



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

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## **STAFF REPORT AND RECOMMENDATION TO THE DESIGN COMMISSION**

**CASE FILE:** LU 14-167875 DZM GW  
Riverscape Lot 8  
**REVIEW BY:** Design Commission  
**WHEN:** September 4, 2014 @ 1:30pm  
**WHERE:** 1900 SW Fourth Ave., Room 2500A  
Portland, OR 97201

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

**Bureau of Development Services Staff:** Mark Walhood 503-823-7806 /  
[Mark.Walhood@portlandoregon.gov](mailto:Mark.Walhood@portlandoregon.gov)

### **GENERAL INFORMATION**

**Applicant:** Kurt Schultz (503) 445-7312  
SERA Design LLC  
338 NW 5<sup>th</sup> Avenue  
Portland, Oregon 97209

**Developer/Owner:** Lee Novak (702) 405-1267  
Fore Property Company  
1741 Village Center Cir  
Las Vegas, Nevada 89134

**Listed Owner:** Holt Distressed Property Fund 2010 LP  
P.O. Box 87970  
Vancouver, WA 98687-7970

**Site Address:** 2098 NW FRONT AVE

**Legal Description:** LOT 8, RIVERNORTH  
**Tax Account No.:** R708970500, R708970500  
**State ID No.:** 1N1E28D 00322, 1N1E28D 00322  
**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.

**Zoning:** **RXdg** (RX or Central Residential base zone with d or Design and g or River General Greenway overlay zones), **Central City Plan District/River District Subdistrict**

**Case Type:** **DZM GW** (Design Review with Modifications, Greenway Review)  
**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 has proposed the development of a 250-unit apartment complex on a vacant parcel at the north edge of the Riverscape development, east of NW Front Avenue and north of the Fremont Bridge. The project includes two above-grade structures above a common basement level with 200 parking stalls. Another 25 parking stalls are proposed in a surface lot between the two above-grade structures. Building A is a six-story rectangular building aligned with NW Front Avenue, feature two storefront retail spaces along the street. Building B is a six-story open U-shaped building with has a north-facing courtyard oriented to the river. Vehicular access to the site is provided from NW 18<sup>th</sup> Avenue at Riverscape Street.

In addition to the buildings and parking, the proposal completes a missing segment of Greenway trail along the river's edge at the north and east sides of the property, with associated landscaping, lighting, and seating opportunities. The building design includes rectilinear massing with a series of tiered steps or insets on the upper floors along the north edge, with the top three floors all sequentially pulled back to create large, open, north-facing terraces for those units. Exterior materials on the building include stucco, concealed fastener metal panels, wood architectural accents, cable rail balconies, angled bay windows to optimize river views, and large commercial-grade vinyl windows.

Because of the Central City and Design overlay zoning, and with a project valuation of \$40 million, the project must receive approval through the Type III Design Review process. Similarly, because of the Greenway overlay zoning, the project requires a concurrent Greenway Review. Finally, to the applicant has requested two Modifications through Design Review for the following standards:

1. *Parking Stall Width:* approximately 94 of the 200 parking spaces on the basement level have structural columns that project into the otherwise conforming stall width dimensions of 8'-6" by 0'-8". Therefore, the applicant has requested a Modification to reduce the width of 94 parking spaces from 8'-6" to 7'-10" (33.266.130.F.2/Table 266-4); and
2. *Bike Parking Stall Width:* bike parking spaces are required by code to be at least 2'-0" wide. The applicant has requested a Modification to allow 304 long-term bike parking spaces inside the building to be in a staggered wall rack that allows only 1'-6" between each rack. Therefore, a Modification to reduce long-term bike parking stall width from 2'-0" to 1'-6" is required.

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

- The *Central City Fundamental Design Guidelines*;
- The *River District Design Guidelines*;
- **33.825.040.A-B**, Modification Approval Criteria;
- **33.440.350.A-H**, Greenway Review Approval Criteria; and
- (Incorporated by reference) *Willamette Greenway Design Guidelines*.

## ANALYSIS

**Site and Vicinity:** The site is a roughly rectangular parcel of land at the north edge of the Riverscape development, with frontage on the Willamette River banks at the north and east edges of the site. The site is vacant, although currently being used as a fenced staging area with construction trailers and building supplies/equipment occupying the site. An existing paved area at the northwest corner of the site provides driveway access and parking for the Multnomah County River Patrol operations, with a fenced gangway down to the floating structures in the water. The River Patrol structures in the water occupy the shallow inlet or cove created by the north boundary of this site and a projecting industrial pier a few hundred feet downriver to the north.

The upland portion of the property is generally flat and without significant vegetation. The riverbanks at the north and east edges of the site anchored with rip rap all the way to the water, and invasive blackberry thickets. Blackberry appears to be the predominant form of vegetation, although other shrubby and grassy species are also found. A few deciduous trees are located on the lower banks near the river at the eastern frontage on the main channel, and about twelve deciduous trees are found near the top-of-bank in the central portion of the northern river frontage at the inlet/cove. The rip rap areas extend all the way to the water, and partial abandoned piles are found in the water near the bank on both sides of the site. A large abandoned section of pipeline is found near the water at the northeast corner of the site, and an abandoned gangway is located on the bank at the northwest corner near Front Avenue.

A brick and steel trellis marks the southeast corner of the site at the upper section of riverbank, connecting to a concrete walkway and landscaping along the north edge of the Pacifica Condominium Tower. A large existing projecting wood, metal and concrete pier structure intersects the upper section of riverbank at the northeast corner of the site, providing direct access to this converted industrial pier.

The surrounding area includes the Pacifica condominium tower immediately to the south, and the four-building Riverscape Apartments project is under construction to the west and south of the Pacifica tower. The street frontage at NW 18<sup>th</sup> Avenue and Riverscaqpe Streets to the south has an improved roadway and curbing, but only temporary construction access sidewalks are in place on the site. Nearby areas to the west and north of the site are occupied by industrial structures and uses. The Dockside Tavern is one block away to the southwest across NW Front Avenue, and the Pearl District is located several blocks further away in the same direction.

**Zoning:** The Central Residential (RX) base 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 the 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, RX zones are located near the center of the city with transit, commercial activity, and employment options nearby.

The Design overlay zone [d] 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 River General Greenway overlay zone (g) is one of five distinct Greenway overlays. Overall the regulations seek to protect, conserve, enhance, and maintain the natural, scenic, historical, economic, and recreational qualities of lands along Portland's rivers. The regulations also seek to increase public access along the river, create a pleasant urban environment, and implement the City's responsibilities for both the Willamette River per state law (ORS 390.310 to 390.368). The purpose is also to implement the water quality performance standards for Metro's Title 3, which are intended to protect and improve water quality to support designated beneficial water uses, and to protect the functional values of the water quality resource area which include: providing a vegetated corridor to separate protected water features from development; maintaining or reducing stream temperatures; minimizing erosion, nutrient and pollutant loading into water; filtering, infiltration and natural water purification; and stabilizing slopes to prevent landslides contributing to sedimentation of water features.

The Central City plan district implements the Central City Plan and other plans applicable to the downtown area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation Management Plan. The Central City plan district implements portions of these plans by adding code provisions that address special circumstances unique to the area.

The Public Recreational Trail regulations are intended to achieve several outcomes, including increased recreational opportunities, increased public access along the Willamette River, assistance with flood protection and control, assistance in shoreline anchoring, implementation of the City's Comprehensive Plan policies regarding public recreational trails, and other concerns.

**Land Use History:** City records indicate only one relevant prior land use review at this site. The original subdivision and Greenway Review for Riverscape was processed under case file number LUR 01-00618 SU GW. There are several conditions of approval (F.1 through F.4) from this review with direct impact on the current proposal, all of which are included below:

*"F. The following conditions are applicable to development on individual lots:*

1. *Land use review and building permit applications for development on each lot shall include lot-specific designs for both the greenway trail improvements on that lot (for lots that have greenway trail frontage), and all improvements within pedestrian/emergency vehicle access easements shown on Exhibit C.2.*
2. *Within each lot, all greenway trail and pedestrian walkway/emergency vehicle access easements shall be fully improved prior to any occupancy of buildings or structures on that lot.*
3. *The following factors must be considered in making the final determination of the location and size of the recreational trail upon all riverfront lots, including Lot 12.*
  - *The recreational trail may be located entirely within, partially within, or completely outside the greenway setback area; and*
  - *The location of the recreational trail must take advantage of the cove to the north of Lot 12 as it is a significant environmental factor; and*
  - *The location of the recreational trail must be of such size to accommodate at least a 20 foot wide improved walkway meeting recreational trail standards as referenced in 33.272.030; and*
  - *Accommodate emergency access; and*
  - *Where a building includes ground-floor commercial or other non-residential uses, there may be no encroachment of those uses (such as restaurant tables, outdoor displays, etc.) into the proposed recreational trail area or within the greenway setback area.*
  - *Be sensitive to views of the river from the trail; and*
  - *Viewpoints not shown on the proposed on the Exhibit H.21 may encroach into the Greenway setback if approved through Greenway and design review.*

- *This condition shall not preclude secondary paths or walkways that provide access to the water's edge, floating structures in the water, or other docks/piers which are not already shown on Exhibit C.5 or Exhibit H.21 so long as it/they are approved through Greenway and design review.*
- 4. *Buildings shall be set back at least 12 feet from the pedestrian walkway/emergency vehicle access easements that run perpendicular to the river, as shown on the Tentative Plan (Exhibit C.2). Minor encroachments up to 5 feet into this setback may be approved as part of Design Review/Greenway Review for development of the proposed building (for example, bay windows, eaves, awnings, balconies, and other minor projections)."*

**Agency Review:** A "Notice of proposal in Your Neighborhood" was mailed **August 15, 2014**. The following Bureaus have responded:

The *Bureau of Environmental Services* has reviewed the proposal for issues regarding sanitary service and stormwater management, and notes no objections to the stormwater management approach proposed by Cardno for the purposes of land use review. However, the stormwater discharge plan provided by Sera Architects would likely impact the current design of this project. The Utility Plan dated July 1, 2014 provided by Sera Architects shows the northern portion of this site being directed to the public combined sewer located in NW Front Avenue and only the southern portion being directed to the public storm-only sewer in NW 18<sup>th</sup>. BES assumes the stormwater management report provided by Cardno is the more accurate stormwater management plan. However, be aware that if stormwater runoff is proposed to be directed to the public combined sewer in NW Front, then capacity and flow control requirements would need to be met. Detention facilities would need to be designed to control post-development peak flows from the 25-year peak flow to the pre-developed 10-year peak flow rate, which would likely impact the current design of this project. This discrepancy will need to be resolved at the time of building permit review. Note that BES has no specific approval criteria related to design. However, BES reviews site plans for approvable stormwater management facilities because required stormwater facilities can affect the design and layout of the site. It is important to document for them through this review so that additional land use reviews are not necessary at a later date. Exhibit E.1 contains staff contact and additional information.

The *Development Review Section of Portland Transportation* has not yet responded to the proposal (as of the publication date of this report on September 3, 2014).

The *Water Bureau* has reviewed the proposal and offered information regarding available water services and the water service permitting process, but no objections or recommendations regarding the requested Design Review, Greenway Review or Modifications. There are adequate public water services available to serve the project. Exhibit E.3 contains staff contact and additional information.

The *Fire Bureau* has reviewed the proposal and provided informational comments, but no objections or recommendations regarding the requested Design Review, Greenway Review or Modifications. All current Fire Code requirements apply and are required to be met, as documented during the building permit review process. Exhibit E.4 contains staff contact and additional information.

The *Site Development Section of the Bureau of Development Services* has reviewed the proposal and provided informational comments, but no objections or recommendations regarding the requested Design Review, Greenway Review or Modifications. Site Development considered the geotechnical report submitted by the applicant, which includes seismic and shoring considerations. It may be determined that additional geotechnical information is required during review of the building permit application.

Site Development is the department that will review projects for compliance with Chapter 24.50 requirements at time of building permit plan review. Site Development takes no exceptions to the erosion control and construction management plans submitted for review. Exhibit E.5 contains staff contact and additional information.

The *Urban Forestry Division of Portland Parks and Recreation* has reviewed the proposal and provided information regarding street trees. City Code Title 20.40 requires a street tree review for new construction projects, improvements to existing structures that exceed \$25,000 in value and to all land divisions. Street trees will be required along all public street frontages and will be reviewed and approved by the City Forester during street improvement application or building permit application. Underground utilities shall not conflict with street tree planting. Exhibit E.6 contains staff contact and additional information.

The *Life Safety Section of the Bureau of Development Services* has reviewed the proposal and provided informational comments regarding building code requirements, but no objections or recommendations regarding the requested Design Review, Greenway Review and Modifications. Exhibit E.7 contains staff contact and additional information.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **August 15, 2014**. A total of six written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

Most of the letters object to similar aspects of the proposal, often in relation to their potential impact to residents of the Pacifica condominium tower, directly south of the site. These concerns include the following:

- Surface Parking: the at-grade parking area will be visible to the neighborhood and residents, and exposed parking is unsightly, will reduce property values, and will increase noise for residents. At-grade parking is out of character with the neighborhood, and should be replaced with landscaping or other improvements;
- Additional information is necessary beyond that which was contained in the mailed public notice (e.g. south elevations, roof plans, roofing materials, etc.);
- Green space proposed along the river is minimal. Currently this district has no parks or common open green spaces;
- The previous proposal (ca. 2005) for this site included a tower on the westerly portion of the site and open green spaces to the east, just north of the Pacifica tower. This layout was a more agreeable arrangement in terms of green spaces and should be pursued instead of the lower two-building scheme proposed today;
- Some north-facing residents of the Pacifica tower purchased their units with an understanding that the lot to the north would develop in a way that preserved their northward views to the river. This earlier plan with a tower on the west and open spaces on the east of Lot 8 should be pursued, in keeping with the original vision for Riverscape; and
- Parking is a major concern of many nearby residents, with limited visitor parking and some residents parking on the non-metered streets, leading to insufficient vehicle parking for the neighborhood.

**BDS Staff Note:** Staff is raising the issue of the at-grade parking area between the buildings in the first hearing on September 4<sup>th</sup>, 2014 as an area of discussion. The mailed notices only include limited drawings, with a link on the first page to the full drawing packets which are available online. Neighbors can also make an appointment

to come in and review the full file in person by calling 503.823.7617. The size and layout of the public greenway open spaces are also an issue being raised by staff at the initial hearing on September 4<sup>th</sup>, and will be discussed further. Dramatic changes such as going from low 6-story apartments to a completely different construction type (e.g. high-rise tower) is not typically a requirement that comes out of the design review process, although massing, design, and relationship of the building to the river, surrounding buildings, and open spaces are important and of concern. Parking capacity is not addressed in either the Greenway or Design Review approval criteria, and there is no minimum automobile parking for any use within the Central City plan district.

## ZONING CODE APPROVAL CRITERIA

### (1) DESIGN REVIEW (33.825)

#### 33.825.010 Purpose

Design Review ensures:

- That development conserves and enhances the recognized special design values of a site or area;
- The conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district;
- That certain types of infill development will be compatible with the neighborhood and enhance the area; and
- High design quality of public and private projects.

#### 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.

It is important to emphasize that design review goes beyond minimal design standards and is viewed as an opportunity for applicants to propose new and innovative designs. The design guidelines are not intended to be inflexible requirements. Their mission is to aid project designers in understanding the principal expectations of the city concerning urban design.

The review body conducting design review may waive individual guidelines for specific projects should they find that one or more fundamental design guidelines is not applicable to the circumstances of the particular project being reviewed.

The review body may also address aspects of a project design which are not covered in the guidelines where the review body finds that such action is necessary to better achieve the goals and objectives of design review in the Central City.

**Findings:** The site is designated with design overlay zoning (d). Therefore the proposal requires Design Review approval. Because the site is within the River District Subdistrict of the Central City, the applicable approval criteria are listed in both the *Central City Fundamental Design Guidelines*, and the *River District Design Guidelines*.

### Chapter 33.825 Design Review

#### Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural

values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

### **Section 33.825.055 Design Review Approval Criteria**

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

**Findings:** The site is designated with 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.*

**DESIGN GUIDELINES WHICH ARE MET AT THIS TIME:**

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

**Findings:** The project involves a river-oriented development with housing and trails along the waterfront, as well as an extension of the public greenway trail. The exterior of the building is designed to reflect this unique riverfront location through the use of stepped building massing and ship-like architectural forms and materials. *Therefore, this guideline is met.*

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

**Findings for A3:** Riverscape Lot 8 is built out at the upper floors to hug the street edge of NW Front Avenue, in alignment with the Riverscape Apartment buildings to the south, currently under construction. The massing break between Buildings A and B also respects the block structure found immediately to the south in the Riverscape development. Landscaping, lighting, and pedestrian amenities are included in the project. The north-south dimension of the buildings along NW Front Avenue and the river is approximately 200-feet, consistent with the larger block structure found throughout downtown. *Therefore, this guideline is 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 buildings are largely built to the street lot line along both NW Front Avenue and NW Riverscape Street, creating a sense of urban enclosure along the abutting public streets. *Therefore, this guideline is met.*

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

**Findings:** A protective building overhang on NW Front Avenue provides weather protection to the pedestrian at the main building entrance, as well as the southwest corner retail space. A similar overhang exists at the lobby entry door for Building B. *Therefore, this guideline is met.*

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

**Findings:** All access points to the buildings, exterior amenity spaces and the adjacent greenway trail and open areas are accessible to people with disabilities. *Therefore, this guideline is met.*

**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.

**Findings for C3 & C3-1:** The parking garage is contained below-grade, with only a visible metal mesh doorway on Building B. No sloping floors are visible, and the garage does not occupy the primary street-facing ground floors along Front Avenue. *Therefore, this guideline is met.*

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

**Findings:** The project complements the adjacent housing in the Riverscape area with a stepped, ship-like building massing and form, stucco and metal panel exterior, cable-rail balconies, and large window openings to optimize river views. Site furnishings for the greenway trail include a light standard found elsewhere in the Riverscape area along the greenway. *Therefore, this guideline is met.*

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

**Findings:** Building A reinforces the intersection at NW 18<sup>th</sup> Avenue and Front through the placement of the main building lobby, raised porch element, and extensive glazing. A deep overhang above the corner retail space further emphasizes the active use at this primary corner where two public streets intersect. *Therefore, this guideline is met.*

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

**Findings:** The sidewalk level of the buildings is differentiated by taller ceiling heights and a more vertical proportion, areas of extensive storefront window glazing, and deep overhangs at building entries. *Therefore, this guideline is met.*

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

**Findings for C9:** A predominantly residential project, with units at much of the ground floor as the project faces the river and on-site parking/courtyard, the project nevertheless includes two flexible retail spaces at the ground level along NW Front Avenue. These spaces, although relatively small at approximately 1,000 square feet each, are flexibly designed to serve a variety of active ground floor uses over time. *Therefore, this guideline is met.*

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

night.

**Findings:** Exterior lighting has been provided in a way that enhances the architectural features of the building, as well as the sustainable and LEED goals for the project (night sky). Ground floor pole lights along the greenway trail are a match with light standards used elsewhere along the river in Riverscape. Other lighting is modest, ground-level lighting including modest sconce and downlights on the building, step lights integrated into stairs and raised planters, and discrete landscape upright fixtures along the perimeter of the building abutting the greenway trail at significant landscape features. No exterior lighting is indicated above the first floor, reducing any potential impacts to the skyline at night. *Therefore, this guideline is met.*

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

**Findings:** Signage has not been included in this application. Signs under 32 square feet, as anticipated for both the building signage and individual retail space signage at the site, are exempt from Design Review. *Therefore, this guideline does not apply.*

**DESIGN GUIDELINES WHICH ARE NOT MET AT THIS TIME:**

**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.

**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.

**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).

**A5-1-5. 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.

**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.

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

- 1) Integrating art into open spaces or along pathways.
- 2) Incorporating art within the structure of the building.
- 3) Using "found objects" that are remnants from the area's history.

**A8. Contribute to the Cityscape, Stage and the Action.** 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.

**A8-1. Design Fences, Walls and Gateways to be Seen Over.** Design fences, walls and gateways located between a building and the sidewalk to be seen over to allow for social interaction. This guideline may be accomplished by:

- 1) Elevating building entries higher than the public sidewalk or path.
- 2) Creating a low fence or wall to visually separate but not hide semi-private spaces.
- 3) Using a low or stepped-down planting area or terraces to separate private development from a public sidewalk.

**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.

**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.

**B4. Provide Stopping and Viewing Places.** Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.

**B5. Make Plazas, Parks and Open Space Successful.** Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.

**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.

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

**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.

**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.

**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 for A1, A1-1, A3-1, A4, A5, A5-1, A5-1-5, A5-3, A5-4, A8, A8-1, B1, B1-1, B1, B3, B4, B5, C1, C1-1, C2, C5, C6 and C11:** The buildings are generally successful in their materials and composition, although questions remain with regards to some details, including the following missing items which are necessary to evaluate the project and conformance with the applicable guidelines. Missing information in the drawing set at this time includes the following:

- **Ground floor louvers or vents**, if any are proposed for the retail spaces they should be shown on the elevations and in an enlarged section detail;
- **Short-term bike parking** rack detail is necessary, as well as clear graphic notes for each of the required (13 residential, 2 retail) short-term bike parking spaces on the site and landscape plans;
- **Loading spaces** need to be shown in the parking area or at-grade (one large A space, or two small B spaces required);
- **North Pearl Open Area** information is required, including a site plan graphically showing the 12,361 sq. ft. of open area with all the standards required per 33.510.251 (25% one main space, 50% parks/plaza, max. 50% walkways, solar/shadow standard, trees, edge treatment, etc.);
- **Metal panel detail sheet** is necessary to show the metal panel gauge, enlarged elevation and section profiles of the material, any backing or foam stiffeners if provided, etc.;
- **Garage metal mesh gate detail** with enlarged elevation and section;
- **Enlarged HVAC grill** detail in section and elevation to illustrate appearance;
- **Enlarged courtyard fence detail** and clear location in plan view; and
- **Roof plan/rooftop equipment details** should be clarified, all rooftop elements should be labeled and consistent among all the roof plans and elevation drawings.

There are five main areas of concern with regards to the design of the project which require further refinement and discussion prior to staff being able to make findings that the above guidelines are met. Outstanding areas of concern at this time can be summarized as follows:

1. **Parking Area/Courtyard/Piazza.** The parking area should be more street-like, with expanded areas for pedestrian activity and landscaping, perhaps with parallel-only parking. The layout and paving materials of this space could be simplified to create a more unified, piazza-like appearance, and direct access to the space from adjacent units through porches or stoops would be helpful. This element of the project should be integrated with the surrounding landscaped waterfront neighborhood, provide a safe and comfortable place for pedestrians, and use materials and features that contribute to a coherent, integrated overall project.
2. **Open Spaces and Trails.** The trails need to be widened to the full 20' width anticipated in the 2001 subdivision approval, as desired by BDS staff and Portland Parks and Recreation. The paving treatments, landscaped edges, riverbank treatment, seating and lighting, and other design elements should be expanded upon and integrated into a cohesive whole. The connection point of the two trail segments at the northeast corner, near the connection to the existing pier, needs to be a special stopping and viewing place, designed with a sense of place that captures the unique vistas and multiple pedestrian connections in this location. The open area at the southeast section of the site should be integrated with the adjacent walkway, trellis feature, and gravel trail on the Pacifica condo tower site to the south, with an improved open space design and

accessway layout that complements the existing Pacifica walkway and edge treatment. Areas intended to be public open spaces should be clarified and shown in plan view, with the required information regarding percentage of open space versus walkways, trees, edge treatment, solar access, etc.

3. **Materials.** Wood panel is indicated throughout the narrative, but not shown on the elevations or details: this should be clarified. To ensure durability and quality appearance over time, further information is needed for the metal panel materials, including gauge and section/elevation details on a sheet to verify any backing or foam stiffeners, etc. Further information is also necessary to show the HVAC grill, courtyard gate, and garage gate elements.
4. **Front Avenue Dock/Porch.** A low raised 'porch' element runs along the Front Avenue frontage, with a cable railing and two steps near the corner of NW 18<sup>th</sup> and Front. Elements of this design are unclear on the plans, and should be clarified.
5. **Art.** Guideline A5-4 seeks to incorporate public art or other 'found objects' into the proposal. This topic merits further discussion before Design Commission, as no such explicit objects are included in the proposal.

With the receipt of the additional information noted above, discussion of the noted issues before Design Commission, and responsive changes to the plans made by the applicant, these guidelines may be met in the future. *At this time, however, based on the outstanding concerns noted above, these guidelines are not yet met.*

**(2) MODIFICATION REQUESTS (33.825)**

**33.825.040 Modifications That Will Better Meet Design Review Requirements:**

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

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

**Findings:** The applicant has requested Modifications to reduce parking stall width and bike parking stall width, both of which rely on a positive recommendation from Portland Transportation, which has not yet been received. Therefore, findings for these two modifications cannot be made at this time. *Therefore, these criteria are not yet met.*

**(3) GREENWAY REVIEW (33.440)**

### 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 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.

**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.

**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.

**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-F:** The applicant has not provided sufficient information to evaluate the proposal against the above guidelines/issues, and specific site and utility plan changes are necessary to comply with Greenway use restrictions and the desired trail layout per Portland Parks and Recreation. Outstanding greenway-related issues at this time include the following:

- 1. Trail size and location.** The applicant has indicated a greenway trail 15'-0" wide along the north riverbank, and 12'-0" wide along the east riverbank and south accessway. Conditions of approval from the 2001 Subdivision at the site and Portland Parks and Recreation staff all seek a 20'-0" wide trail segment. The trail as proposed is of insufficient width to be approvable. Design Commission also expressed a desire during the DAR process to create a special acknowledgement in physical space of the trail terminus at the northeast corner, near the entry to the existing pier. Similarly, the design and layout of the trail in relationship to the existing trellis element, gravel trail, and paved accessway on the north side of the Pacific condominium bears further consideration;
- 2. Greenway Use Restrictions (Building Placement & Stormwater).** The private buildings and related development, including stormwater management facilities, are not allowed to encroach into the Greenway Setback without a Greenway Goal Exception (33.440.210). This restriction includes an area at least 5'-0" away from the perimeter building walls, to allow for scaffolding and construction access associated with initial construction and repairs in the future. The building walls appear to encroach over the line near the northeast corner of the site, and come closer than 5'-0" near the northwest corner of site and at the central northern edge. The private stormwater management system also encroaches into the greenway setback. These elements should be corrected in a major re-design of the site, utility and landscape plans;
- 3. Existing and proposed riverbank plantings are not shown.** The existing conditions plan does not identify the current riverbank vegetation, consisting of limited deciduous trees and shrubs and extensive overgrowth of invasive blackberry. The greenway code standards require trees and shrubs within and riverward of the greenway setback (33.440.230.B), although these plantings are not shown in the drawing set. To improve the habitat value of the site, pedestrian access, and visual qualities of the riverbank, significant additional information is required. Until such time as the habitat qualities, appearance, and plant materials of the riverbank are shown, findings cannot be made in support of the above guidelines/issues;
- 4. Native plants.** Only 1 of the 6 proposed tree species are native, and only 9 of the shrub and groundcover species shown are native. The guidelines above call for improvement of the riparian habitat, which generally means a higher proportion and number of native versus non-native plant species. A greater number and proportion of native plant materials should be used in the project landscaping;
- 5. Sheriff's Office Components.** Clear plan information and details should be provided identifying any gates, signage, parking spaces, or other improvements to remain for the Sheriff River Patrol use. Information on their parking needs, loading, and day-to-day activities should be provided; and
- 6. Missing/Needed Information.** The following greenway-related information is necessary for evaluation of the project:

- a. Confirmation of easement agreement in process with Portland Parks and Recreation, per Parks standards and 33.272 requirements;
- b. Clear, legible greenway setback and top-of-bank lines on all site and landscape plans;
- c. Revised site and landscape plans showing no buildings within 5' of the greenway setback, and no private stormwater facilities in the greenway setback;
- d. Revised existing conditions plan showing all existing riverbank vegetation by species and location;
- e. Revised construction management plan (C14, demo/erosion plan in packet) showing construction fencing at the greenway setback line, as well as tree preservation standards (fencing, drip lines) per 33.248.065 for any trees to be retained; and
- f. Revised landscape plans with all riverbank plantings by species, size, and location in conformance with Greenway standards at 33.440.230.B.

Until the information above has been submitted and reviewed, there is insufficient information in the record to make findings on the above guidelines/issues. *Therefore, these guidelines/issues are not yet 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;

**Findings:** There are no viewpoints on the site in the Willamette Greenway Plan. *Therefore, this criterion/issue does not apply.*

**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:** There are no view corridors on this site in the Willamette Greenway Plan. *Therefore, this criterion/issue does 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 entire site and adjoining parcels for several thousand feet both upriver and downriver from the site are Rank IV wildlife habitat areas, having minor value to wildlife, but seriously impacted by adjacent uses. Although these sites can be improved with revegetation, the proposal will not have a significant impact on any Rank I or II wildlife habitat areas. *Therefore, this criterion is 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 applicant has not provided plans showing any changes to the riverbank plantings, bank layout or other improvements riverward of the Greenway setback. However, the criteria and development standards applicable to the project require new plantings and habitat improvement in this area. *Until sufficient information is shown regarding activity along the riverbank, with evaluation of potential impacts as considered above, this criterion is not met.*

**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:** No development is proposed in 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 approval criteria, as the site is in the River General (g) versus River Water Quality (q) overlay zone. *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.

Bike parking is required for both the residential and retail spaces in the project. For the 250 residential units, 13 short-term and 375 long-term spaces are required. For the retail spaces, 2 short-term and 2 long-term spaces are required.

**Street trees will be required** by Urban Forestry during building permit review on both public street frontages, per both a condition of approval in the 2001 subdivision (condition D.1 of LUR 01-00618 SU GW), and the authority granted to the City Forester under Title 20 of Portland City Code.

## CONCLUSIONS

The applicant has proposed a new 250-unit apartment project on a significant riverfront site at the north edge of the Riverscape neighborhood. The building design is generally successful, and employs a ship-like, stepped massing with a distinct waterfront character. With the presentation of additional materials clarifications and details, the building design itself should be able to meet the relevant design guidelines.

However, basic site planning concerns remain with regards to the surface parking, as well as to the greenway trail segments. Private development is shown encroaching into the greenway setback on the current plans, and cannot be approved without a Greenway Goal Exception that is not approvable. Existing and proposed riverbank plantings, key to addressing the greenway criteria, are not shown in the submittal. With feedback on several design- and greenway-related concerns at the first hearing, the applicant will need to revise the proposal in order to meet the relevant guidelines and criteria.

## TENTATIVE STAFF RECOMMENDATION

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

Staff cannot yet recommend approval of the requested Design Review, Greenway Review or Modifications, pending resolution of the following outstanding items:

### DESIGN REVIEW:

1. **Parking Area/Courtyard/Piazza.** The parking area should be more street-like, with expanded areas for pedestrian activity and landscaping, perhaps with parallel-only parking. The layout and paving materials of this space could be simplified to create a more unified, piazza-like appearance, and direct access to the space from adjacent units through porches or stoops would be helpful. This element of the project should be integrated with the surrounding landscaped waterfront neighborhood, provide a safe and comfortable place for pedestrians, and use materials and features that contribute to a coherent, integrated overall project.
2. **Open Spaces and Trails.** The trails need to be widened to the full 20' width anticipated in the 2001 subdivision approval, as desired by BDS staff and Portland Parks and Recreation. The paving treatments, landscaped edges, riverbank treatment, seating and lighting, and other design elements should be expanded upon and integrated into a cohesive whole. The connection point of the two trail segments at the northeast corner, near the connection to the existing pier, needs to be a special stopping and viewing place, designed with a sense of place that captures the unique vistas and multiple pedestrian connections in this location. The open area at the southeast section of the site should be integrated with the adjacent walkway, trellis feature, and gravel trail on the Pacifica condo tower site to the south, with an improved open space design and accessway layout that complements the existing Pacifica walkway and edge treatment. Areas intended to be public open spaces should be clarified and shown in plan view, with the required information regarding percentage of

- open space versus walkways, trees, edge treatment, solar access, etc.
3. **Materials.** Wood panel is indicated throughout the narrative, but not shown on the elevations or details: this should be clarified. To ensure durability and quality appearance over time, further information is needed for the metal panel materials, including gauge and section/elevation details on a sheet to verify any backing or foam stiffeners, etc. Further information is also necessary to show the HVAC grill, courtyard gate, and garage gate elements.
  4. **Front Avenue Dock/Porch.** A low raised 'porch' element runs along the Front Avenue frontage, with a cable railing and two steps near the corner of NW 18<sup>th</sup> and Front. Elements of this design are unclear on the plans, and should be clarified.
  5. **Art.** Guideline A5-4 seeks to incorporate public art or other 'found objects' into the proposal. This topic merits further discussion before Design Commission, as no such explicit objects are included in the proposal.
  6. **Missing/Needed Information:** The following information is still needed to evaluate the proposal:
    - i. **Ground floor louvers or vents,** if any are proposed for the retail spaces they should be shown on the elevations and in an enlarged section detail;
    - ii. **Short-term bike parking** rack detail is necessary, as well as clear graphic notes for each of the required (13 residential, 2 retail) short-term bike parking spaces on the site and landscape plans;
    - iii. **Loading spaces** need to be shown in the parking area or at-grade (one large A space, or two small B spaces required);
    - iv. **North Pearl Open Area** information is required, including a site plan graphically showing the 12,361 sq. ft. of open area with all the standards required per 33.510.251 (25% one main space, 50% parks/plaza, max. 50% walkways, solar/shadow standard, trees, edge treatment, etc.);
    - v. **Metal panel detail sheet** is necessary to show the metal panel gauge, enlarged elevation and section profiles of the material, any backing or foam stiffeners if provided, etc.;
    - vi. **Garage metal mesh gate detail** with enlarged elevation and section;
    - vii. **Enlarged HVAC grill** detail in section and elevation to illustrate appearance;
    - viii. **Enlarged courtyard fence detail** and clear location in plan view; and
    - ix. **Roof plan/rooftop equipment details** should be clarified, all rooftop elements should be labeled and consistent among all the roof plans and elevation drawings.

**MODIFICATIONS (Parking Stall Width, Bike Stall Width):**

1. **PBOT Response.** Findings on this guideline are not yet submitted by PBOT.

**GREENWAY REVIEW:**

1. **Trail size and location.** The applicant has indicated a greenway trail 15'-0" wide along the north riverbank, and 12'-0" wide along the east riverbank and south accessway. Conditions of approval from the 2001 Subdivision at the site and Portland Parks and Recreation staff all seek a 20'-0" wide trail segment. The trail as proposed is of insufficient width to be approvable. Design Commission also expressed a desire during the DAR process to create a special acknowledgement in physical space of the trail terminus at the northeast corner, near the entry to the existing pier. Similarly, the design and layout of the trail in relationship to the existing trellis element, gravel trail, and paved accessway on the north side of the Pacific condominium bears further consideration;
2. **Greenway Use Restrictions (Building Placement & Stormwater).** The private buildings and related development, including stormwater management facilities, are not allowed to encroach into the Greenway Setback without a Greenway Goal Exception

(33.440.210). This restriction includes an area at least 5'-0" away from the perimeter building walls, to allow for scaffolding and construction access associated with initial construction and repairs in the future. The building walls appear to encroach over the line near the northeast corner of the site, and come closer than 5'-0" near the northwest corner of site and at the central northern edge. The private stormwater management system also encroaches into the greenway setback. These elements should be corrected in a major re-design of the site, utility and landscape plans;

3. **Existing and proposed riverbank plantings are not shown.** The existing conditions plan does not identify the current riverbank vegetation, consisting of limited deciduous trees and shrubs and extensive overgrowth of invasive blackberry. The greenway code standards require trees and shrubs within and riverward of the greenway setback (33.440.230.B), although these plantings are not shown in the drawing set. To improve the habitat value of the site, pedestrian access, and visual qualities of the riverbank, significant additional information is required. Until such time as the habitat qualities, appearance, and plant materials of the riverbank are shown, findings cannot be made in support of the above guidelines/issues;
4. **Native plants.** Only 1 of the 6 proposed tree species are native, and only 9 of the shrub and groundcover species shown are native. The guidelines above call for improvement of the riparian habitat, which generally means a higher proportion and number of native versus non-native plant species. A greater number and proportion of native plant materials should be used in the project landscaping;
5. **Sherriff's Office Components.** Clear plan information and details should be provided identifying any gates, signage, parking spaces, or other improvements to remain for the Sheriff River Patrol use. Information on their parking needs, loading, and day-to-day activities should be provided; and
6. **Missing/Needed Information.** The following greenway-related information is necessary for evaluation of the project:
  - a. Confirmation of easement agreement in process with Portland Parks and Recreation, per Parks standards and 33.272 requirements;
  - b. Clear, legible greenway setback and top-of-bank lines on all site and landscape plans;
  - c. Revised site and landscape plans showing no buildings within 5' of the greenway setback, and no private stormwater facilities in the greenway setback;
  - d. Revised existing conditions plan showing all existing riverbank vegetation by species and location;
  - e. Revised construction management plan (C14, demo/erosion plan in packet) showing construction fencing at the greenway setback line, as well as tree preservation standards (fencing, drip lines) per 33.248.065 for any trees to be retained; and
  - f. Revised landscape plans with all riverbank plantings by species, size, and location in conformance with Greenway standards at 33.440.230.B.

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**Procedural Information.** The application for this land use review was submitted on June 11, 2014, and was determined to be complete on July 23, 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 June 11, 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 further extended by the applicant, **the 120 days will expire on November 19, 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, up to a maximum of \$5,000.00).**

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; *OR*
- *In Person:* Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

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

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

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

**Applying for your permits.** A building permit, occupancy permit, or development permit 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.

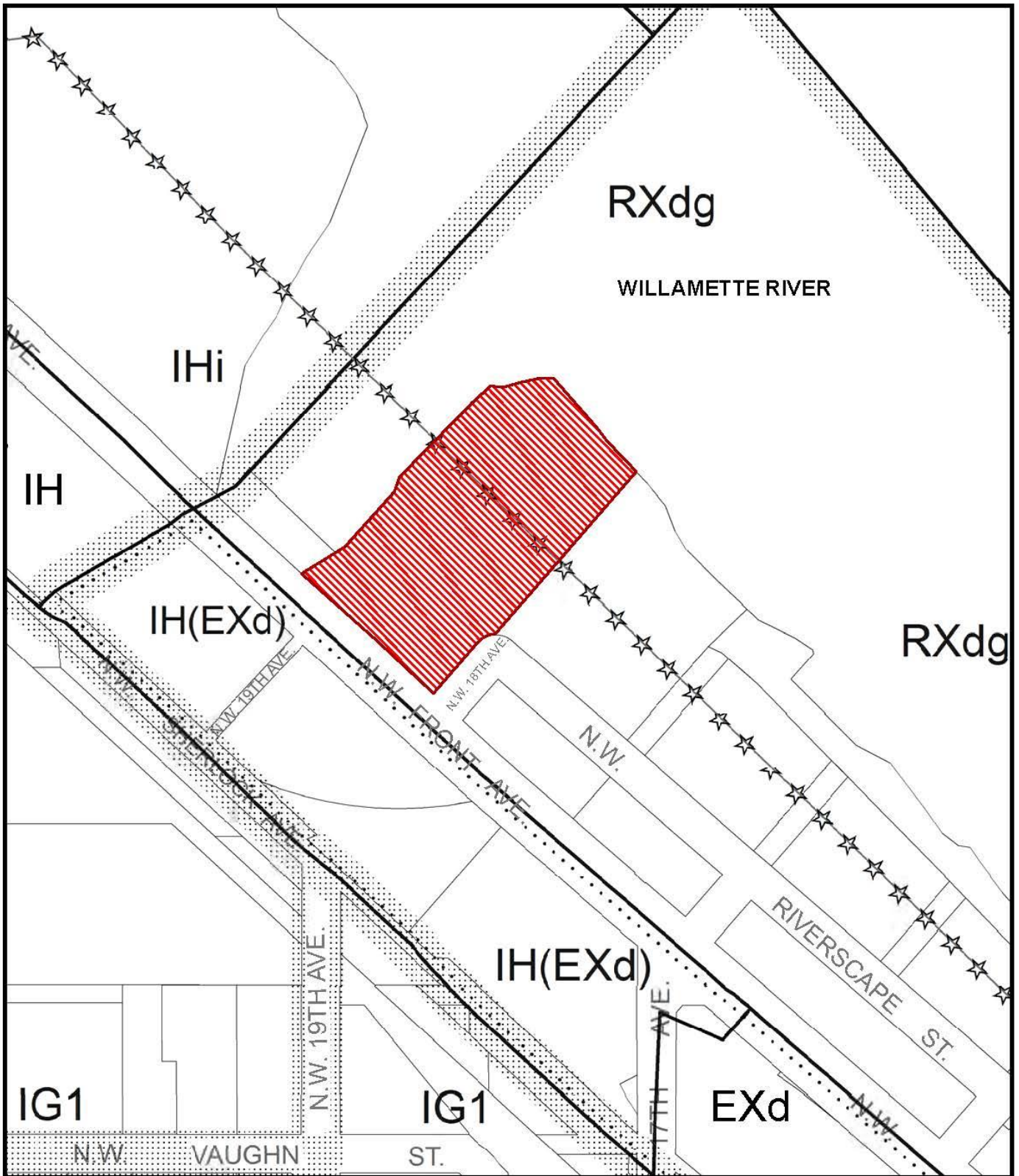
**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**

Mark Walhood  
September 3, 2014

**EXHIBITS – NOT ATTACHED UNLESS INDICATED**

- A. Applicant's Statements
  - 1. Original narrative statement, including Pre-Application Conference Notes and 6/4/14 Cardno Drainage Report
  - 2. Revised narrative submitted 7/23/14, including 6/5/14 GeoDesign Geotechnical Report, updated 7/23/14 Cardno Drainage Report, and 7/23/14 Cardno Floodplain Cut/Fill Balance Memorandum
  - 3. Outdated, original plan set with revisions included with 7/23/14 completeness submittal
  - 4. Old, outdated sheets replaced by new sheets in 7/23/14 completeness submittal
  - 5. Cover memo and single copy of 8/18/14 updated plan set
  - 6. Cover memo provided with ten copies of 8/25/14 updated plan set
- B. Zoning Map (attached)
- C. Plan & Drawings
  - 1. View from North/Cover Page
  - 2. Index
  - 3. View from Northwest
  - 4. View from Southwest (**attached**)
  - 5. View from North
  - 6. Site Location
  - 7. Context Images
  - 8. Site Constraints
  - 9. Precedents
  - 10. Waterfront Context Images
  - 11. Existing Conditions Plan
  - 12. Utility Plan
  - 13. Grading Plan
  - 14. Demolition and Erosion Plan
  - 15. Site Plan (**attached**)
  - 16. Landscape Plan – Overall
  - 17. Landscape Plan – Courtyard Plan
  - 18. Site Roof
  - 19. Plant Plan (**attached**)
  - 20. Plant Legend
  - 21. Plant Palette – Trees
  - 22. Plant Palette – Shrubs & Groundcovers
  - 23. Plant Palette – Shrubs & Groundcovers
  - 24. Courtyard & Ground level Furnishings & Products
  - 25. Ecoroof Plan, Section and Planting List (**attached**)
  - 26. Roof Deck & Greenroof Furnishings & Products
  - 27. Landscape Plan – Roof Irrigation
  - 28. Landscape Plan – Ecoroof Operations and Maintenance Manual
  - 29. Landscape – 3D Imagery
  - 30. Site Lighting Plan
  - 31. Exterior Materials
  - 32. FAR Plans
  - 33. Basement Plan
  - 34. Site/Level 1 Plan
  - 35. Level 2-3 Plan
  - 36. Level 4 Plan
  - 37. Level 5 Plan
  - 38. Level 6 Plan
  - 39. Roof Plan
  - 40. Bicycle Parking Details
  - 41. Building A – West Elevation
  - 42. Building A – East Elevation

43. Building A – South Elevation
  44. Building A – North Elevation
  45. Building B – North Elevation
  46. Building B – East Elevation
  47. Building B – South Elevation
  48. Building B – West Elevation
  49. Building B – Courtyard Elevations
  50. Building A – Street Entrance & Corner Balcony
  51. Building B – Street Entrance & Angled Balcony
  52. Building A – Enlarged Elevations and Sections
  53. Building B – Enlarged Elevations and Sections – Stepped Terrace
  54. Rooftop Enclosure
  55. Garage Gate
  56. Garage Gate & Green Roof Details
  57. Balcony Details
  58. Exterior Details
  59. Exterior Details
  60. Cut sheet for Amana VTC/VTH Vertical Air Conditioner & Heat Pump Unit
- D. Notification information:
1. Request for response
  2. Posting information and notice as sent to applicant
  3. Applicant's statement certifying posting
  4. Mailed notice
  5. Mailing list
- E. Agency Responses:
1. Bureau of Environmental Services
  2. *Development Review Section of Portland Transportation* (not yet responded)
  3. Water Bureau
  4. Fire Bureau
  5. Site Development Section of the Bureau of Development Services
  6. Urban Forestry Division of Portland Parks and Recreation
  7. Life Safety Section of the Bureau Development Services
- F. Letters
1. E-mail with concerns from Cindy Cox, rec'd. 8/6/14
  2. E-mail with concerns from Juanita Albert, rec'd. 8/13/14
  3. E-mail with concerns from Scott Moore, rec'd. 8/17/14
  4. Letter with concerns from David Jostad, rec'd. 8/20/14
  5. Letter with concerns from Scott Moore, rec'd. 8/25/14
  6. Letter with concerns from Lanny Provo, rec'd. 8/22/14
- G. Other
1. Original LU Application Form and Receipt
  2. Request for Completeness Information and Responses
  3. Design Advice Request Summary Memo, EA 14-138634 DA, 7/10/14
  4. Incomplete Letter from staff to applicant, sent 7/10/14
  5. Routing slip for internal staff with large size plans, sent 7/24/14
- H. Hearing Exhibits
1. Staff Report published 9/3/14
  2. Cover memo from staff to Design Commission sent with drawing packets and first 6 neighbor letters, sent 8/29/14



# ZONING



Site



Recreational Trail



This site lies within the:  
CENTRAL CITY PLAN DISTRICT

File No. LU 14-167875 DZM,GW

1/4 Section 2828

Scale 1 inch = 200 feet

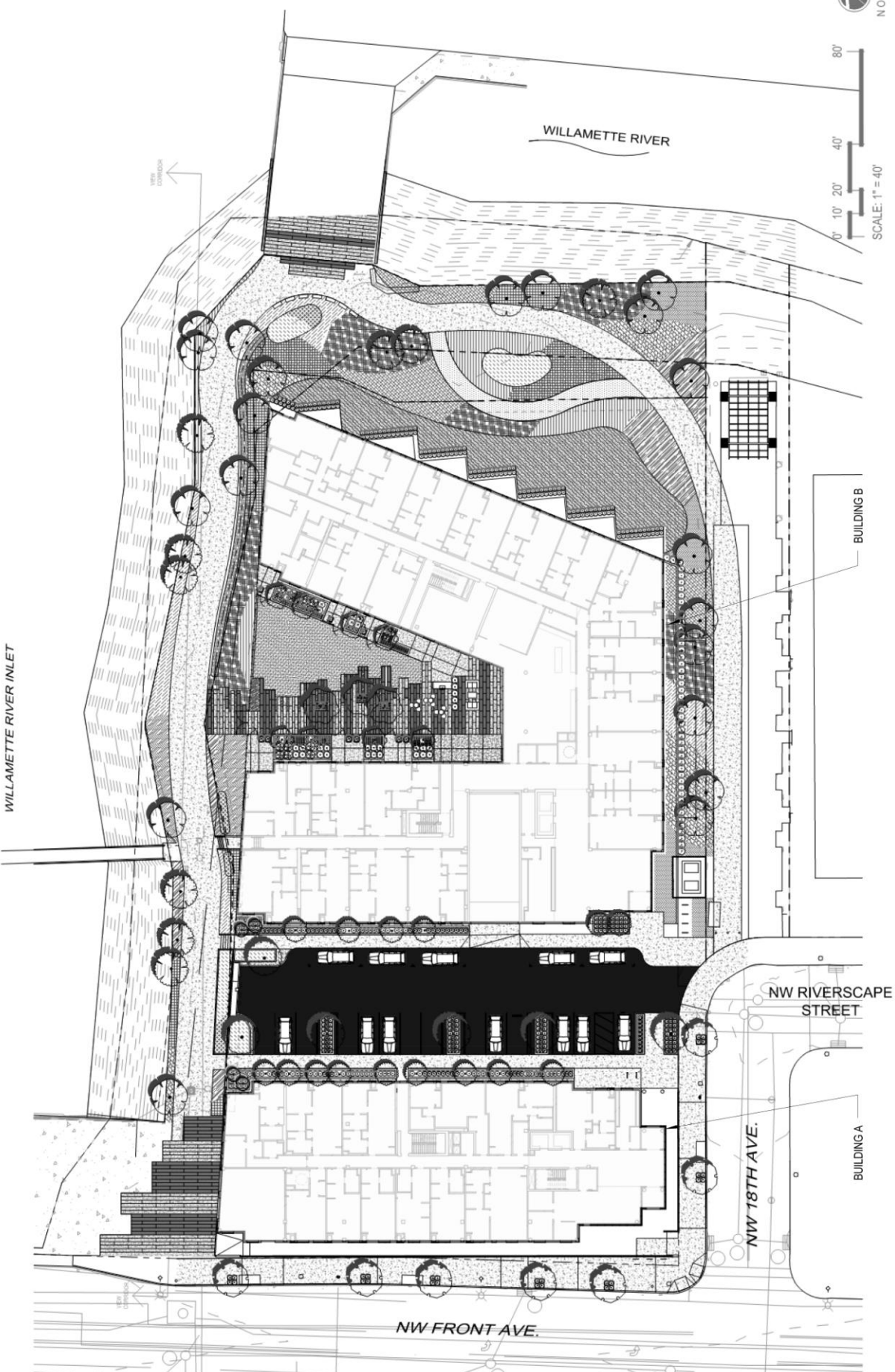
State\_Id 1N1E28D 322

Exhibit B (Jun 12,2014)



0' 12.5' 25' 50' 100'  
 SCALE: 1" = 50'  
 NORTH





NORTH

80'  
40'  
20'  
10'  
0'  
SCALE: 1" = 40'

WILLAMETTE RIVER INLET

WILLAMETTE RIVER

BUILDING B

NW RIVERSCAPE STREET

NW 18TH AVE.

BUILDING A

NW FRONT AVE.

**PLANT SCHEDULE BUILDING A**

GROUND COVERS: BOTANICAL NAME / COMMON NAME CONT.

- SEDUM MIX X / MIXED SEDUM / CUTTING
- 1. SEDUM ALBUM / CORAL CARPET / WHITE STONECROP
- 2. SPANISH STONECROP / MEGACARPUS
- 3. SEDUM PLOERERUM / ORANGE STONECROP
- 4. SEDUM REFLEXUM / GREEN SPRUCE /
- 5. SEDUM REFLEXUM / GREEN SPRUCE /
- 6. SPRUCE STONECROP
- 7. SEDUM SPURSUM TILLOVALUT / CALCASIAN STONECROP
- 8. SEDUM SPURSUM TILLOVALUT / CALCASIAN STONECROP
- 9. SEDUM SPURSUM JOHN CREECH / JOHN CREECH CALCASIAN STONECROP
- 10. SEDUM SPURSUM JOSEPH / JOSEPH CALCASIAN STONECROP
- 11. SEDUM STEFANO / STEFANO STONECROP
- 12. SEDUM TETRACANTUM / CORAL REEF / FISH SCALE SEDUM
- 13. SEDUM TETRACANTUM / CORAL REEF / FISH SCALE SEDUM



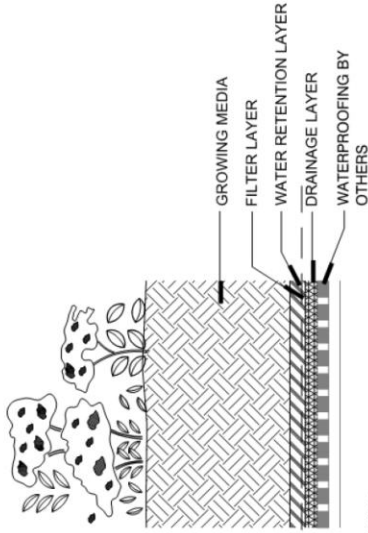
**PLANT SCHEDULE BUILDING B**

TREES: BOTANICAL NAME / COMMON NAME CONT.

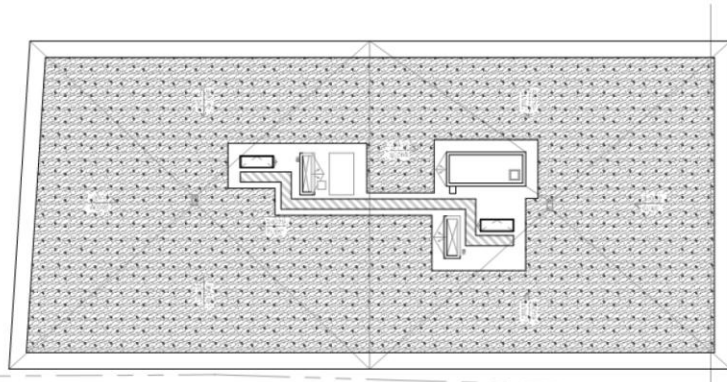
- LAGERSTROEMIA INDICA / PETITE SNOW / PETITE WHITE CHAPEL MYRTLE - 15 GAL

GROUND COVERS: BOTANICAL NAME / COMMON NAME CONT.

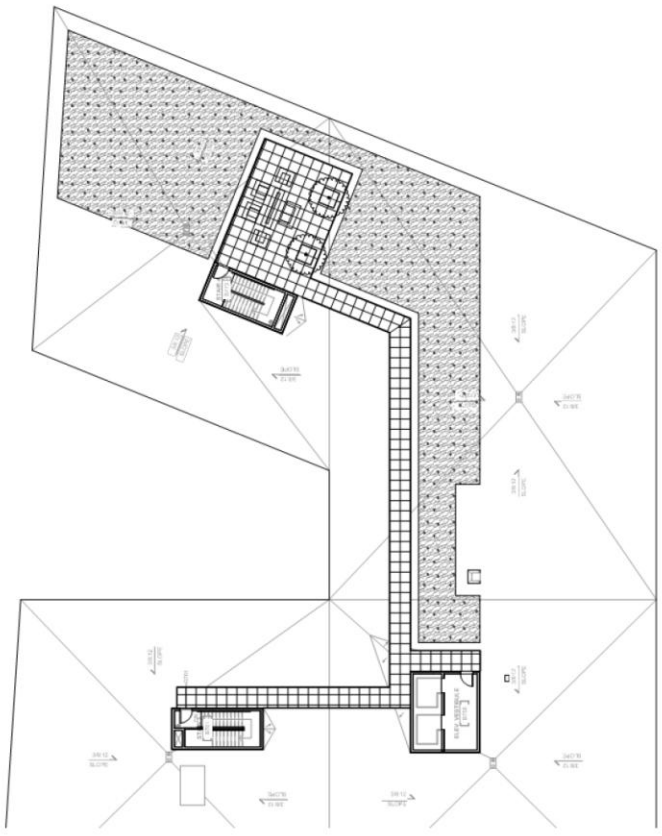
- SEDUM MIX X / MIXED SEDUM



NOTE:  
1. SYSTEM COMPONENTS ARE SHOWN AT NOMINAL SIZE. COMPRESSION WILL OCCUR AT RETENTION LAYER BASED ON AMOUNT (HEIGHT/VOLUME) OF GROWING MEDIA PLACED ON SYSTEM. MAXIMUM COMPRESSION 1/4" ±.



1 BUILDING A



3 BUILDING B

2 ECO-ROOF DETAIL  
SCALE: NTS



