

CITY OF PORTLAND, OREGON



Land Use Review Appeal to
Portland City Council

Appeal of Design Commission Decision
LU 16-265061 DZM

901-919 SW Taylor Street
The Studio Building and Guild Theater

May 10, 2017

OVERVIEW



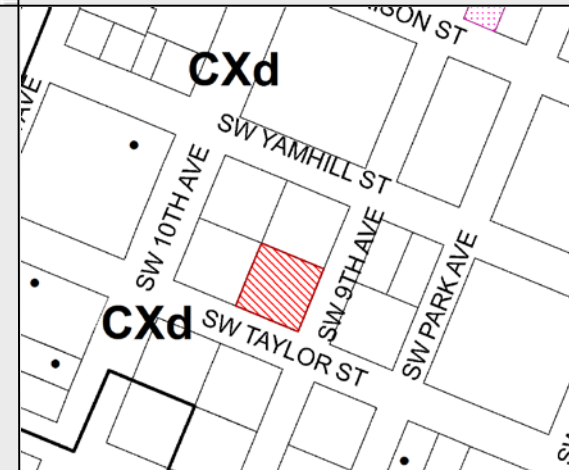
PRESENTATION

1. Context
2. Proposal
3. Process
4. Decision
5. Appeal



[illegible]

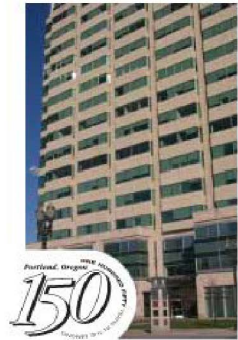
- Central City Plan District
 - Downtown Subdistrict & West End Subarea



CONTEXT



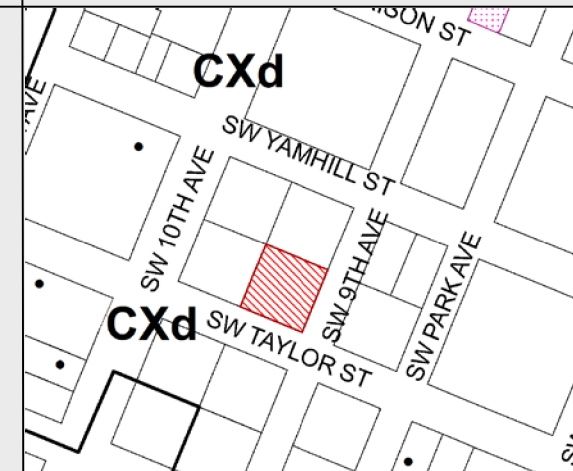
CENTRAL CITY FUNDAMENTAL DESIGN GUIDELINES



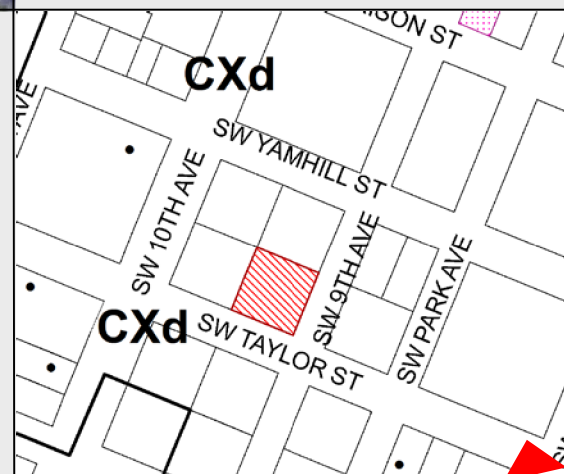
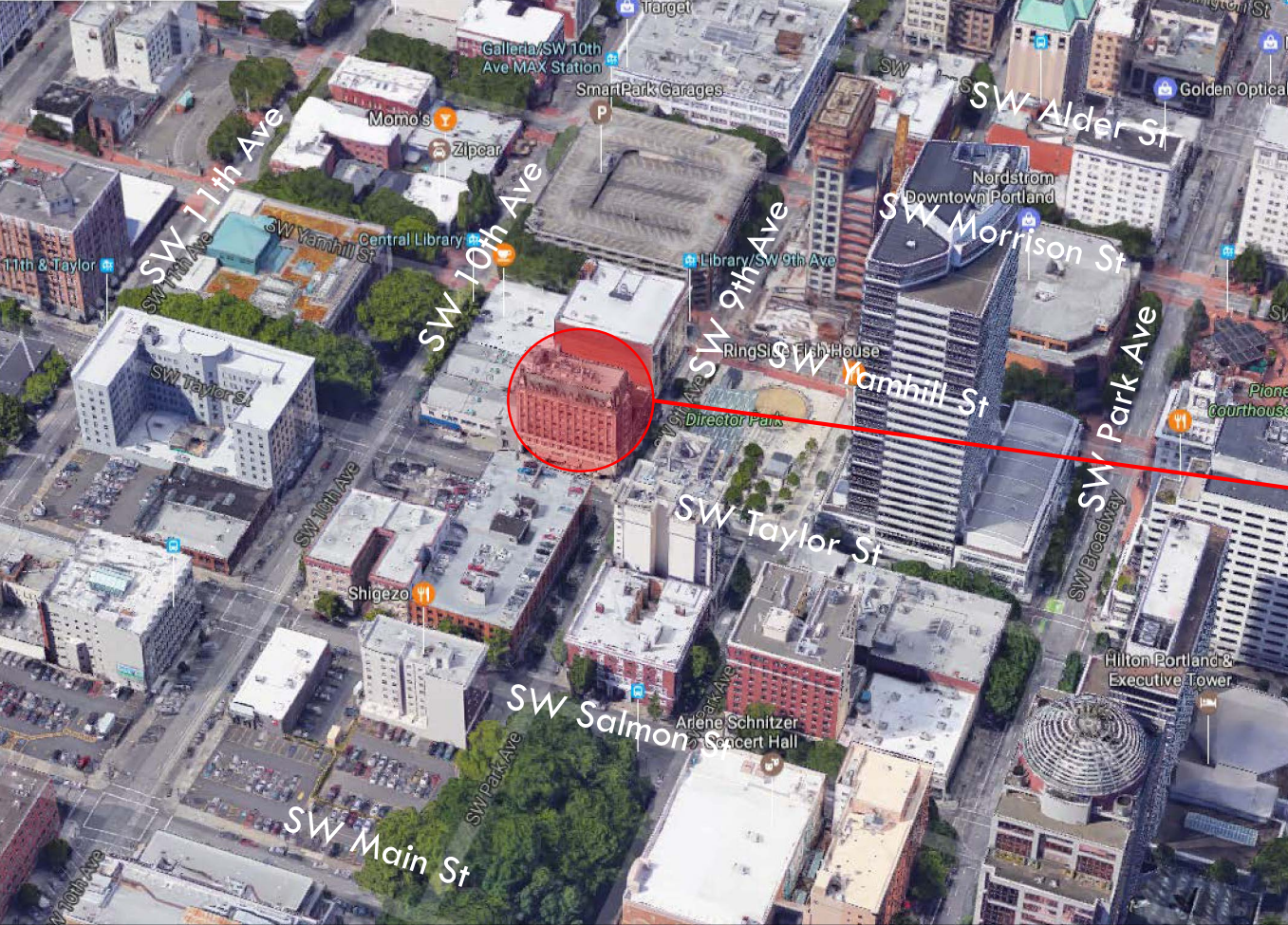
City of Portland
Bureau of Planning
Portland, Oregon
April 1, 2001
Updated November 8, 2003

Approval Criteria

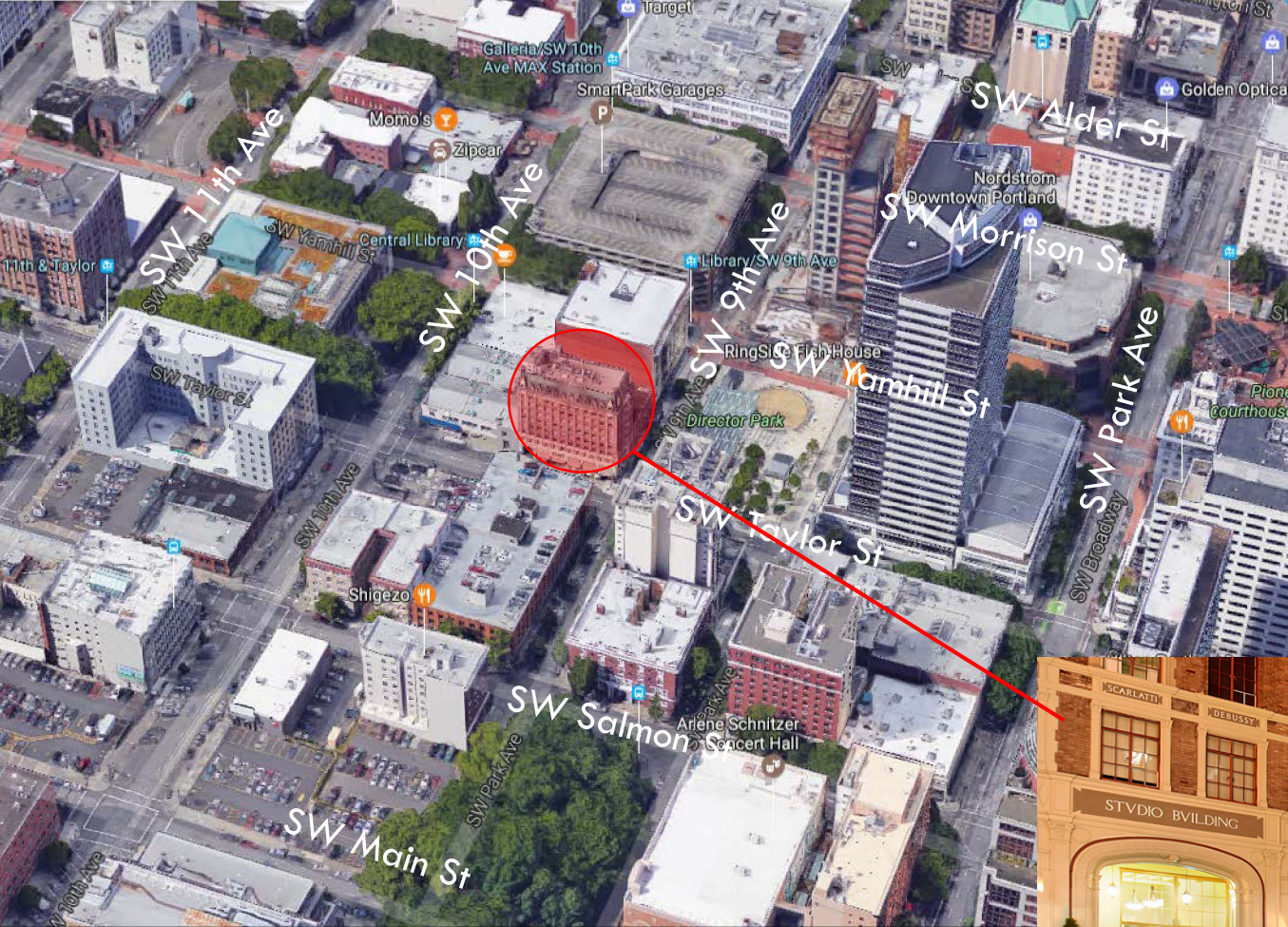
- Central City Fundamental Design Guidelines



CONTEXT



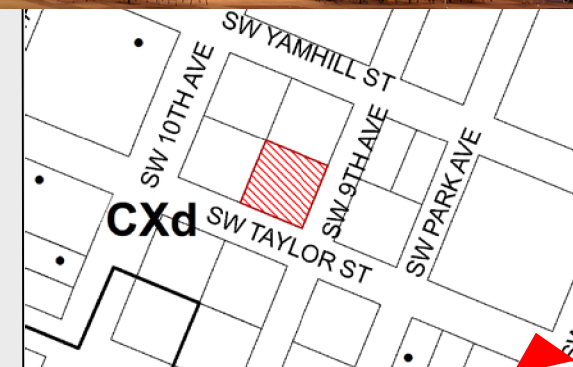
CONTEXT



Site Area: quarter block, 10,000 square feet

Site Frontages: SW Taylor St (100') – S
SW 9th Ave (100') – E
The building faces onto Director Park to the east

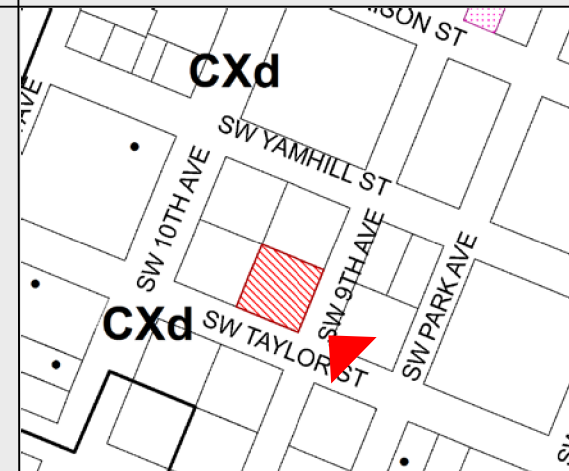
Existing Condition: 9 story Studio Building and 2 story Guild Theater,
both listed on the City's Historic Resources Inventory (HRI)





CONTEXT

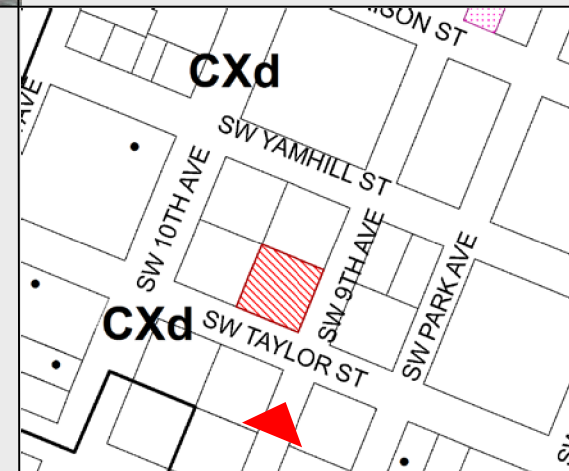
View: From E (across SW 9th)

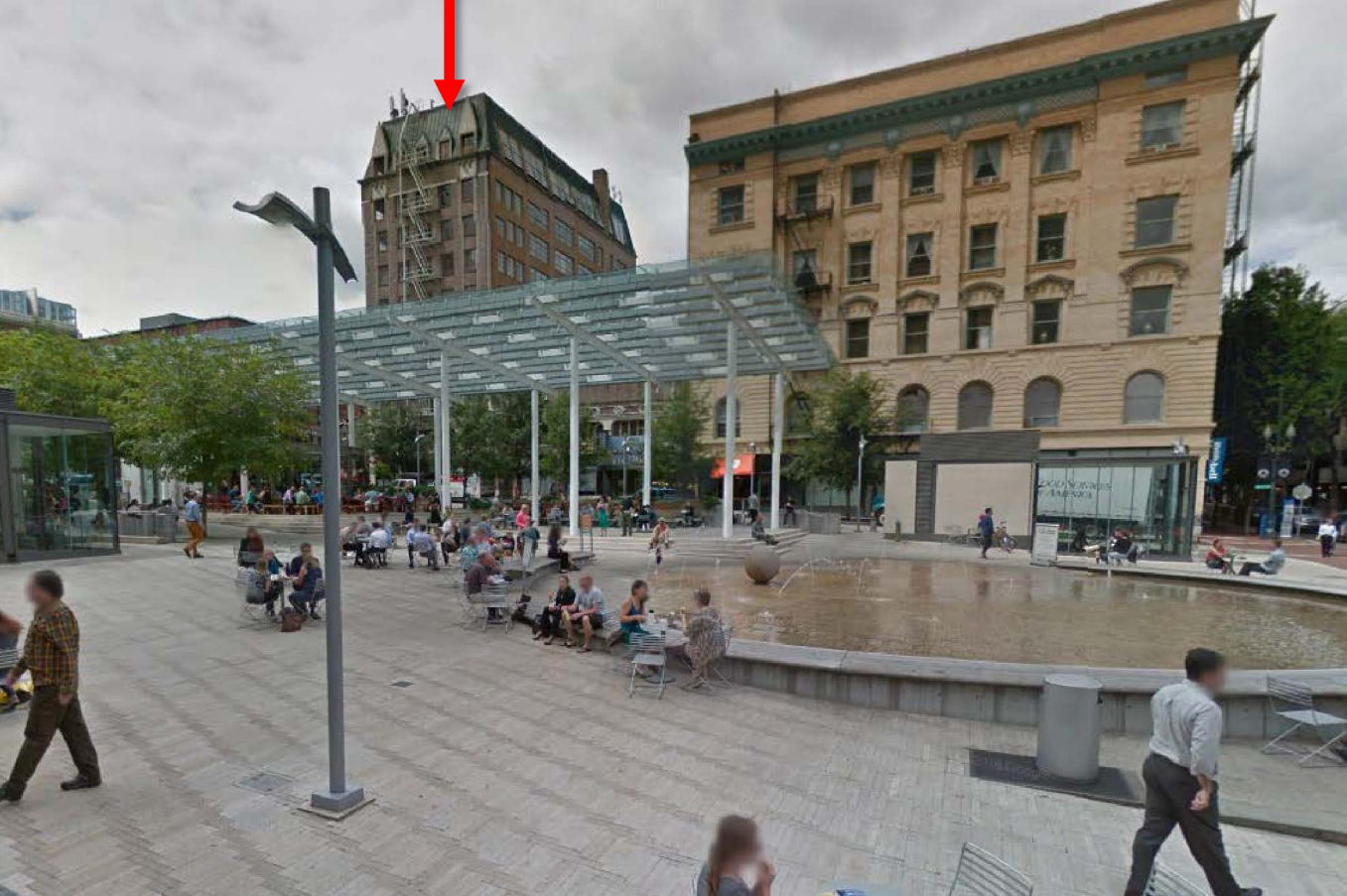




CONTEXT

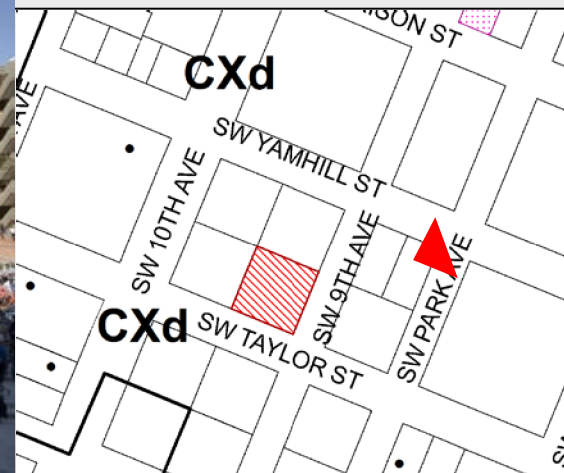
View: From S (along SW 9th)





CONTEXT

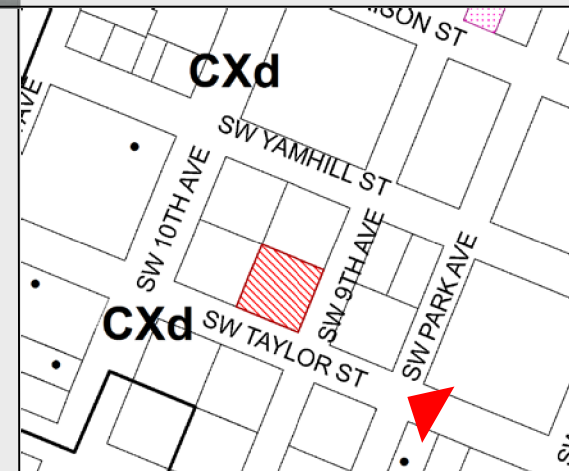
**View: From NE (across
Director's Park)**





CONTEXT

View: From E (along SW Taylor)



CONTEXT



ZONING



This site lies within the:
CENTRAL CITY PLAN DISTRICT
DOWNTOWN SUBDISTRICT
WEST END SUBAREA

- Site
- Also Owned Parcels
- Historic Landmark

File No. LU 16-265061 DZM
1/4 Section 3129
Scale 1 inch = 200 feet
State_Id 1S1E03BB 5700
Exhibit B (Dec 02, 2016)



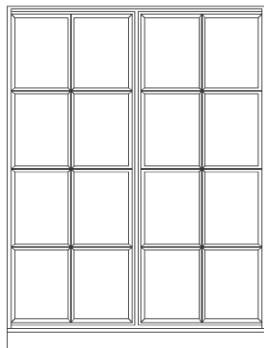
Zoning

CXd, Central Commercial
w/ Design Overlay

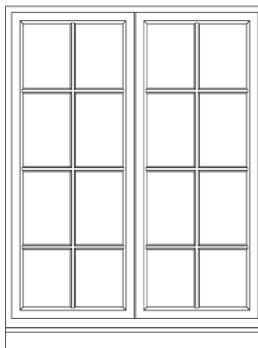
Existing Window



Existing Window Elevation



Proposed Window Elevation



PROPOSAL

Replacement Windows

- Replace 192 windows of the Studio Building

Storefront Alterations

- Lower existing entry and storefront of the Guild Theater
- Remove an existing box office door

Rooftop Mechanical

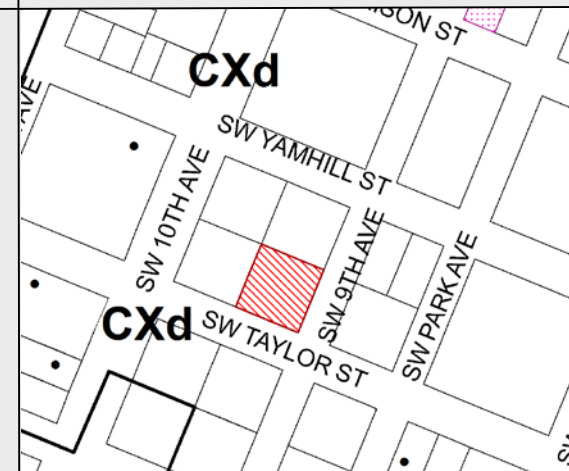
- Replace RTU with new unscreened RTU on Studio building



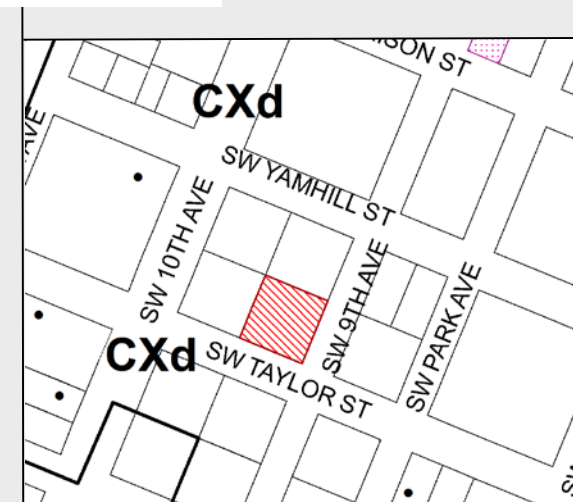
Existing Condition



Proposed Condition



PROPOSAL



Replacement of all 192 existing **steel** casement windows above the first-floor level of the Studio Building with new **aluminum** windows.

PRE-APPLICATION

- **Pre-Application Conference**, September 7, 2016 (Required for Type III reviews)
 - Feedback: Both buildings are listed on the City's Historic Resources Inventory and are significant elements of the City's architectural and cultural fabric.
 - Staff encouraged the applicant to pursue listing of both buildings on the National Register of Historic Places.

DESIGN REVIEW

- **1st Design Review hearing**, January 19, 2017
 - Feedback: Commission felt that due to the great significance of the buildings (noted that the Studio is one of the biggest buildings in the city with original steel windows), DG's C3 and A6 not met.
 - Applicant requested to return with due diligence showing exploration of retention of existing windows or replacement with more similar windows.
- **2nd Design Review hearing**, March 2, 2017
 - Feedback: Majority of Commission found that with changes to the conditions of approval, the proposal could meet all DGs
 - Decision was for approval with conditions.

APPEAL

- **Appeal of Decision**, received, March 29, 2017

PROCESS



The decision was for **approval** with a majority of the Commission finding that the approval criteria were met with the addition of a set of ***revised conditions of approval***.

DECISION

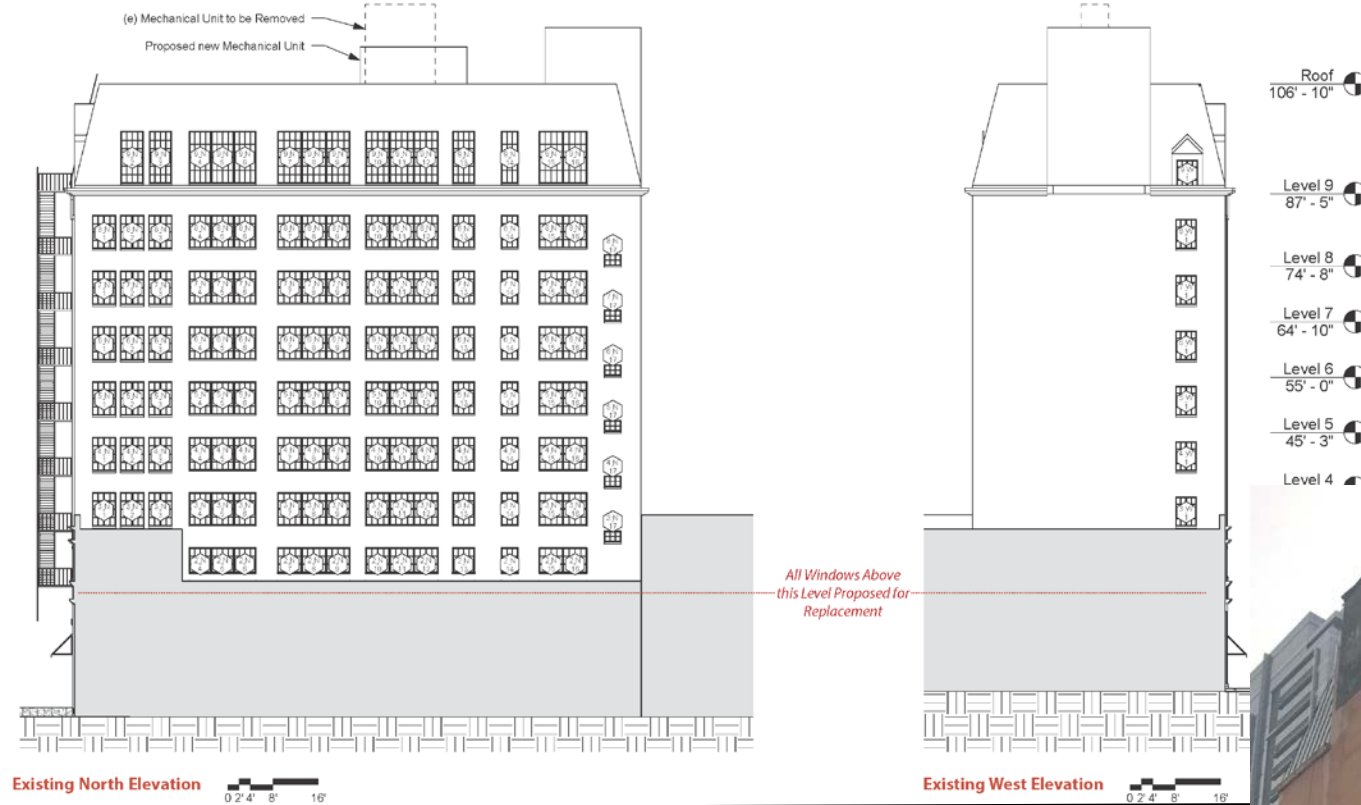
Conditions D & E were added to better meet the following **GUIDELINES**:

- A6. Reuse/Rehabilitate/Restore Buildings.
- C2. Promote Quality and Permanence in Development.
- C3. Respect Architectural Integrity.
- C5. Design for Coherency.

APPROVED CONDITIONS ADDED:

- D. Conditions below pertain to the replacement windows:
 - o The new windows shall be Winco 3250 aluminum replacement windows on all elevations for vertical window conditions;
 - o The Winco 3250 aluminum windows shall also be installed in the sloping 9th level condition as elsewhere, unless these windows do not install well in the sloped condition, whereby, the Winco 1150S series can be installed instead;
 - o **The glazing for all new windows shall have a greater clarity than the sample presented at the March 2nd 2017 hearing, with a clarity comparable to- or greater than- the Solarban® 60 Starphire glass product;**
 - o **All new windows shall feature simulated divided lights with both spacer bars and interior muntins in addition to the exterior muntins.**
- E. On the West wall, the applicant shall seek a building code appeal to install the Winco 3250 windows or retain the existing steel windows.





DECISION

Condition of approval E:

- 7 existing windows on the west elevation are along a property line abutting a building under different ownership.
- Replacing windows on a property line would trigger a building code requirement to remove them altogether and brick them in unless a building code appeal is pursued.
- Keeping the historic windows would be allowed without a building code appeal.



True Divided Lite



Simulated Divided Lites with Exterior and Interior Muntins and Spacer Bar



Simulated Divided Lites with Exterior and Interior Muntins



Simulated Divided Lites with Applied Exterior Muntin



Grills Between Glass Panes



Condition D:
Divided Lites

Condition D: Divided Lites

Simulated Divided Lites with
Applied Exterior Muntin



as in applicant's proposal

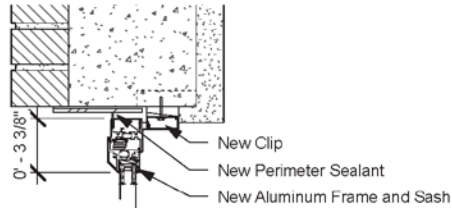
Simulated Divided Lites with Interior
and Exterior Muntins and Spacer Bar



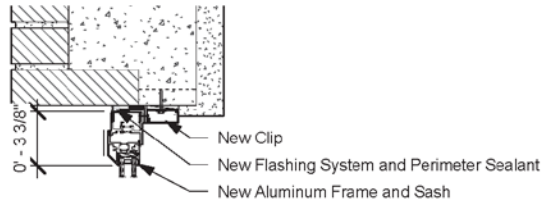
as in conditions of approval

Condition D: Divided Lites

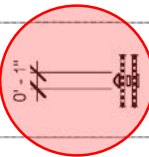
Head



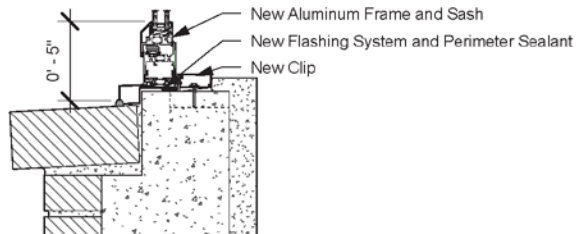
Jamb



Muntin

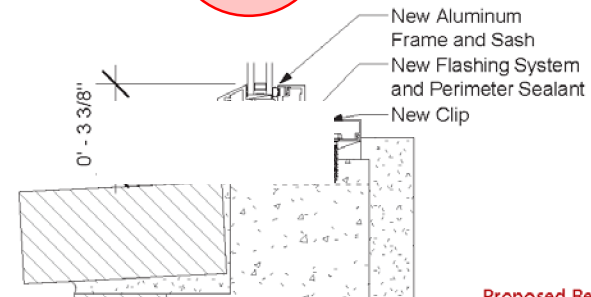
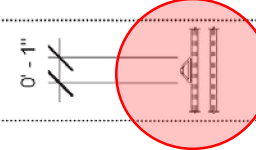
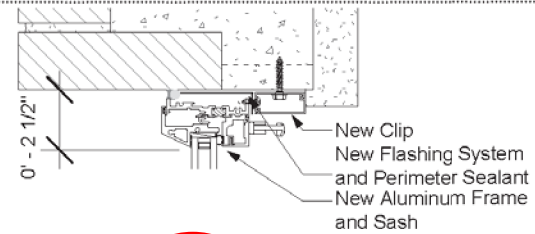
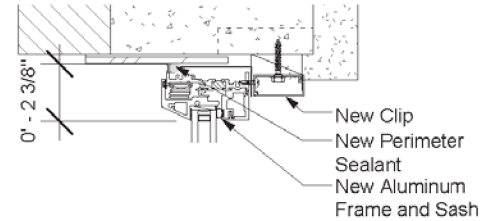


Sill



Original Proposal (Winco 1150S Series)

Winco 3250 Series



Proposed Replacement

Final Proposal (Winco 3250 Series)



Ambassador Apts



NE 8th AVE



Towne Storage



Old Dynagraphics Bldg



Odd Fellows Bldg



NW 18th & Irving



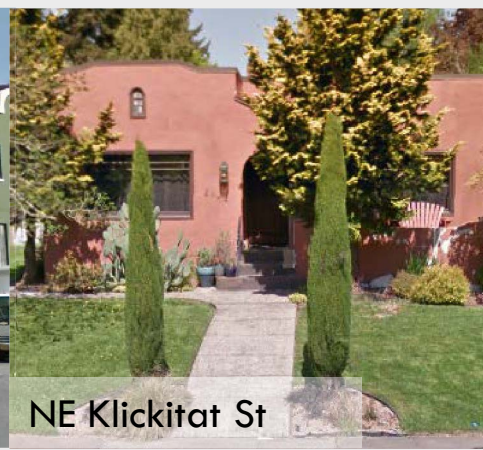
Chown Pella Lofts



NE 13th Ave



NW 5th & Davis



NE Klickitat St



Lincoln Center, PSU

Condition D: Glass Clarity

Photo of glass sample values from Second Hearing

SOLARBAN® 60 (2) Clear + Clear Glass Insulating Glass Unit

VLT	Exterior Reflectance	Interior Reflectance	U-Value Imperial (Winter)		SC	SHGC	LSG
			Air	Argon			
70%	11%	12%	0.29	0.24	0.45	0.39	1.79

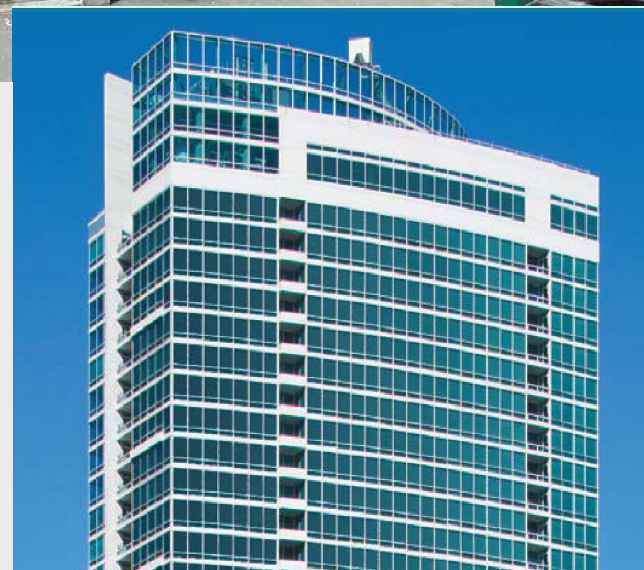
Visit PPGIdeaScapes.com for performance data with a range of tinted and reflective glasses by PPG.



Replacement windows in historic buildings often appear dark and/or reflective



Windows in historic buildings are usually clear



APPEAL STATEMENT

The Applicant/Appellant contests the third and fourth bullets of the decision's condition of approval "D" (regarding glass clarity and muntin details) for the following reasons:

1. The appellant believes that the window system as proposed meets the design guidelines and the conditions of approval go beyond a reasonable interpretation of the intent of the code and result in extraneous additional costs for the owner.
2. The appellant states that the City erred procedurally by overlooking the glass sample in the first hearing on January 19, and not bringing up concerns at that time.
3. The appellant contends that the conditioned glass only has a clarity 4% greater than the appellant's preferred glass and does not better align with the Central City Fundamental Design Guidelines.
4. The appellant believes that the part of the condition of approval regarding window system muntins solely impacts the interior of the building which is not within the purview of the Design Commission and not within the scope of the Design Guideline, C3, Respect Architectural Integrity.

The Applicant/Appellant does not contest the other conditions of approval.

APPEAL



BDS'S RESPONSE

1. The Commission believed guidelines A6, C2, C3, and C5 were not fully met without the added conditions.
 - The inclusion of interior and exterior muntins and spacer bars is a standard level of expectation for replacement divided lite windows to retain the character of the existing architecture.
 - The applicant stated during the hearing that adding muntins and spacer bars would not be a great expense for this project.
2. The Commission rejected the entire window sample out of hand at the time of the first hearing. The tinting of the glass was of limited concern because they were not satisfied with the quality and appropriateness of the window product proposed in its entirety.
3. Applicant was asked to return in 2 weeks with a clearer glass sample, but at the applicant's insistence, a condition was composed to enable an approval at that hearing.
 - The Commission feels that clearer glazing is critical to maintaining the character of the building as buildings of this age typically have clear glass.
 - The condition was crafted as not to be prescriptive of a given glass manufacturer and left leeway for the applicant to choose the clearest glass possible while still meeting energy code requirements.
4. Both the existing and proposed windows are operable casements which when open will clearly display the interior muntin or lack thereof. Muntins are also an essential part of the overall window systems of historic buildings.
 - It is standard practice in the city to choose replacement windows on older building with interior and exterior muntins and spacer bars in order for projects to maintain architectural character and thus meet the approval criteria.

APPEAL



CITY COUNCIL ALTERNATIVES

Deny the appeal, and uphold the Design Commission's decision to approve the proposal with the conditions given.

Deny the appeal, and uphold the Design Commission's decision, but with modified conditions.

Grant the appeal, and remove the third and fourth bullets of condition of approval "D" (regarding glass clarity and muntin details) of the Design Commission's decision to approve with conditions the proposal.

Continue the hearing, and request design revisions to be reviewed at a return council hearing.

APPEAL





Questions?

