



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

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Date: February 9, 2022
To: Interested Person
From: Tim Heron, Land Use Services
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NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 21-117997 DZ – ANALOG REVISIONS

GENERAL INFORMATION

Applicant: Jessamyn Griffin, jessamyn@worksarchitecture.net
Works Progress Architecture, LLP
811 SE Stark St, #210
Portland OR 97214

Party of Interest: Anders Meyer, Analog Pdx LLC
2222 NE Oregon Street, Suite 208
Portland OR 97232

Owner: 1835 N Flint LLC
6312 SW Capitol Hwy Pmb 133
Portland, OR 97239-1938

Site Address: 1835 N FLINT AVE
Legal Description: TL 3100 0.36 ACRES, SECTION 27 1N 1E
Tax Account No.: R941270370
State ID No.: 1N1E27DC 03100
Quarter Section: 2830
Neighborhood: Eliot, contact Jonathan Konkol at info@eliotneighborhood.org or Brad Baker at lutcchair@eliotneighborhood.org

Business District: None
District Coalition: Northeast Coalition of Neighborhoods, contact at info@necoalition.org
Plan District: Central City - Lloyd District
Zoning: EXd – Central Employment with Design Overlay

Case Type: DZ – Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant requests Design Review approval for revisions to previously approved Land Use Review (LU 19-261508 DZM AD) – Analog Apartments. Revisions include setbacks at the south and west sides of the building and associated building footprint changes, resulting in an overall removal of 630 SF. Revisions to elevations are less than 30% per facade, with minor alterations to the design and window locations. The overall building design, unit count and program remain the same.

NOTE: All previously approved five [5] Modifications, one [1] Adjustment, and Conditions of Approval A.-I. will remain as approved per LU 19-261508 DZM AD and are not impacted for the minor revisions proposed this review.

Because the proposal is for exterior alterations to a previously approved Land Use Review, Design Review is required.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines
- Special Design Guidelines for the Design Zone of the Lloyd District of the Central City Plan

ANALYSIS

Site and Vicinity: The subject site is a 15,500 square foot lot at the northwest corner of the intersection of N Flint Ave and N Hancock St; the latter street is a dead-end street providing access only to the subject site and adjacent properties, and the former connects the neighboring Eliot neighborhood over I-5 to the north with the Rose Quarter campus to the south. N Flint Ave also currently provides a major bicycle connection over I-5. N Flint Ave is classified as a City Bikeway, City Walkway, and Major Emergency Response Street in the city's TSP; it is classified as local service for all other modes. N Hancock St is classified as local service for all modes. The site is located within the Central City Pedestrian District.

Adjacent development is primarily of a light industrial character, though the 4-story Paramount Apartments building anchors the corner of N Flint & N Weidler St. A self-storage facility lies at the end of N Hancock St. Down the steep slope to the west of the site lies the large Portland Public School District education services building. Interstate 5 fronts the site to the east and divides the site from the mixed residential/industrial neighborhood to the east.

The site also lies within an area of intense community focus in recent years; the community-led Albina Vision is “a long-term project that addresses how to redevelop the Rose Quarter. It was first conceived in 2015, when a working group of artists, academics, community leaders, businesspeople, developers, and designers gathered to create a plan for the lower Albina area in Northeast Portland that was once a thriving working-class Black community but has changed over the decades because of gentrification, displacement, and the desire of residents to move to a more affordable part of town” (<https://oregonhumanities.org/rll/magazine/owe-spring-2018/albina-rising-deonna-anderson/>).

Finally, the site lies within the Oregon Department of Transportation's I-5 Rose Quarter Project area. As part of this project, the existing N Flint Ave bridge would be demolished and replaced with a new east-west bridge connecting N Hancock St on the east side of the highway with N Dixon St on the west. This bridge connection would slice through a small portion of the southeast corner of the site. However, the proposal is not an adopted City project and has no land use or City transportation requirements associated with it at this time.

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 development standards are intended to allow new development which is similar in character to existing development.

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 2035 Plan. The regulations address the unique role the Central City plays as the region’s premier center for jobs, health and human services, tourism, entertainment and urban living. The regulations encourage a high-density urban area with a broad mix of commercial, residential, industrial and institutional uses, and foster transit-supportive development, pedestrian and bicycle-friendly streets, a vibrant public realm and a healthy urban river. The site is within the Lloyd Subdistrict of this plan district.

Land Use History: City records indicate that one prior land use reviews include the following:

- LU 19-261508 DZM AD - Design Commission approval for a new seven-story residential building “Analog” with 130 dwelling units in the Lloyd District Subdistrict of the Central City Plan District. Approval also included the following Modifications, Adjustment and Conditions of Approval that will also apply to this current Land Use Review [LU 21-261508 DZ].

Approval of the following Modification requests:

- 1) 33.130.230.B.4.a – Ground floor window and frontage standards for dwelling units, Flexible ground floor design. The applicant proposes that the ground floor dwelling unit at the northeast corner of the building have a depth of approximately 19'-6" from the N Flint Avenue-facing façade, rather than the required 25'-0" minimum depth.
- 2) 33.266.130.F.2 – Parking space and aisle dimensions. Provide parking in a mechanical stacking system with spaces that range in width, the smallest being 8'-2 7/16" rather than the required 8'-6" minimum.
- 3) 33.266.220.C.3.b – Standards for all bicycle parking, Bicycle racks. Provide long-term bicycle parking spaces that are 1'-6" x 6'-0", rather than the required 2'-0" x 6'-0", mounted vertically on walls and staggered 8" vertically.
- 4) 33.510.220.B.2 – Ground floor windows. Along the non-residential portion of the N Hancock Street façade, the applicant proposes a large-scale vitrine to display custom art installations in lieu of the standard-required 40% window area with views into lobbies or working areas.
- 5) 33.510.243 – Ecoroofs. The applicant requests 0% ecoroof on the primary building instead of the required 100% (with allowable exceptions, per the standard, available to reduce the area by 40% for solar panels, stair wells and elevator enclosures, and other mechanical equipment) and proposing maximal coverage of the roof by solar panels in place of ecoroof.

Approval of the following Adjustment requests:

- 1) 33.266.310.C.1 – Number of loading spaces. The applicant proposes one (1) Standard B loading space instead of either the required two (2) Standard B loading spaces or one (1) Standard A loading space.

Approvals per Exhibits C.1-C.55, signed, stamped, and dated 08/25/2020, subject to the following conditions:

- A. *As part of the building permit application submittal, the following development-related conditions (B through I) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 19-261508 DZM AD". 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.*
- D. *“Option B” for the design of the northeast corner ground floor level work-live unit shall be integrated into the east and north elevations.*
- E. *The manufacturer’s installation instructions and panel and edge finish instructions (including varnishing with a matte varnish on all surfaces, sealing edges and cut edges, and providing room for expansion at recommended panel attachment points and joints between panels) shall be followed for installation of the proposed Viroc (or similar cement bonded particle board) panels on all floors.*
- F. *Where Viroc (or similar cement bonded particle board) panels are proposed, they shall be smooth finished with integral color with a minimum thickness of 5/8” (16mm) at the ground floor and 1/2” (12mm) at the upper stories.*
- G. *Where Hardie fiber cement panels (or fiber cement panels with similar characteristics) are proposed at the ground level, they shall be a minimum 7/16” thick.*
- H. *Ecoroof shall be installed on at least 60% of the roof surface of the main building. If solar panels are also installed on the roof, the ecoroof under the solar panels shall consist of shade-tolerant sedums and/or grasses, and the solar panels shall be spaced to allow sunlight and rain to reach the ecoroof.*
- I. *Vehicle turning movements for ingress and egress of the loading space must be approved by a PBOT traffic engineer prior to building permit approval.*

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **January 11, 2022**.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **January 11, 2022**. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Brad Baker, Land Use Chair, Eliot Neighborhood Association, wrote in support of the project revisions. Exhibit F1.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825, Design Review Section 33.825.010, Purpose

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 district guidelines.

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 and Lloyd District Special Design Guidelines.

Special Design Guidelines for the Design Zone of the Lloyd District of the Central City Plan and Central City Fundamental Design Guidelines

The Lloyd District is a unique, multi-dimensional neighborhood in the Central City, with special features and assets found nowhere else in Oregon.

With the recent completion of the Oregon Convention Center, the District now serves as the “front door for Oregon and our city.” The District as a whole is emerging as a special area in the state and the region, and the way it is developed will determine its comfort and continued use.

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

The Central City Fundamental 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.

Lloyd District Design Goals

The following goals and objectives define the urban design vision for new development and other improvements in the Lloyd District

- Encourage the special distinction and identity of the Lloyd District;
- Integrate the sub-areas of the District for a visual and functional coherence of the whole; and
- Improve the safety, convenience, pleasure, and comfort of pedestrians.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within all of the Central City policy areas. The nine goals for design review within the Central City are as follows:

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. Central City and Lloyd District Guidelines are addressed concurrently. Staff has also arranged the guidelines under three headings for easier Commission consideration – Context, Public Realm, and Quality & Permanence.

Context

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.

Findings: This project is located on a major bike thoroughfare and is adjacent to the proposed future Hancock-Dixon crossing, part of the proposed I-5 Rose Quarter project, connecting car, pedestrian and bike access across I-5. A shared porch at the ground floor residential units, combined with a set background floor storefront, create active spaces for pedestrians and reinforce the network of connections to the city's greenways. An upper-level terrace provides new and distinct views across the river to downtown for residents.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, this guideline is met.

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

Findings: The proposal includes townhouse-style residential dwelling units on the ground floor, which are physically identical to work-live style dwellings. These units provide a measure of flexibility that is characteristic on the ground floors of development in the Central City. Together with the lobby and integrated structured parking, these work together to create a ground floor expression that is distinct from the upper stories, continuing a typical theme of development in the Central City. An art installation, speaking specifically to the neighborhood's jazz history, is also proposed on one wall of the structure, and the building itself has a sculptural form. Together, these characteristics express a theme of artistic expression which has come to define areas of Portland that are transitioning from a more industrial character to a more mixed-use character.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, 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.

Findings: This proposal occurs on an irregular parcel in an area characterized by superblocks. As such, the 200-foot block pattern does not exist in this area. That said,

the proposal extends new sidewalks where none previously existed to improve the pedestrian experience, and the proposed building anchors the corner of the N Flint Ave and N Hancock St intersections like a typical development on a 200-foot block.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, this guideline is 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. Develop Identifying Features. Encourage the inclusion of features in the design of projects that give projects identity and a sense of place or significance within the District.

C4. Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.

Findings for A4, A5, A5-1, & C4: The proposed building is likely one of the first new buildings in an area that will see further redevelopment over the next several years due to recent rezoning to EX and to potential future redevelopment of the nearby Portland Public School District education services building site. As such, it is helping to establish a new context of mixed-use development, as envisioned by the Albina Vision project, that will bring residents back to the once-thriving neighborhood known as Lower Albina that was destroyed by development of the Rose Quarter campus and Interstate 5, among other projects. In doing so, the proposal meets these guidelines in the following ways:

- The proposal adds to the residential/mixed-use scale of the remaining existing neighborhood fabric on the west side of I-5, comprising the Paramount Apartments, the Leftbank Loft and Annex buildings, and the landmark Portland Van & Storage Building
- The proposal also relates to the scale of residential mixed-use development to the immediate east of I-5 and helps to tie the two halves of the neighborhood together again.
- The sculptural design of the building creates an easily recognized wayfinding element for travelers on and crossing I-5 and travelling along the Broadway-Weidler corridor. The sculptural design of the building also relates to the greater context of the Lloyd District and to the character of development in the Rose Quarter.
- At the pedestrian scale, the proposed development provides pedestrian relief and active uses which support and enhance the adjacent bikeway and which improves the pedestrian experience in a relatively underdeveloped section of the district.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, these guidelines are met.

A5-2. Accommodate or Incorporate Underground Utility Service. Accommodate or incorporate underground utility service to development projects.

A5-3. Incorporate Works of Art. Incorporate works of art into development projects.

A5-6. Incorporate Landscaping as an Integral Element of Design. Incorporate landscaping as an integral element of design which is supportive of both the built and natural environment.

Findings for A5-2, A5-3, & A5-6: The proposal meets these guidelines in the following ways:

- Electrical service to the site takes advantage of an existing pole located at the northwest corner of the site. Though a transformer is proposed to be added to this pole, the electrical connection is routed down the pole and under the sidewalk, meeting Guideline A5-2.
- The proposal includes a custom art installation at the western most wall of the north elevation, improving the pedestrian experience along a formerly underdeveloped section of the district. Taking the form of a vitrine, this installation is proposed at the northwest corner of the building, facing N Hancock St, and is proposed to be utilized as a window to contain and exhibit a large-scale artwork showcasing the neighborhood's history as Portland's former center for jazz.
- In-ground landscape planters are proposed along the residential portions of the building frontage and in front of the lobby, both on-site and within the rights-of-way. Landscape planters are also proposed in the courtyard and on the roof of the bike storage building, and ecoroof has been added as a design alternate for the rooftop of the main building. Combined, these landscaped areas form integral components of the design that support both the built and natural environments.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, these guidelines are met.

A9. Strengthen Gateways. Develop and/or strengthen gateway locations.

A9-1. Provide a Distinct Sense of Entry and Exit. Design and develop gateways into and within the Lloyd District that are appropriate and relate to the District's and sub-District's emerging characteristics.

Findings for A9 & A9-1: Though not located at a designated gateway, the site nevertheless lies at a prominent crossing into the Central City, particularly for bikes.

The building has a sculptural quality that relates both to the industrial character of this particular section of the Lloyd District while retaining other residential characteristics and which helps to identify the transition from the Eliot neighborhood to the north to the Lloyd District and nearby Rose Quarter context to the south.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, these guidelines are met.

C8-1. Allow for Loading and Staging Areas on Sidewalks. On local service streets, adjacent businesses may use the sidewalk area for temporary loading and staging as long as pedestrian access through it is maintained.

Findings: One loading space is proposed in the structured parking garage. N Hancock St can also accommodate loading or parking in the street while maintaining pedestrian access on the sidewalk.

A minor shift in the loading dock location is appropriate and outside of the drive aisle to not inhibit vehicular access. Other minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, this guideline is met.

C10-1. Use Masonry Materials. Except for window glazing, use masonry types of materials as the predominant exterior material for building walls. Use modular stone or masonry materials on the building base or first floor of buildings whenever possible.

Findings: The proposed Viroc and Hardie panel materials are forms of fiber cement cladding which share visual similarities with cement plaster—a form of masonry material—and precast concrete panels, which the background statement for the guideline cites as an appropriate material for this guideline. These materials form the predominant exterior cladding around all sides of the building.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, this guideline is met.

C10-2. Design Exterior Building Walls that are Transparent in Glazed areas and Sculptural in Surface. Design exterior building walls that are transparent or translucent in the glazed areas and which are textural, sculptural and articulated in surface character.

Findings: The proposal meets this guideline in the following ways:

- The building has a sculptural quality to its surface character and articulation that is created first by angular variations in the building form, deployed at critical areas of the building, such as the northeast corner and at primary entries into the building. This sculptural quality is further articulated in the undulating surfaces drawn across the building's facades.
- Proposed windows are transparent and provide for views into and from within the building's occupied areas.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, this guideline is met.

C10-3. Use Light Colors. The use of light color values is preferred for the predominant exterior building materials. Darker value materials should be used to accent or articulate the design.

Findings: The primary building façade is rendered in light-toned cementitious panels, while windows are set into darker panels to accent the fractured ribbon effect on the facades. Although the darker areas appear to cover greater surface area, the lighter-toned panels predominate visually, and these panels are also physically set in front of the darker tones, giving them additional prominence.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, this guideline is met.

Public Realm

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 proposal meets this guideline in the following ways:

- The proposed building is built up to the lot line at the intersection of N Flint Ave and N Hancock St, helping to define the sidewalk edge of the public realm.
- The proposed window projection over the sidewalk and the northeast corner of the building provides an additional sense of enclosure.
- Recesses at the building lobby and at the ground level residential entries help to articulate the urban edge and further define the sense of enclosure.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, 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.

A8-1. Incorporate Active Ground-Level Uses in Parking Structures. Incorporate active ground-level uses in new and modified parking structures that are near active retail and pedestrian areas.

Findings for A8 & A8-1: The proposal meets these guidelines in the following ways:

- The main lobby for the building faces the higher-trafficked N Flint Ave and provides large windows facing the street, allowing views of activities taking place inside.
- The angled recess in the ground floor at the building lobby area creates a form of “grand entry” that helps to further identify and direct views to activities in the main lobby space.

- The design of the ground level residential units incorporates a work-live type of program (and indeed, the northeastern-most unit is designated as a work-live unit) with the units' semi-public living spaces, such as living/dining and kitchen on the ground floor and sleeping areas primarily on the mezzanine level. In addition to providing for flexibility in use at the ground floor, this design—as well as the site's location on a low-trafficked dead-end street unlikely to see significant retail or commercial development—will also likely result in windows and blinds at the ground floor of these units being more open than they would were sleeping spaces placed on the ground floor, showing the activities occurring inside and, thereby, contributing to a vibrant streetscape.
- Windows with clear, low-reflectivity glazing provide views into both the lobby and the ground level of the residential townhouses at the north side of the building.
- The building's parking area is located towards the dead-end of N Hancock St and away from the much more active pedestrian/bike street—N Flint Ave—and placing the more-active building uses there.
- During the first hearing for LU 19-261508 DZM AD, commissioners deliberated on the lack of windows facing N Flint Ave at the northeast corner of the site at the proposed work-live unit. Commissioners found that the lack of windows along this façade created a dead corner that provided little of the vibrancy which Guideline A8 is seeking. As a result, two options for treating glazing at this corner have been proposed by the applicant: Option A lowers the white band at the corner, extending the height of windows at the mezzanine level of the building on this façade. Option B raises the white band and adds windows at the ground level while reducing the area of windows at the mezzanine level. Of the two options, Option B best satisfies this guideline by providing visual connections into the unit's active interior space from both adjacent sidewalks. A condition of approval from the previously approved Land Use Review (LU 19-261508 DZM AD) stipulated that Option B shall be approved to ensure that this guideline is met and will still apply.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above. The original Conditions of Approval for LU 19-261508 DZM AD will still apply.

These guidelines are met.

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.

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.

B3-1. Provide Pedestrian Crossings Spaced at Traditional One-Block Intervals. Provide and design for pedestrian crossings spaced at traditional one-block intervals where deemed safe and appropriate by the City Engineer.

Findings for B1, B3, & B3-1: The proposal meets these guidelines in the following ways:

- As part of this proposal a new sidewalk will be constructed along the north property line where one did not exist previously, and a portion of the site along that frontage will be dedicated to the ROW to allow for the required 4-6-2

sidewalk.

- At the NE corner of the site, a new ADA curb will be installed where no ramp existed previously.
- The main lobby entry is located directly off the main bike and pedestrian thoroughfare—N Flint Ave—while vehicle access is located on the secondary frontage off N Hancock. Entries into ground level residential units are set back from the sidewalk off N Hancock. All entries have direct pedestrian access routes to the public sidewalks.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, these guidelines are met.

B1-1. Protect Pedestrian Areas from Mechanical Exhaust. Incorporate mechanical exhausting systems in a manner that does not detract from the quality of the pedestrian environment.

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.

Findings for B1-1 & B2: This proposal meets this guideline in the following ways:

- Parking and loading entry and exit are located at the dead end of N Hancock. This occurs on the least trafficked portion of the site on the northwest corner, well away from most pedestrian activity.
- The building's main pedestrian entrance is placed along the N Flint Ave frontage and is lit from above by a linear soffit fixture. It is also protected from weather by the overhanging building massing created by recessing the entry. The large lobby along Flint street encourages interaction between residents and passing bicyclists improving security along what was formerly a poorly monitored section of this street.
- Building exhaust and service systems are located either above grade or away from the main pedestrian circulation areas. Utility connections for water, gas and electrical meters have been located to minimize their impact, with electric meters in a dedicated electrical room, the gas meter located in the north west recessed vestibule, and the water meter accessed from a below grade vault in the right-of-way.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, this guideline is met.

B1-2. Incorporate Additional Lighting. Incorporate project lighting in a manner that reinforces the pedestrian environment and which provides design continuity to an area by enhancing the drama and presence of architectural features.

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 for B1-2 & C12: The proposal meets these guidelines in the following ways:

- Linear LED lighting is proposed under the soffit at the main lobby entrance and at the garage entry. These fixtures help to highlight the building’s skewed architectural surface patterning, enhancing its drama, while also providing for lighting in the pedestrian realm and being sensitive to impacts on the nighttime skyline.
- Sconce fixtures are proposed at residential unit entries on the north side of the building and at the bike storage building in the private courtyard. These fixtures are simple in form but also complement the patterning and massing of the building’s architecture. The downward-casting direction of the proposed fixtures helps to ensure they will have minimal impact on the nighttime skyline.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, these guidelines are 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.

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 for B4 & C6: The proposal meets these guidelines in the following ways:

- A large stopping and gathering area is proposed off the public sidewalk in front of the main lobby entrance. In addition to providing space for short-term bike parking and landscaping, the space in front of the lobby entrance is large enough to provide a comfortable transition area for residents and their visitors to gather and socialize off the primary public sidewalk adjacent to this site. Windows from the lobby overlook this area and provide opportunities to view into the building as well.
- A smaller stopping place is provided off the north elevation in front of two of the ground-level residential dwelling units. This area provides a space for residents of these two units to stop before entering their units and to socialize with each other or their visitors off the main public sidewalk.
- Very slight stopping areas are proposed in front of the remaining two ground level residential entries. These provide for a modest amount of space to stop and socialize off the public sidewalk, though this far down the dead-end street, there is unlikely to be significant pedestrian traffic that might conflict with any stopping, socializing, or resting in this area.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, these guidelines are 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.

B6-1. Provide Pedestrian Rain Protection. Rain protection is encouraged at the ground level of all new and rehabilitated commercial buildings located adjacent to primary pedestrian routes. In required retail opportunity areas, rain protection is strongly recommended.

Findings for B6 & B6-1: The proposed building provides its primary weather and rain protection in the form of building overhangs, including those at the deeply-recessed lobby entrance, at the projecting northeast corner of the building, and at the recessed “porch” area at the residential unit entries on the north façade. Additional small canopies are provided over the two westernmost residential entries. Typically, a building of this scale should also provide weather and rain protection over the public sidewalk at building common areas, such as the lobby frontage; however, the depth of the recess at the lobby is significant—up to 10’-0”—and adding a canopy over this area would provide negligible additional weather protection. The covered area in front of the lobby is also sufficiently large to accommodate passing pedestrians who may wish to wait out a brief, heavy rainstorm.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, these guidelines are met.

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

Findings: The proposed building provides access to the lobby at the sidewalk grade from N Flint Ave. At-grade access is also provided to the ground floor residential units facing N Hancock St. In both situations, barrier-free access is provided to the building.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, this guideline is met.

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.

C2-1. Maximize View Opportunities.

Findings for C1 & C2-1: The proposal meets these guidelines in the following ways:

- A terrace is proposed at the 7th floor, which provides views toward the Willamette River and much of the rest of the Central City for residents and their guests.
- Windows on the upper stories of the building provide views towards the street frontages of the building and toward more distant areas of the Central City due to

the site's location at the edge of I-5.

- Ground level windows, particularly the large storefront windows at the building lobby, allow for views between the building's active interiors and the public sidewalks on the exterior.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, these guidelines are met.

C1-1. Integrate Parking. Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

Findings: Parking for this proposal is provided in a garage access from the northwest portion of the site, off the dead-end N Hancock St. The garage conceals the parking from the public realm behind other utilitarian uses that are best located away from the primary public frontage along N Flint Ave, and behind a proposed vitrine displaying an art installation, described in more detail in the Findings for A5-3 above. The design of the garage exterior is complementary and well-integrated with the design of the overall building and consistent with similarly-scaled developments in the vicinity.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, this guideline is 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 proposal meets this guideline in the following ways:

- The building massing at the upper stories projects out over both sidewalks at the intersection of N Flint Ave and N Hancock St, giving greater prominence to the corner.
- The building's stairs and elevators are located towards the middle of the block, leaving space for more-active uses at the northeast corner.
- During the first hearing for LU 19-261508 DZM AD, commissioners deliberated on the lack of windows facing N Flint Ave at the northeast corner of the site at the proposed work-live unit. Commissioners found that the lack of windows along this façade created a dead corner that provided insufficient activity at this corner. As a result, two options for treating glazing at this corner have been proposed by the applicant: Option A lowers the white band at the corner, extending the height of windows at the mezzanine level of the building on this façade. Option B raises the white band and adds windows at the ground level while reducing the area of windows at the mezzanine level. Of the two options, Option B best satisfies this guideline by providing large windows with views into the unit's active ground level interior space from both adjacent sidewalks. A condition of approval from the

previously approved Land Use Review (LU 19-261508 DZM AD) stipulated that Option B shall be approved to ensure that this guideline is met and will still apply.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above. The original Conditions of Approval for LU 19-261508 DZM AD will still apply.

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.

C9. Develop Flexible Sidewalk-Level Spaces. Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

Findings for C8 & C9: The proposal meets these guidelines in the following ways:

- The sidewalk level of the building is differentiated from the upper stories by the use of large storefront windows at the lobby and the vitrine art installation. The upper story is defined by an angular ribbon patterning that is largely absent from the ground floor.
- The main residential lobby is located at the ground floor facing N Flint Ave, and it accommodates a variety of active uses for residents of the building.
- Work-live style residential dwelling units face N Hancock St. These units are designed with their semi-public living spaces, specifically the living/dining and kitchen areas, at the ground floor. With one exception, bedrooms are located in the upstairs mezzanine of each unit. The ground floors of these units are open and can accommodate a variety of active uses in addition to living space, such as a home office or art studio. Finally, as noted above in Findings for A8, the site's location on a low-trafficked dead-end street make it unlikely to see significant retail or commercial development that would otherwise better meet these standards.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, these guidelines are met.

Quality & Permanence

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

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 & C5: The proposal meets these guidelines in the following ways:

- The proposed building has a coherent overall design concept that is applied consistently across all of its facades. Angular massing shifts at the northeast corner and at the ground floor help to accentuate the overall design concept. Proposed cladding materials, windows, doors, and vents are well integrated into the overall design.

- The exterior cladding system is designed as a rainscreen system which should be resilient over time.
 - Viroc panels, which are a type of integral color, cement bonded particle board panels, are proposed at the ground level and in the light gray bands that wrap around the building's exterior facades. The proposal has been revised to show 5/8" (16mm) thick Viroc panels when used at the ground levels with 1/2" (12mm) thick Viroc when used at upper stories. Commissioners deliberated on this material and its applications during the first hearing for this case and concluded that, if properly installed according to manufacturer's instructions, including varnishing with a matte varnish on all surfaces, sealing cut surfaces, and providing room for expansion at panel attachments and joints between panels, the material will have sufficient durability and permanence. The applicants also stated at the first hearing for LU 19-261508 DZM AD that a smooth finish Viroc will be used, which will allow the matte varnish/sealer to be absorbed into the material more easily, resulting in improved durability of the cladding.

During the review of LU 19-261508 DZM AD, the applicant submitted additional evidence explaining the manufacturer's recommended installation methods and instructions, and the applicant provided information about the proposed matte varnish material. Considering all this evidence and commission's deliberations on the matter, conditions of approval were included in the final decision for LU 19-261508 DZM to ensure that these instructions are followed and that smooth finish Viroc shall be used, and these conditions of approval will still apply.
 - Hardiepanel cladding, at 5/16" thick, is proposed as a visually secondary cladding material around the upper stories building. Though reading as a secondary material, this material actually covers the greatest area on the building. Commission deliberated on the use of this material at the upper stories and found that it will provide sufficient quality and durability due to its use on upper stories only.
 - Hardie Reveal siding, at 7/16" thick, has been proposed to be used at the ground floor in the same way as the Hardiepanel is used on the upper stories. This material is more appropriate at the ground floor than the thinner Hardiepanel material where it is more likely to come into contact with people and bikes. Because it is important that this material is durable, the previously approved Land Use Review (LU 19-261508 DZM AD) included a condition of approval requiring this minimum thickness at the ground level to ensure Guideline C2 was met, and this condition of approval will still apply.
- Proposed aluminum storefront windows and vinyl window systems have demonstrated quality and permanence on numerous other buildings around the city.
- Proposed wood slat material is limited in use on the proposal and located solely at the interior courtyard. The wood is proposed to be stained with a dark stain. Due to its location and to the use of the dark stain, this material will promote sufficient quality and permanence to merit approval.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above. The original Conditions of Approval for LU 19-261508 DZM AD will still apply.

This guideline is met.

C1-2. Integrate Signs.

Carefully place signs and sign supports on and for buildings to integrate with the scale, color and articulation of the building design. Avoid large, excessively illuminated or freestanding signs that contribute to visual clutter.

Demonstrate how signage is one of the design elements of a new or rehabilitation project and has been coordinated by the project designer/architect. Submit a master signage program as a part of every Design Review application.

Incorporate signage that compliments and supports the pedestrian scale and use of the Broadway/Weidler Corridor and Holladay Street. While recognizing the dimensional provisions in the Code, size and scale of signs should be moderated in these pedestrian-oriented areas.

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 for C1-2 & C13: A small sign is indicated on renderings at the southeast corner of the building near the main lobby entrance, but it is not shown on elevations, and no additional information is proposed. The sign indicated in the rendering appears to be less than 32 square feet in area, which would exempt it from Design Review approval. Any signs that exceed this size would need further consideration through a separate Design Review.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, these guidelines do not apply.

C10. Integrate Encroachments. Size and place encroachments in the public right-of-way to visually and physically enhance the pedestrian environment. Locate permitted skybridges toward the middle of the block, and where they will be physically unobtrusive. Design skybridges to be visually level and transparent.

Findings: The proposal meets this guideline in the following ways:

- A large, angled window projection is proposed at the northeast corner of the building. As cited in the Proposal above, the width of this window projection exceeds allowable Code Guide standards. However, the projection is well integrated with, and complementary to, the overall design of the building. Its location at the northeast corner also takes advantage of the large open right-of-way on the east side of the site. Though this is claimed mostly by I-5, its presence helps to keep the window projection from a feeling of dominating the public realm, as does its height above grade at approximately 17'-6". *Therefore, the requested Design Exception to the Window Projections Into Public Right-of-Way Code Guide standards continues to merit approval.*
- Proposed planter encroachments will provide additional greenery along public sidewalks, enhancing the pedestrian environment. Proposed in-ground planter designs and dimensions as shown in revised planting plans indicate that the maximum encroachment width of 18" is met, and "walkable" ground cover plants are proposed in accordance PBOT encroachment requirements.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings

above.

Therefore, 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 storm water management tools.

Findings: The proposal meets this guideline in the following ways:

- The rooftop of the main building is proposed to be covered with solar panels or with at least 60% ecoroof, as conditioned in Modification #5 below. Per that condition, solar panels cannot be installed alone, but when installed in combination with ecoroof, or when ecoroof is installed on its own, both will effectively use the rooftop of the main building while remaining well-screened from view.
- An ecoroof is proposed atop the bike storage room in the courtyard, providing integrated stormwater management for that portion of the site.
- A generator and other mechanical units are proposed atop the stairwell and elevator overrun leading to the primary roof. These units are also setback from the edges of the roof to help reduce their overall visibility.
- A shared roof terrace is proposed at the 7th floor, facing west. This terrace will provide amenity space and additional landscaping for residents.

The minor revisions proposed to the previously approved Land Use Review (LU 19-261508 DZM AD) include setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations. These changes do not impact or maintain the originally approved features in the findings above.

Therefore, this guideline is met.

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.

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 makes minor changes to a previously approved design, meets the applicable design guidelines, and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of minor revisions to previously approved Land Use Review (LU 19-261508 DZM AD) – Analog Apartments. Approval includes setbacks at the south and west sides of the building, an overall removal of 630 SF to the building, and minor alterations to the design and window locations.

APPROVAL NOTE: All previously approved five [5] Modifications, one [1] Adjustment, and Conditions of Approval A.-I. will remain as approved per LU 19-261508 DZM AD.

Approval per Exhibits C-1 through C-18, signed and dated February 7, 2022, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through 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 21-117997 DZ." 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.

Staff Planner: Tim Heron



Decision rendered by: _____ **on February 7, 2022**
By authority of the Director of the Bureau of Development Services

Decision mailed: February 9, 2022

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 December 30, 2021, and was determined to be complete on **January 6, 2022**.

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 December 30, 2021.

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 did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: May 6, 2022.**

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. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project 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.

Appealing this decision. This decision may be appealed to the Design Commission, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received **by 4:30 PM on February 23, 2022. The completed appeal application form must be emailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for Office of Community and Civic Life recognized organizations for the appeal of Type II and IIx decisions on property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

Attending the hearing. 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 the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

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 **February 23, 2022** 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 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 of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Original submittal narrative and drawings
 - 2. Revised submittal drawings
 - 3. Revised FAR calculations
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Planting Plan 1
 - 3. Planting Plan 2
 - 4. Building Elevations – EAST PREVIOUS
 - 5. Building Elevations – EAST REVISED (attached)
 - 6. Building Elevations – EAST REVISED – Façade Updates
 - 7. Building Elevations – NORTH PREVIOUS
 - 8. Building Elevations – NORTH REVISED (attached)
 - 9. Building Elevations – NORTH REVISED – Façade Updates
 - 10. Building Elevations – WEST PREVIOUS
 - 11. Building Elevations – WEST REVISED (attached)
 - 12. Building Elevations – EAST REVISED – Façade Updates
 - 13. Building Elevations – SOUTH PREVIOUS
 - 14. Building Elevations – SOUTH REVISED
 - 15. Building Elevations – SOUTH REVISED – Façade Updates
 - 16. Building Elevations – Courtyard PREVIOUS
 - 17. Building Elevations – Courtyard REVISED
 - 18. Building Elevations – Courtyard REVISED – Façade Updates
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Portland Bureau of Transportation
 - 3. Fire Bureau
 - 4. BDS Life Safety
- F. Correspondence:
 - 1. Brad Baker, Land Use Chair, Eliot Neighborhood Association, support
- G. Other:
 - 1. Original LU Application

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).