



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

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Date: February 9, 2018
To: Interested Person
From: Santiago Mendez, 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 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 17-284358 DZ – EXTERIOR ALTERATIONS

GENERAL INFORMATION

Applicant: Matt Fitzgerald, GBD Architects
1120 NW Couch Street, Suite 300
Portland, OR 97209
matt@gbdarchitects.com

Applicant: G&I VII Lincoln Building LP
220 E 42nd Street 27th Floor
New York, NY 10017-5819

Site Address: **421 SW OAK ST**

Legal Description: BLOCK 66 LOT 1&2 7&8, PORTLAND; BLOCK 66 LOT 3-6, PORTLAND

Tax Account No.: R667707670, R667707700

State ID No.: 1N1E34CD 03000, 1N1E34CD 03100

Quarter Section: 3029

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: 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 requests Design Review approval for storefront alterations to the east and north sides of the Lincoln Building in the Downtown Subdistrict of the Central City. At the ground floor of the east side, a portion of existing glazing will be replaced with a new aluminum storefront system to match. At the north face, existing glazing will be replaced with one of the following alternatives: a new aluminum storefront with an exposed existing concrete beam (painted to match existing) and existing transom panel above; or a new aluminum storefront with an exposed concrete beam (painted to match existing) and painted panels in lieu of existing transom panel. The proposed alterations intend to address functional needs for the ground floor exiting system due to reconfiguration, as well as adding square footage to the ground floor.

In addition to the original submission, the applicant requests an alteration to the existing base cornice around the perimeter, as part of the voluntary weak story mitigation seismic work for the building. A new collector steel element will be installed and clad in painted cement board, with materials, paint and color to match the existing. Due to structural limitations, the proposed base cornice will be of larger dimensions than the existing, increasing in height by ~6" and increasing its projection by ~3".

Design review is required for proposed, non-exempt exterior alterations in the "d" design overlay zone of the Central City Plan District.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The site is developed with a seven-story office building, constructed in 1947 and known as the Lincoln Building. This site occupies the full block surrounded by Pine and Oak Streets (to the North and South respectively) and 4th and 5th Avenues (to the East and West). The subject site is bordered on all sides by a diverse range of city businesses varying in purpose and scale including, but not limited to, office buildings, retail shops, hotels, restaurants, and food carts.

Architecturally, the site is adjacent to both historic landmark buildings including the Henry C.K. Building, Imperial Garage and Multnomah Hotel as well as the more contemporary U.S. Bancorp Tower or "Big Pink", completed in 1983, by regional architect Pietro Belluschi.

Regarding transportation, the site fronts the downtown Transit Mall on SW 5th Avenue which provides access to 17 current bus lines, along with the Yellow and Green MAX lines. SW 5th Avenue is one-way, south heading. Oak Street provides bus service to one line, the #16, and is also a designated bike lane. Oak Street is also one-way, west heading.

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 Subdistrict of this plan district.

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

- CU 109-81: Conditional Use for off-street parking. After several continuances, the Hearings Officer terminated this matter without dispositive action.
- DZ 66-83: Design Review approval of a new awning.
- LUR 91-00370 DZ: Design Review approval for the installation of new awnings at the ground floor level, for all four facades of this existing building.
- LUR 94-00781 DZ: Design Review approval for the addition of a mechanical penthouse.
- LUR 96-00883 DZ: Design Review approval for the installation of a satellite dish antenna.
- LUR 97-00121 DZ: Design Review approval for the mounting of six PCS panel antennas.
- LU 09-120295 DZ: Design Review approval for a new recessed entry on SW 4th.
- LU 14-186069 DZ: Design Review approval for three new canopies located on SW 4th Ave, SW 5th Avenue, and SE Oak Street.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **January 10, 2018**. The following Bureaus have responded with no issues or concerns:

- Fire Bureau
- Life Safety Division of BDS
- Site Development Section of BDS

Please see Exhibit E-1 through E-3 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on January 10, 2018. 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.

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

C3. Respect Architectural Integrity. Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings for A4, C3 & C5: The exterior alteration of the storefronts at the north and east elevations respect the existing size, finish and design of the original storefront system, as well as the surrounding wall tile. The modification of the base cornice respects the existing proportions, finish and design of the existing elements. Altogether, these alterations are well integrated to the building by using matching materials and proportions, achieving a coherent composition.

Therefore, these guidelines have been 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.

Findings for A6 & C2: The elements being added for the storefront alteration are either salvaged aluminum storefront frames and wall tile or new frames and tile to match. The base cornice alteration will bring a higher level of structural integrity to the building. In order to ensure this alteration promotes quality and permanence, condition of approval D has been added that the base cornice profile shall be constructed with 22-gauge metal panel and painted to match existing (Refer to Exhibit C-9).

Therefore, with the condition that the base cornice profile shall be constructed with 22-gauge metal panel and painted to match existing, these guidelines have been met.

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.

Findings: The base cornice alteration will reinforce the building structurally, while maintaining a visual separation between the building base and building shaft.

Therefore, this guideline has been met.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The proposed Storefront and Cornice Alterations to the Lincoln Building in the Downtown Subdistrict of the Central City Plan District will enhance this building and contribute to a vibrant streetscape.

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

ADMINISTRATIVE DECISION

Approval of Storefront and Cornice Alterations to the Lincoln Building, per the approved site plans, Exhibits C-1 through C-17, signed and dated 02/05/18, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through D) 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 17-284358 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.

D. The base cornice profile shall be constructed with 22-gauge metal panel and painted to match existing (Refer to Exhibit C-9).

Staff Planner: Santiago Mendez

Decision rendered by:  **on February 5, 2018**

By authority of the Director of the Bureau of Development Services

Decision mailed: February 9, 2018

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 December 15, 2017, and was determined to be complete on January 5, 2018.

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 December 15, 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 further extended by the applicant, **the 120 days will expire on: May 4, 2018.**

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 February 23, 2018** 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 **February 26, 2018** 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.

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:

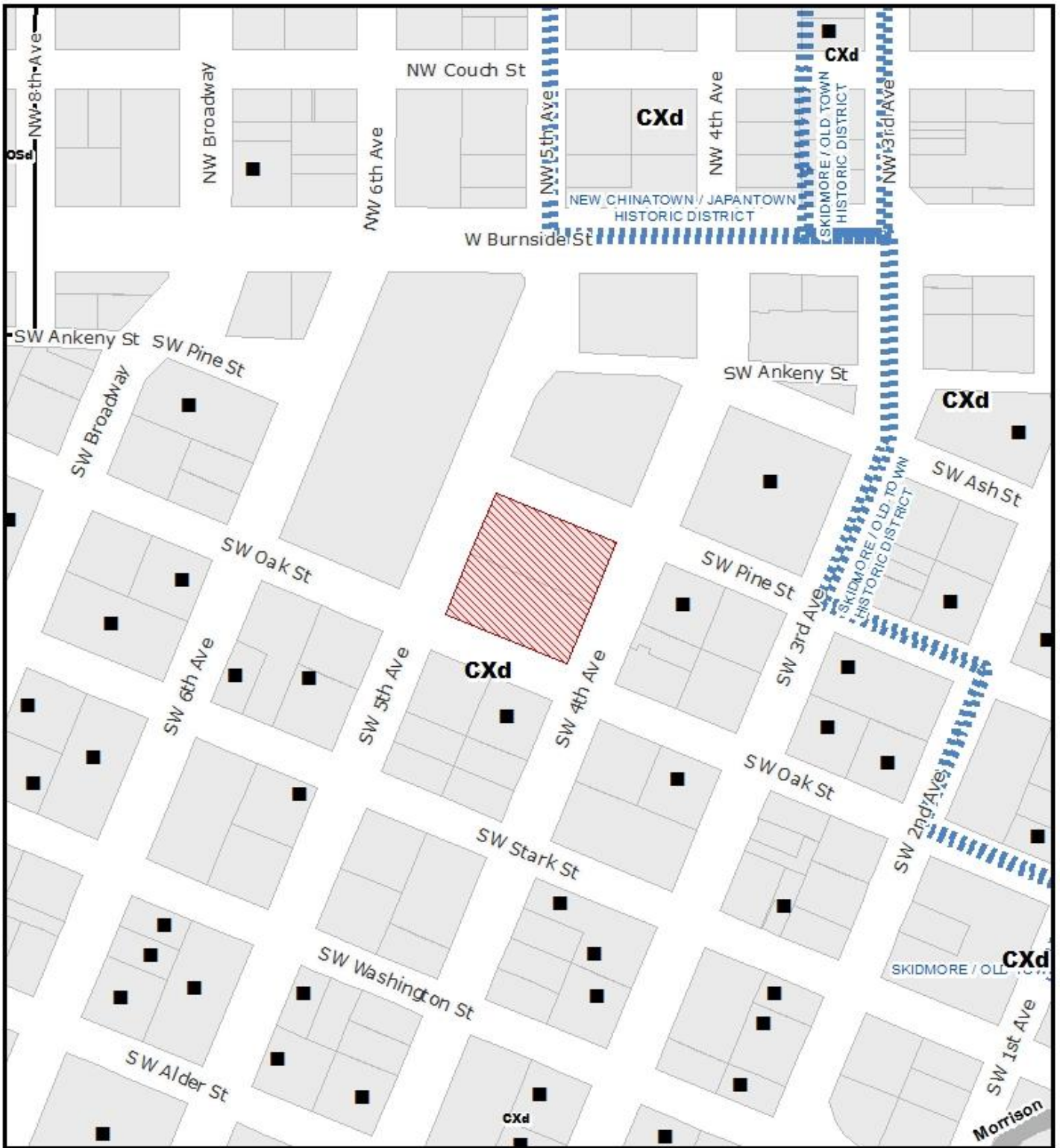
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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


EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 - 1. Project Narrative and Site Plan (attached)
 - 2. Site Photos
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. First Floor Plan (Attached)
 - 2. North Elevation
 - 3. East Elevation
 - 4. West Elevation
 - 5. South Elevation
 - 6. Wall Section East and North Side
 - 7. North Side Storefront Plan and Section
 - 8. East Elevation Storefront Section and Cut Sheet
 - 9. Existing and Proposed Cornice Section
 - 10. North Elevation Existing and Proposed Rendering, Op. 1
 - 11. North Elevation Existing and Proposed Rendering, Op. 2
 - 12. East Elevation Existing and Proposed Rendering
 - 13. Northeast Corner Rendering Existing and Proposed
 - 14. Northwest Corner Rendering Existing and Proposed
 - 15. Southeast Corner Rendering Existing and Proposed
 - 16. Southwest Corner Rendering Existing and Proposed
 - 17. Section through Oak Street Entry
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Fire Bureau
 - 2. Life Safety Division of BDS
 - 3. Site Development Section of BDS
- F. Correspondence: None
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter

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 
 NORTH

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

-  Site
-  Historic Landmark
-  Bridge

File No.	LU 17-284358 DZ
1/4 Section	3029
Scale	1 inch = 200 feet
State ID	1N1E34CD 3000
Exhibit	B Dec 18, 2017

REMOVE EXISTING GLAZING.
 PROPOSED LOCATION OF
 NEW ~~ALUMINUM~~ METAL DOORS
 AND WALL WITH PAINTED
 TILE TO MATCH - SEE
 ELEVATION.

ALUMINUM STOREFRONT

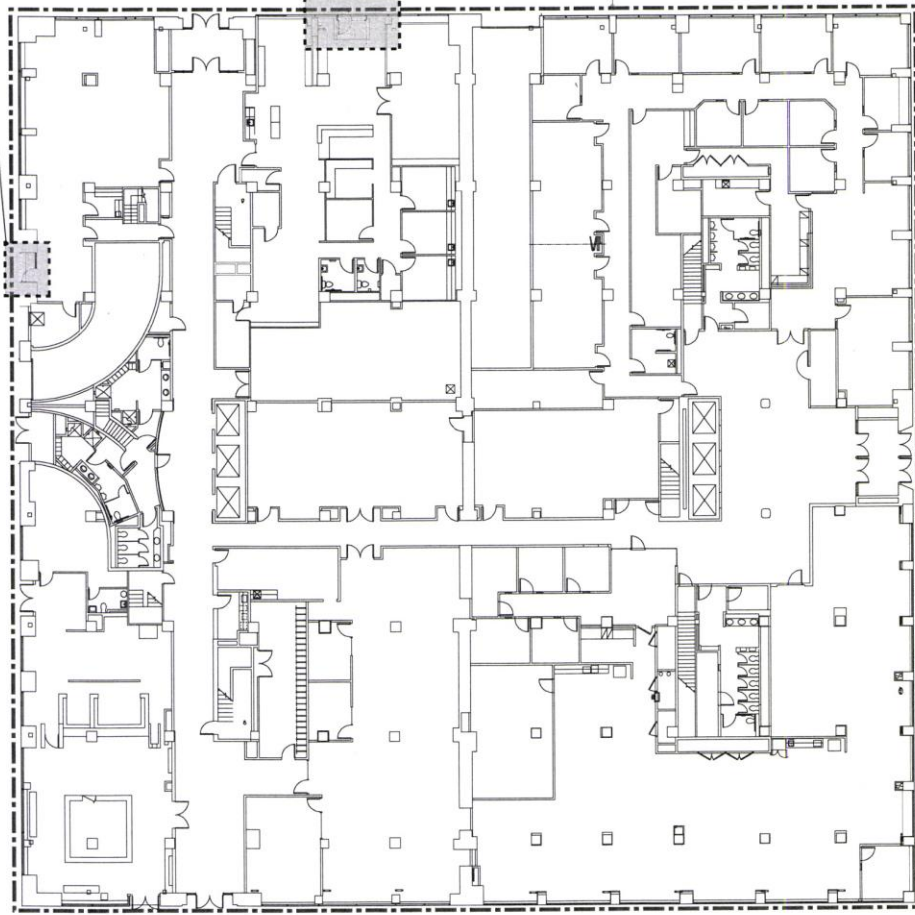
Approved
 City of Portland
 Bureau of Development Services

Planner SM
 Date 10/5/18

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

REMOVE PORTION OF EXISTING GLAZING AND REPAIR EXISTING PORTION OF NEW ALUMINUM LOCATION STOREFRONT TO MATCH - SEE ELEVATION.

REVISION: REMOVE EXISTING BASE CORNICE & REPLACE WITH NEW CORNICE AT ALL SIDES OF BUILDING.



FIRST FLOOR PLAN

LU 17-284358BZ
 EXHIBIT C-1