



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: November 6, 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 /
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GENERAL INFORMATION

Applicant: Kurt Schultz | SERA Design LLC
338 NW 5th Avenue | Portland, Oregon 97209

Developer/Owner: Lee Novak | 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 18th 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 18th Avenue and Riverscape 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. After an appeal to City Council of the Hearings Officer's decision, City Council approved the 12-lot subdivision with public streets, as well as the concurrent Greenway Review.

As discussed during the public hearings in this case before Design Commission, there are outstanding issues pertaining to Lot 7 to the south regarding the improvements, ownership, and maintenance of the adjacent in-water pier structure. While the on-site trail layout and design issues have been addressed in this application, the adjacent pier still serves as a recreational link to the site, and the site is the only point of connection from the north end of the pier back to public streets in NW Riverscape Street, NW 18th Avenue, and NW Front Street. The pier is not being used as the primary Greenway Trail segment in this application. The greenway trail will be located within lot 8 on the north and east edges of the lot as shown in Exhibit C.18. However, the pier is significant to the adequate recreational and day-to-day functioning of the project. To ensure that the project has incorporated access to the existing pier structure in compliance with the Greenway Review approval criteria, conditions of approval will be imposed. These conditions will require that, prior to issuance of a building permit for the project, the applicant must dedicate and improve the greenway trail across Lot 8, including a connection between the trail and the at-grade north approach abutment to the adjacent pier, in the location shown on Exhibit C.18. Additionally, the applicant must provide signed maintenance agreements that address maintenance of the greenway trail, including the at-grade north approach abutment and pier structure tie-ins on the north approach, and a maintenance easement in favor of the pier owner for any pier structure tie-ins on the landward side of the at-grade north approach abutment.

Other conditions of approval (F.1 through F.4) from this review address considerations that were to be incorporated into the final determination of trail size and location, as indicated in the original (9/3/14) staff report, and later considered by both Parks and Recreation staff and Design Commission.

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

The *Bureau of Environmental Services* (BES) originally reviewed the report and had concerns about divergent stormwater management information contained within the applicant's submittal. The BES staff assumed at that time that information in the Cardno report was more accurate than that shown on some architectural drawings.

This original response is included in the case file as Exhibit E.1. In an addendum to their original response dated 10/27/14, BES staff has reviewed updated stormwater management information and finds the plans conceptually acceptable for the purposes of land use review, although details will be reviewed further during the building permit process. BES also reviewed the formal application of the applicant for the ecoroof FAR bonus, and finds the documentation acceptable. The applicant qualifies for a 1:1 square foot bonus, earning an additional 17,565 square feet of floor area. Their revised response (Exhibit H.26) indicates no further BES objections or concerns with the requested land use reviews.

The *Development Review Section of Portland Transportation* has reviewed the proposal and responded without objection to any of the requested land use reviews, including the two transportation-related Modifications. Title 17 requirements for public improvements will be applied during the building permit review process, including frontage improvements along both NW Front, Riverscape and 18th. There appears to be sufficient right-of-way width behind the existing curbs such that property dedications will not be necessary. Additional details on public works permitting and staff contact information are found in Exhibit H.3.

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 of 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 were received from either the Neighborhood Association or notified property owners in response to the proposal, prior to the initial staff report.

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 raised the issue of the at-grade parking area between the buildings in the first hearing on September 4th, 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 was also an issue raised by staff at the initial hearing on September 4th. 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.

Additional testimony along the same lines as those comments above was received during the first two public hearings on September 4th and October 16th, 2014. Neighbors testified again about creating a public park on the site as originally contemplated by the prior owner/developer, as well as concerns about the appearance of the south side of the project facing the Pacifica Condominiums, the appearance of the rooftop and extent/location of eco-roof, and about the appearance and function of the

surface parking area. These concerns were heard and considered by Design Commission, and the applicant responded with changes to the rooftop and design of the south face of the building abutting the Pacifica Condominiums, in response to these comments.

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.

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.

Findings: The project is located along the Willamette River and takes advantage of this location by orienting the massing of the buildings towards the river, through construction of the Greenway Trail and the associated bicycle and pedestrian connections, through stepped terraces along the north uppermost edges of the three primary building volumes, through extensive river-facing balconies, and through multiple pedestrian connections to the river from individual units and common areas in the project. *Therefore, these guidelines are met.*

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 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.*

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.

Findings: The proposal provides extensive new pedestrian circulation improvements, including walkways and trails at the perimeter of the project, connections to the existing pier structure, and internal connections to and from the buildings. The buildings include visual and physical cues like larger storefront glazing on the ground floor, individual unit stoops or entries, and unique paving patterns to connect the project to the surroundings. Direct visual and physical links are created from the Greenway Trails to the surrounding street network on and adjacent to the site. The internal parking area is designed like a small street with pedestrian walkways and ‘street trees’ on each side, and the private north-facing courtyard opens onto the Greenway Trail with a direct link and pedestrian amenities. *Therefore, this guideline is met.*

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

Findings: The project is marine-oriented by nature of its location and design, with the perimeter Greenway Trail, courtyard, and individual units unifying and connecting the project to site. The exterior is designed to enhance the unique riverfront location through the use of stepped building massing and ship-like architectural forms and materials. The completion of the Greenway Trail is a key element of how this proposal will unify and connect the site with the remainder of the Riverscape neighborhood. *Therefore, this guideline is met.*

A5. Enhance, Embellish and Identify Areas. Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area’s character. Identify an area’s special features or qualities by integrating them into new development.

Findings: The adjacent rights-of-way in NW Front Street, NW Riverscape Street and NW 18th Avenue will be reconstructed to River District standards, reflecting the character of other redevelopment projects nearby and in the Pearl District, integrating the established sidewalk scoring patterns, etc. into the project. No non-standard improvements are proposed within the right-of-way. *Therefore, this guideline is met.*

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.

Findings: The project includes various design features that recognize the unique waterfront setting, including the use of stepped building massing and ship-like architectural forms and materials. The completion of the Greenway Trail is also a key enhancement to the quality, character and image of the site and surrounding neighborhood. Water features have been incorporated into the landscaping of the project, including vegetated planters along the northern and eastern edges of the property abutting the public walkways and trails. *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.*

A8. Contribute to a Vibrant Streetscape. Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings’ active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

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.

Findings: The project has public sidewalks along the west and south edges in NW Front and NW Riverscape/18th. The building closer to NW Front Avenue has a low dock-like porch element along the street that reflects a pattern found in both old and new nearby buildings, as well as extensive floor-to-ceiling storefront window systems that improve visual connections into and out of the building. No fences or walls are proposed that block views from the sidewalk, and the one fence proposed to enclose the Building B courtyard has been removed. Private stoops and other landscape elements are used to provide a transition between public walkway spaces and individual unit entries at grade. *Therefore, these guidelines are met.*

B1. Reinforce and Enhance the Pedestrian System. Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

B1-1. 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.

Findings: The project reinforces and enhances the pedestrian system by constructing the adjacent right-of-way frontages to River District standards, and through construction of the new Greenway Trail on the north and east edges along the riverfront. Additional new pedestrian connections are provided on the south side of the site in alignment with the walkway bordering the north edge of the Pacifica Condominiums that connects back to NW Riverscape/18th. Human scale interest is provided along the walkways with larger ground level windows along Front, individual unit entries and semi-private patios, as well as extensive landscaping. New pole lighting fixtures along the walkways will match those found elsewhere in Riverscape, supplementing the right-of-way system details and design found nearby. *Therefore, these guidelines are met.*

B2. Protect the Pedestrian. Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

Findings: The applicant has provided separation of vehicle and pedestrian movement through the use of curbing and street trees along NW Front and NW Riverscape/18th. The internal parking area has a driveway which necessarily crosses a key pedestrian path, but the adjacent walkways that straddle the parking area are separated from vehicles by a street-like row of plantings and trees. In the final version of the drawings a garage exhaust vent planned at-grade along the south side of Building B has been re-located to a much smaller exhaust area on the north edge of the on-site vehicle area, which should be a much less heavily-traveled route. Walkway-oriented lighting systems around the project integrate with the light standards used elsewhere in Riverscape, offering safety and interest to the pedestrian. Service areas are generally contained within the building basement and away from primary street-facing walls, internal to the buildings themselves and way from view. The perimeter walkways and trails on the riverfront are free from potential conflicts with motor vehicle movement. *Therefore, this guideline is met.*

B3. Bridge Pedestrian Obstacles. Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.

Findings: The public sidewalks in NW Front, Riverscape and 18th will be reconstructed to River District standards, including well-marked crossing thresholds and consistent sidewalk designs. The one potential location for pedestrian obstacle on the site is at the driveway entrance to the site and in the on-site parking area. In these locations, distinct paving materials and curbing separate the pedestrian from vehicle areas, providing both visual and functional clues as to the shared use of the space. Trees and landscaping are further used to define the pedestrian zone from the vehicle areas at grade level. No other pedestrian obstacles are found on the site, as the new walkway and trail

installations circle the project in its' entirety while connecting to public streets and the existing pier. *Therefore, this guideline is met.*

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

Findings: The proposal provides safe, comfortable places for people to stop, view, socialize and rest at the NW Front Avenue frontage, where the low raised dock provides some separation from the public sidewalk. Other gathering spaces outside the main paths of pedestrian travel are found near both building lobby entries, at the north and south edges of the at-grade parking area, in the on-site courtyard for Building B, and in the large circular plaza created where the Greenway Trails connect to the pier. *Therefore, this guideline is met.*

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

Findings: A north-facing courtyard on the site is oriented to the Willamette River. The overall building massing also orients to the river, including an angled east wall on Building B which responds to visual connections to and from the adjacent Pacifica Condominiums. The public open space in the form of Greenway Trails on the north and east edges of the site, as well as the large circular plaza at the northeast site corner, are all integrated into the overall site plan to enhance the area. These public and semi-public spaces result in a series of successful public spaces that provide amenities to residents, visitors, and the public at-large. *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.*

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: The project includes several essential design features which connect the building to the surroundings, and which improve views to and from the river. The building design includes extensive use of floor-to-ceiling windows in the dwelling units, and the ground floor in many locations uses full-height storefront glazing at the retail spaces, lobby entries, and at the common spaces found on the Building B courtyard. Balconies and ground-floor stoops and entries provide further visual connections to the neighborhood. River views are explicitly considered in the stepped building massing and plan, which angles out to the river at Building B, respecting existing sightlines from the Pacifica Condominium tower next door to the south. *Therefore, this guideline is met.*

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.

Findings: The project employs a refined, limited palette of materials that work together to form a quality, coherent composition. The design itself employs a stepped massing which steps back from the cove adjacent to the north riverbank on the site, and the impression created by the three stair-stepped buildings along the north edge creates a ship-like, marine-themed appearance. Exterior materials are durable and high-quality, including stucco, cable rail balconies, a 20-gauge honeycomb-backed metal panel system, and commercial grade aluminum storefront and vinyl windows. White HVAC grilles are metal architectural panels, and the site furnishings are constructed of durable metal, concrete and wood. The materials used are of high quality and can be expected to hold up well over time.

The final revisions to the roof plan focus the eco-roof materials on the south side of the buildings as requested by Design Commission, to improve the views of the roof from the adjacent, taller Pacifica Condominium tower. The building entries, like the retail spaces along NW Front, are identified with projecting overhangs or canopies for pedestrian weather protection, as well as full-height storefront glazing. Exterior lighting is subdued and contextual, taking design cues from earlier projects nearby. No signage program has been proposed, as all signs are expected to be under 32 square feet and exempt from review.

There are two minor elements of the project that may interrupt the overall coherency and quality of the project, and which require conditions of approval to correct. The applicant states that final revisions to the electrical cabinets shown on the site plan have moved these elements below-grade, but notes have not been made as such on the site plans, and the above-grade cabinets still show in profile on some of the section details in the drawing set. To eliminate confusion and conflicting information in the drawing set on this topic, a condition of approval will require all accessory electrical cabinets or other equipment to be contained fully underground.

A second element that should be modified in the proposal is the rooftop 'movie screen'. A conceptual image of a large wall-mounted movie screen is provided in

the drawing package (C27) and shown in plan view at the rooftop amenity terrace (C20), but no details are provided on the elevations or elsewhere regarding the size or construction details of the movie screen. The screen is shown on a southeast-facing wall of the rooftop stair overrun, which would be clearly visible on the skyline and from points further away. The movie screen itself is problematic on the exterior of a building because it would be considered a changing image sign, which is prohibited in the RX zone unless accessory to a sports field (32.32-3). To correct this potential issue, a condition of approval will clarify that the rooftop movie screen is prohibited.

With the two noted conditions of approval above, the project will result in a high-quality, coherent composition that responds well to the specific Design concerns raised at the two initial public hearings. *Therefore, with the conditions as noted, these guidelines are 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.*

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: There are extensive landscape transitions between the buildings and the Greenway Trail as well as supplemental pedestrian linkages to the trail and public streets woven throughout the project. The public street frontages will be reconstructed to River District standards with scoring lines that differentiate the furnishing zone from movement zone. A large circular plaza is provided at the northeast site corner where the trail segments intersect with the existing pier, with seating opportunities along the edge. *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 18th 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. In revisions made since the initial hearing, the northerly retail space gained a similar treatment along the public trail, improving the activity and transparency of the northwest corner of Building A, as well. *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.*

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 stepped form of the building roofs are integral to the overall project design, creating a ship-like, marine-focused building. The rooftop structures are generally central to the buildings, modest in size and scale, and provided with the dark metal panel system found elsewhere on the building, to help them visually recede into the background as much as possible. Ecoroof materials are used on almost the entirety of Building A, and along the south edges of Building B. Building B has decorative rock ballast in use around the ecoroof itself, with the goal of improving the immediate foreground views for residents of the adjacent Pacifica Condominium tower. A resident rooftop amenity terrace on Building B uses the same cable rail system found on balconies below, further integrating the rooftops into the overall project. *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.*

(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 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". The Modification is 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 (33.266.220.C.3.b). The applicant seeks 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. The Modification to reduce long-term bike parking stall width from 2'-0" to 1'-6" is required.

The applicable purpose statements for *Parking Stall Width* is as follows (relevant excerpts of 33.266.130.A):

- A. Purpose.** The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians.
- 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; and
 - Direct traffic in parking areas;

The applicable purpose statement for Bike Parking Stall Width is as follows (33.266.220.C.1):

- 1. Purpose.** These standards ensure that required bicycle parking is designed so that bicycles may be securely locked without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.

The Development Review Section of Portland Transportation (PBOT) has reviewed the proposal for overall impacts upon transportation services, and for relevant concerns with regards to regulations in Titles 17 and 33 of Portland City Code (Exhibit H.3). PBOT has specifically noted the two above Modifications in their response and voiced no objections or concerns, consistent with their requests to similar responses in the past. The limited reduction in width for under half of the total parking stalls will still result in a safe and attractive parking area, with adequate direction of traffic, entry and exit of vehicles, and safe circulation overall. Reducing the bike parking stall width for staggered vertical or wall racks down to 1'-6" has been routinely approved in the past for some of the long-term bike parking racks inside a private building. *Therefore, these criteria are met for both Modifications.*

(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.

Findings: The Greenway trail is shown on the site along the outer east and north riverbanks of the site, connecting the existing trail system back to NW Front Avenue. Per the original subdivision approval, a 25-foot Greenway Setback is located along the north riverbank, and a 50-foot Greenway Setback is located along the east riverbank. The Greenway Setback area along the north edge is primarily developed as a 20-foot wide trail with light poles inside the paved area, and a narrow landscape buffer between the trail and the building. At the northernmost point of the trail on the site, where the alignment curves outwards slightly with the riverbank towards the cove, there are private stormwater planters just landward of the Greenway Setback on both sides of a paved entry point to the Building B courtyard. Further to the west along the north edge, two pedestrian walkways connect to the trail on either side of a raised planter that anchors the north edge of the at-grade parking area between Buildings A and B.

In three different locations along the north edge of the site at the Greenway Setback, the building encroaches slightly into the zone within 5' of the Greenway Setback. Just under 78 lineal feet of frontage along the north side of the project includes building closer than 5 feet to the setback, with 155 square feet of building footprint located in the unofficial 5-foot 'setback from the setback'. Standard policy during implementation of the use-related restrictions for the Greenway Setback is not to allow structures within 5' of the Greenway Setback. This is because the initial construction and all future alterations to the private buildings must occur entirely outside the Greenway Setback because the apartment itself is not a river-related or river-dependent use (33.440.210.C.2). Staff has provided a narrative in writing indicating that they will abide by the use restrictions in the Greenway Setback, and keep all building construction and future maintenance activities outside the Greenway Setback (Exhibit H.9). In order to ensure this occurs in the future while allowing the buildings in limited locations to be within 5' of the Greenway Setback, a condition of approval will note that all building construction and future maintenance activities for the buildings and related non-trail development components (private stormwater planters, etc.) be contained outside the greenway setback.

The design of the easterly trail segment has a much more significant landscape buffer between the buildings and the trail, ranging from about thirty to seventy feet in depth. A large circular plaza area with perimeter benches is located at the northeast corner of the site, connecting to the adjacent pier structure. Landscaping in this area includes primarily native plant materials which will provide color and interest throughout the year, as well as some wildlife habitat improvement value.

The structures themselves respond to the Greenway Setback and surrounding block structure by reflecting the patterns found in the nearby Riverscape neighborhood. Building A responds in the north-south dimension to the standard 200-foot block length of both the property and the typical central city pattern. In the east-west dimension Building A responds to the footprint and block structure of the apartments under construction on the four blocks to the south, with an eastern wall in alignment with NW Riverscape Street. Building B fills out the larger 'block' on the site to the east, with a splayed U-shape footprint that angles

out on the east wing to the northeast, responding to the location and views to the river from the Pacifica Condominium tower and south side walkway. The north-facing courtyard also provides resident views out to the river. There are no formally dedicated viewpoints or view corridors on the site in the Greenway Plan, but the northeast corner circular plaza creates a special 'stopping place' with fantastic views with a 270° perspective up and down the river, along the trail heading south, and back to NW Front. Overall the structure alignment provides a pedestrian circulation system that maintains views to the river from the abutting public streets, in a pattern that is responsive to the block structure and considerate of existing and future views.

As discussed during the public hearings in this case before Design Commission, there are outstanding issues pertaining to Lot 7 to the south regarding the improvements, ownership, and maintenance of the adjacent in-water pier structure. While the on-site trail layout and design issues have been addressed in this application, the adjacent pier still serves as a recreational link to the site, and the site is the only point of connection from the north end of the pier back to public streets in NW Riverscape Street, NW 18th Avenue, and NW Front Street. The pier is not being used as the primary Greenway Trail segment in this application. The greenway trail will be located within lot 8 on the north and east edges of the lot as shown in Exhibit C.18. However, the pier is significant to the adequate recreational and day-to-day functioning of the project. To ensure that the project has incorporated access to the existing pier structure in compliance with the Greenway Review approval criteria, conditions of approval will be imposed. These conditions will require that, prior to issuance of a building permit for the project, the applicant must dedicate and improve the greenway trail across Lot 8, including a connection between the trail and the at-grade north approach abutment to the adjacent pier, in the location shown on Exhibit C.18. Additionally, the applicant must provide signed maintenance agreements that address maintenance of the greenway trail, including the at-grade north approach abutment and pier structure tie-ins on the north approach, and a maintenance easement in favor of the pier owner for any pier structure tie-ins on the landward side of the at-grade north approach abutment.

With the noted conditions of approval regarding use restrictions in the Greenway Setback and ensuring ongoing access to the pier as noted above, the Issue A guidelines can be met.

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.

Findings: The proposal does provide public access to and along the river, including construction of two new primary Greenway Trail segments along the north and east edges of the riverbank. The trail is accessible from NW Front Avenue at the northwest site corner, from the existing pier at the northeast site corner, and from the existing paved walkway and gravel secondary trail segment to the south on the Pacifica Condominium property. Additional connections to the trail are provided through the parking area between the buildings. Building entries and the north-facing courtyard are also oriented to the public pedestrian access system and Greenway Trail.

The pedestrian circulation system abuts a parking area and driveway between Buildings A and B, with two parallel walkways connecting to the Greenway Trail on the north side of the parking area on either side of a raised planter, and two walkways on either side of the driveway connection to NW Riverscape/18th on the south side. The raised planter along the Greenway Trail at the north end of the parking area provides visual and physical separation of the parking area from the trail. Along the south edge, the direct unscreened connection is acceptable because this is the only possible location for vehicle access that is acceptable to PBOT, and the street-like design of the parking area serves as a privatized extension of the street network further south, drawing pedestrians into the space and north towards the trail. Trash and loading areas are contained inside the buildings, exterior venting or mechanical features are either underground or integrated into the building walls, and loading is contained within the parking area itself.

Signage has not yet been proposed in detail, but this element can be worked out during permitting with Parks Bureau staff along with other details of construction, maintenance, liability, and the various other trail-related requirements found in Chapter 33.272 (Public Recreational Trails) of the Zoning Code. Although the Parks Bureau has expressed support for the alignment and size of the trails as proposed (Exhibits H.4 & H.24), the applicant has not yet fully documented conformance with all the trail-related requirements found in Chapter 33.272 (Public Recreational Trails) of the Zoning Code. To ensure that signage and public access, etc. for the trail fully meet the Parks Bureau standards as required, a condition of approval will ensure that all requirements of Chapter 33.272 be met to the satisfaction of Portland Parks and Recreation prior to issuance of a building permit for the project.

Access to the water's edge was encouraged by the Design Commission, and has been described as desirable in the future by the applicant, but is not proposed at this time.

With the noted condition of approval regarding meeting the trail standards of Chapter 33.272 prior to issuance of a building permit, the Issue B guidelines are 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 was formerly an industrial port facility, with both riverbanks covered in riprap and limited vegetation. The site has a Rank V classification, the lowest wildlife habitat ranking possible, in the *Lower Willamette River Wildlife Habitat Inventory*. Identified as site 15.11b was ranked as zero on the scale of 0 (lowest) to 100 (highest) in terms of wildlife habitat. The riverbanks on the site today are covered in invasive blackberry plants with limited shrubs and trees on the riverbank.

The nearest Rank I habitat site is approximately 3.7 miles downstream on the west bank of the river, near the Burlington Northern railroad bridge. Based on these facts, the river bank at the site is not in a natural state, and has little wildlife habitat value, as determined by the wildlife habitat inventory. There are also no Rank I riparian habitat areas on the site to conserve and enhance. *Therefore, this Guideline Issue does 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: No structural changes or modified stabilization treatments are proposed for the riprap riverbanks on the north and east perimeter of the site. Existing blackberry plants will be removed by hand, and new bare root tree cuttings and a variety of shrubs, all native species, will be installed within the existing riprap material. No heavy equipment, grading, or other bank alterations are proposed with this application. *Therefore, this Guideline Issue does 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 applicant has proposed a variety of plantings in and riverward of the Greenway Setback. On both riverbanks, hand-held equipment will be used to remove invasive blackberry and other plant materials prior to installation of new plantings. The riverbanks will be planted in conformance with the Greenway Setback landscaping standard requiring at least one tree for every 20 feet of riverfront, and one shrub for every 2 feet of riverfront. Living groundcover is required to cover the remainder of the riverbank, and plants should be native species to the greatest extent practical. As proposed, bare root Columbia River Willow plantings and Red-osier Dogwood species are used to satisfy the shrub standard. A combination of Oregon Oak and Cascara trees are used to satisfy the tree standard. A native seed mix with sedges and low-growing native perennials is used to satisfy the groundcover requirement.

The planting plan for the riverbank specifies species and numbers of plant materials, but does not get specific as to the location of individual plants. The applicant intends to plant the shrubs and groundcover materials in a naturalistic, randomized pattern as much as possible depending on the available planting openings in the riprap. The trees are clustered into informal, naturalistic clusters along the riverbank, as well.

The shallower north Greenway Setback is occupied primarily with the new trail, and includes trees and plantings on both sides of the trail, but only a narrow strip of plantings is found between the building and the setback/trail. A much deeper setback area is found along the wider east riverfront, with a more elaborate landscape plan that serves as a naturalistic transition from the trail area to the building itself.

The conditions at planting are difficult to determine at this time because most of the existing riverbanks are covered in dense invasive blackberry plants, which are difficult to remove and can easily overtake new plantings. There may be areas where the soil medium beneath or between the riprap appears adequate at time of initial plant installation, but which may not allow for long-term survival of the plantings. Because the condition of the riverbank planting areas is unknown, as is the future survival rate of the required plantings, a condition of approval is necessary to ensure that the initial planting installation is successful. A typical condition of approval in this situation is to require a Zoning Permit two years out from initial installation, to verify that the required type and number of plantings to meet the Greenway landscaping standard have survived. If adequate plantings to meet the standard have not survived, additional plantings should be provided. This two-year window also allows sufficient time to verify if the removal of invasive blackberry plants has been successful.

Therefore, with a condition of approval that the applicant obtain and receive final

inspections on a Zoning Permit to verify that invasive species have been removed and all required Greenway Plantings (per 33.440.230) have survived or been replaced with new plantings, this Guideline Issue can be met.

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: The proposed Greenway Trail is being constructed along the top of the riverbank on both the north and east edges of the site. There are no on-site habitat areas that require avoidance or special consideration in terms of trail alignment. The trail alignment does follow the natural curvature of the riverbank along the north edge of the property, and pulls back further from the riverbank on the south edge of the east frontage to connect with the existing Pacifica Condominium trellis structure. The alignment in general provides excellent views of the river, riverbank vegetation, and has good sun exposure, especially along the eastern frontage. The Parks Bureau staff has reviewed the proposal trail dimensions and alignments and given their preliminary approval.

Specific details about the trail use, maintenance, hours of use, etc. must still be worked out between the applicant and Parks staff, per the trail-related requirements found in Chapter 33.272 (Public Recreational Trails) of the Zoning Code. Although the Parks Bureau has expressed support for the alignment and size of the trails as proposed (Exhibits H.4 & H.24), the applicant has not yet fully documented conformance with all the trail-related requirements found in this chapter. To ensure that the trail fully meets the Parks Bureau standards as required, a condition of approval will ensure that all requirements of Chapter 33.272 be met to the satisfaction of Portland Parks and Recreation prior to issuance of a building permit for the project.

As discussed during the public hearings in this case before Design Commission, there are outstanding issues pertaining to Lot 7 to the south regarding the improvements, ownership, and maintenance of the adjacent in-water pier structure. While the on-site trail layout and design issues have been addressed in this application, the adjacent pier still serves as a recreational link to the site, and the site is the only point of connection from the north end of the pier back to public streets in NW Riverscape Street, NW 18th Avenue, and NW Front Street. The pier is not being used as the primary Greenway Trail segment in this application. The greenway trail will be located within lot 8 on the north and east edges of the lot as shown in Exhibit C.18. However, the pier is significant to the adequate recreational and day-to-day functioning of the project. To ensure that the project has incorporated access to the existing pier structure in compliance

with the Greenway Review approval criteria, conditions of approval will be imposed. These conditions will require that, prior to issuance of a building permit for the project, the applicant must dedicate and improve the greenway trail across Lot 8, including a connection between the trail and the at-grade north approach abutment to the adjacent pier, in the location shown on Exhibit C.18. Additionally, the applicant must provide signed maintenance agreements that address maintenance of the greenway trail, including the at-grade north approach abutment and pier structure tie-ins on the north approach, and a maintenance easement in favor of the pier owner for any pier structure tie-ins on the landward side of the at-grade north approach abutment.

With conditions of approval as noted above regarding meeting Chapter 33.272 standards during permitting, and by ensuring ongoing access to the adjacent pier, this Guideline Issue can be 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 V wildlife habitat areas, having little or no value to wildlife at the present time. 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 only activity associated with this project occurring riverward of the Greenway Setback is the removal of invasive blackberry, and the installation of new trees, shrubs and groundcover materials. Native plants are being used in the greenway setback, and standard erosion control requirements will apply during construction, to prevent sediment or soil from entering the river. All plant removal and installation will occur using only hand-held equipment. Removing invasives and installing new plants along the riverbanks as proposed will not impact the biological productivity of the river, create wave and wake damage, or interfere with fishing or boat movements in the river. There are no on-site beaches. *Therefore, this criterion is 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 employs a ship-like, stepped massing with a distinct waterfront character. The applicant has been very responsive to Design Commission concerns regarding the exterior materials and design character of the buildings, about the layout of the Greenway Trails, and about the design and function of the street-like at-grade parking area. Additional changes were made to increase direct unit access to the outdoors at ground level, to expand the retail space along NW Front Avenue, and to improve the ground floor experience on the south side abutting the Pacifica Condominiums.

Design-related conditions of approval are necessary to ensure that electrical equipment stays below grade as intended, and that the prohibited rooftop movie screen not be installed. Greenway-related conditions are necessary to ensure that use restrictions, planting requirements, and trail standards are met per City Code. Finally, a condition of approval ensuring long-term access to the adjacent pier is also necessary. With these noted conditions of approval, the request is able to meet the applicable guidelines and criteria and should be approved.

TENTATIVE STAFF RECOMMENDATION

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

Approval of Design Review for the Riverscape Lot 8 project, including a single building over sub-grade parking with two primary volumes, including 250 apartments, a small at-grade parking and loading area, and related site improvements, walkways, trails and landscaping, all in the River Subdistrict of the Central City plan district.

Approval of Greenway Review for the Riverscape Lot 8 project, including new primary Greenway Trail segments on the north and east edges of the site, a connection to the existing pier structure, and associated landscaping and site improvements. Riverbank work includes removal of invasive species and re-planting the riprap bank with native species, all work to be done using hand-held equipment.

Approval of a Modification through Design Review to reduce the width of 94 basement-level parking spaces from 8'-6" to 7'-10" (33.266.130.F.2/Table 266-4).

Approval of a Modification through Design Review to reduce the bike parking stall width from 2'-0" to 1'-6" for 304 long-term bike parking stalls (33.266.220.C.3.b)

The above approvals are granted based on the approved site plans and drawings, Exhibits C.1 through C.65, and subject to the following condition A through F, below:

- A. All accessory electrical cabinets or other at-grade mechanical equipment shall be contained fully underground.
- B. The proposed movie screen atop Building B is prohibited, and must be removed from the proposal and related drawings.

- C. All building construction and future maintenance activities for the buildings and related non-trail development components (private stormwater planters, etc.) must be fully contained fully outside the Greenway Setback.
- D. All requirements of Chapter 33.272, Public Recreational Trails, must be met to the satisfaction of Portland Parks and Recreation staff prior to issuance of a building permit for the project.
- E. Within two years of initial installation of the required plantings, the applicant must obtain and receive all final inspections on a Zoning Permit to verify that invasive species have been removed from the riverbanks, and that all required Greenway Plantings per 33.440.320 have survived or been replaced in-kind.
- F. Before approval of a building permit, the applicant must:
 1. Dedicate a greenway trail easement and improve the trail in two places: (a) across Lot 8 as shown in Exhibit C.18; and (b) between the end of the at-grade north approach abutment to the pier and the main trail across Lot 8;
 2. Provide signed maintenance agreements that address maintenance of the greenway trail and maintenance of the at-grade north approach abutment to the pier and any pier structure tie-ins on the north approach abutment; and
 3. Provide a maintenance agreement in favor of the owner(s) of the pier for any pier structure tie-ins connecting the pier to the at-grade north approach abutment.

=====

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 extended the review period twice, at the conclusion of both the first two hearings. With the two extensions granted to date by the applicant, **the 120 days will now expire on January 21, 2015.**

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
October 29, 2014

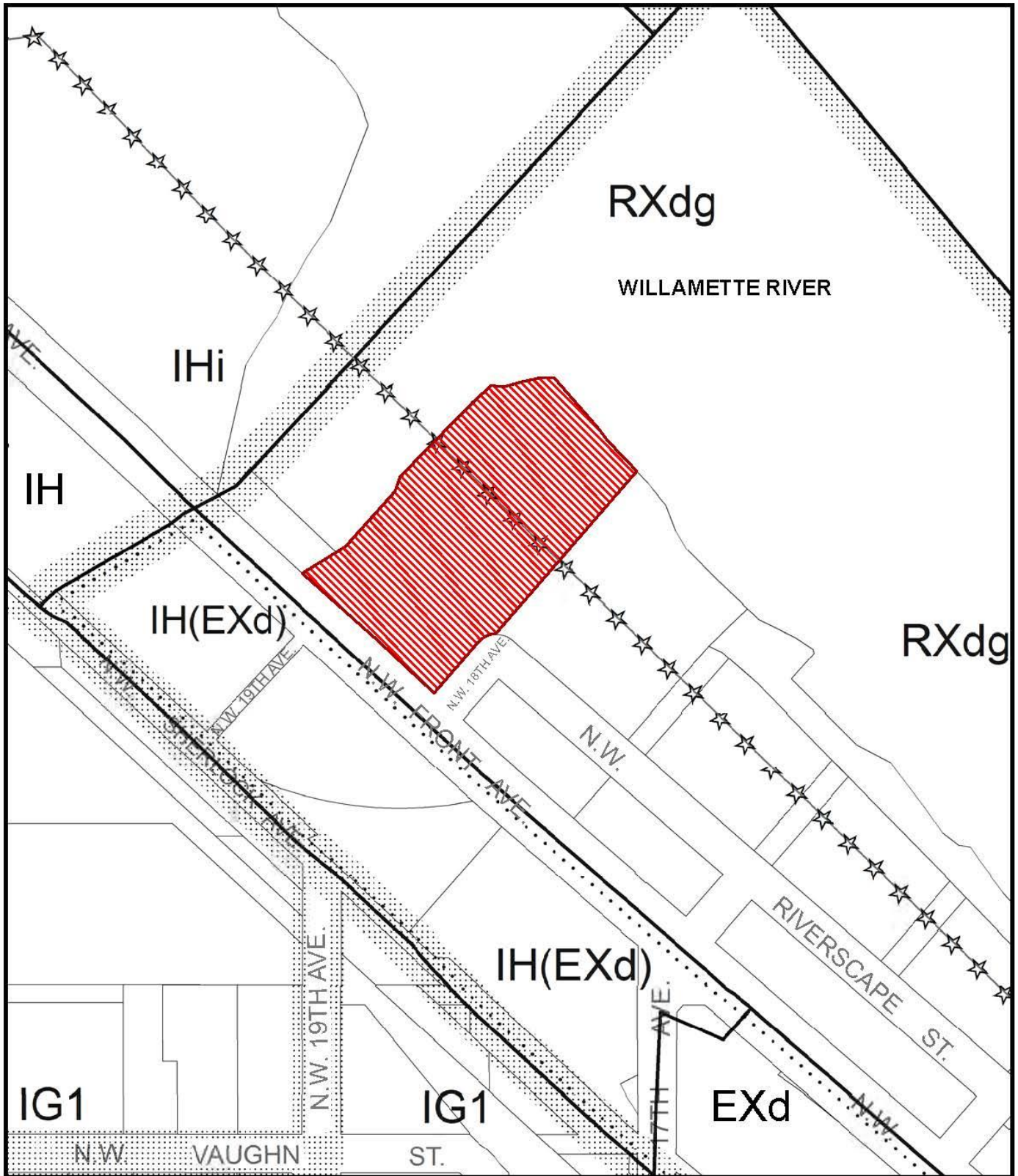
EXHIBITS – NOT ATTACHED UNLESS INDICATED

- 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 Northwest/Cover Page
 2. Index
 3. View from North
 4. View from Southwest (**attached**)

5. View from Northeast
6. View at South Easement
7. Site Location
8. Context Images – REFERENCE ONLY/NOT APPROVED
9. Site Constraints
10. Precedents – REFERENCE ONLY/NOT APPROVED
11. Waterfront Context Images – REFERENCE ONLY/NOT APPROVED
12. Existing Conditions Plan
13. Utility Plan
14. Grading Plan
15. Construction Management Plan – Phase A
16. Construction Management Plan – Phase B
17. Site Plan (**attached**)
18. Landscape Plan – Overall
19. Landscape Plan – Courtyard Plan
20. Site Roof
21. Plant Plan (**attached**)
22. a. Plant Legend
- b. Riverbank Planting Notes
- c. Riverbank Planting Details
23. *no sheet, intentionally omitted from final drawing set*
24. Plant Palette - Trees
25. Plant Palette – Shrubs & Groundcovers
26. Plant Palette – Shrubs & Groundcovers
27. Roof Deck & Greenroof Furnishings & Products
28. Site Furnishings & Materials
29. a. Ecoroof – Building A
- b. Ecoroof – Building B
30. *no sheet, intentionally omitted from final drawing set*
31. a. Landscape Plan – Building A Roof Irrigation
- b. Landscape Plan – Building B Roof Irrigation
32. Landscape Plan – Ecoroof Operations and Maintenance Manual
33. Site Lighting Plan
34. Courtyard & Ground Level Furnishings & Products
35. Exterior Materials
36. a. FAR Plans
- b. Ecoroof Area Plan
37. Basement Plan
38. Site/Level 1 Plan
39. Level 2-3 Plan
40. Level 4 Plan
41. Level 5 Plan
42. Level 6 Plan
43. Roof Plan
44. Bicycle Parking Details
45. Building A – West Elevation
46. Building A – East Elevation
47. Building A – South Elevation
48. Building A – North Elevation
49. Building B – North Elevation
50. Building B – East Elevation
51. Building B – South Elevation
52. Building B – West Elevation
53. Building B – Courtyard Elevations
54. Building A – Street Entrance & Corner Balcony

55. Building B – Street Entrance & Angled Balcony
 56. Building A – Enlarged Elevations and Sections
 57. Building B – Enlarged Elevations and Sections – Stepped Terrace
 58. Rooftop Enclosure
 59. Garage Gate & Stormwater Planter
 60. Garage Gate & Green Roof Details
 61. Balcony Details
 62. Exterior Details
 63. Exterior Details
 64. Building Section
 65. 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. *This line intentionally left blank – see H.3 for Portland Transportation response*
 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
 3. Agency response from Portland Transportation, rec’d. 9/4/14
 4. Agency response to staff questions from Portland Parks and Recreation, rec’d 9/4/14
 5. Staff powerpoint presentation from 9/4/14 hearing
 6. Design Commission ‘cheat sheet’ from staff for 9/4/14 hearing
 7. Public testimony sign-up cards from 9/4/14 hearing
 8. Written comment with project images received at 9/4/14 hearing
 9. Letter from applicant’s attorney regarding Greenway Setback and ‘setback from the setback’ interpretation, rec’d. 9/4/14
 10. 120-day extension, received at 9/4/14 hearing
 11. Greenway construction and maintenance written narrative from applicant, rec’d. 9/26/14
 12. Revised drawing set, rec’d. 9/30/14

13. Eco-roof FAR bonus submittal, rec'd. 10/9/14
14. Cover memo and applicant summary of changes presented to Design Commission prior to 10/16/14 hearing, dated 10/10/14
15. Supplemental partial drawing set, rec'd. 10/14/14
16. Design Commission 'cheat sheet' from staff for 10/16/14 hearing
17. Letter with concerns from Andrew Rogers, Interim Chair of Pacifica Condominium Association, rec'd. 10/15/14
18. E-mail testimony with concerns from Stephen Weber, rec'd. 9/16/14
19. Staff powerpoint presentation from 10/16/14 hearing
20. 120-day extension, received at 10/16/14 hearing
21. Public testimony sign-up cards from 10/16/14 hearing
22. E-mail from staff to neighbors with case status update, sent 10/14/14
23. Greenway landscape tree/shrub count memo from Shapiro Didway, rec'd. 10/14/14
24. E-mail with Parks Bureau staff acceptance of revised trail layout and design, rec'd. 10/15/14
25. Cover memo with list of changes made from applicant with final revised plan set, rec'd. 10/24/14
26. Addendum to original Bureau of Environmental Services agency response, including Ecoroof FAR bonus certification letter, rec'd. 10/27/14



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)





RIVERSCAPE LOT 8 | DESIGN REVIEW - EA 14-138634 DA - 11.06.2014



NORTH
C17

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

SITE PLAN

WILLAMETTE RIVER

WILLAMETTE RIVER

NW FRONT AVE

BUILDING A

NW 18TH AVE

BUILDING B

LOADING

LOADING

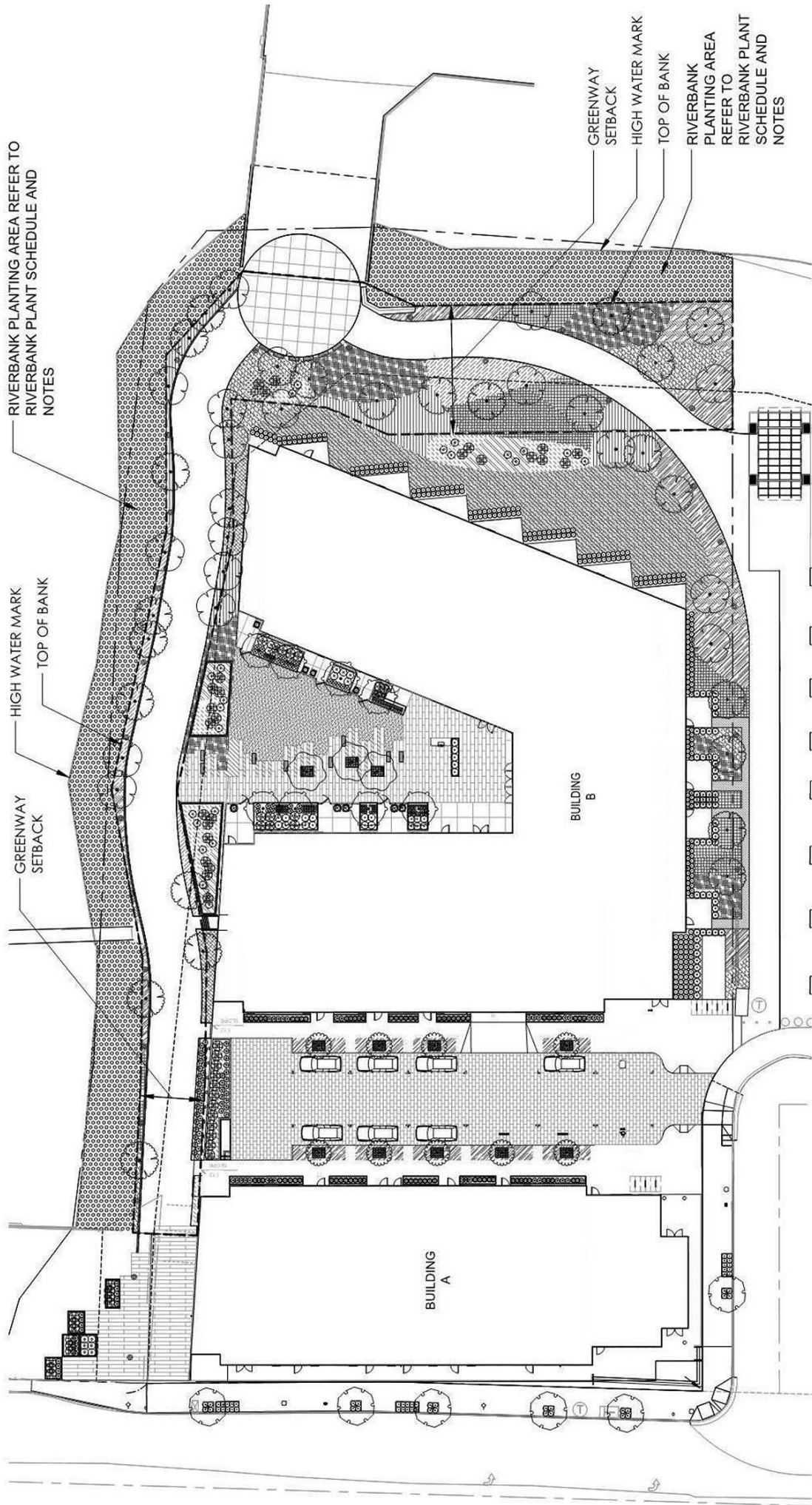
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25

25

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RIVERBANK PLANTING AREA REFER TO RIVERBANK PLANT SCHEDULE AND NOTES

HIGH WATER MARK
TOP OF BANK

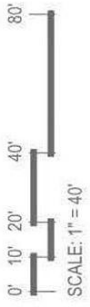
GREENWAY SETBACK

GREENWAY SETBACK

HIGH WATER MARK

TOP OF BANK

RIVERBANK PLANTING AREA REFER TO RIVERBANK PLANT SCHEDULE AND NOTES



PLANT PLAN

C21

GREENWAY NOTE:

River frontage, North bank: 420 LF
 Total number of 1.5" caliper trees required: 21
 Total number of 1.5" caliper trees provided: 21
 Total number of shrubs required: 210
 Total number of shrubs provided: 347

River frontage, East bank: 195 LF
 Total number of 1.5" caliper trees required: 10
 Total number of 1.5" caliper trees provided: 13
 Total number of shrubs required: 98
 Total number of shrubs provided: 623