



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

FROM CONCEPT TO CONSTRUCTION

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## **FINAL FINDINGS AND DECISION BY THE DESIGN COMMISSION RENDERED ON June 16, 2016**

The Design Commission has **approved** a proposal in your neighborhood. This document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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 16-104926 DZM AD PC # 14-247316 SW 12<sup>th</sup> Ave Apartments**

**BUREAU OF DEVELOPMENT SERVICES STAFF:** Jeff Mitchem 503-823-7011 / [Jeffrey.Mitchem@portlandoregon.gov](mailto:Jeffrey.Mitchem@portlandoregon.gov)

#### **GENERAL INFORMATION**

**Applicant:** Douglas H Stearns  
30490 SW Buckhaven Rd  
Hillsboro, OR 97123-8768  
  
Nate Gundrum | Mortenson Development Inc  
700 Meadow Lane North  
Minneapolis, Mn 55422

**Representative:** Kurt Schultz | SERA Architects  
338 NW 5th Avenue  
Portland, OR 97209

**Site Address:** 1133 SW MARKET ST

**Legal Description:** BLOCK 266 LOT 5&6, PORTLAND  
**Tax Account No.:** R667729620  
**State ID No.:** 1S1E04AD 05200  
**Quarter Section:** 3128

**Neighborhood:** Portland Downtown, contact Rani Boyle at 503-725-9979.  
**Business District:** None  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

**Plan District:** Central City - Downtown - West End  
**Zoning:** RXd, Central Residential with a Design Overlay  
**Case Type:** DZM AD, Design Review with Modifications and Adjustments  
**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 approval for a 14-story residential building on a quarter block site in the West End sub area of the Central City plan district, Downtown sub district. The 150' tall building would provide 146 residential units. 21 parking spaces (18 mechanically stacked) would be provided in the ground level and accessed off of SW 12<sup>th</sup> via a single 18' wide garage door set back from the property line by 3'. One 9'x18' loading space is proposed on the ground floor and long-term parking for 219 bicycles are provided within the units. The remaining active ground floor uses oriented to SW Market St – office, lounge and fitness – are configured to convert to retail. The underground transformer vault will be located within the SW 12<sup>th</sup> Ave ROW outside of the pedestrian through-zone. The only proposed outdoor area is on the rooftop amenity deck. The rooftop would include fitness and common rooms, two stair enclosures, an elevator overrun, a screen enclosure for the mechanical units and eco-roof.

The predominant building material is to be stucco in a single cream color with metal panel (AE Span 20 gage 11" x 1" un-backed, concealed fasteners) accent and fiber-cement soffits (at garage only) on a cast-in-place concrete plinth. PTHP units are vented via louvers integrated within window systems (VPI Commercial Grade Vinyl – 3" recess between sash and finish wall) and fiberglass storefront system.

**Two (2) Modifications are requested:**

1. **Modification #1 (33.266.130.F), Drive Aisle Width** (20' required, 18' proposed)
2. **Modification #2 (33.266.220.C3), Bike Parking Stall Width** (24" required, 18" proposed). All long-term bike parking spaces are accommodated within residential units.

**Two (2) Adjustment are requested:**

1. **Adjustment #1 (33.266.310.C.), Quantity of Loading Spaces.** Two on-site loading spaces meeting Standard B are required for the project. The project proposes one Std B loading space on site – adjacent to the drive aisle opposite the at-grade mechanical parking. A Loading/Queuing Analysis has been approved by PBOT.
2. **Adjustment #2 (33.510.263.G.9), Ground level parking allowed in the West End Subarea.** Two spaces are allowed, 21 are proposed.

**One (1) Design Exception (DE) is requested:**

- Garage Door Setback – 18' required, 3' proposed. *DE approved by PBOT.*

**One (1) Special Circumstances (SC) is requested:**

- For impervious courtyard surface. *SC submitted, approved by BES.*

**Floor Area Ratio Bonus Request:**

MAX FAR Allowed (33.510.200.C2)	12:1	120,000 sf
FAR Earned:		
▪ Base FAR (Map 510-2)	8:1	80,000 sf
▪ West End Development Bonus 33.510.210.C.14	1:1	10,000 sf
▪ EcoRoof (510.210.C.10)	2:1	20,000 sf
▪ FAR Transfer (1115 SW Market St)	1:1	10,000 sf
Total FAR Earned	12:1	120,000 sf
FAR Proposed	11.8:1	118,398 sf

**Approval Criteria:**

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

- Central City Fundamental Design Guidelines
- 33.825.040 Modifications
- 33.805.040 Adjustments

## ANALYSIS

**Site and Vicinity:** The site is a 10,000 square foot parcel at the southeast corner of the intersection of SW 12<sup>th</sup> Avenue and Market Street. The site is developed with a two-story office building originally constructed in 1954. A small surface parking lot for approximately 11 vehicles is located behind the building on the east half of the site, with driveway access onto SW Market Street.

The surrounding area is primarily residential, but also includes significant commercial and residential uses. The remainder of the subject block includes two older apartment buildings to the east (Clay Apartments at 60', Tiffany Apartments at 45') and two new apartment buildings (Cameron at 85' and 11 Marche at 65', both also by SERA Architects). The entire block across SW 12<sup>th</sup> Avenue to the west consists of multi-story residential buildings. A half-block residential high-rise is located one block to the north across SW Clay Street, and provides senior housing. Several of the nearby buildings provide group living housing opportunities or housing for the formerly homeless, in addition to both affordable and market-rate apartments. The north edge of the Portland State University campus is south across SW Market Street, and there are several churches within a three-block radius, including two in the block immediately northwest of the site.

The surrounding streets are both improved with paved roadways, curbing, and paved public sidewalks. Southwest 12<sup>th</sup> Avenue has two lanes for northbound vehicle traffic, a dedicated bike lane on the west side of the street, and on-street parking on both sides of the street. Southwest Market Street has two lanes for east-bound vehicle traffic, and on-street parking on both sides of the street. In the City's adopted Transportation System Plan, SW 12<sup>th</sup> Avenue is both a City Walkway and City Bikeway, and the entire site is within the Downtown Pedestrian District, but neither adjacent street is a transit street.

**Zoning:** The Central Residential (RX) base zone is a highest density multi-dwelling zone in the city. Density is not regulated by the number of dwelling units, but rather by the maximum allowed floor-area per site, which in turn depends on the size of the site. The RX zone is primarily applied in the central city. The Central City plan district implements the Central City Plan and other plans applicable to the Central City area.

The Design Overlay Zone [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. 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 there are no prior land use reviews for this site.

**Agency Review:** A "Notice of proposal in Your Neighborhood" was mailed **April 13, 2016**. The following Bureaus have responded with no issue or concerns:

- Water Bureau (Exhibit E.1)
- Fire Bureau (Exhibit E.2)
- Site Development Section of BDS (Exhibit E.3)
- The Bureau of Environmental Services (Exhibit E.4)
- The Bureau of Environmental Services – EcoRoof Certification (Exhibit E.5)
- The Bureau of Transportation Engineering (Exhibit E.6)
- Bureau of Parks and Recreation, Urban Forestry (Exhibit E.7)
- Life Safety Plans Examiner (Exhibit E.8)

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **April 13, 2016**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

**Floor Area Bonus Requests:** The following summarizes the code stipulations for each of the requested floor area bonus requests that require additional documentation post Land Use Review approval. If any changes to these FAR Bonus requests occur prior the issuance of any building permit, the stipulations of PZC Section 33.510.210 must be met.

**FAR Transfer** (from 1115 SW Market St). At the time of this Final Findings and Decision, the development at 1115 SW Market St (11 Marche) had surplus FAR of 36,821 square feet. Of that surplus FAR, 10,000 square feet is to be transferred to the subject site. A Condition of Approval will require that prior to issuance of any building permit, the property owner must record a covenant ensuring the transfer.

**EcoRoof** (510.210.C.10). The proposal has demonstrated that the requirements necessary to achieve an FAR bonus of 20,000 square feet have been met. Therefore, BES certification letter for the EcoRoof has been issued pursuant to the following requirements:

- a) Final plans and specifications demonstrating compliance with the Certification Letter must be submitted with building permit applications.
- b) Prior to issuance of any building permit, the property owner must execute a covenant with the City ensuring installation, preservation, maintenance, and replacement, if necessary, of the eco-roof. The covenant must comply with the requirements of 33.700.060. West End Development Bonus

**Small development site option** (33.510.210.C.14). In the West End subarea, developments on small development sites receive floor area bonuses. Sub-section (a) states that where the development site is larger than 5,000 square feet and up to 10,000 square feet, the FAR is increased by 1.0 (10,000 square feet).

## ZONING CODE APPROVAL CRITERIA

### (1) DESIGN REVIEW (33.825)

#### 33.825.010 Purpose

Design Review ensures:

- That development conserves and enhances the recognized special design values of a site or area;
- The conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district;
- That certain types of infill development will be compatible with the neighborhood and enhance the area; and
- High design quality of public and private projects.

#### 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.

It is important to emphasize that design review goes beyond minimal design standards and is viewed as an opportunity for applicants to propose new and innovative designs. The design guidelines are not intended to be inflexible requirements. Their mission is to aid project designers in understanding the principal expectations of the city concerning urban design.

The review body conducting design review may waive individual guidelines for specific projects should they find that one or more fundamental design guidelines is not applicable to the circumstances of the particular project being reviewed.

The review body may also address aspects of a project design which are not covered in the guidelines where the review body finds that such action is necessary to better achieve the goals and objectives of design review in the Central City.

**Findings:** The site is designated with design overlay zoning (d). Therefore the proposal requires Design Review approval. Because the site is within the Central City Plan District the applicable approval criteria are the Central City Fundamental Design Guidelines.

### **Central City Fundamental Design Guidelines**

These guidelines provide the constitutional framework for all design review areas in the Central City.

The Central City Fundamental Design Guidelines and the River District Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland's character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

### **Central City Plan Design Goals**

This set of goals are those developed to guide development throughout the Central City. They apply within the River District as well as to the other seven Central City policy areas. The nine goals for design review within the Central City are as follows:

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

*All guidelines have been considered and only those considered applicable to this project are applied.*

**A1. Integrate the River.** Orient architectural and landscape elements including, but not limited to, lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and greenway. Develop accessways for pedestrians that provide connections to the Willamette River and greenway.

**Findings:** The project is a full 12 blocks from the Willamette River, in addition to the 550-foot depth of Waterfront Park at the foot of SW Market Street. Nevertheless, the project includes a rooftop terrace amenity that could allow residents a view of the Willamette River. *To the extent that this guideline applies, the guideline is met.*

**A2. Emphasize Portland Themes.** When provided, integrate Portland-related themes with

the development's overall design concept.

**Findings:** The quarter block building with a classically-inspired tripartite exterior design is a common theme from Portland's streetcar era (1890-1929). Stucco exterior materials, repeated horizontal corning, and separating the façade into a base, vertically shafted pilaster expression, and attic/cornice are typical Portland-related themes incorporated into the project. *Therefore, this guideline is met.*

**A3. Respect the Portland Block Structures.** Maintain and extend the traditional 200-foot block pattern to preserve the Central City's ratio of open space to built space. Where superblocs exist, locate public and/or private rights-of-way in a manner that reflects the 200-foot block pattern, and include landscaping and seating to enhance the pedestrian environment.

**Findings:** The proposed building is located on a typical 200-foot square downtown block. The ¼-block building extends to the lot line on both streets for the majority of the façade, pulling back slightly at the corner entry, but embracing the corner with a projecting entry canopy. *Therefore, this guideline is met.*

**A4. Use Unifying Elements.** Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

**A5. Enhance, Embellish, and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

**Findings for A4 and A5:** The proposal uses elements from several nearby buildings, and incorporates architectural themes common to other prominent structures downtown. Stucco is a common material found on the numerous streetcar-era apartment buildings found within the West End sub area. The tripartite exterior design, based in classical western architecture, is also utilized on streetcar era apartment buildings and commercial structures nearby and further afield in the central city. The use of ground floor canopies and a prominent glass entry canopy is also typical of grand commercial and apartment buildings in the central city.

The applicant will be required to reconstruct the adjacent public sidewalks to current standards, including accessible corner ramps, street trees, and scoring patterns. *Therefore, these guidelines are met.*

**A7. Establish and Maintain a Sense of Urban Enclosure.** Define public rights-of-way by creating and maintaining a sense of urban enclosure.

**Findings:** The proposal includes primary vertical walls at each of the two street frontages that extend to the street lot line for the full building height, increasing the sense of urbanity and enclosure at this intersection. *Therefore, this guideline is met.*

**A8. Contribute to a Vibrant Streetscape.** Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

**Findings:** The building has been designed with an L-shaped plan that places the building along the adjacent public streets, with an interior courtyard at the interior of the

site. The main entry to the building is at the exterior corner, and is clearly identifiable by the full-height windows and projecting glass entry canopy. Ground floor area along both streets also include generous glazing, providing for views into and out of the building. The entire pedestrian frontage is provided with stucco and punched openings and recessed storefront between pilasters.

Active uses – lobby, office, fitness, game room – are oriented to SW Market St with exterior entrances. The functionality of this floor area as active use is ensured in the near-term as well as the long-term as it can be converted to retail. *Therefore, this guideline is met.*

**B1. Reinforce and Enhance the Pedestrian System.** Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

**Findings:** Both adjacent public sidewalks will remain and be reconstructed to current city standards with scoring patterns defining the building frontage zone, street furniture zone, movement zone, and the curb. No additional pedestrian connections or historic connections are involved in the proposal. *Therefore, this guideline is met.*

**B2. Protect the Pedestrian.** Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

**Findings:** The reconstructed sidewalks, curbing, on-street parking and street trees will provide some measure of protection for pedestrians from passing vehicles. The exterior night lighting techniques include sconce lights near the main entries, and recessed downlights in the canopies. Mechanical venting for the generator room is located in the pedestrian zone, but is incorporated into the same window opening patterns found elsewhere and are above the canopy. Individual units have exterior PTHP louvers that are well-integrated into the recessed (approximately 2.5") louvers between the window openings. Unlike a ventilation system for a restaurant or more intense commercial use, these PTHP louvers and the two areas of mechanical louvers should not significantly impact the pedestrian environment. *Therefore, this guideline is met.*

**B3. Bridge Pedestrian Obstacles.** Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.

**Findings:** There are no significant barriers or obstacles to pedestrian movement on the site. Both adjacent sidewalks will be reconstructed to current city standards with scoring lines to define the furnishing zone, movement zone, and building frontage zone (at the corner). *Therefore, this guideline is met.*

**B4. Provide Stopping and Viewing Places.** Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.

**Findings:** The inset entry doors at the corner provide a logical and convenient place for pedestrians to stop, view the surroundings, socialize and rest, outside of the main pedestrian movement zone on the abutting streets. The ground level along SW Market St

provides covered ‘porch’ areas that provide a recessed space for visitors and guests of residents. *Therefore, this guideline is met.*

**B6. Develop Weather Protection.** Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

**Findings:** A large glass canopy is provided at the main corner building entry, and projecting canopies and recessed entries are provided at the game room and fitness entries as well. Although not continuous, the entire corner is well-covered while still allowing light into the space, and the secondary awnings away from the corner provide some relief from weather-related impacts to the pedestrian environment. *Therefore, this guideline is met.*

**B7. Integrate Barrier-Free Design.** Integrate access systems for all people with the building’s overall design concept.

**Findings:** All access to the building and the exterior courtyard amenity space, as well as all the internal amenity spaces, are accessible to potential future residents with disabilities, their guests and families. *Therefore, this guideline is met.*

**C1. Enhance View Opportunities.** Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

**Findings:** The primary adjacent points of interest and activity are the nearby sidewalks and streets themselves. The building includes significant ground floor windows offering views from the lobby entry and other active floor area to the adjacent streetscape. At the main corner building entry, the building is pulled back from the street to create a gracious entry and pedestrian refuge, and large full-height windows are located to signify the public entry point and increase visual connections between inside and out.

The proposal includes balconies at multiple levels of both street-facing elevations. As such, the proposal sufficiently provides a full complement of building elements taking advantage the opportunity to provide visual connections to surrounding environs for residents. *Therefore, this guideline is met.*

**C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.

**Findings:** The proposal uses building materials and design principles that establish a contextual relationship with nearby structures and well-loved streetcar era buildings throughout downtown. Cream stucco cladding is common on both new and older apartment buildings in the West End subarea. The tripartite, classically-inspired building design draws inspiration from streetcar era buildings in the Central City. Other building materials used on the project include metal louvers (concealing PTHP grilles between unit windows), which if applied in a durable way can stand the test of time. Metal louvers as accent materials and trim are used sparingly on the façade, within the punched openings above and below the vertically-aligned banks of windows. Definitive vertical pilasters and concrete/metal clad cornices are of durability and permanence, as well as the glass materials used on the entry canopy.

As detailed and specified in the Land Use Review Drawing Set, cladding components are:

**Windows & Storefront.** The commercial grade VPI vinyl windows are recessed by 3 inches (face of sash to finish wall) are characteristic of traditional punched window buildings in the vicinity. 28 balconies (decorative pickets and steel knife plate mounting) are proposed balanced on the west and south elevations, and aluminum storefront is proposed at the ground level. The glazing mullion pattern on the penthouse is patterned cohesively with the corner element.

**Stucco.** Traditional 3-coat stucco (similar to that successfully used at The Cordelia in NW Portland, also by SERA Architects) will be applied over a cement backer board.

**Metal panels.** The expansive glazing on the penthouse is cohesive with the corner element through mullion pattern and glazing dimension. The accent metal panels the east and north end-walls are a simple coherent composition. All metal panel (called out as Type 2 in the LUR Drawing Set) are AE Span 20 gauge 11" x 1" un-backed with concealed fasteners.

The building design sufficiently conveys a classical resolution, and the materials are generally of high quality. Material samples and detail drawings have been provided to show that the proposal meets this guideline. *Therefore, this guideline is met.*

**C4. Complement the Context of Existing Buildings.** Complement the context of existing buildings by using and adding to the local design vocabulary.

**Findings:** The proposal successfully complements the context of existing buildings on the block and in the vicinity through the use of cream stucco as exterior siding with minimal metal accents at upper levels, and by the classical arrangement of the building into a base, shaft and capital. Projecting street-level awnings, a large glass entry canopy, and street-level windows along both street facades further help the project integrate with the design of adjacent structures. *Therefore, this guideline is met.*

**C5. Design for Coherency.** Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

**Findings:** Generally, the proposal achieves coherency in design, through the use of quality exterior materials, generous windows, and the classically-inspired tripartite approach to design of the primary facades. The use of the large glass entry canopy at the corner, and the additional street-level canopies are also a successful method of clearly defining the ground floor and entry points to the building. Window patterns and proportions are applied in a consistent and harmonized fashion, reminiscent of Chicago-style punched windows. Lighting is modest and simple on the building exterior, with simple pilaster-mounted sconce lights straddling recesses along both SW 12<sup>th</sup> Ave and Market St. No signage has been proposed with this application.

The building's simple window mullion pattern and material/color palette both distinguishes the corner element while reinforcing the harmony and coherency of the building as a whole. The penthouse glazing unifies with the corner element while resolving as subtly distinct from the main body of the building. The full-height glazed corner serves to visually unify the two elevations through abundant glazing commonality and subtle reflectivity. The result is an integrated corner element (mullion pattern, material, color, reduced cornice line) which both signifies the gateway aspect of the corner element and while visually uniting the building as a whole. *Therefore, this guideline is met.*

**C7. Design Corners that Build Active Intersections.** Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

**Findings:** The building corner is clearly identified through the use of a distinct corner entry door, projecting glass canopy, and full-height windows. As a fully residential structure, there are few other opportunities for pedestrian access, although two entries are provided at the game and fitness rooms along SW Market St are located mid-façade. The egress emergency stairs and service doors are located on the interior edges of the façade, as far as possible from the corner. *Therefore, this guideline is met.*

**C8. Differentiate the Sidewalk-Level of Buildings.** Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

**Findings:** The sidewalk level of the building is differentiated through the use of a prominent entry corner, large projecting entry canopy, and additional canopies located over the fitness/game room entries. Exterior sconce lighting straddles the main entry doors, and occurs only at the ground floor on the street facades. Full-height windows are used at the corner entry to distinguish this important access point to the building at sidewalk level, distinct from the residential window openings which are of a different scale. *Therefore, this guideline is met.*

**C10. Integrate Encroachments.** Size and place encroachments in the public right-of-way to visually and physically enhance the pedestrian environment. Locate permitted skybridges toward the middle of the block, and where they will be physically unobtrusive. Design skybridges to be visually level and transparent.

**Findings:** Encroachments into the public right-of-way include the entry and continuous fitness/game room canopies. These features will visually and physically enhance the pedestrian environment by providing weather protection, a feeling of street enclosure and urbanity, and pedestrian scale for the 14-story building mass. *Therefore, this guideline is met.*

**C11. Integrate Roofs and Use Rooftops.** Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

**Findings:** Though the roof is complex – EcoRoof (2 levels) amenity deck and mechanical units, it is relatively well composed. The mechanical units are located within a screened enclosure just west of the main elevator overrun in the center of the roof. All rooftop structures are clad in a common metal panel (Type 1 in Drawing Set – 20 gauge backed) material used on the walls of the penthouse and the corner window wall from sidewalk to penthouse parapet.

Because the project is seeking 20,000 square feet of FAR bonus through the Ecoroof bonus (510.210.C.10), an Ecoroof plan has been submitted by the Applicant and has been reviewed by BES for compliance with the City's Ecoroof Operations and Maintenance Manual. The Applicant had submitted all of the required information and BES had determined that proposal meets all criteria necessary to receive the requested

FAR bonus. *Therefore, this guideline is met.*

**C12. Integrate Exterior Lighting.** Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.

**Findings:** Exterior lighting is extremely limited for this project. Four pairs of sconce lights are located on the piers at two storefront locations on both frontages. Soffited downlights are placed directly over to the main entry doors and integrated within the storefront canopies.

Ceiling-mounted downlights are provided within the drive aisle of the parking garage. Being all at the ground level, exterior lighting should have no impact on the night skyline. *Therefore, this guideline is met.*

**C13. Integrate Signs.** Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

**Findings:** No signs are part of this review. The applicant will be allowed to place individual signs up to 32 square feet on the exterior without design review approval, provided all regulations of the sign code are met. *Therefore, this guideline is not applicable.*

## **(2) MODIFICATION REQUESTS (33.825)**

**The following modifications are requested:**

1. **Modification of 33.266.130 F.1.a, Parking Area Layouts.** Reduce the 20' required drive aisle width to 18' for the portion of the drive aisle to accommodate loading adjacent to the ADA spaces.
2. **Modification of 33.266.220.C.3.b. Standards for all bicycle parking.** A space 2 feet by 6 feet must be provided for each required bicycle parking space and a 5' circulation aisle must be provided behind each space. The project proposes some bikes racks staggered at 18" on center within units.

### **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.

1. **Modification of 33.266.130 F.1.a, Parking Area Layouts.** Reduce the 20' required drive aisle width to 18' for the portion of the drive aisle to accommodate loading adjacent to the ADA spaces.

**Purpose:** The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones. Together with the transit street building setback standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian Districts:

- Provide a pedestrian access that is protected from auto traffic and create an environment that is inviting to pedestrians and transit users.
- The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles.

**Findings for Modification 1:** The applicant proposes one on-site loading space within the at-grade parking garage intended to serve truck loading demands associated with apartment move-in/outs. The entrance to the parking garage will be provided via an 18-foot wide driveway accessed from SW 12<sup>th</sup> Ave, approximately 70 feet south of the extended curb line on SW Market St. The entrance will include a high-speed (100"/second) spiral gate located 3 feet from the finished curb line.

- A. ***The resulting development will better meet the applicable design guidelines.*** The more compact parking area allows for more area devoted to active uses and facades with more pedestrian scaled features such as glazing, light fixtures and storefront details that better meets the following design guidelines: *A5. Enhance, Embellish, and Identify Areas, A8. Contribute to a Vibrant Streetscape, B2. Protect the Pedestrian, and C5. Design for Coherency.*

A forward motion solution would displace a significant amount of program contributing to pedestrian convenience and safety (long-term bike parking, lobby access, mechanical parking, etc.) The location of the loading facility within the internal drive aisle should relieve congestion off-site within the public ROW. Similar loading situations occur in comparable buildings in the City and are handled with attentive building management. *Therefore this criterion is met.*

- B. ***On Balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*** The drive aisle dimensions are intended to promote safe circulation within the parking area. The 18'-0" aisle width reduction only occurs where the loading and handicap spaces are proposed at the western end of the garage. The 20'-0" wide maneuvering area is met in the remainder of the garage. 18'-0" is sufficient for two vehicles to pass for access to the spaces beyond. The additional 2'-0" required by the Zoning Code provides additional move for the turning radius of cars to pull in and out. A tighter turn, or 3 point turn, may be necessary for larger vehicles maneuvering in and out of the four affected spaces. Given that this is a private parking area for the tenants contained within the site, the tenants will be familiar with this condition and be able to anticipate the additional maneuvering that may be required. PBOT has stated no concerns with the reduction and does not anticipate any adverse impacts on the pedestrian or street system. The modification is therefore consistent with the purpose. *Therefore this criterion is met.*

The overall solution is consistent with the purpose of the parking development and loading standards. *This Modification therefore merits approval.*

## 2. **Modification of 33.266.220.C.3.b. Standards for all bicycle parking**

**Standards.** A space 2 feet by 6 feet must be provided for each required bicycle parking space, so that a bicycle six feet long can be securely held with its frame supported so that

the bicycle cannot be pushed or fall in a manner that will damage the wheels or components. A 5' circulation aisle must be provided behind each space.

**Findings:** The project proposes 219 long-term bicycle parking spaces (219 spaces required) within the residential units. A total of 22 bike parking spaces are proposed per floor – 10 units will have a double wall-rack system, 2 units will have a single wall-rack system. The unit plans indicate a wall-rack system with spacing varying between 18”-24” on center. Additionally, some units propose circulation space that is not consistent with the standard of 5' of circulation space behind each space per 33.266.220.C.4.a.

A. ***The resulting development will better meet the applicable design guidelines.***

Accommodating long-term bicycle parking spaces in a centralized facility at 24” on center within the floor plate of a ¼-block (10,000 SF) would consume considerable floor area. Relying upon a vertical bike rack at 18” on center within units is a more efficient use of space, and is identical to the parking system recently approved in numerous Design Reviews throughout the Central City. The proposed functional and space efficient system eases floor plan demands and results in additional opportunities for active uses at the street, such as lobby space and retail tenant spaces which contributes to the project better meeting *Guidelines A8 Contribute to a Vibrant Streetscape and B1 Reinforce and Enhance the Pedestrian System*. Therefore this criterion is met.

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

The primary purpose of the standard is to ensure that required bicycle parking is designed so that bicycles may be securely locked without undue inconvenience and damage. The proposed in-unit bike rack system is engineered to stack bikes vertically to allow the handle bars to overlap. This allows the proposed racks, within an 18” space, to provide the same level of service that would be provided by a standard 24” on center spacing. The staggered clearance between adjacent bikes and allowance for sliding hangers ease the hanging and locking of a bike. Though not located directly *behind* each space, a 5' minimum aisle is provided near each bicycle rack allowing access to the rack system within each unit. Given that the spaces are within units and therefore accessible only to the bicycle owner, the likelihood of damage is reduced. For these reasons, the bicycle parking system is safe and secure, located within each unit with fully functional access and designed to avoid any intentional or accidental damage to either the bicycles or the units; as such, the proposal is consistent with the purpose statement of the bicycle parking standards. The overall solution is consistent with the purpose of the bicycle parking standard. Therefore this criterion is met.

*This Modification therefore merits approval.*

**(3) ADJUSTMENT REQUESTS (33.805)**

**The following Adjustments are requested:**

1. **Adjustment #1 (33.266.310.C.), Quantity of Loading Spaces.** Two on-site loading spaces meeting Standard B are required for the project. The project proposes one Std B loading space on site – adjacent to the drive aisle opposite the at-grade mechanical parking.
2. **Adjustment #2 (33.510.263.G.9), Ground level parking allowed in the West End Subarea.** Two spaces are allowed, 21 are proposed.

**33.805.010 Purpose**

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review

process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

### **33.805.040 Approval Criteria**

All adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. have been met.

- A. *Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and*
- B. *If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and*
- C. *If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and*
- D. *City-designated scenic resources and historic resources are preserved; and*
- E. *Any impacts resulting from the adjustment are mitigated to the extent practical; and*
- F. *If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable; or*

**Adjustment #1 (33.266.310.C.), Quantity of Loading Spaces.** Two on-site loading spaces meeting Standard B are required for the project. The project proposes one Standard B loading space on site – adjacent to the drive aisle opposite the at-grade mechanical parking.

- A. *Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and*

**Purpose Statement:** *A minimum number of loading spaces are required to ensure adequate areas for loading for larger uses and developments. These regulations ensure that the appearance of loading areas will be consistent with that of parking areas. The regulations ensure that access to and from loading facilities will not have a negative effect on the traffic safety or other transportation functions of the abutting right-of-way.*

**Findings:** *The Applicant has submitted a Loading and Queuing Analysis (Exhibit A.5) as required by PBOT demonstrating that the proposed loading configuration will sufficiently and safely serve the site, and will not have a negative effect on the traffic safety or other transportation functions of the abutting right-of-way. Therefore, this criterion is met.*

- B. *If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in a C, E, or I zone, the proposal will be consistent with the desired character of the area; and*

**Findings:** *The site is located in Portland's highest density residential zone, RX. The portion of the garage expressed on the exterior is limited to the 18' wide garage door along 12<sup>th</sup> Ave which contains a perforated coiling door to obscure the interior vehicles activities. The remaining, and majority, of the ground floor contains pedestrian-scaled details like canopies, extensive glazing, light fixtures and materials detailing. Limiting the visibility of the parking and imploring such design elements will further enhance the livability of the West End area. This criterion is therefore met.*

- C. *If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and*

**Findings:** The two adjustments, to limit on-site loading and allow additional parking off of SW 12<sup>th</sup> within the ground floor, work together to concentrate and limit parking on the site to a single access point designed to limit the impacts of off-street parking on the ground level of the building. As such, there is no cumulative adverse effect with the adjustment requests. *This criterion does not apply.*

D. *City-designated scenic resources and historic resources are preserved; and*

**Findings:** There are no city-designated scenic or historic resources on this site. *This criterion does not apply.*

E. *Any impacts resulting from the adjustment are mitigated to the extent practical; and*

**Findings:** As mentioned in the findings above, the vehicle activities will be screened by a perforated coiling garage door. In addition, the reduction in the number of required loading spaces reduces the negative effects of an additional curbcut and blank wall surfaces and frees up the square footage to provide areas for more active leasable uses such as retail. The Applicant has submitted a Loading and Queuing Analysis as required by Portland Bureau of Transportation demonstrating that the impacts to traffic operations are mitigated to the extent practical. *Therefore, this criterion is met.*

F. *If in an environmental zone, the proposal has a few significant detrimental environmental impacts on the resource and resource values as is practicable;*

**Findings:** This site is not within an environmental zone. *This criterion does not apply.*

*Therefore, approval of this Adjustment is warranted.*

**Adjustment #2 (33.510.263.G.9), Ground level parking allowed in the West End Subarea.**  
Two spaces are allowed, 21 are proposed.

A. *Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and*

**Findings:** The regulation limits parking in the ground level of buildings in the West End to one space per 5,000 SF of site, so long the spaces are fully screened from the adjacent street or setback 20' from all property lines. Given the 10,000 SF size of the subject property only 2 spaces are allowed, however, the project proposes a total of 21 parking and 1 loading space in the ground level of the building. The majority of the parking spaces will be stacked mechanical parking for 18 vehicles.

The purpose of the standard is to implement the Central City Transportation Management Plan by managing the supply of off-street parking to improve mobility, promote the use of alternative modes, support existing and new economic development, maintain air quality, and enhance the urban form of the Central City. The proposal meets the purpose of the Transportation Management Plan in several ways. The West End boundary is from Market to Burnside and 9<sup>th</sup> to the 405 freeway. This subarea of Downtown is characterized by the streetcar line that runs north and south on 10<sup>th</sup> and 11<sup>th</sup> and with typically smaller lots of quarter block or less. Given these conditions, the intent of the regulation to limit parking is to prevent parking from dominating the ground floor of buildings and adversely impacting the pedestrian level in this transit-oriented area. The project has successfully contained and limited the parking by using a stacked mechanical system. This allows more spaces devoted to off-street parking and loading while allowing approximately half of the ground floor to be devoted to active uses that engage the pedestrian environment. The portion of the garage exposed on the exterior façade is limited to the 18' perforated coil garage door to obscure the vehicle area within. The parking ratio of 1 space per 7 units and the provision of long-term bike parking within units will still encourage the use of alternative modes of

transportation. Overall, the compact parking area the design of the street facades positively influence the urban form of the Central City. *This criterion is therefore met.*

- B. *If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in a C, E, or I zone, the proposal will be consistent with the desired character of the area; and*

**Findings:** The site is located in Portland's highest density residential zone, RX. The portion of the garage expressed on the exterior is limited to the 18' wide garage door along 12<sup>th</sup> Ave which contains a perforated coiling door to obscure the interior vehicles activities. The remaining, and majority, of the ground floor is designed with pedestrian-scaled details like canopies, extensive glazing, light fixtures and material detailing. Limiting the visibility of the parking and imploring such design elements will further enhance the livability of the West End area. *This criterion is therefore met.*

- C. *If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and*

**Findings:** The two adjustments, to limit on-site loading and allow additional parking off of SW 12<sup>th</sup> within the ground floor, work together to concentrate and limit parking on the site to a single access point designed to limit the impacts of off-street parking on the ground level of the building. As such, there is no cumulative adverse effect with the adjustment requests. *This criterion does not apply.*

- D. *City-designated scenic resources and historic resources are preserved; and*

**Findings:** There are no city-designated scenic or historic resources on this site. *This criterion does not apply.*

- E. *Any impacts resulting from the adjustment are mitigated to the extent practical; and*

**Findings:** As mentioned in the findings above, the vehicle activities will be screened by a perforated coiling garage door and majority of the ground level façade designed for active uses. *This criterion has been met.*

- F. *If in an environmental zone, the proposal has a few significant detrimental environmental impacts on the resource and resource values as is practicable;*

**Findings:** This site is not within an environmental zone. *This criterion does not apply.*

## 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 applicant has proposed the construction of a 14-story apartment building on a quarter-block site downtown, on the south portion of the 'West End', near Portland State University. The design of the building continues a contextually derived departure from the modernist approach being taken with most infill apartments in Portland, and looks back to the classically-inspired design of Portland's streetcar era buildings.

The overall design concept and material palette are successful, and the details provided sufficiently compliant with the relevant design guidelines and the project warrants approval.

## DESIGN COMMISSION DECISION

It is the decision of the Design Commission to approve Design Review for a 119,672 square foot residential building on a quarter block site in the West End sub area of the Central City plan district, Downtown sub district consisting of the following:

- 14-stories;
- 150' in height;
- 146 residential units;
- 21 at-grade parking spaces (18 mechanically stacked) accessed off of SW 12<sup>th</sup>;
- one 9'x18' on-site loading space;
- long-term parking for 219 bicycles within the units; and,
- active ground floor uses oriented to SW Market St (office, lounge and fitness) which are configured to convert to retail.

And, **approval** includes the following FAR Bonuses:

**EcoRoof** (510.210.C.10). A BES certification letter for the EcoRoof has been issued to allow a bonus of 20,000 square feet.

**Small development site option** (33.510.210.C.14). The 10,000 square foot development site is allowed a bonus of 10,000 square feet.

And, **approval** of the following two (2) Modification and two (2) Adjustment requests:

**Modification #1 of 33.266.130 F.1.a, Parking Area Layouts.** Reduce the 20' required drive aisle width to 18' for the portion of the drive aisle to accommodate loading adjacent to the ADA spaces.

**Modification #2 of 33.266.220.C.3.b. Standards for all bicycle parking.** A total of 22 bike parking spaces are proposed per floor – 10 units will have a double wall-rack system, 2 units will have a single wall-rack system. The unit plans indicate a wall-rack system with spacing varying between 18"-24" on center.

**Adjustment #1 (33.266.310.C.), Quantity of Loading Spaces.** Two on-site loading spaces meeting Standard B are required for the project. The project proposes one Std B loading space on site – adjacent to the drive aisle opposite the at-grade mechanical parking.

**Adjustment #2 (33.510.263.G.9), Ground level parking allowed in the West End Subarea.** Two spaces are allowed, 21 are proposed.

**Approvals per Exhibits C.1-C.45,** signed, stamped and dated June 17, 2016, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (A – 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 15-241093 DZM. All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. A Covenant to allow the transfer of 10,000 square feet of floor area from 1115 SW Market St to the subject site shall be recorded prior to the issuance of any building permit.
- C. No field changes allowed.

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By:   
David Wark, Design Commission Chair

Application Filed: January 13, 2016  
Decision Filed: June 17, 2016

Decision Rendered: June 16, 2016  
Decision Mailed: June 24, 2016

**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 January 13, 2016, and was determined to be complete on March 9, 2016.

*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 January 13, 2016.

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 waived the 120-day review period, as stated with Exhibit (Exhibit A.2). The **120 days expire on January 13, 2016.**

**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 July 8, 2016 at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 2:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 2:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5<sup>th</sup> 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 by appointment at, 1900 SW Fourth Avenue, Suite 5000, Portland, Oregon 97201. Please call the file review line at 503-823-7617 for an appointment.

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).

Upon submission of their application, the applicant for this land use review chose to waive the 120-day time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing, one in which new evidence can be submitted to City Council.

**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 \$5,000 will be charged.**

Neighborhood associations 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 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.

- 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 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.

Jeffrey Mitchem  
June 17, 2016

**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).**

**EXHIBITS – NOT ATTACHED UNLESS INDICATED**

- A. Applicant's Statement
  - 1. Narrative
  - 2. 120-Day Request for an Evidentiary Hearing and Waiver of Right to a Decision within 120 Days
  - 3. LUR Application Drawing Set
  - 4. LUR Hearing 1 Revised Drawing Set
  - 5. Preliminary Storm Report
  - 6. Manufacture's Cutsheets
  - 7. Letter of Intent to Transfer Floor Area from 1115 SW Market St
- B. Zoning Map (attached)
- C. Plan & Drawings
  - 1. Site Plan (attached)
  - 2. LUR Final Drawing Set (Sheet C.1-C.45)
    - Sheet C.11, Level 1 Floor Plan (attached)
    - Sheet C.27, South Elevation (attached)
    - Sheet C.28, West Elevation (attached)
  - 3. Manufactures Cutsheets
- 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. Water Bureau (Exhibit E.1)
  - 2. Fire Bureau (Exhibit E.2)
  - 3. Site Development Section of BDS (Exhibit E.3)
  - 4. The Bureau of Environmental Services (Exhibit E.4)
  - 5. The Bureau of Environmental Services – EcoRoof Certification (Exhibit E.5)
  - 6. The Bureau of Transportation Engineering (Exhibit E.6)
  - 7. Bureau of Parks and Recreation, Urban Forestry (Exhibit E.7)
  - 8. Life Safety Plans Examiner (Exhibit E.8)

F. Letters: none

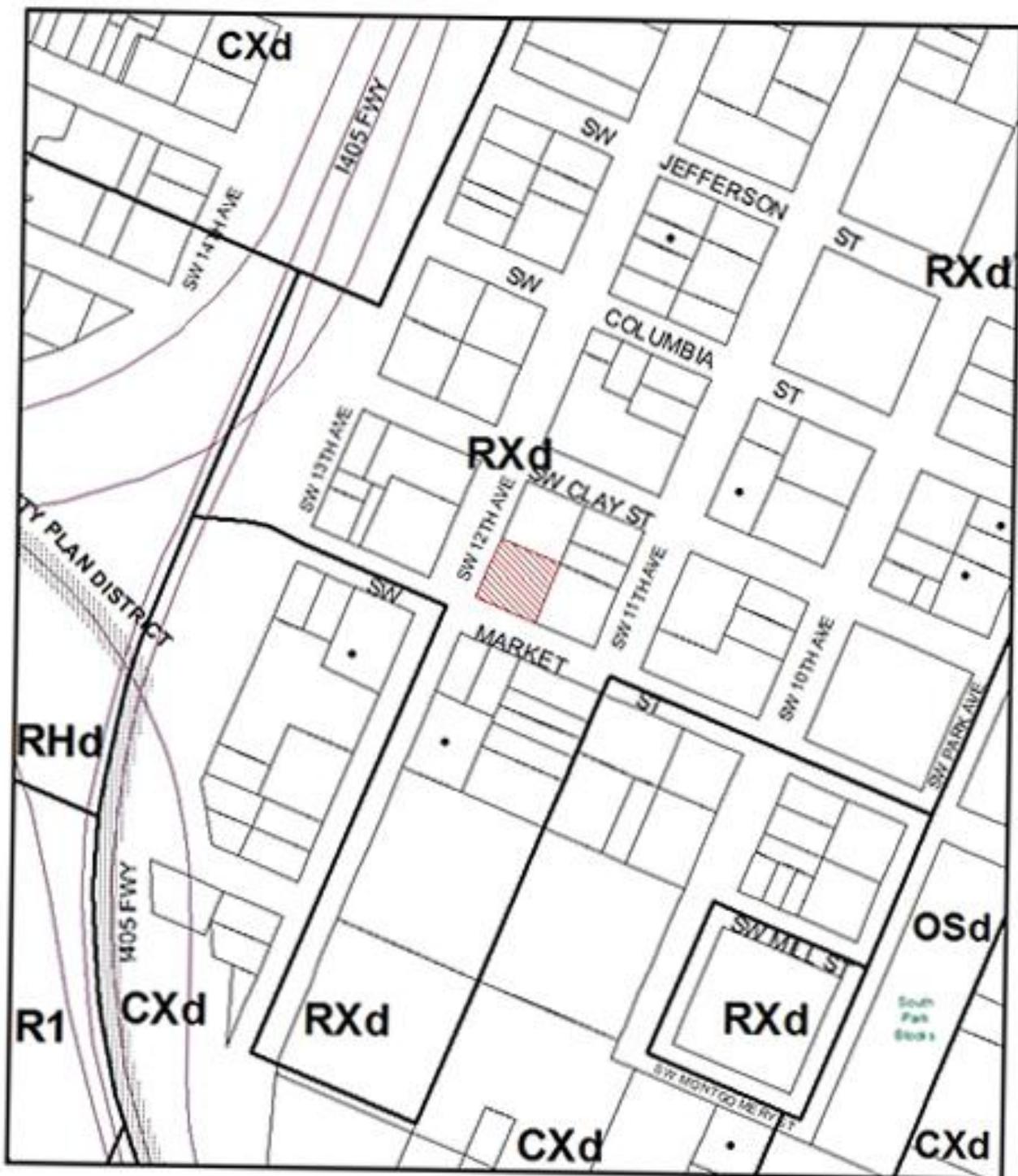
G. Other

1. Original LUR Application
2. Pre-Application Summary Notes
3. DAR Summary Notes
4. Incomplete Letter

H. Post First Hearing

1. Staff Report, Land Use Review Hearing, May 5, 2016
2. Staff Presentation, Land Use Review Hearing, May 5, 2016
3. Staff Memo, Land Use Review Hearing, May 5, 2016
4. Staff Report, Land Use Review Hearing, June 2, 2016
5. Staff Presentation, Land Use Review Hearing, June 2, 2016
6. Staff Memo, Land Use Review Hearing, June 2, 2016
7. Staff Report, Land Use Review Hearing, June 16, 2016
8. Staff Memo, Land Use Review Hearing, June 16, 2016

cc: Applicants and Representatives  
Neighborhood Associations  
Those who testified, orally or in writing  
City Auditor's Office



## ZONING

This site lies within the:  
 CENTRAL CITY PLAN DISTRICT  
 DOWNTOWN SUBDISTRICT  
 WEST END SUBAREA



NORTH



Site



Historic Landmark

File No. LU 16-104926 DZM AD

1/4 Section 3128

Scale 1 inch = 200 feet

State\_Id 1S1E04AD 5200

Exhibit B (Jan 14, 2015)



SERA

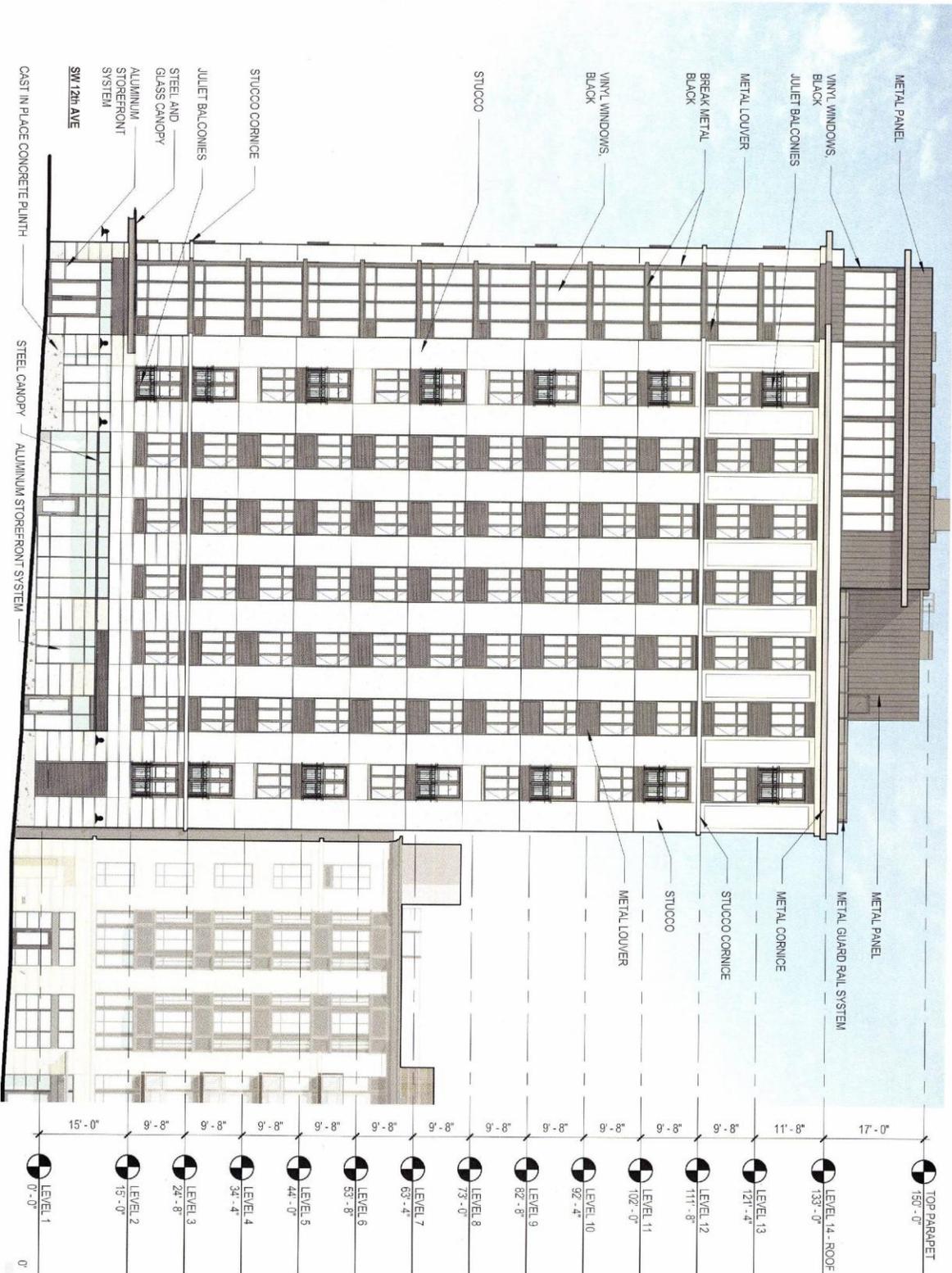
SW 12TH AVENUE APARTMENTS CODE APPEALS | 06/15/2016 | LU-16-04526 02/14/16

SW CORNER VIEW

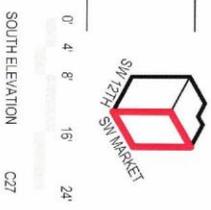
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\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner [Signature] Date 9/17/16  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



SERA  
 SW 12TH AVENUE APARTMENTS CODE APPEALS | 08/18/2016 | JUL 18, 10:49:20 AM 023440



SOUTH ELEVATION C27



**\*Approved\***  
 City of Portland - Bureau of Development Services  
 Planner [Signature] Date 4/17/16  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



SW 12TH AVENUE APARTMENTS | CODE APPEALS | 08.19.2013 | LU 13-10422 DZ/MAD

