



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 June 6, 2013**

CASE FILE NUMBER: LU 13-107395 DZM
PC # 12-193194 Block 43 – 0601 SW Abernethy

The Design Commission has **approved** a proposal in your neighborhood. 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.

BUREAU OF DEVELOPMENT SERVICES STAFF: Hillary Adam 503-823-3581 /
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GENERAL INFORMATION

Applicants: Wade Johns, / Alamo Manhattan Properties
2808 Fairmount St Ste 200 / Dallas, TX 75201

Robert Lamkin, Architect / Hensley Lamkin Rachel Inc
14881 Quorum Dr / Dallas, TX 75254

Kelly Kinnon / Riva Portland, LLC
c/o Cornerstone Real Estate Advisers, LLC
100 Wilshire Blvd, Suite 700 / Santa Monica, CA 90401

Site Address: 0601 SW ABERNETHY ST; 3732 SW Moody Ave

Legal Description: BLOCK 173 TL 700, CARUTHERS ADD; Block 158&173 TL 800
Tax Account No.: R140916160; R140914790
State ID No.: 1S1E10DB 00700; 1S1E10DB 00800
Quarter Section: 3429, 3430
Neighborhood: South Portland NA., contact Jim Gardner at 503-227-2096.
Business District: South Portland Business Assoc, Kevin Countryman at 503-750-2984.
District Coalition: Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.
Plan District: Central City - South Waterfront
Zoning: CXd – Central Commercial with Design overlay
Case Type: DZM – Design Review with Modification request
Procedure: Type III, with a public hearing before the Design Commission. The decision of the review body can be appealed to City Council.

Proposal:

The proposal is for a 6-story, 184,536 square foot residential building with 199 units, a rooftop deck, and 196 underground vehicle parking spaces, accessed from SW Abernethy Street. Approximately 1,470 square feet of retail space will be provided at the corner of SW Bond and SW Abernethy with additional active space for use by the residents, designed so that it can be converted to retail space in the future. Exterior materials include stucco, brick veneer, burnished

block, exposed concrete, wood tongue-and-groove siding, white vinyl windows and doors, bronzed aluminum storefront systems, steel and canvas awnings, painted steel canopies, and painted steel guardrails with wire mesh screens. The proposal includes a landscaped courtyard area that will include stormwater treatment planters and a rooftop deck at the northeast corner.

Modification requests [PZC 33.266.310.D.b]:

1. Reduce the required clearance for two loading spaces from the standard 10'-0" to 8'-8".

Design Review is required because the proposal is for new development in the "d" overlay in the South Waterfront subdistrict of the Central City Plan District.

Relevant Approval Criteria:

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

- 33.825 Design Review
- 33.825.040 Modifications Thru Design Review
- Central City Fundamental Design Guidelines
- South Waterfront Design Guidelines

ANALYSIS

Site and Vicinity: The subject property is a 200' x 200' parcel bound by SW Moody Avenue on the west, SW Abernethy Street on the south, SW Bond Avenue on the east, and the SW Lane Accessway on the north. Currently, there is an existing half-block one-story concrete building at the south end of the site, which sits below grade due to the adjacent roads being built up. The existing building was constructed in 1957 for the Portland Felt Company. It is currently occupied by a teak furniture warehouse.

To the north of SW Lane is the 22-story Riva on the Park apartment building. SW Lane is a private accessway with a public easement under the same ownership as Riva on the Park. The accessway is developed with landscaping and walkways to townhouses in the Riva building, a 30' wide pedestrian path in the center, and landscaping with underground vaults in the southern portion. To the south of the subject property is the 6-story Matisse apartment building, developed by the applicant of this 0601 SW Abernethy project. To the west of the property, across SW Moody, is a one-story warehouse building, which serves as the location for a few food carts along its eastern elevated loading dock. Across SW Bond is currently a vacant lot. The shore of the Willamette River is more than 700 linear feet away, with the closest public access located at the end of Gaines Street, one block to the north.

The property lies within the South Waterfront Pedestrian District. The City's Transportation System Plan identifies SW Moody and SW Bond as City Bikeways, Central City Transit/Pedestrian Streets, Community Main Streets, Major Transit Priority Streets, and Traffic Access Streets.

South Waterfront is a neighborhood in transition. Historically, the location of industrial activities, the district was rezoned in 1990 to Central Commercial, to allow a greater variety in uses, including residential, commercial and institutional, and to take advantage of the area's unique connection to the Willamette River. In the first decade of the century, several new developments were approved and constructed, establishing the area as a destination neighborhood. Many development opportunities still remain, and it is imagined that by 2020, South Waterfront will be a dense vibrant part of the city.

Zoning: The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together.

Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

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.

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

- EA 07-146222 – Design Advice Request for proposed 22-story mixed-use building (Riva on the Park), prior to separation of the parcels;
- EA 11-125306 – Pre-application Conference to discuss a proposed 18-story mixed-use building on the north portion of the subject property with a 4-story self-service storage building with ground floor retail to the south;
- EA 12-193194 – Pre-Application Conference for the proposed 6-story building; and
- EA 12-193183 – Design Advice Request for the proposed 6-story building.

Agency Review: A “Request for Response” was mailed **February 19, 2013**.

The **Bureau of Transportation Engineering** responded, with no objections to the proposal or the requested modification.

The **Life Safety Division of BDS** responded with the following comments:

- It is recommended the applicant contact Process Management section at 503-823-7452 to request a process manager to assist in coordinating the City reviews for this project and arrange a Preliminary Life Safety Meeting with Fire and Building Plans Examiners;
- The exit discharge shall provide an unobstructed access to a public way. OSSC 1027.6;
- At least one accessible route shall be provided within the boundary of the site from public transportation stops, accessible parking spaces, passenger loading and drop off zones, and public streets or sidewalks to an accessible entry. OSSC 1104.1;
- Accessible parking is required. Accessible van parking spaces, must be at least 9 feet wide with an adjacent aisle at least 8 feet wide. Accessible parking spaces must be at least 9 feet wide with an adjacent access aisle at least 6 feet wide. OSSC 1106.7, ANSI 117.1 – Section 502.

Please see Exhibit E-2 for additional details.

Staff Response: Based on the drawings provided, it does appear that the applicant intends to provide unobstructed exit discharge routes, at least one accessible route from transportation stops, accessible parking spaces, passenger loading and drop-off zones, and public sidewalks, as well as accessible parking spaces. These routes, however, are limited to SW Bond and the parking garage. Staff encourages an additional accessible route to SW Moody. Compliance with these requirements will be ensured at the time of Building Permit.

The **Bureau of Environmental Services** responded with the following comment: BES noted that a public works permit will be required for the proposed storm connection to the public storm main in SW Bond Street because it requires work under the Portland Streetcar tracks. BES had no objections to the proposal. Please see Exhibit E-3 for additional details.

Staff Response: Staff would only clarify that both mains, for storm and sanitary, are located east of the Streetcar tracks on Bond, so the tracks will be minimally affected.

The following Bureaus responded with no issues or concerns:

- Site Development Section of BDS
- Water Bureau
- Fire Bureau
- Bureau of Parks-Forestry Division

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 15, 2013. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Bob Cronk, resident of The Meriwether, wrote on February 22, 2013, stating that he felt that 1,680 square feet of retail space was not enough, given the footprint of the proposed building. Mr. Cronk recognized that filling existing commercial space in the neighborhood has been difficult, but anticipating an increase in population and foot traffic due to the new bridge and school collaboration between PSU, OHSU, and OSU, believed that the surplus of commercial space in South Waterfront was a temporary problem. Mr. Cronk warned of creating a dead block and advocated for additional commercial space. Please see Exhibit E-1 for additional details.

Applicant Response: *“Alamo Manhattan shares Mr. Cronk’s vision and enthusiasm for the South Waterfront. It is becoming one of Portland’s best and most vibrant neighborhoods. We understand that commercial space will play an important role in its evolution. While the current market does not support more retail than is being proposed, we have carefully designed our project to allow for expansion of the retail space when the market allows. The vast majority of the building’s street-level space along Bond St. will be convertible to commercial space as appropriate when market conditions improve.”*

- Ben Green, Vice President of Asset Management for Cornerstone Real Estate Advisers LLC, wrote on April 24, 2013. Mr. Green clarified that his company, which owns the adjacent Riva on the Park parcel, was willing and interested in working with Alamo Manhattan to establish physical connections to the SW Lane Accessway across the southern portion of their property. Please see Exhibit H-3 for additional details.

Procedural History

The first hearing was on April 4, 2013. The previous staff report, dated March 25, 2013, recommended approval of the modification request to 33.266.310.D.b to reduce the height of the required loading spaces from 10'-0" to 8'-8", but did not recommend approval of the overall proposal. Staff noted concerns related to certain details, as outlined in the previous staff report and later echoed by the Commission.

No comments were made by the public at the hearing in support or against the proposal.

Below is a summary of the Design Commission’s comments and suggestions:

Space Planning

- Consider the commercial nature of SW Bond and establish a clearer hierarchy of entrances. Elevations seem asleep at the street – more activation of the ground level is recommended. Entrances should be more celebrated. Perhaps the leasing office should be relocated to SW Moody to establish SW Moody as the main entrance.
- An accessible route should be provided directly to Moody.
- Stoops are preferred along SW Moody over passive landscaping, even if it means they will be recessed with the second floor acting as a roof, and even if it means the loss of a unit. Design Commission’s preference for the stoops was forwarded to the Encroachment Committee for their consideration.
- Generally, a more urban edge was preferred all the way around. A higher floor plate is okay.

- Consider moving the more active uses of the courtyard up to the roof where it will have less impact on residents facing the courtyard, with regard to noise. A washing station should be provided near the grill as well as a covered or enclosed eating area for the rainy months.
- Usability of the courtyard needs more consideration, with more of a focus on respite and simplicity. Many of the seating areas face residential units, affecting the privacy of those units.
- If leasing is relocated to SW Moody, then the emphasis on SW Bond should be on the courtyard.
- The tree at the end of the courtyard blocks the energy and creates too much shade at the courtyard entrance. It should be removed or relocated further back into the nature zone. The location of the fence at the courtyard entrance and the entry sequence needs to be refined.
- There seems to be more space for bikes at the courtyard entrance than for people. Perhaps this could be longer and narrower to open up the courtyard entrance for people.
- Some areas of the courtyard seemed cramped, perhaps there are too many paths constricting the space. The fire pit seems large for the space where it is located.
- Long-term bike parking in the units is not ideal as it creates a lot of wear-and-tear on the building. Pay attention to how this is going to work for the residents.
- It was recommended that the garage gate be relocated to the exterior building face.
- Direct physical connections to the SW Lane accessway is the ideal urban condition. Design Commission will reach out to Riva on the Park to encourage their cooperation.

Composition and Materials

- It's okay to have a big building that is clad with one or two materials. There is a strong base and a strong top, the middle needs to be simplified. The left side of the Bond façade is the most successful with the exception of the red accent. The red accents, as currently proposed, are not necessary to break down the scale.
- Simplify the outside with a systematic order of things/materials. It's okay to have color, as long as it's systematic, and in lower profile locations such as balcony insets. Simplify the materials, and then focus on the details.
- Limit the palette to 3 materials, maybe a "well-thought-out" 4th material.
- Removing the proposed Hardie siding would be a huge improvement. Hardie siding and panel systems are problematic when they become volumetric; may be acceptable in limited and systematic uses.
- No exposed fasteners on panel systems. Make sure the renderings match what you are proposing.
- If stucco is proposed, it should be applied in place with no expansion joints.
- The columns on the right side of the Bond façade need to be more regular.
- There was not a consensus on the proposed vinyl windows. It was suggested that a darker color be pursued. It was also suggested that the proposed white vinyl windows worked well in contrast to the darker brick, but not so well with the lighter stucco. It was suggested that the windows be recessed a few inches within the wall plane to create a natural shadow line.
- The architecture and the landscaped courtyard are at odds. A disparate courtyard is okay as long as there is some connection to the building. Simplify the paving materials and pattern.

Detailing

- The open balcony is more successful but the pole makes it seem tenuous and unincorporated. Perhaps there is a way to support the brick at the top with a cantilever, rather than enclosing the corner of the balconies.
- Small canopies are not quite there – go bigger, get more detailed, or get rid of them. If they are removed, human scale still has to be provided.
- Positive feedback on the string lighting in the courtyard, except that maybe there could be more strings with fewer lights each.
- Integrate vents and other details. A good solution would be to make them part of, or pair them, with the window system.

- Consider the location and integration of signage.
- Beware of the potential for biological growth at connection points between different materials, such as along the concrete ledge above the first floor.

Neighborhood Identity

- Commission suggests not using the Matisse as a precedent for this project.
- Love the Wrightian Prairie lid. It's okay if a new element is added to the architectural vocabulary of the district. Its success is all in the details. Roof should not slope toward the street.
- One commissioner noted that the security fence is not indigenous. Others liked the Corten fence, but that doesn't mean it necessarily relates to the character of South Waterfront.
- A lot of native plants are proposed. The overall plant palette with native mixed with non-native ornamentals is good and adds seasonal interest and variety.

Overall Message

- Keep it simple.

The applicant agreed to address the above issues and continue the hearing to May 16, 2013.

Between the April 4th and May 16th hearings, the applicant has been in contact with Cornerstone Real Estate Advisers LLC, owners of Riva on the Park, in order to negotiate terms to allow alterations on the southern portion of the SW Lane Accessway so that the proposed building can provide stoops with direct access to SW Lane. The applicant and the adjacent property owner were advised that Cornerstone would have to provide written confirmation that they agree to be a party to the application. Although a tentative agreement has been reached, as of the writing of this 2nd revised staff report, staff has still not received final documentation confirming Riva's willingness to be a party to the application. It is expected that this will be resolved by June 6th. Approval of this land use application must be contingent on receipt of this confirmation.

At the May 16th hearing, the Design Commission acknowledged the advances made by the design team in presenting a more sophisticated building than originally presented, but offered comments on remaining details in need of refinement, including:

- location of canopies and signage;
- the use of certain materials such as Corten steel, cement lap siding, and exposed concrete;
- refinement of the pattern of the overhang roof; and
- further development of the outdoor spaces, including the interior courtyard, rooftop deck and SW Lane patios.

The Design Commission asked the applicant to return for a third hearing on June 6, 2013.

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 a design (d) overlay zone, therefore the proposal requires Design Review approval. Because of the site’s location, the applicable design guidelines are the Central City Fundamental Design Guidelines and the South Waterfront Design Guidelines.

Central City Plan Design Goals

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City’s districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City’s districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

South Waterfront Design Goals

The South Waterfront Design Guidelines and the Greenway Design Guidelines for the South Waterfront supplement the Central City Fundamental Design Guidelines. These two sets of guidelines add layers of specificity to the fundamentals, addressing design issues unique to South Waterfront and its greenway.

The South Waterfront Design Guidelines apply to all development proposals in South Waterfront within the design overlay zone, identified on zoning maps with the lowercase letter “d”. These guidelines primarily focus on the design characteristics of buildings in the area, including those along Macadam Avenue, at the western edge, to those facing the greenway and river.

The Greenway Design Guidelines for the South Waterfront apply to development within the greenway overlay zone, identified on zoning maps with a lowercase “g”. These design guidelines focus on the area roughly between the facades of buildings facing the river and the water’s edge.

South Waterfront Design Guidelines and Central City Fundamental Design Guidelines

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

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

A1. Integrate the River. Orient architectural and landscape elements including, but not limited to lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and Greenway. Develop access ways for pedestrians that provide connections to the Willamette River and Greenway.

A1-1. Develop River Edge Variety. Vary the footprint and façade plane of buildings that face the Willamette River to create a diversity of building forms and urban spaces adjacent to the greenway. Program uses on the ground level of buildings adjacent to the greenway and to accessways linking the greenway with the interior of the district that activate and expand the

public realm. Design the lower stories of buildings within the greenway interface to include elements that activate uses and add variety and interest to the building facades.

A1-2. Incorporate Active Uses Along the River. Integrate active uses along the greenway to encourage continuous use and public “ownership” of the greenway. Program active uses to face and connect with the greenway, expand the public realm, and enhance the experience for greenway users. Develop active ground floor uses at the intersections of the greenway with accessways to the interior of the district to create stronger connections to and activity along the greenway.

Findings for A1, A1-1 & A1-2: While the subject property is located a couple blocks away from the river, the building is designed, within its limitations, to take advantage of, and acknowledge its proximity to the river. For instance the primary entrance is located on the river side of the building, as well as near the accessway along SW Lane Street. While the SW Lane accessway is not fully developed with a direct connection to the shore of the Willamette River, it is anticipated that future developments closer to the river will establish direct connections along SW Lane Street. Currently, the closest direct connection to the river is one block north of SW Lane, at SW Gaines Street. Future connections to the river are also anticipated at SW Abernethy on the south side of the subject property.

In addition, the U-shaped building is designed to orient the courtyard toward the river, thereby implying a connection between the development’s green space and the greenway along the river. This connection is further strengthened by the proposed water feature in the courtyard which projects toward the river. The proposed development also features a rooftop deck at the northeast corner of the building, which will provide views toward the river and SW Lane accessway. Balconies are also shown to be provided for some of the residential units providing access to the outdoors as well as views toward the river and surrounding landscape. *These guidelines are met.*

A2. Emphasize Portland Themes. When provided, integrate Portland-related themes with the development’s overall design concept.

Findings: The applicant has indicated that the proposal meets this guideline through the form and orientation of the building, i.e., that of a modern rendition of the traditional courtyard apartment building typology and through its orientation toward the river. Staff supports this argument and also acknowledges the revised plans show a greater emphasis on activating the ground level, as well as providing an outdoor recreation area on the roof, which emphasize two significant aspects of Portland culture: focus on the pedestrian realm and access to the outdoors. *This guideline is met.*

A3. Respect the Portland Block Structures. Maintain and extend the traditional 200-foot block pattern to preserve the Central City’s ratio of open space to built space. Where superblocks exist, locate public and/or private rights-of-way in a manner that reflects the 200-foot block pattern, and include landscaping and seating to enhance the pedestrian environment.

Findings: The proposal is limited to one city block, approximately 200’ x 200’. The site is at the south end of a superblock, already inhabited by Riva on the Park to the north of the SW Lane accessway. Unlike many of the other superblocks in South Waterfront which are divided in the middle, the SW Lane accessway was partitioned to be a separate parcel and is under the same ownership as of Riva on the Park. As such, it was developed in conjunction with the Riva apartment tower, without consideration of future direct access from the adjacent property to the south. The portion of the accessway closest to the subject property is landscaped and serves as the location of several underground vault structures associated with Riva.

A previous version of the proposal showed no connection to the SW Lane Accessway,

affecting the proposal's ability to meet many of the design guidelines. As indicated above in the Procedural History, on page 6, Alamo Manhattan has reached an agreement with the owners of Riva on the Park, in order to secure access across the landscaped southern portion of the site. Side-facing stoops and walkways are now shown accessing SW Lane, providing occupants of this building direct access to SW Lane. With these pedestrian connections, the proposal now respects the Portland block structure. *This guideline is met.*

A4. Use Unifying Elements. Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

A4-1 Integrate Ecological Concepts in Site And Development Design. Incorporate ecological concepts as integral components of urban site and development designs.

A4-2 Integrate Stormwater Management Systems in Development. Integrate innovative stormwater management systems with the overall site and development designs.

Findings for A4, A4-1 & A4-2: The proposed building is designed to include one retail space at the southeast corner along SW Bond Street, which has been identified as the primary commercial corridor of the neighborhood. The fitness and club rooms on the ground floor of this side of the building are designed in such a way that they can be easily converted to additional retail space, as the future market demands. In addition, the proposed building is designed to be six stories, similar to the three mixed-use buildings to its south. In this sense, the building is unified with other individual buildings in the neighborhood, relative to its scale and use.

As indicated by Commission comments on April 4th, the landscape plan featured a good palette of native plants as well as ornamentals. The landscape plan has been modestly revised and still includes native plants as well as ornamentals. In addition, the proposal now shows connections between the proposed building and the SW Lane Accessway which staff and the Commission felt was crucial to meeting guideline A4 and its requirement to connect individual buildings and different areas.

In addition, the landscaping at the building frontage along SW Lane Accessway is now shown to be densely planted in order to form a cohesiveness of design with the existing Riva on the Park plantings on the north side of the accessway. *These guidelines are met.*

A5. Enhance, Embellish, and Identify Areas. Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

A5-1. Consider South Waterfront's History and Special Qualities. Consider emphasizing and integrating aspects of South Waterfront's diverse history in new development proposals. When included in the development proposal, integrate works of art and/or water features with site and development designs.

Findings for A5 & A5-1: The applicant has indicated that this guideline is met through the color palette of the materials, which is similar to that of nearby buildings, and through the building's orientation to the river. The Commission indicated that the best way for the proposed building to respond to the special qualities of the district was to simplify its material palette and exterior façade expression and present itself as a polite addition to the neighborhood. The proposal shows that the applicant has heeded the Commission's comments in this regard as they a systematic order is now proposed for the exterior materials. There is an established base, middle, and top of the building, with entrance points clearly defined. In addition, secondary materials that prompted concern have been eliminated and replaced with materials that provide a sense of warmth and quality. *These guidelines are met.*

A7. Establish and Maintain a Sense of Urban Enclosure. Define public rights-of-way by creating and maintaining a sense of urban enclosure.

Findings: The proposed building is to be located on a site currently occupied by a half-block one-story building that sits lower than street level. The existing condition acts as a break in the continuity of the district, particularly with the existing concrete warehouse no longer representative of the district's changing aesthetic, particularly along SW Bond Street. The proposal is for a standard U-shaped courtyard apartment that is to be built almost to the property line on all sides. With minor variations in the wall planes for added interest and composition, the building continues the sense of urban enclosure on all sides and will strengthen the commercial spine of the district, both in form and use. *This guideline is met.*

A8. Contribute to a Vibrant Streetscape. Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

Findings: Along SW Bond, the applicant has provided space for retail use, as well as a private fitness room, club room, and leasing office for the apartment building. The entire first level along SW Bond is proposed to be glazed, allowing views into these active spaces. The applicant has indicated that once the market is ready to support additional retail space along SW Bond, the fitness and club rooms may, at that time, be converted to commercial space. In the meantime however, utilization of these areas by the residents of the building will do more to activate the space than will empty retail spaces waiting for a full economic recovery. In addition, the center of the building along SW Bond is broken to allow views into the interior courtyard which will feature landscaping, stormwater treatment planters, a water feature and plenty of seating, as well as a grill for use by the residents, which will further activate this façade.

SW Abernethy is the location for the majority of service uses of the building, such as the trash area and garage access. Loading areas are also proposed in the garage, which will remove this use from the ground level and, with approval of the requested modification to reduce the clearance height, will also allow the first floor sill plate to be lower, thereby providing a better connection between the first floor and the adjacent sidewalk. As such, this side of the building will be activated more by vehicular use than by pedestrians.

Other than SW Bond, SW Moody, on the west side of the building, will receive the most pedestrian traffic. At the center of this elevation is a recessed entrance, secondary to the main entrance on SW Bond. Through the glass doors of this entrance, pedestrians will be able to look straight through the building's secondary lobby to the interior courtyard, providing added interest to this elevation. A previous rendition showed recessed stoops at the corners with Juliet balconies at some of the other units. The applicant made an appeal to the Bureau of Transportation to allow stoops projecting into the 2'-6" frontage zone but was denied, as the proposed encroachments were found to be inconsistent with the South Waterfront District street plan, criteria and standards. Still, the current proposal shows that they have made accommodations for additional recessed stoops within the bounds of their property. Similarly to the corner units, the stoops are accessed by side-facing stairs with railings to match those on the balconies. Staff feels that the proposed stoops along SW Moody will greatly enhance the streetscape as tenants will have a space to put potted plants and perhaps some furniture. In addition, the drawings still show floor-to-ceiling windows at this level which will provide ample views between the interior and exterior.

Responding to staff and Commission concerns regarding the lack of connectivity to SW Lane, Alamo Manhattan and Riva Portland negotiated the addition of four paths to SW Lane which

provide access to four individual patios. Additional plantings are proposed along the building frontage to soften this edge and complement the existing plantings on the Riva on the Park property. *These guidelines are met.*

B1. Reinforce and Enhance the Pedestrian System. Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

B1-1. Facilitate Transit Connections. Orient the main entrances of buildings at streets served by public transit to conveniently and directly connect pedestrians with transit services.

B1-2. Enhance Accessway Transitions. Program uses along accessways and at the intersections of accessways and public streets linking the greenway with the interior of the district that activate and expand the public realm. Incorporate private building elements, such as entries, patios, balconies, and stoops, along accessways to expand the public realm from building face to building face. Integrate landscape elements within accessway setback areas with accessway transportation components to enhance transitions from South Waterfront's interior to the greenway.

B7. Integrate Barrier-Free Design. Integrate access systems for all people with the building's overall design concept.

Findings for B1, B1-1, B1-2, and B7:

The new building will maintain and enhance the public right-of-way to a greater degree than the existing building on all street frontages. The applicant is enhancing the urban condition on this site with the presentation of this building at the sidewalk along SW Bond, SW Abernethy, and SW Moody with landscaping reserved for the SW Lane frontage and in the interior courtyard. In addition, the SW Moody frontage has been enhanced from previous renditions with the floor plate raised from 2'-0" to 3'-6" above the sidewalk and the introduction of stoops at the ground level. The elevated floor plate will provide more privacy for the tenants while the stoops will make the units more inviting and activate the streetscape. In addition, an entry flush to the sidewalk and an interior ADA lift is provided at the SW Moody entrance to provide equitable access for all.

As mentioned above, the SW Lane Accessway now has four connections from the proposed building, as well as additional landscaping and patios large enough to support passive outdoor recreation, which will enhance the aesthetic of the building as well as activate this façade. *These guidelines are met.*

B2. Protect the Pedestrian. Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

B2-1. Incorporate Outdoor Lighting That Responds to Different Uses. Place and direct exterior lighting to ensure that the ground level of the building and associated outdoor spaces are well lit at night. Integrate exterior lighting so that it does not detract from the uses of adjacent areas. When appropriate, integrate specialty lighting within activity nodes at interfaces of accessways and the greenway.

C12. Integrate Exterior Lighting. Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.

Findings for B2, B2-1, and C-12: Pedestrians will primarily utilize the pathways along SW Moody, SW Lane and SW Bond, with vehicular access restricted to SW Abernethy. The garage gate will be supplemented with a warning system to visually and audibly alert pedestrians to oncoming vehicular traffic. Loading areas are also proposed in the

underground garage, with a requested modification to the required clearance, which will protect the pedestrian from vehicular movement related to loading, particularly the introduction of an additional curb cut. Mechanical equipment will be located underground or on the roof, away from the pedestrian realm.

Exterior lighting in the courtyard is shown to be string lighting in a regular parallel pattern, aligned with building features. This regularity will add contrast to the irregular plan of the courtyard, adding an extra dynamic layer to the overall courtyard composition.

Recessed can lighting is shown at the recessed stoops and doorways and wall sconces are shown along SW Bond and at entry points at the ground level. *These guidelines are met.*

B4. Provide Stopping and Viewing Places. Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.
B5. Make Plazas, Parks and Open Space Successful. Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.

Findings for B4 and B5: The majority of the open space provided is for residents and their guests. The courtyard, though visually open to the east, and the west through the secondary lobby, is to be secured nightly at both ends making it more of a private retreat than a public amenity. The design of the courtyard indicates areas for both quiet relaxation and socialization and activity, in the provision of a fire pit, grill, and movable furniture. The space will be further activated by the ground level patios and upper floor balconies. Likewise, the rooftop deck, with fire pit, grilling area and movable furniture is also for residents of the building.

In the public realm, stopping and viewing places are mostly those areas located under awnings, which are provided all along the SW Bond frontage, as well as at the northeast corner at the walkway parallel to SW Lane, at the southeast corner at the retail storefront windows, and at the recessed entry on SW Moody. The awnings provide weather protection, further discussed below, making them a convenient place for stopping. No other amenities are provided specifically for public use except for the public area at the end of the courtyard which is designated for short-term bicycle parking.

The proposed building is not located near any existing public parks or plazas; however the interior courtyard is expected to be a successful private amenity with connections to interior lobbies and will serve as a pocket park for users of the building. *These guidelines are met.*

B6. Develop Weather Protection. Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

Findings: As mentioned above, weather protection is provided through the liberal use of awnings along SW Bond, at the northeast and southeast corners and at the recessed entry on SW Moody. The awnings are integrated with the rest of the building, in that a similar structural system is used for both the projecting and recessed balconies. These areas provide shelter from sun and rain along the most heavily travelled pedestrian paths adjacent to this property. *This guideline is met.*

C1. Enhance View Opportunities. Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

Findings: The proposed building is six stories high which will preserve views east for those to west of the property in the Homestead neighborhood. The proposed building features a rooftop deck at the northeast corner of the building, which includes a fire pit, an area for grilling, and plenty of seating opportunities. From the deck, residents will have enhanced views of downtown Portland, the Willamette River, and Mt. Hood. Several upper level balconies are also provided which will allow for private view opportunities for those units. *This guideline is met.*

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

Findings: The overall form of the proposed building is, for the most part, logical and balanced, and gives the impression of quality and permanence, particularly with the use of quality materials and the establishment of a traditional vertical order. Exterior materials include burnished block, brick, stucco, enhanced wood tongue-and-groove siding, concrete with exposed aggregate, galvanized and painted steel, aluminum storefront systems, and high-grade vinyl window and door systems.

The proposed building now presents a hierarchy of spaces. Notably, the roof overhang is broken only at entrance points with substantial canopies provided at the main entrances at SW Moody and SW Bond. The storefronts, SW Lane entries and upper-level balconies are now shown to be subordinate with angled canvas-covered awnings.

The applicant has resolved some of the major issues raised by staff and the Commission during the design review process, simplifying the street-facing façades, notably by removing the originally-proposed red cementitious panel areas that broke the order of the building. As such, the building now has a very clean presentation, with exterior cladding materials applied in a systematic way. For instance, horizontal siding is now proposed to be limited almost entirely within the recessed balcony and stoops areas. *This guideline is met.*

C4. Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.

C4-1. Develop Complementary Structured Parking. Develop, orient and screen structured parking to complement adjacent buildings, reduce automobile/pedestrian conflicts and support the pedestrian environment.

Findings for C4 & C4-1: Parking for the proposed building is located within two levels of an underground garage, which also provides the location for the property's required loading spaces. The garage is accessed from SW Abernethy Street, which is the street with the lowest level of pedestrian traffic, as well as the location of the neighboring building's garage and trash access. The proposed building is six stories in height, relatively traditional in its U-shaped courtyard plan and provides commercial space on SW Bond with residential uses concentrated above and on the three other frontages. While many of South Waterfront's buildings are towers 20-30 stories high, they are complemented with lower level podiums or "sidecars", and the newer buildings at the south end of the district are uniformly six stories high. Two of the six-story buildings are U-shaped courtyard buildings. The proposed building complements the existing buildings in form and function. With regard to adding to the local design vocabulary, the deep overhangs at the roof level would be a new design element, though a variant can be found on the adjacent Riva on the Park sidecar building.

With regard to materials, the proposed brick veneer is similar to that of the REACH building two properties to the south, while the proposed stucco can be found on the Matisse, in the form of panels, which was the first instance of this building material in the district. Staff is supportive of the use of stucco at this location, as this property serves a transitional role to

the larger towers, which are primarily clad in glass and metal, as well as cast-in-place concrete. In addition, wood is shown at the recessed balconies and stoops, which adds warmth to these spaces and strengthens the connection between the proposed building and Riva on the Park which also features wood at the SW Lane façade.

Staff had previously raised concerns about the proposed white vinyl windows; however a sample of the proposed window was provided at the April 4th hearing and the majority of the Commission found it to be acceptable, noting that it was of high quality and the material created a nice contrast with the darker brick. *This guideline is met.*

C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings: As noted above, the overall form of the building is balanced and orderly. With the applicant's refinement of exterior materials and outdoor spaces, the proposed building now presents a clean, coherent expression, with quality materials, usable and versatile spaces, and defined hierarchies. All metal elements are proposed to be painted steel to match the balconies and canopies. Accoya wood tongue-and-groove planks are now proposed at the recessed balconies and stoops in order to maintain the quality of exterior materials. The interior courtyard has also been simplified to provide a more logical progression of space, and to eliminate awkward angles, but still provides an angled path to provide some relief to the regularity. *This guideline is met.*

C6. Develop Transitions between Buildings and Public Spaces. Develop transitions between private development and public open space. Use site design features such as movement zones, landscape elements, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

C9. Develop Flexible Sidewalk-Level Spaces. Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

Findings for C6 and C9:

Based on Commission recommendation, the applicant revised the frontage zone at the base of the building on three sides to have a more urban edge, removing the previously proposed landscaping, raised the floor plate height to increase privacy for residential units on the west side of the building and introduced more stoops to the SW Moody ground level façade. These changes will create a more dynamic transition between public and private spaces. At the SW Bond courtyard entry area, a wide path is provided for pedestrians with the short-term bicycle parking cleanly separated from the pedestrian path of travel.

In addition, four pathways are proposed to connect the SW Lane Accessway to four individual patio entries. Additional landscaping along the building frontage on SW Lane is also proposed to soften this edge and to complement the Riva on the Park landscaping along the accessway. *These guidelines are met.*

C7. Design Corners that Build Active Intersections. Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

Findings: Fairly regular in plan and elevation, the applicant is proposing recessed balconies at each of the building's corners, which will serve to activate these corners while staying within the overall building envelope. In addition, awnings and flexible commercial space is provided all along the SW Bond frontage, while stair and elevator towers are located mid-

block. *This guideline is met.*

C8. Differentiate the Sidewalk-Level of Buildings. Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

Findings: On all four sides, the sidewalk level of the building is differentiated from the floors above by a different material, as well as floor-to-ceiling windows at both the commercial spaces and the residential units. Along Bond, and the northeast and southeast corners, the ground floor is further differentiated with a nearly continuous line of metal and fabric canopy awnings. *This guideline is met.*

C10. Integrate Encroachments. Size and place encroachments in the public right-of-way to visually and physically enhance the pedestrian environment. Locate permitted skybridges toward the middle of the block, and where they will be physically unobtrusive. Design skybridges to be visually level and transparent.

Findings: The applicant is not proposing any encroachments in the right-of-way. Though the applicant hoped to receive approval to allow the SW Moody stoops in the frontage zone, the appeal was denied and instead, stoops are proposed within the bounds of their property. *This guideline is met.*

C11. Integrate Roofs and Use Rooftops. Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

Findings: The roof of the proposed building will serve multiple purposes, including the location of mechanical units, a boiler room, and a rooftop deck for use by the residents. The rooftop mechanical systems are grouped together to minimize their footprint and are proposed to be screened with a louver screen system.

As suggested at the April 4th hearing, the applicant has developed a program for the rooftop deck, including a fire pit, a grill and sink area, lounging areas, and a dog area. Though there is still a grill and sink area at the ground level courtyard, the newly programmed rooftop will most likely serve as the preferred location for such activities, and will prove to be a destination recreation area for users of the building. *This guideline is met.*

C13. Integrate Signs. Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

C13-1. Coordinate District Signs. Consider the development of a master sign program that integrates the sign system with the development's overall design.

Findings for C13 & C13-1: No signage is shown, though it is worth noting that signage is no longer proposed at the previous locations which caused concern among the Commission, such as the parapet, above horizontal storefront canopies, and above the garage. The applicant has indicated that storefront signage will now be provided with a combination of blade signage and building signage will be located in the area beneath the canopies and above the glass entries. Though the signage will most likely be within the 32 square foot range allowing an exemption from review, the applicant's stated intent for future signage indicates that signage will be integrated with the building's approved architectural vocabulary. *These guidelines are met.*

33.825.040 Modifications That Will Better Meet Design Review Requirements:

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. **Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and
- B. **Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

Modification #1: Loading Space Clearance, PZC 33.266.310.D.b to reduce the 10'-0" clearance requirement to 8'-8" for the two loading spaces in the underground parking garage.

Purpose Statement: A minimum number of loading spaces are required to ensure adequate areas for loading for larger uses and developments. These regulations ensure that the appearance of loading areas will be consistent with that of parking areas. The regulations ensure that access to and from loading facilities will not have a negative effect on the traffic safety or other transportation functions of the abutting right-of-way.

Standard: 33.266.310.D.b, Standard B: The loading space must be at least 18 feet long, 9 feet wide, and have a clearance of 10 feet.

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

Findings: The modification to reduce the required loading space clearance from 10'-0" to 8'-8" will help the proposal better meet the design guidelines, particularly A8, *Contribute to a Vibrant Streetscape* and B2, *Protect the Pedestrian*. By providing the required loading spaces in the underground garage, the applicant ensures a more vibrant streetscape in that the number of curb cuts and vehicular activity at the street level is reduced by consolidating this use with other vehicular uses underground. Reduction of the required clearance to 8'-8" also allows the applicant the opportunity to provide the loading spaces underground without compromising the interaction of the first floor of the building with the adjacent sidewalk, thereby strengthening the streetscape's vibrancy.

- 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: Clearance requirements are created to ensure there is adequate area for loading and unloading. The applicant has provided information stating that the typical 10' moving truck is 8'-7" high from the base of the tire to the top of the truck. A 10-foot truck will accommodate a studio or one-bedroom apartment, which makes up 85% of the proposed building's units. For reference, a 14' truck is 10'-0" high and even with the required minimum clearance met, would not be recommended, as variations in tire pressure could pose a threat to the structure. Staff feels that 8'-8" is adequate clearance for a 10-foot moving truck and finds that the reduce clearance meets the purpose of the standard. *Therefore this Modification merits approval.*

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The proposed 6-story building will serve to fill a void in the urban pattern, as the existing building no longer fits with the neighborhood that has grown up around it. When completed, the proposed building will strengthen the commercial spine of South Waterfront and act as a polite fabric building in the larger context of the neighborhood. The proposed building is one of quality materials and traditional form, complemented with areas for passive outdoor recreation that will activate the interior courtyard, the façades, and the rooftop deck.

DESIGN COMMISSION DECISION

It is the decision of the Design Commission to approve Design Review for the proposed 6-story 184,536 square foot building in the South Waterfront subdistrict of the Central City Plan District, including:

- 199 residential units with landscaped courtyard and rooftop deck;
- 196 underground vehicle parking spaces, accessed from SW Abernethy Street;
- Approximately 1,470 square feet of retail space will be provided at the corner of SW Bond and SW Abernethy with additional active space for use by the residents; and
- Exterior materials to include stucco, brick veneer, burnished block, exposed concrete, wood tongue-and-groove siding, white vinyl windows and doors, bronzed aluminum storefront systems, steel and canvas awnings, painted steel canopies, and painted steel guardrails with wire mesh screens.

1. Approval of the following Modification requests:

1. Reduce the clearance for the proposed loading spaces from the standard 10'-0" to 8'-8" (PZC 33.266.310.D.b).

Approvals per Exhibits C-1 through C-64, signed, stamped, and dated June 6, 2013, subject to the following conditions:

A. As part of the building permit application submittal, the following development-related conditions (B) 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 13-107395 DZM. All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

B. No field changes allowed.

By: 
Gueneveré Millius, Design Commission Chair

Decision Filed: June 7, 2013

Decision Mailed: June 18, 2013

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 January 22, 2013, and was determined to be complete on February 12, 2013.

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 January 22, 2013.

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 requested that the 120-day review period be extended from April 4th to May 16th, then from May 16th to June 6, 2013.

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 July 2, 2013** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor in the Development Services Center until 3 p.m. After 3 p.m. and on Monday, appeals must be submitted to the receptionist at the front desk on the fifth floor. Information and assistance in filing an appeal is available from the Bureau of Development Services in the Development Services Center or the staff planner on this case. You may review the file on this case by appointment at, 1900 SW Fourth Avenue, Suite 5000, Portland, Oregon 97201.

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).

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 City Council on that issue. Also, if you do not raise an issue with enough specificity to give City Council an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

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 \$5,000.00 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 in the Development Services Center, 1900 SW Fourth Ave., First Floor. 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 must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **July 3, 2013**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

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.

Hillary Adam
June 7, 2013

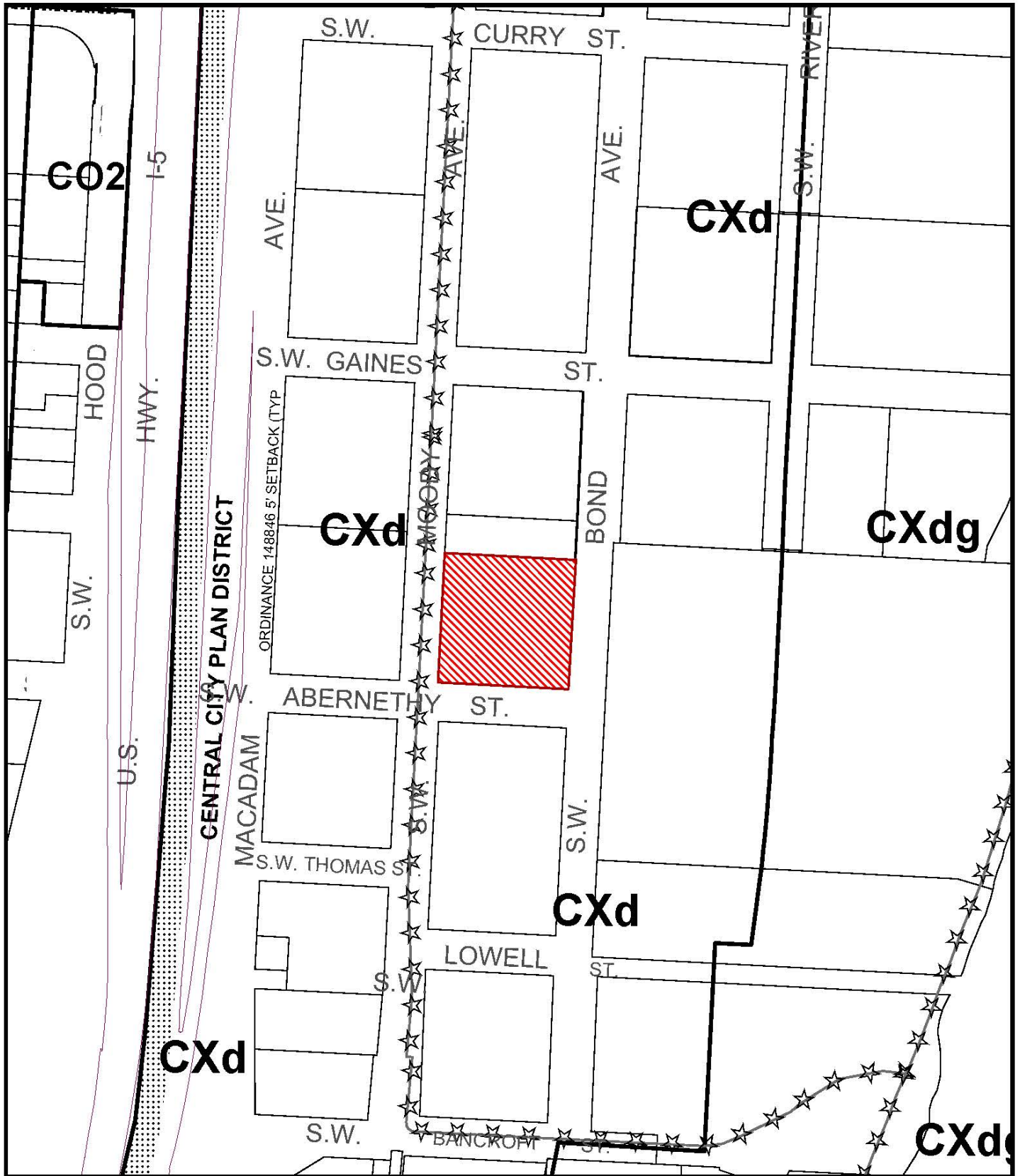
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Original Submittal Statement
 - 2. Applicant's Response Letter for Review for Completeness, dated February, 11, 2013
 - 3. Applicant's Request for Placement of Underground Structure, dated March 5, 2013
 - 4. Applicant's Revocable Encroachment Permit Application
 - 5-56. Original Drawing Set, received January 22, 2013
- B. Zoning Map (attached)
- C. Plans & Drawings
 - 1-64. Approved Drawing Set
- 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. Mailing list
 - 6. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Transportation and Engineering and Development
 - 2. Life Safety Division of BDS
 - 3. Bureau of Environmental Services
 - 4. Site Development Section of BDS
 - 5. Water Bureau
 - 6. Fire Bureau
- F. Letters:
 - 1. Bob Cronk, wrote on February 22, 2013, stating that the square footage of retail space seemed insufficient, given the size of the proposed building.
- G. Other:
 - 1. Original LUR Application (see H-128 for revised LUR application)
 - 2. Request for Completeness Review
 - 3. BES Completeness Response
 - 4. PBOT Completeness Response
 - 5. BES Completeness Response
 - 6. Design Advice Request Summary Memo, dated December 12, 2012
 - 7. Land Use Planner Response to Pre-Application Conference, dated December 12, 2012
 - 8. Staff Report and Recommendation to the Design Commission, dated March 25, 2013
 - 9-71. 1st Hearing – April 4, 2013 Drawing Set, received March 22, 2013
- H. Hearing:
 - 1. Email from Kurt Krueger, April 5, 2013, rejecting appeal to allow stoops in the frontage zone along SW Moody Avenue
 - 2. Request for Extension of 120-Day Review Period with a Continuation Hearing (to May 16, 2013)
 - 3. Letter from Ben Green, Vice President of Asset Management for Cornerstone Real Estate Advisers LLC, wrote on April 24, 2013, clarifying his company's willingness and interest to help Alamo Manhattan establish physical connections to the SW Lane Accessway.
 - 4. Revised Staff Report, dated May 6, 2013
 - 5. Letter from Matt Segrest, President of Alamo Manhattan, dated May 7, 2013 regarding negotiations with Cornerstone Real Estate Advisers.
 - 6. Request for Extension of 120-Day Review Period With a Continuation Hearing (to June 6, 2013)
 - 7-68. 2nd Hearing – May 16, 2013 Drawing Set, received May 3, 2013
 - 69. 2nd Revised Staff Report, dated May 28, 2013
 - 70-127. 3rd Hearing – June 6, 2013 Drawing Set, received May 28, 2013
 - 128. Revised LUR Application, received June 5, 2013
 - 129. 3rd Revised Staff Report, dated June 6, 2013

- 130. PowerPoint – April 4, 2013
- 131. PowerPoint – May 16, 2013

cc: Applicants and Representatives
Neighborhood Associations
Those who testified, orally or in writing



ZONING



This site lies within the:
CENTRAL CITY PLAN DISTRICT
SOUTH WATERFRONT

File No.	<u>LU 13-107395 DZM</u>
1/4 Section	<u>3429,3430</u>
Scale	<u>1 inch = 200 feet</u>
State_id	<u>1S1E10DB 700</u>
Exhibit	<u>B (Jan 22,2013)</u>

RECEIVED
 JUN 5 2013

Block 43
 ALAMO MANHATTAN
 PORTLAND, OREGON

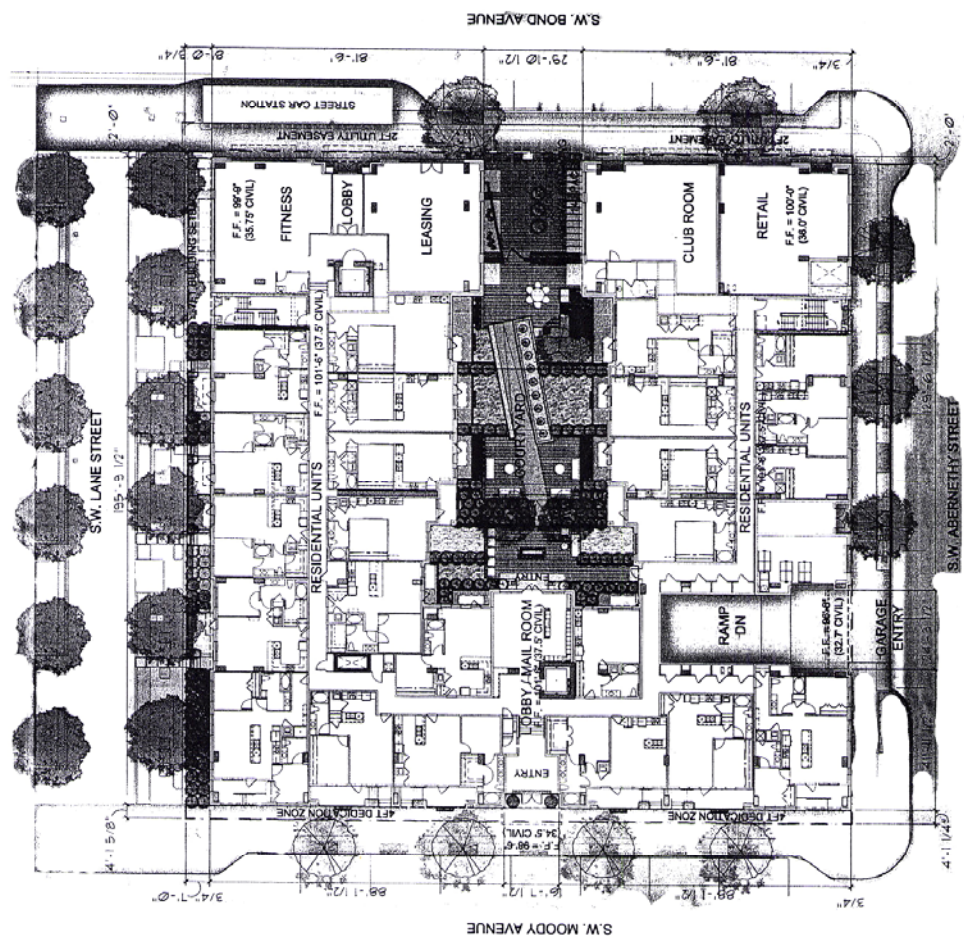
Hensley Lamkin Rachel, Inc.
 ARCHITECTURE AND PLANNING
 14401 QUINCY DRIVE
 DALLAS, TEXAS 75244
 PHONE 972.726.9400
 FAX 972.726.9401



City of Portland
 Bureau of Development Services
 Approved*
 City of Portland
 Planner: *[Signature]*
 Date: 6/11/13

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

SITE PLAN
 SCALE: 1/8" = 1'-0"



Ex C-9

Block 43

ALAMO MANHATTAN
PORTLAND, OREGON

Hensley Lamkin Rachel, Inc.
ARCHITECTURE AND PLANNING
18411 QUINCY DRIVE
DALLAS, TEXAS 75248
PH 972 726-9400
FAX 972 726-9401



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PROJECT NAME: _____
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CHECKED BY: _____
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PLANT AT SCALE: _____
CONSTRUCTION AT SCALE: _____

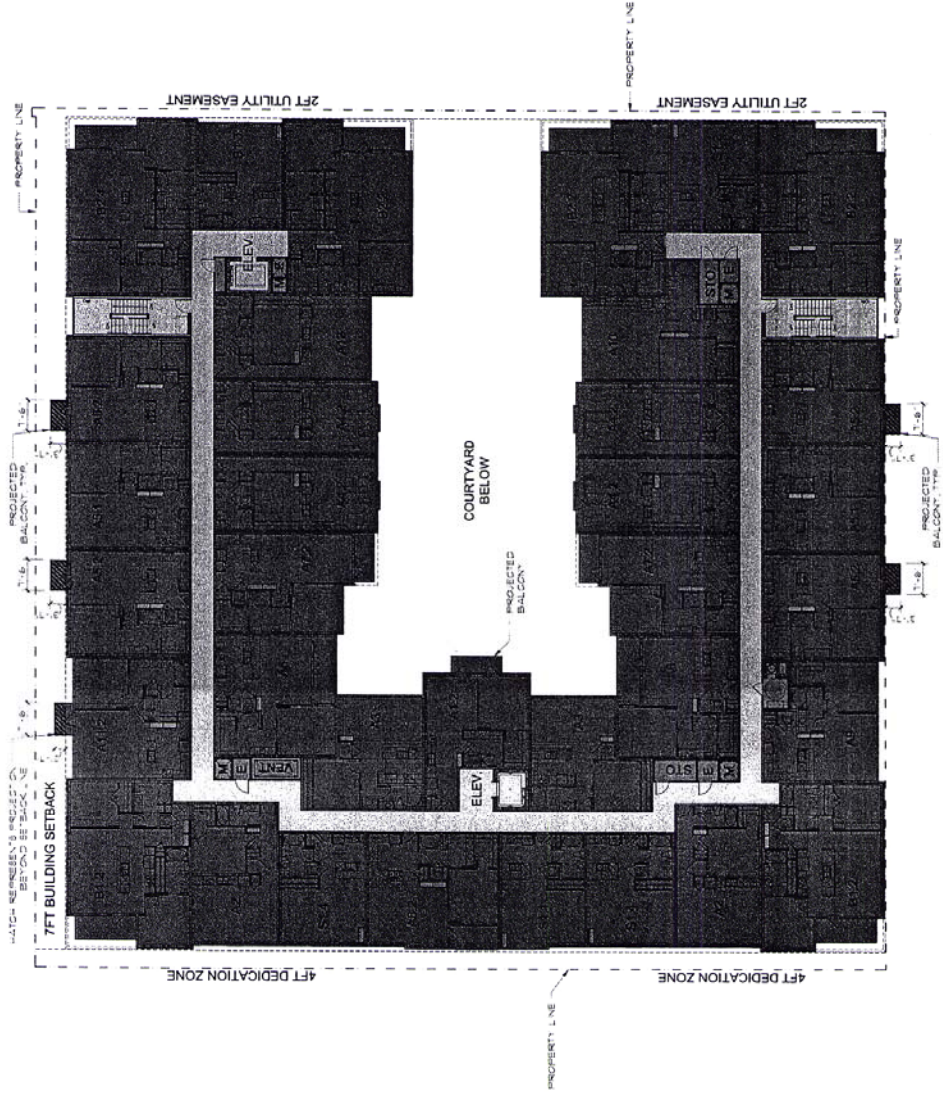
EXTENSIONS
REVISION A: 05/20/11
REVISION B: 05/20/11
REVISION C: 05/20/11
REVISION D: 05/20/11

12260
A2.5
FLOOR PLAN
UNIT LEVEL 3-5 (TYP.)
V-01-08-13

PROGRAM LEGEND	
	UNITS
	BICYCLE STORAGE IN UNITS
	AMENITIES
	COMMON
	RETAIL
	PARKING
	PROJECTIONS BEYOND PROPERTY LINE

Approved
City of Portland
Bureau of Development Services
Planner *J. Hagan*
Date *6/1/13*

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

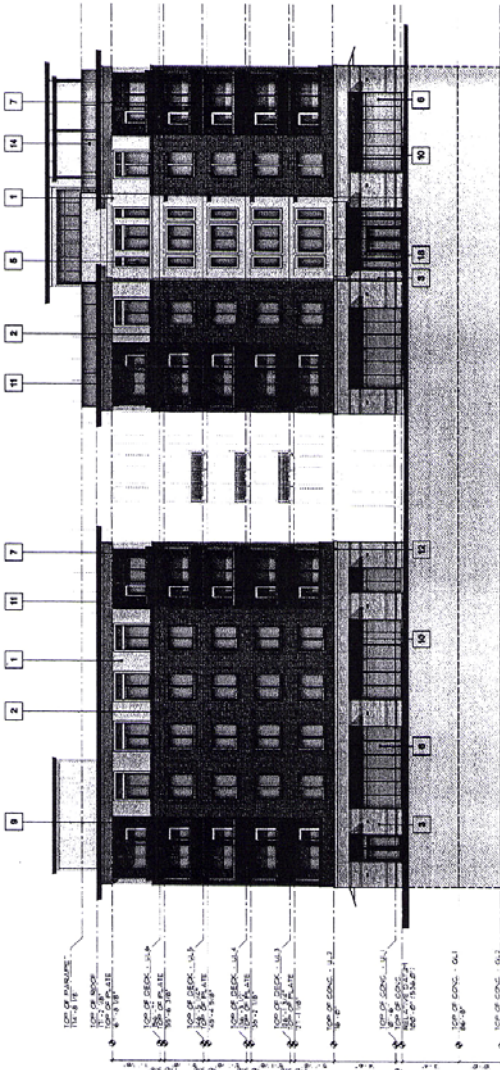


FLOOR PLAN UNIT LEVELS 3-5 (TYP.)
SCALE: 1/8" = 1'-0"

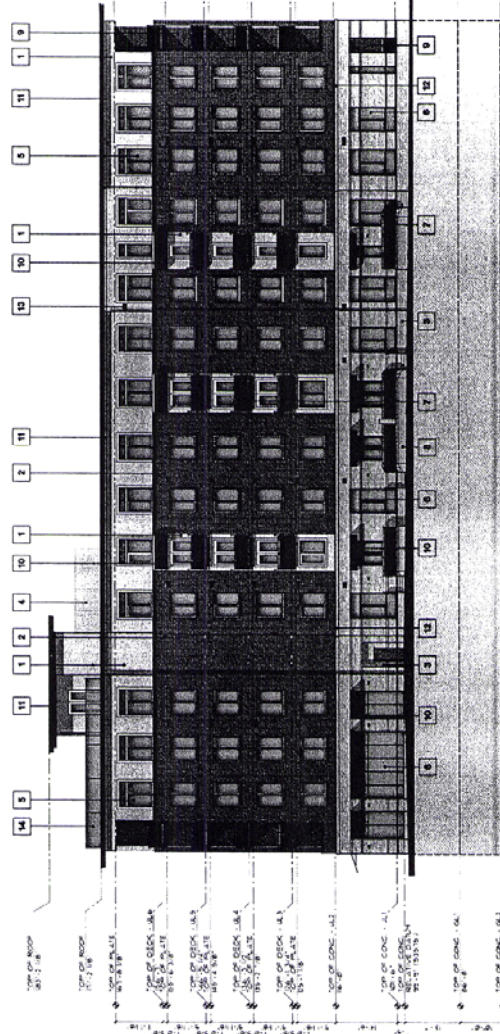
Ex C-21

RECEIVED

JUN 5 2013



02 EAST ELEVATION S.W. BOND
SCALE: 1/8" = 1'-0"



01 NORTH ELEVATION S.W. LANE
SCALE: 1/8" = 1'-0"

ELEVATION LEGEND

1	STUCCO FINISH SYSTEM
2	WAX FINISH
3	BRASS BLOCK
4	METALLIC SCREEN
5	HIGH GLOSS VENEER VISION
6	STAINLESS STEEL
7	PAINTED STEEL EXTERIOR SYSTEM
8	CONCRETE WITH EXPOSED AGGREGATE
9	TRIPLE AND DOUBLE GLAZED ALUMINUM WINDOW PANELS WITH FINISCH COVER
10	PAINTED STEEL CANOPY WITH FINISCH COVER
11	PAINTED BRASS FINISH
12	CAST STONE COP
13	METALLIC VERT GRILL
14	GLASS BALCONY SYSTEM
15	DIRTY HANDSET
16	ROLL UP GARAGE CURT
17	ROLL UP GLAZED DOOR
18	GLASS AND STEEL SLUMP SYSTEM
19	

Block 43
ALAMO MANHATTAN
PORTLAND, OREGON

Hensley Lamkin Rachel, Inc.
ARCHITECTURE AND PLANNING
SUITE 550
7524
PH 972 726-9400
FAX 972 726-9401



BY: HENSLY LAMKIN RACHEL, INC.
PROJECT NO.: 10
DRAWN BY: LS
CHECKED BY: ---
SCALE: 1/8" = 1'-0"
DATE: 6/11/13
CONSTRUCTION SET DATE: ---
ELEVATION: ---
ELEVATION NO.: 02260

12260
A3.1
ELEVATION
V-01-08-13

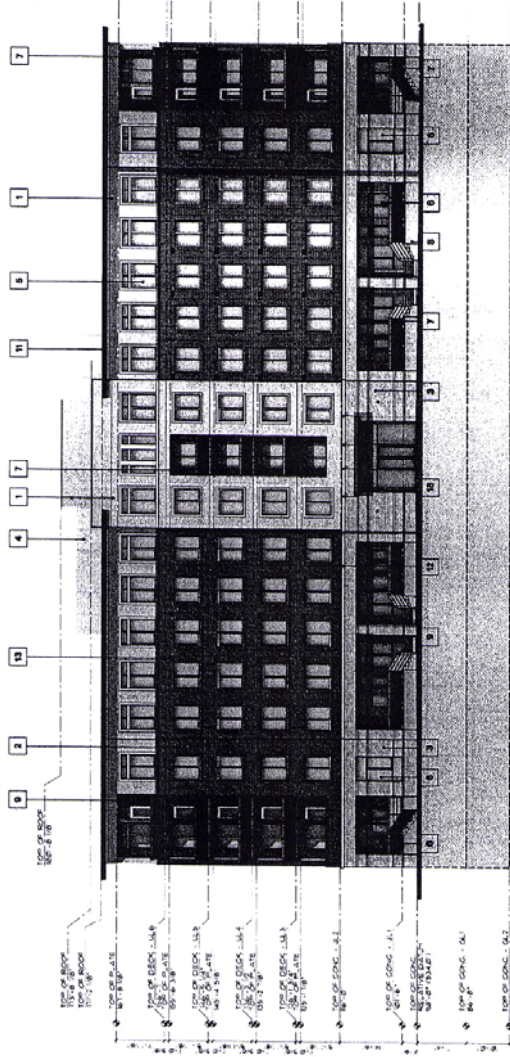
Approved
City of Portland
Bureau of Development Services
Planner: *J. Kaplan*
Date: *6/11/13*

This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

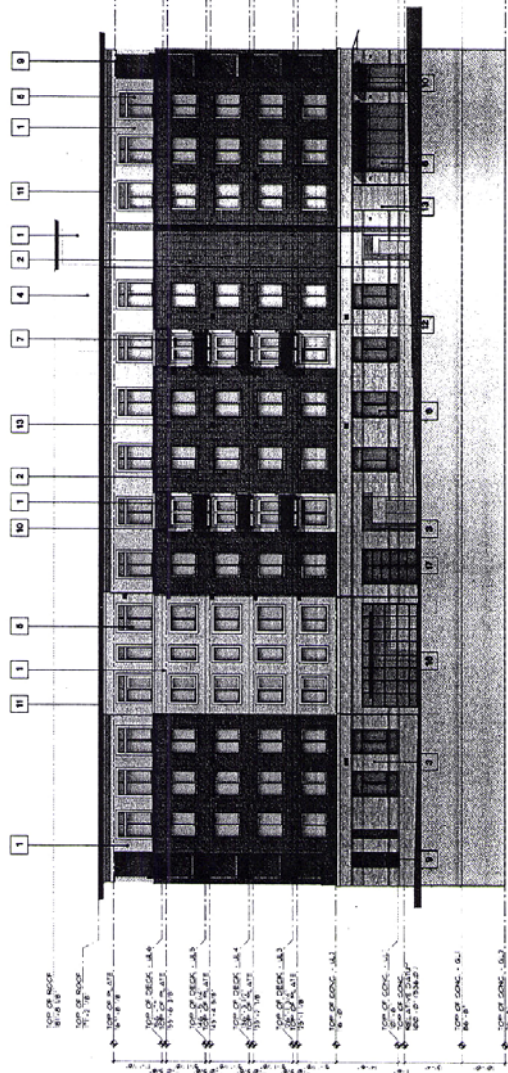
Ex C-23

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JUN 5 2013



02 WEST ELEVATION S.W. MOODY
SCALE: 1/8" = 1'-0"



01 SOUTH ELEVATION S.W. ABERNETHY
SCALE: 1/8" = 1'-0"

Ex C-24

ALAMO MANHATTAN
PORTLAND, OREGON
Block 43

Hensley Lamkin Rachel, Inc.
ARCHITECTURE AND PLANNING
SUITE 500
1441 QUOKUM DRIVE
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PH: 972-728-9408
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PROJECT NO.:
DRAWN BY:
CHECKED BY:
DATE:
PROJECT SET NAME:
CONTRACT NO. OR FILE NO.:

CONTRACT NO. OR FILE NO.:
REVISED BY:
DATE:

12260
A3.2
ELEVATION

Y-01-08-13

Approved
City of Portland
Bureau of Development Services
Planner: *[Signature]*
Date: *6/14/13*
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.