Ted Wheeler, Mayor
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

FINAL FINDINGS AND DECISION BY THE DESIGN COMMISSION RENDERED ON August 1, 2019

CASE FILE NUMBER: LU 19-152193 DZM
PC 18-230298

Holden of Pearl Senior Living

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.

BUREAU OF DEVELOPMENT SERVICES STAFF: Staci Monroe 503-823-0624 / staci.monroe@portlandoregon.gov

GENERAL INFORMATION

Applicants:	Jeremiah Jolicoeur & Evan Lawler | Alliance Realty Partners, LLC 1325 4th Ave, Suite 1005 | Seattle, WA 98101 jjolicoeur@allresco.com | elawler@allresco.com
Architect:	JP Emery | Ankrom Moisan Architects, Inc 1505 5th Ave #300 |Seattle, WA 98101 jpe@ankrommoisan.com | (206) 576-1627
Owner:	Hoyt Street Properties LLC 1022 NW Marshall St #270 | Portland, OR 97209-2989
Site Address:	Northeast corner of NW 13th & Quimby
Legal Description:	BLOCK 246 TL 712, COUCHS ADD
Tax Account No.:	R180222190
State ID No.:	1N1E28DD 00712
Quarter Section:	2828 & 2928
Neighborhood:	Pearl District, contact planning@pearldistrict.org.
Business District:	Pearl District Business Association, contact at info@explorethepearl.com
District Coalition:	Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District:	Central City - Pearl District
Zoning:	EXd - Central Employment zone 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 16-story senior living facility in the Pearl subdistrict of the Central City Plan District. The project includes 218 units (both independent and assisted living) for seniors and a memory care facility. The ground floor consists of commercial and lobby space, memory care units and amenities, and a courtyard. Parking and loading will be accessed off Quimby and will include an internal drop-off area and 149 parking spaces in a basement level. A loading dock is proposed along NW 13th and pedestrian and bike paths with landscaping along the NW Raleigh and 12th frontages. A large outdoor terrace is proposed atop the 4th level. Building materials include brick, metal panel, aluminum storefront system and vinyl windows.

The following Modifications are also requested (PZC 33.825.040):

1. *Bike Parking* – Reduce the 2' width of bike parking spaces to 18" for vertical mounted racks (33.266.200.C.3.B).
2. *Loading* - Reduce one of the two required Standard A loading spaces to a Standard B (33.266.310.C.2.c).
3. *Ground Floor Windows* – Reduce the 40% window area requirement along Raleigh for the non-residential portions of the ground floor to 22% and reduce the 2' height of the window requirement along Quimby for the residential units to 1'-9" along a portion of the frontage. (33.510.220.B.2 & 33.130.230.B.4.c).

The Modification originally requested to the Special Building Height along NW 13th was removed from the proposal as this standard cannot be Modified or Adjusted per 33.510.250.A.

A Type 3 Design Review is required for new development in the River District that adds more than 1,000 SF and has a value of more than $473,250 per Sections 33.420.041.A and 33.825.025.A.1 (Table 825-1).

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

- Central City Fundamental Design Guidelines
- River District Design Guidelines
- Section 33.825.040 – Modifications through Design Review approval criteria
- Statewide Planning Goals

ANALYSIS

Site and Vicinity: The subject property is a larger than full-block unimproved site approximately 57,586 SF in size, located in the Pearl Sub District and bound by NW 13th and NW Quimby Streets. The public rights-of-way of NW 12th and NW Raleigh do not extend onto the site but rather dead end at the property and occur in the form of 25' wide pedestrian and bicycle access easements along the north and east ends as required by the previous Hoyt Street Yards Central City Master Plan approval. The property was formerly owned by the Spokane, Portland and Seattle Railway Company and housed freight yards, a train shed and office. Over the past decade, the character of

the neighborhood has significantly changed, providing opportunities for viable residential, commercial, and open space development.

Adjacent residential and mixed-use developments include the 6-story Abigail immediately north of the site, the 6-story Parker on the south side of Quimby and the 6-story Ramona to the west across 13th. The lot immediately east is undeveloped. Nearby developments include the Fields Park and a number of mixed-use residential buildings ranging from 28-stories (Cosmopolitan) down to 6-stories (The Ramona). The area is designated as the Northwest Triangle Pedestrian District in the Transportation System Plan with NW Quimby & NW 13th Avenue as Local Service Streets and Bikeways, and City Walkways. NW 12th Avenue and Raleigh are designated as transit access streets but are not platted that include 25' wide pedestrian easements and are Local Service Walkways and Bikeways.

The River District was established as an Urban Renewal Area in 1998, selected as such for its proximity to the core of downtown and to correct blighted conditions that had overtaken the area. It was envisioned that transit and open space improvements, as well as the introduction of dense housing and commercial opportunities would bring new life into this area while meeting the state land use planning goals. Since 2001, the River District, and in particular the Pearl District at the heart of the URA, has transformed significantly into one of Portland's densest and fastest-growing neighborhoods.

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 "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 Central City Plan District implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation Management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the Pearl sub district.

Land Use History: City records indicate the following prior land use reviews for this site.

- DZ 91-89/7948 – Planning Commission approval for rezoning of 40-acre site formerly occupied by the Burlington Northern Railroad from GI-1 to CED and approval for a Central City Master Plan for the same area.
- LUR 92-00798 MS LA – Master plan amendments to the Central City Master Plan approved through DZ 91-89/7984 and Late Acceptance of the zone change approval, also from DZ 91-89/7948.
- LUR 99-00542 SU MS – Type III Subdivision and Central City Master Plan Amendment to Glacier Park Company/Hoyt Street Yards Master Plan (approved 11/7/1989) to create 43 lots with new streets. Development agreement between City

of Portland & Hoyt Street Properties, LLC (approved 9/8/1997 and amended 3/12/1999).
- LU 13-189059 DZM – Type III approval for a six-story apartment building at the corner of NW 13th & NW Raleigh. (Abigail Apartments).
- LU 16-134889 DZM – Type III approval for a 21-story, 143-unit residential tower at NW Quimby and NW 12th Ave (Vista Apartments).

Agency Review: A "Notice of proposal in Your Neighborhood" was mailed June 21, 2019. The following Bureaus have responded with no issue or concerns:
- Bureau of Environmental Services (See Exhibit E.1)
- Bureau of Transportation Engineering and Development Review (See Exhibit E.2)
- Site Development Section of BDS (See Exhibit E.3)
- Fire Bureau (See Exhibit E.4)
- Bureau of Parks, Urban Forestry Division (See Exhibit E.5)
- Plan Review Section of BDS (See Exhibit E.6)
- Water Bureau

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **June 21, 2019**. One written responses have been received from the Neighborhood Association in response to the proposal.
- David Dysert, Pearl District Neighborhood Association, July 11, 2019, supporting the project & encouraging more pedestrian amenities along the dock & special attention is needed for elements in the north and east pedestrian paths.

Staff Response: Revisions have been made to improve the pedestrian experience along the dock and the quality of the elements within the north and east pedestrian paths have been considered. Details can be founding in the findings below.

Land Use Procedural History:
- The Design Review application was:
  - Received on 4/19/19.
  - Deemed Incomplete on 5/10/19.
  - Deemed Complete 5/20/19.
- First Design Review hearing occurred on 7/11/19
- Second Design Review hearing occurred on 8/1/19

ZONING CODE APPROVAL CRITERIA

(1) 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 Central City Fundamental Design Guidelines and River District Guidelines.

River District Design Guidelines and Central City Fundamental Design Guidelines
The River District is a remarkable place within the region. The area is rich with special and diverse qualities that are characteristic of Portland. Further, the River District accommodates a significant portion of the region's population growth. This area emphasizes the joy of the river, connections to it, and creates a strong sense of community. The goals frame the urban design direction for Central City and River District development.

The Central City Fundamental Design Guidelines and the River District Design Guidelines focus on four general categories. **(A) Portland Personality,** addresses design issues and elements that reinforce and enhance Portland's character. **(B) Pedestrian Emphasis,** addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design,** addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas,** provides design guidelines for the four special areas of the Central City.

River District Design Goals
1. Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
2. Create a community of distinct neighborhoods that accommodates a significant part of the region's residential growth.
3. Enhance the District's character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
4. Strengthen connections within River District, and to adjacent areas.

Central City Plan Design Goals
1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous**;**
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

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

A1-1. Link the River to the Community. Link the Willamette River to the community reinforcing the river's significance. This guideline may be accomplished by:
1) Organizing land areas and groupings of buildings to visually define the river's linkage to the community.
2) Focusing and articulating roadways and pedestrianways to emphasize the river.
3) Developing projects that celebrate the river and contribute to creating centers of interest and activity that focuses on the Willamette.
4) Connecting the internal areas of the District to the Willamette Greenway Trail.

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

C1-1. Increase River View Opportunities. Increase river view opportunities to emphasize the River District ambiance. This guideline may be accomplished by:
1) Designing and locating development projects to visually link their views to the river.
2) Providing public stopping and viewing places which take advantage of views of River District activities and features.
3) Designing and orienting open space and landscape areas to emphasize views of the river.

Findings for A1, A1-1, C1, & C1-1: Though the proposed building is located two blocks away from the river, visual connections to the Willamette will occur in the following ways:
- The height of the tower provides river view opportunities for a high percentage of the tenants.
- The balconies on the north and east elevations of the tower further extend the visual connection to the river.
- The smaller floor plate of the tower also helps to preserve some of the existing views of the river from buildings to west and south.
- The podium with a large outdoor terrace on the eastern half will also corner affords views of the river.

Although there is no direct access across the railroad tracks or Naito to the river from the site, the pedestrian and bike paths along the eastern and north frontage will facilitate movement to current crossings at Overton and 9th and potential future connection to the east and down to the Fields Park where a concept crossing has been discussed. *These guidelines are met.*

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

Findings: Rather than incorporating symbols of Portland such as the great blue heron, the rose, bridges, etc., which is what was intended when this guideline was written, more contemporary approaches can be subtler and reflect the culture and climate of Portland. As such, the proposed building instead provides extensive views to the surrounding landscape, thereby providing inspiration in the actual built and natural environment rather than in symbols of this environment. The proposal does this through use of large areas of glass, the tall height of the tower and the views it affords, and access to the outdoors at every habitable level. In addition, the incorporation of a visible stormwater facility (ecoroof) on the upper podium and the large bike rooms are also expressive of Portland themes. *This guideline is met.*

A3. Respect the Portland Block Structures. Maintain and extend the traditional 200-foot block pattern to preserve the Central City's ratio of open space to built space.

Where superblocks exist, locate public and/or private rights-of-way in a manner that reflects the 200-foot block pattern, and include landscaping and seating to enhance the pedestrian environment.

A3-1. Provide Convenient Pedestrian Linkages. Provide convenient linkages throughout the River District that facilitate movement for pedestrians to and from the river, and to and from adjacent neighborhoods. This guideline may be accomplished by:

1) Using visual and physical cues within the design of the building and building entries to express connections to the river and to adjacent neighborhoods.
2) Orienting integrated open spaces and trails that physically and visually link the river and/or surrounding neighborhoods.
3) Reusing or retaining cobblestone within the design of new development.
4) Encouraging flexibility and creativity along streets enhancing their historic or cultural role.
5) Creating visual and physical links across major corridors such as I-405, Burnside, and Front/Naito to strengthen connections to the river and other neighborhoods.

Findings for A3 & A3-1: The site, at 57,586 SF, is larger than a typical block because of prior approvals. During the Hoyt Street Yards Masterplan and subsequent amendments, Raleigh and 12th were determined to be better suited as pedestrian and bike paths rather than a typical public street. The building footprint is 200' (north-south) and 210' (east-west), which is a reduction from an earlier concept shown at the 1st DAR. The east-west dimension was longer and lacked alignment with the blocks to the north and south. Reducing the east-west dimension increased the width of NW 12th, which was supported by Staff and the Commission to improve the quality of the space between the buildings. While the building edge along NW 12th doesn't exactly align with those to the north and south, it not as perceptible as the previous proposal and allows for a generous path with landscaping and solar access.

Pedestrian connections on all four sides with enhanced paths for pedestrians and bikes along Raleigh and 12th connect to more distant connections to the south over Naito and to the Fields Park and the surrounding area. *These guidelines are met.*

A4. Use Unifying Elements. Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

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

A5-1. Reinforce Special Areas. Enhance the qualities that make each area distinctive within the River District, using the following "Special Area Design Guidelines" (A5-1-1 – A5-1-5).

A5-1-1. Reinforce the Identity of the Pearl District Neighborhood. This guideline may be accomplished by:

1) Recognizing the urban warehouse character of the Pearl District when altering existing buildings and when designing new ones.
2) Recognizing the urban warehouse character of the Pearl District within the design of the site and open spaces.
3) Designing buildings which provide a unified, monolithic tripartite composition (base/middle/top), with distinct cornice lines to acknowledge the historic building fabric.
4) Adding buildings which diversify the architectural language and palette of materials.
5) Celebrating and encouraging the concentration of art and art galleries and studios with design features that contribute to the Pearl District's "arts" ambiance. Consider

features that provide connectivity and continuity such as awnings, street banners, special graphics, and streetscape color coordination, which link shops, galleries, entrances, display windows and buildings. Active ground level retail that opens onto and/or uses the sidewalk can contribute to the attraction of the "arts" concentration.

Findings for A4, A5, A5-1 and A5-1-1: The proposal meets these guidelines in the following ways:

- The accessible loading dock with large canopies on NW 13th with active uses is characteristic of the industrial past and builds on this condition that extends to the south.
- The use of brick with solider course detailing, punched windows and tripartite composition reflects historic fabric that remains from the Pearl's industrial days.
- The massing adds to the collection of towers atop a strong base in the area (Vista, Cosmopolitan and NV buildings) to create a language of distinct towers in the district.
- The intimate landscaped walkways that occur between buildings throughout the Pearl is built upon with the conditions proposed in Raleigh and 12th.

These guidelines are met.

A5-3. Incorporate Water Features. Incorporate water features or water design themes that enhance the quality, character, and image of the River District. This guideline may be accomplished by:

1) Using water features as a focal point for integrated open spaces.
2) Taking cues from the river, bridges, and historic industrial character in the design of structures and/or open space.
3) Integrating stormwater management into the development.

Findings: Stormwater management is incorporated in the ecoroofs atop the tower and fourth floor terrace, and in planters along NW Raleigh and 12th frontages. A bubbling water fountain is proposed within the ground level courtyard that opens to 12th. While the fountain may not be clearly seen along the pedestrian path due to the layered landscaping, it will be an audible experience along the walkway. *This guideline is met.*

A5-4. Integrate Works of Art. Integrate works of art or other special design features that increase the public enjoyment of the District. This guideline may be accomplished by:

1) Integrating art into open spaces or along pathways.
2) Incorporating art within the structure of the building.
3) Using "found objects" that are remnants from the area's history.

Findings: While the project does not include art (as defined in a traditional sense), it does include a decorative screen element at the generator and service access along Raleigh frontage. A perforated metal door in a pattern or image is proposed to cover a large field at the dock level. This image could be more meaningful if it incorporated a local reference to enhance the identity of place. While the image could use a bit more thought, the perforated screen with varying levels of opacity allows building functions to be more discreet while creating movement and interest for the passerby. *This guideline is met.*

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

> **Findings:** The proposed building extends to the property line along the west and south frontages. While it is set back from its north and east property line, it complements the alignment of buildings to the north and south maintaining the built urban edge along these frontages. *This guideline is met.*

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

> **Findings:** The ground floor design is primarily driven by two elements; the memory care portion of the program and the internalized drop-off area (Exhibit C.2). The memory care units must be located on the ground floor for ease of egress in the event of any emergency. These units are also not allowed to have direct access to the exterior for safety purposes. With three-quarters of the ground floor not active or accessible, the bar for NW 13th is high. Staff highlighted concerns with the shallowness of the commercial spaces along NW 13th and lack of active area in early conversations with the applicant and in the first Staff report. In response, the commercial spaces were deepened at the southern end and the design and intent of the salon and gallery at the north end were clarified (glazed storefront and art). The Commission, as well as the neighborhood association, indicated the need for more opportunities to engage the building uses with the dock along NW 13th. In response, public benches were added to the dock and operable storefront has been added to the commercial "bistro" space.
>
> A mezzanine level occurs within the 1st floor on the eastern half of the building and is proposed to contain mechanical, storage and other service uses. Staff and applicant worked to limit the amount of back-of-house and mechanical along the building edge to ensure activity and transparency occurs at this lower level edge along the pedestrian accessways and NW Quimby. The changes limit the amount louvers and opaque glazing and are mostly only air exchange mechanical with exhaust limited to the laundry room.
>
> *This guideline has been met.*

A8-1. Design Fences, Walls and Gateways to be Seen Over. Design fences, walls and gateways located between a building and the sidewalk to be seen over to allow for social interaction. This guideline may be accomplished by:

1) Elevating building entries higher than the public sidewalk or path.
2) Creating a low fence or wall to visually separate but not hide semi-private spaces.
3) Using a low or stepped-down planting area or terraces to separate private development from a public sidewalk.

B1-1. Provide Human Scale to Buildings along Walkways. Provide human scale and interest to buildings along sidewalks and walkways. This guideline may be accomplished by:

1) Providing street furniture outside of ground floor retail, such as tables and chairs, signage and lighting, as well as large windows and balconies to encourage social interaction.
2) Providing stoops, windows, and balconies within the ground floors of residential buildings.

B1. Reinforce and Enhance the Pedestrian System. Maintain a convenient access

route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.
B2. Protect the Pedestrian. Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.
B3. Bridge Pedestrian Obstacles. Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.
B5. Make Plazas, Parks and Open Space Successful. Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.

Findings for A8-1, B1, B1-1, B2, B3 and B5: The proposal meets these guidelines in the following ways:

- On NW 13th, canopies, wall sconces, future signage and outdoor seating will bring down the scale of the large commercial storefronts along the dock. Along Raleigh and NW 12th pathways lined with layered landscaping, lighting, benches and recessed nodes with gaming tables provide a more pedestrian scaled and intimate experience.

- The sidewalk on Quimby is proposed to meet City standards, while the dock on 13th will meets the specific City standards implemented along this prior industrial corridor.

- No obstacles will occur within the pedestrian through zone along the frontages and the sidewalks will connect to crossings that currently exists across Quimby and 13th at the south end of the site. The transformer vault is proposed within Raleigh up against the landscaping and building and not within the primary pedestrian through zone.

- The courtyard on the 1st level opens to the pedestrian path on 12th and provides outdoor space for the memory care occupants. A layered condition of deep landscape planters and decorative steel pergolas will provide screening to ensure the courtyard occupants feel safe while affording pedestrians along the path a pleasant and textured experience rather than a solid wall.

- The open spaces along Raleigh and 12th include a unified paving treatment of patterned scored concrete, pole mount light fixtures, benches, nodes with gaming tables, and raised landscape planters providing diversity, activities and opportunities to stop along the north and south building edges. A bubbling water feature within the ground level courtyard that will be audible along 12th and a large laser cut steel screen at the service entry and generator room on Raleigh, will provide additional interest.

- As mentioned in the findings above, the mechanical rooms on the edges of the mezzanine level has been reduced and limited to air exhaust and not exhaust, with the exception of the laundry room at the north end.

- Along 12th, only half of the pedestrian path (6') and improvements will be constructed as the property line runs down the middle of the 25' wide easement. Unlike 12th, the NW Raleigh easement is entirely on the subject property and includes a 20' wide emergency access easement. This affords a much wider pedestrian/bike path that extends to the existing sidewalk on the north edge adjacent to the Abigail building. NW Raleigh was originally proposed for the vehicle drop-off and porte-cochere and was then revised to include trash/recycling pickup and courier type (FedEx) deliveries on Raleigh. BDS Staff and PBOT were not supportive of deliveries in Raleigh as it would present the potential for pedestrian/bike conflicts. In the first Staff Report BDS Staff highlighted a concern with trash/recycling pickup on Raleigh and the Commission concurred at the July 11th hearing. In response, the bollards were shifted 65' west of the original location to align with the back of NW 13th. This change creates a much more successful open space for pedestrians, cyclists and the occupants of this building and the Abigail to the north.

- At the 2nd DAR the Commission stated removing vehicles from Raleigh provides a big opportunity to rethink the landscaping on both sides and work on placemaking with an architectural or landscape gesture to acknowledge the Abigail courtyard. The majority of the Commission also encouraged wrapping the parklet design from 12th onto Raleigh. It was noted that where 12th & Raleigh intersect could become a great neighborhood focal point when the lots to east and northeast are developed.

- At the July 11th hearing the Commission stated concerns with the potential pedestrian and vehicle conflict with the mid-block stair that aligns with the main entry on NW 13th. The orientation of the stair puts pedestrian immediately in the street with parked and moving vehicles. Rotating the stair 90 degrees to provide a transitional landing before pedestrians enter the street was discussed and incorporated in the revised proposal.

These Guidelines have been met.

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

Findings: The proposal meets this guideline in a couple of ways. The loading dock along NW 13th provides covered space for people to stop and visit and opportunities for outdoor seating that do not conflict with the pedestrian through zone. The pedestrian and bike paths along Raleigh and 12th both incorporate benches and seating in recesses along the sides of the paths. *This guideline is met.*

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

Findings: A series of deep canopies (appear to be 8' deep) line the NW 13th frontage and wrap one bay onto Raleigh and three bays onto Quimby distinguishing the commercial from the residential program. The canopies are noted as painted steel and metal with recessed lights to match the storefront color

and finish. At the 2nd DAR and in the 1st hearing on July 11th, the Commission was unanimous in their support for more canopies along Quimby to meet this guideline. The applicant revised the proposal to include 4' deep canopies along the remainder of the ground floor on Quimby where the residential units occur. The design of the canopies (flat with tie backs) and material (steel with corrugated metal deck) complement those on the rest of the building for a coherent composition of these elements.

This guideline has been met.

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

Findings: Access for all is integrated into the building's design by direct exterior access to ground floor via the ramps at both ends of the dock on NW 13th as well as internal access to all areas and floor. This is a critical aspect of the design given the targeted senior population. The building will meet all code requirements for barrier-free design. *This guideline is met.*

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.
C4. Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.
C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings for C2, C4 and C5: The proposal meets these guidelines in the following ways:

- The loading dock with large canopies on 13th, use of brick with solider course detailing and punched windows, tripartite composition and tower atop a podium reflects the built context in this area of the Pearl and further south along NW 13th.
- The intimate landscaped walkways that occur between buildings throughout the Pearl is built upon with the conditions proposed in Raleigh and 12th.
- The massing and design concept of interlocking volumes with a glass connector is strong and conveyed in the overall composition. The punched windows, metal canopies and regularized fenestrations on the podium facing NW 13th and Quimby complement the buildings in the district. The tower expression and the north and east facades of the podium are a more modern expression of the warehouse aesthetic with playful elements like the larger framed openings, variation in the brick spandrel, and glass "gasket" at the terrace level. The arched entry is an appropriate scale for this tall building and is a playful element that contrasts with the rectilinear fenestrations of the building.
- The windows will sit within the wall ranging from 6" to 8" from the brick cladding. Masonry corbel above soldier course brick will occur at the top of the bays in the podium. Together these details will provide depth and shadow for an articulated façade. The louvered vents are placed in the same plane and integrated within the window openings for a coherent ensemble.
- The primary cladding is Norman brick in an Autumn Blend set in a running bond with soldier course detailing. Composite metal panel is used for infill

and cladding accents in dark bronze to complement the dark bronze aluminum storefront and black vinyl windows. A precast concrete base will complement the cast-in-place dock on 13th and landscape planters along the north and east frontage. Metal canopies, railings and light fixtures complement these finishes for a coherent palette of materials and colors.

- The lower 60' of the east façade and lower 15' of the 4th level east façade adjacent to the outdoor terrace trigger the bird safe glazing requirement. Details of the fritted pattern film on the windows shows a complementary clarity to the rest of the glazing on the building from distant viewpoints of the limited areas where the film will be applied. The remainder of the glazing on the building will be clear with a reflectance value of 11%, which is stated by the applicant to be much more transparent that the 27-30% reflectivity of typical mirrored glass.

These guidelines have been met.

C3-1. Integrate Parking. Design parking garage exteriors to visually integrate with their surroundings. This guideline may be accomplished by:

1) Designing street facing parking garages to not express the sloping floors of the interior parking.
2) Designing the sidewalk level of parking structures to accommodate active uses, display windows, public art or other features which enhance the structure's relationship to pedestrians.

Findings: The original proposal at the 1st DAR included two vehicle access points; a drop-off and porte-cochere in Raleigh and a garage entry on Quimby. After Staff and the Commission expressed significant concern with the concept in this urban environment, the applicant made substantial shifts in the ground floor program to consolidate and internalize the vehicular elements of the project. A 24' wide entry located on Quimby provides a single access point for drop-off, below-grade parking, and loading. The loading, parking and drop-off elements are all surrounded by residential units or commercial program or are below grade. The garage access will be secured with an overhead coiling door placed at the outer edge of the façade and will remain open during the day for visitors to pick-up and drop off tenants. The door will match the dark bronze finish of the metal elements on the building and include a mix of solid and perforated slats for ventilation. *This guideline is met.*

C6. Develop Transitions between Buildings and Public Spaces. Develop transitions between private development and public open space. Use site design features such as movement zones, landscape elements, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

Findings: The proposed building presents an urban relationship with the public right-of-way, particularly along NW 13th. Along this frontage, a raised dock extending most of the length of 13th provides movement that complements the warehouse character that occurs to the south. The dock provides protected area for circulation and seating or gathering. Along Raleigh and NW 12th more generous transitions between the public pathways and the building occur, with layered landscaping, benches, and recessed nodes with gaming tables. *This guideline has been met.*

C7. Design Corners that Build Active Intersections. Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

> **Findings:** The NW and SW corners of the building are comprised of large glazed storefronts with canopies and commercial activity. The stairs and ramps at both ends of the dock on NW 13th draw in the activity from the corners up to the building entry. The NE and SE corners are more subdued as they are occupied by residential units for memory care, which limits access to ensure the safety of the occupants. However, the pathways that extend to and between these corners provide amenities like benches and game tables that will draw people in and activate the entry points. *This guideline is met.*

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

> **Findings**: The sidewalk level of the proposed building is differentiated from the rest of the building along most of the frontages. On NW 13th, the large glazed storefronts and canopies that return onto a portion of Raleigh and Quimby provide a strong and intuitive commercial base along the dock. The remaining ground level fenestrations continue the tall height of the storefront along the base. Wall sconces and future signage will create a rich pedestrian environment. *This guideline is met.*

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

> **Findings**: A larger rooftop terrace at level 4 provides a generous amount of outdoor space for the residents and handles stormwater (ecoroof). The only non-amenity or landscape on this roof are stair enclosures which will be clad in composite metal panel to match the bronze metal accent on the building. The outdoor terrace on the 3rd level is also an active roof for the residents. Together, with the at-grade courtyard, the cascading roof terraces along the east step down to the pedestrian walkway along 12th.
>
> The tower roof contains an ecoroof and 3 mechanical enclosures. The mechanical screen enclosure, approximately 12' in height, will fully obscure the mechanical units and be clad in a dark bronze, ribbed metal panel. The 20'-4" tall enclosure in the middle of the roof will be clad with a composite metal also in dark bronze. The enclosures will effectively screen the mechanical and are unified in their alignment and finish material. Their dark color and setback location ensures they will not detract from the tower's strong form. *This guideline is met.*

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

Findings: The proposal includes numerous light fixtures that will illuminate the building entries and adjacent pedestrian systems along its frontage. Sconces along the façade, downlights in the canopies, recessed wall lights, landscape uplights, illuminated bollards, recessed slot lights and catenary lights strung across the upper outdoor terrace provide interest, safety and wayfinding for those along the frontage and for the building occupants. The lighting fixtures along the pedestrian paths on NW 12th and Quimby have been located to provide adequate illumination of the spaces. The fixtures complement the overall aesthetic and finishes, are well integrated, and are of quality materials.

This guideline has been met.

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

Findings: The proposal does not include any sign details. Building signs can be pursued separately and, if 32-sqaure foot or less in size, be exempt from design review. *This guideline is not applicable.*

Oregon Statewide Planning Goals

Goal 1: Citizen Involvement

Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a Committee for Citizen Involvement (CCI) to monitor and encourage public participation in planning.

Findings: The City of Portland maintains an extensive citizen involvement program which complies with all relevant aspects of Goal 1, including specific requirements in Zoning Code Chapter 33.730 for public notice of land use review applications that seek public comment on proposals. There are opportunities for the public to testify at a local hearing on land use proposals for Type III land use review applications, and for Type II and Type IIx land use decisions if appealed. For Type III reviews, include the following language: For this application, a written notice seeking comments on the proposal and notifying of the public hearing was mailed to property-owners and tenants within 400 feet of the site, and to recognized organizations in which the site is located and recognized organizations within 1,000 of the site. Additionally, the site was posted with a notice describing the proposal and announcing the public hearing.

The public notice requirements for this application have been and will continue to be met, and nothing about this proposal affects the City's ongoing compliance with Goal 1. Therefore, the proposal is consistent with this goal.

Goal 2: Land Use Planning

Goal 2 outlines the basic procedures of Oregon's statewide planning program. It states that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards

for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

Findings: Compliance with Goal 2 is achieved, in part, through the City's comprehensive planning process and land use regulations. For quasi-judicial proposals, Goal 2 requires that the decision be supported by an adequate factual base, which means it must be supported by substantial evidence in the record.

As discussed earlier in the findings that respond to the relevant approval criteria contained in the Portland Zoning Code, the proposal complies with the applicable regulations, as supported by substantial evidence in the record. As a result, the proposal meets Goal 2.

Goal 3: Agricultural Lands

Goal 3 defines "agricultural lands," and requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.

Goal 4: Forest Lands

This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

Findings for Goals 3 and 4: In 1991, as part of Ordinance No. 164517, the City of Portland took an exception to the agriculture and forestry goals in the manner authorized by state law and Goal 2.

Since this review does not change any of the facts or analyses upon which the exception was based, the exception is still valid and Goal 3 and Goal 4 do not apply.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

Goal 5 relates to the protection of natural and cultural resources. It establishes a process for inventorying the quality, quantity, and location of 12 categories of natural resources. Additionally, Goal 5 encourages but does not require local governments to maintain inventories of historic resources, open spaces, and scenic views and sites.

Findings: The City complies with Goal 5 by identifying and protecting natural, scenic, and historic resources in the City's Zoning Map and Zoning Code. Natural and scenic resources are identified by the Environmental Protection ("p"), Environmental Conservation ("c"), and Scenic ("s") overlay zones on the Zoning Map. The Zoning Code imposes special restrictions on development activities within these overlay zones. Historic resources are identified on the Zoning Map either with landmark designations for individual sites or as Historic Districts or Conservation Districts.

This site is not within any environmental or scenic overlay zones and is not part of any designated historic resource. Therefore, Goal 5 is not applicable.

Goal 6: Air, Water and Land Resources Quality

Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

Findings: Compliance with Goal 6 is achieved through the implementation of development regulations such as the City's Stormwater Management Manual at the time of building permit review, and through the City's continued compliance with

Oregon Department of Environmental Quality (DEQ) requirements for cities. The Bureau of Environmental Services reviewed the proposal for conformance with sanitary sewer and stormwater management requirements and expressed no objections to approval of the application, as mentioned earlier in this report.

The Bureau of Environmental Services reviewed the proposal for conformance with sanitary sewer and stormwater management requirements and expressed no objections to approval of the application with conditions, as mentioned earlier in this report. Staff finds the proposal is consistent with Goal 6.

Goal 7: Areas Subject to Natural Disasters and Hazards

Goal 7 requires that jurisdictions adopt development restrictions or safeguards to protect people and property from natural hazards. Under Goal 7, natural hazards include floods, landslides, earthquakes, tsunamis, coastal erosion, and wildfires. Goal 7 requires that local governments adopt inventories, policies, and implementing measures to reduce risks from natural hazards to people and property.

Findings: The City complies with Goal 7 by mapping natural hazard areas such as floodplains and potential landslide areas, which can be found in the City's MapWorks geographic information system. The City imposes additional requirements for development in those areas through a variety of regulations in the Zoning Code, such as through special plan districts or land division regulations.

The site is within a mapped floodplain. Compliance with regulations related to this designation either has been addressed in the findings included as part of this land use review, and/or will be verified during building permit review and inspection. Therefore, the proposal is consistent with Goal 7.

Goal 8: Recreation Needs

Goal 8 calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expediting siting of destination resorts.

Findings: The City maintains compliance with Goal 8 through its comprehensive planning process, which includes long-range planning for parks and recreational facilities.

Staff finds the current proposal will not affect existing or proposed parks or recreation facilities in any way that is not anticipated by the zoning for the site, or by the parks and recreation system development charges that are assessed at time of building permit. Furthermore, nothing about the proposal will undermine planning for future facilities. Therefore, the proposal is consistent with Goal 8.

Goal 9: Economy of the State

Goal 9 calls for diversification and improvement of the economy. Goal 9 requires communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

Findings: Land needs for a variety of industrial and commercial uses are identified in the adopted and acknowledged Economic Opportunity Analysis (EOA) (Ordinance 187831). The EOA analyzed adequate growth capacity for a diverse range of employment uses by distinguishing several geographies and conducting a buildable land inventory and capacity analysis in each. In response to the EOA, the City adopted policies and regulations to ensure an adequate supply of sites of suitable size, type, location and service levels in compliance with Goal 9. The City must

consider the EOA and Buildable Lands Inventory when updating the City's Zoning Map and Zoning Code.

Because this proposal does not change the supply of industrial or commercial land in the City, the proposal is consistent with Goal 9.

Goal 10: Housing

Goal 10 requires local governments to plan for and accommodate needed housing types. The Goal also requires cities to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Findings: The City complies with Goal 10 through its adopted and acknowledged inventory of buildable residential land (Ordinance 187831), which demonstrates that the City has zoned and designated an adequate supply of housing. For needed housing, the Zoning Code includes clear and objective standards.

S*ince approval of this application will enable an increase in the City's housing supply, the proposal is consistent with Goal 10.*

Goal 11: Public Facilities and Services

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

Findings: The City of Portland maintains an adopted and acknowledged public facilities plan to comply with Goal 11. See Citywide Systems Plan adopted by Ordinance 187831. The public facilities plan is implemented by the City's public services bureaus, and these bureaus review development applications for adequacy of public services. Where existing public services are not adequate for a proposed development, the applicant is required to extend public services at their own expense in a way that conforms to the public facilities plan.

In this case, the City's public services bureaus found that existing public services are adequate to serve the proposal, as discussed earlier in this report.

Goal 12: Transportation

Goal 12 seeks to provide and encourage "safe, convenient and economic transportation system." Among other things, Goal 12 requires that transportation plans consider all modes of transportation and be based on inventory of transportation needs.

Findings: The City of Portland maintains a Transportation System Plan (TSP) to comply with Goal 12, adopted by Ordinances 187832, 188177 and 188957. The City's TSP aims to "make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs." The extent to which a proposal affects the City's transportation system and the goals of the TSP is evaluated by the Portland Bureau of Transportation (PBOT).

As discussed earlier in this report, PBOT evaluated this proposal and expressed no objections to approval of the application. Therefore, the proposal is consistent with Goal 12.

Goal 13: Energy
Goal 13 seeks to conserve energy and declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

Findings: With respect to energy use from transportation, as identified above in response to Goal 12, the City maintains a TSP that aims to "make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs." This is intended to promote energy conservation related to transportation. Additionally, at the time of building permit review and inspection, the City will also implement energy efficiency requirements for the building itself, as required by the current building code.

For these reasons, staff finds the proposal is consistent with Goal 13.

Goal 14: Urbanization
This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

Findings: In the Portland region, most of the functions required by Goal 14 are administered by the Metro regional government rather than by individual cities. The desired development pattern for the region is articulated in Metro's Regional 2040 Growth Concept, which emphasizes denser development in designated centers and corridors. The Regional 2040 Growth Concept is carried out by Metro's Urban Growth Management Functional Plan, and the City of Portland is required to conform its zoning regulations to this functional plan.

This land use review proposal does not change the UGB surrounding the Portland region and does not affect the Portland Zoning Code's compliance with Metro's Urban Growth Management Functional Plan. Therefore, Goal 14 is not applicable.

Goal 15: Willamette Greenway
Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

Findings: The City of Portland complies with Goal 15 by applying Greenway overlay zones which impose special requirements on development activities near the Willamette River.

The subject site for this review is not within a Greenway overlay zone near the Willamette River, so Goal 15 does not apply.

Goal 16: Estuarine Resources
This goal requires local governments to classify Oregon's 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units."

Goal 17: Coastal Shorelands
This goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and

resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for "water-dependent" or "water-related" uses.

Goal 18: Beaches and Dunes
Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes, but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.
Goal 19: Ocean Resources

Goal 19 aims "to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf." It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19's main requirements are for state agencies rather than cities and counties.

> **Findings:** *Since Portland is not within Oregon's coastal zone, Goals 16-19 do not apply.*

(2) MODIFICATION REQUESTS

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

A. Better meets design guidelines. The resulting development will better meet the applicable design guidelines; and

B. Purpose of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

The following modifications are requested:

Modification #1 Bike Parking – Reduce the 2' width of bike parking spaces to 18" for vertical mounted racks (33.266.200.C.3.B).

Purpose Statement: *Bicycle parking is required for most use categories to encourage the use of bicycles by providing safe and convenient places to park bicycles. These regulations ensure adequate short and long-term bicycle parking based on the demand generated by the different use categories and on the level of security necessary to encourage the use of bicycles for short and long stays. These regulations will help meet the City's goal that 10 percent of all trips be made by bicycle.*

Standard: A space 2' x 6' must be provided for each required bicycle parking space.

A. Better meets design guidelines. *The resulting development will better meet the applicable design guidelines; and*

Findings: 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 lobby and retail spaces (A8-Contribute to a Vibrant Streetscape).

B. Purpose of the standard. *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Findings: Most of the bike storage for the project includes the use of a vertical hanging system that allows bikes to be staggered to optimize space requirements. The rack system proposed is identical to ones previously approved for numerous projects throughout the City and will be allowed by right with the proposed amendments to the bike parking regulations anticipated to be adopted in late 2019. Clearance includes a 1'-6" x 4'-0" space for each bike with bike hangers staggered vertically 6" and mounted at 18" on center. A 5'-0" aisle is provided behind each bicycle rack for ease of storage and removal. This reduced width applies to 100 of spaces provided. The other bike parking spaces will meet the 2' x 6' dimension while others will be larger to accommodate accessible bikes for all users. All of the bike parking will be easily accessible in the mezzanine level of the ground floor. Because these racks will be used by residents and tenants, it can be assumed that they will have some familiarity with the rack systems. For these reasons, the bicycle parking system is safe and secure, located in a convenient area, and designed to avoid any intentional or accidental damage to bicycles; as such, the proposal is consistent with the purpose statement of the bicycle parking standards.

For the reasons above the Modification warrants approval.

Modification #2 Loading - Reduce one of the two required Standard A loading spaces to a Standard B (33.266.310.C.2.c).

Purpose Statement: A minimum number of loading spaces are required to ensure adequate areas for loading for larger uses and developments. These regulations ensure that the appearance of loading areas will be consistent with that of parking areas. The regulations ensure that access to and from loading facilities will not have a negative effect on the traffic safety of other transportation functions of the abutting right-of-way.

Standard: Two loading spaces meeting Standard A are required for buildings with more than 50,000 SF of net building area in uses other than Household Living.

A. Better meets design guidelines. *The resulting development will better meet the applicable design guidelines; and*

Findings: The reduction in the size of one of the required loading spaces reduces the negative effects of an additional curb cut and hole in the building as well as frees up the square footage to provide areas for more active space along the sidewalk better meeting design guidelines B2 (Protect the Pedestrian) and A8 (Contribute to a Vibrant Streetscape).

B. Purpose of the standard. *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Findings: The proposal includes 134 independent living units, 72 assisted living units, 20 memory care units and approximately 2,000 SF of commercial use. While the independent living units are considered Household Living the

assisted living, and memory care units are considered Group Living (non-household living). Given these uses, the project triggers two Standard A loading spaces as it has more than 50,000 SF of non-household living. A Loading Demand Analysis was submitted and reviewed my PBOT. PBOT supports the conclusions of the study that one Standard A and one Standard B loading spaces provided within the building will be adequate to serve the proposed program.

The study also included a request to create a 30'-long public truck loading zone within the NW 13th Avenue ROW and to allow additional loading activities in the vacated portion of NW Raleigh Street. While the Zoning Code does not regulate loading in the public right-of way, the Design Review process and approval criteria do apply to the conditions proposed on the site. BDS Staff and the Commission, concur with PBOT's conclusion that loading activities on NW Raleigh Street be limited to occasional ambulance/emergency vehicle access, but no parcel deliveries. In response, the proposal was revised to relocate the bollards to the western edge of Raleigh along NW 13th to prohibit any non-emergency vehicle access.

For the reasons above the Modification warrants approval.

Modification #3 Ground Floor Windows *Ground Floor Windows* – Reduce the 40% window area requirement along Raleigh for the non-residential portions of the ground floor to 22% and reduce the 2' height of the window requirement along Quimby for the residential units to 1'-9" along a portion of the frontage. (33.510.220.B.2 & 33.130.230.B.4.c).

Purpose Statement: In the Central City plan district, blank walls on the ground level of buildings are limited in order to:

- Provide a pleasant, rich, and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk areas;
- Encourage continuity of retail and service uses;
- Encourage surveillance opportunities by restricting fortress-like facades at street level;
- Avoid a monotonous pedestrian environment; and
- The plan district modifications to the base zone standards for ground floor windows are intended to promote ground floor windows in a larger number of situations than in the base zones and to provide additional flexibility in meeting the standard.

Standard: Ground level facades that face a street lot line, sidewalk, plaza, or other publicly accessible open area or right-of-way must have windows that cover at least 40 percent of the ground level wall area. For street facing facades of dwelling units the regulations of 33.130.230.B.4 apply, which requires the portion of the building with residential dwelling units on the ground floor must have the finished floor of each residential unit at least 2 feet above the grade of the closest adjoining sidewalk and windows must cover at least 25 percent of the ground level wall area where the residential units occur.

A. Better meets design guidelines. *The resulting development will better meet the applicable design guidelines; and*

Findings: The proposed decorative screen element at the generator and egress better meets guidelines A5-4 (Integrate Works of Art) and B1-1 (Provide Human Scale to Buildings along Walkways). The 3" lower floor of the residential unit to the sidewalk grade for a small length of frontage along Quimby better meets A8

(Contribute to a Vibrant Streetscape) in that it allows for visual connection between the interior and exterior activities.

B. Purpose of the standard. *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Findings: The modifications to ground floor windows are limited to the north and south facades. Along Quimby an option for windows into residential units is to raise the floor height of the units 2' above the sidewalk grade to provide a vertical separation and allow for the building occupant and sidewalk user to not have direct visual access, providing privacy and comfort for both. The sidewalk grade slopes slightly so that a small portion of the residential unit floors will be at 1'-9" above the sidewalk with the rest well above. The 3" difference is not enough to alter the desired outcome of separation and visual connection into and out of the building, therefore this modification continues to meet the purpose of the regulation.

The reduced ground floor windows along Raleigh only apply to the portion of non-residential which is designed for a building and tenant entry and generator and egress. The generator and egress corridor are proposed to be clad in later cut steel decorative screen providing interest to those passing by, thereby meeting the purpose.

For the reasons above the Modification warrants approval.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all requirements of Title 11 can be met, and that all development standards of Title 33 can be met or have received an Adjustment or Modification via a land use review, prior to the approval of a building or zoning permit.

CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposal has come a long way since the original concept with the vehicle drop-off and porte-cochere on Raleigh. Further refinement of elements in the public realm as a result of the first hearing ensures this development will be a welcome addition to this Pearl neighborhood and build on its rich pedestrian amenities.

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

DESIGN COMMISSION DECISION

It is the decision of the Design Commission to approve Design Review for a 16-story senior living facility with a loading dock along NW 13th and pedestrian and bike paths with landscaping along the NW Raleigh and 12th frontages in the Pearl subdistrict of the Central City Plan District.

Approval of the following Modification requests:

1. *Bike Parking* – Reduce the 2' width of bike parking spaces to 18" for vertical mounted racks (33.266.200.C.3.B); and
2. *Ground Floor Windows* – Reduce the 40% window area requirement along Raleigh for the non-residential portions of the ground floor to 22% and reduce the 2' height of the window requirement along Quimby for the residential units to 1'-9" along a portion of the frontage. (33.510.220.B.2 & 33.130.230.B.4.c).
3. *Loading* - Reduce one of the two required Standard A loading spaces to a Standard B (33.266.310.C.2.c).

Approvals per Exhibits C.1-C-64, signed, stamped, and dated August 1, 2019, subject to the following conditions:

A. As part of the building permit application submittal, the following development-related conditions (B – C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE- Case File LU 19-152193 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/Historic Resource Review decision and approved exhibits.

C. No field changes allowed.

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By: _____
Julie Livingston, Design Commission Chair

Application Filed: April 19, 2019 Decision Rendered: August 1, 2019
Decision Filed: August 2, 2019 Decision Mailed: August 7, 2019

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 April 19, 2019, and was determined to be complete on May 20, 2019.

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 April 19, 2019.

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, In this case, the applicant waived the 120-day review period, as stated with Exhibit G.4. Unless further extended by the applicant, **the 120 days will expire on: 5/19/20.**

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 August 21, 2019 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 $5,000.00 will be charged (one-half of the application fee for this case).**

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 will be recorded with the Multnomah County Recorder.

- *Unless appealed,* the final decision will be recorded after **August 21, 2019** 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 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.

Staci Monroe
August 2, 2019

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 INICATED

A. Applicant's Statement
   1. Projective Narrative dated 5/20/19
   2. Original Drawing Set dated 4/14/19
   3. Loading Demand Analysis dated 5/21/19
   4. Copies FAR Transfer Covenants
   5. Responses to Approval Criteria dated 5/20/19
   6. Stormwater Report dated 4/17/19
   7. Loading Demand Analysis dated 4/16/19
   8. Incomplete Letter responses dated 5/20/19
   9. Applicant email dated 6/21/19 stating limits of construction along eastern frontage
   10. Drawing Set dated 5/20/19
   11. Appendix drawings dated 7/25/19
   12. Reduced drawing set dated 8/1/19
B. Zoning Map (attached)

C. Plan & Drawings
1. Site plan (attached)
2. Level 1 floor plan (attached – online version only)
3. Level 1A Mezzanine floor plan
4. Level 2 floor plan
5. Level 3 floor plan
6. Level 4 floor plan
7. Levels 5-16 floor & roof plans (attached – online version only)
8. Level P1 parking floor plan
9. Materials & Colors
10. Materials & Colors
11. North Building Elevation – colored (attached)
12. South Building Elevation – colored (attached)
13. East Building Elevation – colored (attached)
14. West Building Elevation – colored (attached)
15. North Building Elevation - b/w
16. South Building Elevation - b/w
17. East Building Elevation - b/w
18. West Building Elevation - b/w
19. East-West Building Section
20. East-West Building Section
21. North-south Building Section
22. Building Details
23. Building Details
24. Building Details
25. Building Details
26. Building Details
27. Building Details
28. Building Details
29. Building Details
30. Building Details
31. Building Details
32. Building Details
33. Building Details
34. Tower rooftop equipment details & screen
35. Overall landscape plan (attached – online version only)
36. NW Raleigh landscape plan & detail
37. NW 12th & courtyard landscape plan & detail
38. 2nd floor courtyard landscape plan & details
39. 4th floor terrace landscape plan & detail
40. Landscape species images
41. Landscape species images
42. Landscape species images
43. Lower level lighting plan
44. Upper level lighting plan
45. Light fixture details
46. Civil plan
47. Civil plan
48. Civil plan
49. Civil plan
50. Civil plan
51. Cutsheets - Vinyl window cutsheets
52. Cutsheets – Composite Metal Panel
53. Cutsheets -Aluminum Framed Glazing
54. Cutsheets – 22-Gauge Corrugated Metal Panel

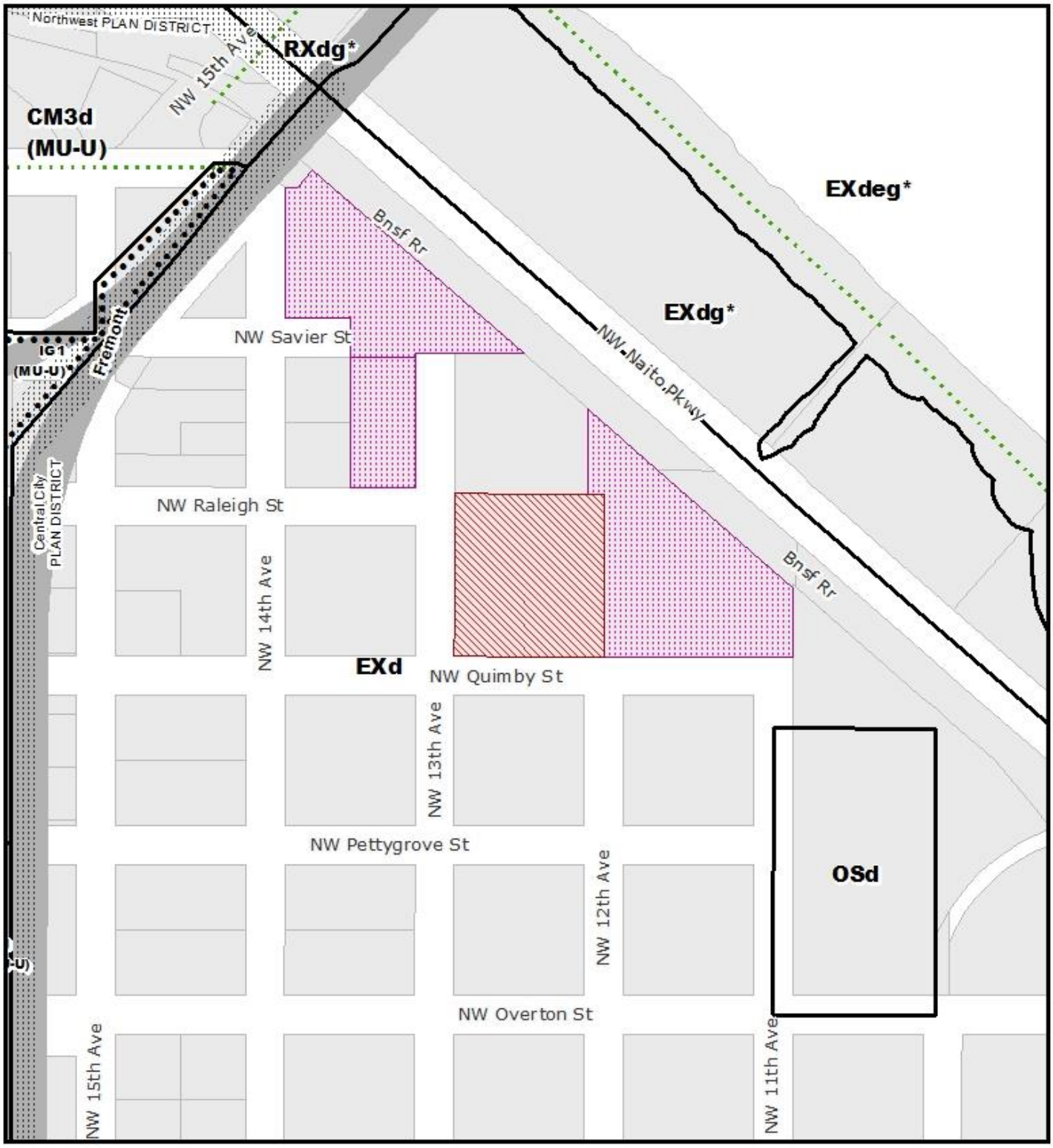
55. Cutsheets – Overhead garage door
56. Enlarged Site Plan on NW 13th - revised stair and addition of benches
57. Enlarged Elevation on NW 13th – addition of operable storefront
58. Site Plan along NW Raleigh – Relocated bollards
59. Building section along NW 13th – Setback tower and balconies
60. Enlarged elevation of NW Quimby – added canopies & section detail
61. Enlarged details of pet cover along 4th level terrace
62. Bird Safe Glazing Details
63. Bird Safe Glazing Window locations – West & South Elevations
64. Bird Safe Glazing Window locations – East Elevations

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
   2. Bureau of Transportation Engineering and Development Review
   3. Site Development Section of BDS
   4. Fire Bureau
   5. Bureau of Parks, Urban Forestry Division
   6. Plan Review Section of BDS

F. Letters
   1. David Dysert, Pearl District Neighborhood Association, July 11, 2019, supporting the project & encouraging more pedestrian amenities along the dock & special attention is needed for elements in the north and east pedestrian paths.
   2. Testifier sheet from 7/11/19 hearing

G. Other
   1. Original LUR Application
   2. Letter of Incomplete dated 5/10/19
   3. Letter from BPS dated 6/20/19 stating acceptance of LEED to meet Low Carbon Regulation of 33.510.244
   4. 120-Day Signed waiver & evidentiary hearing
   5. BDS Staff email dated 6/10/19 stating outstanding issues
   6. BDS Staff email dated 6/25/19 stating outstanding issues
   7. Staff memo to Commission dated 7/1/19
   8. Staff report and recommendation dated 6/2/19
   9. Copy of Staff presentation for the 7/11/19 hearing
   10. Staff memo to Commission dated 7/25/19
   11. Revised Staff report and recommendation dated 7/28/19



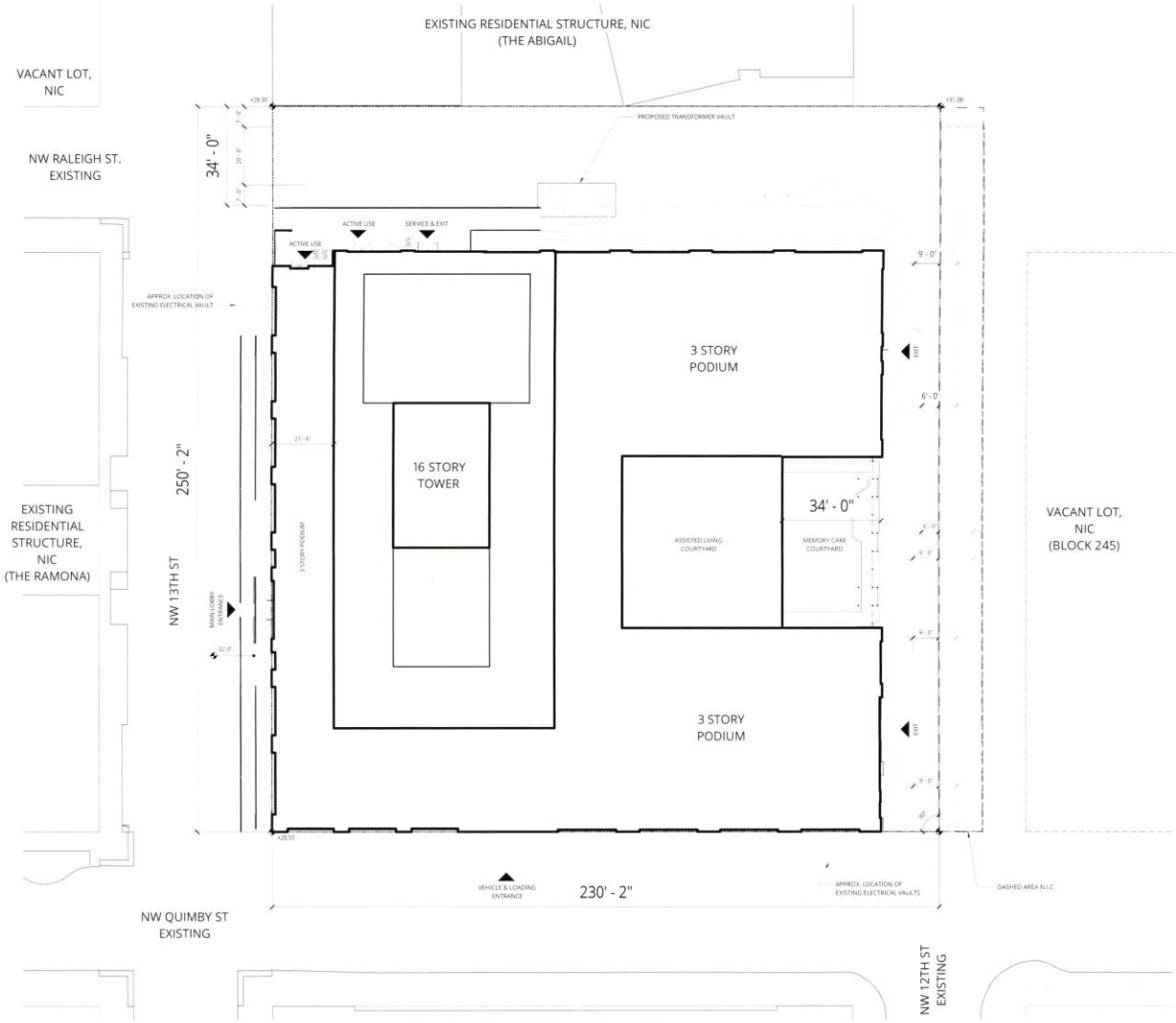
ZONING

NORTH

THIS SITE LIES WITHIN THE:
CENTRAL CITY PLAN DISTRICT
PEARL SUBDISTRICT

Site
Also Owned Parcels
Bridge
Recreational Trails

File No.	LU 19-152193 DZM
1/4 Section	2828,2928
Scale	1 inch = 200 feet
State ID	1N1E28DD 712
Exhibit	B Apr 24, 2019



1 SITE PLAN

Approved
City of Portland - Bureau of Development Services
Planner _____ Date 8/1/19
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

Ankrom Moisan

ALLIANCE RESIDENTIAL COMPANY

HOLDEN OF PEARL

TYPE III DESIGN REVIEW | 07.25.2019

SITE PLAN
C.1

LU 19-152193 DZM

PARKING

CIRCULATION

UNITS

AMENITY

ACTIVE USE

SERVICE

ENTRY

VEHICULAR ACCESS

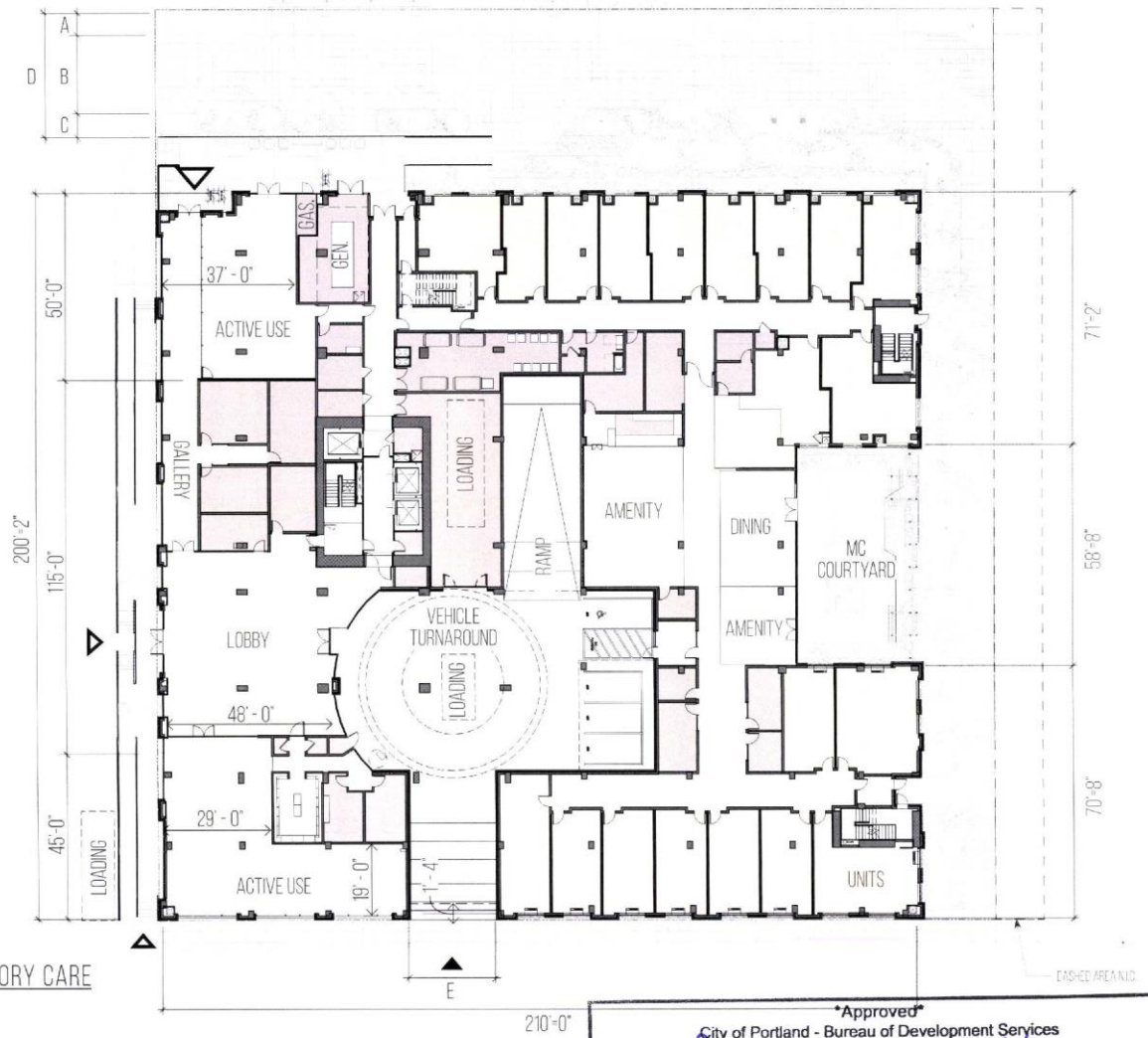
A 7'-0" SIDEWALK

B 20'-0" EMERGENCY, WASTE, & PEDESTRIAN ACCESS

C 7'-0" BIORETENTION

D 34'-0" OVERALL

E 24'-0" CURB CUT WIDTH



3 STANDARD PARKING STALL

1 ACCESSIBLE PARKING STALL

4 TOTAL VEHICLE PARKING STALLS

1 STANDARD A LOADING SPACE

1 STANDARD B LOADING SPACE

1 ADDITIONAL 30'-0" LOADING SPACE

3 TOTAL LOADING SPACES

12 SHORT TERM BICYCLE PARKING SPACES

1 LEVEL 1: LOBBY, ACTIVE USE, & MEMORY CARE

SCALE: 1/32" = 1'

Approved
City of Portland - Bureau of Development Services
Planner _____ Date 8/1/19
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Ankrom Moisan

ALLIANCE RESIDENTIAL COMPANY

HOLDEN OF PEARL

TYPE III DESIGN REVIEW | 07.25.2019

FLOOR PLANS

C.2

LU 19-152193 DZM

PARKING

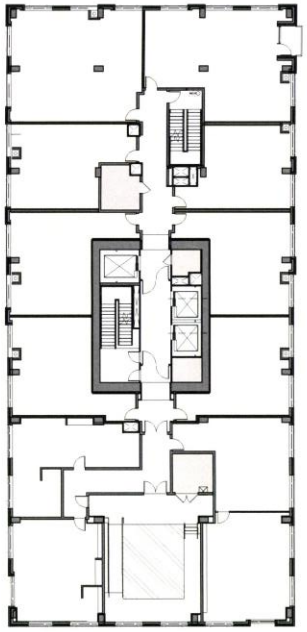
CIRCULATION

UNITS

AMENITY

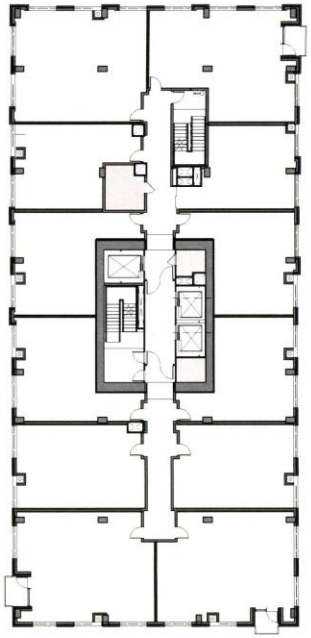
ACTIVE USE

SERVICE



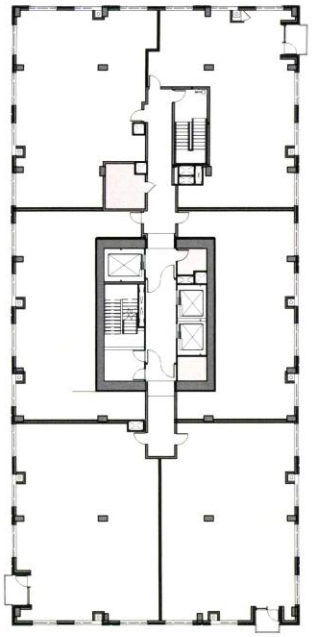
1 LEVEL 5: IL AMENITY

SCALE: 1/32" = 1'



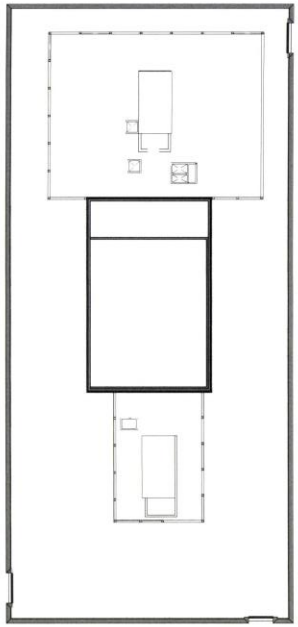
2 LEVEL 6-15: IL UNITS

SCALE: 1/32" = 1'



3 LEVEL 16: IL PH

SCALE: 1/32" = 1'



4 ROOF OVERRUN

SCALE: 1/32" = 1'

Approved
City of Portland - Bureau of Development Services
Planner _____ Date 8/1/19
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Ankrom Moisan

ALLIANCE RESIDENTIAL COMPANY

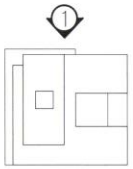
HOLDEN OF PEARL

TYPE III DESIGN REVIEW | 07.26.2019

FLOOR PLANS

C.7

LU 19-152193 DZM



1 NORTH ELEVATION - COLOR

SCALE: 1/32" = 1'

Approved
City of Portland - Bureau of Development Services
Planner _____ Date 8/1/19
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Ankrom Moisan

ALLIANCE RESIDENTIAL COMPANY

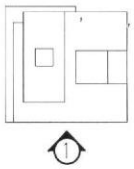
HOLDEN OF PEARL

TYPE III DESIGN REVIEW | 07.25.2019

BUILDING ELEVATIONS - COLOR

C.11

LU 19-152193 DZM



1 SOUTH ELEVATION - COLOR

SCALE: 1/32" = 1'

Approved
City of Portland - Bureau of Development Services
Planner _____ Date 8/1/19
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Ankrom Moisan

ALLIANCE RESIDENTIAL COMPANY

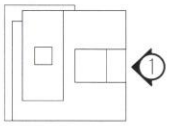
HOLDEN OF PEARL

TYPE III DESIGN REVIEW | 07.26.2019

BUILDING ELEVATIONS - COLOR

C.12

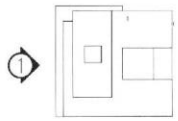
LU 19-152193 DZM



1 EAST ELEVATION - COLOR

SCALE: 1/32" = 1'

"Approved"
Portland - Bureau of Development Services
Planner Suen Date 8/1/19
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



1 WEST ELEVATION - COLOR

SCALE: 1/32" = 1'

Approved
City of Portland - Bureau of Development Services
Planner Sila Date 8/1/19
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Ankrom Moisan

ALLIANCE RESIDENTIAL COMPANY

HOLDEN OF PEARL

TYPE III DESIGN REVIEW | 07.25.2019

BUILDING ELEVATIONS - COLOR

C.14

LU 19-152193 DZM

OVERALL RENDERED LANDSCAPE PLAN

IMPROVEMENTS TO NW 12TH AVENUE ON ADJACENT UNDEVELOPED PARCEL TO BE DESIGNED AND COMPLETED BY OTHERS. THIS WORK IS NOT INCLUDED IN CURRENT APPLICATION.

Approved
City of Portland - Bureau of Development Services
Planner _____ Date 8/1/19
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.