



City of Portland, Oregon
Bureau of Development Services
Land Use Services

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MEMORANDUM

Date: June 30, 2014
To: Portland Design Commission
From: Staci Monroe, City Planner
503-823-0624, Staci.Monroe@portlandoregon.gov
Re: July 10, 2014 Design Commission
LU 14-117884 DZM – Block 37

Attached is a drawing set for revisions made to Block 37 since the first Type III hearing on May 15, 2014. After the hearing, I provided the applicant a summary of Commission's feedback, a copy of which has been included in the applicant's submittal and attached to this memo. Revisions to the project have been made in response to Commission's concerns, however, Staff feels that some of items require further consideration and therefore a Staff Report has not been prepared. The remaining items are as follows:

- Transition along the Greenway – Revisions have been made that provide more room and a better transition to the greenway trail in response to the Commission's comments. The building has been setback an additional 1'-0", retail space has been added with an outdoor patio and minor revisions made to the landscaping. At its narrowest point, the building wall is now setback 10'-0" from the east property line with the retail patio approximately 8'-5" from, and 5'-0" above, the actual bike path. Is the additional setback and retail component enough to improve the transition at this pinch point where the trail curves back towards the property? In order to ensure success of a corner retail space at the greenway, has the retail component been fully realized and differentiated in this new design with regard to depth and design of the patio, adjacent landscape design, and the tenant entry, storefront, canopies and signage?
 - *Ground Floor Plan – C.8*
 - *Section & Setbacks at Greenway – C.33*
 - *Perspective of NE corner – C.20 & C.21*
 - *Landscape Plan – L.8*
- Lane Projection – The Commission indicated at the hearing that if the buildings to the west already project into the 30'-0" Lane setback then they may consider a similar projection for Block 37. The applicant has provided this information that shows the Ardea and Riva both include elements (balconies and garage vent screens) that project into Lane, 4'-0" and 5'-0" respectively. Although these two precedent buildings include minor building elements that project more than Block 37 (which is now proposed to project 3'-6" into the setback), these existing situations present a different condition. The projections into the setback at the Ardea and Riva are smaller and lighter elements hung on a building wall; this is different than Block 37's projections, which are 5-story building facade planes. Given this new information, is the projection into Lane approvable as proposed? (*Note, Staff researched the Ardea and Riva final land use decisions and unfortunately neither made mention of the Lane setback projections, though Modifications should have been processed*).
 - *Lane Street Setbacks – C.4*
 - *Lane Street Rendering – C.22*
- Coherecy and Composition – Changes include a more consistent use of the accent material and unifying the pieces within the brick bays with a single color. The major project revision to reduce the building height, and thus eliminate the need for the modification, has occurred along the Gaines Street façade. The change reflects the Commission's preference to step back the upper floors (by

20'-0") which was presented at the hearing. Projecting bays have been added to provide some relief along this long elevation. This change has affected the large frame part of the original concept, specifically on the north and west facades. In the prior design, the brick extended up from the base on both of these facades separating the frames and providing a more coherent design of the base. Have these changes improved the coherency and strengthened building's composition? And, with these changes is the brick resolved in its applications at the east and south facades?

- *North and West Facade Renderings – C.17, C.19 & C.23*
- *South & East Façade Renderings – C.21 & C.22*

4. Garage Entry location – The Commission expressed support for the relocation of the garage to the west in alignment with the opposing Atwater garage. This was a request in several of the public comments received, which the applicant was amenable to. The applicant has chosen to not relocate the garage and so Staff feels the proposed location should be discussed by the Commission. PBOT has no objections to the garage in either location, so long as it is either aligned the Atwater garage or far enough to the east to not create a conflict. PBOT has noted that if aligned with the Atwater garage, delays in pedestrian movement may occur while cars are waiting to exit and on-street parking would be reduced by at least one space.

- *Ground Floor Plan – C.8*
- *North Building Elevation – C.13*

Portland Parks and Recreation (PPR) and Bureau of Environmental Services (BES) have reviewed the changes and have no objections. PPR has indicated the concept proposed is acceptable, however, the improvements that extend into public property will be reviewed in detail under the Non-Park Use Permit (NPUP) process. PPR also still recommends a CPTED (Crime Prevention Through Environmental Design) review given the project's proximity to a major regional trail facility.

Staff has received several comments from the public on the revised proposal, which have been attached to the memo. The majority of the original concerns are restated while comments regarding the changes have been added.

As you know, the review criteria are Central City Fundamental Design Guidelines, South Waterfront Design Guidelines and the South Waterfront Greenway Design Guidelines.

Please contact me with any questions or concerns at (503) 823-0624.

Attachments: May 15th Design Review Hearing Comments
Public Comment from Block 37 Citizens Committee
Public Comment from South Waterfront Community Association
Public Comment from South Portland Neighborhood Association Land Use Committee

MAY 15 DESIGN REVIEW HEARING COMMENTS

Block 37 Apartments

TRANSITIONS ALONG GREENWAY

Majority of the Commission agreed that more work and room is needed in the transition zone between the building and the greenway trail. Supporting comments included:

- Design of the transition should be more in line with the spirit of the greenway rather than what the code prescribes
- Proximity is a problem
- Leaning towards more breathing room
- Warrants a design response much more compliant with Design Guideline C6 (Develop transitions between buildings and public spaces).
- Should continue the character of what exists to the north, which is up to the design team to interpret for this site.
- Abrupt transition from public to private space
- Proposal lacks compliance with guidelines A1-2 (Incorporate active uses along the river), B1-2 (Enhance accessway transitions), and B4 (Provide stopping and viewing places)

COMPOSITION, MATERIAL, COHESION

Majority of the Commission agreed the design lacks architectural coherency and the composition should be strengthened. Supporting comments included:

- Appears more graphic than architectural
- Appears more unresolved on greenway side
- South façade along Lane would be improved by removing the 6 unit townhomes
- Use of accent material on upper mass at northeast corner is not consistent with its application elsewhere
- Regarding the brick, there is a muddling of components at the south and east ends. Simplify and strengthen the brick as a base material.
- A lot of texture already and pretty dynamic. Two components should be stronger throughout the building on all facades.
- Provide details for stucco panel attachment (fasteners – countersunk, patched, etc...)

MODIFICATION TO HEIGHT ALONG GAINES

Majority of the Commission agreed to the alternative design that meets the height limit. Presents a challenge with the vocabulary of the building as designed.

MODIFICATION TO SETBACK ALONG LANE

Majority of the Commission agreed that if the Ardea to the west already established projections into 30' setback then they could consider the upper floor projection. If not, they would not be comfortable supporting the Modification as it would set precedent.

GENERAL COMMENTS RELATED TO THE ITEMS ABOVE AND THE OVERALL DESIGN CONCEPT

- Lack of regard for the contextual response – why is this specific design in this specific place?
- Modifications should make things better, they are not a get out of jail free card. Where is the betterment in this building to justify the modifications being sought?
- Proposal lacks conformance with the guidelines A5-1 (Consider South Waterfront's history and special qualities), specifically relating to history and art.
- Provide solar access analysis for central courtyard on 2nd floor.
- Retail convertible – acceptable, unless retail is part of the solution to the greenway transition issue.

- Loading on Lane – Removable bollards at the back of the sidewalk is an acceptable solution.
- Vaults – Metal or paver, just not inside the building.
- Garage entry – support for shifting to previous location. PBOT needs to review.
- Rooftop – rock design acceptable

Date: June 22, 2014
To: Staci Monroe
Via e-Mail: staci.monroe@portlandoregon.gov
From: Block 37 Citizens Committee

Re: LU 14-117884 DZM –South Waterfront Block 37

Dear Staci:

Thank you for the continuing opportunity to be a part of the review and input process of the proposed structure for Block 37. It means a great deal to residents and businesses in the neighborhood to know that the City values their opinions and cares how a new addition to the neighborhood can have either a positive or a negative effect on the existing inhabitants and the City's goals for the district.

The following represents further comments and concerns regarding the most recent design and narrative revisions **(submitted June 16, 2014)** by the Block 37 Architects and Developer.

Please insert this into the file for the continuation of the hearing on Thursday, July 10.

It is our intent by providing you feedback quickly that our concerns will be **considered by staff** as it prepares the Staff Report for the Commissioners.

While the Developer has made strides in some areas to better conform to City code and to both City and SWCA guidelines, the Committee identified seven remaining core areas that still require attention in order to achieve a desirable addition to the South Waterfront neighborhood. If attention is not paid to these concerns at this critical phase of the review process, the project will have the unintended effect of creating a precedent not envisioned in both the City's and the SWCA's vision for the South Waterfront:

Zoning Violation - Block 37 encroaches into the required SW Lane setback.

Floors 2 through 6 extend 4'6" into the required setback along SW Lane. At the ground floor the encroachment is used to provide private space for personal, not public use, i.e. apartment entries, patios, planters and the like. The net effect of this setback encroachment provides the developer with an additional 4,000 SF of space, for a 10 residential unit bonus.

Secondly, despite the applicant's contention, site measurements indicate that both the Ardea and Riva apartment buildings to the west respect the setback requirement along SW Lane.

Greenway Setback - Block 37 crowds the Greenway.

As shown on C.33 the Greenway frontage at Block 37 is only 32'-9" wide. This width must accommodate the pedestrian and bicycle trails as well as safety space between trails and on both sides. While the building has been pulled back another five feet from the Developer's earlier proposal, it still too closely abuts the Greenway, overwhelming the trails and the scenic viewpoint.

In the Staff Report of 3/4/2014, Portland Parks & Recreation (PPR) requested greater separation between the private property and the Greenway to enhance security and provide a more functional delineation. The edge of the bicycle trail is 2'-9" from the Greenway property line. The edge of the Block 37 patio is 5'-8" from said property line. This makes the patio only about **3 arms lengths from the edge of the bicycle trail.**

The distance between the Greenway trail and Block 37 is 9 feet. The distance between the recently constructed Greenway trail and the Meriwether is approximately 80 feet and approximately 90 feet at the Atwater. The proximity of

Block 37 to the greenway is a radical departure from the precedent established by existing buildings. The Greenway crowding provides the developer with a unit bonus of approximately 10 units.

We suggest that the "Riverwalk" concept, as provided for in the SWCA Guidelines, is the appropriate treatment, consisting of a 10' wide walkway on *private property* along the entire frontage of Block 37, consistent with the pathway provided by Atwater Place and Meriwether East & West to the North. This would allow the developer to include a 10' space to be used for seating or other tenant uses, per the SWCA guidelines. This would result in a 20' building setback from the Greenway as previously requested. This treatment would assure both the separation and security enhancements requested by PPR as well as provide emergency access needed along the Greenway at Block 37.

Gaines Façade –The façade has a suburban scale.

The Gaines Street elevation (325 ft. in length) is out of character with existing South Waterfront buildings that front onto the River. It is also inconsistent with the more intimate scale and enhanced aesthetics of the Block 37's other elevations. The Gaines Street facade needs to be broken into smaller increments. For example the Atwater Place elevation on SW Gaines Street is segmented into three sections (50 feet, 200 feet, and 70 feet). The 200 foot façade has an 8 foot setback from the 50 foot façade and the 70 foot façade has an additional 8 foot setback from the 200 foot façade.

Building Color – The white color accentuates the building massing.

The dominant color of Block 37 is white, despite new efforts to interlace it with brick and other materials. The panelized white will not weather well over time and its glaring nature will also be intensely reflective to current neighbors to the North and future neighbors to the South.

Existing buildings in the South Waterfront have established a color palette of muted greys and earth tones. To be compatible with the neighborhood, the Block 37 white should be changed to a darker hue. A panoply of choices exist while still allowing the building to differentiate itself and bring variety to the neighborhood.

Roof and 5th Floor Deck – Colored gravel is a poor substitute for an Ecoroof.

Block 37's roof and proposed 5th floor deck along SW Gaines Street (20 feet wide by 300 feet long) will be visible from surrounding buildings. Other South Waterfront structures have attractive and functional Ecoroofs. Block 37 should be required to meet the neighborhood standard by installing an Ecoroof instead of colored gravel.

Secondly, because of its low height, relative to its neighbors, its building fans, compressors and other equipment traditionally located on rooftops will be highly visible. It would seem appropriate, given this disparity in height, that a condition of Block 37 approval should include a review of equipment locations, equipment screening, noise assessment, and noise mitigation measures.

Parking Ratios – The Block 37 parking shortage will seriously impact existing businesses.

The South Waterfront community has made it clear that the district's lack of on-street parking is a critical issue for residents and the retail environment the City hopes to encourage in the district as part of its original vision.

The current plans show 175 single parking stalls and 25 tandem stalls to get to their 225 parking spaces. Since tandem stalls are not suited to be shared, a maximum of 200 dwelling units of the planned 267 units can be assigned onsite parking without providing any spaces for guest or retail parking. The 67 units or 25% of the total units will either not be able to own a car or will compete for the very limited street parking.

While parking is not something the Design Review Commission must address directly, it is obligated to consider it if the effect of a project enhances or degrades a neighborhood.

If the Commission approves the SW Lane encroachment and the Greenway crowding the net effect is a 20 residential unit bonus to the Developer that will only exacerbate the already low unit-parking ratio. This will result in parking spillover to the streets seriously degrading the already fragile South Waterfront retail environment and eroding the City's goals.

Parking Garage Entry – An entry opposite the Atwater garage entry is preferred.

The neighborhood has been consistent in its preference for the parking garage entry location. The neighborhood's preference should be made clear to the Portland Department of Transportation (PDOT). The earlier objection to the location closer to River Parkway was due to it being *offset* from, not *directly opposite of*, the Atwater garage entry point that residents felt would create both driver and pedestrian confusion. The continuing insistence to have it located adjacent to the turnaround and the pinch point of the Greenway at Block 37's NE corner is illogical as it creates the potential for pedestrian-bicycle-automobile conflict that is both potentially dangerous and could be otherwise avoided as the Developer has already indicated a vehicle entry point at the West end of the project to deal with retail refuse needs.

When a developer buys a piece of property to erect a building, s/he is also *buying into a community*, not simply a lot. Building a structure that stretches both the legal property boundaries and the City's and SWCA's design guidelines is a "lot", not a "neighborhood" approach to Block 37. This is particularly important because it is one of the few remaining River-front properties on the Willamette, along which residents and visitors will walk and bicycle to experience the City. Because we have so few riverfront properties left, those that remain should deliver extraordinary benefits to the broader community because of their specialness of their locations.

The City of Portland had specific goals it hoped to achieve to reinforce the inner City infrastructure and create a tax base to support it, when it first envisioned the South Waterfront neighborhood. The proposed configuration of Block 37, despite its improvements, adds residential units to the neighborhood but doesn't help either the community or the City achieve its goals as originally outlined in the vision for the South Waterfront.

We very much appreciate the consideration of our concerns by both the Design Review Commission and its staff. We want to provide constructive feedback that will shape the neighborhood landscape and the benefits to residents, to other residents of the City, and to visitors. The remaining riverfront properties are so few and their significance to our residents and businesses, as well as to the community at large, are huge. We want to make the most of the remaining Riverfront properties and to openly welcome a new neighbor to the community.

Thank you for your consideration.

Date: June 28, 2014
To: Staci Moore
From: John Tate, Chairman South Waterfront Community Association (SWCA)
Re: LU 14-117884 DZM – South Waterfront Block 37

Dear Staci:

Thank you again for taking the time to listen to the residents of the South Waterfront community on this important and sensitive topic. As you and the committee have most likely discerned, we are a very passionate community, especially when it comes to the continued development of the South Waterfront and its community. A community we, and many others, call home. It is with this passion and interest we want to ensure new developments continue to fit the original vision the city and others had during the development of the original Waterfront Master Plan.

The main consideration I feel Block 37 needs to continue to consider is the bigger picture. It isn't just about a new building and its revenue generation. It's more than that. It's about the people, residents of the greater Portland metropolitan area, and the visitor's that visit our City of Roses. This construction will be an extension of our skyline in all its beauty and functionality, representing our city for future years, for all that live here and those that visit from all parts of the world.

What concerns me, as a resident and Chairman of the SWCA, is the motivation of Block 37's construction plans and goals don't seem to fully reflect, appreciate nor take into complete consideration the original vision the established Design Guidelines of the area state and we hold ourselves to and other developments have respected, strictly followed and taken into consideration when making the South Waterfront their new home.

The "Block 37 Citizens Committee" has done an enormous amount of research and work reviewing the variances to the established guidelines for this new member of the community. While also providing feedback to both the city and developer on the violations, considerations and most importantly, reasonable options to comply and still accomplish both the residents and developers goals in becoming a new addition to the community and the "City of Roses."

The Citizens Committee has demonstrated whole heartedly that this is not an "Us against Them" effort. Rather it's a community pulling together and wanting to work with another soon to become member of the "Family," knowing that this same type of passion will continue to be extended to any and all new members of our community.

These requests to adherences to any type of design guideline and/or guidelines for construction are not new to Portland or the South Waterfront. Let us remember the first zoning code passed for the South Waterfront in 1924. From there zoning changes continued in 1959 and again in 1990. All of which were done to "Limit the potential impacts on neighboring residential and commercial uses." As far back as 1924, guidelines were put into place and construction was required to strictly follow these guidelines. To allow this construction any latitude to vary from the established and agreed upon guidelines, so

many people and agencies within the South Waterfront and beyond spent countless hours as paid employees and volunteers, would leave an opening for future developments to tear into the fabric the South Waterfront Plan and the foundation it was built upon.

In the South Waterfront Plan, established in 2002, it's "Vision" statement, adapted from the "North Macadam District Framework Plan," cites the following passages from the section, "The Neighborhood in the year 2020..."

... The districts architecture and design carefully incorporate human-scale elements and tremendous river views.

... The Greenway connects urban uses, commercial enterprises, public parks and plazas to adjacent neighborhoods. Special care has been taken to enhance and integrate natural resource value. All of this has been accomplished while providing a continuous pedestrian and bicycling trail that provides pleasant and safe opportunities for recreation and commuting.

..The district integrates natural resource planning into its redevelopment. Ecologically-friendly approaches, such as eco-roofs and landscape swales to create an attractive place to live and work.

The new Tillikum Bridge will soon be open in 2015. The meaning of the name, People, Tribe or Family, is the basis of success for the continued growth of the community in the South Waterfront. The bridge will provide another access to the South Waterfront. It will host and welcome a significant amount of new members and visitors to our community through foot traffic, cycling and public transportation. This will increase the traffic along the already established and continued development of the Greenway and its cycling and pedestrian pathways.

It is imperative that the safety of the people using this pathway and those living along the pathway within the new construction of Block 37 are taken seriously into consideration. This will also have an impact on the already established bio-swale. It is these focal points that make it extremely critical that the buildings setback be a very important consideration in adherence to the establish guidelines AND civic duty of the safety and welfare of those using and living along the Greenway and its surrounding eco structure (Bio-swale).

I appreciate the willingness of Block 37 in working with the community. Looking to the community for guidance in finalizing the construction plans for this new addition to the South Waterfront while strictly adhering to the South Waterfront Design Guidelines and the spirit of the overall South Waterfront Plan, North Macadam District Framework Plan up the chain of supporting agreed upon Plans all the way back to the "Region 2040 Growth Concept". Which establishes specific actions local governments must adhere to, (and construction must follow) stating one of its goals, to "Establish 2040 "Design Type" boundaries. The city continues to do an excellent job ensuring building codes and zoning are strictly followed. We are asking Block 37 to apply the same attention to detail as provided for in the South Waterfront Design Guidelines.

In Summary; Let us not upset the long term plan that started as early as the first zoning in 1924 all the way through present day and into the year 2040, by allowing any variance to established guidelines the residents of this and other Portland long standing communities have come to know, understand and count on local agencies and recognized organizations to ensure are strictly adhered to, while protecting the future of yet another addition to Portland, the Waterfront and South Waterfront "Family."

Thanks again for all of your and the committees time in listening to the residents' concerns, feedback and suggestions for compliance on this new construction, and welcomed addition to the South Waterfront community and "Family."

Monroe, Staci

From: James Gardner <jimdonnachamois@msn.com>
Sent: Friday, June 27, 2014 4:07 PM
To: Monroe, Staci
Subject: LU 14-117884

To: Portland Design Commission
From: South Portland Neighborhood Association Land Use Committee
Re: LU 14-117884

The South Portland Neighborhood Association appreciates the opportunity to comment on the new proposed design for South Waterfront's Block 37. We also greatly appreciate the recent design changes that respond positively to some of our objections to the original design. In particular, we strongly support the step-back of the top two floors along Gaines St. to meet the code's view corridor requirements. We support the increased setback and vertical step-back of the building's eastern side to provide more breathing room for the Greenway trails. We also like the simplified detailing of the north façade and the improved surface articulation created by the addition of bay windows. Finally, we support the inclusion of commercial space at the northeast corner of the building.

We continue to have concerns about other design features that have either not changed, or have changed insufficiently. The project apparently continues to encroach above the first floor into the code-required public space along Lane St. We continue to oppose the code modification requested for this encroachment, for the reasons articulated in our April 24 communication. We also feel, despite the recent design's slight improvement, that the east façade of the building is still much too close to the Greenway. In this respect, we feel the new building should more closely follow the example of several buildings to the north along the Greenway, and provide a wider landscaped private space between the Greenway and the active private uses near the building.

We appreciate the Commission's previous support for many of our concerns. Your willingness to stand firm will help the building's architects achieve a final design that meets code requirements and design guidelines, and also results in a positive addition to the character of the nascent South Waterfront neighborhood.

*Jim Gardner
Chair, Land Use Committee
South Portland Neighborhood Association*

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