. However, with the prepared queuing analysis, the exception is approved with the following conditions:

- Security gates must fully open/close in 5 second or less;
- Security gates and drive aisles must be a minimum of 20 feet wide;
- Overton security gate and drive aisle must have a minimum vertical clearance of 10 feet;
- Parking spaces must be reserved for residential use only;
- Gates must be activated by remote control with a 50-foot minimum radius, issued to all residents allowed access to the car and bicycle parking;
- Security gate details and specifications must be added to the door schedule sheet of building permit plan set;
- Any changes in the development parameters of this Design Exception, including number and location of driveways, number of parking spaces, and/or users of the garage will require a revised queuing analysis and approval of a new Driveway Design Exception.

The Water Bureau responded with the following comments:

The Water Bureau has no issues with the proposed development and design review request. Please see Exhibit E-3 for additional details.

The Fire Bureau responded with the following comment:

The Fire Bureau has no issues with the proposed development and design review request. Please see Exhibit E-4 for additional details.

The Site Development Section of BDS responded with the following comment:

The Site Development Section of BDS has no issues with the proposed development and design review request. Please see Exhibit E-5 for additional details.

The Life Safety Section of BDS responded with the following comments:

The Life Safety Section of BDS has no issues with the proposed development and design review request. Please see Exhibit E-6 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on January 10, 2017. One letter was received from the Neighborhood Association.

Northwest District Association, January 25, 2017 – NWDA commented that differentiation of facades would help to break down the scale of the building; a taller ground floor is desirable; and suggests that the proposal should respond to the Pettygrove Green Street that currently ends two blocks east of the site. Last, the NWDA has concerns about the probability of future redevelopment of the remaining quarter block resulting in units that face an end wall condition.

Procedural History: The proposal was heard before the Design Commission at the following land use hearings: February 2, 2017, March 9, 2017 and March 16, 2017.

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 Northwest Plan District, the applicable approval criteria are the Community Design Guidelines.

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.

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.

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 for P1, D7, D8: The site is located within Urban Character Area C: Eastern Edge, which is an architecturally diverse area in the Northwest Plan District. This area once served as the transitional boundary between the residential and industrial portions of Northwest Portland. The desired characteristics of the Eastern Edge encourage the continuation of the architectural diversity and partial block massing and screened parking behind or below buildings.

The Eastern Edge Subarea, is one of the most dynamic, multiple-use areas within Northwest Portland. It contains light industrial, multiple dwelling residential, single detached dwellings, service uses, entertainment activities, and offices to international corporations. It works in part because of the scale of development is similar. Industrial and business uses are limited by block and parcel structure. Access to the regional transportation system is to the east, limiting heavy impacts on the residential community to the west. The area provides the local community with housing, services, community uses, and jobs. Residents who move to this subarea know that they are sharing spaces with other uses and are generally not prone to take offense at reasonable impacts from their neighboring non-residential uses.

Industrial buildings, primarily dating from the early- through mid-twentieth century, are another significant component of the Eastern Edge's architecture. Light industrial buildings are located throughout the area, with larger concentrations near the I-405 freeway and toward the north. Most industrial buildings are of concrete construction, or occasionally brick, and feature flat roofs and one to two stories, with older examples having multi-pane steel sash windows.

-from Plan District Characteristics, Community Design Guidelines

The site is at a transition point between both the residential and industrial zones, the newly developed Conway district a few blocks to the north, and the 95' high I-405 overpass one block to the south. Its full-block facades have been broken into a pattern of projections and erosions to reduce the scale and to better incorporate proportions and typologies found elsewhere in the district. Facades are further articulated by the light-colored brick stacked corner modules, which contrast with the mid-block fields of darker gray manganese ironspot brick, and five-story vertical black metal oriel projections.

In alignment with district goals, the building's height will help to screen the rest of the neighborhood from the freeway, parking has been located underground and deep within the site, and all parking is screened by high speed garage doors.

The design includes a distinct base that differs in height, window proportions, and materials from the upper floors. At the second story, the vertical patterning is shifted to accentuate this floor as unique from the street level and the upper levels, and to highlight the architectural concept of shifting masses. The rhythm of oriel windows on upper five stories and the pattern of façade projections and recesses, where the building is pulled back away from the property line, further serves to reduce the scale of the $\frac{3}{4}$ block building.

In response to Commission comments at previous hearings, the oriel projections are primarily glazed with 8' high windows on all three sides, with a combination of fixed and operable windows. A custom composite metal element at each spandrel adds a contemporary, industrial element to the brick façade.

The primary building corners are accentuated with a bright granite colored brick. The fine-grained detailing includes raked coursing around the outside of windows in the corner modules, and bands of vertical norman brick running bond at spandrels, to contrast with the horizontal running bond that is the primary cladding. These windows are further highlighted by an asymmetrical brake metal trim. The brake metal projects 2" beyond the brick face, adding another layer of shadow lines and detailing that adds richness to these corner modules.

At the ground level, the vertical wood cladding framing all recessed entryways, and the patterning of horizontal board formed concrete continues to add detailing and interest to the pedestrian environment. These smaller details create a visually interesting building when viewed up close. The subtle massing shifts, combined with smaller scale detailing, creates an interesting composition and high quality contribution to the Northwest Plan District. *These guidelines are met.*

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

Findings: The main entrance to the building is located at the intersection of NW 18th (a transit street and a City Bikeway) and NW Pettygrove. The prominence of the recessed entrance is accentuated by the sheltered front porch feature, lush ground-level plantings, and a deep canopy that is significantly larger than other canopies on the building and clad in wood. The façade above this entrance further highlights it, with dramatic stacked brick modules.

Per Condition of Approval B, all ground floor entrances have steel canopies, with wood soffits, mounted at the same height as the adjacent storefront canopies. The warm-toned tropical hardwood material, and substantial steel frame canopies serve to accentuate the entries while making them more pedestrian-accessible. *With Condition of Approval B, this guideline is met.*

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

Findings: The street level parking is capped, and its roof is developed with a large stormwater planter, trees, five private patios and two large residential common decks. Inside, the residential fitness space and two amenity rooms look out onto the common decks. This shared outdoor space and the adjacent interior amenity spaces will capture east and southern light, and are sheltered from the wind and the hottest summer sunshine. This is an appropriate placement for a shared space that will truly provide year-round benefit to the residents. The proposed plant palette includes drought-

tolerant, pollinator-friendly plants that will offer year-round visual interest. *This guideline is 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 proposal includes curb cuts for two mid-block parking garage entrances. The entrance to the covered, street level parking area is accessed from NW Overton Street. The entrance to the underground parking garage is accessed from NW 17th Avenue. Both parking areas are screened from view from the sidewalk, with high-speed garage doors that are minimally recessed from the property line. The garage exhaust louvers are located above the pedestrian level and other service areas have been tucked back into the building to avoid creating long bands of windowless street-level façade. A laser cut steel art screen is proposed beneath the NW Overton Street garage exhaust, to provide visual interest to pedestrians.

The granite colored brick building façade above both garage entries is flush. While the brick material is the same as that at the primary corners, the white modules above the garage entries lack the ornate brick and trim detailing found at the primary corner modules. This more discreet treatment helps to accentuate the architectural and programmatic significance of the primary corners while maintaining significance of pedestrian entry. *This guideline is 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 proposed design includes several features that reduce the likelihood of crime. These include secured auto and bicycle parking, a spacious and central residential entry, and transparent glazing and active uses on the ground floor that provide “eyes on the street”. *Therefore, this guideline is met.*

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: The proposed mixed-use building will abut the street lot lines, and will provide direct pedestrian access from the building to the sidewalk. The ground floor residential entrance includes recesses for a landscaped residential lobby “front porch” and covered short-term bicycle storage. All other entrances have steel canopies above recessed entrance doors.

Due to a sloped site, the building’s interior floor level is 3’ above the sidewalk along NW 17th Avenue. However, the residential workshop amenity space will have transparent roll-up garage doors that facilitate views into and out of the space, allowing pedestrians to observe the activities within. Per Condition B, as the grade descends along NW Pettygrove Street, commercial entry canopies will be aligned with the adjacent storefront canopies, at the horizontal datum between upper transom windows and the vertical storefront bays.

The two high-speed garage doors screen the pedestrians from surface and below-grade parking. Both doors are placed within 3’ of the building façade, to minimize the impact

of recessed garage entries on the pedestrian experience. *With Condition of Approval B, this guideline has been met.*

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

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 for E2, E5: The proposed design incorporates ten recessed entry doors, all of which have steel canopies to provide shelter, shade and a sense of enclosure. The steel canopies above each commercial entrance on the ground level, and the recessed, wood-clad entrance to the residential lobby at NW 18th & NW Pettygrove, provide sufficient cover to ease transition into, and out of, interior spaces. Additionally, storefront canopies line both NW Pettygrove and NW 18th, allowing pedestrians to remain under cover as they walk outside the building. The deep 'front porch' element, with a wood clad sheltered space adjacent to the recessed primary lobby provides a generous covered seating area at the street level, for tenants to enjoy lunch or read a book throughout the year. The seventeen proposed canopies allow residents, pedestrians and commercial tenants to remain under cover, sheltered from rain or hot summer sun. *With Condition B, these guidelines are 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: The ground floor level of the proposed new building is distinguished from the upper floors by large vertical storefront windows, horizontal board formed concrete stem walls, and a strong horizontal datum created by the steel and wood canopies. The clean, flush façade at the street level contrasts with the patterns of recesses and projections of stories 2 through 6. The building wall and continuous projecting wood and steel canopies create a strong sense of enclosure along the sidewalk.

The welcoming residential lobby area with integrated seating, recessed entries, storefront window bays, canopies, and regular upper story projections that create additional cover over the sidewalk, create a visually interesting ground floor wall both day and night. The applicant has proposed a two-story live-work unit with all living functions at the back of the unit and on the second level mezzanine. The storefront systems, canopies and entrances are consistent with others on the building, contributing to a coherent and attractive sidewalk level. *With Condition B, this guideline has been 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: Each of the site's three corners have unique programs at the ground-level, but are articulated through similar stacked white brick projections above. The stacked corner modules have deeper projections than those proposed elsewhere on the building. These overhanging modules provide a sense of enclosure and help to identify the primary entrances for each of the corner entrances.

- The primary residential entry is located at the corner of **NW Pettygrove and NW 18th**. This corner is articulated with a recessed lobby entrance framed by

integrated seating and landscaping. The wood cladding and canopies, the seating, and the plantings serve to soften the space and create a welcoming, residential environment.

- The corner of **NW Overton and NW 18th** is most visible as approached via the NW 18th transit street. This corner is intended to have a ground-level restaurant, and its simple glass and concrete base presents an elegant plinth for the stacked brick modular architecture above.
- The corner of **NW Pettygrove and NW 17th** has a true live-work unit at the ground level, with a large, open commercially-viable space on the main level and an upper mezzanine for sleeping.
This guideline is met.

(2) MODIFICATION REQUESTS (33.825)

33.825.040 Modifications That Will Better Meet Design Review Requirements:

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

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

The following modifications are requested:

1. Long-Term Bike Parking Spacing (Section 33.266.220.C.3.b) – Bike Parking standards ensure that required bicycle parking is designed so that bicycles may be securely locked without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.

Findings: The project includes 222 total long-term bicycle parking spaces, which is based on proposed residential and live-work units, and retail floor area. Of these, 45 are proposed to be located in units, with an additional 177 in the below-ground parking garage. Accommodating 177 bicycle parking spaces in a horizontal rack would consume considerable floor area. Relying on a vertical/wall hanging bike rack is a more efficient use of space, and is identical to the parking system recently approved in numerous Design Reviews throughout the City. The proposed functional and space efficient system better meets the design guidelines because it eases floor plan demands and results in additional opportunities for active uses at the street, such as a lobby and commercial tenant spaces.

The proposed bike rack system is engineered to stagger 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. A

5' minimum aisle is still provided behind each bicycle rack. The rack system will be located within a secure bike storage room in a below-grade, secure parking area. For these reasons, the bicycle parking system is safe and secure, 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. *These criteria have been met.*

CONCLUSIONS

Staff recognizes the challenges of addressing the smaller-scale historic context while efficiently utilizing a large $\frac{3}{4}$ block site. Staff and Commission appreciate the addition of housing, and the applicant's participation in the Portland Housing Bureau's MULTE program to add much-needed affordable housing to a central, transit-accessed site.

The proposal provides desired residential density and underground parking, while utilizing the materials, architectural elements and proportions of historic buildings in the neighborhood, and meeting all of the required guidelines.

The required design review process for large scale development proposals exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The architect and development team have worked closely with design review Staff to modify this proposal to better meet the guidelines. This proposal successfully responds to most of the critical areas discussed with Staff.

DESIGN COMMISSION DECISION

It is the decision of the Design Commission to approve with conditions Design Review for a $\frac{3}{4}$ block, seven-story, mixed-use building, with six floors of residential units over a ground level that includes retail, parking, service, residential amenity space and one live-work unit. The 196 residential units are a mix of one-, two-, and three-bedrooms, with one third of each unit type dedicated to affordable housing. There are 22 surface-level parking spaces and one level of underground parking for an additional 97 cars and 180 long-term bicycle spaces.

Located in the Northwest Plan District, with full block frontages along NW Pettygrove Street and NW 18th Avenue, the proposal has a height of approximately 82' to the top of the parapet, and an FAR of approximately 7:1.

Approval of the following Modification requests:

1. **Modification #1: Long-Term Bike Parking Spacing** (33.266.220.C.3.b)
Required: 24" spacing
Proposed: 16-18" spacing, per manufacturers' cutsheets

Approval of the following Design Exception Requests:

1. **Exception #1: Window Projections into the Right-of-Way** (OSSC/32/#1)
Required: Maximum 12' width of oriel projections
Proposed: varied widths up to 34'-6"
2. **Exception #2: Window Projections into the Right-of-Way** (OSSC/32/#1)
Required: Minimum 12' width between oriel projections
Proposed: varied widths, with a minimum of 6'-8".

Approvals per Exhibits C.1-C-49 signed, stamped, and dated March 17, 2017, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B – D) 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 16-266376 DZM. All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled “REQUIRED.”
 - B. Canopies at the doors along NW Pettygrove Street to match the height of the adjacent storefront canopies. Details of entry canopies to match the larger storefront canopies with wood soffits.
 - C. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
 - D. No field changes allowed.
-

By: _____

David Wark, Design Commission Chair

Application Filed: October 28, 2016
Decision Filed: March 17, 2017

Decision Rendered: March 16, 2017
Decision Mailed: March 28, 2017

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on October 28, 2016, and was determined to be complete on November 23, 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 October 28, 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). The **120 days expire on: March 23, 2017**

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. This report is the final decision of the Design Commission with input from other City and public agencies.

Conditions of Approval. This approval may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are

specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appeal of this decision. This decision is final unless appealed to City Council, who will hold a public hearing. Appeals must be filed by 4:30 pm on April 11, 2017 at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. Information and assistance in filing an appeal is available from the Bureau of Development Services in the Development Services Center or the staff planner on this case. You may review the file on this case by appointment at, 1900 SW Fourth Avenue, Suite 5000, Portland, Oregon 97201. Please call the file review line at 503-823-7617 for an appointment.

If this decision is appealed, a hearing will be scheduled and you will be notified of the date and time of the hearing. The decision of City Council is final; any further appeal is to the Oregon Land Use Board of Appeals (LUBA).

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, one in which new evidence can be submitted to City Council.

Who can appeal: You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$5000.00 will be charged.**

Neighborhood associations may qualify for a waiver of the appeal fee. 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. Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

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.

- *Unless appealed*, the final decision may be recorded on or after **April 12, 2017**.
- 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.

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.

Hannah Bryant
 March 17, 2017

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).

EXHIBITS – NOT ATTACHED UNLESS INDICATED

A. Applicant's Submittals

1. Request for an Evidentiary Hearing and Waiver of 120 Day Decision
2. December 12, 2016 – Meeting Memo
3. October 28, 2016 – Original Submittal

B. Zoning Map *(attached)*

C. Plan & Drawings

1. Site Plan *(attached)*
2. Below Grade Parking Plan
3. Ground Floor Plan *(attached)*
4. Second Floor Plan
5. Typical Floor Plan (3-7)
6. Roof Plan
7. North Elevation – NW Pettygrove Street - color
8. East Elevation – NW 17th Ave. – color
9. East Facing Courtyard Elevation – color
10. South Elevation – NW Overton Street – color
11. South Facing Courtyard Elevation – color

12. West Elevation – NW 18th Ave. – color
13. West Facing Courtyard Elevation -color
14. Building Section – east-west
15. Wall Sections – key
16. North Façade Entry Porch – Wall Section and Wood Canopy Detail
17. North Façade – Wall Section
18. Wall Section at Garage Entry (NW 17th)
19. Wall Section at Garage Entry (NW Overton)
20. South Façade – Storefront Section and Sill Detail
21. West Façade – Wall Section and Window Details
22. West Façade – Wall Section, Parapet and Mechanical Screen Details
23. Oriel Projection Section and Details
24. Façade Materials and Detailing
25. Brick Corner Projections – Materials and Detailing
26. Brick Building Body – Materials and Detailing
27. Oriel Window Projections – Materials and Detailing
28. Materials and Colors
29. Landscape Plan – Street
30. Landscape Plan – Residential Entry
31. Landscape Plan – Amenity Deck (2nd Floor)
32. Utility Plan
33. Grading Plan
34. Site Survey
35. Garage Door cut sheet
36. VPI Vinyl Window cut sheet
37. Ceraclad Fiber Cement Siding detail
38. Projections Over the Right-of-Way
39. Projection Area Over 2'-6" Requiring 10% Side Window Coverage
40. Projections Over the Right of Way – Level Two
41. Projections Over the Right of Way – Levels 03-07
42. Level P1 Bike Parking Diagram
43. Short Term Bike Parking Diagram
44. In-Unit Bike Parking Diagram
45. Urban Racks Bicycle Rack Cutsheets (2 pages)
46. FAR Diagram (2 pages)
47. Ground Floor Unit Detail
48. Raised Operable Storefront Detail
49. Art Panel Details

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. RFR response
 - b. Memo to BDS
2. Bureau of Transportation Engineering and Development Review
3. Water Bureau
4. Fire Bureau
5. Site Development Review Section of BDS
6. Life Safety

F. Letters:

1. Northwest District Association, January 25, 2017

G. Other

1. Original LUR Application
2. Pre-App Conference Notes
3. Request for Completeness
4. November 18, 2016 – Email to Applicant

H. Received Before First Hearing

1. Staff Memorandum, January 20, 2017

Received at the First Hearing

1. Hearing #1 Staff Presentation, February 2, 2017
2. Staff Report #1, dated January 23, 2017
3. C Exhibits presented at Hearing #1
4. Applicant's Presentation, February 2, 2017

Received Before Second Hearing

1. Staff Notes from Hearing #1
2. Applicant's Submittal, February 20, 2017
3. Applicant's Submittal, February 23, 2017
4. Staff Memorandum, February 28, 2017

Received at the Second Hearing

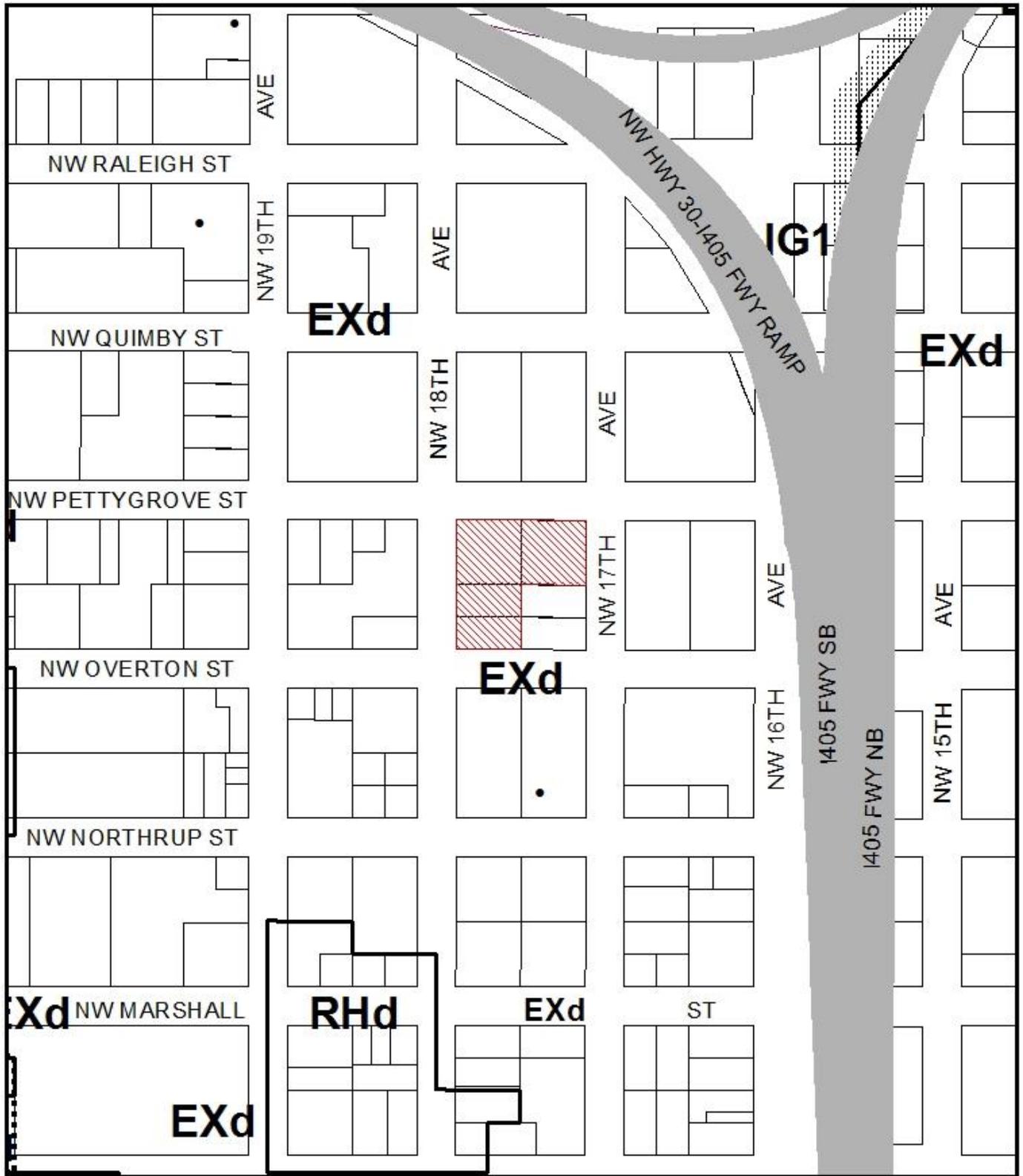
1. Hearing #2 Staff Presentation, March 9, 2017
2. Staff Report #2, dated February 27, 2017
3. C Exhibits presented at Hearing #2
4. Applicant's Presentation, March 9, 2017

Received Before Third Hearing

1. Staff Notes from hearing #2
2. Applicant's Submittal, March 15, 2017
3. Staff Memorandum, March 16, 2017

Received at the Third Hearing

1. Applicant's Presentation, March 16, 2017
2. C Exhibits Presented at Hearing #3



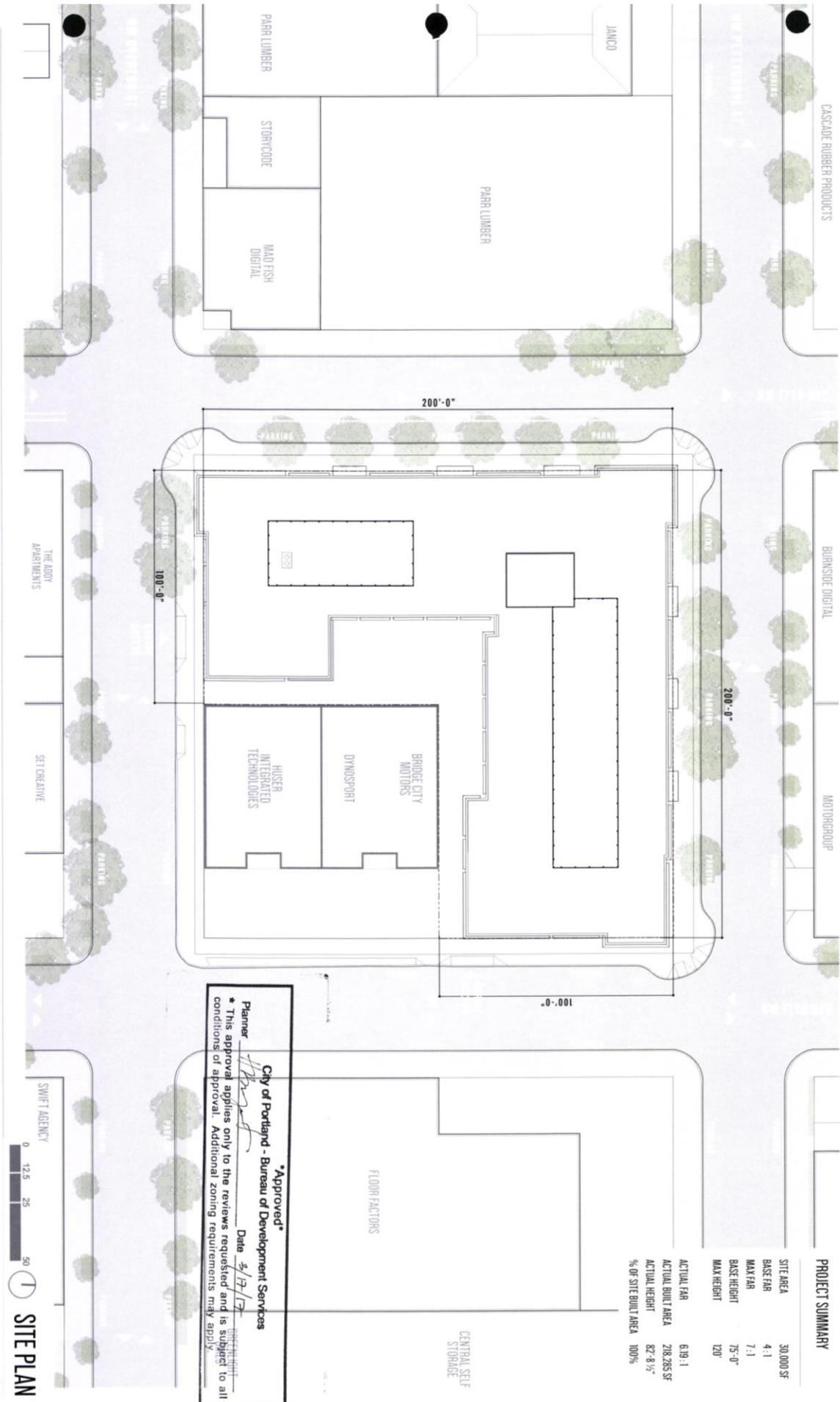
ZONING



This site lies within the:
NORTHWEST PLAN DISTRICT

- Site
- Historic Landmark

File No.	<u>LU 16-266376 DZM</u>
1/4 Section	<u>2928</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E33AB 4100</u>
Exhibit	<u>B</u> (Nov 02, 2016)



PROJECT SUMMARY

SITE AREA	30,000 SF
BASE FAR	4:1
MAX FAR	7:1
BASE HEIGHT	75'-0"
MAX HEIGHT	120'
ACTUAL FAR	6.19:1
ACTUAL BUILT AREA	218,285 SF
ACTUAL HEIGHT	82'-8 1/2"
% OF SITE BUILT AREA	100%

Approved
 City of Portland - Bureau of Development Services
 Planner *[Signature]* Date *3/17/17*
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

SWIFT AGENCY
 0 12.5 25 50
SITE PLAN
 C-1



L-01 LEVEL SUMMARY

PARKING STALLS	22
LOADING STALLS	2
SHORT TERM BIKE PARKING	12
AREA	21979 SF

- COMMERCIAL
- LOBBY / LEASING
- AMENITY
- HOUSING
- SERVICE / SUPPORT
- CIRCULATION
- PARKING

Approved

Planner *[Signature]* City of Portland - Bureau of Development Services
 Date 5/17/17
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

FP01 - GROUND FLOOR PLAN