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To Lorelei Juntunen
ECONorthwest
888 SW Fifth Ave., Suite 1460
Portland, OR 97204
(p) 503.222.6060
(f) 503.222.1504

From Calvert Helms

Subject Memorial Coliseum
Landmarks Technical Memo - **DRAFT**

Project No. 09020

Distribution Kevin Brake – PDC
Karl Lisle, Nicholas Starin – City of Portland BPS
David Skilton – City of Portland BDS
John Meadows – Boora Architects

The following information is based on initial interviews with Roger Roper of SHPO, Karl Lisle and Nicholas Starin of BPS and David Skilton of BDS as well as a review of the project's National Register of Historic Places Registration Form. This information will be verified and amended as the project progresses.

On September 10, 2009 Portland's Memorial Coliseum was listed by the US Department of the Interior's National Park Service on the National Register of Historic Places. This listing was the result of efforts by a group of Portland citizens to formally recognize the building as one of enduring architectural significance. This listing has a number of implications for future re-use, rehabilitation and/or reconfiguration of the building and its site as outlined in this memo. Specific topics addressed are:

- The process for listing the property and the governing agencies
- The listing criteria for the Memorial Coliseum approved by the National Park Service
- The reviewing agencies who will rule on future alterations to the property

- The regulations that govern alterations to the property
- The Historic Design Review process
- Incentives available (assuming private ownership)

Process for National Register listing/governing agencies:

1. The building was nominated by citizens by completion of a registration form. As the property is publicly owned, citizens are considered the Owners of the property and thus able to nominate the property.
2. The registration form was reviewed, revised and forwarded for approval by:
 - a. City of Portland Bureau of Planning and Sustainability and the Portland Historic Landmarks Commission
 - b. Oregon State Historic Preservation Office (SHPO)
3. The registration form proceeded to the Keeper of the National Register within the National Park Service for final review and listing.
4. Per Oregon Administrative Rule 660-023-200 (8), local governments must protect properties listed in the National Register as if they were locally designated landmarks.

Listing criteria:

The Memorial Coliseum is listed under National Register Eligibility Criterion C, for its architectural significance.

As part of the nomination document, the following were determined to be the key architectural attributes of landmark significance:

1. The sculptural bowl in the unadorned glass box
 - a. Undulating concrete seating bowl visible from the exterior
 - b. Material contrast of form & material from outside to inside
 - c. Connection to river and city views from inside seating area
 - d. Clarity of the building structural support
 - i. 4 freestanding concrete columns
 1. no additional interior supports
 2. provides dynamic spatial experience
 - ii. Steel hemisphere bearing points for roof trusses (first such use)
 - iii. Long-span roof structure
 - iv. Laminated wood mullions at curtainwall (85' tall)
2. The tri-partite massing
 - a. Concrete/bermed plinth (inset from plane of curtainwall so that glass box floats above)
 - b. Glass curtainwall

- c. Opaque fascia
- 3. Entry canopy adjacent to but not engaging the Coliseum
- 4. Main entry plaza contributes to separation of building from surrounding fabric – isolates it as a sculptural object
- 5. Sunken plazas
 - a. Each contains a Veterans memorial wall

It was noted that the meeting rooms and exhibit spaces in the basement do not contribute directly to the significant architectural qualities of the Coliseum.

Reviewing Agencies for Future Development:

Future renovation and/or development of the building will now fall under the following purview:

1. If the property remains publicly owned and no federal funding or tax exemptions are pursued, the City of Portland will regulate the process.
2. If the property is sold to a tax-paying entity and federal funds and/or tax incentives are desired, SHPO will review the project and make a recommendation to the National Park Service who will issue a decision. The City of Portland will also review and issue a decision. It is important to note that there may be areas of conflict between reviewing agencies and that city, state and federal jurisdictions are independent of one another.
3. Conflicts have traditionally been resolved by interagency consultation and cooperation.

Governing Regulations:

Development or redevelopment of the property is governed by provisions in Title 33, Portland Zoning Code, most notably by:

1. 33.130 – Commercial Base Zone, CX or Central Commercial
2. 33.420 and 33.445 – Design Overlay and Historic Resource Protection Overlay
3. 33.510 – Central City Plan District, Lloyd Sub-District
4. 33.846.060 – Historic Design Review

The applicable approval criteria for the Historic Design Review would be:

1. 33.846.060 G. – Other Approval Criteria
2. Central City Fundamental Design Guidelines
3. Lloyd District Design Guidelines

Conflicts among approval criteria are resolved in favor of 33.846.060 G.

Another resource available is the Secretary of the Interior's Standards for Rehabilitation. While the City's approval criteria take precedence, this is a useful tool for understanding the philosophical underpinnings of historic preservation. Adherence to the Secretary of the Interior's standards will result in approval by the City, but as previously noted, adherence to the City's standards might not always result in approval by SHPO (when required), most notably in regard to interior improvements. While the City does not typically review interior improvements for many historic properties, it is important to note that the National Register application explicitly links the interior to the exterior of the Memorial Coliseum and consequently interior renovation will be reviewed.

Once a project has satisfied the zoning requirements and has applied for a building permit, there are specific sections of the Oregon Structural Specialty Code that address historic structures. In particular, seismic upgrades are not required if there is no change of use or appreciable increase in occupant load. Additional guidelines are included in the FLEx Guide – Fire & Life Safety Guide for Existing Buildings that allows certain improvements to forego an appeals process that would be required for new construction.

Design Review Process:

The City's Historic Design Review process will take one of four paths, depending on the nature of the proposed development.

1. **No review** – this applies only to repair or maintenance projects. Interior renovations fall into this category for many other projects, but given the unambiguous listing of the Coliseum's interior features noted above, such will not be the case for the Memorial Coliseum. The one exception may be the sub-grade exhibit hall and meeting rooms. Proposed repair/maintenance projects will be closely scrutinized to determine if they appropriately fall into this category.

2. **Type I Historic Design Review** – applies to installation of mechanical equipment on the exterior of a building, awnings, signage less than 150 square feet and alteration of less than 500 square feet.

3. **Type II Historic Design Review** – applies to minor renovation projects valued at less than \$368,300. This level of review does not trigger a public hearing, decisions will be rendered by the BDS staff and appeals will be made to the Historic Landmarks Commission. BDS has 6-8 weeks from the time a complete application is received until they must render a decision. In all cases a final local decision (including any appeal) must be made within 120 days of a complete application, unless the applicant waives that right.

4. Type III Historic Design Review – applies to major renovation projects valued over \$368,300. This level of review includes a public hearing with the Historic Landmarks Commission who will render their decision. Appeals are made to the Portland City Council. The hearing must be scheduled within 51 days of receipt of a complete application and a decision rendered with 120 days of the receipt of the complete application.

Projects that fall under Type III Review can benefit from a Design Advice session with the Historic Landmarks Commission (HLC). This is a non-binding review early in the process that will help an applicant understand the issues that the HLC deems to be most relevant. Proposals can be conceptual and contain alternative development approaches.

5. Type IV Demolition Review – applies to applications to demolish the property. The Historic Landmark Committee reviews the application and makes a recommendation to the City Council, who renders the decision. Appeals are made to the Land Use Board of Appeals. The City Council hearing must be scheduled within 71 days of the receipt of a complete application and a decision rendered within 120 days of the receipt of the complete application. Should the applicant so choose, the decision may be waived up to 365 days.

If a project is denied by the Historic Landmarks Commission in a Historic Design Review process, it could be appealed to the City Council. If an appeal is successful and a project realized that is later found to significantly compromise the historic character of the building, it is possible that a building could be removed from the National Register. This eventuality would occur if a de-listing application were made to SHPO, following a public process with reviews at the local, state, and federal levels.

Project Incentives:

Should the Memorial Coliseum project have private financial investors, be sold to a private entity or other tax pass through measures developed, there are a variety of voluntary financial incentives available to the project.

1. Federal Historic Rehabilitation Tax Credits – a bottom line reduction in federal income taxes paid by a for-profit entity, equal to 20% of the qualified rehabilitation costs. The project will undergo Historic Design Review, a review and recommendation by SHPO for compliance with the Secretary of the Interior’s Standards for Rehabilitation and a final decision will be rendered by the National Park Service.

2. Special Assessment of Historic Property - provides a 10 year property tax freeze. The project will undergo a Historic Design Review at the City level as well as by SHPO. As noted previously, this could be an area of potential conflict as the City may have more lenient standards with regard to interior improvements than SHPO.
3. City of Portland Zoning Incentives – technically the project is eligible for FAR transfer benefits although there is currently no precedent for the City doing this with City owned property. A private owner could use FAR transfer.
4. PDC Incentives – PDC provides several incentives for the rehabilitation of historic properties, including Development Opportunity Services, the Storefront Improvement Program and the Seismic Loan Program. None of these programs, however, appear to be applicable to this project.

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