



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

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**FINAL FINDINGS AND DECISION BY THE DESIGN
COMMISSION RENDERED ON September 15, 2022**

CASE FILE NUMBER: LU 22-152764 DZ
PC # 22-104769
92H Mixed Use Development

BUREAU OF DEVELOPMENT SERVICES STAFF: Hannah Bryant 503-865-6520 /
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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.

GENERAL INFORMATION

Applicant: Alex Yale | Yb-A Architects PC
123 NW 2nd Ave, Suite 204
Portland, OR 97209
Alex@yb-a.com

Developer: Westin Glass | Palindrome Communities
412 NW 5th Ave, Suite 200
Portland OR 97209

Owner: PDC dba Prosper Portland
222 NW 5th Ave
Portland, OR 97209-3812

Site Address: 9330 SE HAROLD ST

Legal Description: BLOCK 1 LOT 1-4 TL 7800, BERNHARDT PK
Tax Account No.: R072400010
State ID No.: 1S2E16DB 07800
Quarter Section: 3640
Neighborhood: Lents, contact at lentsneighborhood@gmail.com
Business District: Lents Grown Business Association, contact lentsgrown@gmail.com.
District Coalition: East Portland Community Office, contact at info@eastportland.org
Plan District: None
Other Designations: None
Zoning: CM3 (MU-U)d – Commercial Mixed Use 3 with Design Overlay
Case Type: DZ – Design Review

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 159 unit, 5-story multi-family development with a 2-story rowhouse building. The ground level program along SE 92nd Avenue consists of commercial tenant spaces at both corners and a residential lobby and five ground level residential units mid-block. The U-shaped development abuts the I-205 multimodal path, and surrounds a common open area shared by residents. A publicly-accessible pedestrian path connects SE 92nd Avenue to the multimodal path along the parcel's south property line. No Modifications or Adjustments are requested.

Design Review is required for non-exempt new development in the Design Overlay.

Relevant Approval Criteria:

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

- *Portland Citywide Design Guidelines*

ANALYSIS

Site and Vicinity: Located in the Lents neighborhood, this 2.11-acre site is currently a vacant field. It is most well known for being a former home of the Belmont Goats, a popular goat herd that has lived in numerous neighborhoods throughout the city. It is currently an informal open space utilized by neighbors for dog walking and active recreation.

To the northeast of this parcel is the Rosemary Anderson High School and Wattles Boys and Girls Club. These community service uses serve both neighborhood and regional youth. To the west of this parcel, across SE 92nd Avenue, the zoning shifts to residential multi-family, and is developed with primarily one-story single- and multi-family housing. To the south of this site is the former Zoiglehaus Brewing Company which has recently been rebranded as the Zed, a new food hall housing numerous small restaurants, a farmers market, event space and brewery.

The surrounding Lents neighborhood is one known for many transformations over the past 120 years. Beginning as a 190-acre town of Lent, Oregon, this rural community was established in 1886 and remained independent until its annexation into Portland in 1912. Beginning in 1892, it was connected to Portland by a streetcar, which ran across the Hawthorne Bridge to the town of Lent. Due to its nearly six-mile distance from downtown Portland, and its lower income population, the Lents neighborhood was neglected by the City and repeatedly overlooked for needed infrastructure improvements, such as street and sewer improvements. In the 1970s, the planned I-205 highway was proposed to be aligned with 39th Avenue, but the affluent residents of the Laurelhurst neighborhood successfully lobbied to have its path moved further east. By the time the highway was being constructed, the city decided to move it even further east, to 96th Avenue. This highway location effectively bisected the Lents neighborhood and led to subsequent increases in traffic and disinvestment that plagued the neighborhood for the next fifty years.

Through the late 20th Century, the Lents neighborhood became one of the City's most diverse neighborhoods, with many Asian, Latino, Russian and Eastern European immigrants. As the neighborhood grew, so did its voice in helping to shape city policy. In its 1995 Lents

Neighborhood Plan, the community identifies the goals of creating an “urban village” to provide a full range of community and commercial services, similar to the complete community economy it had once been one hundred years earlier, as the Town of Lent. The community goals for its urban village include a pedestrian-friendly core, served by numerous transit options; higher-density housing and abundant access to parks and open space.

Zoning: The Commercial/Mixed Use 3 (CM3) zone is a large-scale zone intended for sites in high-capacity transit station areas, in town centers, along streetcar alignments, along civic corridors, and in locations close to the Central City. It is intended to be an intensely urban zone and is not appropriate for sites where adjacent properties have single-dwelling residential zoning. The zone allows a wide range and mix of commercial and residential uses, as well as employment uses that have limited off-site impacts. Buildings in this zone will generally be up to six stories tall unless height and floor area bonuses are used, or plan district provisions specify other height limits. Development is intended to be pedestrian-oriented, with buildings that contribute to an urban environment with a strong street edge of buildings. The scale of development is intended to be larger than what is allowed in lower intensity commercial/mixed use and residential zones. Design review is typically required in this zone.

The Design overlay zone ensures that Portland is both a city designed for people and a city in harmony with nature. The Design overlay zone supports the city’s evolution within current and emerging centers of civic life. The overlay promotes design excellence in the built environment through the application of additional design standards and design guidelines that:

- Build on context by enhancing the distinctive physical, natural, historic and cultural qualities of the location while accommodating growth and change;
- Contribute to a public realm that encourages social interaction and fosters inclusivity in people’s daily experience; and
- Promotes quality and long-term resilience in the face of changing demographics, climate and economy.

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

- LU 08-153523 CP ZC – Approval of a Comprehensive Plan Map Amendment and Zone Map Amendment to change the zoning at this parcel from Multi Dwelling Residential to Central Employment.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **August 18, 2022**. The following Bureaus have responded with no issue or concerns:

- Water Bureau
- Site Development Section of BDS (exhibit E.1)
- Fire Bureau (exhibit E.2)
- Portland Bureau of Transportation (exhibit E.3)
- Life Safety (exhibit E.4)
- Urban Forestry (exhibit E.5)
- Bureau of Environmental Services (exhibit E.6)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **August 18, 2022**.

One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Kelly Fitzsimmons and Jared Lindsey – August 20, 2022 – Neighbors wrote to express concern about the lack of parking proposed for this development, and the loss of an existing green space in a neighborhood with record urban heat island temperatures.

Staff Response: Staff is grateful to these neighbors for their considerate, caring letter and shares their deep concern about the need for public open spaces amidst increasing temperatures. These are also goals of the City's 2015 Comprehensive Planning, and analysis behind that plan identifies areas where growing populations necessitate new public park development, and where to increase zoning to encourage housing in areas well supported by transit, and within walking and biking distance to employment and services. The goals of increasing population centers close to the urban core include reducing the need for personal vehicles and stemming the community's contribution to climate change. To this end, staff may not require parking in excess of the minimum amounts set by the Zoning Code, nor may staff deny an allowed use. At this site, there is no requirement to provide any parking, and housing is an allowed use. The applicant is proposing a large open area and almost eighty new trees as part of this development.

Procedural History: This application was submitted on June 13, 2022. An Incomplete Letter was mailed on July 13, 2022. The applicant deemed the application complete on August 2, 2022. The first and only hearing was scheduled for September 15, 2022.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review implements the Design overlay zone, strengthening these areas as places designed for people. Design review supports development that builds on context, contributes to the public realm, and provides high quality and resilient buildings and public spaces.

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 Portland Citywide Design Guidelines.

Portland Citywide Design Guidelines

The Portland Citywide Design Guidelines consist of a set of guidelines for design cases in community planning areas outside of the Central City. The Portland Community Design Guidelines focus on three tenets: **Context**, balancing the aspirations of the future desired character with today's setting; **Public Realm**, strengthening a building and site's relationship with the public rights-of-way and open spaces; and **Quality And Resilience**, underscoring holistic site and building designs that benefit people and climate.

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

01: Build on the character, local identity, and aspiration of the place.

Possible design approaches may include, but are not limited to:

- Community - Relating to the local community's identity, history, and cultural values and places.
- Architecture - Taking cues from desired character of existing architecture.
- Nature - Reflecting and enhancing local natural resources such as rivers, streams, buttes and vegetation.

Findings: Founded as an independent community, the Lents neighborhood was annexed into the city of Portland in 1912. Despite over 100 years within Portland city boundaries, Lents retains a distinct sense of community that is discernable to visitors and those passing through. In the late 1970s, the Lents neighborhood was effectively bisected by the construction of I-205. The impact of the highway division, and increased traffic to access it, damaged the connectivity of the community. Subsequent disinvestment, demolition and neglect of commercial building stock further reduced the walkability of the small commercial core. In the past decade, numerous large-scale projects clustered along SE Foster Road have served to rebuild the Lents core, adding much needed affordable and market rate housing and human services to the growing neighborhood.

This proposal intends to build on the foundation of existing development, with an ambitious, large, market-rate housing and commercial development fronting the SE 92nd Avenue neighborhood corridor. The proposed site is currently a large vacant field, most known for being a former home of a popular goat herd and more recently serving as a de facto dog park. The open area separates the Wattles Boys and Girls Club and Rosemary Anderson High School from the emerging Lents Neighborhood commercial core. The proposed mixed-use development at this site will serve to stitch the educational hub to the commercial and transit core of the neighborhood with a nearly continuous frontage of active, publicly-accessible uses.

The street-facing façade is designed to include twelve entries facing the street. Of these, five are entries into commercial tenant spaces, five are entries from the porches of ground level residential units, and two are common resident entries into the lobby and a bike room. The repetition of multiple doors, prominent entrances, and fine-grain details such as board-form concrete planters, raised front porches, canopies and pedestrian-scale lighting serve to create a strong, active street wall, complementing the form and texture of existing older buildings. and surrounding residential context. At the hearing the Commission noted that limited ground floor residential proposed here fronting SE 92nd Avenue is approvable because it is flanked with commercial uses, and because the land across the street and to the north is zoned residential, so the context will remain residential for the foreseeable future.

This guideline is met.

02: Create Positive Relationship with surroundings.

Possible design approaches may include, but are not limited to:

- Building Massing - Developing effective placement and proportion of building massing toward adjacent lower-scale development and residential uses.
- Street Wall - Maintaining a vibrant street wall with continuous storefronts along historic main streets.
- Connectivity - Creating visual and physical links to adjacent pedestrian pathways and neighboring open spaces.
- Adjacent Historic Landmarks - Deferring to the neighboring historic landmark through massing and urban form.

Findings: The proposal is intended to continue the emerging commercial corridor along SE 92nd Avenue, with a strong connection to the planned Lents Market building to the south of this site, and a new publicly accessible pedestrian path along the south property line, connecting SE 92nd Avenue to the I-405 multimodal path.

The non-required proposed pedestrian path effectively serves as a secondary frontage, with rowhouse porches and a commercial patio spill out space lining the new pathway. The buildings are set back from the path, ensuring that it is not cramped and has ample space and light. The thoughtful site design ensures that the path will be welcoming, highly visible and offer a meaningful amenity that fosters connection between the Lents neighborhood to the west and the multimodal path to the east of this site.

As described above, the street wall fronting SE 92nd Avenue is rich in human-scaled detailing such as raised planters, front porches, spill-out seating, many entrances, canopies and pedestrian-scaled lighting. The façade articulation, with a vertical recess above the primary residential entry and a step back above level one ensures that the long façade is not flat or monolithic abutting the street.

This guideline is met.

03: Integrate and enhance on-site features and opportunities to contribute to a location's uniqueness.

Possible design approaches may include, but are not limited to:

- Natural Resources - Minimizing site disturbance and integrating topography and natural resources found on-site.
- Viewpoints - Integrating views to community points of interest.
- On-site Older Buildings and Historic Resources - Retaining existing older buildings and historic resources.
- Social and Cultural Significance - Incorporating a site's significant cultural or social history.

Findings: The proposed site design includes two buildings, an L-shaped five-story mixed-use building fronting SE 92nd Avenue and the northern driveway, and a two-story rowhouse along the south pedestrian path. These two buildings create a U-shaped massing that encircles a residential open area. The lower heights of the rowhouse building ensure ample sunlight in the courtyard and play area, while the taller buildings ensure that the space remains private and is clearly for residential use. The residential outdoor amenity space is separated into a series of outdoor rooms, each designed to support different uses. A firepit, outdoor kitchen, and multiple tables support the use of this space as a gathering area. A turf yard with bermed hills, trees and boulders provide space for children to play. The courtyard is proposed to include over thirty new trees, ensuring shade and reduced cooling costs for residents, as well as supporting stormwater treatment and habitat diversity.

While the U-shaped form of the buildings provides a sense of enclosure for the courtyard, the primary entry is aligned with the courtyard to ensure that it is visible through the building from the moment one enters the lobby. This design element ensures that the views of tree canopy, lawn and neighbors enhances the entry experience of all residents and guests of the building.

A rooftop terrace is proposed on top of the five-story mixed-use building. The proposed location will be set back from the roof edges, overlooking the residential courtyard behind the building and capturing views of Mount Hood to the east. Its proposed location ensures privacy for the smaller scale residential buildings across SE 92nd Avenue from this site, while providing additional outdoor amenity spaces for the residents of this building.

This guideline is met.

04: Design the sidewalk level of buildings to be active and human-scaled.

Possible design approaches may include, but are not limited to:

- Ground Floor Heights - Designing buildings with taller, more adaptable ground floors.
- Multiple Entries and Windows - Offering more than one entrance along the ground floors of buildings to provide “eyes on the street” and avoid blank expanses of walls.
- Weather Protection - Providing protection from wind, rain, and sun.
- Lighting - Enhancing safety and visibility for pedestrians and highlighting special building features.
- Residential Setbacks - Creating soft transitions while separating private spaces from public spaces.

Findings: As described above, after the construction of the highway and subsequent disinvestment, this neighborhood’s commercial core struggled with a lack of a defined center, few walkable destinations, and a public realm fronted with vacant, inactive or windowless facades. This previously disconnected neighborhood is only recently benefitting from the new development that has created a more contiguous, pedestrian-friendly public realm with numerous publicly-accessible commercial spaces, plazas and pedestrian seating spaces. This proposal builds upon other recent development, extending the walkable, commercial area down SE 92nd Avenue and serving to create a linkage between the existing high school and youth center to the north with the neighborhood core to the south.

Fronting SE 92nd Avenue, the sidewalk level of the five-story mixed-use building provides a strong, human-scaled and active ground floor. The ground floor program abutting this street includes three commercial spaces, a residential lobby and bike room, and five residential units with front porches and landscaped planters separating them from the sidewalk. While a long line of ground level residential units may result in permanently closed blinds, and large commercial spaces have negative impacts on the public realm when empty, the diversity of uses and the smaller sizes of the commercial tenant spaces on this frontage help ensure that the public realm will benefit from activity throughout the day and night and that vacancies will have minimal impact on the public. Both corners on this façade are bookended with commercial tenant spaces, which will benefit from maximum visibility. The residential units each have a five-foot deep front porch, ringed with landscaped planters, to create a privacy buffer between unit interiors and the sidewalk and also to facilitate space for tenant furnishings and spill-out.

The proposal builds on the evolving neighborhood, and extends the commercial corridor further from its center, helping to facilitate linkages between existing community assets and introducing a new, pedestrian-oriented ground level.

This guideline is met.

05: Provide opportunities to pause, sit, and interact.

Possible design approaches may include, but are not limited to:

- Seating - Providing a variety of seating types for passersby and building users.
- Integrate Bicycles - Designing open spaces that accommodate parking for bicycles.
- Art/Water - Designing spaces that can integrate opportunities for art, stormwater or water features.
- Enclosure - Offering a comfortable buffer and distinction from the public realm.
- Trees and Landscaping - Promoting health and wellness by helping to mitigate the effects of urban heat island.

Findings: The site is located in a transitional area. To its south, existing and redeveloping commercial sites create a continuous frontage of commercial uses leading to the neighborhood commercial core at SE Foster Road. To the north, the existing youth center and high school provide community services to local and regional youth. Across the street small scale single- and multi-family residential homes are set back from the street with typical deep front yard setbacks. The land to the west and north of this site continues to be zoned residential, and therefore the commercial corridor along SE 92nd is likely to be limited to the east side of the street and not extend further north or east in the near future.

Due to its location near the edge of a commercial zone, this proposal attempts to incorporate elements from both the commercial development to its south and the residential development across the street. To this end, the building is set back from its SE 92nd Avenue property line to facilitate front porches for its residential units and spill-out seating areas for its commercial spaces. The raised porches are slightly raised and buffered with concrete planters, to provide additional privacy and landscape area reminiscent of the landscaped residential yards across SE 92nd Avenue. The raised porches and deep planters serve to delineate the private residential porches from the public sidewalk while creating a functional space for residents to sit outside and interact with neighbors walking by.

Publicly accessible seating is focused at the building's southwest corner, where a commercial tenant space has a highly visible patio located at the intersection of the SE 92nd Avenue sidewalk and the new publicly accessible path at the south edge of this parcel. This patio is designed to relate to the new Lents market being developed on the parcel immediately south of this one. At the hearing, one Commissioner suggested that adding art or a water feature would be appropriate to the scale and design of the proposed outdoor gathering spaces.

Weather protection is offered at all commercial entries as well as at the primary residential entry. Additionally, the introduction of significant quantities of on-site and street trees will further augment the protection offered from sun, wind and rain. Eight large canopy trees are proposed between the sidewalk and SE 92nd Avenue, and an additional 79 trees are proposed on-site, lining the pathways, the residential amenity courtyard and all vehicle areas.

Bicycles are accommodated in numerous locations, to ensure convenient access for both short- and long-term parking. The majority of required bike parking is provided in a detached bike shelter located at the east end of the residential courtyard where it adds a sense of enclosure to the courtyard and visually buffers the outdoor amenity space from the vehicle parking. Additional bike parking is located inside the building, north of the residential entry. Short-term bike parking is provided in numerous locations to ensure convenient access to commercial and residential tenants.

With the careful addition of numerous public and private outdoor amenity spaces and generous landscape buffers, this proposal introduces numerous opportunities for people to pause, sit and interact.

This guideline is met.

06: Integrate and minimize the impact of parking and building services.

Possible design approaches may include, but are not limited to:

- Vehicles and Parking - Screening and buffering vehicle areas from pedestrians and integrating parking into the building design.
- Utilities, Trash and Recycling - Siting and screening utilities, trash, and recycling enclosures away from public realm.
- Vaults - Integrating and concealing vaults within open areas.

- Stormwater Planters - Integrating stormwater with multiple uses, such as buffering, placemaking, and seating opportunities.
- Long-Term Bicycle Parking - Designing bicycle parking to encourage use by adding bike lobbies and bike repair amenities.

Findings: A single two-way driveway serves all vehicle access for the site, including code required loading, trash and recycling service and utility and fire access. The driveway is designed to also provide necessary access for a future development phase, to be added at a later date at the east edge of the site, between the vehicle area and the I-205 multimodal path. Thoughtful site planning at this stage of development will facilitate additional development without additional vehicle area for future buildings.

Service functions are all located far from the public realm, in inconspicuous locations. The generator and transformer are well screened at the far northeast corner of the parking area. All stormwater will be managed on site with drywells.

This guideline is met.

07: Support the comfort, safety, and dignity of residents, workers, and visitors through thoughtful site and building design.

Possible design approaches may include, but are not limited to:

- Internal Open Spaces - Offering a variety of multi-functional spaces such as balconies, stoops, plazas, play areas, and passive sitting areas.
- Internal Connections - Creating safe and visible pedestrian circulation through sites.
- Vehicles Areas - Ensuring that vehicle areas do not impair the usability and enjoyment of the site.
- Solar Access - Providing solar access to open areas.
- Windows and Entries - Orienting windows and entries toward on-site circulation and open areas.

Findings: The heart of the proposed site design is the central open courtyard and adjacent turf lawn provided as a residential amenity space. The taller building is located to the west and north of this open area, while the shorter 1- and 2- story bike shed and rowhouses are located to the south and east, ensuring plenty of sun while also ensuring shade from the hottest afternoon sun. Glass doors fronting the courtyard are aligned with the primary residential lobby entry, ensuring that views into the lush, outdoor area are the first things to greet all who enter the lobby. The carefully designed courtyard includes distinct areas for both active and quiet use, including an outdoor kitchen and tables for resident events; a fire pit and seating for gatherings, and a turf lawn and boulder-strewn hill for active play by resident children. Residential units front the courtyard, further ensuring that the tree lined, landscaped space has maximum benefits for all residents.

This guideline is further met by numerous opportunities for engagement provided along property edges, including the pedestrian path connecting the SE 92nd Avenue to the I-205 multimodal path, the spill out commercial seating area and connections with the neighboring Lents market hall, and the raise front porches and recessed commercial ground level spaces which facilitate interaction between customers and residents of this building and neighbors passing by on the sidewalk.

This guideline is met.

08: Design for quality, using enduring materials and strategies with a coherent approach.

Possible design approaches may include, but are not limited to:

- Unity - Expressing a clear and coherent design approach to unify building.
- Articulation - Highlighting function, hierarchy, or spaces through small breaks in form.
- Application of Exterior Materials - Expressing the building design with hierarchy, shifts or repetition.
- Quality of Materials - Providing quality, resilience, and durability in construction and execution of details.
- Building Openings - Offering permeability, depth, and texture.

Findings: The proposal includes three buildings, each designed to utilize a very different material palette, massing and form. For the purposes of easy identification, the three will be described separately.

Building A is the five-story, mixed-use, L-shaped building that fronts SE 92nd avenue and wraps around the north end of the site, separating the vehicle driveway at the north edge from the central residential courtyard. This building is proposed to be clad in cast stripe Ceraclad. This cementitious panel product has a factory finished ceramic coating and is installed with concealed fasteners. The proposed cast stripe option is a ridged product, which may add durability, as scratches or damage are likely to only impact the outermost surfaces, and be less visible due to the dimensional horizontal ridges. Notably, this product line offers pre-formed corner pieces, which eliminate the corner reveals typical of many panelized systems and offer additional strength. This is a high-quality product that has been approved in numerous applications throughout the city and has demonstrated durability over many years in exposed locations. The design utilizes this product from top to bottom, rather than introducing a masonry base or curb, which means the product will be exposed to all the impacts associated with the pedestrian realm, spill out furniture, bicycles and rain bouncing back from the sidewalk and porches.

This building is coherent in its design, utilizing a restrained material and color palette to ensure sufficient visual diversity without creating an overly busy or discordant façade. This is an appropriate response to this transitional location, where existing commercial buildings utilize a simple material palette and residential homes across the street typically employ no more than two façade materials. Wood is used as an accent material, and is limited only to protected areas with maximum human benefit, such as the underside of canopies and balconies, covered residential porch doors, and a wood storefront system to be used at the commercial tenant spaces fronting SE 92nd Avenue. Board formed concrete planters are durable enough to withstand the impacts of the pedestrian realm, and may serve as impromptu seating, while also facilitating substantial landscaping screening to augment the privacy of ground level units.

Massing shifts are used to draw attention to areas of significance and to provide privacy and weather protection. A deep vertical recess above the primary residential entrance provides space for a generous canopy, seating and bicycle parking, and serves to differentiate this entrance from the numerous other entrances along this façade. A slight horizontal step back above level one helps reduce the scale of the building as it fronts SE 92nd Avenue, providing additional space for street tree canopy and light and air to the sidewalk. The recessed ground level allows for more outdoor spill out space, while allowing for deep vertical piers to separate the outdoor spaces and provide additional storage spaces between ground level units.

Building B is the two story rowhouse at the south edge of the site that fronts the south pedestrian path and faces the Lents market hall. This building is proposed to be clad in brick veneer, with Ceraclad accents framing the north- and south-facing windows and steel planters buffering the raised porches from the courtyard. The rowhouse building is a single mass, and individual units are separated not by massing or material shifts, but with downspouts. Steel canopies are provided over the south-facing entries and board-formed concrete planters buffer the south-facing porches from the pedestrian path.

Building C is the one-story bike storage building that separates the residential courtyard from the eastern vehicle parking area. This low, utilitarian building is designed for durability and function. It is proposed to be clad in black-painted CMU, and augmented with stainless steel vertical cables to support vines. Adequate planting area is provided around the building to ensure the viability of the intended vines, provided irrigation is sufficient and the plants chosen are able to withstand the extreme temperatures of the black building. Black, metal gates are intended to provide the code-required security.

On balance, the proposal utilizes high-quality materials with thoughtful intention, and rightfully prioritizes the detailing and materials adjacent to, and visible from, the public realm. At the hearing, the Commission discussed the durability of the Ceraclad product at the ground level. During permitting, if the applicant determines a more durable material would be preferable, the Commission stated they would support the applicant choosing a higher density, through-color cementitious product within all the ground level alcoves. The Commission discussed the pros and cons of using an alternative material at the ground level and determined that the articulation of the ground level, with regular bays defined by recessed alcoves, in conjunction with the nearby residential zoning that precludes this area from becoming an active commercial corridor, reduces concern about damage that might be typical in more high-density, urban areas. If damage occurs, the ground level is highly accessible and divided into small fields of cladding that may be easily replaced.

This guideline is met.

09: Design for resilience, health, and stewardship of the environment, ensuring adaptability to climate change and the evolving needs of the city.

Possible design approaches may include, but are not limited to:

- Adaptable Buildings - Providing flexibility in building programming, floor heights, and building openings.
- Resource Conservation - Prioritizing the use of existing structures or reclaimed and recycled materials.
- Native Landscaping - Integrating native landscaping and large canopy trees to address heat island and provide for pollinators.
- Ecoroofs - Providing and integrating ecoroofs for pollinators and people.
- Bird-Safe - Reducing bird strikes through careful design.
- Daylight and Air - Providing daylight and ventilation and improving indoor air quality.
- On-Site Stormwater - Allowing rain to soak into the ground and filter through lush vegetation and landscaping.

Findings: The heart of the site planning is the outdoor residential amenity space, which is designed to facilitate both passive and active recreation. The floor plan is designed to ensure that as many residential units as possible benefit from the views into the residential courtyard, with ground unit porches fronting the outdoor space. Dozens of trees ring the courtyard, providing privacy and screening between the common outdoor area and adjacent

units, while also providing shade, views, and bird habitat. The environment of this courtyard space will benefit from the lower heights of the rowhouse building and bike shelter along its south and eastern edge.

Additional planters are provided at all ground level units, as well as on the roof terrace, ringing the building with layered landscaping. Almost 80 large and medium canopy, on-site trees serve to provide shade and augment stormwater management.

While non-required parking is provided, the proposed parking spaces are significantly less than what is allowed by code, and is well integrated to reduce its impact on the public realm. Bike parking is provided in numerous locations, to maximize its convenience and to ensure accessibility to all residents.

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 implements the Design overlay zone, strengthening these areas as places designed for people. Design review supports development that builds on context, contributes to the public realm, and provides high quality and resilient buildings and public spaces. The proposal adds much needed housing to a rapidly growing neighborhood, thoughtfully responding to its existing and emerging context. It highlights meaningful outdoor areas and generous tree canopy in an area that lacks in both of these areas. It meets the applicable design guidelines and therefore warrants approval.

DESIGN COMMISSION DECISION

It is the decision of the Design Commission to approve Design Review for a 159-unit, 5-story mixed use development with a 7-unit, two-story rowhouse building, and a one-story bike storage building, per the site plan and exhibits C.1-C.57.

Approvals per Exhibits C.1-C-57, signed, stamped, and dated October 3, 2022, 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 22-152764 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.



By: _____
Sam Rodriguez, Design Commission Chair

Application Filed: June 13, 2022

Decision Rendered: September 15, 2022

Decision Filed: September 16, 2022

Decision Mailed: October 5, 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 June 13, 2022, and was determined to be complete on August 2, 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 June 13, 2022.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant waived the 120-day review period, as stated with Exhibit (Exhibit A.2). The **120 days expire on:** August 2, 2023

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 October 19, 2022. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. The completed appeal application form must be e-mailed to BDSLUSTeamTech@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.

If you are interested in viewing information in the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note only digital copies of material in the file are available for viewing. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

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).

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 City Council on that issue. Also, if you do not raise an issue with enough specificity to give City Council an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

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 \$5,789.00 will be charged.**

Neighborhood associations may qualify for a waiver of the appeal fee. Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services website: <https://www.portlandoregon.gov/bds/article/411635>. 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 **October 19, 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 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.

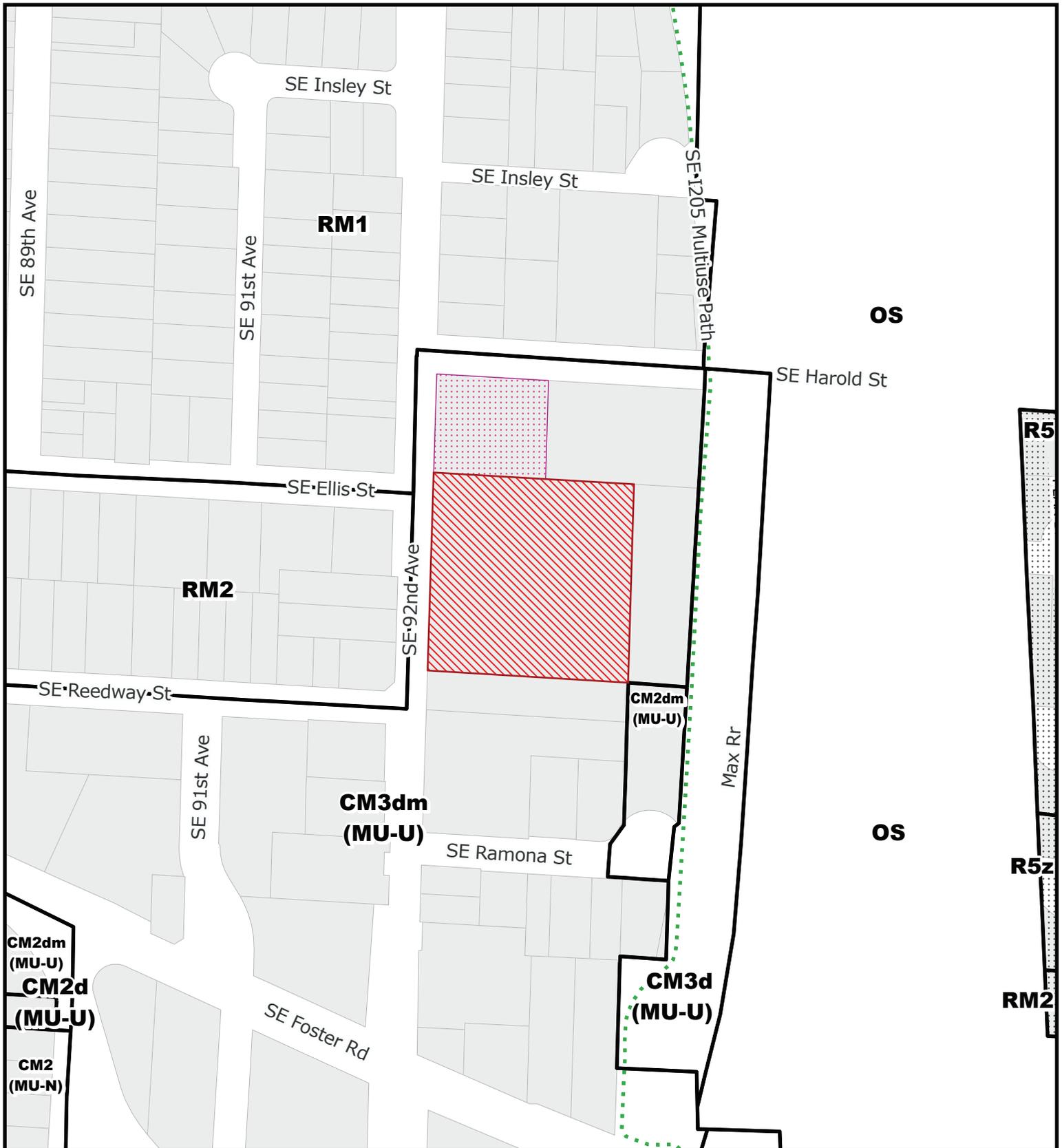
- All applicable development standards, unless specifically exempted as part of this land use review.
- All requirements of the building code.
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
 1. Original Submittal, June 13, 2022
 2. Full Extension
 3. Response to Incomplete, August 2, 2022
- B. Zoning Map (attached)
- C. Plan & Drawings
 1. Site Plan (attached)
 2. First Floor plan
 3. Enlarged Courtyard Plan
 4. Enlarged Equipment Screen Fence at Parking Lot
 5. 2nd Floor
 6. 3rd Floor
 7. 4th floor + 5th Floor
 8. Roof Plan
 9. Roof Deck
 10. Diagram: Façade Articulation
 11. Diagram: Building Entrance Compliance Diagram
 12. Diagram: Ground Floor Window Compliance
 13. Diagram: ROW Sidewalk Compliance
 14. Diagram: Façade Articulation Compliance
 15. Diagram: Site Circulation
 16. Diagram: Ground Floor Active Use Compliance
 17. Exterior Materials - Images
 18. South Elevation – Building A
 19. South Elevation Rendered – Building A
 20. West Elevation – Building A
 21. West Elevation Rendered – Building A
 22. North Elevation – Building A
 23. North Elevation Rendered – Building A
 24. East Elevation – Building A
 25. East Elevation Rendered – Building A
 26. South Elevation – Building B
 27. North Elevation – Building B
 28. East Elevation – Building B
 29. West Elevation – Building B
 30. Elevations – Building C
 31. Elevations Rendered – Building C
 32. Section 01 – Building A
 33. Section 02 – Building A
 34. Section 01 & 02 – Building B
 35. Section 01 & 02 – Building C

36. Enlarged Wall Section 01 – Building A
 37. Enlarged Wall Section 02 – Building A
 38. Enlarged Wall Section 02.2 – Building A
 39. Enlarged Wall Section 02.3 – Building A
 40. Enlarged Wall Section 02.4 – Building A
 41. Enlarged Wall Section 03 – Building A
 42. Enlarged Wall Section 04 – Building A
 43. Enlarged Wall Section 05 – Building A
 44. Enlarged Wall Section 06 – Building A
 45. Enlarged Wall Section 07 – Building A
 46. Enlarged Wall Section 08 – Building A
 47. Enlarged Wall Section 09 – Building B
 48. Enlarged Wall Section 10 – Building B
 49. Enlarged Wall Section 11 – Building C
 50. Landscape Plan
 51. Plant Variety
 52. Enlarged Courtyard Plan – Landscape
 53. Enlarged Street Side and Amenity Plan – Landscape
 54. Level 02 Balcony Planting Plan – Facing ROW
 55. Site lighting plan
 56. Existing Survey
 57. Civil Plan
- 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. Water Bureau
 4. Fire Bureau
 5. Bureau of Parks, Forestry Division
 6. Site Development Review Section of BDS
- F. Letters
1. Kelly Fitzsimmons and Jared Lindsey, August 20, 2022 – Neighbors are concerned with the lack of parking and the effects of additional buildings on urban temperatures.
- G. Other
1. Original LUR Application
 2. Incomplete Letter, dated July 13, 2022
- H.
1. Staff Report, dated September 15, 2022
 2. Staff Commission Memo, dated September 8, 2022
 3. Staff Presentation, Hearing September 15, 2022
 4. Testifier List for Hearing September 15, 2022



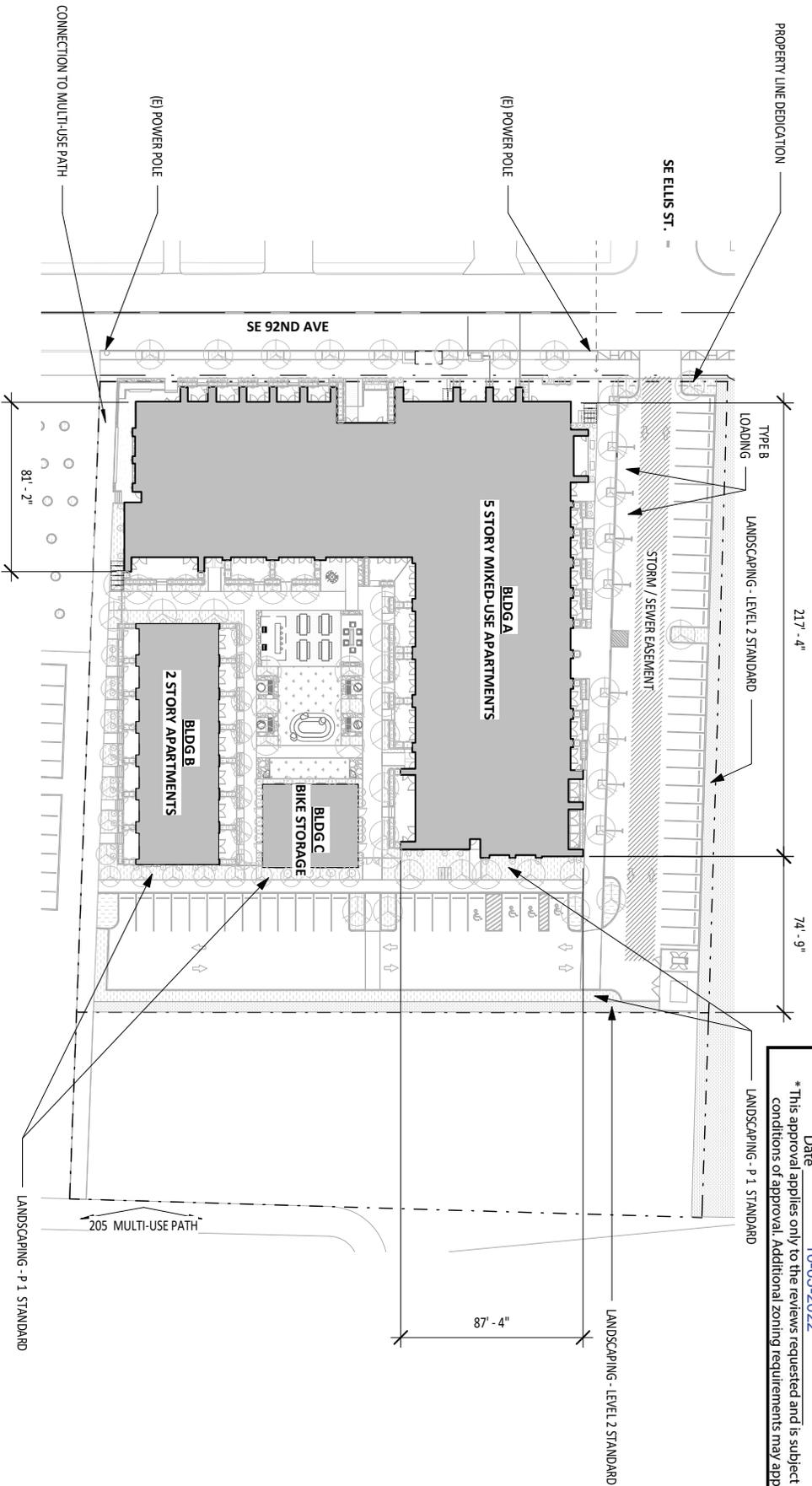
For Zoning Code in effect Post August 1, 2021

ZONING

-  Site
-  Also Owned Parcels
-  Recreational Trails

File No.	<u>LU 22 - 152764 DZ</u>
1/4 Section	<u>3640</u>
Scale	<u>1 inch = 200 feet</u>
State ID	<u>1S2E16DB 7800</u>
Exhibit	<u>B Jun 14, 2022</u>

SITE PLAN



1 SITE PLAN
1" = 50'-0"

10' 25' 50' 100'

Approved
 City of Portland
 Bureau of Development Services
 Planner *[Signature]*
 Date 10-03-2022
 *This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.