



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

Amanda Fritz, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION

CASE FILE: LU 14-152721 DZM GW
PC # 14-129579
Riverscape Lot 1 Apartments

REVIEW BY: Design Commission

WHEN: August 21, 2014 at 1:30 PM

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: Staci Monroe 503-823-0624 / staci.monroe@portlandoregon.gov

GENERAL INFORMATION

Applicant: Kurt Schultz, 503-445-7312 / SERA Design LLC
338 NW 5th Avenue / Portland, Oregon 97209

Developer: Lee Novak / Fore Property Company
1741 Village Center Circle / Las Vegas, NV 89134

Owner: Holt Distressed Property
PO Box 87970 / Vancouver, WA 98687-7970

Site Address: Northeast side of NW Front Avenue immediately northwest of the Fremont Bridge at the intersection of NW 15th

Legal Description: LOT 1, RIVERNORTH
Tax Account No.: R708970150
State ID No.: 1N1E28D 00304
Quarter Section: 2828
Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: Pearl District Business Association, contact Adele Nofield at 503-223-0070.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - River District - North Pearl sub area
Zoning: RXdg - Central Residential zone with design & greenway overlays
Case Type: DZM GW - Design and Greenway reviews with Modifications
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 applicant seeks Design and Greenway Review approval for a new 6-story, mixed use development in the North Pearl sub area of the Central City plan district, River sub district. The project would provide 149 residential apartment units in a U-shaped building that steps down to 3 stories along the future greenway trail at the northeast edge of the site. A small retail space is proposed at the ground level along NW Front Avenue. Parking is proposed in both surface spaces at the southeastern end (30 spaces) and in a basement level garage (107 spaces). Access to all of the parking on site is from NW front aligned with the signalized intersection at NW 15th. The project includes an ecoroof atop the southwestern roof, which allows for additional FAR beyond the 2:1 of the base zone (2.08:1 proposed). A rooftop amenity space is also proposed on the northeastern lower roof along the future greenway trail. A ground level outdoor courtyard would be located within the center of the building, which also contains bike parking and loading spaces. A 20’ wide easement along the southeastern edge of the property near the base of the Fremont Bridge, required by ODOT for bridge maintenance and for trail access under the original subdivision, will be improved with a concrete walkway. The 25’-0” area between the site and the river will be improved with concrete and lighting to connect the existing greenway trails that extend to the north and south of the site. Building materials include brick (arctic white – norman size), fiber cement board between windows (dark gray), and aluminum storefront and upper vinyl windows (black).

The following Modifications are requested:

1. To reduce the minimum parking space width from 8’-6” to 7’-10” within the underground garage (PZC Section 33.266.130.F, Table 266-4);
2. To exceed the maximum 200’ building dimension in the North Pearl sub area with a 227’ long east-west dimension along the north wall (PZC Section 33.510.251.D.3.c);
3. To reduce the bicycle parking space width from the required 2 feet to 18 inches for all 179 of the proposed long-term bicycle parking spaces (PZC Section 33.266.220.C); and
4. To reduce the required 12’-0” setback from the pedestrian walkway that abuts the northwest property line to 8’-0” (LU 01-00618 FP Condition of Approval F.6 & Section 33.120.220).

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines
- Willamette Greenway Design Guidelines
- River District Design Guidelines
- Modifications Through Design Review – Section 33.825.040

ANALYSIS

Site and Vicinity: The 64,671 SF property is bounded by NW Front Avenue to the southwest, Fremont Bridge to the southeast, future greenway trail and river to the northeast and an improved pedestrian walkway to the northwest. The property is undeveloped, with the exception of several above-ground equipment cabinets that house private utilities in the southern portion of the site. The intersection at NW 15th is signalized with a traffic light mast/arm and curb cut along the NW Front Avenue frontage. The southeastern 90’ of the site contains an ODOT bridge easement that contains limitations on above- and below-grade development. One of the bridge footings occurs on the adjacent property near the southeast corner of the site. A 20’ wide greenway access and emergency vehicle access required by ODOT and the original Riverscape land division from 2001 exists along the southeast edge of the site. A 25’-0”

deep parcel exists between the river and the site that is required to be improved with the greenway trail that will connect with the existing trail to that exists northwest and southeast of the site.

The surrounding area features a sharp transition between the newer residential townhomes and condominium tower of the Riverscape development to the north, and the older industrial development across NW Front Avenue to the west. The Riverscape Townhomes immediately north of the site are consistently two or three stories in height, typically above a partially-raised podium of garages and parking, and are designed with extensive east-west walkways connecting NW Riverscape Street to the Greenway Trail along the river. The Pacifica Condominium Tower is eight stories in height and located at the north end of NW Riverscape Street. The Riverscape development has a restrained material palette of brick, metal panel, stucco, and concrete block in neutral earth tones, with densely-planted landscaping featuring native shrubs, ornamental grasses, and a variety of trees and groundcovers. Industrial development to the west includes large metal and brick buildings with fenced exterior storage and work areas.

Zoning: The Central Residential (RX) zone is a high-density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will be 100 or more units per acre. Allowed housing developments are characterized by a very high percentage of building coverage. The major types of housing development will be medium and high rise apartments and condominiums, often with allowed retail, institutional, or other service oriented uses. Generally, RX zones will be located near the center of the city where transit is readily available and where commercial and employment opportunities are nearby. RX zones will usually be applied in combination with the Central City plan district.

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

The Greenway Overlay Zones, designated as “g”, “i”, “n”, “q” or “r” are intended to protect, conserve, enhance, and maintain the natural, scenic, historical, economic, and recreational qualities of lands along Portland’s rivers; establish criteria, standards, and procedures for the development of land, change of uses, and the intensification of uses within the greenway; increase public access to and along the Willamette River for the purpose of increasing recreational opportunities, providing emergency vehicle access, assisting in flood protection and control, providing connections to other transportation systems, and helping to create a pleasant, aesthetically pleasing urban environment; implement the City’s Willamette Greenway responsibilities as required by ORS 390.310 to 390.368; and implement the water quality performance standards of Metro’s Title 3.

- The River General “g” allows for uses and development which are consistent with the base zoning, which allow for public use and enjoyment of the waterfront, and which enhance the river’s natural and scenic qualities.

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 which address special circumstances existing in the Central City area. The site is within the River Subdistrict, North Pearl Subarea of this plan district.

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

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **August 1, 2014**. The following Bureaus have responded with no issue or concerns:

- Site Development Section of BDS (Exhibit E-2)
- Bureau of Environmental Services (Exhibit E-3)
- Plan Review Section of BDS (Exhibit E-4)
- Water Bureau (Exhibit E-5)
- Fire Bureau (Exhibit E-6)

The following Bureaus provided comments which include some unresolved items, which are discussed in detail in the findings below:

- Bureau of Transportation Engineering and Development Review (Exhibit E-1)
- Bureau of Parks, Forestry Division (Exhibit E-7)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **August 1, 2014**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

(1) 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 design overlay zoning (d), 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 River District Guidelines.

River District Design Guidelines and Central City Fundamental Design Guidelines

The River District is a remarkable place within the region. The area is rich with special and diverse qualities that are characteristic of Portland. Further, the River District accommodates a significant portion of the region’s population growth. This area emphasizes the joy of the river, connections to it, and creates a strong sense of community. The goals frame the urban design direction for Central City and River District development.

The Central City Fundamental Design Guidelines and the River District Design

Guidelines 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.

River District Design Goals

1. Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
2. Create a community of distinct neighborhoods that accommodates a significant part of the region’s residential growth.
3. Enhance the District’s character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
4. Strengthen connections within River District, and to adjacent areas.

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.

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

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

A1-1. Link the River to the Community. Link the Willamette River to the community reinforcing the river’s significance. This guideline may be accomplished by:

- 1) Organizing land areas and groupings of buildings to visually define the river’s linkage to the community.
- 2) Focusing and articulating roadways and pedestrianways to emphasize the river.
- 3) Developing projects that celebrate the river and contribute to creating centers of interest and activity that focuses on the Willamette.
- 4) Connecting the internal areas of the District to the Willamette Greenway Trail.

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.

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 for A1, A1-1, B4 and C6: The relationship of the development to the greenway trail and river needs to be further considered. For the areas between the ground floor residential units and the greenway trail, there is precedent to the north of a riverwalk within the additional 25' greenway setback, where the individual patios/units connect to a walkway parallel with the trail rather than trail itself. Patios are shown in the proposal, however, connections to the trail are unclear. Benches and seating opportunities should also be considered, which are found further north on the trail. At the Design Advice hearing, the Design Commission stated the surface parking area should be heavily screened. The proposal does include a rather deep and dense screening of the parking area along the greenway trail. However, it could be more thoroughly designed, rather than two tight rows of Incense Cedars that could have a fortress like effect. ***These guidelines have not been met.***

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

A5-3. Incorporate Water Features. Incorporate water features or water design themes that enhance the quality, character, and image of the River District. This guideline may be accomplished by:

- 1) Using water features as a focal point for integrated open spaces.
- 2) Taking cues from the river, bridges, and historic industrial character in the design of structures and/or open space.
- 3) Integrating stormwater management into the development.

Findings for A2 & A5-3: The project includes visible stormwater planters, bike parking, and a warehouse building aesthetic that celebrate the climate, bike culture and industrial past of the Pearl District. A large stormwater planter is proposed with the courtyard. *This guideline has been 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 for A3: The original land division that created Riverscape mimicked the downtown block pattern by providing 200' wide blocks separated by walkways running perpendicular to the river. These walkways are in alignment with the perpendicular streets of NW 16th, 17th and 18th Avenue. The conditions at Lot 1 are a bit different in that the walkway at the northwest end does not align with a street across NW Front, and more importantly, NW 15th Avenue intersects the lot midway on its northwest frontage. In the land division, it was noted that the driveway to this site was intended to be a continuation of, and aligned with, NW 15th. This intersection is currently improved and signalized with a traffic light on a mast/arm along the site's frontage.

The design proposed at the Design Advice hearing May 1, 2014, included a cantilevered upper floor with an open-air driveway along NW Front. Transportation had concerns with the traffic signal visibility with this design. The Commission also stated concerns with cantilever design and noted the intersection should be treated like a street with the building aligning on the north side and designed as if a street corner. The current proposal no longer includes the cantilever, however, the building does not align with the north side of NW 15th. Transportation has accepted the proposed driveway location (same as previous

proposal), however, has also indicated the driveway location would be better if moved further northwest to be more on center with the centerline of NW 15th.

These guidelines have not been met.

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

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. Reinforce Special Areas. Enhance the qualities that make each area distinctive within the River District, using the following "Special Area Design Guidelines" (A5-1-1 – A5-1-5).

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

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

Findings for A4, A5, A5-1, A5-1-1: Riverscape Lot 1 is designed to recall the character of the waterfront mills and working warehouses that were predominant in this area for the last 100 years. The exterior reflects the characteristics of these working warehouses including simple rectangular massing, brick exteriors that exhibit weight and mass, large, punched window openings and steel accents. The site has four pedestrian frontages, three of which are along the building's base. Staff recommends additional building elements, such as recessed entries, canopies, improved pedestrian connections to the trail, that are typical features found in the adjacent residential development that will strengthen the connection to the trail and enhance the pedestrian environment. **These guidelines have not been met.**

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

Findings: The site has numerous existing conditions that limit the location of the building, primarily related to the proximity of the bridge and signalized intersection along NW Front, as well as others. As a result the building has been placed at the northern end of the site. The dimensions and footprint are nearly the size of a full block development. The footprint combined with the placement up against the sidewalk on NW Front and closely aligned with the pedestrian walkway to the northwest provide a sense of urban enclosure typical downtown block development. *This guideline has been met.*

A8. Contribute to Vibrant a 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 project contributes to the vibrancy of NW Front Avenue streetscape in a number of ways. The main entry is facing the street and highlighted with a large steel and glass canopy. Continuous storefront glazing proposed along this façade with active uses, such as a retail space and fitness room frontage. Together these provide visual and physical connections between the sidewalk and building's interior. *This guideline has been met.*

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

A9-1. Provide a Distinct Sense of Entry and Exit. When developing at gateway locations, provide a distinct sense of entry and exit that relates to the special qualities of an area. This guideline may be accomplished by:

- 1) Orienting building massing and form towards the intersection of a major district entrance.
- 2) Creating structures or art or using special historic structures to frame a key district or special area entry.

Findings for A9 & A9-1: Riverscape Lot 1 is not located at any designated gateway locations. *This guideline is not applicable.*

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

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

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

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

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. Provide Human Scale to Buildings along Walkways. Provide human scale and interest to buildings along sidewalks and walkways. This guideline may be accomplished by:

- 1) Providing street furniture outside of ground floor retail, such as tables and chairs, signage and lighting, as well as large windows and balconies to encourage social

interaction.

- 2) Providing stoops, windows, and balconies within the ground floors of residential buildings.

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.

Findings for A3-1, A5-1-5, B1, B1-1 and B2: Staff has identified concerns related to the pedestrian connections through the site to the trail and the public connection at the southeast end:

- Private pedestrian connections through the site to the greenway trail are disjointed and cross vehicle and loading areas. At the Design Advice hearing the Commission stated the numerous pedestrian connections to the trail could be consolidated in a larger connection that was more generous and appealing. Unfortunately, the 20' wide connection at the southeast end of the site would be extremely difficult to relocate, as suggested by the Commission. During the land division review the location of this walkway was specific to correspond with the 260 ft spacing of the other walkways to the northwest that run perpendicular to the river. This spacing was intended to mimic the 200' block structure to the west. Removing the walkway easement or shifting it to the north would require a Type 3 Land Division review and be difficult to support given the intentional spacing of these greenway connections. Furthermore, ODOT, who also requires the easement for bridge access and maintenance, has stated they would not consider an alternative location or removal, per the applicant.
- Overall design of the pedestrian accessway at the southeast end of the site needs to be further considered. A condition of approval from original land division that established these perpendicular walkway easements requires the design of the easement area to: function as an appropriate and attractive connection to the riverfront from the rest of the Pearl District via the interim trail along NW Thurman, and be designed to complement the intersecting greenway trail. Furthermore, in the findings of this review comments from the Parks Bureau states the area around the Fremont Bridge functions a gateway to the river from the northwest neighborhoods, which should be acknowledged by a plaza or other element to highlight the importance of the location. Staff feels to meet these conditions of approval and greenway guidelines the design needs to consider: the transition from NW Front, experience along the surface parking lot, and the connection at greenway trail. Ways to improve the connection include:
 - Increase the separation and screening of the adjacent surface parking area, which may require relocating or removing surface parking.
 - Locate all private transformers below grade with above-grade public franchise equipment [Comcast] screened from view, if not underground.
 - Extend light fixtures from the greenway trail.
 - Add signage at the intersection of NW Front and the accessway.
 - Design the accessway to include an entry sequence to the public greenway trail.

These guidelines have not been 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: Two crosswalks exist across NW Front Avenue to the site that aligns

with the north and south sides of NW 15th. The northern crosswalk is proposed to be angled to better align with the new walkway along the south side of the building. Until the site design issues related to building placement and pedestrian connections through the site and to the greenway are resolved, the location of crossings cannot yet be determined. **This guideline has not been 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.

C3-1. Integrate Parking. Design parking garage exteriors to visually integrate with their surroundings. This guideline may be accomplished by:

- 1) Designing street facing parking garages to not express the sloping floors of the interior parking.
- 2) Designing the sidewalk level of parking structures to accommodate active uses, display windows, public art or other features which enhance the structure's relationship to pedestrians.

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.

C1-1. Increase River View Opportunities. Increase river view opportunities to emphasize the River District ambiance. This guideline may be accomplished by:

- 1) Designing and locating development projects to visually link their views to the river.
- 2) Providing public stopping and viewing places which take advantage of views of River District activities and features.
- 3) Designing and orienting open space and landscape areas to emphasize views of the river.

Findings for C3-1: The location of courtyard is centrally located and south-facing. The design has changed somewhat since the Design Advice in that most of the surface parking has been removed. At the Design Advice, the Commission had extensive discussions regarding the location, size and quality of this outdoor space. The south-facing location was not necessarily preferred given the noise related to the adjacent bridge and alternative locations, even if they result in a smaller or darker space, were mentioned. A gathering space along the river was also suggested. Overall, the consensus of the Commission was to design the space for people. Even though the design of the space has improved to remove some of the parking, Staff feels the quality of courtyard is still compromised with the surface loading spaces, adjacency to the driveway and garage entry, bridge noise and the lack of physical and visual connection to the greenway trail. **These guidelines have not been met.**

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

Findings: The building and site have been designed to accommodate persons of all abilities. *This guideline has been 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.

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

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

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.

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 for B6, C2 C4, C5 and C8: As mentioned above the building has been designed to recall the character of the waterfront mills and working warehouses that were predominant in this area for the last 100 years. The exterior reflects the characteristics of these working warehouses including simple rectangular massing, brick exteriors that exhibit weight and mass, large, punched window openings and steel accents, such as the balconies and main entry canopy. At the Design Advice, the Commission stated that if the warehouse aesthetic was desired it should be strong and truthful. The form of the building has changed somewhat in response, yet additional changes could be made to further strengthen the design such as a recessed windows throughout the project, more coherent window and louver condition, brick sills, and a shallower (perhaps heftier) cornice. Additional changes would also improve the ground level such as the addition of canopies, or recessed entries, for the ground level units, more finer scaled details and elements (light fixtures, railings, etc) and a consistent base/stem wall condition. **This guideline has not been 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 main building entry is centrally located on the middle of the façade facing NW Front. The building corners are accentuated with large windows and active interior uses such as the fitness room and retail space at the south end of the Front façade. *This guideline has been 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 small retail area in the ground level of the northwest wing could utilize the adjacent sidewalk to provide outdoor seating. The sidewalks will be improved to meet the standard widths of the area, which can accommodate outdoor seating in the building frontage zone. *This guideline has been 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: A large canopy above the main lobby entrance and upper floor balconies on the northwest façade project above the sidewalk on NW Front. A signal arm/mast for the traffic light exists in the NW Front sidewalk, which requires specific horizontal and vertical distances from the building and building elements, such as canopies and balconies. The applicant is still working with

Transportation to determine if these clearances have been met. **This guideline has not yet been 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 project includes an 8,374 SF ecoroof atop the 6-story portion of the building along NW Front that will function to capture and treat stormwater. BES has accepted the design, maintenance and plant materials proposed. An outdoor terrace is proposed on the lower 2-story roof that fronts the greenway trail and river. The space has been designed as a gathering place and potential outdoor movie venue. Two stair enclosures and an elevator overrun within a mechanical screen enclosure are also dispersed throughout the rooftop. The locations of the rooftop structures seem appropriate; however, additional information is needed regarding height, mechanical unit details, and materials and elevations. **This guideline has not been 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 is integrated to both enhance the architectural features of the building as well as support our sustainable and LEED goals for the project (night sky). Decorative wall downlights will illuminate the walkup unit entries. Uplights in the water feature and landscape planters will highlight these elements in the courtyard and parking areas. Recessed downlights in the soffits will illuminate the building entries. Step lights at the patios facing east along the greenway trail will softly light these outdoor spaces along the greenway. Pole lamps are proposed along the northeastern edge of the greenway trail that matches the same modern fixtures in the trail to the north.

As discussed in detail in the greenway findings below, the pole lamps should be extended along the 20’ walkway at the southeast end of the site. **This guideline has not been 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.

Findings: No signage is proposed at this time. *This guideline is therefore not applicable.*

(2) MODIFICATION REQUESTS

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.

The following modifications are requested:

Modification #1 - To reduce the minimum parking space width from 8'-6" to 7'-10" (PZC Section 33.266.130.F, Table 266-4).

Findings: The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles. Structural concrete columns that are 16" wide x 24" long would be located between some parking stalls that would protrude 8" into the 8'-6" clear width of the stall on each side. The columns are generally located near the back end or front end of the space so as not conflict with car door operations. This reduced width will accommodate a regular sized vehicle, however, may require addition maneuvering. Building management could also limit these spaces to compact vehicles, if desired.

The modification better meets design guideline C1-1 (Integrate Parking) in that it allows more parking to be integrated in the development while allowing more of the ground level garage to accommodate active uses along Jefferson Street that enhances the relationship with pedestrians. *This criteria has been met.*

Modification #3 - To reduce the bicycle parking space width from the required 2 feet to 18 inches for all 179 of the proposed long-term bicycle parking spaces (PZC Section 33.266.220.C).

Findings: The project includes 247 total long term bicycle parking spaces, which is based on proposed residential units and retail floor area, but actually is 21 spaces more than the minimum required by Code. Accommodating 179 bicycle parking spaces in a horizontal rack would consume considerable floor area. Relying upon a vertical/wall hanging bike rack is a more efficient use of space, and is identical to the parking system recently approved in the numerous throughout Central City. The proposed functional and space efficient system better meets the design guidelines because it eases floor plan demands and results in additional opportunities for active uses at the street, such as office lobby space and retail tenant spaces.

The proposed bike rack system is engineered to stagger bikes vertically to allow the handle bars to overlap. This allows the proposed racks, within an 18" space, to provide the same level of service that would be provided by a standard 24" on center spacing. The staggered clearance between adjacent bikes and allowance for sliding hangers ease the hanging and locking of a bike. Additionally the loops, to which the bikes are hung, project out of the wall 27" to further ease

hanging and locking bikes. A 5' minimum aisle is still provided behind each bicycle rack. The rack system will be located within a secure bike storage enclosure within the parking garage. For these reasons, the bicycle parking system is safe and secure, located in a convenient area, and designed to avoid any intentional or accidental damage to bicycles; as such, the proposal is consistent with the purpose statement of the bicycle parking standards. Additionally, the project proposes more bike parking than the minimum required by Code. *This criteria has been met.*

Modification #2 - To exceed the maximum 200' building dimension in the North Pearl sub area with a 227' long east-west dimension along the northwest wall (PZC Section 33.510.251.D.3.c)

Findings: The dimension of northwest wall is proposed at 234'-5", which exceeds the 200' length limit of the North Pearl subarea. The intent of the regulation is to have new buildings be consistent with the mass and dimensions of development on a typical 200' foot block. These dimensions assure both frequent views of the river and physical connections to the river and its activities.

At the Design Advice hearing, the Commission expressed general support for the building length modification since the northwest wall was not street frontage and the block sizes are rather large in this area. Suggestions were made to vary the façade and break down the mass of the wall, including bumping out the ground floor. The ground floor remains flush with the upper floors with 5' elevated patios that extend from the base. A 3' deep vertical slot extends up the façade and the eastern 34'-5" of the building is stepped back and down from the primary wall. Staff recommends additional building details, such as recessed entries, canopies, etc., that further enhance the base and reduce the scale of the wall along this pedestrian frontage. ***This criteria has not met.***

Modification #4 - To reduce the required 12'-0" setback from the pedestrian walkway that abuts the northwest property line to 8'-0" for the building wall and 3'-0" for the patios (LU 01-00618 FP Condition of Approval F.6 & Section 33.120.220)

Findings: As previously mentioned, the original land division that created the Riverscape subdivision (LUR 01-00618 SU GW) mimicked the downtown block pattern by providing 200' wide blocks separated by walkways running perpendicular to the river. These 36' wide walkway easements provide the opportunity for frequent visual connection between the greenway corridor and the primary public arterial street to the southwest (NW Front). The effectiveness of these walkways connections is amplified by the additional 12' typical building setback on both sides, as conditioned in the land division decision. These setbacks create a pattern consistent with the downtown street grid because they provide for about 60' between buildings, which is similar to most street in downtown Portland that run perpendicular to the river. The condition of approval allows minor encroachments up to 5' into the 12' setback if approved as part of the Design and Greenway Review for elements such as bay windows, eaves, awnings, balconies, etc.

The proposal includes a request to reduce the 12' building setback to 8' for the northwest building wall with residential stoops within 3' of the northwest property line. The applicant has provided the building footprints of the existing developments to the north on Exhibit C.35 that depicts building walls and patios projecting into the required 12'-0 setback. Staff will need to review the approved

land use files to confirm the applicant’s findings and determine the type and amount of projections. This information, along with the additional detailing at the ground level along this façade mentioned in the findings above, is needed to further evaluate this request. **This guideline is not met.**

(3) GREENWAY REVIEW

33.440.350 Greenway Review Approval Criteria

The approval criteria for a Greenway review have been divided by location or situation. The divisions are not exclusive; a proposal must comply with **all** of the approval criteria that apply to the site. A Greenway review application will be approved if the review body finds that the applicant has shown that all of the approval criteria are met.

A. For all Greenway reviews. The Willamette Greenway design guidelines must be met for all Greenway reviews.

Findings: The Willamette Greenway Design Guidelines address the quality of the environment along the river and require public and private developments to complement and enhance the riverbank area. The Design Guidelines are grouped in a series of eight Issues:

Issue A. Relationship of Structures to the Greenway Setback Area: This issue “applies to all but river-dependent and river-related industrial use applications for Greenway Approval, when the Greenway trail is shown on the property in the *Willamette Greenway Plan*.” These guidelines call for complementary design and orientation of structures so that the Greenway setback area is enhanced;

Guidelines:

1. Structure Design. The Greenway Setback area should be complemented and enhanced by designing, detailing, coloring, and siting structures and their entrances to support the pedestrian circulation system, including both the Greenway trail and access connections.

2. Structure Alignment. Where surrounding development follows an established block pattern, alignment with the block pattern should be considered in structure placement. Structure alignment should also take into account potential view corridors from existing public rights-of-way or acknowledged viewpoints. The pedestrian access system should be designed to take advantage of these alignments.

Issue B. Public Access: This issue “applies to all but river-dependent and river-related industrial use applications for Greenway Approval, when the Greenway trail is shown on the property in the *Willamette Greenway Plan*.” These guidelines call for integration of the Greenway trail into new development, as well as the provision of features such as view points, plazas, or view corridors;

Guidelines:

1. Public Access. New developments should integrate public access opportunities to and along the river into the design of the Project. This includes the Greenway trail, formal viewpoints, access connections to the Greenway trail, and internal site pedestrian circulation.

2. Separation and Screening. The pedestrian circulation system, including Greenway trail, viewpoints, and trail access connections, should be designed to ensure adequate separation and screening from parking, loading, circulation routes, external storage areas, trash dumpsters, exterior vents, mechanical devices, and other similar equipment.

3. Signage. Access connections should be clearly marked.

4. Access to Water’s Edge. Where site topography and conservation and enhancement of natural riverbank and riparian habitat allow, safe pedestrian access to the water’s edge is encouraged as part of the Project.

Issue F. Alignment of Greenway Trail: This issue “applies to all applications for Greenway Approval with the Greenway trail shown on the property in the Willamette Greenway Plan.” These guidelines provide direction for the proper alignment of the Greenway trail, including special consideration for existing habitat protection and physical features in the area of the proposed alignment;

Guidelines:

- 1. Year-round Use.** The Greenway trail should be located so as to be open for public use year round. The trail may be constructed along the top of bank, on a floating platform, or in a series of tiers adjacent to the river, provided that at least one of these levels will remain unsubmerged.
- 2. Habitat Protection.** The Greenway trail should be routed around smaller natural habitat areas to reduce the impact on the habitat area.
- 3. Alignment.** The Greenway trail alignment should be sensitive to and take advantage of topographical and environmental features of the site, views of the river, existing and proposed vegetation, and sunlight.

Findings for Issues A, B & F: As required in the original land division (LUR 01-00618 SU GW) the 20’ wide greenway trail will be constructed in conjunction with this abutting development. The trail will be: hard-surfaced with light fixtures for year round use; align with the seawall and existing trails north and south of similar design; and be accessible to the public via walkways at the northwest and southeast ends of the site, which run perpendicular to the trail. The northwest walkway is already improved with a meandering path and landscaping. The southeast walkway, which is also an emergency vehicle access path to the trail for Parks and for bridge maintenance for ODOT, is proposed to be a 20’ wide paved path. The area within the secondary greenway setback (landward of the trail) will be mostly landscaped with private patios for the ground floor residential units.

There are several outstanding issues regarding the transition to the greenway trail and the public and private pedestrian connections to the trail, which have been discussed in detail in the findings above. Staff has an additional concern regarding the connection from the proposed trail to the existing greenway trail to the southeast. This connection of the 20’ wide paved trail is proposed at 5’-0” in width, which is quite narrow for a regional public trail. Further discussions regarding the limitations associated with the Fremont bridge footing is needed so alternative designs can be explored with Parks. ***These guidelines have not been met.***

Issue C. Natural Riverbank and Riparian Habitat: This issue “applies to situations where the river bank is in a natural state, or has significant wildlife habitat, as determined by the wildlife habitat inventory.” These guidelines call for the preservation and enhancement of natural banks and areas with riparian habitat;

Guidelines:

- 1. Natural Riverbanks.** The natural riverbank along the Willamette River should be conserved and enhanced to the maximum extent practicable. Modification of the riverbank should only be considered when necessary to prevent significant bank erosion and the loss of private property, or when necessary for the functioning of a river-dependent or river-related use.
- 2. Riparian Habitat.** Rank I riparian habitat areas, as identified in the wildlife habitat inventory, should be conserved and enhanced with a riparian landscape treatment. Other riparian habitat should be conserved and enhanced through riparian landscape treatments to the maximum extent practical. Conservation however does not mean absolute preservation. Some discretion as to what vegetation should remain and what can be removed and replaced should be permitted. Riparian habitat treatments should

include a variety of species of plants of varying heights that provide different food and shelter opportunities throughout the year.

Findings: The site does not have riverbank frontage. *Therefore, Issue C and the related guidelines do not apply.*

Issue D. Riverbank Stabilization Treatments: This Issue “applies to all applications for Greenway Approval.” This guideline promotes bank treatments for upland developments that enhance the appearance of the riverbank, promote public access to the river, and incorporate the use of vegetation where possible;

Guidelines:

1. Riverbank Enhancement. Riverbank stabilization treatments should enhance the appearance of the riverbank, promote public access to the river, and incorporate the use of vegetation where practical. Areas used for river-dependent and river-related industrial uses are exempted from providing public access.

Findings: The site does not have riverbank frontage. *Therefore, Issue D and the related guideline do not apply.*

Issue E. Landscape Treatments: This Issue “applies to all applications for Greenway Approval which are subject to the landscape requirements of the Greenway chapter of Title 33 Planning and Zoning of the Portland Municipal Code.” This Issue calls for landscaping treatments that create a balance between the needs of both human and wildlife populations in the Greenway Setback area or riverward of the Greenway Setback.

Guidelines:

1. Landscape Treatments. The landscape treatment should create an environment which recognizes both human and wildlife use. Areas where limited human activity is expected should consider more informal riparian treatments. Areas of intense human use could consider a more formal landscape treatment. The top of bank may be considered a transition area between a riparian treatment on the riverbank and a more formal treatment of the upland.

2. Grouping of Trees and Shrubs. In areas of more intense human use, trees and shrubs can be grouped. The grouping of trees and shrubs allows for open areas for human use, and has the secondary value of increasing the value of the vegetation for wildlife.

3. Transition. The landscape treatment should provide an adequate transition between upland and riparian areas and with the landscape treatments of adjacent properties.

Findings: The only required landscaping on the site from the Zoning Code is for the interior and perimeter landscape area for vehicle areas, which has been provided for the surface parking lot at the southern end of the site. Additional landscaping is proposed within the courtyard, on both rooftops, alongside the onsite pedestrian path and within the secondary 25’ wide greenway setback landward of the greenway trail. The on-site landscaping includes a variety of native trees, shrubs, and groundcovers. This portion of the greenway trail with its seawall and 25’ wide paved trail is more formal than other stretches of the greenway, and as such, a more formal landscape treatment is appropriate. However, as noted in the findings above, Staff feels the design of the transition within the secondary greenway setback between the development and the future trail needs further design consideration. **These guidelines have not been met.**

Issue G. Viewpoints: This issue “applies to all applications for Greenway Approval with a public viewpoint shown on the property in the *Willamette Greenway Plan* and for all

applications proposing to locate a viewpoint on the property”. These guidelines provide direction about the features and design of viewpoints, as required at specific locations; **Issue H. View Corridors:** This issue “applies to all applications for Greenway Approval with a view corridor shown on the property in the *Willamette Greenway Plan*.” These guidelines provide guidance in protecting view corridors to the river and adjacent neighborhoods;

Guidelines:

1. Right-of-way Protection. View corridors to the river along public rights-of-way are to be protected. These rights-of-way should not be vacated.

2. View Protection. Buildings, structures, or other features must be located to avoid blocking view corridors.

3. Landscape Enhancement. Landscape treatments within view corridors should frame and enhance the view of the river.

Findings: The site does not include any viewpoints or view corridors in the Willamette Greenway Plan. *Therefore, Issues G and H do not apply.*

B. River frontage lots in the River Industrial zone.

C. Development within the River Natural zone.

D. Development on land within 50 feet of the River Natural zone.

Findings: The site does not have a River Industrial, or River Natural designation, and is not within 50 feet of a River Natural designation. *These criteria do not apply.*

E. Development within the Greenway setback. The applicant must show that the proposed development or fill within the Greenway setback will not have a significant detrimental environmental impact on Rank I and II wildlife habitat areas on the riverbank. Habitat rankings are found in the *Lower Willamette River Wildlife Habitat Inventory*.

Findings: The proposed development is located in sites 15.11a and 15.11b, which are both Rank V habitat areas. There are no Rank I or II habitat areas in the vicinity of the project site. The nearest Rank II site is the bluff at the University of Portland, over 3 miles downriver from the site. Work within the primary 25’ greenway setback is limited to the construction of the Greenway Trail. Work within the secondary 25’ greenway setback consists of landscaping, which was anticipated under LUR 01-00618 SU GW. Stormwater planter are proposed at the landward side of the greenway trail to capture run-off from the trail after its completion. Construction management practices required at the time of building permit for erosion control should ensure none of these development elements will have significant impacts that would reach more than 3 miles downriver during construction. *This guideline has been met.*

F. Development riverward of the Greenway setback. The applicant must show that the proposed development or fill riverward of the Greenway setback will comply with all of the following criteria:

1. The proposal will not result in the significant loss of biological productivity in the river;
2. The riverbank will be protected from wave and wake damage;
3. The proposal will not:
 - a. Restrict boat access to adjacent properties;
 - b. Interfere with the commercial navigational use of the river, including transiting, turning, passing, and berthing movements;
 - c. Interfere with fishing use of the river;
 - d. Significantly add to recreational boating congestion; and
4. The request will not significantly interfere with beaches that are open to the public.

Findings: The site has no area riverward of the Greenway setback. *Therefore, this criterion does not apply.*

G. Development within the River Water Quality overlay zone setback. If the proposal includes development, exterior alterations, excavations, or fills in the River Water Quality overlay zone setback the approval criteria below must be met. River-dependent development, exterior alterations, excavations, and fills in the River Water Quality zone are exempt from the approval criteria of this subsection.

Findings: The site is not within the River Water Quality overlay zone. *Therefore, this criterion does not apply.*

H. Mitigation or remediation plans. Where a mitigation or remediation plan is required by the approval criteria of this chapter, the applicant's mitigation or remediation plan must demonstrate that the following are met:

Findings: No mitigation or remediation plan is required by the Greenway chapter for this site. *Therefore, this criterion does not apply.*

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The proposed design did take into account some of the guiding principles offered at the Design Advice Request (Exhibit G.6). However, as discussed in the findings above, some of the design issues mentioned by the Commission remain and additional critical concerns exist. Resolution of the identified items is critical to meeting a number of the Central City Fundamental Design Guidelines (CCFDG), River District Design Guidelines (RDDG) and the Willamette Greenway Design Guidelines (WGDG). The outstanding issues are related to:

1. **Greenway transition and connections** (CCFDG & RDDG B4, A-1, A1-1, C6, WGDG Issues A, B, E & F)
2. **Pedestrian and vehicles areas** (CCFDG & RDDG B2, B1-1, B5, C1-1, C3-1, A5-1-5)
3. **Building placement** (CCFDG A3, RDDG A3-1)
4. **Building design** (CCFDG A4, A5, A5-1, A5-1-1, B1-1, B6, C2, C4, C6, C8, C10, C11, Modification approval criteria)
5. **Additional detail & section are needed**

TENTATIVE STAFF RECOMMENDATION

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

Staff is not recommending approval of the proposal as the following design guidelines that have been met:

Central City Fundamental & River District Design Guidelines

- A1 Integrate the River
- A1-1 Link the River to the Community
- A3 Respect the Portland Block Structure
- A3-1 Provide Convenient Pedestrian Linkages
- A4 Use Unifying Elements
- A5 Enhance Embellish & Identify Areas
- A5-1 Reinforce the Identity of the Pearl District Neighborhood
- A5-1-1 Reinforce the Identity of the Waterfront Area
- B1-1 Reinforce & Enhance Pedestrian System
- B2 Protect the Pedestrian
- B3 Bridge Pedestrian Obstacles
- B4 Provide Stopping and Viewing Places
- B5 Make Plazas, Parks and Open Spaces Successful
- B6 Develop Weather Protection
- C1-1 Increase River View Opportunities
- C2 Promote Permanence and Quality in Development
- C3-1 Provide convenient Pedestrian Linkages
- C4 Design for Coherency
- C6 Develop Transitions Between Buildings and Public Spaces
- C8 Differentiate the Sidewalk Level of Buildings
- C10 Integrate Encroachments
- C11 Integrate Roofs and Use Rooftops
- C12 Integrate Exterior Lighting

Willamette Greenway Design Guidelines

- Issue A Relationship of Structures to the Greenway Setback Area
- Issue B Public Access
- Issue E Landscape Treatments
- Issue F Alignment of Greenway Trail

Staff is also not recommending approval of the following Modifications:

1. To exceed the maximum 200' building dimension in the North Pearl sub area with a 227' long east-west dimension along the north wall (PZC Section 33.510.251.D.3.c);
2. To reduce the required 12'-0" setback from the pedestrian walkway that abuts the northwest property line to 8'-0" (LU 01-00618 FP Condition of Approval F.6 & Section 33.120.220).

Staff recommends approval of the following Modifications:

1. To reduce the minimum parking space width from 8'-6" to 7'-10" (PZC Section 33.266.130.F, Table 266-4); and
2. To reduce the bicycle parking space width from the required 2 feet to 18 inches for all 179 of the proposed long-term bicycle parking spaces (PZC Section 33.266.220.C).

Therefore, should the Commission agree that all the approval criteria are not yet met and the applicant does not request an additional hearing to revise the submittal, Staff recommends denial.

=====

Procedural Information. The application for this land use review was submitted on May 5, 2014, and was determined to be complete on **June 25, 2014.**

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 May 5, 2014.

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 an extension is requested by the applicant, **the 120 days will expire on October 23, 2014.**

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.

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. You may review the file on this case by appointment at our office at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201. Please call the file review line at 503-823-7617 to schedule an appointment.

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 review body, only evidence previously presented to the review body 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. An appeal fee of \$5,000.00 will be charged (one-half of the application fee for this case).**

Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. 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.
- 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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

Applying for your permits. A building permit, occupancy permit, or development permit must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

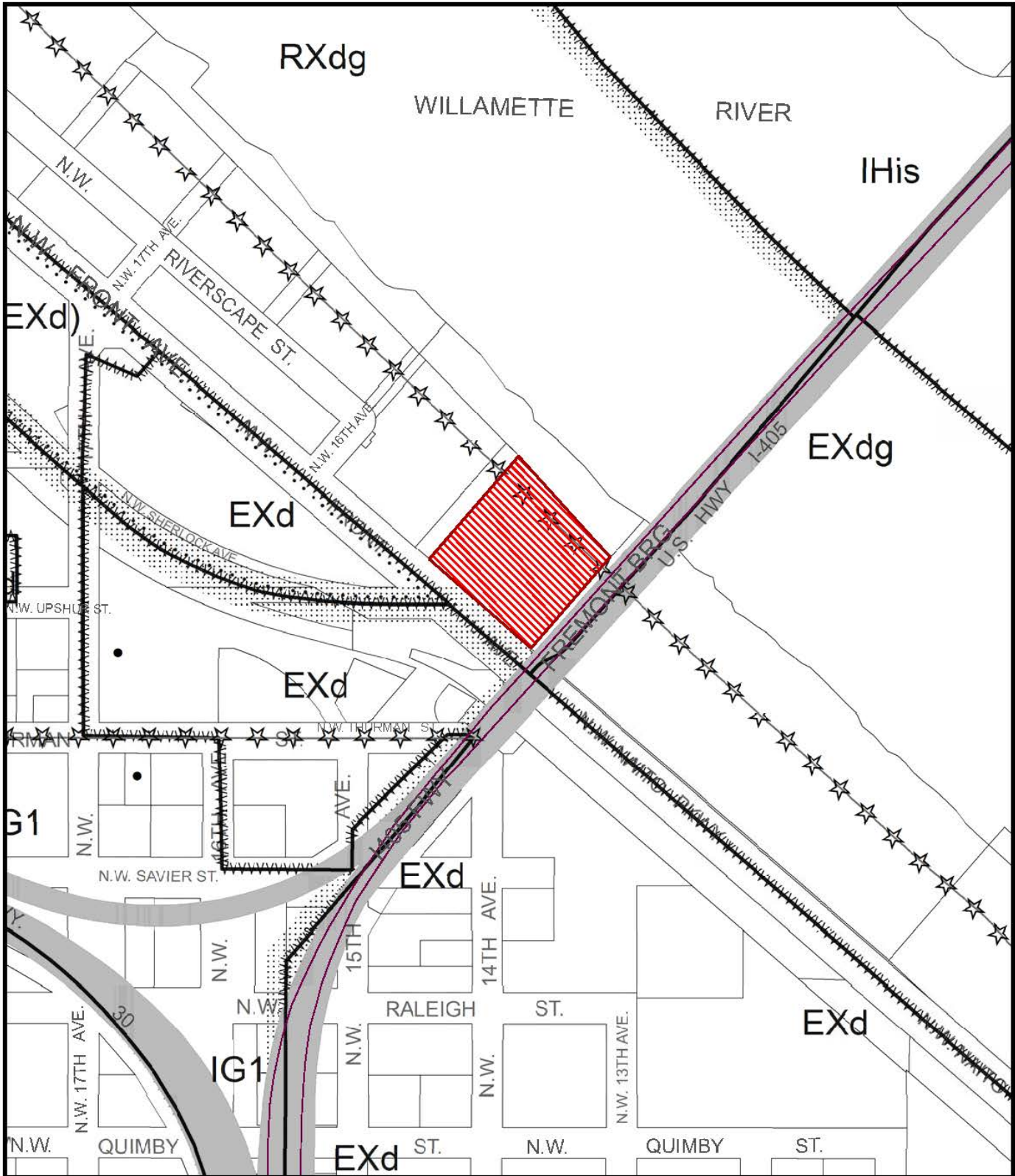
- All conditions imposed here.
- All applicable development standards, unless specifically exempted as part of this land use review.
- All requirements of the building code.
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

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).

Staci Monroe
August 18, 2014

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Project Narrative & Approval Criteria Responses for Design Review & Modifications
 - 2. Greenway Approval Criteria Responses
 - 3. Stormwater Report dated May 2, 2014
- B. Zoning Map (attached)
- C. Plan & Drawings
 - 1. Through 57. (
- D. Notification information:
 - 1. Request for response
 - 2. Posting letter sent to applicant
 - 3. Notice to be posted
 - 4. Applicant's statement certifying posting
 - 5. Mailed notice
 - 6. Mailing list
- E. Agency Responses:
 - 1. Bureau of Transportation Engineering and Development Review
 - 2. Site Development Section of BDS
 - 3. Bureau of Environmental Services
 - 4. Plan Review Section of BDS
 - 5. Water Bureau
 - 6. Fire Bureau
 - 7. Bureau of Parks, Forestry Division
- F. Letters - none
- G. Other
 - 1. Original LUR Application
 - 2. Incomplete Letter dated June 4, 2014
 - 3. Pre-Application Conference Summary (14-129579 PC)
 - 4. Memo to Applicant dated August 2, 2014
- H.



ZONING



Site

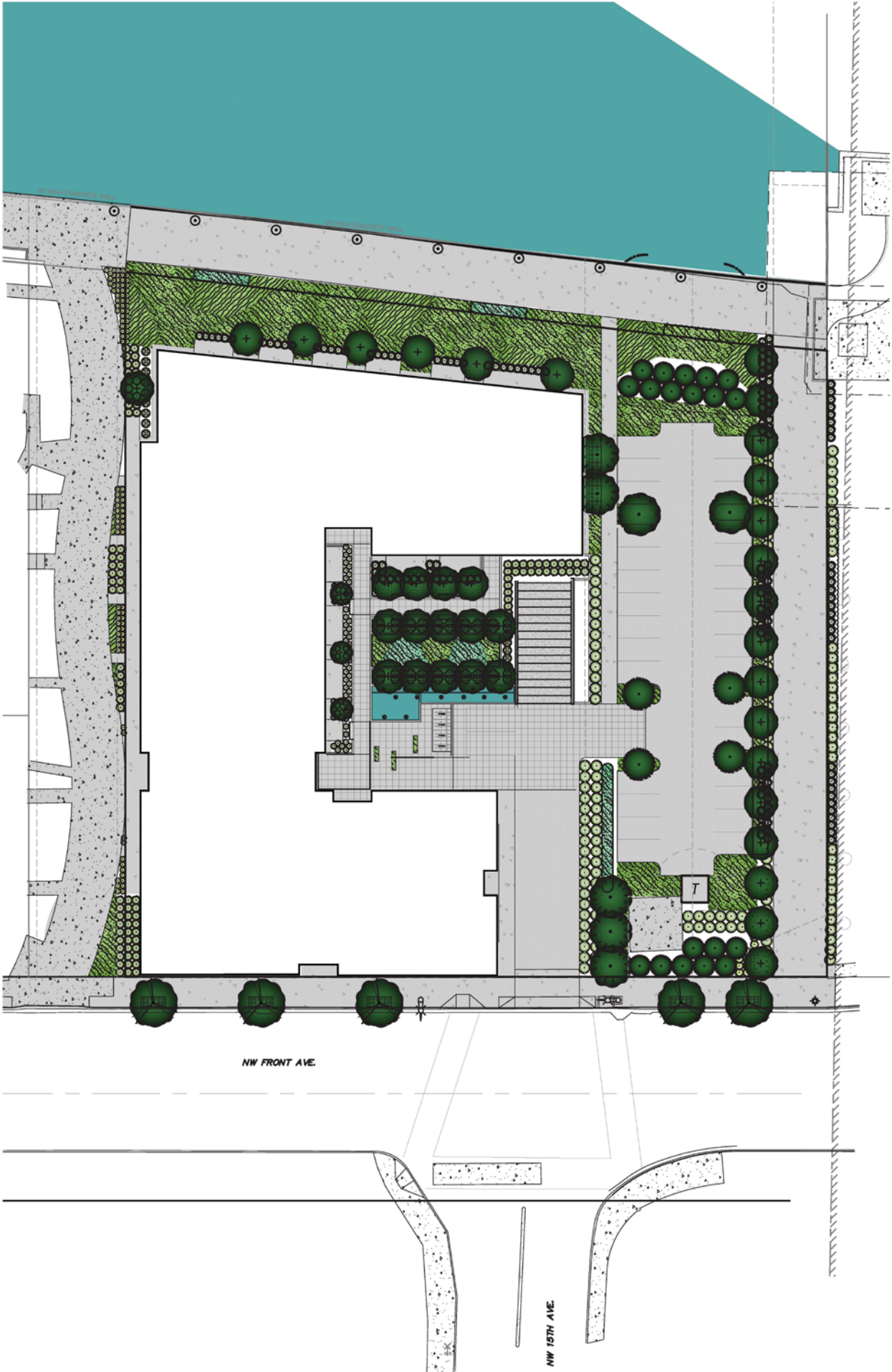


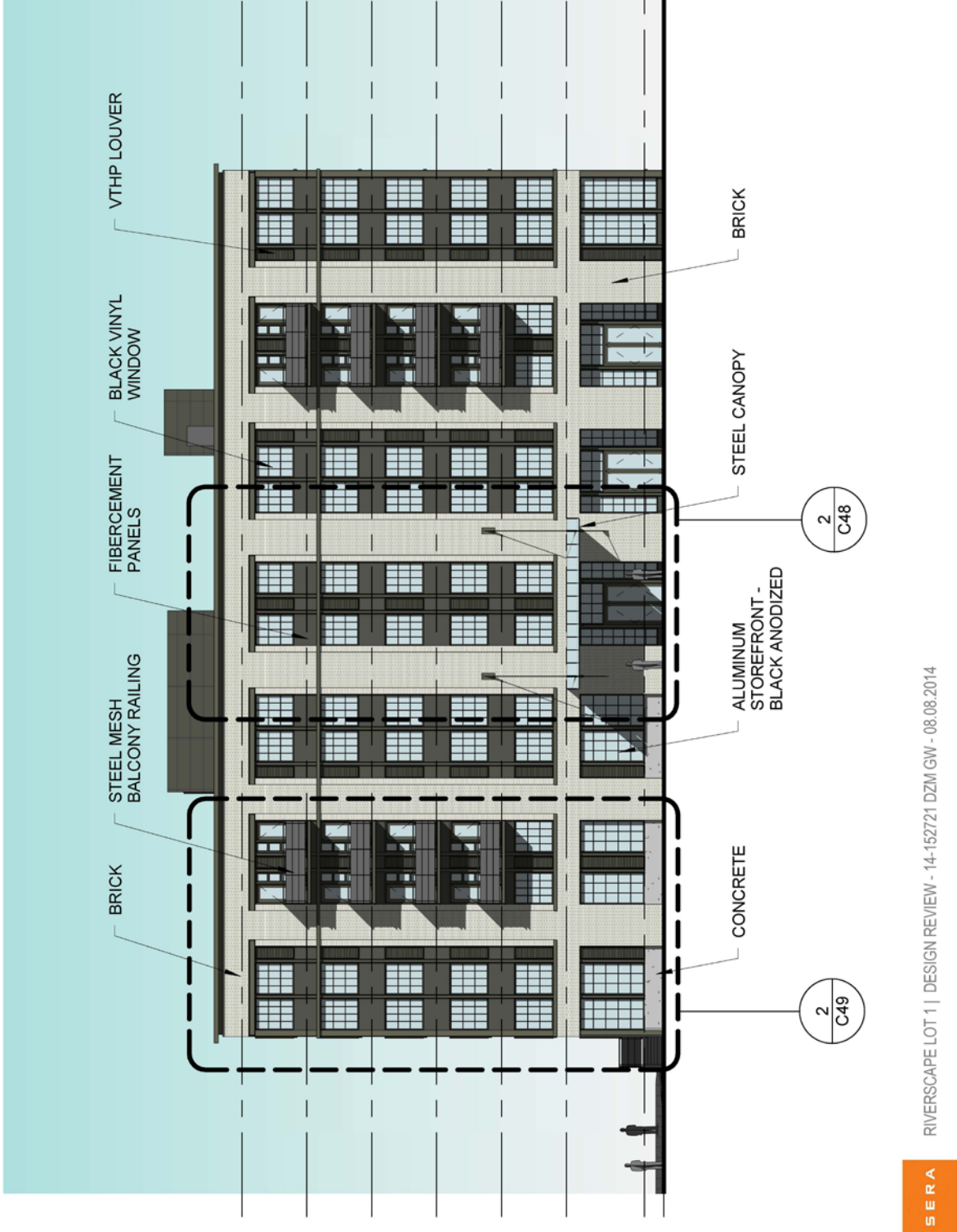
Historic Landmark



This site lies within the:
CENTRAL CITY PLAN DISTRICT
RIVER SUB DISTRICT
NORTH PEARL SUB AREA

File No. LU 14-152721 DZM, GW
 1/4 Section 2828
 Scale 1 inch = 250 feet
 State_Id 1N1E28D 304
 Exhibit B (May 07, 2014)





ROOF	165' - 0"
LEVEL 6	155' - 0"
LEVEL 5	145' - 0"
LEVEL 4	135' - 0"
LEVEL 3	125' - 0"
LEVEL 2	115' - 0"
LEVEL 1.5	103' - 0"
LEVEL 1	100' - 0"

0' 5' 10' 20' 30'
WEST ELEVATION C43



ROOF	165'-0"
LEVEL 6	155'-0"
LEVEL 5	145'-0"
LEVEL 4	135'-0"
LEVEL 3	125'-0"
LEVEL 2	115'-0"
LEVEL 1.5	103'-0"
LEVEL 1	100'-0"





BLACK VINYL WINDOW

STEEL MESH BALCONY RAILING

FIBERCEMENT PANELS

BRICK

ROOF 165'-0"

LEVEL 6 155'-0"

LEVEL 5 145'-0"

LEVEL 4 135'-0"

LEVEL 3 125'-0"

LEVEL 2 115'-0"

LEVEL 1.5 103'-0"

LEVEL 1 100'-0"

BASE POINT OF HEIGHT MEASUREMENT 104.3'

34'-9"

0' 5' 10' 20' 30'

EAST ELEVATION C45



BRICK

FIBERCEMENT
PANELS

BLACK VINYL WINDOW

STEEL MESH BALCONY
RAILING

- ROOF 165'-0"
- LEVEL 6 155'-0"
- LEVEL 5 145'-0"
- LEVEL 4 135'-0"
- LEVEL 3 125'-0"
- LEVEL 2 115'-0"
- LEVEL 1.5 103'-0"
- LEVEL 1 100'-0"

BRICK

