



**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 May 1, 2014**

**CASE FILE NUMBER: LU 13-231297 DZM**  
**PC # 13-186937**  
**1420 Pearl**

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**GENERAL INFORMATION**

**Applicant:** Kurt Schultz / SERA Architects  
338 NW 5th Ave /Portland, OR 9720

**Owners:** Sam Rodriguez / Mill Creek Residential Trust LLC  
220 NW 2nd Ave /Portland, OR 97209

Lynn R Stafford & John H Rosenfeld  
415 SW Edgecliff Rd / Portland, OR 97219-8510

**Site Address:** 1420 NW 14TH AVE

**Legal Description:** BLOCK 239 W 1/2 OF LOT 1, COUCHS ADD; E 1/2 OF LOT 1&4  
BLOCK 239 LOT 5-8 BLOCK 239, COUCHS ADD; BLOCK 239 LOT 3  
W 1/2 OF LOT 4, COUCHS ADD; BLOCK 239 LOT 2, COUCHS ADD

**Tax Account No.:** R180221660, R180221680, R180221740, R180221760

**State ID No.:** 1N1E33AA 00400, 1N1E33AA 00200, 1N1E33AA 00300, 1N1E33AA  
00500

**Quarter Section:** 2928

**Neighborhood:** Pearl District, contact Patricia Gardner at 503-243-2628.

**Business District:** Pearl District Business Association, contact Adele Nofield at 503-223-  
0070.

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

**Plan District:** Central City - River District, North Pearl Subarea

**Zoning:** EXd – Central Employment with design overlay

**Case Type:** DZM – Design Review with Modifications

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

**Proposal:** The applicant seeks design review approval for a new 9-story mixed-use building with 290 apartments, ground level live/work spaces, and below-grade parking for 220 cars in the North Pearl Area of the River District of the Central City Plan District. The building is a u-shape design finished in metal panels, two colors of brick, with vinyl windows, aluminum storefront, and curtainwall systems. A new loading dock will run along the NW 13<sup>th</sup> Avenue frontage and an inner courtyard and plaza opens onto NW Pettygrove Street.

Modifications requested thru Design Review include:

1. 33.266.130.F & Table 266-4 Parking Space Width – To reduce some parking space widths in the garage from 8'-6" to 7'-6" and 7'-9" due to structural column placement.
2. 33.266.220.C3 Long-Term Bicycle Parking Spacing – To reduce the widths of long-term bicycle parking wall-mounted rack spaces from 2'-0" to 1'-6".

New development within the Design overlay in the River District requires Design Review.

**Relevant Approval Criteria:**

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

- 33.420 Design Overlay
- 33.825 Design Review
- 33.825.040 Modifications That Will Better Meet Design Review Requirements
- River District Design Guidelines
- Central City Fundamental Design Guidelines

**ANALYSIS**

**Site and Vicinity:** The 40,000 square foot site occupies the block bound by NW Pettygrove and NW Quimby Streets and NW13<sup>th</sup> and NW 14<sup>th</sup> Avenues in the North Pearl subarea of the River District which is itself a subdistrict of the Central City Plan District. The North Pearl District plan area was adopted in November 2008 and focuses on the creation of a pleasing and dynamic urban form, a mix of complementary land uses, creation of community-serving amenities, and providing a range of housing opportunities for the growing diversity of household types in the Pearl District. Northwest Naito Parkway is located to the east, the I-405 freeway is to the west, and the Fremont Bridge is to the north of the site. The property is currently developed with a single story grocery warehouse building and surface parking lot that will be demolished for this project.

The surrounding area is also zoned EXd and is developed with a mix of single story warehouse buildings, some of which house older industrial uses plus some recently converted to design and production spaces, as well as new multi-story housing developments. Northwest Pettygrove Street is a newly designated Greenstreet, a Local Service Bikeway, and a City Walkway. Northwest Quimby Street, NW 14<sup>th</sup> Avenue and NW 13<sup>th</sup> Avenue are all classified as Local Service Bikeways and City Walkways. The site lies within the Northwest Triangle Pedestrian District.

**Zoning:** The EX, Central Employment Zone, allows mixed uses and is intended for areas in the center of the City that have predominantly industrial-type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area.

The Design Overlay Zone [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Central City Plan District implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation management Plan. The

Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the River District of this plan district.

**Land Use History:** City records indicate no prior land use reviews.

**Agency Review:** A “Notice of proposal in Your Neighborhood” was mailed February 11, 2014. The following Bureaus have responded with no issue or concerns:

- Water Bureau (Exhibit E-1)
- Fire Bureau (Exhibit E-2)
- Life Safety Review Section of BDS (Exhibit E-3)
- Bureau of Transportation Engineering (Exhibit E-4)
- Bureau of Parks-Forestry Division (Exhibit E-5)
- Site Development Section of BDS (Exhibit E-6)

The Bureau of Environmental Services responded with the following comments: Please see Exhibits E-7 and E-8 for additional details.

1. Should the ecoroof design be affected by decisions associated with the Design Review or building plan review process, the applicant will notify BES of any changes to the plans for review and re-certification.
2. Prior to the final approval of building permits, the property owner must execute a covenant with the City ensuring installation, preservation, maintenance, and replacement, if necessary, of the ecoroof. The covenant must comply with the requirements of PCC 33.700.060. *(See Condition of Approval B).*

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on February 11, 2014. Two written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Bob Ball, Astor Pacific LLC, February 20, 2014 – would like the building turned so the courtyard faces NW 13<sup>th</sup> Ave. He has stated that an east-facing courtyard will better address the applicable design guidelines, and will build upon recent apartment courtyard orientation to NW 13<sup>th</sup> Avenue, while also breaking up the long loading dock wall. This particular modern design is too monotonous and uniform and the building should have recesses, appliqué, and textures to break down the scale. The west façade should have some relief at the ground level as well as the upper floors and be one solid wall for the full block.

*Staff response: Staff is aware of these issues and has highlighted several of them for specific consideration by the Design Commission, one of which is the west façade treatment. Staff believes that the loading dock with building wall behind it is in keeping with the historic pattern of long loading docks along NW 13<sup>th</sup> Avenue. There are also a number of new loading docks that have been built on this street that do not have courtyards or other open areas at the dock. Additional information and responses to the approval criteria can be found in the body of the report below.*

2. Patricia Gardner, Pearl District Neighborhood Association, undated, in support.

## **DEVELOPMENT STANDARDS**

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

**Chapter 33.510 – Central City Plan District**  
**Chapter 33.140 – Central Employment (EX) Zone**  
**Chapter 33.266 – Parking and Loading**

**FAR (33.510.200) & FAR Bonus Options (33.510.210.C.1.a(2)) & Eco-Roof Bonus Options (33.510.210.c.10.2(3))**

*Development Standards*

- Map 510-2 allows a maximum FAR of 4:1 or 160,000 SF based on total lot size of 40,000 SF for this site.
- Map 510-4 allows up to 5:1 bonus FAR for this site.
- In the North Pearl Subarea, for each SF of floor area developed and committed as housing, a bonus of 1 SF of additional floor area is earned, up to an additional FAR of 2:1 or 80,000 SF for this site.
- Where the total eco-roof is at least 60 percent of the building's footprint, each square foot of eco-roof earns three square feet of additional floor area.

*Proposal*

- Floor area in the amount of 275,507 SF is proposed using the following bonus allowances:

Floor Area Bonuses requested:

- A. 160,000 SF housing proposed = 80,000 SF bonus
- B. Eco Roof Bonus (3 SF per 1 SF) 24,000 SF proposed = 72,000 SF bonus  
= 152,000 SF achieved

Total 9:1 allowed/7.8:1 achieved/6.9:1 requested

*BES has certified the proposed ecoroof, therefore, the project is eligible for the requested additional FAR. See Condition of Approval B.*

**Height (33.510.205) and (33.510.251.A)**

*Development Standard*

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

*Proposal*

- Proposed height of 99' around the site and 75' along NW 13<sup>th</sup> Avenue, as measured from the base point of 34'-1".
- Stair overruns and mechanical equipment enclosures meet the allowed projection heights above the rooftops. *This standard is met.*

**Setbacks (33.140.215)**

*Development Standard*

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

*Proposal*

- The building is proposed at the street lot lines with the exception of the south courtyard wall which is set back 170'-0" from the NW Pettygrove Street lot line, and the northeast corner 50'-0", 5'-0" and 20'-0" along NW Quimby Street and NW 13<sup>th</sup> Avenue. However, none of these streets is designated as a transit street and therefore the maximum 10'-0" setback does not apply. *This standard is met.*

**Maximum Building Coverage (33.140.220)**

*Development Standard*

- The maximum building coverage for this site is 100%

*Proposal*

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

**Ground Floor Windows (33.140.230)**

*Development Standard*

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

*Proposal*

- Non-residential floor area includes a generator and trash room along NW 14<sup>th</sup> Avenue and four office spaces along NW 13<sup>th</sup> Avenue. Both of these facades meet the ground floor window requirements. *This standard is met.*

**Pedestrian Standards (33.140.240)**

*Development Standard*

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

*Proposal*

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

**Minimum & Maximum Number of Parking Spaces (33.510.265)**

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

- Minimum:
  - none
- Maximum:
  - 1.7 spaces per dwelling unit and no more than 493 spaces can be provided.

*Proposal*

- The project is providing 220 parking spaces. *This standard is met.*

**Parking Space and Aisle Dimensions (33.266.130.F)**

*Development Standard*

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

*Proposal*

- The drive aisle width and some of the parking spaces meet the dimensional requirements. *A Modification is requested to allow 4 parking spaces to be 7'-6" wide and 116 spaces to be 7'-9" wide due to the location of structural columns.*

**Bicycle Parking (33.266.210)**

*Development Standard*

- For long-term, the Residential use requires 435 spaces. For short-term, the Residential use requires 15 spaces. These spaces need to meet dimensional and location requirements.
- For long-term, the Office use requires 2 spaces. For short-term, the Office use requires 2 spaces. These spaces need to meet the dimensional and location requirements.

*Proposal*

- Long-term spaces provided = 435 for Residential; 3 for Office
- Short-term spaces provided = 15 for Residential; 3 for Office

*A Modification is requested to allow the width of the interior bike parking spaces to be reduced from 2'-0" to 1'-6" as part of a staggered wall-mounted bike rack system.*

**Loading Space (33.266.310)**

*Development Standard*

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

*Proposal*

- The proposal includes 2 loading spaces at 18' long, 9' wide, and with 10' vertical clearance. *This standard is met.*

## **ZONING CODE APPROVAL CRITERIA**

### **(1) DESIGN REVIEW (33.825)**

#### **33.825.010 Purpose**

Design Review ensures:

- That development conserves and enhances the recognized special design values of a site or area;
- The conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district;
- That certain types of infill development will be compatible with the neighborhood and enhance the area; and
- High design quality of public and private projects.

#### **33.825.055 Design Review Approval Criteria**

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

It is important to emphasize that design review goes beyond minimal design standards and is viewed as an opportunity for applicants to propose new and innovative designs. The design guidelines are not intended to be inflexible requirements. Their mission is to aid project designers in understanding the principal expectations of the city concerning urban design.

The review body conducting design review may waive individual guidelines for specific projects should they find that one or more fundamental design guidelines is not applicable to the circumstances of the particular project being reviewed.

The review body may also address aspects of a project design which are not covered in the guidelines where the review body finds that such action is necessary to better achieve the goals and objectives of design review in the Central City.

**Findings:** The site is designated with design overlay zoning (d). Therefore the proposal requires Design Review approval. Because the site is within the River District subdistrict of the Central City Plan District, the applicable approval criteria are listed in the River District Design Guidelines and the Central City Fundamental Design Guidelines.

#### **River District Design Guidelines and Central City Fundamental Design Guidelines**

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

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

public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

#### **River District Design Goals**

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

#### **Central City Plan Design Goals**

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

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

**A1. Integrate the River.** Orient architectural and landscape elements including, but not limited to lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and greenway. Develop access ways for pedestrians that provide connections to the Willamette River and Greenway.

**A1-1. Link the River to the Community.** Link the Willamette River to the community reinforcing the river's significance. This guideline may be accomplished by:

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

**Findings for A1 & A1-1:** Although the proposed development is located several blocks from the Willamette River, low rise buildings across Naito Parkway and to the northeast do provide views of the river from the upper floors of the building. The design and features of the building take advantage of these views by providing all north-facing dwelling units with large windows that look out toward the river. Units in the upper stories of the taller portion of the building will be able to see the river from the east-facing windows as well, and all building occupants will have views of the river from the upper level roof deck and amenity rooms. Pedestrian sidewalks will be provided around the site per City standards. These will be connected to the larger sidewalk network that leads to the river. Greenstreet improvements will be added along the site's southern boundary and these plantings will be connected to the growing length of Greenstreet improvements being done along NW Pettygrove Street. *These guidelines are therefore met.*

**A3. Respect the Portland Block Structures.** Maintain and extend the traditional 200-foot

block pattern to preserve the Central City's ratio of open space to built space. Where super blocks exist, locate public and/or private rights-of-way in a manner that reflects the 200-foot block pattern, and include landscaping and seating to enhance the pedestrian environment.

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

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

**Findings for A3 & A3-1:** The project is a 200' x 200' full block development which maintains the traditional block pattern present throughout most of the Central City. The u-shaped building is built out to the property lines with the exception of the courtyard and the main entry. Other elements, including planters and decorative fencing, are placed along the street edge that continues the strong urban edge around the entire block. The orientation of the main building entry toward both the river and the Fields Park, the improvement of surrounding public sidewalks, and the creation of the Pettygrove Greenstreet on the southern edge of the site, all create improved pedestrian connections to other neighborhoods, to the river, and to the nearby parks. *These guidelines are therefore met.*

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

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

**Findings for A4 & A5:** The project incorporates building elements and site design features associated with the North Pearl Subarea of the River District and NW 13<sup>th</sup> Avenue. This formerly industrial northern area of town is largely comprised of brick and concrete warehouse and manufacturing buildings that contain a mixture of uses along with some ground floor active use such as office, live/work, or small-sale retail. The proposed building materials of brick, metal panels, glass, and concrete are widely used throughout the district. The regular façade pattern of punched windows around the building, the full-length loading dock with simple metal canopy, and residential courtyard are features found on both new and old buildings within the district.

Providing these features as part of this proposal helps to unify this project with the surrounding built environment. The raised loading docks along NW 13<sup>th</sup> Avenue are a distinct and prominent feature along this right-of-way. The full-length loading dock on the NW 13<sup>th</sup> Avenue frontage of this project continues the area's historic warehouse and industrial character. Having live/work units and other occupied spaces along the length of this project's loading dock repeats another common development pattern in the area. The 11' width of the dock, metal railing and stair locations at the end and middle of the block are characteristic features of the docks that also now serve as sidewalks and pedestrian connections. *These guidelines are therefore met.*

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

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

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

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

**Findings for A5-1, A5-1-1 & C4:** The proposed building, which is within the North Pearl Subarea and is therefore part of the Pearl District, is consistent with a majority of the local design vocabulary. The brick, metal, glass, and concrete materials correspond with material palettes of both older and newer developments in this subarea as well as within the larger Pearl District. The building's u-shaped form matches the form of similar apartment buildings recently constructed on the surrounding blocks. The height and scale proposed are supported in this Subarea which encourages buildings of this size and even taller to be developed as sites redevelop closer and closer to the river. The raised dock provided along NW 13<sup>th</sup> Avenue, with occupied spaces running its entire length, is a common feature within the pedestrian environment of this street. These loading docks act as a raised sidewalk system and entry points to active spaces.

The building's mass is divided into two larger sections with the lower section oriented toward NW 13<sup>th</sup> Avenue as required by zoning code standards so that this right-of-way is flanked by buildings of a lower scale which are reminiscent of older buildings in the district. The proposed building's two height massing and mix of materials and patterns help to diversify the architectural language and palette of materials in the district. While modern in interpretation, the building does provide a base/middle/top tripartite design by having either a one or two-story tall base that is divided from the middle by a consistent horizontal line of masonry. The middle portion of the building is defined with projecting balconies, patterned windows and horizontal metal accent panels with masonry framing around the openings. The top of the building is also defined by a consistent horizontal band of masonry around the building that caps the vertical runs of windows and cement panel accent panels.

The NW 14<sup>th</sup> Avenue façade has three pairs of recessed unit entries with projecting canopies at 6 live/work units. These street-level entries provide additional human-scaled elements at the ground level and help break up the massing along the sidewalk. These semi-public areas are features seen on other buildings in the area integrate and help integrate these live/work units into the district, creating interesting and flexible sidewalk level spaces. *These guidelines are therefore met.*

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

**Findings:** The building abuts the property lines on the majority of the site with building wall which helps to define the public rights-of-way as separate from the development site.

This line of strong building elements creates a sense of urban enclosure. The combination of building walls, a strong corner entry, loading dock with canopy, new street trees, and the Pettygrove Greenstreet improvements successfully develop all four of the site's urban edges. The wide loading dock walkway, the recessed main entry, and the plaza area in front of the courtyard are all adjacent to the public rights-of-way and provide several open areas along the streets while also incorporating elements that help to define the building edge with planters, decorative fencing, stairs and ramps. *This guideline is therefore met.*

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

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

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

**Findings for A8 & A8-1:** The orientation of the building so that the courtyard and plaza in front of it face the Pettygrove Greenstreet contributes to the activation of the adjacent streetscape and neighborhood by allowing residents and passersby to move through and around the site. In addition, ground floor windows plus an area of multi-story curtainwall help to energize the surrounding pedestrian environment by allowing views into and out of active areas at the street level. The simple vertical picket fence between the courtyard and plaza will provide open views into the courtyard areas.

The exhaust vents for the parking garage are low enough to be seen over so they do not obstruct views into the courtyard either. A canopy, and entry doors are provided at the rear of the courtyard to encourage people to use this space as a secondary entry which will make it more active than if it were only seating or other garden spaces. The plaza area in front of the courtyard fence is open to the public and provides seating as well as areas to gather and socialize. The loading dock is fully accessible with ramps and stairs at the ends and middle and will be fully visible through the open guardrails.

The 4'-0" elevation difference between the street and the northeast main entry provides opportunities for people-watching, further helping to instill energy and activity within this transitional zone between the public and private realms. Plantings and trees located adjacent to the sidewalk and the landscaping improvements along the Pettygrove Greenstreet will add visual depth and motion to the streetscape, further softening the edges of the pedestrian realm along the street frontages. *These guidelines are therefore met.*

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

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

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

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

**Findings for B1, B1-1 & B4:** The surrounding sidewalks will be improved to City standards with the redevelopment of the block. The raised dock along NW 13<sup>th</sup> Avenue provides seamless access for pedestrians to the height of the first floor level of both the building and the courtyard. The southern walkway is activated in part by the open plaza in front of the courtyard which has seating and gathering spaces that can be used by passersby. A secondary residential entry is provided at the rear of the courtyard, allowing residents to move through the site to the surrounding sidewalks. This is an architectural pattern that can be found in many older multifamily buildings in northwest Portland and improves the pedestrian experience at the street by providing accessibility for residents and guests through this full-block development.

The building incorporates human scale design elements that provide visual interest to the surrounding pedestrian environment and encourage social interaction. These elements include brickwork over the entire building which imparts texture and color, a generous fully glazed lobby entrance with canopy above which allows views into this active area, benches in the plaza outside the courtyard which encourages social interaction, and a number of live/work units that open onto both the loading dock and NW 14<sup>th</sup> Avenue for more immediate public access. These street-level entries provide additional human-scaled elements at the ground level and help break up the massing along the sidewalk. In addition, a well-lit exterior environment will encourage social interaction at the sidewalk.

Several other elements have been incorporated into the ground level façade that create locations for visitors and residents to stop and experience the area without impeding sidewalk traffic. These include the main entry at the northwest corner which is raised above the sidewalk with an area for gathering or seating that is recessed and protected by a canopy; the wide loading dock; and the benches located in an open extension of the courtyard. *These guidelines are therefore met.*

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

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

**Findings for B2 & B6:** The proposed development incorporates several design measures that ensure pedestrian safety. Vehicle access for cars and loading is combined into one curb cut and doorway on NW Quimby Street. This location allows for the desired level of Pettygrove Greenstreet improvements, satisfies the flood protection requirements, and minimizes potential pedestrian-vehicle conflicts as NW Quimby Street is a less trafficked street. The garage doors are perforated metal with metal over-frames so pedestrians can see into the vehicle area and drivers can see out as they enter and exit the site, making for a safer area.

Illumination of the sidewalks will be provided by a combination of streetlights, interior illumination of the ground floor spaces, and exterior building and site lighting. The latter include lights at the canopies and entries, light columns at the courtyard gates, and step and landscape lights in the courtyard itself.

The majority of the mechanical equipment is integrated into each dwelling unit with

vertical architectural grilles that fit into the window bays. The two louvers on the west façade at the generator room are minimized in size, and are covered with decorative mesh and metal bands that mimic the adjacent window mullion patterns, allowing them to fit into the architectural design. These openings are not active exhaust vents and will not blow out onto pedestrians. Other vents include garage exhaust vents that are in the plaza. These are set back from seating areas, lowered into the landscaped areas, and screened from view by plants. These vents are not exhausting air only occasionally when the garage air reaches a certain CO<sub>2</sub> limit. The air that comes out of these vents is considered to be of the same quality as air a person would breathe walking down an urban street. These vents will have no adverse impact on pedestrians.

The recessed entry with canopy at the residential lobby and the canopy over the loading dock provide shelter from the weather for residents, guests, and passersby accessing or utilizing the site. Within the courtyard, a canopy at the northeastern corner will provide weather protection while the trees and other structures in the courtyard as well as on the roof deck will provide additional weather protection as well as shading. Three shared entry canopies are also located along NW 14<sup>th</sup> Avenue to provide weather protection for pedestrians. Street trees will be added to three of the four frontages, providing shading as well. *These guidelines are therefore met.*

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

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

**Findings for B3 & B7:** All sidewalks will be improved to current city standards and the site will continue to be fully connected to the pedestrian system that links this area to other neighborhoods. The raised dock along NW 13<sup>th</sup> Avenue will include ramps and stairs at the north and south ends as well as another mid-block stair. These access points will provide a direct and safe pedestrian connection from the adjacent and abutting sidewalks. The raised dock is at the same grade as the courtyard, live/work units, and the main lobby entry, providing a seamless transition for those accessing the site. All areas of the building, including the courtyard, are designed for accessibility. *These guidelines are therefore met.*

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

**Findings:** The building walls that face the courtyard contain residential windows and patio areas for the first floor tenants, windows for units above, and a secondary building entry to the lobby. These elements help engage the interior uses of the building with the activities of the courtyard. Small patios are provided in front of each ground floor unit to allow further interaction. An on-site open plaza with benches and planters is provided in front of the courtyard. This area is visually and physically connected to the sidewalk and can be accessed by anyone. The fence between the plaza and courtyard is a visually open vertical metal picket style with no large intermediate columns or pylons, allowing unobstructed views between the two spaces. Garage exhaust vents in the plaza are set low enough to be seen over as well.

The property is located two blocks west and in alignment with recently completed Fields Park, the northern reach of the Tanner Park system. The orientation of the building's main lobby entry toward the northeast provides pedestrian connections to the park.

*These guidelines are therefore met.*

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

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

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

**Findings for C1 & C1-1:** Residential units on all floors are provided with large windows for views toward the river, toward the neighborhood, or the nearby Tanner Springs park system. Adjacent development has created areas where no direct views to the river are possible but the rooftop amenity spaces and decks will provide all residents with panoramic views of the city, including the river, the west hills, and the downtown skyline. Both the lower and taller portions of the building are within the desired height limits of this special North Pearl Subarea and will not block any designated scenic views. *These guidelines are therefore met.*

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

**Findings:** The development includes a number of different materials such as two colors of brick, smooth and board-formed concrete, metal fencing, metal and wood canopies, framed metal accent panels, laminated glass guardrails, aluminum and vinyl window systems, metal mechanical enclosures, and metal grilles and vents. These materials are all of high quality and are located on the building in ways that allow them to be durable and long-lasting. *These guidelines are therefore 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.

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

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

**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 for C5, C3-1 & C11:** Findings for C5 & C11: The development includes a number of different materials such as two colors of brick, exposed smooth and board-formed concrete, metal fencing, canopies, wall panels, grilles and vents, framed metal accent panels in three colors, laminated glass guardrails, aluminum and vinyl window systems, and aluminum curtainwall with spandrel glass. These materials and colors work their way around both building forms and up to the rectangular amenity penthouse and

mechanical enclosure. The roof forms are integrated with each other as they step down thru the use of similar materials and horizontal alignments between window heads and parapets. The glass curtainwall system at the rooftop amenity space is also used at the slot between the brick forms as it is pulled down to the ground to create a glazed link. This serves to help differentiate the masses from each other and also highlights the residential entries on both sides of the main lobby in a consistent manner. The parking garage is behind a set of doors so that the sloping floors will not be visible from the sidewalk. The doors are woven mesh with metal bands attached to the outside to which help break up their overall size. The same materials are also used on the sidewalk level generator room louvers to match the mullion pattern of adjacent windows. These surface treatments help integrate these building services into the overall design.

The building masses are strongly delineated by two contrasting brick colors. These are further broken down by a consistent pattern of vertically aligned windows set into 7" deep brick frames. Each brick building form has its own metal panel accent color that weaves up the window openings, further highlighting the window areas. While the two building masses are distinguished through brick color and accent panel color, the windows and storefront frames plus the horizontal metal window panels will all be a light gray color that creates a background pattern set into the accented brick frames. Buildings in the area typically have recessed windows that create a distinct pattern of line and shadow around their facades. This new building will continue that pattern with 7" deep brick frames around the windows and 4" recesses at the vertical and horizontal accent panels at each window. The use of consistent colors and materials around the entire building from roof to sidewalk creates an interesting and coherent design with quality materials that invoke a sense of permanence. *These guidelines are therefore met.*

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

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

**Findings for C6 & C9:** Several building design features facilitate a clear transition between the public sidewalk and private development. These include the elevated main entry at the northeast corner which defines the edge of the block and also provides a raised area for observing and socializing. Another feature is the plaza in front of the courtyard which is defined by planters, lighting, and benches as it meets the adjacent sidewalk. A third feature is the pairs of recessed entry stoops with projecting canopies along NW 14<sup>th</sup> Avenue. These create transition areas between the live/work units and the adjacent sidewalk. The final building feature that offers a transition between public and private areas is the loading-dock which offers additional protected outdoor gathering space. *These guidelines are therefore met.*

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

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

**Findings for C7 & C8:** The main building entry is located at a building corner and is

both recessed from the lot lines and elevated above the sidewalks. Multi-story curtainwall windows plus a canopy call attention to this important public corner of the building by eroding the masonry exterior and allowing views into active public spaces. The courtyard corners are expressed along the street by landscape planters located at either side of the courtyard opening, framing views into this more private but visually open area. The other corners of the building, while all residential units are highlighted by framing them with balconies placed one bay away in each direction, allowing these corners to be visually more solid.

The building is designed to follow the tripartite architectural divisions of base, middle and top in a modern expression. The building base incorporates a regular series of ground floor windows that are divided from the upper levels by a consistent horizontal masonry band. The recessed and elevated main entry, loading dock and canopies, the at-grade live/work unit entries, the courtyard fencing and landscaping, plus the upper story projecting balconies further distinguish the sidewalk level of the building from the middle and top. Stairs and elevator towers are located inside the building and will not interrupt the building corners.

The loading dock along NW 13<sup>th</sup> Avenue runs in front of several live/work units that have doors opening directly to the dock. The dock has a full-length metal canopy above it that provides weather protection, divides the lower portion of the building from the middle and top, and highlights the locations of the live/work entries. *These guidelines are therefore met.*

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

**Findings:** The encroachments are limited to one entry canopy, three live/work entry canopies, upper story projecting balconies, and the raised loading dock of smooth and board-formed concrete. The projecting canopies and balconies add visual texture, depth and rhythm to the façades and are located above the surrounding sidewalks so as to not impinge on pedestrian thoroughways. The loading dock is fully accessible via ramps and stairs and is open to use by the public as an integrated part of the sidewalk system. As a result, the façades have a greater sense of human scale and provide more visual interest for the pedestrian environment. *This guideline is therefore met.*

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

**Findings:** Illumination of the development consists of a series of light fixtures along the loading dock guardrail, the main and courtyard entry canopies, on the upper roof deck, and inside the courtyard. Decorative lighting of architectural features is not a part of this proposal so the building will not have an adverse impact on the nighttime skyline. Canopy lighting consists of recessed can fixtures that direct light onto the sidewalk below. Roof deck lighting consists of downward trellis lights, planter walkway light, and a few bollards that are all designed to illuminate the roof deck areas and not shine into the nighttime sky.

Courtyard lighting consists of light columns at the entry, step lights, landscape lights, strung cable lights, and walkway lights. The illumination generated by the majority of the courtyard fixtures will be filtered by the foliage so as not to negatively impact the skyline. Loading dock lighting consists of step lights and guardrail-mounted lights that are all

oriented to shine across the dock surface toward the building and not out toward nearby properties. All of these fixtures are appropriately scaled to their location and will focus illumination in ways that improve safety for pedestrians while preventing light spillover. *This guideline is therefore met.*

## **(2) MODIFICATION REQUESTS (33.825)**

### **33.825.040 Modifications That Will Better Meet Design Review Requirements:**

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and
- B. Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

The following modifications are requested:

- 1. 33.266.130.F & Table 266-4 Parking Space Width** – To reduce 4 parking space widths in the garage from the required 8'-6" wide to 7'-6" and 116 spaces to 7'-9" wide due to structural column placement.

**Purpose:** The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones. Together with the transit street building setback standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian Districts:

- Provide a pedestrian access that is protected from auto traffic; and
- Create an environment that is inviting to pedestrians and transit users.
- The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles.

**Findings:** The modification to reduce the width of 116 of the 220 garage parking spaces from 8'-6" to 7'-9" for the majority of the smaller spaces and down to 7'-6" for 4 spaces due to required structural column layout is in keeping with other parking garages of this type. The remaining parking spaces will be a minimum of 8'-6" wide with a few being even wider. The drive aisles and other maneuvering spaces as well as bike parking, stairways, ADA parking spaces, and pedestrian walkways will comply with code requirements so that vehicles can enter and exit as well as pass each other within the parking garage in a safe manner. The narrower spaces can accommodate regular sized cars while larger vehicles may have to drive a bit farther looking for a wider space. This selection of parking space sizes is a common feature of parking garages around the city and allows for more spaces to be provided within this development. This in turn relieves some of the parking burden that would have to be accommodated by on-street parking which can in-turn help satisfy the parking demand for area visitors and other short-term parkers. Therefore the below-grade

garage and its parking space totals and layout help the project better meet the following River District Design Guidelines: *B2 Protect the Pedestrian and C3-1 Integrate Parking*.

*The criteria are met and this modification request is therefore approvable.*

- 2. Standards for all Bicycle Parking (33.266.220.C).** All 438 of the long-term bike parking spaces provided in this proposal will be wall-hung in shared bike rooms. The proposed vertical rack system provides spaces that are spaced 1'-6" on center and staggered 6" vertically.

**Purpose:** These standards ensure that required bicycle parking is designed so that bicycles may be securely locked without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.

**Standard:** Bike parking spaces must be 2' wide x 6' long.

**Findings:** All residential units and office spaces will have access to a bike parking space either in their unit or in the bike rooms which are locations that are protected, therefore meeting the goals of security, convenience, and safeguarding. A wall-mounted staggered bike parking system will be installed which allows residents to vertically hang and lock their bicycles, with 6" staggered clearances to adjacent bikes. The specified bike rack system staggers the frames at 20" on center. The 20" on-center separation may be a narrower dimension, but the stagger and allowance for sliding hangers will help assist hanging and locking a bike. Additionally, the loops to which the bikes are hung project out of the wall to further ease hanging and locking a bike. A 5'-0" minimum aisle is still provided behind each bicycle rack. For all of these reasons, the purpose statement is satisfied. The functional and space-efficient system of the wall-mounted bike racks alleviates floor plan demands, which in turn results in active uses at the street, like the generous main lobby and leasable office spaces. The proposal better meets design guidelines *C8. Differentiate the Sidewalk-Level of Buildings*, and *C9. Develop Flexible Sidewalk-Level Spaces*.

*The criteria are met and this modification request is therefore approvable.*

## CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The overall design results in a composition that is interesting to view and generally enhances the urban environment. This includes integration of the slot between the two brick masses, integration of the roof forms, the west façade massing and activation of NW 14<sup>th</sup> Avenue, wall profile and depth at the windows, and the experience of the courtyard both inside and along the sidewalk. Building elements and site design features such as the raised dock and rooftop amenity spaces create environments that enhance the resident and pedestrian experience. The modifications to parking space widths and bicycle parking dimensions allow for more of these on-site amenities, resulting in a site layout that creates a building better able to fit within the neighborhood. The proposal meets the applicable design guidelines and modification criteria and therefore warrants approval.

## DESIGN COMMISSION DECISION

It is the decision of the Design Commission to approve Design Review for a new u-shaped, 9 and 7-story mixed-use building with 290 apartments, 11 ground level live/work spaces, an interior courtyard, plaza, smooth and board-formed concrete loading dock, and below-grade parking for 220 cars in the North Pearl Area of the River District of the Central City Plan District, finished with two color of brick, three colors of metal panels, smooth and board-formed concrete, vinyl windows, metal fencing and decorative metal screens, metal canopies with some wood accents, laminated glass guardrails, decking material, aluminum storefront, and a curtainwall system, as shown in Exhibits C-1 thru C-93.

Approval of:

1. Eco Roof Floor Area Bonus [PZC 33.510.210.C.10] of 72,000 SF for a minimum 24,000 SF eco roof.

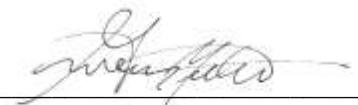
Approval of the following Modifications:

1. 33.266.130.F & Table 266-4 Parking Space Width – To reduce 4 parking space widths in the garage from the required 8'-6" wide to 7'-6" and 116 spaces to 7'-9" wide due to structural column placement.
2. 33.266.220.C3 Long-Term Bicycle Parking Spacing – To reduce the widths of long-term bicycle parking wall-mounted rack spaces from the required 2'-0" wide to 1'-6" wide.

Approval subject to the following conditions:

- A.** As part of the building permit application submittal, the following development-related conditions (A thru C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 13-231297 DZM." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B.** Eco-Roof Floor Area Bonus (33.510.210.C.10): The property owner must execute a covenant with the City ensuring installation, preservation, maintenance, and replacement, if necessary, of the eco-roof. The covenant must comply with the requirements of 33.700.060.
- C.** No field changes allowed.

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By:   
Guenevere Millius, Design Commission Chair

Application Filed: November 22, 2013  
Decision Filed: May 2, 2014

Decision Rendered: May 1, 2014  
Decision Mailed: May 6, 2014

**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 November 22, 2013, and was determined to be complete on **January 14, 2014**.

*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 November 22, 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 waived the 120-day review period, as stated with Exhibit A-2.

**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 May 16, 2014 at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 2:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 2:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5<sup>th</sup> 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. Please call the file review line at 503-823-7617 for an appointment.

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

Upon submission of their application, the applicant for this land use review chose to waive the 120-day time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing, one in which new evidence can be submitted to City Council.

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

Neighborhood associations may qualify for a waiver of the appeal fee. Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor.

Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- A building or zoning permit will be issued only after the final decision is recorded.

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

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

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

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

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

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

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

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

Chris Caruso  
May 1, 2014

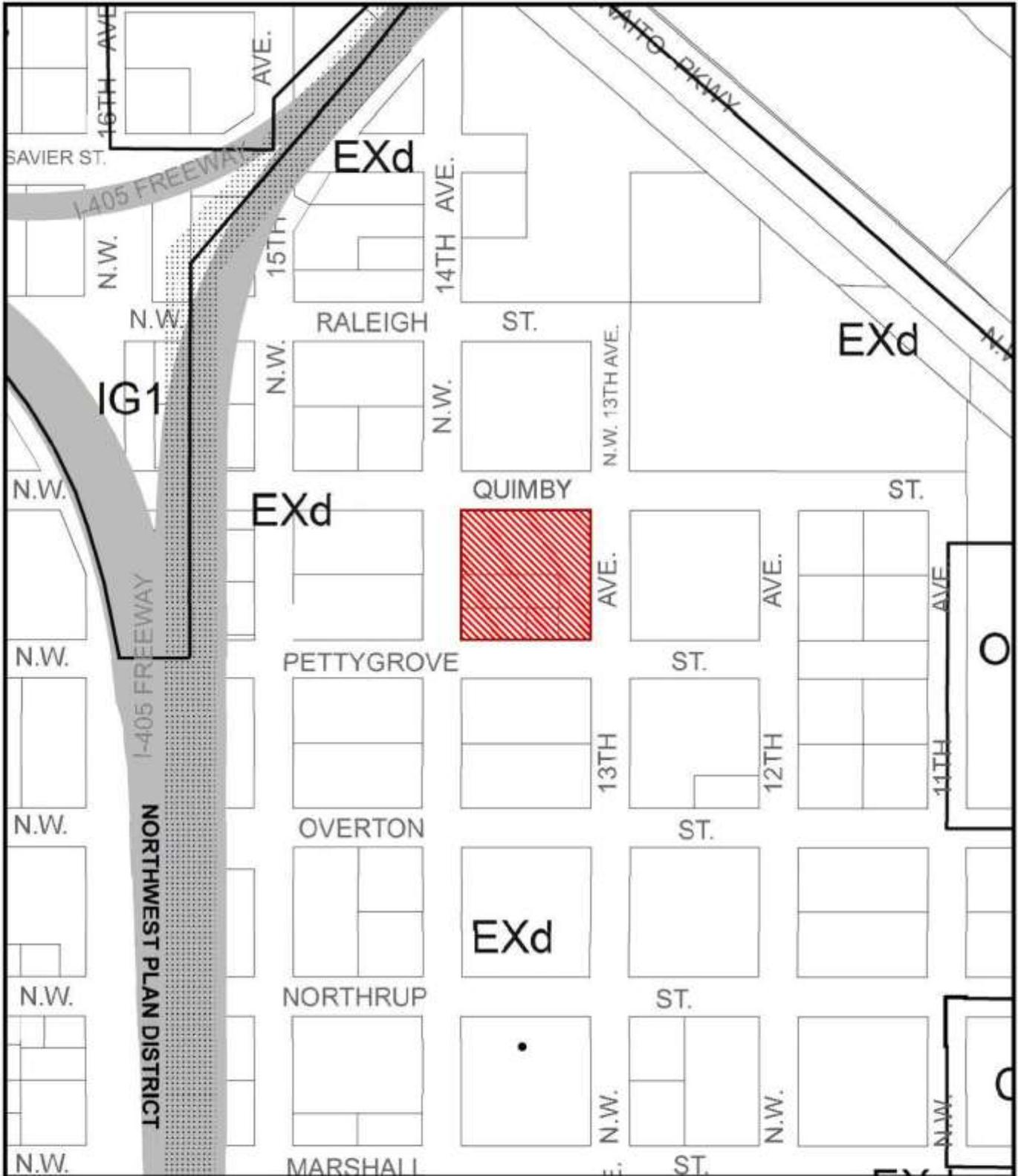
**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**

**EXHIBITS – NOT ATTACHED UNLESS INDICATED**

- A. Applicant's Information
  - 1. Design Review Application narrative
  - 2. 120-Day Waiver
  - 3. Pettygrove Street: Option A selection
  - 4. Memorandum December 30, 2013
  - 5. Memorandum January 9, 2014
  - 6. Applicant's design drawings, November 22, 2013
  - 7. Memorandum, March 17, 2014
- B. Zoning Map (attached)
- C. Plan & Drawings
  - 1. Aerial View from Northeast (attached)
  - 2. Index
  - 3. View from Southwest
  - 4. View from Northeast
  - 5. Location Plan
  - 6. North Pearl Subarea
  - 7. NW 13<sup>th</sup> Ave Character
  - 8. NW Pettygrove Green Street
  - 9. Fremont Bridge View Corridor
  - 10. Concept Diagrams
  - 11. Expression
  - 12. Grading Plan
  - 13. Site Utility Plan
  - 14. Courtyard Rendering
  - 15. Courtyard Rendering
  - 16. Roof Deck Rendering
  - 17. Roof Deck Rendering
  - 18. NW 13<sup>th</sup> Special Building Height Limit
  - 19. FAR Diagrams
  - 20. Level P2
  - 21. Level P1
  - 22. Level 1 (attached)
  - 23. Level 2
  - 24. Level 3-7
  - 25. Level 8
  - 26. Level 9
  - 27. Roof
  - 28. North Elevation
  - 29. East Elevation
  - 30. South Elevation
  - 31. Courtyard Elevations
  - 32. Courtyard Section Perspective
  - 33. Courtyard Elevations
  - 34. West Elevation
  - 35. Enlarged North Elevation
  - 36. Enlarged East Elevation
  - 37. Enlarged East Elevation
  - 38. Enlarged East Elevation
  - 39. Enlarged South Elevation
  - 40. Enlarged Courtyard Elevations
  - 41. Enlarged South Elevation
  - 42. Enlarged West Elevation
  - 43. Enlarged North Elevation

44. Sky Lounge Elevation - North
  45. Sky Lounge Elevation – East
  46. Sky Lounge Elevation – South
  47. Sky Lounge Elevation - West
  48. Exterior Details
  49. Typical Unit Window Axon
  50. Exterior Details
  51. Exterior Details
  52. Roof Details
  53. Exterior Details – Canopy
  54. Exterior Details – Balcony
  55. Exterior Lighting Plan
  56. Materials
  57. not used
  58. Courtyard – Construction
  59. Roof Deck – Construction
  60. Landscape Details
  61. Landscape Details
  62. Streetscape – Planting
  63. Courtyard – Planting
  64. Greenroof – Planting
  65. Roof Deck – Planting
  66. Courtyard – Sections
  67. Roof Deck – Sections
  68. Eco Roof Irrigation
  69. Ecoroof Operations and Maintenance
  70. Drainage Diagram
  71. Courtyard Furnishings
  72. Roof Deck Furnishings
  73. Spa Cutsheet
  74. Courtyard Planting
  75. Roof Deck & Streetscape Planting
  76. Roof Deck Rendering
  77. Roof Deck Rendering
  78. Roof Deck Rendering
  79. Courtyard Rendering
  80. Courtyard Rendering
  81. Courtyard Fence Elevations
  82. Courtyard Rendering
  83. Courtyard Rendering
  84. VPI Windows information
  85. Vinyl Doors information
  86. Box Rib panel information
  87. Saris Stretch Parking Rack information
  88. United States Aluminum Glass Railing System information
  89. EFCO System 5600 Curtain Wall information
  90. Ruskin Stationary Louver information
  91. Voyager Packaged Rooftop Units information
  92. PTAC Air Conditioners information
  93. Firestone Metal Wall Products information
- D. Notification information:
1. Request for response
  2. Posting letter sent to applicant
  3. Notice to be posted
  4. Applicant’s statement certifying posting

5. Mailed notice
  6. Mailing list
- E. Agency Responses:
1. Water Bureau
  2. Fire Bureau
  3. Life Safety Review Section of BDS
  4. Bureau of Transportation Engineering and Development Review
  5. Bureau of Parks Urban Forestry
  6. Site Development Section of BDS
  7. Bureau of Environmental Services Ecoroof FAR Bonus Letter of Certification
  8. Bureau of Environmental Services Response
  9. BDS Staff Comments, March 17, 2014
- F. Letters
1. Bob Ball, Astor Pacific, February 20, 2014, not in support of the project.
  2. Patricia Gardner, Pearl District Neighborhood Association, undated, in support.
- G. Other
1. Original LUR Application
  2. Incomplete Letter December 13, 2013
  3. Incomplete Letter January 3, 2014
  4. Request for Completeness Agency Responses (3 pages)
- H. Hearings
1. Staff Memo,
  2. Staff Report, February 24, 2014
  3. Staff PowerPoint, March 6, 2014
  4. Staff Memo, April 21, 2014
  5. Hearing #1 Summary Notes, March 13, 2014
  6. Staff Report, April 21, 2014
  7. Staff PowerPoint, May 1, 2014
- cc: Applicants and Representatives  
Neighborhood Associations  
Those who testified, orally or in writing  
City Auditor's Office



# ZONING



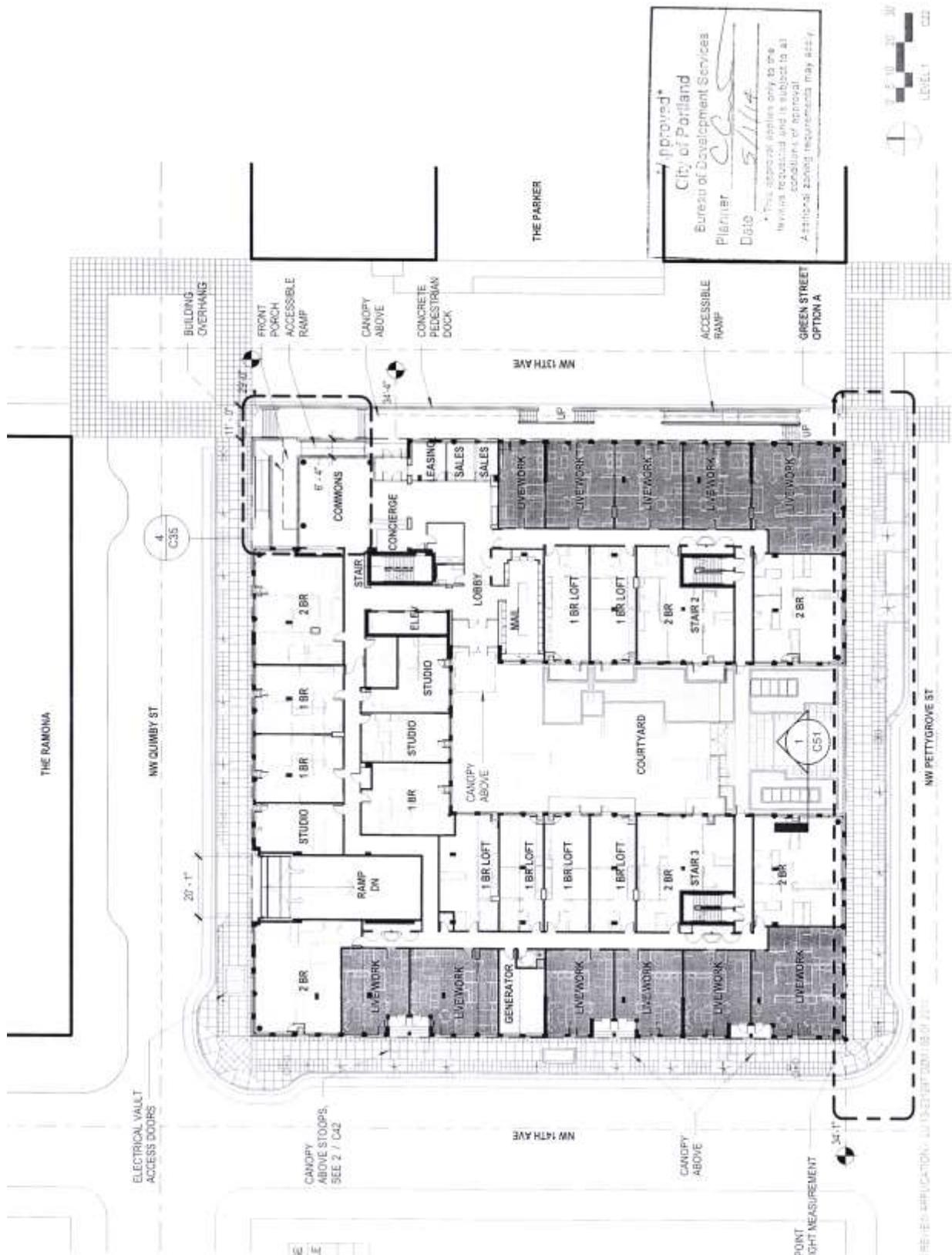
Site



NORTH

This site lies within the:  
**CENTRAL CITY PLAN DISTRICT**  
**RIVER DISTRICT**  
**NORTH PEARL SUB AREA**

File No. LU 13-231297 DZM  
 1/4 Section 2928  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E33AA 200  
 Exhibit B (Nov 26, 2013)



Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planner *C. C.*  
 Date *5/1/14*

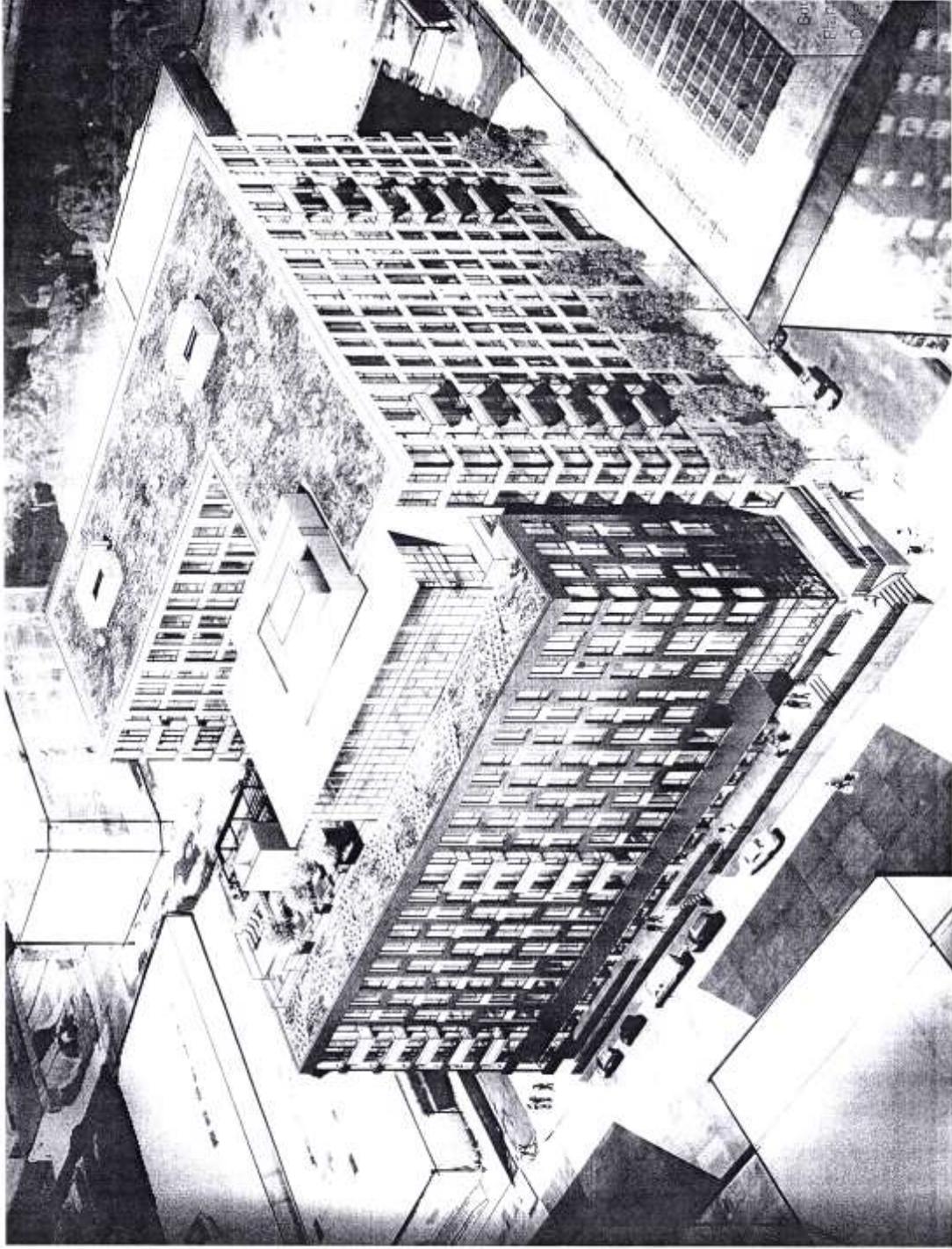
\* This approval applies only to the  
 terms requested and is subject to all  
 conditions of approval.  
 Additional zoning requirements may apply.



DR BICYCLE PARKING - LONG TERM - STORAGE	
TYPE	PARKABLE COUNT
SARIS 8016 BIKE RACK	18
SARIS 8080 BIKE RACK	41
	438



1420 PEABLY DESIGN REVIEW APPLICATION, 10/13/2013 BY 2001.05.01.121



"Approved"  
 City of Portland  
 Bureau of Development Services  
 Planner: *CA*  
 Date: *5/14*

This approval applies only to the  
 in question and is subject to all  
 regulations of approval.  
 and zoning requirements may apply.



1025 PEARL | DES-C

SERIAL VIEW FROM NORTHEAST

01