



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

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STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 12-118988 DZM – Moody Ave. Mixed-Use
Pre-App.: PC # 12-107785
REVIEW BY: Design Commission
WHEN: Thursday June 7, 2012 @ 1:30pm
WHERE: 1900 SW Fourth Ave., Room 2500A
 Portland, OR 97201

It is important to submit all evidence to the Design Commission. City Council will not accept additional evidence if there is an appeal of this proposal.

BUREAU OF DEVELOPMENT SERVICES STAFF: MARK WALHOOD /503.823.7806

GENERAL INFORMATION

Applicant: Jonathan Ledesma (503) 922-0056
 Project Ecological Development
 413 SW 13th Ave, Ste 300
 Portland, OR 97205

Architect: Nat Slayton (503) 863-2374
 ZGF Architects LLP
 1223 SW Washington St., Suite 200
 Portland, OR 97205

Property Owner: Z R Z Realty Company
 Attn.: Matt French
 3121 SW Moody Ave
 Portland, OR 97239-4500

Site Address: Northwest corner site at intersection of SW Moody Avenue and SW Grover Street

Legal Description: BLOCK 101 LOT 1-4 TL 100, CARUTHERS ADD; BLOCK 101 LOT 1-3&5&6 TL 11400, CARUTHERS ADD; BLOCK 101 TL 11500, CARUTHERS ADD

Tax Account No.: R140910080, R140910100, R140910110
State ID No.: 1S1E10BD 00100, 1S1E10BD 11400, 1S1E10BD 11500
Quarter Section: 3329

Neighborhood: South Portland NA., contact Jim Davis at 503-248-9820.
Business District: South Portland Business Association, contact Kevin Countryman at 503-750-2984.
District Coalition: Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.

- Zoning:** **CXd** (Central Commercial base zone with Design overlay zone), **Central City Plan District**
- Case Type:** **DZM** (Design Review with Modifications and an Exception)
- Procedure:** **Type III**, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

Proposal: The Moody Avenue Mixed-Use project is a proposed seven level mid-rise apartment building to be located at SW Grover Street and SW Moody Avenue in the South Waterfront. The ground floor will include a residential lobby, retail spaces, building support spaces, and parking for bicycles. Two retail spaces on the ground floor will be designed to accommodate restaurants: one on the south end of the building, and one on the north. The upper six levels will include apartments with a common residential lounge on the second floor. The second floor lounge and the adjacent east-facing apartments will have access to a roof terrace built over the retail podium.

All stormwater will be treated on site per BES regulations through a combination of flow-through planters and swales. The stormwater elements will be designed as intentional landscape features, especially on the east and west edges of the building at grade.

In the future, the applicant will seek to engage the adjacent space under the Ross Island Bridge by creating an outdoor terrace area for the restaurant and retail programs. The adjacent right-of-way in SW Grover will also be designed as a privately-maintained public street. The applicant will seek preliminary feedback on design concepts at the hearing in this case, but return for formal consideration of the right-of-way improvements in SW Grover and under the bridge through a future Type II Design Review. The SW Moody Avenue frontage abutting the site was recently improved with a new roadway, streetcar tracks, and combination bike and pedestrian corridor on the west side of the roadway, directly adjacent to the site.

The exterior of the building features metal panel and rainscreen systems with vinyl frame windows and metal window surrounds on the upper floors. The second floor terrace includes a painted metal bar guardrail. At the ground floor the building exterior is almost all clear glazing with metal storefront window systems and doors, with tongue-in-groove wood paneling and exposed concrete columns. A loading bay with a metal coiling access door is provided on the south elevation, facing SW Grover Street, and metal panel louvering is proposed at various locations on the building. A painted steel canopy with a wood decking soffit extends out from the street-facing ground floor walls, providing some sun and rain protection. Screened mechanical enclosures rise above the rooftop behind a perimeter parapet, and the majority of the roof is developed as an eco-roof.

The applicant has requested two modifications to development standards, and an exception to allowed extensions into the right-of-way for buildings. At the ground level facing Moody, the ground floor spaces are somewhat angled to and pulled back from the street, with a broad terrace area and steps between the building and the SW Moody sidewalk improvements. Also, the northeast and southeast corners of the building include angular, ‘prow-like’ extensions into the right-of-way at the upper floors that exceed maximum length allowances for such extensions. As proposed, the applicant has requested the following additional reviews:

- A **Modification through Design Review** to the **Maximum Transit Street Setback** standard of the CX base zone, which requires 100% of the ground floor façade to be within 10’ of the street along SW Moody (33.130.215.C.2.e). As proposed, only about 8% of the building along Moody is within 10’-0” of the street lot line;
- A **Modification through Design Review** to the **Special Required Building Lines for South Waterfront**, which requires that at least 75% of the building walls be within 12’-0” of the street lot line along SW Moody (33.510.215.D.2). As proposed, only about 23% of the building along Moody is within 12’-0” of the street lot line; and

- An **exception to 3202.3.2, Window Projections into the Public Right-of-Way**, which limits the length of projections into the right-of-way to a maximum dimension of 12'-0" wide. As proposed, the building includes one projecting wall at 29'-1" wide, and another at 16'-0" wide. **NOTE:** In response to concerns raised by Portland Transportation, the applicant has revised the façade treatment of the projecting elements to comply with the minimum window requirements, whereby each main façade includes between 30% and 40% of the façade area in windows, and at least 10% of the side wall area in windows. With these revisions, the only exception requested is to the length of the projecting bays.

Because of the project valuation and location, a Type III Design Review is required.

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

- The *Central City Fundamental Design Guidelines*;
- The *South Waterfront Design Guidelines*;
- **33.825.040.A-B**, Modifications through Design Review; and
- **3202.3.2**, Window Projections into Public Right-of-Way, IBC/32/#1

ANALYSIS

Site and Vicinity: The site is a collection of three parcels with an irregular shape, with all three parcels comprising approximately 18,411 square feet of land. The site is located on the west frontage of SW Moody Avenue, between SW Grover Street on the south, and the Ross Island Bridge on the north. The southernmost parcel brackets the west edge of the SW Grover right-of-way at its terminus west of Moody. The site is currently vacant of buildings; gravel covers the property, and several large metal pipe and utility conduit materials are being stored on the gravel. Directly abutting the SW Moody right-of-way, the eastern edge of the site is defined by a continuous row of large concrete retaining wall blocks, with a chain link fence running along the top of the blocks. The site slopes up to the west, away from the street, where a landscaped hillside rises up from the west edge of the site to a ramp that connects northbound SW Hood Street to southbound SW Macadam Avenue, as part of the Ross Island bridgehead circulation system.

The site is in a transitioning area just north of the grouping of newer medical and residential towers in the South Waterfront District, which begins approximately two blocks south of the site. The site is directly across the street from the Zidell Marine ship yard. Directly north of the site is the unimproved gravel and weedy area framed by the support piers for the Ross Island Bridge, whose main deck rises approximately 70 to 80 feet above the grade at SW Moody.

The abutting right-of-way in SW Moody has recently been improved with full right-of-way improvements, including a paved two-way roadway, curbing, and sidewalks. On the west frontage of SW Moody adjacent to the site, there is a weaving and separated bike path and pedestrian walkway zone, creating an extra-deep paved area between the site and the streetcar tracks and roadway. New street lights, street signs, vegetated stormwater planters, decorative brick paving within the concrete, and painted identification symbols for the walkway versus bikeway complete the adjacent right-of-way improvements in SW Moody.

The abutting right-of-way in SW Grover has been improved with an asphalt paving surface and curbing, but also includes a raised underground vault and small stretch of curbed sidewalk, as well as a chain link-fenced electrical substation enclosure, both directly abutting the south property line of the site.

Zoning: The Central Commercial (CX) base 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 Central City plan district implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation Management Plan. The Central City plan district implements portions of these plans by adding code provisions that address special circumstances existing in the Central City area.

Land Use History: City records indicate two prior land use reviews for the site:

- PC 7550 was a large legislative zone change by the Planning Commission in 1985, changing the zoning for a large area as a result of the Macadam Corridor Study; and
- LU 11-178242 LDS is an in-process Subdivision to divide 30 acres into 17 parcels, 14 greenway tracts, and public rights-of-way for SW Moody and SW River Parkway, SW Bond, SW Woods, SW Gibbs, and SW Grover in four stages. Because this site is already separated from adjacent sites through taxlot lines and rights-of-way, this application can proceed for new development without awaiting the outcome of the Subdivision.

Agency Review: A "Request for Response" was mailed **May 4, 2012**. The following Bureaus have responded:

The *Bureau of Environmental Services* (BES) has reviewed the proposal and offered no objection to the requested Design Review. The applicant should note that the proposed development will be subject to BES standards and requirements during the permit review process. Several comments and other information have been provided as a courtesy to the applicant. Specific recommendations are made regarding the location and type of sanitary sewer and stormwater facilities. Concerns are also raised regarding the potential re-grading and retaining walls in the SW Grover right-of-way, as a public sewer pipe travels through the area and must be protected. The analytical data provided in the infiltration report does not support the applicant's claim that stormwater facilities must be lined due to contamination. BES expects that, barring additional information regarding on-site contaminants, the runoff from SW Grover will be managed in infiltration facilities. Public right-of-way work in SW Grover following the non-standard path with consideration through a future Type II Design Review must achieve a satisfactory 30% concept review approval before BES can recommend approval of non-standard improvements in Grover. Exhibit E.1 contains staff contact and additional information.

The *Development Review Section of Portland Transportation* has reviewed the proposal and offered the (inset & italicized) comments below. Exhibit E.2 is a hard file copy of the following response:

Portland Bureau of Transportation/Development Review (PBOT) has reviewed the application for its potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, Title 33, Title 17, and for potential impacts upon transportation services.

STREET CLASSIFICATION

At this location, the site's SW Moody is classified in the City's Transportation System Plan as a Traffic Access street, Transit Access street, City Bikeway, Central City Transit/Pedestrian street and a Community Main street. SW Moody is classified as Local Service street for all modes. The site is located within the North Macadam Pedestrian District.

DESIGN REVIEW APPROVAL CRITERIA

There are no applicable transportation-related approval criteria associated with the proposed Design Review; accordingly, PBOT has no objections. However, the applicant is seeking an exception of the City's Code Guide standards for Window (not a building projection) Projections into the Public Right-of-Way.

The one standard that is not met is related to the maximum width (12-ft) for each projecting window element on the same elevation/plane of wall; said standard is shown to be exceeded on both street facades. However, said Code Guide allows the width requirement to be varied provided the area of all windows on a wall which project into the public right-of-way does not exceed 40% of the wall's area and the width of any single projecting window element does not exceed 50% of its building wall's length. The applicant has demonstrated that these limitations are met. Therefore, the Design Commission may approve said projections, as proposed, via the Design Review application.

TITLE 17 REQUIREMENTS

Transportation System Development Charges (Chapter 17.15)

System Development Charges (SDCs) may be assessed for this development. The applicant can receive an estimate of the SDC amount prior to submission of building permits by contacting Rich Eisenhauer at (503) 823-6108.

Driveways and Curb Cuts (Section 17.28)

Curb cuts and driveway construction must meet the requirements in Title 17. The Title 17 driveway requirements will be enforced during the review of building permits. The applicant is advised that the proposed driveway work is likely to trigger a permit from PBOT staff; this will be assessed during the Building Permit process.

Street Improvements (Section 17.88.010)

It is typical Portland Transportation procedure to review existing roadway configurations by referring to City GIS database resources in order to determine the necessary dedications and/or improvements related to proposed land use cases. However, in this case, and given the location of the site adjacent to SW Moody, which has gone through a significant transformation within the last year in relation to the Portland Streetcar line improvements through the South Waterfront area, City GIS has not been updated to include the numerous r.o.w. improvements that have been constructed. Elements of the r.o.w. along the site's frontage which are very unique include a shared concrete pedestrian path and two-way cycle track. The applicant will be advised during the Public Works Permitting Process for the eventual improvements along SW Grover to avoid any damage to the SW Moody frontage of the site.

City GIS also does not reflect the improvements to the SW Grover r.o.w. SW Grover is improved with paving (unknown width) and a curb along the site's frontage. There is also an a PGE electrical vault, a power sub- station within a fenced area associated with the Portland Streetcar, and a known water main.

The applicant has included conceptual plans for non-standard improvements within the SW Grover r.o.w. for advise from the City. It should be known that the applicant has already initiated the Public Works Permitting process for the SW Grover improvements (the plans have been reviewed through the 30% level of said process). PBOT has indicated it's previous support for non-standard elements/improvements along this r.o.w. considering the street's limited length and access needs. Additional information/review will be necessary for further consideration, which will also include identifying maintenance responsibilities for some or all of the traditional public infrastructure elements that may/may not remain with the ultimate design of the street.

RECOMMENDATION

PBOT has no objections to the proposed Design Review or Modifications and supports the applicant's requested exception request to the City's Code Guide standards for Window Projections into the Public Right-of-Way. This response in support of the project however, does not include approval of any of the concept elements included for the SW Grover right-of-way. PBOT will ultimately need to review/approve engineered plans through the Public Works Process and the applicant will need to seek further Design Commission approval for the non-standard elements.

The Water Bureau has reviewed the proposal and offered informational comments, but no objections to the requested Design Review. There are no existing water services to the three taxlots associated with this project site. There is water available from a 12" water main in SW Grover Street. Per City code 21.12.070, the service connection to a parcel of land shall nto bu used to supply an adjoining parcel of a different owner, or to supply a separate parcel of the same

owner for which proper application of service has not been made. A tax lot consolidation will be required prior to the Water Bureau signing off on the building permit and selling water services to this proposed development. City code 21.12.010 will require any new building construction, or any construction that will need water, to have a water service and meter of appropriate size installed within the public right-of-way and within the specific property boundary/frontage for which it will serve. A Water Bureau review for fixture count will need to be submitted along with any fire flow needs by the applicant at the time of submittal of the building permit to appropriately size the water service and meter for this location. All applicable costs will be the responsibility of the applicant. The application speaks to the development of the right-of-way in SW Grover Street, and the Water Bureau has a critical 12” diameter water main in this street. This main may not be re-routed or removed. Any proposed improvements or modifications to this right-of-way will require prior Water Bureau approval. Exhibit E.3 contains staff contact information.

The *Urban Forestry Division of Portland Parks and Recreation* has reviewed the proposal and offered no concerns. Street trees will be required. Exhibit E.4 is a print-out of the electronic response from Urban Forestry.

The *Life Safety Section of the Bureau of Development Services* has reviewed the proposal and provided informational comments, but no objections to the requested Design Review. A complete Life Safety plan review will be provided at the time of building permit submittal, and the project must be designed to meet all applicable building codes and ordinances. It is recommended that the applicant contact the Process Manager to arrange a preliminary fire and life safety meeting with Fire and Building Plans Examiners. Exhibit E.5 contains staff contact and additional information.

Portland General Electric (PGE) has reviewed the proposal and provided comments. PGE has not yet been contacted by the owner, developer, or architect regarding this project. Development of a design for a power supply to a site like this typically takes months to achieve after receiving the required plans and power requirements. All renderings of facilities, on and off site, related to the provision of utility power to this site are neither recognized nor approved by Portland General Electric. The information that the SW Grover Street right-of-way will be a privately maintained public right-of-way is an atypical situation. PGE will expect City of Portland Standard Right of Way Specifications and Rules to be in force to ensure a safe initial and future work environment for it's line personnel and to accommodate the employment of Portland General Electric standard work practices in this area. Accessibility and clearances are prime concerns to PGE. Any exceptional features must be reviewed and approved by PGE, and this issue has been brought to the attention of Portland Transportation. The Oregon Public Utility Commission Portland General Electric Tariff, National Electrical Safety Code, National Electric Code, PGE Standards and Practices, PGE current edition Electrical Service Requirements Book, and all other applicable codes will be employed to develop the design for power service to this project. Exhibit E.6 contains staff contact information.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on May 18, 2012. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

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.

Findings for A1: The lobby, common lounge, the second floor terrace, and the north end of the upper-level corridors are all oriented to provide a visual link to the river. In addition, the curved and angled building form allows approximately half of all the dwelling units to enjoy a view to the river and greenway. *Therefore, this guideline is met.*

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

Findings: Portland is synonymous with bike-commuting and active lifestyles. The project will incorporate a ground-level bike storage room that is easily accessible, well-lit and visually connected to the entry lobby to create a welcoming space for bike commuters. In addition, the stormwater planters flanking the building's main entry will help to emphasize the city's relationship with water and responsible engagement with, and stewardship of, the natural environment. *Therefore, 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 site makes use of underutilized land on the remainder of an originally-platted 200-foot by 200-foot block that has been reduced in size as a result of historic street dedications and exactions for transportation infrastructure, including the Ross Island Bridge and the associated bridgehead ramps to the north and west of the site. The north-south dimension of the primary portion of the site where the building will be located is approximately 185 feet, slightly below the standard 200-foot dimension found elsewhere with the underlying plat structure. By fully occupying the site from north to south, and with the angled building extensions of the upper floors as the building faces SW Moody Avenue, the building effectively engages the surrounding block pattern, in keeping with the pattern and character of 200-foot blocks found elsewhere downtown. *Therefore, 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 project helps to unify the neighborhood by enhancing the pedestrian experience along SW Moody and the canopy, steps, stormwater planters and outdoor seating areas help to link the project to the system of spaces along the streetcar corridor. The project integrates landscape planters along the site with several planters located near the residential lobby entry to provide differentiation between the retail and residential entries. The planters also provide a symbolic link to the natural processes of the site. The project seeks to manage stormwater through an eco-roof and flow-through planters at the ground level. Flow-through planters are placed next to the residential and retail entries to showcase rain events. A large scupper at the south end of the ground floor canopy is designed to discharge into one of these planters such that the stormwater events are actively displayed to people sitting in the adjacent restaurant space or those coming and going from the main residential lobby. *Therefore, 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 project integrates materials characteristic of the area into the design of the building. A rainscreen of weathering steel and a steel and wood plank canopy help to tie the project to the industrial heritage of the area; cast-in-place concrete walls and columns on the ground floor provide a material and formal link to the adjacent bridge piers. The material palette is specifically referential to the industrial uses of the district, with steel plate siding reflecting the traditions of craft in ship building, with vertical board siding providing a contrasting material that introduces a different layer of scale, texture, and pattern. *Therefore, 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: With the prow-like extensions of the building at the northeast and southeast corners of the building, the project creates a distinctive sense of enclosure along SW Moody, wrapping and framing the streetscape. By extending a canopy along nearly the entire length of the SW Moody Avenue building frontage, the project seeks to emphasize an articulated urban edge. In particular, the ground floor canopies and upper-story prow-like extensions will frame a space and be of a scale that draws people visually and functionally into the building, while also creating a sense of urban enclosure along the public rights-of-way. *Therefore, 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: The mix of ground floor retail, residential lobby and restaurant spaces will create a strong, active edge along SW Moody Avenue. Large storefront window systems will help visually connect pedestrians and the restaurant and retail spaces to the public realm. Outdoor seating, bicycle parking, and casual gathering spaces in the inset 'front porch' area facing SW Moody are designed to function as an extension of the SW Moody sidewalk. With close proximity to multiple transit stops, the project will engage both the pedestrian and bike pathways along SW Moody Avenue, allowing residents and visitors alike to easily walk or bike between the site and adjacent transit services and destinations. *Therefore, this guideline is met.*

A9. Strengthen Gateways. Develop and/or strengthen gateway locations.

Findings: The site is not adjacent to a designated gateway, but functions as a de facto gateway into the central district of the South Waterfront for travelers coming from the north and passing under the Ross Island Bridge. The project recognizes and enhances the gateway function of the Ross Island bridge piers. The bridge structure itself creates a formal gateway into the South Waterfront Subdistrict and the project's unique position and materiality allows it to formally highlight the function by providing a dark volume as a backdrop to the

bridge piers. *Therefore, this guideline is 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.

Findings for B1 & B1-1: By creating a raised ‘front porch’ along the SW Moody frontage, the project seeks to build on the recent SW Moody frontage improvements by emphasizing a pedestrian scale, and by creating a layer of spatial and architectural elements that encourage the use of the sidewalk. Large ground floor windows, a projecting canopy above the first floor facing Moody and wrapping the southwest corner of the project, and integrated directional lighting are all incorporated into the building frontage zone. Transit connections are facilitated by the location of the project’s ‘front porch’, residential lobby and retail spaces being oriented to conveniently and directly connect pedestrians to the adjacent transit services nearby. *Therefore, 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.

Findings for B2 & B2-1: A projecting canopy runs the length of the building facing SW Moody avenue, and the ‘front porch’ area directly adjacent to SW Moody is separated from the sidewalk with two broad stairs that rise from 18 to 24 inches above the level of the sidewalk. Lighting is carefully integrated with two types of recessed lighting fixtures into the soffit of the canopy, providing effective night-time lighting along the main public areas facing SW Moody. Other lighting includes inset downlights to illuminate the accessible ramp path from SW Moody (see note and finding for three proposed directional spot lights under guideline C12, later in this report). Mechanical equipment is located primarily on the rooftop, including intake and exhaust vents for the retail and restaurant systems, reducing potential impacts to the pedestrian environment. The only at-grade mechanical louver is located on the south elevation facing SW Grover, with a small boiler exhaust vent area raised well above pedestrian head height, at approximately 9’-0” above adjacent grade. Specific details regarding signage have not been provided except in the renderings, which show thin suspended rectangular blade signs suspended from the soffit of the ground floor projecting canopy. Given their size, the proposed signage is all likely under 32 square feet, and therefore exempt from Design Review. In a potential future review, the project will explore the possibility of contributing outdoor lighting to the space under the Ross Island Bridge as an extension and compliment to the building’s ground level ‘front porch’. *Therefore, excluding the discussion of three proposed flood lights which occurs under findings for C12 below, these guidelines are met.*

B3. Bridge Pedestrian Obstacles. Bridge across barriers and obstacles to pedestrian movement

by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.

Findings: The adjacent frontage improvements in SW Moody Avenue were recently constructed with wide and distinct pathways for pedestrians and bicyclists directly adjacent to the site. The pedestrian walkway runs closest to the lot line in SW Moody at this segment, with the bike path beyond before reaching the combined streetcar tracks and roadway area. A low, broad flight of steps connects the sidewalk area to the ‘front porch’ along SW Moody, and a direct path between the intersection of SW Moody and Grover, at the projects southeast corner, connects the sidewalk to the residential lobby and retail spaces. *Therefore, this guideline is 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.

Findings: The ‘front porch’ along SW Moody is designed as a space ancillary to the SW Moody sidewalk, where outdoor dining, socializing, resting, shopping and people-watching can occur. The broad steps leading up to this area, benches around the stormwater planters and seating areas outside the restaurants are meant to provide a variety of opportunities for people to gather, interact and enrich the public realm. The placement of these elements on the ‘front porch’ will ensure that stopping and viewing activities do not conflict with the passage of pedestrians and cyclists in SW Moody. *Therefore, this guideline is met.*

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: A small terrace is provided outside of the northeast corner restaurant space on the ‘front porch’, which also acts as an open space for residents and visitors to the building. A second terrace is shown adjacent to the southeast corner restaurant space, but this area projects into the right-of-way, and is therefore not being approved through Design Review at this time. The main floor entry, retail spaces, and the second floor common and individual balcony areas are all oriented to face west towards SW Moody Avenue, which is the functional link between the site and the parks and open spaces elsewhere in the neighborhood. Soffit lighting within the first floor canopy will allow these spaces to be illuminated and welcoming even during the evening hours. *Therefore, this guideline is 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: A continuous canopy and soffit space runs the length of the building facing SW Moody Avenue. The goal is to provide the opportunity for outdoor seating throughout the year, provide protection to pedestrians in inclement weather, and create a sheltered space for people transitioning into and out of the retail and lobby spaces. *Therefore, this guideline is met.*

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

Findings: A short ramp up to the ‘front porch’ is placed off the intersection of SW Grover and Moody, near the main lobby entry, and allows for accessibility to all the programs and spaces on the ground floor. *Therefore, 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: Day-lit corridors on the upper floors visually connect the building occupants to the view to the east along the Ross Island Bridge and south to Elizabeth Caruthers Park as well as the tram terminal. A glazed and transparent ground floor connects the retail, lobby and restaurant spaces to SW Moody Avenue. The second floor terrace is oriented towards the Willamette River and also affords views up and down SW Moody Avenue. *Therefore, this guideline is met.*

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

Findings: The project's eco-roof will be seen from many different locations including the upper floors of adjacent buildings, tram riders, and pedestrians on the Ross Island Bridge. Exterior materials have been selected for their durability and permanence, including weathered steel rainscreen cladding, dark metal panel siding, painted metal window surrounds, a non-combustible wood board siding, paintable vinyl windows on the upper floors, cast-in-place concrete, and aluminum and glass storefront window systems on the ground floor. The wood decking material is also applied to the soffit of the first floor canopy, and echoed in the wood benches and decking at the 'front porch' area. Mechanical equipment and elevator over-run enclosures and structures on the roof are clad to relate to the building design below, with axes and a geometric layout that creates an appealing fifth elevation for the building. *Therefore, these guidelines are met.*

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

Findings for C4: The building's exterior cladding uses materials such as weathering steel, ribbed metal panels, and tongue-in-groove wood decking that reflect the industrial maritime heritage of the district in a contemporary expression. The primary east-facing weathering steel volume is designed to step outwards at each floor level, giving the structure an expression of ascending bands which collectively form a graceful curved gesture towards SW Moody and the Ross Island Bridge. The building design has an honest structural expression, with exposed concrete piers inside the ground floor spaces that are almost entirely clear glazing, connecting the inside and outside of the building in a way that is common elsewhere in the South Waterfront area. *Therefore, 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: The building form is carefully articulated; not only is there a clear distinction of base, body and top, there is also a clear separation of material and form for the two separate masses of the building at the upper six residential floors. The north and west elevations face the Ross Island Bridge and nearby vehicle ramps uphill to the west, with an angular appearance and slightly canted exterior wood panel wall planes that overlap each other at the parapet and each floor. The south and east elevations facing adjacent streets and the river are curved and stepped volumes clad in weathering steel, with each floor expressed as an ascending band which form a graceful curved gesture towards the bridge, river, and industrial sites to the east. These two masses are separated by deep glazed inset reveals,

one at the end of a corridor and the other at a stair such that the internal circulation is given expression on the building exterior.

The rooftop is treated as a fifth elevation, with angular geometric forms and eco-roof plantings that create a coherent and distinct identity from the building when viewed from above, with irregular trapezoidal shapes and angles that integrate well with the overall building composition. The main entry lobby is given expression by the primary east-facing street façade, with angled walls that pull visitors and residents into the building. The upper-floor window systems on the distinctly-clad masses of the building are unified in form and appearance and provided with a consistent painted metal surround treatment. Similarly, signage and lighting is provided at the ground floor level in the canopy soffit and at the accessible ramp leading to the residential lobby from the southwest corner, gently illuminating the pedestrian zone and entries to individual ground floor retail spaces.

Therefore, 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.

Findings: The project respects the importance of creating careful transitions between private development and public space. The building is pulled back from the property line at several different scales, the deepest of which clearly identifies the lobby to the residential units. In addition, the distinction between the private and the public is articulated by stepping back the building form, by manipulating the grade between the sidewalk and building entries, and by integrating landscaping, seating, and gathering areas into this transitional space. *Therefore, this guideline is 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: The corners of the building that face SW Moody Avenue are programmed for retail and restaurant space, and feature large transparent facades that contribute to an active pedestrian experience throughout the day. In addition, the southeast restaurant space is being designed with large sliding/stacking glazed panels to allow the dining area to spill outside in sunny weather. The main residential lobby entry is located off the corners, allowing both primary building corners along Moody to function as an active retail space. *Therefore, 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: The sidewalk level of the building is clearly differentiated from the upper levels. The large windows, canopies, recesses and retail door alcoves help to demarcate the pedestrian zone along the street. In addition, the building form above this base pulls back to help create a visual stopping point along the street's vertical plane. *Therefore, this guideline is met.*

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

Findings: The sidewalk level of the building is designed to accommodate a wide range of retail and restaurant uses. The façade is designed for maximum flexibility in tenant size and type, providing opportunities for future modifications and adaptations of uses. *Therefore, 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 proposal has two projections encroaching into the right-of-way, at the northeast and southeast corners of the project. These two angular, prow-like elements are relatively modest projections, and continue the overall bowed form of the main façade out to the building corners. The primary street-facing east façade embraces the adjacent sidewalk zone, and these elements are generally above the first floor. A small section of canopy projects out from the southeast corner of the building at the ground floor, providing additional enhancements to the pedestrian zone at a primary pedestrian entry point to the site. *Therefore, 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 majority of the roof is covered with an eco-roof, as well as carefully organized mechanical equipment straddling the central access pathway for maintenance behind a low metal screen. In the south central portion of the rooftop a shed-roofed elevator over-run and mechanical equipment enclosure rises further above the roof, but with vertically-ribbed painted metal siding as found elsewhere on the building. At the second floor facing Moody, above the 'front porch' area, several individual unit terraces and a large common tenant terrace are located with views to the street and activity below. Stormwater planters are located at-grade at the site perimeter on the western and northern edges, as well as straddling either side of the main stairway leading to the residential lobby entry doors. The angular form of the rooftop and second floor terrace are reflective of the canted forms and proportions of the overall building design. *Therefore, this guideline is met.*

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: Exterior lighting proposed includes soffit lights in the projecting canopy above the first floor, providing effective night-time lighting for these primary pedestrian and public zones of the building along SW Moody. The soffit lighting has been placed near the retail entries to also serve as indirect lighting for future suspended blade signs. There are also inset downlights integrated into the raised planter wall on one side of the accessible ramp leading to the residential lobby. This exterior lighting will highlight the ground floor pedestrian level, is exclusively directed downwards to avoid skyline and night sky impacts, and will help to make the ground floor a distinct and welcoming place at all hours, consistent with the building's overall design concept.

On the submitted lighting plan, however, three directional large-scale flood lights are shown on the plan oriented northwards, toward the area under the Ross Island Bridge. The

proposed light fixtures are not shown on the elevations or in a detail drawing, so it's unclear exactly where on the building they would be placed. Also, the design of the space under the bridge has not yet been completed, and will require approval through a future Design Review application. Because the impact of these three directional large-scale spot lights cannot be fully determined at this time, and because any lighting for the space under the bridge could and should be accomplished in an integrated way once the design layout and features of the space are more fully developed, these three spot lights will be crossed out as 'not approved' on the plans. *With the exception of the three north-facing large-scale spot lights shown on the lighting plan, which will not be approved at this time, 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 specific signage details have been shown, but one rendering shows a series of modestly-scaled, rectangular suspended blade signs in alignment with the linear lighting above each sign at the soffit of the first floor projecting canopy. Individual signs under 32 square feet can be permitted without design review. Although technically not required for this review, the proposed ground floor signage concept as shown in the rendering are straightforward, modest, and contemporary expressions that integrate well with the overall building design concept. No upper-story exterior, parapet, or other exterior lighting has been identified at this time. *Therefore, this guideline is not applicable since signage greater than 32 square feet is not proposed.*

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.

Findings for A & B: The applicant has requested the following two modifications:

1. A Modification through Design Review to the Maximum Transit Street Setback standard of the CX base zone, which requires 100% of the ground floor façade to be within 10' of the street along SW Moody (33.130.215.C.2.e). As proposed, only about 8% of the building along Moody is within 10'-0" of the street lot line;
2. A Modification through Design Review to the Special Required Building Lines for South Waterfront, which requires that at least 75% of the building walls be within 12'-0" of the street lot line along SW Moody (33.510.215.D.2). As proposed, only about 23% of the building along Moody is within 12'-0" of the street lot line; and

The purpose of the Maximum Transit Street Setback is to create an environment that is inviting to pedestrians and transit users (33.130.215.A). The purpose of the Special Building Line standard is to enhance the urban quality of the Central City plan district (33.510.215.A). The proposed ground floor setback in the project is required to create the ‘front porch’ area along SW Moody Avenue, which functions as a sidewalk extension area, stopping and resting place, and forecourt for the retail, restaurants, and residential entry lobby spaces. The broad, low steps that mark the boundary of the setback area triggering these two modifications effectively engages the pedestrian environment along SW Moody and Grover, and will be an inviting space to explore for retail customers as well as building tenants and visitors. The wrapping, curved form of the main street-facing façade that echoes the ground floor setback from Moody below further engages the pedestrian environment on the upper floors with a dynamic sense of movement. Individual and common area terraces on the second floor of the building facing SW Moody are also made possible by the additional building setback from the street. On balance, these two modifications to the alignment of the building in relation to SW Moody Avenue are consistent with the regulatory intent of the standards being modified. Also, the generous setback for the east face of the building allows for the establishment of the deep ‘front porch’ area, which allows the project to better meet many of the pedestrian-related guidelines, including B2 through B6. *Therefore these Modifications merit approval.*

Exception #1: Exception for Window Projection into Public Right-of-Way

IBC/32/#1 - Standards for windows allowed to project into public right-of-way: to increase the width of oriel windows projecting into the public rights-of-way from 12’-0” to 13’-7” on SW 6th Avenue and from 12’-0” to 15’-10” on SW College Street.

A. Projection. Maximum projection of 4 feet into the right-of-way including trim, eaves and ornament.

Findings: The maximum projection for any element of the projecting volumes is 4’-0”. *This Criterion is met.*

B. Clearance. Clearance above grade as defined in Chapter 32, Section 3202.3.2 of the current Oregon Structural Specialty Code. (The 2004 edition of the Oregon Structural Specialty Code states that no projection is allowed for clearances less than 8 feet above grade. For clearances above grade greater than 8 feet, 1 inch of projection is allowed for each additional inch of clearance, provided that no such projection shall exceed a distance of 4 feet.)

Findings: Minimum clearance above grade is 14’-0” and the maximum projection is 4’-0”. *This Criterion is met.*

C. Area. Maximum wall area of all windows which project into public right-of-way on a wall is 40% of the wall’s area.

Findings: The maximum wall area of all windows on the southeast projection is 27.4%, and the maximum window area on the northeast projection is 26.5%. *This Criterion is met.*

D. Wall Length. Maximum width of any single window which projects into public right-of-way is 50% of its building wall length.

Findings: The projecting element on the south elevation is 28.5% of the south wall length. The projecting element on the east elevation is 6.7% of the east wall length, and an even lesser amount on the north elevation. *This Criterion is met.*

E. Window Area. Minimum of 30% window area at the face of the projecting window element. Projections greater than 2 feet 6 inches must have windows at all sides. Required side windows must be a minimum of 10% of side walls.

Findings: The applicant has revised the proposal to meet this window standard, to avoid a Major Encroachment Review. Windows occupy 30.12% of the primary wall on the southeast corner projection, with either 10.96% or 24.9% windows on the side walls. Windows occupy 30.7% of the primary wall on the northeast corner projection, with 11.46% windows on the side wall. *This Criterion is met.*

F. Width. Maximum width of 12 feet for each projecting window element. When approved through Design Review, the width may vary provided the area of all windows on a wall which project into public right of way does not exceed 40% of the wall's area and the width of any single projecting window element does not exceed 50% of its building wall's length.

Findings: Proposed projections are 29'-1" wide at the southeast corner projection, and 16'-0" on the northeast corner projection. These two projecting corner elements extend into the right-of-way and as such are subject to final approval by Portland Transportation (PBOT). However, the Design Commission has an advisory role to PBOT under the Code Guide titled Window Projections Into Public Right of Way, IBC/32/#1. Portland Transportation staff has reviewed the proposed encroachments in detail, and the applicant has addressed their concern that the projecting wall elements comply with the minimum window area requirements through revisions to the window layout for the projecting elements. With these changes, as noted in their response, Portland Transportation has no objections to the proposed encroachments. *Regarding the maximum 12'-0" width for an individual element, and understanding the support of Portland Transportation, Design Commission may review these projections during the initial hearing on this case, and may advise PBOT and staff regarding any concerns. Staff recommends approval of this exception concurrently with the Design Review.*

G. Separation. Minimum separation of 12 feet measured from other projecting window elements on the same elevation or plane of wall. When approved through Design Review, required separation may vary provided the area of all projecting window elements on a wall does not exceed 40% of the wall's area and the width of any single projecting window element over the right-of-way does not exceed 50% of its building wall's length.

Findings: There are only single projections on the north and south elevations. There are two projections on the east-facing wall, but they are over 150'-0" apart from each other. The widths of the projections do not exceed 50% of the width of any single elevation or wall. *This Criterion is met.*

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The Design Review process promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. Design Review ensures that infill and new development will be compatible with the neighborhood and enhance the area.

The proposed building is an attractive, well-conceived project on the recently reconstructed SW Moody Avenue right-of-way, at a key juncture between the largely undeveloped northern section of the South Waterfront District and the more developed area to the south. Directly adjacent to the Ross Island Bridge, and sandwiched between SW Moody and vehicle ramps to the west, the project helps to anchor this northwest edge of the current district and serves as a gateway and portal to those arriving and departing from the area on SW Moody. With a dynamic arcing main façade that gets material and form inspiration from the marine industrial heritage in the area, and with a generous raised 'front porch' that serves as a sidewalk extension from SW Moody, the building is a well-crafted, cohesive addition to the neighborhood that merits approval. The only exception to the approval is for three directional flood lights facing north to the underside of the bridge, which should be delayed until further design development is done for this area, along with all the non-standard improvements in the SW Grover right-of-way beyond the property line, which will be considered separately through a future Type II Design Review.

TENTATIVE STAFF RECOMMENDATION

(May be revised upon receipt of new information at any time prior to the Design Commission decision)

Approval of Design Review for the construction of a new seven-story mixed-use apartment building with ground floor retail space, a single loading bay, and bike parking room on a site at the west frontage of SW Moody Avenue, just north of SW Grover Street, and immediately south of the Ross Island Bridge. This approval includes all the on-site improvements within the lot lines, with the exception of the three directional flood lights shown on the lighting plan facing north. Right-of-way improvements in SW Grover that do not meet City standards must be evaluated through a future Type II Design Review.

Approval of a Modification through Design Review to the **Maximum Transit Street Setback** standard of the CX base zone (33.130.215.C.2.e), to reduce the amount of ground floor façade within 10' of the SW Moody lot line from 100% to 8%.

Approval of a Modification through Design Review to the **Special Required Building Lines for South Waterfront** (33.510.215.D.2), to reduce the amount of building walls within 12'-0" of the SW Moody lot line from 75% to 23%.

Approval of an exception to 3202.3.2, Window Projections into the Public Right-of-Way, increasing the maximum length of any single projecting element from 12'-0" to 16'-0" and 29'-1".

These approvals are granted based on the design details, materials, and other elements shown on the approved drawings, Exhibits C.1 through C.39, and subject to the following condition:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.39. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 12-118988 DZM. No field changes allowed.

Procedural Information. The application for this land use review was submitted on March 22, 2012, and was determined to be complete on April 30, 2012.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on March 22, 2012.

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 did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on August 29, 2012.**

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

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

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

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

This report is not a decision. The review body for this proposal is the Design Commission who will make the decision on this case. This report is a recommendation to the Design Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Design Commission will make a decision about this proposal at the hearing or will grant a continuance. Your comments to the Design Commission can be mailed c/o the Design Commission, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201 or faxed to 503-823-5630.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. This Staff Report will be posted on the Bureau of Development Services website. Look at www.portlandonline.com. On the left side of the page use the search box to find Development Services, then click on the Zoning/Land Use section, select Notices and Hearings. Land use review notices are listed by the District Coalition shown at the beginning of this document. You may review the file on this case at the Development Services Building at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201.

Appeal of the decision. The decision of the Design Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Design Commission, only evidence previously presented to the Design Commission will be considered by the City Council.

Who can appeal: You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. Appeals must be filed within 14 days of the decision. **Appeals must be filed**

within 14 days of the decision. An appeal fee of \$5,000.00 will be charged (one-half of the BDS application fee, up to a maximum of \$5,000).

Appeal Fee Waivers: Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

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.

- 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; *OR*
- *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 may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and

- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

Planner's Name: Mark Walhood

Date: May 25, 2012

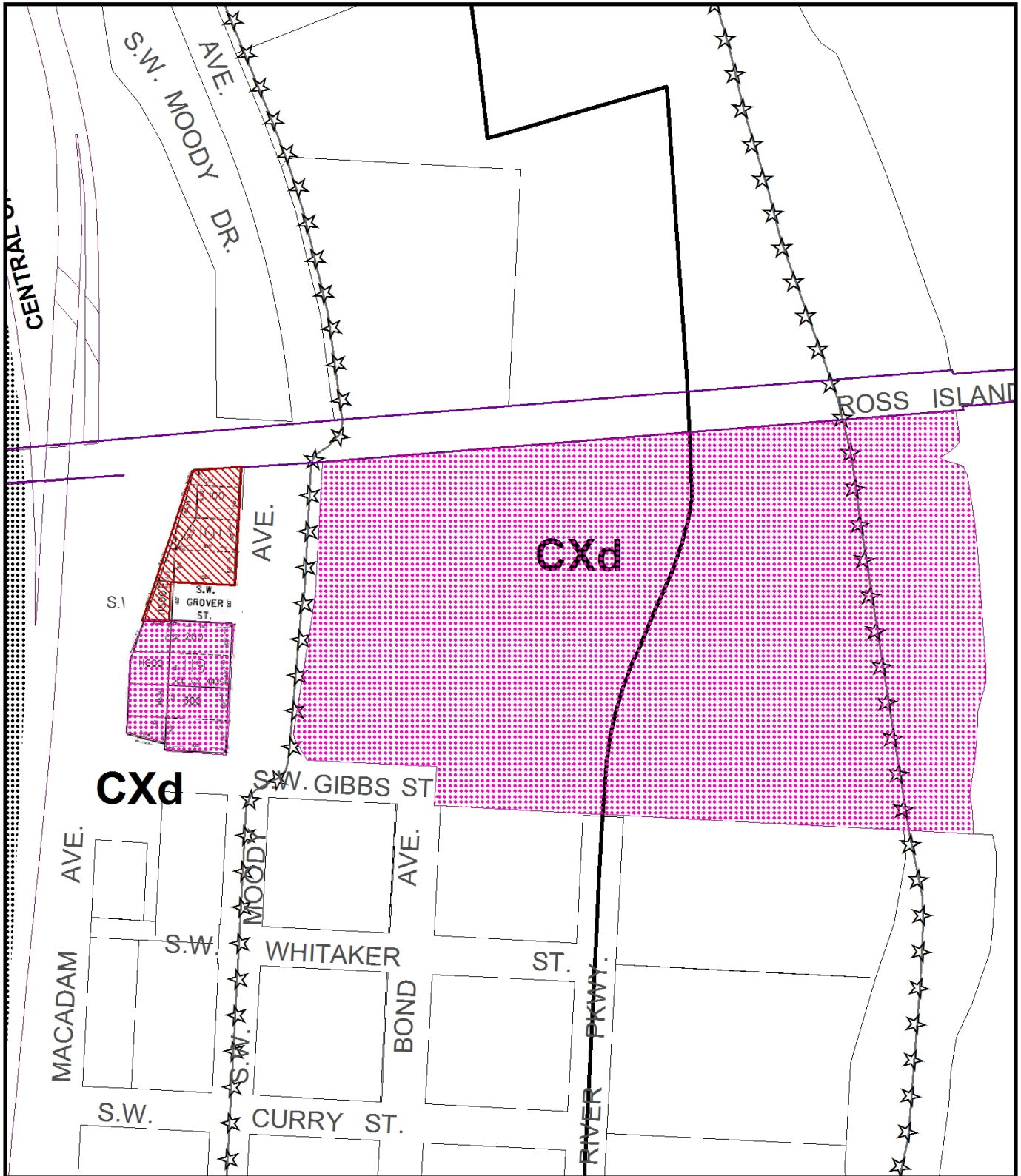
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement:
1. Final written narrative with project overview and design guideline narrative, received May 24, 2012
 2. Final Section 5/appendix, including ROW projections diagram, SW Grover St. Concept Drawings, and project schedule
 3. Final, revised stormwater report, forwarded from BES staff on May 24, 2012
 4. Second round stormwater report and cover letter, received May 1, 2012
 5. April 27, 2012 plan set – NOT APPROVED – reference only
 6. April 27, 2012 cover letter to staff and property acquisition deeds for R646476 and R646475
 7. First round stormwater report, received May 27, 2012
 8. Original cover letter and plan set – PLANS NOT APPROVED – reference only
- B. Zoning Map (**attached**):
- C. Plans & Drawings:
1. Utility Plan
 2. Planting Plan (**attached**)
 3. Site Plan
 4. Site Lighting Plan, including notation that three (3) S4 floodlights are not approved
 5. Floor Plan – Level 1
 6. Floor Plan – Level 2 (**attached**)
 7. Floor Plan – Level 3
 8. Floor Plan – Level 7
 9. Roof Plan
 10. East and West Elevations (**attached**)
 11. North and South Elevations (**attached**)
 12. Enlarged Elevations and Wall Sections
 13. Enlarged Elevations and Wall Sections
 14. Enlarged Elevations and Wall Sections
 15. Enlarged Elevations and Wall Sections
 16. Enlarged Elevations and Wall Sections
 17. Rooftop Enclosure Sections and Elevations
 18. Exterior Details
 19. Exterior Details
 20. Exterior Details
 21. Exterior Details
 22. Mechanical Equipment Cut Sheet Package – 12 pages total
 23. Color Utility Plan
 24. Color Site Plan
 25. Color Ground Level Plan
 26. Color Level 2 Plan
 27. Color Levels 3-6 Typical Plan
 28. Color Level 7 Plan
 29. Color Roof Plan
 30. Color Section Looking North
 31. Color Section Looking West
 32. Color East Elevation
 33. Color West Elevation
 34. Color South Elevation
 35. Color North Elevation

36. Color Rendering – View Looking Northwest
 37. Color Rendering – View Looking Southwest
 38. Color Rendering – View Looking South
 39. Large, Scalable Plan Set Matching C.1 through C.21
- D. Notification information:
1. Request for response
 2. Posting information and notice as sent to applicant
 3. Applicant’s statement certifying posting
 4. Mailing list and public hearing notice
- E. Agency Responses:
1. Bureau of Environmental Services
 2. Development Review Section of Portland Transportation
 3. Water Bureau
 4. Urban Forestry Division of Portland Parks and Recreation
 5. Life Safety Section of the Bureau of Development Services
 6. Portland General Electric
- F. Letters:
1. *(none received at time of staff report mailing)*
- G. Other:
1. Original LUR Application Form and Receipt
 2. Site History Research
 3. Incomplete Letter from staff to applicant, sent April 12, 2012
 4. Request for Completeness documents
 5. Pre-Application Conference Summary Notes – EA 12-107785 PC

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



ZONING

-  Site
-  Also Owned



This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No. LU 12-118988 DZM
 1/4 Section 3329
 Scale 1 inch = 200 feet
 State_Id 1S1E10BD 100
 Exhibit B (Apr 19,2012)



STRUCTURAL ENGINEER
1177 Community Center Lane
Farmingdale, NY 11737
PHONE: 516.378.2221
FAX: 516.378.2222

MDF ENGINEERS
1177 Community Center Lane
Farmingdale, NY 11737
PHONE: 516.378.2221
FAX: 516.378.2222

CIVIL ENGINEER
1177 Community Center Lane
Farmingdale, NY 11737
PHONE: 516.378.2221
FAX: 516.378.2222

PROJECT
MOODY AVE
MIXED USE
Preliminary Design

DEVELOPER
Project Eastman Development
1300 17th Avenue SW
Atlanta, GA 30336
PHONE: 404.524.1100

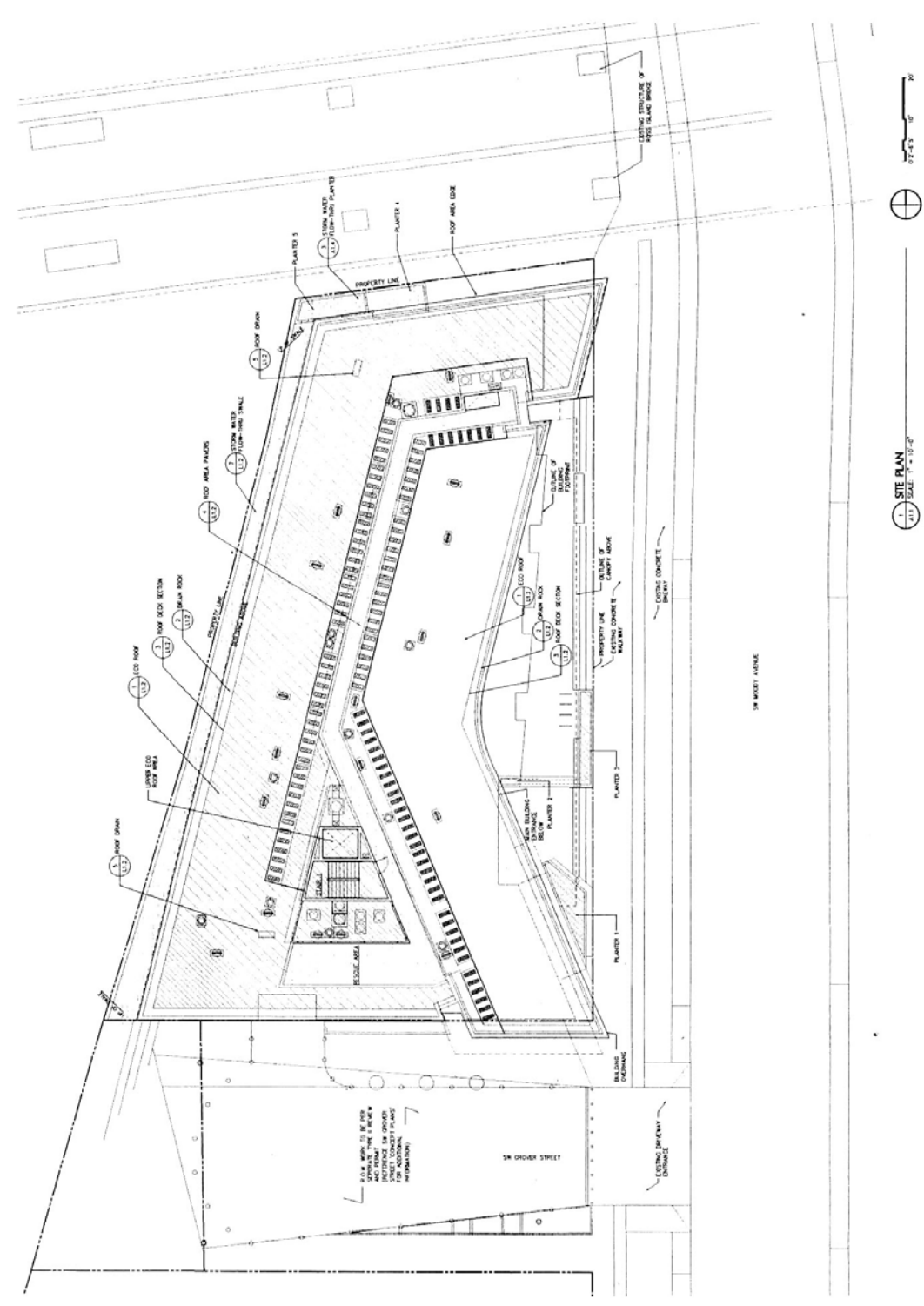
DATE
12/14/2014

DRAWN BY
MDF

CHECKED BY
MDF

SCALE
AS SHOWN

PLANTING PLAN



D.R. APPLICATION
SUPPLEMENTAL
ITEM # **C.2**

LU 12-118988 DZM

PLANTING SCHEDULE

PLANTING SCHEDULE	PLANT	QUANTITY	LOCATION
PLANTING SCHEDULE A (SEE PLAN)	BRUCE SPRUCE	1	CENTRAL PLANTING AREA
	AMERICAN SWEETGUM	1	CENTRAL PLANTING AREA
	LEONARDT ASH	1	CENTRAL PLANTING AREA
	DOGWOOD	1	CENTRAL PLANTING AREA
	REDBUD	1	CENTRAL PLANTING AREA
PLANTING SCHEDULE B (SEE PLAN)	BRUCE SPRUCE	10	ALONG 3RD AVENUE
	AMERICAN SWEETGUM	10	ALONG 3RD AVENUE
	LEONARDT ASH	10	ALONG 3RD AVENUE
	DOGWOOD	10	ALONG 3RD AVENUE
	REDBUD	10	ALONG 3RD AVENUE
	BALTIMORE PALM	10	ALONG 3RD AVENUE
	LEONARDT ASH	10	ALONG 3RD STREET
	DOGWOOD	10	ALONG 3RD STREET
	REDBUD	10	ALONG 3RD STREET
	BALTIMORE PALM	10	ALONG 3RD STREET

NOTES:

1. ALL PLANTING SHALL BE DONE BY THE CONTRACTOR UNDER THE SUPERVISION OF THE ARCHITECT. PLANTING SHALL BE COMPLETED PRIOR TO THE START OF OCCUPANCY.
2. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF BALTIMORE PLANTING SPECIFICATIONS.
3. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING TREES AND SHRUBS.
4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND SERVICES.
5. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF BALTIMORE PLANTING SPECIFICATIONS.



LULU ARCHITECTS
 100 WALL STREET, SUITE 200
 NEW YORK, NY 10038

PROJECT: MOODY AVE. MIXED USE
CLIENT: [Redacted]
DATE: [Redacted]

ARCHITECT: [Redacted]
DATE: [Redacted]

MEP ENGINEER: [Redacted]
DATE: [Redacted]

CIVIL ENGINEER: [Redacted]
DATE: [Redacted]

STRUCTURAL ENGINEER: [Redacted]
DATE: [Redacted]

MECHANICAL ENGINEER: [Redacted]
DATE: [Redacted]

ELECTRICAL ENGINEER: [Redacted]
DATE: [Redacted]

PLUMBING ENGINEER: [Redacted]
DATE: [Redacted]

MECHANICAL ENGINEER: [Redacted]
DATE: [Redacted]

ELECTRICAL ENGINEER: [Redacted]
DATE: [Redacted]

PLUMBING ENGINEER: [Redacted]
DATE: [Redacted]

MECHANICAL ENGINEER: [Redacted]
DATE: [Redacted]

ELECTRICAL ENGINEER: [Redacted]
DATE: [Redacted]

PLUMBING ENGINEER: [Redacted]
DATE: [Redacted]

MECHANICAL ENGINEER: [Redacted]
DATE: [Redacted]

ELECTRICAL ENGINEER: [Redacted]
DATE: [Redacted]

PLUMBING ENGINEER: [Redacted]
DATE: [Redacted]

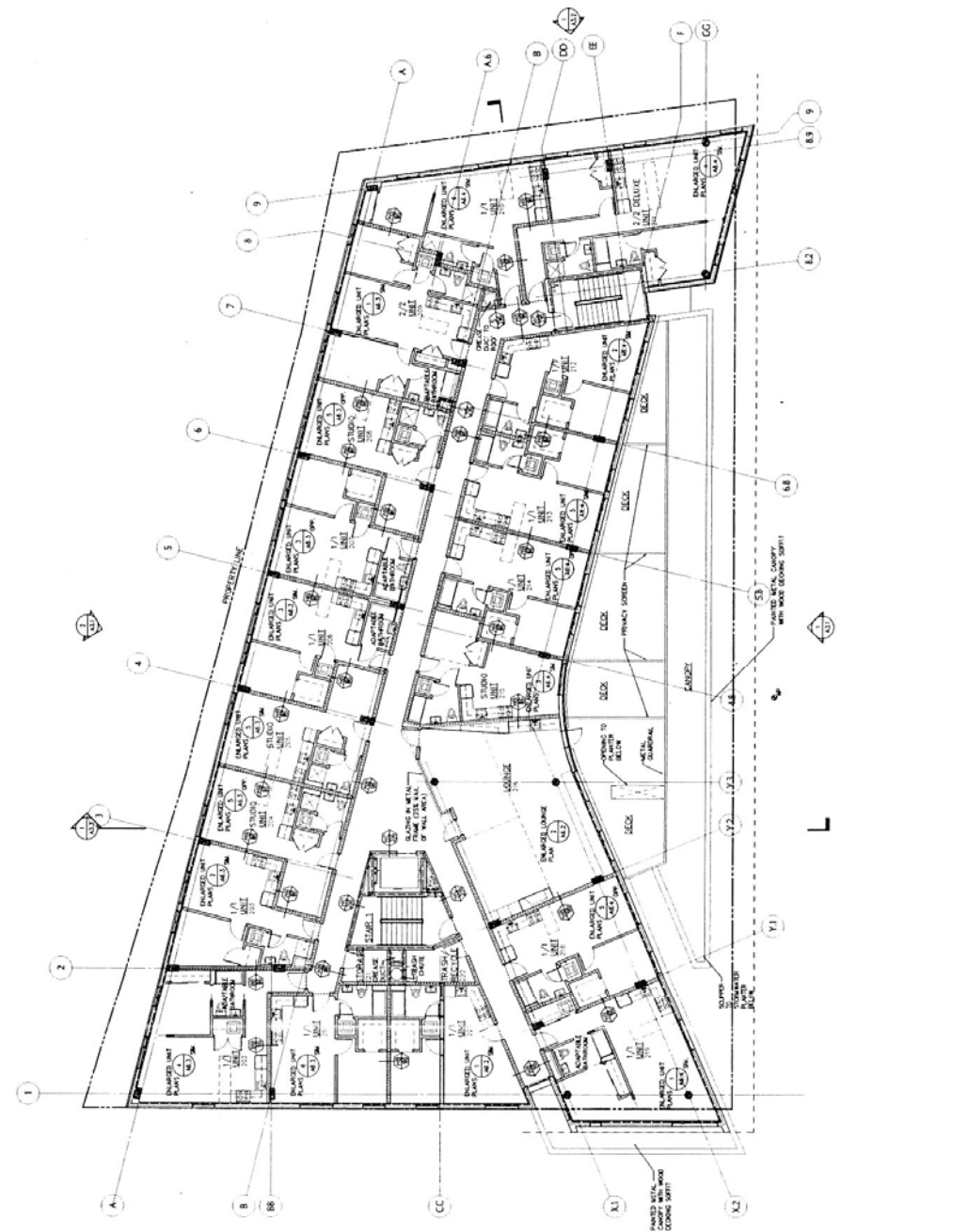
MECHANICAL ENGINEER: [Redacted]
DATE: [Redacted]

ELECTRICAL ENGINEER: [Redacted]
DATE: [Redacted]

PLUMBING ENGINEER: [Redacted]
DATE: [Redacted]

MECHANICAL ENGINEER: [Redacted]
DATE: [Redacted]

ELECTRICAL ENGINEER: [Redacted]
DATE: [Redacted]



- GENERAL NOTES:**
1. FOR FLOOR AND ELEVATOR MARKINGS SEE AS SHOWN ENLARGED FLOOR PLANS.
 2. FOR FLOOR AND ELEVATOR MARKINGS SEE AS SHOWN.
 3. FOR SLAB EDGE AND OPENING MARKINGS SEE STRUCTURAL AND SHEET A-1.1 & A-1.2.
 4. FOR FINISHES SEE FINISHING SHEET F-1.1 & F-1.2.
 5. FOR DOOR AND FRAME SCHEDULES SEE SHEET A-1.3.
 6. EXTERIOR DIMENSIONS ARE TO FACE OF SHEETPIPING, MASONRY, OR CONCRETE, UNLESS NOTED OTHERWISE.
 7. FOR FINISHING NOTES SEE SHEET F-1.1.
 8. INTERIOR PARTITIONS SHALL BE TYPE 0-00 UNLESS NOTED OTHERWISE.
 9. FOR FINISHING NOTES AT FLOORS, SHAWTS, CEILING, ROOFS AND ATTIC PARTITIONS SEE SHEET F-1.1.
 10. FOR FINISHING MARKING HEIGHTS AND SLOPING REQUIREMENTS SEE SHEET F-1.1.
 11. FOR FINISHING AT SHEETPIPING MARKINGS SEE SHEET F-1.1.
 12. FOR FINISHING AT SHEETPIPING MARKINGS SEE SHEET F-1.1.

1. FLOOR PLAN - LEVEL 2
 SCALE: 1/8" = 1'-0"

DATE:	10/15/2024
BY:	[Redacted]
CHECKED BY:	[Redacted]
DATE:	10/15/2024
BY:	[Redacted]
CHECKED BY:	[Redacted]
DATE:	10/15/2024
BY:	[Redacted]
CHECKED BY:	[Redacted]
DATE:	10/15/2024
BY:	[Redacted]
CHECKED BY:	[Redacted]

D.R. APPLICATION SUPPLEMENTAL ITEM # C.6

A2.2

LU 12-118988 DZM

DESIGN DEVELOPMENT

MOODY AVE
 413 SW 117th Ave, Suite 300
 Portland, Oregon 97224
 Phone: 503.251.4600

413 SW Moody Street
 Portland, Oregon 97224
 Phone: 503.251.4600

Clients

STRUCTURAL ENGINEER
 KPFF Consulting Engineers
 1111 NE Oregon Street
 Portland, OR 97232 503.252.3671

MECHANICAL

MECHANICAL ENGINEER
 SPT Inc
 1500 NE Oregon Street
 Portland, OR 97232 503.251.4681

CIVIL ENGINEER

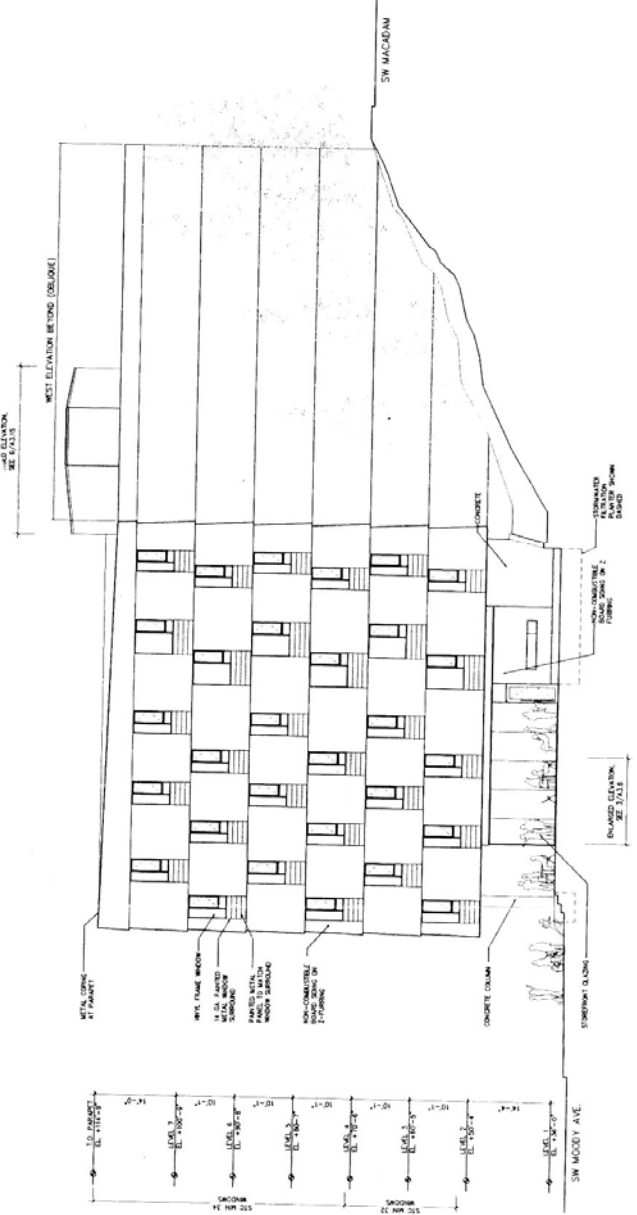
CIVIL ENGINEER
 SPT Inc
 1500 NE Oregon Street
 Portland, OR 97232 503.251.4681

PROJECT	MOODY AVE. MIXED USE
DEVELOPER	Portland Center 413 SW 117th Ave, Suite 300 Portland, Oregon 97224 503.251.4600
OWNER	City of Portland
DATE	11/10/2011
BY	[Signature]
CHECKED BY	[Signature]
DATE	11/10/2011
SCALE	AS SHOWN

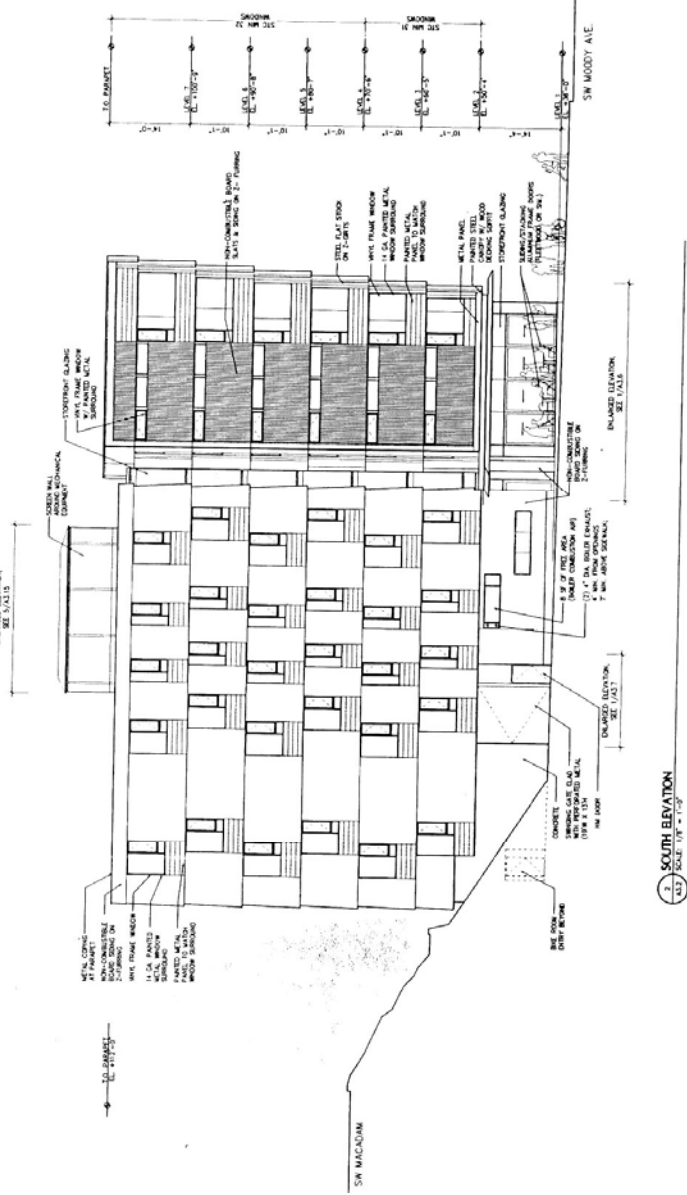
D.P.R. APPLICATION
 SUPPLEMENTAL
 ITEM # **C.11**

LU 12-118988 DZM

- GENERAL NOTES**
- 1. FOR GLAZING TYPES SEE LEGEND AND SPECIFICATIONS DIVISION 8
 - 2. ALL GLASS TO BE TYPE 11-80
 - 3. FOR WINDOW TYPES SEE A/E (WELT, WOOD) (W)
 - 4. REFERENCE ELEVATIONS - 4'-0" TO 4'-0" = 4'-0" TO 4'-0"
 - 5. FOR ADDITIONAL FACADE LAYOUT INFORMATION SEE A3.10 AND A3.10
- LEGEND**
- GLAZING TYPES**
- ◇ WOOD GLASS
 - ◇ WOOD GLASS TYPED
 - ◇ WOOD GLASS W/WT FRIT
 - ◇ SPANREL GLASS W/WT FRIT
- GLAZING SCHEDULE**
- ◇ REFERENCE ITM
 - ◇ GLASS W/WT GLAZING ELEVATION - 441.00'



1 NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



2 SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"