

Development Services

From Concept to Construction

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More Contact Info (<http://www.portlandoregon.gov/bds/article/519984>)



APPEAL SUMMARY

Status: Decision Rendered

| | |
|---|--|
| Appeal ID: 15717 | Project Address: 3121 SW Moody Ave |
| Hearing Date: 8/23/17 | Appellant Name: Keith Skille |
| Case No.: B-003 | Appellant Phone: 503-224-9656 |
| Appeal Type: Building | Plans Examiner/Inspector: Brian McCall |
| Project Type: commercial | Stories: 1 Occupancy: M Construction Type: II-B |
| Building/Business Name: | Fire Sprinklers: Yes - (future) throughout |
| Appeal Involves: other: property line adjustment | LUR or Permit Application No.: 17-177639-PR |
| Plan Submitted Option: pdf [File 1] | Proposed use: mixed use retail |

APPEAL INFORMATION SHEET

Appeal item 1

Code Section 706.1.1

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| Requires | <p>Party Walls. Any wall located on a lot line between adjacent buildings, which is used or adapted for joint service between two buildings, shall be constructed as a fire wall in accordance with Section 706. Party walls shall be constructed without openings and shall create separate buildings. •</p> |
| Proposed Design | <p>Background: Zidell Yards is a +30 acre site in South Waterfront that flanks both sides of the Ross Island Bridge. The site has been master planned to accommodate dense urban development as depicted on the enclosed Exhibit A, an artist's conceptual rendering of the overall project when finished. The Owners of Zidell Yards are actively working with City Bureaus on site development issues that will enable this development; a key piece of which is establishing new property lines as needed to define individual development sites and related (new) streets and sidewalks. A series of property line adjustments (PLAs) are underway in a sequenced fashion that will ultimately create all of the final buildable parcels, define lots for public parks, establish the centerline for future right-of-ways.</p> <p>A key piece of the master plan will be the re-development of an existing industrial building (Barge Fabrication Building, shown on Exhibit B) to accommodate commercial uses. Exhibit C describes the layout of proposed new streets in this portion of the development site. SW Bond Avenue will run along the west side of the Barge Building while SW River Parkway will bifurcate the Barge Building site into two separate lots, each containing a Type IIB structure.</p> <p>In the interim period between when the PLA is recorded and SW River Parkway is constructed, the Barge Building will occupy a portion of both Lots 7 and 11 as shown on Exhibit D. Code Section 706.1.1 requires that a fire wall be located along common lot lines to separate the structure into two buildings. This proposal seeks to leave the Barge Building in its current condition - without a</p> |

fire wall along the lot line - when the PLA that bifurcates the site to create two separate parcels is recorded. The building would remain unoccupied and both lots would remain under the same ownership until such time as redevelopment of the sites and construction of the SW River Parkway extension begins. At that point, structural bays of the building wide enough to accommodate the future public right-of-way will be removed, thus creating two separate buildings on separate lots.

Reason for alternative The redevelopment of the Zidell Yard's property provides the opportunity to knit the South Waterfront District into southwest Portland. Extending the existing street systems into and through the development area provides a much needed alternate pedestrian, bicycle, and vehicular alternate route into and out of South Waterfront. In addition to providing emergency access to the new development sites, the street extensions provide a horizontal distribution route to bring power, water, storm and sanitary sewer, and communications utilities to Zidell Yards.

Dividing a 30 acre site into multiple development sites is a lengthy process. The number of allowed lot line adjustments that can be completed in a given year is limited and needs to be phased over time. The land divisions are further complicated given the Owner's wish to preserve the historic Barge Building as a place-making link between Portland's history as a ship-building city and future generations.

This proposal provides an equivalent level of safety since the building will remain unoccupied and under the same ownership until the building is bifurcated and the right-of-way is created. The costs and physical resources associated with building a fire wall inside and through the Barge Building would be significant - only to remove it after a relatively short period when the River Parkway road construction begins. Based on these reasons, and the fact that there is a real public benefit in providing improved access to the Willamette River while at the same time preserving an iconic building for re-use we respectfully request this appeal to waive the requirement for what would be a temporary fire wall be granted.

APPEAL DECISION

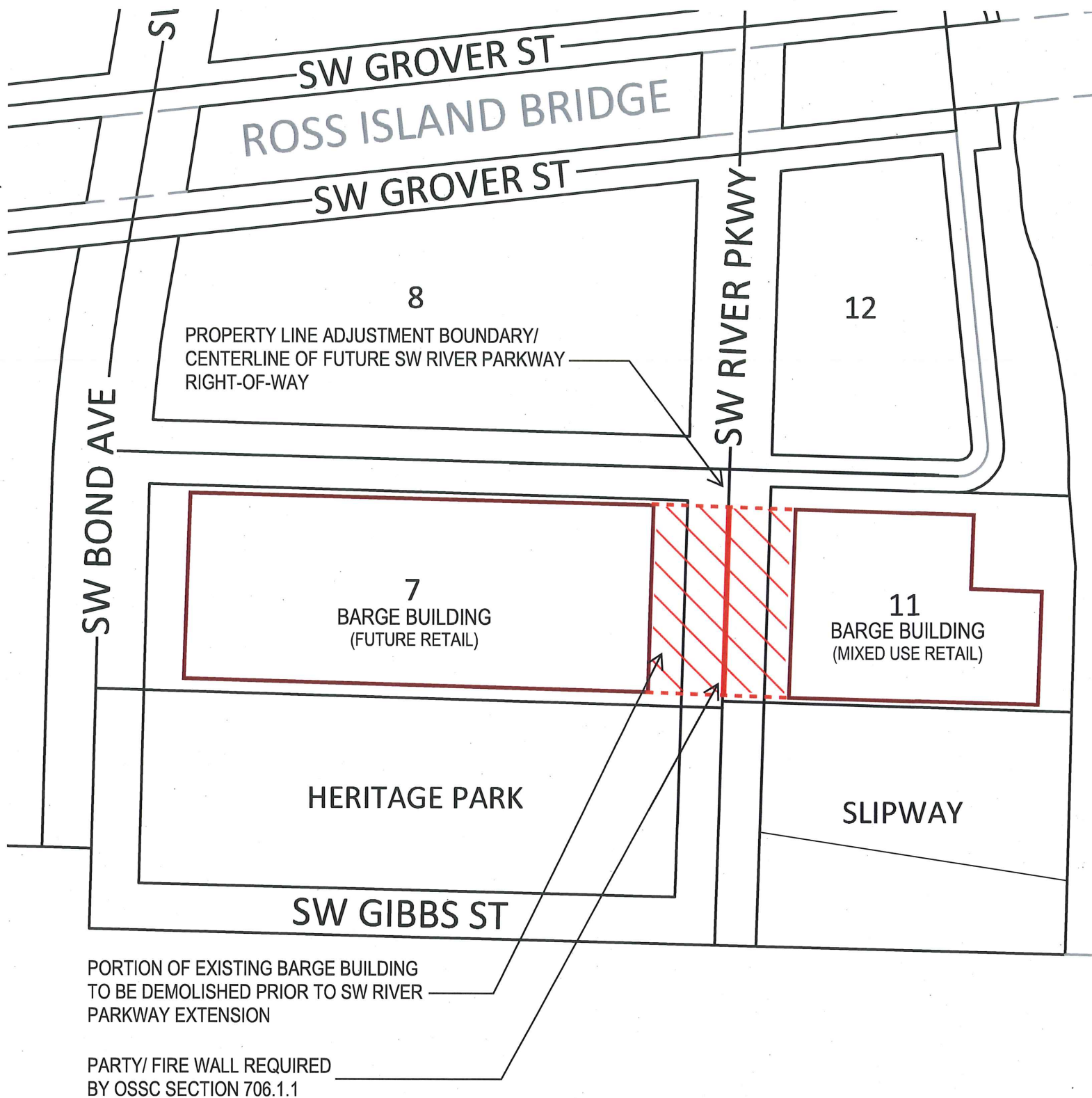
Omission of fire / party wall when PLA establishes new lot line bisecting Barge building: Granted provided a covenant not to sell separately is provided prior to land use review approval of the property line change.

The covenant not to sell separately must be reviewed and approved by BDS prior to recording.

Appellant may contact Nancy Thorington (503-823-7023) for assistance.

The Administrative Appeal Board finds with the conditions noted, that the information submitted by the appellant demonstrates that the approved modifications or alternate methods are consistent with the intent of the code; do not lessen health, safety, accessibility, life, fire safety or structural requirements; and that special conditions unique to this project make strict application of those code sections impractical.

Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 180 calendar days of the date this decision is published. For information on the appeals process and costs, including forms, appeal fee, payment methods and fee waivers, go to www.portlandoregon.gov/bds/appealsinfo, call (503) 823-7300 or come in to the Development Services Center.

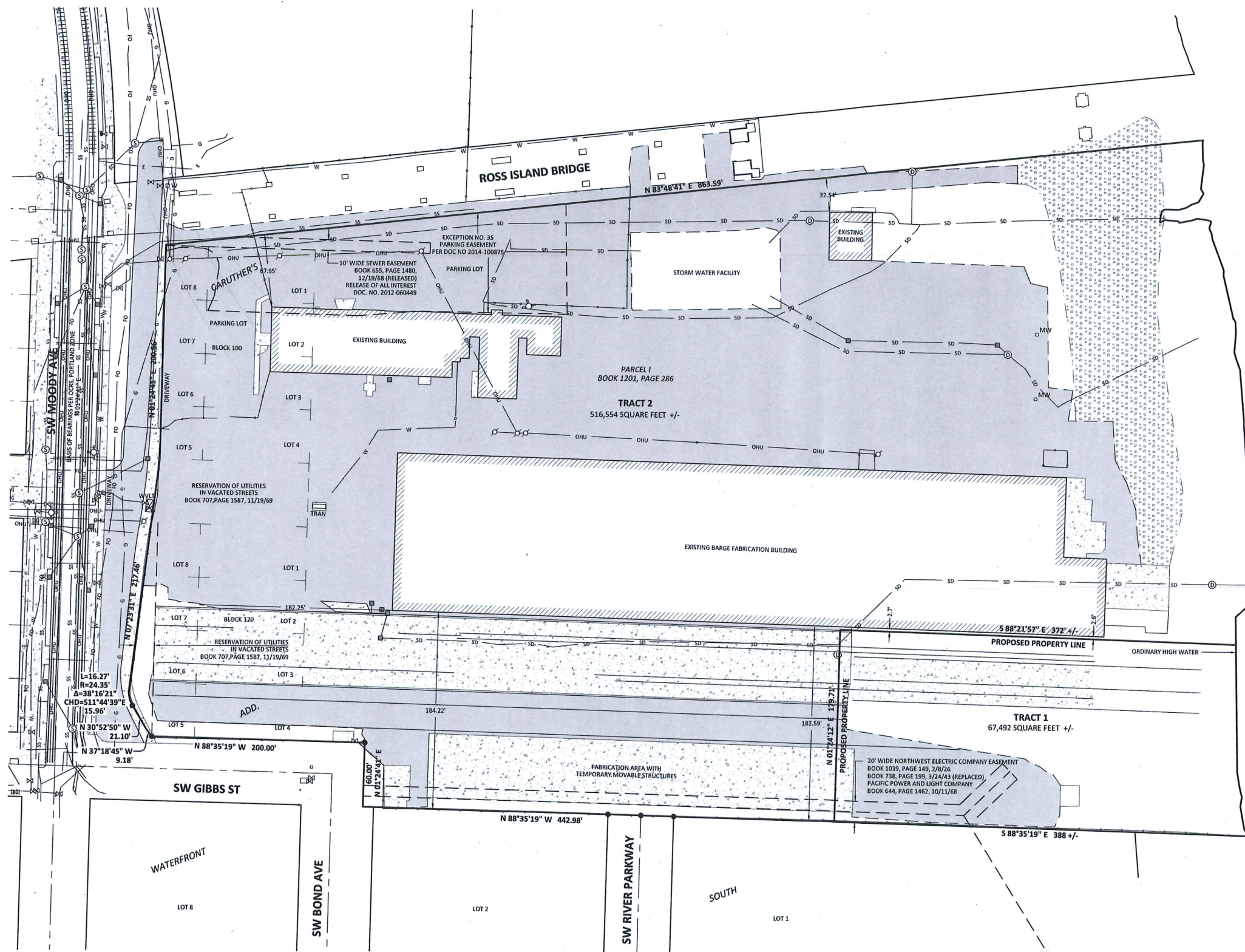




ZIDELL YARDS
August 2017

EXHIBIT A
ZIDELL YARDS MASTERPLAN

EXISTING CONDITIONS
LOCATED IN THE NE QUARTER OF SECTION 10
TOWNSHIP 1 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

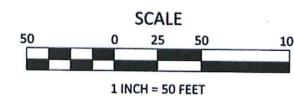


NOTES:

- 1.) BASIS OF BEARINGS FOR THIS SURVEY IS THE OREGON COORDINATE REFERENCE SYSTEM (OCRS), PORTLAND ZONE. THE RESULTANT BEARING OF THE CENTERLINE OF SW MOODY AVENUE IS NORTH 01°24'41\"/>

LEGEND:

- BUILDING OUTLINE
CONCRETE SURFACE
GRAVEL SURFACE
ASPHALT SURFACE
CURB LINE
EDGE OF ASPHALT
RIGHT-OF-WAY LINE
EASEMENT LINE
LOT LINE
PROPERTY LINE
CHAIN LINK FENCE
FIBER OPTIC LINE
ELECTRICAL LINE
TELECOMMUNICATIONS LINE
STORM LINE
SANITARY SEWER LINE
WATER LINE
GAS LINE
OVERHEAD UTILITY LINES
ELECTRICAL MANHOLE
TRANSFORMER
POWER POLE
SANITARY MANHOLE
STORM MANHOLE
CATCH BASIN/AREA DRAIN
WATER VALVE
FIRE HYDRANT
WATER METER
FIRE DEPARTMENT CONNECT
WATER VAULT
MONITORING WELL
MONUMENT



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 30, 1997
TROY T. TETSUKA
2841
EXPIRES 6/30/18

kpff

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EXHIBIT B
ZIDELL YARDS MASTERPLAN

| REV. | DATE | BY | DESCRIPTION |
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SURVEYED BY: TJR
DRAWN BY: JBJ
CHECKED BY: TTT
PROJECT NO.: 1700027
FILE: 1700027_LOT_CONF.DWG

EXISTING CONDITIONS
ZIDELL YARDS
ZRZ REALTY

CITY OF PORTLAND / MULTNOMAH COUNTY / OREGON

DATE: 15 MAY 2017
CONTOUR INTERVAL: N/A
SHEET NO.

1 OF 1

