



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**  
FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** April 30, 2018  
**To:** Interested Person  
**From:** Santiago Mendez, Land Use Services  
503-823-1361 / [Santiago.Mendez@portlandoregon.gov](mailto:Santiago.Mendez@portlandoregon.gov)

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

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

### **CASE FILE NUMBER: LU 18-140304 DZ – NEW HVAC UNIT**

#### **GENERAL INFORMATION**

**Applicant:** David Hardister, Woodblock Architecture  
107 SE Washington Street #250, Portland, OR 97214  
[david@wblock.com](mailto:david@wblock.com)

**Owner:** Mathew Moiseve, Park Plaza Communities LLC  
444 W Beech Street #300, San Diego, CA 92101

**Site Address:** **1969 SW PARK AVE**

**Legal Description:** BLOCK 232 LOT 1-3 INC PT VAC ST LOT 4 E 1/2 OF LOT 7&8, PORTLAND

**Tax Account No.:** R667725040

**State ID No.:** 1S1E04DA 07600

**Quarter Section:** 3228

**Neighborhood:** Portland Downtown, contact Rani Boyle at 503-725-9979.

**Business District:** None

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

**Plan District:** Central City - University District

**Zoning:** **RXd** – Central Residential with Design Overlay

**Case Type:** **DZ** – Design Review

**Procedure:** **Type II** - an administrative decision with appeal to the Design Commission.

#### **Proposal:**

The applicant requests Design Review approval for the installation of an HVAC condensing unit at the south side of an existing 11 story apartment building. The HVAC unit will be mounted on a concrete pad and screened with a 6-ft. high wood screen.

Design review is required for proposed, non-exempt exterior alterations in the “d” design overlay zone of the Central City Plan District.

**Relevant Approval Criteria:**

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

- Central City Fundamental Design Guidelines

## ANALYSIS

**Site and Vicinity:** Constructed in 1951, the project site is located at the southern edge of the University Subdistrict between the following three major features: Highway I405 to the south, the South Park Blocks to the east and Portland State University to the east, west and north. Specifically, the site structure is a 10 story apartment building divided into three equal volumes with the central volume being fully recessed on the east elevation. This recessed area on the front façade is the location of the proposed alterations to the at-grade entry.

Regarding area amenities, the site is within a five minute walk (roughly a quarter mile) of numerous commercial, retail and open space venues. Portland State University, the South and Midtown Park Blocks sequence as well as scores of local shops, restaurants and cafes.

Regarding transportation amenities, the site is well served by a number of alternatives. MAX Light Rail lines are a few blocks east of the site on SW 6<sup>th</sup> and 5<sup>th</sup> Avenues. The Portland Streetcar runs north of the site on SW Mill Street. Bus transit service is provided to the site by the #68 on Broadway and the following lines on SW 6<sup>th</sup> Ave: 01, 08, 09, 12, 17, 19, 35, 36, 43, 44, 54, 56, 68, and 94. Designated City Bikeways surround the site on SW Montgomery St to the north, SW Broadway to the east, and SW 12<sup>th</sup> Ave to the west. The site is also located within the Downtown Pedestrian District

**Zoning:** The Central Residential (RX) zone is a high-density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will be 100 or more units per acre. Allowed housing developments are characterized by a very high percentage of building coverage. The major types of housing development will be medium and high rise apartments and condominiums, often with allowed retail, institutional, or other service oriented uses. Generally, RX zones will be located near the center of the city where transit is readily available and where commercial and employment opportunities are nearby. RX zones will usually be applied in combination with the Central City plan district.

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

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 University Subdistrict of this plan district.

**Land Use History:** City records indicate the following prior land use reviews for this site:

1. LU 63-004634 (Reference File #DZ-30-63): Approval to construct a one-story addition.
2. LU 08-125523: Proposal to renovate Park Plaza - Withdrawn
3. LU 14-242358: Approval for alterations to the main entry way on the east façade.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **April 4, 2018**. The following Bureaus have responded with no issues or concerns:

- Life Safety Section of BDS

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on April 4, 2018. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## ZONING CODE APPROVAL CRITERIA

### Chapter 33.825 Design Review

#### Section 33.825.010 Purpose of Design Review

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

#### Section 33.825.055 Design Review Approval Criteria

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

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

#### Central City Fundamental Design Guidelines

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

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

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

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

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

8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

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

**D1. Park Blocks.** Orient building entrances, lobbies, balconies, terraces, windows, and active use areas to the Park Blocks. In the South Park Blocks, strengthen the area's emphasis on history, education, and the arts by integrating special building elements, such as water features or public art. In the Midtown Park Blocks, strengthen the connection between the North and South Park Blocks by using a related system of right-of-way elements, materials, and patterns. In the North Park Blocks, strengthen the area's role as a binding element between New China/Japantown and the Pearl District.

**Findings for C3 & D1:** The proposed condensing unit will be in an internal landscape area that does not adjoin a pedestrian circulation path. The unit will also not be facing the street or facing SW Park Ave. The existing landscaped area consists of one large tree, groundcover and shrubs. The HVAC unit will be mounted on a concrete pad, screened by a 6' high fence constructed of 1x6' vertical cedar slats on pressure treated wood framing. The wood fencing will be well integrated with the building and existing landscaped area, and will not impede upon pedestrians. *Therefore these criteria have been met.*

## DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all requirements of Title 11 can be met, and that all development standards of Title 33 can be met or have received an Adjustment or Modification via a land use review, prior to the approval of a building or zoning permit.

## CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposal meets the applicable design guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

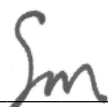
Approval of a new HVAC unit at the south side of the Park Plaza apartment building in the University Subdistrict of the Central City Plan District, per the approved site plans, Exhibits C-1 through C-3, signed and dated April 25, 2018, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (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 18-140304 DZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the

permit plans comply with the Design/Historic Resource Review decision and approved exhibits.

C. No field changes allowed.

**Staff Planner: Santiago Mendez**

**Decision rendered by:**  on **April 25, 2018**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: April 30, 2018**

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

**Procedural Information.** The application for this land use review was submitted on March 23, 2018, and was determined to be complete on March 30, 2018.

*Zoning Code Section 33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on March 23, 2018.

*ORS 227.178* states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: July 28, 2018**

**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 May 14, 2018** at 1900 SW Fourth Ave. Appeals can be filed at the 5<sup>th</sup> floor reception desk of 1900 SW 4<sup>th</sup> Avenue Monday through Friday between 8:00 am and 4:30 pm. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing

the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

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

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **May 14, 2018** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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:

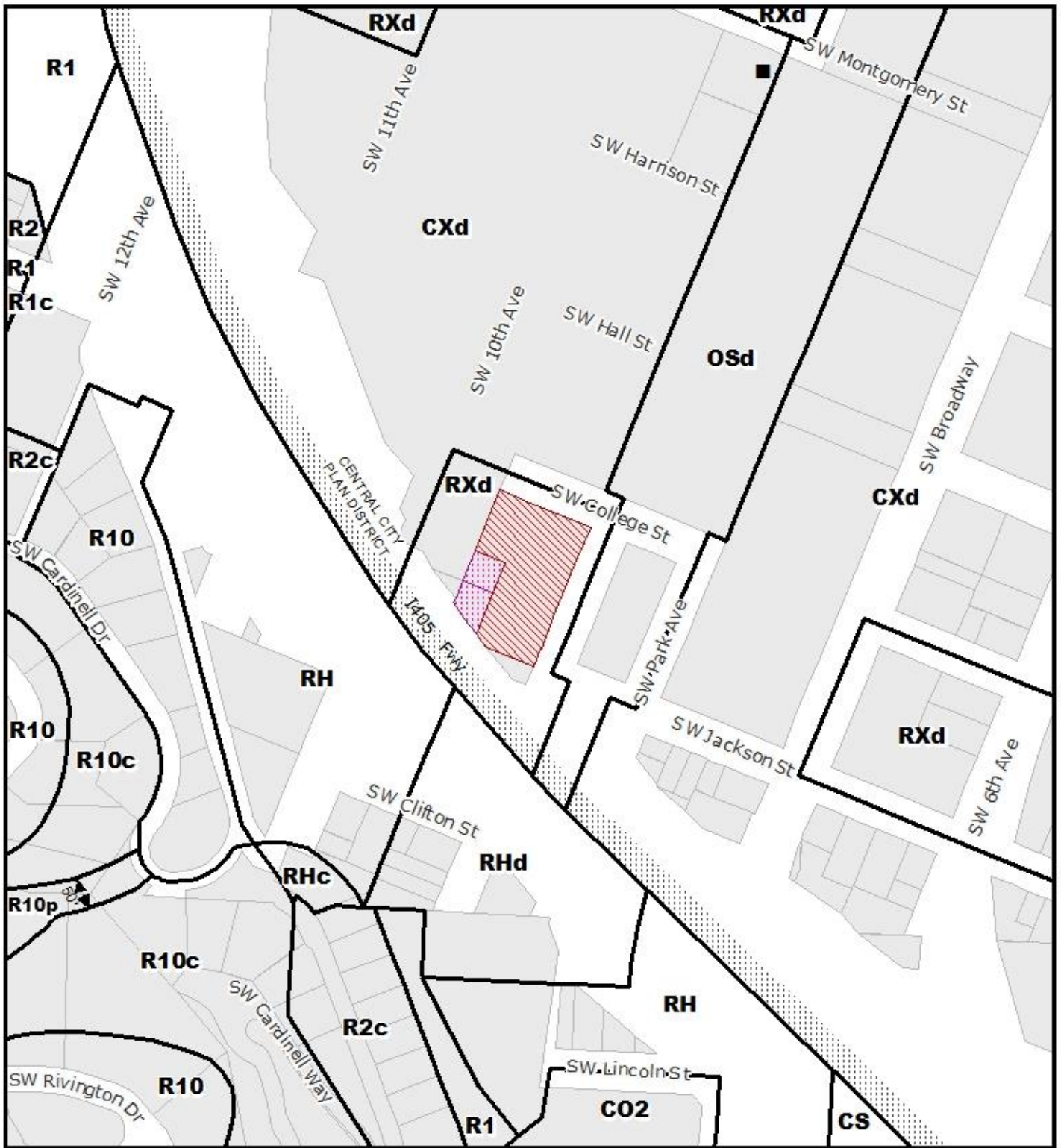
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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


**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
  - 1. Project Description
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Enlarged Site Plan
  - 3. Manufacturer's Cut sheet
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Life Safety Section of BDS
- F. Correspondence: None
- G. Other:
  - 1. Original LU Application

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



**ZONING**   
 NORTH  
 THIS SITE LIES WITHIN THE:  
 CENTRAL CITY PLAN DISTRICT  
 UNIVERSITY DIST SUBDISTRICT

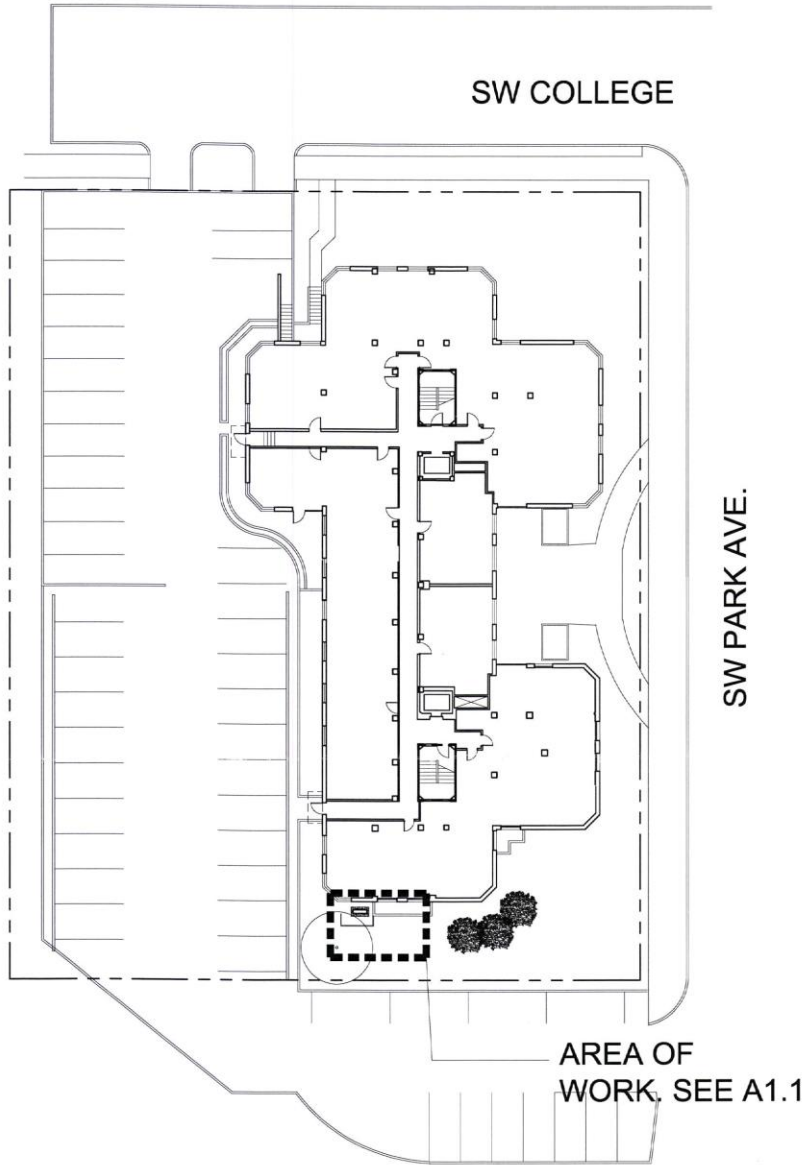
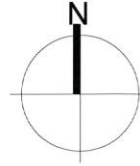
-  Site
-  Also Owned Parcels
-  Historic Landmark

|             |                   |
|-------------|-------------------|
| File No.    | LU 18-140304 DZ   |
| 1/4 Section | 3228              |
| Scale       | 1 inch = 200 feet |
| State ID    | 1S1E04DA 7600     |
| Exhibit     | B Mar 27, 2018    |





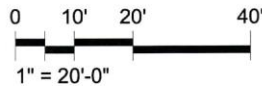
WOODBLOCK ARCHITECTURE, INC.  
107 SE WASHINGTON STREET, SUITE 250  
PORTLAND, OR | 97214 | P 503.889.0604



1

# SITE PLAN

SCALE:



## PARK PLAZA APARTMENTS

HVAC Condensing Unit

1969 SW Park Ave.  
Portland, OR 97204

DR Submittal  
03.13.18

|   |                 |
|---|-----------------|
| *Approved*  |                 |
| City of Portland - Bureau of Development Services   |                 |
| Planner   | Sm Date 4/27/18 |
| * This approval is limited only to the reviews requested and is subject to all applicable codes and additional zoning requirements may apply. |                 |

EXHIBIT C-1

LU 18-14 0304 D7

# A1.0

SITE PLAN