



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

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Date: September 18, 2019
To: Interested Person
From: Staci Monroe, Land Use Services
503-823-0624 / staci.monroe@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 19-128873 DZM *HARBORSKY LOT 1 DEVELOPMENT*

GENERAL INFORMATION

Applicant: Charles Kidwell & Robert Leeb | Leeb Architects
308 SW First Ave #200 | Portland, OR 97204
ckidwell@leebarc.com | robert@leebarc.com

Owner: Eugene Labunsky | HarborSky Apartments LLC/HarborSky Annex LLC
PO Box 1969 | Lake Oswego, OR 97035

Site Address: 1245 N ANCHOR WAY

Legal Description: LOT 1 TL 1400, NORTH HARBOUR
Tax Account No.: R611250050
State ID No.: 1N1E03BB 01400
Quarter Section: 1929
Neighborhood: Bridgeton, contact Erik Molander at epmolander@gmail.com
Business District: Columbia Corridor Association, contact at info@columbiacorridor.org
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

Plan District: None
Other Designations: None
Zoning: CM2 (MU-N) dhx - Commercial/Mixed Use 2 zone with a Design, Aircraft Landing, and Portland International Airport Noise Impact Overlay zones

Case Type: DZM – Design Review with a Modification
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant seeks Design Review approval for a 5-story residential building previously approved in 2015 under land use case file LU 15-232457 DZ. This previous approval expired

before the associated building permits could be obtained from the City. This new application includes minor changes to the number of units and parking spaces and to the exterior design of the previous approval and two modifications required by new code regulations that went into effect since the original approval.

The revised Harbor Sky Lot 1 project proposes approximately 141,239 gross square feet including 113 apartments over a podium level containing 90 parking spaces and 2 loading spaces. The building is proposed to be five stories above on-grade parking and active use fronting N. Anchor Way. Ground floor program includes lobby, leasing office, fitness room and a live/work unit.

The following **Modifications** are requested (PZC 33.825.040):

1. Minimum Landscape Area - Reduce from 15% to 13% of the site and not provide the required trees of the L1 standard along the north property line (33.130.225.B.1 and 33.248.020.A);
2. Ground Floor Windows – To not meet the 25’ depth for ground floor residential units (33.130.230.B.4.a).

Modifications to the width of vehicle and bike parking spaces we previously approved under LU 18-121230 DZM and remain valid for this proposal.

Design Review is necessary because the project proposes new construction within a Design Overlay Zone.

Relevant Approval Criteria:

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

- Community Design Guidelines
- Section 33.825.040, Modifications that will Better Meet Design Review Requirements

ANALYSIS

Site and Vicinity: The proposed project is part of the incremental implementation of the previously approved North Harbour Master Plan (LUR 09-00374, City Council, 1996). The North Harbour development area is generally flat, located between the Columbia Slough, an arm of the Columbia River to the north, and Marine Drive to the south. To the east are undeveloped lands and the Bridgeton neighborhood, comprised of residences and moorage sites. South of the property are trucking businesses and Delta Park. To the west are marine-oriented businesses, the I-5 freeway, and the Portland Expo Center. The proposal is part of a larger, phased development site that includes residential and retail sections, including hotels. The site being developed at this time has frontage directly onto N. Marine Drive, a transit street, as well as onto N. Anchor Way.

Zoning: The Commercial/Mixed Use 2 (CM2) zone is a medium-scale zone intended for sites in a variety of centers, along corridors, and in other mixed-use areas that have frequent transit service. The zone allows a wide range and mix of commercial and residential uses, as well as employment uses that have limited off-site impacts. Buildings in this zone will generally be up to four stories tall unless height and floor area bonuses are used, or plan district provisions specify other height limits. Development is intended to be pedestrian-oriented, provide a strong relationship between buildings and sidewalks, and complement the scale of surrounding residentially zoned areas.

The “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects,

development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Aircraft Landing Zone “h” overlay provides safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the height of structures and vegetation. A height contour map is available for review in the Development Services Center.

The Portland International Airport Noise Impact Zone “x” overlay reduces the impact of aircraft noise on development within the noise impact area surrounding Portland International Airport. The zone achieves this by limiting residential densities and by requiring noise insulation, noise disclosure statements, and noise easements.

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

- LUR 92-00209 CP, ZC: Denial by City Council of proposal to change the Comprehensive Plan Map from Industrial to General Commercial.
- LUR 96-00097 NU: Denial of determination of legal non-conforming status review to allow the site to be used for the storage, repair, and sale of trucks, trailers, and related equipment.
- LUR 96-00374 SU, DZ: Approval for Phases I-III of a master plan concept, including the location of building footprints, streets and sidewalks, public open spaces, and surface and structured parking.
- LUR 97-00082 DZ: Approval for 70-unit low-rise condominium project with ground-level structured parking, and for a 132-unit apartment building with structured and surface parking.
- LUR 97-00083 DZ: Approval for a new hotel, the Marriott Courtyard, and approval of a Modification for an increase in the size of two signs.
- LUR 97-00960 DZ: Approval for minor changes to the façade and roof line of structures approved under LUR 97-00082 DZ.
- LUR 97-01031 DZ: Approval for two building hotel development, including pool and parking area, and for Modification for two loading spaces to be shorter than required.
- LUR 98-00749 DZ: Approval for one new monument sign, three entrance structures with lights, and perimeter landscaping.
- LU 05-121745 DZM: Approval for a new three-story hotel with attached pool structure and surface parking lot, and for Modifications to building coverage, building setbacks, loading space dimensions, and pedestrian connections.
- LU 06-185571 DZM: Approval of four residential buildings to be constructed on a specific development area (part of the larger North Harbour ownership), as well as pedestrian pathways, landscaping, parking areas, and accessory structures; approval of Modifications to ground floor window standard and to transit street setback standard.
- LU 09-109794 DZ: Approval of revisions to design review case LU 06-185571 DZM, which was approved on June 1, 2007.
- LU 15-232463 DZ: Approval of a 264-unit market-rate apartment building over podium parking for 264 automobiles.
- LU 15-232457 DZ: Approval of a 112-unit market-rate apartment building over podium parking for 108 automobiles.
- LU 18-121230 DZM – Follow-up Design Review and Modifications Approval for reductions in vehicle parking space width and bike parking space width.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **July 11, 2019**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services (Exhibit E.1)
- Bureau of Transportation Engineering (Exhibit E.2)
- Fire Bureau (Exhibit E.3)
- Plan Review Section of BDS (Exhibit E.4)
- Site Development Section of BDS (Exhibit E.5)
- Water Bureau (Exhibit E.6)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on July 11, 2019. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

(1) 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 Community Design Guidelines.

Community Design Guidelines

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

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

P1. Plan Area Character. Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and traditions.

Findings: The site is located outside of the regular street grid of North Portland, but still within the Albina Community Plan Area. Most of the other neighborhoods within the Community Plan Area derive their character from their historic establishment as modestly-scaled residential areas, interspersed with streetcar commercial nodes and streets. This specific area has none of that historic development nearby, however the exterior materials and detailing do reflect the character of other vicinity developments on the larger site including the use of a brick base with nautical detailing, metal and wood awnings, projecting building massing, and large-scaled landscape elements. The new development also echoes many of the characteristics of nearby residential areas in its use of residential-scaled lap siding, flat roof forms and cement board panels. *This guideline is therefore met.*

E1. The Pedestrian Network. Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.

E2. Stopping Places. New large-scale projects should provide comfortable places along pedestrian circulation routes where people may stop, visit, meet, and rest.

Findings for E1 and E2: The 1996 North Harbour Master Plan (NHMP) decision established the pedestrian network for the North Harbour area. Lot 1 is served by sidewalks along North Anchor Way and an improved pedestrian easement (including 8' wide concrete walkways and benches) located between the western and eastern portions of Lot 1 which intersects with the 40-mile Loop Trail on the top of the abutting dike. In accordance with the NHMP, the sidewalk will be buffered from vehicular traffic with bollards and/or landscaping elements. Seating opportunities have been incorporated into planter walls adjacent to the pedestrian circulation paths. *These guidelines are therefore met.*

E3. The Sidewalk Level of Buildings. Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.

Findings: The ground level of the proposed building will be constructed of dark brick veneer with a rusticated horizontal banding treatment extending from grade to the bottom of the projecting second level which will be clad in fiber cement panel. This treatment differentiates the ground level from the upper levels and breaks down the scale of the walls. Steel and wood entry canopies are placed directly underneath projecting upper levels which provide weather protection. *This guideline is therefore met.*

E5. Light, Wind, and Rain. Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

Findings: Landscape buffers featuring stormwater planters along the sidewalk and within the side-yard setbacks will ensure that the project's perimeter is well-integrated into the broader landscape character of the neighborhood. *This guideline is therefore met.*

D1. Outdoor Areas. When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians.

Findings: The proposed design for Harbor Sky Lot 1 will capitalize on the adjacent river frontage with a landscaped accessible route within the access easement located on the eastern side of the site connecting North Anchor Way with the future 40-mile Loop Trail. 1996 NHMP decision includes a condition of approval that design and construction of the accessways occur when the City reviews individual building plans.

Therefore, with the Condition of Approval that the accessway easement improvements be designed and constructed prior to final certificate of occupancy, this guideline is met.

D2. Main Entrances. Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

Findings: The proposed main entrance and corner entries are prominent and accessible to pedestrian from Anchor Way and the 40-mile Loop Trail. The building has a live/work unit entry and a lobby entry facing the street that will be highlighted with canopies and adjacent over-story projecting building masses. The entry canopies will project over the abutting sidewalk providing extra entry prominence. *This guideline is therefore met.*

D3. Landscape Features. Enhance site and building design through appropriate placement, scale, and variety of landscape features.

Findings: The proposed design of the accessway to the 40-mile Loop Trail includes an accessible linkage to the riverfront and stopping places for pedestrians. *This guideline is therefore met.*

D7. Blending into the Neighborhood. Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings for D7 and D8: The proposal utilizes a number of massing forms, roof geometries and materials which relate to the surrounding developments and provide an interesting and contextually appropriate appearance for the buildings. The exterior finishes of the buildings include durable materials such as asphalt shingles, painted cementitious siding and panels, brick veneer, steel balconies, and painted metal accents. *These guidelines are therefore met.*

(2) Modifications

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: Reduce the required minimum landscape area on the ground from 15% to 13% of the site and not provide the required trees of the L1 standard along the north property line.

Purpose Statement: Landscaping is required in some zones because it is attractive, and it helps to soften the effects of built and paved areas. Landscaping also helps cool the air temperature, intercept rainfall and reduce stormwater runoff by providing unpaved permeable surface. Landscaping can also provide food for people and habitat for birds and other wildlife. As an alternative to conventional landscaping, a range of urban green options are provided in the CM2 and CM3 zones in the Inner Neighborhoods pattern area to reflect this area's more urban development patterns and historic storefront commercial characteristics.

Standard - 33.130.225.B.1 and 33.248.020.A: 15% of the site must contain landscaping at the ground level and comply with the L1 standard.

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

Findings: The site is located adjacent to the Columbia River which its bank and surrounding area contains extensive in ground landscaping, both natural and planted. The layered landscaping at different levels of the building and particularly along the river frontage will allow the building to better blend into the surrounding environment

by incorporating greenery into its upper levels better meeting D7-Blending into the Neighborhood.

The criteria are met.

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: The 43,799 SF site requires 6,570 SF (15% of site area) of landscaping at the ground level. The proposal includes 5,747 SF (13.1%) at the ground level along the 4 four building edges. Additional landscape area (2,631 SF) is proposed atop the 2nd floor deck and roof area (see Exhibit C.32). However, since this site is not within the Inner Pattern area the landscaping is required to be in-ground and not on the roof or in raised planters. Since the total landscaping proposed on the ground and on the roof exceeds the total required for the site, and the fact that the rooftop landscaping meets the standards for the ecoroof (4 SF of ecoroof area for every 1 SF of required landscaped area) and the minimum 30” height for raised planters for adequate soil depth, the proposal meets the purpose of the standard by providing adequate landscaping for stormwater, habitat, cooling of paved area, etc.

Regarding the lack of trees of along the north property line, the project is to adhere to the provisions of other agencies that regulate development along the waterways. Per the applicant no trees are allowed to be planted within the zone between the river back and the north edge of the building. The extensive landscaping that exists between the river and the building meets the purpose of the regulation.

The criteria are met.

Modification #2: Ground Floor Windows – To not meet the 25’ depth for ground floor residential units (33.130.230.B.4.a).

Purpose Statement: The standard:

- Ensures that there is a visual connection between the living area of the residence and the street;
- Enhances public safety by allowing people to survey their neighborhood from inside their residences; and
- Provides a more pleasant pedestrian environment by preventing large expanses of blank facades along streets.

Standard – For residential ground floor units 1 of 3 options can be chosen. This proposal is opting for the standards for Flexible Ground Floor Design, wherein the residential units in the ground level of the building must be designed and constructed as follows:

- The distance from the finished floor to the bottom of the ceiling structure above must be at least 12 feet. The bottom of the structure above includes supporting beams;
- The area meeting this standard must be at least 25 feet deep, measured from the street-facing facade; and
- Each unit must include a front entrance that is located at the level of the finished grade and can be accessed without steps.

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

Findings: The extensive glazing along the live/work unit will enhance the pedestrian experience versus a smaller more typical residential window, while the portions and design of the large windows will complement the glazing on the remainder of the street façade, thereby better meeting E3-The Sidewalk Level of Buildings and D8-Interest, Quality, and Composition.

The criteria are met.

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: There is only 1 residential unit on the ground floor along the N. Anchor street frontage. The residential portion is part of a work/live unit and they are internally connected. The live/work unit meets the 12' height and at-grade access but the live portion does not meet the 25' depth due to a floor-to-ceiling wall that separates the kitchen from the bathroom. The wall is non-bearing (not structural) so it could be easily removed to accommodate the expansion of the work into the live portion. Extensive glazing is proposed along the live/work unit's frontage to continue to allow surveillance and eyes on the street while a low planter within the building setback from sidewalk will provide a buffer for privacy. Furthermore, the unit is located at the end (cul-de-sac) of N Anchor which does not have a lot of pedestrian activity so the degree of visual connections between the sidewalk and the interior of the unit are anticipated to be rather low. The glazing and landscaping will contribute the pedestrian experience in this more residential part of town.

The criteria are met.

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The proposed building incrementally implements the North Harbour Master Plan and will be a contextually appropriate addition to this part of the Albina Community Plan District. The building's character and material quality are germane to the architectural vocabulary within the immediate Marine Drive community – nautically themed design detail and materials including lap cement panel siding, dark brick veneer and metal and glass canopies – are durable and of high-quality, provide additional pedestrian protection and stopping places, and help the development blend into the larger site as well as responding to the nearby residential neighborhood. The proposal meets the applicable design guidelines and therefore merits approval.

ADMINISTRATIVE DECISION

Approval of a Design Review for the Harbor Sky Lot 1 project proposes approximately 141,239 gross square feet including 113 apartments over a podium level containing 90 parking spaces and 2 loading spaces,

Approval of the following Modifications:

1. Reduce the required minimum landscape area on the ground from 15% to 13% of the site and not provide the required trees of the L1 standard along the north property line (33.130.225.B.1 and 33.248.020.A);
2. Ground Floor Windows – To not meet the 25' depth for ground floor residential units (33.130.230.B.4.a).

Per the approved site plans, Exhibits C-1 through C-32, signed and dated 9/13/19, 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 19-128873 DZM." 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: Staci Monroe



Decision rendered by: _____ **on September 13, 2019**
By authority of the Director of the Bureau of Development Services

Decision mailed: September 18, 2019

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 6, 2019, and was determined to be complete on July 8, 2019.

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 6, 2019.

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 extended the 120-day review period by 30 days. Unless extended by the applicant, **the 120 days will expire on: 12/5/19.**

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the

use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on October 2, 2019** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th 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.

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 **October 2, 2019** 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.

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
 1. Drawing Set dated 2/25/19
 2. Project narrative, zoning summary, approval criteria responses, etc., dated 2/25/19
 3. Stormwater Report dated 9/19/17
 4. Revised Project Narrative dated 6/21/19
 5. Revised Zoning Summary dated 6/21/19
 6. Revised Responses to approval criteria dated 6/21/19
 7. Overall Landscape Plan for larger area
 8. Building Perspective
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan & Level 1 Floor Plan (attached)
 2. Level 2 floor plan and roof plan
 3. Level 1 & 2 lighting plans
 4. Level 1 landscape plan
 5. Level 2 landscape plan
 6. Level 1 planting plan (attached)
 7. Level 2-3 planting plan
 8. Plant species
 9. North & South Elevations (attached)
 10. East & West Elevations (attached)
 11. Partial South Elevation & Details
 12. Partial South Elevation & Details
 13. Partial East Elevation & Details
 14. North/South building section
 15. Perspective Detail Key
 16. Perspective Detail Key
 17. Ground Level details
 18. Garage entry and deck details
 19. Ground Level details
 20. Roof & window details
 21. Cementitious panel cladding cutsheets
 22. Cementitious panel cladding cutsheets
 23. Metal panel cladding cutsheets
 24. Lighting cutsheets
 25. Enlarged level 1 plan - south
 26. Enlarged level 1 plan - north
 27. Enlarged level 2 plan - south
 28. Enlarged level 2 plan - north
 29. Utility and stormwater plan
 30. Ground floor windows standard compliance diagram
 31. Level 1 landscape area standard compliance diagram
 32. Level 2 & roof landscape area standard compliance diagram
- D. Notification information:
 1. Mailing list
 2. Mailed notice

E. Agency Responses:

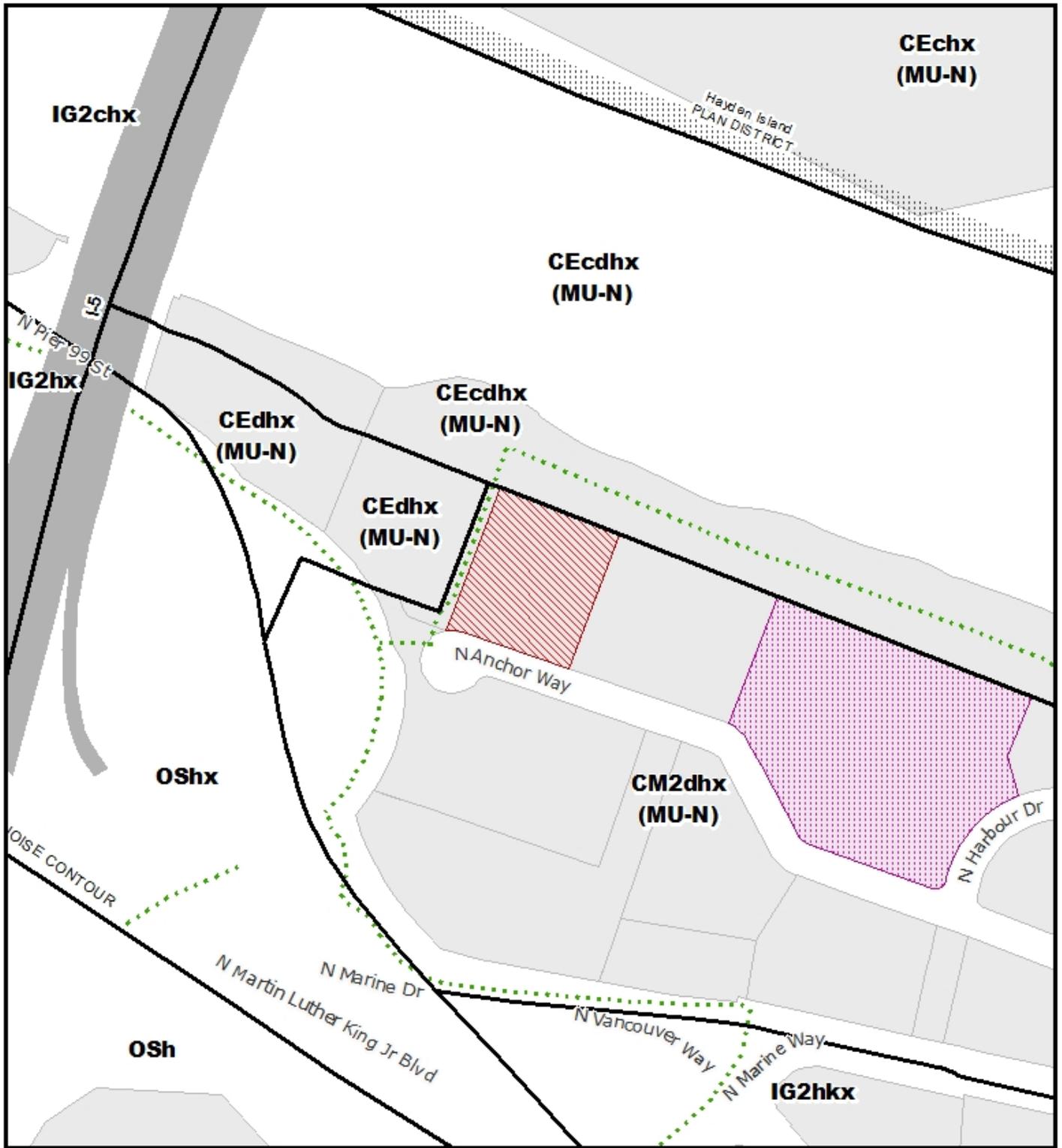
1. Bureau of Environmental Services
2. Bureau of Transportation Engineering
3. Fire Bureau
4. Plan Review Section of BDS
5. Site Development Section of BDS
6. Water Bureau

F. Correspondence: none

G. Other:

1. Original LU Application
2. Incomplete Letter dated 3/15/19
3. Signed 120-day Extension form

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



ZONING



-  Site
-  Also Owned Parcels
-  Bridge
-  Recreational Trails

File No.	LU 19-128873 DZM
1/4 Section	1929
Scale	1 inch = 200 feet
State ID	1N1E03BB 1400
Exhibit	B Jul 08, 2019

