



City of Portland
Bureau of Development Services
Land Use Services Division

1900 SW Fourth Ave. Suite 5000
Portland, Oregon 97201
Telephone: 503-823-7300
TDD: 503-823-6868
FAX: 503-823-5630
www.portlandonline.com/bds

Date: September 2, 2008
To: Interested Person
From: Chris Caruso, Land Use Services
503-823-5747 / Christine.Caruso@ci.portland.or.us

**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 this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 08-138088 DZM – 10151 SE STARK
ST**

GENERAL INFORMATION

Applicant: Joe Mitchof
RW 102, LLC
1847 E Burnside St., Suite B
Portland, OR 97214
(503) 348-8828

Representative: Chris Nestlerode
Barry Smith, PC, Architect
715 SW Morison St., Suite 909
Portland, OR 97205
(503) 241-7966

Site Address: 10151 SE STARK ST

Legal Description: TL 5300 0.28 ACRES, SECTION 33 1 N 2 E
Tax Account No.: R942335090
State ID No.: 1N2E33DD 05300
Quarter Section: 3140

Neighborhood: Hazelwood, contact Arlene Kimura at 503-252-9429.
Business District: Gateway Area Business Association, contact Fred Sanchez at 503-256-3910.
District Coalition: East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.

Plan District: Gateway
Zoning: CXd – Central Commercial with design overlay
Case Type: DZM – Design Review with Modifications
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant is requesting design review to construct a new 19,000 square foot, three-story building with ground floor retail and two upper floors of commercial office space. The building will occupy the vacant site located at the northwest corner of SE Stark Street and SE 102nd Avenue. The project will have a covered parking area located behind a brick wall with openings to SE Stark Street. A small surface parking lot holding a maximum of 8 spaces will be located behind the building and will not be visible from the street. The north landscape setback will feature a rain garden while the east landscape buffer will have vertical planted trellising also called “green screens”. Both landscape buffers face a large existing parking lot owned and used by the adjacent site.

The exterior skin of the building will feature a concrete and red brick base, dark brown fiberglass storefront and windows systems, yellow metal panels on the 2nd and 3rd floors and a large butterfly roof with a significant overhang and wide cap flashing. A 2nd floor outdoor deck on the west side of the building will be available for use by the office tenants. Portions of the west wall and interior walls will be constructed of decorative smooth face cmu block. Retail entries will face both SE Stark and SE 102nd. The main entry to the upper floors is located on the inner north façade, directly across from the surface parking lot. Short term bicycle parking will be provided both at the sidewalk right-of-way as well as within the covered parking area. A standard tenant sign system and storefront louver locations have been developed for the building.

A pedestrian path is provided midway along the south façade to allow pedestrian access to the short term bicycle parking racks, the office entry, and the surface parking. Sidewalks on both SE Stark and SE 102nd will be widened and brought up to current City standards through a required right-of-way dedication. Metal canopies will be placed at each storefront bay along both street faces for pedestrian weather protection. The project is applying for LEED Silver certification. Design review is required for new buildings in the Gateway Regional Center.

Modification Requests:

Modification #1 - 33.266.130 of the Portland Zoning Code requires parking area setbacks abutting a C lot line pathways be 5’ wide of L2 landscaping. The proposal includes a 5’ wide rain garden along the north property line and vertical landscaped screens planted to L4 standards along the east property line. Both of these landscaped setbacks abut an existing parking lot used by the adjacent property.

Modification #2 - 33.266.220 of the Portland Zoning Code requires short term bicycle parking to be outside a building. The proposal locates short term bicycle parking spaces inside the open rear staircase that serves the upper floors, near the rear entry doors. A directional sign will be placed on the exterior of the building at the pedestrian walkway indicating the location of the short-term bike racks.

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:

- 33.825 Design Review
- 33.825.040, Modifications That Will Better Meet Design Review Requirements
- Gateway Regional Center Design Guidelines

ANALYSIS

Site and Vicinity: The 10,307 SF site is located at the northwest corner of SE Stark Street and SE 102nd Avenue, within the Gateway Plan District and the Gateway Pedestrian District. The Russellville residential complex is to the northeast of the site and Mall 205 is to the southeast. The area has a number of older auto-oriented developments with large surface parking lots as well as vacant and underdeveloped lots. SE Stark and SE Washington Streets

form a couplet through this area and serve as the major vehicular routes to and from I-205 to the west. Bus service is available on SE 102nd Avenue.

SE 102nd is highlighted in the Gateway Regional Center Design Guidelines Urban Design Concept as a future tree-lined boulevard with street-level pedestrian amenities while the intersection of SE 102nd Avenue, SE Stark Street, SE 103rd Avenue and SE Washington Street is designated as a Gateway Location. Both SE 102nd Avenue and SE Stark Street are designated Major Transit Priority streets.

Zoning: The 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.

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 must meet the Community Design Standards (Chapter 33.218) or are subject to design review.

Land Use History: City records indicate that prior land use reviews include the following:

- 06-112593 DZ, denial of a new automotive dealership sign.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **August 4, 2008**.

The **Life Safety Section of BDS** responded with the following comment: Please see Exhibit E-1 for additional details.

The following comments are intended to provide the applicant with preliminary Building Codes information that could affect the Land Use Review and/or future Building Permit reviews. The comments may not identify all conflicts between the Land Use proposal and the Building Codes. A complete Life Safety plan review will be provided at the time of Building Permit submittal. The comments are based on The Oregon Structural Specialty Code, The Oregon Mechanical Specialty Code, or The Oregon Residential Specialty Code.

1. Based on the information provided, there appears to be no conflicts between the proposal and applicable building codes for the purpose of obtaining an LU approval.
2. A separate Building Permit is required for the work proposed and the proposal must be designed to meet all applicable building codes and ordinances. More information regarding building code requirements can be obtained by visiting the Bureau of Development Services Development Services Center -1900 SW 4th Ave, 1st floor, between the hours of 7:30 AM and 3:00 PM Monday through Friday and also 5:00 PM to 7:30 PM Thursday evening (no appointment necessary.) Building Code information is also available online at: <http://www.portlandonline.com/bds/>, or by calling (503) 823-1456.
3. The items listed below do not reflect requirements of tables 601 and 602 that may require fire rated construction for the type of construction due to size and height, occupancy and distance to property lines in conjunction with fire separation distance. Items below also apply.
4. Exterior walls located less than 5 feet to a property line must be one-hour fire-rated for exposure to fire from both sides. Exterior walls located more than 5 feet, but less than 10 feet to a property line must be one-hour fire-rated for exposure to fire from the inside only. OSSC 602.1, 704.5
5. Exterior walls less than 30 feet to property line must be 1-hour fire-rated construction. OSSC 704.5
6. Openings in exterior walls less than 3 feet to a property line are not allowed. Unprotected openings in exterior walls less than 5 feet to a property line are not allowed in an unsprinklered building. OSSC 704.8

The **Bureau of Transportation Engineering and Development Review** responded with the following comment: Please see Exhibit E-2 for additional details.

Portland Transportation/Development Review has reviewed the application for its potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, Title 33, Title 17, and for potential impacts upon transportation services.

Portland Transportation has no concerns with this development that are specifically related to the Design Review approval criteria.

The following comments are provided to aid the applicant in future building permitting phases of the development in compliance with Title 17.

- 1) No encroachment permit will be required for the proposed bench/planter designs as currently proposed (1'6" high and 7'8" long) provided that these benches/planter boxes are moveable, and provided they do not extend into the right-of-way beyond the 2.5-foot wide building frontage zone.
- 2) SE 102nd Avenue is classified in the City's Transportation System Plan as a District Collector Street, Major Transit Priority Street, City Bikeway, City Walkway in a Pedestrian District, Truck Access Street, Major Emergency Response Street, and a Community Main Street.
- 3) SE Stark Street is classified in the City's Transportation System Plan as a Major City Traffic Street, Major Transit Priority Street, City Bikeway, City Walkway in a Pedestrian District, Major Truck Street, Major Emergency Response Street, and a Regional Main Street.
 - A 15' sidewalk corridor (0.5' curb, 4' planter, 8' sidewalk, 2.5' frontage zone) is required along the SE Stark Street frontage. The plans appear to comply with this requirement. The existing sidewalk corridor is 7 feet (0.5' curb, 6.5' sidewalk). Reconstruction of the sidewalk corridor will require that engineered plans be submitted for review through a permit process controlled by the City of Portland Office of Transportation. The applicant's Oregon-registered civil engineer must attend a Pre-Design Conference prior to initiating detailed design of the public street improvements. A financial guarantee and contract for the sidewalk reconstruction must be in place with PDOT prior to PDOT approving the future building permit.
 - An 8-foot right-of-way dedication will be necessary to accommodate the required 15' sidewalk corridor for SE Stark Street. The plans appear to comply with this requirement. The right-of-way dedication must be completed prior to PDOT approving the future building permit.
 - If the curbs along the site frontage are in disrepair or become damaged during construction the frontages will be required to be repaired to the standards of the City Engineer.
- 4) Driveways and Curb Cuts (Section 17.28) Curb cuts and driveway construction must meet the requirements in Title 17. The Title 17 driveway requirements will be enforced during the review of building permits.
- 5) Transportation System Development Charges (Section 17.15) System Development Charges (SDCs) may be assessed for this development. The applicant can receive an estimate of the SDC amount prior to submission of building permits by contacting Rich Eisenhauer at 503-823-7080.

The **Bureau of Environmental Services** responded with the following comment: Please see Exhibit E-3 for additional details.

BES Response Summary: It is unclear how stormwater runoff from this project will be managed and whether a stormwater management facility will impact the design of this project. Until a revised conceptual stormwater management plan showing the size and location of all proposed stormwater facilities based on proposed impervious area for this

project is submitted for review by BES and BDS Site Development, BES cannot recommend approval of this land use review proposal. (Refer specifically to comment #4 and #5 below).

Sanitary Services

1. There is an existing 8-inch PVC City-owned sanitary-only sewer located in SE 102nd Avenue that can serve the sanitary disposal needs of this project.
2. There is also an existing 8-inch PVC City-owned sanitary-only sewer located in SE Stark Street that can serve the sanitary disposal needs of this project.

Stormwater Management & Water Resources

The stormwater runoff generated from the proposed development must meet the requirements of the City of Portland's Stormwater Management Manual current at the time of building plan review. For all projects, the Stormwater Destination/Disposal Hierarchy must be addressed. The current 2004 Stormwater Management Manual has been revised and a new (2008) version of the Stormwater Management Manual will be adopted August 1, 2008. Use of the new 2008 Stormwater Management Manual will be optional between August 1, 2008 and September 30, 2008. As of October 1, 2008 the new manual will be required for all new permits. This project will be required to comply with the manual that is current at the time of building permit application. The applicant may contact BES with any questions or for additional information. The current Stormwater Management Manual can be found at: <http://www.portlandonline.com/bes/> under Publications and then go to Manuals.

1. There is no City-owned storm-only sewer available to this property.
2. There is an existing public underground injection control (UIC) system located south of this site in SE Stark Street. This UIC consists of one sedimentation manhole and one infiltration sump. A public water quality swale will be constructed on the north side of this UIC system, and overflow will be directed to it. Please be aware that these UIC systems must be assessed before being used for additional stormwater disposal.
3. The Stormwater Management Manual requires that stormwater runoff from new or redeveloped impervious area be managed on-site through surface infiltration facilities to the maximum extent practicable. Roof runoff may be managed in drywells or soakage trenches (if on-site infiltration is approved by BDS Site Development). Pollution reduction is required for all non-rooftop runoff, and all runoff that is not infiltrated on site. Stormwater runoff from parking lot, driveway and other ground-level impervious surface must be treated by means of vegetated surface facilities with overflow directed to an appropriate disposal location. A disposal location for stormwater must be identified for any size development. If stormwater is proposed to be directed to existing facilities, stormwater management facility capacity will need to be evaluated and must be adequately sized to manage stormwater from this site as approved by BES and BDS Site Development.
4. It is unclear how stormwater runoff from this project will be managed and whether a stormwater management facility will impact the design of this project. Until a revised conceptual stormwater management plan showing the size and location of all proposed stormwater facilities based on proposed impervious area for this project is submitted for review by BES and BDS Site Development, BES cannot recommend approval of this land use review proposal. Please be aware, it is the applicant's responsibility to ensure Stormwater Management Manual requirements are met. It is possible that a subsequent Design Review may be required and, be aware, failure to provide a conceptual stormwater management plan that is acceptable to BES and BDS Site Development at this time may delay the building permit process.
5. BDS Site Development shall determine whether on-site infiltration is feasible for this project and has requested a preliminary utility plan and a stormwater report (including calculations) addressing the stormwater hierarchy. Per BDS Site Development, all

infiltration facilities have setback considerations from structures and property lines and should be situated topographically on the site in such a way as to not impact existing or proposed structures. The site plan submitted for this land use review must show detailed information showing building location, footprints, and locations for stormwater infiltration facilities to ensure that size and setback requirements can be met.

6. Any proposed public street improvements (required by the Office of Transportation (PDOT)) will require public drainage improvements per the standards of the Stormwater Management Manual and Sewer Design Manual as approved by BES:
 - a. This project will need to follow the SWMM's Stormwater Destination/Disposal Hierarchy. Per the 2004 Hierarchy, a surface infiltration facility is required to the maximum extent practicable to meet applicable pollution reduction/flow control requirements (refer to Section 1.4 of the 2004 SWMM). Infiltration testing in or near the right-of-way may be required in order to determine the appropriate disposal point.
 - b. If a sidewalk is required, and a new curb does not need to be constructed, constructing it so that it slopes towards a vegetated area is a stormwater management option for this project and will be reviewed at the time of building permit review. If a new curb needs to be installed, a method of managing stormwater may need to be constructed and details must be determined at the time of building permit review.
 - c. Details regarding specific street improvement requirements (as outlined above) shall be determined at the time of the Office of Transportation's Pre-design Meeting.
 - d. If additional dedication to accommodate stormwater management facilities is required for this project, the dedication must be shown on building plans.
 - e. Storm sewer waivers will be required with all street waivers.

Conditions of Approval

BES has no recommended conditions of approval. However, it is unclear whether required stormwater management facilities will impact the design of this project. Therefore, BES cannot support this land use review proposal until additional information is submitted for approval by BES and BDS Site Development.

Additional Information

1. Planted roofs (ecorooFs) are encouraged by the City as a sustainable method of stormwater management. By installing an ecoroof on all or a portion of your roof area, the size of additional required stormwater facilities may be reduced because it reduces the amount of impervious area on the site that needs to be managed. EcorooFs also insulate the building, reducing heating and cooling costs, last many years longer than conventional roofs, and provide wildlife habitat. In fact, ecorooFs are also encouraged in the LEED Green Building Rating System and a project can earn credits towards LEED certification. For more information on ecorooFs or for assistance with design, please contact Tom Liptan, BES Sustainable Stormwater Management Program, at (503) 823-7267. Requirements for ecorooFs as stormwater facilities can be found in the 2004 Stormwater Management Manual on pgs 2-37 through 2-42. NOTE: The 2008 Stormwater Management Manual includes new standards for eco-roofs.
2. Pervious pavement can allow stormwater to infiltrate on a site thus reducing runoff from the site, which is encouraged by the City of Portland and in the LEED Green Building Rating System by earning credits towards LEED certification. Pervious pavements come in many forms and materials and can be used on walkways, patios, plazas, driveways, parking lots, and some portions of streets, subject to compliance with building codes and PDOT and BES Administrative Rules. To receive approval from BDS Site Development, the material must be installed and maintained to manufacturer's specifications. Please coordinate this project with BDS Site Development and refer to the City of Portland

Stormwater Management Manual for more detailed information (Page 2-45 through Page 2-48). PLEASE NOTE: Pervious pavement systems will require underdrain systems to an approved stormwater disposal point (per Section 1.4 of the 2004 Stormwater Management Manual) for soils that do not infiltrate well.

3. Stormwater may be collected and reused for non-potable water uses within a house or building, or for landscape irrigation purposes. Reducing the water used from the City water system can reduce a site's water portion of the utility bill and is encouraged through the LEED Green Building Rating System. The applicant may refer to the City of Portland's 2004 Stormwater Management Manual (Page 2-137 through 2-139) or contact BES for additional information regarding rainwater harvesting. Please note: BDS plumbing approval must be obtained with any rainwater harvesting system (refer to BES Source Control's comments below under Building Permit Information).
4. For information regarding ecoroofs, pervious pavement and other sustainable stormwater techniques and grant funding availability, please contact Emily Hauth, BES Sustainable Stormwater Management Program, at 503-823-7378. Information regarding sustainable stormwater techniques is available on the Internet at: <http://www.portlandonline.com/bes/> under "Projects" and "Sustainable Stormwater Management". Please note: The applicant should also coordinate with the City of Portland Office of Sustainable Development (OSD). OSD's Green Investment Fund may be a possible funding option.
5. Clean River Rewards, Portland's stormwater discount program, arrived in Fall 2006. The program offers discounts up to 100% of the City's on-site stormwater management charge to ratepayers who manage stormwater runoff on their property. The discount is calculated on a sliding scale for how much and how well properties manage stormwater on-site. To qualify, you will need to register your property and describe how you manage stormwater runoff. The Bureau of Environmental Services is offering workshops to ratepayers who want to learn more about stormwater management, and want to get the most out of the stormwater discount program. To learn more about the program and discounts, go to www.cleanriverrewards.com. The website includes a calculator you can use to assess your discount, if applicable.
6. BES sewage system connection fees are assessed at the time of building plans review and change every fiscal year beginning July 1st. For additional information on these fees, please call the BES Development Review Team at 503-823-7761.

Building Permit Information

1. Stormwater in this area drains to city owned Underground Injection control Devices. Construction discharges to City Underground Injection Control's (UIC), also known as "sumps", are prohibited. Construction discharges to private Underground Injection Control's (UIC), also known as "drywells" are required to be authorized by the DEQ UIC program. Please inquire with Barbara Priest with the DEQ at 503.229.5945. This area is served by a sanitary city sewer and during construction, any groundwater (groundwater in this area is shown to be 155 feet below grade surface) or precipitation water removed from the construction area and will be discharged to a city sanitary sewer and will require pre-authorization through our batch discharge program. All batch discharge applications will go through an evaluation process and must be approved before a discharge to the City sewer system is allowed. Fees are assessed for temporary construction discharges to the City's sanitary sewer system, please access the website at <http://www.portlandonline.com/auditor/index.cfm?c=28044&a=200914> for current sewer rates.

For more information regarding our program for construction and groundwater discharges, please reference the web site at <http://www.portlandonline.com/shared/cfm/image.cfm?id=121072>.

2. The pertinent design requirements of the Stormwater Management Manual (SWMM) Chapter 4 are briefly described as follows (please read chapter 4 of the SWMM to help identify any requirements we may have overlooked). The 2004 Stormwater Management Manual is available on the Internet at: <http://www.portlandonline.com/bes/index.cfm?c=35117>.
 - Solid waste (including, grease bins/drums/boxes) and recycling (cardboard, plastic, paper, glass, etc) areas in general require a structural cover, pavement beneath the trash and recycling area, a bermed or graded isolated area beneath the cover to protect from stormwater run-on, and a drain provided within that isolated covered area.
 - Loading docks (material transfer areas) must be hydraulically isolated from stormwater. The first 3 feet of the dock face must be isolated through grading, berms, or drains and that area must discharge to the sanitary sewer.
 - Catch basins located in covered parking areas are not required, but if elected they must discharge to the sanitary sewer. Catch basins discharging the sanitary sewer must meet the OSPSC section 1108.0, which requires an elbow and air tight clean-out. Trench drains or catch basins located within 2 feet of the entrance into the parking structure may discharge to the storm sewer system.
3. This area is prone to grease blockages; therefore, the City highly encourages the use of grease management devices. In the future, businesses in this area will be required to manage their grease wastes appropriately through grease devices and retrofitting may be required at that time. Grease management devices help reduce the extra strength sewer charges (ESSC) this facility may incur in the near future. Additionally, by reducing the amount of food wastes, grease and solids that are rinsed down the drain, this facility's potential to cause an obstruction in the main sewer line will be reduced, temporary closure and loss of business avoided, and unnecessary repair costs incurred by the facility also avoided.
4. The proposed business is required to comply with the City's Extra Strength Sewerage Charge (ESSC) Program; therefore, a sampling manhole or 6" plumbing clean-out located on the waste line is required. The sample location must be downstream of any treatment devices, and account for all flows leaving the business.
5. If a water feature such as a fountain is proposed, certain requirements may apply depending on the feature design. In general, if the feature water is recirculating through a closed looped system, the wastewater must discharge to the sanitary waste line. In addition, if the source of the feed water to the fountain is rain water or groundwater then a meter is required to be placed on the discharge line of the fountain in order to assess sanitary usage charges. Sewer rates can be accessed on the website at: <http://www.portlandonline.com/auditor/index.cfm?c=28044&a=200914>.
6. Building plans for this project must include a detailed site utility plan, which shows proposed and existing sanitary connections and stormwater management that meets the requirements of the Stormwater Management Manual in effect at the time of permit submittal.
7. Connection to the public sanitary sewer in the public right-of-way must follow BES' "Rules of Connection" and meet the standards of the City of Portland's Sewer and Drainage Facilities Design Manual. The Design Manual is on the internet at www.portlandonline.com/bes/, and contains the "Rules of Connection" in Appendix H.

The **Site Development Section of BDS** responded with the following comment: Please see Exhibit E-4 for additional details.

Site Development has reviewed the Additional Storm Water Narrative dated 8/26/08 prepared by Roadway Engineering, Inc. The conceptual stormwater system design ("rain garden" with overflow to a drywell) and infiltration calculations provided are sufficient for the purposes of this Design Review only. The "rain garden" area proposed exceeds the minimum area required when determined using SIM-sizing. Overflow to a drywell is acceptable. As noted in Site Development's previous Land Use Review Response, DEQ UIC registration will be required for the drywell, in addition to City requirements.

The following cautionary information is provided for the benefit of the applicant.

At the time of building permit review, a more precise narrative description of the proposed system as well as a utility plan and design details will be required. If significant changes to the site design are necessary, then a new Design Review may be required.

1. Roadway Engineering Inc.'s use of first flush does not match nor is it sufficient sizing for City of Portland's Stormwater Management Manual (SWMM). Plans submitted for review must be in accordance with SWMM terminology and sizing requirements.
2. The applicant must clearly and correctly identify the type of stormwater facility that is proposed, i.e. swale or flow-through planter. These facilities are sized differently and constructed differently, and neither one is a "rain garden". Again, all plans and information submitted for review must be in accordance with SWMM facility design, terminology, and sizing requirements.
3. Any drywell must be sized per the chart in the SWMM and specified on the plans. A minimum of 15-foot deep (or possibly a 20-foot deep) drywell will be required.
4. Drainage details for the surrounding parking lot, not a part of this parcel, must be included on the plans.

Questions regarding these requirements may be directed to George Helm, (503) 823-7201.

The following Bureaus had no comments or concerns:

- Water Bureau
- Parks Bureau – Urban Forestry Division
- Fire Bureau
- Police Bureau
- Bureau of Planning

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **August 4, 2008**. Three (3) written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal. They are:

1. Arlene Kimura of Hazelwood Neighborhood Association, August 25, 2008 – The building needs to be at least 4-6 stories to present a more urban format. Perhaps a vertical element can be integrated into the façade to give the look of a taller building. The corner of the building should have a more active element in it.
2. Thomas S. Smith of Davis Wright Tremaine, LLP, August 25, 2008 – The adjacent site owners make it clear that no "spill-over" use of the property will be tolerated, including construction staging or any variances to development codes that would create such a

“spill-over” or otherwise adversely impact the adjacent property at 10115 SE Stark Street.

3. Justin Douglas of the Portland Development Commission, August 25, 2008 – The project will be a much needed investment in the Gateway URA. PDC funded a DOS study on this parcel and is thrilled to see that the applicant is moving forward on the project given the challenging site configuration. PDC would like to see more density at this corner but recognizes that market realities preclude additional density at this time.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

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

Section 33.825.055 Design Review Approval Criteria

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

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site’s location, the applicable design guidelines are the Gateway Regional Center Design Guidelines.

Gateway Regional Center Design Guidelines

The Gateway Regional Center is the City of Portland’s only designated regional center. The area is envisioned to redevelop into a highly urbanized, pedestrian-oriented center, with an overall built size and scale second only to Portland’s Central City.

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

Gateway Regional Center Design Goals

Ten goals for design review in the Gateway Regional Center have been established to enhance the area’s design quality, support its livability, and guide its transition to a pedestrian-oriented, active, urban regional center. They are:

1. Encourage urban design excellence.
2. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Gateway Regional Center as a whole.
3. Provide for a pleasant, rich, and diverse experience for pedestrians.
4. Assist in creating a regional center that emphasizes a mix of active uses and experiences and is safe, lively, and prosperous.
5. Provide for the humanization of the Gateway Regional Center through the promotion of parks, plazas, open spaces, public art, and trees.
6. Integrate and honor the diversity and history of Gateway.
7. Integrate sustainable principles into the development process.
8. Encourage the development of a distinctive character for subdistricts within the regional center, and link them.
9. Encourage and incorporate transit orientation and usage.
10. Enhance the physical and visual linkages between the Gateway Regional Center and adjacent neighborhoods.

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

A Pedestrian Emphasis

A1. Strengthen Relationships Between Buildings and the Street. Integrate building setback areas with adjacent streets.

A2. Enhance Visual and Physical Connections. Enhance visual and physical connections between buildings and adjacent sidewalks. Orient semi-public building spaces to the sidewalk and street.

C4. Develop Complementary Parking Areas. Develop, orient and screen parking areas to complement adjacent buildings and the pedestrian environment.

Findings for A1, A2 & C4: Right-of-way dedications will be required along both SE Stark and SE 102nd. The area between the building and the street will be paved in the same manner as the sidewalks with landscape buffers and street trees along the street edge. The building mass will be pulled up to the street edge with ground level retail along the entire east façade and half of the south façade. The remaining half of the ground level south façade will be covered parking screened behind a brick wall at the street and a smooth-face cmu block wall to the west. Large storefront windows will provide views into active ground floor spaces along SE Stark and SE 102nd. Large openings in the south wall of the covered parking area will provide views from the street into this semi-public space. Both parking areas are screened from the street. Additional surface parking is provided behind the building, not adjacent to the streets and screened behind landscape buffers and vertical green screens. *These guidelines are therefore met.*

B Development Design

B1. Convey Design Quality and Building Permanence. Use design principles and building materials that convey quality and permanence.

Findings for B1: The three-story mixed use building incorporates a number of design elements reflecting traditional commercial types including a standard structural bay system, large storefront glazing at the lower level, and canopies above. Both the ground level and upper story spaces are flexible and can accommodate different tenant uses and types over time. Building materials include concrete, brick, smooth-face cmu block, prefinished metal panels, and fiberglass window systems. These materials are durable, high-quality, and contribute to a sense of the building's permanence over time. *This guideline is therefore met.*

B2. Integrate Ground-Level Building Elements. Integrate the different ground-level building elements with the building's architecture.

B3. Design for Coherency. Integrate the different parts of a building to achieve a coherent design.

Findings for B2 & B3: Exterior light fixtures are integrated into the retail canopies as well as logically placed along the rear walls so they are integrated into the overall building design. Retail signage supports and frames are being provided and will maintain a consistent size and shape across both street frontages while allowing for tenant sign changes over time. Signage is also being provided on the south façade to indicate the parking entry drive and the location of the short-term bicycle parking. A consistent mechanical grille location has been designated above the retail storefront bays for future installations. Metal canopies are provided above each storefront bay and are consistent in size, shape and color.

The building itself is a simple L-shape with its most public spaces facing both streets. It is divided into a traditional tripartite composition with a retail base of brick and scored concrete, a middle of light-colored metal panels, and a dramatic butterfly roof that gives the building a larger presence than its relatively small size would indicate. Smooth-face cmu block is featured on the west façade and portions of the inner east and north walls. The material change from brick to metal panels that occurs between the ground floor and the upper two floors clearly indicates that the upper floors serve a different function. The brick and concrete base continues across the covered parking area to integrate this space into the overall building design. *These guidelines are therefore met.*

B5. Integrate Roofs, Rooftop Lighting, and Signs. Integrate rooftop components, functions and related screening elements with the building's architecture. Integrate exterior lighting, signs and any related structural equipment at or near the roof with the building's architecture. Orient lighting to highlight the building's architecture.

A3. Integrate Building Mechanical Equipment and Service Areas. Incorporate building mechanical equipment and/or service areas in a manner that does not detract from the pedestrian environment.

Findings for B5 & A3: Mechanical equipment will be placed in a mechanical well on top of the butterfly roof and will be screened from view with a metal panel penthouse that also holds the elevator overrun. This provides one central location on the roof for equipment that is integrated into the overall building design. Trash and other building service areas are housed inside the building behind a rolling overhead door on the north façade, facing the surface parking area. The door is not visible from the street and does not detract from the pedestrian environment. Building lighting and signage is restricted to the ground floor level. *These guidelines are therefore met.*

B6. Integrate Ecological / Sustainable Concepts. Integrate ecological/sustainable features or concepts with site and development designs.

Findings for B6: The project is currently being designed to achieve LEED Silver certification. LEED (Leadership in Energy and Environmental Design) is a voluntary certification process that promotes sustainable building and site development practices. Sustainable features of the project include managing a portion of the site's storm water runoff in a rain garden provided as part of the northern parking lot landscape buffer. *This guideline is therefore met.*

C Context Enhancement

C1. Provide Opportunities for Active Uses at Major Street Intersections.

Integrate flexible, active-use space opportunities at building corners facing major street intersections. Locate access to the upper floors of buildings at these intersections toward the middle of the block.

C2. Enhance Gateway Locations. Enhance transitions at gateway locations.

C5. Transition to Adjacent Neighborhoods. Orient the building mass of new development toward the higher-density areas and/or active streets of the regional center.

Findings for C1, C2 & C5: The site sits at the intersection of SE Stark and SE 102nd, both of which are active streets within the regional center. Flexible active retail use areas are provided at the corner and along both street-facing facades. Access to the upper floors of the building is provided mid-block via a pedestrian walk leading to the office entry adjacent to the surface parking area. The butterfly roof enhances this gateway location by leading the viewer from the building's low point along SE 102nd up to its high point at the corner and along SE Stark. The L-shaped building mass is oriented toward this intersection with

parking areas located as far away from the intersection as the site size allows.
These guidelines are therefore met.

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.

Modification #1: Parking area setbacks and landscaping, PZC 33.266.130 – decrease the width of the west parking lot landscape buffer and change the type of landscaping from 5 feet at L2 to a 6' tall green screen structure at L3.

Purpose Statement: The parking area layout standards are intended to promote safe circulation within the parking area, provide effective management of Stormwater runoff from vehicle areas, and provide convenient entry and exit of vehicles. The setback and landscaping standards:

- Improve and soften the appearance of parking areas;
- Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;
- Provide flexibility to reduce the visual impacts of small residential parking lots;
- Direct traffic in parking areas;
- Shade and cool parking areas;
- Reduce the amount of Stormwater runoff from vehicle areas;
- Reduce pollution and temperature of Stormwater runoff from vehicle areas; and
- Decrease airborne and waterborne pollution.

Standard: 33.266.130.G.d(1), Perimeter landscaping. The minimum setbacks and landscaping standards required are provided in Table 266-5. Surface parking lots abutting streets and C, E, and I zones. Where a surface parking lot abuts a street lot line, or a C, E, or I zone lot line, only the minimum required setbacks must be landscaped. The landscaping must meet the L2 standard of Chapter 33.248, and must be adjacent to the parking area or driveway. Where a setback is provided that is greater than the required minimum, the landscaping must be placed within 25 feet of the edge of the parking area and driveway. To provide connectivity between sites, a single driveway up to 20 feet wide may interrupt the landscaping that abuts a C, E, or I zone lot line.

- A. **Better meets design guidelines.** *The resulting development will better meet the applicable design guidelines; and*

Findings: The modification to decrease the width of the west landscape buffer, provide a 6 foot tall green screen structure and increase the amount of landscape screening to L3 standards better meets Design Guideline C4 by providing additional landscape screening between the two adjacent parking lots and improving the pedestrian realm along SE Stark Street by further concealing vehicles. The vertical green screens also better meet Design Guideline B3 by integrating them into the building design as a decorative element along the west façade, helping to soften the side of the covered parking area.

B. Purpose of the standard. *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Findings: Landscape screening of parking lots serves to improve and soften the appearance of parking areas. The modification to decrease the width of the west landscape buffer, provide a 6 foot tall green screen structure and increase the amount of landscape screening to L3 standards provides additional density of landscape screening between the two adjacent parking lots while allowing for flexible on-site parking with safe pedestrian walkways between the parking area and the building.

Because Design Guidelines B3 and C4 are better met as well as the intent of the standard, this Modification merits approval.

Modification #2: Bicycle Parking Standards, PZC 33.266.220 – place short-term bicycle parking racks inside the open exit stair that is within the covered parking area near the main upper floor tenant entrance and provide a sign at the pedestrian walkway directing bicyclists to the space.

Purpose Statement: Short-term bicycle parking encourages shoppers, customers, messengers, and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Short-term bicycle parking should serve the main entrance of a building and should be visible to pedestrians and bicyclists:

Standard: 33.266.220.A2.b(1), Location. Short-term bicycle parking must be:
(1) Outside a building.

A. Better meets design guidelines. *The resulting development will better meet the applicable design guidelines; and*

Findings: The modification to place short term bicycle parking inside the open exit stair better meets Design Guideline A1, B3, and C4. The bicycle parking location allows for the required number of short-term spaces to be placed between the retail entries and the office entry, making them accessible to visitors of both types of tenants. It also allows the building mass to be at the property line along both streets which fosters an active pedestrian environment, reinforces the coherent building design, and allows consistent screening if the parking areas from the street. The spaces will also be protected from inclement weather. Signage placed on the building at the pedestrian walkway will direct cyclists to the short-term spaces so they are easily located.

B. Purpose of the standard. *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Findings: Short-term bicycle parking provides convenient and accessible places for visitors riding bicycles. The modification to place short term bicycle parking inside the open exit stair with a directional sign on the exterior of the building allows cyclists to easily locate and use the on-site short-term bicycle parking spaces.

Because Design Guidelines A1, B3, and C4 are better met as well as the intent of the standard, this Modification merits approval..

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 proposed three-story mixed-use building will be a nice addition to the Gateway Regional Center and will anchor this currently vacant but important intersection of SE Stark and SE 102nd. Orienting the building mass to the corner and topping the structure with a sweeping butterfly roof further defines and enhances this gateway location. Durable, quality building materials of brick, concrete, decorative smooth-face cmu block, metal panels and fiberglass window systems give the building a sense of permanence while its tri-partite composition of base, middle and top refer back to traditional commercial building forms. The materials are expressed on all sides of the building and are divided between the ground floor and upper floors, creating a cohesive composition. Large ground floor retail spaces allow for building flexibility over time as do the predetermined locations for future mechanical grilles and the standardized signage templates. Exterior lighting is provided at logical places along the building walls as well as being well integrated into the overhead canopies. Mechanical equipment is grouped together with the elevator overrun and is centrally located on the roof, screened from view. This allows the equipment screen to become part of the overall building composition and further highlights the butterfly roof.

The pedestrian realm is enhanced with improved sidewalks, landscape buffers and street trees along both frontages as well as visible connections into active ground floor areas through the large storefront glass windows. Metal canopies above the retail bays provide weather protection for pedestrians. Parking is not a dominant feature of the project and is divided into two distinct areas; covered parking under the second floor of the building, and surface parking in the rear of the site. The covered parking area is separated from pedestrians by a brick and concrete wall made of the same material as the retail bays, maintaining the building's design aesthetic. Openings that mimic windows are also provided in this wall to allow views into this semi-public area and break up its overall mass. A landscape buffer and vertical landscaped green screen encircle the surface parking area, softening their edges, screening them from pedestrians and providing a visual break from the adjacent large surface parking lot.

The building is being designed to LEED Silver certification standards and will employ a number of sustainable/ecological features including a landscaped rain garden in the northern parking lot landscape buffer to treat part of the site's storm water runoff.

Approval for the following Modification requests:

1. Decrease the width of the east parking lot landscape buffer and change the type of landscaping from 5 feet at L2 to a 6' tall screen at L3 [PZC 33.266.130.G.d(1); and
2. Place short-term bicycle parking racks inside the open exit stair that is within the covered parking area and bear the main upper floor tenant entrance and provide directional signage on the exterior of the building at the pedestrian walkway [PZC 33.266.220.A2.b(1)].

ADMINISTRATIVE DECISION

Approval of a new three-story mixed-use building on the corner of SE Stark and SE 102nd with:

- A tri-partite design featuring a brick and concrete base, decorative smooth-face cmu block sidewalls, metal ground level canopies, fiberglass commercial-grade windows and storefront systems, metal panel upper floors, a butterfly roof topped with an equipment screen and penthouse;
- a second level deck;
- covered internal parking and rear surface parking areas;
- upper floor tenant entrance on the inside north façade accessible from the parking areas and a mid-block pedestrian walkway; and
- standardized tenant signage system and mechanical grille locations.

Approval of Modification:

1. Decrease the width of the east parking lot landscape buffer and change the type of landscaping from 5 feet at L2 to a 6' tall screen at L3 [PZC 33.266.130.G.d(1)]; and
2. Place short-term bicycle parking racks inside the open exit stair that is within the covered parking area and bear the main upper floor tenant entrance and provide directional signage on the exterior of the building at the pedestrian walkway [PZC 33.266.220.A2.b(1)].

Approval per the approved site plans, Exhibits C.1 through C.26, signed and dated August 28, 2008, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related condition (B through 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 08-138088 DZM." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Place a sign on the outside of the building near the pedestrian walkway from SE Stark Street indicating the location of the short-term bicycle parking racks inside the exit stair enclosure.
- C. 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.26. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-138088 DZM. No field changes allowed."

Decision rendered by:  **on August 28, 2008.**

By authority of the Director of the Bureau of Development Services

Decision mailed: September 2, 2008

Staff Planner: Chris Caruso

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 June 17, 2008, and was determined to be complete on **July 31, 2008.**

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 June 17, 2008.

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.

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 September 16, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., 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. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. 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 contact the receptionist at 503-823-7967 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.

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 **September 17, 2008.**
- 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 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.

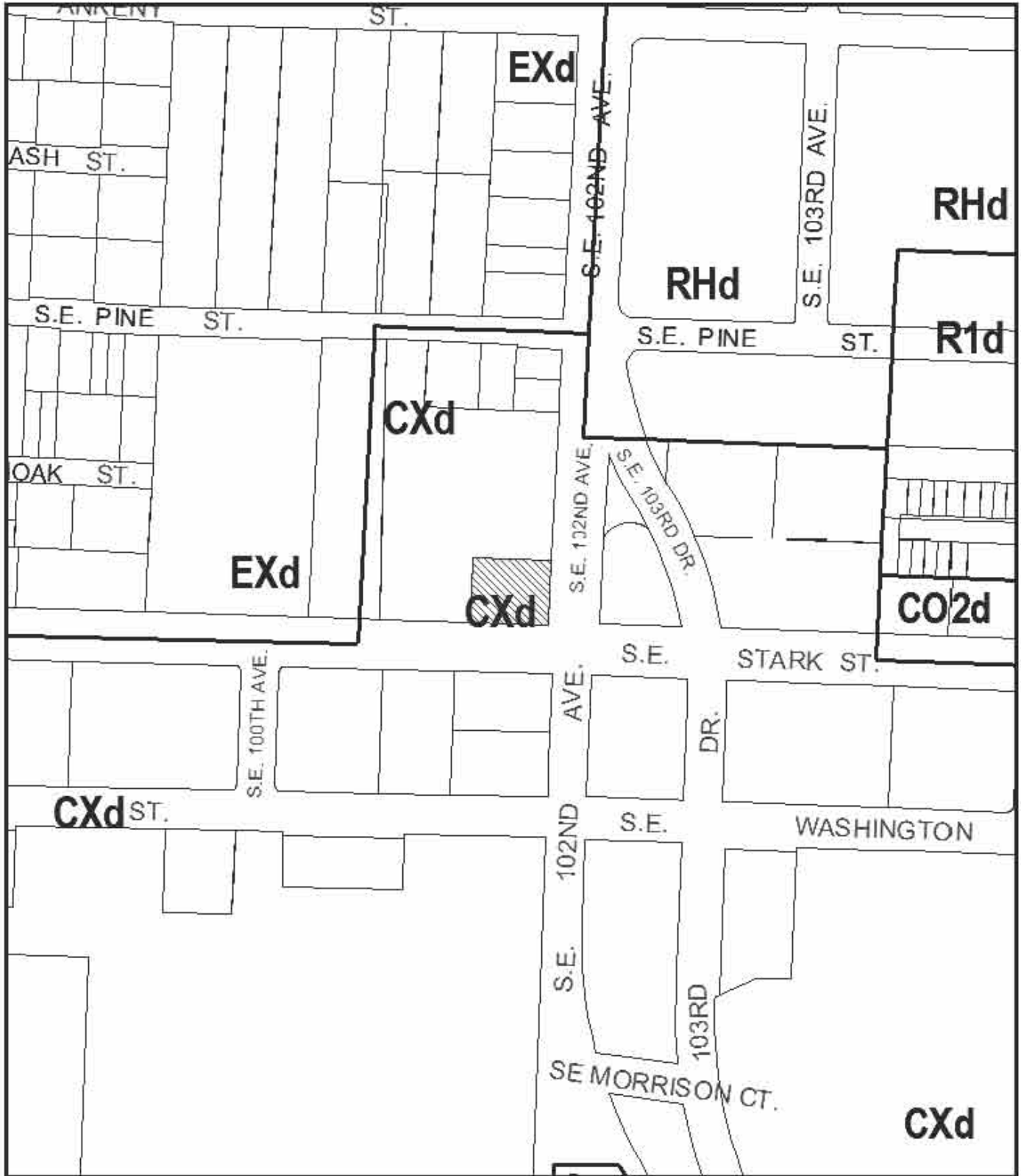
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Vicinity Map
 3. Site Plan – Partial Enlarged Parking Area
 4. Site Lighting Plan
 5. Ground Floor Plan
 6. Landscape Plan (attached)
 7. Second Floor Plan
 8. Third Floor Plan
 9. Roof Plan
 10. East Elevation (attached)
 11. South Elevation (attached)
 12. North Elevation
 13. West Elevation
 14. West/Elevation Section
 15. Building Section
 16. A.18 Enlarged Elevations
 17. A.19 Details

18. A.20 Details
 19. Sample images
 20. CMU cut sheet
 21. Brick cut sheet
 22. Destination Lighting Single Outdoor Flood Light cut sheet
 23. Cooper Lighting security light cut sheet
 24. Cooper Lighting parking garage light fixture cut sheet
 25. Green screen cut sheet
 26. Overhead rolling door cut sheet
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses:
1. Life Safety Review Section of BDS
 2. Bureau of Transportation Engineering and Development Review
 3. Bureau of Environmental Services
 4. Site Development Review Section of BDS
- F. Correspondence:
1. Arlene Kimura, Hazelwood Neighborhood Association, August 25, 2008 – wants more density and a more active corner space.
 2. Thomas S. Smith, Davis Wright Tremaine, LLP, August 25, 2008 – does not want any “spill-over” to adjacent site.
 3. Justin Douglas, Portland Development Commission, August 25 – in support of project.
- G. Other:
1. Original LU Application
 2. Site History Research
 3. Incomplete Letter
 4. Grading and Storm Water Narrative
 5. Infiltration Testing Report
 6. LEED Statement
 7. Existing Photos
 8. Letters to neighbors (4 pages)
 9. Early Assistance Application
 10. Colored 3-d renderings and drawings (8 pages)

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



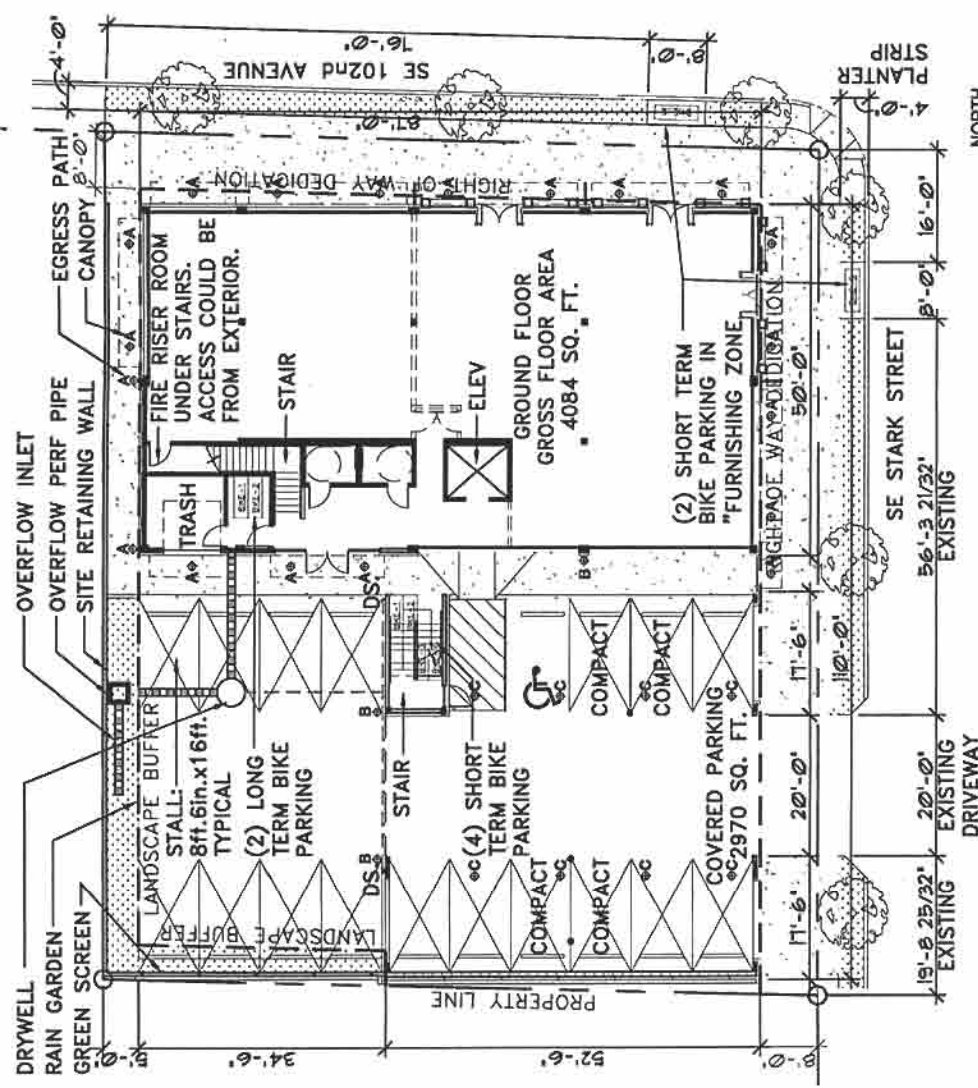
ZONING

 Site



This site lies within the:
GATEWAY PLAN DISTRICT

File No.	<u>LU 08-138088 DZM</u>
1/4 Section	<u>3140.3141</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N2E33DD 5300</u>
Exhibit	<u>B</u> (Jun 19, 2008)



SITE PLAN
SCALE: 1/16" = 1'-0"



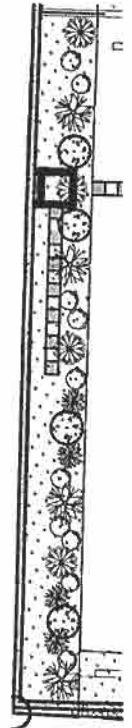
ZONING: CXD
 FAR: 4:1 - 10,307 SQ. FT. SITE (AFTER DEDICATION)
 ALLOWED: 41,228 sq. ft. PROPOSED: 18,577 sq. ft.
 HEIGHT: ALLOWED: 75 ft. PROPOSED: 43 ft., 2 in.
 COVERAGE: ALLOWED: 100% PROPOSED: 7529 / 10307 = 73%
 SETBACKS: REQUIRED: PROPOSED:
 STARK 0 ft. 8 ft. (ROW DEDICATION)
 102nd 0 ft. 5 ft. (ROW DEDICATION)
 WEST 0 ft. 14 ft., 3 in. - 59 ft., 6 in. - BLDG.
 NORTH 0 ft. 5 ft. (EGRESS PATH)
 GROSS FLOOR AREA: 4084 sq. ft.
 1ST FLOOR: 4084 sq. ft.
 2ND FLOOR: 7377 sq. ft.
 3RD FLOOR: 7116 sq. ft.
 TOTAL: 18,577 sq. ft.
 NET FLOOR AREA: 4074 sq. ft.
 1ST FLOOR: 4074 sq. ft.
 2ND FLOOR: 6464 sq. ft.
 3RD FLOOR: 6464 sq. ft.
 TOTAL: 17,002 sq. ft.
 LANDSCAPE BUFFER: PROPOSED:
 STARK 0 ft. 4 ft. (ROW DEDICATION)
 102nd 0 ft. 4 ft. (ROW DEDICATION)
 WEST 0 ft. 5 ft. - PARKING LOT
 NORTH 0 ft. 5 ft. - PARKING LOT
 VEHICULAR PARKING: PROPOSED:
 STANDARD 0 17
 ADA 1 1
 BIKE PARKING: PROPOSED:
 LONG TERM 2 2
 SHORT TERM 4 4 (+ 2 IN ROW)
 WINDOW CALCULATIONS: PROPOSED:
 STARK 45 ft. 75.5 ft.
 102nd 43.5 ft. 81.5 ft.

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.
 City of Portland - Bureau of Development Services
 Planner: [Signature]
 Date: 8/28/08

LU 08-138080 D2M EXH.C.1

Barry R. Smith, P.C.
 ARCHITECT

Portland, Oregon



ENLARGED PLAN OF RAIN GARDEN
 SCALE: 1/8" = 1'-0"

- FLAG-THROUGH PLANTED BOX**
- 4-LARGE SPREADER-FALL TREES AND 8-MEDIUM SPREADER-FALL TREES PER 50 SQ FT OF FACILITY AREA.
- TOTAL FACILITY AREA - 221 SQ FT**
- 4-LARGE SPREADER-FALL TREES AND 8-MEDIUM SPREADER-FALL TREES PER 50 SQ FT OF FACILITY AREA.
- GRASS COVER PLANTS**
- 1-5' x 10' x 10' PLANTING AREA FOR 100% COVER AREA ONLY
 - 1-5' x 10' x 10' PLANTING AREA FOR 100% COVER AREA ONLY
 - AT LEAST 50% OF FACILITY TO BE PLANTED WITH GRASSES OR GRASS-LIKE PLANTS

- LARGE SPREADER/FALL TREES**
- Aster multiflorus (New England)
 - Cornus douglasii (Douglas' Black Hawthorn)
 - Malus new englandensis (Crispin)
- SMALLER SPREADER/TALL TREES**
- Malus new englandensis (Crispin)
 - Cornus sericea (Rough Dogwood)
 - Cornus sericea (Rough Dogwood)
 - For taller "Yellowing Dogwood variety"
 - Physocarpus opulifolius (Rough Spirea)

- ORCHARDER AND GRASS-LIKE PLANTS**
- Bouteloua curtipendula (American Bluestem)
 - Briza media (Fairy Broom)
 - Carex distachya (Dwarf Sedge)
 - Carex flacca (Slender Sedge)
 - Carex spicata (Ditch Sedge)
 - Elymus arvensis (Orchard Grass)
 - Elymus repens (Crested Spikes)
 - Hordeum jubatum (Bottlebrush Grass)
 - Juncus effusus (Common Rush)
 - Juncus acutiflorus (Craggy-leaf Rush)
 - Juncus tenuis (Hairgrass)
 - Scirpus americanus (Hard Sedges)

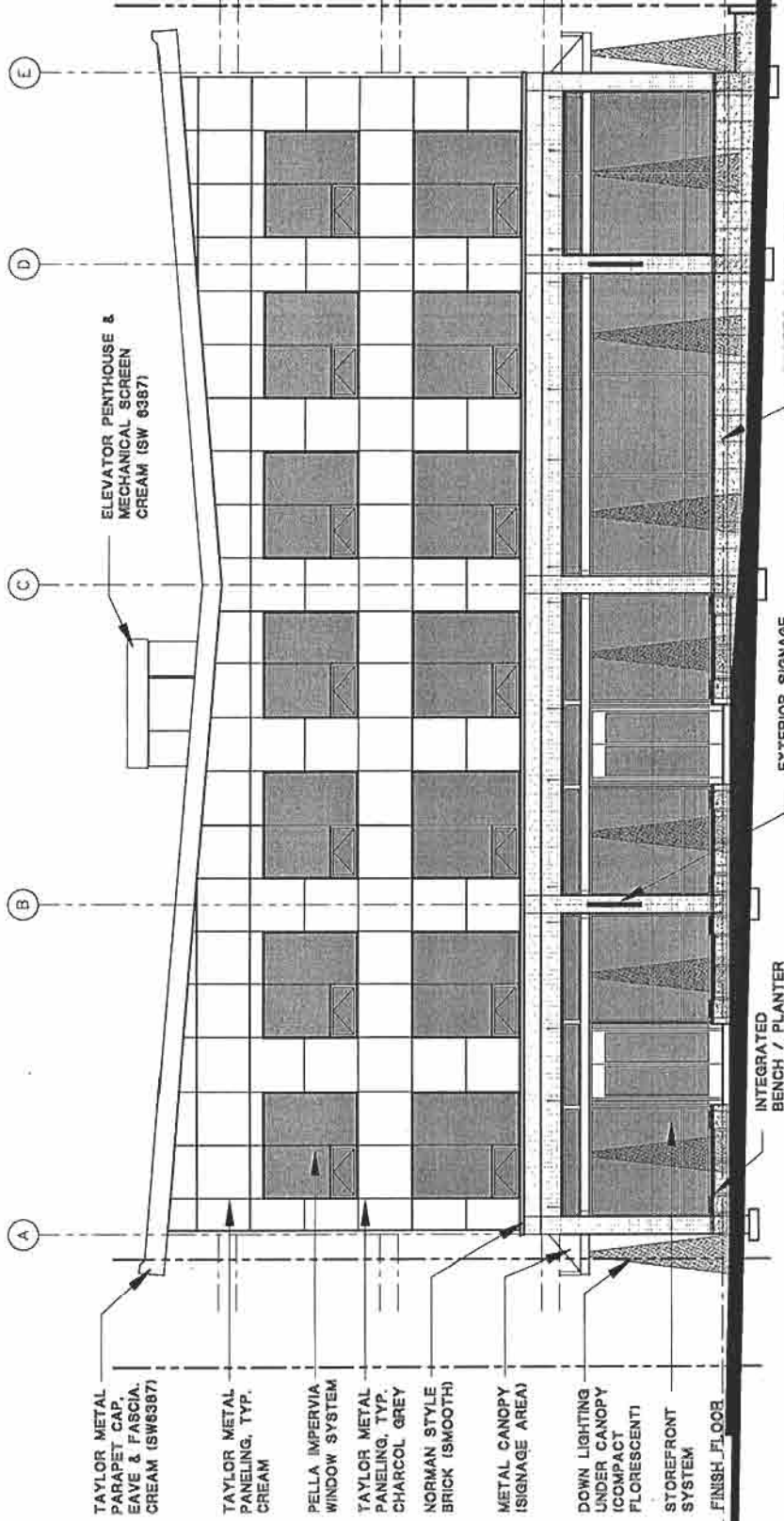
- SMALL TREES**
- 1-5' x 10' x 10' PLANTING AREA FOR 100% COVER AREA ONLY
 - 1-5' x 10' x 10' PLANTING AREA FOR 100% COVER AREA ONLY
- GREEN SCREENS**
- 1-5' x 10' x 10' PLANTING AREA FOR 100% COVER AREA ONLY

Approved
 City of Portland - Bureau of Development Services
 Planner: [Signature]
 Date: 8/28/08
 This approval applies only to the reviews requested and is not valid for all conditions of approval. Additional zoning requirements may apply to all.

LANDSCAPE PLAN
 SCALE: 1/16" = 1'-0"
 U.U. 00-132088 DAm EXH.C.6

Barry R. Smith, PC
 ARCHITECT

Wind & Stark Mixed-Use Proposal
 Portland, Oregon



EAST ELEVATION
SCALE: 3/32" = 1'-0"

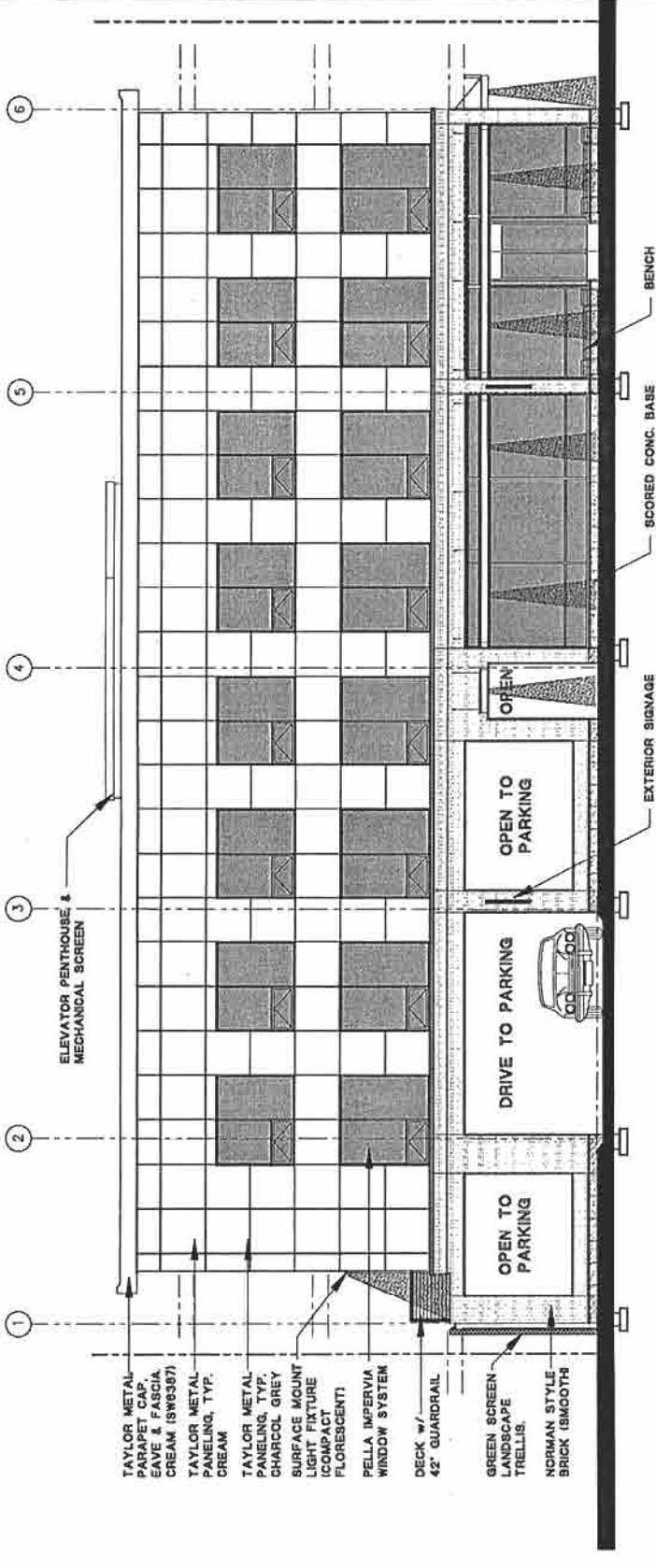
Approved
City of Portland - Bureau of Development Services
Planner: *[Signature]* Date: 8/28/08
This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

LU 08 - 130088 D2M EXH C.10

102nd & Stark Mixed Use Proposal
Portland, Oregon

Barry R. Smith, PC
ARCHITECT

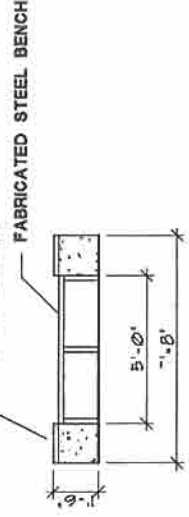




- TAYLOR METAL PARAPET CAP, EAVE & FASCIA, CREAM (SWS387)
- TAYLOR METAL PANELING, TYP. CREAM
- TAYLOR METAL PANELING, TYP. CHARCOL GREY
- SURFACE MOUNT LIGHT FIXTURE (COMPACT FLORESCENT)
- PELLA IMPERVIA WINDOW SYSTEM
- DECK #1/
- 42" GUARDRAIL
- GREEN SCREEN LANDSCAPE TRELLIS
- NORMAN STYLE BRICK (SMOOTH)

SOUTH ELEVATION

SCALE: 1" = 10'-0"



BENCH DETAIL (FURNITURE)

SCALE: 1/4" = 1'-0"

Approved
 City of Portland - Bureau of Development Services
 Planner: *[Signature]* Date: 8/28/08
 This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

LU 08-138088 Dam EXH C-11

