

City of Portland, Oregon

Bureau of Development Services

Land Use Services

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

Date: July 8, 2016

To: Interested Person

From: Benjamin Nielsen, Land Use Services

503-823-7812 / Benjamin.Nielsen@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision.

The reasons for the decision are included in the version located on the BDS website http://www.portlandonline.com/bds/index.cfm?c=46429. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 16-164045 DZ – EXTERIOR ALTERATIONS TO GRANT TOWER & LINCOLN TOWER

GENERAL INFORMATION

Applicant/

Representative: Hiro Tomomatsu, Livermore Architecture and Engineering, Inc

140 SW Arthur St, Suite 200

Portland, OR 97201

Owner's

Representative: Luke Jarmer, American Plaza Towers Condominium Association

2211 SW 1st St #1805 Portland, OR 97201

Site Address: American Plaza Towers: Lincoln Tower 2211 SW 1st Ave & Grant Tower

2221 SW 1st Ave

Legal Description: GENERAL COMMON ELEMENTS EXC PT IN ST, AMERICAN PLAZA

TOWERS CONDOMINIUM

Tax Account No.: R023000006, R023000006, R023000006

State ID No.: 1S1E03CC 90000, 1S1E03CC1 90000, 1S1E03CC 90000

Quarter Section: 3229

Neighborhood: Portland Downtown, contact Rani Boyle at 503-725-9979.

Business District: None

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: South Auditorium / Central City - Downtown **Zoning:** RXd - Central Residential with Design Overlay

Case Type: DZ – Design Review

Procedure: Type II – an administrative decision with appeal to the Design

Commission.

Proposal:

The applicant requests design review for proposed exterior alterations to the Grant Tower and Lincoln Tower buildings in the South Auditorium Plan District and the Downtown Subdistrict of the Central City Plan District. The proposed exterior alterations include extending a new soffit across each exterior common hallway on the west side of the Grant Tower building in order to accommodate new piping. The proposal also includes the installation of a new exterior wall in a portion of an existing alcove on the west façade at the ground floor to conceal a new riser pipe.

Similar alterations are proposed on the Lincoln Tower building. Here, a new dropped gypsum board ceiling will extend across the existing ceiling at each common hallway on the west side of the building. The ceiling will be finished and painted to match the existing ceiling.

Design review is required for proposed exterior alterations in the Central City Plan District and in the South Auditorium Plan District.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

33.825 Design Review

 Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The subject buildings lie on the east half of a large superblock site, bound by SW Lincoln St to the north [Local Service Bikeway, Local Service Walkway, Minor Emergency Response Street], SW 1st Ave to the east [Transit Access Street, City Bikeway, City Walkway, Minor Emergency Response Street], Interstate-405 to the south [Regional Trafficway, Urban Throughway, Regional Truckway, Major Emergency Response Street], and SW 4th Ave to the west [District Collector Street, Community Main Street, Regional Transitway/Major Transit Priority Street, Local Service Bikeway, City Walkway, Major Emergency Response Street]. The entire set is within the Downtown Pedestrian District.

The subject buildings, Lincoln Tower and Grant Tower, are 18 and 26 stories tall, respectively, and comprise two of the three towers in the complex. Lincoln and Grant Towers were constructed in the 1970s. The final, third tower, Madison Tower, was constructed in 1980. All three towers sit on a plinth of structured parking and are surrounded by landscaping and surface parking lots. The western half of the superblock site is occupied by a low-rise courtyard hotel structure with surface parking surrounding it. A pedestrian walkway extends south from SW Lincoln St between the east and west half of the superblock, and this walkway terminates at a plaza area in the center of the block with a sculpture by Northwest artists Lee Kelly and Bonnie Bronson. This walkway connects to the north, across SW Lincoln St, to the Halprin Sequence of parks and walkways that extend throughout the rest of the South Auditorium district.

Zoning: The <u>Central Residential</u> (RX) 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 a 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 the density will be 100 or more units per acre. Allowed housing developments are characterized by a very high percentage of building coverage. The major types of housing development will be medium and high rise apartments and condominiums, often with allowed retail, institutional, or other service oriented uses. Generally, RX zones will be located near the center of the city where transit is readily available and where commercial and employment opportunities are nearby. RX zones will usually be applied in combination with the Central City plan district.

The "d" overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. 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 <u>Central City Plan District</u> implements the Central City Plan and other plans applicable to the Central City 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 which address special circumstances existing in the Central City area. The site is within the Downtown Subdistrict of this plan district.

The <u>South Auditorium Plan District</u> protects the unique character of the former South Auditorium urban renewal district. The district is an award-winning development, with its high-rise buildings, generous setbacks and landscaping, numerous plazas and fountains, and elaborate pedestrian walkway system. Maintenance of this character is achieved by requiring additional landscaping requirements, the preservation of existing trees, screening of roof-top equipment, and additional regulations which limit the type, number, and size of signs.

Land Use History: City records indicate that prior land use reviews include the following:

■ <u>LU 79-002334 CU (Ref. # CU 057-79)</u> – Conditional use review and height variance approval to construct off street parking and a 22 floor, 223.5 feet high apartment condominium.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **June 2, 2016**. The following Bureaus have responded with no issues or concerns:

- Portland Fire Bureau
- Bureau of Development Services Site Development Section
- Portland Bureau of Transportation
- Portland Parks & Recreation Urban Forestry

The <u>Life Safety Section of BDS</u> responded general life safety comments. Please see Exhibit E-1 for additional details.

The <u>Bureau of Environmental Services</u> responded with no concerns since the project creates or redevelops less than 500 square feet of impervious area. Please see Exhibit E-2 for additional details.

The <u>Water Bureau</u> responded with no concerns and information about available water service to the site. Please see Exhibit E-3 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on June 2, 2016. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

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.

Central City Fundamental Design Guidelines

These guidelines provide the constitutional framework for all design review areas in the Central City.

The Central City Fundamental 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.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within all of the Central City policy areas. The nine goals for design review within the Central City are as follows:

- 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.

- **A6.** Reuse/Rehabilitate/Restore Buildings. Where practical, reuse, rehabilitate, and restore buildings and/or building elements.
- **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.
- **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.
- **C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.

- **C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.
- **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 for A6, B2, B5, C2, C3, & C5: The proposed exterior alterations will improve the water supply infrastructure of the existing Grant and Lincoln Towers. Though a minor change on the exterior, these improvements will help the existing buildings continue to function into the future. The proposed new pipe enclosure soffits will be tucked behind existing concrete beams that extend across the west faces of the two towers. These beams support the exterior hallway and elevator lobby on each building. Since the new soffits will not extend below the beams, the new piping—and the soffits that enclose them—will be well hidden from the pedestrian environment, and also will not impact views from the adjacent public plaza to the west. The location of the proposed new soffits also maintains the straightforward architectural expression in this part of both buildings, helping to respect the buildings' architectural integrity. The soffits will be textured and painted to match the existing concrete, which also helps to make these additions a coherent addition to the existing buildings.

An additional vertical pipe enclosure is being added to the basement and 1st floor levels of the Grant Tower. This enclosure will be tucked into an existing service alcove and will be minimally visible, at most, from the pedestrian realm. Like the pipe enclosure soffits described above, these will be similarly textured and painted to match the existing adjacent concrete of the existing building. The small size and strategic placement of the enclosures will also help to ensure that they are compatible with the existing building architecture.

Therefore, these guidelines are met.

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.

CONCLUSIONS

The proposed new pipe enclosures on the Grant Tower and Lincoln Tower in the South Auditorium District and Central City Plan District will have little to no impact on the pedestrian environment surrounding the buildings. The enclosures will also be architecturally compatible and well-integrated into the existing buildings' composition through their careful placement behind existing concrete elements and their finishing with texture and color to match the existing adjacent materials.

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of new pipe enclosure soffits on the Grant Tower and Lincoln Tower and a new vertical pipe enclosure in an existing alcove on the Grant Tower, both in the South Auditorium District

and Central City Plan District, per the approved site plans, Exhibits C-1 through C-9, signed and dated 7/5/2016, subject to the following conditions:

A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-9. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-164045 DZ. No field changes allowed."

Staff Planner: Benjamin Nielsen

Decision rendered by: ______ on July 5, 2016.

By authority of the Director of the Bureau of Development Services

Decision mailed: July 8, 2016

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 May 6, 2016, and was determined to be complete on May 31, 2016.

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 May 6, 2016.

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 did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: September 28, 2016.**

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 decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project 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.

Appealing this decision. This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on July 22, 2016,** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th floor. **An appeal fee of \$250 will be charged**. The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Attending the hearing. 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 the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

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 the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

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 July 25, 2016 (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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

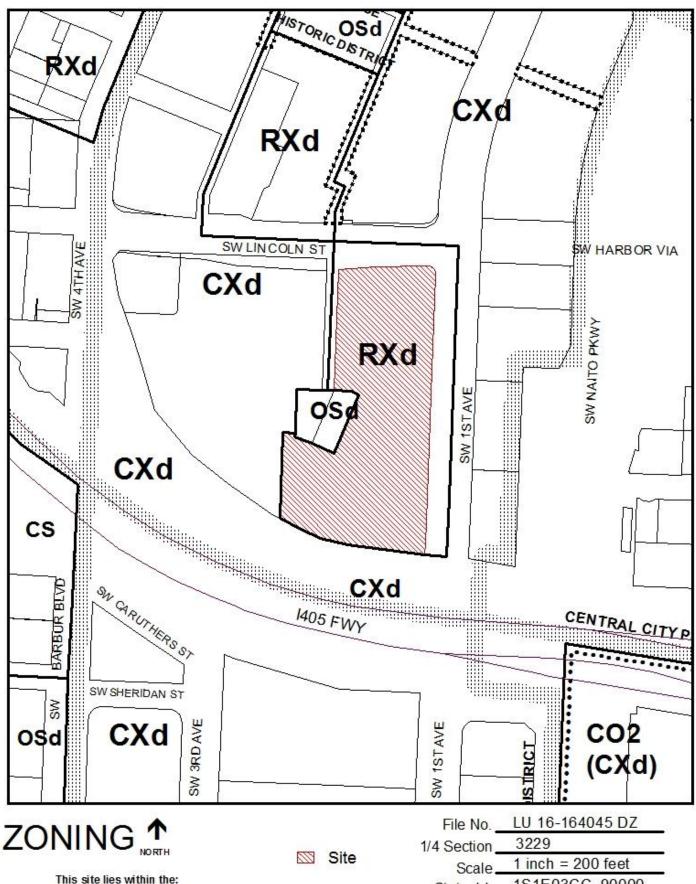
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Grant Tower Enlarged Site Plan (attached)
 - 3. Grant Tower Partial Elevation at Proposed Riser & Casing Location (attached)
 - 4. Grant Tower Partial Elevation at Proposed Horizontal Repiping and Soffit Location (attached, Lincoln Tower is similar)
 - 5. Grant Tower Typical Soffit Detail (attached, Lincoln Tower is similar)
 - 6. Grant Tower Riser Partition Detail
 - 7. Lincoln Tower Enlarged Site Plan (attached)
 - 8. Lincoln Tower Partial Elevation at Proposed Horizontal Repiping and Soffit Location
 - 9. Lincoln Tower Typical Soffit Detail
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Review Section of BDS
 - 2. Bureau of Environmental Services
 - 3. Water Bureau
- F. Correspondence:

No correspondence was received.

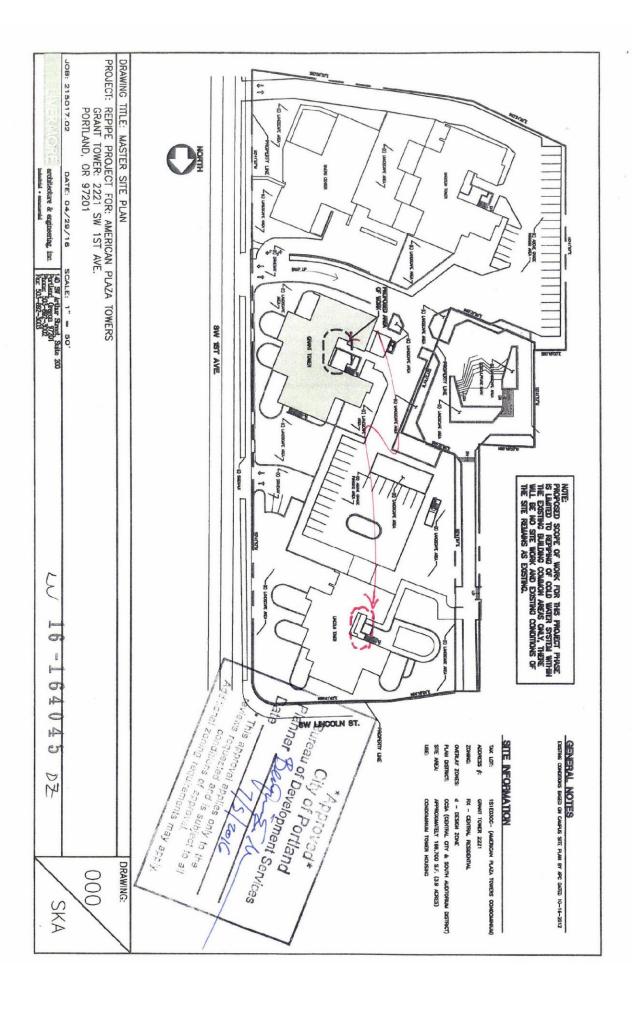
- G. Other:
 - 1. Original LU Application
 - 2. Photo Package with Proposed Alteration Locations
 - 3. Letter from Applicant

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).



CENTRAL CITY/SOUTH AUDITORIUM PLAN DISTRICT DOWNTOWN SUBDISTRICT

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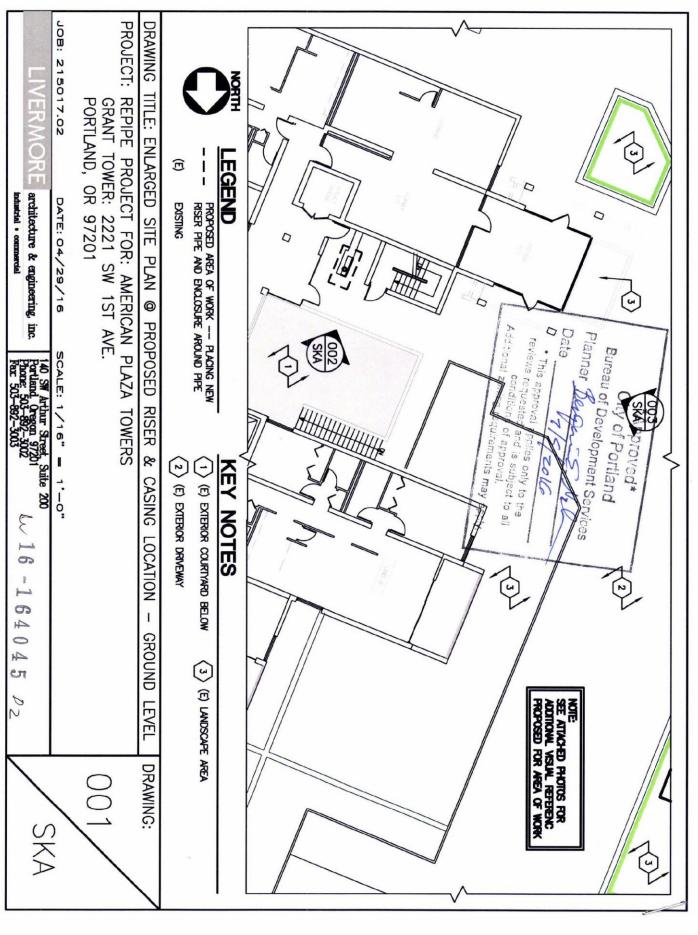


EXHIBIT C.2

