



City of Portland, Oregon

Bureau of Development Services

Land Use Services

FROM CONCEPT TO CONSTRUCTION

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

Date: April 17, 2015

To: Interested Person

From: Grace Jeffreys, Land Use Services

503-823-7840 / Grace.Jeffreys@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, including the written response to the approval criteria and to public comments received on this application, 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 15-123242 DZ

MARRIOTT ROOFTOP MECHANICAL

GENERAL INFORMATION

Applicant: Carlo Torrano / Rys Architects

10 Monterey Blvd / San Francisco CA 94131

Owner: Ab/Dcp Portland Hotel Property / Owner LLC

3021 Cutrys Circle #130 / Walnut Creek, CA 94598

Contractor: Excel Hotel Services Inc

1166 E Warner Rd, Suite 101a, Gilbert, AZ 85296

Site Address: 1401 SW NAITO PKY

Legal Description: BLOCK 115 LOT 1-8, PORTLAND

Tax Account No.: R667710610 **State ID No.:** 1S1E03BD 02900

Quarter Section: 3129

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: Central City - Downtown

Zoning: CXd- Central Commercial with design overlay

Case Type: DZ – Design Review

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

Commission.

Proposal:

The applicant seeks design review approval for two new rooftop mechanical units and associated screen assemblies to the rooftop of the three-story pool wing of the Marriott Hotel in

the Downtown Subdistrict of the Central City Plan District. Design review is required for installation of mechanical equipment on the exterior of buildings within design districts.

Relevant Approval Criteria:

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

■ 33.825 Design Review

■ Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The full-block 40,000 SF site is bounded by SW Naito Parkway, SW Columbia Street, SW 1st Avenue, and SW Clay Street. It is developed with a hotel which is oriented to face Tom McCall Waterfront Park and the Willamette River to the east. Surrounding development is characteristically urban mid and high-rises with a few surface parking lots. The site is within the Downtown Pedestrian District. SW Naito Parkway is designated a Community Main Street, Traffic Access Street, Transit Access Street, Local Service Bikeway, and City Walkway. SW Columbia and Clay streets are designated Community Corridors, Traffic Access Streets, Transit Access Streets, Local Service Bikeways, and City Walkways. SW 1st Avenue is designated a Transit Access Street, City Bikeway, and City Walkway.

Zoning: The <u>Central Commercial</u> (CX) 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 "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.

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

- LU 13-133272 PR: Zoning and Non-conforming Development Confirmation.
- LU 11-190782 DZ: Approval of a 2011 Design Review for new windows.
- **LU 98-00873 DZ** (98-016179): Design Review approval for installation of an opening for a new exterior doorway.
- **DZ 81-89** (89-005129): Design Review approval for a window addition to the south wall.
- **DZ 67-88** (88-004995): Design Review approval that existing screening on other dish is removed
- **DZ 44-88** (88-004776): Design Review approval for an awning and metal doors.
- **DZ 25-84** (84-004573): Design Review approval for a satellite dish without screening.
- **DZ 14-78** (78-004376): Design Review approval for rooftop signage.
- **CU 63-72:** Approval with conditions of a 1972 Conditional Use Review for off-street parking and loading.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **March 17, 2015**. The following Bureaus have responded with no issues or concerns:

- Water Bureau (Exhibit E.1)
- Life Safety Section of Bureau of Development Services (Exhibit E.2)
- Portland Fire Bureau (Exhibit E.3)
- Bureau of Environmental Services (Exhibit E.4)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 17, 2015. 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.

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

Findings: The setbacks the proposed roof-mounted mechanical units and the proposed screen assemblies limit their impact on the pedestrian environment below. The material composition of the units and the screens promote quality and permanence of this building. The mechanical units are comprised of galvanized steel housing with factory – applied baked enamel finish. The screens are a continuous angled blade louver system comprised of aluminum with factory-applied color to match hotel windows. The louver support frames are comprised of factory-finished, zinc-coated steel. The rectilinear layout compliments the existing building shape. Finally, in order to minimize the visual impact of the mechanical units, the proposed screen assemblies are sized and placed to block the sightlines to the equipment on the two prominent facades. The overall height of the panels will ensure the units are screened from all vantage points below the roof level. The screens will also provide good coverage from sightlines further away. The orientation of the screens provides the most cover while maintaining essential equipment clearances.

In conclusion, the proposed rooftop location of the mechanical units, pulled back from the building's edges and screened on the prominent facades, enables the buildings internal needs to be met without detracting from the pedestrian environment. Further, by placing the mechanical units on the roof, the pedestrian zone is protected. The minimal presence of the roof-mounted mechanical units and their associated screen assemblies, and proposed durable construction, indicates their long-lasting contribution to the building. Thus, the proposed units are well integrated with the building's roof function, screened from all vantage points below the roof level, and views of the skyline should be largely unaffected by the proposal.

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 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 proposed rooftop location of the mechanical units, pulled back from the building's

edges and screened on the prominent facades, enables the buildings internal needs to be met without detracting from the pedestrian environment. Further, by placing the mechanical units on the roof, the pedestrian zone is protected. The minimal presence of the roof-mounted mechanical units and their associated screen assemblies, and proposed durable construction, indicates their long-lasting contribution to the building. Thus, the proposed units are well integrated with the building's roof function, screened from all vantage points below the roof level, and views of the skyline should be largely unaffected by the proposal. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of two new rooftop mechanical units and associated screen assemblies to the rooftop of the three-story pool wing of the Marriot Hotel in the Downtown Subdistrict of the Central City Plan District, per the approved site plans, Exhibits C-1 through C-9, signed and dated April 10, 2015, 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.9. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-123242 DZ. No field changes allowed."

Staff Planner: Grace Jeffreys

Decision rendered by: ______ on (April 10, 2015)

By authority of the Director of the Bureau of Development Services

Decision mailed: April 17, 2015

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 February 25, 2015, and was determined to be complete on **March 12, 2015**.

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 February 25, 2015.

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: July 10, 2015.**

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 May 1, 2015** 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 May 4, 2015 (the day following the last day to appeal).
- A building or zoning permit will be issued only after the final decision is recorded.

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

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

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

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

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

Applying for your permits. A building permit, occupancy permit, or development permit 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

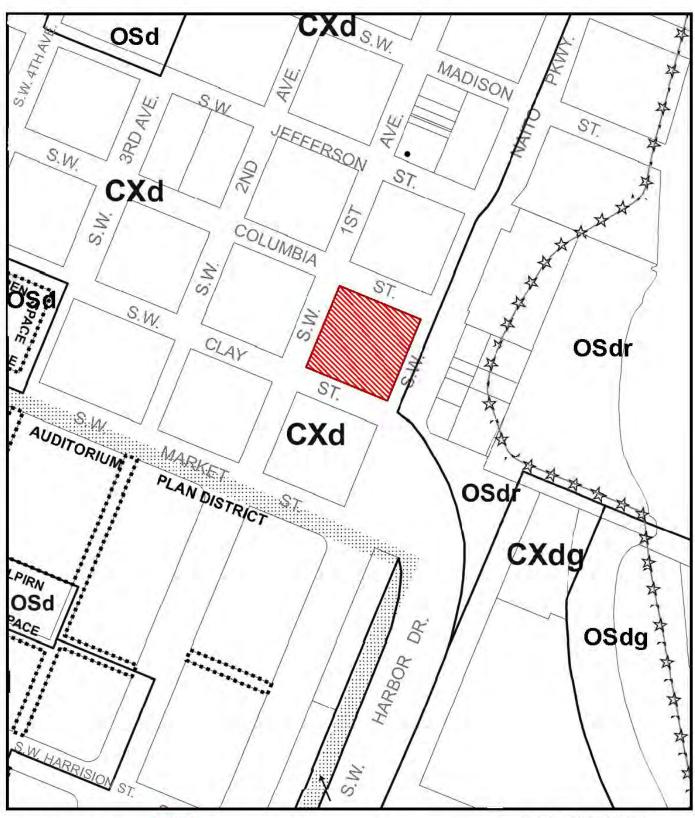
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Original narrative
 - 2. Revised narrative, received 3/25/2015
 - 3. Original plan set before revisions NOT APPROVED/Reference only
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Roof Plan
 - 3. Elevations SW First (west) (attached)
 - 4. Elevations SW Columbia (north) (attached)
 - 5. Wall Section 1
 - 6. Wall Section 2
 - 7. Section Tube Frame
 - 8. Louver Product Data Sheets
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Water Bureau
 - 3. Portland Fire Bureau
 - 4. Bureau of Environmental Services
- F. Correspondence:

None received.

- G. Other:
 - 1. Original LU Application
 - 2. Site photos
 - 3. Email correspondence

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).



ZONING

Site

Historic Landmark

Recreational Trail



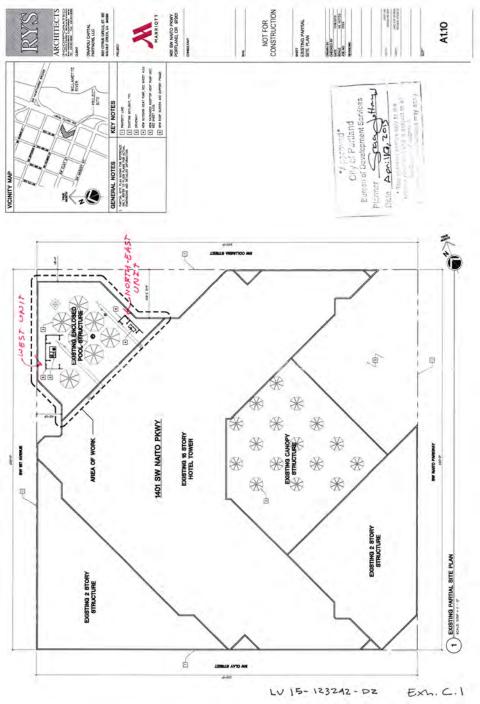
This site lies within the: CENTRAL CITY PLAN DISTRICT

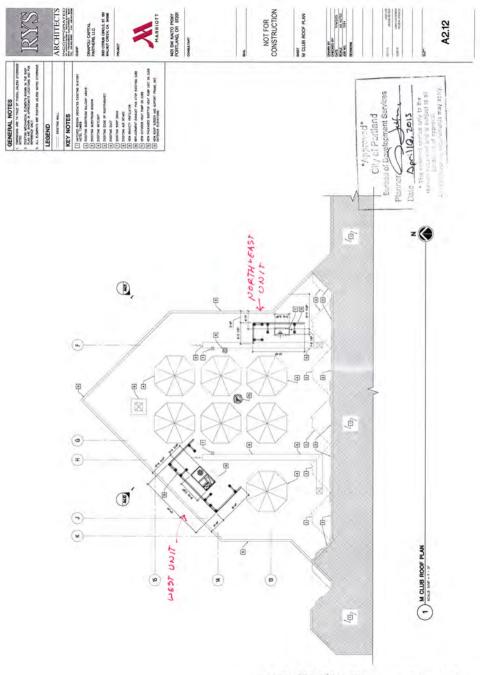
LU 15-123242 DZ File No. 3129

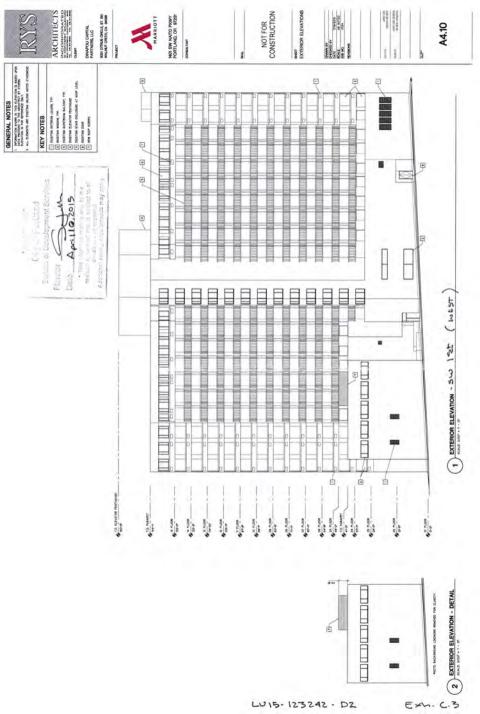
1/4 Section

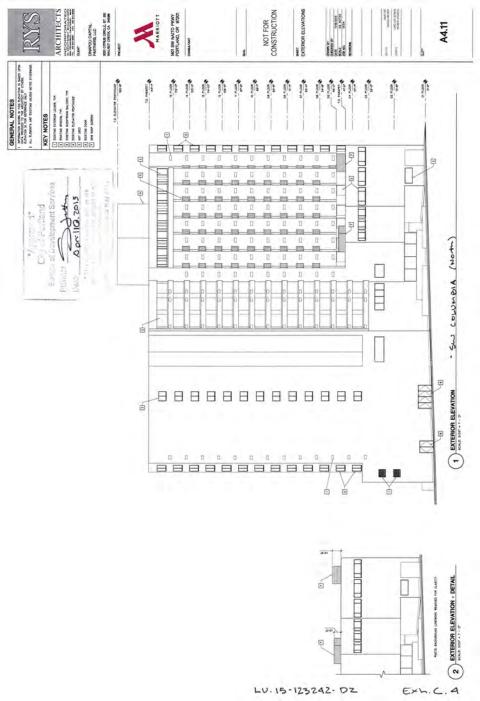
1 inch = 200 feet Scale 1S1E03BD 2900 State Id

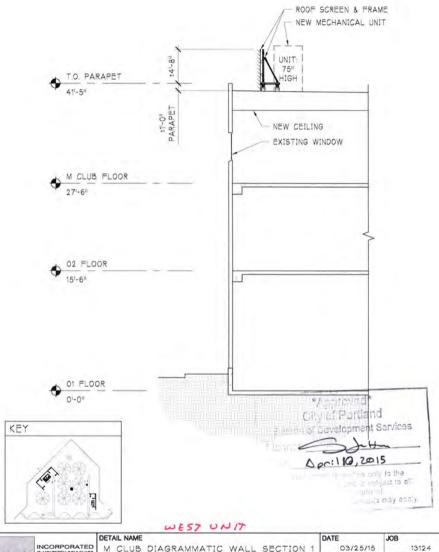
В (Feb 27,2015) Exhibit.



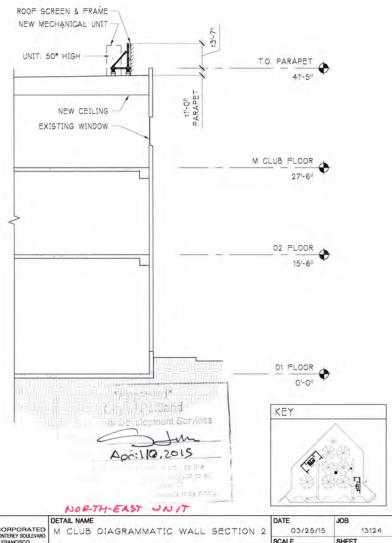








INCORPORATED 1 MATTERY BOLLIANS SAN FRANCISCO CALIFORNIA 94SI TEL 485440000 FAX 458440000 FAX 458440000 SAN FRANCISCO CALIFORNIA 94SI TEL 485440000 FAX 458440000 FAX 458440000 FAX 458440000 FAX 458440000 SAN FRANCISCO CALIFORNIA 94SI TEL 500 SAN FRANCISCO CALI

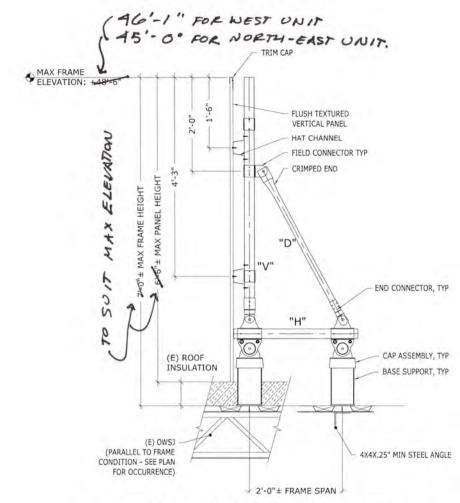


INCORPORATED 10 MONTEREY BOLLEVARD SAN FRANCISCO CALIFORNIA 9451 TEL 4158419900 FAX 458419089

ARCHITECTS

CUENT
DINAPOLI CAPITAL PARTNERS, LLC
3021 CITRUS CIRCLE, ST. 130, WALNUT CREEK, CA 94598

03/25/15 13124 SCALE SHEET 1/8¹¹=1¹-0¹¹ A5.02



TUBE FRAME AT SPACING PER PLAN FRAMES 1-12



PRODUCT DATA SHEET

VisionGuard[™] L10 Angled Louver Updated 10.29.2014



www.roofscreen.com

VisionGuard™ L10 Angled Louver

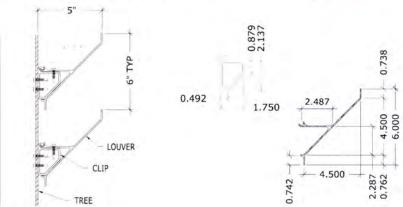
Description:

VisionGuard™ Angled Louvers are inverted 45° straight blade louvers designed for architectural and vision proofing applications. The continuous blade design with concealed snap-in retainer clips eliminates the need for unsightly vertical mullions.

Physical Characteristics:

- Louvers: 6063-T6 extruded aluminum .100" thick.
- . Clips: 6063-T6 extruded aluminum .125" thick.
- Vertical Tree: 6063-T6 extruded aluminum 3" x 3" x .188"
- . Fasteners: #12-24 x 1.25" Tek 5 self-drilling screw.





Application:

VisionGuard™ Angled Louvers are mounted to vertical supports referred to as trees. Trees are aluminum angles, pre-assembled with clips to achieve the desired vertical louver blade spacing. Standard blade spacing is 6″, which provides vision proofing up to 90° angle.

Louvers may be installed on any type of structure capable of supporting the trees adequately. Distance between rices trees is determined by the maximum spanning distance of the louver blades (see table below). Maximum vertical spanning distance of trees is 5', or as indicated in project calculations.

The subject to all

and apply.

PRODUCT DATA SHEET

■ RoofScreen

VisionGuard[™] L10 Angled Louver *Updated 10.29.2014*

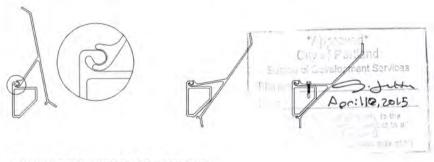
www.roofscreen.com

Span Table:

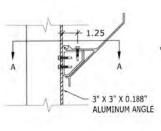
	Properties	Span (ft)										
Area (in²)	Unit Weight (plf)	Stress (ksi)	5	6	7	8	9	10	11	12	13	14
0.90	1.09	16.62	79.1	54.2	39.5	30.1	23.7	19.2	15.8	13.3	11.3	9.8

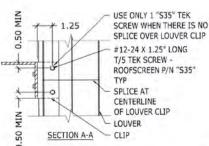
Installation:

Mount Vertical support trees to the structure using fasteners adequate to resist applicable wind forces, or as detailed in project calculations. Trees must be installed square, plumb and level across entire length of each run to ensure louver blades will properly snap into the clips. To install louver blades, start at the bottom row. Rotate louver into clip and snap into place. Install one Tek5 screw through top arm of louver into top of clip.



Louver end splices must be centered over clips as shown below.





LU 15-123242-DZ

Ezh.C.9