



City of Portland
Bureau of Development Services
Land Use Services Division

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Portland, Oregon 97201
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www.portlandonline.com/bds

Date: August 7, 2008
To: Interested Person
From: Kara Fioravanti, Land Use Services
503-823-5892 / kfioravanti@ci.portland.or.us

**FINAL DECISION BY THE DESIGN COMMISSION
RENDERED ON July 17, 2008**

**CASE FILE NUMBER: LU 08-119516 DZM
PC # 07-155912
One Waterfront Place**

GENERAL INFORMATION

Representative: John Meadows, BOORA Architects
720 SW Washington / Portland, OR 97205

Owners: City of Portland, Portland Development Commission
222 NW 5th Ave / Portland, OR 97209-3812

Madrona Park LLC
210 SW Morrison, #600 / Portland, OR 97204

Site Location: NW Naito Parkway below the Broadway Bridge
Legal Description: LOT 1 LYING SELY OF NWLY R/W OF BROADWAY BRIDGE SPLIT
LEVY & MAP R508395 (R64981-2740), PARTITION PLAT 2001-69; LOT
1 LYING NWLY OF NWLY R/W OF BROADWAY BRIDGE SPLIT LEVY &
MAP R508394 (R64981-2730), PARTITION PLAT 2001-69; LOT 2,
PARTITION PLAT 2001-69

Tax Account No.: R649812730, R649812740, R649812750
State ID No.: 1N1E34BD 00805, 1N1E34BB 00502, 1N1E34BB 00501
Quarter Section: 2929
Neighborhood: Pearl District, contact Patricia Gardner at 503-228-3273., Old Town-
China Town, contact Carol McCreary at 503-984-4081.
Business District: Pearl District Business Association, contact Adele Nofield at 503-223-
0070., Old Town Chinatown Business Association, contact Dorian Yee at
503-224-7066.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - River District

Zoning: EXd, CXd: Central Employment and Central Commercial with Design
Overlays
Case Type: DZM: Design Review with Modifications
Procedure: Type III, with a public hearing before the Design Commission. The
decision of the Design Commission can be appealed to City Council.

Proposal: The applicants seek Design Review approval for One Waterfront Place. The proposal includes a new 12-story, approx. 256,000 square-foot commercial office building and a 4-level, approx. 182,000 square-foot parking garage. The proposed office building is 145' tall and will be located on the northern portion of the site. The proposed parking garage is 36'-6" tall and will accommodate 544 cars; a portion of the garage will be located under the Broadway Bridge. In addition, a pedestrian plaza is proposed between the parking garage and the office building. The plaza design includes a sculpture garden and stormwater system that harvests roof water from the office building. The design team is targeting LEED Platinum rating for the project. The project also includes a pedestrian easement across the plaza to ensure public access to a future pedestrian bridge that will span the railroad tracks to the west of the site. The pedestrian bridge, that will be funded and constructed by the Portland Development Commission in the near future, will link the plaza with the neighboring Pearl District. This bridge would be subject to a separate design review process.

Modifications Requested through Design Review:

- 1) 33.130.215.C and 33.140.215.C Maximum building setbacks: Because the site is within a Pedestrian District, the standard requires that at least 50 percent of the length of the ground level street-facing façade must be within the maximum 10' setback. The proposed parking garage has a setback of 31'-6" for over 79% of the length of the façade and a setback of 25'-0" for 21% of the façade at NW Naito Parkway.
- 2) 33.130.210.B Height standard: Rooftop equipment that cumulatively covers no more than 10 percent of the roof area may extend 10 feet above the height limit. The proposed mechanical equipment covers 22% of the roof area, and extends 16'-6" above the height limit.
- 3) Parking Structures Street Facing Façades (33.510.265 F.5.c.2) / Ground Floor Windows (33.130.230 and 33.140.230): Because the site is located in River District Parking Sector 1 the street-facing façade of the parking structure must be setback at least 5' and landscaped to at least the L3 standard. If the structure complies with this standard it is exempt from the ground floor windows standard. The structure does not comply with this standard, as it does not provide L3 landscaping along NW Naito. The applicants are therefore requesting a Modification to the ground floor window standard. In CX and EX zones, all exterior walls on the ground level must have windows that cover at least 50 percent of the length and 25 percent of the ground level wall area. The required window areas must allow views into active spaces.

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:

- 33.825 Design Review
- 33.825.040 Modifications That Will Better Meet Design Review Requirements
- Central City Fundamental Design Guidelines
- River District Design Guidelines

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 filed, provided that the application is complete at the time of filing, or complete within 180 days. This application was filed on April 1, 2008 and determined to be complete on April 22, 2008.

DESIGN COMMISSION DECISION

It is the decision of the Design Commission to adopt the Final Findings included in the "Final Findings and Decision, Exhibit G.13 and dated July 30, 2008.

It is the decision of the Design Commission to approve Design Review for One Waterfront Place. The proposal includes a new 12-story, approx. 256,000 square-foot commercial office building and a 4-level, approx. 182,000 square-foot parking garage. The proposed office building is 145'


tall and will be located on the northern portion of the site. The proposed parking garage is 36'-6" tall and will accommodate 544 cars; a portion of the garage will be located under the Broadway Bridge. In addition, a pedestrian plaza is proposed between the parking garage and the office building.

It is the decision of the Design Commission to approve the following Modifications Requested through Design Review:

- 3) 33.130.215.C and 33.140.215.C Maximum building setbacks: Because the site is within a Pedestrian District, the standard requires that at least 50 percent of the length of the ground level street-facing façade must be within the maximum 10' setback. The proposed parking garage has a setback of 31'-6" for over 79% of the length of the façade and a setback of 25'-0" for 21% of the façade at NW Naito Parkway.
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Approvals per Exhibits C.1-C-105, signed, stamped, and dated July 30, 2008, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related condition (B) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE- Case File LU 08-119516 DZM. All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. No field changes allowed.

By:  _____
Lloyd Lindley, Design Commission Chair

Application Filed: April 1, 2008
Decision Rendered: July 17, 2008
Decision Mailed: August 7, 2008

Decision Filed: July 18, 2008

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on April 1, 2008, and was determined to be complete on April 22, 2008.

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 April 1, 2008.

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 requested that the 120-day review period be extended from June 19, 2008 [date of first hearing] to July 17, 2008 [date of second hearing].

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. This report is the final decision of the Design Commission with input from other City and public agencies.

Conditions of Approval. This approval may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appeal of this decision. This decision is final unless appealed to City Council, who will hold a public hearing. Appeals must be filed by 4:30 PM on August 21, 2008 at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth floor. Information and assistance in filing an appeal is available from the Bureau of Development Services in the Development Services Center or the staff planner on this case. You may review the file on this case by appointment at, 1900 SW Fourth Avenue, Suite 5000, Portland, Oregon 97201.

If this decision is appealed, a hearing will be scheduled and you will be notified of the date and time of the hearing. The decision of City Council is final; any further appeal is to the Oregon Land Use Board of Appeals (LUBA).

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to City Council on that issue. Also, if you do not raise an issue with enough specificity to give City Council an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Who can appeal: You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$12,556.00 will be charged (one-half of the application fee for this case).**

Neighborhood associations and low-income individuals may qualify for a waiver of the appeal fee. 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. Fee waivers for low income individuals must be approved prior to filing your appeal; please allow three working days for fee waiver approval. Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

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.

- *Unless appealed*, The final decision may be recorded on or after **August 22, 2008 – (the day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- **By Mail:** Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

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

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

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

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.

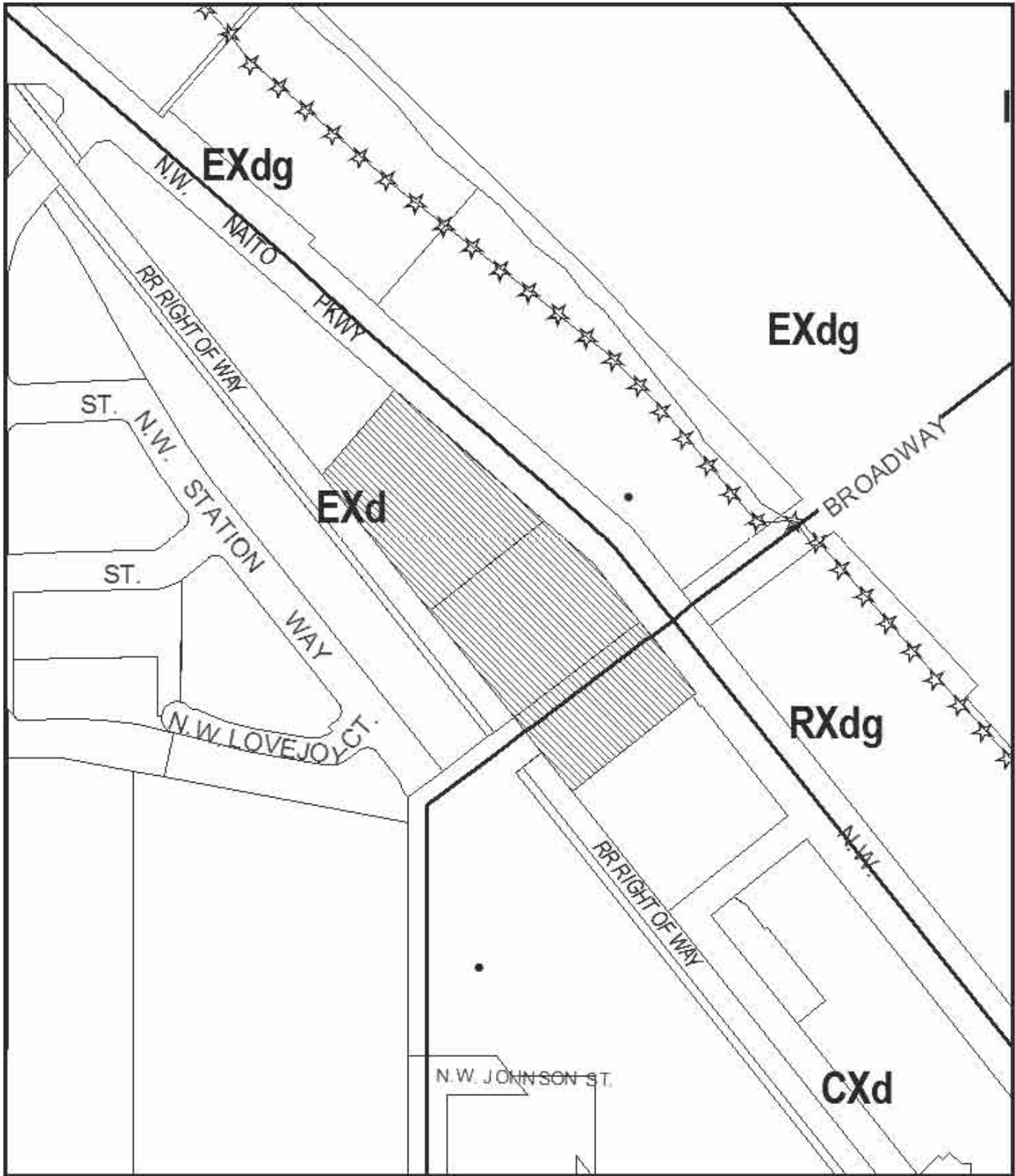
Kara Fioravanti
July 30, 2008

The Bureau of Development Services is committed to providing equal access to information and hearings. If

you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
 - 1. Original Submittal
 - 2. June 9th Submittal –C.1-C.128 and T.1-T.51
 - 3. Packet of revised drawings, submitted July 9 and presented at July 17 hearing
 - B. Zoning Map (attached)
 - C. Plan & Drawings - site plan and elevations attached
Exhibit A.2 with replacement and additional pages from Exhibit A.3 (project drawings are labeled Exhibits C.1-C.105) – presented at 7-17-08 hearing
 - D. Notification information:
 - 1. Request for response
 - 2. Posting letter sent to applicant
 - 3. Notice to be posted
 - 4. Applicant's statement certifying posting
 - 5. Mailed notice
 - 6. Mailing list
 - E. Agency Responses:
 - 1. Life Safety Section of BDS
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Bureau of Environmental Services
 - 4. Site Development Review Section of BDS
 - 5. Police Bureau
 - F. Letters
none received
 - G. Other
 - 1. Original LUR Application
 - 2. Site History Research
 - 3. Lot information from County
 - 4. May 22nd and May 23rd email exchange with applicant re: Police Bureau comments
 - 5. May 22nd and May 30th email exchange with applicant re: issues and process
 - 6. June 19, 20, 30, July 1, 7 email exchange with applicant re: design changes in response to first hearing
 - 7. June 19, 2008 Staff Report
 - 8. June 19, 2008 staff presentation
 - 9. June 19, 2008 hearing notes
 - 10. July 17, 2008 Revised Staff Report
 - 11. July 17, 2008 hearing notes
 - 12. July 15, 2008 transmittal for updated drawings
 - 13. Final Findings and Decision
- cc: Applicants and Representatives
Neighborhood Associations
Those who testified, orally or in writing
Development Services Center



ZONING

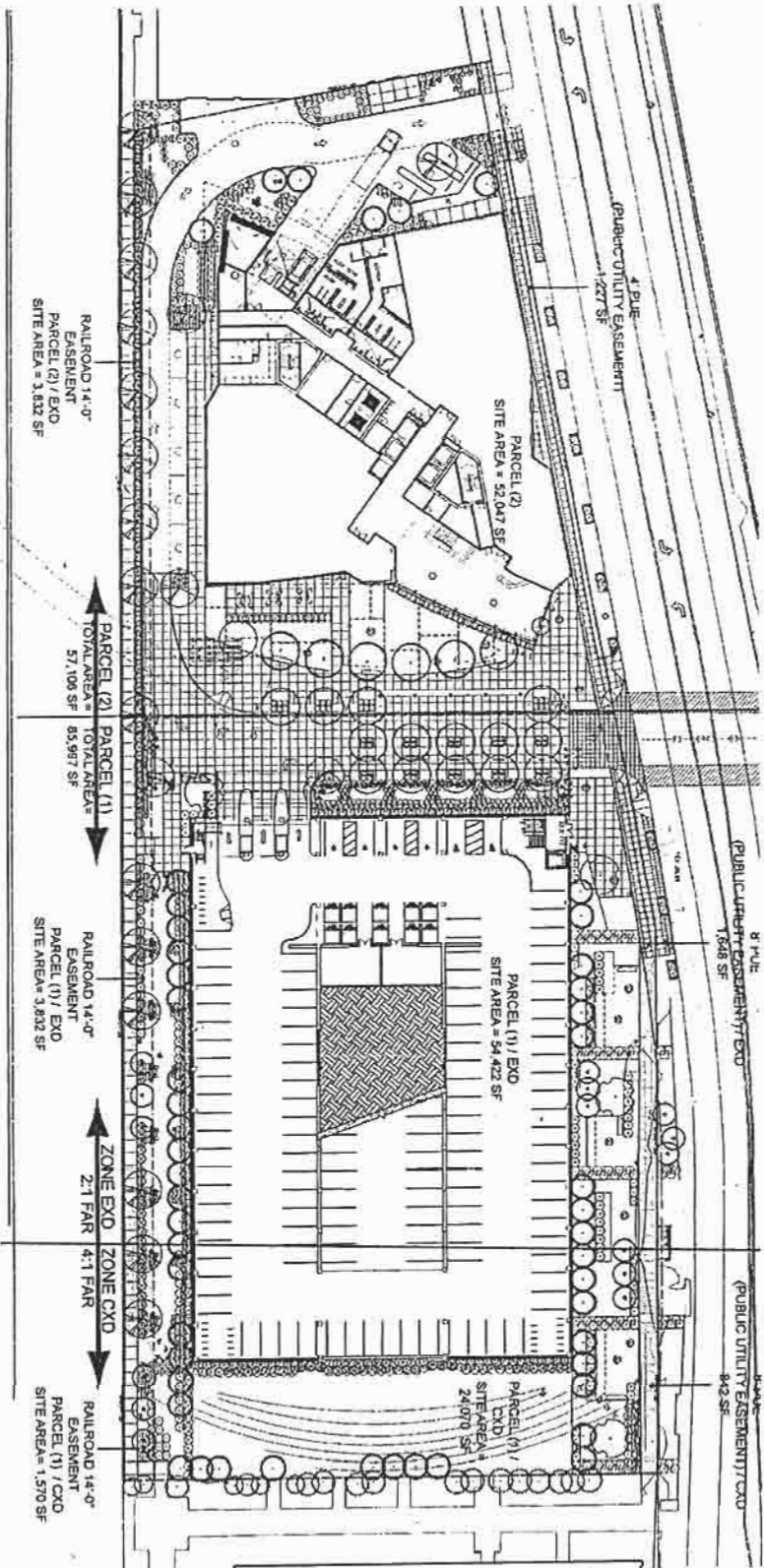
 Site

 Historic Landmark



This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No. LU 08-119516 DZM
 1/4 Section 2929
 Scale 1 inch = 200 feet
 State_Id 1N1E34BB 502
 Exhibit B (Apr 03,2008)



SITE AREA: 7.55 PARCEL PLAN

REV 04 115516 DCM JULY 9, 2008

*** Approved ***
 City of Portland
 Bureau of Development Services

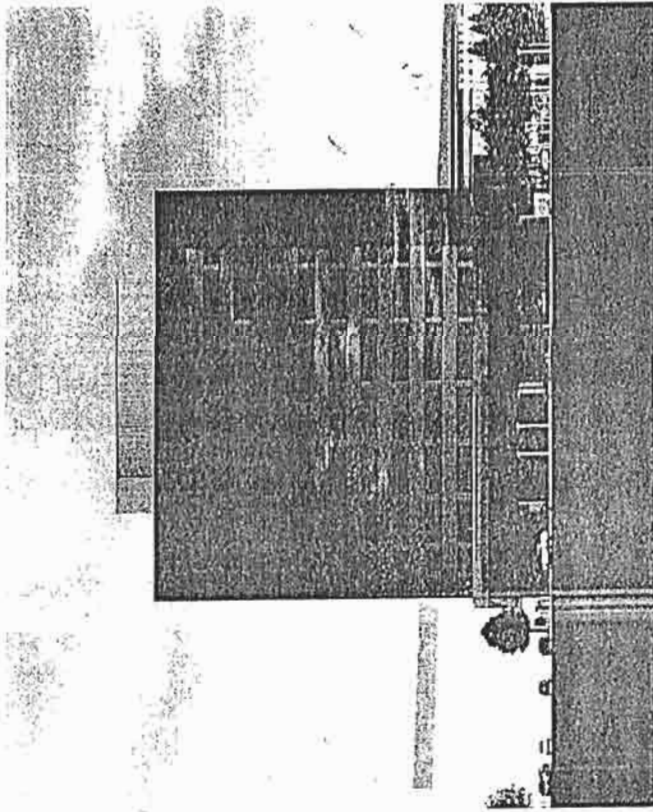
Planner [Signature]
 Date 7-30-08

* This approval applies only to the reviews requested and is subject to all conditions of approval.

Additional zoning requirements may apply.

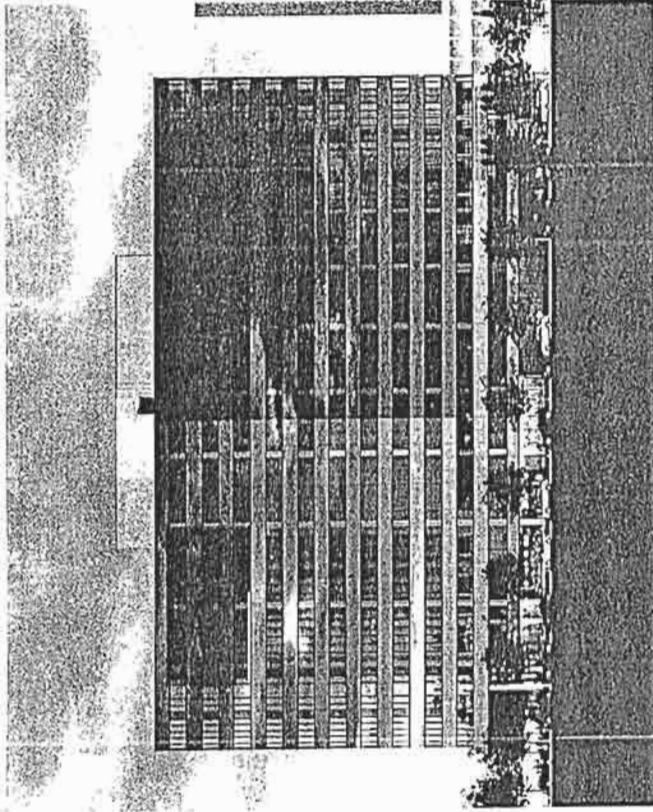
08-119516

exhibit C.15

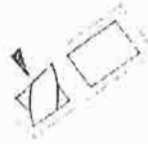


Office North Elevation

Viracon 1" VRE 1-54 Insulating HSHS Vision Glass &
Viracon 1" VRE 1-54 Ir-Subling HSHS Medium Gray Spandrel Glass



Office East Elevation



Approved
City of Portland
Bureau of Development Services
Planner *[Signature]*
Date 7-30-08

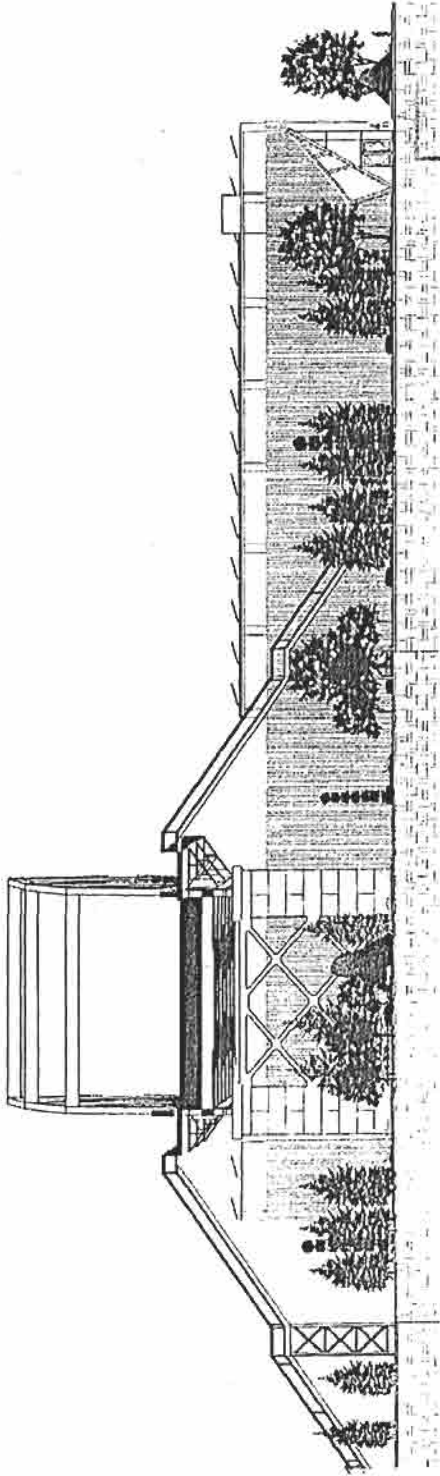
exhibit C.51

U.S. 11516 C20 JULY 9 2008

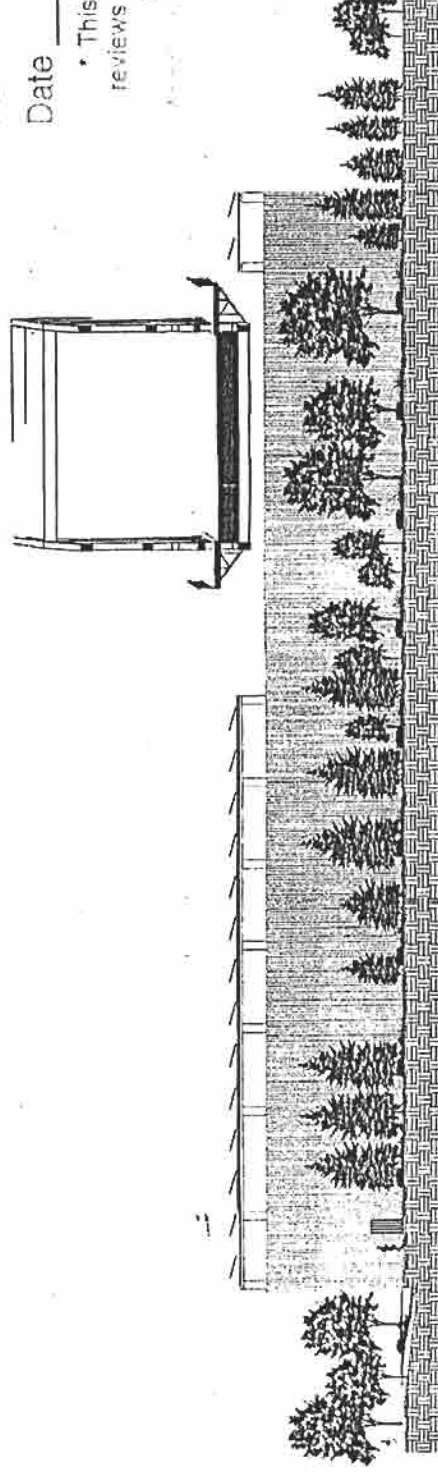
* This approval applies only to the reviews requested and is subject to a conditions of approval. Additional zoning requirements may apply.

08-119516

48-4723101 0000000 OFFICE ELEVATIONS



East Elevation



West Elevation

Parking Garage Concept

Like the office building, the concept for the parking garage helps link it with it's context by being visually quiet in it's massing and detailing. This concept takes a different form in the parking garage as it is partially under the Broadway Bridge and is a significant backdrop to the Bridge. The Broadway Bridge is structurally bold, muscular, visually complex at NW Naito with it's huge stairways and it is red. The new parking garage works to be a quiet building that highlights the Broadway Bridge. The architecture of the garage is carefully detailed and minimalist in character. It's quiet resolution is enhanced by it's placement in a new garden which surrounds it on all sides.

08-119516

* Approved*

City of Portland

Bureau of Development Services

Planner: [Signature]

Date: 7-30-08

* This approval applies only to the reviews requested and is subject to a calculation of area, etc. as they apply.

