



NOTICE OF FINAL DECISION

TO: All Interested Persons
DATE: September 15, 2017
RE: LU 17-153413 HRM AD

Appeal of Erica Ceder, DLR Group, and Appeal of Peter Meijer, Peter Meijer Architect PC, against the Historic Landmarks Commission's Decision of approval with conditions for Historic Resource Review of exterior alterations and rehabilitation of The Portland Building in the Central City, at 1120 SW 5th Avenue (Hearing; LU 17-153413 HRM AD)

Enclosed is a copy of the Order of Council on LU 17-153413 HRM AD to grant the Cedar appeal, deny the Meijer appeal and uphold the Historic Landmarks Commission's decision to approve with conditions (with the exception of Condition G) the requested Historic Resource Review (HR), Modifications (M) and an Adjustment (AD). If you wish to obtain a copy of the City Council's findings and decision, please contact Karla Moore-Love, Council Clerk by email at: Karla.Moore-Love@portlandoregon.gov or at (503) 823-4086.

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with LUBA within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. LUBA's address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call LUBA at 1-503-373-1265 or visit LUBA's website (www.oregon.gov/LUBA) for further information on filing an appeal.

Yours sincerely,
Mary Hull Caballero
Auditor of the City of Portland

By:

Karla Moore-Love, Council Clerk

Encl.





September 15, 2017

Erica Ceder
DLR Group
421 SW 6th Ave Suite 1212
Portland OR 97204

Kristin Wells
City of Portland
1120 SW 5th Ave Rm 1204
Portland OR 97204

RE: LU 17-153413 HRM AD

Appeal of Erica Ceder, DLR Group, and Appeal of Peter Meijer, Peter Meijer Architect PC, against the Historic Landmarks Commission's Decision of approval with conditions for Historic Resource Review of exterior alterations and rehabilitation of The Portland Building in the Central City, at 1120 SW 5th Avenue (Hearing; LU 17-153413 HRM AD)

To Whom It May Concern:

Enclosed is a copy of the Order of Council on LU 17-153413 HRM AD. This Order must be recorded with the Multnomah County Recorder within 10 days of receipt of this letter. **Please send a check for \$56.00 made payable to the Multnomah County Recorder, indicating the file number on your check and SEND TO: The City of Portland, Office of the City Auditor, 1221 SW 4th Ave. Room 130, Portland, OR 97204-1900**

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Yours sincerely,
Mary Hull Caballero
Auditor of the City of Portland

By:

Karla Moore-Love, Council Clerk

Cc Multiple Tenants, 1120 SW 5th Ave #1204, Portland, OR
Encl.



APPEAL OF ERICA CEDER, DLR GROUP, AND APPEAL OF PETER MEIJER, PETER MEIJER ARCHITECT PC, AGAINST THE HISTORIC LANDMARKS COMMISSION'S DECISION OF APPROVAL WITH CONDITIONS FOR HISTORIC RESOURCE REVIEW OF EXTERIOR ALTERATIONS AND REHABILITATION OF THE PORTLAND BUILDING IN THE CENTRAL CITY, AT 1120 SW 5TH AVENUE (LAND USE CASE NO.: 17-153413 HRM AD)

Applicant: Erica Ceder, Architect 503-220-1338
DLR Group
421 SW 6th Ave., Suite 1212
Portland, OR 97204

Kristin Wells, Applicant 503-823-1181
City Of Portland
1120 SW 5th Ave., Rm 1204
Portland, OR 97204

Multiple Tenants
1120 SW 5th Ave #1204
Portland, OR 97204-1932

Site Address: 1120 SW 5TH AVE

Legal Description: BLOCK 57 LOT 1-8 SEE SUB ACCT R508653 (R667706771), PORTLAND; BLOCK 57 LOT 1-8 SEE MAIN ACCT R246103 (R667706770) DEFERRED ADDITIONAL TAX LIABILITY, PORTLAND

Zoning: CXd – Central Commercial with Design and Historic Resource Protection overlays

Case Type: HRMAD – Historic Resource Review with Modifications and Adjustment
Procedure: Type III, with a public hearing before the Historic Landmarks Commission. The decision of the Historic Landmarks Commission can be appealed to City Council.

Appellant #1: Erica Ceder, Architect
DLR Group
421 SW 6th Ave., Suite 1212
Portland, OR 97204

Kristin Wells, Applicant
City Of Portland
1120 SW 5th Ave., Rm 1204
Portland, OR 97204

Appellant #2: Peter Meijer, Peter Meijer Architect, LLC
605 NE 21st Ave
Portland, OR 97232

Original Proposal:

The applicant proposes exterior alterations and rehabilitation of the Portland Building, to include the following:

- Installation of a rainscreen system on the exterior of the building to be composed of aluminum panels at the upper levels (off-white, red, and blue penthouse) and ceramic tile at the lower (teal) levels, to be set proud of the underlying concrete structure by up to 11.5 inches at the upper levels

and 7 inches at the lower levels. The new rainscreen is designed to match the patterning of the existing, though the ground level tiles are proposed at twice the current dimension (from 9.5" x 9.5" to 19" x 19") and the terracotta-colored tiles area are proposed at 15.5" x 15.5", increased from 9.5" x 9.5".

- Replacement of existing formed "column capitals" and decorative "medallion and garland" elements with new aluminum panels designed to match the existing.
- Replacement of all upper level windows and introduction of clear glazing where dark tinted glazing currently exists. Areas of mirrored glazing area will remain mirrored, though new glazing will be installed.
- Replacement of 2nd floor louvers with new windows. Replacement of ground floor storefront systems with new butt-glazed floor-to-ceiling storefront systems.
- Enclosure of two bays of floor area each at the north and south portions of the ground level loggia. The new infilled areas are proposed to be clad with the proposed teal replacement tile, windows to match adjacent windows, and storefront system to match adjacent storefront system.
- Removal of two existing rooftop mechanical units and installation of two new air-handling units on the west side of the roof and six new cooling towers on the east side of the roof. Because the new cooling towers on the east side of the roof exceed the maximum height allowance for that side of the building, the applicant is utilizing the performance standard identified in 33.510.205.C in order to exceed the height limit on the east.
- Removal of the vehicle access at the ground level of the east façade and infill of this area with new glazing and expansion of that glazing upward to the second floor. Relocation of entry and egress doors on the east façade and the application of siph-obscuring film on the ground level east façade windows and doors.

The following **Modifications** are requested:

1. 33.130.230.C – to reduce the amount of ground floor windows on the north façade to 37% (from 50%) of the wall length and, on the east façade, to 0% (from 50%) of the wall length and to 0% (from 25%) of the wall area. *The Notice of Proposal indicated that the reduction in the length of windows was from 50% to 12.5% but this has since been clarified as 50% to 0% due to the way the standard must be calculated.*
2. 33.510.225 – to reduce the depth of the ground floor active uses (at the loggia) from the required 25' depth to approximately 16' to 20'.

The following **Adjustment** is requested:

1. 33.266.310.C – to reduce the number of required loading spaces to zero (0) by removing the existing on-site basement level loading space.

Historic Resource Review is required because the proposal is for non-exempt exterior alterations to a Historic Landmark.

The City Council appeal hearing was opened in the Council Chambers, 1221 SW 4th Avenue on August 24, 2017 at approximately 3:00 p.m. After hearing public testimony and considering the evidence in the record, Council voted 4-0 to tentatively grant the Cedar appeal, deny the Meijer appeal and uphold the Historic Landmarks Commission's decision with removal of condition G and ordered findings be prepared for September 13, 2017 at 11:15a.m. On September 13, 2017 at approximately 11:15 a.m., Council voted 4-0 to grant the Cedar appeal, deny the Meijer appeal and uphold the Historic Landmarks Commission's decision to approve with conditions (with the exception of Condition G) the requested Historic Resource Review (HR), Modifications (M) and an Adjustment (AD), case file LU 17-153413 HRM AD for The Portland Building.

DECISION

Based on evidence in the record and adoption of the Council's Findings and Conclusions in **Case File LU 17-153413 HRM AD** and by this reference made a part of this Order, **it is the decision of Council** to uphold the appeal of Appellant 1 (Erica Ceder), deny the appeal of Appellant 2 (Peter Meijer) and approve Historic Resource Review for exterior alterations and rehabilitation of The Portland Building, a Landmark located in the Downtown subdistrict of the Central City Plan District, to include the following:

- Installation of a rainscreen system on the exterior of the building to be composed of aluminum panels at the upper levels (off-white, red, and blue penthouse) and ceramic tile at the lower (teal) levels, to be set proud of the underlying concrete structure by up to 11.5 inches at the upper levels and 7 inches at the lower levels. The new rainscreen is designed to match the patterning of the existing, though the ground level tiles are proposed at twice the current dimension (from 9.5" x 9.5" to 19" x 19") and the terracotta-colored tiles area are proposed at 15.5" x 15.5", increased from 9.5" x 9.5".
- Replacement of existing formed "column capitals" and decorative "medallion and garland" elements with new aluminum panels designed to match the existing.
- Replacement of all upper level windows and introduction of clear glazing where dark tinted glazing currently exists. Areas of mirrored glazing area will remain mirrored, though new glazing will be installed.
- Replacement of 2nd floor louvers with new windows. Replacement of ground floor storefront systems with new butt-glazed floor-to-ceiling storefront systems.
- Enclosure of two bays of floor area each at the north and south portions of the ground level loggia. The new infilled areas are proposed to be clad with the proposed teal replacement tile, windows to match adjacent windows, and storefront system to match adjacent storefront system.
- Removal of two existing rooftop mechanical units and installation of two new air-handling units on the west side of the roof and six new cooling towers on the east side of the roof. Because the new cooling towers on the east side of the roof exceed the maximum height allowance for that side of the building, the applicant is utilizing the performance standard identified in 33.510.205.C in order to exceed the height limit on the east.
- Removal of the vehicle access at the ground level of the east façade and infill of this area with new glazing and expansion of that glazing upward to the second floor. Relocation of entry and egress doors on the east façade and the application of sigh-obscuring film on the ground level east façade windows and doors.

Approval of the following Modifications:

1. 33.130.230.C – to reduce the amount of ground floor windows on the north façade to 37% (from 50%) of the wall length and, on the east façade, to 0% (from 50%) of the wall length and to 0% (from 25%) of the wall area. *The Notice of Proposal indicated that the reduction in the length of windows was from 50% to 12.5% but this has since been clarified as 50% to 0% due to the way the standard must be calculated.*
2. 33.510.225 – to reduce the depth of the ground floor active uses (at the loggia) from the required 25' depth to approximately 16' to 20'.

Approval of the following Adjustment:

1. 33.266.310.C – to reduce the number of required loading spaces to zero (0) by removing the existing on-site basement level loading space.

Approvals per Exhibits C-1 through C-137, signed, stamped, and dated July 24, 2017, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through H) 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 17-153413 HRM AD". All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form

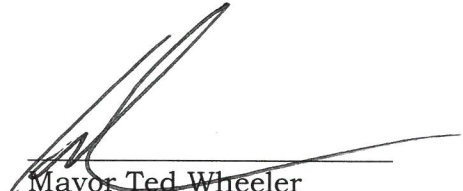
(<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Historic Resource Review decision and approved exhibits.

- C. No field changes allowed.
- D. The color of the new teal tiles shall match the color of the existing tiles.
- E. Interpretive materials, describing the original and proposed construction methods, shall be installed within the loggia or (per PBOT approval) the 5th Avenue sidewalk.
- F. The historic teal tiles at the main 5th Avenue entry shall remain as shown in Exhibit C-74-revised.
- G. ~~The proposed air handling units shall either be located at the interior of the building, or be significantly (at least 50%) reduced in scale (and not increased in number).~~ (Removed per Appellant #1 Appeal)
- H. The interior loggia column fixtures shall match 73c (of Exhibit H-12) with non-ribbed shrouds at the bottom and sides.
- I. As afforded by Exhibit H-18, a covenant shall be placed on the Portland Building in accordance with PZC 33.700.060. The covenant shall require that before the owner may demolish the building, regardless of status on the National Register of Historic Places, the owner must comply with the Demolition Review in effect at the time. At such time that the National Register status of the building is removed, the City of Portland will pursue local landmark status for the building.

Appellant #1 prevailed and it was determined that their original proposal with modified conditions of approval met the approval criteria.

IT IS SO ORDERED:

9/15/17
Date



Mayor Ted Wheeler
Presiding Officer at Hearing of
September 13, 2017
9:30 a.m. Session