



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**  
FROM CONCEPT TO CONSTRUCTION

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**Date:** July 26, 2011  
**To:** Interested Person  
**From:** Tim Heron, Land Use Services  
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**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 reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 11-146306 DZ, AD**  
**PORTLAND-MILWAUKIE LIGHT RAIL, LINCOLN STREET IMPROVEMENTS**

**GENERAL INFORMATION**

**Applicant:** Tri-County Metropolitan Tri-Met  
710 NE Holladay St 4012 SE 17th Ave  
Portland, OR 97232 Portland, OR 97202

Teresa Boyle,  
Portland Office Of Transportation  
1120 SW 5th Ave #800  
Portland OR 97204

**Representative:** Karen Karlsson, KLK Consulting LLC  
906 NW 23rd Ave  
Portland OR 97210

**Site Address:** SW Lincoln Street Right-of-way between SW 5<sup>th</sup> Avenue and SW Naito Parkway, including

**Legal Description:** BLOCK H LOT 2 TL 100, SOUTH AUDITORIUM ADD; TL 200 2.35 ACRES, SECTION 10 1S 1E

**Tax Account No.:** R777502450, R991100020

**State ID No.:** 1S1E03CC 00100, 1S1E10BA 00200

**Quarter Section:** 3229

**Neighborhood:** South Portland NA., contact Jim Davis at 503-248-9820.  
**District Coalition:** Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.

**Plan District:** Central City - Downtown  
**Zoning:** CXd, Central Commercial with design overlay

**Case Type:** DZ, AD Design Review, Adjustment Review

**Procedure:** Type II, an administrative decision with appeal to the Design Commission.

**Proposal:**

The applicant requests **Design Review** approval for non-standard Row of Way [ROW] improvements the SW Lincoln Street portion of the Portland Milwaukie Light Rail Project, and **Adjustment Review** approval to 33.580.130 Preservation of Existing Trees in the South Auditorium Plan District.

Specifically, the non-Standard Street improvements include:

- Removal of tree lined median strip between SW 1<sup>st</sup> and SW 4<sup>th</sup>,
- Installation of LRT trackway and a light rail platform with a covered shelter(s) instead of the median between SW 2<sup>nd</sup> and 3<sup>rd</sup>, and
- Installation of “eco” track in the trackway adjacent to the light rail platform between SW 2<sup>nd</sup> and 3<sup>rd</sup>.

This proposal is for the reconstruction of SW Lincoln Street between the SW Fifth-SW Sixth Avenue Turn around and SW First to accommodate the Portland Milwaukie Light Rail project and for construction of the Light Rail Project on the property at 2040 SW First, connecting the Lincoln St trackway with the SW Harbor Structure. Project elements include trackway, overhead catenary systems, a platform with glass covered shelters, pedestrian walkways, including concrete cross walks, eco track planting, and assorted landscaping throughout the project corridor.

The Lincoln Street segment of the project has been designed to be consistent with the rest of the Light Rail system, while acknowledging the very special character of Lincoln St and its relationship to the nearby Halprin sequence of park features. The project is proposing to use a mix of City of Portland Downtown and South Auditorium design standards, as well as TriMet standards, while at the same time giving this section of the project a room like character with entry thresholds at each end of the room. (Transit Mall standards will be used for a small area on 5<sup>th</sup> Avenue as well.) The location of the platform between 2<sup>nd</sup> and 3<sup>rd</sup> will help to reinforce and connect the Halprin sequence of features. Sidewalks adjacent to the platform between 2<sup>nd</sup> and 3<sup>rd</sup> will be detailed with a special concrete finish acknowledging Halprin’s designs. In addition, special concrete crosswalks will be provided linking the ends of the platform to the sidewalks on the north and south sides of the street for the same reason.

The light rail infrastructure (using the TriMet standards) is being carefully inserted into to the middle of Lincoln Street without affecting the refinements of the District. The use of concrete pedestrian crossings at the station platform connecting with the South Auditorium pedestrian system will then help stitch the District back together.

Station platform elements will be similar to other Central City locations. The shelter will be similar to the one being used at Porter Street, with a glazed roof and steel supports.

The project area will be “greened” thru the use of “eco” track between 1<sup>st</sup> and 2<sup>nd</sup> and with plantings in the Lincoln Street right of way, including street trees, planter strips and water quality areas. TriMet has entered into a Memorandum of Understanding with the Urban Forester to address tree removals including paying into a mitigation fund.

Because the proposal includes non-standard elements in the ROW, design review is required. Because the proposal includes and removal and not one-to-one replacement of trees in the South Auditorium Plan District, an Adjustment Review is required.

**Relevant Approval Criteria:**

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

- Central City Fundamental Design Guidelines
- 33.805, Adjustments

## ANALYSIS

**Site and Vicinity:** Generally, the site is the SW Lincoln Street right-of-way between SW 5<sup>th</sup> Avenue and SW Naito Parkway. The area is part of the South Auditorium Plan District, 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 partially achieved by requiring the preservation of existing trees.

**Zoning:** The site is zoned CXd - Central Commercial with Design overlay zone. This area lies within the South Waterfront Subdistrict of the Central City Plan District.

The Central Commercial (CX) base zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape. The proposed bridge improvements are allowed outright in this base zone and not specifically addressed in this land use review.

The Design Overlay Zone [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. 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 Central City plan district 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.

**Land Use History:** City records indicate there are no prior land use reviews for this site.

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **June 30, 2011**.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **June 30, 2011**. Three written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. William Bright, Madison Tower resident, wrote July 12, 2011 in support of the development.
2. Warren Deras, Lincoln Tower resident, wrote July 14, 2011 with concerns regarding the loading area along SW Lincoln Street.
3. John Hawk, American Plaza unit owner, wrote July 19, 2011 in support of the project and additional eco-track, but with concerns of changing the character of the area.

### Staff response:

The project team has worked closely with TriMet and with PBOT since they have also been involved in this loading dock issue. They have replied that:

1. TM CA staff is working closely with the American Plaza residents on this, and other, issues and will continue to do so.
2. The PMLR project requires the space it is condemning for this important public project.
3. The area in question is not a required loading zone per the City of Portland Code, there is another loading dock on the south side of the building.

In regards to the character of the area and the eco-track, the applicant has responded:

1. TriMet is moving forward with Ecotrack, and
2. It is necessary to remove the street trees on Lincoln between 4th and 1st. It is not possible to retain them given the extents of reconstruction and new locations for trees. They will be replaced with new street trees selected with the assistance of the City forestry staff to ensure they are appropriate and are of the required size at installation. Replanting mature sized trees is not possible as the size of the rootball required (generally 1 foot of rootball per inch of caliper) will not fit within the new planter strips. If attempted, mature trees almost certainly would die.

Additional information and details are addressed in the Findings below.

## **ZONING CODE APPROVAL CRITERIA**

### **(1) DESIGN REVIEW (33.825)**

#### **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 a design (d) overlay zone, therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Central City Fundamental Design Guidelines and the South Waterfront Design Guidelines.

#### **Central City Plan Design Goals**

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.

#### **Central City Fundamental Design Guidelines**

The Central City Fundamental Design 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 FUNDAMENTAL DESIGN GUIDELINES**

#### **A. PORTLAND PERSONALITY**

**A1. Integrate the River.** Orient architectural and landscape elements including, but not limited to lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and Greenway. Develop access ways for pedestrians that provide connections to the Willamette River and Greenway.

**Findings for A1:** While this portion of the Light Rail project is not close to the river, the opening up of the pedestrian connection between SW First and Naito will significantly increase the connections between South Auditorium and the amenities along the river in the South Waterfront District. The storm water features provided by the project will thematically connect with the river. *Therefore, this guideline is met.*

**A2. Emphasize Portland Themes.** When provided, integrate Portland-related themes with the development's overall design concept.

**Findings for A2:** Portland prides itself with being a sustainable city that supports alternative modes of transportation. This project will provide new and better transit service to southeast Portland, expanding options to tens of thousands Portlanders. In addition, the use of eco-track and the many storm water treatment facilities in Lincoln Street section of the project emphasis Portland's sustainability theme. Finally, by paying attention to the existing Halprin designed pedestrian system in South Auditorium, this project respects the special pedestrian theme of the district. *Therefore, this guideline is met.*

**A3. Respect the Portland Block Structures.** Maintain and extend the traditional 200-foot block pattern to preserve the Central City's ratio of open space to built space. Where superblocks exist, locate public and/or private rights-of-way in a manner that reflects the 200-foot block pattern, and include landscaping and seating to enhance the pedestrian environment.

**Findings for A3:** This section of the project adheres to the existing Portland block structure. In addition, by making a connection between SW First and SW Naito that aligns with Lincoln St, the project extends the street grid, both as a pedestrian path and a view way. *Therefore, this guideline is met.*

**A4. Use Unifying Elements.** Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

**Findings for A4:** Portland's light rail system is easily recognized by the careful selection of unifying elements, and this new alignment is no different. Light rail standards were developed by TriMet and the Office of Transportation and endorsed by the Design Commission. Many of the elements have already been approved and are memorialized in the standards tool kit. *Therefore, this guideline is met.*

**A5. Enhance, Embellish, and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

**Findings for A5:** The design of the Lincoln St portion of the light rail alignment has at its core a respect for the area around it. From the location of the platform and its connection to the existing pedestrian pathway system to the choice of paving materials compatible with the elements of the Halprin designs, to installing a special green track treatment every practical effort has been made to enhance the area's local character. *Therefore, this guideline is met.*

**A6. Reuse/Rehabilitate/Restore Buildings.** Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

**Findings for A6:** There are no buildings suitable for reuse in the project area. *Therefore, this guideline is not applicable.*

**A7. Establish and Maintain a Sense of Urban Enclosure.** Define public rights-of-way by creating and maintaining a sense of urban enclosure.

**Findings for A7:** The proposed project's linear nature, with trackway and catenary system in the middle of the street, and lines of plantings at the edges helps to define the public right-of-way as well as the different zones within it. *Therefore, this guideline is met.*

**A8. Contribute to a Vibrant Streetscape.** Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

**Findings for A8:** The project does not include any buildings. *Therefore, this guideline is not applicable.*

**A9. Strengthen Gateways.** Develop and/or strengthen gateway locations.

**Findings for A9:** While the project does not contain any designated gateways, the Lincoln station area has been designed as a room, with thresholds at either end. The entrance between 5<sup>th</sup> and 4<sup>th</sup> is a quiet transition from the Transit Mall. At the eastern end of Lincoln Street, design elements will be used to mark the boundary between the multi-mode Lincoln Street and the transit only Harbor Structure. *Therefore, this guideline is met.*

## **B. PEDESTRIAN EMPHASIS**

**B1. Reinforce and Enhance the Pedestrian System.** Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

**Findings for B1:** The project will maintain and improve the existing sidewalks on Lincoln Street, carefully differentiating between the frontage, furnishings, travel, and curb zones. By using concrete cross walks connecting to the existing South Auditorium pedestrian network, it will strengthen the existing non-street pedestrian ways. Finally, the project will provide a new pedestrian connection from SW First to SW Naito, aligned with the Lincoln Street corridor. *Therefore, this guideline is met.*

**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.

**Findings for B2:** A major design influence has been the awareness of the large number of people who will be accessing transit by using the existing walkways in 2<sup>nd</sup> and 3<sup>rd</sup> Avenues at the Lincoln St station. Well marked cross walks, appropriate

street lighting, and lighting of the station platform are all designed to protect the pedestrian. *Therefore, this guideline is met.*

**B3. Bridge Pedestrian Obstacles.** Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.

**B4. Provide Stopping and Viewing Places.** Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.

**Findings for B3 and B4:** The new pedestrian connection between 1<sup>st</sup> and Naito, with its sidewalks and integrated storm water facilities will not only provide a new connection but will become a space where people want to pause on their journey up the hill. *Therefore, this guideline is met.*

**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.

**Findings for B5:** No parks or plazas are being proposed by the project. However, the project will contribute to the vitality of the existing open spaces in the South Auditorium District by bringing many new people to them as they travel from the Lincoln Street platform north through the district. *Therefore, this guideline is met.*

**B6. Develop Weather Protection.** Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

**Findings for B6:** The Lincoln St platform will be partially covered with a glazed roof. This shelter will provide rain protection for people waiting for their trains. *Therefore, this guideline is met.*

**B7. Integrate Barrier-Free Design.** Integrate access systems for all people with the building's overall design concept.

**Findings for B7:** Full access for all people is one of the core values of the TriMet light rail system. All trains, platforms, crosswalks, sidewalks, and other elements will be fully accessible. *Therefore, this guideline is met.*

## C. PROJECT DESIGN

**C1. Enhance View Opportunities.** Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

**Findings for C1:** The project does not include any buildings. *Therefore, this guideline is not applicable*

**C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.

**Findings for C2:** TriMet requires the use of long lasting high quality materials in ensure low maintenance costs for its facilities. In this case the use of concrete,

appropriate plantings, and painted metal will ensure that the project has consistent and well maintained quality, both physically and visually for the life of the project. *Therefore, this guideline is met.*

**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.

**Findings for C3:** No buildings are being altered by this project.  
*Therefore, this guideline is not applicable*

**C4. Complement the Context of Existing Buildings.** Complement the context of existing buildings by using and adding to the local design vocabulary.

**Findings for C4:** While not a building, the project design has focused on the character and context of the South Auditorium district. Concrete paving patterns will be used to relate to the modernist style of the district's buildings, plazas, and pedestrian ways. *Therefore, this guideline is met.*

**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 C5:** TriMet uses a consistent pallet of design elements throughout its light rail system. This portion of the project deployment of the Transit Mall, South Auditorium and Downtown design standards to ensure a consistency in the design and, at the same time, a compatibility with the elements around it. *Therefore, this guideline is met.*

**C6. Develop Transitions between Buildings and Public Spaces.** Develop transitions between private development and public open space. Use site design features such as movement zones, landscape element, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

**C7. Design Corners that Build Active Intersections.** Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

**C8. Differentiate the Sidewalk-Level of Buildings.** Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

**C9. Develop Flexible Sidewalk-Level Spaces.** Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

**Findings for C6-C9:** No buildings are being proposed as part of this project.  
*Therefore, these guidelines are not applicable..*

**C10. Integrate Encroachments.** Size and place encroachments in the public right-of-way to visually and physically enhance the pedestrian environment. Locate permitted skybridges toward the middle of the block, and where they will be physically unobtrusive. Design skybridges to be visually level and transparent.

**Findings for C10:** The project does not include any encroachments in the public right-of-way. *Therefore, this guideline is not applicable*

**C11. Integrate Roofs and Use Rooftops.** Integrate roof function, shape, surface materials, and colors with the building’s overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City’s skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective storm water management tools.

**Findings for C11:** The shelter’s glazed roof has been carefully designed to both be special and be identifiable as part of the TriMet design pallet. No rooftop mechanical equipment is being proposed. *Therefore, this guideline is met.*

**C12. Integrate Exterior Lighting.** Integrate exterior lighting and its staging or structural components with the building’s overall design concept. Use exterior lighting to highlight the building’s architecture, being sensitive to its impacts on the skyline at night.

**Findings for C12:** The project is proposing to use standard light fixtures throughout the project area, matching the area around, Mall standard lighting on 5<sup>th</sup> and 6<sup>th</sup>, PBOT standard on Lincoln between 5<sup>th</sup> and 4<sup>th</sup>, and South Auditorium standard on Lincoln from 4<sup>th</sup> to Naito. In the shelter the lighting will be carefully integrated into the structure. The glazed roof will cause the shelter to glow at night and clearly highlight its structure. *Therefore, this guideline is met.*

**C13. Integrate Signs.** Integrate signs and their associated structural components with the building’s overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

**Findings for C13:** TriMet’s standard system of helpful but unobtrusive signage will be employed at the Lincoln Street platform. No other signage is being proposed by the project. *Therefore, this guideline is met.*

## **(2) ADJUSTMENT REVIEW (33.805)**

### **33.805.040 Approval Criteria**

**A. Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and**

**Findings for A:** The purpose of the 33.580 South Auditorium plan district regulations is

“The South Auditorium plan district 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 sign regulations which limit the type, number, and size of signs.”

In this case the applicant seeks an adjustment from the tree replacement requirements because the project is planting as many street trees as are appropriate in the project area, and is adding additional replacement landscaping in the form of eco-track between

SW First and Second. The project is also funding additional tree planting by the City Forester through payment into a mitigation fund [Exhibit A.1]. The combination of these two measures ensures that the landscaping needs of the district and the city will be better met than would a one to one tree replacement in the already over landscaped areas of South Auditorium. *Therefore, this criterion is met*

**B. If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and**

**Findings for B:** The proposal is in the CX zone, on a street designated for light rail transit. The adjustment is necessary to allow the use which is consistent with the street designation. *Therefore, this criterion is met*

**C. If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and**

**Findings for C:** Only one adjustment is being sought. *Therefore, this criterion is not applicable*

**D. City-designated scenic resources and historic resources are preserved; and**

**Findings for D**

No designated scenic resources or historic resources are being affected by the project. *Therefore, this criterion is met*

**E. Any impacts resulting from the adjustment are mitigated to the extent practical; and**

**Findings for E:** The installation of the eco-track and payment into the tree mitigation fund will ensure that the effect of the adjustment is fully mitigated through the planting of trees throughout the City. *Therefore, this criterion is met*

**F. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable.**

**Findings for F:** The project is not in an environmental zone. *Therefore, this criterion is not applicable.*

## **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 introduction of Light Rail into the South Auditorium district on SW Lincoln St will enliven the area and strengthen the south end of downtown. The project has been carefully designed to support the character of the area and to make the Halprin design experience available to more people. The proposal both provides efficient transit facilities and converts the Lincoln St area into a special place which strengthens and supports the area's unique pedestrian system.

## ADMINISTRATIVE DECISION

Approval of the Portland Milwaukie Light Rail Project, Lincoln Street segment, in the South Auditorium Plan District in the Central City Plan District;

Approval per the approved Exhibits C-1 through C-63, signed and dated July 22, 2011, 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-C.63. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 11-146306 DZ, AD. No field changes allowed."

**Staff Planner: Tim Heron**

**Decision rendered by:**  \_\_\_\_\_ **on July 22, 2011**

By authority of the Director of the Bureau of Development Services

**Decision mailed: July 26, 2011**

**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 June 7, 2011, and was determined to be complete on **June 21, 2011**.

*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 June 7, 2011.

*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.

**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 August 9, 2011** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth 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](http://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 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, 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 **August 10, 2011 – (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
  - 1. MOU Urban Forestry/TriMet
  - 2. Existing loading for American Plaza towers
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1 COVER SHEET
  - 2 TABLE OF CONTENTS
  - 3 PSU / SW LINCOLN STREET VICINITY
  - 4 SW LINCOLN STREET PLAN [attached]
  - 5 SW LINCOLN STREET PLAN - FROM 5TH TO 4TH AVE
  - 6 SW LINCOLN STREET PLAN - AT LINCOLN STATION
  - 7 SW LINCOLN STREET PLAN - FROM 1ST TO NAITO [attached]
  - 8 SW LINCOLN STREET STATION
  - 9 PORTLAND SOUTH MALL STANDARDS
  - 10 COP DOWNTOWN STREET STANDARDS
  - 11 SOUTH AUDITORIUM STANDARDS
  - 12 TRIMET TRANSIT SYSTEM STANDARDS
  - 13 LINCOLN PLATFORM OVERVIEW
  - 14 ENHANCED STATION AREA PAVING
  - 15 CONCRETE CROSSWALK
  - 16 STATION BLOCK ECOTRACK
  - 17 STANDARD SHELTER WITH GLAZING
  - 18 LINCOLN STATION ECOTRACK SECTION
  - 19 ECOTRACK CROSS SECTION AND DETAIL
  - 20 ROADWAY SECTION – 102+80 TO 105+00
  - 21 ROADWAY SECTION – 106+00 TO 107+75
  - 22 ROADWAY SECTION – 10+00 TO 110+00
  - 23 ROADWAY SECTION – 110+40 TO 113+00

- 24 ROADWAY SECTION – 114+00 TO 16+50
- 25 ROAD PLAN – 100+33 TO 103+50
- 26 ROADWAY PLAN – 103+50 TO 107+75
- 27 ROADWAY PLAN 107+75 TO 112+50
- 28 ROADWAY PLAN – 112+50 TO 118+30
- 29 DRIVEWAY RECONSTRUCTION PLAN
- 30 DRIVEWAY RECONSTRUCTION PLAN
- 31 DRIVEWAY RECONSTRUCTION PLAN
- 32 DRIVEWAY RECONSTRUCTION PLAN
- 33 DRIVEWAY RECONSTRUCTION PLAN
- 34 DRIVEWAY RECONSTRUCTION PLAN
- 35 DRIVEWAY RECONSTRUCTION PLAN
- 36 DRIVEWAY RECONSTRUCTION PLAN
- 37 DRIVEWAY RECONSTRUCTION PLAN
- 38 DRIVEWAY RECONSTRUCTION PLAN
- 39 ARCHITECTURAL SYMBOLS
- 40 GENERAL & ARCHITECTURAL NOTES
- 41 ARCHITECTURAL PLAN – 100+00 TO 103+50
- 42 ARCHITECTURAL PLAN – 103+50 TO 107+80
- 43 ARCHITECTURAL PLAN – 107+80 TO 112+50
- 44 ARCHITECTURAL PLAN – 112+50 TO 118+30
- 45 SW 2ND & LINCOLN INTERSECTION PLAN
- 46 SW LINCOLN & NAITO INTERSECTION PLAN
- 47 LINCOLN STREET STATION PLATFORM PLAN
- 48 LINCOLN ST STATION PLATFORM DIMENSIONS
- 49 LINCOLN ST STATION PLATFORM SECTION
- 50 ENLARGED PLANS PEDESTRIAN ISLANDS
- 51 ENLARGED PLANS SIDEWALKS
- 52 ENLARGED PLANS VEHICLE TURNOUTS
- 53 ENLARGED PLANS STORM DETENTION PLANTERS
- 54 ENLARGED PLANS STORM DETENTION PLANTERS
- 55 LRT & BUS SHELTER MATRIX
- 56 SHELTER TYPE 1 PLAN, ELEVATIONS
- 57 LINCOLN STREET STATION SHELTER SECTION
- 58 SHELTER TYPE 2 PLAN, ELEVATION, SECTION
- 59 LANDSCAPE LEGEND AND NOTES
- 60 LANDSCAPE PLAN 100+00 TO 103+50
- 61 LANDSCAPE PLAN 103+50 TO 107+80
- 62 LANDSCAPE PLAN 107+80 TO 112+50
- 63 LANDSCAPE PLAN 112+50 TO 118+30

D. Notification information:

- 1. Mailing list
- 2. Mailed notice

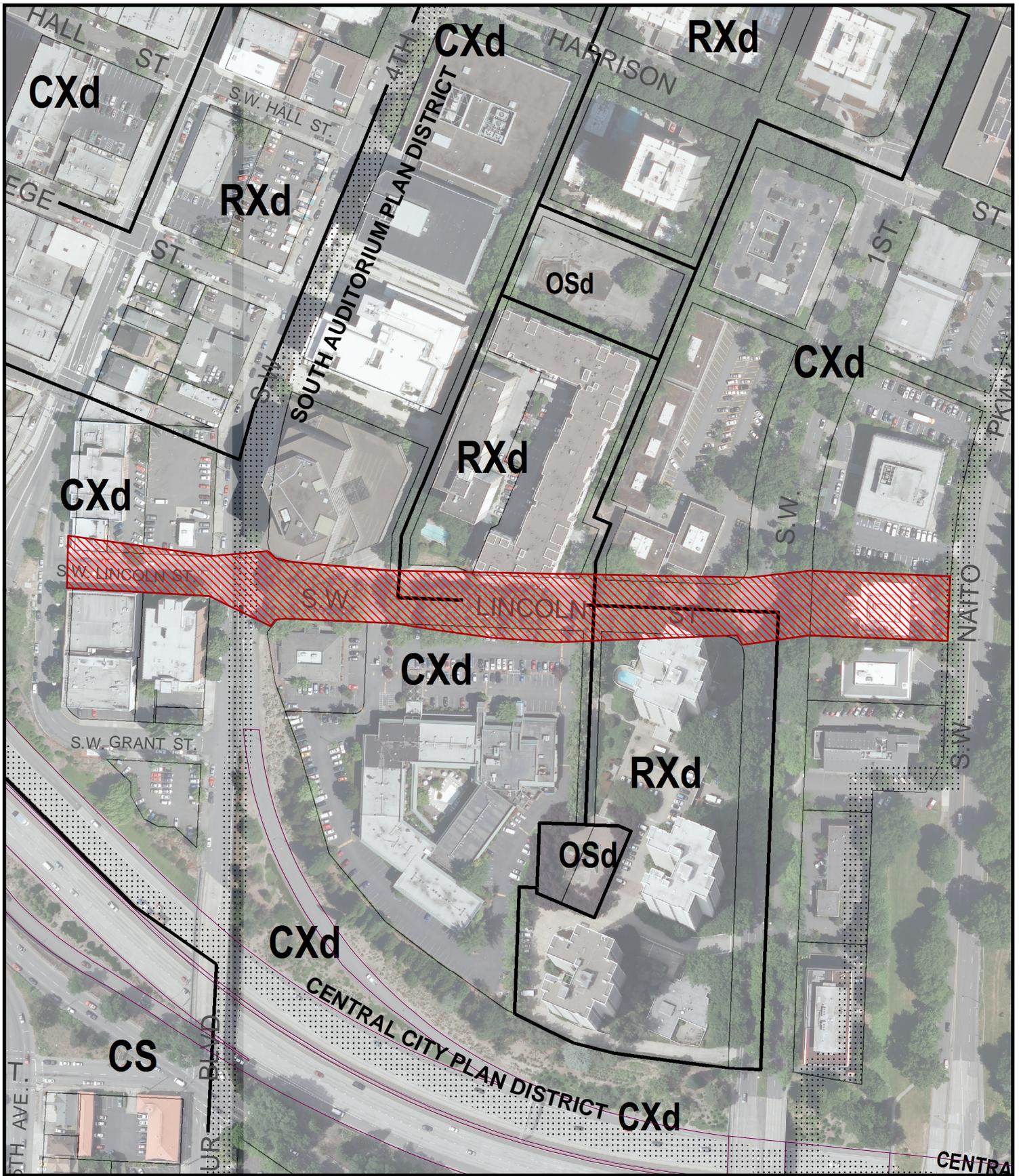
E. Agency Responses: No responses were received.

F. Correspondence:

- 1. William Bright, Madison Tower resident, wrote July 12, 2011 in support of the development.
- 2. Warren Deras, Lincoln Tower resident, wrote July 14, 2011 with concerns regarding the loading area along SW Lincoln Street.
- 3. John Hawk, American Plaza unit owner, wrote July 19, 2011 in support of the project and additional eco-track, but with concerns of changing the character of the area.

G. Other:

- 1. Original LU Application
- 2. Site History Research

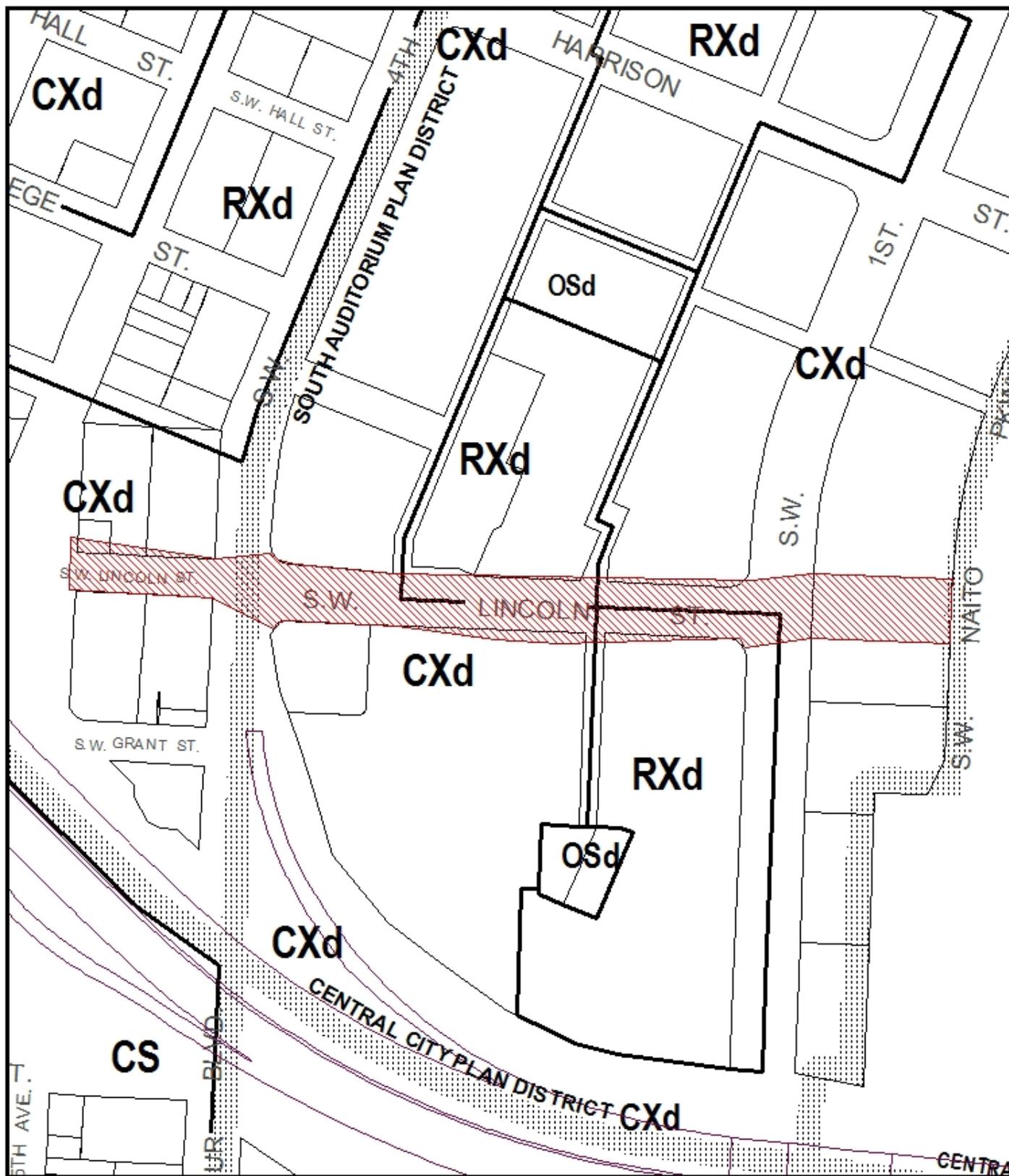


# ZONING

 Site

File No. LU 11-146306 DZ AD  
 1/4 Section 3228,3229  
 Scale 1 inch = 200 feet  
 State\_Id NONE  
 Exhibit B (Jun 29,2011)

  
 NORTH



# ZONING

 Site

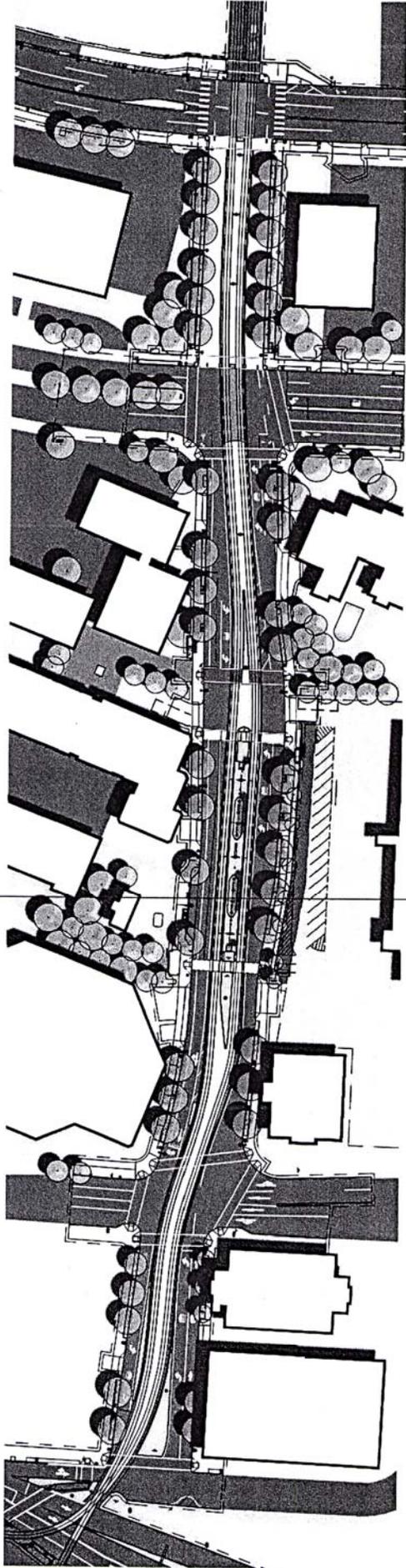


File No.	<u>LU 11-146306 DZ AD</u>
1/4 Section	<u>3228,3229</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>NONE</u>
Exhibit	<u>B (Jun 29,2011)</u>

# SW Lincoln Street Plan

Approved\*  
City of Portland - Bureau of Development Services  
Planner: TAH Date: 7.22.11  
\* This approval applies only to the reviews requested and is subject to the conditions of approval. Additional zoning requirements may apply.

section facing east

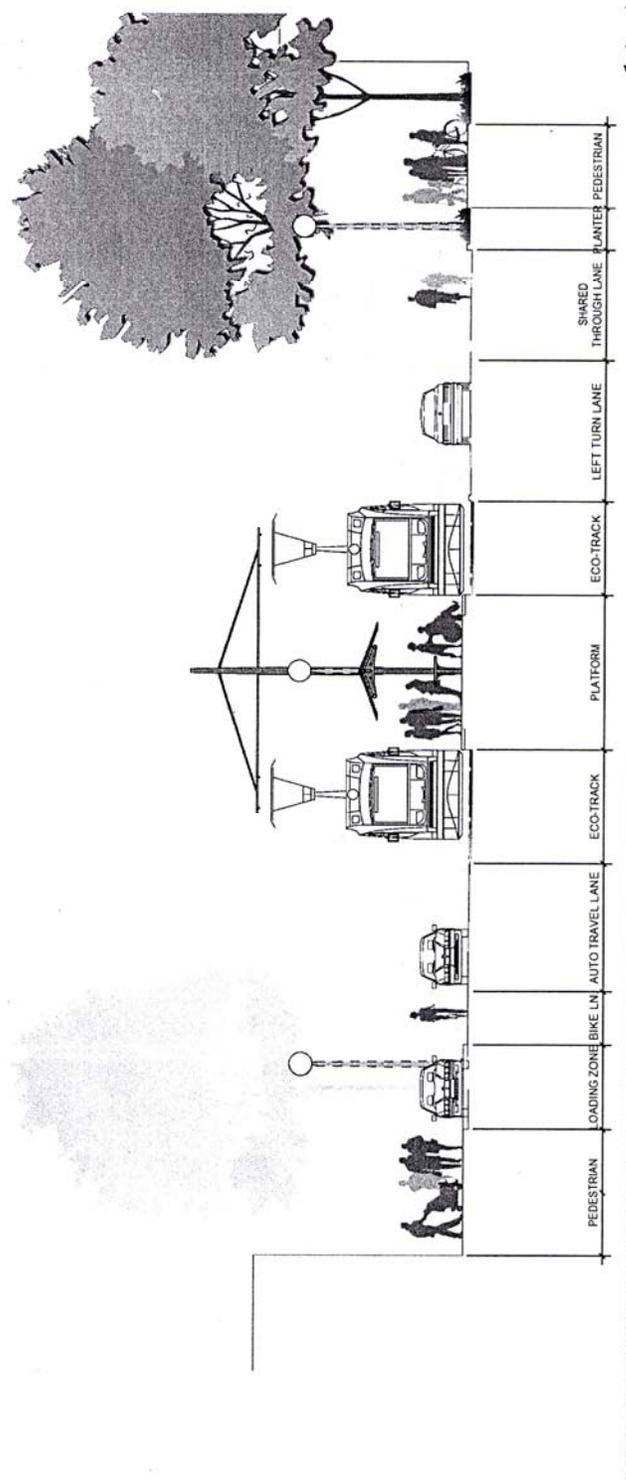


June 6, 2011

-11-146306 DZ, AD  
Exhibit C.4

# SW Lincoln Street Station

Planner: DH Date: 7.22.11  
 City of Portland - Bureau of Development Services  
 \*Approved\*  
 \* This approval applies only to the reviews requested and is only valid in the absence of appeal. Additional zoning requirements may apply.



11-148808-DZ,AD

June 6, 2011

Exhibit C.8