



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 HISTORIC LANDMARKS COMMISSION RENDERED
ON May 14, 2012

CASE FILE NUMBER: LU 12-106944 HDZM
PC # 11-157631

Two New Apartment Buildings – Alphabet Historic District

BDS Staff: Dave Skilton 503-823-0660
dave.skilton@portlandoregon.gov

GENERAL INFORMATION

Applicant: Johnson Street Investors II LLC
500 E Broadway #110
Vancouver, WA 98660

Sam Rodriguez
Mill Creek Residential Trust LLC
220 NW 2nd Avenue Suite 900
Portland, OR 97209

Representative: Kurt Schultz 503-445-7312
SERA Architects
338 NW 5th Avenue
Portland, OR 97209

Site Address: Intersection NW 19th Avenue and NW Johnson Street

Legal Description: BLOCK 177 LOT 2&3, COUCHS ADD; BLOCK 271 LOT 1&2 LOT 6&7
E 6' OF LOT 10, COUCHS ADD

Tax Account No.: R180216190, R180225830

State ID No.: 1N1E33AC 06200, 1N1E33AC 09700

Quarter Section: 2928

Neighborhood: Northwest District, contact John Bradley at 503-313-7574.

Business District: Nob Hill, contact Patricia Fielder at 503-407-6163.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest

Other Designations: One non-contributing property and one vacant property in the Alphabet Historic District, which was listed in the National Register of Historic Places on August 24, 2000

Zoning: RH, Residential High Density, with Historic Resource Protection Overlay (Building A); and EXd, Central Employment, with Historic Resource Protection and Design Overlays (Building B).

Case Type: HDZM, Historic Design Review with Modifications requested

Procedure: Type III, with a public hearing before the Historic Landmarks Commission. The decision of the Historic Landmarks Commission can be appealed to City Council.

Proposal: The applicant is seeking Historic Design Review approval for a proposal to develop two new market rate apartment buildings as a single project, at the intersection of NW 19th Avenue and NW Johnson Street. Building A, with 5 floors, 86 dwelling units, and 66 below-grade parking stalls, is proposed on the southwesterly corner following demolition of a non-contributing building; and Building B with 5 floors and 48 dwelling units, is proposed on the northeasterly corner, which is currently occupied by a parking lot. Historic Design Review is required because the proposal is for non-exempt new construction in a historic district.

Modifications: The applicant is seeking modification of the following standards:

- 33.266.310, for a non-standard loading stall height of 8'-2" in basement of Building A, and for rear-motion exiting from loading in Building B;
- 33.266.130, for a non-standard parking stall depths of some spaces in basement of Building A; and
- 33.140.215 C. 1. e. 5, for a facade less than 100% within the maximum setback.

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:

- *Community Design Guidelines*
- *Historic Alphabet District Community Design Guidelines Addendum*
- 33.846.070 Modifications Considered in Historic Design Review

ANALYSIS

Site and Vicinity: The two subject properties, Site A occupying the southwesterly corner of the intersection, and Site B occupying the northeasterly corner, are developed respectively with a non-contributing building and a parking lot. Consequently, redevelopment of the sites will not directly affect historic fabric.

The Alphabet Historic District is an area of Portland significant for its concentration of intact late 19th and early 20th Century, mostly middle class, housing stock and small-scale commercial buildings. Of special note are the many mid-sized apartment and institutional buildings. Many of these are in the various Period Revival styles, e.g. Tudor, Spanish Colonial, Byzantine, Jacobean, etc, and this is especially the case in the immediate vicinity of the proposed new development. Also specific to this location are three, individually designated, historic landmark properties that represent the earliest phase of development within the district, when NW 19th Avenue was the favored address for a number of Portland's wealthiest families.

The area is characterized by a grid of narrower, more tree-lined, east-west residential streets, named alphabetically after prominent Portlanders of the day, which are crossed by generally more robust north-south avenues. Two of these, NW 21st Avenue and NW 23rd Avenue are low-scale business corridors featuring a mix of purpose-built commercial structures and converted houses. NW 19th Avenue is similar in physical character except that institutional uses are more common than commercial ones. It forms the southbound half of a busy traffic couplet with NW 18th as the northbound partner. West of NW 19th the length of the east-west block faces more than doubles, from 200' to approximately 460'.

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

The Central Employment (EX) 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 development standards are intended to allow new development which is similar in character to existing development.

The Historic Resource Protection chapter protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

The Design Overlay Zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. 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 or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

Land Use History: City records indicate one relevant prior land use review:

- LU 08-147214 HDZ, seeking approval of a proposed six story building on Site B. The case was withdrawn by the applicant.

Public Notice: A Notice of Proposal in Your Neighborhood was mailed on April 2, 2012.

Agency Review: A "Request for Response" was mailed March 8, 2012. To date the following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Bureau of Transportation
- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- Life Safety Section of BDS
- Bureau of Parks

Neighborhood Review: No written responses were received prior to the initial hearing from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

(1) Chapter 33.846.060 - Historic Design Review

Purpose of Historic Design Review

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Design Review Approval Criteria

Requests for historic design review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is located within the Alphabet Historic District and the proposal is for non-exempt new construction. Therefore Historic Design Review approval is required. The approval criteria are the *Community Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*.

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

Historic Alphabet District - Community Design Guidelines Addendum

1. Historic Changes. Most properties change over time; those changes that have acquired historic significance will be preserved.

Findings: Neither of the proposed sites is occupied by a contributing resource, so the significant historic fabric of the district, changed or not, will not be affected. *This guideline is moot.*

2. Differentiate New from Old. New additions, exterior alterations, or related new construction will retain historic materials that characterize a property to the extent practicable. Replacement materials should be reasonable facsimiles of the historic materials they replace. The design of new construction will be compatible with the historic qualities of the district as identified in the Historic Context Statement.

Findings: Although both proposed buildings exceed the average height of traditional apartment buildings in the Alphabet Historic District, they do fall within the overall range, and the atypical east-west length of Building A is mitigated by its division into three sections alternating with recessed courtyards as is typical of many historic apartment buildings in the area. Relative to the presence of three shorter historic landmark buildings in the immediate vicinity, the height and length of the buildings is mitigated by setbacks, landscaping, quality of detailing, and the fact that only one of the historic landmark properties directly adjoins the development site. Both size and the use of modern materials will distinguish these buildings as modern. *This guideline is met.*

3. Hierarchy of Compatibility. Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a historic or conservation district, with the rest of the District. Where practical, compatibility will be pursued on all three levels. New development will seek to incorporate design themes characteristic of similar buildings in the Historic Alphabet District.

Findings: Notwithstanding the ambiguity of this guideline, the designated property in this instance is the Alphabet Historic District, not an individual resource. As noted in the preceding finding, compatibility with the historic district is achieved through the

use of traditional forms, development patterns, and materials. Although both of the proposed buildings will be taller than their immediate neighbors, the mixing of taller and shorter structures on a scale similar to the proposal is a pattern evident throughout the historic district. *This guideline is met.*

Community Design Guidelines

P2. Historic and Conservation Districts. Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area's historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

Findings: As revised, the proposed buildings draw enough of their features from historic buildings in the vicinity to enhance and reinforce the character of the Alphabet Historic District. However the Commission expressed concern that the sectional detailing of all the window types was not sufficiently clear in the drawings, specifically with reference to: a) distance from the face of the stucco to the face of the window frame, and b) the dimensions of the side trim of vertically stacked windows. *With two conditions of approval, that the stamped drawings show that: a) the distance from the face of the stucco to the face of the window frame is a minimum of three inches; and b) the dimensions of the side trims of vertically stacked windows, this guideline can be met.*

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

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

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

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

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

Findings for E1 through E5: As is the case with the historic apartment buildings throughout the Alphabet Historic District, the proposed buildings rely on the public sidewalk for major exterior circulation. The proposal will improve the pedestrian environments because it will introduce a traditional pattern of residential use close to the sidewalk, punctuated by a rhythm of planted courtyards and setbacks where one can enter the building or outdoor areas, and developing strong urban corners currently occupied by parking and a nondescript, modernist, two story office building. The main entry to Building A is protected by a glass awning and the main entry of Building B is recessed within a small, sheltering, courtyard. *These guidelines are met.*

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

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

Findings for D1 and D3: While the historic development pattern of apartment buildings in the vicinity includes very little open or planted area, the use of these two elements in the proposal's recessed entries and landscaped setbacks is a useful approach because it helps to mitigate for the increased height and length of the buildings. *These guidelines are met.*

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

Findings: The main entrance to the proposed Building A is appropriately marked by a metal and glass marquise. The main entry to the proposed Building B and the secondary entrances to Building A are emphasized by their locations within small, partially planted courtyards opening to the sidewalk. While the size of these courtyards could be expanded to good effect, the locations are appropriate. Both main entries appropriately address NW 19th Avenue, the predominant right-of-way. *These guidelines are met.*

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

Findings: Although not required by the Zoning Code because of the nearby availability of transit services, seventy automobile parking spaces, for the use of both buildings, are fully integrated into the design within the basement of the proposed Building A. The automobile entry is appropriately located away from the street intersection, toward the west end of the building. Owing to the fully residential use of the development, with an attendant low level of activity, a shorter than standard loading stall is preferable because it keeps overall building height lower. Rear motion exiting onto NW Johnson Street from the Building B loading bay is also preferable because it minimizes historically uncharacteristic vehicle-related impacts to the facade. Some slightly substandard parking stall sizes are justified by the common availability of small vehicles, and the fact that the greater number of stalls reduces on-street parking. Long term bicycle parking is provided in a mix of specialized ground floor and basement rooms, and, in the case of Building B, within the dwelling units. Short term bicycle parking is provided on the sites in reasonable proximity to entries. *With modifications for non-standard loading stall height, rear motion exiting from the Building B loading bay, and substandard parking stall size for some spaces in the garage, this guideline and the purpose of the regulation can both be met.*

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

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

Findings for D7 and D8: In order to mitigate the impacts of height and length, the applicant responded to the expressed concerns of the Historic Landmarks Commission at the initial hearing by:

- recessing windows in stucco 2" and returned the stucco at all jambs and head;
- bringing bay windows down to the second floor on Building B and adding a trim band;

- changing the windows in the attic story over the bay windows on Building B;
- adding brick to the east façade of Building B;
- making the glass canopy flat on Building A;
- changing the garage doors on Building A to decorative painted steel;
- adding more detail to the center pavilion on Building A;
- enlarging the parapet trim at Building A;
- making the bottom loading door panels opaque at the glass loading door on building B;
- providing a spacer bar between glass at the applied muntins at all windows; and
- enlarging the depth of stucco trim in building A in general.

This guideline is met.

(2) 33.846.070 Modifications Considered During Historic Design Review The approval criteria for modifications considered during historic design review are:

A. Better meets historic design review approval criteria. The resulting development will better meet the approval criteria for historic design review than would a design that meets the standard being modified; and

B. Purpose of the standard.

1. The resulting development will meet the purpose of the standard being modified; or
2. The preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.

Request #1: To modify 33.266.310, for a non-standard loading stall height of 8'-2" in the basement of Building A; and for rear-motion exiting from the loading bay of Building B.

33.266.310 – Purpose. 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 for A: As evidenced in the findings under Guideline D4 above, the resulting development will better meet the approval criteria because the typical loading pattern in a fully residential building does not require full height bays, and the overall building height and facade impacts are minimized.

Findings for B: The purpose of the regulation is met because more safe, adequate, and minimally visible loading will be provided.

The proposed Modifications meet the approval criteria and the purpose of the standard, and are acceptable to the Bureau of Transportation, and therefore merit approval.

Request #2: To modify 33.266.130, for a non-standard parking stall depths of some spaces in basement of Building A.

33.266.130 – 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.

Findings for A: As evidenced in the findings under Guideline D4 above, the resulting development will better meet the approval criteria because the impact of on-street parking will be minimized.

Findings for B: The purpose of the regulation is met because safe, adequate, and minimally visible parking will be provided. The basement parking will be in assigned spaces and the columns will occur at the middle of the stall, easing turning motions in and out.

This proposed Modification meets the approval criteria and the purpose of the standard and therefore merits approval.

Request #3: To modify 33.140.215 C. 1. e. 5, for a facade less than 100% within the maximum setback.

33.140.210 – Purpose. The setback standards promote different streetscapes. The EG1, IG1, and EX zone setbacks reflect the generally built-up character of these areas. The setback standards are also intended to ensure that development will preserve light, air, and privacy for abutting residential zones. In the EG1 and EX zones, the setback requirements along transit streets and in Pedestrian Districts create an environment that is inviting to pedestrians and transit users.

Findings for A: As evidenced in the findings under Guideline E5 above, the resulting development will better meet the approval criteria because the nonconforming recess fits the historic development pattern for the building type and will divide an uncharacteristically long facade into more historically compatible segments.

Findings for B: The purpose of the regulation is met because the recessed area is landscaped and leads to a prominent and well-designed main residential entry, providing a pleasant pedestrian environment and replicating a common development pattern in the historic district.

This proposed Modification meets the approval criteria and the purpose of the standard and therefore merits approval.

CONCLUSIONS

Inserting new development into historic district contexts is a process that must weigh many variables against one another. Perhaps the most difficult balance to strike is between economic viability, which tends to dictate maximizing size, and a mixed historic development pattern. Taken as a whole, the proposed new development achieves a reasonable accommodation to its context. The purpose of the Historic Design Review process is to ensure that additions, new construction, and exterior alterations to historic resources and within historic districts do not compromise their ability to convey historic significance. This proposal does not yet meet the applicable Historic Design Review criteria but the modification criteria are met.

HISTORIC LANDMARKS COMMISSION DECISION

It is the decision of the Historic Landmarks Commission to approve Historic Design Review for new construction of two, five story, apartment buildings with 134 dwelling units and 70 below grades parking spaces, on the site of one non-contributing property and one vacant property, in the Alphabet Historic District.

It is further the decision of the Historic Landmarks Commission to approve the following four modifications:

1. 33.266.310, for a non-standard loading stall height of 8'-2" in basement of Building A, and
2. for rear-motion exiting from loading in Building B;
3. 33.266.130; for a non-standard parking stall depths of some spaces in basement of Building A; and
4. 33.140.215 C. 1. e. 5, for a facade less than 100% within the maximum setback.

Approvals are per Exhibits C-1 through C-48, signed, stamped, and dated May 17, 2012, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (A – D) 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 12-106944 HDZM. All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. No field changes allowed.
- C. The stamped drawing shall reflect that the distance from the face of the stucco to the face of the window frame is a minimum of three inches.
- D. The stamped drawing shall reflect the dimensions of the side trims of vertically stacked windows.

By: _____

Brian Emerick, Acting Historic Landmarks Commission Chair

Application Filed: January 24, 2012

Decision Rendered: May 14, 2012

Decision Filed: May 15, 2012

Decision Mailed: May 21, 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 January 24, 2012, and was determined to be complete on March 5, 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 January 24, 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 A-1.

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 Historic Landmarks 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 June 6, 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 \$5,000.00 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 **June 7, 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.

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

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

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

Dave Skilton

Date prepared: May 17, 2012

EXHIBITS – NOT ATTACHED UNLESS INDICATED

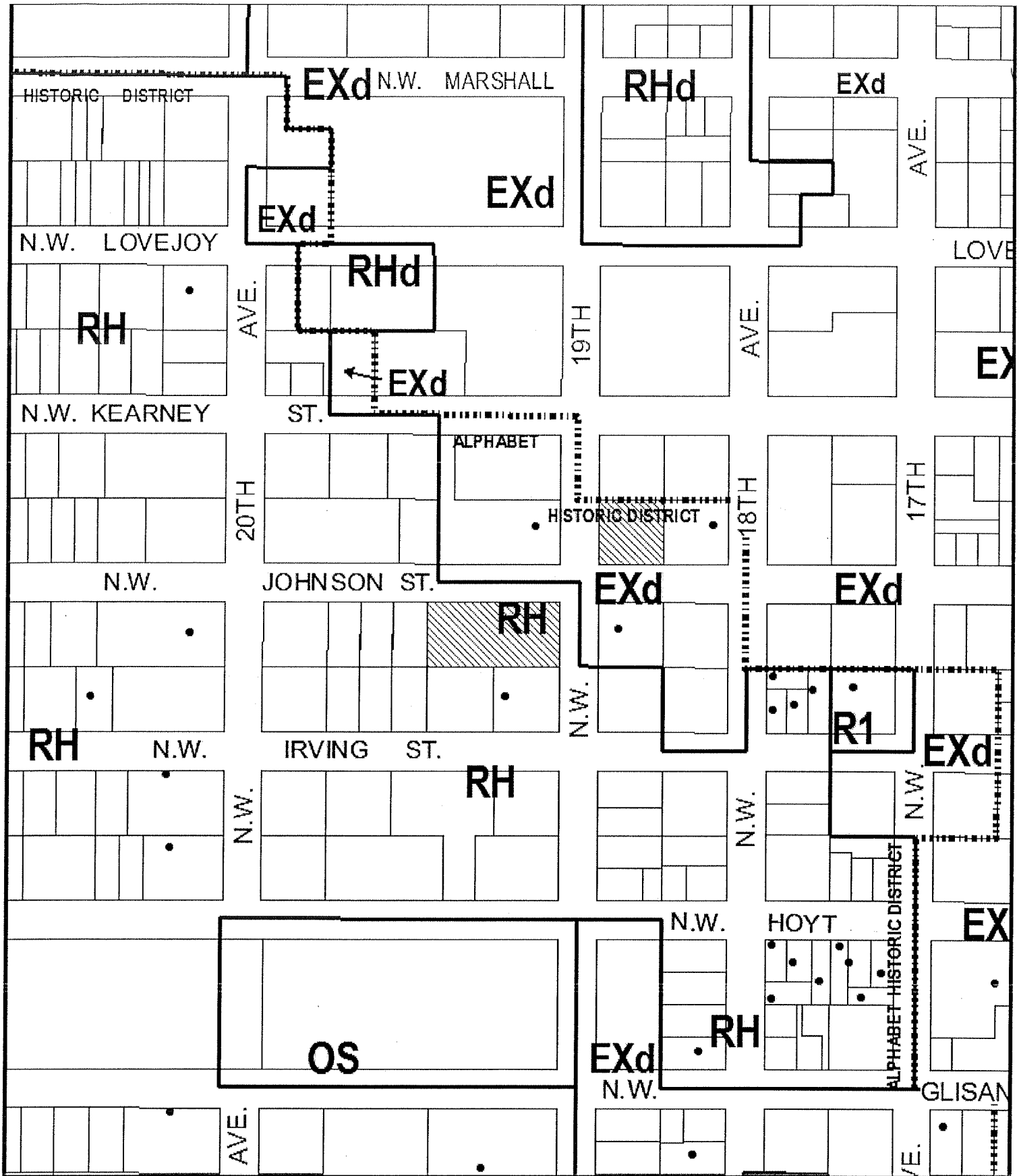
- A. Applicant's Materials
 - 1. 120-day waiver
 - 2. Response to approval criteria
- B. Zoning Map (attached)
- C. Plans & Drawings:
 - 1. Aerial Rendering
 - 2. Table of Contents
 - 3. Building A Rendered Perspective to Southwest
 - 4. Building B Rendered Perspective to Northeast
 - 5. Building A Rendered Perspective to Northwest
 - 6. Building A Rendered Perspective to South
 - 7. Building B Rendered Perspective to East
 - 8. Location Plan

9. Site and Context Photos
 10. Building A Precedent Photos
 11. Building B Precedent Photos
 12. Urban Design Diagram
 13. Site Plan (attached)
 14. Utility Plan
 15. Building A Landscape Plan
 16. Building B Landscape Plan
 17. Landscape Details
 18. Landscape Details
 19. Building A Planting Plan
 20. Building B Planting Plan
 21. Planting Plan Legend
 22. Plant Materials
 23. Plant Materials and Site Furnishings
 24. Building A Floor Area Ratio Diagrams and Calculations
 25. Building B Floor Area Ratio Diagrams and Calculations
 26. Building A Basement Plan
 27. Building A Ground Floor Plan (attached)
 28. Building A Typical Upper Floor Plan
 29. Building A Roof Plan
 30. Building B Ground Floor Plan (attached)
 31. Building B Upper Floor Plans
 32. Building B Roof Plan
 33. Building A East and North Elevations (attached)
 34. Building A West and South Elevations (attached)
 35. Building B South and West Elevations (attached)
 36. Building B East and North Elevations (attached)
 37. Building A Enlarged Elevations and Sections
 38. Building B Enlarged Elevations and Sections
 39. Building A North-South and East-West Sections
 40. Building B North-South and East-West Sections
 41. Building A Section Details
 42. Building A Section Details
 43. Building B Section Details
 44. Building B Section Details
 45. Entry Canopy, Garage Gate, and PTAC Grill Details
 46. Building A Lighting Plan and Fixtures
 47. Building B Lighting Plan and Fixtures
 48. Exterior Finishes
- 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. Mailing list
 1. Mailed notice
- E. Agency Responses:
1. Bureau of Environmental Services
 2. Water Bureau
 3. Fire Bureau
 4. Site Development Review Section of Bureau of Development Services
 5. Life Safety Section of Bureau of Development Services
 6. Bureau of Transportation
- F. Letters:



1. Gail Shibley wrote on April 17, 2012, objecting to removal of existing street trees
- G. Other:
 1. Original LUR Application
 2. Site History Research
- H. Received After Opening of Hearing
 1. Staff Report
 2. Staff presentation
 3. Applicant Presentation
 4. Dan Welch wrote on April 20, 2012, in favor of the proposed development.
 5. Lance Killian wrote on April 23, 2012, supporting the application and pointing out the approval criteria.
 6. Wendy Chung wrote on April 23, 2012, finding approval criteria 2, 3, and P2 unmet.
 7. Peter Sanders, Gisele Sanders, Dragan Milosevic, Dragana Milosevic, Richard Durant, Doug Macy, Erich Austin, Tanya Loucks, Allen Buller, Vicki Skryha, and Wendy Chung wrote jointly on April 23, 2012, raising concerns about inadequacy of parking.
 8. Myriam Alaux wrote on April 23, 2012, objecting to the scale and massing of the proposed buildings and the loss of existing street trees.
 9. Joe Keller wrote on April 23, 2012, objecting to the scale and massing of the proposed building and the loss of existing street trees.
 10. Jim Vogele and Kathy Shymanski wrote on April 23, 2012, objecting to the scale and massing of the proposed building and the loss of existing street trees.
 11. Sharon Genasci wrote on April 23, 2012, objecting to the scale and massing of the proposed building and the loss of existing street trees.
 12. Jim Vogele and Kathy Shymanski wrote on April 23, 2012, concerning the height of the proposed buildings and impacts on cyclist safety on NW Johnson.
 13. Joe Keller wrote on April 26, 2012, concerning impacts on cyclist safety on NW Johnson.
 14. Michael Hasson wrote on April 27, 2012, in support of the proposed development.
 15. Teragan & Associates arborist's May 2, 2012 report on development impacts to four elms in right-of-way on NW Johnson Street adjacent to proposed Building A.
 16. Barbara Bradshaw wrote on May 3, 2012, in support of the proposed development.
 17. Revised Staff Report
 18. Revised Staff Presentation
 19. Sharon Genasci wrote on May 14, 2012, objecting to the scale and massing of the proposed building and the loss of existing street trees.
 20. Bill Welch wrote on May 14, 2012, asserting that the Historic Landmarks Commission has jurisdiction over the treatment of street trees.

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

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



ZONING

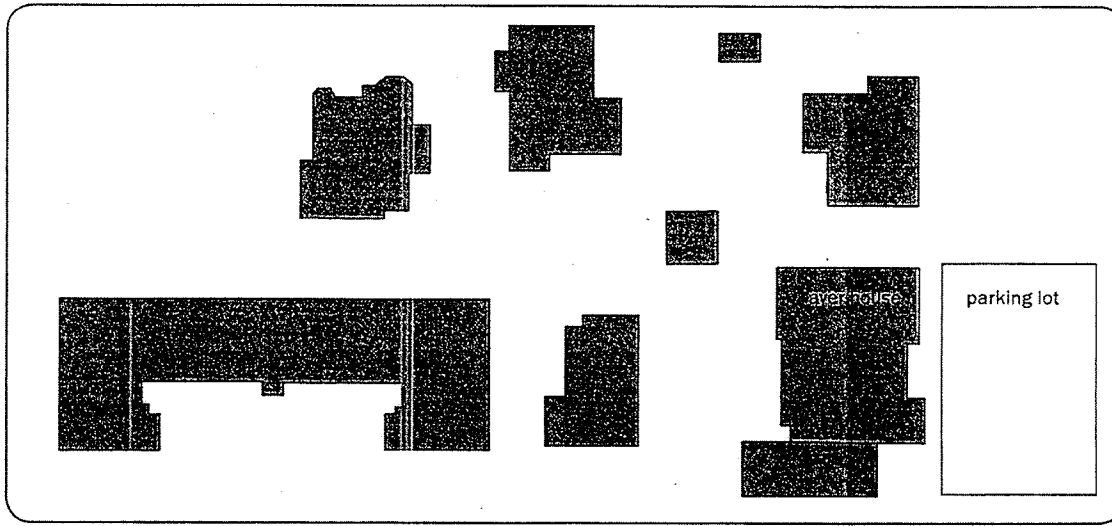
-  Site
-  Historic Landmark



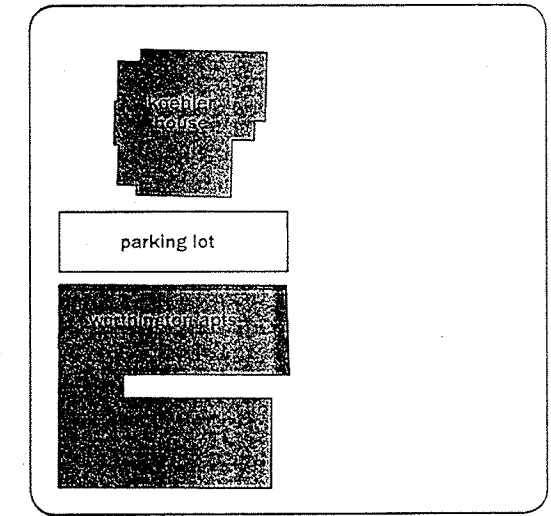
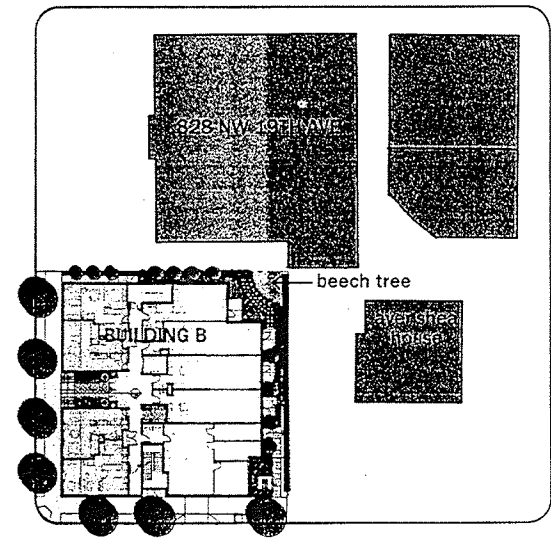
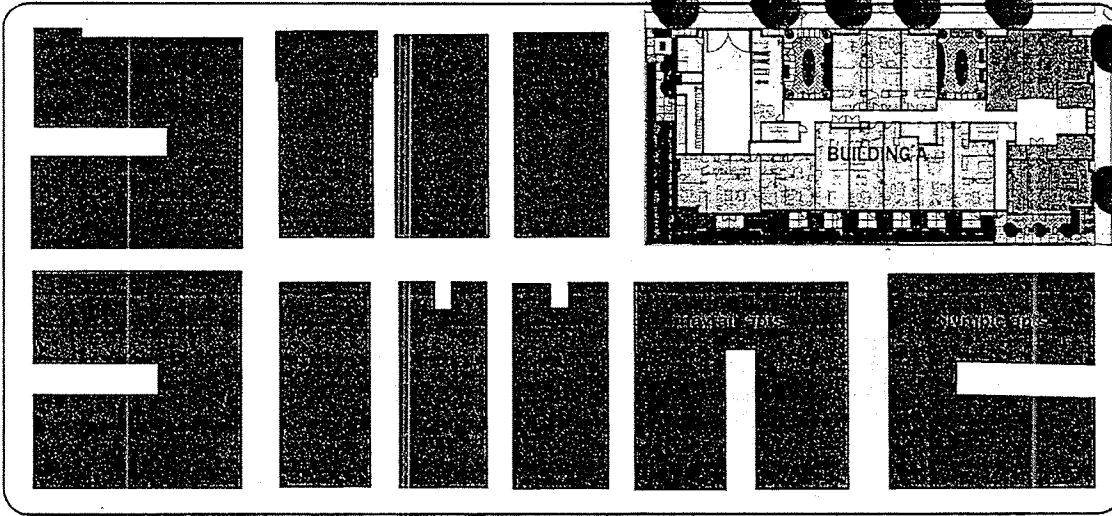
This site lies within the:
ALPHABET HISTORIC DISTRICT
NORTHWEST PLAN DISTRICT

File No.	<u>LU 12-106944 HDZM</u>
1/4 Section	<u>2928</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E33AC 9700</u>
Exhibit	<u>B</u> (Feb 02,2012)

C13



NW JOHNSON ST



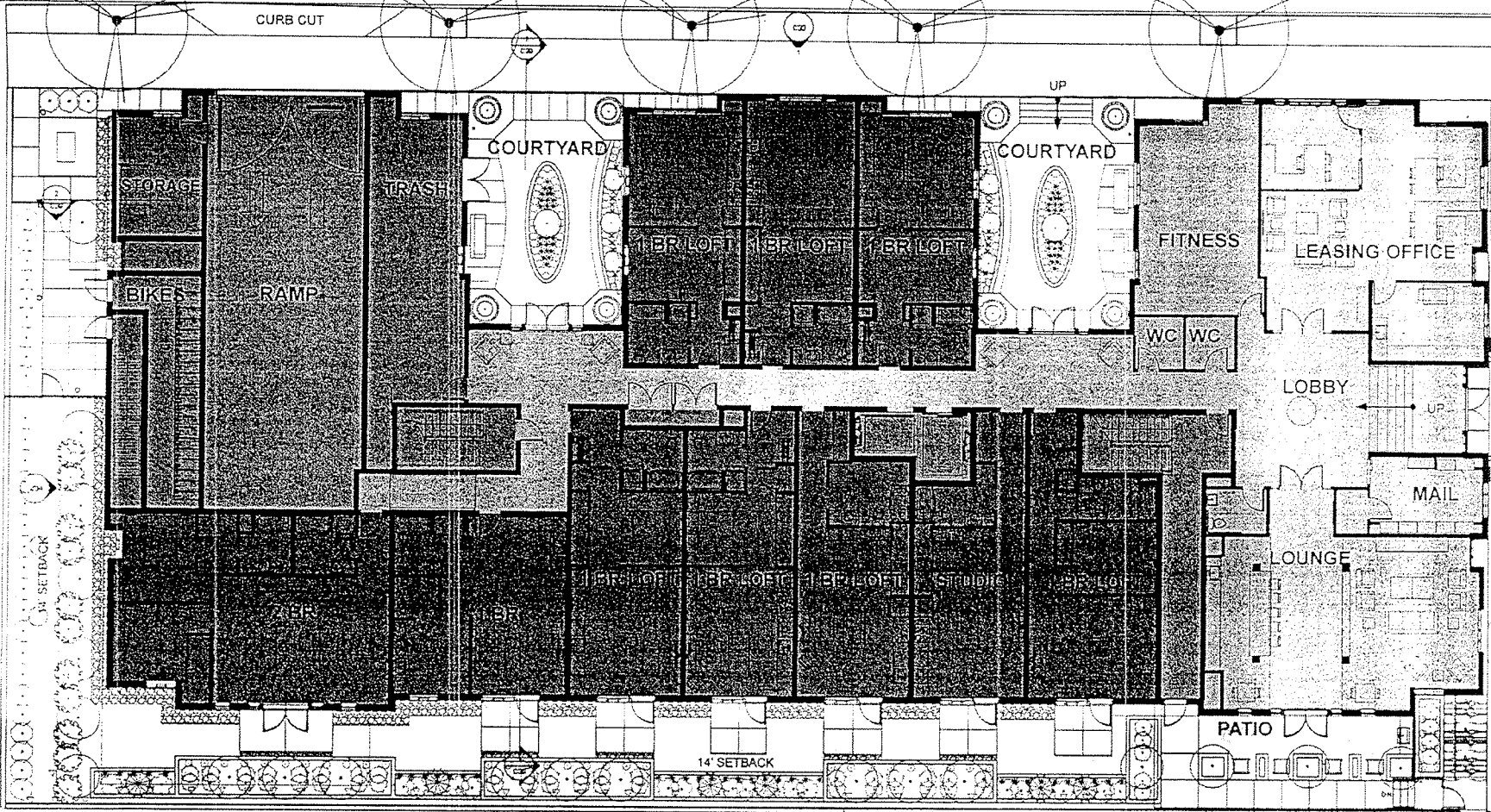
NW 19th AVE

SERA NW 19TH & JOHNSON
 DESIGN REVIEW APPLICATION - LU 12 106944HDZM
 2012 MAY 14

Approved
 City of Portland - Bureau of Development Services
 Planner *Dave Hilg* Date *5.17.12*
 This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

NW JOHNSON ST

CURB CUT



BUILDING A - LEVEL 1 FLOOR PLAN 1
1/16" = 1'-0"

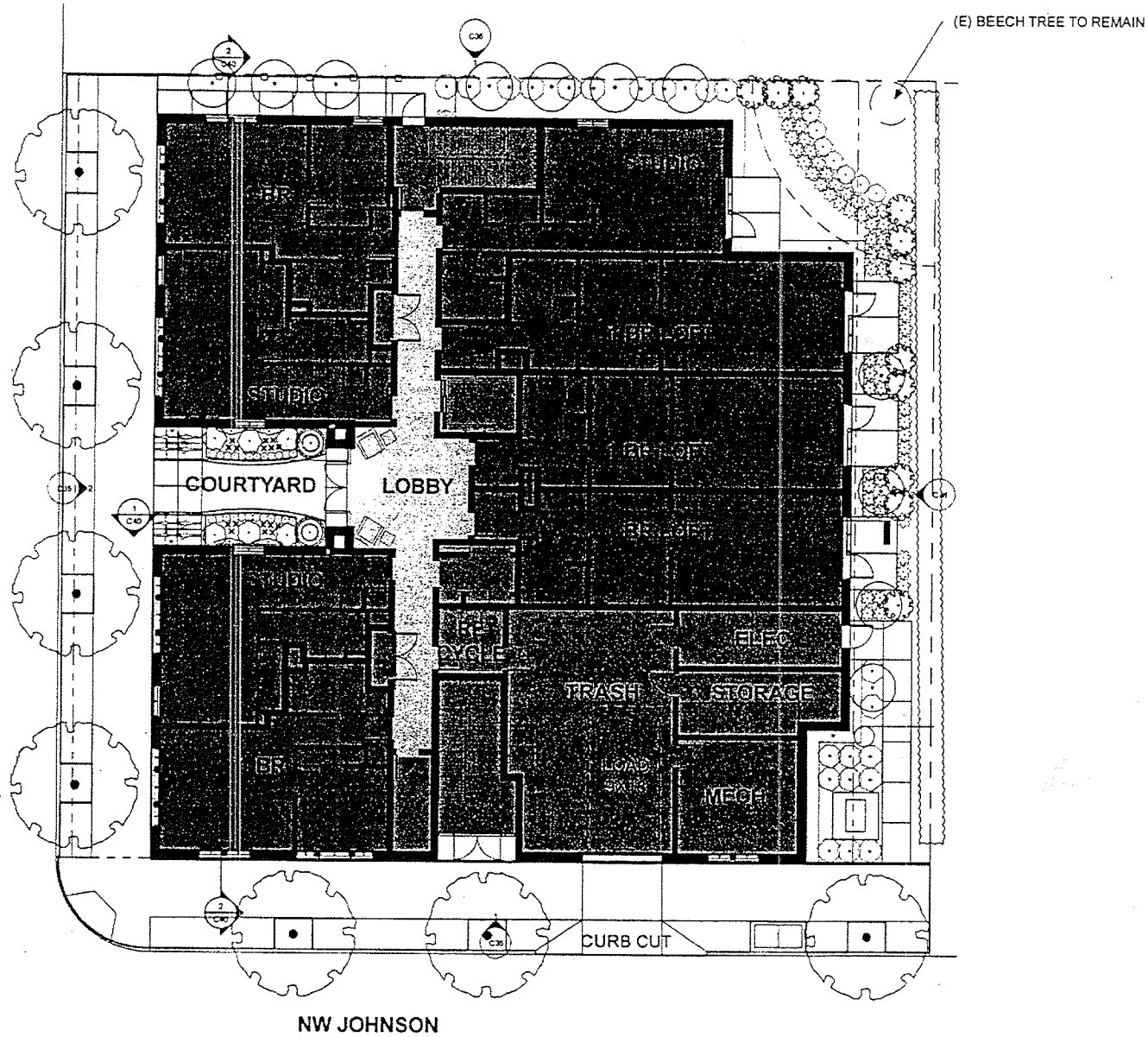
LCV

SERA NW 19TH & JOHNSON
DESIGN REVIEW APPLICATION - LU 12 106844HDZM
2012 MAY 14

Approved
City of Portland - Bureau of Development Services
Planner *Dave Fultz* Date 5/17/12
NW 19TH AVE
This approval applies only to the review requested and is subject to conditions of approval. Additional zoning requirements may apply.

C30

NW 19TH AVENUE

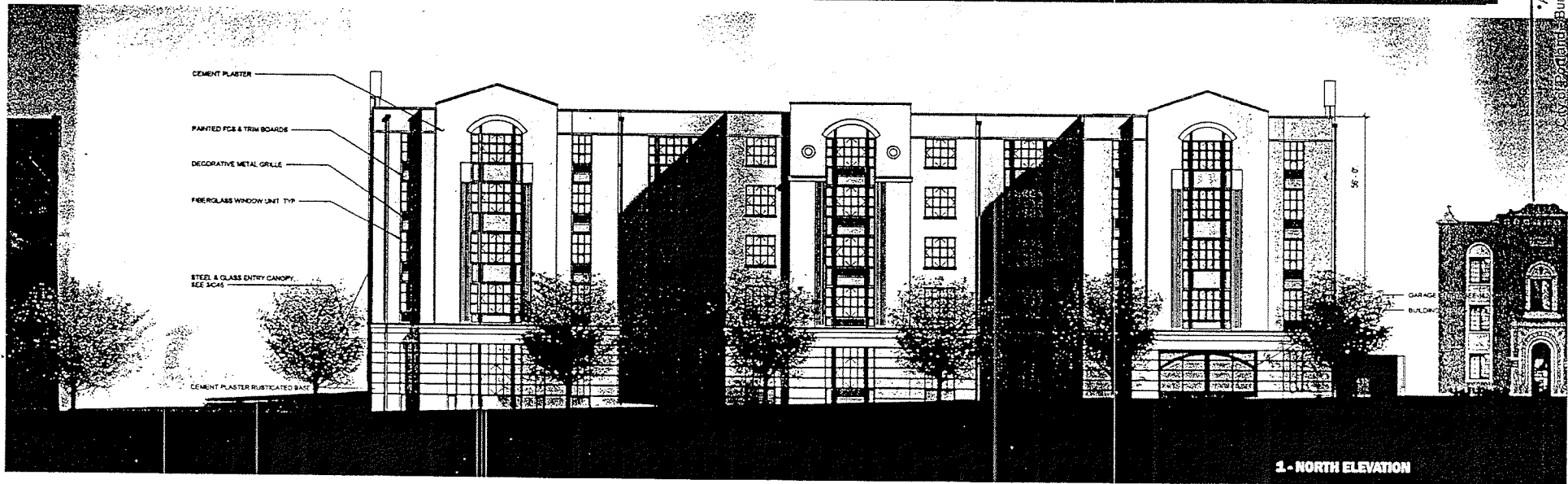


BUILDING B - LEVEL 1 FLOOR PLAN

1/16" = 1'-0"



Approved
 City of Portland - Bureau of Development Services
 Planner *Doree Hiltner* Date *5.17.12*
 This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.



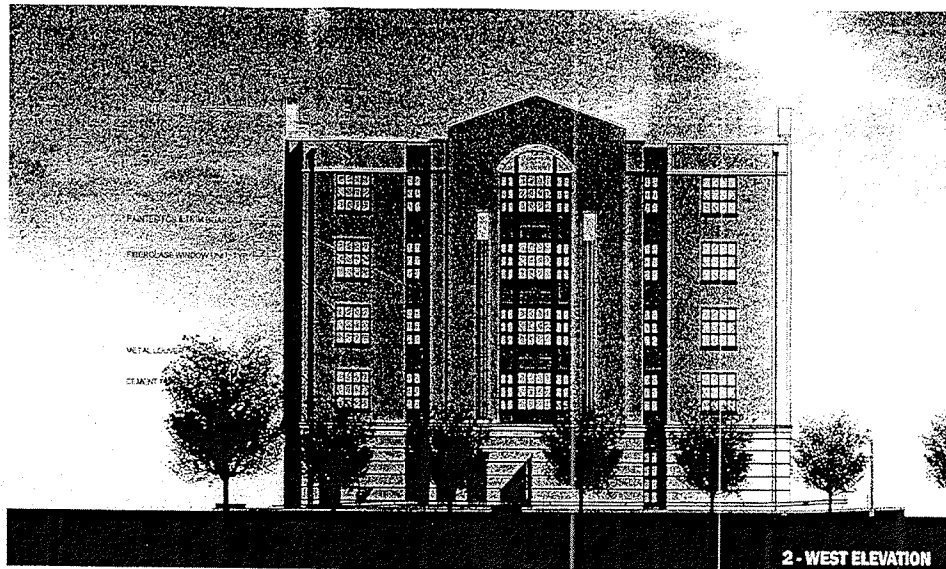
Approved*
 City of Portland Bureau of Development Services
 Planner *Dave Johnston* Date *5.17.12*
 This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

SERA
 NW 19TH & JOHNSON

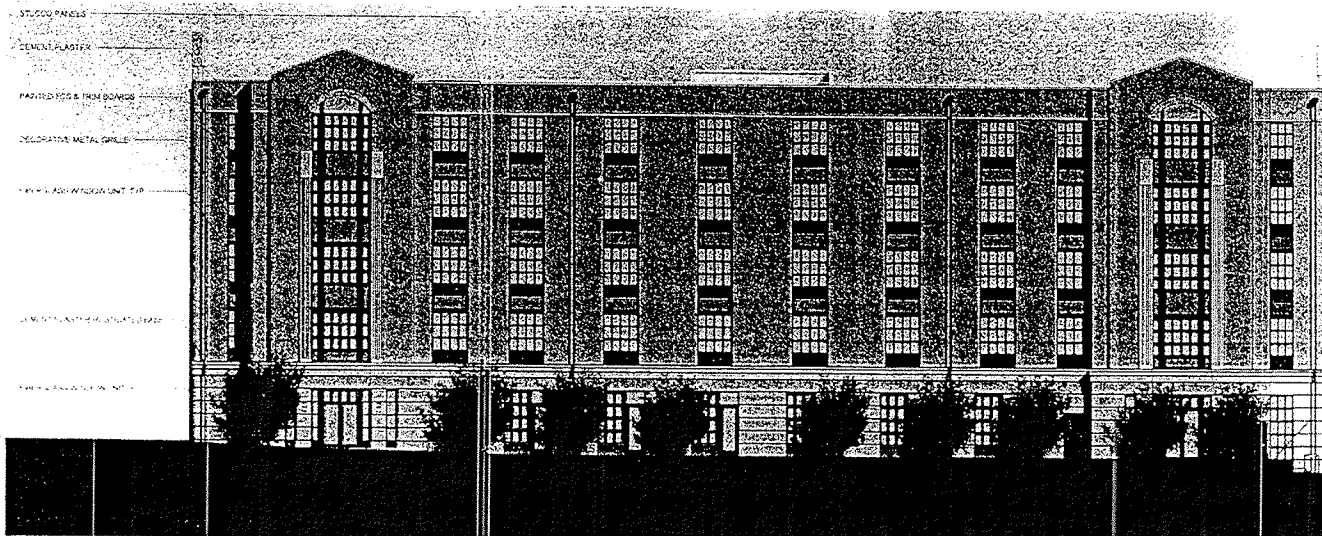
BUILDING A



A - ELEVATIONS C33



2 - WEST ELEVATION



1 - SOUTH ELEVATION

Approved
 City of Portland - Bureau of Development Services
 Planner *Dave Miller* Date *5.17.12*
 This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.



C34



1 - SOUTH ELEVATION

City of Portland - Bureau of Development Services
 Date 5.17.12
 This approval is preliminary to final review requested and is subject to final review and any other requirements that may apply.



2 - WEST ELEVATION

City of Portland - Bureau of Development Services
 Date 5.17.12
 This approval is preliminary to final review requested and is subject to final review and any other requirements that may apply.

C35

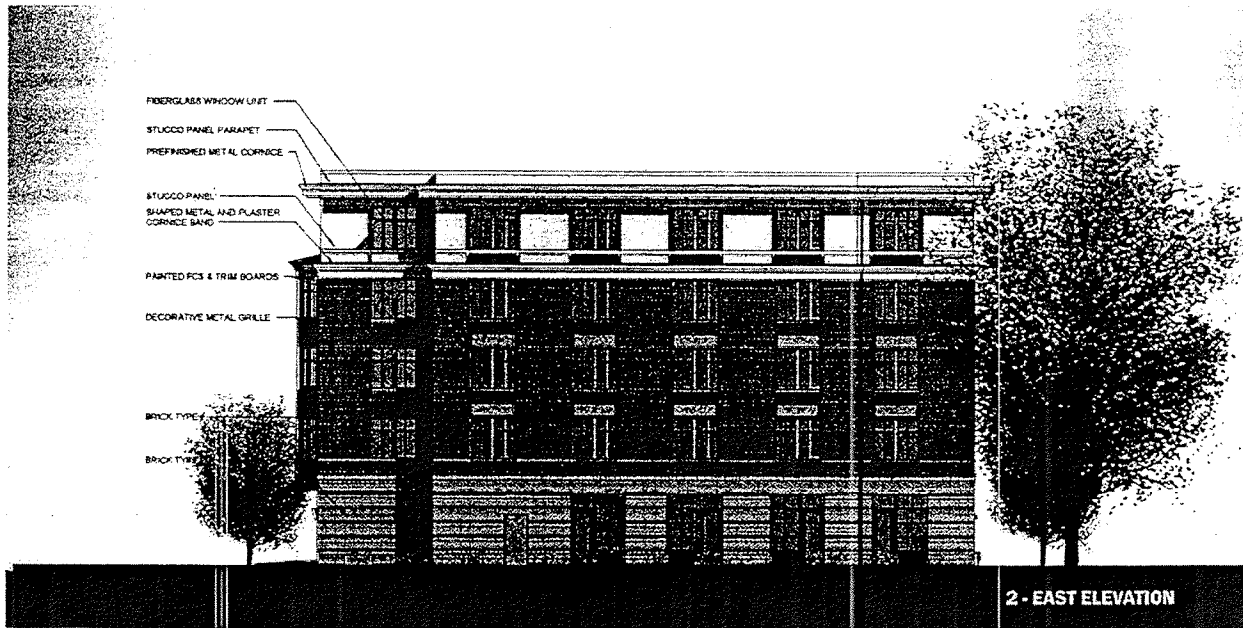


NW 19TH & JOHNSON

BUILDING B



6 - ELEVATIONS C35



2 - EAST ELEVATION



1 - NORTH ELEVATION

C 30

"Approved"
 City of Portland - Bureau of Development Services
 Planner *Dave Fulton* Date *5.17.12*
 This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.