



City of Portland, Oregon
Bureau of Development Services
Land Use Services

1900 SW 4th Avenue, Suite 5000
Portland, Oregon 97201
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Date: April 24, 2009
To: Interested Person
From: Noelle Elliott, Land Use Services
503-823-7812 / Noelle.Elliott@ci.portland.or.us

FINAL DECISION BY THE DESIGN COMMISSION
RENDERED ON April 16, 2009

CASE FILE NUMBER: LU 08-191285 DZM
PC # 08-156501

Pearl Family Housing

GENERAL INFORMATION

Applicant: Ed McNamara (owner)
Nurture 247 Limited Partnership
907 NE Thompson Street
Portland, OR 97212

Representative: Isaac Johnson (architect), 503-977-5274
Ankrom Moison Associated Architects
6720 SW Macadam, Suite 100
Portland, OR 97202

Site Address: 1350 NW Raleigh Street

Legal Description: LOT 1-8 BLOCK 247, COUCHS ADD
Tax Account No.: R180222220
State ID No.: 1N1E28DD 00900
Quarter Section: 2828
Neighborhood: Pearl District, contact Patricia Gardner at 503-228-3273.
Business District: Pearl District Business Association, contact Adele Nofield at 503-223-0070.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - River District – North Pearl Subarea
Zoning: EXd – Central Employment zone with a Design overlay
Case Type: DZM – Design Review with Modifications
Procedure: Type III, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

Proposal:

The applicant seeks design review for a 6-story mixed-use development in the northwestern area of the River District in the North Pearl Sub-area. The design includes a full block, U-shaped building with 138 affordable family-oriented residential units and ground floor tenant spaces intended for community service or school uses. The development is utilizing the Family Housing Bonus Floor Area by providing 90 efficient family size housing units as defined by the

zoning code. The ground floor level incorporates an outdoor courtyard area that can be accessed and used by future tenants and residents of the building. Parking on the site includes 10 parking and 2 loading spaces at the ground floor level and 1 full level of below grade parking, consisting of 119 spaces. Ground floor parking and loading will be accessed from NW Raleigh Street, and below grade parking will be accessed from NW Quimby Street. Because the site is located in the Potential Flood Hazard Area, all occupied space must be at elevation 33'-0" or higher, locating the ground floor level 4'-0" to 5'-0" above grade along SW 13th Avenue.

The building's exterior will be clad in a smooth finish Norman brick in Mission Common (red shade) while the façade of the interior courtyard will use the same brick in Ochre (orange shade). The ground level window systems will be comprised of bronze aluminum and the upper residential windows and doors will be a combination of vinyl and fiberglass in Adobe (light taupe shade). Other materials and details include precast concrete window sills and sub-cornice, fiber cement panels at the balcony insets and below the cornice, metal for the cornice, railings, canopies, sunshades, garage doors and louvers, and wood as an accent material on the underside of the balconies and other locations throughout the building.

Modifications Requested Through Design Review:

1. Loading Space Dimensions (Section 33.266.310) - requires a minimum loading stall size of 35'-0" long by 10'-0" wide with a vertical clearance of 13'-0". The applicant is proposing one loading stall with 11'-6" of vertical clearance and a second stall with dimensions of 18'-0" long by 9'-0" wide with a clearance 11'-6";
2. Parking Space Dimensions (33.266.130.F.2) - requires parking stall widths of 8'-6" wide by 16'-0" long. The applicant is proposing 10 spaces with 7'-11" wide and 28 spaces with 8'-5" wide due to structural columns located in the basement; and
3. Ground Floor Windows (33.140.230.B.) – requires 50% of the length and 25% of the wall area along ground floor street-facing facades to contain windows. The applicant proposes 65'-0" of window length on the north facade, 44'-0" on the west façade and 81'-6" on the south façade.

New development within the Design overlay in the Central City Plan District requires Design Review.

Relevant Approval Criteria:

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

- Chapter 33.825 - Design Review
- *River District Design Guidelines*
- *Central City Fundamental Design Guidelines*

DESIGN COMMISSION DECISION

It is the decision of the Design Commission to approve Design Review for:

Approval of a full-block 6-story mixed-use development in the Central City Plan District and the North Pearl Sub-area of the River District, including:

- 138 affordable family-oriented residential units (including 90 efficient family size housing units providing Family Housing Bonus Floor Area);
- 13,351 SF of ground floor tenant spaces intended for community service or school uses;

- One at-grade and one below-grade parking area totaling 129 parking spaces, with a raised central courtyard. Parking areas include 10 parking spaces and 2 loading spaces at the ground floor level, and 119 spaces below grade.

Approval for the following three Modifications requested through Design Review:

1. Loading Space Dimensions (Section 33.266.310) - requires a minimum loading stall size of 35'-0" long by 10'-0" wide with a vertical clearance of 13'-0". The applicant is proposing one loading stall with 11'-6" of vertical clearance and a second stall with dimensions of 18'-0" long by 9'-0" wide with a clearance 11'-6";
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Approvals per Exhibits C.1-C.73, signed, stamped, and dated April 16, 2009 subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (A – B) must be noted on each of the 4 required drawings 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 LU 08-191285 DZM. All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. No field changes allowed.

By: 
Lloyd Lindley, Design Commission Chair

Application Filed: December 19, 2008,
Decision Rendered: April 16, 2009

Decision Filed: April 17, 2009

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 December 19, 2008, and was determined to be complete on January 29, 2009.

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 **December 19, 2008**.

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 did not waive or extend the 120-day review period.

Some of the information contained in this report was provided by the applicant. As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. This report is the final decision of the Design Commission with input from other City and public agencies.

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

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

Appeal of this decision. This decision is final unless appealed to City Council, who will hold a public hearing. Appeals must be filed by 4:30 pm on May 8, 2009 at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth floor. Information and assistance in filing an appeal is available from the Bureau of Development Services in the Development Services Center or the staff planner on this case. You may review the file on this case at our office, 1900 SW Fourth Avenue, Suite 5000, Portland Oregon, 97201.

If this decision is appealed, a hearing will be scheduled and you will be notified of the date and time of the hearing. The decision of City Council is final; any further appeal is to the Oregon Land Use Board of Appeals (LUBA).

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

Who can appeal: You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$13,266.50 will be charged (one-half of the application fee for this case).**

Neighborhood associations and low-income individuals may qualify for a waiver of the appeal fee. Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Fee waivers for low income individuals must be approved prior to filing your appeal; please allow three working days for fee waiver approval. Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **May 11, 2009 – (the first workday following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

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

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

Noelle Elliott
April 16, 2009

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-7300 (TTY 503-823-6868).

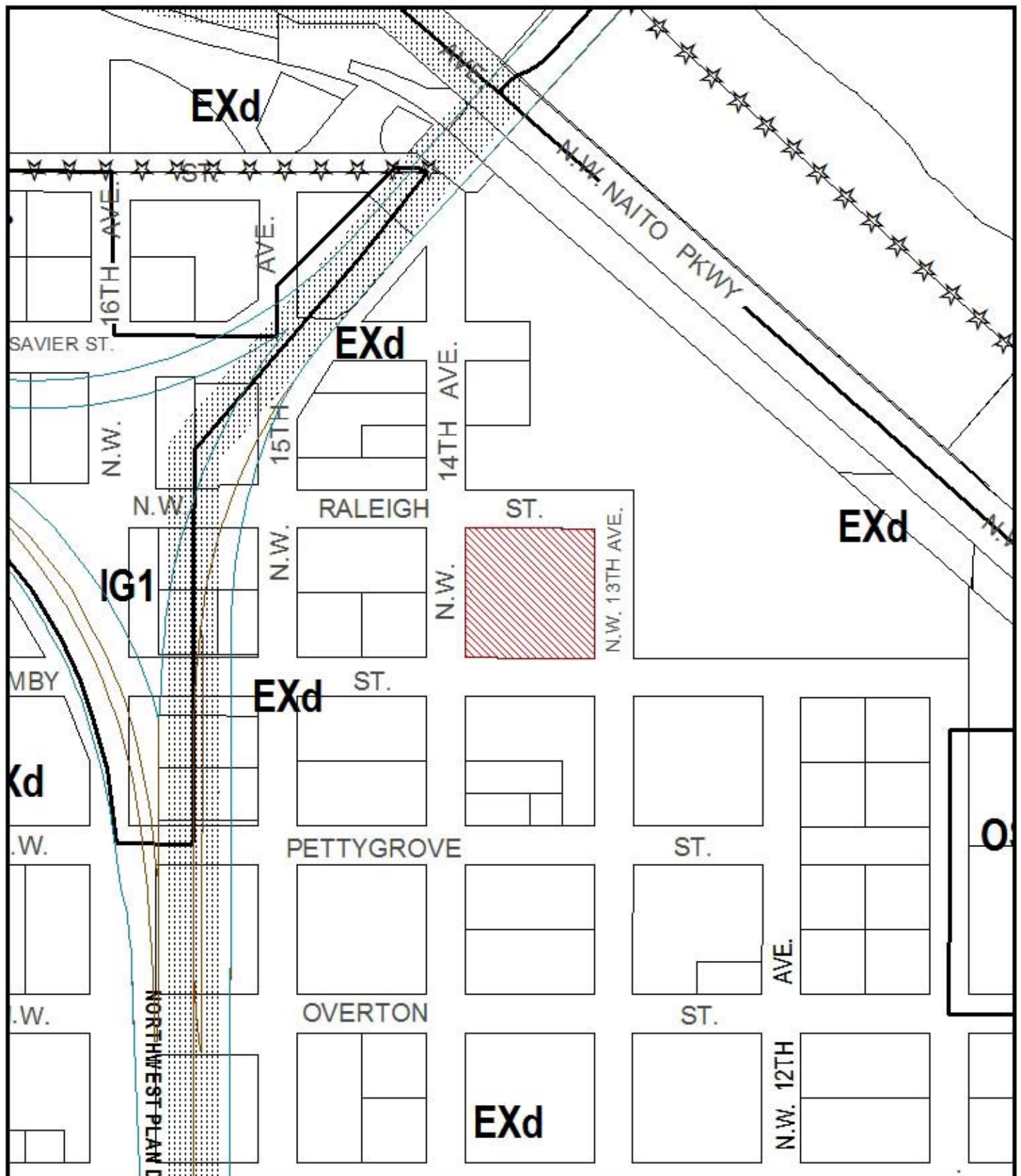
EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Statement and Drawings
 - 2. Additional Information
- B. Zoning Map (attached)
- C. Plans & Drawings
 - 1. Aerial Vicinity Plan
 - 2. District Diagram
 - 3. Site & Vicinity Plan
 - 4. Context Images
 - 5. Utility Plan
 - 6. Site Plan
 - 7. Layout & Grading Plan
 - 8. Irrigation Plan
 - 9. Planting Plan
 - 10. Irrigation & Planting Details
 - 11. Courtyard Sections
 - 12. Courtyard Details
 - 13. Courtyard Trellis Details
 - 14. Bike Bollard & Play Structure Details
 - 15. Floor Plan Diagram
 - 16. Basement Parking Floor Plan
 - 17. Site & Ground Floor Plan (attached)
 - 18. 2nd Floor Plan
 - 19. 3rd – 6th Floor Plan
 - 20. Roof Plan
 - 21. Rooftop Hatch & Trash Chute Vent Details
 - 22. Rooftop Screen & Elevator Overrun Details
 - 23. Rooftop Utility Fan Detail
 - 24. Rooftop HVAC Detail
 - 25. North Building Section
 - 26. East Building Section
 - 27. West Elevation (attached)
 - 28. North Elevation (attached)
 - 29. East Elevation (attached)
 - 30. South Elevation (attached)
 - 31. Courtyard East & South Elevation
 - 32. Courtyard North Elevation
 - 33. Partial North & East Enlarged Elevation & Wall Sections
 - 34. Partial North & East Enlarged Elevation & Wall Sections
 - 35. Partial Courtyard Enlarged Elevation & Wall Section
 - 36. Perspective View Looking West
 - 37. Partial Courtyard Enlarged Elevations & Wall Section
 - 38. Partial West Enlarged Elevation & Wall Section
 - 39. Partial South Enlarged Elevation & Wall Section w/Sunshade Detail
 - 40. South Garage Enlarged Elevation & Plan View
 - 41. Garage Door Details
 - 42. South Garage Parking Ramp Section
 - 43. North Garage & Loading Bay Enlarged Elevation, Plan View & Door Detail
 - 44. North Garage Parking Section
 - 45. Sunshade Detail
 - 46. Partial West Enlarged West Elevation and Wall Section
 - 47. West Residential Entry Perspective

48. Ground Level Window Sections
49. Lower Detail and Sections
50. Upper Level Window Sections
51. Enlarged Balcony Detail and Section
52. Parapet & Cornice Sections
53. Lighting Plan
54. Light Fixture Detail – Type J
55. Light Fixture Detail – Type E
56. No exhibit provided
57. Light Fixture Detail – Type G
58. Light Fixture Detail – Type H
59. Light Fixture Detail – Type C
60. Perspective Looking Northeast
61. Perspective looking West
62. West Residential Entry Perspective
63. Color Elevation & Materials
64. Canopy & Guardrail Details
65. Signage Details
66. Stormwater Plan
67. REVISED Planter Wall Design
68. REVISED Courtyard Plan
69. REVISED Bracket Design
70. REVISED Planter/Seating Wall at West Entry
71. Perspective Rendering of Courtyard Entry
72. REVISED Plan of Loading Dock (Optional, with PBOT approval)
73. REVISED Enlarged Plan of Loading Dock (Optional, with PBOT approval)
- D. Notification information:
 1. Request for response
 2. Posting letter sent to applicant
 3. Notice to be posted
 4. Applicant's statement certifying posting
 5. Mailed notice
 6. Mailing list
- E. Agency Responses:
 1. Bureau of Environmental Services
 2. Site Development Section of BDS
 3. Bureau of Transportation Engineering and Development Review
 4. Fire Bureau
 5. Bureau of Parks, Forestry Division
 6. Plan Review Section of BDS
 7. Bureau of Police
 8. Water Bureau
- F. Letters:
 1. Patricia Gardner, Planning Chair of the Pearl District Neighborhood Association, responded on March 18, 2009 in general support of the proposal except for the design of the "loading dock".
- G. Other
 1. Original LUR Application
 2. Site History Research
 3. Incomplete Letter
 4. Correspondence with Applicant and Service Bureaus
- H. Information up to, and including, the March 19, 2009 Hearing:
 1. Staff Report & Additional Drawings (See "C" Exhibits)
 2. PowerPoint for the March 19, 2009 Hearing
 3. Hearing Memo

4. Staff Summary & Notes from Hearing
- I. Information up to, and including, the April 16, 2009 Hearing:
 1. Hearing Memo & Additional Drawings
 2. Staff Report
 3. Staff Notes from Hearing
- J. Final Findings:
 1. Final Findings and Decision of the Design Commission dated April 16, 2009

cc: Applicants and Representatives
Neighborhood Associations
Those who testified, orally or in writing
Development Services Center



ZONING



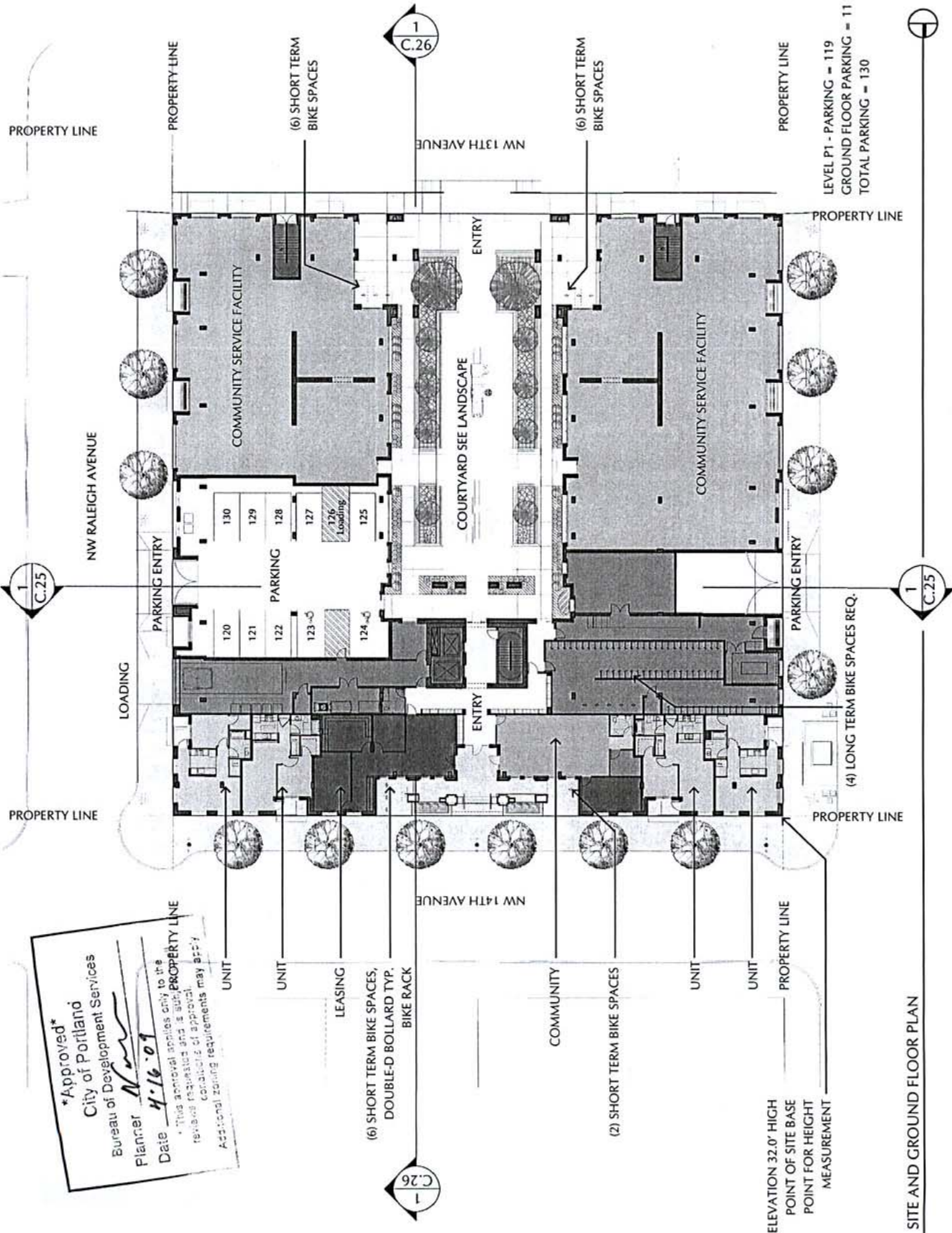
Site



NORTH

This site lies within the:
CENTRAL CITY PLAN DISTRICT

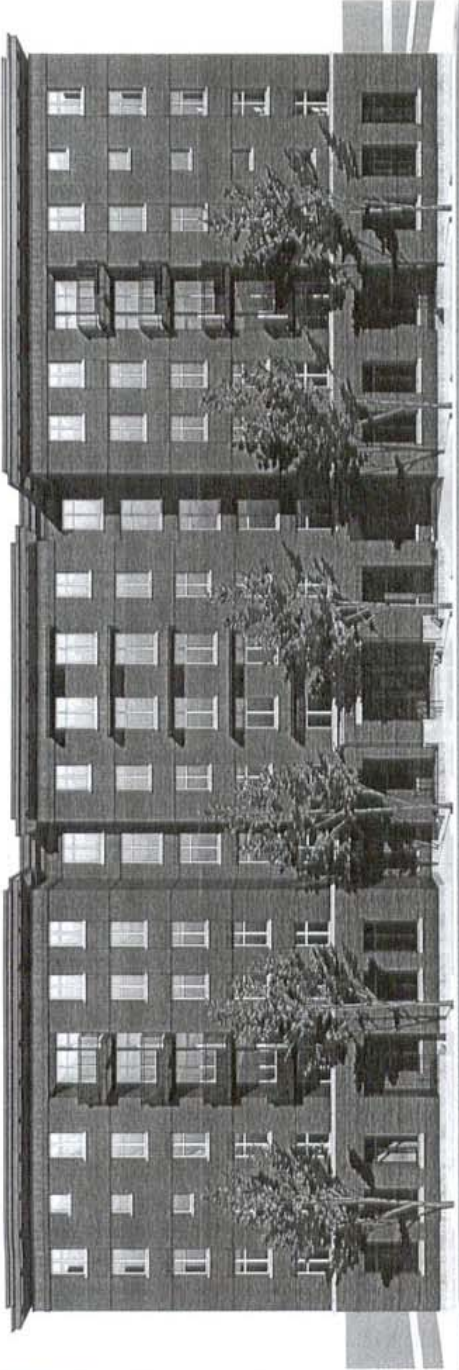
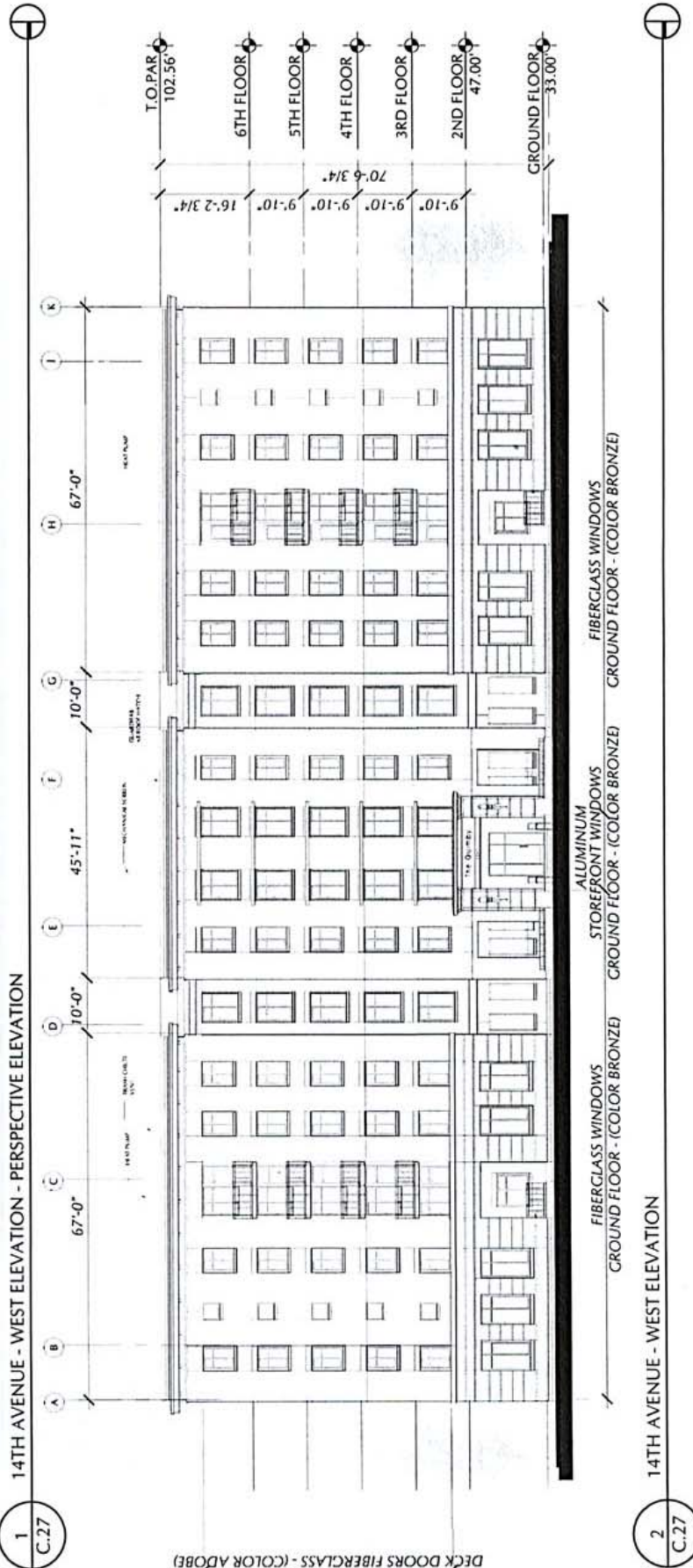
File No.	LU 08-191285 DZM
1/4 Section	2828,2928
Scale	1 inch = 200 feet
State_Id	1N1E28DD 900
Exhibit	B (Dec 23,2008)



Approved
City of Portland
Bureau of Development Services
Planner *[Signature]*
Date *4/16/01*
* This approval applies only to the proposed
reviews requested and is subject to approval
conformance of approval requirements may apply.
Additional zoning requirements may apply.
UNIT —

LA 08-191285 DEM Exhibit C.17

VINYL WINDOWS 2ND-6TH FLOOR - (COLOR ADOBE)
DECK DOORS FIBERGLASS - (COLOR ADOBE)



*Add on site
City of Portland
Bureau of Development Services
Planner *[Signature]*
Date *4.16.09*
* This approval applies only to the
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conditions of approval.
Additional zoning requirements may apply.

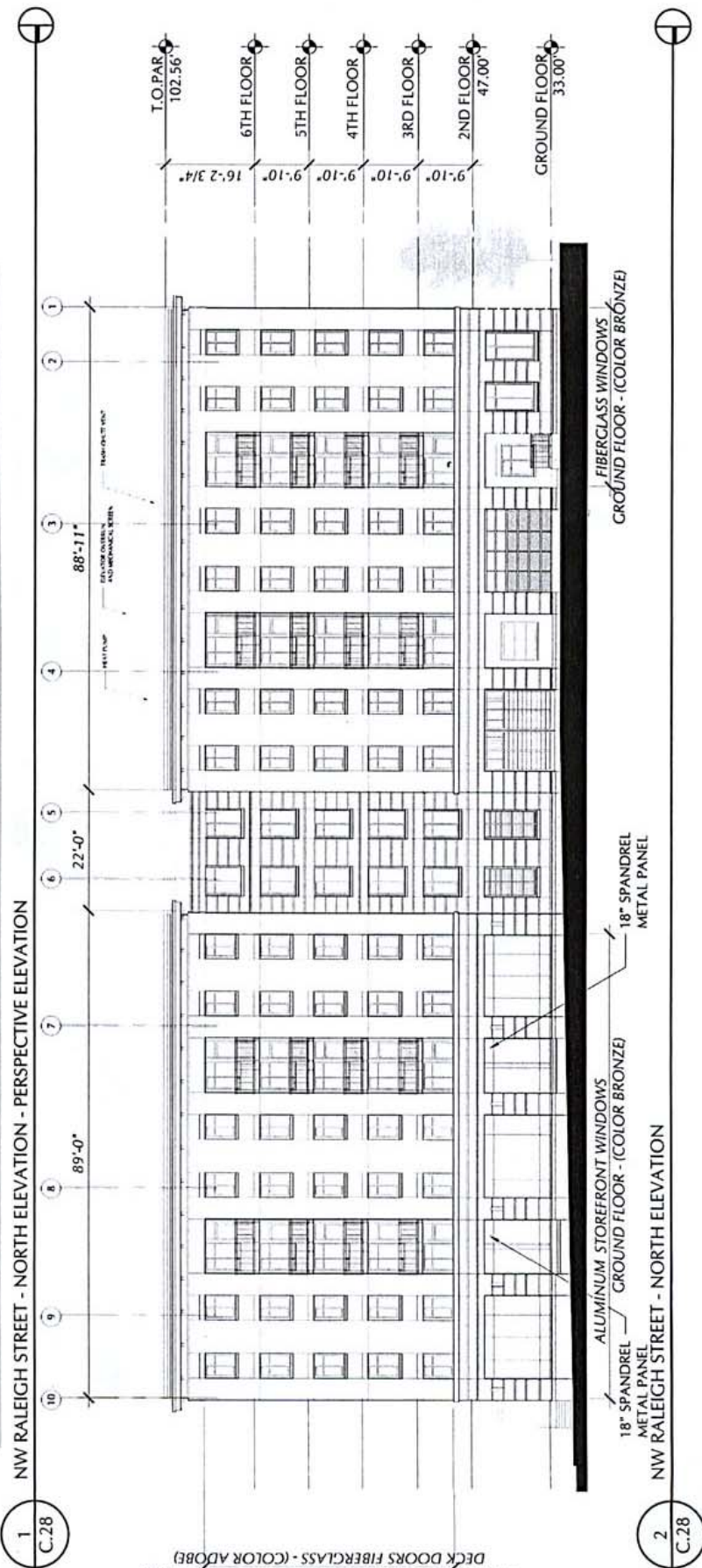
PEARL FAMILY HOUSING

N.W. 13th Avenue & N.W. Quincy • Portland, Oregon
TYPE III DESIGN REVIEW PACKET LU 08-191285 D2M March 2nd, 2009
ANKROM MOISAN ARCHITECTS NURTURE 247 LIMITED PARTNERSHIP

NW 14TH AVENUE
WEST ELEVATION
SCALE = 1" = 20'-0"

C.27

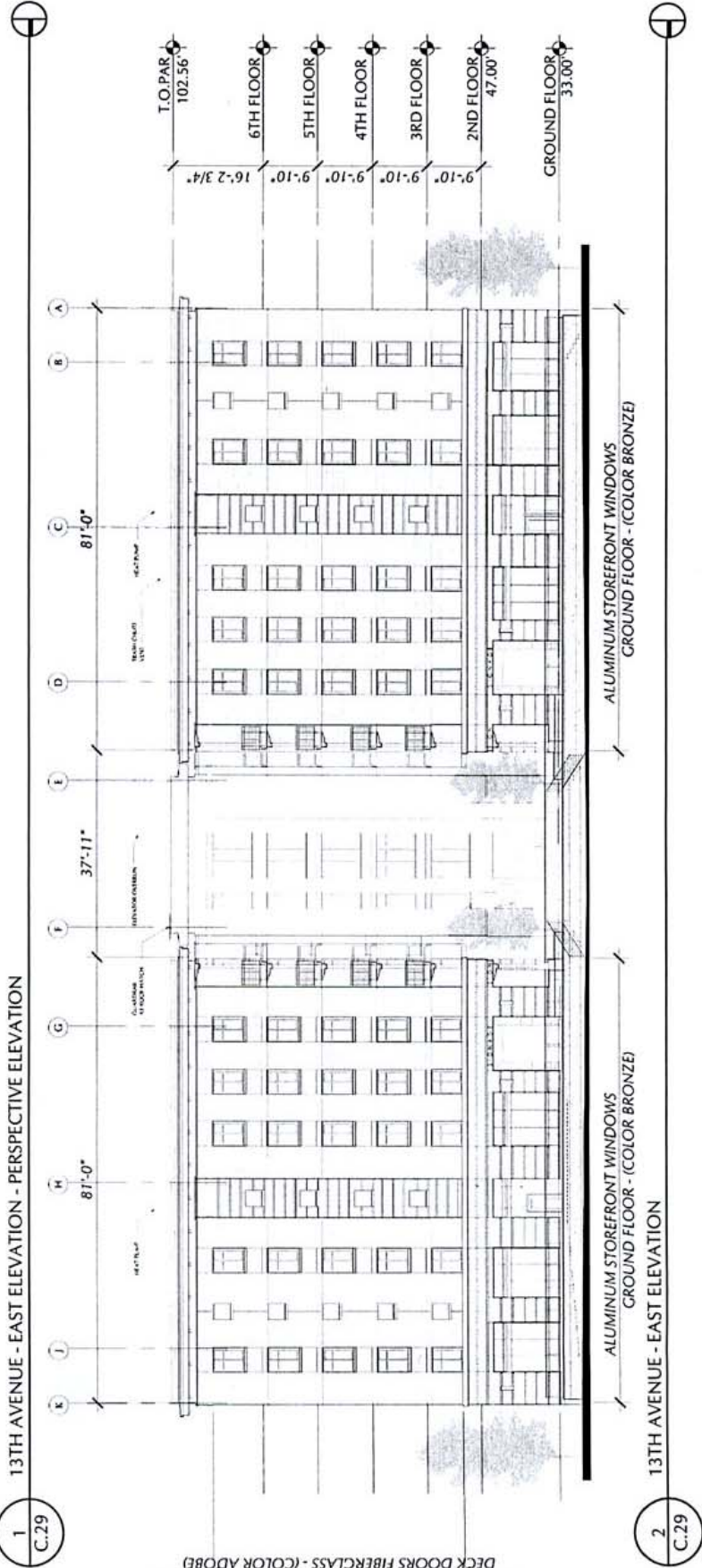
VINYL WINDOWS 2ND-6TH FLOOR - (COLOR ADOBE)
DECK DOORS FIBERGLASS - (COLOR ADOBE)



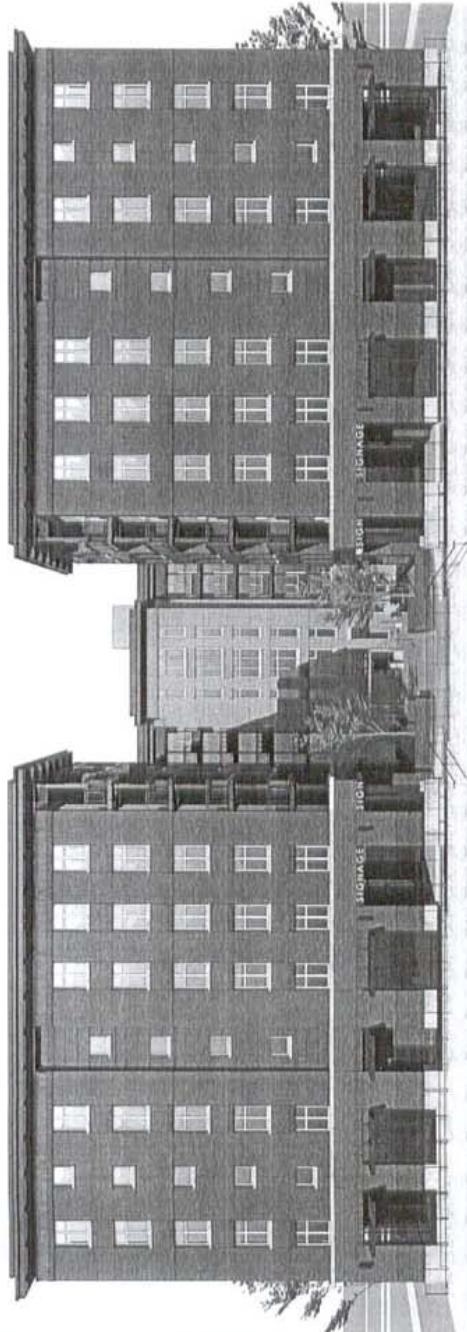
Approved
 City of Portland
 Bureau of Development Services
 Planner *[Signature]*
 Date 4.16.09
 * This approval applies only to the conditions of approval. Additional zoning requirements may apply.

LU 08-191285 DEM Exhibit C.29

VINYL WINDOWS 2ND-6TH FLOOR - (COLOR ADOBE)
DECK DOORS FIBERGLASS - (COLOR ADOBE)



13TH AVENUE - EAST ELEVATION - PERSPECTIVE ELEVATION



Approved
City of Portland
Bureau of Development Services
Planner *[Signature]*
Date *4.16.09*
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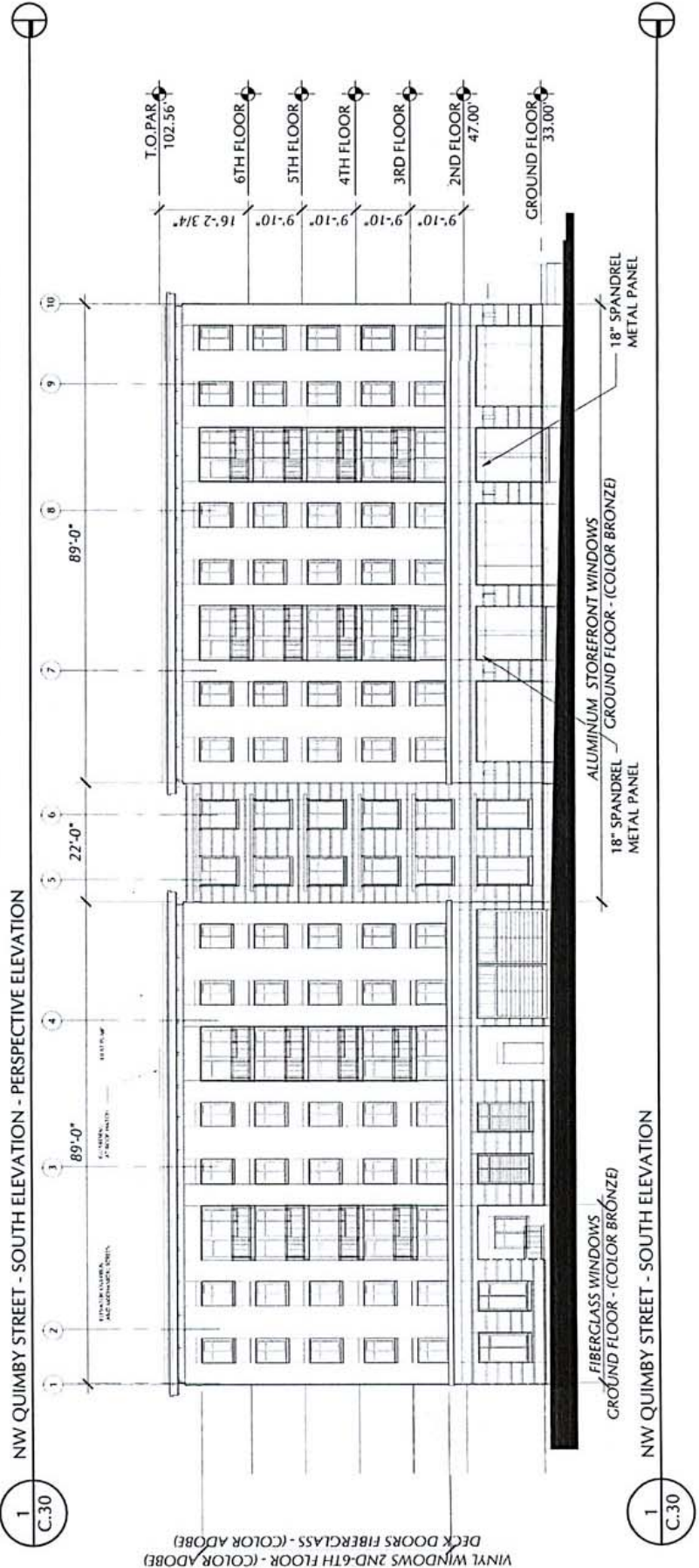
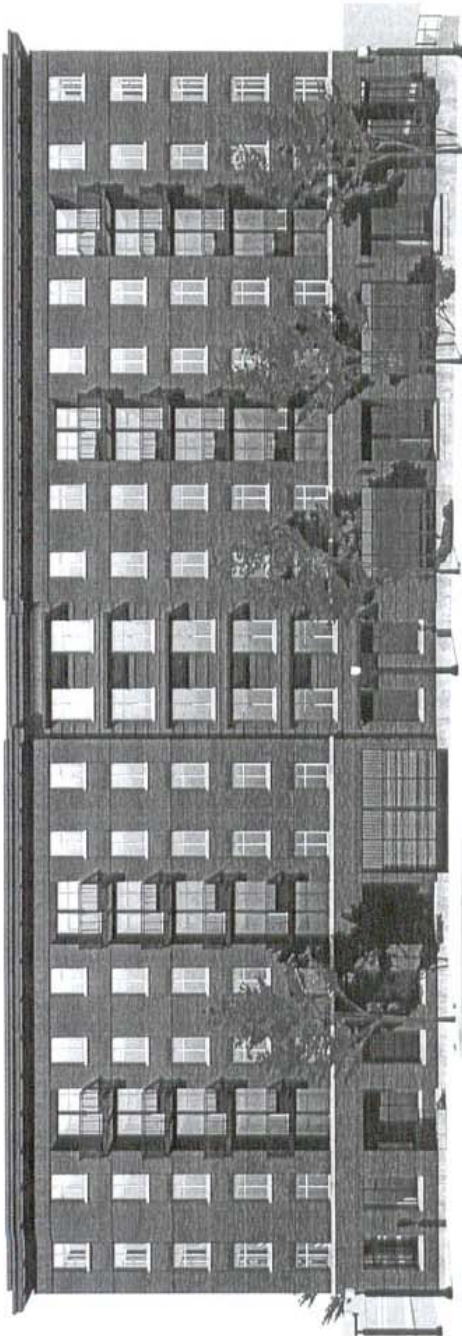
PEARL FAMILY HOUSING

N.W. 13 Avenue & N.W. Guilmy • Portland, Oregon
TYPE III DESIGN REVIEW PACKET LU 08 - 191285 DZM March 2 / 2009
ANKROM MOISAN ARCHITECTS NURTURE 247 LIMITED PARTNERSHIP

NW 13TH AVENUE
EAST ELEVATION
SCALE = 1" = 20'-0"

C.29

LN 08-191285 DZM Exhibit C.30



Approved
 City of Portland
 Bureau of Development Services
 Planner *[Signature]*
 Date *4.16.09*
 * This approval applies only to the
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