



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

Chloe Eudaly, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

**NOTICE OF FINAL
FINDINGS, CONCLUSIONS AND DECISION
OF THE CITY OF PORTLAND DESIGN COMMISSION
ON AN
APPEALED ADMINISTRATIVE DECISION
(Type II Process)**

**CASE FILE: LU 16-256298 DZM – 51st & SANDY MIXED USE
LOCATION: 5036 NE SANDY BLVD**

The administrative decision for this case, published on August 4, 2017 was appealed to the Design Commission by a neighbor.

A public hearing was held September 28, 2017. At that hearing, there was a request to keep the record open. The hearing was continued to October 26, 2017. At the October 26, 2017 hearing the Design Commission voted to deny the appeal, and uphold the Staff Decision. The original analysis, findings and conclusion have been revised by the Design Commission as follows. This decision is available on line: <http://www.portlandonline.com/bds/index.cfm?c=46429>

GENERAL INFORMATION

Architect: Robert Thompson, TVA Architects
920 SW 6th Avenue, Suite 1500
Portland OR 97204

Richard Rapp, TVA Architects
920 SW 6th Avenue #1500
Portland, OR 97204

Owner: Victor Remmers, Everett Custom Homes
3330 NW Yeon Avenue, Suite 100
Portland, OR 97210

Site Address: **5036 NE SANDY BLVD**

Legal Description: BLOCK 33 LOT 1 EXC PT IN ST, ROSE CITY PK; BLOCK 33 LOT 2, ROSE CITY PK; BLOCK 33 LOT 3, ROSE CITY PK

Tax Account No.: R723102090, R723102110, R723102120

State ID No.: 1N2E30CA 10000, 1N2E30CA 10100, 1N2E30CA 10200

Quarter Section: 2835

Neighborhood: Rose City Park, contact Tamara DeRidder at 503-249-6977.

Business District: Hollywood Boosters, contact Angela McKenzie at 503-281-1800.

District Coalition: Central Northeast Neighbors, contact Alison Stoll at 503-823-3156.

Plan District: None

Zoning: **CGdm**, General Commercial with design and main street corridor overlays

Case Type: **DZM**, design review with modification review

Procedure: **Type II**, an administrative decision with appeal to the Design Commission.

Proposal:

The proposal is for a new six-story; 64' high; 85-unit, mixed-use building. It includes a surface parking lot for 17 resident cars, 2 car share spaces, and 5 motorcycles, to be accessed from 51st Avenue; 110 long-term residential bike parking spaces are provided in the units, 23 long-term bicycle parking spaces are located in the residential lobby. The applicant is paying into the City's short-term bicycle parking fund in lieu of providing short-term bicycle parking on-site. Two modifications are requested, to allow stacked parking without a valet, and to permit an enclosure around the transformer within the side setback. Design Review is required for non-exempt proposals in the Design Overlay Zone.

Relevant Approval Criteria:

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

- *Community Design Guidelines*
- *Modifications That Will Better Meet Design Review Requirements – 33.825.040*

ANALYSIS

Site and Vicinity: The site is located on Sandy Boulevard, just a few blocks northeast of the Hollywood district. It is in a Main Street Corridor, as identified in the Hollywood and Sandy Plan and the Main Street Corridor Overlay Zone. The site is comprised of three recently consolidated lots. The northern two lots have a former Taco Time drive-through and large surface parking lots, and the southern lot has a four-square house constructed in 1908. Immediately east and south of the proposed site are distinctive neighborhoods of single family residences. The site is bordered by Sandy Boulevard to the north, NE 51st Avenue to the east, NE Thompson Street to the south, and a one-story Firestone tire facility on the lot to the west.

The Rose City Park neighborhood was primarily developed from 1907-1915, along its former streetcar line, and is known for its four local parks. Early advertisements marketed it as a healthy, "country" suburb full of green spaces and beautiful views. At the time, Sandy Boulevard was lined with roses. Unlike some surrounding neighborhoods, Rose City Park was designed to include diverse housing for residents from a wide range of incomes and backgrounds.

It is adjacent to the Hollywood District, which serves as a commercial core for the area. The Hollywood District is a neighborhood known for its architecturally diverse buildings, most notably the Hollywood Theatre, from which the neighborhood gets its name. The Hollywood commercial core has numerous small- to mid-scale retail, civic and commercial buildings.

Sandy Blvd is designated an Enhanced Pedestrian Street, a Major City Traffic Street, a Major Transit Priority Street, a City Bikeway, and a Regional Main Street. NE 51rd Ave is designated a Local Service Walkway, a Local Service Bikeway and a Minor Emergency Response Street. NE Thompson Street is a Local Service Bikeway and a Minor Emergency Response Street.

Zoning:

The General Commercial (CG) zone is intended to allow auto-accommodating commercial development in areas already predominantly built in this manner and in most newer commercial areas. The zone allows a full range of retail and service businesses with a local or regional market. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. Development is expected to be generally auto-accommodating, except where the site is adjacent to a transit street or in a Pedestrian District. The zone's development standards promote attractive development, an open and pleasant street

appearance, and compatibility with adjacent residential areas. Development is intended to be aesthetically pleasing for motorists, transit users, pedestrians, and the businesses themselves.

The “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. 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 Main Street Corridor “m” overlay encourages higher density residential uses by allowing greater building heights, reducing required building coverage for residential development; and allowing more flexibility in site design. The intent of the zone is to provide transit-supportive levels of residential and mixed-use development along identified main streets.

Land Use History: City records indicate no prior land use reviews.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **February 1, 2017**. The following Bureaus have responded with no issues or concerns:

- Fire Bureau, February 23, 2017 (exhibit E.1)
- Water Bureau, February 22, 2017 (exhibit E.2)
- Site Development, February 21, 2017 (exhibit E.3)
- Life Safety, February 22, 2017 (exhibit E.4)
- Bureau of Transportation, May 19, 2017 (exhibit E.5)
- Bureau of Environmental Services, April 20, 2017 & May 18, 2017 (exhibit E.6)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on February 1, 2017. Thirty-five written responses have been received from the Neighborhood Association and notified property owners in response to the proposal.

1. **Kyna Alders**, on February 21, 2017, wrote with concerns about limited on-site parking, pedestrian safety, emergency vehicle access, height, lack of response to architectural context, and the mix of unit types proposed. Please see exhibit F.1 for additional details.
2. **Anonymous**, on February 22, 2017, wrote with concerns about the proposal negatively impacting on-street parking and views. Please see exhibit F.2 for additional details.
3. **Padgett & Eleanor Arango**, on February 22, 2017, wrote with concerns about traffic safety, and the scale and massing not fitting in the context. Please see exhibit F.3 for additional details.
4. **William Bachhuber**, on February 22, 2017, wrote with concerns about on-street parking and trash and emergency vehicle access. Please see exhibit F.4 for additional details.
5. **Gail Boger**, on March 1, 2017, wrote with concerns about the height being too tall for the context, and the impacts of such a large building on the solar access of neighboring homes. Please see exhibit F.5 for additional details.
6. **Mary Charlotte (Brown) Brawley**, on February 22, 2017, wrote with concerns about impacts to the neighborhood. Please see exhibit F.6 for additional details.
7. **Melissa Camarillo**, on February 21, 2017, wrote with concerns about the height, contemporary architecture, color and materials, and on-street parking impacts. Ms. Camarillo wrote a second letter on February 24, 2017, with concerns about the lack of enforcement for cars left parked on streets for many days. Please see exhibit F.7 for additional details.
8. **Heather Carney**, on February 20, 2017, wrote with concerns about the design of the building and the lack of parking for residents and customers of its commercial tenant spaces. Please see exhibit F.8 for additional details.

9. **Maylene Cavazos – Buckendorf**, on February 23, 2017, wrote with concerns about the height and on-street parking impacts. Please see exhibit F.9 for additional details.
10. **Amy Danielson**, on February 22, 2017, wrote with concerns about the limited on-site parking, the impacts of increased traffic and more cars parked on narrow neighborhood streets. Please see exhibit F.10 for additional details.
11. **Tamara DeRidder**, on February 21, 2017, wrote on behalf of the Rose City Park Neighborhood Association. At the presentation to the neighborhood association, the neighbors in attendance were generally opposed to the six-story height, the lack of parking provided on-site, the impact of the proposal to solar access, pedestrian and emergency vehicle safety, and the design of the exposed west end wall. However, the Neighborhood Association Land Use Committee voted to reject Modifications to narrow parking stall widths and to support stacked parking without a valet. Further, it voted to request a wider right-of-way along NE 51st Avenue, to install crosswalk striping across NE Sandy Boulevard at NE 51st Avenue with curb bump-outs similar to those proposed on the north side of this intersection. The Committee voted unanimously to support revisions to the west facing end wall, requesting additional detailing for visual interests. The Committee requested outlets installed into the garage to support electric vehicle charging. It also requested a sun/shadow illustrative study, and suggested the developer plan for more on-site parking in future developments. Please see exhibit F.11 for additional details.
12. **Jack Drorbuagh**, on February 21, 2017, wrote with concerns about on-street parking impacts and the proposed height. Please see exhibit F.12 for additional details.
13. **Teresa Duran**, on February 21, 2017, wrote with concerns about the density and design of the proposal, its impacts on limited on-street parking, and pedestrian safety in the neighborhood. Please see exhibit F.13 for additional details.
14. **Jason Enderbury**, on February 20, 2017, wrote with concerns about the limited off-street parking proposed. Please see exhibit F.14 for additional details.
15. **Darin Farrell**, on February 22, 2017, wrote with concerns about the on-street parking, access for garbage trucks, safety for bicyclists and the scale of the proposal. Please see exhibit F.15 for additional details.
16. **Ormond Fredericks**, on February 20, 2017, wrote with concerns about the height, aesthetic, lack of contextual response to the neighborhood and lack of on-site parking. Please see exhibit F.16 for additional details.
17. **Heidi Griffith**, on February 22, 2017, wrote with concern about the height, the impact of added residential on-street parking on emergency vehicle and driveway access. Please see exhibit F.17 for additional details.
18. **Scott Jeffries**, on February 3, 2017, wrote in support of the proposal, including the proposed parking. Please see exhibit F.18 for additional details.
19. **Jennifer Kersgaard**, on February 20, 2017, wrote with concerns about the scale of the proposal and the additional traffic impacts on bicyclist safety. On February 21, 2017, Ms. Kersgaard responded to Staff's reply with additional comments. Ms. Kersgaard asked about how to engage with the public process to make a difference on proposed development. Staff responded with detailed information about opportunities to engage through the neighborhood association, with written comments, and through the appeal process. Please see exhibit F.19 for additional details.
20. **Jesse Kersgaard**, on March 9, 2017, wrote with concerns about the appearance, scale and limited on-site parking proposed. Please see exhibit F.20 for additional details.
21. **Jesse Irma Lien**, on February 21, 2017, wrote with concerns about the appearance of the proposal, its density, height and lack of on-site parking. She is concerned about the impacts of increased on-street parking on emergency vehicle maneuvering and pedestrian safety. Please see exhibit F.21 for additional details.
22. **Peter Lynch**, on February 22, 2017, wrote with concerns with the aesthetics, and long-term resident parking on neighborhood streets. Please see exhibit F.22 for additional details.

23. **Sue MacMillan and Tim Browning**, on February 21, 2017, wrote with concerns about the height of the proposal, the gentrifying impact of adding market-rate apartments, insufficient on-site parking and the impact of more on-street parking on the Junior Rose Parade. Please see exhibit F.23 for additional details.
24. **Robert Carl Miller and Joan Bryant**, on February 21, 2017, wrote with concerns about pedestrian and bicyclist safety, impacts of on-street parking on narrow, crowded streets, solar access limitations resulting from the proposed height, and negative impacts on property values. Please see exhibit F.24 for additional details.
25. **Loren Minnick**, on February 22, 2017, wrote with concerns about the lack of contextual response in the design and height, and the lack of on-site parking. Please see exhibit F.25 for additional details.
26. **Chelsea Morgan**, on February 21, 2017, wrote with support for a proposal on this site, but with concerns about the height, its impact on their view, and its lack of contextual response to the existing neighborhood. Please see exhibit F.26 for additional details.
27. **Katherine Nelson**, on February 21, 2017, wrote with concerns about the increased traffic and congestion, negative impacts on pedestrian safety and emergency vehicle access, and the lack of architectural response to the neighborhood character. Please see exhibit F.27 for additional details.
28. **John Nikkel**, on February 22, 2017, wrote with concerns about the height, density, lack of sufficient on-site parking and the building's non-contextual architecture. Additional concerns include the large proposed windows, lack of dog run or smoking area. Please see exhibit F.28 for additional details.
29. **Angie Otto**, on February 22, 2017, wrote with concerns about the quantity of on-site parking, and resulting congestion from additional cars parked on neighborhood streets. Please see exhibit F.29 for additional details.
30. **Sharon Patterson**, on February 22, 2017, wrote with concerns about the lack of on-site parking, the contextual response to a historic neighborhood, and the density of the proposal. Please see exhibit F.30 for additional details.
31. **Don Reiner**, on February 22, 2017, wrote with concerns about the height, lack of contextual response to neighborhood commercial, and impacts on pedestrian safety. He appreciates the height step down facing NE 51st Avenue, and suggests a similar treatment toward NE Thompson Avenue so the proposed building does not loom over the pedestrian right-of-way. He supports the masonry material proposed, but questions the non-contextual color choice. Please see exhibit F.31 for additional details.
32. **Lucy Schneid**, on February 20, 2017, wrote with concerns about the limited on-site parking proposed, and the scale of the building. Please see exhibit F.32 for additional details.
33. **Eleanor Segal**, on February 20, 2017, wrote with concerns about the impacts of additional residential cars parked on narrow, crowded streets. Please see exhibit F.33 for additional details.
34. **Laura Seuryneck**, on February 20, 2017, wrote with concerns about the height and scale of the proposal and the impacts of added on-street parking on emergency vehicle access. Please see exhibit F.34 for additional details.
35. **Laurie Skokan**, on February 22, 2017, wrote with concerns that this proposal does not respond to the character of the neighborhood, does not incorporate affordable housing, is out of scale with the surroundings, will reduce property values for existing neighbors, has undetailed west-facing end walls, does not have a provision for landscape maintenance, and compromises access for emergency vehicles. Please see exhibit F.35 for additional details.
36. **Tim Sweeney**, on February 22, 2017, wrote with concerns that the proposal includes insufficient on-site parking, is too tall for the context, and does not have a broad mix of unit types that would encourage families or older residents. Please see exhibit F.36 for additional details.

Staff Response to written comments received prior to March 10, 2017:

Many of the comments detailed concerns about increased residential on-street parking and congestion on narrow, crowded neighborhood streets. Public comments requested more on-site parking than required by Title 33, Portland's Zoning Code.

Staff responded to each public comment with an email detailing the code basis for the allowable height, the stacked tandem parking, and describing the Design Review process. Design Review is limited to addressing issues directly related to the approval criteria, which are the Community Design Guidelines and 33.825.040. The Staff response explained that design review is limited to exterior, on-site issues and that discretionary design review does not have purview over on-street parking, pedestrian right-of-way issues, or emergency vehicle access. All comments related to these issues were shared with the Portland Bureau of Transportation reviewer. The Portland Bureau of Transportation response is for approval of the project. See Exhibit E.5 for details.

Additionally, the Staff response outlined the opportunities for the public to engage in the design review process, through participation with the Neighborhood Association, written public comments, or appealing a Decision to the Design Commission. The Staff response includes code sections, quotes from code, and links to all relevant guidelines, overlays and base zone standards to facilitate understanding of Design Review. The Staff response to issues related to the approval criteria can be found in the findings below.

Procedural History:

The August 4, 2017 administrative Decision approved the proposal. The case was appealed by a neighbor on August 18, 2017, based on Guideline D7: *Blending into the Neighborhood* and Guideline D4: *Parking Areas and Garages*. While the Neighborhood Association wrote a letter of support during the Public Notice period on February 21, 2017, on September 27, 2017, it reversed its recommendation prior to the September 28, 2017 appeal hearing.

At the September 28, 2017 appeal hearing with the Design Commission, a testifier requested that the record remain open. At that point, the Staff planner read into the record that new testimony would be accepted until 5:00pm on October 5, 2017. No new testimony was received prior to 5:00pm. However, one letter was received at 8:31pm on October 5, 2017. After consultation with City Attorneys, it was determined that the letter could not be entered into the record, since it did not arrive within the period for receiving new testimony.

At the continued hearing on October 26, 2017, the Design Commission suggested that the applicant should strive for a more contextual response on future proposals. However, no new Conditions of Approval were suggested, and the Design Commission voted unanimously to uphold the Staff Decision and deny the appeal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

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

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Community Design Guidelines.

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.

Findings: The Hollywood and Sandy Plan details desired characteristics for this area as having a safe, clean, convenient, attractive and pedestrian-friendly environment. The Plan describes the desired development along this section of Sandy Boulevard as including commercial opportunities, while encouraging new housing and mixed-use developments. New commercial and mixed-use development along Sandy should step down, and relate to the scale and character of the adjacent established residential areas.

This proposal responds to the desired neighborhood characteristics by providing additional new housing and commercial tenant space, while focusing on an attractive, pedestrian-friendly environment. Its mass steps back at the fourth floor to reduce the perception of height from the street and better relate to the single-family residential across NE 51st Avenue and NE Thompson Street. The stepped back massing creates spaces for landscaped rooftop terraces facing the residential zones across the streets. To reflect the numerous existing masonry buildings in the Hollywood District, the applicant proposes using brick on the ground level and for most of the NE Thompson Street and NE 51st Avenue façades, and to incorporate wood accents on the east façade, derived from the surrounding residential context.

In response to public comments received during the Notice period, the NE Thompson Street and NE 51st street frontages have been lined with raised planters. The planters serve to define these street edges, raising the height of required landscape planting and further screening the surface level parking area from view. In response to the adjacent single-family residential context, the pad-mounted transformer has also been located within a matching brick enclosure. *These guidelines are 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.

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

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.

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: At this site, the existing sidewalk along NE 51st Avenue is 18 feet wide. This width far exceeds the standard 12 feet sidewalk corridor recommended by Portland Bureau of Transportation (PBOT). In response to neighborhood concerns about the difficulty of emergency vehicle navigation of narrow neighborhood streets, and concerns about reducing much-needed on-street parking, the applicant has worked with PBOT to develop a site plan that facilitates a wider street, maintaining on-street parking, and reducing the sidewalk width to 14 feet.

The proposal includes generous 6'-6" deep canopies along most of the NE Sandy Boulevard frontage. The canopy wraps around the corner to NE 51st Avenue. Recessed entrance doors and eleven new street trees provide additional shelter for pedestrians, and a pedestrian buffer from traffic. Along the NE Thompson Street and NE 51st street façades, the applicant proposes 8 to 13 ½ foot deep brick planters with deciduous and evergreen trees, shrubs and grasses to mitigate the impacts of the windowless façade on the pedestrian realm. To further facilitate a positive pedestrian environment, the front of the planters along NE Thompson integrate benches and down-cast lighting to contribute seating to the neighborhood as a visiting or resting place. The brick landscape planter is composed of the same durable material as the rest of the sidewalk-level of the building. The brick material is chosen to reflect the residential character of the NE Thompson and NE 51st Avenue, and serves to unify the sidewalk level of the building. Upper stories are predominantly 22-gauge metal panel backed with 1" rigid polystyrene, and reflect a more contemporary commercial material palette. *These guidelines are met.*

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

Findings: The intersection of the diagonal NE Sandy Boulevard and the rectilinear platted NE 51st Avenue create an acute, and highly visible corner. The proposal celebrates this corner with street-facing walls that are parallel to both street frontages, and large, floor-to-ceiling glazed windows, highlighted by a projecting metal frame. At the street level, the corner is entirely glazed, facilitating visibility of the commercial activity within. A deep canopy wraps around the corner above the street level windows.

At the NE 51st Avenue and NE Thompson street intersection, landscaping requirements dictate that the building's mass is pulled back from both street frontages. The applicant proposes a raised planter at this corner, planted with a diverse plant palette to further screen the windowless ground floor walls of the parking enclosure. The raised planter contributes a positive element to the pedestrian realm, and creates a sense of urban enclosure, while promoting a more prominent landscape area that is not likely to be negatively impacted by trash. *This guideline is met.*

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

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

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 for D1 and D3: The proposal replaces a former drive-through restaurant surrounding by a vacant parking lot, and a single-family home with a large commercial tenant space along NE Sandy Boulevard, and 85 residential units. All units have either roof decks or Juliet balconies, with full-length sliding glass doors, to promote open blinds and windows. This adds significant 'eyes on the street' and increased activity, helping to maintain neighborhood safety.

The proposal has a code-required 14' landscaped setback on the NE Thompson Street frontage, to help buffer the adjacent residential zone across the street. This setback is utilized for a raised brick planter for trees and landscaping, with integrated lighting and permanent benches. These landscape elements strive to mitigate the safety concerns that could result from an extensive setback combined with lack of ground floor windows. By filling the space with a raised planter, evergreen trees, evergreen shrubs and grasses, and including lighting and closed-circuit cameras, the proposal fills the setback with urban landscape elements and screens the adjacent enclosed surface parking. This area will be well lit, with the addition of a new light added to the top of an existing electric pole at the intersection of NE 51st and NE Thompson Street as well as a light above the exit door and step lights built into the landscape retaining wall.

Staff worked extensively with the applicant to design this street frontage to address its residential character and to prevent it from feeling like a back-of-house condition. The generator is located behind a wall, within the covered parking area, out of sight from the public right-of-way. The gas meter is tucked behind the raised planter. The transformer has been incorporated into a brick-walled enclosure, as an integrated extension of the raised planters. The transformer will be set back 3' from the sidewalk to the maximum amount supported by the utility company, and surrounded by low-growing, evergreen plants. To prevent graffiti, the 7' wide doors of the transformer enclosure will be finished in Vandlguard Ten anti-graffiti coating. The transformer is required by Portland Bureau of Transportation to be located on site, and to facilitate required access to utility vehicles, the transformer must not be pushed back further from the sidewalk. The enclosure is well integrated with the adjacent raised planters, and constructed of high quality materials and a finish that will reduce vulnerability to vandalism. Therefore, the Modification to facilitate the enclosure is warranted and better meets guidelines. *These guidelines are met.*

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

Findings: Two commercial entrances are located off NE Sandy Boulevard, a high-traffic, frequent-transit street. The entrances are framed by transom windows above, and glazing to the floor on both sides of the doors. These prominent entrances are pedestrian accessible and highlight the commercial uses within.

The residential entrance fronts the more residential NE 51st Avenue, near the middle of the block. The glazed entrance is sheltered by the overhanging building mass above. Its entrance is visible and easily accessible from the NE Sandy Boulevard transit street. A low planter separates the residential entrance from the adjacent service door into the trash and recycling room. *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: Based on the number of units and the area of the proposed commercial space, this proposal requires 96 long-term bicycle parking spaces and seven short-term bicycle parking spaces. To reduce the number of required car parking spaces, the applicant proposes to provide 35 additional long-term bicycle parking spaces. Twenty-three hanging bicycle racks will line the ground-floor residential entrance hall. The rest of the long-term bicycle parking racks will be mounted in the residential units. The applicant has provided four short-term bicycle parking spaces tucked beneath the overhang of the building, between the trash room entrance and the entrance to the surface car parking area. This sheltered bicycle parking is conveniently located near the residential entrance, and its weather-protected location increases the likelihood that it will be well-used. Since the four provided spaces are not sufficient to meet the seven required by code, the applicant has chosen to pay into the City's short-term bicycle parking fund for the code required short-term minimum, which will be used by the Portland Bureau of transportation to provide convenient bicycle parking in the public right-of-way.

With three street frontages, the proposal includes parking tucked beneath the building mass and screening it along both street frontages with low raised planters and landscaping. This mitigating treatment serves to prevent headlights from impacting neighboring properties, and also to obscure the visibility of the parking area. The ground floor walls around the parking area are screened by landscape elements, including extensive evergreen plantings.

The applicant is proposing to provide the quantity of parking spaces required by code. While 29 parking spaces are required for the 85 proposed units, the applicant has utilized code-provided opportunities to substitute alternative transportation options to reduce the required parking spaces. Thirty-five additional long-term bicycle parking spaces are provided through in-unit wall racks, five motorcycle spaces and two car share spaces reduce the number of required and proposed parking spaces to 17 private spaces and two car share spaces. To facilitate the required quantity of parking without reducing the amount of ground floor active use space, the applicant requests a Modification to allow for stacked parking with no valet. Stacked parking allows two cars to be parked end-to-end, in two 32' deep parking spaces. This configuration only works when both spaces are leased to residents of a common unit. To ensure participation with a car share program, Condition of Approval C requires the applicant to submit an executed contract with a car sharing company at the time of permit application. *With the condition that an executed contract with a car sharing company is submitted at the time of permit application, to allow substitution of car sharing spaces for required parking per 33.266.110.D.2.e, this guideline is met.*

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

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

Findings: The site is located at a key transitional zone, bridging the high-traffic, urban transit street to the north with the residential neighborhood to the south and east. The Main Street Overlay has specifically identified this segment of NE Sandy to benefit from an additional 20' of height over the base zone maximums, to encourage residential development. The six-story building is proposed to be 64' to the rooftop parapet, just shy of the 65' maximum. At the fourth story, the mass steps back along the NE 51st Street and NE Thompson Street frontages, creating a 10' deep space for roof decks along NE

51st, and 12'-4" deep terrace on NE Thompson Street. The roof terraces activate the façade, reduce the perception of building height and facilitate better solar access for neighbors to the east. Private roof decks are separated by large metal planters and small trees, to allow for additional landscape screening, and to soften the façade of the upper stories.

The façade and materiality are similarly responsive to the simultaneously urban and residential characteristics of this site. The Sandy façade is primarily metal, presenting a very urban, contemporary façade patterning toward the busy transit street. The façade is broken into vertical modules, separated by metal panel ornamental frames that project out approximately 1'-10" beyond the face of the building. Facing the residential zones, the NE Thompson elevation is primarily clad in tan veneer brick, a material that reflects both residential and neighborhood historic context. The NE 51st Avenue elevation combines light gray colors of 22 gauge backed metal panel with the tan brick as a unifying frame. The second and third stories of this facade incorporate 1"x6" tongue-and-groove Sapele mahogany cladding accents to further tie the materials to the residential neighborhood across the street. The tongue and groove system will be finished with a penetrating deck stain. The individual boards can be easily replaced if necessary, and the location on the second and third stories facilitates repair by ladder if necessary.

The street level is softened with aluminum clad wood storefront systems and a black porcelain tile band beneath the storefront windows. The west-facing end wall, overlooking the existing Firestone tire facility, is clad in the tan veneer brick, with a subtle detail to demarcate floor levels. The proposal is reflective of the unique contexts across each of its street frontages, while unifying the overall building in a color and material palette that is cohesive and subdued. *These guidelines are met.*

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.

Modification #1: Stacked Parking Without a Valet, 33.266.100.F - Allow for four stacked parking spaces, with two cars parked end-to-end, without a valet.

Purpose of Standard 33.266.100 – Stacked Parking

Stacked parking is required to have an attendant present to move vehicles, in order to ensure efficient and consistent use of parking spaces.

Findings for Modification 1: The applicant proposes four stacked parking stalls within the at-grade structured parking area. In each stacked stall, the front vehicle does not have access to the drive aisle without having to move the vehicle behind it. Thus, the access and function of the tandem stalls will be handled by the assigned tenants and building management, meeting the purpose of the standard to provide convenient exit and

entry for vehicles. To facilitate efficient space sharing, each 32' long stacked parking stall is intended to be leased to residents from the same unit. A dedicated turn-around space has been provided to ensure that all vehicles can egress in a forward motion. The tandem stall design allows the proposal to provide its required parking in the most efficient use of space. This reduces the area of the surface parking and facilitates more commercial tenant space, landscaping, and other community amenities. In doing so, this Modification better meets Design Guidelines D.4 – Parking Areas and Garages; D.7 – Blending into the Neighborhood and D.8 – Interest, Quality and Composition.

Modification #2: Transformer Enclosure

- A. Reduce L2 landscaping due to utility requirements for transformer location -33.460.210.C**
- B. Allow for mechanical screening that is over 42” high and less than 50% open in the required setback - 33.130.235.C; 33.130.265.A; 33.130.270.C**

Purpose of 33.460.210 - Transition Between Residential and Commercial Zones

These regulations ensure a landscaping treatment along commercial lot lines that face, but are across the street from a single-dwelling residential zone. In addition, the regulations prevent large blank walls above the ground floor from facing residential sites across a street and ensure that building heights reduce to relate to adjoining single-dwelling zones.

Purpose of 33.130.235 – Screening

The screening standards address specific unsightly features which detract from the appearance of commercial areas.

Purpose of 33.130.265 – Detached Accessory Structures

These standards are intended to maintain separation and privacy to abutting residential zoned lots from nonresidential development.

Purpose of 33.130.270 – Fences

The fence regulations promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences near streets are kept low in order to allow visibility into and out of the site and to ensure visibility for motorists. Fences in any required side or rear setback are limited in height so as to not conflict with the purpose for the setback.

Findings for Modification 2: When the building footprint does not include the entire site, the Portland Bureau of Transportation requires the transformer to be located on-site, rather than in the public right-of-way. The utility company requires that the transformer is located near the property line, where it may be easily accessed from the street. The utility company prohibits any landscaping between the transformer and the right-of-way that might impede emergency access. In conjunction, these requirements force the transformer (a detached accessory structure) to be located within the required landscaped setback, without L2 landscape screening between the transformer and the sidewalk.

Acknowledging that these constraints require a Modification to the required L2 landscaping between a commercial zone and an adjacent residential zone, the unsightly transformer is enclosed by a fully sight-obscuring screen to shield it from the residential homes across the street. Utilizing brick walls and a steel door finished with anti-graffiti coating, the applicant proposes a 6' tall screen set 3' behind the property line. The transformer location, almost 90 feet from the nearest intersection, will not impede visibility or safety.

The enclosure utilizes elements that are of a scale and palette typical to residential sites to prevent the transformer from detracting from the appearance of the commercial site. It is integrated with the adjacent raised planter landscaping treatment along NE Thompson Street, which helps to mitigate the blank wall condition created by the structured parking area. The building steps down on both NE 51st and NE Thompson, with landscaped roof terraces, to further respond to the adjacent residential context.

This Modification allows for the transformer to be located 3 feet behind the sidewalk, within a 6-foot-tall brick enclosure, and behind solid 1/8" steel doors. It reduces the required L2 landscaping, and allows a fence that is more than 50 percent sight-obscuring and more than 3-1/2 feet high to be located within 10 feet of a pedestrian connection. The sight-obscuring mechanical equipment enclosure serves to better meet pedestrian-oriented guidelines and will be visually softened with landscaping to the extent possible. In doing so, this Modification better meets Design Guidelines P.1 – Plan Area Character; D.7 – Blending Into the Neighborhood; E.1 – The Pedestrian Network; D.3 – Landscape Features; D.5 – Crime Prevention; D.6 – Architectural Integrity; and D.8 – Interest, Quality and Composition.

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.

REVIEW BODY 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. The proposal meets the applicable design guidelines and modification criteria and therefore warrants approval.

The proposal sufficiently addresses its adjacent residential context through the required landscape buffers and step-downs that are dictated by its Main Street Corridor Overlay. It is responding to the changing context of NE Sandy Boulevard, and has incorporated the minimum parking requirements and uses, as allowed by Title 33, into a building that meets the allowed maximum height requirements. The primary concerns of the appellant and public testifiers were the 64' height, in relation to adjacent single-family residential homes, and the impacts of on-street parking. The Design Commission noted that their purview to reduce the height for a site below what is allowed through Title 33 is limited to shaping a building to better respond to its context. The Design Commission does not have purview to require more than the minimum required parking spaces.

REVIEW BODY DECISION

Approval of a 64' tall, 85-unit mixed use building, per the approved site plans, Exhibits C-1 through C-71, signed and dated July 27, 2017 subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through 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 17-256298 DZM." All requirements

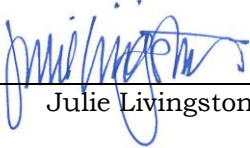
must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

- B. 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 Review decision and approved exhibits.
- C. Submit an executed contract with a car sharing company at the time of permit application to allow substitution of car sharing spaces for required parking per Zoning Code Subsection 33.266.110.D.2.e.
- D. No field changes allowed.

Staff Planner: Hannah Bryant

First Hearing Date: September 28, 2017

Findings and conclusions by the Design Commission on: November 7, 2017

By:  _____ Chair, Historic Landmarks Commission
Julie Livingston

Date Final Decision Effective/Mailed: November 7, 2017

120th day date: December 23, 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 10, 2016, and was determined to be complete on December 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 10, 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 requested that the 120-day review period be extended for 245 days (Exhibit G.16). Unless further extended by the applicant, **the 120 days will expire on: December 23, 2017.**

Appeal of this Decision. This decision is final and becomes effective the day the notice of decision is mailed (noted above). This decision may not be appealed to City Council; however, it may be challenged by filing a "Notice of Intent to Appeal" with the State Land Use Board of Appeals (LUBA) within 21 days of the date the decision is mailed, pursuant to ORS 197.0 and 197.830. A fee is required, and the issue being appealed must have been raised by the close of the record and with sufficient specificity to afford the review body an opportunity to respond to the issue. For further information, contact LUBA at the Public Utility Commission Building, 550 Capitol Street NE, Salem, OR 97310. [Telephone: (503)373-1265]

Recording the Final Decision.

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **November 8, 2017** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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 permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

A. Applicant's Submittals

1. Original Submittal, dated September 30, 2016
2. Stormwater Management Report, September 30, 2016
3. Revised Submittal, dated November 17, 2016
4. Revised Plans and Elevations, December 15, 2016
5. Revised Landscape Plan and Details, dated December 21, 2016
6. Revised Site Plan, dated December 23, 2016, received January 4, 2017
7. Email from Richard Rapp to Hannah Bryant (BDS), December 23, 2016, regarding scheduling a meeting with the Neighborhood Association.
8. Memo from Eric Li, January 9, 2017, summarizing notes from meeting with BDS Staff.
9. Revised Site Plan, dated December 23, 2016, received January 13, 2017
10. Email from Richard Rapp to Hannah Bryant (BDS), January 19, 2017, regarding ongoing discussions with PBOT.
11. Revised Plans and Elevations with memo detailing new changes, January 26, 2017
12. Revised Site Plan, January 27, 2017
13. Revised Submittal and Memo responding to BDS comments, January 31, 2017
14. Revised Composite Utility Plan, February 1, 2017
15. Email from Buck Smith, February 7, 2017, regarding BDS Plumbing Code Appeal timing.
16. Applicant's Emails re: drywells, February 14, 2017
17. Turning Diagram, February 20, 2017

18. Email from Eric Li, February 21, 2017, regarding updates to the site plan.
 19. Email from Bob Thompson to Hannah Bryant (BDS), February 23, 2017, with updates from the recent meeting with Rose City Park Neighborhood Association.
 20. Revised Renderings and Plans, dated January 31, 2017, received March 2, 2017
 21. Applicant's Notes from 3/8 meeting, March 10, 2017
 22. Email from Eric Li, March 15, 2017, listing pad-mounted transformers as precedent for the proposed transformer at this site.
 23. Email from Eric Li, March 16, 2017, regarding current BES issues.
 24. Revised Submittal, dated April 3, 2017.
 25. Memo from Eric Li, April 4, 2017, noting changes in recent submittal.
 26. Email from Eric Li, April 13, 2017, regarding pad-mounted transformer updates.
 27. Revised East Elevation, dated April 17, 2017
 28. Memo from Eric Li, April 26, 2017, noting changes in recent submittal.
 29. Revised Submittal, dated April 26, 2017.
 30. Email from Eric Li, April 26, 2017, noting changes in response to Staff comments.
 31. Revised Submittal and Memo detailing changes, dated May 2, 2017, received May 3, 2017
 32. Neighborhood Context Photos (five sheets), dated May 2, 2017
 33. Existing Site Photos, dated May 2, 2017
 34. NE 51st Avenue Rendering, dated May 2, 2017
 35. NE 51st Avenue and NE Sandy Blvd. Rendering, dated May 2, 2017
 36. NE Sandy Blvd. Rendering, dated May 2, 2017
 37. NE 51st Avenue and NE Thompson Street Rendering, dated May 2, 2017
 38. NE Thompson Street, looking NE, Rendering, dated May 2, 2017
 39. NE Thompson Street, looking North, Rendering, dated May 2, 2017
 40. Street Context Elevations, dated May 2, 2017
 41. Neighborhood Association Contact Notice
 42. Email from Eric Li, May 4, 2017, noting changes to the site plan.
 43. Revised Submittal, May 26, 2017
 44. Email from Eric Li, June 13, 2017, noting changes in response to permit review issues
 45. Email from Eric Li, July 11, 2017, noting changes in new submittal
 46. Revised Submittal, July 12, 2017
 47. Email from Eric Li, July 25, 2017, noting changes to new submittal
- B. Zoning Map (attached)
- C. Plans/Drawings:
1. Site Plan | Zoning Map (attached)
 2. Height Limits Map
 3. Project Summary
 4. Current Conditions
 5. Legal Justification
 6. Legal Justification
 7. Legal Justification
 8. Community Design Guidelines
 9. Community Design Guidelines
 10. Not Used
 11. Not Used
 12. Not Used
 13. Area Diagrams
 14. Existing Conditions Survey
 15. Composite Utility Plan
 16. Landscape Diagrams
 17. Level 01 Material and Planting Plan
 18. Level 01 Plant Board
 19. Level 04 Material and Planting Plan
 20. Not Used

21. Site Plan | Level 01 Floor Plan
 22. Level 02-03 Floor Plan
 23. Level 04 Floor Plan
 24. Level 05-06 Floor Plan
 25. Roof Plan
 26. Lighting Plan
 27. Not Used
 28. Not Used
 29. Not Used
 30. Not Used
 31. Not Used
 32. Not Used
 33. East Elevation (NE 51st Ave.)
 34. North Elevation (NE Sandy Boulevard)
 35. West Elevation
 36. South Elevation (NE Thompson Street)
 37. Inlet Elevations
 38. North | South Section
 39. NE | SW Section
 40. East | West Section
 41. Composite Detail Sheet – East Wall Sections at Storefront
 42. Composite Detail Sheet – North Wall Sections
 43. Composite Detail Sheet – East Wall Sections at Parking Entrance
 44. Composite Detail Sheet – South Wall Sections at Fire Stair
 45. Composite Detail Sheet – West Wall Section at Parking Lot
 46. Ground Floor Windows
 47. Details – Deck Edge at Sliding Door and Vinyl Window
 48. Details – Brick | Metal Transition; Brick at Edge of Deck
 49. Details – Storefront at Soffit; Two-Hour Exterior Wall
 50. Details – Deck at Planter; Parapet at Planter
 51. Details – Parapet
 52. Details – Wood Siding & Roof Deck; Wood Siding & Slab
 53. Details – Parapet – Brick & Metal
 54. Details – Wood Storefront & Porcelain Tile
 55. Details – Level Two Slab at Canopy
 56. Details – Low Roof at East Retail
 57. Transformer Detail
 58. Detail – Venting Strategy
 59. Detail – Storefront Entry Canopy
 60. Material Cut Sheets – Mica Veneer Brick
 61. Material Cut Sheets – Flat Metal Panel (SMP) – 22 gauge backed by 1” foam
 62. Material Cut Sheets – Wood Siding & Finish – Sapele Mahogany
 63. Material Cut Sheets – Porcelain Tile
 64. Material Cut Sheets – PVC sliding door in ‘Black Brown’ color
 65. Material Cut Sheets – Vinyl Casement and Picture Windows
 66. Material Cut Sheets – Picture Window Sections
 67. Material Cut Sheets – Long Term, Wall Mounted Bike Rack
 68. Material Cut Sheets – Rooftop Mechanical Unit
 69. Material Cut Sheets – Emergency Generator & Transformer
 70. Material Cut Sheets – Exterior Lighting
 71. Material Cut Sheets – Exterior Lighting
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses:

1. Fire Bureau
2. Water Bureau, February 22, 2017
3. Site Development, February 21, 2017
4. Life Safety, February 22, 2017
5. Bureau of Transportation, May 19, 2017
6. Bureau of Environmental Services, April 20, 2017; May 18, 2017

F. Correspondence:

1. Kyna Alders, February 21, 2017.
2. Anonymous, February 22, 2017.
3. Padgett & Eleanor Arango, February 22, 2017.
4. William Bachhuber, February 22, 2017.
5. Gail Boger, March 1, 2017.
6. Mary Charlotte (Brown) Brawley, February 22, 2017.
7. Melissa Camarillo, February 21, 2017, and a second letter on February 24, 2017.
8. Heather Carney, February 20, 2017.
9. Maylene Cavazos – Buckendorf, February 23, 2017.
10. Amy Danielson, February 22, 2017.
11. Tamara DeRidder, on behalf of Rose City Park Neighborhood Association on February 21, 2017.
12. Jack Drorbuagh, February 21, 2017.
13. Teresa Duran, February 21, 2017.
14. Jason Enderbury, February 20, 2017.
15. Darin Farrell, February 22, 2017.
16. Ormond Fredericks, February 20, 2017.
17. Heidi Griffith, February 22, 2017.
18. Scott Jeffries, February 3, 2017.
19. Jennifer Kersgaard, February 20, 2017, and a second letter on February 21, 2017.
20. Jesse Kersgaard, March 9, 2017.
21. Jesse Irma Lien, February 21, 2017.
22. Peter Lynch, February 22, 2017.
23. Sue MacMillan and Tim Browning, February 21, 2017.
24. Robert Carl Miller and Joan Bryant, February 21, 2017.
25. Loren Minnick, February 22, 2017.
26. Chelsea Morgan, February 21, 2017.
27. Katherine Nelson, February 21, 2017.
28. John Nikkel, February 22, 2017.
29. Angie Otto, February 22, 2017.
30. Sharon Patterson, February 22, 2017.
31. Don Reiner, February 22, 2017.
32. Lucy Schneid, February 20, 2017.
33. Eleanor Segal, February 20, 2017.
34. Laura Seurnyck, February 20, 2017.
35. Laurie Skokan, February 22, 2017.
36. Tim Sweeney, February 22, 2017.

G. Other:

1. Original LU Application
2. Early Assistance Summary Notes, August 29, 2016
3. Staff Site Photos, October 28, 2016
4. Incomplete Letter, November 7, 2016
5. Email from Hannah Bryant to applicants, on November 18, 2016, with notes to follow up from a meeting. Topics include: possible landscaping and parking Modifications, ground-floor windows, oriels and response to adjacent residential context.
6. Email from Hannah Bryant to applicants, on January 6, 2017, requesting more information about necessary Modification.

7. Email from Hannah Bryant to applicants, on January 10, 2017, with notes to follow-up from a meeting. Topics include short-term bike parking and Modifications.
8. Email from Teresa Montalvo (PBOT) to Hannah Bryant (BDS), February 9, 2017, noting that the applicant has not yet submitted a utility plan.
9. Email from Jocelyn Tunnard (BES) to applicants, February 15, 2017, requesting a stormwater report, utility plan, infiltration tests, a BDS plumbing code appeal and Pollution Prevention reports.
10. Email from Bron Stoll-Engelsen (BES) to applicants, February 16, 2017, with attached utility plan.
11. Email from Teresa Montalvo (PBOT) to Applicants, February 21, 2017, indicating that PBOT has yet to receive a utility plan and therefore cannot support the design review.
12. Email from Teresa Montalvo (PBOT) to Design Review Staff, February 23, 2017, PBOT has yet to receive a utility plan. PBOT suggests applicant address community on-street parking concerns by widening the street to prevent a reduction in on-street parking.
13. Email from Jocelyn Tunnard (BES) to applicants, February 23, 2017, requesting further information regarding stormwater management.
14. Email from Hannah Bryant (BDS) to applicants, February 24, 2017, requesting that they put the application on hold while they resolve issues related to approval criteria. A comprehensive list of unresolved BDS|BES|PBOT issues is attached.
15. Staff information provided via email to all public commenters, February 2017
16. 245 Day Extension, February 25, 2017, signed by Vic Remmers
17. Email from Jocelyn Tunnard (BES) to applicants, February 27, 2017, clarifying information necessary to complete a drywell plumbing code appeal.
18. Email from Hannah Bryant (BDS) to applicants, March 14, 2017, with a case status update and response to applicant-provided meeting summary notes.
19. Email from Hannah Bryant (BDS) to applicants, March 17, 2017, response to applicant email regarding pad-mounted transformer precedents.
20. Email from Hannah Bryant (BDS) to applicants, April 20, 2017, with notes following up from a phone meeting.
21. Email from Teresa Montalvo (PBOT) to Hannah Bryant (BDS), April 20, 2017, with reminder that utility plan remains outstanding.
22. Email from Jocelyn Tunnard (BES) to Hannah Bryant (BDS), April 20, 2017, with a reminder that the BDS Plumbing Code Appeal Approval remains outstanding.
23. Email from Hannah Bryant (BDS) to applicants, April 20, 2017, with case status update, including outstanding items from BDS | BES | PBOT.
24. Email from Hannah Bryant (BDS) to applicants, April 21, 2017, with a Modification status update.
25. Email from Hannah Bryant (BDS) to applicants, May 1, 2017, with a case status update. Neither PBOT nor BES had signed off on their reviews, and therefore Design Review cannot issue a Decision.
26. Email from Hannah Bryant (BDS) to applicants, July 26, 2017, outlining timeline for issuing a Decision and requesting prompt submission of revised drawings.

H. Information Received After Administrative Decision

Received Prior to Appeal Hearing #1

1. Appeal Submittal – Laurie Skokan
2. Type II Notice of Appeal Hearing
3. Mailing List
4. Staff memorandum to the Portland Design Commission, September 26, 2017
5. E-Mail from John Nikkel, August 14, 2017

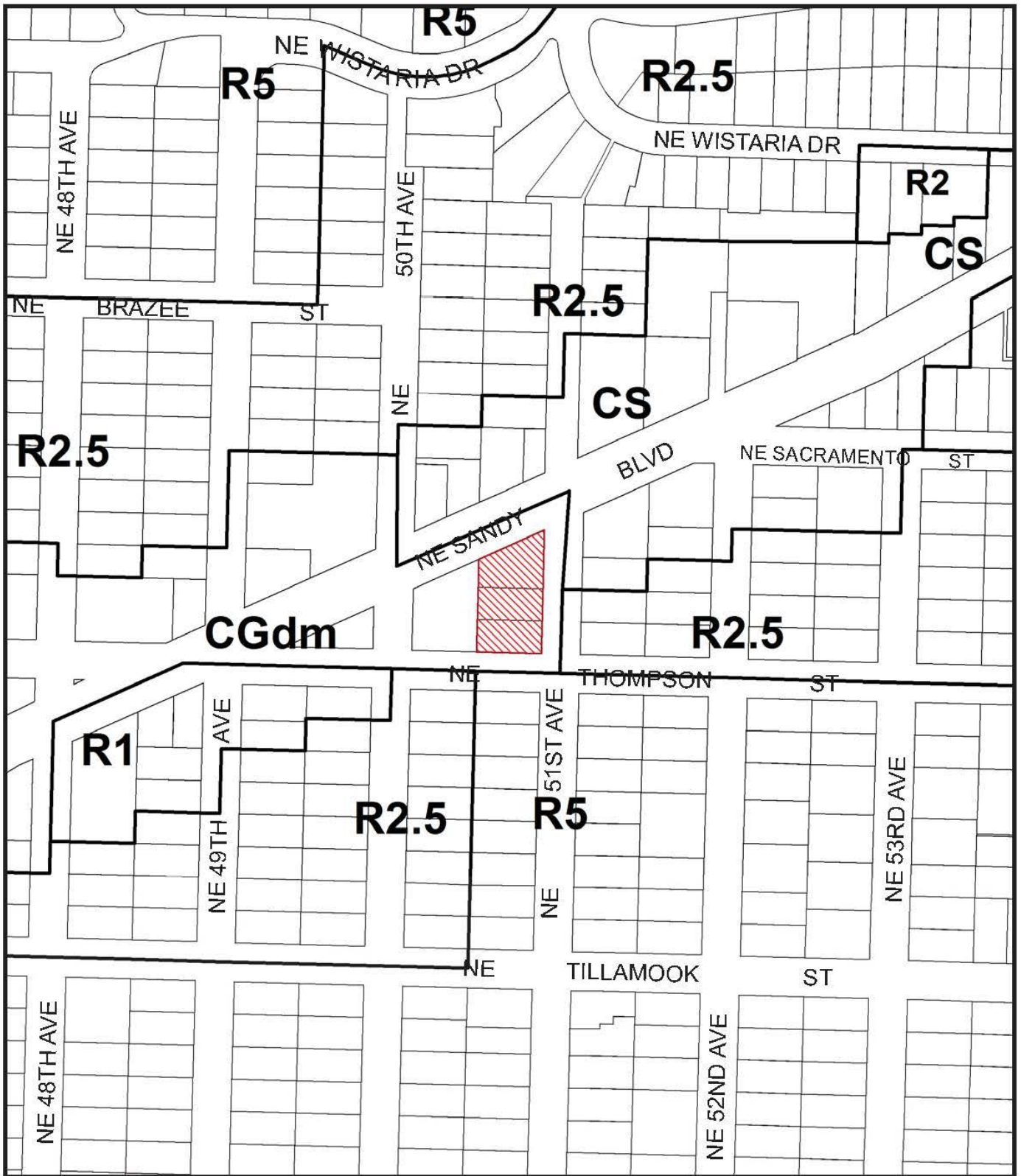
Received at Appeal Hearing #1 – September 28, 2017

6. Staff PowerPoint Presentation to Hearing Body
7. Oral Testimony Request for Record to remain open – John Nikkel

Received Prior to Appeal Hearing #2

8. E-mail from Laurie Skokan, October 13, 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).



ZONING



 Site

File No. LU 16-256298 DZM
 1/4 Section 2835
 Scale 1 inch = 200 feet
 State_Id 1N2E30CA 10000
 Exhibit B (Oct 14, 2016)

