

July 26, 2016

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VIA EMAIL (PSC@PORTLANDOREGON.GOV)

Ms. Katherine Schultz, Chair
Planning and Sustainability Commission
City of Portland
1900 SW Fourth Avenue, Suite 7100
Portland, OR 97201-5380

Re: Unico's Testimony Requesting Unlimited Height Limit for U.S. Bancorp Tower (to Resolve Non-Conforming Development Status) – CC 2035 (Proposed Draft, June 2016)

This office represents Unico Properties, LLC, the owner and/or operator of several buildings in Portland, including the U.S. Bancorp Tower, located at 111 SW Fifth Avenue. Unico requests that the Commission slightly modify the Central City 2035 Proposed Draft ("CC 2035") height maps to allow unlimited height for existing buildings that legally exceed the City's 460-foot maximum height standard. This is consistent with direction provided by the City Council in the adopted West Quadrant Plan (March 2015). Please include this testimony in the record of the Central City 2035 proceedings, and provide us with notice of the final decisions.

US Bancorp Tower is approximately 536 feet in height, and complied with the applicable height standards at the time it was approved and constructed. Since that time, the property's height standard was reduced to 460 feet, which means that the US Bancorp Tower is considered a non-conforming development. CC 2035 currently proposes to maintain the existing 460 foot height limit for the US Bancorp Tower, but allows unlimited heights in some areas of the North Pearl.

We raised this issue during the West Quadrant Plan deliberations, and the City Council adopted Implementing Action UD18 as a CC 2035 action item, which states "explore options for mending the zoning code to bring existing buildings that exceed current maximum height limits (e.g., US Bancorp Tower, Wells Fargo, KOIN Center) into conformance." We ask that the Commission allow unlimited height for the US Bancorp Tower and other existing buildings that exceed the maximum height limits to implement this West Quadrant Plan action item.

Status as a non-conforming development can complicate the financing and sale of a property, and can make rebuilding in the event of building damage or destruction more difficult. The CC 2035 zoning code updates present an opportunity to remove the non-conforming development cloud from US Bancorp Tower and similar "grandfathered" buildings, such as the Wells Fargo Center and KOIN Center. The Commission and City Council have been receptive to requests to

bring long-standing uses and development into conformance under the zoning update projects and we request that the same conformance changes be made for the City's tallest buildings. An increased height allowance would acknowledge the presence and longevity of these iconic City buildings.

Accordingly, Unico requests that CC 2035 Maps 510-3 (Base Height) and 510-4 (Bonus Height) be revised to show an unlimited height for existing non-conforming height buildings that exceed 460 feet, such as the US Bancorp Tower.

Thank you for your consideration of these requests.

Very truly yours,



Dana L. Krawczuk

DLK:crl

cc: Ty Barker (via email)
Brian Pearce (via email)