

**Parsons, Susan**

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**From:** Council Clerk – Testimony  
**Sent:** Wednesday, April 15, 2015 4:36 PM  
**To:** Rees, Linly; Beaumont, Kathryn; Robinson, Matthew; Schmanski, Sonia; Blair, Aja; Crail, Tim; Grumm, Matt; Nebel, Erika; Mitchem, Jeffrey  
**Cc:** Moore-Love, Karla; Stark Ackerman; 'Philip J. Wuest'  
**Subject:** FW: LU 14-230014 DZM Block 136 Applicant  
**Attachments:** Applicant's Supplement to Narrative Statement 4-15-2015.pdf

Mr. Wuest,  
Receipt confirmed.

Susan Parsons  
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**From:** Philip J. Wuest [mailto:pjw@bhlaw.com]  
**Sent:** Wednesday, April 15, 2015 4:29 PM  
**To:** Council Clerk – Testimony  
**Cc:** Moore-Love, Karla; Stark Ackerman  
**Subject:** LU 14-230014 DZM

Karla-

Please find attached a Supplement to the Applicant's Narrative Statement for matter LU 14-230014 DZM.

Thank you,

Phil Wuest

Philip J. Wuest  
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ATTORNEYS AND COUNSELORS AT LAW

April 15, 2015

VIA E-MAIL (cctestimony@portlandoregon.gov)

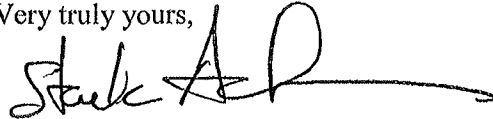
Portland City Council  
Council Clerk  
1221 SW Fourth Avenue, Room 130  
Portland, OR 97204

Reference: LU 14-230014 DZM, BLOCK 136 MIXED USE, APPEAL -- SUPPLEMENTAL SUBMISSION

Mayor Hales and City Commissioners:

Enclosed please find a Supplement to the Applicant's Narrative Statement which was previously submitted to you in support of its application for approval of the above-referenced development on Block 136 in the Pearl District. This submission responds to testimony by the appellant at the April 8, 2015 hearing before you on this matter.

Very truly yours,



Stark Ackerman

SA:vc  
Enclosure

cc w/enc: Karla Moore-Love (karla.moore-love@portlandoregon.gov)



**Supplement to Applicant's Narrative Statement in Support of Request  
for Design Review Approval for a  
Mixed-Use Project on Block 136 (LU 14-230014 DZM)**

TO: Portland City Council

SUBJECT: Request by Security Properties, Inc. for Design Review Approval for a Mixed-Use Project on Block 136 (LU 14-230014 DZM)

DATE: April 15, 2015

**INTRODUCTION:**

Security Properties, Inc. (the "Applicant") submitted a proposal for Design Review to the Design Commission for a mixed-use project (the "Project") on Block 136 in the Pearl District. The proposal was approved in a January 22, 2015 written decision entitled "Final Findings and Decision by the Design Commission Rendered on January 22, 2015" (the "Design Commission Decision"). The City Council is considering this matter in a *de novo* hearing as a result of an appeal of the Design Commission Decision. A City Council hearing on the Project was held on April 8, 2013. After testimony from city staff, the appellant and appellant's supporters, and the Applicant and the Applicant's supporters, City Council continued the hearing to Thursday April 23, 2014 at 2:00 p.m. and held the hearing record open for written testimony submitted prior to Wednesday April 15, 2015 at 5:00 p.m.

This Supplement to Applicant's Narrative Statement is submitted to the City Council in support of the Project and the Design Commission Decision, and responds to the specific issues raised by the appellant in its April 8, 2015 testimony.

- 1) The appellant testified that current adopted City of Portland policy recognizes the "Middle Pearl" as a distinct planning area (*Video of Portland City Council 04-08-15 PM Session at minute 91:38 to 91:50, <http://www.portlandoregon.gov/article/525860>, the "Hearing Video"*). **That assertion is incorrect.**

There is no mention of a "Middle Pearl" or "Central Pearl" anywhere in Chapter 33.510 of the Portland Zoning Code (PZC), or the Central City Fundamental Design Guidelines (CCFDG), or the River District Design Guidelines (RDDG).

- 2) The appellant testified that PZC 33.510.210.D has specific approval criteria that must be addressed by this application, including a criterion regarding historic districts (*Hearing Video minute 92:20 to 93.05*). **That assertion is incorrect.**

The appellant's contention is the exact opposite of the express language of PZC 33.510.210.D, which by its very terms establishes that a development in an area identified as eligible for height bonuses will not violate the preservation of the character of historic districts. PZC 33.510.210.D reads as follows:

*"Bonus height is also earned at certain locations in addition to the bonus floor area achieved through the bonus options. Bonus height is in addition to the maximum heights of Map 510-3. Qualifying areas,*

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*shown on Map 510-3, are located such that increased height will not violate established view corridors, the preservation of the character of historical districts, the protection of public open spaces from shadow, and the preservation of the City's visual focus on important buildings (such as the Union Station Clock Tower). The height bonus allowed is based on the floor area bonuses and transfers listed in Paragraph D.1., below.” (emphasis added)*

The Project is in an area identified as eligible for bonus height and has earned a 3:1 FAR bonus under PZC 33.510.210.C.1 as a result of the first 162,542 square feet of the Project committed to housing (note that with the 30 foot height bonus a total of 205,000 square feet of the Project is committed to housing). These two facts, by themselves, qualify the Project for a 45 foot general bonus height pursuant to PZC 33.510.210.D.1. and D.2, taking the Project allowed height to 120 feet. Satisfaction of each element required to obtain the general bonus height allowed by PZC 33.510.210.D is discussed on Page 12 of the Applicant's Narrative Statement, dated April 8, 2015.

- 3) The appellant testified at length about an alternative project design proposed by the appellant (*See, for example, Hearing Video minute 96:15 to 99:00*). **That testimony is irrelevant.**

City Council's analysis and determination of whether the Project meets the mandatory approval criteria is based on the Project as presented, not on the Project as imagined by the appellant. The Applicant's Project has been subjected to a rigorous design review process by the Design Commission, which unanimously found the Project to meet all applicable criteria. Even if the appellant's imagined project were relevant, it has not been subjected to any comprehensive review, and there is no assurance that it is viable or would meet applicable approval criteria.

- 4) The appellant testified that the City can have all of the great design and amenities offered by the Project without the height (*Hearing Video minute 166:00 to 166:12*). **That assertion is incorrect.**

The Project has been designed to embrace the NW 13<sup>th</sup> Avenue Historic District with a shorter building along NW 13<sup>th</sup> Avenue to continue the predominant height and design components found in the Historic District. The Project has also been designed to include 25% of the Project area (25% of a full city block) as a brand new high-amenity public space. Neither of those Project elements would be possible without the additional height on the NW 12<sup>th</sup> Avenue building. The height bonus is a trade-off, which is why PZC 33.510.210.E.4.e asks whether the project with the additional height “will result in a project that better meets applicable design guidelines.” In this case, the additional 30 feet from the housing height bonus applied to the NW 12<sup>th</sup> Avenue Building allows the Project as a whole to better meet all of the design guidelines.

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- 5) The appellant testified that the Project is not in compliance with the RDDG Guideline A5-1 because it does not reinforce and enhance the area south of Lovejoy (*Hearing Video minute 99:00 to 99:35*). **That assertion is a mischaracterization of RDDG Guideline A5-1.**

RDDG A5-1 applies to the Pearl District as a whole as illustrated on the map on Page 7 of the RDDG. In fact, A RDDG A5-1-1, which is the specific adopted guideline for the Pearl District Neighborhood (the whole Pearl District, not just the portion the appellant asserts is its own special planning area), describes the Pearl District Neighborhood as follows:

*"The Pearl District is a vibrant urban neighborhood of mixed commercial and residential uses. Originally accommodating warehousing activities, many of the Pearl District's older, multistory buildings have been converted to mixed residential and retail use. The area is an urban mix of old and new buildings and structures juxtaposed, with visual and physical references to its warehousing past." (emphasis added)*

This final underlined statement above almost perfectly embodies the spirit and design of the Project. Contrary to the appellant's assertion, the Project as a whole satisfies RDDG A5-1 precisely because it provides a project that is itself "*an urban mix of old and new buildings and structures juxtaposed, with visual and physical references to its warehousing past.*"

- 6) The appellant also testified that the Project fails to satisfy CCFDG C-4, Complement the Context of Existing Buildings. **That assertion is incorrect.**

CCFDG C-4 states, in pertinent part, as follows:

*Within the Central City, there are localized groups of buildings that share similar design characteristics. In some instances, these areas have been recognized as historic districts. These areas often exhibit a common expression of design themes and/or details that distinguish the local architecture from that found in other parts of the Central City. This common expression of design themes and/or details can be referred to as a "design vocabulary".*

*The design vocabulary of existing contextual buildings offers developers and designers a set of design characteristics to build upon. Design characteristics reflected in an area's design vocabulary include building proportion, scale, rhythm, and construction materials, as well as smaller-scale elements, such as window and/or door styles, color, and roof shape(s). Designers can complement*

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existing buildings through the innovative use of the local design vocabulary.

However, the design of a new building need not mimic or imitate the context of existing buildings to be complementary. Steel-framed buildings with large expanses of glass can complement an existing context of masonry-walled buildings with smaller window openings by recognizing and building on the proportion, scale, and orientation of nearby buildings.

As set forth in RDDG A5-1-1, the Pearl District is an urban mix of old and new buildings and structures juxtaposed, with visual and physical references to its warehousing past. The Project uses the predominant design vocabulary of the NW 13<sup>th</sup> Avenue Historic District for the 13<sup>th</sup> Avenue Building. The 12<sup>th</sup> Avenue Building does not mimic or imitate the 13<sup>th</sup> Avenue Building, but instead complements the other design theme that is evident throughout the Pearl – the juxtaposition of the old and the new. The Project's unified site and building design satisfies CCFDG C-4 because it uses the Pearl's vocabulary to complement the context of the older NW 13<sup>th</sup> Avenue Historic District and the newer nearby buildings.

- 7) The appellant testified that the Project fails to satisfy PZC 33.510.210.E.4.f as is required for award of the 30 feet of housing bonus height for the Project (*Hearing Video minute 99:41 to 100:30*). **That assertion is incorrect. The Project does comply with PZC 33.510.210.E.4.f, as is demonstrated below:**

Standard for Approval of Housing Bonus Height (PZC 33.510.210.E)

PZC 33.510.210.E reads as follows:

E. Bonus height option for housing.

1. Generally. In the bonus height areas, building heights may be allowed to be greater than shown on Map 510-3 if the bonus height is for housing. Although this subsection allows the review body to approve bonus height, the review body may also require reconfiguration of the building, including reducing its height, and may approve all, some or none of the bonus height requested, based on application of the criteria in E.4, below.

2. Standard. The maximum height bonus that may be allowed is 75 feet.

3. Relationship to Subsection D.

a. On sites shown on Map 510-3 as eligible for general and housing height bonuses, both the bonus height options of this subsection and Subsection D., above may be used. However, if both options are used, the combined

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bonus height may not exceed 75 feet. Bonus height in excess of the maximum allowed through Subsection D., above, must be used exclusively for housing, and may not be used to qualify for the residential floor area bonus option in Subsection C.1, above;

b. On sites shown on Map 510-3 as eligible for housing height bonuses, only the housing height bonus of this subsection may be used.

4. Approval Criteria. The approval of the bonus height is made as part of the design review of the project. The bonus height may be approved if the review body finds that the applicant has shown that all of the following criteria have been met:

a. The increased height will not violate an established view corridor;

b. If the site is within 500 feet of an R zone, the proposed building will not cast shadows that have significant negative impacts on dwelling units in R zoned lands;

c. If the site is shown on Map 510-3 as eligible for the Open Space (OS) performance standard, the project must meet the performance standards of Subsection 33.510.205.E;

d. If the site is on a block adjacent to the Yamhill or Skidmore Fountain/Old Town Historic Districts, the project must meet the performance standards of Subsection 33.510.205.D;

e. The increased height will result in a project that better meets the applicable design guidelines; and

f. Approval of the increased height is consistent with the purposes stated in Subsection 33.510.205.A.

Note: PZC 33.510.205.A states as follows: "The maximum building heights are intended to accomplish several purposes of the Central City Plan. These include protecting views, creating a step-down of building heights to the Willamette River, limiting shadows on public open spaces, ensuring building height compatibility and step downs to historical districts, and limiting shadows from new development on residential neighborhoods in and at the edges of the Central City."

Under PZC 33.510.210.E, bonus height of up to 75 feet may be allowed where a project is located in an area eligible for bonus height, where the bonus height is for housing, and where the applicant demonstrates that the Project, with the additional height, meets all of the approval criteria in PZC 33.510.210.E.4(a – f).

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Block 136 is located in an area identified on Map 510-3 as eligible for height bonuses. The height bonus being requested by the Applicant under this section is for an additional 30 feet of height for housing in the residential building. Therefore, the Project is eligible for the housing height bonus if the approval criteria in PZC 33.510.210.E.4 are met. Compliance with those criteria is shown below.

a. PZC 33.510.210.E.4.a. "The increased height will not violate an established view corridor." This criterion requires that the Project not violate any established view corridor. **View corridors are established in the Portland Scenic Resources Protection Plan adopted March 15, 1991 (Ord. # 1639577). That Plan does not establish a view corridor at the location of the Project. Therefore, the Project does not violate an established view corridor. The Project meets this criterion.**

b. PZC 33.510.210.E.4.b. "If the site is within 500 feet of an R zone, the proposed building will not cast shadows that have significant negative impacts on dwelling units in R zoned lands." **The Project is over 500 feet from an R zone, as is shown Portland Zoning Map #2928 (<https://www.portlandoregon.gov/bps/index.cfm?&a=55311>). Therefore, this criterion is not applicable to the Project.**

c. PZC 33.510.210.E.4.c. "If the site is shown on Map 510-3 as eligible for the Open Space (OS) performance standard, the project must meet the performance standards of Subsection 33.510.205.E." **The Project site is not shown on Map 510-3 as eligible for the Open Space performance standard. Therefore, this criterion is not applicable to the Project.**

d. PZC 33.510.210.E.4.d. "If the site is on a block adjacent to the Yamhill or Skidmore Fountain/Old Town Historic Districts, the project must meet the performance standards of Subsection 33.510.205.D." **The Project site is not on a block adjacent to the Yamhill or Skidmore Fountain/Old Town Historic Districts, as is shown on the City's Map of Historic Districts. Therefore, this criterion is not applicable to the Project.**

e. PZC 33.510.210.E.4.e. "The increased height will result in a project that better meets the applicable design guidelines." This criterion requires that any project seeking the housing height bonus demonstrate that addition of the requested height bonus will result in a project that better meets the applicable design guidelines. **Block 136 is located in the River District and the applicable design guidelines are the Central City Fundamental Design Guidelines (CCFDG) and the River District Design Guidelines (RDDG). The Project meets this criterion because the additional 30 feet in height requested by the Applicant for the residential building results in a project that better meets the applicable design guidelines as follows:**



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- **The additional height for the residential building allows for the two-part massing of the two buildings on the Project site, which in turn allows for the on-grade central access at the common public courtyard (which is a common precedent throughout the Pearl District). The repetition of building footprint, contrasted by height and material variation, and sharing a common ground plane through the courtyard as it meets the streets, will serve to tie the project to the immediate area [CCFDG A2, A4, A5, C2, C5].**
- **The additional housing bonus height of 30 feet for the residential building on the east side of the block allows the Project as a whole to step down to NW 13<sup>th</sup> Avenue, which respects and responds to the NW 13<sup>th</sup> Avenue Historic District by reflecting the context, scale, and massing of the adjacent historic district. [CCFDG and RDDG A2, A5, C3, C4, C9, A5-1-1].**
- **The additional housing bonus height of 30 feet for the residential building consumes less land than an equivalent FAR building that is lower. A lower height would consume more ground space on the Project site and take away from the one quarter city block public-oriented courtyard amenity space that the Project can provide due to the additional 30 feet allowed with the housing height bonus. [CCFDG and RDDG A4, A5, C4, A3-1, A5-1-1].**
- **The additional housing bonus height of 30 feet for the residential building allows the central courtyard, which is a carefully designed amenity for public enjoyment, to be activated with ground level commercial uses connecting the courtyard to NW 13<sup>th</sup> Avenue and the street level uses in each of the Project's two buildings. [CCFDG and RDDG A8, B4, B5, C6, C7, B-1-1].**
- **The additional housing bonus height of 30 feet for the residential building will result in a height and orientation of the residential building surrounded by the lower-scale brick building which will reinforce the view opportunities between the river, the Project, and along NW 13<sup>th</sup> Avenue. The Project additionally links the river to the community with the log jam design of the open space between the buildings. [CCFDG and RDDG A1, A1-1 C1, C1-1].**

f. PZC 33.510.210.E.4.f. "Approval of the increased height is consistent with the purposes stated in Subsection 33.510.205.A."

PZC 33.510.205.A states: *"The maximum building heights are intended to accomplish several purposes of the Central City Plan. These include protecting views, creating a step-down of building heights to the Willamette River, limiting shadows on public open spaces, ensuring building height compatibility and step downs to historical districts, and limiting shadows from new development on residential neighborhoods in and at the edges of the Central City."*

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*“Consistent with” is not defined in the Portland Zoning Code. Because it is not defined, its ordinary meaning should be applied. Consistent means “marked by harmony, regularity or steady continuity throughout; showing no significant change unevenness or contradiction; marked by agreement and concord; congruent or in harmony with.” Webster’s Third International Dictionary, 2002.*

The role and purpose of subsection f. is to assure that where a height bonus is allowed, the project as a whole, or on balance, is harmonious with the general purposes stated in PZC 33.510.205.A. The subsection f. requirement for consistency with the stated purposes does not transform each individual element of the PZC 33.510.205.A purpose statement into a separate mandatory approval criterion. Such an interpretation would be contrary to a reasonable interpretation of the PZC for several reasons. First, PZC 33.510.210.E.4.f does not require that approval of the increased height “comply” with the individual purposes stated in PZC 33.510.205.A, nor does it use any synonym of “comply.” Where the PZC intends that a single criterion relating to the purposes covered by PZC 33.510.205.A be met, it specifically provides for that, as it does with regard to view corridors in PZC 33.510.210.E.4.a. Second, since PZC 33.510.210.E.4.f does not use the term “compliance” or a synonym of it, it must intend something other than compliance with the purposes of PZC 33.510.205.A, individually or collectively. In light of this, the consistency required by PZC 33.510.210.E.4.f is established when the project as a whole, with the additional height, achieves an appropriate balance that is harmonious with the purposes stated in PZC 33.510.205.A.

While, in the context of an evaluation under PZC 33.510.210.E.4.f, each individual purpose mentioned in the PZC 33.510.205.A purpose statement is not a separate approval criterion, an evaluation of each purpose is appropriate to determine whether the Project as a whole, with the additional requested height, is harmonious with all the elements of the purpose statement. Such an analysis is provided below. It shows not only that the Project as a whole is consistent with PZC 33.510.205.A, but that the Project actually meets all of the PZC 33.510.205.A purposes.

Finally, the analysis must take into account the specific context of the Project, and the design appropriate to the Project location. Such an analysis is provided below. It shows demonstrates not only that the Project as a whole is consistent with PZC 33.510.205.A, but that the Project actually meets all of the PZC 33.510.205.A purposes.

This project is directly adjacent to the NW 13<sup>th</sup> Avenue Historic District and is directly on NW 13<sup>th</sup> Avenue. That is the primary design context for this Project and overall compliance with the purposes must be viewed in light of that context.

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1. Purpose Statement Element 1: Protecting views. This element of the purpose statement seeks to protect the public views not otherwise protected by PZC 33.510.210.E.4.a. The CCFDG also provides guidance and interpretation on how a project can protect and enhance views. The narrative from Central City Fundamental Design Guideline C-1, page 92 of the CCFDG, describes this purpose in more detail. Public views include, for example, the views along public rights-of-way such as along NW 13<sup>th</sup> Avenue and down NW Johnson Street.

**The Project, by building to the properties lines and enhancing and activating these streets, not only protects these views, but enhances them, particularly by framing the view of the Fremont Bridge up NW 13<sup>th</sup> Avenue and the view down NW Johnson Street toward the Clock Tower.**

2. Purpose Statement Element 2: Creating a step-down of building heights to the Willamette River. This element of the purpose statement seeks to ensure that development within the Central City Zone achieves an overall step-down to the Willamette River. This purpose is achieved through the heights allowed through the zoning code, including height bonuses in eligible areas. Consistency with this purpose is context driven, and is determined on an area basis by looking to the allowable zoning heights on Map 510-3 and to potential development that would be consistent with the adopted zoning code, not to whatever happens to be the existing individual building heights.

This purpose does not require that every building on each block step down to the next and the next and the next as development moves towards the river. Rather, the intent of the purpose is to ensure that, overall, the Central City achieves a step down to the river by construction of projects consistent with allowed zoning heights.

Map 510-3 shows that the Pearl District has several different zoning height "transects" from west to east. South of Hoyt, allowed heights step up from 100 feet west of 8<sup>th</sup> Avenue to 350 feet east of 8<sup>th</sup> Avenue and then down to 75 feet right next to the Willamette River. North of Lovejoy, the allowed zoning height is uniform at 100 feet, except for the 225 feet allowed on portions of 12<sup>th</sup> Avenue, Lovejoy, and Northrup. In the Project location, zoning heights are uniformly 75 feet from NW 14<sup>th</sup> Avenue to the River, with bonus height (general and housing bonus heights of up to 150 feet) allowed on properties west of NW 9<sup>th</sup> Avenue.

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**The Project satisfies this purpose by building to the allowable height in the west side of the Pearl District, while allowable building heights on the east side of the District, nearer the river, are at 75 feet and not eligible for bonus height.**

3. Purpose Statement Element 3: Limiting shadows on public open spaces. This element of the purpose statement seeks to protect public open spaces that are not otherwise protected under specific approval criterion PZC 33.510.210.E.4.c, which applies to developments in areas eligible for Open Space performance standards. Where a project falls outside of that area, this criterion seeks to ensure that a project appropriately limits shadows on public open spaces.

**The Project satisfies this purpose in two regards. First, as demonstrated in the Applicant's shade study which was independently corroborated in a study by BDS staff, there is no shadow impact on Jamison Square from the additional 30 feet in bonus height allowed by PZC 33.510.210.E. Second, the Project is building a new public open space and, by virtue of the site orientation, is maximizing the amount of sunlight to that new public open space.**

4. Purpose Statement Element 4: Ensuring building height compatibility and step downs to historical districts. This element of the purpose statement seeks to protect the integrity of Portland's historic districts by ensuring that development outside of each historic district respects and responds to the historic district by stepping down building heights that are consistent with those in the historic district.

**The Project satisfies this purpose because the inclusion of the 30 feet of additional height for the NW 12<sup>th</sup> Avenue residential building allows the Applicant to construct the NW 13<sup>th</sup> Avenue building at 75 feet in height, respecting and stepping down to the predominant building height along the NW 13<sup>th</sup> Avenue corridor. The Project goes above and beyond in meeting this purpose. The 13<sup>th</sup> Avenue Building design and primary cladding material embraces the NW 13<sup>th</sup> Avenue Historic District. The project also activates the corner of NW 13<sup>th</sup> Avenue and NW Johnson Street, which faces directly on the Historic District, and carries that activation all along NW 13<sup>th</sup> Avenue block between NW Johnson Street and NW Kearney Street.**

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5. Purpose Statement Element 5: Limiting shadows from new development on residential neighborhoods in and at the edges of the Central City. This element of the purpose statement was included to address a desire at the time of the Plan's adoption in 1990 to limit effects on established relatively low density residential neighborhoods which then surrounded the Central City (e.g., Goose Hollow, Northwest, King's Hill, Ladd's Edition, Irvington).

**The Project satisfies this purpose because the Project is well inside the Pearl District boundaries and in a mixed use neighborhood in an area zoned EXd for employment uses, and does not impact the residential neighborhoods in and at the edges of the Central City that were the focus of this element of the purpose statement. Even so, the Applicant's Shade study establishes that the addition of the requested 30 feet to the 12<sup>th</sup> Avenue Building has little incremental shade impact. Moreover, addition of the 30 feet to the 12<sup>th</sup> Avenue Building allows a corresponding reduction of height for the 13<sup>th</sup> Avenue Building. In turn, that allows more light into the new public courtyard being constructed by the Project, and along NW 13<sup>th</sup> Avenue which is a very active public space.**

**The Project meets the PZC 33.510.210.E.4.f criteria because the additional 30 feet in height requested by the Applicant results in a project that is, on balance, consistent with the purposes set forth in PZC 33.510.205.A. This is all that is required. Nevertheless, even if PZC 33.510.210.E.4.f is interpreted to require that the Project satisfies each of the individual purposes stated in that Section, the Project does so, as has been shown above.**

The Applicant has established, and the Design Commission unanimously found, that the Project meets or exceeds all applicable approval criteria. The Project, as the City Council heard from Project supporters at the April 8, 2015 public hearing on this matter, is a shining example of the type of development and design the City seeks to achieve. Therefore, the Applicant respectfully requests that City Council approve the Project as it was approved by the Design Commission on January 22, 2015.