



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

Chloe Eudaly, Commissioner
Rebecca Esau, Interim Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: August 11, 2017
To: Interested Person
From: Jeff Mitchem, Land Use Services
503-823-7011 / Jeffrey.Mitchem@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 17-184675 DZ **200 MARKET ST EXTERIOR RENOVATIONS**

GENERAL INFORMATION

Applicant: Tim Grinstead | GBD Architects, Inc.
1120 NW Couch St., Ste. 300
Portland, OR 97209

Owner: Two Hundred Market Assoc LP
200 SW Market St #1720
Portland, OR 97201

Site Address: 200 SW MARKET ST

Legal Description: BLOCK A LOT 2 TL 800, SOUTH AUDITORIUM ADD
Tax Account No.: R777500024
State ID No.: 1S1E03CB 00800
Quarter Section: 3229

Neighborhood: Portland Downtown, contact Rani Boyle at 503-725-9979.
Business District: Downtown Retail Council, contact Sandra McDonough at 503-552-6762.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: South Auditorium
Zoning: CXd, Central Commercial with a Design Overlay
Case Type: DZ, Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The proposal is for renovations to the exterior roof deck at Terrace Level 3 – deck landscaping to be removed, roofing replaced and new landscaping. Specific improvements are

- **New Hardscape Roof Surfacing** (approximately 3,500 SF). Existing turf is to be replaced with 2' x 2' concrete pavers.
- **Base Plates.** Four steel column base plates to be installed as structural base for future potential canopy (requiring a future Land Use Review).
- **Walkway.** A single 6' wide accessible walkway at the east side of the new roof surface.
- **Landscaping.** Soil mounding and raised plantings at perimeter of new roof surface.
- **Lighting.** Bollard fixtures (x 4) at walkway perimeter.

Design Review is necessary because the proposal is for exterior alterations within a Design Overlay Zone.

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 site is located within the South Auditorium District. This District is formed along the 2nd and 3rd Avenue pedestrian-only malls that create a unique north-south pedestrian corridor at the core of this 1960's urban renewal project. Equally unique to this District is the series of public fountain and parks, designed by Lawrence Halprin, that form a progression of open spaces and urban oasis along this pedestrian corridor. The three primarily open spaces that make up this sequence are Lovejoy Park, Pettygrove Park and the Ira Keller Fountain. Pettygrove Park, adjacent to the site and in the middle of this progression of open spaces, is a small, sequestered park with berms, meandering paths and dense plantings. Currently on the site is an existing office tower that sits between SW 2nd and SW 3rd Avenue pedestrian malls and between SW Market St and Pettygrove Park.

The site is within the Downtown Pedestrian District. SW Market Street, abutting the north side of the site, is designated as a Traffic Access Street, a Transit Access Street and a Central City Transit/Pedestrian Street.

The surrounding area consists primarily of more newly developed buildings that are a mix of institutional and commercial and vary in height. The district itself, an award-winning development, is noted for its plain, light-colored concrete buildings as objects set in a lush landscape, connected by a well developed pedestrian system buffered by generous landscaped setbacks, and numerous plazas and fountains.

Zoning: The Central Commercial (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 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. The site is within the Downtown & South Auditorium Subdistrict of this plan district.

Land Use History: City records indicate that prior land use reviews include the following:
City records indicate there are prior land use reviews for this site that include the following:

- DZ 99-87: Approval of Design Review for a satellite dish.
- DZ 103-88: Approval of Design Review for a main entry and auto court remodel.
- DZ 084-90: Approval of Design Review for signage.
- DZ 086-90: Approval of Design Review for a new pedestrian walk.
- DZ 109-90: Proposed storefront remodel. Not record of decision.
- LUR 91-00156 DZ: Approval of Design Review for new window wall at SE corner lobby level.
- LUR 92-00446 DZ: Approval of Design Review for new canopied entrance.
- LUR 93-00072 DZ: Approval of Design Review to add two windows to the east side of the building.
- LUR 93-00384 DZ: Approval of Design Review for new radio antennas.
- LUR 93-00635 DZ: Approval of Design Review for new pedestrian canopy and modifications within the public mall area subject to conditions.
- LU 02-156215 DZ: Approval of Design Review to expand the ground level tenant space at the west edge of the north plaza, for a new restaurant tenant.
- LU 03-142539 DZ: Approval of Design Review for canopies at the Carafe Restaurant.
- LU 04-007836 DZM: Approval of Design Review for new storefront, plaza area, stairs, railings, retaining walls and four new trees along the SW 3rd Avenue pedestrian mall. Approval of the Modification request to remove six existing trees, replacing a minimum of four or all six trees, and paying the total net tree-stem loss into the Tree Preservation Fund per the Condition of Approval C.
- LU 05-116055 DZ: Approval of Design Review for two 10-foot by 4-foot windows to the south elevation.
- LU 05-172871 DZ: Approval of Design Review for a glass and metal entry canopy.
- LU 07-135535 DZ: Approval of Design Review for metal and glass pavilion addition on the upper terrace.
- LU 09-143761 DZ: Approval of Design Review for six vertical axis wind turbines on the rooftop.
- LU 12-123746 DZ: Approval of Design Review of two storefront extensions to an existing multi-story downtown office building.
- LU 12-168688 DZ: Approval of Design Review to modify an existing canopy in order to enclose the space underneath.
- LU 16-180524 DZ: Approval of Design Review for renovation of exterior roof decks.

Agency Review: A *Notice of Proposal in Your Neighborhood* was mailed **June 28, 2017**. The following Bureaus have responded with no issues or concerns:

- Fire Bureau (Exhibit E.1)
- Life Safety (Exhibit E.2)
- Bureau of Environmental Services (Exhibit E.3)

Neighborhood Review: A *Notice of Proposal in Your Neighborhood* was mailed on **June 28, 2017**. 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 and the River District 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 the River District as well as to the other seven 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.

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

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

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.

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

Findings for A2, A4, A5 and C4: Many of the buildings throughout the Central City, South Auditorium District, and Downtown Sub-District are designed with roof top terraces, balconies, roof top gardens, and various forms of solar shading devices. While these

treatments are conceptually diverse, they share many design characteristics that serve to enhance and unify the Central City skyline. The proposed roof top improvements further this theme by providing a well-integrated amenity space for building tenants where none currently exists.

The third level amenity deck improvements – the hardscape surfacing, walkways and landscaping – are exterior embellishments that will enhance roof top functionality and design vocabulary in the immediate vicinity while complimenting the verdant character of the broader Halprin Sequence.

These guidelines are therefore met.

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

Findings: The pedestal decking system, paving and new patio entry allows the deck to be ADA compliant.

This guideline is therefore met.

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

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.

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.

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 A6, C2, C3, C5, C11 and C12: The third level amenity deck improvements – the hardscape surfacing, walkways and landscaping – enhance rooftop functionality and provide improved views of and from the rooftop while not visually competing with integrity of the existing building through the use of low-level transparent materials and complimentary colors.

The proposed changes to the roof will re-purpose an existing underutilized portion of the building thereby enhancing the overall functionality of the building. By orienting the patio space at the third-level roof edge, outward views will be maximized. The proposed building materials – concrete paver seating and walkway surfacing and landscaping – are high quality materials that ensure their long-lasting contribution to the building.

The bollard lighting, expanded seating area and landscaping provide a humanistic and welcoming texture to the existing underused roof. The alterations will result in enhanced functionality of occupiable roof area, with attention to detail and featuring common materials. Combined, these alterations are a positive contribution to the existing building and promote its continued viability as a significant office building in the South Auditorium Plan District.

These guidelines are therefore 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

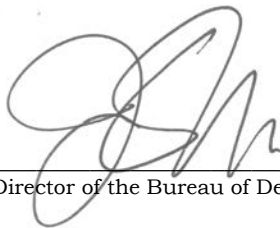
The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposed changes to the building are in keeping with the overall coherency of the existing buildings and recently approved alterations. The proposed seating area, pathway, lighting and landscaping provide enhanced functionality with a more humanistic interface at upper levels of the building and reflects the park-like characteristics of the abutting Halprin Sequence and the South Auditorium Plan District. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of renovations to the exterior roof deck of the 200 SW Market St building in the South Auditorium District of the Central City Plan District at Terrace Level 3 – deck landscaping to be removed, roofing replaced, and new landscaping and lighting, per the approved site plans, Exhibits C-2 through C-18, signed and dated August 8, 2017, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B and C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 17-184675 DZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

Staff Planner: Jeffrey Mitchem



Decision rendered by: _____ **on August 8, 2017**
By authority of the Director of the Bureau of Development Services

Decision mailed: August 11, 2017

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 9, 2017, and was determined to be complete on June 22, 2017.

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 9, 2017.

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 extended by the applicant, **the 120 days will expire on: October 20, 2017.**

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 25, 2017** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **August 28, 2017** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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:

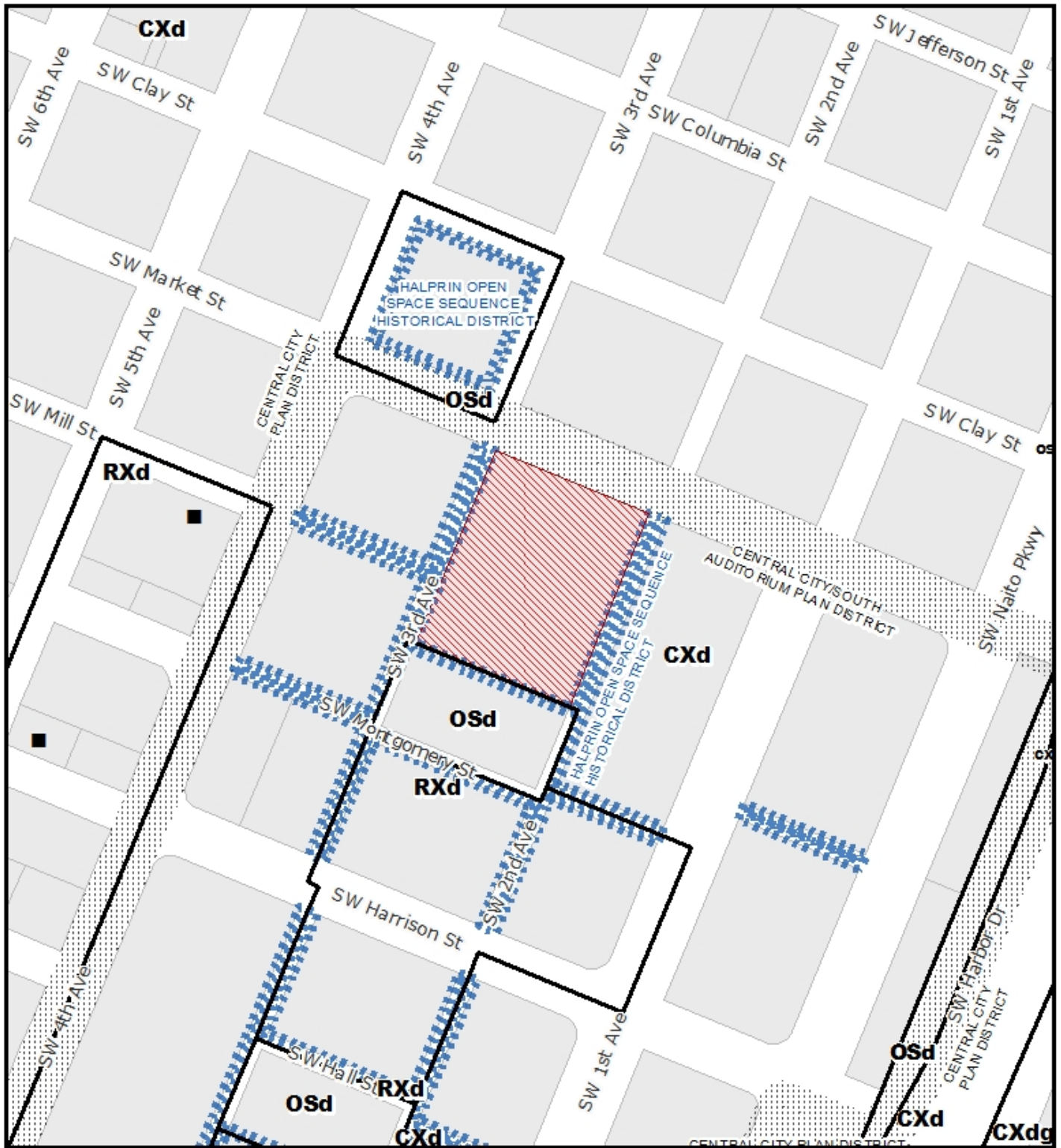
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement: none
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Table of Contents
 - 2. Overview
 - 3. Existing Conditions
 - 4. Neighborhood Aerial
 - 5. Site Plan (attached)
 - 6. Existing Conditions
 - 7. New Work
 - 8. Enlarged Plan of New Work
 - 9. Landscape
 - 10. Stormwater
 - 11. Elevation
 - 12. Footing Detail
 - 13. Rendering – Existing
 - 14. Rendering – Proposed
 - 15. West Deck Perspective
 - 16. North Plaza Perspective
 - 17. Context
 - 18. Materials
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Fire Bureau
 - 2. Life Safety
 - 3. Bureau of Environmental Services
- F. Correspondence: none
- G. Other:
 - 1. Original LU Application
 - 2. Early Assistance Notes

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



THIS SITE LIES WITHIN THE:
 CENTRAL CITY/SOUTH AUDITORIUM
 PLAN DISTRICT
 DOWNTOWN SUBDISTRICT



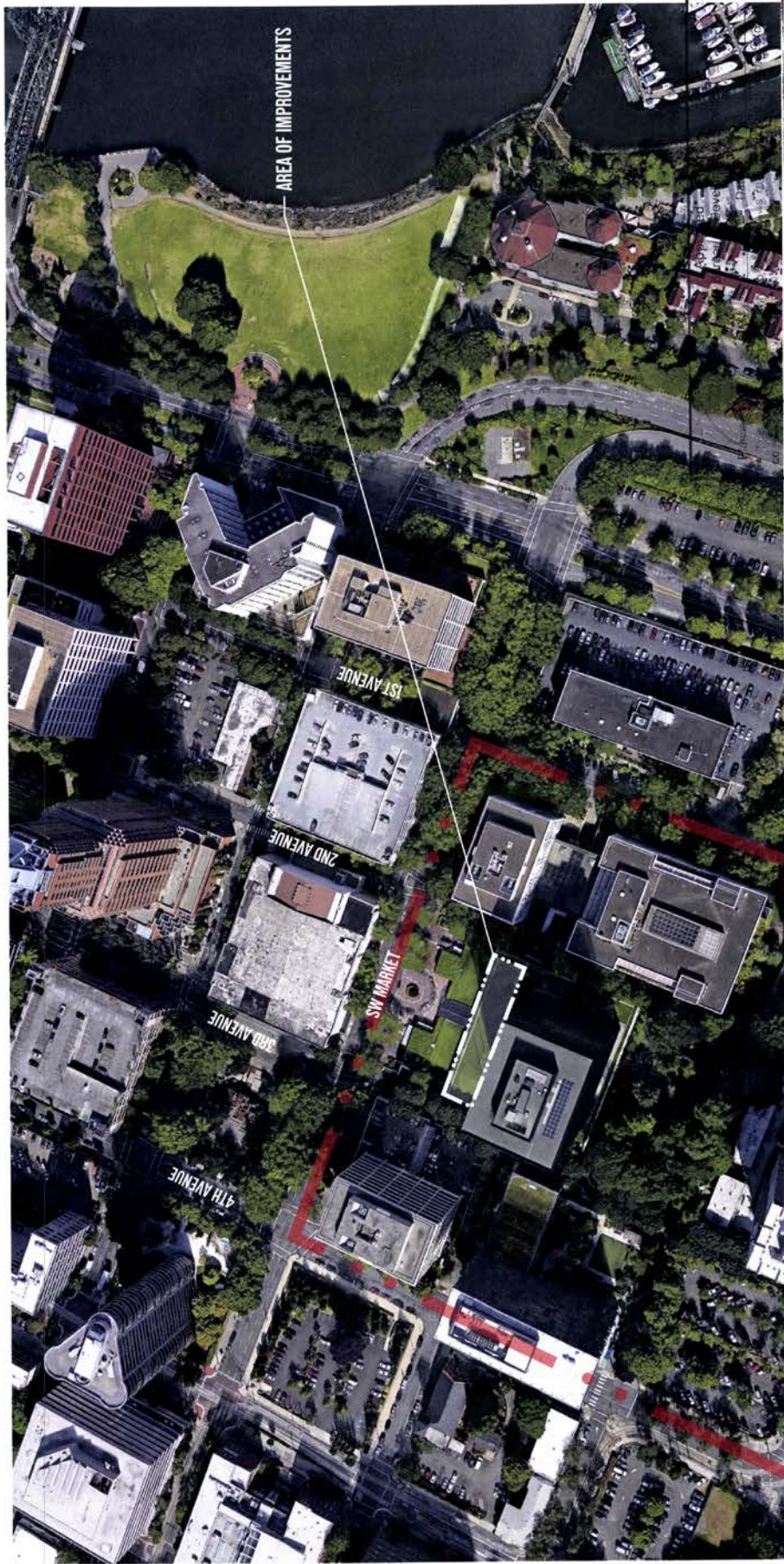
Site



Historic Landmark

File No.	LU 17-184675 DZ
1/4 Section	3229
Scale	1 inch = 200 feet
State ID	1S1E03CB 800
Exhibit	B Jun 13, 2017

ARCHITECTURAL DRAWINGS



EXISTING CONDITIONS: NEIGHBORHOOD AERIAL

EXHIBIT 17-184675