



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** October 12, 2012  
**To:** Interested Person  
**From:** Mark Bello, Land Use Services  
503-823-7810 / [Mark.Bello@portlandoregon.gov](mailto:Mark.Bello@portlandoregon.gov)

## **NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

### **CASE FILE NUMBER: LU 12-179222 DZ**

#### **EXTERIOR STAIRWAY RECONFIGURATION**

#### **GENERAL INFORMATION**

**Applicant:** Jennifer Kimura / VLMK Consulting Engineers  
3933 SW Kelly Avenue / Portland, OR 97239

**Owner:** Stadium SC LLC  
1121 SW Salmon St #500 / Portland, OR 97205

**Site Address:** 103 NW 21<sup>st</sup> Avenue, 111 NW 21<sup>st</sup> Avenue, 117 NW 21<sup>st</sup> Avenue  
2103-2121 W Burnside Street

**Legal Description:** BLOCK 31 TL 6300, KINGS 2ND ADD  
**Tax Account No.:** R452305030  
**State ID No.:** 1N1E33CA 06300  
**Quarter Section:** 3027  
**Neighborhood:** Northwest District, contact John Bradley at 503-313-7574.  
**Business District:** Nob Hill, contact Mike Conklin at 503-226-6126.  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Central City - Goose Hollow  
**Zoning:** CXd, Central Commercial  
**Case Type:** DZ, Design Review  
**Procedure:** Type II, an administrative decision with appeal to the Design Commission.

**Proposal:** The applicant requests design review approval for alterations to a stair that leads to the upper deck of an existing parking structure. This parking structure is incorporated into the Stadium Shopping Center located at W. Burnside and NW 21<sup>st</sup> Avenue. Retail space, including a Walgreens, is set back from W. Burnside and is adjacent to NW 21<sup>st</sup> Avenue.

This proposal would remove an existing stair with a "switchback" design and replace it with a stair of the same materials and construction that is a simple straight run from a concrete landing at the bottom to the parking deck level.

**Relevant Approval Criteria:**

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

- Central City Fundamental Design Guidelines
- Goose Hollow Design Guidelines

**ANALYSIS**

**Site and Vicinity:** The site has an existing, one-story commercial structure originally built in 1964. The parking structure and Walgreens component of the Stadium Shopping Center are adjacent to NW 21<sup>st</sup> Avenue. Steel stairs, in a switchback configuration lead from grade to the parking deck level. These stairs are located between the Walgreens store and the sidewalk.

**Zoning:** The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

The "d" overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

**Land Use History:** City records for land use reviews for this site include:

- **PC 4204:** Approval of a 1990 request for a change of zone from residential to commercial for construction of a retail shopping complex with parking for 61 cars.
- **95-00246 DZ:** Approval of a 1995 design review for storefront renovations.
- **97-00982 DZ:** Approval of a 1997 design review for storefront remodel and new wall sign.
- **98-00735 DZ:** Approval of a 1998 design review for modifications to the upper parking deck and modifications to the pedestrian connection and landscaping requirements.
- **99-00694 DZ:** Approval of a 1999 design review for installation of an ATM.

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **September 17, 2012**. The Life Safety Plans Examiner of the Bureau of Development Services (BDS) notes that a separate building permit will be required for the work.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on September 17, 2012. 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 district guidelines.

**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 and Goose Hollow Special Design Guidelines.

#### Goose Hollow District Design Guidelines and Central City Fundamental Design Guidelines

The Goose Hollow District is envisioned to be a predominantly urban residential, transit-oriented community located on the western edge of the Central City between Washington Park and Downtown Portland. When riding light rail through the West Hills tunnel to the Central City, it is the first neighborhood experienced before entering downtown Portland. The Urban Design Vision celebrates the sense of arrival from the west at Jefferson Street Station and Collins Circle, and from the north at the Civic Stadium Station and Fire Fighter's Park. This is done by integrating the history of the community with its special natural and formal (man-made) characteristics.

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.

#### Goose Hollow District Design Goals

**The Goose Hollow District Design Goals are specific to the Goose Hollow District. These urban design goals and objectives are to:**

- **Enhance mixed-use, transit-oriented development around the light rail stations to make it a pedestrian-friendly station community.**
- **Provide open spaces to accommodate active public life.**
- **Strengthen connections to adjacent neighborhoods through light rail, bike and pedestrian access and assure a safe and pleasant bike/pedestrian environment.**
- **Preserve and enhance the community's history and architectural character.**

#### Central City Plan Design Goals

This set of goals is 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.*

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

**A6. Reuse/Rehabilitate/Restore Buildings.** Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

**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.

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

**C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

**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:** The new stair design would be a straight run that connects the concrete landing near NW 21<sup>st</sup> Avenue to the parking deck above. The stairs will be steel with concrete treads and solid risers and 1½" diameter steel rails. Materials and finishes are the same as used throughout the site. The applicant has submitted elevations and details that indicate quality, permanence, and integration into the project's architecture.

The current switchback design of the existing staircase creates a screened and unsecured area. The new straight design eliminates this area and provides a more direct connection from the grade of NW 21<sup>st</sup> Avenue to the parking deck. The openness and clarity of the simpler stair connection will reinforce and enhance the pedestrian connection from NW 21<sup>st</sup> Avenue to the parking deck.

*Therefore, these guidelines are met.*

## **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 proposal conforms to the applicable guidelines and regulations. The new staircase provides a more open and inviting access to/from the parking deck from NW 21<sup>st</sup> Avenue.

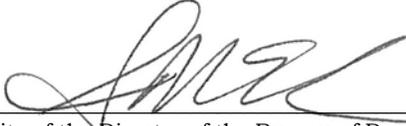
## **ADMINISTRATIVE DECISION**

Approval of replacement exterior stairs (between NW 21<sup>st</sup> Avenue and parking deck) of the Stadium Shipping Center, in the Goose Hollow Subdistrict of the Central City Plan District

Per the approved site plans, Exhibits C-1 and C-2, signed and dated October 10, 2012, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.2. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 12-179222 DZ. No field changes allowed."

**Staff Planner: Mark Bello**

**Decision rendered by:**  **on October 10, 2012**

By authority of the Director of the Bureau of Development Services

**Decision mailed: October 12, 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 September 5, 2012, and was determined to be complete on **September 12, 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 September 5, 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 did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: January 10, 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. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project 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.

**Appealing this decision.** This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on October 26, 2012** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized

organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandonline.com](http://www.portlandonline.com).

**Attending the hearing.** 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 the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

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 the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**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 **October 29, 2012**.
- A building or zoning permit will be issued only after the final decision is recorded.

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

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

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

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

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

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

- All conditions imposed herein;

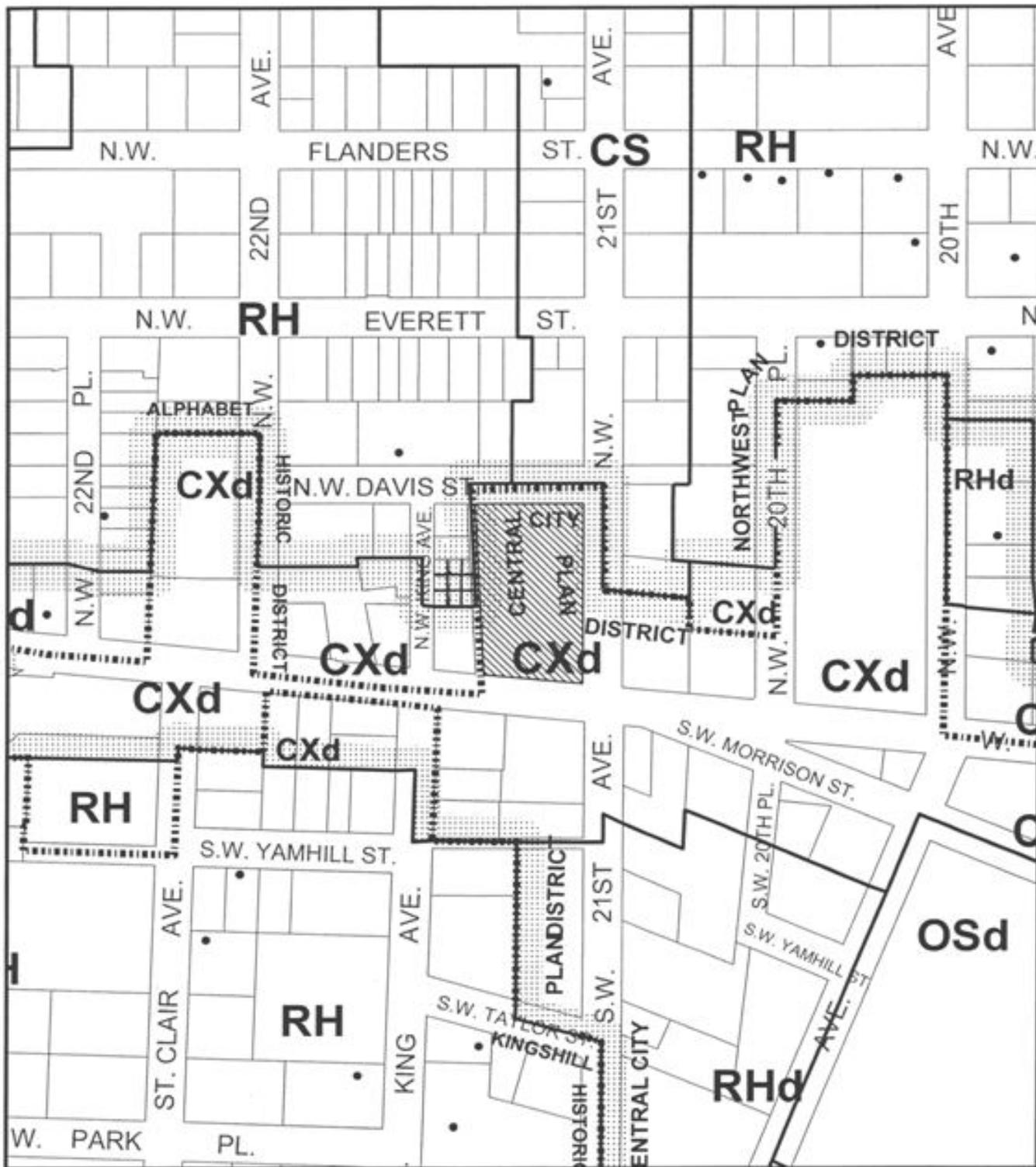
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings: (attached)
  - 1. Site Plan/Floor Plan/Elevations
  - 2. Sections/Details
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Life Safety Plans Examiner, Bureau of Development Services (BDS)
  - 2. Bureau of Parks, Forestry Division
- F. Correspondence: (none)
- G. Other:
  - 1. Original LU Application

**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).**



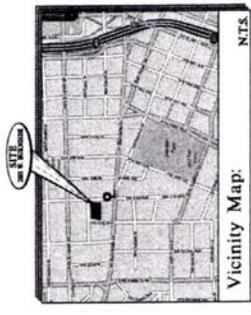
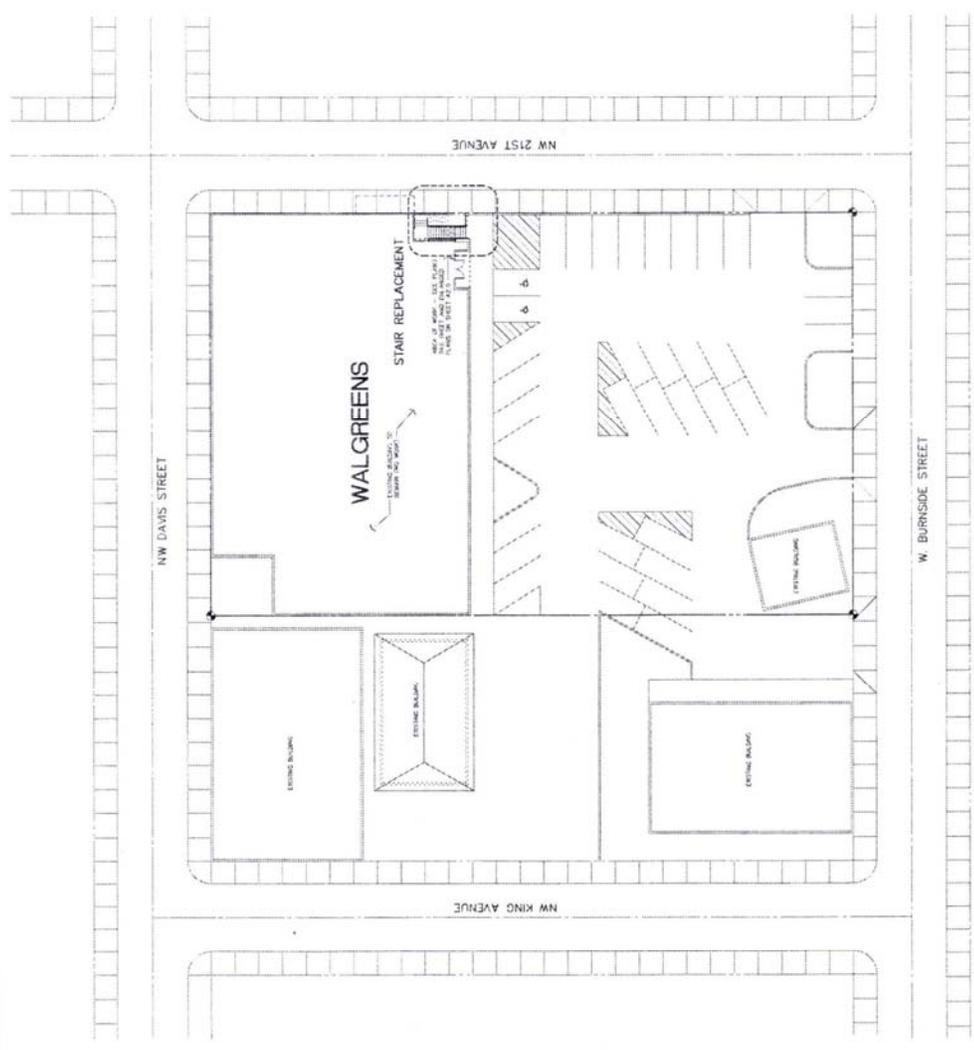
# ZONING

-  Site
-  Also Owned
-  Historic Landmark



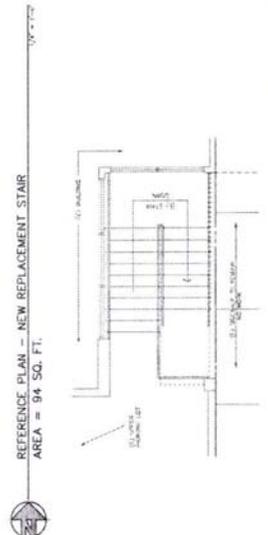
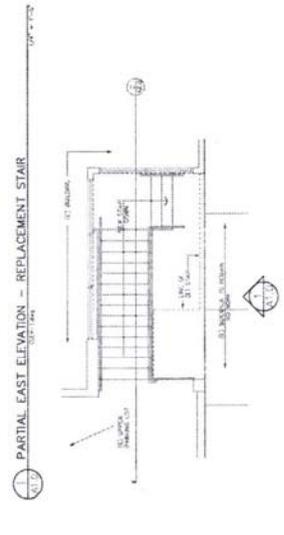
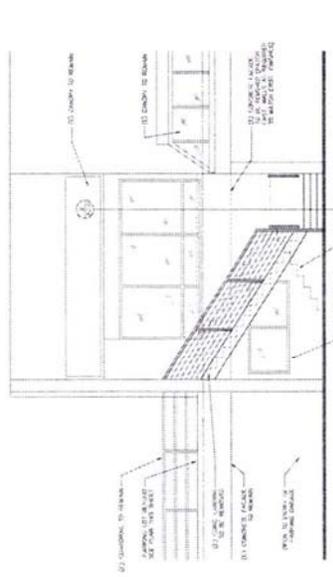
This site lies within the:  
CENTRAL CITY PLAN DISTRICT

File No. LU 12-179222 DZ  
 1/4 Section 3027  
 Scale 1 inch = 200 feet  
 State Id 1N1E33CA 6300  
 Exhibit B (Sep 06, 2012)



**SCOPE OF WORK (ABSTRACT):**  
 PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION OF A STAIR REPLACEMENT AT THE WALGREENS STORE, 1300 SW KING AVENUE, PORTLAND, OREGON. THE PROJECT INCLUDES THE REMOVAL OF THE EXISTING STAIR AND THE INSTALLATION OF A NEW STAIR WITH A WALKWAY. THE WORK SHALL BE IN ACCORDANCE WITH THE CITY OF PORTLAND ZONING ORDINANCES AND THE INTERNATIONAL BUILDING CODE (IBC). THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF PORTLAND. THE ENGINEER SHALL BE RESPONSIBLE FOR THE STRUCTURAL DESIGN AND CONSTRUCTION OF THE STAIR AND WALKWAY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF THE STAIR AND WALKWAY.

**\* Approved \***  
**City of Portland**  
 Bureau of Development Services  
 Planner: WFB  
 Date: 10/12/12  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



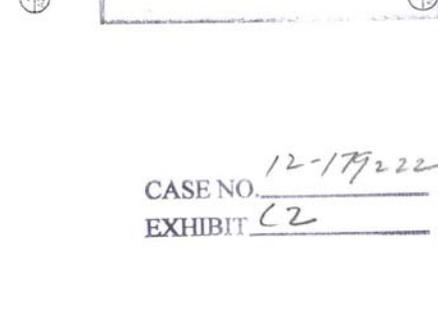
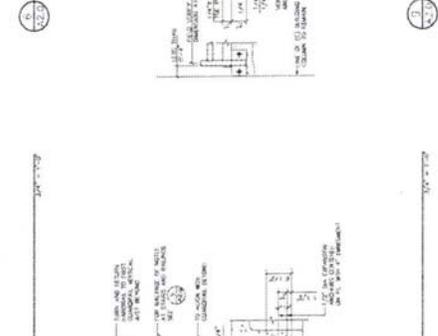
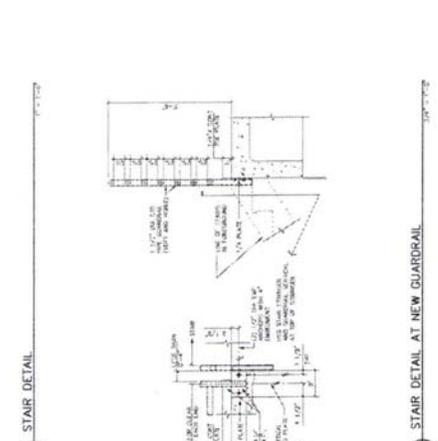
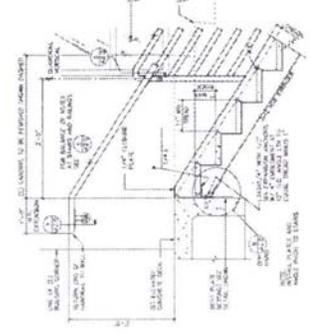
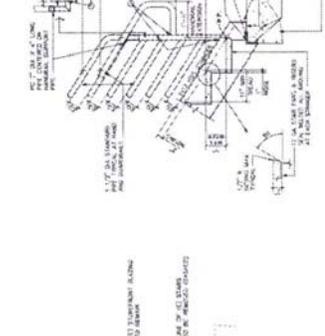
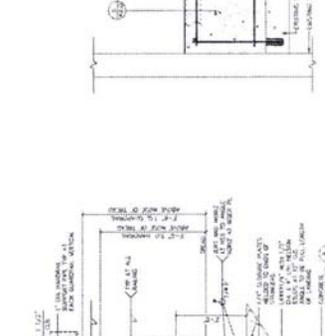
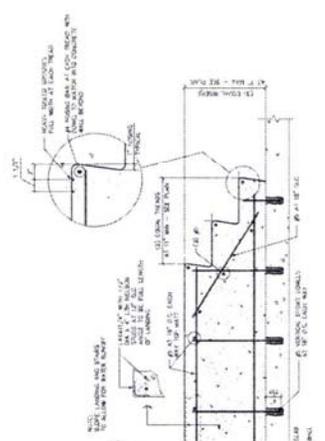
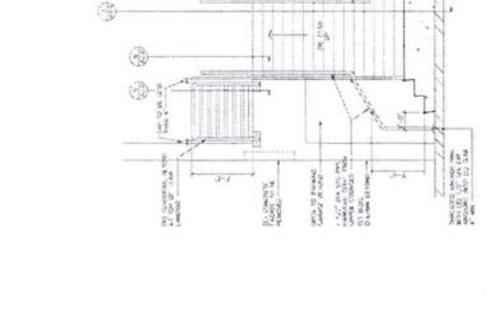
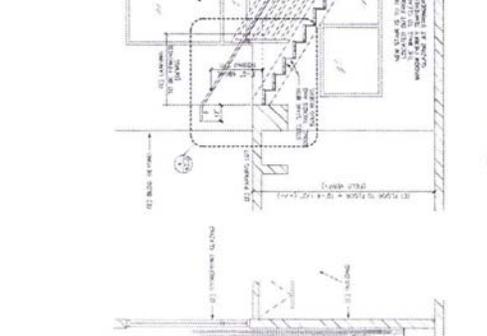
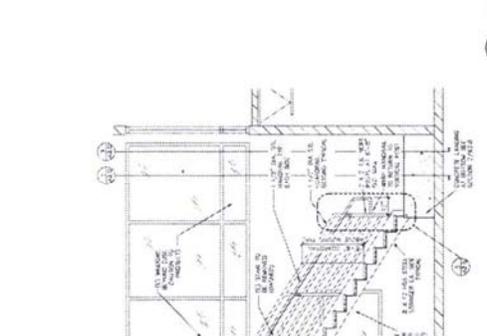
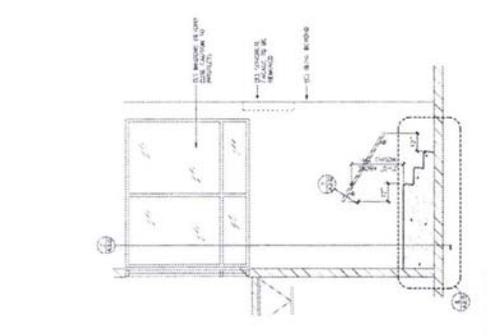
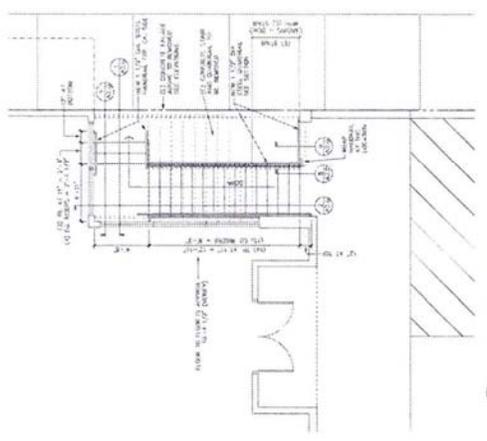
**REFERENCE PLAN - EXISTING STAIR TO BE REMOVED**  
 AREA = 138 SQ. FT.  
**CASE NO.**  
**EXHIBIT** a

12-179222-07

**STADIUM STAIR**  
 ENLARGED FLOOR PLAN AND DETAILS

DATE	NO.	DESCRIPTION
10/12/12	1	ISSUED FOR PERMIT
12/17/22	2	REVISED PER CITY OF PORTLAND
10/12/12	3	REVISED PER CITY OF PORTLAND
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10/12/12	65	REVISED PER CITY OF PORTLAND
10/12/12	66	REVISED PER CITY OF PORTLAND
10/12/12	67	REVISED PER CITY OF PORTLAND
10/12/12	68	REVISED PER CITY OF PORTLAND
10/12/12	69	REVISED PER CITY OF PORTLAND
10/12/12	70	REVISED PER CITY OF PORTLAND
10/12/12	71	REVISED PER CITY OF PORTLAND
10/12/12	72	REVISED PER CITY OF PORTLAND
10/12/12	73	REVISED PER CITY OF PORTLAND
10/12/12	74	REVISED PER CITY OF PORTLAND
10/12/12	75	REVISED PER CITY OF PORTLAND
10/12/12	76	REVISED PER CITY OF PORTLAND
10/12/12	77	REVISED PER CITY OF PORTLAND
10/12/12	78	REVISED PER CITY OF PORTLAND
10/12/12	79	REVISED PER CITY OF PORTLAND
10/12/12	80	REVISED PER CITY OF PORTLAND
10/12/12	81	REVISED PER CITY OF PORTLAND
10/12/12	82	REVISED PER CITY OF PORTLAND
10/12/12	83	REVISED PER CITY OF PORTLAND
10/12/12	84	REVISED PER CITY OF PORTLAND
10/12/12	85	REVISED PER CITY OF PORTLAND
10/12/12	86	REVISED PER CITY OF PORTLAND
10/12/12	87	REVISED PER CITY OF PORTLAND
10/12/12	88	REVISED PER CITY OF PORTLAND
10/12/12	89	REVISED PER CITY OF PORTLAND
10/12/12	90	REVISED PER CITY OF PORTLAND
10/12/12	91	REVISED PER CITY OF PORTLAND
10/12/12	92	REVISED PER CITY OF PORTLAND
10/12/12	93	REVISED PER CITY OF PORTLAND
10/12/12	94	REVISED PER CITY OF PORTLAND
10/12/12	95	REVISED PER CITY OF PORTLAND
10/12/12	96	REVISED PER CITY OF PORTLAND
10/12/12	97	REVISED PER CITY OF PORTLAND
10/12/12	98	REVISED PER CITY OF PORTLAND
10/12/12	99	REVISED PER CITY OF PORTLAND
10/12/12	100	REVISED PER CITY OF PORTLAND

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 WWW.VTMCONSULTING.COM



**\*Approved\***  
 City of Portland  
 Bureau of Development Services  
 Planner *WB*  
 Date *10/12/12*

\* This approval applies only to the reviews requested and is subject to all conditions of approval.

**11 HANDRAIL DETAILING REQUIREMENTS MAY APPLY**

CASE NO. *12-179222*  
 EXHIBIT *12*