



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

FROM CONCEPT TO CONSTRUCTION

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Date: July 9, 2012
To: Interested Person
From: Mark Bello, Land Use Services
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NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has **approved** a proposal in your neighborhood. The 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 12-118607 DZM –ELIOT-MLK APARTMENTS

GENERAL INFORMATION

Applicant: Ben White / Carleton Hart Architecture
322 NW 8th Avenue / Portland, OR 97209

Julie Garver / Innovative Housing Inc.
219 NW 2nd Avenue / Portland, OR 97209

Madison 34 Ray LLC
6010 NE Flanders Street #B1 / Portland, OR 97213-3870

Site Address: 3256 NE Martin Luther King Blvd.

Legal Description: BLOCK 12 LOT 3&4, ALBINA; BLOCK 12 LOT 5, ALBINA; BLOCK 13 W 67' OF LOT 1&2, ALBINA; BLOCK 13 E 33' OF LOT 1&2 LOT 3&4, ALBINA

Tax Account No.: R009603740, R009603760, R009604000, R009604020, R009604000
State ID No.: 1N1E26BB 06600, 1N1E26BB 06500, 1N1E26BB 04400, 1N1E26BB 04500, 1N1E26BB 04400

Quarter Section: 2731
Neighborhood: Eliot, contact Mike Warwick at 503-284-7010.
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321.
District Coalition: Northeast Coalition of Neighborhoods, contact Shoshana Cohen at 503-823-4575.

Plan District: Albina Community
Zoning: RHd, High-density Residential with design overlay
Case Type: DZM, Design Review with Modification
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant requests Design Review approval for a new 50 unit residential development at NE Martin Luther King Boulevard and NE Cook Street within the Albina Community District. The 48,000 square foot building includes 1,434 square feet of retail space at the northwest corner

of the ground floor with access off of both MLK and Cook. The lobby entrance to the upper floor residential units is located on NE MLK Boulevard just south of the retail space and community room. Five of the residential units are walk-ups with direct access off of Cook and three units on the south side facing the parking area also have direct access. Two rooftop garden plazas are proposed at the east end atop the 4th floor and at the southwest portion of the building. The four and five story building varies in height ranging from 43'-3" to 64'-7" at its highest point. The massing is arranged in an L-shape with vehicle access along the east side of the building and site off of Cook. Parking for 15 cars is provided on-site south of the building. At this location, on a Major Transit Street with frequent bus services, no on-site parking is required by the zoning code. Four short term bicycle parking spaces will be provided. Fifty-five long term spaces will be provided; 44 spaces located in a ground floor storage room.

Materials for the proposal includes brick in four colors, precast concrete lintel panels, aluminum storefront windows, fiberglass windows and doors, and steel balcony railings.

Modification through Design Review, 33.825.040

Section 33.505.100 requires that access must be from a local service traffic street (Cook) which is within 150 feet of the intersection with an arterial (MLK). The applicant proposes to locate the access 171 feet from the intersection, exceeding the limitation by approximately 21 ft.

Because the proposal is for new development within a Design Overlay zone, Design Review is required.

Relevant Approval Criteria:

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

- Community design Guidelines
- Modifications That Will Better Meet Design Review Requirements - Section 33.825.040

ANALYSIS

Site and Vicinity: The property is located on the east side of NE MLK Blvd between NE Cook and NE Fargo Streets. The property is currently vacant and comprised of four tax lots totaling 40,350 SF. There are three Property Line Adjustment applications under review to alter the east-west property lines that would result in the 22,598 SF (after right-of-way dedications) project site. The remaining southern half of the property is intended to be redevelopment in the future with a second phase of residential development.

Surrounding development flanking MLK consist of a mixture of newer high density residential and mixed use developments, as well as older, lower scale, retail and commercial buildings. The abutting multi-family residential zones adjacent to the MLK corridor consists mostly single family homes with some multifamily apartments.

The site is located in the Eliot Pedestrian District. MLK is classified as a Major Traffic and Transit Street, while both Cook and Fargo are Local Service Streets. The 6 bus line is located on MLK, which is a frequent bus service running every 20 minutes during peak hours. MLK is identified as a City Bikeway. The site is also located within the Eliot Pedestrian District.

Zoning: The RH zone is a high density multi-dwelling zone. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use is regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will range from 80 to 125 units per acre. Allowed housing is characterized by medium to high height and a relatively high percentage of building coverage. The major types of new housing development will be low, medium, and high-rise apartments and condominiums. Generally, RH zones will be well served by transit facilities or be near areas with supportive commercial services.

The Albina Community Plan District implements the Albina Community Plan. The plan district's provisions are intended to ensure that new higher density commercial and industrial developments do not overwhelm nearby residential areas. Infill housing compatibility and affordability is encouraged by eliminating off-street parking requirements for small multi-dwelling projects. The plan district's provisions also encourage the development of new housing along Martin Luther King Jr. Boulevard by allowing new housing projects to include ground level commercial uses that orient to King Boulevard..

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **May 29, 2012**. The following Bureaus have provided responses:

- Bureau of Environmental Services (Exhibit E-1)
- Fire Bureau (Exhibit E-2)
- Plan Review Section of BDS (Exhibit E-3)
- Water Bureau (Exhibit E-4)
- Bureau of Transportation Engineering (Exhibit E-5)

The following Bureaus had no concerns:

- Site Development Section of BDS
- Bureau of Parks-Forestry Division

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on May 29, 2012. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Fleming Family and Concerned Neighbors, June 11, 2012, concerns with maintaining the current garden use on a portion of the property to the south of the subject site and recommending conditions to maintain the use.

Staff's Response: The letter refers to an area along the east property line of the lot to the south of the subject site, which has been identified by the applicant as Phase Two, however, is not a part of this proposal. The applicant has indicated they have made contact with the adjacent property to discuss retaining some of the existing fruit trees and garden area in the future phase of development. The recommended conditions are not applicable to this application since the area of concern is on a separate site.

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.

Findings: This site is located in the Albina Community Plan area. The plan envisions NE MLK Boulevard as the gateway to a revitalized community. This site and other nearby properties are envisioned as housing for a mix of income groups with retail. This 50-unit residential project provides housing opportunities to a variety of populations as well as a small commercial storefronts to support the activity and enhance the vitality along NE MLK Boulevard. The design of the building with the mass and height focused towards the corner at MLK and stepping down towards the residential neighborhood is consistent with development along this corridor. The single at-grade entries for the walk-up units along Cook incorporate features similar to those of the adjacent single family and workforce housing common in the area. In response to the larger plan area, the common main entrance to the units compliments the access points of historic apartment buildings found throughout Albina. The storefronts, canopies and building along the back of the sidewalk are reminiscent of streetcar era development in the plan area. *Therefore, this guideline is 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.

Findings: This site is located within the Eliot Pedestrian District and is well-connected to the surrounding pedestrian network. With this proposal, right-of-way dedications will be made, and new, wider sidewalks will be provided along both MLK and Cook. Generous pedestrian access will be provided along all sides of the building, and to a variety of entries. The primary entrance is located near the MLK crosswalk. The main resident lobby is provided with a courtyard at both west and east approaches, with bench seating available.

On-site parking is tucked around back, out of view of the majority of pedestrians, and interaction is limited to the driveway width on Cook, where the building is held back from the property line and driveway edge to promote visibility. *Therefore, these guidelines are met.*

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.

Findings: Facades along pedestrian areas are articulated with variety in massing, material color and texture, window arrangements, and 'pockets' of landscaping to provide

visual interest and promote a pleasant pedestrian experience. Gathering spaces, with benches are included near the lobby and sidewalk.

The sidewalk level retail storefront differs in material color and window type from that above, highlighting the difference in use. Along Cook Street, the entire ground floor is setback from those above and detailed with different brick color and window configuration. *Therefore, this guideline is met.*

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.

Findings: The building is held close to the node of MLK and Cook, with overall massing arranged to emphasize activity at the intersection. The retail corner is strengthened through strong horizontal axis of the overhanging canopy that is also mimicked above in horizontal banding as both turn the corner. Multiple entrances to the retail space align toward the corner. Wide sidewalks are extended onto the property to provide and encourage activity at those locations. *Therefore, this guideline is met.*

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.

Findings: The projecting bays from the upper floors, which project 4'-0" from the lower level, and canopies at the main building entries provide shelter to those accessing the building and create shadows to reduce glare. *Therefore, this guideline is met.*

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;

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

Findings for D1 and D3: The building is located close to MLK Jr. Blvd. for a strong connection to the pedestrian network. The building floor slab elevation is stepped to allow ease of accessible entry at multiple entrance locations around the building and site. Circulation paths around the site include areas for gathering, accented by landscaping and areas for rest. To the east, landscaping is providing above a retaining wall to better the vehicle area from neighboring property. Along the north elevation entry patios are accented with a thin landscape screen to provide interest. A raised outdoor plaza is proposed on the 2nd floor as well as a roof deck atop the 4th floor. Both these areas are considerable in size and provide additional gathering spaces for the residents. *Therefore, these guidelines are met.*

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

Findings: The main entrance to the upper residential units is located on the west façade facing MLK and is highlighted by a strong vertical element, canopy and glazing. The entries to the five walk-up units along Cook face the street and are within 7'-0" from the sidewalk. The commercial area at the northwest corner of the ground floor has several entrances facing both MLK and Cook, which are accentuated canopies and continuous storefront windows. All of the building's entry points are convenient for pedestrians and transit users. *Therefore, this guideline is met.*

D4. Parking Areas and Garages. Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

Findings: A 15-space surface parking lot is located on the interior of the lot behind the building on both street frontages. There is only one driveway access. The parking lot is well-landscaped: perimeter landscape screening buffers are provided from neighboring residences and interior landscaping is provided in excess of the zoning code minimums. A retaining wall along the east side of driveway that ranges from 6'-0" to 7'-0" in height provides a raised planter for the trees and shrubs providing an additional buffer for the adjacent residence to the east. *Therefore, this guideline is met.*

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: The building is arranged with active uses along the street including retail areas, the resident community room and the main lobby. Retail spaces are provided with ample windows along street frontages for visibility and all recessed entry areas will be well-lit. The main residential doors are arranged to be visible by the manager's office, and full height windows are provided for visibility at the first floor lobby and from the lobbies above. Windows and balconies above also provide "eyes on the street" and outdoor plazas. *Therefore, this guideline is met.*

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.

Findings: The proposed development responds to the established commercial corridor development immediately across the street and a few blocks away which employ brick cladding and storefronts. The massing of the building is carefully articulated to step down from taller structures located along the busier thoroughfare of MLK to smaller rowhouses to the north and east and single family residences to the east.

Removing a portion of the upper floor at the east, reducing the height of the adjacent roof, and providing an open garden terrace above furthers this proportion. The first floor is set back and articulated with a different color to help promote the appearance of a shorter overall height along the façade. Exterior unit entries along cook and balcony doors provide a sense of home, activity, and a residential scale. Rather than a continuous exterior plane, massing bays are articulated along the elevation in widths that more closely resemble a single family residential scale. The bays are further reduced in scale by varying brick color and plan so masses are often expressed just one or two stories at a time rather than the full building height. *Therefore, this guideline is met.*

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: The primary exterior material is brick which provides durability and longevity, and a variety of colors are used for visual interest. The other accent materials, aluminum, fiberglass, concrete and metal are also durable finishes providing a sense of permanence.

The four colors of brick together work as a cohesive palette for the building, yet provide the variety necessary to express the architectural forms in a manner which conveys the design intent. The teal brown brick is primarily used to express the ground level where retail and units are differentiated from the rest of the building to minimize the overall height appearance. The remaining upper floors are then articulated with a palette of three primary brick colors. Covington is the finish for the living room walls and forms a constant building plane of the residential units. The primary rhythm of the façade massing is provided by the contrasting projection of the unit bedroom bays from this constant plane. The limestone brick is utilized at the forward-most wall of the projecting bays – expressing the strong vertical elements which highlight the massing of the more intensive use along MLK at full height, and stepping down to smaller projections towards the east and the residential neighborhood. The arrangement of these pop-outs along the north façade is balanced in a playful manner to provide interest and variety avoiding stale repetition of form. As these limestone forms reduce in size, the adjoining bedroom bays above and below are expressed in the third color, sea gray, a value between the two others which provides just enough contrast to set apart from the limestone projections, yet maintain the overall bay of bedrooms distinct from the living room walls. Maintaining this basic rhythm is essential to the overall massing to be perceived as a cohesive composition. Accents using the teal brown brick are then selectively composed on these upper floors to enhance the geometry of the projecting forms, and maintain a visual connection for the overall façade. The use of these brick finishes, and highlighting building forms in this manner works to strike a balance between existing architecture in the area and similar scale future development of the urban fabric.

All massing strategies and proportions are repeated around each side of the building to present a cohesive whole. *Therefore, this guideline is met.*

33.825.040 Modifications That Will Better Meet Design Review Requirements:

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

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

Modification: Section 33.505.100.C.4.b requires that access must be from a local service traffic street (Cook) which is within 150 feet of the intersection with an arterial (MLK). The applicant proposes to locate the access 171 feet from the intersection, exceeding the limitation by approximately 21 ft.

- A. **Better meets design guidelines.** *The resulting development will better meet the applicable design guidelines; and*

Findings: The modification to locate the driveway 171 ft. rather than 150 ft. from the intersection of NE MLK Jr. Boulevard and NE Cook allows the driveway to be placed to the east of the building and provide more building than vehicle area linear frontage. This

distance supports design guidelines regarding E3 (The Sidewalk Level of Buildings), E4 (Corners that Build Active Intersections) and D4 (Parking Areas and Garages). *Therefore, this approval criterion is met.*

- B. Purpose of the standard.** *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Findings: A limited amount and type of commercial uses are allowed in new mixed commercial/residential projects along NE MLK Boulevard. These uses are permitted in recognition of the Boulevard's designation as a Major City Traffic Street in the Transportation Element of the Comprehensive Plan, high traffic counts on MLK Blvd, and the City's desire to encourage residential development by permitting some commercial space as part of new residential projects. The driveway location is consistent with this purpose in that it allows for a larger building footprint, which provides more opportunity for greater residential density and keeps the commercial use adjacent to the activity along NE MLK Boulevard.

Therefore this modification merits approval.

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The overall project compliments the development along MLK Blvd, incorporates design elements that responds the adjacent residential neighborhood and results in a cohesive composition that is interesting to view. The proposal meets the applicable design guidelines and modification criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of 50-unit residential development with 1,500 SF of retail at the ground level and 15 parking spaces in the Albina Plan District.

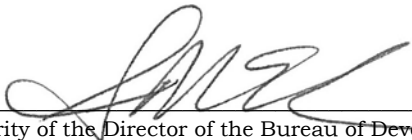
Approval of a Modification to exceed the 150'-0" maximum distance for access to parking from the intersection NE MLK Boulevard by 21'-0" (Section 33.505.100.C.4.b).

Per the approved plans, Exhibits C-1 through C-26, signed and dated 7/5/2012, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B) 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 12-118607 DZM." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

- B. This Design Review Approval is contingent upon the approval of three Property Line Adjustments (12-141865 PR, 12-141865 PR and 12-149846 PR) required for the proposed site configuration, as indicated on Exhibit C-1.

Staff Planner: Mark Bello

Decision rendered by:  **on July 5, 2012**
By authority of the Director of the Bureau of Development Services

Decision mailed: July 9, 2012

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 March 8, 2012, and was determined to be complete on **May 17, 2012**.

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 March 8, 2012.

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. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

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

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

Appealing this decision. This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on July 23, 2012** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries.

The vote to appeal must be in accordance with the organization's bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

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 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, 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 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 **July 24, 2012**
- 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.

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;

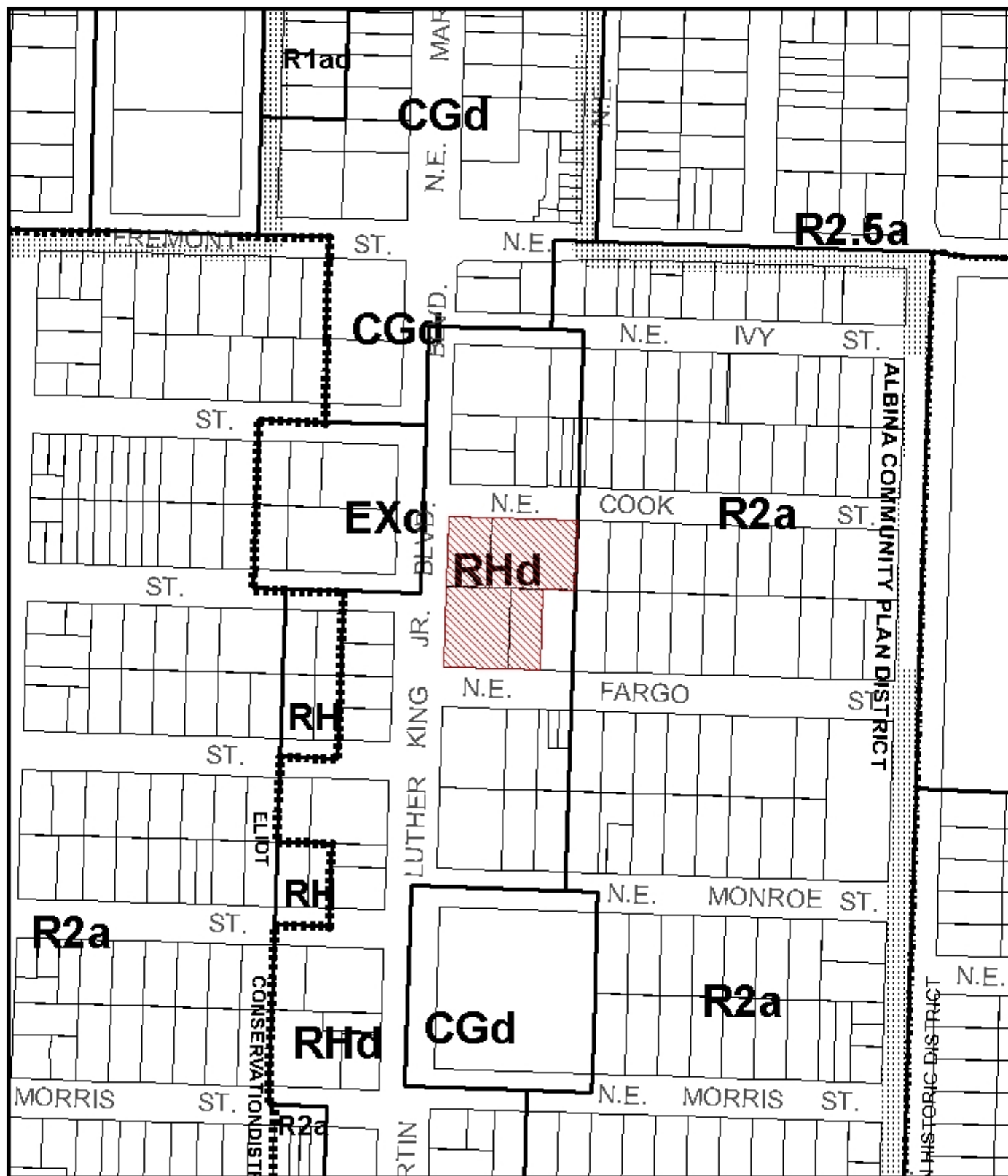
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Project Summary & Responses to Approval Criteria
 - 2. Response's to Modification Approval Criteria
 - 3. Zoning Code Review
 - 4. Re-submittal Memo & Window Calculations (south facade)
 - 5. Neighborhood Contact – 1st Letter
 - 6. Neighborhood Contact – 2nd Letter
 - 7. Memo for Revisions & Updated Zoning Code Review
 - 8. Site Plan with Redlined Property Line Changes & Proposed Final Survey After PLA
 - 9. North Elevations Alternatives
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Existing Conditions Plan
 - 3. Utility Plan
 - 4. Landscape Layout & Materials Plan
 - 5. Landscape Planting Plan
 - 6. 1st floor Plan
 - 7. 2nd Floor Plan
 - 8. 3rd Floor Plan
 - 9. 4th Floor Plan
 - 10. 5th Floor Plan
 - 11. Roof Plan
 - 12. North Elevations (attached)
 - 13. West Elevation (attached)
 - 14. South Elevations (attached)
 - 15. East Elevation (attached)
 - 16. Enlarged Elevation and Wall Sections
 - 17. Enlarged Elevation and Wall Sections
 - 18. Unit Floor Plans & Bike Storage Details
 - 19. Enlarged Partial Ground Floor Plan & Bike Storage Details
 - 20. Exterior Details
 - 21. Exterior Details
 - 22. Brick Selections
 - 23. Exterior Bike Rack Detail
 - 24. Interior Bike Rack Detail within Units
 - 25. Interior Bike Rack Detail within Bike Storage Space
 - 26. Colored Renderings
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Plan Review Section of BDS
 - 2. Water Bureau
 - 3. Bureau of Environmental Services
 - 4. Fire Bureau
 - 5. Bureau of Transportation Engineering and Development Review
- F. Correspondence:
 - 1. Fleming Family and Concerned Neighbors, June 11, 2012, concerns with maintaining the current garden use on a portion of the property to the south of the subject site.
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. Early Assistance (11-171407 EA) Summary Letter
 - 4. Incomplete Letter dated March 21, 2012

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



Historic Landmark



NORTH

This site lies within the:
ALBINA COMMUNITY PLAN DISTRICT

File No. LU 12-118607 DZM

1/4 Section 2731

Scale 1 inch = 200 feet

State_Id 1N1E26BB 6600

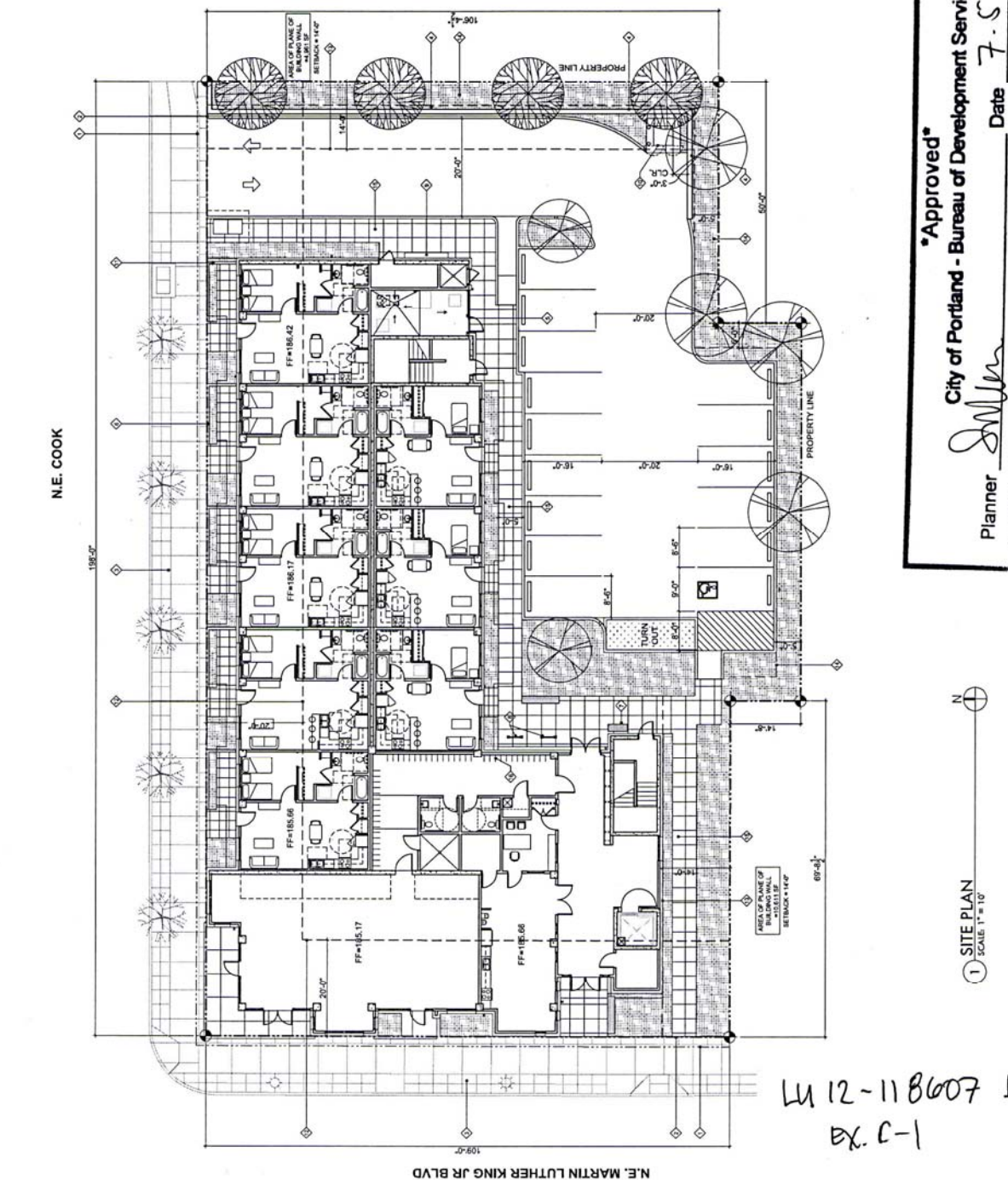
Exhibit B (Apr 05, 2012)

GENERAL NOTES

1. PARKING SHALL BE IN ACCORDANCE WITH THE CITY OF PORTLAND ZONING ORDINANCE, CHAPTER 32.02, SECTION 32.02.010.
2. SITE AREA AFTER DEDICATIONS: 23,218 SF
3. COVERAGE (BUILDING ONLY): 45% (11,147 SF)
4. ALL GRASS WITHIN 10' OF THE BUILDING TO BE MAINTAINED AT ALL TIMES.
5. ALL GRASS WITHIN 10' OF THE BUILDING TO BE MAINTAINED AT ALL TIMES.
6. PAVING AREAS TO BE SLOPED A MINIMUM OF 1/2" PER FOOT.
7. LANDSCAPE AREAS TO BE SLOPED A MINIMUM OF 1/2" PER FOOT.
8. SEE CIVIL FOR OFF-SET STREET IMPROVEMENTS IN ROW.

KEY NOTES

1. EXISTING PROPERTY LINE
2. NEW PROPERTY LINE AFTER 2'-0" A.D.M. DEDICATION
3. NEW 12'-0" WIDE SIDEWALK - SEE CIVIL
4. NEW 12'-0" WIDE SIDEWALK - SEE CIVIL
5. ACCESS TO TRASH COLLECTION ROOM
6. 12" HIGH CONCRETE CURB WALL TYP.
7. ATTACHED FINISHED METAL ROOF A.L.C. (TYP. OF 2)
8. SHORT TERM BIKING PARKING (8 SPACES)
9. ELECTRICAL METERS
10. 12" HIGH CONCRETE CURB WALL TYP.
11. 12" HIGH CONCRETE CURB WALL TYP.
12. 12" HIGH CONCRETE CURB WALL TYP.
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99. 12" HIGH CONCRETE CURB WALL TYP.
100. 12" HIGH CONCRETE CURB WALL TYP.



12-118607 D2M
EX. C-1

DZur

CARLETON HART ARCHITECTURE
322 NW 8th Avenue Portland, Oregon 97209 | 503.243.2262 | collectionhart.com

ELIOT MLK PROJECT
INNOVATIVE HOUSING INC.
N.E. MLK JR. BLVD. & N.E. COOK ST., PORTLAND, OREGON

DESIGN REVIEW

EXTERIOR ELEVATIONS

PROJ NO.
21021.00
03.06.12

22.12

A3.02

GENERAL NOTES

1. SEE CIVIL FOR GRADING ADJACENT TO BUILDING
2. SEE ENLARGED ELEVATIONS & WALL SECTIONS FOR ADDITIONAL INFORMATION
3. NOT ALL KEYNOTES USED ON EACH ELEVATION SHEET

KEY NOTES

[illegible]

NOTE: DRAWINGS ARE HALF SCALE WHEN PRINTED AT 11X17

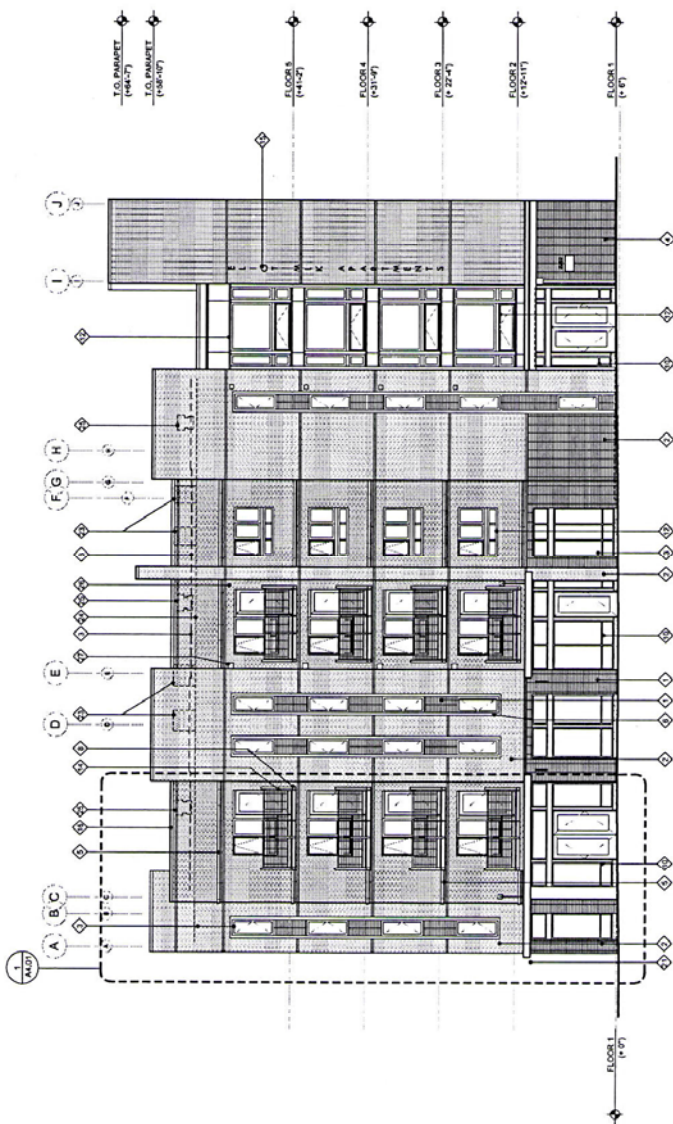
Approved

City of Portland - Bureau of Development Services

Planner

Date 7.5.12

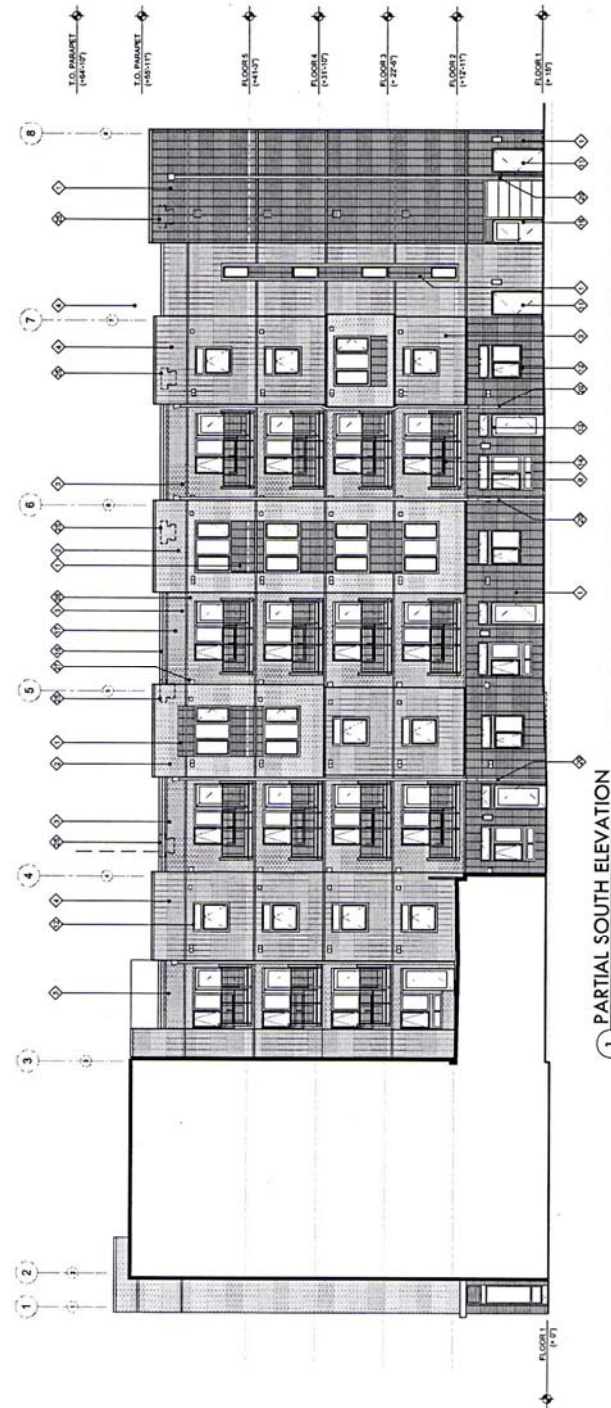
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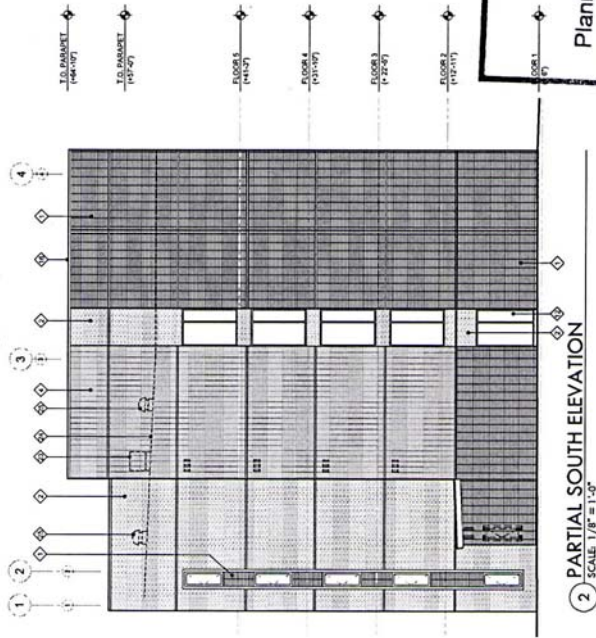
1 WEST ELEVATION
SCALE: 1/8" = 1'-0"

AREA OF WINDOW: 1,467 SF	29%
AREA OF WALL: 5,072 SF	

CV 12-118607 DZM
EX C-13



1 PARTIAL SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 PARTIAL SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

W 12-118607 Δ2m
EX. C-14

GENERAL NOTES	
1. SEE CIVIL FOR GRADING ADJACENT TO BUILDING.	
2. SEE CHARGED ELEVATIONS & WALL SECTIONS FOR ADDITIONAL INFORMATION.	
3. NOT ALL KEYNOTES USED ON EACH ELEVATION SHEET.	
KEY NOTES	
BRICK LEGEND	
◊ (B2) NORMAN BRICK, STAKED BOND, TRAIL BROWN, MEDIUM TEXTURE	
◊ (B3) NORMAN BRICK, 1/2 BOND, MEDIUM TEXTURE	
◊ (B4) NORMAN BRICK, 1/2 BOND, CORROSION	
◊ (B5) NORMAN BRICK, STAKED BOND, SEA GRAY, MEDIUM TEXTURE	
◊ (B6) PRECAST CONCRETE 24" UNIT PANELS	
◊ (B7) METAL SAFETY FENCE AT PARKING AREA, SEE PLAN	
◊ (B8) COMPOSITE LUMBER DECKING ON PAINTED HEAVY TRIMER FRAMING, TYP. UNIT DECK	
◊ (B9) COMPOSITE LUMBER FRAMING SCREEN	
◊ (B10) ALUMINUM STOREFRONT WINDOW, COLOR: DKL BRONZE	
◊ (B11) HOLLOW METAL DOOR	
◊ (B12) FIBERGLASS WINDOW	
◊ (B13) FIBERGLASS WINDOW	
◊ (B14) POWER COATED STEEL TUBE RAILING WITH METAL HANDRAIL PANEL, TYP.	
◊ (B15) METAL HANDRAIL WITH METAL LETTERS (TEXT TO BE DETERMINED)	
◊ (B16) PREFINISHED METAL CAP FLASHING	
◊ (B17) BRICK VENT ROOFING (BEYOND PARAPET)	
◊ (B18) LOUVER - SEE MECHANICAL	
◊ (B19) OVERHEAD DOOR @ TRASH COLLECTION	
◊ (B20) PREFINISHED METAL DOWNPOUT	
◊ (B21) PAINTED METAL ENTRY CANOPY	
◊ (B22) 12" CONCRETE CURB, SEE PLANS AND LANDSCAPE	
◊ (B23) MECH. EQUIP. - HEAT PUMPS, 25,000 BTU/H, 4" CUBIC	
◊ (B24) 25,000 BTU/H, 4" CUBIC	
◊ (B25) 25,000 BTU/H, 4" CUBIC	
◊ (B26) 25,000 BTU/H, 4" CUBIC	
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◊ (B99) 25,000 BTU/H, 4" CUBIC	
◊ (B100) 25,000 BTU/H, 4" CUBIC	

* Approved*
City of Portland - Bureau of Development Services
Planner *[Signature]* Date 7.5.12
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

PRELIMINARY
NOT FOR
CONSTRUCTION



CARLETON HART ARCHITECTS
525 NW 15TH AVENUE, SUITE 200, PORTLAND, OREGON 97209
503.243.2363 | 503.243.2361 | carletonhart.com

EILOT MLK PROJECT
INNOVATIVE HOUSING INC.
N.E. MLK JR. BLVD. & N.E. COOK ST., PORTLAND, OREGON

DESIGN REVIEW

EXTERIOR ELEVATIONS

PROJ. NO.
2102100
03.06.12
03.03.12

A3.03

PRELIMINARY
NOT FOR
CONSTRUCTION

CARLETON HART ARCHITECTURE
525 N. MILK JR. BLVD. SUITE 200, PORTLAND, OREGON 97209
503.243.3282 | 503.243.3261 | carl@carlhart.com

ELIOT MILK PROJECT
INNOVATIVE HOUSING INC.
N.E. MILK JR. BLVD. & N.E. COOK ST., PORTLAND, OREGON

DESIGN REVIEW

EXTERIOR ELEVATIONS

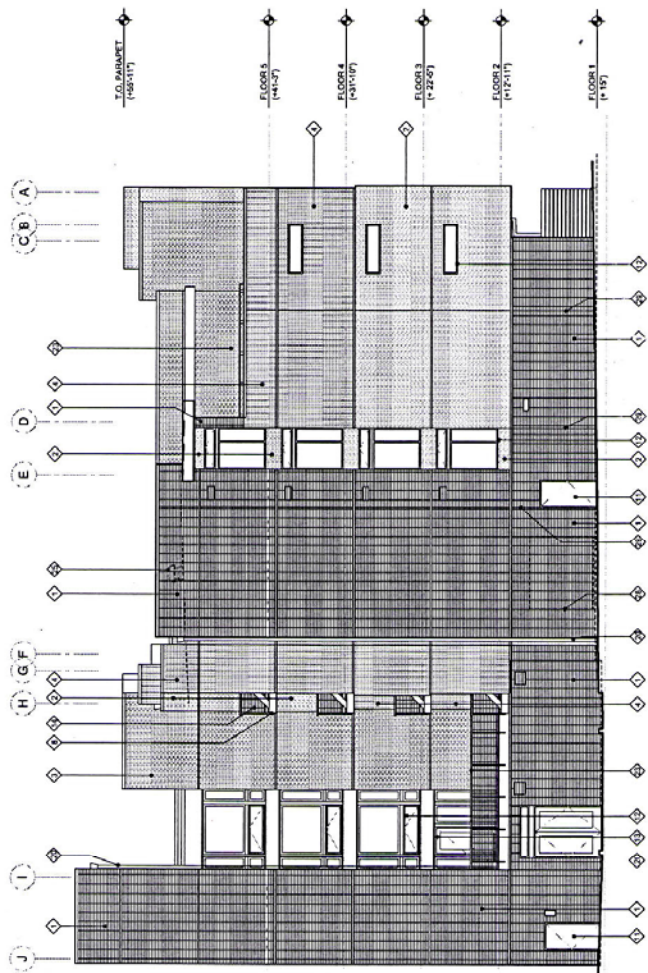
PROJ. NO.
2102100
03.06.12

95.30.12

A3.04

GENERAL NOTES	
1. SEE CIVIL FOR GRADING ADJACENT TO BUILDING	
2. SEE ENLARGED ELEVATIONS & WALL SECTIONS FOR ADDITIONAL INFORMATION	
3. NOT ALL KEYNOTES USED ON EACH ELEVATION SHEET	
KEY NOTES	
BRICK LEGEND	
◊ BE01	NORMAN BRICK, STACKED BANDS OF RED, WHITE, & TAN, MISSION TEXTURE
◊ BE02	NORMAN BRICK, 1/2 BOND, TANSTONE, MISSION TEXTURE
◊ BE03	NORMAN BRICK, 1/2 BOND, COVENTRY
◊ BE04	NORMAN BRICK, STACKED BANDS OF GRAY, MISSION TEXTURE
◊	PRECAST CONCRETE 24" UNIT PANELS
◊	BRICK TO MATCH ADJACENT, CUT OR STACKED BOND PER DETAILS
◊	METAL GUARDRAIL, POWDER COATED STEEL TUBE RAILINGS WITH COMPOSITE LAMBER DECKING ON PAINTED HEAVY TIMBER FRAMING, TYP. UNIT DOCK
◊	COMPOSITE LAMBER PRIVACY SCREEN
◊	ALUMINUM STAFF FRONT WINDOW, COLOR: BK BRONZE
◊	HOLLOW METAL DOOR
◊	PIERGLASS WINDOW
◊	PIERGLASS DOOR AND PIERGLASS WINDOW SOLICITES
◊	POWDER COATED STEEL TUBE RAILINGS WITH METAL MESH WALL PANEL, TYP.
◊	NOT USED
◊	PREFINISHED METAL CAP FLASHING
◊	SHINGLE PLY ROOFING (BEYOND PARAPET)
◊	NOT USED
◊	OVERHEAD DOOR @ TRASH COLLECTION
◊	PREFINISHED METAL DOWNSPOUT
◊	PAINTED METAL ENTRY CANOPY
◊	12" CONCRETE CURB, SEE PLANS AND LANDSCAPE MECH. EQUIP. - HEAT PUMPS, 25 5/8" H x 8" CURB x 33 1/2" TOTAL HEIGHT. SEE ROOF PLAN FOR LOCATION. SEE MECH. SCHEDULE.
◊	LINE OF ROOF AT MECHANICAL EQUIPMENT.
◊	PAVING
◊	MAINT. ROOF VENTILATOR BEYOND SEE ROOF PLAN.
◊	INTAKE FOR UNIT VENTILATION, TYP.
◊	EXHAUST LOUVER AT UNIT, TYP. - SEE MECH. SCHEDULE.
◊	MAIN SERVICE BOARD, SEE ELECTRICAL
◊	BRICK EXPANSION JOINT

NOTE: DRAWINGS ARE HALF SCALE WHEN PRINTED AT 11X17



1 EAST ELEVATION
SCALE: 1/8" = 1'-0"

Approved
City of Portland - Bureau of Development Services
Planner [Signature] Date 7.5.12.
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

LU 12-118607 DZM
EX.C-15