



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

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Date: December 14, 2022
To: Interested Person
From: Arthur Graves, 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 22-183003 DZM: NEW HOUSING WITH OFFICES

GENERAL INFORMATION

Applicant: Kristina Hauri | Holst Architecture
123 NE 3rd, Ste 310 | Portland OR 97232
503.233.9856 | khauri@holstarc.com

Owner's Rep: Mac Cunningham | Catholic Charities Of Oregon
2740 SE Powell Blvd | Portland OR 97202

Party of Interest: Masaye Hoshide | Portland Housing Bureau
1900 SW 4thave., Ste 7007 | Portland, OR 97201

Party of Interest: Jill Sherman | Edlen & Co
151 SW 1st Ave #300 | Portland, OR 97204

Owner: St. Francis of Assisi Catholic Church Portland Oregon
330 SE 11th Ave | Portland, OR 97214

Site Address: 1131 SE Oak Street

Legal Description: BLOCK 240 LOT 1-3 INC PT VAC ST LOT 4&5, LOT 6-8, EAST PORTLAND

Tax Account No.: R226515990

State ID No.: 1N1E35CD 09100

Quarter Section: 3031

Neighborhood: Buckman, contact Nick Olson at buckmanlandusepdx@gmail.com

Business District: Central Eastside Industrial Council, contact Dan Yates at dan@portlandspirit.com

District Coalition: Southeast Uplift, contact Matchu Williams at matchu@seuplift.org

Plan District: Central City Plan District and Central Eastside Sub-District

Zoning: EXd: Central Employment Base Zone, Design (d) Overlay Zone

Case Type: DZM: Design Review with Modifications

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

Proposal:

The applicant requests Design Review for a new four-story structure of approximately 35,858 square feet. The building program consists of 61 units of affordable housing including a mixture of studios and one-bedroom units. Ground floor use consists of a mixture of housing units, building lobby, property management offices, and residential and community amenity spaces.

The following Modifications to the Portland Zoning Code are also requested:

- Required Building Lines, 33.510.215.B: This standard requires,
 - The building must extend to the street lot line along at least 75 percent of the length of the street lot line; or
 - The building must set back at least 6 feet from the street lot line along at least 75 percent of the length of the street lot line. The space between the building and the street lot line must be landscaped as follows. All plants must be selected from the Portland Tree and Landscaping manual:
 - When the setback area is at least 6 feet and less than 12 feet wide at least 50 percent of the setback must be landscaped with ground cover plants and shrubs;
 - When the setback area is 12 feet wide or more, at least 80 percent of the setback area must be landscaped with ground cover plants and shrubs, and contain one tree per 400 square feet of the setback area.

Because the site is defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, the proposal does not meet the landscape requirements of this standard on SE Pine St (where 9 trees are required and none are proposed), and SE 12th Ave (where no shrubs are proposed and 18 trees are required and 14 are proposed), requiring two Modifications, one for each frontage not meeting the standard.

- Ground Floor Windows, 33.510.220.B: This standard requires ground level facades of new development that face a street lot line, sidewalk, plaza, or other publicly accessible open area or right-of-way must have windows that cover at least 40 percent of the ground level wall area. For street facing facades of dwelling units the regulations of 33.130.230.B.4 apply. For the purposes of this standard, ground level wall area includes all exterior wall area from 2 feet to 10 feet above the finished grade. Because the site is defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, the proposal does not meet this standard on SE Pine St, and SE 12th Ave, requiring two Modifications, one for each frontage not meeting the standard. The design provides 20 percent of the ground level wall area for non-dwelling unit area facing SE Pine Street, and 0 percent for non-dwelling unit area facing SE 12th Ave.
- Parking and Loading Access, 33.510.263.B.2.a.(3): This standard states, motor vehicle access to any parking area, loading area, or parking structure is not allowed to or from a street that is a: Major City bikeway; Major City Traffic Street; Major Truck Street; and Major Transit Priority Street. Because SE 11th Ave is a Major Truck Street a Modification is required to access the proposed on-site loading.
- Loading Standards, 33.266.310.E: This standard states, loading areas must comply with the setback and perimeter landscaping standards stated in Table 266-8: Lot line abutting street: 5ft. /L2 or 10 ft. /L1. Because the site is defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, the standard must be met to the north and east. The proposal is to provide no landscape buffer to the north or east, requiring two Modifications, one for each frontage.
- Setbacks, 33.140.215.C.1.e.(7): This standard states, for sites with three or more frontages, two non-intersecting transit streets. Where the site has three or more frontages, and two or them are transit streets that do not intersect, the following

standards must be met on the frontage of the transit street with the highest classification and one intersecting street: Standard 2 must be met on the frontage of the transit street with the highest classification. If both transit streets have the same classification, the applicant may choose which street; and Standard 1 must be met on an intersecting street. Because the site is defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, the proposal does not meet the Standard 1 requirements that 50 percent of the length of the ground level street-facing façade of the building must be within the maximum setback on SE Pine St, which is entirely outside the maximum 10' setback, requiring a Modification.

- *Pedestrian Standards, 33.140.240.B.1.a.(2)*: This standard states, for sites with more than one street frontage: The standard of B.1.a(1) must be met to connect the main entrance of each building on the site to the closest sidewalk or roadway if there are no sidewalks. Sites where all of the floor area is in Household Living uses are only required to provide a connection meeting the standard of B.1.a(1) to one main entrance on the site; An additional connection, which does not have to be a straight line connection, is required between each of the other streets and a pedestrian entrance. However, if at least 50 percent of a street facing facade is within 10 feet of the street, no connection is required to that street. Because the site is defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, the proposal does not meet this standard on SE Pine St to the north, requiring a Modification.
- *Pedestrian Standards (Materials), 33.140.240.B.2*: This standard states:
 - a. The circulation system must be hard-surfaced, and be at least 6 feet wide.
 - b. Where the system crosses driveways, parking areas, and loading areas, the system must be clearly identifiable, through the use of elevation changes, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes and speed bumps must be at least 4 inches high.
 - c. Where the system is parallel and adjacent to an auto travel lane, the system must be a raised path or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used it must be at least 4 inches high and the ends of the raised portions must be equipped with curb ramps. Bollard spacing must be no further apart than 5 feet on center.

Proposed internal pedestrian connections to the site, as defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, do not meet Materials requirements. Specifically, the proposed stairs and walkway, providing access to the existing pedestrian walkway adjacent to the existing parking on the east portion of the site, are not the minimum width of 6 feet, requiring a Modification.

- *Pedestrian Standards (EX Zones), 33.140.240.B.4*: This standard states, In EX Zones, the land between a building and a street lot line must be landscaped to at least the L1 level and/or hard-surfaced for use by pedestrians. Because the site is defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, the standard is not being met on the SE Pine St, and SE 12th Ave frontages, requiring two Modifications.

Design Review is required for proposed non-exempt alterations to development and proposed Modifications in the “d” Design overlay zone of the Central City Plan District and Central Eastside Sub-District.

Relevant Approval Criteria:

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

- *Central City Fundamental Design Guidelines;*
- *Central Eastside Design Guidelines;*
- 33.825.040 Modifications That Will Better Meet Design Review Requirements

ANALYSIS

Site and Vicinity:

Catholic Charities (a private non-profit organization), proposes to build a 61-unit affordable housing project on a site defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St. The approximately 50,000 square foot site includes an existing church and two multi-unit residences. The two existing multi-unit houses on site are proposed to be demolished for the purposes of the proposed development. The existing plaza located on the vacated SE Oak St will not be impacted by the proposed development

It is notable that the site is located at the east edge of the Central City Plan District with SE 12th Ave being the boundary line.

While the Industrial Sanctuary defines the district character with primarily industrial uses housed in c1920s warehouses, the surrounding area is comprised of a mix of uses including retail, office, institutional, residential and light industry. Local restaurants, bars and a variety of retail activate the area through an extended range time. The adjacent area is also populated by a variety of building types from older one and two story concrete commercial warehouses to masonry apartments. Zoning code changes over the last decade have offered expanded opportunities for the upgrade and adaptation of these older warehouses for new creative industrial office uses which have helped to sustain employment levels in the district. The most significant infill development is the “Goat Blocks” (approximately 110,000 square feet of retail, 247 apartments and 339 parking stalls), approximately 5 blocks south of the project site.

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 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.

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 Central Eastside Subdistrict of this plan district.

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

- **LU 22-201717 AD: (IN PROCESS)** The applicant is requesting an Adjustment to parking area setbacks and landscaping (33.266.130.G.2 & Table 266-5) associated with an existing parking lot and driveway because of a new property line that will be established through a separate Replat review (LU 22-201716 RP). The location of the

new property line will not allow enough room for the required 5-foot setback landscaped to the L2 standard. To mitigate for this request the applicant has proposed to provide an equivalent landscaped area, in addition to a decorative fence, on adjacent parcels created through the Replat.

- **LU 22-201716 RP: (IN PROCESS)** Replat of Tract 1 (of concurrent PLA -Lots 4/5 AND Lots 1-3, and 6-8 of Block 240 of East Portland into 3 total lots).
- **EA 22-152194 APPT:** EA meeting to determine development of the site. Discussion about property line adjustments and re-plats.
- **EA 22-123934 DA:** DAR for the proposed development of the site. Note: The single lot north of the vacated street is proposed to be re-platted and/or property lines are proposed to be adjusted – consistent with this EA (EA 22-152194 APPT).
- **EA 22-119892 APPT:** EA meeting to determine development of the site. Note: The lot north of the vacated street is shown as one site.
- **(South portion of Superblock) LU 15-208454 DZM:** Design review for a 106-unit affordable housing project on a 1-acre site presently occupied by St Francis Park on SE Stark St between SE 11th and 12th Ave. The 52-foot tall building will result in a total of 73,000 gross square feet and feature apartments over ground floor active use (community room, office, lobby, etc.) on SE Stark St. The U-shaped building will partially surround a 6,300 SF multi-use plaza oriented northward toward the vacated SE Oak St ROW. Pre-Application Conference for a Type III Design Review for a mixed use-development including 11,688 square feet of ground floor commercial space, with 8 townhouse-style units fronting SE 11th Ave, and 144 residential units on the upper four floors. On-site parking for 69 vehicles and on-street parking, accessed from the previously vacated SE Oak St is also proposed. No on-site loading is proposed
- **(South portion of Superblock) LU 14-227895 PC:** Pre-Application Conference to discuss Type III Design Review for a new 102-unit multi-dwelling residential development with lower-level parking--34 spaces and 2 loading spaces.
- **(South portion of Superblock) LU 14-218332 DA:** Design Advice Request (DAR) for a 4-story building with 102 affordable residential units.
- **LU 13-117548 PC:** Pre-Application Conference for a Type III Design Review for a mixed use-development including 11,688 square feet of ground floor commercial space, with 8 townhouse-style units fronting SE 11th Ave, and 144 residential units on the upper four floors. On-site parking for 69 vehicles and on-street parking, accessed from the previously vacated SE Oak St is also proposed. No on-site loading is proposed; instead, the applicant proposes curbside loading zones on SE 11th and SE 12th Avenues. Oriel window exception required for Exercise & Community Rm projections over SE Stark & SE 11th. Creation of the park and pedestrian accessways on this lot, after vacation of SE Oak Street.
- **LUR 97-00400 DZ:** Creation of the park and pedestrian accessways on this lot, after vacation of SE Oak Street.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **November 1, 2022**.

1. Bureau of Development Services Life Safety/Building Code Section: Chanel Horn, November 15, 2022. With the following response (Exhibit E-1):

Life Safety Plan Review does not object to the approval of this proposal. The applicant should be aware that several building code requirements may impact the final design of this building. For information regarding future compliance, see the GENERAL LIFE SAFETY COMMENTS below.

Building Permit Required - A separate Building Permit is required for the work proposed and the proposal must be designed to meet all applicable building codes and

ordinances. Information about submitting a permit application request is available online at <https://www.portland.gov/bds/permit-review-process/apply-or-pay-permits>.

A Life Safety reviewer has been in contact with the applicant. Please refer to correspondence from the assigned Life Safety reviewer for building code-related comments. All questions regarding Building Code issues should be directed to the assigned Life Safety reviewer.

2. Portland Bureau of Transportation: Tammy Boren-King, November 21, 2022. With no objections. (Exhibit E-2).
3. Water Bureau: Michael Puckett, November 21, 2022. With no objection to the proposed project. (Exhibit E-3).
4. Urban Forestry: Mariano Masolo, November 21, 2022. With no objection to the proposed project. (Exhibit E-4).
5. Fire Bureau: Dawn Krantz, November 21. With no concerns. (Exhibit E-5).
6. Bureau of Development Services Site Development: Ye Zhuang, November 22, 2022. With no objections. (Exhibit E-6).
7. Bureau of Environmental Services: Abigail Cermak, November 22, 2022. With the following comments Exhibit E-7):

BES does not recommend approval of the Design Review with Modifications application at this time as there are inconsistencies between the stormwater report and submitted site plan. Although there are no BES-specific approval criteria, because required stormwater facilities can affect the design and layout of the site, the applicant must account for them in their design plans.

Staff Note: Staff discussed this with BES staff and the applicant. The applicant provided BES with a stormwater management report and BES staff provided a follow-up Addendum stating no concerns – see #8 below.
8. Bureau of Environmental Services - Revised: Abigail Cermak, December 08, 2022. With no objections to the proposal (Exhibit E-8).

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on November 1, 2022. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

PROCEDURAL HISTORY

- **Early Assistance (EA) Appointment: EA 22-119892 APPT: Submitted on March 08, 2022, held on March 29, 2022:**
 Questions raised at the EA largely addressed development at the south-east corner of the site as defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St. Issues raised by staff included the determination of the site area: SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St. which was different from the understanding held by the applicant team that the site was only the portion of the area under development for the proposed building. Also addressed was the prohibition of new surface parking.
- **Design Advice Request (DAR) #1: EA 22-123934 DA: Submitted on March 22, 2022, initially scheduled for April 28, 2022, and rescheduled by the applicant for July 07, 2022:**
 The eventual submittal for the DAR differed from EA 22-119892 APPT in that it, proposed the new building at the south-west corner of the site (as defined by SE 11th

Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St.) rather than the south-east corner. The design continued to show the building as the site and did not address code requirements which defined the site as defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St as previously stated.

Commission comments included:

- The Commission stated a greater response to area context was necessary from what was proposed.
 - The Commission agreed the building should respond more to both SE 11th Ave., and to the vacated SE Oak Street to the south, stating that both street frontages are very important.
 - The Commission agreed the proposed recessed entry location is not successful.
 - The Commission agreed the current ground floor programming is not sufficiently activating the elevations facing SE 11th Ave., and the vacated SE Oak Street to the south and that the following Guidelines are not being met: A8, B1, B5, B6, B6.1, C6, C7, C8.1, and C9.
 - The Commission agreed the current material palette requires additional refinement and detailing.
- **Early Assistance (EA) Appointment: EA 22-152194 APPT: Submitted on June 13, 2022, held on June 29, 2022:**
Questions raised at the EA largely addressed development at the south-west corner of the site. The EA was also attended by a BDS Planner Sean Williams to discuss applicant's questions regarding property line adjustments (PLA) and re-plats. For the site to be considered only the area of building development it was advised during and after the EA that the proposal should proceed with the property line adjustments (PLA) and re-plats prior to coming in for Design Review. However, the applicant shared later that the ownership would not change between the 2 parcels, which therefore does not allow the proposed parcel for development to be a separate site (definition of "site" per 33.910). The site must remain the block bound by SE 12th to the east, SE 11th to the west, SE Oak to the south and SE Pine to the north.
 - **Design Review Land Use Application: Submitted on September 14, 2019:**
An Incomplete Letter was sent to the applicant on September 18, 2022. The project was not deemed complete by the applicant until October 21, 2022, as site issues were still being resolved. Final drawings from the applicant were submitted on December 6, 2022, and then resubmitted on December 12, 2022, with corrections to errors/omissions. This decision was rendered immediately within this timeframe on December 10, 2022.
 - **[IN PROGRESS: Both submitted on November 08, 2022:**
 - **LU 22-201716 RP:** Replat of Tract 1 (of concurrent PLA -Lots 4/5 AND Lots 1-3, and 6-8 of Block 240 of East Portland into 3 total lots). And,
 - **LU 22-201717 AD:** Requesting an Adjustment to parking area setbacks and landscaping (33.266.130.G.2 & Table 266-5) associated with an existing parking lot and driveway because of a new property line that will be established through a separate Replat review (LU 22-201716 RP). The location of the new property line will not allow enough room for the required 5-foot setback landscaped to the L2 standard. To mitigate for this request the applicant has proposed to provide an equivalent landscaped area, in addition to a decorative fence, on adjacent parcels created through the Replat.]

ZONING CODE APPROVAL CRITERIA

[1] 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 the site is located generally within the Central City Plan District, the applicable design guidelines are the Central City Plan Fundamental Design Guidelines. As the site is also specifically located within the Design Zone of the Central Eastside District, the Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan also apply.

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

The Central Eastside is a unique neighborhood. The property and business owners are proud of the district's heritage and service to the community and region. Light industry, distribution/warehousing, and transportation are important components of the district's personality. To the general public, retail stores and commercial businesses provide the central focus within the district.

The underlying urban design objective for the Central Eastside is to capitalize on and emphasize its unique assets in a manner that is respectful, supportive, creative and compatible with each area as a whole. Part of the charm and character of the Central Eastside District, which should be celebrated, is its eclectic mixture of building types and uses. An additional strength, which should be built on, is the pattern of pedestrian friendly retail uses on Grand Avenue, East Burnside and Morrison Streets, as well as portions of 11th and 12th Avenues.

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.

Central Eastside Design Goals

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

- Encourage the special distinction and identity of the design review areas of the Central Eastside District.
- Provide continuity between the Central Eastside and the Lloyd District.
- Provide continuity between the Central Eastside and the river, downtown, and adjacent residential neighborhoods.
- Enhance 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.

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 accessways for pedestrians that provide connections to the Willamette River and greenway.

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

A2-1. Recognize Transportation Modes, Produce, and Commerce as Primary Themes of East Portland. Recognize and incorporate East Portland themes into a project design, when appropriate.

Findings for A1, A2 and A2-1:

The project site is approximately 12 blocks from the Willamette River. All the south and west-facing units in the project will have views towards the river and Tualatin Mts. The active floor area and classroom along the vacated SE Oak St frontage will enhance general pedestrian connectivity by providing a missing access link between the core of the Buckman Neighborhood to the east and the Eastside Esplanade to the west. Additional south and westward views toward the river will be available from the main entry.

The project will emphasize Portland themes using extensive wood framing elements, visually capturing the flavor of the surrounding area as well as incorporating a material palette germane to the transitional character at the intersection of the central Eastside and the Buckman neighborhood. Though transportation is not explicitly incorporated as a development theme, long and short-term bike parking is provided at the perimeter of the project with close access to SE Stark St (a local service bikeway). Connection to the environment is a theme that the new building will emphasize through its relationship to the vacated plaza, the community gardens at St Francis Park Apartments, and the natural landscape surrounding St. Francis of Assisi Catholic Church.

Therefore, these guidelines are 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 superblock 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:

The project respects the block structures by maintaining a strong alignment to the city block pattern and street grid. The building's form and massing maintain a parallel relationship to the surrounding streets and standard Portland block. The vacated portion of SE Oak St continues to provide an urban plaza oriented to the south of the site. The ground floor design holds the urban corner and addresses the primary frontage on SE 11th Avenue with the main entry, canopy, and significant glazing. These treatments serve to reinforce the pattern language of the neighborhood with celebrated corners and mid-block entries.

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.

Findings:

Using a simple material palette (brick, metal, and horizontal fiber cement board siding), and patterns of repetition and variation through the window framing, the project achieves architectural unification. The building's primary cladding materials are emblematic of the character in the surrounding area which is transitional from a predominantly industrial area to the west, to a predominantly residential area to the east. The horizontal fiber cement board siding and roof pitches provide a visual link and continuity to the wood plank siding and roof slopes of the adjacent church, new construction adjacent to the site, and lower density residential homes to the east. The brick ground floor follows patterns of permanence seen throughout the neighborhood. The aluminum ground floor windows and doors are common in the area and used throughout the project. The project's recessed main entry and integrated canopy are also found throughout the Central Eastside.

Therefore, this guideline is met.

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.

A5-2. Acknowledge the Sandy River Wagon Road (Sandy Boulevard). Acknowledge the historical significance of the Sandy River Wagon Road (Sandy Boulevard) from East Burnside to 7th Avenue with an upgrade of the public right-of-way to be more pedestrian accommodating and which is related to its historical context. New development located adjacent to this diagonal alignment also should acknowledge the historical significance in a creative way that is attractive, informative, and appropriate.

Findings for A5 and A5-2:

The project incorporates a pattern of cladding expressed as a collection of simple gabled forms resting on a brick masonry base with metal accents. The primary role of this pattern is to address the context of the transitional zone between the Central Eastside and the Buckman Neighborhood while celebrating the ground level with durable materials and connections to nature, water and art at the stormwater planters.

Additionally, the building massing in relation to vacated SE Oak St orients an active public space in the form of a classroom that will provide activity, transparency, and a sense of community. As the main entry design responds to the primary frontage on SE 11th Ave, the front door at mid-block creates a shared activity center as a welcoming front porch feature.

The project acknowledges the Sandy River Wagon Road by facing the main entry toward the direction of Sandy Blvd and celebrating the SW corner of the ground floor with a highly glazed classroom. In so doing, the project provides an additional element to the open space linkage that punctuates the length of the bisecting boulevard three blocks west.

Therefore, these guidelines are met.

A5-3. Plan for or Incorporate Underground Utility Service. Plan for or Incorporate Underground Utility Service to development projects.

Findings for A5-3:

The project will draw existing utility services from the west side of the site and incorporate them underground. However, the PGE transformer is proposed to be pole mounted on SE 11th Ave at the northwest corner of the building adjacent to the proposed loading space. This location minimizes any impact to corner activation, keeps windowless electrical rooms off the public frontage, conforms with PBOT's directives to not allow electrical vaults in the public right of way, and ensures the maximum amount of available land can be dedicated to deeply affordable housing and services that, on balance, better meet the housing goals of 2035 Comprehensive Plan.

To better integrate the proposed water related vaults and increase the frontage area that could be landscaped, staff has included the following *Condition of Approval: Regarding the vault area between the proposed building and SE 11th: the underground equipment and extent of hard surface (including vault lids and surrounding concrete) will be minimized as much as possible during the building permit review without requiring additional design review.*

Therefore, with this Condition of Approval this guideline is met.

A5-4. Incorporate Works of Art. Incorporate works of art into development projects.

A5-5. Incorporate Water Features. Enhance the quality of public spaces by incorporating water features.

Findings for A5-4 and A5-5:

The project integrates water as part of the on-site stormwater management including roof water collection and channeling via landscaped detention features integrated into the primary frontage on SE 11th Avenue, highlighting the main entry. A portion of the roof runoff is channeled to the proposed art feature incorporated in the brick wall opening between the west elevation main entrance and the adjacent water feature planting.

Therefore, these guidelines are met.

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

A7-1. Maintain a Sense of Urban Enclosure When Single-Story Buildings are Set Back.

Maintain a sense of urban enclosure, through the use of landscaping and other means, when single-story buildings are set back from the property line. Do not set buildings back from the property line within the East Portland Grand Avenue Historic District.

Findings for A7 and A7-1:

The project establishes and maintains urban enclosure through the massing orientation directly to abutting rights-of-way. The orientation of the classroom featuring plentiful glazing and transparency helps to frame the vacated SE Oak St frontage. The SE 11th Ave frontage features a large front porch element, ground floor windows and main entry. All combined, these features will help maintain a sense of pedestrian scale and enclosure while layering public space connectivity between internal and external site program. The project reinforces a sense of urban enclosure by establishing active circulation and visual connections to active floor area at the ground level along the SE 11th Ave frontage and the Francis and Clare Commons.

Therefore, these guidelines are met.

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

Findings:

The project enhances streetscape vibrancy by providing a buffered and accessible front porch connecting the main entry to SE 11th Ave. In addition, large clear glazing along the west and south elevations providing connectivity to lobby and offices spaces help to maximize connectivity with the most active uses on the ground floor. Activity is reinforced through expansive ground floor glazing along its frontages, and through circulation generated by uses of the classroom and other active ground floor area.

Therefore, this guideline is met.

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

A9-1. Acknowledge the Sandy River Wagon Road at the Sandy Boulevard/East Burnside Street Central City Gateway. Design the Central City gateway located at East Burnside Street and Sandy Boulevard in a manner that celebrates the significance of the Sandy River Wagon Road.

Findings for A9 and A9-1:

Though not designated a “Gateway” per the Central City Plan, through its massing, formal aesthetic arrangement of programmatic uses, the building strengthens the legibility of the vacated SE Oak St. as a connector between the Central Eastside and the Buckman neighborhood.

Therefore, this guideline is met.

PEDESTRIAN EMPHASIS

B1. Reinforce and Enhance the Pedestrian System. Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

B2. Protect the Pedestrian. Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

Findings for B1 and B2:

With an integrated street frontage, including new sidewalks, pedestrian access at all street and curb transitions, set back entrances, integrated canopies along the west and south elevations, and façade erosions at the ground level, the project reinforces and enhances the pedestrian system and experience.

Generally, the project protects the pedestrian through the use of new sidewalks, integrated street frontage that includes landscaping and plaza elements that buffer the pedestrian from street traffic. At SE 11th Ave, fully glazed storefront systems with integrated canopies at recessed entries at the ground level provides high visibility for extended time periods thereby enhancing safety. Similarly, the south elevation integrates significant clear glazing and canopy wrapping the southwest corner providing clear site-lines and wayfinding for a safe and protected pedestrian system.

Therefore, these guidelines are met.

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. Reduce width of Pedestrian Crossings.

- a. Where possible, extend sidewalk curbs at street intersections to narrow pedestrian crossings for a safer pedestrian environment.
- b. Maintain large service vehicle turning radii where necessary.

Findings for B3 and B3-1:

The new frontages developed for the project will provide continuous accessible surfaces for movement across the site, sidewalks, and into the building.

Therefore, this guideline is met.

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

Findings:

With a recessed canopied entry, the communal front porch, the low seat walls adjacent to the stormwater planters and the adjacent vacated Oak St., the project provides a rich layering of places to stop, view, socialize and rest. The vacated plaza provides a dedicated socialization amenity, including space to pause and gather, and staging of events related to building uses.

Therefore, this guideline is met.

B5. Make Plazas, Parks and Open Space Successful. Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.

Findings:

With the placement of the classroom space on the SW corner, main entry on SE 11th Ave., and maximized ground floor glazing with stormwater planters and vegetation on the west and south facades, building elements have been oriented to enliven and enhance the public open spaces around the building.

Therefore, this guideline is met.

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

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 and B6-1:

The project's use of integrated canopies along the west and south elevations, recessed building entries and overhanging building masses that will perform like environmental mediators, allowing ample access to sunlight while minimizing shadow, glare, reflections, and the effects of wind and rain. To ensure the project provides weather protection for pedestrians at all three principal building entries as well as the exterior entry to the bike room on the east elevation, staff has added the Condition of Approval that canopies matching the west elevation canopy in design, construction, dimension (regarding projection), and location (i.e. within the brick above the door) be added above the entries at the building's north elevation location, southeast corner location, and the bike room access on the east elevation location.

Therefore, with the Condition of Approval that canopies matching the west elevation canopy in design, construction, dimension (regarding projection), and location (i.e. within the brick above the door) be added above the entries at the building's north elevation location, southeast corner location, and the bike room access on the east elevation location, 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 design is fully accessible according to all applicable codes and regulations, including all site development, building floors and entrances at grade.

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.

Findings:

The project orients windows, entrances, corner classroom and other building elements to surrounding points of interest and activity for the majority of the project –south to the plaza, and westward toward the river and west hills. Through the use of these layered building components the project will provide and enhance viewing opportunities at multiple elevations throughout the project.

Therefore, this guideline is met.

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

Findings:

The proposed building 'base' is clad with a brick veneer, with 4mm metal panel at specific locations: within the main entry on the west elevation, and within the recessed residential frontage on the south elevation. The ground floor includes significant glazing with large aluminum storefront systems along the west and south elevations. In addition, the upper stories are clad in horizontal Artisan Shiplap Siding with 9" exposure and vinyl windows. The gable roof is clad with composite shingles. All materials collectively promote quality and permanence.

Therefore, this guideline is met.

C3. Respect Architectural Integrity. Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

C3-1. Design to Enhance Existing Themes in the District. Look to buildings from throughout the district for contextual precedent. Innovation and creativity are encouraged in design proposals, which enhance overall district character.

C3-2. Respect Adjacent Residential Neighborhoods. Respect the architectural character and development patterns of adjacent residential neighborhoods.

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

Findings for C3, C3-1, C3-2, and C4:

The proposed building is designed to be compatible with the area's architecture drawing from the adjacent residential buildings to the east, church to the north, and industrial buildings to the west. This is evident in the gable roof form, use of brick veneer, use of fiber cement plank siding, and large clear glazed storefront systems.

Existing themes of commerce and industrial design are inherently tied to functionality and efficiency in the project's building systems. Building on these existing themes, the project will incorporate street level openings at the main entry, classroom, and the active ground floor use and bike room components of the program.

The project complements the context of the existing buildings through the use of common local building elements, such as large ground level openings on SE 11th Ave, repeating metal frames at upper level glazing, and ground floor brick masonry. Through the use of locally prevalent building materials and applications that expose their usage and performance, the building will complement the performance and material context of existing buildings.

The overall building expression is coherent utilizing brick veneer and limited metal panel at the ground floor and horizontal plank siding at the upper levels. The primary entrance is emphasized on the west elevation with a projecting brick surround visually lighted internally with 4mm thick white metal panel. Large storefront systems are located across the ground floor, primarily at the building's south-west corner. Windows at the upper floors are consistent and organized across all elevations while also being in synch with the residential scale of the

building. Lastly, metal grilles are organized and consistent within the window geometry across all frontages.

Therefore, these guidelines are met.

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.

The project incorporates a simple massing organization as the building is organized in a series of gable forms. Building systems are well integrated within a constrained material pallet (including brick masonry veneer and limited metal panel at the base, and painted fiber cement panel on the upper levels) and simple concept language predicated on subtle void framing, symmetry, and horizontal skin patterning.

Through the interplay of both repeated and varied window and entry framing elements, the building establishes a pattern of predicable apertures and recesses that define the exterior elevations. Incorporating siding accents, profile metal panels, clear ground floor glazing, and cove entry and landscape lighting at the ground level, the project employs subtle attributes of scale and finishes to differentiate communal spaces, lobby entrance, and office entrances. Maintaining a refined material palette and repetitive construction assemblies, the project is defined by a coherent deployment of building systems that react to programmatic and site-specific requirements.

Therefore, this guideline is met.

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

Findings:

The project incorporates transition spaces moving from the public right of way along the SE 11th Ave frontage and into the building. A recessed entry well protected with integrated canopy will serve to concentrate and funnel circulation and provide areas to pause before entering primary circulation routes connecting the interior of the project. From the public frontages, the building incorporates landscape and programmable amenities such as seating, and artistic water features to support ground level gathering.

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 building's frontage on SE 11th Ave utilizes large ground level glazing to promote transparency and connections of activity from inside to outside. The building's SW corner features the project's most active ground floor program ensuring visible active space. Additionally, building articulation at the corner serves to mark the corner with large clear glazed storefronts and canopy.

The proposed project orients its most inactive program elements to the NE corner away from public frontages.

Therefore, 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:

The sidewalk level of the building is differentiated through a number of elements including the use of landscaping, brick masonry, inset canopied entrance, and active floor area. These elements work in combination to provide a layered pedestrian scale experience that at the SE Oak St and SE 11th Ave is well connected between the interior and exterior.

The programmed and transition spaces at the ground level are designed for flexibility with a focus on maximizing natural light, clear glazing, usable areas, and points of entry. The project's repetition of framed glazing units and a well canopied entrance at the ground level provide inherently flexible spaces that are integrated with ground level circulation and activity.

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:

This project does not front a local service street, however a dedicated loading space is provided on the northwest corner of the site and on-street parking is available on SE 11th Ave to allow for temporary loading.

Therefore, this guideline is met.

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:

Proposed metal canopies on the west and south elevations are simple in design, subtly complementing the masonry and detailing on the proposed storefronts. Both visually and physically enhance the pedestrian environment by providing shade during the summer, by providing rain protection during rainy seasons, and by helping to identify main entry points to the building. As stated previously, to ensure the project provides weather protection for pedestrians at all three principal building entries as well as the exterior entry to the bike room on the east elevation, staff has added the Condition of Approval that canopies matching the west elevation canopy in design, construction, dimension (regarding projection), and location (i.e. within the brick above the door) be added above the entries at the building's north elevation location, southeast corner location, and the bike room access on the east elevation location.

Therefore, with the Condition of Approval that canopies matching the west elevation canopy in design, construction, dimension (regarding projection), and location (i.e. within the brick above the door) be added above the entries at the building's north elevation location, southeast corner location, and the bike room access on the east elevation location, these guidelines are 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 proposed gable roof form is integral and consistent with surrounding architecture such as the adjacent church to the north and residential neighborhood to the east. Within the proposed gable roof form the project fully encloses the proposed elevator overrun and all proposed mechanical equipment including: 66 heat pump units, exhaust ducts, and “dedicated outdoor air system”.

Therefore, this guideline is met.

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

Findings:

The project approaches exterior lighting in two ways. First, with allocations of glazing at the ground level communal spaces and upper floors, where interior lighting will serve to highlight building elements and provide ambient lighting to the building surrounding and streetscape at night. Secondly, the recessed lighting integrated into the canopy, wall sconces around the perimeter, and fixtures in the landscaping at the ground level will provide additional light at the building entries and within the landscaping elements at along the SE 11th and the vacated SE Oak St. creating tiers of light intensities differentiating programmed spaces and common spaces.

Therefore, this guideline is met.

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

C1-2. Integrate Signs.

- a. Retain and restore existing signage which reinforces the history and themes of the district, and permit new signage which reinforces the history and themes of the East Portland Grand Avenue historic district.
- b. Carefully place signs, sign supports, and sign structures to integrate with the scale, color and articulation of the building design, while honoring the dimensional provisions of the sign chapter of the zoning code.
- c. 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 the project’s application for a design review.

Findings for C13 and C1-2:

No signs are proposed with this land use review submittal.

Therefore, this guideline does not apply.

[2] 33.825.040 Modifications That Will Better Meet Design Review Requirements:

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

- A. Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and
- B. Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.
- C. Mitigation of impacts.** Any impacts resulting from the modifications are mitigated to the extent practical.

Modification #1: 33.510.215.B.2: Required Building Lines:

This standard requires:

- The buildings must extend to the street lot line along at least 75 percent of the lot line; or
- The building must set back at least 6 feet from the street lot line along at least 75 percent of the length of the street lot line. The space between the building and the street lot line must be landscaped as follows. All plants must be selected from the Portland Tree and Landscaping manual:
 - When the setback area is at least 6 feet and less than 12 feet wide at least 50 percent of the setback must be landscaped with ground cover plants and shrubs;
 - When the setback area is 12 feet wide or more, at least 80 percent of the setback area must be landscaped with ground cover plants and shrubs, and contain one tree per 400 square feet of the setback area.

Because the site is defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, the proposal does not meet the landscape requirements SE Pine St, and SE 12th Ave, requiring two Modifications, one for each frontage not meeting the standard. Specifically, the SE Pine St frontage is setback more than 6 feet from the street lot line, but the area between the building and the street lot line is not landscaped with the required 9 trees for the approximately 3600 square feet of area between the building and street lot line. Similarly, the SE 12th Ave frontage is setback more than 6 feet from the east street lot line, the approximately 7000 square feet of area between the building and SE 12th Ave should include 18 trees, shrubs and groundcover. While groundcover is proposed shrubs are not included and only 14 of the required 18 trees are proposed.

- A. Better meets design guidelines.** *The resulting development will better meet the applicable design guidelines; and*
- B. Purpose of the standard.** *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*
- C. Mitigation of impacts.** *Any impacts resulting from the modifications are mitigated to the extent practical.*

Findings: The modification to reduce the landscape requirement for the north and east frontages is balanced and offset by an existing landscape garden area to the north, and an area of future development to the east. In both cases landscaping is proposed that will meet the purpose statement of providing landscaping within the setback that continues to create diverse street character: an established landscape garden area exists between the north elevation and the SE Pine St frontage that will continue to provide an area for pedestrians to stop and view. Similarly, the open area east of the building (site of a residential building to be demolished for this proposal) provides groundcover but no shrubs and not all of the required trees. With the understanding that this area is proposed to be developed soon staff does not feel locating shrubs and additional trees in this area is necessary. This area continues to meet the Demolition requirements in 33.510.242. Collectively, both frontages will continue to create diverse street character, promoting active uses, pedestrian movement, and opportunities for stopping and gathering better meeting Guidelines A8 – *Contribute to a Vibrant Streetscape* and B1 – *Reinforce and Enhance the Pedestrian System*.

Therefore, these Modifications merit approval.

Modification #2: 33.510.220.B: Ground Floor Windows:

This standard requires ground level facades of new development that face a street lot line, sidewalk, plaza, or other publicly accessible open area or right-of-way must have windows that cover at least 40 percent of the ground level wall area. For street facing facades of dwelling units the regulations of 33.130.230.B.4 apply. For the purposes of this standard, ground level wall area includes all exterior wall area from 2 feet to 10 feet above the finished grade.

Because the site is defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, the proposal does not meet this standard on SE Pine St, and SE 12th Ave, requiring two Modifications, one for each frontage not meeting the standard. The design provides 20 percent of the ground level wall area for non-dwelling unit area facing SE Pine Street, and 0 percent for non-dwelling unit area facing SE 12th Ave.

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

Findings: The modification to have reduced ground floor windows on the non-dwelling unit frontages (north and east), is balanced and offset by the proposed distance and setbacks of the frontages to their respective rights-of-way, which is greater than 60 feet, on both frontages. Because of the extensive setbacks on the site the pedestrian environment will be more diverse better meeting the purpose statement of avoiding a monotonous pedestrian environment. In addition, future development between the east elevation and street lot line will further obscure this project from the street lot line while complying with the requirement. Existing landscaping between the north frontage and the street lot line provides current visual benefit to the pedestrian environment. Collectively, this will provide for continued activation along both street frontages, better meeting Guidelines A8 – *Contribute to a Vibrant Streetscape and B1 – Reinforce and Enhance the Pedestrian System.*

- C. Mitigation of impacts.** *Any impacts resulting from the modifications are mitigated to the extent practical.*

Findings: As mentioned, future development is proposed between the building in question and the east street lot line. This building will provide additional buffer while complying with Ground Floor Window requirements along this frontage. Existing landscaping along the north frontage provides visual interest and mitigation.

Therefore, these Modifications merit approval.

Modification #3: 33.510.263.B.2.a.(3): Parking and Loading Access:

This standard states motor vehicle access to any parking area, loading area, or parking structure is not allowed to or from a street that is a: Major City bikeway; Major City Traffic Street; Major Truck Street; and Major Transit Priority Street. Because SE 11th Ave is a Major Truck Street a Modification is required to access the proposed on-site loading.

- A. Better meets design guidelines.** *The resulting development will better meet the applicable design guidelines; and*
- B. Purpose of the standard.** *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*
- C. Mitigation of impacts.** *Any impacts resulting from the modifications are mitigated to the extent practical.*

Findings: The modification to provide access to a single loading space located adjacent to the northwest corner of the building is balanced and offset by its integration into the site at a location that does not impact either of the primary frontages (west or south) and which does not impact the vacated SE Oak St. plaza to the south. Integrating the proposed loading so closely to the building helps to mitigate vehicle and pedestrian conflicts, while increasing access to the loading area from the building due to its close proximity, better meeting *Guideline B2 – Protect the Pedestrian.* In addition, locating proposed loading on site

as opposed to in the right-of-way contributes to avoiding significant adverse impacts on transit operations, and to ensure that the transportation system functions efficiently.

Therefore, this Modification merits approval.

Modification #4: 33.266.310.E: Loading Standards:

This standard states loading areas must comply with the setback and perimeter landscaping standards stated in Table 266-8: Lot line abutting street: 5ft./L2 or 10 ft. /L1. Because the site is defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, the standard must be met to the north and east. The proposal is to provide no landscape buffer to the north or east, requiring two Modifications, one for each frontage.

- A. *Better meets design guidelines.*** *The resulting development will better meet the applicable design guidelines; and*
- B. *Purpose of the standard.*** *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*
- C. *Mitigation of impacts.*** *Any impacts resulting from the modifications are mitigated to the extent practical.*

Findings: The modification to eliminate required loading landscape buffering to the north and east is balanced and offset by existing development (although not fully buffering proposed loading in either direction, existing development contributes to obscuring the proposed loading area), the proposed development (61 units of affordable housing), size of the site and distance from the adjacent pedestrian rights of way (approximately 100' from the north street lot line, and 170' from the east street lot line), and future development (both areas to the north and east intend to be separate lots in the future providing development concealing the proposed loading area.) better meeting *Guideline B1 – Reinforce and Enhance the Pedestrian System* and *Guideline B2 – Protect the Pedestrian*. In addition, the elimination of required landscape buffering to the north and east allows for greater building connection and continuity now and in the future as the proposed church campus environment continues to expand.

Therefore, these Modifications merit approval.

Modification #5: 33.140.215.C.1.e.(7): Setbacks (Maximum Building Setbacks):

This standard states, for sites with three or more frontages, two non-intersecting transit streets. Where the site has three or more frontages, and two or them are transit streets that do not intersect, the following standards must be met on the frontage of the transit street with the highest classification and one intersecting street: Standard 2 must be met on the frontage of the transit street with the highest classification. If both transit streets have the same classification, the applicant may choose which street; and Standard 1 must be met on an intersecting street. Because the site is defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, the proposal does not meet the Standard 1 requirements that 50 percent of the length of the ground level street-facing façade of the building must be within the maximum setback on SE Pine St, which is entirely outside the maximum 10' setback, requiring a Modification.

- A. *Better meets design guidelines.*** *The resulting development will better meet the applicable design guidelines; and*
- B. *Purpose of the standard.*** *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*
- C. *Mitigation of impacts.*** *Any impacts resulting from the modifications are mitigated to the extent practical.*

Findings: The modification to not meet the maximum setback requirement for the north frontage is balanced and offset by existing development (the St Francis Catholic Church) along approximately 75 percent of the north frontage. The remaining 25 percent of the north frontage is existing greenspace adjacent to and used by the church. Proposed

development of this submittal into the greenspace would result in: a reduction of soft-scape to the site (affecting the tranquility of the pedestrian environment); a building with a dissimilar mass and form due to a narrow projection to the north; and an impact to the campus aesthetic created by the development on the site further resulting in reduced views and access across the site. Collectively, the proposed development is better meeting *Guideline B1 – Reinforce and Enhance the Pedestrian System, Guideline C1 – Enhance View Opportunities, Guideline C4 – Complement the Context of Existing Buildings, and Guideline C5 – Design for Coherency.*

Therefore, this Modification merits approval.

Modification #6: 33.140.240.B.1.a.(2) Pedestrian Standards:

This standard states, for sites with more than one street frontage: The standard of B.1.a(1) must be met to connect the main entrance of each building on the site to the closest sidewalk or roadway if there are no sidewalks. Sites where all of the floor area is in Household Living uses are only required to provide a connection meeting the standard of B.1.a(1) to one main entrance on the site; An additional connection, which does not have to be a straight line connection, is required between each of the other streets and a pedestrian entrance. However, if at least 50 percent of a street facing facade is within 10 feet of the street, no connection is required to that street. Because the site is defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, the proposal does not meet this standard on SE Pine St to the north, requiring a Modification.

- A. *Better meets design guidelines.*** *The resulting development will better meet the applicable design guidelines; and*
- B. *Purpose of the standard.*** *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*
- C. *Mitigation of impacts.*** *Any impacts resulting from the modifications are mitigated to the extent practical.*

Findings: The modification to not meet the pedestrian standard requirement to the north frontage is balanced and offset by existing development (the St Francis Catholic Church) along approximately 75 percent of the north frontage. The remaining 25 percent of the north frontage is existing greenspace adjacent to and used by the church. Proposed development of this submittal into the greenspace would result in: a reduction of soft-scape to the site (affecting the tranquility of the adjacent pedestrian environment); and an impact to the campus aesthetic created by the development on the site. Clear and prominent access to the proposed building on the east and south frontages adjacent to the right of way and vacated SE Oak St plaza provide mitigation for the Modification. Collectively, the proposed development is better meeting *Guideline B1 – Reinforce and Enhance the Pedestrian System, Guideline C1 – Enhance View Opportunities, Guideline C4 – Complement the Context of Existing Buildings, and Guideline C5 – Design for Coherency.*

Therefore, this Modification merits approval.

Modification #7: 33.140.240.B.2 Pedestrian Standards (Materials):

This standard states:

- a. The circulation system must be hard-surfaced, and be at least 6 feet wide.
- b. Where the system crosses driveways, parking areas, and loading areas, the system must be clearly identifiable, through the use of elevation changes, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes and speed bumps must be at least 4 inches high.
- c. Where the system is parallel and adjacent to an auto travel lane, the system must be a raised path or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used it must be at least 4 inches high and the ends of the raised portions must be equipped with curb ramps. Bollard spacing must be no further apart than 5 feet on center.

Proposed internal pedestrian connections to the site, as defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, do not meet Materials requirements. Specifically, the proposed stairs and walkway, providing access to the existing pedestrian walkway adjacent to the existing parking on the east portion of the site, are not the minimum width of 6 feet, requiring a Modification.

- A. Better meets design guidelines.** *The resulting development will better meet the applicable design guidelines; and*
- B. Purpose of the standard.** *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*
- C. Mitigation of impacts.** *Any impacts resulting from the modifications are mitigated to the extent practical.*

Findings: The modification to not meet the pedestrian circulation system standard from the north elevation pedestrian entrance to the east frontage is balanced and offset by a proposed pedestrian path and stairs that are 5 feet wide connecting to an existing pedestrian path leading to the east street lot line. While this path is not the required width there is a pedestrian path providing connectivity across this portion of the site that is safe and usable for pedestrians. In addition, the proposed path bisects the site providing convenient access across the site and adjacent to the existing church and so providing additional views, better meeting the following Guidelines: *Guideline B1 – Reinforce and Enhance the Pedestrian System, Guideline C1 – Enhance View Opportunities.*

Therefore, this Modification merits approval.

Modification #8: 33.140.240.B.4 Pedestrian Standards (In EX Zones):

This standard states: In EX Zones, the land between a building and a street lot line must be landscaped to at least the L1 level and/or hard-surfaced for use by pedestrians. Because the site is defined by SE 11th Ave, SE Pine St, SE 12th Ave, and the vacated portion of SE Oak St, the standard is not being met on the SE Pine St, and SE 12th Ave frontages, requiring two Modifications.

- A. Better meets design guidelines.** *The resulting development will better meet the applicable design guidelines; and*
- B. Purpose of the standard.** *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*
- C. Mitigation of impacts.** *Any impacts resulting from the modifications are mitigated to the extent practical.*

Findings: The modification to not meet the pedestrian standards requiring land between the building and street lot line to be fully landscaped and/hard-surfaced is balanced and offset: to the north, by a majority of the area between the building and the street lot line maintaining the existing landscaped area adjacent to the church, and so maintaining a safe, attractive and usable pedestrian area. The area between the building and the street lot line to the east will be required to meet Demolitions requirements (per 33.510.242) regarding L1 landscaping (minus the shrub and tree requirements). In addition, once the existing house located between the proposed development and the east street lot line is removed it is understood by staff from the applicant that future development consistent with this project will infill the area and the lot will be re-platted, and so the area will be safe and attractive in the near term and the this requirement will be unnecessary in the long term once additional development occupying the site has been completed.

Due to the existing landscape area to the north and required Demolition planting to the east both frontages will continue to provide views across the site better meeting the following Guidelines: *Guideline A8 – Contribute to a Vibrant Streetscape, Guideline B1 – Reinforce and Enhance the Pedestrian System, Guideline C1 – Enhance View Opportunities.*

Therefore, these Modifications merit approval.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all 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 applicant has addressed all major concerns expressed by staff and designed a building with 61 units of affordable housing that embodies the spirit intended by the applicable design guidelines, and responds well to the natural, cultural and built context. The proposal meets the applicable design guidelines and Modification criteria and therefore warrants approval with conditions.

ADMINISTRATIVE DECISION

Approval of a new 4-story 61-unit affordable housing building, including supportive services in the Central City Plan District and Central Eastside Sub-District.

Approval per the signed and dated December 10, 2022, Exhibits C.1-19, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through E) 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 22-183003 DZM." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. Regarding the vault area between the proposed building and SE 11th: the underground equipment and extent of hard surface (including vault lids and surrounding concrete) will be minimized as much as possible during the building permit review without requiring additional design review.
- D. Canopies matching the dominant west elevation/corner canopy in design, construction, dimension (regarding projection), and location on the building (i.e. within the brick above the door) must be added above the entries at the building's north elevation location, southeast corner location, and the bike room access on the east elevation location.
- E. NO FIELD CHANGES ALLOWED.

Staff Planner: Arthur Graves



Decision rendered by: _____ **on December 10, 2022.**

By authority of the Director of the Bureau of Development Services

Decision mailed: December 14, 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 September 14, 2022 and was determined to be complete on October 21, 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 September 14, 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 requested that the 120-day review period be extended by 30 days (Exhibit A-6). Unless further extended by the applicant, **the 120 days will expire on: March 20, 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. 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 December 28, 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 **December 28, 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 Submittal
 - 1. Initial Submittal: September 14, 2022
 - 2. Revised Drawings: October 05, 2022
 - 3. Revised Drawings: October 12, 2022
 - 4. Revised Drawings: October 18, 2022
 - 5. Revised Drawings: October 21, 2022
 - 6. Waiver: November 22, 2022
 - 7. Revised Drawings: December 06, 2022
 - 8. Revised Drawings: December 12, 2022
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan: (attached)
 - 2. Floor Plan 01: (attached)
 - 3. Floor Plan 02:
 - 4. Floor Plan 03:
 - 5. Floor Plan 04:
 - 6. Floor Plan Roof:
 - 7. Elevations – West and South (attached)
 - 8. Elevations – North and East (attached)
 - 9. Elevations – North and East
 - 10. Sections
 - 11. Enlarged West Entry
 - 12. Enlarged South Entry
 - 13. Details
 - 14. Materials
 - 15. Landscape
 - 16. Landscape Details
 - 17. Lighting
 - 18. Art and Water Feature
 - 19. Manufactures Cutsheets
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Development Services Life Safety/Building Code Section: Chanel Horn, November 15, 2022.
 - 2. Portland Bureau of Transportation: Tammy Boren-King, November 21, 2022.
 - 3. Water Bureau: Michael Puckett, November 21, 2022.
 - 4. Urban Forestry: Mariano Masolo, November 21, 2022.
 - 5. Fire Bureau: Dawn Krantz, November 21.
 - 6. Bureau of Development Services Site Development: Ye Zhuang, November 22, 2022.
 - 7. Bureau of Environmental Services: Abigail Cermak, November 22, 2022.
 - 8. Bureau of Environmental Services - Revised: Abigail Cermak, December 08, 2022.
- F. Correspondence: None Received
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter: September 28, 2022

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).