



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 August 2, 2012**

**CASE FILE NUMBER: LU 12-112033 DZM
PC # 11-185359**

The Parker Apartments

BUREAU OF DEVELOPMENT SERVICES STAFF: Chris Caruso 503-823-5747 /
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GENERAL INFORMATION

Applicant: Phillip Chubb/FFA Architecture
520 SW Yamhill , Suite 900/Portland, OR 97204

Owners: Evergreen Galway LLC
1399 Franklin Blvd, 3rd Floor/Eugene, OR 97403

Astor Pacific LLC
1500 NW 18th Ave/Portland, OR 97209

Site Address: 1415 NW 12TH AVE

Legal Description: LOT 1-8 BLOCK 240, COUCHS ADD
Tax Account No.: R180221780
State ID No.: 1N1E33AA 00100
Quarter Section: 2928
Neighborhood: Pearl District, contact Patricia Gardner at 503-228-3273.
Business District: Pearl District Business Association, contact Adele Nofield at 503-223-0070.

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

Proposal:

The applicant seeks design review approval for a six story, 75 foot tall apartment building in the River District subdistrict of the Central City Plan District. The building will be 204,923 GSF with 177 apartments and one level of below-grade parking for 165 vehicles that also contains multi-vehicle parking machines. The building is U-shaped with a central landscaped courtyard and faux loading dock facing NW 13th Avenue. Access to the underground parking and truck loading areas will also be off of NW 13th Avenue. The proposed building is finished with a combination of brick in different textures, cement board panels, vinyl windows, a metal canopy, integrated vents and louvers, decorative precast concrete and glass tile elements,

decorative grille work, metal fencing, and various courtyard furnishings. The site falls within the City of Portland's Title 24 Flood Hazard Map.

Modifications Requested Through Design Review:

1. Ground Floor Windows (33.140.230.B.) – requires 50% of the length and 25% of the wall area along ground floor street-facing facades to contain windows. In this case, each façade would be required to provide 450sf and 100lf of ground floor windows. The applicant proposes NW 12th Ave to have 341sf and 105lf; NW Pettygrove St to have 186sf and 62lf; NW 13th Ave to have 47sf and 2lf; NW Quimby Ave to have 27sf and 56lf of conforming ground floor windows. This request is due to the construction requirements of the flood hazard area.

Exceptions requested with this proposal include:

1. Exception for Window Projection into Public Right-of-Way IBC/32/#1 - Standards for windows allowed to project into public right-of-way: to increase the width of oriel windows projecting into the public rights-of-way from 12'-0" to 15'-8" and 22'-8" on NW 12th Avenue and from 12'-0" to 24'-8" on NW 13th Avenue.

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

Relevant Approval Criteria:

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

- 33.825 Design Review
- 33.825.040 Modifications
- River District Design Guidelines
- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The 40,000 square foot site occupies the block bound by NW Pettygrove and NW Quimby Streets and NW12th and NW 13th Avenues in the North Pearl subarea of the River District which is itself a subdistrict of the Central City Plan District. The North Pearl District plan area was adopted in November 2008 and focuses on the creation of a pleasing and dynamic urban form, a mix of complementary land uses, creation of community-serving amenities, and providing a range of housing opportunities for the growing diversity of household types in the Pearl District. Northwest Naito Parkway is located to the east, the I-405 freeway is to the west, and the Fremont Bridge is to the north of the site. The property is currently developed with a single story warehouse building that will be demolished for this project.

The surrounding area is also zoned EXd and is developed with a mix of single story warehouse buildings, some of which house older industrial uses plus some more recently converted to design and production spaces, as well as new multi-story housing developments. Northwest Pettygrove Street is a newly designated Greenstreet, a Local Service Bikeway, and a City Walkway. Northwest Quimby Street, NW 12th Avenue and NW 13th Avenue are all classified as Local Service Bikeways and City Walkways. The site lies within the Northwest Triangle Pedestrian District.

Zoning: The EX, Central Employment Zone, allows mixed uses and is intended for areas in the center of the City that have predominantly industrial-type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the 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 no prior land use reviews.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **June 19, 2012**. The following Bureaus have responded with no issue or concerns:

- Bureau of Parks-Forestry Division
- Water Bureau (Exhibit E-1)
- Life Safety Review Section of BDS (Exhibit E-2)
- Bureau of Transportation Engineering (Exhibit E-3)
- Fire Bureau (Exhibit E-4)

The Bureau of Environmental Services had the following comments (Exhibit E-5):

- A Condition of Approval will be applied to require stubbing out the NW 12th Ave storm line.
- Contaminated media in the rights-of-way may need to be removed and entire streets rebuilt.

The Site Development Section of BDS had the following comments (Exhibit E-6):

- All openings into the building must be at or above the minimum flood elevation.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **June 19, 2012**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

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.

Chapter 33.510 – Central City Plan District

Chapter 33.140 – Central Employment (EX) Zone

Chapter 33.266 – Parking and Loading

FAR (33.510.200) & FAR Bonus Options (33.510.210.C.1.a(2))

Development Standard

- Map 510-2 allows a maximum FAR of 4:1 or 160,000 SF based on total lot size of 40,000 SF for this site.
- Map 510-4 allows up to 5:1 bonus FAR for this site.
- In the North Pearl Subarea, for each SF of floor area developed and committed as housing, a bonus of 1SF of additional floor area is earned, up to an additional FAR of 2:1, or up to 80,000 SF for this site.

Proposal

- The proposal provides 160,000 SF for housing under the base 4:1 FAR and is therefore allowed to request the maximum bonus 2:1 FAR of 80,000 SF, for total allowable FAR of

240,000 SF. The proposal is requesting 204,923 SF. *This standard is met.*

Height (33.510.205) and (33.510.251.A)

Development Standard

- Map 510-3 indicates the Maximum Building Height is 100'-0".
- Map 510-19 restricts building height to 75 feet or less for walls within 20 feet of the lot line along the NW 13th Avenue corridor.

Proposal

- Proposed height of 74'-8-1/8" as measured from the highest finished grade of 31.96" at the southwest corner of the site. *This standard is met.*

Setbacks (33.140.215)

Development Standard

- Minimum building setbacks are 0'-0" from all street lot lines and a maximum of 10'-0" from all transit street lot lines.

Proposal

- The building is proposed at the street lot lines with the exception of the west courtyard wall which is setback 143'-0" from the 13th Avenue lot line, the middle portion of the east façade which is setback 3'-0", and the exit stair along NW Pettygrove which is setback 4'-0". However, none of these streets is designated as a transit street and therefore the maximum 10'-0" setback does not apply. *This standard is met.*

Maximum Building Coverage (33.140.220)

Development Standard

- The maximum building coverage for this site is 100%

Proposal

- The site is fully built out. *This standard is met.*

Ground Floor Windows (33.140.230)

Development Standard

- Along all street facing facades with non-residential floor area, including structured parking walls, 50% of the wall length and 25% of the wall area (up to 9'-0" in height) must contain clear transparent windows.

Proposal

- A Modification is being requested to this standard due to the construction requirements in this flood hazard area. No openings into habitable space are allowed within a certain height above the flood plan elevation.

Pedestrian Standards (33.140.240)

Development Standard

- Requires straight line connections from one main entrance to the street, internal site connections between main entrances, hard-surfaced, 6'-0" wide and illuminated on-site circulation systems.

Proposal

- Walkways are provided as required. *This standard is met.*

Minimum & Maximum Number of Parking Spaces (33.510.265)

Development Standards – in the RD2 section of the Central City Plan District

- Minimum:
 - none
- Maximum:
 - 1.7 spaces per dwelling unit and no more than 300 spaces can be provided.

Proposal

- The project is providing 165 parking spaces. *This standard is met.*

Parking Space and Aisle Dimensions (33.266.130.F)

Development Standard

- For parking stalls at 90 degree angle a minimum dimension of 8'-6"x16' is required with a drive aisle width of 20'-0"

Proposal

- The drive aisle width and non-automated parking spaces meet the dimensional requirements. *This standard is met.*

Bicycle Parking (33.266.210)

Development Standard

- For long-term, the residential use requires 266 spaces. For short-term, the residential use requires 9 spaces. These spaces need to meet dimensional and location requirements.

Proposal

- Long-term spaces provided = 268
- Short-term spaces provided = 0, paying into the bike fund as the short-term spaces cannot meet dimensional or location requirements.
This standard is met.

Loading Space (33.266.310)

Development Standard

- Requires 1 loading space at 35' long, 10' wide and 13' vertical clearance, or 2 loading spaces at 18' long, 9' wide and 10' vertical clearance

Proposal

- The proposal includes 1 loading space at 35' long, 10' wide and 13' vertical clearance.
This standard is met.

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 River District subdistrict of the Central City Plan District, the applicable approval criteria are listed in the River District Design Guidelines and the Central City Fundamental Design Guidelines.

River District Design Guidelines and Central City Fundamental Design Guidelines

The River District is a remarkable place within the region. The area is rich with special and diverse qualities that are characteristic of Portland. Further, the River District accommodates a significant portion of the region's population growth. This area emphasizes the joy of the river, connections to it, and creates a strong sense of community. The goals frame the urban design direction for Central City and River District development.

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.

River District Design Goals

1. Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
2. Create a community of distinct neighborhoods that accommodates a significant part of the region's residential growth.
3. Enhance the District's character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
4. Strengthen connections within River District, and to adjacent areas.

Central City Plan Design Goals

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.

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

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 access ways for pedestrians that provide connections to the Willamette River and Greenway.

A1-1. Link the River to the Community. Link the Willamette River to the community

reinforcing the river's significance. This guideline may be accomplished by:

- 1) Organizing land areas and groupings of buildings to visually define the river's linkage to the community.
- 2) Focusing and articulating roadways and pedestrian ways to emphasize the river.
- 3) Developing projects that celebrate the river and contribute to creating centers of interest and activity that focuses on the Willamette.
- 4) Connecting the internal areas of the District to the Willamette Greenway Trail.

Findings for A1 & A1-1: Although the proposed development is located several blocks from the river, the vacancy of sites to the east of the property and low rise buildings across Naito Parkway do provide views of the Willamette River. The design and features of the building take advantage of these views by providing all east-facing dwelling units with large windows that look out toward the river. All current pedestrian sidewalks around the site will be maintained and improved to City standard and connections through the area to the river will remain in place. *These guidelines are therefore 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 super blocks 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.

A3-1. Provide Convenient Pedestrian Linkages. Provide convenient linkages throughout the River District that facilitate movement for pedestrians to and from the river, and to and from adjacent neighborhoods. This guideline may be accomplished by:

- 1) Using visual and physical cues within the design of the building and building entries to express connections to the river and to adjacent neighborhoods.
- 2) Orienting integrated open spaces and trails that physically and visually link the river and/or surrounding neighborhoods.
- 3) Reusing or retaining cobblestone within the design of new development.
- 4) Encouraging flexibility and creativity along streets enhancing their historic or cultural role.
- 5) Creating visual and physical links across major corridors such as I-405, Burnside, and Front/Naito to strengthen connections to the river and other neighborhoods.

Findings for A3 & A3-1: The project is a 200' x 200' full block development which maintains the traditional block pattern present throughout most of the Central City. The u-shaped building is built out to the property lines with the exception of the courtyard and loading dock. However, at these building recesses brick columns, fencing, and landscape planters are placed that continue the urban form around the entire block. The orientation of the main building entry toward the river, the improvement of surrounding public sidewalks, and the creation of the Pettygrove Greenstreet on the south of the site, all create improved connections plus provide visual cuing to the river. *These guidelines are therefore 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 & A5: The project incorporates building elements and site design features associated with the River District and NW 13th Avenue. This area is largely comprised of brick and concrete industrial buildings that contain a mixture of uses plus some ground floor active use. The proposed building materials of brick, metal, tile, and concrete are widely used throughout the district. The regular pattern of windows, the main entry canopy, centralized loading area, and courtyard are all features found on both

new and old buildings within the district which helps to unify this project with the surrounding built environment. The raised loading docks along NW 13th Avenue are a distinct and prominent feature along the NW 13th Avenue right-of-way. The loading dock on the NW 13th Avenue frontage of this project builds on the area's character by continuing this historic commercial feature. The 11' width of the dock, metal railing and stair locations are characteristic features of the docks that also now serve as sidewalks and pedestrian connections. *These guidelines are therefore met.*

A5-1. Reinforce Special Areas. Enhance the qualities that make each area distinctive within the River District, using the following "Special Area Design Guidelines" (A5-1-1 – A5-1-5).

A5-1-1. Reinforce the Identity of the Pearl District Neighborhood. This guideline may be accomplished by:

- 1) Recognizing the urban warehouse character of the Pearl District when altering existing buildings and when designing new ones.
- 2) Recognizing the urban warehouse character of the Pearl District within the design of the site and open spaces.
- 3) Designing buildings which provide a unified, monolithic tripartite composition (base/middle/top), with distinct cornice lines to acknowledge the historic building fabric.
- 4) Adding buildings which diversify the architectural language and palette of materials.
- 5) Celebrating and encouraging the concentration of art and art galleries and studios with design features that contribute to the Pearl District's "arts" ambiance. Consider features that provide connectivity and continuity such as awnings, street banners, special graphics, and streetscape color coordination, which link shops, galleries, entrances, display windows and buildings. Active ground level retail that opens onto and/or uses the sidewalk can contribute to the attraction of the "arts" concentration.

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

Findings for A5-1, A5-1-1 & C4: The proposed building is consistent with the design vocabulary of the Pearl District. Design characteristics of the area including massing, scale, material and proportions have been incorporated into this project. The brick, metal, and concrete materials closely correspond with material palettes of both older and newer developments in the area. The raised dock along the west façade is a common treatment within the pedestrian environment of NW 13th Avenue. The 5 over 1 construction with below-grade parking and raised first floor dwelling units is a typical building type found throughout the area. The tripartite divisions with vertical projecting bays, an articulated base of varying brick patterns plus decorative grille work, and a rhythmic facade of punched window openings are design elements that correspond with the massing and scale of the architectural elements on existing buildings in the area. *These guidelines are therefore 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 building abuts the property lines on the majority of the site, helping to define the public rights-of-way and creating a sense of urban enclosure. The combination of textured and articulated building walls, decorative grille work along the street edge, loading dock, projecting bays, entry canopy, new street trees, frontage landscape areas, and the Pettygrove Greenstreet improvements successfully develop all four of the site's urban edges. The recessed first floor entry stoops plus the courtyard provide some open areas along the streets while incorporating elements that help to define the building edge in addition to the articulated wall bases, patterned brickwork, decorative metal grilles, stairs, columns, and landscape planters. *This guideline is therefore met.*

A8. Contribute to the Cityscape, Stage and the Action. 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.

A8-1. Design Fences, Walls and Gateways to be Seen Over. Design fences, walls and gateways located between a building and the sidewalk to be seen over to allow for social interaction. This guideline may be accomplished by:

- 1) Elevating building entries higher than the public sidewalk or path.
- 2) Creating a low fence or wall to visually separate but not hide semi-private spaces.
- 3) Using a low or stepped-down planting area or terraces to separate private development from a public sidewalk.

Findings for A8 & A8-1: The building's U-shaped massing and interior courtyard, with visual and physical connection to the right-of-way along NW 13th Avenue, contribute significantly to the activation of the adjacent streetscape and neighborhood. In addition, generously sized first floor windows with lowered sills, decorative base grilles, rusticated and patterned areas of base brick, and raised entry stoops along the north and south building frontages, help to energize the surrounding pedestrian environment. Visually open fencing at the edge of the courtyard allows for views into the area at all hours, and the outdoor areas within the courtyard itself provide a variety of active spaces that will help invigorate the adjacent loading dock and walkways. The edge of the courtyard is further defined by a series of brick columns flanking the entries from the loading dock. Benches are incorporated into the loading dock side of the generously sized planters that flow out from the courtyard fence line. Seating is also available on the edges of the planters themselves. These various seating opportunities, located adjacent to the right-of-way, contribute to an overflow of visual and physical activity from the courtyard, and help to humanize this edge of the building.

The 5'-0" elevation difference between the street and the north and south-facing unit entry stoops provides interesting opportunities for seating and people-watching, further helping to instill energy and activity within this transitional zone between the public and private realms. Plantings and trees located adjacent to the sidewalk and the landscaping improvements along the Pettygrove Greenstreet will add visual depth and motion to the streetscape, further softening the edges of the pedestrian realm along the street frontages. *These guidelines are therefore 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.

B1-1. Provide Human Scale to Buildings along Walkways. Provide human scale and interest to buildings along sidewalks and walkways. This guideline may be accomplished by:

- 1) Providing street furniture outside of ground floor retail, such as tables and chairs, signage and lighting, as well as large windows and balconies to encourage social interaction.
- 2) Providing stoops, windows, and balconies within the ground floors of residential buildings.

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 for B1, B1-1 & B4: The surrounding sidewalks will be improved to City standards with the redevelopment of the block. The raised dock along NW 13th Avenue provides seamless access for pedestrians to the height of the first floor level of both the building and the courtyard. The humanizing influence of the courtyard on the NW 13th Avenue frontage is reinforced by the subtle awareness of a connected pedestrian walkway east-west through the site via the symmetrically-oriented residential lobby and the

courtyard. This architectural acknowledgement and support for connectivity through the building creates a sense of movement through and around the site. A visual connection is provided between the residential entrance and the courtyard by a series of glazed entry and lobby doors. This is an architectural pattern that can be found in many older multifamily buildings in northwest Portland and improves the pedestrian experience at the street by creating a sense of accessibility through this full-block development.

The building incorporates human scale design elements that reflect the surrounding pedestrian environment and encourage social interaction. These design features provide variation and interest at the pedestrian level, and include finely detailed and rusticated brickwork around the building base, lowered first floor window sills for views from units, decorative grilles below unit windows and at first floor entry stoops, a generous fully glazed lobby entrance with canopy above, and benches outside the courtyard. In addition, a deep loading dock and well-lit exterior environment encourage social interaction at the sidewalk.

Several elements have been incorporated into the ground level façade that create locations for visitors and residents to stop and experience the area without impeding sidewalk traffic. These include the main entry on NW 12th Avenue which is wide, recessed and protected by a deep canopy and the benches and planter seating ledges located in an open extension of the loading dock. Entry stoops along the north and south frontages provide additional semi-public space for residents and their guests to meet and socialize along the street edge. *These guidelines are therefore 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.

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 for B2 & B6: The proposed development incorporates several design measures that ensure pedestrian safety. There are two vehicle access points proposed on NW 13th Avenue, adjacent to each other at the southern end of the site. This location and access point adjacency allows for the desired level of Pettygrove greenstreet improvements, satisfies the flood protection requirements, and minimizes potential pedestrian-vehicle conflicts. Northwest 13th Avenue is a less trafficked street in general but is also the historic location for truck access, making it a place where pedestrians would expect vehicles. The garage doors are perforated metal so pedestrians can see into the vehicle areas and drivers can see out as they enter and exit the sight, making for a safer area. Bollards will also provide a physical barrier between vehicles and the loading dock itself.

Illumination of the sidewalks will be provided by a combination of streetlights, interior illumination of the residential spaces on the first floor and exterior building and site lighting. The latter include vertical down lights at the brick columns and bays around the building, recessed can and sconce lights at the entry canopy, and step and landscape wall lights in the courtyard.

The majority of the mechanical equipment is integrated into each unit with exterior grilles above the ground level, fit into the window and door systems. These will have no impact on the pedestrian environment as they are a minimum of 8 feet above sidewalk levels. Additional equipment will be placed on the roof, away from all pedestrian interaction. The gas meter alcove on NW Pettygrove will be screened by a metal fence matching the fencing

at the courtyard.

The recessed entries provided for the residential lobby and the north and south-facing first floor units all provide shelter from the weather for residents, guests, and passersby accessing or utilizing the site. The building is stepped back in these areas, creating a covered condition. Within the courtyard, a large canopy at the eastern end and one open-work trellis structure near the west end will provide weather protection and some shading. *These guidelines are therefore 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.

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

Findings for B3 & B7: All sidewalks will be improved to current city standards and the site will continue to be fully connected to the pedestrian system and adjacent streets. The raised dock along NW 13th Avenue will contain a ramp at the south end and stairs at the south and north ends that will provide a direct and safe pedestrian connection from the adjacent and abutting sidewalks. The raised dock is at the same grade as the courtyard and residential units, providing a seamless transition for those accessing the site. All areas of the building, including the courtyard, are designed for accessibility. The main lobby entry on NW 12th Avenue is at grade with no stairs or ramps and is fully accessible. *These guidelines are therefore met.*

B5. Make Plazas, Parks and Open Space Successful. Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.

B5-1. Recognize the Roles of the Tanner Creek Parks. Strengthen and enhance the Tanner Creek Parks as both a neighborhood park system and an extension of the North Park Blocks.

- 1) Providing an "eyes on the street" approach with active ground floors where private development faces public open space.
- 2) Creating a semi-private transition zone where private development directly abuts public open spaces. Seating areas, landscaping, artwork, or movement areas can be sited within the transition zone to create a physical and visual separation between public and private spaces.
- 3) Repeating or referring to design elements in the North Park Blocks.
- 4) Fostering an identity along the edges of the Tanner Creek Parks that celebrates the distinct character of the River District.

Findings for B5 & B5-1: The building walls that face the courtyard contain residential windows and entrances to the first floor tenants, windows for units above, and a main building entry to the lobby. These elements help engage the interior uses of the building with the activities of the courtyard, creating a viable and successful open space.

The property is located one block west and in alignment with the future Fields Park, the northern reach of the Tanner Park system. The orientation of the building's main lobby entry toward the east provides opportunities for future pedestrian connections to the park. *These guidelines are therefore 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.

C1-1. Increase River View Opportunities. Increase river view opportunities to emphasize the River District ambiance. This guideline may be accomplished by:

- 1) Designing and locating development projects to visually link their views to the river.
- 2) Providing public stopping and viewing places which take advantage of views of River District activities and features.
- 3) Designing and orienting open space and landscape areas to emphasize views of the river.

Findings for C1 & C1-1: All residential units on all floors are provided with large windows for views toward the river and visual connections to the nearby Tanner Springs park system's public spaces. The building's height is modest, in keeping with other residential buildings in the area, and does not negatively impact any designated or significant views. *These guidelines are therefore met.*

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

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 for C2 & C5: The development includes a number of different materials including brick, concrete, metal fencing and panels, laminated glass, fiber cement fascia and panels, aluminum and vinyl window systems, metal grilles and vents, and decorative glass tile, precast medallions and keystones. These materials are known for their durability and quality appearance. Brick is a common material found throughout the city, especially on older buildings, and provides a sense of permanence. The symmetrical, well-proportioned building blends with the surrounding development through its tripartite design and articulated façade. The building incorporates design elements such as massing, fenestration patterning, and exterior finish materials that result in a coherent building composition on all sides, including the courtyard facades.

The symmetry of the building's mass, roof-form and plan, with a perceptual link made between the outdoor courtyard and the residential entry creates a coherent framework which is augmented by smaller-scale design elements such as glass tile, brick patterning, integrated vents and fiber cement panels, arched corbels, and medallions. Metal is used throughout the building as an accent material to emphasize and unify inset elements including the railings, grilles, vents, light fixtures, and canopy, all of which adds visual texture and interest. Although constructed of different materials, the window and door systems achieve coherency at the building's base and upper levels by utilizing similar profiles and matching colors and by aligning openings both vertically and horizontally around the façade.

Building entrances occur consistently within a recessed condition, creating perceptual coherency in the building's access points. The design of signage and lighting fixtures is coordinated and complements the façade. In addition, the vertical projecting bays, strong articulated base, and tripartite design, result in a visually engaging building. *These guidelines are therefore met.*

C3-1. Integrate Parking. Design parking garage exteriors to visually integrate with their surroundings. This guideline may be accomplished by:

- 1) Designing street facing parking garages to not express the sloping floors of the interior parking.
- 2) Designing the sidewalk level of parking structures to accommodate active uses, display windows, public art or other features which enhance the structure's relationship to pedestrians.

C9-1. Reduce the Impact of Residential Unit Garages on Pedestrians. Reduce the impact

on pedestrians from cars entering and exiting residential unit garages by locating garage access on alleys, and active spaces on ground floors that abut streets. This guideline may be accomplished by:

- 1) Locating residential unit garage access on alleys.
- 2) Locating garage access on less trafficked streets.

Findings for C3-1 & C9-1: The main parking garage for the residents has been designed to be completely underground and internalized with only one access point on the west elevation, adjacent to the loading dock. This location was selected due to the flood protection requirements for the site and by the desire to remove all vehicle access from the new Pettygrove Greenstreet. The garage doors have been designed to fit within the architecture and rhythm of the ground level façade and are semi-transparent metal which provides texture and visual interest to the pedestrian environment. The louvered vents are located within openings that are of similar scale as the adjacent doors for a consistent façade treatment. By locating both garage doors on a local service street, the potential for vehicular and pedestrian conflicts is reduced. *These guidelines are therefore met.*

C6. Develop Transitions between Buildings and Public Spaces. Develop transitions between private development and public open space. Use site design features such as movement zones, landscape elements, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

Findings: A number of building design features facilitate a graceful transition between the public sidewalk and the private development, including the recessed main entry on the east façade, the individual porches and stoops to residential units on the north and south frontages, and the columned edge of the courtyard fronting NW 13th Ave. The mouth of the courtyard itself presents a varied edge as it meets the new loading dock, with the first floor pulled back to provide three entries, a decorative brick column and fence enclosure, extended planters, and seating areas. The loading-dock with its ramps and stairs offers further visual layering between what is public space, and what is a semi-private outdoor area. *This guideline is therefore 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.

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.

C9. Develop Flexible Sidewalk-Level Spaces. Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

Findings for C7, C8 & C9: While the building is completely residential, specific design moves help emphasize the building corners. Vertical breaks in the façade that occur on all elevations in the form of projecting bays occur near the outside corner of each elevation, resulting a distinctive massing at these walls. The building's corners are further designed with rusticated and patterned brick sections, an intermediate trim band, and upper story reveal lines that create additional visual distinction in these areas. The large first floor unit windows with their lower sills, that flank each corner, provide visual connections to the sidewalks. The middle of the east and west block faces contains entry doors that give access to the upper floors. Stairwells and elevators are internal to the building and do not interrupt the exterior design.

The recessed area along the loading dock that wraps into the courtyard is designed as flexible space that could be used for outdoor seating, displays or gathering areas which will contribute to the vitality of the pedestrian network.

The building is designed to follow the tripartite architectural divisions of base, middle and top as is expressed in many Portland apartment buildings. The building base incorporates horizontal bands of rusticated brick that differentiate it from the upper levels. A horizontal brick projecting trim band atop the base level further distinguishes the lower levels of the building. Recessed entry stoops, the loading dock, main entry steel canopy, decorative metal grilles and railings, and wall sconces at the first floor level further distinguish this zone from the upper portion of the building. *These guidelines are therefore 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: The encroachments are limited to one entry canopy, five projecting window bays, and the raised loading dock. The projecting canopy and window bays add visual texture, depth and rhythm to the façade while being held above the surrounding sidewalks so as to not impinge on pedestrian throughways. The loading dock is fully accessible via a ramp and stairs and is open to use by the public as an integrated part of the sidewalk system. As a result, the facades have a greater sense of human scale and provide more visual interest for the pedestrian environment. *This guideline is therefore 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: The flat roof is designed to be simple, complementary to the building's U-shaped form, and clear of substantial additive elements, such as overly large mechanical penthouses. The cornice follows the form of the building, and rooftop elements are limited and organized. The rooftop equipment consists of an elevator overrun, stair overrun, roof access hatches one mechanical unit located toward the interior of the site, and vent stacks. The tallest overrun elements are located 45 feet from the nearest lot line and more than 140 feet from the farthest. The significant setbacks of the overruns reduce their visibility, while their organized appearance presents visual coherency to the rooftop and does not negatively affect the Central City skyline or adjacent vantage points. *This guideline is therefore 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: Illumination of the development consists of a series of downlights at the top of each projecting bay plus downlights along the north and south facades, that compliments the building's overall design without dominating the nighttime skyline. These wall-mounted downlights fit into the overall building aesthetic by being small in scale and simple in design so they are not visually obtrusive or noticeable. Decorative lighting is appropriately provided on either side of the main residential entry as a highlight and

reflects the neo-modern building design.

The lighting in the courtyard will consist of column-mounted lights below the central canopy, recessed cans in the canopy, step lights around the planters, trellis downlights, and required wall-mounted egress lights. Loading dock lighting will mimic the courtyard column lights and will be located on each intermediate fence column. All of these fixtures are appropriately scaled to their location and will focus illumination downward, thereby improving safety for pedestrians while preventing light spillover. The illumination generated by the majority of the courtyard fixtures will be filtered by the foliage so as not to negatively impact the skyline. *This guideline is therefore 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: Signage is indicated as a series of 12" high individual, non-illuminated metal letters on the face of the NW 12th Avenue central entry canopy. The letters fit within the frame of the canopy fascia panel and match other metal elements on the building such as the decorative metal grilles, decorative light fixtures, and the metal-wrapped canopy itself. This type of lettering on entry canopies is consistent with similar apartment buildings throughout the district. The size of the letters is proportionate with the location proposed at the ground level. Since no illumination is proposed, no impacts on the skyline or pedestrian environment are anticipated. *This guideline is therefore met.*

(2) MODIFICATION REQUESTS (33.825)

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.

The following modification is requested:

- 2. **1. Ground Floor Windows (33.140.230.B.)** – requires 50% of the length and 25% of the wall area along ground floor street-facing facades to contain windows. In this case, each façade would be required to provide 450sf and 100lf of ground floor windows. The applicant proposes NW 12th Ave to have 341sf and 105lf; NW Pettygrove St to have 186sf and 62lf; NW 13th Ave to have 47sf and 2lf; NW Quimby Ave to have 27sf and 56lf of conforming ground floor windows. This request is due to the construction requirements of the flood hazard area.

Purpose: *In the EX zone, blank walls on the ground level of buildings are limited in order to:*

- *Provide a pleasant, rich, and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk areas;*

- *Encourage continuity of retail and service uses;*
- *Encourage surveillance opportunities by restricting fortress-like facades at street level;*
and
- *Avoid a monotonous pedestrian environment.*

Findings: The project's location within the City of Portland Flood Hazard Area requires that all below-grade areas with habitable space in them have no unprotected openings below a certain elevation. In meeting these flood-protection requirements, working with the site's slope toward the northeast, and the garage and loading area access restrictions due to the Pettygrove Greenstreet design concept, the building is unable to provide the amount of ground floor windows outlined in the Portland Zoning Code. The building does however provide first floor windows where it can. These include windows around the main lobby entry on NW 12th Avenue which highlight this significant building feature. Windows with sills lowered to the floor level along NW 12th Avenue and the corners at Pettygrove and Quimby Streets are also provided at specific first floor dwelling units. The window sizes are maximized to allow views into and out of active residential and public areas within the building. This design allows for continuous window openings, which provides a consistent treatment along the facade and pedestrian environment. Similarly, the 2 garage doors are perforated metal screens that allow views into these areas as well and their size corresponds to the window bays above.

The regular window and door patterning, the rusticated and patterned brick base, and the decorative metal grilles and stoop railings provide a variety of textures along the ground level of the building, creating a visually interesting pedestrian experience, thus meeting the intent of the standard that results in a coherent composition, thus better meeting Design Guidelines B1-1. Provide Human Scale to Buildings along Walkways and C5. Design for Coherency. *For these stated reasons, the approval criteria are met.*

(3) EXCEPTION REQUESTS (IBC/32/#1)

Exception for Window Projection into Public Right-of-Way

IBC/32/#1 - Standards for windows allowed to project into public right-of-way: to increase the width of oriel windows projecting into the public rights-of-way from 12'-0" to 15'-8" and 22'-8" on NW 12th Avenue and from 12'-0" to 24'-8" on NW 13th Avenue.

A. Projection. Maximum projection of 4 feet into the right-of-way including trim, eaves and ornament.

Findings: The maximum projection is 3'-4". *This Criterion is met.*

B. Clearance. Clearance above grade as defined in Chapter 32, Section 3202.3.2 of the current Oregon Structural Specialty Code. (The 2004 edition of the Oregon Structural Specialty Code states that no projection is allowed for clearances less than 8 feet above grade. For clearances above grade greater than 8 feet, 1 inch of projection is allowed for each additional inch of clearance, provided that no such projection shall exceed a distance of 4 feet.)

Findings: Minimum clearance above grade is 14'-0" and the maximum projection is 3'-4". *This Criterion is met.*

C. Area. Maximum wall area of all windows which project into public right-of-way on a wall is 40% of the wall's area.

Findings: Projecting wall area is 18% on NW 12th Avenue and 18% on NW 13th Avenue. *This Criterion is met.*

D. Wall Length. Maximum width of any single window which projects into public right-of-way is 50% of its building wall length.

Findings: Maximum window width is 50% on NW 12th Avenue and 50% on NW 13th Avenue. *This Criterion is met.*

E. Window Area. Minimum of 30% window area at the face of the projecting window element. Projections greater than 2 feet 6 inches must have windows at all sides. Required side windows must be a minimum of 10% of side walls.

Findings: Front-facing window area of the projecting elements is 35% on NW 12th Avenue and 30% on NW 13th Avenue. The bays all project more than 2'-6" beyond the property line but provide no side windows. *With Condition of Approval B, this criterion is met.*

F. Width. Maximum width of 12 feet for each projecting window element. When approved through Design Review, the width may vary provided the area of all windows on a wall which project into public right of way does not exceed 40% of the wall's area and the width of any single projecting window element does not exceed 50% of its building wall's length.

Findings: Proposed projections are 15'-8" and 22'-8" wide on NW 12th Avenue and 24'-8" wide on NW 13th Avenue. The proportions of the projecting bays add variety to the east and west building facades, and help unify the symmetrical neo-moderne design. These types of bays are seen on numerous older apartment buildings in the city and often highlight corners and entries, as do these proposed bays on this new building. The bottom of each bay is quite high above the sidewalks so they will not feel heavy or encroach into the pedestrian realm. *This criterion is not met for the width of the five projecting bays but is approvable through Design Review.*

G. Separation. Minimum separation of 12 feet measured from other projecting window elements on the same elevation or plane of wall. When approved through Design Review, required separation may vary provided the area of all projecting window elements on a wall does not exceed 40% of the wall's area and the width of any single projecting window element over the right-of-way does not exceed 50% of its building wall's length.

Findings: The projecting bays are separated by more than 12'-0" on both the NW 12th and NW 13th Avenue facades. *This criterion is met.*

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 design results in a coherent composition that is interesting to view and is both reflective and supportive of its urban environment. Building elements and site design features such as the courtyard and raised dock create environments that enhance the pedestrian experience and reduce potential vehicular conflicts. The modification to the ground floor windows and the exception to the projecting bays contribute to improving the overall building design and create a building that better serves the District. The proposal meets the applicable design guidelines and therefore warrants approval.

DESIGN COMMISSION DECISION

It is the decision of the Design Commission to approve Design Review for a new six story, 75 foot tall apartment building in the River District Subdistrict of the Central City Plan District

that will be 203,000 GSF with 177 apartments and one level of below-grade parking for 165 vehicles and multi-vehicle parking machines. The building will be U-shaped with a central landscaped courtyard and faux loading dock facing NW 13th Avenue. Access to the underground parking and truck loading areas will be off of NW 13th Avenue. The approved finishes include a combination of brick, cement board panels, vinyl windows, a metal canopy, decorative metal grilles and railings, integrated vents and louvers, architectural downlighting, decorative precast concrete and glass tile elements, metal fencing, and various courtyard furnishings; and

Approval of one Modification:

1. Ground Floor Windows (33.140.230.B.) – NW 12th Ave will have 341sf and 105lf; NW Pettygrove St will have 186sf and 62lf; NW 13th Ave will have 47sf and 2lf; NW Quimby Ave will have 27sf and 5 lf of conforming ground floor windows; and

Approval of one Exception:

1. Exception for Window Projection into Public Right-of-Way IBC/32/#1 - Standards for windows allowed to project into public right-of-way: to increase the width of oriel windows projecting into the public rights-of-way from 12'-0" to 15'-8" and 22'-8" on NW 12th Avenue and from 12'-0" to 24'-8" on NW 13th Avenue; and

Approvals per Exhibits C.1-C-47, signed, stamped, and dated August 2, 2012, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 12-112033 DZM". All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Unless otherwise approved by the Portland Bureau of Transportation, oriel windows will project no more than 2'-6" beyond the property lines.
- C. The 18-inch storm line stubbed to NW 12th Avenue must be extended to provide stormwater discharge access per the Bureau of Environmental Services.

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By: _____
Gueneveré Millius, Design Commission Chair

Application Filed: February 10, 2012
Decision Filed: August 3, 2012

Decision Rendered: August 2, 2012
Decision Mailed: August 7, 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 February 10, 2012, and was determined to be complete on **May 22, 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 February 10, 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 waived the 120-day review period, as stated with Exhibit (A5)

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 August 21, 2012** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor in the Development Services Center until 3 p.m. After 3 p.m. and on Monday, appeals must be submitted to the receptionist at the front desk on the fifth floor. Information and assistance in filing an appeal is available from the Bureau of Development Services in the Development Services Center or the staff planner on this case. You may review the file on this case by appointment at, 1900 SW Fourth Avenue, Suite 5000, Portland, Oregon 97201.

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

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.

- *Unless appealed*, the final decision may be recorded on or after **August 22, 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 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.

Chris Caruso
August 3, 2012

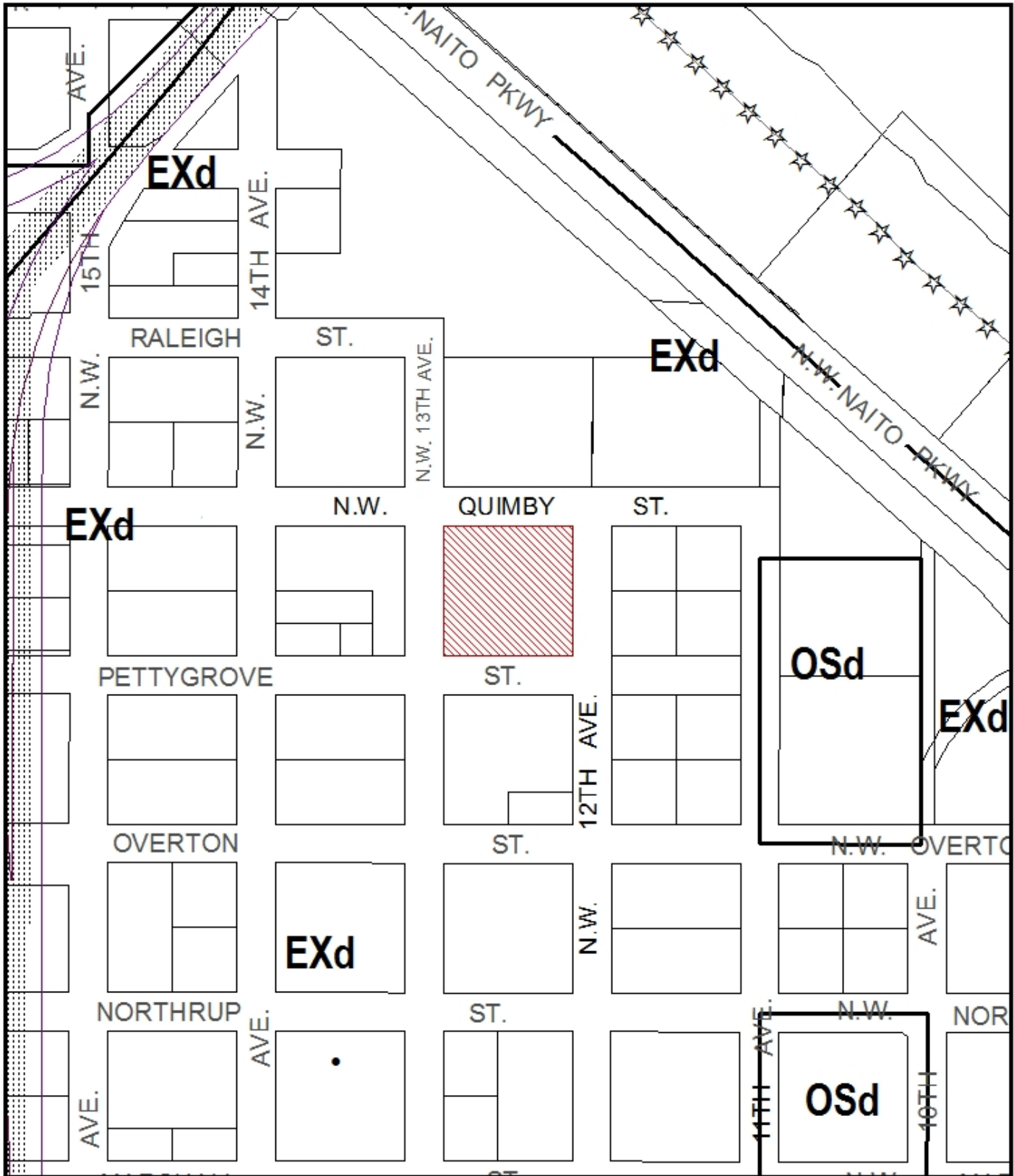
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statements
 - 1. Project Description

2. Modification Summary
3. Design Review narrative
4. Site Photos
5. 120-Day Waiver
6. Stormwater Narrative
7. Emails to PBOT March 27, 2012
8. Completeness Response May 15, 2012
9. Design Responses June 5, 2012
10. Area Photos of Vents
- B. Zoning Map (attached)
- C. Plan & Drawings
 1. Site Plan (attached)
 2. Civil Site Plan
 3. Civil Utility Plan
 4. Planting Plan
 5. Plant Material
 6. Plant Materials + Furnishings
 7. Exterior Materials & Colors
 8. Site & Vicinity
 9. Basement Plan
 10. Typical Plan Floors 2-6
 11. Roof Plan
 12. Enlarged Bay Plans
 13. East Elevation – NW 12th Ave (attached)
 14. South Elevation – NW Pettygrove St (attached)
 15. West Elevation – NW 13th Ave (attached)
 16. North Elevation – NW Quimby Ave (attached)
 17. Courtyard Section Looking East
 18. Courtyard Section Looking North
 19. Courtyard Section Looking South
 20. Building Section Looking East
 21. Building Section Looking North
 22. Exterior Views
 23. Exterior Views
 24. Exterior Views
 25. Wall Sections
 26. Exterior Details
 27. Exterior Details
 28. Exterior Details
 29. Vent/Louver Details
 30. Exterior Details
 31. Enlarged Elevations
 32. NW 13th Ave Loading Dock
 33. NW 13th Ave Loading Dock & Courtyard Components
 34. Courtyard Components
 35. Courtyard Trellis
 36. Stair Penthouse Elevations/Sections
 37. Canopy at Courtyard & Balcony Guardrail
 38. Window Details
 39. Storefront Details
 40. Brick Details
 41. Courtyard on NW 13th Ave
 42. Dusk View – NW 12th & Pettygrove
 43. Appendix 1-6 Lighting
 44. Appendix 7-15 Manufacturer's Cutsheets

45. View of SE corner of NW 12th and Pettygrove
 46. Sidewalk View at NW 12th and Pettygrove
 47. Enlarged Sidewalk View at NW 12th and Pettygrove
- 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
 2. Life Safety Review Section of BDS
 3. Bureau of Transportation Engineering and Development Review
 4. Fire Bureau
 5. Bureau of Environmental Services
 6. Site Development Review Section of BDS
- F. Letters: none
- G. Other
1. Original LUR Application
 2. Site History Research
 3. Incomplete Letter
- H. (Received at 1st Hearing)
1. Staff PowerPoint
 2. Staff Memo
 3. Staff Report
- (Received after 1st Hearing)
4. Applicant Memo July 23, 2012
 5. Staff Memo July 24, 2012
 6. Hearing Summary Notes
- (Received at 2nd Hearing)
7. Staff Report August 2, 2012
- cc: Applicants and Representatives
Neighborhood Associations
Those who testified, orally or in writing
City Auditor's Office
Development Services Center
BDS Staff for Bureau of Buildings
BDS Staff for Commission Book



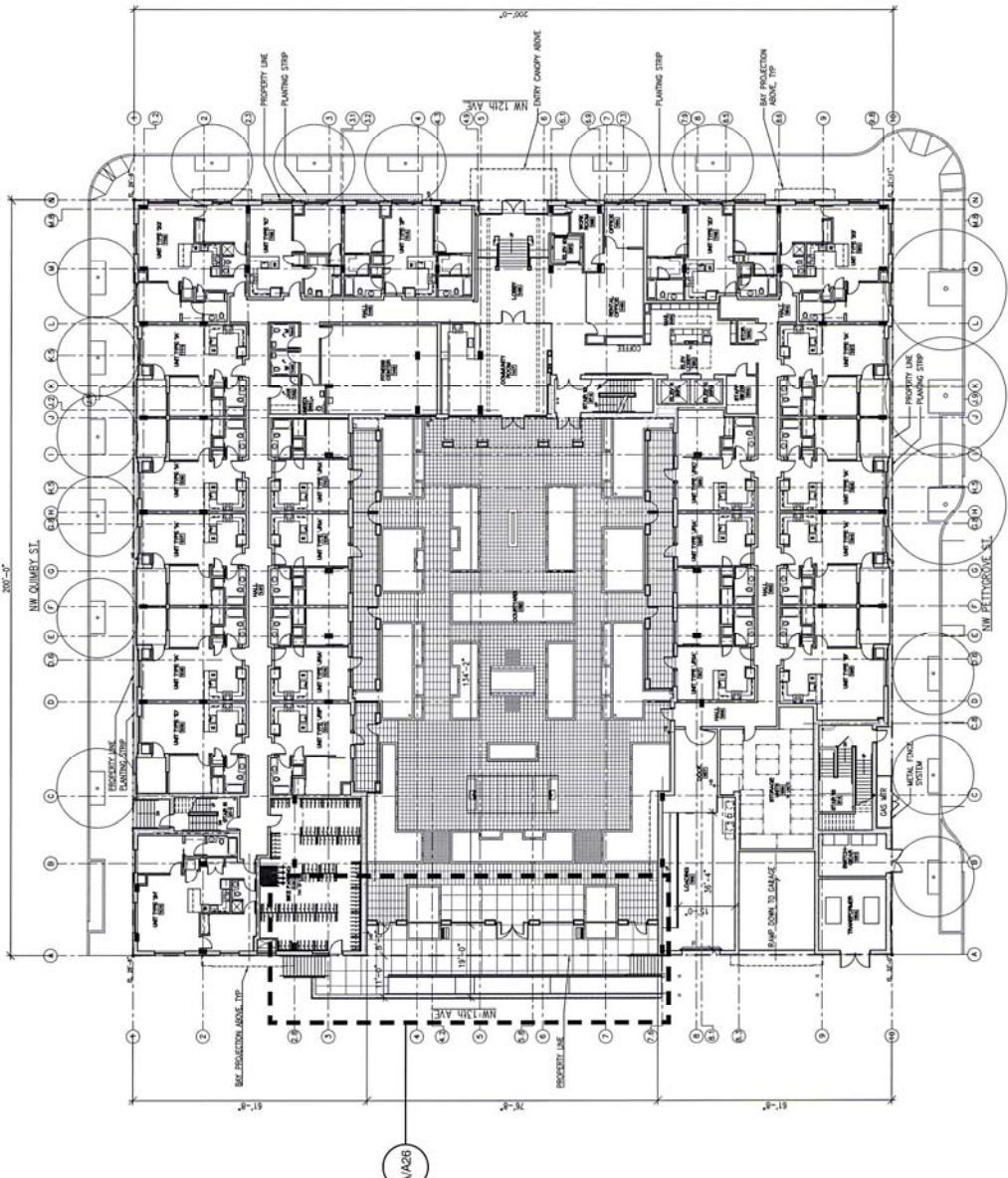
ZONING

 Site



This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No.	LU 12-112033 DZM
1/4 Section	2928
Scale	1 inch = 200 feet
State_Id	1N1E33AA 100
Exhibit	B (Feb 14, 2012)



ZONING SUMMARY
TITLE 53 - PORTLAND ZONING CODE
 ZONE: O-2
 CITY: SEASIDE DISTRICT, NORTH PEAK SUBAREA
 TYPE: B. DESIGN OVERLAY
 LU: 12-12033 DDM
 6.1.1. ALLOWABLE FLOOR AREA: 240,000 SF.
 100 FEET ALLOWANCE
 75 FEET MAX. WIDTH: 20 FEET OF NW 12TH AVE.
 NO MINIMUM REQ'D. 1.7 FEET PER LINEAL UNIT MAXIMUM.
 LONG TERM - RESIDENTIAL, 1.0 PER UNIT - (240) REQUIRED
 SHORT TERM - RESIDENTIAL, 1.0 PER 20 UNITS - (9) REQ'D
 TOTAL UNIT COUNT: 249
 TOTAL UNIT TYPES: 249
 TOTAL UNIT SPACES: 110
 STANDARD A. (1) 38 FT. LONG, 10 FT. WIDE, 13 FT. CLEARANCE.

PROJECT AREAS, UNIT, PARKING, AND LOADING SUMMARY
 SITE AREA: 42,000 SF., 32 ACRES
 F.A.R. EXCLUDES BUILDINGS: 4.1:1
 APARTMENT UNITS: 177
 GARAGE STALLS: 142
 BIKE STALLS - LONG TERM: 248
 BIKE STALLS - SHORT TERM: 248
 BIKE STALLS - TOTAL: 496
 TOTAL GARAGE STALLS: 496
 TOTAL BIKE STALLS: 496
 TOTAL BUILDING FLOOR AREA: 204,623 SQ.FT.

SPECIFICATIONS
 F.A.R. (33.10.010): 4.1:1
 UNIT TYPE (33.10.010): APARTMENT
 HEIGHT (33.10.030): 50 FEET
 SPECIAL HEIGHT REQUIRED (33.10.021): NO
 VEHICLE PARKING (33.10.020): 1 PER UNIT
 BIKE PARKING (33.10.021): 1 PER UNIT

DWELLING UNIT TABULATION

UNIT TYPE	MARKET CLASS	2 BDR	3 BDR	4 BDR	5 BDR	6 BDR	7 BDR	8 BDR	9 BDR	10 BDR	UNIT TYPE TOTAL
1A	4000	1	1	1	1	1	1	1	1	1	9
1B	4000	1	1	1	1	1	1	1	1	1	9
1C	4000	1	1	1	1	1	1	1	1	1	9
1D	4000	1	1	1	1	1	1	1	1	1	9
1E	4000	1	1	1	1	1	1	1	1	1	9
1F	4000	1	1	1	1	1	1	1	1	1	9
1G	4000	1	1	1	1	1	1	1	1	1	9
1H	4000	1	1	1	1	1	1	1	1	1	9
1I	4000	1	1	1	1	1	1	1	1	1	9
1J	4000	1	1	1	1	1	1	1	1	1	9
1K	4000	1	1	1	1	1	1	1	1	1	9
1L	4000	1	1	1	1	1	1	1	1	1	9
1M	4000	1	1	1	1	1	1	1	1	1	9
1N	4000	1	1	1	1	1	1	1	1	1	9
1O	4000	1	1	1	1	1	1	1	1	1	9
1P	4000	1	1	1	1	1	1	1	1	1	9
1Q	4000	1	1	1	1	1	1	1	1	1	9
1R	4000	1	1	1	1	1	1	1	1	1	9
1S	4000	1	1	1	1	1	1	1	1	1	9
1T	4000	1	1	1	1	1	1	1	1	1	9
1U	4000	1	1	1	1	1	1	1	1	1	9
1V	4000	1	1	1	1	1	1	1	1	1	9
1W	4000	1	1	1	1	1	1	1	1	1	9
1X	4000	1	1	1	1	1	1	1	1	1	9
1Y	4000	1	1	1	1	1	1	1	1	1	9
1Z	4000	1	1	1	1	1	1	1	1	1	9
2A	4000	1	1	1	1	1	1	1	1	1	9
2B	4000	1	1	1	1	1	1	1	1	1	9
2C	4000	1	1	1	1	1	1	1	1	1	9
2D	4000	1	1	1	1	1	1	1	1	1	9
2E	4000	1	1	1	1	1	1	1	1	1	9
2F	4000	1	1	1	1	1	1	1	1	1	9
2G	4000	1	1	1	1	1	1	1	1	1	9
2H	4000	1	1	1	1	1	1	1	1	1	9
2I	4000	1	1	1	1	1	1	1	1	1	9
2J	4000	1	1	1	1	1	1	1	1	1	9
2K	4000	1	1	1	1	1	1	1	1	1	9
2L	4000	1	1	1	1	1	1	1	1	1	9
2M	4000	1	1	1	1	1	1	1	1	1	9
2N	4000	1	1	1	1	1	1	1	1	1	9
2O	4000	1	1	1	1	1	1	1	1	1	9
2P	4000	1	1	1	1	1	1	1	1	1	9
2Q	4000	1	1	1	1	1	1	1	1	1	9
2R	4000	1	1	1	1	1	1	1	1	1	9
2S	4000	1	1	1	1	1	1	1	1	1	9
2T	4000	1	1	1	1	1	1	1	1	1	9
2U	4000	1	1	1	1	1	1	1	1	1	9
2V	4000	1	1	1	1	1	1	1	1	1	9
2W	4000	1	1	1	1	1	1	1	1	1	9
2X	4000	1	1	1	1	1	1	1	1	1	9
2Y	4000	1	1	1	1	1	1	1	1	1	9
2Z	4000	1	1	1	1	1	1	1	1	1	9
TOTAL UNITS		177									177

Approved
 City of Portland
 Bureau of Development Services
 Planner: [Signature]
 Date: 8/2/12

SCALE: 1" = 8'-0"

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



Approved
 Bureau of Development Services
 City of Portland
 Planner: [Signature]
 Date: 6/2/12

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional permit requirements may apply.

EXH. C-13
FFA A7
 Architecture
 Builders

East Elevation - NW 12th Ave.

The Parker Apartments
 LU 12-112033 DZM - June 15, 2012
 Revised July 23, 2012



EXH. C-14



South Elevation - NW Pettygrove St.

The Parker Apartments
 LU 12-112033 DZM - June 15, 2012
 Revised July 23, 2012



Approved
 City of Portland
 Bureau of Development Services
 Planner C. [Signature]
 Date 8/2/12

* This approval applies only to the reviews requested and is subject to the conditions of approval. Additional zoning requirements may apply.

EXH. C-15



West Elevation - NW 13th Ave.

The Parker Apartments
 LU 12-112033 DZM - June 15, 2012
 Revised July 23, 2012



Approved
 City of Portland
 Bureau of Development Services
 Planner: *C. Jones*
 Date: *8/2/12*
 This approval applies only to the review indicated and is subject to all conditions of approval.
 Additional zoning requirements may apply.

SCALE: 1/16" = 1'-0"

The Parker Apartments
 LU 12-112033 DZM - June 15, 2012
 Revised July 23, 2012

North Elevation - NW Quimby Ave.