## PROPERTY ADDRESS

2124-2156 North Williams Street, Portland, Oregon 97227

## ZONING AND APPLICABLE TITLE 33 STANDARDS

The western approximately two-thirds of the site is zoned R1 (medium-density), while the eastern approximately one-third of the site is zoned R2 (low-density). See Exhibit A. Once the Comprehensive Plan is adopted (anticipated sometime in 2015), the eastern portion of the site is proposed to change to R2.5, which is a Single-Dwelling Zone and much more restrictive than R2 in terms of density and height, but potentially less restrictive in terms of some setbacks. Questions regarding the adoption of this plan can be directed to the Bureau of Planning and Sustainability. They have a hotline number: 503.823.0195.

The currently applicable sections of Title 33 for this property are as listed below. This list may not be comprehensive, depending on the desired development. See attached Exhibit B for the locations of overlays that affect only a portion of the property.

- Base Zone: Apply 33.120 Multi-Dwelling Residential Zones
- Development Regulations: Apply 33.218 Community Design Standards
- Overlay Zones:
- Alternative Design Density Overlay Zone (33.405). Applies only to R2 portion of the site.
- Historical Resource Type: CONSV DIST (33.445). Applies to the R2 and only part of the R1 portion of the site.
- Conservation District: Eliot Conservation District (non-contributing)
- Plan District: Albina Community (33.505)
- Urban Renewal Area: Interstate Corridor - Provides several opportunities for funding programs.


## PROPERTY ENCUMBRANCES

While there are no environmental overlays, there is a restriction related to a former use on the site documented in an Easement and Equitable Servitude dated April 26, 2005 between Port City Development Center (Grantor) and the Oregon Department of Environmental Quality (DEQ or Grantee). This document is intended to run with the property, enforceable by DEQ. While some cleanup was done, there is contaminated soil that remains under an existing building slab and an area of asphalt and is recorded in an Environmental Notice. If that is disturbed, remediation will be required. See Exhibit C for approximate location of area of concern. Maximum development of the property would very likely disturb these areas.

## ENCROACHMENTS

There is currently a total of 2,615 square feet of encroachment onto the property from neighboring properties. This square footage is a combined total reflecting three separate areas of encroachment. It is the intention of Multnomah County (current Owner) to grant these as easements to the neighboring properties, provided they do not build structures on these easements. For the purposes of this document, all references to these areas will be called encroachments to reflect the current state and not confuse them with other easements. Preliminary discussions with BDS regarding the designation of these encroachments as easements and the impact that will have on development is noted in Table 1, as well as the Summary of this document.

## TITLE 33 - ALLOWED USES

The only outright allowed use in Multi-Dwelling Zones is Household Living. There are some other uses allowed as Limited or Conditional Use. Retail is not allowed. Within Household Living, multiple housing
types are allowed in the Multi-Dwelling Zones of R1 and R2 per Table 120-2 of 33.120. The Example Approach below assumes a Multi-Dwelling Structure, specifically apartments.

## TITLE 33 - BASE ZONE DEVELOPMENT STANDARDS

Lot Coverage, Stories and Height: Maximum allowable Lot Coverage, Stories and Height for each zone are reflected in Table 1. The height in the R1 zone reflects one option and assumes maximum setback. This maximum height would require the building to be more than 10 from the property line on the west side.

Bonus Density: This property not eligible for Bonus Density through Design Review per 33.405.050 because it is in a Historic Resource Zone (Eliot Conservation District). However, there is no restriction on utilizing the Amenity Bonuses per 33.120.265 to achieve a higher unit density on the property.

Setbacks: On Exhibit D, the setbacks are derived from 33.120 Table 120-3 and 120-4. It is assumed that the setbacks for the building will be from the property line, even if the encroachments are dedicated as easements, provided there is no building structure on them. There is also a requirement for Building Length per 33.120 .230 related to distance from setbacks. On Exhibit D , it is assumed that the majority of the building is less than $30^{\prime}$ from the property line and would therefore only be allowed a building length of $100^{\prime}$ within that setback. That is the reason for the recesses that would extend more than $30^{\prime}$ from the property line.

Landscape: On Exhibit D, it is assumed that the required buffers will be calculated from the property line. Per 33.266.130-G, the requirement at the property line is 5' of L3.

Parking: Parking in the R1 zone is provided at 1 per unit per 33.266 Table 266 -2. If the property is maximized in terms of Lot Coverage and Landscape, there is not adequate surface square footage available for parking, particularly if the maximum density through amenity bonuses is achieved. Therefore, on Exhibit D, tuck-under parking is indicated and assumed to be entirely below grade, not contributing to the maximum allowable stories per Title 33. If it does contribute to the allowable stories, then the Unit Square Footage as indicated for comparison in Table 1 would be reduced.

TABLE 1

|  |  | West Portion |
| ---: | :---: | :---: |
| Zoning | East Portion |  |
|  | R1 | R2 |
| Total Property Square Footage | 35,000 | 15,000 |
| Total Encroachments* | 530 | 2,085 |
| Resultant Square Footage* | 34,470 | 12,915 |
|  |  |  |


| Max Building Coverage | 60\% | 50\% |
| :---: | :---: | :---: |
| Footprint Square Footage | 21,000 | 7,500 |
| Max Allowable Stories | 4 | 3 |
| Extrapolated Building Square Footage | 84,000 | 22,500 |
| Max Allowable Height | 45 | 40 |

Max Allowable Unit Density | 1 per 1000 | 1 per 2000 |
| :---: | :---: |
|  |  |



* Preliminary discussions with BDC suggest that, provided there is not a building structure on the area of the encroachments (potential future easements), that area is allowed to be used in density calculations for the property. Therefore, density calculations shown here are derived from the Total Property Square Footage which includes the areas of the encroachments.
** This is a per unit calculation that includes (and does not subtract for) circulation or amenity spaces and assumes that if parking is provided, it is completely below grade and not considered as a story in the zoning code. This calculation is for general comparison purposes only and not reflective of actual, final, marketable unit square footage.


## EXAMPLE APPROACH - EXHIBIT D

Although there are almost limitless options for development of this site, the Example Approach serves as a graphic interpretation of the zoning requirements specific to this property and provides one option for developing the property. It suggests an approach for development that utilizes 33.638 .100 (I) Transfer of development within a site. In Table 1 above, the requirements for the west and east portions of the site are calculated separately as they fall into different zones. In Exhibit D, the calculations above are combined and placed without regard to zone boundaries within the property. Although not identified specifically in Title 33, the same approach is applied for all coverage requirements (Lot, Landscape, Parking, etc.). This approach would require a Pre-Application Meeting and a Type III Design Review, but would allow for a more cohesive approach to the site that also allows for easier site access and maximum development.

## SITE ACCESS

According to Title 33, the only requirement related to drive aisle width would derived from to the 2 Way Aisle Width per 33.266 Table 266-4. This requirement is $20^{\prime}$.

However, if the building is over $30^{\prime}$, the more restrictive requirement related to Appendix D of the Oregon Fire Code would require an aerial apparatus access road with an unobstructed width of $26^{\prime}$. Assuming this may be difficult to achieve on the Williams Street side, the Example Approach indicates the aerial apparatus access road on the east side of the property. Because a turn-a-round would also be difficult to achieve with maximum density, the Example Approach also shows a second access/exit on the south side of the property.

According to the survey, there is a $50^{\prime}$ width available, minus the encroachments of $13.1^{\prime}$, leaving 36.9' remaining.

## SUMMARY

This document reflects a preliminary assessment of the property in relationship to primarily zoning requirements, though other restrictions and/or codes have an impact to development have been highlighted where possible. Three issues make this property difficult to fully assess:

1. It is unknown when the adoption of the Comprehensive Plan will be adopted.
2. It is dependent upon Pre-Application to guarantee whether or not the City of Portland will be open the density trade that is proposed, particularly if the Comprehensive Plan is adopted.
3. The issue of how this trade-off would be applied for Maximum Lot Coverage, Minimum Landscape Coverage, Height and Stories allowed would also need to be confirmed during a Pre-Application meeting for a Type III Design Review.

If the trade-off approach is not used, but rather a direct interpretation of the Base Zone Standards are implemented, it is possible that only a Type II Design Review would be required. And, if the development is not over the maximum limits set forth in 33.405 Table 405-1, it is possible that the Community Design Standards could be directly applied without a requirement for Land Use Review. However, since this property has complex zoning, including multiple zones, several overlays with different boundaries and the potential for a zone change in the near future, an Early Assistance and/or Pre-Application meeting with BDS is strongly encouraged.

In a preliminary over-the-counter review with the City of Portland, the following assumptions were acknowledged as reasonable:

- The encroachments, if they become easements, may still be included in the overall calculations for density, provided there are no building structures within those areas. In the Example Approach, the area of the potential future easements were included as part of the overall property in all calculations.
- Neither the encroachments, if they become easements, nor the Conservation District Overlay should have any bearing on the potential to use Amenity Bonus to achieve an increased unit density of $50 \%$. That said, being that the property is in a Conservation District Overlay, the Bonus Density specific for Design Review cannot be used per 33.405.050-B.
- The requirements for setbacks and landscape buffers may be from the property line (as opposed to the edge of the encroachment/easement) as these standards will still apply to the property line. The requirements may be fulfilled within the designated easement area. Any details regarding maintenance or specific landscaping should be worked out in the easement with the neighboring landowner.
- Only the portion of the property within the Eliot Conservation District would be subject to design review specific for a Conservation District Overlay.


## EXHIBITS

A: Delineates area of R1 and area of R2.
B: Delineates overlays on applicable portions of the site.
C: Delineates area of concern related to Easement and Equitable Servitude
D: Delineates an option for development of the property that is compliant with Title 33.





