



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

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Date: January 21, 2022
To: Interested Person
From: Megan Sita Walker, Land Use Services
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REVISED 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.

Revisions to the original decision are noted with an underline.

CASE FILE NUMBER: LU 20-195715 DZ – BALDWIN PERMANENT SUPPORTIVE HOUSING

GENERAL INFORMATION

Applicant(s): Molly Culbertson | SERA Architects
338 NW 5th Ave
Portland, OR 97209
(503) 847-2124

Gauri Rajbaidya | SERA Architects
338 NW 5th Ave
Portland, OR 97209
(503) 445-7387

Owner: Home Forward
135 SW Ash St
Portland, OR 97204-3540

Owner's Representative: Leslie Crehan | Home Forward
135 SW Ash St 5th Floor
Portland, OR 97204

Site Address: 7688 N INTERSTATE AVE

Legal Description: BLOCK 1 LOT 1-3 LOT 4 EXC PT IN STS, AVENUE HMS
Tax Account No.: R046800010
State ID No.: 1N1E10CC 11400
Quarter Section: 2229

Neighborhood: Kenton, contact at knalanduse@gmail.com

Business District: Kenton Business Association, contact at info@kentonbusiness.com.
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-8877.

Plan District: North Interstate
Other Designations: none

Zoning: RM3dh – Residential Multi-Dwelling 3 with Design and Aircraft Landing Zone Overlays

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 a proposed 35,000 SF, 4-story residential mixed-use building with limited ground floor commercial space and 60 dwelling units in the North Interstate Plan District. The proposed development is a fully affordable, permanent supportive housing project. The project is broken into three perceived building masses, two along the west and one to the north. The western wing closest to the Max station includes active ground floor programs such as three (3) commercial office spaces, indoor community rooms and lobby/ lounge area, and other active amenities. Open surface parking is accessed from North Baldwin Ave. The southwest corner of the building is anchored by a community gathering space that opens to landscaped outdoor plaza that provides a vibrant gathering space. Planters and other landscaping elements are designed to hold the corner and strengthen the pedestrian experience at this prominent edge of the site.

Primary materials include brick veneer, Ceraclad panels which are cementitious products with integral color and a ceramic finish, large vinyl windows, and ground floor fiberglass storefront system.

While the overall scope of proposed work has not changed since the original Notice of Decision was mailed on January 28, 2021, the proposed roofing material has changed from asphalt to a standing seam metal roofing. This revised decision is intended to update the record of the proposed alterations.

Design Review is required for proposed new development in the Design “d” 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*

ANALYSIS

Site and Vicinity: The subject site is a 20,000 square-foot parcel that lies along the east side of N Interstate Avenue, between N Baldwin Street to the south and N Farragut Street to the north. The site is currently developed with three single-story multi-dwelling structures that are detached and oriented in a ‘u’ towards N Interstate Avenue. The construction date listed for the existing structures to be removed is 1945. The existing development is intended to be replaced with the proposed 60 unit 100% affordable development that is a partnership between Home Forward and Urban League of Portland to provide permanent supportive housing to people who have experienced homelessness. The vision for this development (North Baldwin) is inspired in part by Urban League’s successful Project HAVEN, founded in 2016. Urban League’s model provides focused and intensive services to address homelessness in the Black community, a population over-represented in the homeless community yet underserved.

The MAX light rail line runs along the central median of N Interstate Avenue, which has a right-of-way that is approximately 100-feet wide—much wider than most Portland streets. This right-of-way width can, at least in part, be attributed to the street’s former designation as the major north-south highway between Portland and Vancouver, Washington. Development along this corridor reflects both the street’s former highway character, with single-story and two-story retail and motel buildings, often set behind parking, and the street’s emerging character as a primary north-south transit corridor, with new residential and mixed-use developments of 5 to 6 stories and parking located behind the building, away from the N Interstate Avenue.

Development to the east of the subject site is largely composed of a mixture of single-dwelling and small multi-dwelling developments, though the CM3 and RH zoning to the east allows for much larger-scale development. Development to the west of the subject site, across N Interstate Ave is mostly single-dwelling residential behind pockets of commercial and taller residential and mixed-use buildings which line the western side of N Interstate Ave.

N Interstate Ave is classified as a Civic Main Street, District Collector, Regional Transitway/Major Transit Priority Street, Major City Bikeway, City Walkway, Major Emergency Response, and Truck Access Street in the city’s Transportation System Plan. N Farragut and N Baldwin are classified as local service for all modes.

Zoning: The **Residential Multi-Dwelling 3 (RM3)** zone is a medium to high density multi-dwelling zone applied near the Central City, and in centers, station areas, and along civic corridors that are served by frequent transit and are close to commercial services. It is intended for compact, urban development with a high percentage of building coverage and a strong building orientation to the pedestrian environment of streets. This zone is intended for areas where the established residential character includes landscaped front setbacks. Allowed housing is characterized by mid-rise buildings up to six stories tall. The Design overlay zone is applied to this zone.

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 **North Interstate Plan District** provides for an urban level of mixed-use development to support the MAX line and the surrounding neighborhoods by encouraging development that increases neighborhood economic vitality, amenities, and services and successfully accommodates additional density. These standards: implement urban design concepts of the North Interstate Corridor Plan; help ease transitions between new high-density development and the existing, low-density neighborhoods; and enhance the pedestrian experience.

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

- **EA 20-149694 APPT** – Early Assistance Appointment for the proposed development.

Summary of Applicant’s Statement: The following is taken directly from the applicant’s revised project narrative provided on November 23, 2020 (See pages 3-4 of Exhibit A-5):

Proposed Development:

Baldwin redevelopment project is a 60-unit affordable supportive housing located at 7656-7688 N Interstate Ave, Portland, OR 97217 in the Kenton Neighborhood. The project will be in collaboration with Home Forward and the Urban League of Portland to address the chronic homeless issue among the elder African American population who also need some permanent supportive services for their health and well being and to support their recovery from past trauma.

The project will consist of studios apartment units, supportive services, and common room facilities at the ground floor with the upper floors dedicated to apartment units. This 4-story building will have a strong presence on Interstate that will transition to the surrounding neighborhood to the east. One goal of the design will be to draw from the neighborhood's rich and diverse culture and capture that spirit in building.

The remaining property around the new building will be a blend of hardscape patios and gathering spaces, landscaping, and parking. Due to site constraints, the parking provided on site will be limited and is intended primarily for building staff. The residents served are not anticipated to own vehicles and would instead use the multiple public transportation options readily accessible on Interstate.

The design will follow Portland Housing Bureau's Green Building Policy to advance environmental, social, and economic goals to improve tenant health; reduce operations and maintenance costs; provide equitable access to high performance buildings; maximize public investment benefits; and protect air, water, and other natural resources. The building design will use durable material such as brick masonry with ample windows (glazing) throughout to maximize access to natural daylight and create street level activation with eyes on the street along Interstate and Baldwin. With all these sustainable goals we aspire for this building to be a valuable addition to the Kenton community.

Design Concept:

Baldwin Permanent Supportive Housing is designed to be a harmonious new addition to the Kenton neighborhood and will provide an active Transit Oriented Development at the key intersection of North Interstate Avenue and North Baldwin St close to the Lombard Max station. This fully affordable permanent supportive housing project is designed to recall the neighborhood character of the adjacent residential area in Kenton and Denver neighborhood.

The project is broken into three perceived building masses, two along the west and one to the north, to match the proportionate scale of neighborhood buildings. The western wing closest to the Max station includes active ground floor programs such as community rooms indoor gathering lobby area, and many other active amenities. On this same active western frontage, the main building entry is located closer to the north as the building navigates the site topography to meet the sidewalk on grade at the entry. Open surface parking is accessed from North Baldwin Ave. The Southwestern corner of the building is anchored by a major transparent community gathering space that opens to landscaped outdoor plaza that provides a vibrant gathering space. Planters and other landscaping element provide a strong urban transition at this corner.

The building façade will be composed of the high-quality material such as brick veneer, Ceraclad panels which are higher end cementitious product with ceramic finish, large vinyl windows, and ground floor storefront system. To reflect the neighborhood residential quality the project will have gable roof broken up appropriately with the massing to create a scale befitting the context. The roof eaves will be detailed with the wood panels to reflect the Northwestern vernacular.

The base of the building will be brick veneer to provide durable material at grade. This brick veneer will rise as pilasters to frame the large unit windows. The Ceraclad will provide the accent infill panels between the brick and the windows to create a woven tapestry look to the overall façade bringing cohesion to the expression of well-knit resident community.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **December 2, 2020**. The following Bureaus have responded with comments expressing no issues or concerns with the approval of the proposal with conditions:

1. Bureau of Environmental Services (See Exhibit E-1)
2. Life safety Division of BDS (See Exhibit E-2)
3. Fire Bureau (See Exhibit E-3)
4. Site Development (See Exhibit E-4)

5. Urban Forestry. See Exhibit E-5. Urban Forestry responded stating that they do not object to the approval of the proposed development with recommend Conditions of Approval to ensure that, “Impacts to street trees are minimized and street tree preservation and protection adhere to the guidelines in Public Works Permit TH1075”.
6. Bureau of Transportation Engineering (See Exhibit E-6)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on December 2, 2020. One written response was received from the Neighborhood Association or notified property owners in response to the proposal.

1. Tenya Rodriguez, on December 23, 2020, wrote in in opposition of the proposal due to concerns with the destruction of the Siena Apartments and the destruction of the site to make “improvements” along Interstate and the resulting loss of affordable housing and resulting displacement. Please see Exhibit F-1 for additional information.

Owner’s Representative Response (Exhibit A-13):

Hello Tenya Rodriguez,

I was forwarded your e-mail below regarding your opposition to the Baldwin Project and want to make sure and clarify a few items. Home Forward’s plan to redevelop the Baldwin Apartments located at 7656 – 7688 N. Interstate does not impact the Siena Apartments, located at 7722 – 7776 N Interstate. Home Forward does not own the Siena Apartments and I am not aware of any plans for its destruction.

Thank you for expressing your concerns regarding the importance of affordable housing in North Portland for people of color. Home Forward’s mission is to increase the amount of affordable housing in the City of Portland and that is why we have plans to remove the 8 units at the Baldwin Apartments, located down the street from the Siena, and replace them with 60 studio units of permanent supportive housing for chronically homeless people of color. Home Forward has partnered with Urban League of Portland to provide the services to the residents that will be living at the new building. I have attached two documents above to provide you with more information. One is the presentation we gave to the Kenton Neighborhood Association in October and the other is a newsletter that we sent out to the neighborhood in May explaining the project.

Home Forward will also be providing relocation assistance to the current tenants of the Baldwin Building to ease their transition to a new apartment.

If you have any other concerns, questions or comments, please feel free to call or e-mail me.

*Thank you,
Leslie Crehan*

*Senior Project Manager
Development and Community Revitalization
Home Forward*

Staff Response: The design review for the proposed development is limited to reviewing whether the applicable approval criteria, in this case the Community Design Guidelines, have been met. Please see the findings below describing how the proposed design adequately addresses the applicable approval criteria. As the representative from Home Forward has mentioned above, the proposed development will result in the demolition of the 8 existing units at the Baldwin Apartments to allow for the development of 60 new units of permanent supportive housing for chronically homeless people of color and Home Forward will be providing relocation assistance to the current tenants of the Baldwin Building.

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 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. Staff has also grouped the guidelines into three broad categories: Context, Public Realm, and Quality and Permanence.

Context

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.

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.

Findings for P1 & D7: The following aspects of the proposal successfully address these guidelines:

- The residential mixed-use building with amenity spaces and office areas at the ground floor is a common type of structure and program found in the surrounding neighborhood, and this proposal will add to and complement the desired characteristics of the area.
- The scale and massing of the proposed development is in keeping with the scale of other, newer mixed-use developments along the N Interstate Avenue corridor while relating to the scale of surrounding residential development.
- The building's overall window patterning and fenestration is regularized, and coherently applied, reflecting the character of other residential mixed-use buildings in the neighborhood. The proposed design with massing concentrated along the primary N Interstate frontage, setback from neighboring residential properties to the east, with ample residential scaled glazing on all frontages produces thoughtfully design 4-sided building that responds to adjacent properties.

- The location of raised residential units with additional brick detailing and limited building services on the proposed N Farragut frontage successfully relates to the more residential quality of this street.
- The location of large community amenity spaces with generous amounts of glazing, facing and connecting to a programmed outdoor “living room” plaza at the southwest corner of the site through multiple glazed openings with canopy coverage anchor the building at the corner. The programmed outdoor plaza area with multiple seating areas and large trees help to add significance and a sense of place to this frontage.
- The location of active programming including lobby, community spaces, and office flanking the primary building entry with continuous areas of clear storefront along the primary N Interstate frontage successfully complement the area’s desired characteristics and traditions.
- Proposed primary materials include brick at the ground floor and upper levels with two types of textured high-quality, thick cementitious “Ceraclad” cladding with integral color as the infill between the regularized application of brick cladding. The proposed materials reflect materials and building details of other nearby, quality buildings in the district.

Therefore, these guidelines are met.

Public Realm

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.

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.

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.

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.

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

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

Findings for E1, E2, E3, E5, D1, D2, & D3: The following aspects of the proposal successfully address these guidelines:

- The sidewalk level of the proposed building is designed to be a vibrant, comfortable, and functionally rich pedestrian-oriented space to serve pedestrians, residents, and visitors. The proposed ground level large areas of clear storefront into amenity spaces and office with a large recessed main entry and plantings help to create a vibrant and comfortable pedestrian experience at the site frontages.
- The street level facades are highly glazed with areas of durable brick material and detailing.
- The sidewalk level of the building is differentiated from the upper stories by the use of large areas of clear storefront and a strong brick base with added detailing.

- Canopies at the primary building entries and at the connection between the indoor community amenity areas and the outdoor living room plaza area to the south of the building, provide pedestrian weather protection that extends over the public right-of-way and weather protection on-site.
- The main lobby entry is setback significantly from the sidewalk edge along N Interstate Ave, creating a large space for residents and the public to stop and gather in front of the building.
- A sense of enclosure is created with a canopy over the main lobby entrance, and at the connection to the programmed plaza space to the south of the building. As mentioned above, the connected outdoor plaza area with multiple seating areas and large trees help to add a sense of enclosure to the south corner and respective frontages.
- All mechanical units and vents will primarily be located above canopies, integrated into upper floors and concealed on the roof to eliminate the impact of necessary building services on the pedestrian realm to further enhance the pedestrian realm.
- The proposal includes multiple outdoor areas, intended for use primarily by residents and building staff, located at the south and east of the of the building. These outdoor areas include a variety of plants that will help to screen this area from the parking lot and make the space more pleasant for residents, visitors, and pedestrians. These areas are also designed to provide a significant amount of outdoor amenity in addition to helping the proposal relate to the more residential context east of the site. The spaces are designed to be accessible via a pathways with ample lighting.
- On the south frontage, the programed plaza area comprises of variety of landscaping buffer and seating integrated with landscaping. The edge of the planting buffer of this southern courtyard is sized to allow casual seating and taking respite or interaction with the people in the community area.
- On the west frontage, along N Interstate is a limited cohesive landscaping strip along large areas of clear glazing with variety of planting types to add interest, and reduce glare.
- On the north frontage, the raised ground floor of residential unites provides a landscape buffer along this frontage. The planting type changes towards the eastern edge as the site approaches the existing smaller scale residential properties.
- On the east frontage (interior lot line), much care is put in designing appropriate buffer from the few parking spots to create a vibrant and viable seating opportunity along this back frontage as well that responds to and respects the privacy of adjacent residential properties to the east.

Therefore, these guidelines are met.

D4. Parking Areas and Garages. Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

Findings: The following aspects of the proposal successfully address this guideline:

- The site is well served by transit and there is no minimum parking required. As such only minimal parking is proposed with access through a one-way drive aisle via N Baldwin to N Farragut.

- The one-way entry and exit to a just a few parking spots minimizes the impact on pedestrian movement, and allows the narrow drive isle consistent with the pattern in the neighborhood. The few parking spaces are tucked in closer to the building to limit the impact of parking on adjacent residential properties to the east and provided the opportunity for a dense, well screened landscape buffer along the east property line adjacent to residential development.

Therefore, this guideline is met.

D5. Crime Prevention. Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

Findings: The proposal successfully addresses this guideline by following the principles of crime prevention through environmental design in the following ways:

- All building entrances are well lit with a variety of lighting (minimizing shadows).
- Building entrances are designed to have clear sight lines in all directions.
- The residential and parking entrances are well monitored with adjacent active ground floor programs constantly providing “eyes” out to the entries.
- The proposed façade articulation avoids deep recessed areas.
- Lastly, the proposal will create a well-lit sidewalk for pedestrians, creating a safe and activated environment at the street edge. Additionally, the large areas of glass at the base of the building that will be lit from within and the active programming of ground level spaces, allow for additional illumination and opportunities to see and be seen at the pedestrian realm.

Therefore, this guideline is met.

Quality & Permanence

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: The proposal achieves a cohesive composition of quality materials and interesting features as follows:

- The proposed building is appropriately scaled for the site and the surrounding mixed-use commercial and residential neighborhood.
- The extruded gable end form and depth in wall planes bring variety to the building form. The terraced form accentuated with a regularized pattern of windows and quality infill cladding adding depth, texture, and a refined scale to the facades – reinforce the legibility of the massing.
- The location of building walls closer to the property lines on the west and north elevations respond the activity on N Interstate and the residential scale and character of N Farragut. While recessed eastern and southern walls respond to the existing development and activated outdoor amenity spaces.
- The application of materials is coordinated to provide a coherent composition while providing rich texture and detailing that defer to the character of the area. The proposed metal roofing is a high-quality durable material that defines the prominent roof planes of the building while adding texture and supporting the possibility for future integration of renewable energy systems such as solar panels.
- The material palette is simple and employs high-quality materials. The material palette consists of primarily brick, a thick cementitious ‘Ceraclad’ cladding with adequate thickness and integral color. Fiberglass storefront on the ground floor, and commercial grade vinyl windows on upper floors are proposed to be set into the facade with adequate depth to create shadow lines.

- The two proposed types of Ceraclad cementitious cladding are trimmed with durable furring to conceal and define edges. In this application, the use of the two panel types add variety and texture to the facade in a manner that references glazing proportions and achieves a cohesive composition.
- The design draws on the quality of nearby, streetcar era buildings with the reflection of their simple, articulated massing and use of masonry material.
- Profiled terra cotta is proposed as a long-lasting quality cladding material that brings interesting textures and pattern to the simple, coherent facades. Shallow corrugations result in a material profile that successfully reflects the fine-scale detailing of adjacent single-dwelling residential buildings and smaller scale streetcar era buildings.

Therefore, this guideline is 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

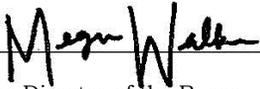
The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposal as designed meets the approval criteria, and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of Design Review for an approximately sixty (60) unit, 4-story permanent supportive housing development with limited ground floor office located on a 20,000SF lot with frontages on N Interstate, N Farragut, and N Baldwin in the North Interstate Plan District. Approved per Exhibits C4-C10, C11a, C12a, C13a, C14a, C15a-C16, C17a, C18 - C21, C22a, C25 -C54, signed, stamped, and dated January 18, 2022, 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 20-195715 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: Megan Sita Walker

Decision rendered by:  **on January 18, 2022**

By authority of the Director of the Bureau of Development Services

Decision mailed: January 21, 2022

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

Procedural Information. The application for this land use review was submitted on September 25, 2020, and was determined to be complete on November 23, 2020.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on September 25, 2020.

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 originally requested that the 120-day review period be extended 35 days, as stated with Exhibit A-14, and later waived the statutory 120-day review period in ORS 227.178, per Exhibit A-15.

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, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received **by 4:30 PM on February 4, 2022. The completed appeal application form must be emailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for Office of Community and Civic Life recognized organizations for the appeal of Type II and IIX decisions on property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital

copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

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 on or after **February 7, 2022** 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. Original Project Description & Response to Approval Criteria – No Change
2. Original Drawing Set – No Change
3. Revised Project Description/ Narrative, Rec'd November 17, 2020 – No Change
4. Revised Drawing Set, Rec'd November 17, 2020 - For Reference Only – No Change
5. Revised Project Description/ Narrative, Rec'd November 23, 2020 – No Change
6. Revised Drawing Set, Rec'd November 23, 2020 - For Reference Only – No Change
7. Revised Drawing Set, Rec'd December 22, 2020 –For Reference Only – No Change
8. Revised Drawing Set, Rec'd January 7, 2021 - For Reference Only – No Change
9. Revised Drawing Set, Rec'd January 21, 2021 - For Reference Only – No Change

10. Revised Project Description/ Narrative, Rec'd January 22, 2020 – No Change
11. Revised Drawing Set, Rec'd January 25, 2021 – No Change
12. Applicant Confirming Complete – No Change
13. Owner's Representative Response to public comment – No Change
14. Extension to the 120-day Review Period – No Change
15. Request to waive the statutory 120-day review period in ORS 227.178
16. Updated Drawing Packet and Description of Revision, Rec'd January 4, 2022
17. Updated Drawing Sheet, Rec'd January 12, 2022
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Not Used
 2. Not Used – No Change
 3. Not Used – No Change
 4. SITE PLAN (attached) – No Change
 - 4.a SETBACK DIAGRAM – No Change
 5. SITE UTILITY PLAN – No Change
 6. LANDSCAPE PLAN – No Change
 - 6.b LANDSCAPE DETAILS – No Change
 - 6.c PLANT SCHEDULE – No Change
 - 6.d LANDSCAPE CODE COMPLIANCE – No Change
 7. SECTION AT COURTYARD – No Change
 - 7.a LEVEL 4 TERRACE ENLARGEMENT PLAN – No Change
 8. FLOOR PLAN - LEVEL 1 (attached) – No Change
 - 8.a BIKE PARKING – No Change
 9. FLOOR PLAN - TYP, LEVEL 02-03 – No Change
 10. FLOOR PLAN - LEVEL 4 – No Change
 11. ROOF PLAN – Not Approved
 - 11.a ROOF PLAN – Approved
 12. WEST ELEVATION – Not Approved
 - 12.a WEST ELEVATION (attached) - Approved
 13. NORTH ELEVATION – Not Approved
 - 13.a NORTH ELEVATION (attached) - Approved
 14. EAST ELEVATION – Not Approved
 - 14.a EAST ELEVATION (attached) - Approved
 15. SOUTH ELEVATION – Not Approved
 - 15.a STREET FACING ELEVATIONS - OPENING CALCULATIONS – No Change
 - 15.b SOUTH ELEVATION (attached) - Approved
 16. MATERIALS – No Change
 17. PARTIAL ELEVATION/SECTION – Not approved
 - 17.a PARTIAL ELEVATION/SECTION – Approved
 18. ENLARGED ELEVATIONS AND SECTIONS – Not approved
 19. DETAILS – No Change
 20. DETAILS – No Change
 21. DETAILS – No Change
 22. DETAILS – Not Approved
 - 22.a DETAILS - Approved
 23. Not Used – No Change
 24. Not Used – No Change
 25. Specifications – Ceraclad – No Change
 26. Specifications – Ceraclad – No Change
 27. Specifications – Ceraclad – No Change
 28. Specifications – Windows – No Change
 29. Specifications – Windows – No Change
 30. Specifications – Windows – No Change
 31. Specifications – Windows – No Change
 32. Specifications – Brick – No Change
 33. Specifications - Brick – No Change
 34. Specifications - Brick – No Change

- 35. Specifications – Storefront – No Change
- 36. Specifications – Storefront – No Change
- 37. Specifications – Storefront – No Change
- 38. Specifications – Storefront – No Change
- 39. Specifications – Storefront – No Change
- 40. Specifications – Storefront – No Change
- 41. Specifications – Lighting – No Change
- 42. Specifications – Lighting – No Change
- 43. Specifications – Lighting – No Change
- 44. Specifications – Lighting – No Change
- 45. Specifications – Lighting – No Change
- 46. Specifications – Lighting – No Change
- 47. Specifications – Louver – No Change
- 48. Specifications – Louver – No Change
- 49. Specifications – Louver – No Change
- 50. Specifications – Louver – No Change
- 51. Specifications – Site Furniture – No Change
- 51.1 Specifications – Site Furniture – No Change
- 51.2 Specifications – Site Furniture – No Change
- 51.3 Specifications – Site Furniture – No Change
- 51.4 Specifications – Site Furniture – No Change
- 51.5 Specifications – Site Furniture – No Change
- 51.6 Specifications – Site Furniture – No Change
- 51.7 Specifications – Site Furniture – No Change
- 51.8 Specifications – Site Furniture – No Change
- 51.9 Specifications – Site Furniture – No Change
- 51.10 Specifications – Site Furniture – No Change
- 51.11 Specifications – Site Furniture – No Change
- 51.12 Specifications – Site Furniture – No Change
- 51.13 Specifications – Site Furniture – No Change
- 52. Specifications – Roofing
- 53. Specifications – Roofing
- 54. Specifications – Roofing
- D. Notification information:
 - 1. Mailing list – No Change
 - 2. Mailed notice – No Change
- E. Agency Responses:
 - 1. Bureau of Environmental Services – No Change
 - 2. Life safety Division of BDS – No Change
 - 3. Fire Bureau – No Change
 - 4. Site Development – No Change
 - 5. Urban Forestry – No Change
 - 6. Bureau of Transportation Engineering – No Change
- F. Correspondence:
 - 1. Tenya Rodriguez, on December 23, 2020 – No Change
- G. Other:
 - 1. Original LU Application – No Change
 - 2. Incomplete Letter, October 23, 2020 – No Change
 - 3. Email Correspondence between staff and the applicant – No Change
 - 4. Original Notice of Decision, dated January 28, 2021
 - 5. Applicant’s Email requesting Revised Decision
 - 6. Original Approved ‘C’ Exhibits, dated January 28, 2021

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).