



City of Portland, Oregon - Bureau of Development Services

1900 SW Fourth Avenue • Portland, Oregon 97201 | 503-823-7300 | www.portlandoregon.gov/bds



Type II and IIX Decision Appeal Form

LU Number: _____

FOR INTAKE, STAFF USE ONLY

Date/Time Received _____	<input type="checkbox"/> Action Attached _____
Received By _____	Fee Amount _____
Appeal Deadline Date _____	Y N Fee Waived
<input type="checkbox"/> Entered in Appeal Log _____	Bill # _____
<input type="checkbox"/> Notice to Dev. Review _____	Neighborhood _____

APPELLANT: Complete all sections below. Please print legibly.

PROPOSAL SITE ADDRESS _____ DEADLINE OF APPEAL _____

Name _____

Address _____ City _____ State/Zip Code _____

Day Phone _____ Email _____ Fax _____

Interest in proposal (applicant, neighbor, etc.) _____

Identify the specific approval criteria at the source of the appeal

Zoning Code Section 33. _____ . _____ Zoning Code Section 33. _____ . _____

Zoning Code Section 33. _____ . _____ Zoning Code Section 33. _____ . _____

Describe how the proposal does or does not meet the specific approval criteria identified above or how the City erred procedurally:

Appellant's Name _____

I acknowledge this typed
name as my signature

FILE THE APPEAL - Submit the following:

- ☐ This completed appeal form
- ☐ A copy of the Type II or IIX Decision being appealed
- ☐ An appeal fee as follows:
 - ☐ \$250, payable to City of Portland
 - ☐ No appeal fee is charged when appeal is filed by Civic Life recognized organizations for properties within organization's boundaries
 - ☐ Fee waiver request letter for low income individual is signed and attached
 - ☐ Fee waiver request letter for Unincorporated Multnomah County recognized organizations is signed and attached

Email this application and supporting documents
to: LandUseIntake@portlandoregon.gov

To file the appeal, this completed application form and any supporting documentation must be emailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of the Decision. To be valid, the City must receive the appeal by 4:30 p.m. on the deadline listed in the Decision. Once the completed appeal application form is received, a Land Use Services Technician will contact you with instructions on how to pay the fee.

A public hearing on the appeal will be held. The land use review applicant, those who testified and everyone who received notice of the initial hearing will receive notice of the appeal hearing date.

Information about the appeal hearing procedure and fee waivers is on the back of this form.

Type II and IIx Appeal Procedure

For land use review applications that follow a Type II and IIx procedure, the Bureau of Development Services makes the decision on the application. This decision is called the Administrative Decision and may be appealed. The applicant and/or an interested person who does not agree with the Administrative Decision may appeal it by using the Type II and IIx Decision Appeal Form and submitting an appeal fee. No appeal fee is charged for Type II and IIx appeals when filed by a Civic Life recognized organization; the appeal must be for property located within the organization's boundaries, and the vote to appeal must be in accordance with the organization's bylaws. An appeal of a decision triggers an initial hearing before a City review body.

There is a 14-day appeal period that starts the day that the decision is mailed. The last day to appeal is stated in the decision. If appealed, a specific review body hears the case and makes the final City decision. These review bodies include:

- The Hearings Officer
- The Design Commission
- The Portland Historic Landmarks Commission
- The Adjustment Committee

Type II and IIx Appeal Hearing

When a decision is appealed, the Bureau of Development Services schedules a public hearing and sends out a notice within five days of receiving the appeal. The hearing is held at least 21 days from the mailing of the notice.

At the hearing, everyone attending is allowed to speak to the review body. The testimony must address whether or not the proposal meets the approval criteria as described in the Administrative Decision or how the City erred procedurally. Written testimony is also accepted prior to or at the hearing. This may include additional information submitted by the applicant and/or appellant.

If a committee reviews the appeal, a decision is made at the hearing. If the Hearings Officer is the review body, they may make a decision at the hearing, or make a decision later. Both the Hearings Officer and the committee must make a written decision and send notice of the decision within 17 days after the hearing. The decision is mailed to the appellant, applicant, and to anyone who submits oral or written testimony at the hearing.

The review body may adopt, modify, or overturn the Administrative Decision based on the information presented at the hearing and in the case record.

Appeal Fees

An appeal of a land use decision must include an appeal fee. There is a \$250 fee charged for appealing a Type II and IIx decision. This fee is refunded if the decision-maker grants the appeal; i.e. agrees with the appellant.

In order for an appeal to be valid, an appeal fee must accompany the appeal form or a fee waiver request must be approved before the appeal deadline as stated in the specific land use decision (Section 33.730.020 of the Portland Zoning Code). See below for fee waiver eligibility information.

Low Income Fee Waiver

The appeal fee may be waived for low income applicants who appeal a land use decision on the site of their primary residence in which they have an ownership interest. In addition, the appeal fee may be waived for low income individuals who have resided for at least 60 days within the required notification area for the land use review. Low income individuals requesting a fee waiver will be required to certify their annual gross income and household size. The appeal fee will only be waived for households with a gross annual income of less than 50 percent of the area median income as established and adjusted for household size by the federal Department of Housing and Urban Development (HUD). All financial information submitted to request a fee waiver is confidential. Fee waiver requests must be approved prior to appeal deadline to be considered for a fee waiver.

Information is subject to change

Low income fee waiver



me 14:40

to landuseintake@portlandoregon.gov ▾

Please call me at 503-512-9063 to discuss confidential means of qualifying.

I am pre-qualified at Portland DOR and Water Bureau.

...

John A. B. 2015



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

Dan Ryan, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portland.gov/bds

Date: 3/25/2021
To: Interested Person
From: Tanya Paglia, Land Use Services
503-865-6518 / Tanya.Paglia@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

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

CASE FILE NUMBER: LU 20-213946 DZ – NEW 11-STORY AFFORDABLE HOUSING

GENERAL INFORMATION

Applicants: Ralph Tahrán | Tahrán Architecture & Planning LLC
13741 Knaus Road | Lake Oswego, OR 97034
ralphtahrán@comcast.net

Nathaniel Rosemeyer | Main Street Development
4035 S Kelly St | Portland, OR 97239

Representative: Rowen Rystadt | Park Ave Psu LLC
5331 SW Macadam Ave #258 PMB 208 | Portland, OR 97239

Owner: Park Avenue PSU LLC
4035 S Kelly Ave | Portland, OR 97239-4316

Site Address: 2057 SW PARK AVE

Legal Description: BLOCK 234 E 70' OF LOT 1, PORTLAND; BLOCK 234 N 1/2 OF LOT 2, PORTLAND
Tax Account No.: R667725410, R667725450
State ID No.: 1S1E04DA 08800, 1S1E04DB 00700
Quarter Section: 3228

Neighborhood: Southwest Hills Residential League, contact at contact@swhrl.org.
Business District: None
District Coalition: Southwest Neighborhoods Inc., contact at 503-823-4592.
Plan District: None

Zoning: **RM4d**, Residential Multi-Dwelling 4 with a Design Overlay
Case Type: **DZ**, Design Review

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

Proposal:

The applicant seeks design review approval for a proposed eleven-story affordable housing apartment building with 91 residential units. The majority of the structure will be prefabricated and the modular units with a stucco panel exterior will be assembled on site. The proposed building will be set into the sloping site with the main entry lobby at existing sidewalk grade on SW Park Avenue with an arcaded entry plaza wrapping the corner of SW Park Avenue and SW Clifton St. The 6,016 SF site is currently developed with two older, two-story single-family homes that will be deconstructed. Due to the constrained construction area presented by the location and size of the site, the building is being designed in close collaboration with a modular prefabrication company to be able to build as much of the project off site in a climate-controlled environment. The completed modular units will be trucked to the site, predominately 12 feet by 24 feet long units that will then be crane lifted into place, by a rubber tire crane, and attached to a ledger on the poured in place concrete stair and elevator shafts.

Design review is required because the proposal is for exterior alterations in a Design Overlay zone.

Relevant Approval Criteria:

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

- Community Design Guidelines

ANALYSIS

Site and Vicinity: The site is located at the northeast corner of SW Park Avenue and SW Clifton Street in the Southwest Community Plan Area. While the site is not located in a city plan district, the Central City Plan District is just across U.S. HWY I-405 to the east of the site. The site area is approximately 6,016 SF, smaller than a typical Portland downtown quarter block. Two older, two-story single-family homes currently exist on the site which sits at the end of a dead-end street that includes five 100-plus year-old houses on the west side of the street (including the 2 which will be deconstructed as part of this project). At the end of the street is the Park Avenue Gardens Apartment Complex.

The site is located in a highly diverse context where several very different areas meet. The proposal is located at the base of the West Hills. The proposed project sits on a small segment of Park Ave that dead ends to the southwest of the site due to steep topography that rises almost vertically to the south and west approximately 100 to 150 feet away to enclose this residential pocket. Surrounding development consists of a mix of older single-family homes and smaller multifamily development, as well as the five story Amy Apartments built approximately 150 feet to the west that has been open for about a year.

The site is directly across U.S. HWY I-405 from Portland State University and the North Park Blocks and is accessed via the Park Avenue Bridge. SW Clifton and SW Park Avenue are designated as Local Service Streets. The Park Avenue Bridge across I-405 connects the site and this district to the Green Loop, the North Park Blocks, and several transit connections. The site is close and convenient to several transit options, served by six different Tri-Met bus lines and three light rail lines, closest is 897 feet away at SW 6th and College Street.

Zoning: The RM4 zone is a high density, urban-scale multi-dwelling zone applied near the Central City, and in town centers, station areas, and along civic corridors that are served by frequent transit and are close to commercial services. It is intended to be an intensely urban zone with a high percentage of building coverage and a strong building orientation to the pedestrian environment of streets, with buildings located close to sidewalks with little or no front setback. This is a mid-rise to high-rise zone with buildings of up to seven or more stories. The Design overlay zone is applied to this zone.

The “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

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

- LU 90-023814 CU (PC 5574C) – Conditional use approval for a parking facility
- LU 67-004010 DZ (DZ 008-67) – Approval with Conditions for front porch replacement
- LU 61-004004 DZ (DZ 004-61) – Approval for front porch replacement

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **December 14, 2020**. The following six Bureaus, Divisions and/or Sections responded with no objections and two of these included comments found in Exhibits E-1 and E-5:

- Life Safety Division of the Bureau of Development Services (Exhibit E-1)
- Fire Bureau (Exhibit E-2)
- Site Development Section of BDS (Exhibit E-3)
- Bureau of Environmental Services Initial Response and Addendum (Exhibit E-4)
- Portland Bureau of Transportation (Exhibit E-5)
- Water Bureau

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on December 14, 2020. Five responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Craig Koon, SWHRL Land Use chair, 11/16/2020 and 1/4/2021, wrote with questions and concerns about the project.
2. Molly and Shannon Meyer, Park Ave residents, 12/19/2020, wrote with concerns about the project.
3. Kayce and John Marty, neighboring property owners, 1/2/2021, wrote with questions and concerns about the project’s impacts on their abutting property.
4. John Bear, neighbor, 1/4/2021, wrote with questions about the project review process.
5. Craig Koon, SWHRL Land Use chair, 1/4/2021, wrote with Southwest Hills Residential League official comments that expressed concerns about the project.

Staff Response: The findings below address many of the concerns expressed or otherwise discuss how the proposal meets the applicable Design Review approval criteria.

- Design Review approval is based on the approval criteria for land use reviews.
- To review zoning standards, please consult the Portland Zoning Code, Title 33, found here: <https://www.portland.gov/code/33>
- Note in the exhibit list, Exhibit G2, *Decision by Director of Bureau of Development Services Regarding Neighborhood Contact*, which is the Director’s decision that the revised signage satisfied the contact requirement. Other information on neighborhood contact requirements can be found here: <https://www.portland.gov/bds/neighborhood-contact>
- For concerns about construction staging activity concerns they should collaborate with the development team and contact the West District Liaison in the Bureau of Planning and Sustainability (currently Joan Frederiksen, Joan.Frederiksen@portlandoregon.gov).

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Community Design Guidelines.

Community Design Guidelines

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

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

P1. Plan Area Character. Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and traditions.

P3. Gateways. Develop or strengthen the transitional role of gateways identified in adopted community and neighborhood plans

D7. Blending into the Neighborhood. Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings for P1, P3, D7, and D8: The building will be an 11-story residential structure with modular units utilizing quality and permanent materials. The prefabricated structure will utilize mass plywood panels for the floor and ceiling systems of the modular units. The walls will be light gauge steel framed with a stucco panel exterior.

The proposed 11-story, 91-unit affordable housing building is responding to a diverse context with a location that is adjacent to the Central City Plan District just across I-405 to the east and that is at the base of the west hills. The proposed building will be part of the southern terminus of the Park Blocks and is located in close proximity to the future Green Loop. This project joins the six-mile linear park across the small Park Avenue Bridge that enters the North Park Blocks leg of the Green Loop through Portland State University and on through the Central City.

The site's placement also functions as a bridgehead location, on the south end of the Park Avenue Bridge across I-405 that connects this area with the Central City Plan District and the Portland State University campus. The site is part of a small dead-end location

with steep topography that rises almost vertically to the south and west approximately 100 to 150 feet away to enclose this residential pocket. It is thus a gateway location that must respond to a very liminal context.

The project responds to its diverse context in a number of ways. One such way is the design's acknowledgement of the bridge and Park Blocks by opening towards them with a prominent corner entrance. The proposed building is set into the sloping site to have the main entry lobby at existing sidewalk grade on SW Park Avenue. The two-story cut-out corner entrance with large entry plaza wraps to both of the building's two street frontages and the building lobby and common amenity spaces are located towards the street frontages and entry courtyard providing greater visibility and activity to the street frontages.

Another contextual response is the exterior cladding which is primarily stucco and glass and features a nine-story glass corner that carries up levels three through eleven facing the Park Blocks that will be very visible from I-405. In addition, the building retains a small footprint as is common in this neighborhood. While the sloped grade limits the amount of glazing that can wrap around the building's base, the sidewalk level is primarily devoted to common use spaces and its predominantly glass street frontages offer visibility into the building and its functions to provide life along SW Clifton St and SW Park Ave.

Yet another response to context is the building's deployment of Juliet balconies on all facades. Given the residential nature of the immediate neighborhood, Juliet balconies are featured on every unit to enhance the building's residential sensibility as well as provide indoor/outdoor connection to residents. The balcony railings are a perforated metal panel, powder coated in four colors, to add detail, color and texture to the building skin, making the building elevations lively and not monolithic. Overall, the building enhances the sense of place and identity with a design that serves as a gateway between this enclosed residential pocket and the neighboring Park Blocks, Portland State University, and central city.

Therefore, these guidelines are met.

E1. The Pedestrian Network. Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.

E2. Stopping Places. New large-scale projects should provide comfortable places along pedestrian circulation routes where people may stop, visit, meet, and rest.

E3. The Sidewalk Level of Buildings. Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.

E4. Corners that Build Active Intersections. Create intersections that are active, unified, and have a clear identity through careful scaling detail and location of buildings, outdoor areas, and entrances.

E5. Light, Wind, and Rain. Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

D1. Outdoor Areas. When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;

D2. Main Entrances. Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

D3. Landscape Features. Enhance site and building design through appropriate placement, scale, and variety of landscape features.

D5. Crime Prevention. Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

Findings for E1, E2, E3, E4, E5, D1, D2, D3, and D5: The proposed project addresses the pedestrian realm in a variety of ways that will make it a positive addition to the SW Park and Clifton streetscapes and beyond. The building, due to the highly visible corner location, height, and unique patterning, will assist in wayfinding in the area for pedestrians. The vertical glass component at the corner that faces the City and Park Blocks adds to the placemaking quality of the building.

The building concentrates its common use activities at the ground floor and includes significant amounts of windows which provide views into the activity inside as well as views out, creating eyes on the street to reduce the likelihood of criminal activity. The ground floor program includes multiple active uses for building occupants such as a lobby/lounge at the corner flanked by a large amenity room along the Clifton St frontage, and fitness room along the Park Ave frontage. The slope of the site is utilized to keep back of house functions away from the above grade street frontages. Visible from the sidewalk are exposed CLT panels of wood within the lobby that provide interest by expressing some of the technology used in the prefabricated modular unit construction of the building.

The main entrance to the building is located at the corner of the site's two street frontages, with a 12' deep covered entry plaza at grade with the sidewalk wrapping around the corner of Park Avenue and SW Clifton, providing weather protection, a comfortable place to meet and rest, and a strong sense of entrance. The entrance courtyard opens to the corner which orients the building towards the Park Blocks, University, bridge and central city. The covered plaza also allows indoor activity to extend from inside the building to the exterior with the lobby and amenity room both opening onto the plaza. Charred wood panels are applied to the upper covered entry walls to add texture, warmth, color and another residential quality building material to enhance the pedestrian level.

An approximately 1500 square foot outdoor courtyard with bench seating and a large open area for activities is located in the southwest area of the site and is connected by pedestrian paths to Park Avenue and Clifton Streets. The perimeter of the courtyard is landscaped by a variety of plant types and scales. The courtyard will provide a welcome relief to the rear area of the adjoining three properties, now and in the future. At the west end of the building there are 20 units that will provide eyes on the courtyard. Perimeter trees will provide shade and privacy. The loading area character in the southeast corner of the site contributes to a vibrant streetscape as a human-scale piazza with quality paving materials, landscaping and other features that contribute to making it a place appealing to pedestrians and not a space designed exclusively for vehicles.

As a residential building, all floors above the ground level are living spaces. These housing units are highly glazed at their street-facing walls, providing activity and eyes on the street along the street frontages. While all sides of the building include glazing, contributing to their active sensibilities and texture, the west and south elevations have less glazing on to provide privacy for adjoining properties while the street facing east and north elevations feature extensive glazing.

The building also addresses the pedestrian realm with architectural details including scoring to articulate the facades, add horizontality, and break-down the building's mass. Juliet balconies provide additional human-scale as well as a residential sensibility. The Juliet balconies help create lively and active façades by increasing activity and life on the building's exterior and providing an indoor/outdoor connection where active uses can take place and signs of occupancy can take root, enriching the pedestrian experience for people passing by. They provide view opportunities both to and from the building for pedestrians, enhancing the visual connection between the building and neighborhood. The Juliet balconies help in breaking down the building's mass and enrich the facade, adding texture. The patterning of the colorful panels breaks up the façades and creates a visually interesting composition.

Therefore, these guidelines are met.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The proposed 11-story building will be a gateway building at the south end of the Park Avenue Bridge connecting the Park Blocks across I-405 to the residential pocket in which the building is located. The proposed building reflects the residential context of its immediate neighborhood while also acknowledging its context as part of the southern terminus of the Park Blocks, at the base of the West Hills, in close proximity to the future Green Loop, and as a bridgehead location. The tall glass corner treatment presents a very strong gateway element to the neighborhood, Park Blocks and the central city. The colorful Juliet balconies signal a residential building that is lively and somewhat playful and inviting. The balconies contribute to active façades, more livable units and add human scale and articulation to the building. The base of the building is devoted to active and public uses and the pedestrian experience of the site includes a prominent corner entry plaza at grade with the sidewalk along SW Clifton St and Park Ave. The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The four new canopies successfully blend high-quality materials within the context of the original building design. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of a new eleven-story apartment building with 91 residential units, per the approved site plans, Exhibits C-1 through C-34, signed and dated 3/18/2021, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 20-213946 DZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

Staff Planner: Tanya Paglia



Decision rendered by: _____ **on 3/18/2021**

By authority of the Director of the Bureau of Development Services

Decision mailed: 3/25/2021

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on November 9, 2020, and was determined to be complete on December 8, 2020.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on November 9, 2020.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant requested that the 120-day review period be extended by 51 days. Unless further extended by the applicant, **the 120 days will expire on: 5/28/2021.**

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed, and if appealed a hearing will be held. The appeal application form can be accessed at

<https://www.portlandoregon.gov/bds/45477>. Appeals must be received by 4:30 PM on 4/8/2021. **Towards promoting social distancing during the COVID-19 pandemic, the completed appeal application form must be emailed to**

LandUseIntake@portlandoregon.gov and to the planner listed on the first page of this decision. If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations for the appeal of Type II and IIX decisions on property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If you are interested in viewing information in the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note that due to COVID-19 and limited accessibility to paper files, only digital copies of material in

the file are available for viewing. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

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

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

Recording the final decision.

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **April 8, 2021** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

A. Applicant's Submittal

1. Original plan set – NOT APPROVED/reference only, 11/9/2020
2. Transportation Demand Management Pre-Approved Plan Agreement Form and Initial Geotechnical Report
3. Neighborhood Contact Certification
4. Stormwater Report
5. Drywell Letter

6. Civil Plans
7. Drywell Report
8. Updated Public Notification Signage - Jan 6, 2021 - Clifton Signage
9. Updated Public Notification Signage - Jan 6, 2021 – SW Park Signage
10. Request for Extension of 120-Day Review Period for 16 days dated 1/26/2021
11. Updated designs – NOT APPROVED/reference only, 1/29/2021
12. Updated designs – NOT APPROVED/reference only, 2/9/2021
13. Request for Extension of 120-Day Review Period for 14 days dated 2/13/2021
14. Living screen options for property line, 2/21/2021
15. Living screen options for property line, 2/21/2021
16. Request for Extension of 120-Day Review Period for 14 days dated 2/26/2021
17. Updated designs – NOT APPROVED/reference only, 3/2/2021
18. Updated plan set – NOT APPROVED/reference only, 3/18/2021
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. VICINITY MAP (C08)
 2. ORIEL WINDOW- PLAN (C11)
 3. ORIEL WINDOW- BUILDING ELEVATIONS (C12)
 4. SITE PLAN (C13)
 5. AREA CALCULATION (C14)
 6. FAR (C15)
 7. BASEMENT FLOOR PLAN (C16)
 8. Level 1 Plan (C17) (attached)
 9. LEVEL 2 (C18)
 10. LEVEL3 TO 10 (C19)
 11. LEVEL 11 (C20)
 12. ROOF PLAN (C21)
 13. East and North Elevations (C22-R1) (attached)
 14. West and South Elevations (C23-R1) (attached)
 15. Juliet Color Scheme (C23-1)
 16. Building Sections (C24)
 17. Building Sections (C25)
 18. Bicycle Parking (C26)
 19. Typical Unit Plan (C27)
 20. Modular Unit Plan View (C28)
 21. Exterior Details (C31-R1)
 22. Exterior Details (C32)
 23. Exterior Details (C33)
 24. Exterior Details (C34)
 25. Exterior Details (C35-R1)
 26. Stucco Details (C36)
 27. Stucco Details (C37)
 28. Stucco Details (C38)
 29. Landscape Plan Updated (C39)
 30. Landscape Materials (C39a)
 31. South Elevation Fence (C39b)
 32. Plaza Enlargement Plan (C40)
 33. Sideyard/Loading Area Enlargement Plan (C41)
 34. Exterior Lighting Plan (C42)
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Life Safety Division of the Bureau of Development Services
 2. Fire Bureau
 3. Site Development Section of BDS
 4. Bureau of Environmental Services Initial Response and Addendum
 5. Portland Bureau of Transportation

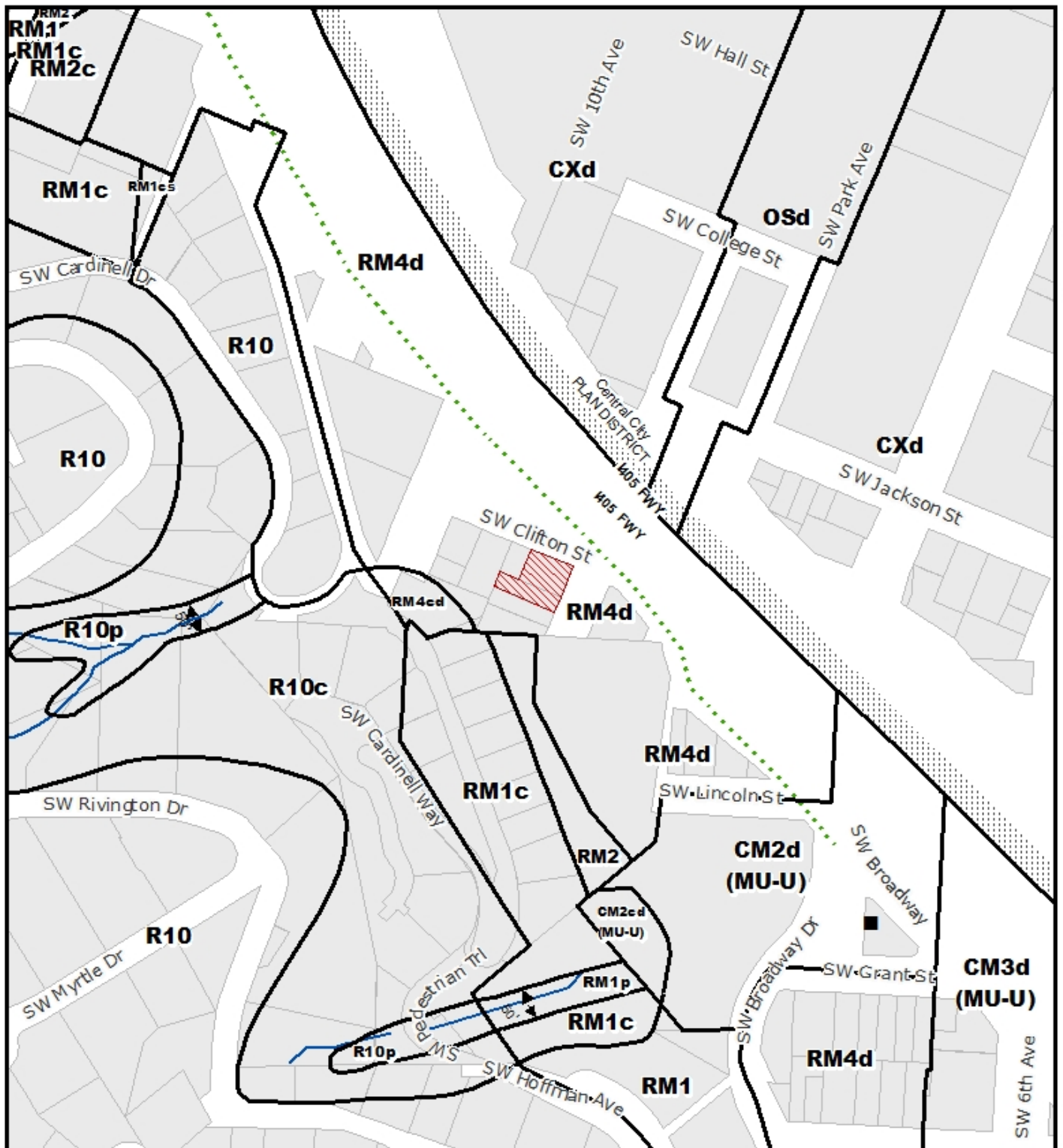
F. Correspondence:

1. Craig Koon, SWHRL Land Use chair, 11/16/2020 and 1/4/2021, wrote with questions and concerns about the project.
2. Molly and Shannon Meyer, Park Ave residents, 12/19/2020, wrote with concerns about the project.
3. Kayce and John Marty, neighboring property owners, 1/2/2021, wrote with questions and concerns about the project's impacts on their abutting property.
4. John Bear, neighbor, 1/4/2021, wrote with questions about the project review process.
5. Craig Koon, SWHRL Land Use chair, 1/4/2021, wrote with Southwest Hills Residential League official comments that expressed concerns about the project.

G. Other:

1. Original LU Application
2. Decision by Director of Bureau of Development Services Regarding Neighborhood Contact

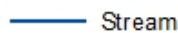
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING



Site



Stream



Historic Landmark

File No.	LU 20 - 213946 DZ
1/4 Section	3228
Scale	1 inch = 200 feet
State ID	1S1E04DA 8800
Exhibit	B Nov 12, 2020



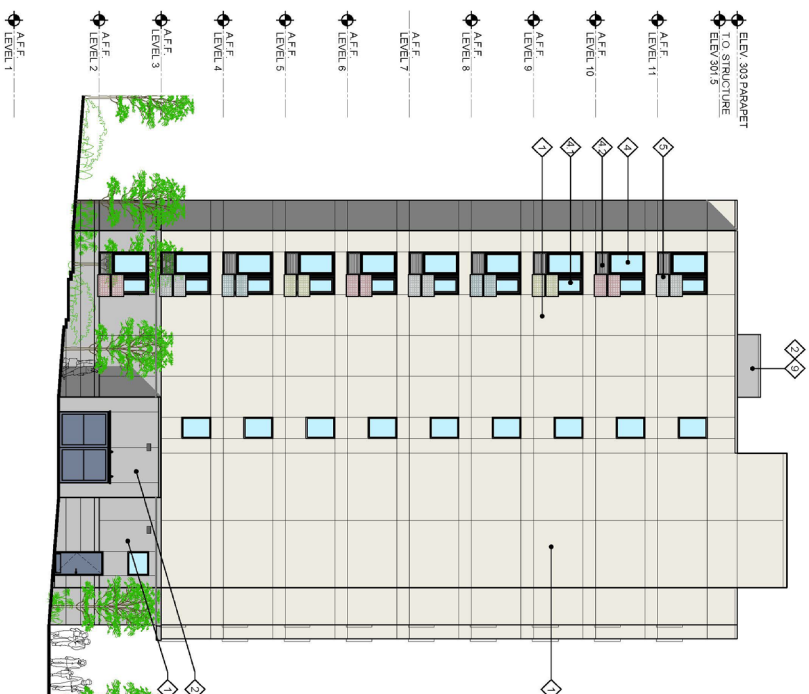
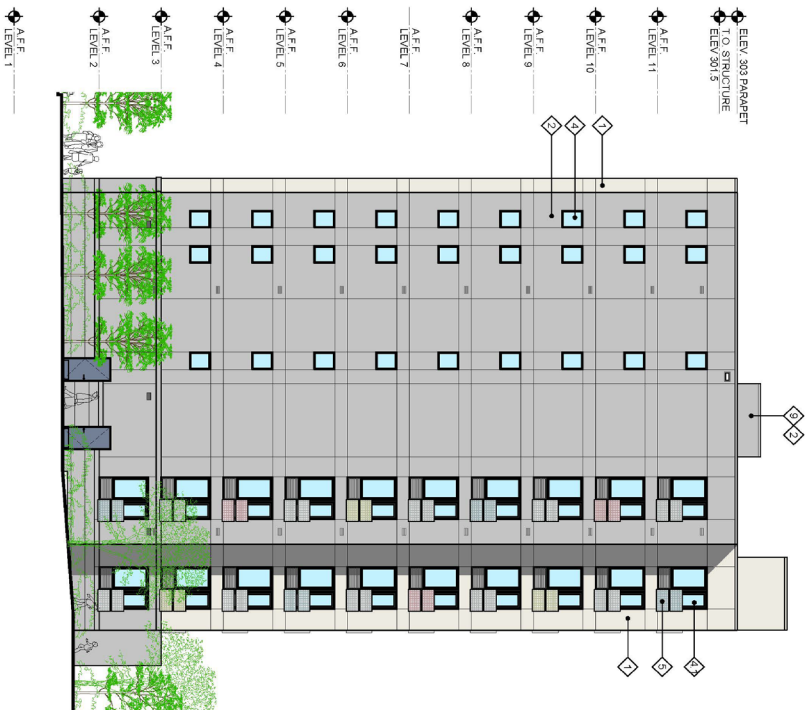
KEYNOTES

- 1 STUCCO - STO 18003 - 85
- 2 STUCCO - COLOR MEDIUM GRAY*
- 3 WINDOW WALL CLARPA GLAZING
- 4 WINDOW SPANDREL GLAZING
- 5 WINDOW SPANDREL GLAZING
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1 EAST ELEVATION
SCALE 1/8" = 1'-0"

2 NORTH ELEVATION
SCALE 1/8" = 1'-0"

Approved
City of Portland
Bureau of Development Services
Planner *[Signature]*
Date 3/18/2021
*This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



KEYNOTES

- 1 STUCCO - STO 18003 - 85
- 2 STUCCO - COLOR MEDIUM GRAY**
- 3 WINDOW WALL CURTAIN GLAZING
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**AN APPLICATION
WILL BE SUBMITTED
TO THE CITY FOR
FUTURE CHANGES
ON THIS SITE.**

**INFORMATIONAL
MEETING**

via **zoom**

October 22, 2020

@6:00pm

Join Zoom Meeting

<https://us02web.zoom.us/j/84215558213>

or Call

+1 669 900 6833 w/ ID 8421 5558 213

Development Notice

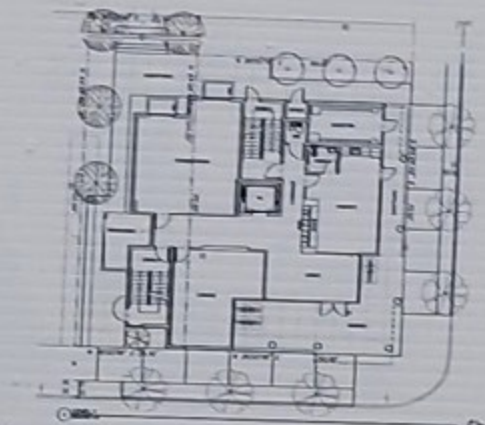
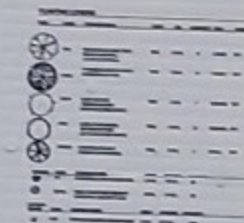
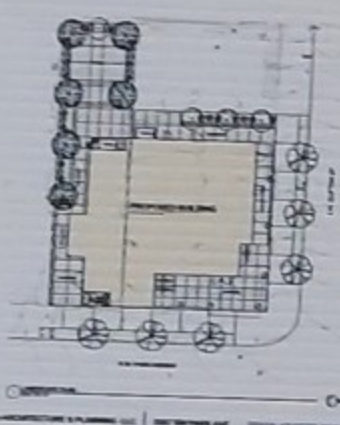
PRELIMINARY PLAN



PERSPECTIVE

TAHIRAN ARCHITECTURE & PLANNING LLC | 2057 SW PARK AVE | DESIGN ADVISORY REQUEST

PROJECT 2013 EA 19-458676 | CD4
DATE: 10-27-2020



2061, 2055-2057
SW Park Ave



11 Stories



Amenity, Fitness, Lounge Rooms
89 Studio Apartments



Street Parking



RM4 - Residential Multi-Dwelling
Zoning info: www.PortlandOregon.gov/ZoningCode

AN APPLICATION
WILL BE SUBMITTED
TO THE CITY FOR
FUTURE CHANGES
ON THIS SITE.

INFORMATIONAL MEETING

via **zoom**

October 22, 2020
@6:00pm

Join Zoom Meeting
<https://join2.zoom.us/j/84215558213>
or Call
+1 609 900 6833 w/ ID 8421 5558 213

Applicant: Tahran Architecture & Planning LLC
Contact: Ralph Tahran 503-539-8802
RalphTahran@comcast.net
Project info: Email Inquiry for Concept Plans

The applicant will provide language services, auxiliary aids, alternative formats, or other reasonable accommodations for barrier-free access if requested at least 3 days prior to the meeting. Contact the applicant for accommodations.

The applicant posted this informational notice on Month Day, Year. The City has not reviewed the content of this notice.
This notice is for informational purposes and the project may change after the notice is posted.
Future application status can be viewed at www.PortlandMaps.com

PROJECT STEPS

STEP 1

INFORMATIONAL
DEVELOPMENT
NOTICE

STEP 2

LAND USE
REVIEW AND
PUBLIC COMMENT
(FOR SOME PROJECTS)

STEP 3

LAND USE
PUBLIC
HEARING
(FOR SOME PROJECTS)

STEP 4

BUILDING
PERMIT
REVIEW

STEP 5

CONSTRUCTION

Learn more about how developments like this go through the zoning and land use process: www.PortlandOregon.gov/BDS/NeighborhoodResources
District Coalition: Name - Phone Number - email Neighborhood Association: Name - email
General Zoning Info: Bureau of Development Services • 503-823-7526



A detailed architectural sketch of a modern, multi-story building with a glass facade. The building is rendered in black lines with light blue shading on the glass panels. It features a grid-like structure of windows and a prominent vertical glass section. The building is situated on a street corner, with a sidewalk and a road in the foreground. Several figures are sketched on the sidewalk, including a person on a bicycle and a group of people walking. The background includes stylized trees and other buildings, suggesting an urban environment. The sketch is signed 'RSM 0620' in the bottom right corner.

BDS CONTACT

Traducción e interpretación / Übersetzung und Interpretation / Traducere sau interpretare / Перевод и интерпретация
Προσωπική επίσκεψη στο σπίτι / Persönliche Hausbesuche / Personalni poseti u domovima / Домашние посещения
Προσωπική επίσκεψη στο γραφείο / Persönliche Bürobesuche / Personalni poseti na radnom mestu / Домашние посещения в офисе

503-823-7300 BDS@PortlandOregon.gov www.PortlandOregon.gov/bds/translated TTY: 503-823-6968
Relay Service: 711

From: Paglia, Tanya <Tanya.Paglia@portlandoregon.gov>

Sent: Monday, January 4, 2021 4:53 PM

To: Wickstrom, Matt <Matt.Wickstrom@portlandoregon.gov>

Cc: Craig Norman <craign@gbdarchitects.com>; John Marty <johntmarty@gmail.com>; Luke Gilmer <lukegilmer@gmail.com>; Qin Hong <qingzi113@gmail.com>; austin@twsolns.com <austin@twsolns.com>; John Bear <john.h.bear@gmail.com>

Subject: RE: 20/EB/91 - EA 20-158166 DA - SW Park Apartments

Hi Matt,

A neighbor emailed with questions about the neighborhood contact requirements. His concerns are two-fold. First is whether the signage posted by the applicant is failing to meet signage requirements - in the attached photos the large sign with public meeting info left some boiler at the bottom – it did not include the District Coalition name, phone number and email address. This was clearly an accidental oversight. The second issue is a comment about the clarity of the signage in conveying where the project is in the process. His note is that because the sign shows a 5 step process and highlights “Step 1”, it causes confusion when it is left up as passersby will continue to assume the project is in Step 1 and will not realize that a Land Use application has been submitted and that the Land Use review is underway.

Thanks,

Tanya

Tanya Paglia City Planner

City of Portland - Bureau of Development Services

Design & Historic Resource Review Section, Land Use Division

[1900 SW 4th Avenue, Suite 5000](#)

[Portland, OR 97201](#)

503-865-6518 | tanya.paglia@portlandoregon.gov

2. The decision report will be prepared as provided in 33.730.090, Reports and Record Keeping, and must be kept with the public record of the case.
 3. The decision of the Director of BDS is final.
- G. Notice of decision.** The Director of BDS will mail notice of the decision to the owner, the applicant if different, and to any person or organization who submitted written comments. See 33.730.070.F, Type I, Type Ix, and Type IV notice of decision.
- H. Date that decision is final and effective.** The decision of the BDS Director is final and effective on the day the notice of decision is mailed.

33.730.020 Type II Procedure

The Type II procedure is an administrative process, with the opportunity to appeal the Director of BDS's decision to another review body.

- A. Pre-application conference.** A pre-application conference is optional unless it is a specific requirement of a review. See 33.730.050, Pre-Application Conference.
- B. Neighborhood contact.**
1. When the proposed development associated with the land use review will result in the addition of at least 10,000 square feet and not more than 25,000 square feet of net building area to the site and no portion of the site is in the Design overlay zone, the neighborhood contact steps of 33.705.020.A., Neighborhood contact I, are required. If the proposed development is in the EG1, EG2, or an I zone, or if it has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.
 2. When the proposed development associated with the land use review will result in the addition of more than 25,000 square feet of net building area to the site and no portion of the site is in the Design overlay zone, the neighborhood contact steps of 33.705.020.B., Neighborhood contact II, are required. If the proposed development is in the EG1, EG2, or an I zone, or if it has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.
 3. When the proposed development associated with the land use review will result in the addition of more than 10,000 square feet of net building area to the site and the site is in the Design overlay zone, the neighborhood contact steps of 33.705.020.C, **Neighborhood contact III**, are required. If the proposed development is in the EG1, EG2, or an I zone, or if it has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.
- C. Application.** The applicant must submit an application on the appropriate form and accompanied by the correct fee. The application must contain all information required by 33.730.060, Application Requirements, and any additional information required for the specific type of land use review.

- A. Pre-application conference.** A pre-application conference is required for all requests processed through a Type III procedure. See 33.730.050, Pre-Application Conference.
- B. Neighborhood contact.**
1. The neighborhood contact steps of 33.705.020.A., Neighborhood contact I, are required when:
 - a. The application is for a land division that includes four to ten lots and does not include an environmental review; or
 - b. The application is for a land use review other than a land division and the proposed development associated with the land use review will result in the addition of at least 10,000 square feet and not more than 25,000 square feet of net building area to the site and no portion of the site is in the Design overlay zone. If the proposed development is in the EG1, EG2, or an I zone, or if it has already met the neighborhood contact requirements as part of a building permit process, it is exempt from the neighborhood contact requirements.
 2. The neighborhood contact steps of 33.705.020.B., Neighborhood contact II, are required when:
 - a. The application is for a land division that includes eleven or more lots and does not include an environmental review; or
 - b. The application is for a land use review other than a land division and the proposed development associated with the land use review will result in the addition of more than 25,000 square feet of net building area to the site and no portion of the site is in the Design overlay zone. If the proposed development is in the EG1, EG2, or an I zone, or if it was subject to a building permit process, it is exempt from the neighborhood contact requirements.
 3. The neighborhood contact steps of 33.705.020.C., Neighborhood contact III, are required when:
 - a. The application is for a land division that includes an environmental review; or
 - b. The application is for a land use review other than a land division and the proposed development associated with the land use review will result in the addition of more than 10,000 square feet of net building area to the site and the site is in the Design overlay zone. If the proposed development is in the EG1, EG2, or an I zone, it is exempt from the neighborhood contact requirements.
- C. Application.** The applicant must submit an application on the appropriate form and accompanied by the correct fee. The application must contain all information required by 33.730.060, Application Requirements, and any additional information required for the specific type of land use review.
- D. Processing time.** Upon determining that the application is complete, the Director of BDS will schedule a public hearing to take place within 51 days. The applicant may extend the time limit.