

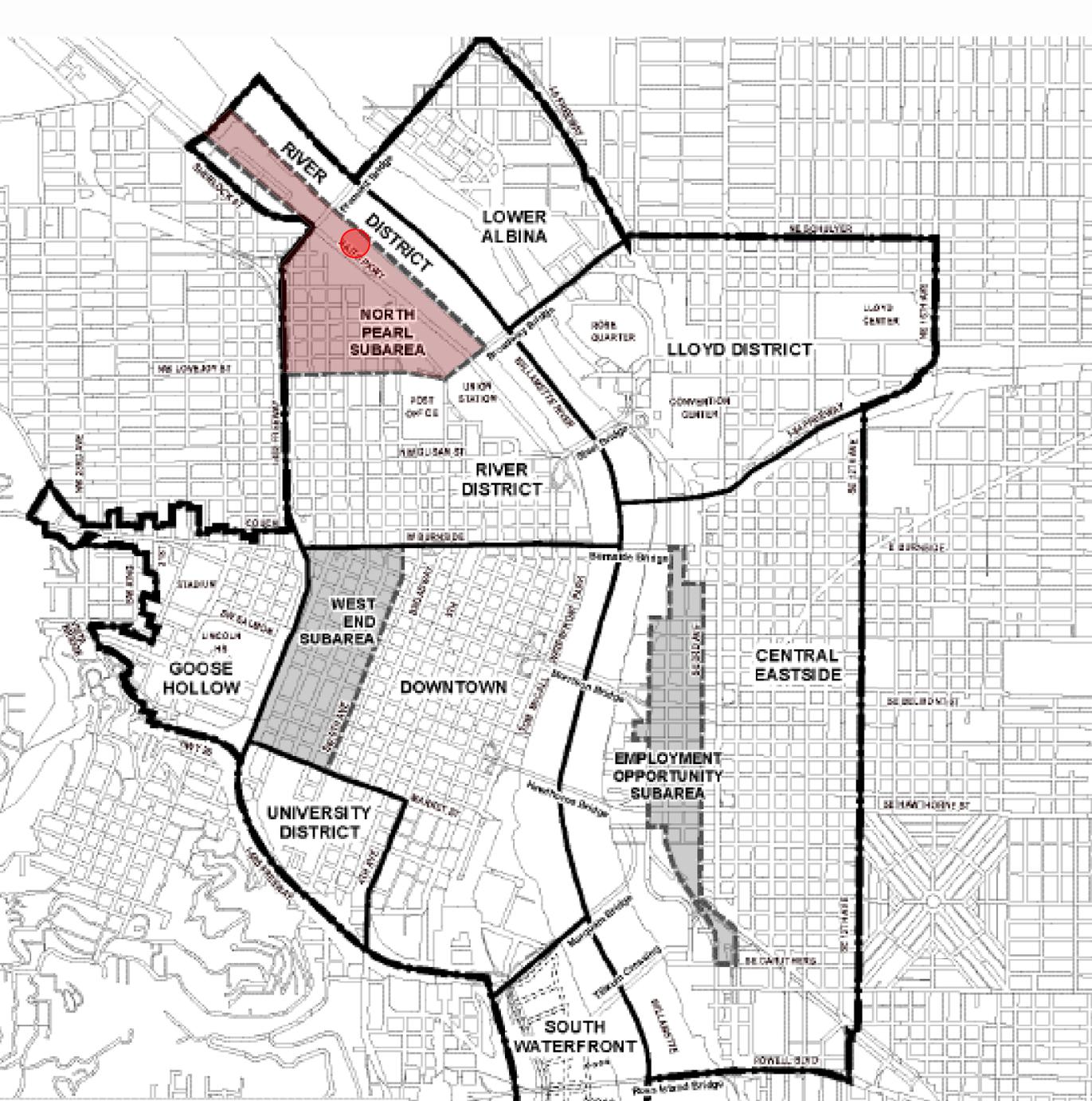
CITY OF PORTLAND, OREGON



Staff Presentation to the  
**Portland City Council**

**LU 16-278621 DZM GW**  
**Fremont Apartments**

February 21, 2018



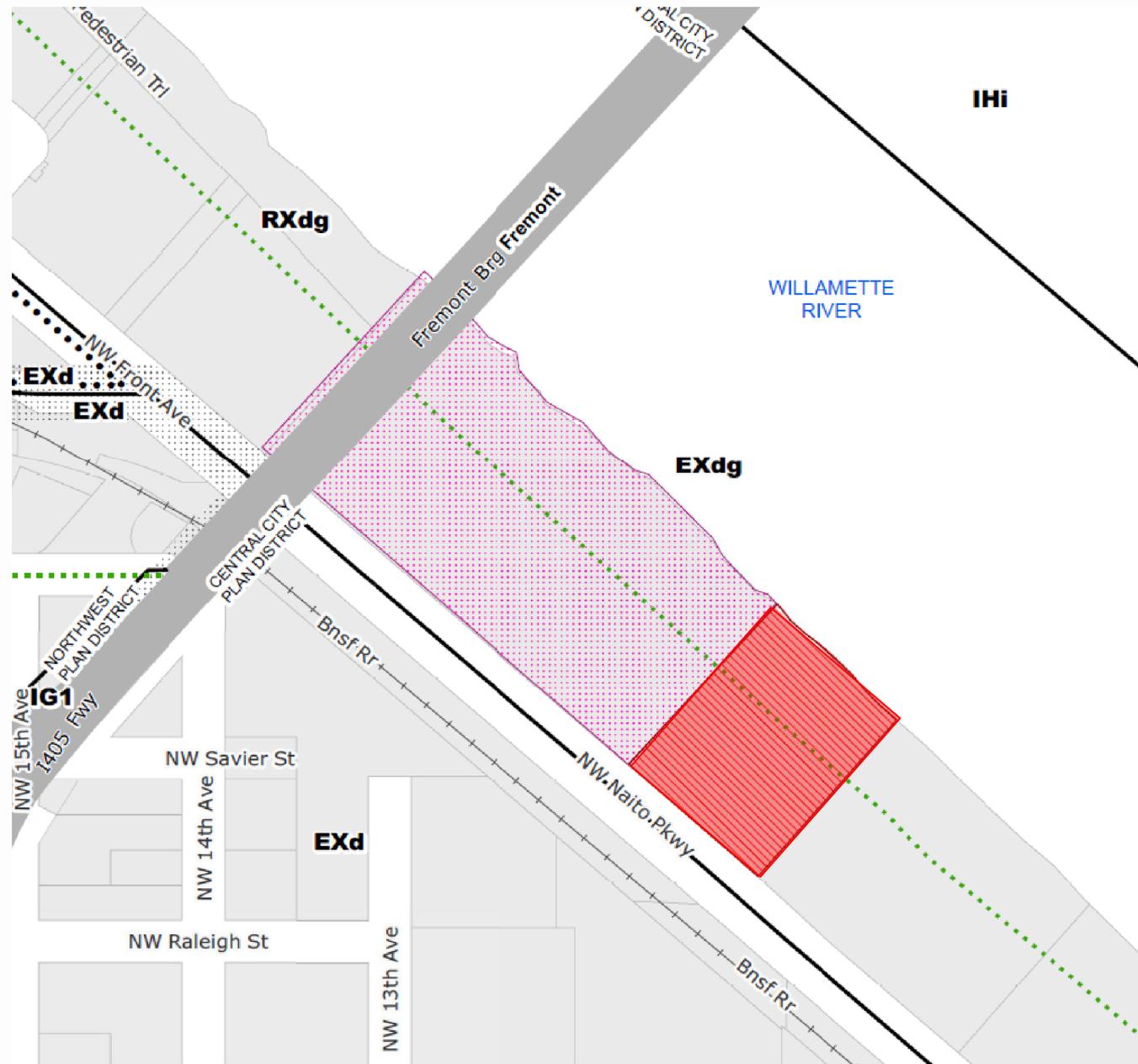
## CONTEXT

Central City Plan District  
 River District Subdistrict  
 North Pearl Subarea

### Zoning

EX – Central Employment  
 d – Design Overlay  
 g – Greenway Overlay



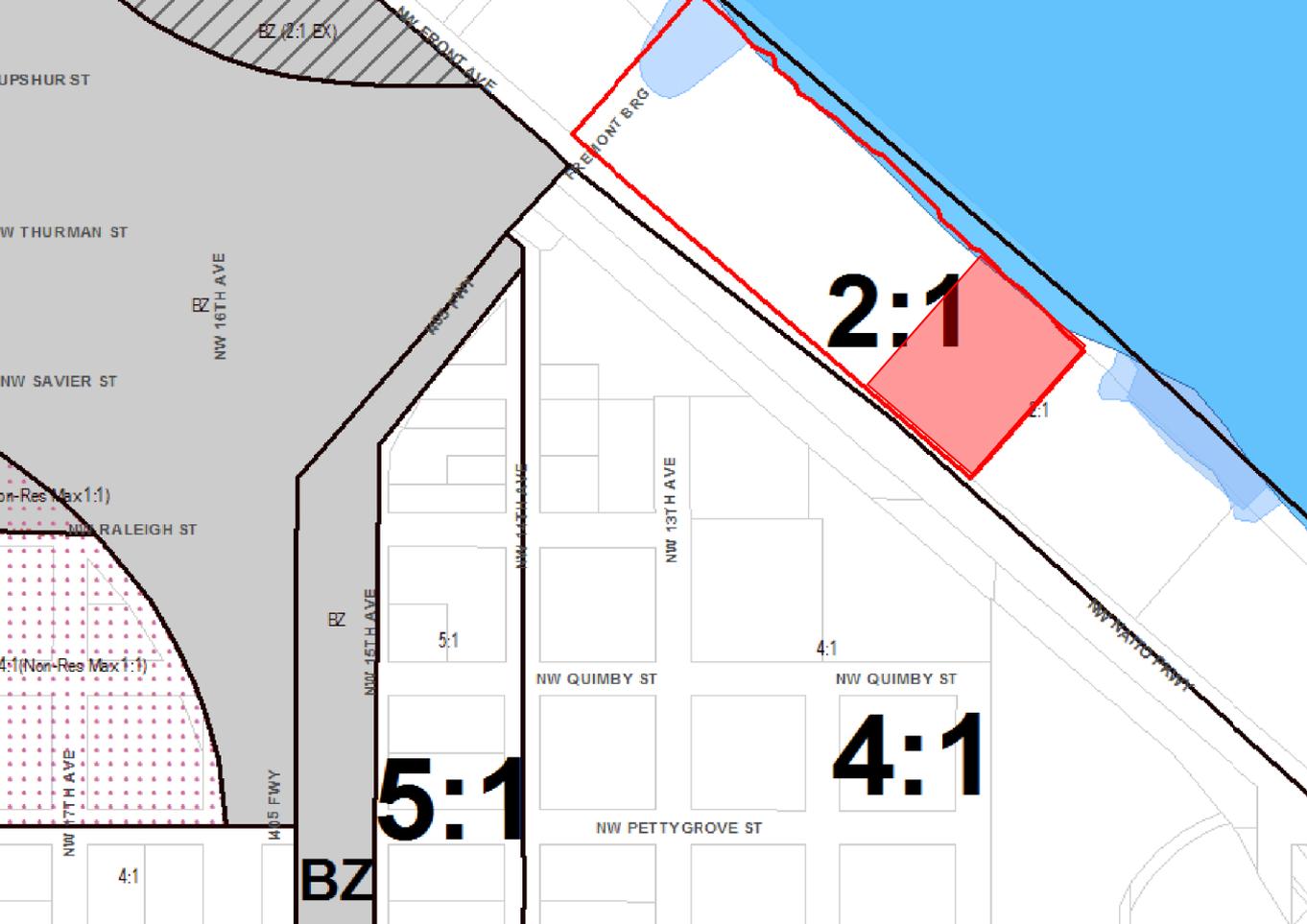


# CONTEXT

**Central City Plan District**  
 River District Subdistrict  
 North Pearl Subarea

**Zoning - EXdg**  
 EX – Central Employment  
 d – Design Overlay  
 g – Greenway Overlay





## CONTEXT

Central City Plan District  
 River District Subdistrict  
 North Pearl Subarea

### Zoning - EXdg

EX – Central Employment  
 d – Design Overlay  
 g – Greenway Overlay

### Floor Area Ratio

**Base FAR - 2:1 max**

**Additional 3:1 bonus FAR may be earned = 5:1 max total FAR possible**

**Bonuses Earned = 2.72:1**

Residential Bonus = 2:1

Locker Room Bonus = 0.21:1

Eco-roof Bonus = .51:1

**Total Proposed FAR = 4.26:1 out of 4.72:1 available**









## CONTEXT - Site

### Site Location

NW Naito Pkwy  
 River & Greenway trail  
 Fremont Bridge

### Site Area

72,080 SF

### Site Disposition

Essentially flat

### Existing Condition

Surface parking  
 Improved GW trail

### Street Designation

NW Naito Pkwy— *City Bikeway, Major Emergency Response, City Walkway, Traffic Access Street, Transit Access Street*

### Pedestrian District

Northwest Triangle Ped District





## CONTEXT - Site

### Site Location

NW Naito Pkwy  
River & Greenway trail  
Fremont Bridge

### Site Area

72,080 SF

### Site Disposition

Essentially flat

### Existing Condition

Surface parking  
Improved GW trail

Google earth  
Image Landsat / Copernicus





## PROPOSAL

### Project

17-story residential mixed-use

Retail (approx. 6,600 SF) on  
Ground Floor

Residential (275 units) on Floors  
2-17

152 parking spaces – on ground  
floor and in basement

60-foot wide plaza/view  
corridor

Greenway trail



**Design Commission voted 3 : 1 for approval.**



## **PROPOSAL**

### **Project**

17-story residential mixed-use

Retail (approx. 6,600 SF) on  
Ground Floor

Residential (275 units) on Floors  
2-17

152 parking spaces – on ground  
floor and in basement

60-foot wide plaza/view  
corridor

Greenway trail

**Design Commission Decision**



## Central City Fundamental Design Guidelines

- **A2** – Emphasize Portland Themes
- **A4** – Use Unifying Elements
- **B5** – Make Plazas, Parks, and Open Space Successful
- **C4** – Complement the Context of Existing Buildings
- **C5** – Design for Coherency

## River District Design Guidelines

- **A3-1** – Provide Convenient Pedestrian Linkages
- **A5-1-1** – Reinforce the Identity of the Pearl District Neighborhood
- **A5-1-5** – Reinforce the Identity of the Waterfront Area
- **A5-3** – Incorporate Water Features
- **A5-4** – Incorporate Works of Art

## Willamette River Design Guidelines

- **Issue A, Guideline 1** – Structure Design
- **Issue A, Guideline 2** – Structure Alignment
- **Issue B, Guideline 1** – Public Access

## APPEAL

### Reasons for Appeal

Criteria Not Met



## Modification Requests

1. **33.140.210.B.2** – Height
2. **33.266.220.C.3.b** – Standards for all bicycle parking, Bicycle racks
3. **33.510.205.H.2** – North Pearl Subarea height opportunity area
4. **33.510.251.C.3** – Required open area development standards, Shadow standard
5. **33.510.251.D.3.b & c** – North Pearl Subarea waterfront development standards:
  - b. Setbacks for all development from the Willamette River
  - c. Maximum building dimension
7. **266.130.G.2.e** – Parking Area, Setbacks

## Zoning Code Interpretations

- **33.510.210.C** – Bonus Floor Area
- **33.510.210.C.8** – Locker Room Bonus
- **33.825.040** – Modifications That Will Better Meet Design Review Requirements
- **33.930.025** – Measuring Development Standards

## APPEAL

### Reasons for Appeal

Criteria Not Met

Modification Requests

Zoning Code Interpretations



**A2** – Emphasize Portland Themes

**C4** – Complement the Context of Existing Buildings

**A3-1** – Provide Convenient Pedestrian Linkages

**A5-1-1** – Reinforce the Identity of the Pearl District Neighborhood

**A5-1-5** – Reinforce the Identity of the Waterfront Area

**A5-3** – Incorporate Water Features

**A5-4** – Incorporate Works of Art

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### Final Findings & Decision Summary

- Supports Willamette River and Greenway trail
- Massing concept takes view of the Fremont Bridge into account
- Similar scale and massing as other development in North Pearl
- Building and site design and programming



## APPEAL – BDS Response

### CCFDGs & River Dist. DGs

A2

A4

B5

C4

C5

A3-1

A5-1-1

A5-1-5

A5-3

A5-4









## 33.825.040, Modifications That Will Better Meet Design Review Requirements

“The review body may consider modification of site-related development standards...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.**”

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.

## APPEAL – BDS Response

### Modifications

### 33.825.040 – Modifications That Will Better Meet Design Review Requirements



**33.140.210.B.2 – Height.** To allow rooftop mechanical equipment and screening which extends above the height limit of 175’ (per the North Pearl Subarea height opportunity area standards) to be located closer than 15’ to the roof edges on street-facing facades and to cover more than 10% of the roof area. The proposed mechanical screen will enclose 73% of the tower roof area and will extend up to the parapet of the tower in some locations.

### Final Findings & Decision (p 34)

- **Mechanical equipment screen** cladding integrates into the tower massing, using the same dark-colored composite metal, better meeting C5 – Design for Coherency and C11 – Integrate Roofs and Use Rooftops.



## APPEAL – BDS Response

### Modifications

1. Height
2. Bicycle Racks
3. North Pearl Subarea height opportunity area
4. Required open area development standards, Shadow standard
5. North Pearl Subarea waterfront development standards: b. Setbacks; c. Maximum building dimension
7. Parking area setbacks



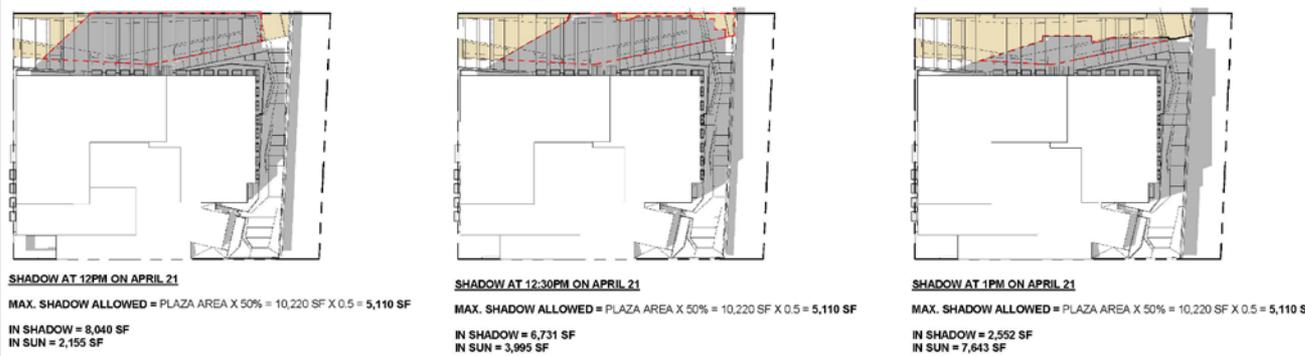




**33.510.251.C.3 – Required open area development standards, Shadow standard:** To allow more than 50% of the plaza area on the north side of the site to be covered by shadows at noon on April 21<sup>st</sup>; approximately 84% will be shaded.

**Final Findings & Decision (pp 38 & 39)**

- **Plaza width and location between existing office building and the proposed building** approximate a standard right-of-way in the Pearl District and reflects the emerging development pattern in the North Pearl waterfront area, better meeting guidelines A5 – Enhance, Embellish, and Identify Areas, A5-1-1 – Reinforce the Identity of the Pearl District Neighborhood, A5-1-5 – Reinforce the Identity of the Waterfront Area.
- **Views to the river are also preserved**, better meeting Guidelines A1-1 – Link the River to the Community, C1 – Enhance View Opportunities, and C1-1 – Increase River View Opportunities.



**APPEAL – BDS Response**

**Modifications**

1. Height
2. Bicycle Racks
3. North Pearl Subarea height opportunity area
4. Required open area development standards, Shadow standard
5. North Pearl Subarea waterfront development standards: b. Setbacks; c. Maximum building dimension
7. Parking area setbacks



### 33.510.251.D.3.b & c – North Pearl Subarea waterfront development

**standards:** To allow portions of the building over 35' in height to extend into the setback area and to allow the building dimension perpendicular to the river to be 230'-9".

#### Final Findings & Decision (pp 39 & 40)

- **Better views of the Fremont Bridge** are provided by shifting massing to the tower and extending into the setback, better meeting guidelines A2 – Emphasize Portland Themes, A5 – Enhance, Embellish, and Identify Areas, & A5-1-1 – Reinforce the Identity of the Pearl District Neighborhood.
- **Larger areas of planted rooftop** closer to the Greenway trail with lower podium heights, better meeting Guidelines A5-1-5 – Reinforce the Identity of the Waterfront Area and C11 – Integrate Roofs and Use Rooftops.



## APPEAL – BDS Response

### Modifications

1. Height
2. Bicycle Racks
3. North Pearl Subarea height opportunity area
4. Required open area development standards, Shadow standard
5. North Pearl Subarea waterfront development standards: b. Setbacks; c. Maximum building dimension
7. Parking area setbacks

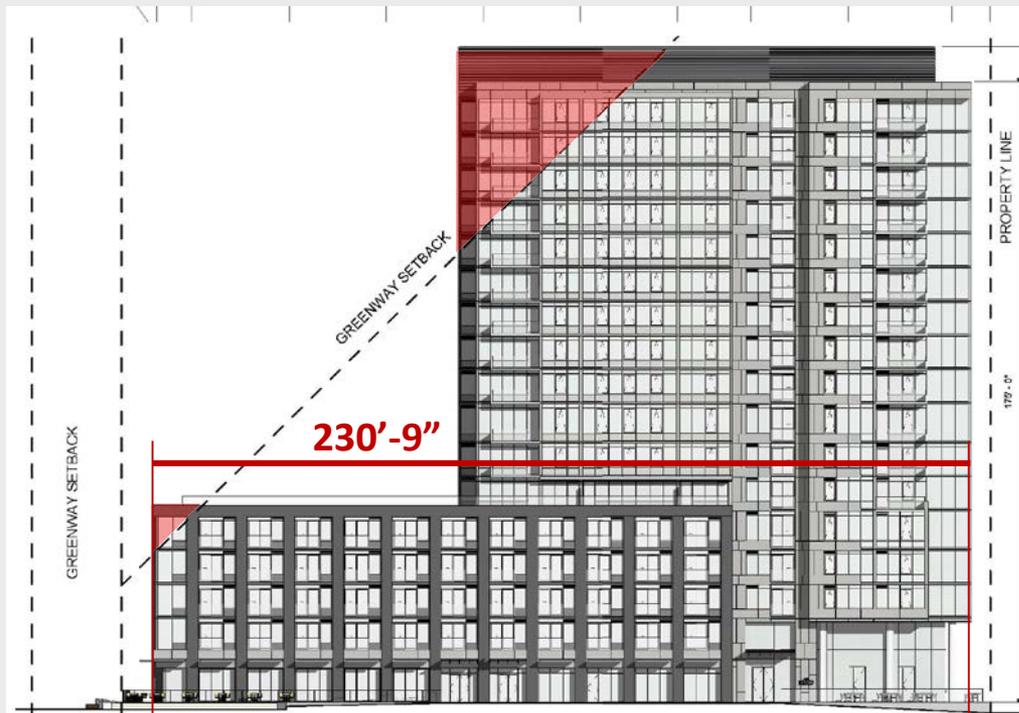


### 33.510.251.D.3.b & c – North Pearl Subarea waterfront development

**standards:** To allow portions of the building over 35' in height to extend into the setback area and to allow the building dimension perpendicular to the river to be 230'-9".

#### Final Findings & Decision (pp 39 & 40)

- **Allowing the building to be longer perpendicular to the river results in a narrower building parallel to it**, better meeting guidelines that aim for better connections to the river and Greenway trail, such as A1-1 – Link the River to the Community, A2- Emphasize Portland Themes, A5-1-5 – Reinforce the Identity of the Waterfront Area, B5 – Make Plazas, Parks, and Open Space Successful, C1 – Enhance View Opportunities, and C1-1 – Increase River View Opportunities.



## APPEAL – BDS Response

### Modifications

1. Height
2. Bicycle Racks
3. North Pearl Subarea height opportunity area
4. Required open area development standards, Shadow standard
5. North Pearl Subarea waterfront development standards: b. Setbacks; c. Maximum building dimension
7. Parking area setbacks



**33.266.130.G.2.c – [Parking area] Setbacks:** To allow the required landscape setback between the south lot line and the driveway to be 2' wide and screened with a 3-foot tall concrete wall for a portion of its length, and with 3-foot tall evergreen shrubs for the remainder.

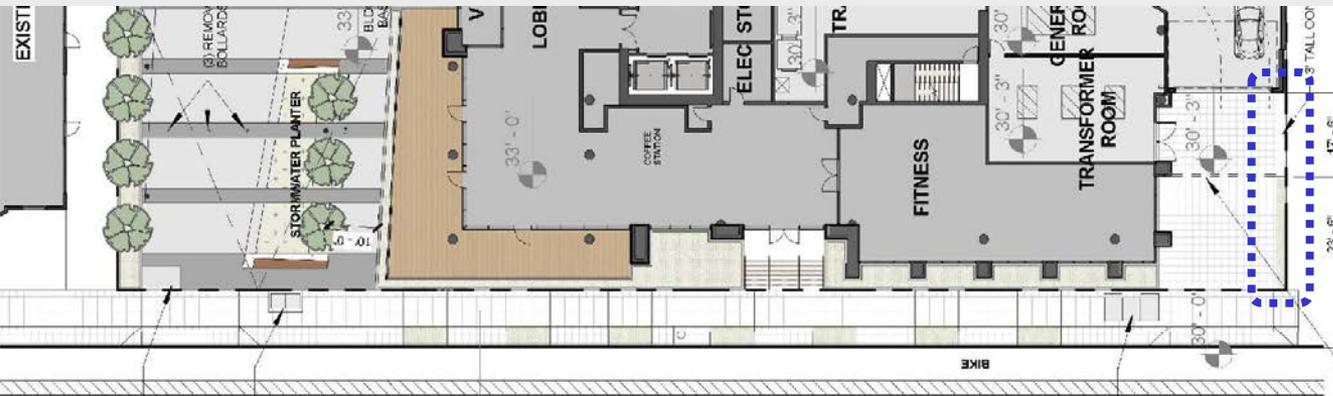
### Final Findings & Decision (p 42)

- **Ground floor along NW Naito programmed with either active ground floor uses within the building or devoted to pedestrian-oriented open space,** better meeting Guidelines A7 – Establish and Maintain a Sense of Urban Enclosure and C8 – Contribute to a Vibrant Streetscape.

## APPEAL – BDS Response

### Modifications

1. Height
2. Bicycle Racks
3. North Pearl Subarea height opportunity area
4. Required open area development standards, Shadow standard
5. North Pearl Subarea waterfront development standards: b. Setbacks; c. Maximum building dimension
7. Parking area setbacks



# APPEAL – BDS Response

## Zoning Code Interpretations

**33.510.210.C** – Bonus Floor Area Options

**33.510.210.C.8** – Locker Room Bonus Option

**33.930.025** – Measuring Development Standards







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End of staff presentation



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**Additional Slides, if Needed**



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Bureau of Development Services

## Code Interpretations

## 33.510.210.C – Bonus floor area options

“Additional development potential in the form of floor area is **earned** for a project when the project includes any of the specified features listed... The bonus floor area amounts are additions to the maximum floor area ratios shown...”

The standard does not give discretion for the Design Commission to approve or deny bonus floor area.

The Design Commission’s discretionary authority applies only to the design and massing of the floor area earned vis a vis the approval criteria.

## APPEAL – BDS Response

### Zoning Code Interpretations

**33.510.210.C** – Bonus Floor Area Options

33.510.210.C.8 – Locker Room Bonus Option

33.930.025 – Measuring Development Standards



## 33.510.210.C.8 – Locker Room Bonus Option

“To encourage bicycling, projects in the CX and EX zones outside of the South Waterfront Subdistrict that provide locker room facilities and extra long-term bicycle parking receive bonus floor area.

For each square foot of area developed and committed to locker room facilities, a bonus of 40 square feet of additional floor area is earned. To qualify for the bonus, the following must be met:

- The locker room facility must include showers, a dressing area, and lockers;
- All tenants of the building must be able to use the locker room facility; and
- At least 110 percent of the required long-term bicycle parking for the site must be provided and must meet the standards of 33.266.220.B., Long-term Bicycle Parking.”

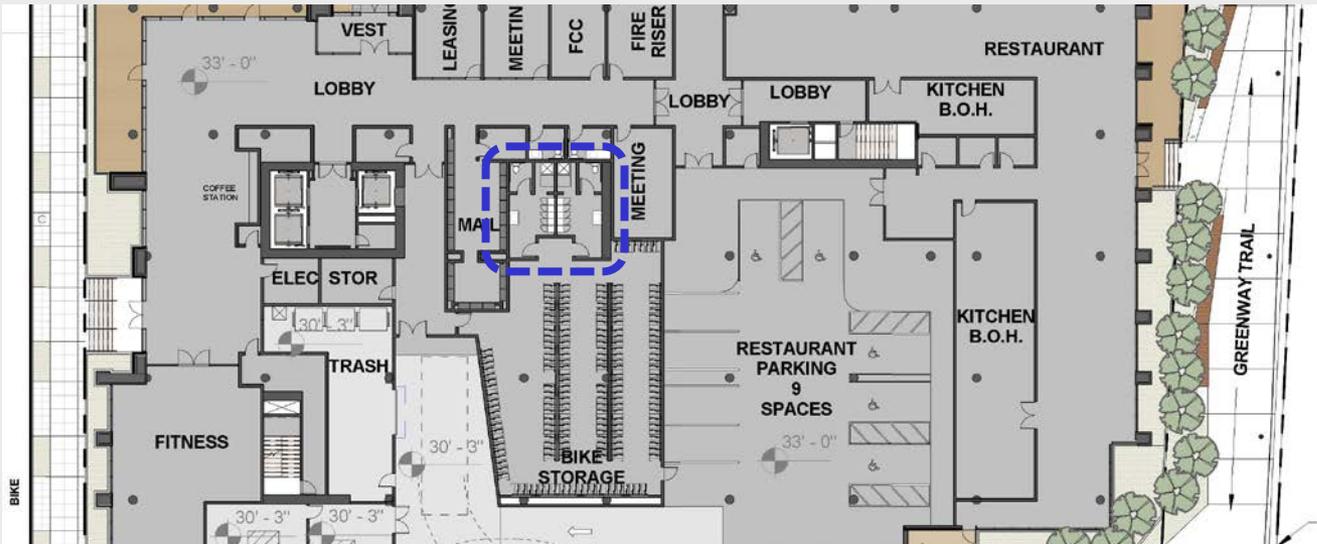
## APPEAL – BDS Response

### Zoning Code Interpretations

33.510.210.C – Bonus Floor Area Options

**33.510.210.C.8 – Locker Room Bonus**

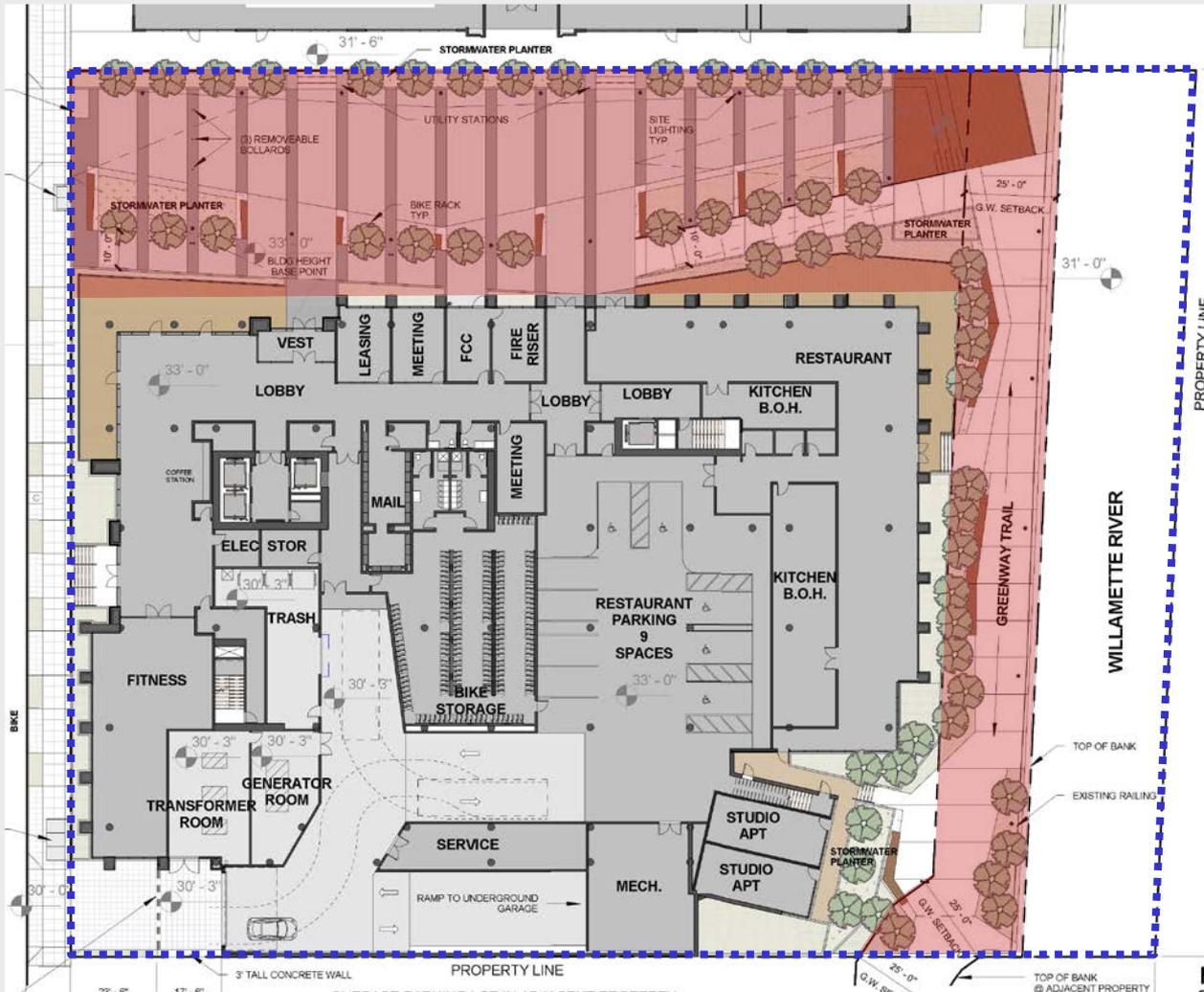
33.930.025 – Measuring Development Standards



# 33.930.025 – Measuring Development Standards

Added to Title 33 on March 31, 2017.

Land use application for this case was submitted on November 28, 2016, so this section of code does not apply. If it did apply, it would also not change the area of the site.



# APPEAL – BDS Response

## Zoning Code Interpretations

33.510.210.C – Bonus Floor Area Options

33.510.210.C.8 – Locker Room Bonus

33.930.025 – Measuring Development Standards





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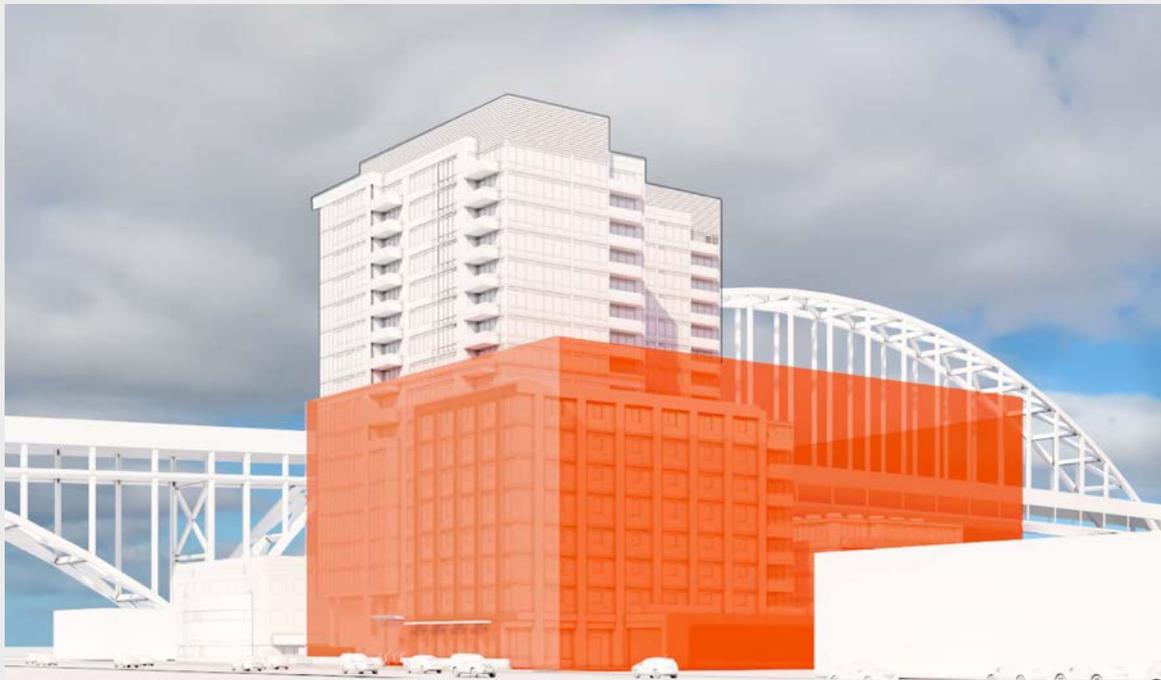
## Guidelines

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

**Final Findings & Decision (pp 17 & 18)**

Two Portland themes unique to the North Pearl waterfront area are integrated into the overall design concept of the proposed development:

- **The Willamette River.** Proposed development supports the river and Greenway trail.
- **The Fremont Bridge.** The applicants demonstrated that building to the base height limit could also block the view of the Fremont Bridge from The Fields Park. The building’s massing concept takes the bridge view from the park into account, and shifts much of the mass to the north, opening the bridge view back up to The Fields Park.



**APPEAL – BDS Response**

**CCFDGs & River Dist. DGs**

A2

A4

B5

C4

C5

A3-1

A5-1-1

A5-1-5

A5-3

A5-4



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

### Final Findings & Decision (p 19)

The following elements and features help to unify and connect individual buildings in the North Pearl Subarea and North Pearl waterfront areas:

- **Series of storefront windows** along NW Naito, plaza, and the Greenway.
- **Landscaping elements & light fixtures** in public plaza/open space.
- **Reconstructing and shifting Greenway trail** closer to the river.

## APPEAL – BDS Response

### CCFDGs & River Dist. DGs

A2

A4

B5

C4

C5

A3-1

A5-1-1

A5-1-5

A5-3

A5-4





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

**A5-1-1 – Reinforce the Identity of the Pearl District Neighborhood.** This guideline may be accomplished by:

- Recognizing the urban warehouse character of the Pearl District when altering existing buildings and when designing new ones.
- Recognizing the urban warehouse character of the Pearl District within the design of the site and open spaces.
- Designing buildings which provide a unified, monolithic tripartite composition (base/middle/top), with distinct cornice lines to acknowledge the historic building fabric.
- Adding buildings which diversify the architectural language and palette of materials.
- Celebrating and encouraging the concentration of art and art galleries and studios with design features that contribute to the Pearl District’s “arts” ambiance. Consider features that provide connectivity and continuity such as awnings, street banners, special graphics, and streetscape color coordination, which link shops, galleries, entrances, display windows and buildings. Active ground level retail that opens onto and/or uses the sidewalk can contribute to the attraction of the “arts” concentration.

**A5-1-5 – Reinforce the Identity of the Waterfront Area.**

## APPEAL – BDS Response

### CCFDGs & River Dist. DGs

A2

A4

B5

C4

C5

A3-1

A5-1-1

A5-1-5

A5-3

A5-4



## C4 – Complement the Context of Existing Buildings.

### A5-1-1 – Reinforce the Identity of the Pearl District Neighborhood.

**A5-1-5 – Reinforce the Identity of the Waterfront Area** with design solutions that contribute to the character of the waterfront and acknowledge its heritage. This guideline may be accomplished by:

- Recognizing the area’s industrial history by incorporating remnants of maritime and rail infrastructure and/or providing docking facilities for a cruise line.
- Orienting buildings toward the waterfront and adjacent parks and trails.
- Integrating an active mix of uses along the waterfront and making development open and accessible in order to maintain the publicness of the greenway.

## APPEAL – BDS Response

### CCFDGs & River Dist. DGs

A2

A4

B5

C4

C5

A3-1

A5-1-1

A5-1-5

A5-3

A5-4



## C4 – Complement the Context of Existing Buildings.

## A5-1-1 – Reinforce the Identity of the Pearl District Neighborhood.

## A5-1-5 – Reinforce the Identity of the Waterfront Area.

### Final Findings & Decision (pp 20 & 21)

The proposed building complements the context its area and reflects the local character of the Pearl District and the waterfront area by incorporating the following features:

- **Scale and massing pattern of other tall buildings in the North Pearl** – including The Wyatt and The Asa, which incorporate a similar podium base and “L”-shaped tower massing.
- **Podium massing references scale of historic buildings** – Albers Mill, portions of Centennial Mill, recent five- and six-story development across railroad.
- **Design elements** – large areas of glazing on all sides, balconies, roof decks, active ground floor spaces, large open space. Many of these elements are oriented to the river.
- **Materials and composition** – well-integrated palette and composition.
- **Private open areas along Greenway are limited at ground level** – deck, studio patios.



## APPEAL – BDS Response

### CCFDGs & River Dist. DGs

A2

A4

B5

C4

C5

A3-1

A5-1-1

A5-1-5

A5-3

A5-4



**A3-1 – Provide Convenient Pedestrian Linkages.** Provide convenient linkages throughout the River District that facilitate movement for pedestrians to and from the river, and to and from adjacent neighborhoods. This guideline may be accomplished by:

- Using visual and physical cues within the design of the building and building entries to express connections to the river and to adjacent neighborhoods.
- Orienting integrated open spaces and trails that physically and visually link the river and/or surrounding neighborhoods.
- Reusing or retaining cobblestone within the design of new development.
- Encouraging flexibility and creativity along streets enhancing their historic or cultural role.
- Creating visual and physical links across major corridors such as I-405, Burnside, and Front/Naito to strengthen connections to the river and other neighborhoods.

**(A3 – Respect the Portland Block Structure.** 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.)

### Final Findings & Decision (pp 18 & 19)

- **Articulation and fenestration of massing follows consistent rules** – podium (or “sidecar”) masses articulated with deep-set, vertically-oriented bays of windows and doors; brick cladding facing streets and public spaces. Tower mass is generally-flatter, incorporating metal and fiber cement panels, and has a more-horizontal orientation of window walls.
- **Material palette is well-integrated**, utilizing similar colors and textures to form a cohesive expression.

## APPEAL – BDS Response

### CCFDGs & River Dist. DGs

A2

A4

B5

C4

C5

**A3-1**

A5-1-1

A5-1-5

A5-3

A5-4







**A5-4. Integrate Works of Art** or other special design features that increase the public enjoyment of the District. This guideline may be accomplished by:

- Integrating art into open spaces or along pathways.
- Incorporating art within the structure of the building.
- Using “found objects” that are remnants from the area’s history.

**Final Findings & Decision (p 21)**

- **Proposed benches** along the Greenway trail contain a sculptural quality.



**APPEAL – BDS Response**

**CCFDGs & River Dist. DGs**

A2

A4

B5

C4

C5

A3-1

A5-1-1

A5-1-5

A5-3

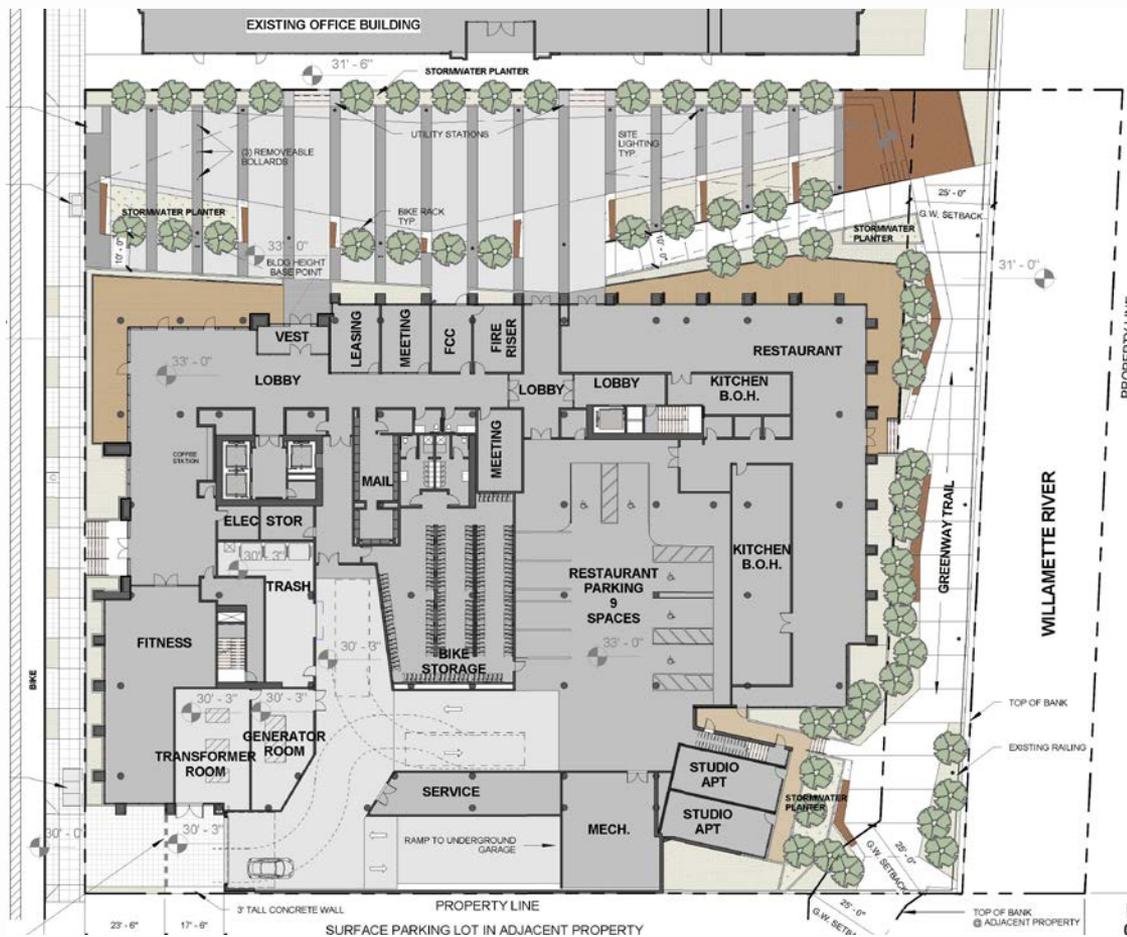
A5-4





City of Portland  
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Other



## The CONTEXT – Policy

Zoning

Floor Area Ratio

Height

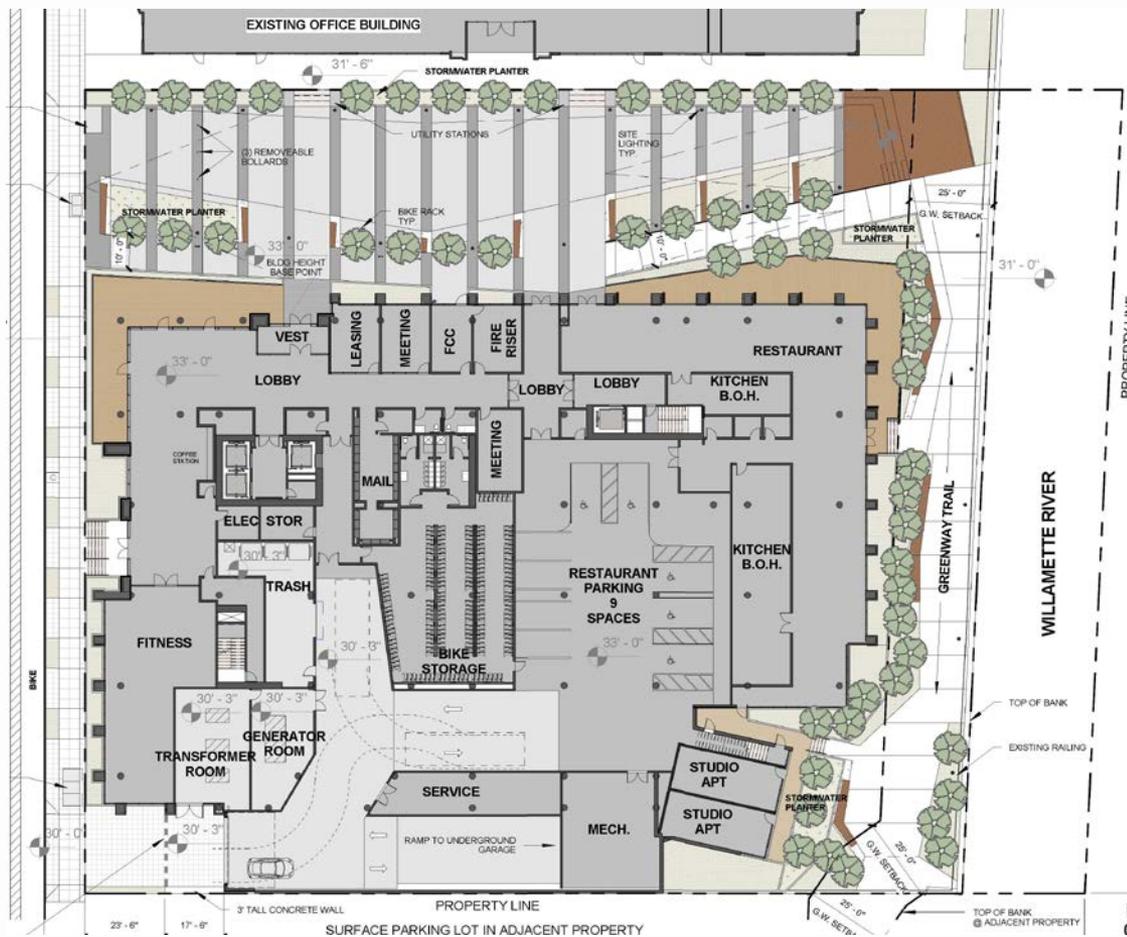
North Pearl Subarea  
Development Standards

Greenway Overlay  
Development Standards

### Open Area Requirement and Development Standards (33.510.251.B and C)

- 30% of site area over 40,000 SF (= 9,624 SF SF) dedicated to open area.
- Min 50% of req'd area must be in the form of parks or plazas. At least 25% of the open area must be devoted to one plaza or space.
- Walkways may be no more than 25% of req'd open area.
- Shadows must cover no more than 50% of plaza at noon; 75% at 3:00pm on 4/21.
- Border of trees, low walls, planters, or sim along edges of plaza
- Must provide safe, attractive, convenient linkages to adjacent development and sidewalks.





## The CONTEXT – Policy

Zoning

Floor Area Ratio

Height

North Pearl Subarea  
Development Standards

Greenway Overlay  
Development Standards

### North Peal Subarea Waterfront Development (33.510.251.D)

- At least 25% of the width of the site, as measured along NW Naito, must be view corridor or corridors.
- Setbacks: Greenway setback + buildings or portions of buildings over 35' in height must be set back from the Greenway setback line 1' for every 1' of height above 35'.
- Max building dimension = 200'.
- Public access must be available and clearly posted.



# The **CONTEXT** – Policy

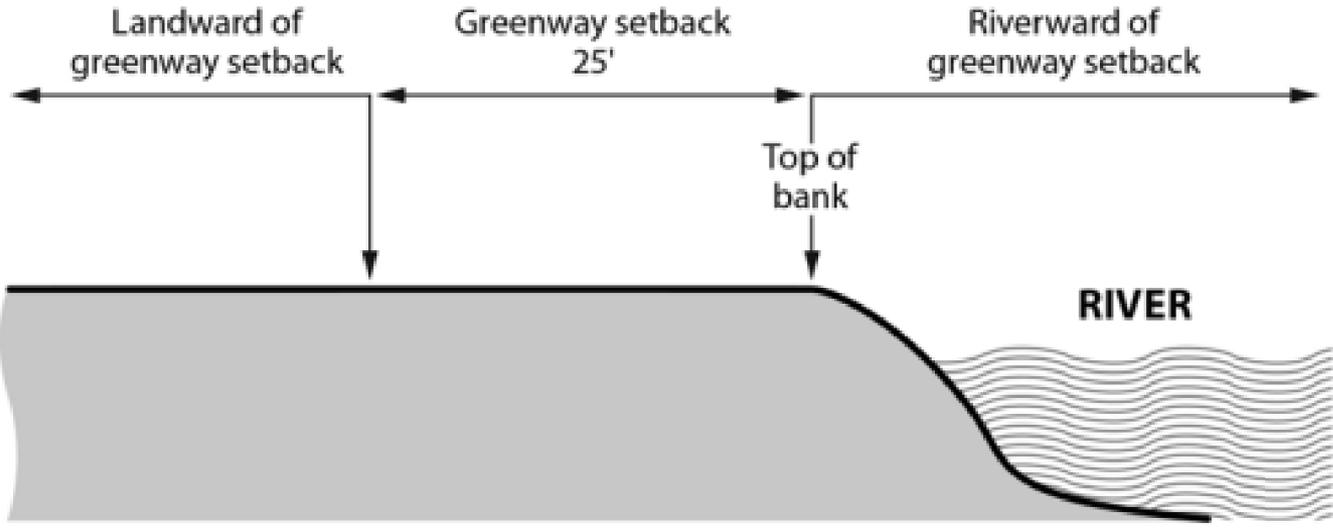
Zoning

Floor Area Ratio

Height

North Pearl Subarea  
Development Standards

**Greenway Overlay  
Development Standards**



### **Greenway Setback (33.440.210)**

- Extends from top of bank to a point 25' landward
- Any development within the setback or riverward, including building foundations and footings, stormwater planters, or occupiable floor area, must be either river-dependent or river-related. If not, requires Greenway Goal Exception approval.
- Max building dimension = 200'.



# The **CONTEXT** – Policy

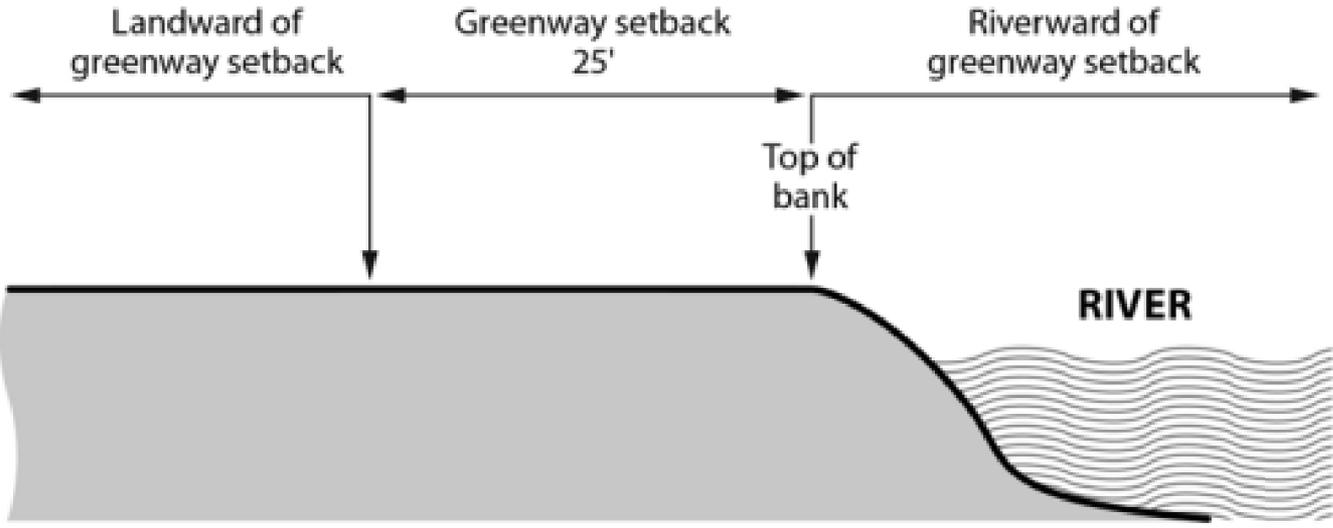
Zoning

Floor Area Ratio

Height

North Pearl Subarea  
Development Standards

**Greenway Overlay  
Development Standards**



### **Landscaping (33.440.230)**

- Min 1 tree for every 20' of river frontage.
- Min 1 shrub for every 2' of river frontage unless trail is proposed to be wider than 12'-0".
- Unpaved areas must have living ground cover.
- Should be planted within and riverward of the greenway setback.
- Plantings can be grouped rather than linear.
- Must comply with native plant requirement of Willamette Greenway Plan.





# DAR



## The PROJECT

### Building

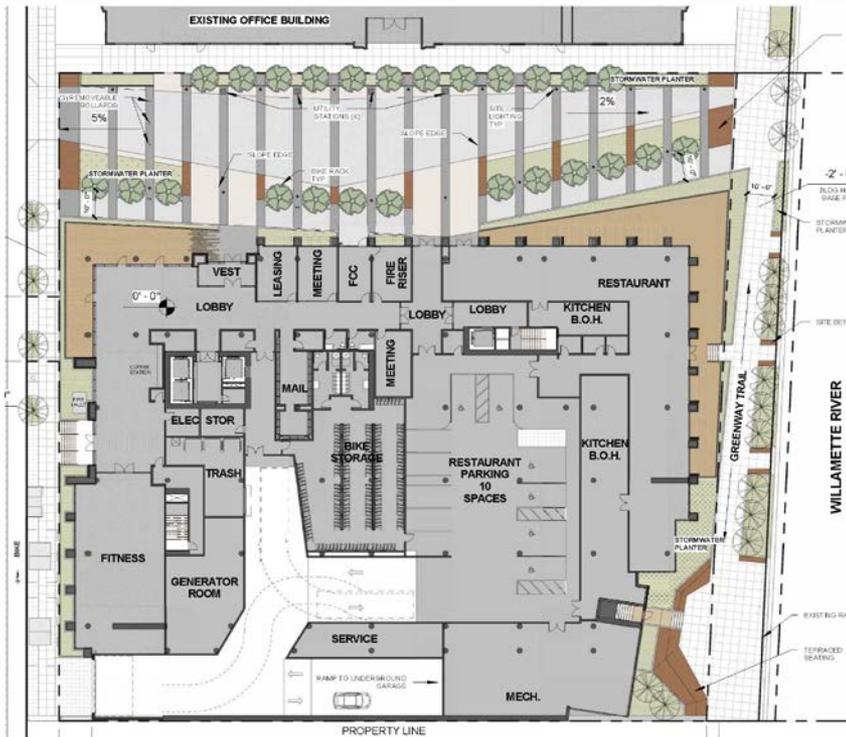
17-story residential mixed-use

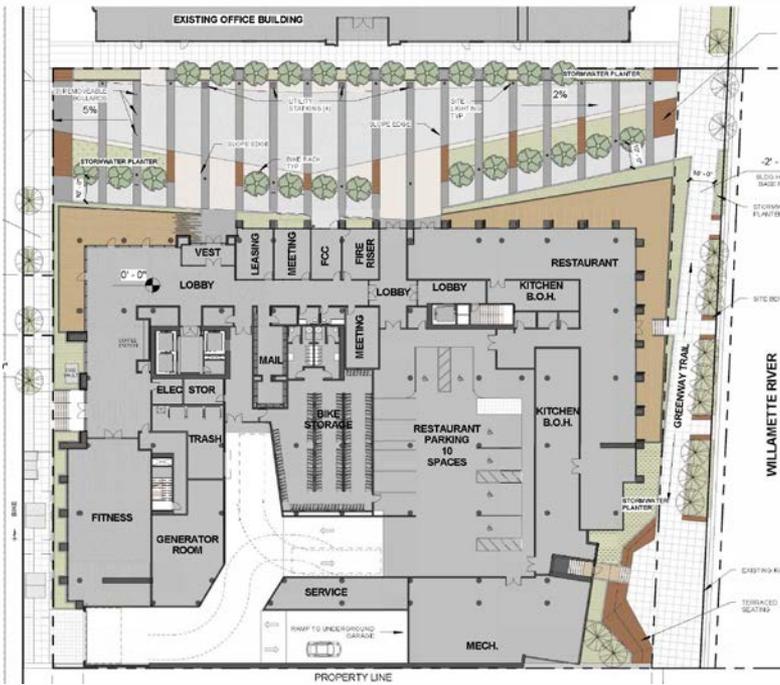
Retail (approx. 6,600 SF) on  
Ground Floor

Residential (275 units) on Floors  
2-17

153 parking spaces – on ground  
floor and in basement

# HEARING 1





## HEARING 1

## The PROJECT

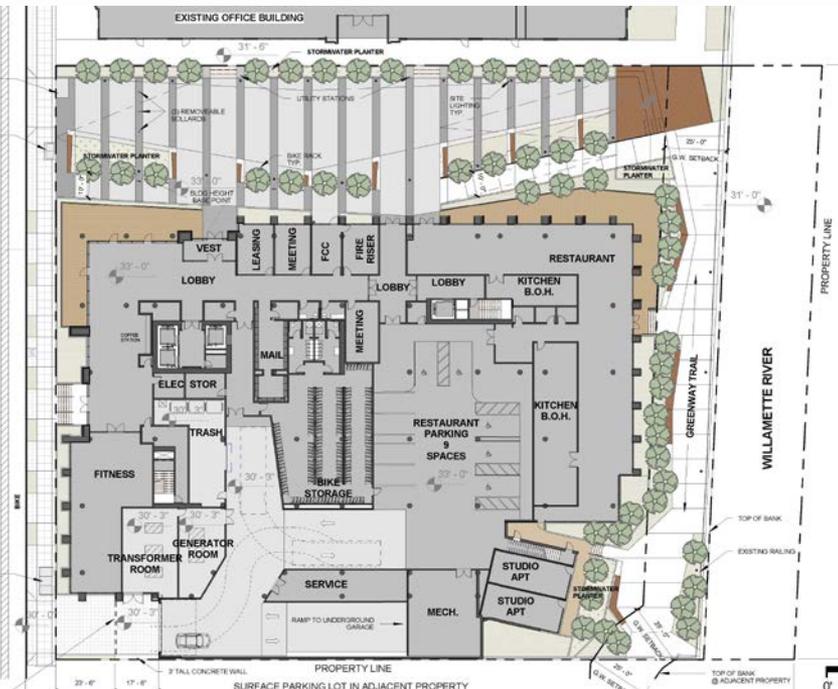
### Building

17-story residential mixed-use

Retail (approx. 6,600 SF) on Ground Floor

Residential (275 units) on Floors 2-17

153 parking spaces – on ground floor and in basement



## HEARING 2

