



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

Chloe Eudaly, Commissioner
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www.portlandoregon.gov/bds

BDS – Conference Facilitator Summary Memo

Pre-Application Conference

Date: August 23, 2018

To: Ray Hargill, The Sunray Companies, LLC, ray@sunrayms.com

From: Jean Hester, Conference Facilitator
Jean.Hester@portlandoregon.gov, 503-823-7783

Case File: EA 18-202411

Location: 350 NW 12TH AVE

Property ID: R140647

Proposal: A Pre-Application Conference to discuss 23-story mixed-use building including hotel and residential uses. The proposed height is 250' with 180,330 square feet of floor area. No on site parking is proposed. 170-180 hotel rooms and 110-120 residential units are proposed.

This conference summary report identifies the participants at the conference, provides an initial response to the issues and requirements for the proposed project with separate response from key bureau representatives. This memo identifies current land use review fee information and provides related information that may be helpful as the project moves from concept to completion.

Pre-Application Conferences are required for all major (Type III and IV procedure) land use reviews. The purpose of the conference is to inform the applicant of the substantive and procedural requirements of the Land Use Review, to identify the submittal requirements and documents this information for the applicant and all interested persons.

The information provided at the conference and included in this summary is based on the information that was submitted prior to and at the meeting and reflects regulations in effect at the time of the conference. The meeting is intended to convey information. It is not a public hearing and no land use decision is rendered at the conference. Interested persons may attend the conference and obtain copies of all the written information that is submitted and prepared for it.

You must submit your Land Use Review application within one-year of the Conference.

Conference date: August 7, 2018

Expiration of Conference: August 7, 2019

A. Comments from Bureau Representatives: The chart below identifies the staff who participated in the conference and/or who submitted written comments:

Response attached	Bureau	Responsibilities	Contact
Yes	BDS Land Use Services	Review of land use review	Jill DeCoursey 503-823-7314
Yes	PBOT	Public Streets	Fabio de Freitas 503-823-4227
Yes	BES	Public sewer and stormwater connections to the public right-of-way	Emma Kohlsmith 503-823-7195
Yes	BDS Site Development	On-site stormwater disposal, septic systems, private rights-of-way, geotechnical requirements, erosion control	Kevin Wells 503-823-5618
Yes	Water Bureau	Connections to public water	Mari Moore 503-823-7364
Yes	Fire Bureau	Access grades, fire hydrants, turnarounds	Jeff Herman 503-823-3045
Yes	Urban Forestry	Street trees	Joel Smith 503-823-4523
No	devTeam Portland, BDS	Further information on devTeam Portland can be accessed at: https://www.portlandoregon.gov/bds/49859	Alice Callison 503-823-3448

Please refer to the memo *from Jill DeCoursey, Land Use Services*, for the list of application submittal requirements for the required land use review(s). Also, the attached responses from the City bureaus identify additional requirements that are pertinent to the land use review or a later Building Permit submittal.

If you have questions about comments included in this Pre-Application Summary Report, please contact the representative identified in the respective memo. Please note that staff comments are based on the information submitted at the time of application. If you have questions regarding the proposal beyond those covered in this summary report, or if your proposal changes in scope or configuration, a new Pre-Application Conference may be required or an additional Early Assistance application may be needed to provide responses to your follow-up questions.

B. Fees

Below is an estimate of land use fees that may apply to your proposal. Fees charged will be those in effect when the Land Use Review application is submitted. When more than one Land Use Review is requested, full fees are charged for each additional review. You may view the current [Land Use Review fees](#) at the following link:

<http://www.portlandonline.com/shared/cfm/image.cfm?id=67127>. You may view the current [Unincorporated Multnomah County Land Use Review Fees](#) at this link: <http://www.portlandonline.com/shared/cfm/image.cfm?id=67129>.

Land Use Review Type	Estimated Fee
Type III Design Review	.032 of project valuation (min. fee \$5,250 /max fee \$27,000) +\$ 6,006 (combined service bureau fee) +\$ 945 (for each Design Modification) + \$2,849 (for each Adjustment Review)

During the building permit process, Permit Fees will be charged for review of your permits and Systems Development Charges (SDCs) may be assessed for new development. An online fee estimator is available on the BDS website at the following link:

<https://www.portlandoregon.gov/bds/59194>.

C. Other Information

1. Preliminary Life Safety Plan Review Consultation: For Building Code/Life Safety information, you may sign up for a Preliminary Life Safety meeting. Information can be found at the following link: <http://www.portlandoregon.gov/bds/article/94545>.
2. Electric Service Requirements. Information on electric service requirements for properties served by PGE can be found at the following link: <https://www.portlandgeneral.com/construction/electric-service-requirements>; and information on electric service requirements for properties served by Pacific Power can be found at the following links: https://www.pacificpower.net/content/dam/pacific_power/doc/Contractors_Suppliers/PP_Develop_and_New_Service_Checklist.pdf; and <http://www.pacificpower.net/con/esr.html>.
 Please note that the service requirements included in these links may not cover all requirements associated with your project. Applicants should contact the PGE Service Coordinator at 503-736-5450 or the Pacific Power Business Center at 888-221-7070 to identify issues that are specific to your project and to coordinate electric service requirements.
3. PGE requires minimum clearances from electric wires, conductors and cables. Before building, please be aware of these clearances by calling PGE at 503-736-5450. For more information on the [PGE Minimum Clearance Requirements](#) use the following link: <https://www.portlandoregon.gov/bds/article/321539>.
4. Portland Housing Bureau. The Housing Bureau provides financial assistance for various development phases to both nonprofit and for-profit affordable housing developers (typically multi-dwelling rental housing). For more information, go to the following link: <http://www.portlandoregon.gov/bds/article/558746>
5. Bureau of Planning and Sustainability. The Bureau of Planning and Sustainability delivers policy and programs related to green buildings, energy efficiency, renewable resources, waste reduction, and recycling. For more information on [Sustainability Programs and Services](#) in the

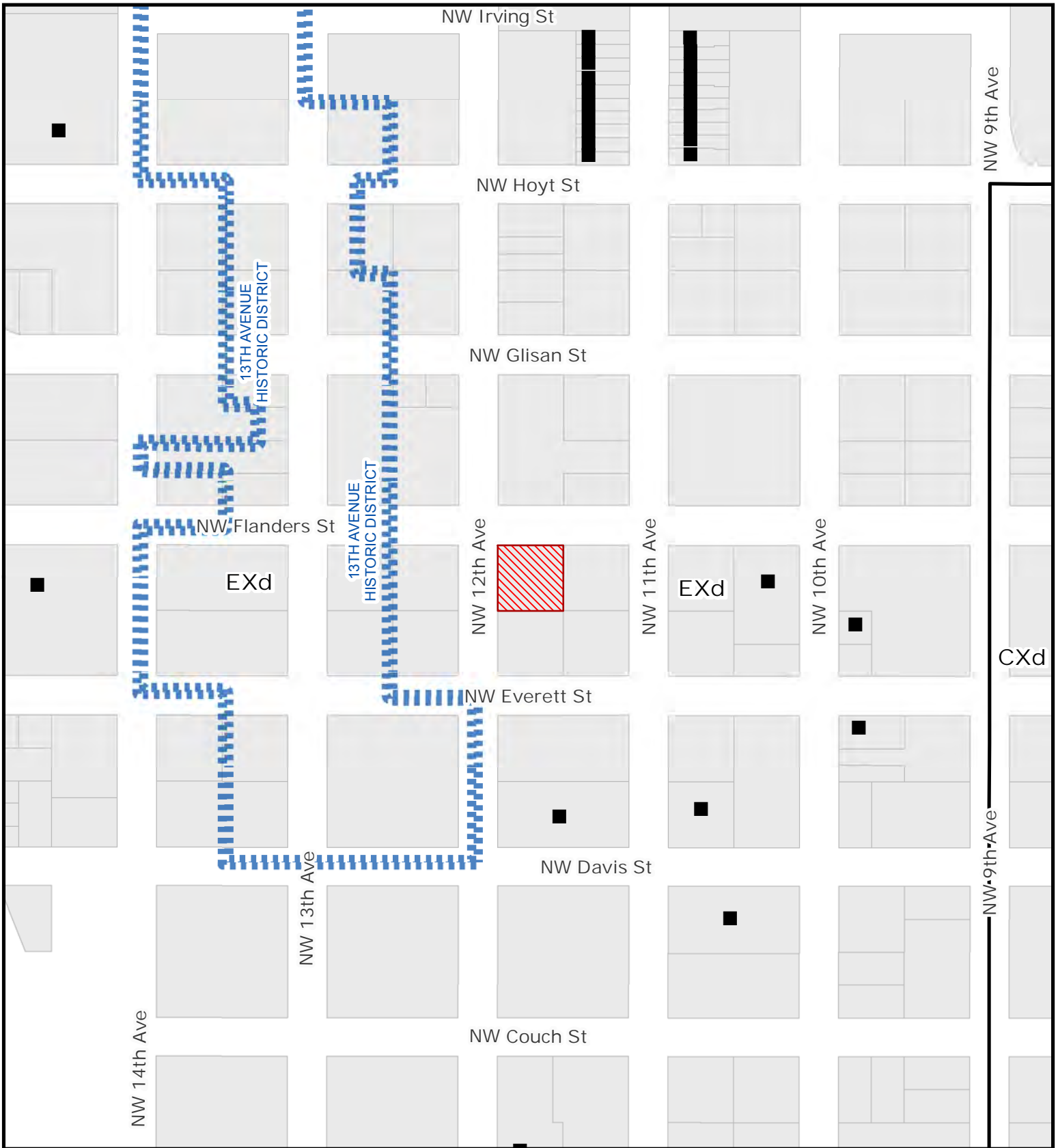
Bureau of Planning and Sustainability go to the following link:

<https://www.portlandoregon.gov/bps/67121>.

6. Energy Trust of Oregon. The [Energy Trust of Oregon](#) provides technical assistance and cash incentives for energy efficient design. For more information, go to the following link:
<https://www.energytrust.org/>
7. Oregon Department of Energy. The [Oregon Department of Energy](#) Conservation Division provides information on a variety of programs to encourage energy conservation, including tax rebates and low-interest energy loans. For more information, go to the following link:
<http://www.oregon.gov/energy/Pages/index.aspx>



Attachments:

Zoning Map
Site Plan
Building Elevations
BDS Land Use Services Response
PBOT Response
BES Response
BDS Site Development Response
Water Bureau Response
Fire Bureau Response
Urban Forestry Response
Housing Bureau
Sign-in Sheet



ZONING

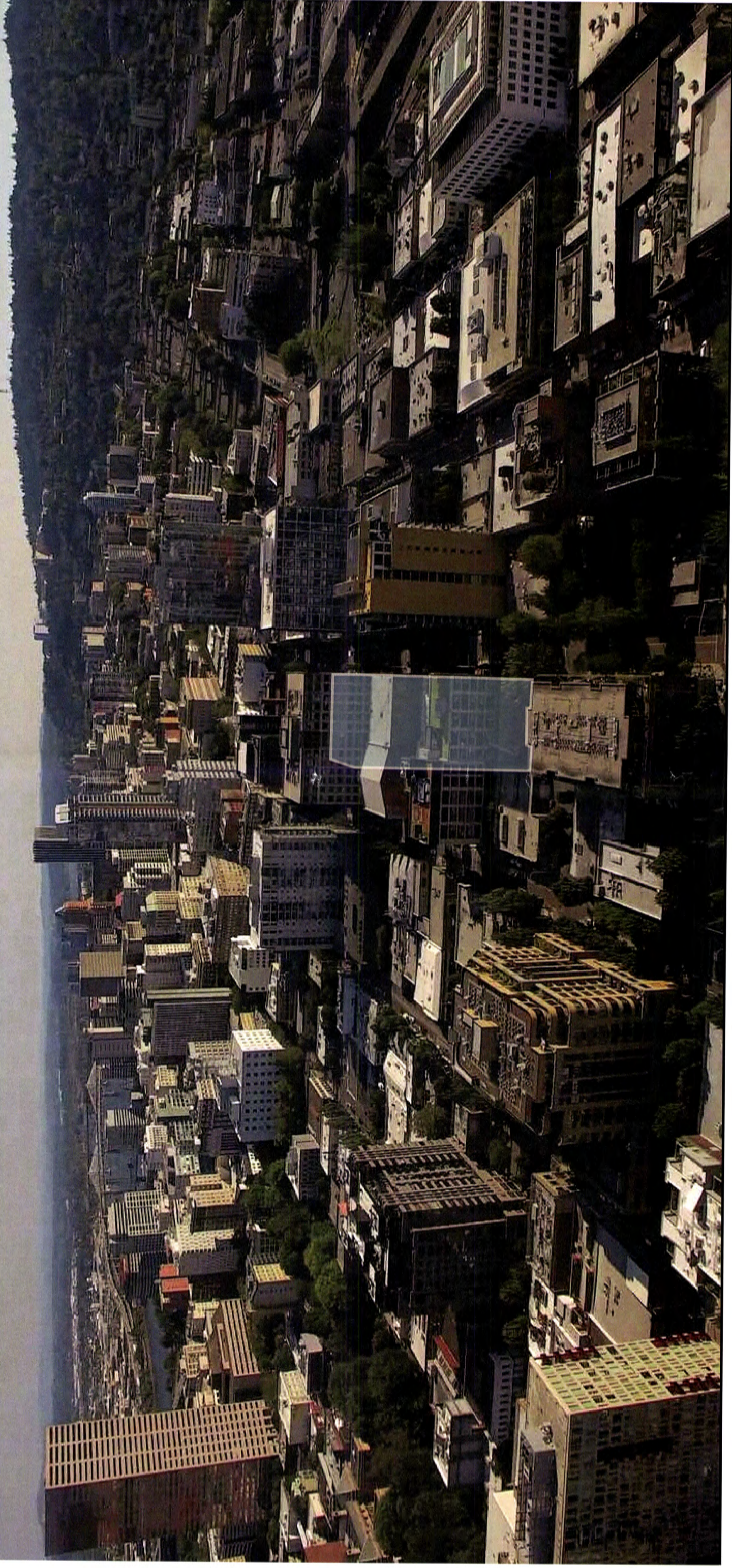
THIS SITE LIES WITHIN THE:
CENTRAL CITY PLAN DISTRICT
PEARL SUBDISTRICT

-  Site
-  Historic Landmark

File No.	EA 18-202411 PC
1/4 Section	3028
Scale	1 inch = 200 feet
State ID	1N1E33DA 2700
Jul 19, 2018	

12TH AND FLANDERS | HYATT PLACE

JULY 11, 2018 | PROJECT 18177





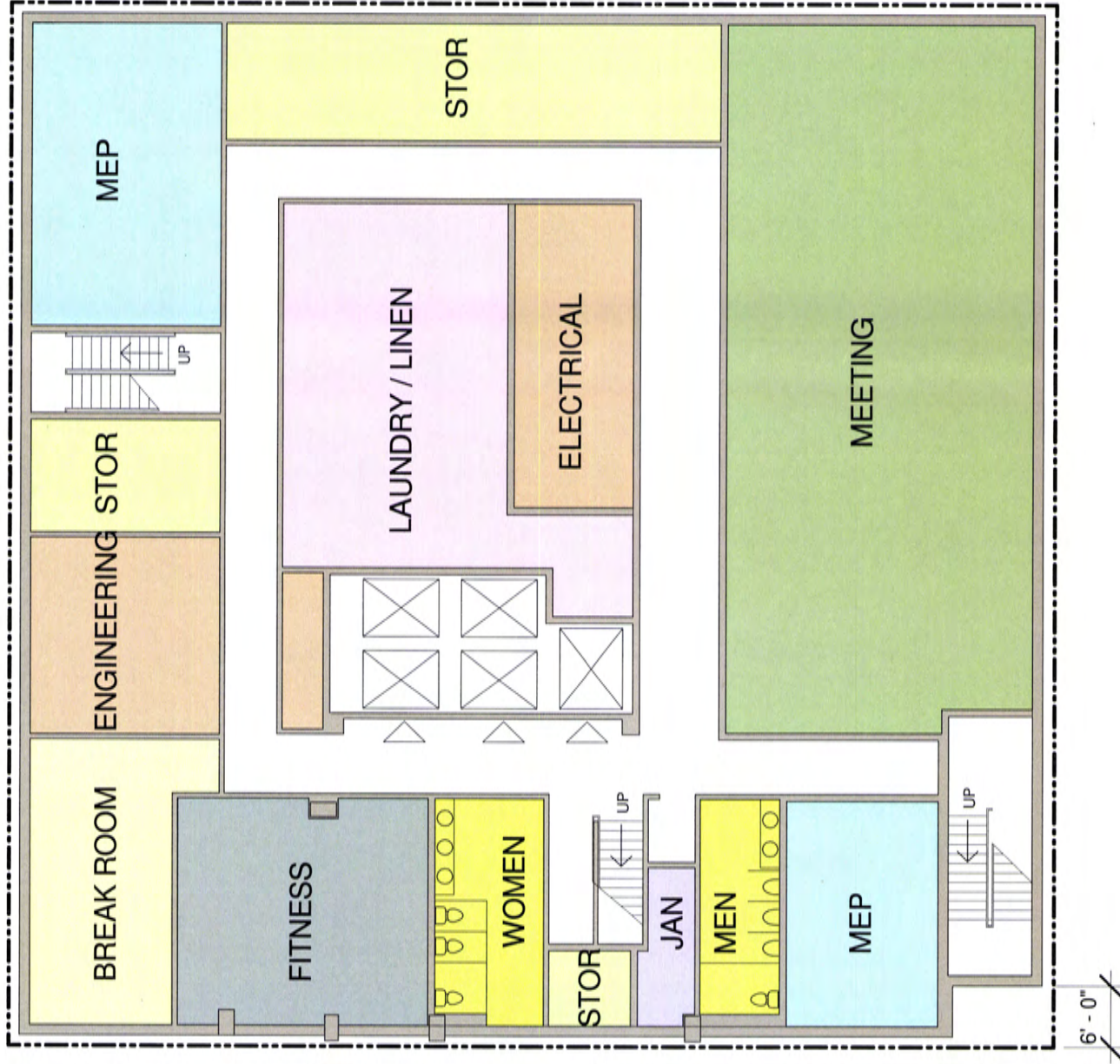
01 LEVEL 01 - LOBBY
SCALE: 1/16" = 1'-0"

12TH AND FLANDERS | HYATT PLACE

C.2 | JULY 11, 2018 | PROJECT 18177



EA18 - 202411PC



01 LEVEL B1 - BASEMENT
SCALE: 1/16" = 1'-0"



01 LEVEL - TYPICAL HOTEL
 SCALE: 1/16" = 1'-0"

12TH AND FLANDERS | HYATT PLACE

C.4 | JULY 11, 2018 | PROJECT 18177

EA 18 - 20 24 11 Pc





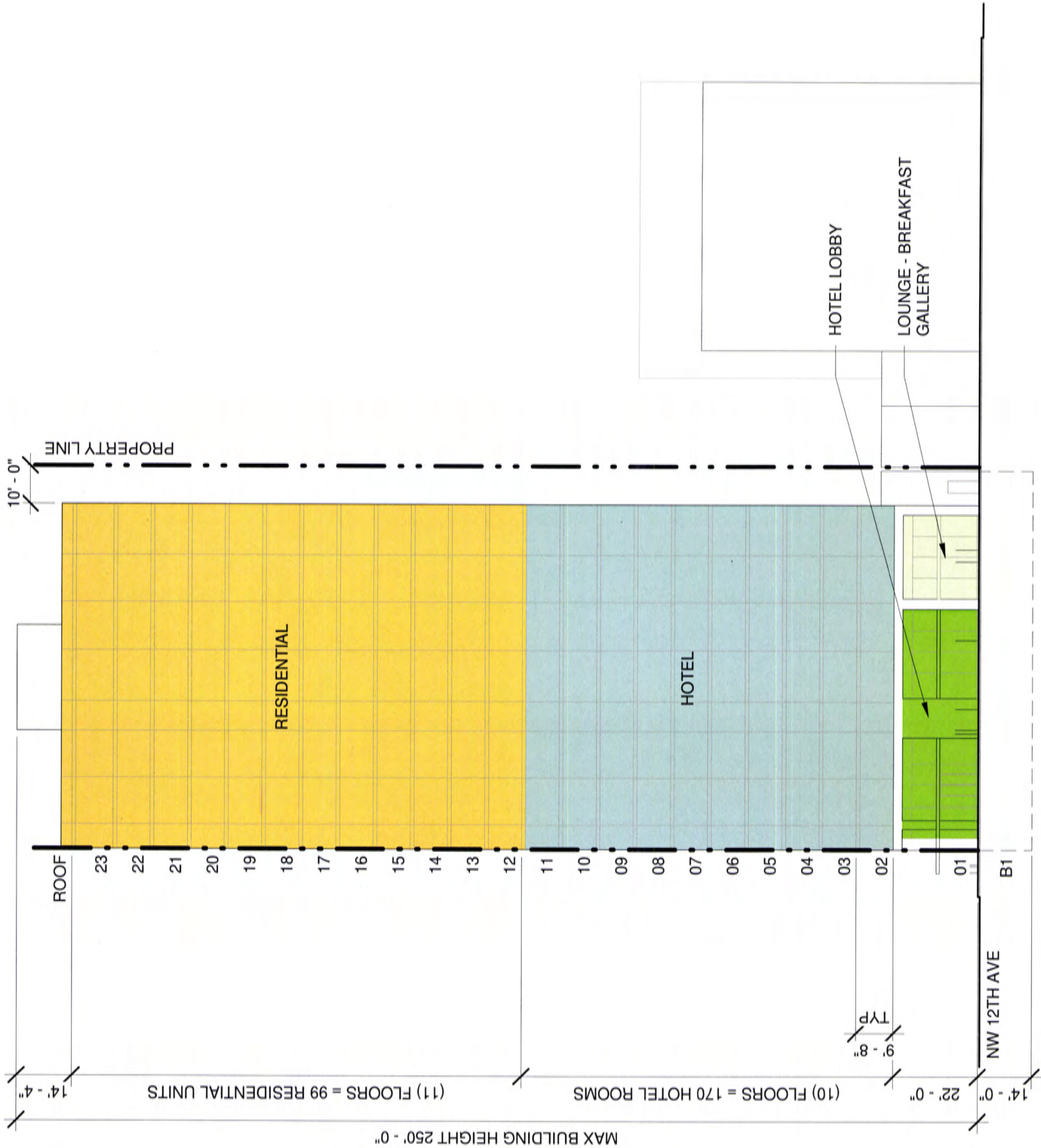
01 LEVEL - TYPICAL RESIDENTIAL
SCALE: 1/16" = 1'-0"

12TH AND FLANDERS | HYATT PLACE

C.5 | JULY 11, 2018 | PROJECT 18177

EA 18 - 20 24 11 PC





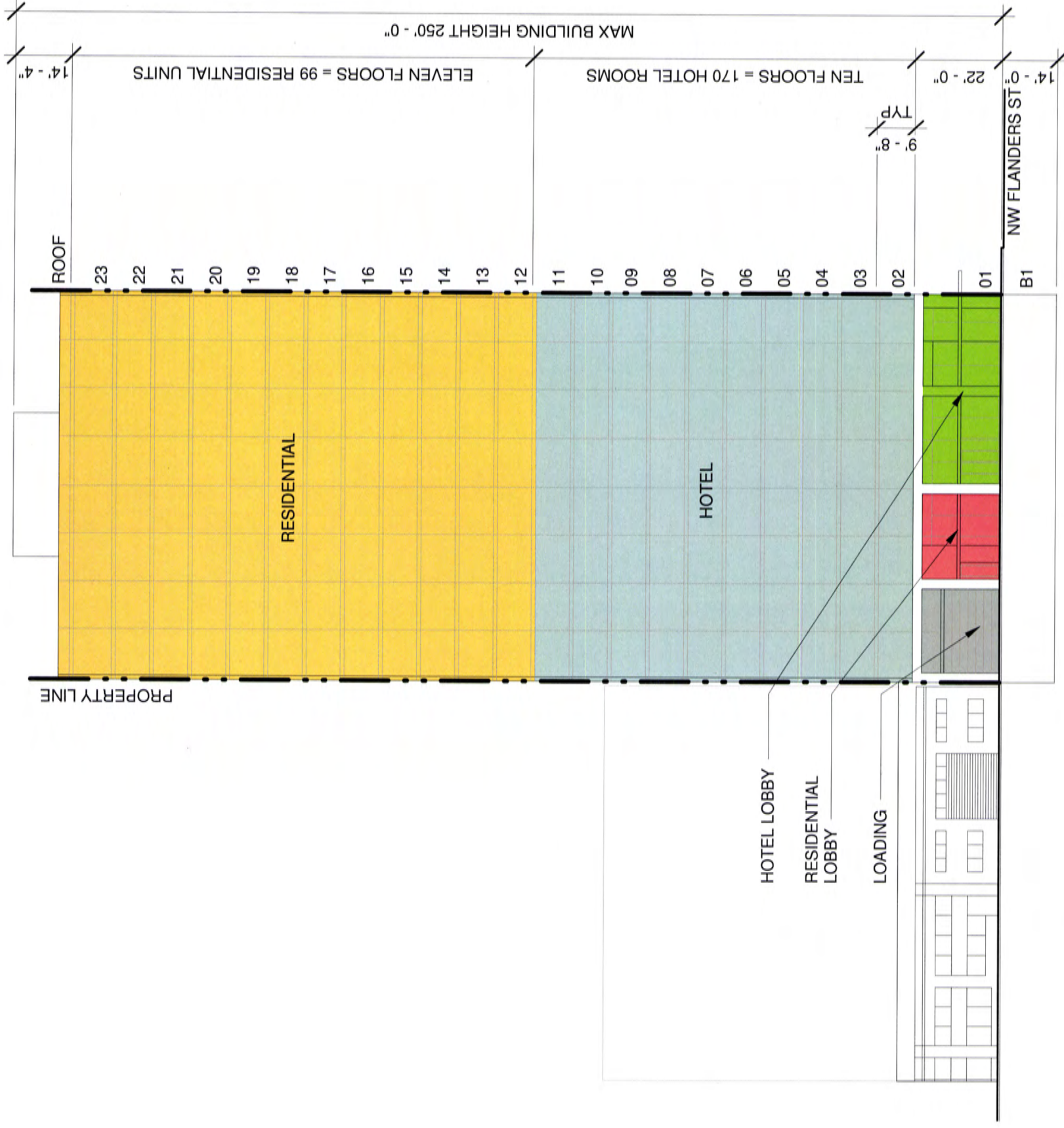
01 WEST ELEVATION
SCALE: 1/32" = 1'-0"

12TH AND FLANDERS | HYATT PLACE

C.6 | JULY 11, 2018 | PROJECT 18177



EA 18 - 20 24 11 PC



01 NORTH ELEVATION
SCALE: 1/32" = 1'-0"

12TH AND FLANDERS | HYATT PLACE

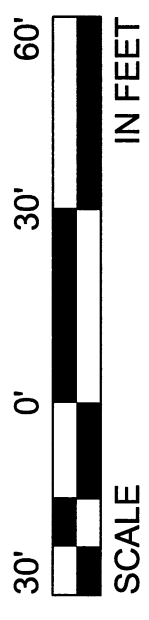
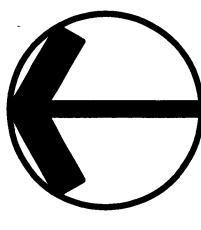
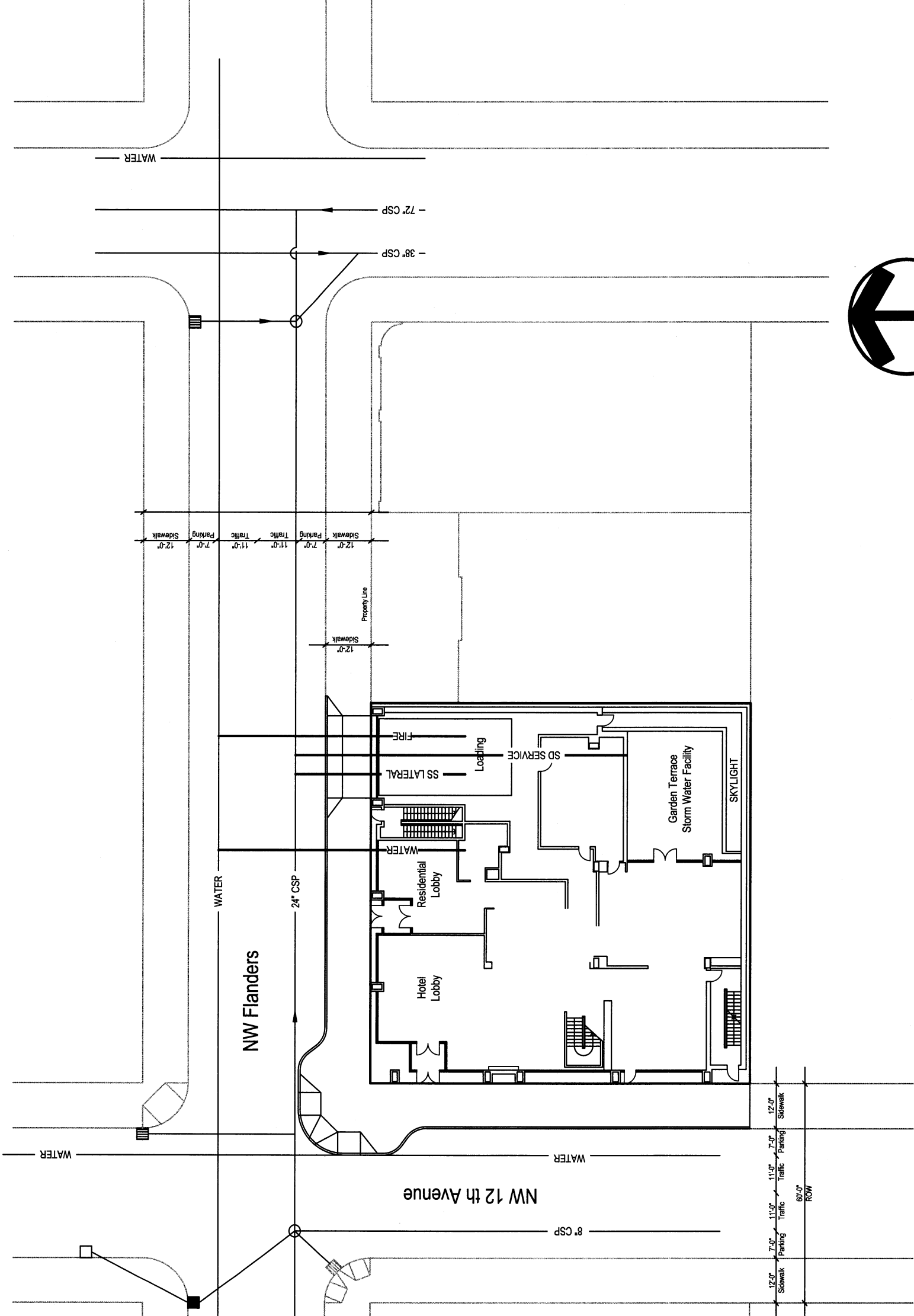
C.7 | JULY 11, 2018 | PROJECT 18177

EA 18 - 20 24 11 PC



CIVIL NARRATIVE:

- 1) STORM WATER: ASSUME 40% IMPERVIOUS (4,000 SF) AND 60% PERVIOUS (6,000 SF). RUN-OFF TO BE DIRECTED TO STORM WATER FACILITY (SWF) IN THE GARDEN TERRACE WITHIN THE BUILDING. OUTFALL NORTH TO 24" CSP IN NW FLANDERS STREET .
- 2) SEWER SERVICE: ASSUME SS LATERAL TO NW FLANDERS AND EXISTING 24" CSP.
- 3) WATER/FIRE: ASSUME CONNECTIONS TO NW FLANDERS.
- 4) FRONTAGE IMPROVEMENTS:
 A - ASSUME THAT EXIST. TREE AT NW CORNER TO BE REMOVED.
 B - FULL FRONTAGE IMPROVEMENTS WITH PUBLIC WORKS PLAN TO RIVER DISTRICT RIGHT OF WAY STANDARDS. CURB EXTENSIONS TO BE ELIMINATED FROM THE PLAN IF OVER EXISTING UTILITIES.





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BDS – Land Use Planner Response

Pre-Application Conference

Date: August 21, 2018

To: Jean Hester, Conference Facilitator
503-8263-7783, Jean.Hester@portlandoregon.gov

From: Jill DeCoursey
503-823-7314, Jill.DeCoursey@portlandoregon.gov

File No.: 18-202411

Location: 350 NW 12th Avenue

Tax Account: R140647

State ID Number: 1N1E33DA 02700

Proposal: A Pre-Application Conference to discuss 23-story mixed-use building including hotel and residential uses. The proposed height is 250' with 180,330 square feet of floor area. No on site parking is proposed. 170-180 hotel rooms and 110-120 residential units are proposed.

The information provided at the conference and included in this response is based on the information you provided prior to and at the conference and reflects regulations in effect at the time of the conference. This response provides information and guidance only. It is preliminary in nature and based on the information the applicant provided to BDS staff. It is neither a land use review nor a final decision regarding this project. References are to the Portland Zoning Code available online at www.portlandonline.com/zoningcode.

A. KEY ISSUES AND REQUIREMENTS

The following issues and requirements have been summarized for the applicant to pay special attention to as they may impact the proposed project.

1. Design Review Process

- a. **Procedure Type.** The project will be subject to a Type III Design Review based on the thresholds per table 825-1 of Section 33.825.025. Submittal requirements can be found in Section C below.
- b. **Approval Criteria.** The applicable approval criteria are *the Central City Fundamental Design Guidelines* and the *River District Design Guidelines* and can be found at portlandoregon.gov/designguidelines. Other approval criteria may apply if *Modifications*

(Section [33.825.040](#)) or *Adjustments* (Section [33.805.040](#)) to development standards are requested.

- c. **Additional Reviews.** *Modification* review may be requested as part of land use review for site-related standards (such as setbacks, size of loading spaces) that are not met. *Adjustment* review may be requested as part of the design review for use-related development standards (such as floor area ratios, number of loading spaces, number of parking) that are not met.
- d. **Fees.** Land Use Review Fee Schedule for the required reviews can be found at <https://www.portlandoregon.gov/bds/article/67127>.
- e. **Design Advice Request Recommended.** A Design Advice Request (DAR) is highly recommended before the Design Commission. The items noted in Section 2 below would be potential topics of discussion at the DAR meeting.
- f. **Guide to Design Review.** You are encouraged to review the Guide to the Design Review Process prepared by the Design Commission, which provides guidance and expectations of the Design Review process. The guide can be found at [the BDS website at https://www.portlandoregon.gov/bds/article/625096](https://www.portlandoregon.gov/bds/article/625096).
- g. **Certificate of Compliance.** Approval of a Design Review allows for the proposed work to be built. The expectation is that the building permit will reflect the project (including the details) that was approved. To ensure this, a Certificate of Compliance will be required at the time of building permit as indicated in a condition of approval. The Certificate of Compliance form can be found at <https://www.portlandoregon.gov/bds/article/623658>.

2. Specific Design Review Issues

This preliminary feedback is based on the information in the Pre-Application Conference submittal.

- a. **Context:** (*Guidelines A5 – Enhance, Embellish and Identify Areas, A5-1-1 – Reinforce the Identity of the Pearl District Neighborhood, C4 – Complement the Context of Existing Buildings, C5 – Design for Coherency*)
 - How the project responds to the context of the site will be a major factor in determining the approvability of this proposal. The project's location adjacent to both the 13th Avenue Historic District and the 11th Avenue streetcar alignment should factor into the project's design.
 - Given the height of the proposal, attention should be given to the massing of the building and its relationship to the surrounding urban fabric.
- b. **Public Realm:** (*Guidelines A8 – Contribute to a Vibrant Streetscape, B2 – Protect the Pedestrian, B6 - Develop Weather Protection, C7 – Design Corners that Build Active Intersections, C8 – Differentiate the Sidewalk-Level of Buildings, C9 – Develop Flexible Sidewalk-Level Spaces*)
 - The plan provided for the Pre-Application Conference is a good starting point for the design of an active and pedestrian-friendly public realm. The generous use

of canopies and large percentage of ground level glazing strengthens the proposal.

- As the plan develops, active uses should continue to be located around the perimeter of the building.
- Stairs should be setback from building facades to allow more room for active ground floor uses along the building's street faces.
- When possible, loading and back of house spaces should be minimized. The current configuration of loading spaces adjacent to an exit stair creates a wide section of inactive ground floor façade area. Consider options to reduce inactive ground floor façade area.

c. Quality & Permanence: (*Guidelines A4 – Use Unifying Elements, C2 – Promote Quality and Permanence in Development, C5 – Design for Coherency, C13 – Integrate Signs*)

- High quality, durable materials should be planned for the building façade. Materials used should also compliment the character of the surrounding neighborhood.
- Venting through the façade should be avoided given the large number of rooms and the detrimental effect that this number of vents could have on the façade. Mechanical venting should be run vertically.
- End walls should be designed along with other elevations.
- If signage is planned, it should be designed to complement the building architecture. Note that parapet signs larger than 32 square feet may not meet the design guidelines.

3. Specific Development Standards to Note

a. 33.510.200 – Floor Area Ratios.

- Adjustments to the FAR standard are prohibited.
- Maximum base FAR = 6:1, per Map 510-2.
- Maximum FAR may be increased if FAR is transferred or earned through a bonus. Maximum bonus FAR = 3:1.
- Minimum FAR = 2:1.

b. 33.510.205 – Floor Area Bonus and Transfer Options

- FAR bonuses and transfers for the first 3:1 of additional FAR must be earned through the prioritized list in 33.510.205.B.
- Meeting the Inclusionary Housing Requirements of 33.245 will automatically earn the project bonus FAR up to the allowed 3:1 through the Inclusionary Housing Bonus in 33.510.205.C.2.a. If the full 3:1 of allowed bonus FAR is not earned through the Inclusionary Housing Bonus, the remainder can be earned

by paying into the Affordable Housing Fund or through historic resource FAR transfers.

- Per 33.510.205.B.2.b, floor area transferred by covenant and recorded prior to July 9, 2018 may be used to increase FAR before using one of the bonus or transfer methods listed above when used within two years of July 9, 2018.
- There is no limit to FAR transfers from historic resources or sites in Floor Area Transfer Sector 1, per Map 510-23.

c. 33.510.210 – Height

- Per Map 510-3, the base height for the site is 100'. The site is eligible for bonus height.
- Bonus height = 250', per Map 510-4.
 - All projections above the bonus height limit on Map 510-4 are prohibited.
 - To earn bonus height, the proposal must earn a minimum of 1:1 additional FAR through allowed bonuses.

d. 33.510.215 – Required Building Lines

- Building frontages along NW 12th Ave and NW Flanders St are subject to the “General Standards” in 33.510.215.B.

e. 33.510.220 – Ground Floor Windows

- Please note that this standard has changed from that in the old Central City Plan District code chapter.
- Both street facing façades will be required to have windows that cover at least 40 percent of the ground level wall area (the area between 2 feet and 10 feet above grade).

f. 33.510.221 – Windows Above the Ground Floor

- This standard applies to all street-facing facades of the building above the ground level because the site is within 200' of a streetcar alignment.

g. 33.510.223 – Bird-Safe Exterior Glazing

- Please note that this standard applies to the proposed building.
- The *Portland Bird Safe Windows List* may be found here: <https://www.portlandoregon.gov/bps/77092>.

h. 33.510.225 – Ground Floor Active Uses

- This standard applies along both NW 12th Ave and NW Flanders St, per Map 510-9.

i. 33.510.243 – Ecoroofs

- This standard applies to all roof areas.

j. 33.510.244 – Low Carbon Buildings

- This standard requires registration, though not necessarily certification, through specified green building programs.

- Though this standard is required to be fulfilled at the time of permitting, documentation showing registration should be submitted with the land use application.
- The *Low Carbon Building Certification List* may be found here: <https://www.portlandoregon.gov/bps/77092>.

k. 33.825.025.A.4 – Models of proposals in the Central City Plan District.

- This revised standard requires submission of a 3D digital model of the proposal. The standard states that this model is “required with an application for Design Review” and also again “before a building permit is issued”. Therefore, please submit a preliminary 3D massing model as part of your Design Review application, and plan to submit a massing model of the approved design at the time of permitting.

l. 33.245 – Inclusionary Housing

- Because this project adds 20 or more dwelling units, it will trigger the inclusionary housing requirements of this chapter. Requirements for providing units on-site or off-site are stated in 33.245.040. Please see summary notes from the Portland Housing Bureau regarding the fee-in-lieu option.

m. 33.266.210-220 – Required Bicycle Parking and Bicycle Parking Standards

- Both short-term and long-term bicycle parking are required for each use proposed.
- Adding residential significantly increases the long-term bike parking required (1.5 spaces per unit). Consider a bike room at the ground floor.
- No bike parking is currently indicated. The number of required bike parking spaces can be calculated using table 266-6.

n. 33.266.310 – Loading Standards

- Two Standard A loading spaces are required for this proposal, per 33.266.310.C.2.c.

4. Applicable Development Standards

Development standards that will apply to the project include, but are not necessarily limited to, those from the following chapters in the Zoning Code (Title 33) and other City codes available online at <https://www.portlandoregon.gov/bds/36809>

- 33.825 Design Review
- 33.510 Central City Plan District, Pearl Sub District - development standards in the plan district may supersede those in the base zone and chapters below.
- 33.420 Design Overlay Zone
- 33.266 Parking and Loading
- 33.248 Landscaping and Screening
- 33.245 Inclusionary Housing - applies to new development with 20 or more dwelling units.
- 33.140 Employment and Industrial Zone (EXd base zone)

- Title 32 Sign Code – note, signs over 32 SF in size in the Design Overlay zone require Design Review.

5. General Design Items to Note

- Building materials.** High quality, durable building materials (building skin, storefronts, windows, doors, canopies, signs, etc.), that respond to the context of the surrounding area or district, are expected (*Guidelines C2 – Promote Quality and Permanence in Development and C4 - Complement the Context of Existing Buildings*).
- Ground level materials.** Materials at the ground floor should be durable enough for use adjacent to public sidewalks, such as brick and masonry (*Guideline C2 – Promote Quality and Permanence in Development*).
- Ground level weather protection.** Pedestrian weather protection should be provided. This can be achieved with generous canopies that project out over the sidewalk or ground level setbacks (*Guideline B6 - Develop Weather Protection*).
- Loading and parking door materials.** Integrate these doors with the architecture. Solid doors with translucent glazing are a supportable option. If ventilation is needed, perforated doors with solid panels located to screen car lights and views into parking/loading areas is a supportable alternative (*Guidelines C5 - Design for Coherency and Guidelines B2 – Protect the Pedestrian*).
- Vents/Louvers & Mechanical.** Vents through the roof are preferable. If wall mounted on the facade, vents/louvers should be integrated into the windows openings. Associated mechanical units should be organized and screened (*Guidelines B2 – Protect the Pedestrian, C5 – Design for Coherency, and C11 – Integrate Roofs and Use Rooftops*).
- Gas & Electric Meters.** Locate gas and electric meters inside the building to minimize their impact. Gas regulators may be placed on the building's exterior and should be well integrated and, ideally, screened within the façade (*Guidelines B2 – Protect the Pedestrian, C2 – Promote Quality and Permanence in Development, and C5 – Design for Coherency*).
- Exterior Lighting.** Exterior lighting should be integrated into the building's overall concept and ensure a safe pedestrian condition along the adjacent sidewalk and within open spaces on the site. Exterior lighting can be used to highlight the building's architecture, however, should not impact the skyline at night. (*Guidelines B2 – Protect the Pedestrian, C4 – Complement the Context of Existing Buildings, C5 – Design for Coherency, C8 – Differentiate the Sidewalk Level of Buildings, and C11 – Integrate Exterior Lighting*).
- Signs.** Signs should be sized appropriately for the building, the district and the pedestrian realm and should incorporate district-appropriate materials (*Guidelines A7 – Establish and Maintain a Sense of Urban Enclosure, A8 – Contribute to a Vibrant Streetscape, C4 – Complement the Context of Existing Buildings, C5 – Design for Coherency, C8 – Differentiate the Sidewalk Level of Buildings, and C13 – Integrate Signs*.)

B. PREVIOUS LAND USE REVIEWS

As part of your application, address relevant conditions of approval from previous land use reviews on the site and discuss the current status of compliance. Below are the relevant land use case reviews that the City of Portland has on record for the subject site:

- EA 18-181375: Early Assistance Appointment to discuss proposal for 11-story hotel building.

C. SUBMITTAL REQUIREMENTS FOR LAND USE REVIEWS

This list identifies the materials you must submit for your application to be considered complete. For additional details, see Zoning Code Section [33.730.060](#).

General Information – Design Review

	Item to submit	# of copies (8½ x 11)	Details
1.	Application Form	1	Complete application form.
1.	Fee		Land Use Review fees
2.	Optional: Request for an Evidentiary Hearing and Waiver of Right to a Decision within 120 Days	1	Allows new facts and evidence (an “evidentiary hearing”) if your project is ultimately appealed. You must submit this form within 21 days of submitting your land use review application.
3.	Requirements for written narrative, maps, plans, etc.	1	General Submittal Requirements (Zoning Code Chapter 33.730.060)

Written Narrative

	Item to submit	# of copies (8 ½ x 11)	Details
4.	Written Statement	2	Provide a written statement that describes the project and includes the following items: <ul style="list-style-type: none"> ▪ A complete list of all land use reviews requested; ▪ A complete description of the proposal including existing and proposed use(s) and/or change(s) to the site or building(s); ▪ Additional information needed to understand the proposal. ▪ Written response to issues raised at prior Pre-Application and/or Design Advice ▪ Zoning Code analysis
5.	LEED Narrative	2	Describe sustainable features, green technology, etc.
6.	Design Review Narrative	2	Address, in written form, the approval criteria in Section 33.825.055 and 33.825.065 and the

	Item to submit	# of copies (8 ½ x 11)	Details
			applicable design guidelines (noted above).
7.	Design Modifications Narrative	2	Address, in written form, the approval criteria in Section 33.825.040 .
8.	Previous Conditions of Approval	2	Address, in writing, conditions of approval from previous land use reviews on the site and discuss the current status of compliance.

Materials and Photos

	Item to submit	# to submit	Details
9.	Manufacturer's Cutsheets	2	Show proposed exterior building skin, windows, doors, light fixtures, rooftop equipment, exterior vents, etc.
10.	Site Photos	2	Provide photos of site, immediate context and neighborhood.

Plans and Elevations

	Item to submit	# of copies (1/2 size, scalable)	# of copies (11 x 17)	# of copies (8 ½ x 11)	Details
11.	Site Utility Feasibility Plan	2	2	1	Show proposed and existing sewer service connections, water service connections, septic drainfields, stormwater disposal methods, PGE/PPL electrical vault locations, etc.
12.	Vicinity Plan	2	2	1	Submit plan that shows buildings, streets and open space in a 3-block context.
13.	Site Plan	2	2	1	Submit plan that shows adjacent street frontages, relationship of existing curb-cuts and building entrances, base points for height and FAR measurements.
14.	Tree Plan	2	2	1	Show all existing trees on the site that are 6" or larger in diameter.
15.	Landscape Plan	2	2	1	Provide details, including plant species.
16.	Floor Plan Diagrams	2	2	1	Show floor areas and FAR calculations at each floor.
17.	Floor Plans and Roof Plan	2	2	1	
18.	Building	2	2	1	

	Item to submit	# of copies (1/2 size, scalable)	# of copies (11 x 17)	# of copies (8 ½ x 11)	Details
	Elevations				
19.	Enlarged Elevations	2	2	1	At the street level, windows, balconies, garage/loading doors, railings, vents, parapets and rooftop mechanical enclosures, etc.
20.	Building Sections	2	2	1	Showing building height and base point height, showing key areas of the building, etc.
21.	Enlarged Typical Sections and Details	2	2	1	Show walls, windows, balconies, railings, canopies, garage/loading doors, exterior vents, rooftop mechanical enclosure, material joints, etc.
22.	Perspectives	2	2	1	Show context, distinct sightlines.
23.	Colored Renderings	2	2	1	Include nighttime renderings.
24.	Sign Plans	2	2	1	Provide elevations, details, sections and mounting details.

D. NEIGHBORHOOD NOTIFICATION

When you apply for a Type III Land Use Review, all property owners within 400 feet, and all neighborhood associations and recognized organizations within 1,000 feet of your site will receive notification of your proposal.

- The site is located within the neighborhood association of Pearl District, contact planning@pearldistrict.org.
- The site is located within 1,000 feet of Northwest District, contact John Bradley at 503-313-7574 and Portland Downtown, contact Rani Boyle at 503-725-9979.
- The site is located within the district neighborhood coalition of Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
- The site is located within the business association of Pearl District Business Association, contact at info@explorethepearl.com.
- Contact information for neighborhood associations, neighborhood district coalitions, and business associations is available at www.portlandonline.com/oni/search/.

You may submit your application in the Development Services Center, 1900 SW Fourth Avenue, First Floor, from 8:00 am to 3:00 pm, Monday through Wednesday and Friday, and from 8 am to 12 pm on Thursday.



PORTLAND BUREAU OF TRANSPORTATION

1900 SW Fourth Avenue, Suite 5000, Portland, OR 97201 503.823.5185

Fax 503.823.7576 TTY 503.823.6868 www.portlandoregon.gov/transportation

Dan Saltzman Commissioner Leah Treat Director

PBOT – Development Review

Pre-Application Conference Response

Date: August 7, 2018

To: Jean Hester, Conference Facilitator
(503) 823-7783, jean.hester@portlandoregon.gov

From: Fabio de Freitas, PBOT Development Review
(503) 823-4227, fabio.defreitas@portlandoregon.gov

Case File: EA 18-202411

Location: 350 NW 12th Avenue

R#: R140647

Proposal: A Pre-Application Conference to discuss 23-story mixed-use building including hotel and residential uses. The proposed height is 250' with 180,330 square feet of floor area. No on site parking is proposed. 170-180 hotel rooms and 110-120 residential units are proposed.

Portland Bureau of Transportation/Development Review (PBOT) staff has reviewed the Pre-application Conference materials to identify potential issues and requirements.

A. KEY ISSUES AND REQUIREMENTS

Following is a brief summary of issues and requirements that may impact your proposed project or are submittal requirements that will require time to prepare prior to submittal of the application.

1. In June of this year, the City considered this proposal via EA 18-181375. The information provided by PBOT in relation to this prior Early Assistance request is still valid and pertinent – the applicant is advised to refer to the prior response for said information.
2. One significant topic matter that has changed since the prior Early Assistance meeting is the street classifications of NW Flanders. With the recent implementation of the City’s Comprehensive Plan update, the Bicycle classification of NW Flanders changed from the previous City Bikeway classification to the new Major City Bikeway classification. This is a critical change.

New Zoning Code Section 33.510.263.B.2, states that “motor vehicle access to any parking area, loading area or parking structure is not allowed in the following situations:

- a. To or from any of the following streets:
 - 1) Major City Bikeway

Although the above referenced Code Section does not allow access from NW Flanders due to its change in classification to a Major City Bikeway, access is not prohibited. Accordingly, the applicant will need to seek approval of an Adjustment request for the loading space(s) access via NW Flanders.

In relation to the Adjustment process, there will be numerous approval criteria that the applicant will need to address – including that “granting the Adjustment will equally or better meet the purpose of the regulation to be modified”. The applicant is directed to new Zoning Code Section 33.510.263.A for the purpose statement that will need to be addressed and which reads as follows:

“The purpose of the parking and loading access regulations is to ensure the safety of pedestrians, bicyclists, and motorists, to avoid significant adverse impact on transit operations, and to ensure that the transportation system functions efficiently. The regulations require that the access to parking and loading areas be designed so that motor vehicles can enter and exit the parking facility without being required to cross the tracks of a light rail or streetcar alignment. Parking access shall be designed to avoid adverse impacts on operation and safety of pedestrian, bicycle, or motor vehicle circulation, and shall not preclude the future construction of facilities such as protected bikeways. A driveway is not automatically considered such an impact. On blocks where transit stations are located, the pedestrian environment on both sides of the streets will be considered and protected”.

In order to adequately address the above referenced approval criterion and associated purpose statement, the applicant will need to submit a Traffic Impact Study (TIS) prepared by a licensed traffic engineer (see below for additional information).

3. Since the previous Early Assistance request for this site, the project has changed to include the original hotel use as well as up to 120 dwelling units. The inclusion of the residential element of the project has increased the number of required on-site loading spaces to 2 standard A spaces (35-ft long, 10-ft wide, and have a clearance of 13-ft).

The new design of the building includes two on-site Standard A spaces – PBOT is supportive of this proposal.

4. Although not discussed during the meeting, PBOT must make the applicant aware of the following information. Long range planning staff at PBOT recently provided an update of a Capital Improvement Project for a bikeway along NW Flanders (from NW 1st Ave to NW 24th Ave). This project will improve conditions for bicycling and walking by upgrading crossings of busy streets and creating new connections to existing and forthcoming bicycle and pedestrian infrastructure including a new bridge over the I-405 and a rail crossing to access Waterfront Park. Project designs are not finalized.

This is identified to identify that the proposed loading spaces shown on the submitted plans to be accessed from NW Flanders would be in conflict with the future bicycle facilities along this street. PBOT recognizes that the project has been under design for a significant period of time and that altering the location of the loading spaces to NW 12th Ave would disrupt the project design significantly, at this stage. However, if possible, PBOT would encourage the applicant to reorient the loading spaces within the building to the NW 12th Ave frontage. If this is not feasible at this point, emphasis on the above referenced purpose statement that “*parking*

access shall be designed to avoid adverse impacts on operation and safety of pedestrian, bicycle, or motor vehicle circulation, and shall not preclude the future construction of facilities such as protected bikeways” will need to be reflected in the necessary TIS.

5. The previous response included information relative to the City’s UVE process for locating utility vaults within the public r.o.w. During the Pre-application Conference, the applicant stated the intent to located the necessary transformer (vault) underneath the proposed interior loading spaces. It has been the City’s past experience that the service providers have had challenges supporting such facilities within buildings and underneath a driveway. The applicant is advised to work with the service provider to determine the feasibility of the interior location for the utility vault – this is critical to avoid any delays in potentially submitted the previously mentioned UVE request.

B. APPROVAL CRITERIA

The applicant shall submit a written narrative adequately addressing the applicable zoning code approval criteria listed below for the required reviews:

Topic	Code and Comments	Code Citation & Link
Adjustments	A. Granting the Adjustment will equally or better meet the purpose of the regulation to be modified. Loading, Driveway locations, Parking Access Restricted Street, Parking Spaces	33.805.040.A

C. STREET CLASSIFICATION AND CONFIGURATION

1. The City’s Transportation System Plan (TSP) classifies the abutting rights-of-way (ROWs) as follows:

Street Name	Traffic	Transit	Bicycle	Pedestrian*	Freight	Emergency Response	Street Design
NW Flanders	Local Service	Local Service	City Bikeway	Local Service	Local Service	Minor	Local Service
NW 12 th Ave	Local Service	Local Service	Local Service	Local Service	Local Service	Local Service	Local Service

*The site is located within the Northwest Triangle Pedestrian District.

*The site is also located within the City’s River District sub-district of the Central City Plan District.

2. According to City GIS data, the abutting ROWs are improved as follows:

Street Name	Roadway Width/Condition	Pedestrian Corridor	ROW Width
NW Flanders	36 ft wide paved roadway	0-12-0	60-ft
NW 12 th Ave	36-ft wide paved roadway	0-10-2	60-ft

* This information is derived from City GIS. This evaluation is not implied to be more accurate than the sources that the information was obtained from. Based on the lack of survey information to support GIS data, this information may not be accurate.

3. The subject site is also located within the City's River District Sub-District of the Central City Plan District. Accordingly, the site's abutting rights-of-ways are subject to the adopted River District Right-of-Way Standards (Framework Plans/Performance Criteria/ Design Standards). Said document designates the streets as follows:

NW Flanders = Existing Typical Function street, Mixed Layer Street Trees street and a Twin Ornamental Lights street.

NW 12th Ave = Existing Special Function street, Mixed Layer Street Trees street and a Twin Ornamental Lights street.

4. Although the existing sidewalk corridors satisfy the 12-ft overall width standard, they do not include the elements or design standards of the River District Right-of-Way Standards document. The applicant is directed to this document at the following link: <http://www.portlandonline.com/transportation/index.cfm?&a=195434&c=32360>. In relation to the future Building Permit for the proposed building, as mentioned previously, the sidewalk corridors will need to be reconstructed pursuant to the River District standards noted above.

D. GENERAL COMMENTS

TIS Language:

A Transportation Impact Study (TIS) is also required to demonstrate that the applicable criterion is met. An analysis of the nearby transportation network is needed to determine whether the system is operating safely and at an acceptable capacity level, currently and in the future.

Please note that many intersections in the City have limited capacity and may not be able to accommodate area growth plus the proposed land use, especially in the future without significant modifications to the intersection. Under some circumstances, lack of adequate capacity (level-of-service) at an intersection can result in denial of a land use proposal. Intersections of arterials are most likely to have capacity constraints but other intersections may also. Your traffic engineer should investigate this issue well in advance of application for the land use review.

The TIS must be prepared by a licensed traffic engineer. TIS's are complex and almost always require multiple engineering reviews to ensure that all issues are fully addressed in a technically acceptable manner. The applicant's traffic engineer must propose a draft scope of work for the TIS prior to preparing the actual TIS for the Land Use Review. The applicant is referred to the following link for additional information on PBOT's scoping process: <https://www.portlandoregon.gov/transportation/74543>. **The resulting TIS must be submitted with the land use application, but to ensure it is complete, the traffic engineer should attempt to submit a draft at least one month in advance to allow for review and revisions. TIS's first provided to the City at the time of formal application for the land use are rarely complete and often delay the land use review or result in a recommendation of denial due to insufficient information.**

E. PERMIT INFORMATION

At the time of permit review (following the land use review) you should be aware of the following:

1. System Development Charges (SDCs) may be assessed for this development. The applicant can receive an estimate of the SDC amount prior to submission of Building Permits by contacting PBOT's SDC Section at (503) 823-7002 (option 2).
2. Curb cuts and driveway construction must meet the requirements in Title 17. Title 17 driveway requirements will be enforced during the review of Building Permits.
3. The r.o.w. improvements will need to be designed by an Oregon licensed civil engineer and constructed under a Public Works Permit, which is separate from the Building Permit that will be necessary for construction of the proposed project.

Conceptual PW Design must be submitted to Public Works Permitting in order to verify the type of PW Permit that is required and to determine the required performance guarantee amount.

PW Design Review will determine specific design elements including stormwater management, bus stop, curb-cuts, landscaping, location of signage, location of utility poles and street lights, as well as other design requirements.

The applicant is therefore encouraged to contact Public Works at (503) 823-1987 or at pwp@portlandoregon.gov to familiarize himself with the process and initiate the appropriate meetings/process. Additional information on the City's Public Works Permitting process can be found at the following link: <http://www.portlandoregon.gov/publicworks>. It is important for the applicant to understand the Public Works process and timeline thereof to avoid any conflicts with the Building Permit process.

4. Plans, fees, a contract (called the application for permit) and a performance guarantee for the estimated value of the improvement must be submitted prior to (Building Permit approval). The performance guarantee may be in the form of a surety bond, irrevocable letter of credit, set-aside account, or cash deposit. Applicant should contact Public Works at (503) 823-1987 for appropriate forms and additional information.
5. Encroachments in the right-of-way must be approved through the Encroachment Permit process prior to PBOT approval of the Building Permit. For more information, go to: <http://www.portlandoregon.gov/transportation/encroachments>.
6. The applicant is advised that the City cannot guarantee the accuracy of location of utilities in the street, and that the information used by the City and furnished to the applicant or their representatives may be incorrect. Verification of private and public utility locations, as well as the responsibility for any and all damage caused by work in the right-of-way, will be the responsibility of the permittee at the time of performing work and right-of-way improvements associated with their project.
7. The applicant has the opportunity to propose an alternative frontage improvement solution. The applicant may enter into the City's adopted Public Works Alternative Review process. Additional information on this process can be found at the following link: <http://www.portlandoregon.gov/article/481371>.

A decision on a Public Works Alternative may be appealed through the Public Works Appeals program. However, the applicant must receive a final response from

PBOT, in the form of either a Land Use recommendation or a Building Permit check-sheet, prior to proceeding with any appeal beyond the Public Works Alternative Review. The applicant is advised that appeal of a PBOT Land Use recommendation must occur prior to issuance of the land use decision by BDS and will likely delay the land use review while the request moves through the appeal process. Additional information on the Public Works Alternative process and the Public Works Appeal process can be found on PBOT's development review website at: <https://www.portlandoregon.gov/transportation/73951>.

F. SUBMITTAL REQUIREMENTS FOR LAND USE

This list identifies PBOT submittal requirements. Please see the Conference Summary Memo for all of the materials you must submit for your application to be considered complete.

1. Written narrative adequately addressing all transportation related approval criteria.
2. Preliminary plans showing necessary dedication(s) and right-of-way improvements.
3. Transportation Impact Study

All submittal requirements should be submitted with the application.

Attachments: General Information/PBOT Building & Encroachment Permit Considerations

GENERAL INFORMATION
PBOT BUILDING and ENCROACHMENT PERMIT CONSIDERATION

Encroachments are based on property line locations after any required dedications are completed. If street dedication is required, the proposed development design must incorporate the location of the new property line into the project.

Vaults and Access Lids in Pedestrian Corridor

Vaults are generally not allowed in the Pedestrian Through Zone. If a vault lid is proposed in the pedestrian through zone, the owner of the vault must submit for review and approval through the PBOT Design Exception process. All vaults located in the public right-of-way (r.o.w.) will require an Encroachment Permit approval as a condition of Building Permit approval. PBOT may approve vaults in the sidewalk area with vault lids to be located in the furnishing zone. This needs to be reviewed through a Design Exception submitted by the owner of the proposed vault. This approval will require going through the Design Exception process to see if there is reason to allow the exception. Conditions may be attached to a Design Exception. Applicants should contact the utility provider as early as possible. From the perspective of managing the r.o.w., PBOT would prefer that these be placed in the street or on private property first and by exception may be located in the sidewalk area. PBOT does not desire to have metal lids in the through pedestrian zones and currently requires lift out lids that match the surrounding sidewalk material. Additionally, if approved, access lids not located in the through pedestrian corridor, shall be constructed with an approved non-slip surface having a static coefficient of friction between 0.60 and 1.00 as determined by ASTM Designation C 1028-89. Access lids on inclines greater than 4% shall have a coefficient of friction between 0.80 and 1.00. Lids with openings greater than 0.5 inches (in the direction of travel) are not allowed in the pedestrian through zone (as defined in the Portland Pedestrian Design Guide). For vaults within the through pedestrian zone (approved through a Design Exception review), access lids are to be lift out lids that match the surrounding sidewalk material.

Excavation and Shoring

The limits of excavation for the proposed development need to be shown. Because the proposed development and excavation are in close proximity to the r.o.w., excavation limits need to be shown in order to verify that no work is proposed within the r.o.w. which exceeds the limits of the PW Permit (if required). If the excavation layback exceeds the limits of the PW Permit, approval of a mass excavation encroachment permit will be required. Excavation information may be provided on the Grading and Erosion Control Plan sheets, or on a separate sheet. Please provide slope layback information, as well as the limits and cross sections showing the proposed excavation relative to the finished face of curb and property lines. Cross sections are to be worst case locations. Shoring designs are also preferred to be reflected in a detail drawing so that the anticipated wall height and required pile size is absolutely clear to the contractor during construction. Piling, that are located in the r.o.w., will be required to be cut off 5-feet below the curb gutter elevation, tiebacks will be required to be de-tensioned at the end of their required use.

If shoring, and structural walls which support the r.o.w. are proposed (on-site or within the r.o.w.); sufficient information on the location of proposed shoring design, calculations and a geotechnical report will be required for evaluation by the Transportation Bridges and Structures group prior to PBOT Building Permit approval, or issuance of an Encroachment Permit (if applicable). If tieback shoring is proposed, the tiebacks may not extend past the centerline of the impacted r.o.w. without providing written consent from the adjacent property owner (opposite of the proposed shoring). The applicant should be aware that all Transportation Structural reviews and reviews of encroachments into the public r.o.w. extending past the curb line (or less if warranted), will require additional review time by other Bureaus and Transportation staff, which will be necessary for Transportations approval of the Building Permit. It is recommended that the applicant's design team provide the necessary information to PBOT at an early stage of the permit process, in an additional separate design set.

Designs and Calculations are required to be stamped by an Oregon licensed civil engineer. An additional set of shoring designs, calculations and the geo-technological report will be required for PBOT permitting to forward to the Bridges and Structures group for review. Additionally, a digital copy should also be provided.

Below Grade Encroachments

Vaults and other enclosed below-grade spaces may be allowed within the r.o.w. with a (Revocable) Encroachment Permit. The building section within the r.o.w. must be designed to be severable from the main building and the structural support for the building above grade must meet IBC 3202.1.1. No projections are allowed beyond the curb line. **A minimum of 5-ft of clearance is required from the street gutter grade to the top of the building lid. It is the applicant's responsibility to demonstrate that no conflict will exist with street trees, streetlights, signals, ADA ramps or any other item constructed within the r.o.w. permitted through the Public Works Permit. The applicant must also provide confirmation that the local utility providers have verified that there is no conflict with the proposed encroachment and the provider's existing, or future, infrastructure.**

Footing Encroachments are not allowed within eight vertical feet below the surface grade (IBC 3202.1) without an approved Revocable Permit (encroachment permit), Footings may extend up to 12-inches into the right-of-way provided that the top of footing is located no less than 8-feet below grade.

Balcony Encroachments are allowed by City Code and applicable IBC standards. Balconies may encroach into the public right-of-way 1-inch horizontally for each 1-inch above 96-inches (8-feet) above finished grade. The Maximum encroachment allowed is 48-inches.

Oriel Window Encroachments are allowed by City Code and/or applicable IBC standards as adopted by the Bureau of Planning, Bureau of Transportation and the Bureau of Development Services, or the applicant must procure an approved Revocable Permit from the Bureau of Transportation for the proposed encroachment. If the proposed encroachment exceeds the definition of being a "Minor Encroachment," "Major Encroachment" policy approval, through City Council, will be required as a condition of this building permit approval.

Stair and railing Encroachments are not allowed outright within the public right-of-way per City Code and applicable IBC standards. If they are proposed in the right-of-way, either the

plans and design must be revised to meet the City and associated IBC encroachment standards, or the applicant must procure an approved Revocable Permit from the Bureau of Transportation for the proposed encroachment.

Door and Gate Encroachments into the Public Right-of-Way are not allowed without a Revocable Encroachment Permit to allow any such encroachments. Please be advised that it is not typically PBOT Policy to approve door swings into the ROW for new construction.

Bike Racks are generally encouraged, there is no encroachment permit fee for approved encroachment applications and permits. The permit is required as a means of tracking encroachment locations and assuring that the rack meets City standards for type and location.

Loading Dock Encroachments

Docks extending from a building face into the right-of-way are private structures which require approval as an allowed encroachment in the public right-of-way. Docks are considered accessory to private buildings and fall under ADA building regulations. Where the dock will provide through pedestrian access in lieu of a public sidewalk, the City Engineer will apply ADA requirements in order to provide a higher level of accommodation. As a condition of this building permit approval, the applicant will be required to obtain an encroachment permit from the Bureau of Transportation.

OTHER CONSIDERATIONS

If a Public Works (PW) Permit is required as a condition of performing right-of-way improvements; stormwater management, bus stop, curb-cuts to City Standard, landscaping, location of signage, Location of utility poles and street lights, as well as other design requirements will be determined as part of the PW design review and permit process.

Designs submitted to Public Works for review must be provided by an Oregon licensed civil engineer. **Performance guarantee, contract and fees must be provided to Public Works satisfaction as a condition of PBOT's building permit approval.**

It will be necessary for the applicant to provide a 30% PW Design to PW in order for PW to;

1) Verify the type of PW Permit that is required, a full "Level II Permit" requiring up through a 90% design review, or a "Limited PW Permit" requiring the 30% for completion of the separate permit, required for PBOT building permit approval.

2) For PW to determine the required performance guarantee (typically a bond) amount.

As stated above, ***Performance guarantee, contract and fees must be provided to Public Works satisfaction as a condition of PBOT's building permit approval.***

Dedication and Easements: As a condition of PBOT building permit approval for construction of development, sufficient dedication will typically be required to meet the required right-of-way standards. The limits of dedication may require the applicant providing a survey of the frontage and an acceptable PW design for comparison. Subject property.

Utilities/Power lines:

If the pedestrian corridor supports overhead power lines directly across from a zero setback building face and projections, the applicant is advised that they may be required to contact the appropriate utility service company to assure that the proposed design meets the requirements of for separation distances of structures and utility services.

CONTACT INFORMATION

PW Permit process:

The PW design must be provided by an Oregon licensed civil engineer. To begin the PW process, please contact Transportation Public Works through <http://www.portlandonline.com/index.cfm?c=53147>

Dedication process:

To start the dedication process, the applicant is required to complete and return a dedication request form to Transportation Right-of-Way Acquisition. Said form will be provided by PBOT at the time of the building permit, PBOT's 1st review. Dedications will not be processed prior to the building permit processing. Dedications, and required easements, will be a condition of PBOT's approval for the building permit.

Design Exception (DE) Application and Process

For additional information on the DE process and for an application, please go to:

<http://www.portlandoregon.gov/transportation/article/207301>

Scroll down to "Form Title" – "Design Exception Instructions (PBOT)" and "Design Exception Form (PBOT)" for the links to additional information and application.

Revocable Encroachment Permit Application:

If the proposed scope of work requires a revocable permit application for encroachments in the public right-of-way, please go to the following web site for an application, processing, and additional information:

<http://www.portlandoregon.gov/transportation/encroachments>

for an application, general information, cost and submittal information.

Permits from PBOT Street System/Utilities and from the Office for Community Technology are required for this installation:

Contact Ryan Mace at 503-823-7076 or at Ryan.Mace@portlandoregon.gov and Melvin Riddick at 503-823-0066 or at Melvin.Riddick@portlandoregon.gov to obtain the required permits. Advise this office when the permits have been obtained.

Other Related PBOT Building Permit Questions:

Please contact Wayne Close (503-823-7647 wayne.close@portlandoregon.gov)



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Nick Fish, Commissioner ■ Michael Jordan, Director

Pre-Application Conference Response

Date: August 14, 2018
To: Jean Hester, Conference Facilitator
503-823-7783, Jean.Hester@portlandoregon.gov
From: Emma Kohlsmith, BES Systems Development
503-823-7195, Emma.Kohlsmith@portlandoregon.gov
André Mellott, BES Pollution Prevention Services
503-823-7114, andre.mellott@portlandoregon.gov
Case File: EA 18-202411
Location: 350 NW 12TH AVE
R#: R140647
Proposal: A Pre-Application Conference to discuss 23-story mixed-use building including hotel and residential uses. The proposed height is 250' with 180,330 square feet of floor area. No on site parking is proposed. 170-180 hotel rooms and 110-120 residential units are proposed.

The Bureau of Environmental Services (BES) has reviewed the Pre-Application Conference materials to identify potential issues and requirements and provide the following comments. Some references to Portland City Code (PCC) are included below; the applicant may also refer to the Auditor's Office [Online Charter and Code page](#).

A. KEY ISSUES AND REQUIREMENTS

Following is a brief summary of issues and requirements that may impact your proposed project or are submittal requirements that will require time to prepare prior to submittal of the application.

1. The applicant must submit a utility plan and stormwater report with the land use application.
2. This property is a known contaminated site or is adjacent to a contaminated site [DEQ Environmental Cleanup Site #5785]. DEQ approval to develop the site may be required.

B. SANITARY SERVICE

1. *Existing Sanitary Infrastructure:* According to best available GIS data, the following sewer infrastructure is located in the vicinity of the project site:
 - a. Public 8-inch VSP combined sewer in NW 12th Avenue (BES as-built # 20145).
 - b. Public 24-inch cured-in-place combined sewer in NW 12th Avenue (BES as-built # E10833).
2. *Sewer Easement Present:* There is an existing sewer easement granted to the City of Portland crossing the northwest corner of this site. However, the Tanner Creek sewer pipe that was previously covered by this easement has been abandoned. Therefore, the applicant may quitclaim this easement. Please contact Dee Walker to initiate the process (503-823-7068).
3. *Connection Requirements:* Connection to public sewers must meet the standards of the City of Portland's [Sewer and Drainage Facilities Design Manual](#). New laterals required to serve the project must be constructed to the public main at the developer's expense during site development.

C. STORMWATER MANAGEMENT

1. *Existing Stormwater Infrastructure:* According to best available GIS data, the following stormwater infrastructure is located in the vicinity of the project site:
 - a. There are no public storm-only sewers available to this property.
2. *General Stormwater Management Requirements:* Development and redevelopment sites that include any of the triggers listed in PCC 17.38.040 are subject to the policies and standards of PCC 17.38.035, Portland's [Stormwater Management Manual](#) (SWMM) and [Source Control Manual](#) (SCM). Projects must comply with the current adopted version of the SWMM as of the permit application date. A fundamental evaluation factor in the SWMM is the Stormwater Infiltration and Discharge Hierarchy (Section 1.3.1), which sets the framework that will be used to determine when a project's stormwater runoff must be infiltrated onsite and when offsite discharge will be permitted, and the parameters that must be met for either scenario. If tested infiltration rates on a property are greater than or equal to 2 inches per hour, onsite infiltration will be required unless the site falls under a specific exemption described in Section 1.3.3 of the SWMM. Note that maximum building coverage allowed by the zoning code, including below grade development, does not exempt the applicant from stormwater requirements. Pollution reduction and flow control requirements must be met using vegetated facilities to the maximum extent feasible, though roof runoff and some paved impervious surfaces are exempt when discharging directly to a UIC (refer to Section 1.3.3 of the SWMM). The Hierarchy also includes impervious area reduction techniques (ecorooft, pervious paving and trees), which can mimic the passive treatment of pre-development conditions and help reduce the area of new development requiring stormwater management.
3. *Onsite Stormwater Management:* Stormwater runoff from this project must comply with all applicable standards of the SWMM and SCM and be conveyed to a discharge point along a route of service approved by the BES Director or the Director's designee.
 - a. *Storm Report:* With the land use application, the applicant must submit a Presumptive or Performance Approach stormwater report and a preliminary utility plan showing stormwater management facilities sized according to SWMM standards. The report must follow the outline included in Section 2.4.4 of the SWMM and be stamped by an Oregon registered engineer. Required elements of the report include:
 - 1) A narrative describing how the project will comply with the SWMM's Stormwater Hierarchy. Based on shallow groundwater and soil conditions in this area, BES does not expect onsite infiltration of stormwater to be feasible. In addition, if the project will meet the CC2035 ecorooft requirement, no analysis of onsite infiltration will be required. See below for additional information.
 - 2) Calculations prepared by an engineer using the [Presumptive Approach Calculator \(PAC\)](#). If using other software under the Performance Approach, the principles of Section 2.2.3 must be followed.
 - 3) If BES approves offsite discharge to the combined sewer, PCC 17.38 and the SWMM require stormwater discharge to be controlled so that the post-development 25-year peak flow rate is limited to the pre-development 10-year peak flow rate. The applicant must show through the Presumptive or Performance Approach stormwater report how flow and volume control standards that apply to the proposed discharge point will be met.
4. *Ecorooft:* By approving the Central City 2035 Plan (CC2035), Portland City Council enacted a new ecorooft requirement in Portland's Zoning Code that applies to most buildings in the Central City Plan District (see Portland City Code 33.510.243). Ecorooft required by the zoning code may meet all or a portion of the project's stormwater management requirements as described in the SWMM (depending on the amount of ecorooft proposed). Note that projects that satisfy the minimum coverage of 60% ecorooft to meet the zoning requirement

will not be required to evaluate onsite infiltration for the building area, regardless of whether the building runoff discharges to a stormwater (SWMM Infiltration & Discharge Hierarchy Category 3) or combined (Category 4) system. BES has prepared a guidance document to provide additional information regarding the CC2035 ecoroof requirement and the SWMM: <https://www.portlandoregon.gov/bes/article/691262>.

D. DEVELOPMENT ENGINEERING (PUBLIC IMPROVEMENTS)

Contact Andre Duval at (503)823-7214 or abdre.duval@portlandoregon.gov with questions.

1. A public sanitary sewer is available in NW Flanders street to serve this property, and a public sewer extension is not required. When sewer is available and a main extension is not required, the lateral connection may be reviewed and permitted through the building permit. BES Development Review (503-823-7761) reviews private lateral connections to the public sewer.
2. The combination sewer pipe in NW Flanders street is located approximately 13 feet from the existing property line. Where BES pipes are impacted by private property improvements (such as shoring and foundation piles), it is the applicant's responsibility to demonstrate to the satisfaction of BES that the pipe will not be damaged and that clearance will be maintained for future maintenance access.
3. Public stormwater management facilities that conform with the SWMM are not required. Currently, stormwater from NW Flanders and NW 12th Avenue discharges to the combination sewer.
4. When PBOT requires new sidewalk construction in a pedestrian corridor where a curb and paved street already exist. Constructing the sidewalk so that it slopes toward a vegetated area and/or planting street trees will be a viable alternative to constructing stormwater management facilities.
5. The City's Hazardous Substances Code (PCC 17.24.067) requires the excavation and removal of disturbed contaminated soils from right-of-way access areas and utility corridors. The soils must be replaced with clean fill at a minimum depth of 5 feet. A demarcation/contaminant barrier is also required when it has been determined the soils are contaminated at depth. Erosion control measures for contaminated soils ([Section 1.12](#) of the SCM) must be met. Soil stockpiles must be covered and contained with a barrier on all four sides, with an impervious layer underneath the stockpile to inhibit contaminants from leaching back into the soil.

E. SUBMITTAL REQUIREMENTS FOR LAND USE

1. Full land use plan set, including preliminary utility plan.
2. A Presumptive/Performance approach stormwater report as described in this memo.

F. PERMIT INFORMATION

At the time of permit review the applicant should be aware of the following:

1. *Connection Fees:* Sewage system connection fees and system development charges are assessed at the time of building plan review and change every fiscal year on July 1st. For additional information on these fees, navigate [here](#) or call the BES Development Review Team at 503-823-7761.
2. *Connection Requirements:* Connection to public sewers must meet the standards of the City of Portland's [Sewer and Drainage Facilities Design Manual](#).
3. *Source Control Manual Requirements:* Design requirements from the [Source Control Manual](#) (SCM) that may be pertinent to this project are briefly described as follows with the corresponding SCM section noted. BES recommends the applicant review the SCM to help

recognize other requirements that may apply to this project at the time of building permit review. BES recommends that requirements related to site contamination, if applicable, be addressed prior to submitting for building permit review to help avoid potentially long delays.

- a. *Temporary Dewatering* ([Section 1.5](#) and [PCC 17.34](#), [PCC 17.36](#), & [PCC 17.39](#)): This area is served by a public combined sewer system. Groundwater on the site is approximately 15-25 feet below grade surface (based on seasonally adjusted USGS data).
 - 1) BES evaluates requests for discharges into the city sanitary or storm systems for approval or denial. If approved, a Discharge Permit for the storm or sanitary sewer may be required.
 - 2) Fees are assessed for temporary construction discharges to the public sewer system - navigate [here](#) for current rates and information about dewatering as it relates to [construction projects](#). See [Appendix A](#) of the SCM for the proper dewatering forms to submit with the building permit application.
 - 3) Construction discharges to City UICs are prohibited.
 - 4) Construction discharges to private UICs (e.g., drywells or soakage trenches) must be authorized by DEQ's UIC Program.
- b. *Long-Term Dewatering* ([Section 1.5](#) and [PCC 17.34](#), [PCC 17.36](#), & [PCC 17.39](#)): Long-term dewatering must be managed through private infiltration facilities and storm systems after dry waterproofing the structure. Long-term discharges, if approvable, to the City sewer system is subject to volume charges; current rates are located [here](#). Additionally, review [Appendix A](#) of the SCM for the proper forms to submit with the building permit application.
- c. *Solid Waste and Recycling* ([SCM Section 1.6](#)): Solid waste (including grease bins/drums/boxes) and recycling (plastic, paper, glass, etc.) areas require a structural cover with a paved surface beneath the receptacles, a bermed or graded isolated area beneath the cover to protect from stormwater run-on, and a drain to the sanitary sewer within the isolated covered area.
- d. *Loading Docks* ([SCM Section 1.7](#)): Loading docks (material transfer areas) must be isolated from stormwater run-on. The first 3 feet of the dock face must be isolated through grading, berms or drains, and that area must discharge to the sanitary sewer. Bay door loading areas are required to be sloped away from the outside and stormwater is to be directed away from the bay door loading area.
- e. *Remote Fueling for Generators* ([SCM Section 1.8](#)): The generator fuel supply tank must be double walled and the fueling port must have secondary containment in order to meet the intent of Section 1.8.
- f. without adequate pollution prevention controls. Some of the pollution controls that may be required are: pavement of the area, protection from stormwater run-on and runoff, a structural cover, and secondary containment.
- g. *Suspect or Contaminated Site without DEQ Oversight* ([SCM Section 1.12](#)): Based on or review of available records, the proposed development is located on or near a property that was found to contain contaminants in the soils and/or groundwater and requires further evaluation by DEQ and the City [i.e., DEQ has not issued a closure letter, No Further Action (NFA) and/or Record of Decision (ROD)]. Before the proposal can move forward BES Pollution Prevention will require documentation from the DEQ stating they do not object or have concerns with the proposal. BES requirements must also be met. For your reference, the DEQ site number for this property is: (ECSI Site #5785).
- h. *Contaminated Site with DEQ Oversight* ([SCM Section 1.12](#)): This site has been evaluated by DEQ and is in the cleanup program and will require DEQ input. To date, DEQ has not been provided with information that shows the proposed development will

meet or will not conflict with or violate any prior DEQ conditions or decisions regarding site conditions. BES will coordinate with DEQ. Please be advised that DEQ's issuance of a closure letter/NFA/ROD does not preclude the applicant from complying with BES requirements related to soil contamination.

- i. *Contaminated Soils (SCM [Section 1.12](#)):* Additional erosion control measures are required. Stockpiles of soil must have a barrier on all four sides and be covered to protect the materials from stormwater contact. Contaminated soil piles must also have an impervious layer underneath the stockpile to inhibit contaminants from leaching back into the soil.
- j. *Rainwater or Groundwater Harvesting/Reuse/Reclaimed Wastewater (SCM [Section 1.15](#) and PCC [17.36](#)):* Rainwater or groundwater that will be harvested for use in toilet flushing, equipment, or other uses will be required to pay sanitary fees on the harvested water. A billing discharge meter will be required to measure the harvested water discharging to the City's sanitary sewer. Sanitary fees will be assessed on the total volume; current rates are located [here](#). If harvested for outside irrigation, BES will not allow any overspray or direct discharge of this water to a public stormwater system if there is a potential the water is contaminated or reclaimed wastewater.
- 4. *Water Feature (PCC [17.34](#) and PCC [17.39](#)):* If a water feature such as a fountain is proposed, certain requirements may apply depending on the feature design. In general, if the feature water is treated (e.g., chlorinated or biocides), the feature water is considered wastewater and must discharge to the sanitary waste line. If the feature water is not treated, under most circumstances the water can discharge to the storm sewer. Additionally, if the source of the feed water to the feature is rainwater and required to discharge to the City sanitary sewer system or groundwater, a meter is required to assess sewer user fees; current rates are located [here](#).
- 5. *Grease Management Program (PCC [17.34](#) and ENB [4.26](#)):* The City requires installation of grease interceptors in all new food service establishments or in establishments making improvements to their food or beverage preparation areas. All plumbing fixtures in food and beverage preparation areas must be connected to an interceptor. A monitoring access structure (MAS) may be required. Please refer to the MAS discussion below regarding MAS requirements.
- 6. *Pet Relief Areas (PCC [17.32](#)):* Any liquid wastes generated from an area that will be built specifically for, or used as, a pet relief area must discharge to the sanitary sewer system. Stormwater is not allowed into the sanitary sewer system; therefore an area used for pet relief would need to be protected from any stormwater coming in contact with that area.

G. ADDITIONAL STORMWATER MANAGEMENT CONSIDERATIONS

Included below is information regarding programs and technologies that the project team may choose to utilize for this project.

Topic	Comments	Links & Contacts
LEED (Leadership in Energy and Environmental Design)	The LEED (Leadership in Energy and Environmental Design) Green Building Rating System is a voluntary, consensus-based, market-driven building rating system designed to assist in the creation of high performance, healthful, durable, and environmentally sound buildings. The City of Portland encourages green building, and the requirements described in the City's Stormwater Management Manual may support the achievement of LEED Sustainable Sites credits.	Oregon Department of Energy

Topic	Comments	Links & Contacts
Clean River Rewards Program	<p>Clean River Rewards, Portland's stormwater discount program, offers discounts up to 100% of the City's onsite stormwater management charge to ratepayers who manage stormwater runoff on their property. The discount is calculated on a sliding scale for how much and how well properties manage stormwater onsite. Ratepayers must register their property and describe how stormwater is being managed to qualify. See the Clean River Rewards website for more information.</p>	<p>BES Clean River Rewards Program: 503-823-1371 (hotline)</p>



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Nick Fish, Commissioner ■ Michael Jordan, Director

Pre-Application Conference Response

Date: August 14, 2018
To: Jean Hester, Conference Facilitator
503-823-7783, Jean.Hester@portlandoregon.gov
From: Emma Kohlsmith, BES Systems Development
503-823-7195, Emma.Kohlsmith@portlandoregon.gov
André Mellott, BES Pollution Prevention Services
503-823-7114, andre.mellott@portlandoregon.gov
Case File: EA 18-202411
Location: 350 NW 12TH AVE
R#: R140647
Proposal: A Pre-Application Conference to discuss 23-story mixed-use building including hotel and residential uses. The proposed height is 250' with 180,330 square feet of floor area. No on site parking is proposed. 170-180 hotel rooms and 110-120 residential units are proposed.

The Bureau of Environmental Services (BES) has reviewed the Pre-Application Conference materials to identify potential issues and requirements and provide the following comments. Some references to Portland City Code (PCC) are included below; the applicant may also refer to the Auditor's Office [Online Charter and Code page](#).

A. KEY ISSUES AND REQUIREMENTS

Following is a brief summary of issues and requirements that may impact your proposed project or are submittal requirements that will require time to prepare prior to submittal of the application.

1. The applicant must submit a utility plan and stormwater report with the land use application.
2. This property is a known contaminated site or is adjacent to a contaminated site [DEQ Environmental Cleanup Site #5785]. DEQ approval to develop the site may be required.

B. SANITARY SERVICE

1. *Existing Sanitary Infrastructure:* According to best available GIS data, the following sewer infrastructure is located in the vicinity of the project site:
 - a. Public 8-inch VSP combined sewer in NW 12th Avenue (BES as-built # 20145).
 - b. Public 24-inch cured-in-place combined sewer in NW 12th Avenue (BES as-built # E10833).
2. *Sewer Easement Present:* There is an existing sewer easement granted to the City of Portland crossing the northwest corner of this site. However, the Tanner Creek sewer pipe that was previously covered by this easement has been abandoned. Therefore, the applicant may quitclaim this easement. Please contact Dee Walker to initiate the process (503-823-7068).
3. *Connection Requirements:* Connection to public sewers must meet the standards of the City of Portland's [Sewer and Drainage Facilities Design Manual](#). New laterals required to serve the project must be constructed to the public main at the developer's expense during site development.

C. STORMWATER MANAGEMENT

1. *Existing Stormwater Infrastructure:* According to best available GIS data, the following stormwater infrastructure is located in the vicinity of the project site:
 - a. There are no public storm-only sewers available to this property.
2. *General Stormwater Management Requirements:* Development and redevelopment sites that include any of the triggers listed in PCC 17.38.040 are subject to the policies and standards of PCC 17.38.035, Portland's [Stormwater Management Manual](#) (SWMM) and [Source Control Manual](#) (SCM). Projects must comply with the current adopted version of the SWMM as of the permit application date. A fundamental evaluation factor in the SWMM is the Stormwater Infiltration and Discharge Hierarchy (Section 1.3.1), which sets the framework that will be used to determine when a project's stormwater runoff must be infiltrated onsite and when offsite discharge will be permitted, and the parameters that must be met for either scenario. If tested infiltration rates on a property are greater than or equal to 2 inches per hour, onsite infiltration will be required unless the site falls under a specific exemption described in Section 1.3.3 of the SWMM. Note that maximum building coverage allowed by the zoning code, including below grade development, does not exempt the applicant from stormwater requirements. Pollution reduction and flow control requirements must be met using vegetated facilities to the maximum extent feasible, though roof runoff and some paved impervious surfaces are exempt when discharging directly to a UIC (refer to Section 1.3.3 of the SWMM). The Hierarchy also includes impervious area reduction techniques (ecorooft, pervious paving and trees), which can mimic the passive treatment of pre-development conditions and help reduce the area of new development requiring stormwater management.
3. *Onsite Stormwater Management:* Stormwater runoff from this project must comply with all applicable standards of the SWMM and SCM and be conveyed to a discharge point along a route of service approved by the BES Director or the Director's designee.
 - a. *Storm Report:* With the land use application, the applicant must submit a Presumptive or Performance Approach stormwater report and a preliminary utility plan showing stormwater management facilities sized according to SWMM standards. The report must follow the outline included in Section 2.4.4 of the SWMM and be stamped by an Oregon registered engineer. Required elements of the report include:
 - 1) A narrative describing how the project will comply with the SWMM's Stormwater Hierarchy. Based on shallow groundwater and soil conditions in this area, BES does not expect onsite infiltration of stormwater to be feasible. In addition, if the project will meet the CC2035 ecorooft requirement, no analysis of onsite infiltration will be required. See below for additional information.
 - 2) Calculations prepared by an engineer using the [Presumptive Approach Calculator \(PAC\)](#). If using other software under the Performance Approach, the principles of Section 2.2.3 must be followed.
 - 3) If BES approves offsite discharge to the combined sewer, PCC 17.38 and the SWMM require stormwater discharge to be controlled so that the post-development 25-year peak flow rate is limited to the pre-development 10-year peak flow rate. The applicant must show through the Presumptive or Performance Approach stormwater report how flow and volume control standards that apply to the proposed discharge point will be met.
4. *Ecorooft:* By approving the Central City 2035 Plan (CC2035), Portland City Council enacted a new ecorooft requirement in Portland's Zoning Code that applies to most buildings in the Central City Plan District (see Portland City Code 33.510.243). Ecorooft required by the zoning code may meet all or a portion of the project's stormwater management requirements as described in the SWMM (depending on the amount of ecorooft proposed). Note that projects that satisfy the minimum coverage of 60% ecorooft to meet the zoning requirement

will not be required to evaluate onsite infiltration for the building area, regardless of whether the building runoff discharges to a stormwater (SWMM Infiltration & Discharge Hierarchy Category 3) or combined (Category 4) system. BES has prepared a guidance document to provide additional information regarding the CC2035 ecoroof requirement and the SWMM: <https://www.portlandoregon.gov/bes/article/691262>.

D. DEVELOPMENT ENGINEERING (PUBLIC IMPROVEMENTS)

Contact Andre Duval at (503)823-7214 or abdre.duval@portlandoregon.gov with questions.

1. A public sanitary sewer is available in NW Flanders street to serve this property, and a public sewer extension is not required. When sewer is available and a main extension is not required, the lateral connection may be reviewed and permitted through the building permit. BES Development Review (503-823-7761) reviews private lateral connections to the public sewer.
2. The combination sewer pipe in NW Flanders street is located approximately 13 feet from the existing property line. Where BES pipes are impacted by private property improvements (such as shoring and foundation piles), it is the applicant's responsibility to demonstrate to the satisfaction of BES that the pipe will not be damaged and that clearance will be maintained for future maintenance access.
3. Public stormwater management facilities that conform with the SWMM are not required. Currently, stormwater from NW Flanders and NW 12th Avenue discharges to the combination sewer.
4. When PBOT requires new sidewalk construction in a pedestrian corridor where a curb and paved street already exist. Constructing the sidewalk so that it slopes toward a vegetated area and/or planting street trees will be a viable alternative to constructing stormwater management facilities.
5. The City's Hazardous Substances Code (PCC 17.24.067) requires the excavation and removal of disturbed contaminated soils from right-of-way access areas and utility corridors. The soils must be replaced with clean fill at a minimum depth of 5 feet. A demarcation/contaminant barrier is also required when it has been determined the soils are contaminated at depth. Erosion control measures for contaminated soils ([Section 1.12](#) of the SCM) must be met. Soil stockpiles must be covered and contained with a barrier on all four sides, with an impervious layer underneath the stockpile to inhibit contaminants from leaching back into the soil.

E. SUBMITTAL REQUIREMENTS FOR LAND USE

1. Full land use plan set, including preliminary utility plan.
2. A Presumptive/Performance approach stormwater report as described in this memo.

F. PERMIT INFORMATION

At the time of permit review the applicant should be aware of the following:

1. *Connection Fees:* Sewage system connection fees and system development charges are assessed at the time of building plan review and change every fiscal year on July 1st. For additional information on these fees, navigate [here](#) or call the BES Development Review Team at 503-823-7761.
2. *Connection Requirements:* Connection to public sewers must meet the standards of the City of Portland's [Sewer and Drainage Facilities Design Manual](#).
3. *Source Control Manual Requirements:* Design requirements from the [Source Control Manual](#) (SCM) that may be pertinent to this project are briefly described as follows with the corresponding SCM section noted. BES recommends the applicant review the SCM to help

recognize other requirements that may apply to this project at the time of building permit review. BES recommends that requirements related to site contamination, if applicable, be addressed prior to submitting for building permit review to help avoid potentially long delays.

- a. *Temporary Dewatering* ([Section 1.5](#) and [PCC 17.34](#), [PCC 17.36](#), & [PCC 17.39](#)): This area is served by a public combined sewer system. Groundwater on the site is approximately 15-25 feet below grade surface (based on seasonally adjusted USGS data).
 - 1) BES evaluates requests for discharges into the city sanitary or storm systems for approval or denial. If approved, a Discharge Permit for the storm or sanitary sewer may be required.
 - 2) Fees are assessed for temporary construction discharges to the public sewer system - navigate [here](#) for current rates and information about dewatering as it relates to [construction projects](#). See [Appendix A](#) of the SCM for the proper dewatering forms to submit with the building permit application.
 - 3) Construction discharges to City UICs are prohibited.
 - 4) Construction discharges to private UICs (e.g., drywells or soakage trenches) must be authorized by DEQ's UIC Program.
- b. *Long-Term Dewatering* ([Section 1.5](#) and [PCC 17.34](#), [PCC 17.36](#), & [PCC 17.39](#)): Long-term dewatering must be managed through private infiltration facilities and storm systems after dry waterproofing the structure. Long-term discharges, if approvable, to the City sewer system is subject to volume charges; current rates are located [here](#). Additionally, review [Appendix A](#) of the SCM for the proper forms to submit with the building permit application.
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- d. *Loading Docks* ([SCM Section 1.7](#)): Loading docks (material transfer areas) must be isolated from stormwater run-on. The first 3 feet of the dock face must be isolated through grading, berms or drains, and that area must discharge to the sanitary sewer. Bay door loading areas are required to be sloped away from the outside and stormwater is to be directed away from the bay door loading area.
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- g. *Suspect or Contaminated Site without DEQ Oversight* ([SCM Section 1.12](#)): Based on or review of available records, the proposed development is located on or near a property that was found to contain contaminants in the soils and/or groundwater and requires further evaluation by DEQ and the City [i.e., DEQ has not issued a closure letter, No Further Action (NFA) and/or Record of Decision (ROD)]. Before the proposal can move forward BES Pollution Prevention will require documentation from the DEQ stating they do not object or have concerns with the proposal. BES requirements must also be met. For your reference, the DEQ site number for this property is: (ECSI Site #5785).
- h. *Contaminated Site with DEQ Oversight* ([SCM Section 1.12](#)): This site has been evaluated by DEQ and is in the cleanup program and will require DEQ input. To date, DEQ has not been provided with information that shows the proposed development will

meet or will not conflict with or violate any prior DEQ conditions or decisions regarding site conditions. BES will coordinate with DEQ. Please be advised that DEQ's issuance of a closure letter/NFA/ROD does not preclude the applicant from complying with BES requirements related to soil contamination.

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- 4. *Water Feature (PCC [17.34](#) and PCC [17.39](#)):* If a water feature such as a fountain is proposed, certain requirements may apply depending on the feature design. In general, if the feature water is treated (e.g., chlorinated or biocides), the feature water is considered wastewater and must discharge to the sanitary waste line. If the feature water is not treated, under most circumstances the water can discharge to the storm sewer. Additionally, if the source of the feed water to the feature is rainwater and required to discharge to the City sanitary sewer system or groundwater, a meter is required to assess sewer user fees; current rates are located [here](#).
- 5. *Grease Management Program (PCC [17.34](#) and ENB [4.26](#)):* The City requires installation of grease interceptors in all new food service establishments or in establishments making improvements to their food or beverage preparation areas. All plumbing fixtures in food and beverage preparation areas must be connected to an interceptor. A monitoring access structure (MAS) may be required. Please refer to the MAS discussion below regarding MAS requirements.
- 6. *Pet Relief Areas (PCC [17.32](#)):* Any liquid wastes generated from an area that will be built specifically for, or used as, a pet relief area must discharge to the sanitary sewer system. Stormwater is not allowed into the sanitary sewer system; therefore an area used for pet relief would need to be protected from any stormwater coming in contact with that area.

G. ADDITIONAL STORMWATER MANAGEMENT CONSIDERATIONS

Included below is information regarding programs and technologies that the project team may choose to utilize for this project.

Topic	Comments	Links & Contacts
LEED (Leadership in Energy and Environmental Design)	The LEED (Leadership in Energy and Environmental Design) Green Building Rating System is a voluntary, consensus-based, market-driven building rating system designed to assist in the creation of high performance, healthful, durable, and environmentally sound buildings. The City of Portland encourages green building, and the requirements described in the City's Stormwater Management Manual may support the achievement of LEED Sustainable Sites credits.	Oregon Department of Energy

Topic	Comments	Links & Contacts
Clean River Rewards Program	<p>Clean River Rewards, Portland's stormwater discount program, offers discounts up to 100% of the City's onsite stormwater management charge to ratepayers who manage stormwater runoff on their property. The discount is calculated on a sliding scale for how much and how well properties manage stormwater onsite. Ratepayers must register their property and describe how stormwater is being managed to qualify. See the Clean River Rewards website for more information.</p>	<p>BES Clean River Rewards Program: 503-823-1371 (hotline)</p>



Nick Fish, Commissioner
Michael Stuhr, P.E., Administrator
1120 SW 5th Avenue, Room 600
Portland, Oregon 97204-1926
Information: 503-823-7404
www.portlandoregon.gov/water



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Water Bureau

Early Assistance Appointment Response

Date: August 7, 2018

To: Jean Hester, 503-823-7783. Jean.Hester@portlandoregon.gov

From: Mari Moore, 503-823-7364, Mari.Moore@portlandoregon.gov

Case File: EA 18-202411

Location: 350 NW 12TH AVE

Property ID: R140647

Proposal: A Pre-Application Conference to discuss 23-story mixed-use building including hotel and residential uses. The proposed height is 250' with 180,330 square feet of floor area. No on site parking is proposed. 170-180 hotel rooms and 110-120 residential units are proposed.

The Water Bureau has reviewed the pre-application conference materials to identify potential issues and requirements.

A. WATER AVAILABILITY

1. Water is available from the 10" main in NW Flanders Street and 6" main in NW 12th Avenue. Static pressure is estimated at 64 – 80 psi.

B. OTHER CATEGORY

1. The site has a 1" metered domestic service. If the service is not used for the new development it must be removed at the time new services are installed.
2. All mixed-use/multi-tenant developments, certain occupancies, and services larger than 1.5" will require the installation of a backflow prevention assembly on private property. Backflow assembly installations may impact development of property frontage as they are often required to be installed on private property at the property line, on the centerline of the water service and possibly be enclosed in an approved outdoor enclosure. The developer is responsible for purchasing and installing the backflow assembly, and responsible for Water Bureau plan review and inspection fees associated with backflow assembly installations. The Water Bureau determines if a backflow assembly is required and determines the appropriate type of assembly. Visit <https://www.portlandoregon.gov/water/article/326464> for information about backflow assembly requirements or call, 503-823-7480, to speak to a Water Quality Inspector.

3. To obtain fire flow information fill out a “Fire Flow Request Form” found at our website, <http://www.portlandonline.com/water/index.cfm?c=55128&> .

C. WATER CODE REQUIREMENTS

Topic	Code and Comments	Code Citation & Link
Title 21	City Water Code	Title 21 Water

D. PERMIT INFORMATION

At the time of permit review (following the land use review) you should be aware of the following:

1. All new domestic service taps will be assessed a [System Development Charge](#) (SDC). Fee is based on meter size. Meters will be sized during the building permit process. Sizing is based on total fixture unit count for the structure, there will be no reduction in meter size based on grey water usage or the installation of low-flow fixtures. Fire lines are excluded from the SDC fee. SDC credit will be given for services that are permanently removed. SDC credit is applied towards services within the same lot and is not transferrable.



CITY OF
PORTLAND, OREGON

FIRE PREVENTION DIVISION

Ted Wheeler, Mayor, City of Portland
Dan Saltzman, Commissioner
Mike Myers, Division Chief
Prevention Division
1300 SE Gideon Street
Portland, OR 97202
(503) 823-3700
Fax (503) 823-3969

Fire Bureau

Pre-Application Conference Response

Date: August 13, 2018

To: Jean Hester, Conference Facilitator

503-823-7783, Jean.Hester@portlandoregon.gov

From: Jeff Herman

Case File: EA 18-202411

Location: 350 NW 12TH AVE

Property ID: R140647

Proposal: %FolderDesc%

The Fire Bureau has reviewed the pre-application conference materials to identify potential issues and requirements.

Portland Fire & Rescue has reviewed the pre-application conference materials to identify potential issues and requirements. Final determination of compliance with applicable codes and standards will be made during plan review, after building permit application has been submitted. Please review a copy of Portland Fire & Rescue's code guide entitled Fire & Life Safety Requirements for Fire Department Access and Water Supplies

(<http://www.portlandoregon.gov/citycode/?c=29177&a=507303>)

Following is a brief summary of issues and requirements that may impact your proposed project. The list is not all-inclusive, and applicants are directed to the code guide above for water supply and access requirements:

- A letter from the water bureau showing the current "Fire Flow" (available fire hydrant water supply at 20psi residual) will be needed. Please calculate this building's fire flow requirements following Appendix B in the PFC 2016.
- Aerial access needs to be an area 26' X 60' and at least 15' from the building. Area must be free from powerlines. If this cannot be met, then there are 6 items that must be met as an alternative to aerial access.
- All fire system permits are to be separate permits obtained through the Fire Marshal's Office.

Jeff Herman

Portland Fire and Rescue

Fire Plans Review

503-823-3045

jeff.herman@portlandoregon.gov



Urban Forestry

Early Assistance Response

Date: August 14, 2018
From: Joel Smith
503-823-4523, Joel.Smith@portlandoregon.gov
Case File: EA 18-202411
Location: 350 NW 12TH AVE
Proposal: A Pre-Application Conference to discuss 23-story mixed-use building including hotel and residential uses. The proposed height is 250' with 180,330 square feet of floor area. No on site parking is proposed. 170-180 hotel rooms and 110-120 residential units are proposed.

Portland Parks, Urban Forestry staff has reviewed the Early Assistance materials to identify potential issues and requirements in accordance with Title 11, Trees. This response identifies potential issues and/or impacts on existing street and heritage trees, and trees on city-owned or managed sites, if applicable. Trees on private property are subject to development standards from the Bureau of Development Services. See planner requirements for private property trees.

Please note that there may be other applicable tree requirements in Title 33 Planning & Zoning.

A. Response Summary

The development will be subject to Urban Forestry standards and requirements during the permit review process as detailed below.

A. Tree Plan (11.50.060)

A tree plan must be submitted with each phase of review including land use reviews, building permit applications, and public works permits. A tree plan was not submitted with the EA application. The plan must include the following information for street trees:

- a. The size and location of street trees adjacent to the subject property.
- a. Trees proposed to be preserved including tree protection specifications in accordance with 11.60.030.
- b. Tree(s) proposed for removal.
- c. Tree planting plan (tree species and location(s)).

B. Street Trees

1. Existing Street Conditions

- a. NW 12th Ave: The site has approximately 100 feet of street frontage. The right-of-way is improved with pavement, curbs, and sidewalks. There is 1 street tree.
 - i. Silver Maple, 54" DBH, good condition



- b. NW Flanders St: The site has approximately 100 feet of street frontage. The right-of-way is improved with pavement, curbs, and sidewalks. There are 0 street trees.

2. *Street Tree Preservation* (11.50.040)

Based on the proposed development it appears existing street trees may be impacted. Development proposals must be configured to avoid street trees.

The existing Silver Maple can be approved for removal if necessary to facilitate development. Preservation of this tree would be preferred, but it is understood that full development of this site could be significantly affected by the preservation of this tree. Due to the species, size, and condition of tree removed, 2 trees are required to be planted to mitigate the loss as a result of this project. Tree replacement for trees removed shall occur in the street planter strip, on site, or in the same watershed either by planting or by paying a fee in lieu of planting of \$812.5.00 for each tree not planted. Street tree planting standards must also be met in accordance with 11.50.060.C. Trees will be required to be planted through the public works permit.

3. *Street Tree Planting* (11.50.060.C)

The applicant has not provided a conceptual street tree planting plan. One street tree must be planted or retained for each full increment of 25 linear feet (11.50.060.C.1). Street trees must be planted at a minimum 2.5 caliper inches. Trees will be required to be planted through public works permit.

Street tree planting may be exempt under 11.50.060.B when existing above or below grade utilities prevent planting street trees or when the existing planting strip is less than 3-feet wide.





URBAN FORESTRY TREE REQUIREMENTS

Early Assistance and Land Use Review

Portland Parks & Recreation Urban Forestry staff review Early Assistance and Land Use Review materials to identify potential issues and requirements in accordance with Title 11, Trees and Title 33, Zoning Code. The purpose of these reviews is to identify potential issues and/or impacts on existing street trees, heritage trees, and trees on City-owned or managed sites (if applicable), as well as to provide adequate areas for future street tree planting on existing and proposed public streets. Trees on private property are subject to development standards from the Bureau of Development Services. See planning requirements for private property trees or call the Zoning Hotline at 503-823-7526.

Tree Plan Submittal Requirements (11.50.070)

A tree plan must be submitted with each phase of review including land use reviews, building permit applications, and public works permits. The tree plan information may be combined with other relevant plan sheets. The tree plan submittal shall include the following information:

- existing improvements;
- proposed alterations;
- existing street trees ≥ 3 " DBH including size and location;
- existing on-site trees ≥ 6 " DBH within 15' of the limits of disturbance;
- trees proposed for removal;
- tree planting proposal, including tree size, species and location; and
- trees to be retained and proposed tree protection measures meeting the specification in Chapter 11.60.

Any changes to an approved Tree Plan, including amending tree species must be approved by the City Forester. Please note that the City Forester may not approve revised tree planting plans based on the lack of species availability. To facilitate species availability, it is recommended that tree procurement occur approximately 6 months prior to installation.

Tree Mitigation (11.50.040.C.2)

Healthy street trees ≥ 6 " DBH that are approved for removal shall be replanted with two trees in addition to trees required to be planted to meet Street Tree Planting Standards, below. When street improvements are to partially or fully unimproved streets, healthy street trees ≥ 12 " DBH approved for removal shall be replanted with two trees, with trees planted to meet Street Tree Planting Standards credited towards meeting this requirement. Tree replacement for trees removed shall occur in the street planter strip, on site, or in the same watershed either by planting or by paying a fee in lieu of planting in accordance with table 60-1, below.

On City-owned or managed sites, healthy, non-nuisance trees ≥ 6 " DBH that are approved for removal shall be replanted per the Administrative Rule for tree replacement standards, below:



Tree Replacement for Development on City Owned or Managed Sites

Size of tree to be removed (inches in diameter)	Number of trees to be planted
6 and up to 12	Up to 2
More than 12 and up to 20	Up to 3
More than 20 and up to 25	Up to 5
More than 25	Up to 6

Street Tree Planting Standards (11.50.050)

One street tree shall be planted or retained for each full increment of 25 linear feet per side of street frontage. Planting is exempt when existing above or below grade utilities prevent planting of street trees, or if the existing design of the street will not accommodate street tree planting because the planting strip is less than 3 feet wide, there is not a planting strip, or there is insufficient space to add tree wells. Trees planted to meet street tree planting standards are credited toward mitigation requirements when street improvements are to partially or fully unimproved streets. When the required number of trees cannot be planted, a fee in lieu of planting will be required, in accordance with Table 60-1, below.

Table 60-1 Broadleaf Tree Size Requirements

Development Type	Tree Size	
	On Site	Street
One and Two Family Residential	1.5”	1.5”
Multi Dwelling Residential	1.5”	2”
All others	1.5”	2.5”

Tree Planting Specifications

If there are fewer than 8 required trees, they may all be the same species. If there are between 8 and 24 required trees, no more than 40 percent can be of one species. If there are more than 24 required trees, no more than 24 percent can be of one species. Street tree species shall conform to the appropriate “City of Portland Approved Street Tree Planting List.” The City Forester may approve or require an alternate or unlisted species.

All required street trees shall be planted in-ground following Standard Drawing Number P-581 “Typical Street Tree installation,” except when in raised planters that are used to meet Bureau of Environmental Services storm water management requirements. Please include the Standard



Drawing Number P-581 as part of the Public Works permit application. Plant materials shall be installed to current nursery industry standards and proper arboricultural practices [American National Standards Institute, *ANSI A300 Part 6: Tree, Shrub, and Other Woody Plant Maintenance-Standard Practices (Planting and Transplanting)* 2012, Tree Care Industry Association, Inc. Londonderry, NH]. Plant materials shall be properly supported to ensure survival.

All trees required or approved to be planted by Title 11 shall be planted or payment in lieu of planting made prior to the expiration of the permit or City's final acceptance of the project, as applicable. However, it is encouraged that planting occur during the wet months or as per City Forester recommendations. Street tree planting may be deferred between May 1 and September 30 upon filing a performance guarantee as provided in Section 11.10.060 or other assurance deemed acceptable by the City Forester or BDS Director as applicable.

Tree Protection Specifications (11.60.030)

Trees to be retained shall be protected in accordance with Title 11 Trees, Protection Specifications (11.60.030.C). Tree protection shall be shown on the tree plan and include the distance from the trunk of the tree to the fence. A standard root protection zone is established as follows; a minimum of 1 foot radius (measured horizontally away from the face of the tree trunk) for each inch of tree diameter. Protection fencing shall be a minimum 6-foot high metal chain link construction fence, secured with 8-foot metal posts established at the edge of the root protection zone and permissible encroachment area.





Portland Housing Bureau

Mayor Ted Wheeler • Interim Director Shannon Callahan

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PHB- Housing Program Specialist Response Early Assistance Conference

Date: August 7, 2018

To: Ray Harrigill (The Sunray Companies, LLC)

From: Valeria Ramos, Housing Program Specialist, Valeria.Ramos@portlandoregon.gov

Case File: 18-202411

Location: 350 NW 12th Ave

Property ID: R140647

Proposal: A Pre-Application Conference to discuss 23-story mixed-use building including hotel and residential uses. The proposed height is 250' with 180,330 square feet of floor area. No on site parking is proposed. 170-180 hotel rooms and 110-120 residential units are proposed.

Section I: Inclusionary Housing Code Overview

Pursuant to Inclusionary Housing Code Section [30.01.120](#) and Code Chapter [33.245](#), effective February 1, 2017, all residential buildings proposing 20 or more units must provide a percentage of the new units at rents affordable to households at 80% of the Median Family (MFI). The City has defined four different options for meeting the Inclusionary Housing (IH) requirements. All permit applications must include one of these options in their proposal or pay a fee-in-lieu.

The IH affordability period is 99 years and the property owner must enter into a Regulatory Agreement with Portland Housing Bureau (PHB), the details of which are specific to the IH option chosen, and must submit to annual monitoring by PHB Compliance team, including the submission of annual rents and tenant income. PHB requires that owners and property managers utilize the OneAppOregon system for leasing up Inclusionary Housing Units ("IH Units").

PHB has reviewed the materials submitted as well as the input from the meeting to determine the minimum requirements of the proposed building and provide the following comments.

Section II: Property Specifics

A. Subjectivity to Inclusionary Housing

The applicant was informed that this project, in its current configuration, triggers the IH requirements.

The applicant's development proposal includes (110-120) housing units.

The options discussed below specifically correlate to the information provided. PHB asks the applicant to be aware that any change in the building plans detailing the number of units, types, and sizes will require additional PHB review.

B. IH Options Discussed in Early Assistance Meeting

Option 2: 60% MFI units

Option 2 would require that the building, which is located inside the Central City or Gateway Plan District, to offer 10% of units at 60% MFI.

Reasonable Equivalency:

As per Inclusionary Housing Administrative Rules, applicants are required to make Inclusionary Housing Units (“IH Units”) reasonably equivalent to market rate units. PHB will assess reasonable equivalency using the following criteria:

- **Bedroom Distribution and Unit Count:** IH Units must be provided at the same ratio within the development as market rate units
- **Unit Sizes:** IH Units must be at least 90% the size of the average of the total units with the same bedroom count, as measured in square feet.
- **Unit Distribution:** No more than 25% of the total units on any floor shall be designated as IH Units, excluding the top floor of a development.
- **Unit Amenities:** IH Units must have like or equal performing finishes and appliances as far as durability and sustainability to the market rate units, which will be certified by a development’s architect prior to receiving its final certificate of occupancy.

To meet the Reasonable Equivalency standard of Bedroom Distribution and Unit Count, the building must provide 10% of each unit type as IH Units. With the currently proposed plans, this equates to a total of eleven to twelve (11-12) IH Units.

Reconfiguration:

The applicant may also elect to provide an alternative mix of IH Units based on the total number of bedrooms included in the development – Reconfiguration. This option allows for redistribution of bedrooms into IH Units of two bedrooms or more. This results in a building with a smaller overall number of IH Units that are greater in size.

Accessibility:

At least 5% of the number of IH Units must be built to be Type A as defined by the Oregon Structural Specialty Code, according to 3.103.040 D.

Incentives:

As proposed above, the project would be eligible to receive:

- 10-year property tax exemption on the IH Units and associated percentage of the square footage of the common residential area and parking
 - *Multiple Unit Limited Tax Exemption (MULTE) Program City Code 3.103:*
<https://www.portlandoregon.gov/citycode/28466>
- Construction Excise Tax (CET) exemption for the IH Units
 - *Construction Excise Tax FAQ:* <https://www.portlandoregon.gov/bds/article/584417>
 - *Affordable Housing Construction Excise Tax Exemption application:*
<https://www.portlandoregon.gov/bds/article/584608>
- System Development Charge (SDC) exemption for the IH Units

- *System Development Charge Exemption Program website:*
<https://www.portlandoregon.gov/bds/article/166412>
- Full or partial exemption from parking requirements as detailed in Portland Zoning Code, administered by Bureau of Development Services, Planning and Zoning.
- FAR density bonus as detailed in Portland Zoning Code, administered by Bureau of Development Services, Planning and Zoning.

For more information, you may refer to the Inclusionary Housing Program Administrative Rules: <https://www.portlandoregon.gov/citycode/article/626683> or visit the Inclusionary Housing website at <https://www.portlandoregon.gov/phb/72698>. To reach PHB's Inclusionary Housing staff, please call 503-823-9042 or email Inclusionary-Housing@portlandoregon.gov.