



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 July 11, 2013

CASE FILE NUMBER: LU 13-129180 DZ SW 12TH + CLAY APARTMENTS

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GENERAL INFORMATION

Applicant: Kurt Schultz
SERA Architects
338 NW 5th Ave.
Portland, OR 97209

Purchaser: Michael McKenna
Mactrust, Llc C/O Summit Realty Group LLC
3831 SW Barbur Blvd
Portland, OR 97239

Owner: Clay Street Associates LLC
5125 SW Macadam Ave #125
Portland, OR 97239

Site Address: 1500-1520 SW 12TH AVE

Legal Description: BLOCK 266 LOT 7&8, PORTLAND
Tax Account No.: R667729640, R667729640
State ID No.: 1S1E04AD 04900, 1S1E04AD 04900
Quarter Section: 3128

Neighborhood: Portland Downtown, contact Jennifer Geske at 503-750-9843.
Business District: None
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Zoning: **RXd** (Central Residential base zone with Design overlay zone), **Central City plan district**

Case Type: **DZ** (Design Review)
Procedure: **Type III**, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

REVISED Proposal: The applicant has proposed the development of a new eight-story apartment building on a quarter block downtown site at SW 12th and Clay, on the site of an existing two-story midcentury office building. The project would include 83 market-rate

apartments, ground floor lobby, ground floor fitness room and outdoor courtyard, a single loading bay off of SW Clay Street, and long-term bike parking room.

The applicant has made several revisions to the project following the initial hearing before Design Commission on June 6, 2013. These changes include the following:

- 1.** The main architectural elements have been simplified and clarified, going with a more 'Classic Portland' expression and less Chicago School for clarity. The exterior has been simplified to 3 distinct elements: the red brick body, the attic story, and the corner window bay. The red brick body is now clearly 'punched openings' in a brick wall and not brick columns.
- 2.** In the red brick body:
 - a.** New raked, red brick spandrels are added in place of fiber cement below windows on levels 3-6. The raked brick panels are the same red color as the other red brick on the building, and are set back 1 ½" from the main red brick plane;
 - b.** Fiber cement panels at the building base are replaced with the new raked red brick, also recessed back from the main red brick plane;
 - c.** Corner rustication on the brick at the middle/shaft has been deleted;
 - d.** White brick banding between the second and third floors has been changed to red brick; and
 - e.** Concrete base material at the ground floor has been changed to red brick to avoid a 'stepping' look.
- 3.** Corner rustication on the white brick at the attic story has been removed.
- 4.** The main building corner/entry has been simplified:
 - a.** The ground floor entry and second story walls have been moved further back from the street to create a larger on-site stopping point, and the interior lobby/leasing area has been reconfigured; and
 - b.** The corner window bay expression has been simplified to be consistent throughout the building, with enlarged windows and metal panel versus cement panel or white brick spandrels.
- 5.** The glass entry canopy has been changed to be sleeker and more refined, eliminating the wide flange (I-beam) steel fascia.
- 6.** The glass entry canopy has been raised to align with the awning canopies on 12th Avenue.
- 7.** The main floor elevation has been raised 6 inches.
- 8.** Ground floor unit windows have been enlarged on SW Clay Street to extend down to the floor line, reducing the amount of blank wall area.
- 9.** Metal panel has been changed to two colors only: a light gray on the upper two floors of the party walls, and a charcoal gray used at the lower floors of the party walls and at all other metal panel locations (NOTE: elevations are more accurate with regards to color – the renderings show a brownish hue to the metal panel and cement panel that is inaccurate).
- 10.** Awning and loading door details have been added, with a metal and glass loading door.
- 11.** Further details and plant materials have been provided for the courtyard.
- 12.** Additional landscaping in linear planters are proposed in the right-of-way.

The building has an L-shaped plan, with an interior light well/courtyard, and a prominent inset corner entry bay at SW 12th & Clay. A large glass canopy extends over the corner pedestrian entry, which itself is pulled back from the street lot lines with a chamfered corner door at the entry lobby. Residential units are found on the balance of the first floor, two of which include recessed entry vestibules along SW 12th, except where a single loading bay and trash room are located along the eastern portion of the SW Clay Street frontage, and a long-term bike locker room and fire/water service room along the SW 12th Avenue frontage.

The exterior design takes design inspiration from the classic streetcar-era apartments in the neighborhood, with clear division of the facade into the classical base, shaft and attic/top elements. The primary exterior skin is a red brick, with an off-white brick used at the top two floors ('attic'). Rectangular panels under upper-story windows are made of trimmed and painted fiber cement panel, with a third, raked red brick material used in locations at the middle of the building below the trimmed panels, and below the ground floor windows. The upper-story windows are all fiberglass. Projecting shed-roofed fabric awnings are located at street level on both street facades, and a decorative metal railing encloses the entry vestibule for the two street-level units with access onto SW 12th Avenue. The building top is identified by a projecting metal cornice and stucco parapet, and stucco with metal roofing is also used on rooftop penthouse structure.

The project location and cost trigger a Type III Design Review. No concurrent modifications or adjustments are requested at this time.

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:

- *The Central City Fundamental Design Guidelines*

ANALYSIS

Site and Vicinity: The site is a 10,000 square foot parcel at the southeast corner of the intersection of SW 12th Avenue and Clay Street. The site is developed with a two-story office building originally constructed in 1958. A small surface parking lot for approximately 20 vehicles is located behind the building on the east half of the site, with driveway access onto SW Clay Street. While there is no landscaping in the parking lot itself, there are shrubs and other landscape materials between the building walls and the adjacent sidewalks in both SW 12th Avenue and SW Clay street, except at the corner where a paved building entry walkway is located.

The surrounding area is primarily residential, but also includes significant commercial and residential uses. The remainder of the subject block includes two older apartment buildings to the east, a two-story commercial structure directly to the south, and a surface parking lot diagonally to the southeast. The entire block across SW 12th Avenue to the west consists of multi-story residential buildings. A half-block residential high-rise is located directly to the north across SW Clay Street, and provides senior housing. Several of the nearby buildings provide group living housing opportunities or housing for the formerly homeless, in addition to both affordable and market-rate apartments. The north edge of the Portland State University campus is located one block to the south along SW Market Street, and there are several churches within a three-block radius, including two in the block immediately northwest of the site.

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

Zoning: The Central Residential (RX) base zone is a highest density multi-dwelling zone in the city. Density is not regulated by the number of dwelling units, but rather by the maximum allowed floor-area per site, which in turn depends on the size of the site. The RX zone is

primarily applied in the central city. The Central City plan district implements the Central City Plan and other plans applicable to the Central City area.

Land Use History: City records indicate that three prior land use reviews at the site:

- *CU 75-87* was a Revocable Permit for continued use of a parking lot on the site, approved by the Hearings Officer;
- *DZ 143-85* was an approved Design Review for a remodel of the existing office building; and
- *LU 11-181021 DZM* is an approved Design Review with Modifications for changes to the surface parking lot on the site.

Agency Review: A “Request for Response” was mailed **April 26, 2013**. The following Bureaus have responded:

The *Bureau of Environmental Services* (BES) has reviewed the proposal and responded with informational comments about regulations to be applied during the building permit review process, but without objections to the requested Design Review. Sanitary sewer connections for the project must comply with the city’s *Sewer and Drainage Facilities Design Manual*. The proposal must also comply with the requirements of the city’s *Stormwater Management Manual*. The BES team has reviewed the submitted stormwater report, and does not object to the specific recommended stormwater management approach. Exhibit E.1 contains staff contact and additional technical information.

The *Development Review Section of Portland Transportation* has reviewed the proposal for potential impacts upon transportation services in the public rights-of-way, and for conformance with adopted policies, street designations, and relevant regulations in Titles 17 and 33. As a condition of building permit approval the applicant will be required to rebuild the sidewalk corridors to current City standards under a separate public works permit. No dedications are required. The Development Review Section of Portland Transportation has no objection to approval of the requested Design Review. Exhibit E.2 contains staff contact and additional information.

The *Water Bureau* has reviewed the proposal and offered comments about the availability of water services and permitting requirements, but offers no objections to the requested Design Review. A Water Bureau review for fixture count along with the required fire flow volumes will be required during the building permit process, and all connection costs will be the responsibility of the applicant. Exhibit E.3 contains staff contact and additional information.

The *Fire Bureau* has reviewed the proposal and notes that a separate building permit is required. The applicant shall meet all applicable Fire Code regulations during the building permit review process, and if the requirements cannot be met there is an appeal path option. Exhibit E.4 contains staff contact and additional information.

The *Site Development Section of the Bureau of Development Services* has reviewed the proposal and provided a response with technical details that are relevant to the permitting process, but no objections or concerns regarding approval of the requested Design Review. A geotechnical report and site-specific seismic hazard study will be required during the building permit review process, and erosion control and other regulations must also be addressed. Exhibit E.5 contains staff contact and additional information.

The *Life Safety Section of the Bureau of Development Services* has reviewed the proposal and provided information about building codes, but no objections or specific recommendations related to the requested Design Review. A separate building permit is required for the project, and the proposal must be designed to meet all applicable building codes and ordinances. Exhibit E.6 contains staff contact and additional information.

The *Urban Forestry Division of Portland Parks and Recreation* has reviewed the proposal and responded with the comment that street trees will be required on all (adjacent) street frontages. Exhibit E.7 is a hard copy print-out of their electronic comments.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on May 16, 2013. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Central City Fundamental Design Guidelines.

Central City Fundamental Design Guidelines

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

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

Central City Plan Design Goals

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

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

9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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 accessways for pedestrians that provide connections to the Willamette River and greenway.

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

A2. Emphasize Portland Themes. When provided, integrate Portland-related themes with the development's overall design concept.

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

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

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

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

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

Findings for A4 and A5: The proposal uses elements from several nearby buildings, and incorporates architectural themes common to other prominent structures downtown. Red brick is a common material found on the two streetcar-era apartment buildings just to the east on the same block, as well as the apartment building found directly opposite the site to the west across SW 12th Avenue. The tripartite exterior design, based in classical western architecture, is also utilized on streetcar era apartment buildings and commercial structures nearby and further afield in the central city. The use of ground floor canopies and a prominent glass entry canopy is also typical of grand commercial and apartment buildings in the central city.

The applicant will be required to reconstruct the adjacent public sidewalks to current

standards, including accessible corner ramps, street trees, and scoring patterns. *Therefore, these guidelines are met.*

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

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

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

Findings: The building has been designed with an L-shaped plan that places the building along the adjacent public streets, with an interior courtyard at the interior of the site. The main entry to the building is at the exterior corner, and is clearly identifiable by the full-height windows and projecting glass entry canopy. Ground floor units along both streets also include generous glazing, providing for views into and out of the building. Two of the units along SW 12th Avenue include separate exterior doors and covered entry vestibules with low gates providing a transitional semi-private zone abutting the sidewalk. The entire pedestrian frontage is provided with brick and punched openings, with overhanging canopies and awnings to improve the streetscape experience.

Revisions made to the project after the first hearing further improve the pedestrian environment with larger ground-floor unit windows along SW Clay Street, a refined entry canopy design, and a larger setback of the corner lobby/entry walls from the sidewalk. *Therefore, this guideline is met.*

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

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

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

Findings: The reconstructed sidewalks, curbing, on-street parking and street trees will provide some measure of protection for pedestrians from passing vehicles. The exterior night lighting techniques include scone lights near the main entry, and recessed downlights in the exterior ceiling straddling the double main entry doors. There are two locations at grade where mechanical venting systems are located in the pedestrian zone, but these are incorporated into the same window opening patterns found elsewhere, and are for the emergency generator room along SW Clay Street, and the mechanical and

fire/water equipment rooms along SW 12th Avenue. Individual units have exterior PTAC louvers that are well-integrated into the trimmed cement panel areas between the brick openings, below the windows. Unlike a ventilation system for a restaurant or more intense commercial use, these PTAC louvers and the two areas of mechanical louvers should not significantly impact the pedestrian environment. *Therefore, this guideline is met.*

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

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

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

Findings: The chamfered, inset entry doors at the corner provide a logical and convenient place for pedestrians to stop, view the surroundings, socialize and rest, outside of the main pedestrian movement zone on the abutting streets. Two of the units at ground level along SW 12th Avenue provide covered ‘porch’ areas that provide a semi-private zone for visitors and guests of residents in those apartments.

The revised proposal expands the stopping and viewing space at the corner building entry, allowing for residents, visitors and passersby to pause out of the flow of public pedestrian traffic. *Therefore, this guideline is met.*

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

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

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

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

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

Findings: The primary adjacent points of interest and activity are the nearby sidewalks and streets themselves. The building includes significant ground floor windows offering views from the lobby entry and individual units to the adjacent streetscape. At the main

corner building entry, the building is pulled back from the street to create a gracious entry and pedestrian refuge, and large full-height windows are located to signify the public entry point and increase visual connections between inside and out. *Therefore, this guideline is met.*

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

Findings: The proposal uses building materials and design principles that establish a contextual relationship with nearby structures and well-loved streetcar era buildings throughout downtown. Red brick cladding is common on both new and older apartment buildings in the area, including two buildings just east of the site on the same block. The tripartite, classically-inspired building design draws inspiration from streetcar era buildings in the Central City. Other building materials uses on the project include metal panel, which if applied in a durable way can stand the test of time. Cement panel materials and trim are used sparingly on the façade, within the punched brick openings above and below the vertically-aligned banks of windows. Metal trim details, belt courses and cornice work also have the potential for durability and permanence, as do the glass materials used on the entry canopy.

The revised proposal simplifies the design approach and building materials used, creating a more clearly ‘Classic Portland’ brick structure with punched window openings. Material changes include reducing the amount of cement panel material, eliminating cement panel at the ground level, increasing the amount of brick, introducing a new raked red brick spandrel, and unifying the inset corner bay with metal panel spandrels and larger windows. Additional details have been provided for the loading bay door, the fabric awning frames, and the 12th Avenue ‘porch’ railings. All these changes support the architectural concept of a ‘fabric’ building that is compatible with streetcar-era building designs downtown.

One outstanding item remaining from the issues raised in the first staff report relates to the metal panel material. Material samples were brought to the first hearing, but no new details have been provided showing the gauge of the metal panel, or if the use of foam backing or stiffeners will be used. Built projects in the Central City using metal panel have been shown to experience buckling or ‘oil-canning’ over time if the gauge is higher than 20 on the metal panel, and/or if no foam backing or rigid stiffeners are used to ensure a taut, uniform surface to large fields of metal panel. This is especially important on this project with highly visible party walls that are almost entirely fields of metal panel. To ensure that the metal panel is installed in a way to avoid oil-canning and present a uniform, durable appearance over time, a condition of approval will require that metal panel be no higher than 20 gauge in thickness, and that details for a foam backing and/or stiffeners be provided prior to approval of the building permit.

With a condition of approval specifying a maximum gauge of 20 for the metal panel, and the use of either foam backing or stiffeners behind the metal panel to prevent buckling of the material, this guideline can be met.

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

Findings: The proposal successfully complements the context of existing buildings in the vicinity through the use of red and cream brick as exterior siding, and by the classical arrangement of the building into a base, shaft and capital. Projecting street-level awnings, a large glass entry canopy, and street-level windows along both street facades further help the project integrate with the design of adjacent structures. *Therefore, this*

guideline is met.

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

Findings: Generally, the proposal achieves coherency in design, through the use of quality exterior materials, generous windows, and the classically-inspired tripartite approach to design of the primary facades. The use of the large glass entry canopy at the corner, and the additional street-level awnings are also a successful method of clearly defining the ground floor and entry points to the building. Window patterns and proportions are applied in a consistent and harmonized fashion, reminiscent of Chicago-style windows (e.g. Meier & Frank Co. Building). Lighting is modest and simple on the building exterior, with simple sconce lights straddling the main entry. No signage has been proposed with this application. Generally, the color palette and variety of materials are effectively used to create a harmonious, coherent whole.

Revisions made to the project after the first hearing have improved the coherency of the composition. The inset corner bay has been simplified with larger windows and dark metal panel spandrels, as well as a lighter and more refined, custom glass entry canopy design. The ground floor expression has been improved with larger unit windows along SW Clay Street, and the replacement of cement panel with brick at the ground floor panels below individual windows. Rustication above the ground floor at the corner has been eliminated, simplifying the division of the building into base, shaft and attic while enhancing the clarity of the inset corner bay. The use of raked red brick panels on the upper floors gives the building a sense of traditional punched window openings in a brick façade at the base and shaft, versus the emphasis on a series of brick pilasters in the original design.

During discussions during the continued hearing on July 11, 2013, Design Commission praised the revisions made after the first hearing, but after deliberation decided to request a suite of minor exterior adjustments to the project during the motion to approve the Design Review. Concerns about the coherency of the main entry led to a condition of approval that the sidelights have a vertical versus horizontal orientation, that the ceiling height of the lobby and entry transom glass be raised as much as possible, and that the frieze panel above the entry door be changed from cement to metal panel. Three other conditions addressing coherency were added to ensure the color of the attic level light brick and metal panel at the top of the building match, that the large ventilation louver facing SW Clay Street receive a decorative metal screen or vertical/horizontal divisions, and that the two main sconce lights abutting the entry be increased in size. Design Commission felt that these changes were necessary to achieve a coherent composition.

Overall, the revised proposal simplifies and unifies the building as an expression of a 'fabric' building compatible with Portland's streetcar era gems, simplifies the material and color palette, and is responsive to issues raised by Design Commission at the first hearing. *With the additional design-related conditions of approval as applied by Design Commission and noted above, this guideline can be met.*

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

Findings: The building corner is clearly identified through the use of a distinct

chamfered corner entry door, projecting glass canopy, and full-height windows. As a fully residential structure, there are few other opportunities for pedestrian access, although two individual unit entries along SW 12th Avenue are located mid-façade. The egress emergency stairs and service doors are located on the far interior edges of the façade, as far as possible from the corner. *Therefore, this guideline is met.*

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

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

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

Findings: Encroachments into the public right-of-way include the entry canopy, the fabric awnings, and the projecting top-floor cornice. These features will visually and physically enhance the pedestrian environment by providing weather protection, a feeling of street enclosure and urbanity, and pedestrian scale for the eight-story building mass. *Therefore, this guideline is met.*

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

Findings: The rooftop is quite simple in design, but includes an elevator landing and interior lobby to provide for a future rooftop terrace. One mechanical unit is provided in a screened enclosure just south of the main elevator overrun in the center of the roof. Rooftop structures are clad in the same metal panel material used on the end walls of the building. *Therefore, this guideline is met.*

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

Findings: Exterior lighting is extremely limited for this project. Two sconce lights are located on the brick piers directly adjacent to the chamfered main entry doors, and additional sconce lights are placed on the piers at the interior private courtyard. Two soffit downlights are placed directly adjacent to the main entry doors, and cabled downlights and one landscape uplight are shown in the private courtyard. Being all at the ground level, exterior lighting should have no impact on the night skyline. *Therefore, this guideline is met.*

C13. Integrate Signs. Integrate signs and their associated structural components with the

building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

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

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural or cultural value. The applicant has proposed the construction of an eight-story apartment building on a quarter-block site downtown, on the south portion of the 'West End', near Portland State University. The design of the building is a pleasant departure from the modernist approach being taken with most infill apartments in Portland, and looks back to the classically-inspired design of Portland's streetcar era buildings.

In response to issues raised at the first hearing, the applicant has simplified the material palette, replaced cement panel with brick, and improved the durability of materials at the ground floor. The corner entry space at grade has been increased in size, the glass canopy design has been refined, and entire inset corner bay is much improved with larger windows and dark gray metal panel spandrels. Design Commission agreed that these changes were a significant improvement in the project, and supported the staff-recommended condition of approval regarding the metal panel surfaces. Design Commission did offer four minor detail-related conditions of approval in their motion to approve the project, consistent with concerns raised during final deliberations about the entry sequence at the corner, material coloration at the top two floors, and the appearance of the large louver facing SW Clay Street. With the conditions of approval as recommended by Design Commission, the request is able to meet the applicable design guidelines and should be approved.

DESIGN COMMISSION DECISION

It is the decision of the **Design Commission** to **approve Design Review** for a new eight-story apartment building in the Downtown Subdistrict of the Central City Plan District, with 83 dwelling units, a ground floor lobby and interior outdoor courtyard, and a loading bay off SW Clay Street. Specific exterior materials and features include the following:

- A primary exterior building skin of red and white brick, with accent materials including trimmed cement panel and raked red brick spandrels;
- Fiberglass fixed and casement windows at residential units, with a metal and glass storefront system and loading bay door;
- Rigid, backed metal panel materials used at end walls, horizontal belt courses, rooftop structures and mechanical screen, and inset corner bay spandrels;
- A custom steel and glass entry canopy at the corner; and
- Exterior lighting, landscape materials, and courtyard furnishings.

This approval is granted based on the approved plans and drawings, Exhibits C.1 through C.34, all signed and dated July 11, 2013, and subject to the following conditions of approval:

- A. As part of the building permit application submittal, all drawings must reflect the design, materials, and other elements as indicated on the approved exhibits C.1 through C.34. Each relevant sheet in the permit set must show the design as approved in this application except as modified to meet conditions B through F, below. All sheets showing compliance with this decision shall be labeled Proposal and design as approved in Case File # LU 13-129180 DZ. No field changes allowed.”
- B. All exterior metal panel on the building must have a maximum gauge of 20, and be provided with either a foam backing or panel stiffening system, as documented on the building permit drawing sets.
- C. The corner entry sequence shall be improved through refinements that modify the mullion layout at the entry door sidelights to create a vertical versus horizontal pattern, raise the ceiling height and transom glass at the street-facing lobby above the entry doors as much as possible, and substitute metal panel for cement panel at the spandrel/frieze above the entry doors.
- D. The material colors shall be modified to ensure that the brick color at the top two floors is carefully matched with the end wall metal panel color at the top two floors.
- E. The large street-facing ventilation louver on the north façade shall incorporate a decorative metal screen and/or vertical and horizontal banding within the louver opening.
- F. The size of the two wall-mounted lights straddling the main entry door shall be increased in scale slightly, especially in the vertical dimension, while maintaining alignments with the rustication coursing in the brick.

=====

By:  _____
Guenevera Millius, Design Commission Chair

Decision Rendered: July 11, 2013
Decision Mailed: July 26, 2013

Decision Filed: July 12, 2013

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on March 19, 2013, and was determined to be complete on April 16, 2013.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on March 19, 2013.

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 requested that the 120-day review period be extended for a period of 35 days, in order to continue the review until a second hearing (Exhibit H.4). With this extension, the 120-day review period will expire on September 19, 2013.

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 9, 2013** 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).

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

Who can appeal: You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$5,000.00 will be charged (one-half of the application fee for this case, up to a maximum of \$5,000.00).**

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 10, 2013 (the day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

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

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

For further information on recording, please call the County Recorder at 503-988-3034
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

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.

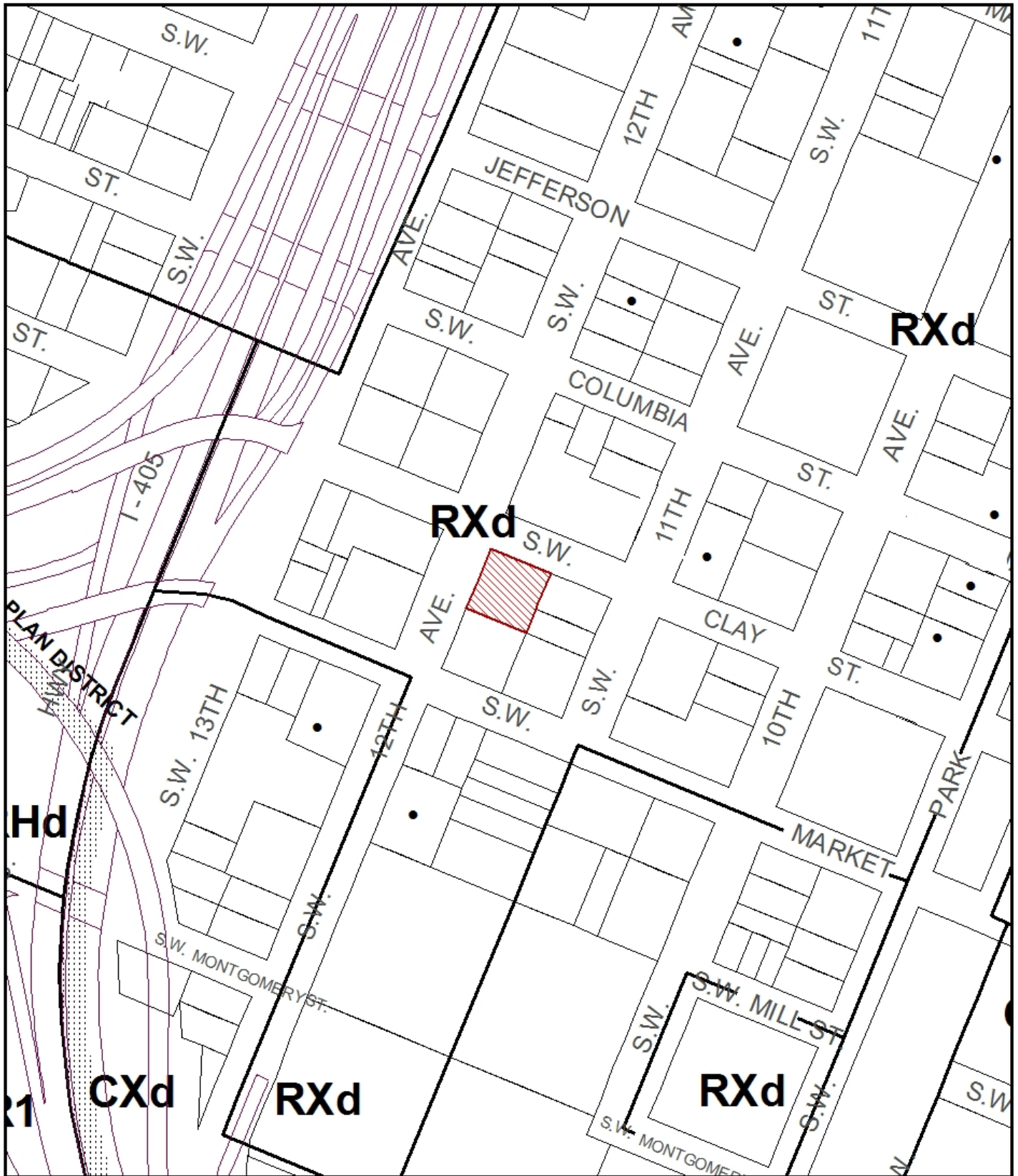
Mark Walhood
July 24, 2013

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

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement:
 - 1. Original narrative packet with geotechnical and stormwater report attachments
 - 2. Original plan set – reference only, not approved
 - 3. Supplemental memo provided at time of completeness, received April 16, 2013
 - 4. Revised plan sheets received at completeness – reference only, not approved
 - 5. Revised narrative with basement and rooftop deck removed, received May 14, 2013
 - 6. First revised plan set with basement and rooftop deck removed – reference only, not Approved
 - 7. Second revised plan set as received prior to initial hearing with minor revisions – reference only, not approved
- B. Zoning Map (attached):
- C. Plans & Drawings:
 - 1. Cover sheet with rendering view from northwest corner (attached)
 - 2. Table of contents
 - 3. Vicinity plan
 - 4. Site photos
 - 5. Precedents
 - 6. Site plan
 - 7. Site utility plan
 - 8. Landscape – overall site plan
 - 9. Landscape - courtyard plan
 - 10. Landscape – planting plan
 - 11. Landscape details
 - 12. FAR diagrams
 - 13. Ground floor plan (attached)
 - 14. Level 2 floor plan
 - 15. Level 3-8 floor plan
 - 16. Roof plan
 - 17. North elevation (attached)
 - 18. West elevation (attached)
 - 19. South elevation
 - 20. East elevation
 - 21. Enlarged elevation - north
 - 22. Enlarged elevation – east and loading
 - 23. Building section north-south
 - 24. Exterior details – windows and PTAC
 - 25. Exterior details – cornice and fiber cement
 - 26. Exterior details – entry canopy
 - 27. Exterior details - awning
 - 28. Exterior details - patio
 - 29. Exterior lighting plan
 - 30. Materials sheet
 - 31. Rendering - view from NE
 - 32. Rendering – view from SW
 - 33. Rendering – view from SE
 - 34. Mechanical equipment cut sheets
- D. Notification information:
 - 1. Request for response
 - 2. Posting information and notice as sent to applicant
 - 3. Applicant's statement certifying posting
 - 4. Mailing list
 - 5. Mailed notice

- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Development Review Section of Portland Transportation
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of Bureau of Development Services
 - 6. Life Safety Section of the Bureau of Development Services
 - 7. Urban Forestry Division of Portland Parks and Recreation
- F. Letters:
 - 1. *(none received at time of final decision mailing)*
- G. Other:
 - 1. Original LUR Application Form and receipt
 - 2. Request for completeness documents
 - 3. Incomplete letter from staff to applicant, sent April 11, 2013
 - 4. Pre-Application Conference Summary Notes, EA 13-102319 PC
- H. Hearing Exhibits
 - 1. Original staff report, May 24, 2013
 - 2. Staff powerpoint from June 6, 2013 hearing
 - 3. Issues 'cheat sheet' for Design Commission from June 6, 2013 hearing
 - 4. 120-day extension signed by applicant at June 6, 2013 hearing
 - 5. Memo from applicant to staff with final revised plans, received June 26, 2013
 - 6. Revised staff report, cover memo from staff to Design Commission, and cover memo from staff to applicant received with final plans, published together July 1, 2013
 - 7. Staff powerpoint from July 11, 2013 hearing



ZONING



Site



Historic Landmark



NORTH

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

File No.	LU 13-129180 DZ
1/4 Section	3128
Scale	1 inch = 200 feet
State_Id	1S1E04AD 4900
Exhibit	B (Mar 21, 2013)

Approved

City of Portland - Bureau of Development Services

Planner MARK WALHOCO

Date 7/11/13

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

21



EXTERIOR VIEW FROM NORTHWEST CORNER

12TH + CLAY

2013 JULY 11 - LU 13-129180 DZ
DESIGN REVIEW APPLICATION

SERA



12TH + CLAY
 2013 JULY 11 - LU 13-129180 DZ
 DESIGN REVIEW APPLICATION

Approved
 City of Portland - Bureau of Development Services
 Planner MARK WALTON Date 7/11/13
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

0' 4' 8' 16' 24'
 GROUND FLOOR PLAN C13

PENTHOUSE ROOF 185' - 9"

ROOF LEVEL 183' - 9"

LEVEL 8 171' - 9"

LEVEL 7 161' - 6"

LEVEL 6 151' - 3"

LEVEL 5 141' - 0"

LEVEL 4 130' - 9"

LEVEL 3 120' - 6"

LEVEL 2 110' - 3"

LEVEL 1 100' - 0"

ENTRY LEVEL 98' - 9"

1
C21

1
C22

METAL PANEL COLOR 1

PREFINISHED METAL CORNICE

FIBERGLASS WINDOW UNIT

PAINTED FIBER CEMENT PANELS & TRIMS

BRICK TYPE 1

PREFINISHED METAL CORNICE

BRICK SOLDIER COURSE

BRICK ROWLOCK

BRICK TYPE 2

BRICK TYPE 3

METAL PANEL COLOR 2

PREFINISHED METAL CORNICE

BRICK SOLDIER COURSE

STEEL & GLASS CANOPY SEE C26

BRICK ROWLOCK

BRICK TYPE 3

FABRIC AWNING

LOUVERS

GLAZED SECTIONAL OVERHEAD DOOR

SW 12TH AVE.

0' 4' 8' 16' 24'

NORTH ELEVATION C17

12TH + CLAY

2013 JULY 11 - LU 13-129180 DZ

DESIGN REVIEW APPLICATION



Approved

City of Portland - Bureau of Development Services

Planner MARK WATWOOD Date 7/11/13

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

- PENTHOUSE ROOF 195' - 9"
- ROOF LEVEL 183' - 9"
- LEVEL 8 171' - 9"
- LEVEL 7 161' - 6"
- LEVEL 6 151' - 3"
- LEVEL 5 141' - 0"
- LEVEL 4 130' - 9"
- LEVEL 3 120' - 6"
- LEVEL 2 110' - 3"
- LEVEL 1 100' - 0"
- ENTRY LEVEL 98' - 9"



METAL PANEL COLOR 1
 PREFINISHED METAL CORNICE
 FIBERGLASS WINDOW UNIT
 BRICK TYPE 1
 PREFINISHED METAL CORNICE
 BRICK SOLDIER COURSE
 BRICK ROWLOCK SILL
 PAINTED FIBER CEMENT PANELS & TRIMS
 BRICK TYPE 2
 METAL LOUVER
 FABRIC AWNING
 PREFINISHED METAL CORNICE LOUVER

STEEL & GLASS CANOPY SEE C26
 METAL RAILING, SEE C28
 BRICK TYPE 3

Approved

City of Portland - Bureau of Development Services

Planner MARK WATWOOD Date 7/11/13

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

12TH + CLAY

2013 JULY 11 - LU 13-129180 DZ
 DESIGN REVIEW APPLICATION

SERA

0' 4' 8' 16' 24'
 WEST ELEVATION C18