



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

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FINAL FINDINGS AND DECISION BY THE DESIGN
COMMISSION RENDERED ON April 7, 2022

CASE FILE NUMBER: LU 21-108433 DZ – ARGYLE HOUSING
PC # 20-202695

BUREAU OF DEVELOPMENT SERVICES STAFF: Tim Heron 503-823-7726 /
Tim.Heron@portlandoregon.gov

The Design Commission has **approved** a proposal in your neighborhood. This document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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.

GENERAL INFORMATION

Applicant: John Wright, john@wright-architecture.com
Matthew Stoll, Nathan Day, Wright Architecture
2222 NE Oregon St, #213
Portland OR 97232

Owner
Representatives: Rowen Rystadt
Attainable Development LLC
1509 SW Sunset 2b
Portland OR 97239

Owner: John Wolz
1620 NE Broadway #536
Portland, OR 97232-1871

Site Address: 1838 N ARGYLE ST

Legal Description: BLOCK 1 LOT 10-14, KENTON; BLOCK 1 LOT 15-19, KENTON
Tax Account No.: R445900140, R445900190
State ID No.: 1N1E09DA 00600, 1N1E09DA 00500
Quarter Section: 2128 & 2228

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: Kenton
Zoning: RM4d, Multi-Dwelling Residential 4 with design overlay

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

Proposal:

Type III Design Review for construction of approximately 290 residential units in an eleven-story building in the Kenton Plan District. The project site includes two parcels totaling 25,000 SF adjacent to the Kenton / North Denver Avenue MAX light rail station. The project includes main entrances along both street frontages, outdoor areas at the ground level and the rooftop, individual balconies, and common spaces through the building. A composite rain screen cladding is proposed above a concrete base with metal storefront systems at the ground level.

Because the proposal is for new development in the Design Overlay Zone, Design Review is required.

Relevant Approval Criteria:

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

- [Portland Citywide Design Guidelines](#)

ANALYSIS

Site and Vicinity: The 25,000 site is located within the Kenton Plan District, next to the Kenton Neighborhood Conservation District and within 200 feet of the Kenton Commercial Historic District. The site currently contains a four-plex built in 1946 and a 10-unit apartment building from 1949, both of which will be removed. The surrounding development in the immediate vicinity is made up of predominantly residential housing of 2-6 stories in scale, as well as industrial and commercial uses located in adjacent Commercial and other Multi-Dwelling zoning.

The new building will sit at the corner of two downward-sloping street frontages, N. Argyle Street and N. Fenwick Avenue. To the North is an EG2 industrial area that is below N. Argyle along N. Columbia Boulevard and the Columbia Slough. Across N. Fenwick to the East is a series of multi-dwelling buildings in a RM2 zone. The South and West are zoned CM2, which are currently a pair of single-family homes and a parking lot respectively. Just beyond the parking lot is a light rail station and the Kenton District's main street along Denver Avenue.

The Kenton Commercial Historic District spans a four-block stretch of N. Denver Ave. Development includes commercial and multi-dwelling buildings. The period of significance begins in 1909 and ends in 1949 which corresponds to the District's origins as a company town for the Chicago meat packing firm of Swift and Company and as a center of commerce and entertainment for workers and managers for other industries located between the district and the Columbia Slough. By 1911 there were at least twelve major manufacturing firms located along the Columbia Slough, north of Kenton. The Kenton streetcar line connected Lower Albina to the Kenton stockyards. The surviving commercial architecture of Kenton is typical of streetcar era buildings: well-defined building bases with storefront windows and entry niches, residential or office overstories, and deep cornice lines and pronounced parapets.

The Kenton Neighborhood Conservation District includes the residential blocks surrounding the commercial center. Worker housing was located on 50 x 100 foot lots in a range of architectural styles including Bungalow and American Basic. Some of these houses are made

entirely of cast stone while others have cement foundations, retaining walls, porch columns, and window details.

Zoning: The Multi-Dwelling Residential 4 Zone [RM4] is a high density, urban-scale multi-dwelling zone applied near the Central City, and in town centers, station areas, and along civic corridors that are served by frequent transit and are close to commercial services. It is intended to be an intensely urban zone with a high percentage of building coverage and a strong building orientation to the pedestrian environment of streets, with buildings located close to sidewalks with little or no front setback. This is a mid-rise to high-rise zone with buildings of up to seven or more stories. The Design overlay zone is applied to this zone.

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

Kenton Plan District use regulations foster a vital retail corridor along Denver Avenue. The Kenton plan district development standards ensure that the design of new buildings, and modifications to existing buildings, are compatible with the historic character of the area. These regulations also ensure a pleasant, safe and efficient environment for pedestrians along the Denver Avenue commercial corridor and near the light rail station. Together, these regulations:

- Enhance the commercial character along Denver Avenue by restricting industrial uses;
- Discourage auto-oriented uses and development; and
- Encourage retail uses in the historic storefront buildings along Denver Avenue.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **February 15, 2022**. The following Bureaus have responded with no issue or concerns:

- The Bureau of Environmental Services, please see Exhibit E-1 for additional details.
- The Bureau of Transportation Engineering, please see Exhibit E-2 for additional details.
- The Water Bureau responded, please see Exhibit E-3 for additional details.
- The Fire Bureau responded, please see Exhibit E-4 for additional details.
- The Bureau of Parks-Forestry Division, please see Exhibit E-5 for additional details.
- The Site Development Section of BDS, please see Exhibit E-6 for additional details.
- Life Safety Review Section of BDS, please see Exhibit E-7 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **February 15, 2022**.

Three written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Ramasurdya Prem Singh, email 2-18-22, concerns with setback and N Fenwick Street closure. Exhibit F1.
2. Taylor Tremain, email 2-22-22, concerns with no parking provided and how affordable housing will be provided. Exhibit F2.
3. Shane Boland, email 2-22-22, concerns with unit sizes. Exhibit F3.
4. Taffy Everts, email 3-10-22, concerns with scale, massing. Exhibit F4.
5. Nichole Haffner, email 3-17-22, concerns with scale, massing, parking. Exhibit F5.
6. Angela Moos, email 3-17-22, concerns with scale, massing, parking. Exhibit F6.

Staff Responses:

- The Portland Bureau of Transportation controls the timing and nature of street closures, please contact PBOT Street Closures at Phone: 503.823.7365, Fax: 503.865.3442, or Email: cpac@portlandoregon.gov.
- All required Zoning Code setbacks are met or exceeded by the proposal.
- The Zoning Code does not require parking for this site.
- Affordable housing will be required per Zoning Code in coordination with the Portland Housing Bureau prior to building completion.
- The unit sizes are a range of studio, one-, and two-bedroom units distributed across the building floors.

Procedural History:

- Application submitted: November 22, 2021
- Application deemed complete: December 1, 2021
- First Hearing scheduled: January 13, 2022 [rescheduled]
- Second Hearing scheduled: February 17, 2022 [rescheduled]
- Third Hearing scheduled: March 17, 2022, continued to April 7, 2022
- Fourth Hearing scheduled: April 7, 2022, approved.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review implements the Design overlay zone, strengthening these areas as places designed for people. Design review supports development that builds on context, contributes to the public realm, and provides high quality and resilient buildings and public spaces.

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 Portland Citywide Design Guidelines.

Portland Citywide Design Guidelines

The Portland Citywide Design Guidelines consist of a set of guidelines for design cases in community planning areas outside of the Central City. The Portland Community Design Guidelines focus on three tenets: **Context**, balancing the aspirations of the future desired character with today's setting; **Public Realm**, strengthening a building and site's relationship with the public rights-of-way and open spaces; and **Quality And Resilience**, underscoring holistic site and building designs that benefit people and climate.

CONTEXT GUIDELINES 01-03: BUILD ON CONTEXT BY ENHANCING THE DISTINCTIVE PHYSICAL, NATURAL, HISTORIC AND CULTURAL QUALITIES OF THE LOCATION WHILE ACCOMMODATING GROWTH AND CHANGE.

01: Build on the character, local identity, and aspiration of the place.

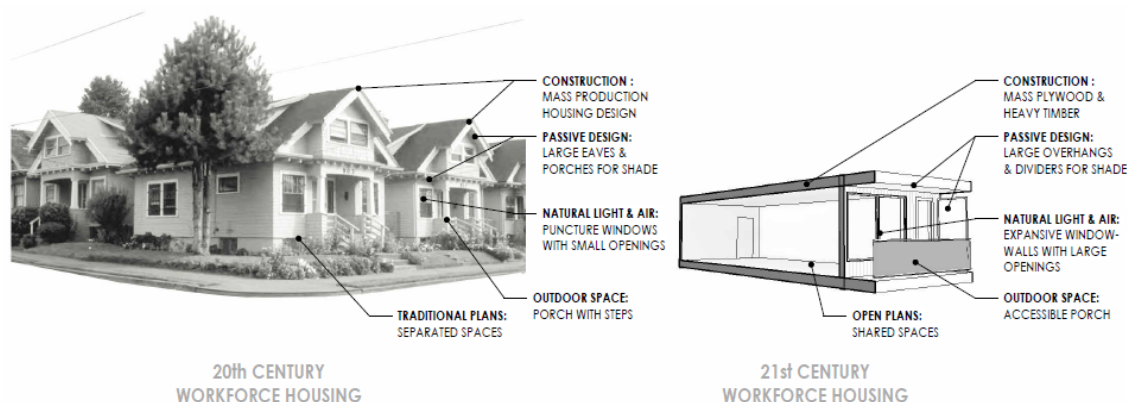
Possible design approaches may include, but are not limited to:

- Community - Relating to the local community's identity, history, and cultural values and places.
- Architecture - Taking cues from desired character of existing architecture.
- Nature - Reflecting and enhancing local natural resources such as rivers, streams, buttes and vegetation.

Findings: The Kenton Downtown Plan identifies this site as being a prime location for tall, high-density housing, noting that the sloped topography limits blocked views, reduced privacy and shadows cast on nearby residential lots. The site sits at the nexus of zoning, district plans, and neighborhood aspirations which makes it highly suitable for a project of this scale and density. The project is receiving Oregon Housing and Community Services [OHCS] 4% Low-Income Tax Credits, Metro Transit Oriented Development Grant, and Oregon Multifamily Energy Program funding and forwards the goal to build housing that will be affordable for hundreds of families for the next 99 years, with a high caliber of design and community space for the dignity of the residents.

Per the Kenton Downtown Plan and Land Use Concept Plan, this location should “reinforce the potential success of the Denver Avenue businesses by fostering development of additional housing within walking distance,” and is considered a “good location” for higher density housing because the site is “close to light rail, the Denver Avenue Business District, and other Kenton neighborhood amenities”. This site also acts as a barrier between the industrial area to the north and the conservation district to the south.

100% of the proposed residences are to be affordable for at least 99 years. Each unit is designed to replicate the traditional workforce housing built in the last century; housing that was built with urgency and efficiency to provide shelter to those working in the shipyards and industries of the 20th century. Taking cues from these precedents the proposed units replicate the viable features of the past, such as large front porches and simplified construction, while simultaneously crafting spaces that are designed for 21st century living with large windows, open plans, and barrier-free spaces, an approach that builds on the character, local identity, and aspiration of the Albina Plan Area and Kenton Downtown Plan Districts [Exhibit A.21 below]. This in turn supports positive relationships to the surroundings by generating high-quality, affordable housing and community amenities.



This guideline is met.

02: Create Positive Relationship with surroundings.

Possible design approaches may include, but are not limited to:

- Building Massing - Developing effective placement and proportion of building massing toward adjacent lower-scale development and residential uses.
- Street Wall - Maintaining a vibrant street wall with continuous storefronts along historic main streets.
- Connectivity - Creating visual and physical links to adjacent pedestrian pathways and neighboring open spaces.
- Adjacent Historic Landmarks - Deferring to the neighboring historic landmark through massing and urban form.

03: Integrate and enhance on-site features and opportunities to contribute to a location's uniqueness.

Possible design approaches may include, but are not limited to:

- Natural Resources - Minimizing site disturbance and integrating topography and natural resources found on-site.
- Viewpoints - Integrating views to community points of interest.
- On-site Older Buildings and Historic Resources - Retaining existing older buildings and historic resources.
- Social and Cultural Significance - Incorporating a site's significant cultural or social history.

Findings: The building orientation, with the units oriented south towards Kenton and the city or north towards St. Helens, responds to the identity and character of the site. The east & west facades provide more solidity and the north & south facades more openness. The balcony pattern provides variation and openness, for the north & south, while also controlling sun and privacy on the south.

The building massing is a split bar parti with eroded corners to break the building down into smaller masses that relate to the scale of the existing urban fabric from the 20th century. The structure is proposed to be set back 10 feet from the south property line to give some distance to the adjacent conservation district. The entrances are located to direct residents from the inside of the building toward the commercial strip along Denver Avenue and the nearby max station.

The design of the site further reinforces these relationships and creates places that are designed to be active community spaces adjacent to N Fenwick Avenue and N Argyle Street, providing main entrances at all three corners of the building's street frontages, which are designed with deep setbacks from the street edges to allow for pausing, sitting, and interacting with neighbors.

The landscaping and massing respond to the existing sloped topography in an interesting way, enhancing the site with sunken courtyards, bridges, planting, and features that evoke the geology and history of the Pacific Northwest.

These guidelines are met.

PUBLIC REALM GUIDELINES 04-06: CONTRIBUTE TO A PUBLIC HUMAN-SCALED REALM THAT ENCOURAGES SOCIAL INTERACTION AND FOSTERS INCLUSIVITY

04: Design the sidewalk level of buildings to be active and human-scaled.

Possible design approaches may include, but are not limited to:

- Ground Floor Heights - Designing buildings with taller, more adaptable ground floors.
- Multiple Entries and Windows - Offering more than one entrance along the ground floors of buildings to provide "eyes on the street" and avoid blank expanses of walls.
- Weather Protection - Providing protection from wind, rain, and sun.
- Lighting - Enhancing safety and visibility for pedestrians and highlighting special building features.
- Residential Setbacks - Creating soft transitions while separating private spaces from public spaces.

Findings: The ground floor of the building has been designed with tall, two-story high recessed corner entrances, glazed storefronts & seating areas, ground floor residential walk-up units and utilitarian areas dispersed and minimized along the 100' frontage of N Fenwick

Avenue and along the 250' frontage of N Argyle Street to promote an active, pedestrian-oriented street level.

Public entry plazas, outdoor common areas and community rooms are provided at two prominent building corners, with large areas of glazing to increase visibility. Residential units off N Argyle Street have entrances and balconies inspired by walk-up rowhouses with front porches that provide additional eyes on the street.

The building provides weather protection at public and private entrances and community spaces with deep “front porch” setbacks from the building face, creating a covered area that enhances the comfort of pedestrians and controls the adverse effects of sun, shadow, glare, reflection, wind, and rain.

This guideline is met.

05: Provide opportunities to pause, sit, and interact.

Possible design approaches may include, but are not limited to:

- Seating - Providing a variety of seating types for passersby and building users.
- Integrate Bicycles - Designing open spaces that accommodate parking for bicycles.
- Art/Water - Designing spaces that can integrate opportunities for art, stormwater or water features.
- Enclosure - Offering a comfortable buffer and distinction from the public realm.
- Trees and Landscaping - Promoting health and wellness by helping to mitigate the effects of urban heat island.

Findings: The building is constructed with a layered façade that separates the units from the street with individual balconies, providing privacy, security, and eyes on the street while also giving outdoor space and solar access to the residents.

The perimeter landscaping and entry plazas provide numerous opportunities for seating and resting by utilizing the topographic variation to create integrated stepped benches.

Covered outdoor bike parking is provided at the entry plazas, with additional bike parking in the basement, to encourage more active modes of transportation and increase foot traffic.

Site trees around the project provide shading, while native vegetation buffers the building, creates visual interest, captures stormwater, and promotes tenant well-being.

This guideline is met.

06: Integrate and minimize the impact of parking and building services.

Possible design approaches may include, but are not limited to:

- Vehicles and Parking - Screening and buffering vehicle areas from pedestrians and integrating parking into the building design.
- Utilities, Trash and Recycling - Siting and screening utilities, trash, and recycling enclosures away from public realm.
- Vaults - Integrating and concealing vaults within open areas.
- Stormwater Planters - Integrating stormwater with multiple uses, such as buffering, placemaking, and seating opportunities.
- Long-Term Bicycle Parking - Designing bicycle parking to encourage use by adding bike lobbies and bike repair amenities.

Findings: The ground floor has been designed to screen the utilities and trash from view, but also give direct street access to a generous bike parking area and lobby to encourage use.

Trash and recycling are located within an enclosed loading bay, to minimize disturbance to the street and pedestrians.

Bicycle parking is integrated into the basement with direct entrance off the street for tenant and visitor access.

This guideline is met.

QUALITY AND RESILIENCE GUIDELINES 07-09: PROMOTE QUALITY AND LONG-TERM RESILIENCE IN THE FACE OF CHANGING DEMOGRAPHICS, CLIMATE AND ECONOMY

07: Support the comfort, safety, and dignity of residents, workers, and visitors through thoughtful site and building design.

Possible design approaches may include, but are not limited to:

- Internal Open Spaces - Offering a variety of multi-functional spaces such as balconies, stoops, plazas, play areas, and passive sitting areas.
- Internal Connections - Creating safe and visible pedestrian circulation through sites.
- Vehicles Areas - Ensuring that vehicle areas do not impair the usability and enjoyment of the site.
- Solar Access - Providing solar access to open areas.
- Windows and Entries - Orienting windows and entries toward on-site circulation and open areas.

Findings: Generous two story tall, recessed entry plazas and landscaping create a buffer for the residential community and space for socializing. The majority of units have a direct balcony from their unit, as well as rooftop terraces and community spaces.

Open roof decks, and south-facing units have abundant solar access, while being shaded from intense solar heat gain by the balconies above. The north-facing units have ambient daylight from large windows. High ground floor ceilings and stepped retaining wall allow light into the ground floor.

Gym and community spaces look out onto the roof terraces, gardens, and common spaces and units facing the street level help to increase security and visibility.

The building is constructed with a layered façade that separates the units from the street with individual balconies, providing privacy, security, and eyes on the street while also giving outdoor space and solar access to the residents. The ground floor was also carefully considered to screen the utilities and trash from view, but also give direct street access to a generous bike parking area and lobby to encourage use.

This guideline is met.

08: Design for quality, using enduring materials and strategies with a coherent approach.

Possible design approaches may include, but are not limited to:

- Unity - Expressing a clear and coherent design approach to unify building.
- Articulation - Highlighting function, hierarchy, or spaces through small breaks in form.
- Application of Exterior Materials - Expressing the building design with hierarchy, shifts or repetition.
- Quality of Materials - Providing quality, resilience, and durability in construction and execution of details.
- Building Openings - Offering permeability, depth, and texture.

Findings: The design features an alternating brick-bond structural rhythm, and materials that create a unified and composed order to the building.

The building façade is clearly articulated with a balconies, decorative columns, and recessed planes. A shifted pattern of large vertical windows, reveals, and contrasting colored cladding further breaks down the east & west façade massing towards the neighborhood in all directions.

Durable, high-quality materials like Ceraclad ceramic panels require minimal maintenance and allow for more affordable construction.

Dark colored vinyl window sashes blend smoothly into the dark colored cera-clad rainscreen cladding surround to reinforce a coherent composition. Optional residential window layouts at the recessed balconies allow for flexibility for mechanical venting layouts, while also retaining a coherent composition.

Lastly, as presented for the final hearing on April 7, 2022, the introduction of colored cera-clad paneling at the balcony bays [Exhibit C56] articulates a warm residential expression on within the building at the balconies. This additional color accents the building's already well expressed residential identity with multiple balconies and outdoor spaces.

This guideline is met.

09: Design for resilience, health, and stewardship of the environment, ensuring adaptability to climate change and the evolving needs of the city.

Possible design approaches may include, but are not limited to:

- Adaptable Buildings - Providing flexibility in building programming, floor.
- Resource Conservation - Prioritizing the use of existing structures or reclaimed and recycled materials.
- Native Landscaping - Integrating native landscaping and large canopy trees to address heat island and provide for pollinators.
- Ecoroofs - Providing and integrating ecoroofs for pollinators and people.
- Bird-Safe - Reducing bird strikes through careful design.
- Daylight and Air - Providing daylight and ventilation and improving indoor air quality.
- On-Site Stormwater - Allowing rain to soak into the ground and filter through lush vegetation and landscaping.

Findings: Native landscaping and trees are provided around the perimeter, at entry plazas, and at rooftop areas to shade the site, slow down & absorb stormwater, create habitat & food for pollinators, provide relief to residents, and improve air quality.

All the residential units have large window-walls and access to a shaded private balcony for light and air, and deep overhangs, exterior insulation, and a solar-ready roof make the building more efficient and sustainable. Each individual unit will have direct access to natural light and air, with a transitional zone of outdoor space to provide shade and privacy.

The building will utilize a pre-fab mass timber Type IV-B construction to minimize construction waste, simplify construction, reduce construction impacts on the surrounding site and neighborhood, and lower the embodied carbon footprint.

Pre-fab allows for the production of building elements in a factory setting with controlled conditions and all tools and supplies on hand. This allows for construction efficiencies, quality control, waste reduction, and trade scheduling. The floors of the building will be mass plywood panels (MPP) supported by mass timber posts & beams that are made in Oregon and designed with the special Oregon IV-B construction type, utilizing quality, enduring materials and a coherent construction approach that also reduces the embodied carbon of the project. This construction type also has a lower embodied carbon footprint than concrete & steel and is seismically resistant, further ensuring stewardship of the environment and climate change adaptation.

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 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.

DESIGN COMMISSION DECISION

Approval Type III Design Review for construction of 290 residential units in an eleven-story building in the Kenton Plan District.

Approval per Exhibits C.1-59, subject to the following conditions:

- A.** As part of the building permit application submittal, the following development-related conditions (B – 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 21-108433 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.



By:
 Sam Rodriguez, Design Commission Chair

Application Filed: November 22, 2021
Decision Filed: April 18, 2022

Decision Rendered: April 7, 2022
Decision Mailed: April 20, 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 November 22, 2021, and was determined to be complete on **December 1, 2021**.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on November 22, 2021.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant waived the 120-day review period, as stated with Exhibit A.2. Unless further extended by the applicant, **the 120 days will expire on: December 1, 2022.**

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

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. This report is the final decision of the Design Commission with input from other City and public agencies.

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

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appeal of this decision. This decision is final unless appealed to City Council, who will hold a public hearing. Appeals must be filed by 4:30 pm on May 5, 2022. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. **Towards promoting social distancing during the COVID-19 pandemic, the completed appeal application form must be e-mailed to BDSLUSTeamTech@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.

If you are interested in viewing information in the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note that due to COVID-19 and limited accessibility to files, only digital copies of material in the file are available for viewing. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

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

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

Who can appeal: You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$5,513.00 will be charged (one-half of the application fee for this case).**

Neighborhood associations may qualify for a waiver of the appeal fee. Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services website: <https://www.portlandoregon.gov/bds/article/411635>. Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

Recording the final decision.

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded on or after **May 6, 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 must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

Tim Heron
April 18, 2022

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

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant’s Statement
 - 1. Original Submittal – drawings and narrative
 - 2. 120-day waiver, denovo
 - 3. Revised Submittal
 - 4. Request to postpone Design Commission Hearing 1/13/22 to 2/17/22
 - 5. Request to postpone Design Commission Hearing 2/17/22 to 3/17/22
 - 6. Applicant Responses to testimony
- B. Zoning Map (attached)
- C. Plan & Drawings
 - 1. SITE PLAN [attached]
 - 2. FLOOR PLAN - LEVEL 1
 - 3. FLOOR PLAN - LEVEL 2
 - 4. FLOOR PLAN - LEVEL 3
 - 5. FLOOR PLAN - LEVEL 4-10
 - 6. FLOOR PLAN - LEVEL 11
 - 7. ROOF PLAN
 - 8. BUILDING ELEVATION – NORTH [attached]
 - 9. BUILDING ELEVATION - EAST
 - 10. BUILDING ELEVATION - SOUTH
 - 11. BUILDING ELEVATION - WEST
 - 12. BUILDING SECTIONS
 - 13. BUILDING SECTIONS
 - 14. STREET SECTIONS + RENDERED ELEVATIONS
 - 15. STREET SECTIONS + RENDERED ELEVATIONS
 - 16. STREET SECTIONS + RENDERED ELEVATIONS
 - 17. STREET SECTIONS + RENDERED ELEVATIONS
 - 18. STREET SECTIONS + RENDERED ELEVATIONS
 - 19. EXTERIOR REFLECTED CEILING PLANS
 - 20. ARCHITECTURAL LIGHTING CUTSHEETS
 - 21. ARCHITECTURAL LIGHTING CUTSHEETS
 - 22. GUARDRAIL DETAILS
 - 23. GUARDRAIL DETAILS
 - 24. CLADDING SYSTEMS
 - 25. CLADDING SYSTEMS
 - 26. DETAILS – REVEAL
 - 27. DETAILS – REVEAL
 - 28. DETAILS - WING WALL
 - 29. DETAILS - WING WALL
 - 30. DETAILS - RAINSCREEN
 - 31. DETAILS – BALCONY
 - 32. DETAILS - BALCONY
 - 33. DETAILS - BALCONY
 - 34. DETAILS – OVERHANG
 - 35. DETAILS – OVERHANG
 - 36. DETAILS – OVERHANG
 - 37. DETAILS – OVERHANG
 - 38. DETAILS - ROOF EDGE
 - 39. DETAILS – WINDOWS
 - 40. DETAILS – WINDOWS
 - 41. DETAILS – MISCELLANEOUS
 - 42. GLAZING SYSTEMS
 - 43. EAST-WEST UNIT WINDOWS
 - 44. NORTH-SOUTH UNIT WINDOWS
 - 45. GLAZING CUTSHEETS

46. GLAZING CUTSHEETS
 47. OVERHEAD DOORS
 48. LANDSCAPING PLANTING PLAN - LEVEL 1
 49. LANDSCAPING PLANTING IMAGES - LEVEL 1
 50. LANDSCAPING PLANTING PLAN - LEVEL 11
 51. LANDSCAPING PLANTING IMAGES - LEVEL 11
 52. LANDSCAPE SECTIONS
 53. LANDSCAPE SECTIONS
 54. LANDSCAPING MATERIAL CUTSHEETS
 55. MATERIAL PALLETE
 56. COLOR PALLETE/ RENDERING [attached]
 57. MATERIAL PALLETE/ CLADDING ALTERNATIVES
 58. MATERIAL PALLETE/ CLADDING ALTERNATIVES
 59. WINDOW LAYOUT/ ALTERNATIVES
- D. Notification information:
1. Request for response
 2. Posting letter sent to applicant
 3. Notice to be posted
 4. Applicant's statement certifying posting
 5. Mailed notice
 6. Mailing list
- E. Agency Responses:
1. Bureau of Environmental Services
 2. Bureau of Transportation Engineering and Development Review
 3. Water Bureau
 4. Fire Bureau
 5. Bureau of Parks, Forestry Division
 6. Site Development Review Section of BDS
 7. Life Safety Review Section of BDS
- F. Letters
1. Ramasurdya Prem Singh, email 2-18-22, concerns with setback & N Fenwick closure
 2. Taylor Tremain, email 2-22-22, concerns with no parking provided and how affordable housing will be provided
 3. Shane Boland, email 2-22-22, concerns with unit sizes
 4. Taffy Everts, email 3-10-22, concerns with scale, massing
 5. Nichole Haffner, email 3-17-22, concerns with scale, massing, parking
 6. Angela Moos, email 3-17-22, concerns with scale, massing, parking
- G. Other
1. Original LUR Application
- H. Hearing
- Design Commission March 17, 2022
1. Staff Memo, Report, Zone Map and Revised Drawings
 2. Staff PPT
 3. Testifier Sheet
- Design Commission April 7, 2022
4. Staff Memo, Report, Zone Map and Revised Drawings
 5. Testifier Sheet