



City of Portland
Bureau of Development Services
Land Use Services Division

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Date: Monday, June 9, 2008
To: Interested Person
From: Kate Marcello, Land Use Services
503-823-9162 / kate.marcello@ci.portland.or.us

NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 08-113728 HDZM **INTERACTIVE ART DISPLAY**

GENERAL INFORMATION

Applicant: Stephanie Pierce, 24-Hour Church of Elvis
P.O. Box 1813 / Portland, OR 97207
(503) 226-3671

Owner: Goldsmith Holdings LLC
P.O. Box 10131 / Portland, OR 97296

Site Address: 33 NW 4th Ave

Legal Description: LOT 5&8 BLOCK 32, COUCHS ADD
Tax Account No.: R180202540
State ID No.: 1N1E34CA 11100
Quarter Section: 3029
Neighborhood: Old Town-China Town, contact Carol McCreary at 503-984-4081.
Business District: Old Town Chinatown Business Association, contact Dorian Yee at 503-224-7066.

District Coalition: None
Plan District: Central City - River District
Other Designations: Located in the New Chinatown/Japantown Historic District
Zoning: Central Commercial with design overlay (CXd)
Case Type: Historic Design Review with a Modification (HDZM)
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal: The applicant requests Historic Design Review approval to install an interactive art display at the NW Couch Street façade of the Goldsmith Block. The display will be installed at an existing display window that is 7'-7" wide x 6'-0" tall. The existing concrete sill below the window will remain. The existing aluminum-framed glass will be removed and replaced with a combination of wood and 1/2-inch-thick clear acrylic. The entire display will be framed with zinc flashing. There will be a required egress door at the center. The

display will have wood-framed acrylic windows that provide views of the art inside. There will be a sloped shelf, akin to the sloped shelf at an automatic bank teller machine, to the left and right of the egress door. Clear acrylic on the sloped shelves will also allow views of the art inside. All wood surfaces of the display will be painted with exterior-grade paint. Signage will be painted on the wood, also using exterior-grade paint.

Because the project includes exterior alterations to a structure in a historic district, Historic Design Review is required.

Modification: Per the Sign Code (Title 32), the entire proposed art display window, which is approximately 45.5 square feet in size, constitutes “signage.” According to 32.32.020, the allowed signage area for the art display window is 32 square feet. Because the total signage area will be 45.5 square feet, which is 13.5 square feet more than the amount allowed, a Modification is required.

Relevant Approval Criteria:

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

- 33.846 Historic Review
- 33.846.070 Modification Considered During Historic Design Review
- Central City Fundamental Design Guidelines
- River District Design Guidelines
- Title 32 Sign Code

ANALYSIS

Site and Vicinity: The site is the Goldsmith Building, which is actually comprised of two buildings that are internally connected. The proposal will be located in the eastern building, which was constructed in 1924. The building is two stories tall and composed of concrete. The proposed display will be located on the NW 4th Avenue façade of the building, facing a full-block parking lot directly across the street. The site is located in the New Chinatown/Japantown Historic District, which became a National Register Historic District in 1989. With regard to surrounding transportation infrastructure, the newly renovated and expanded Transit Mall, set to open in 2009, will be located about 50 feet north of the proposed display. The Transit Mall will provide the site with ample access to several bus routes and all of the MAX Light Rail lines.

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.

The design (d) overlay zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. 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 Historic Resource Protection overlay zone is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks. The regulations that pertain to these properties protect certain historic resources in the region and preserve significant parts of the region's heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

Land Use History: City records indicate one prior land use review:

- LU 06-122463 HDZ: Approval for exterior alterations to the Goldsmith Building.

Agency Review: A *Notice of Proposal in Your Neighborhood* was mailed on April 16, 2008. The following Bureaus have responded with no issues or concerns:

- Portland Fire & Rescue;
- Portland Water Bureau;
- Bureau of Environmental Services;
- Bureau of Transportation Engineering & Development;
- Urban Forestry Division of Portland Parks & Recreation; and
- Site Development Section of the Bureau of Development Services.

The Life Safety (Building Code) Section of the Bureau of Development Services responded with the following comment. Please see Exhibit E-1 for additional details.

A Building Permit has been applied for and is currently under review or has been issued, or a Life Safety plans examiner has been in contact with the applicant. Please refer to correspondence from the Life Safety plans examiner for building code-related comments.

Neighborhood Review: A *Notice of Proposal in Your Neighborhood* was mailed on April 16, 2008. One response was received in response to the proposal. The response was sent on April 16, 2008 via electronic mail from Carol McCreary, chair of the Old Town-Chinatown neighborhood association. The message states support for the proposal, saying that it “activates an otherwise difficult sidewalk opposite a parking lot.” For additional details, please see Exhibit F-1.

ZONING CODE APPROVAL CRITERIA

1. Design Review

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 and River District Guidelines.

River District Design Guidelines and Central City Fundamental Design Guidelines

The River District is planned to become a place that is remarkable within the region. The area is intended to grow rich with special and diverse qualities that are, or will become characteristic of Portland. Further, the River District will accommodate a significant portion of the region’s population growth. The plan calls for the creation of a new community of dense neighborhoods, housing a resident population of over 15,000 people, and providing jobs, services, and recreation to this population and others. This area is intended to emphasize the joy of the river, connections to it, and create a sense of community. The goals frame the urban design direction for Central City and River District development.

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.

River District Design Goals

1. Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
2. Create a community of distinct neighborhoods that accommodates a significant part of the region's residential growth.
3. Enhance the District's character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
4. Strengthen connections within River District, and to adjacent areas.

Central City Plan Design Goals

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.

Findings for A2: The proposal adds a unique interactive art element to the Central City pedestrian environment. It will easily support Portland's richly diverse, engaging pedestrian environment. *Therefore this guideline is met.*

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

A5-1. Reinforce Distinct Areas.

Enhance the qualities that make each area distinctive within the River District, using the following "Area Design Guidelines" (A5-1-1 – A5-1-8).

A5-1-6. Reinforce the Identity of Chinatown.

This guideline may be accomplished by:

- a. Emphasizing the Asian ambiance of Chinatown with visual and cultural design features that relate to, and are appropriate to, the District's ethnic history and character; or
- b. Using ornate signs that enhance the ethnic character of the District.

Lighted signs may be approved which exceed maximum area, number, projection, height and lighting regulations, or which flash or include exposed incandescent lamps, provided they constructively add to festive atmosphere of the District. Traditional sign lighting methods, such as incandescent lamps and neon tubing are preferred. If internal lighting is used, letter forms should be illuminated brighter than the sign background. The background should use a predominance of deep-toned color;

Signs that are not lighted, and which conform with regulations governing projection but exceed maximum number, area, and height regulations, may be approved. Signs made of impermanent materials which can be moved by the wind, such as banners, flags, and ornaments, may be permitted if found to be consistent with Chinatown's character.

A5-6. Incorporate Works of Art.

Incorporate works of art or other special design features that increase the public enjoyment of the District.

C1-2. Integrate Signs and Awnings.

Integrate signs and awnings to be complementary and respectful of a building's architecture. This guideline may be accomplished by:

- a. Placing signs and awnings to fit with and respect a building's architecture;
- b. Avoiding large, excessively illuminated or freestanding signs that contribute to visual clutter; or
- c. Integrating with a building's design, an exterior sign program/system for flexible sidewalk level space that accommodates changing tenants.

C4. Complement the Context of Existing Buildings.

Complement the context of existing buildings by using and adding to the local design vocabulary.

C13. Integrate Signs.

Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

D4. New China/Japantown Unique Sign District.

Provide opportunities for the development of suitably ornate signs, using motifs, symbols, bright colors, and celebrative forms that add to the atmosphere and character of New China/Japantown. Size and place signs and their structural support systems so that significant architectural or historical features of the building are not concealed or disfigured. Ensure that all signs receive proper maintenance.

Findings for A4, A5, A5-1, A5-1-6, A5-6, C4, C1-2, C13, D4: The incorporation of art is inherent to the proposal. The Old Town/Chinatown area has distinguished itself as a hub of pop, folk, and outsider art, where Portland's world-renown do-it-yourself aesthetic is reflected and admired. First Thursday art walks in Old Town/Chinatown have become a monthly draw for the area, demonstrating the popularity of its distinct brand of art. The proposed display will contribute to the unique arts identity of the area and increase public enjoyment of the District. Additionally, the proposed display will have characteristics in common with signage in the New China/Japantown area, including the use of bright colors; materials and form that recall traditional wooden storefronts found in New China/Japantown; and finely scaled, pedestrian-oriented visual details that Great Streets author Allan Jacobs would describe as "qualities that engage the eyes."

It will be located within an existing glazed display window, which will be removed and stored away in order to accommodate the proposed storefront display. The glazed display window to be removed had been created as part of the building's recent renovation and conversion from the Portland Art Center to the Goldsmith Building Artist Spaces, approved under LU 06-122463 HDZ. The display window was planned to showcase artwork. Previously, an abandoned elevator shaft occupied the space. Thus the proposed storefront display will not cause any "significant architectural or historical features of the building" to become "concealed or disfigured" in any way. Additionally, the storefront display will "receive proper

maintenance.” The façade will be re-painted as necessary, and scratches that might appear on the acrylic panels will be repaired. The proposed display will be maintained with the same care and attention that would be afforded a retail storefront. *Therefore these guidelines are met.*

A6. Reuse/Rehabilitate/Restore Buildings.

Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

Findings for A6: The proposal creatively re-uses an abandoned elevator shaft as the space for an art display. Rather than remain a useless vestige of the building’s past, the elevator shaft has been given a new purpose. *Therefore this guideline is met.*

A7. Establish and Maintain a Sense of Urban Enclosure.

Define public rights-of-way by creating and maintaining a sense of urban enclosure.

A8. Contribute to a Vibrant Streetscape.

Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings’ active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

B1. Reinforce and Enhance the Pedestrian System.

Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

B1-1. Provide Human Scale to Buildings along Walkways.

Provide human scale and interest to buildings along sidewalks and walkways.

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 for A7, A8, B1, B1-1, C8: The proposed display contributes to a vibrant streetscape. It fosters a connection between adjacent sidewalks and the Goldsmith Building by providing a hint of the artistic, creative activities occurring within the building’s active interior. This adds definition to the building frontage zone by increasing articulation of the building façade and providing a humanly scaled, sidewalk-level interactive element. The display’s location right at the edge of the building, directly facing the sidewalk, strengthens the sense of urban enclosure along NW 4th Avenue. This is a welcome improvement, given the existence of a full-block parking lot directly across 4th Avenue. *Therefore these guidelines are met.*

B4. Provide Stopping and Viewing Places.

Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.

B5. Make Plazas, Parks and Open Space Successful.

Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.

C1. Enhance View Opportunities.

Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

Findings for B4, B5, C1: By strengthening the pedestrian orientation of the area, the proposal will contribute to the success of the newly renovated Transit Mall along

NW 5th Avenue. There will be a stop at NW 5th and Couch, approximately 50 feet from the display window, for all MAX lines – Blue, Red, Yellow, and Green. The proximity of the Transit Mall will make it easy for visitors to travel to the display window via bus or MAX light rail.

The storefront display is an interactive pedestrian feature that will encourage people to stop and linger on the sidewalk, thus providing around-the-clock “eyes on the street” that can increase transit riders’ safety and sense of security. Given the existence of a full-block surface parking lot directly north of the site, a pedestrian improvement is a welcome addition to this part of the neighborhood. *Therefore these guidelines are met.*

B7. Integrate Barrier-Free Design.

Integrate access systems for all people with the building’s overall design concept.

Findings for B7: The display will be accessible to people with physical disabilities. On proposed display, the sloped portions will be accessible to people in wheelchairs, thus integrating barrier-free design into the overall design concept. *Therefore this guideline is met.*

C2. Promote Quality and Permanence in Development.

Use design principles and building materials that promote quality and permanence.

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 C2, C5: The proposal employs materials that impart a sense of permanence. The “windows” of the display will be composed of ½”-thick clear acrylic. This makes it an appropriately durable material for the display, considering its interactive nature. The solid portions of the display will be composed of wood framing and ½”-thick exterior-grade oak plywood sheathed with ½”-thick medium-density overlay (MDO) wood for increased weather resistance. All MDO surfaces will be painted using exterior-grade paint. Wood 1x1 trim will be placed around the window openings. Zinc flashing will be placed at the edges of the display where it meets the wall of the existing building. The signage will all be painted with exterior-grade paint. These materials form a cohesive composition. *Therefore these guidelines are met.*

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.

Findings for C3: The proposed display respects the architectural integrity of the Goldsmith Building. The display will be located within an existing opening, which will be removed and stored away in order to accommodate the storefront display. The display window to be removed is not original to the building; rather, it was created as part of the building’s recent renovation and conversion from the Portland Art Center to the Goldsmith Building artist spaces, approved under LU 06-122463 HDZ. The display window was intended to showcase artwork. Previously, an abandoned elevator shaft occupied the space. The proposed display takes advantage of this newly created space without affecting the architectural integrity of the building. The display has a simple storefront-style configuration that it allows it to co-exist with the design of the existing building. Previously, the design of the display included a few Victorian-style elements; these have been scaled back to enable the proposal to respect the architectural integrity of the Goldsmith Building. *Therefore this guideline is met.*

C9. Develop Flexible Sidewalk-Level Spaces.

Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

Findings for C9: The storefront display will be located in precisely the sort of flexible sidewalk-level space this guideline emphasizes. The display window area was created as part of the building's recent renovation and conversion to the Goldsmith Artist Spaces, approved under LU 06-122463 HDZ. The display window to be removed was intended to showcase artwork. Previously, an abandoned elevator shaft occupied the space. To accommodate the proposed display, the glazing will be removed and stored away, so it can be re-inserted at a later date if necessary. Thus the proposal takes advantage of a flexible sidewalk-level space and allows it to remain flexible in the future. *Therefore this guideline is met.*

2. Modification**33.846.070 Modification Considered During Historic Design Review**

The approval criteria for modifications considered during historic design review are:

- A. Better meets historic design review approval criteria.** The resulting development will better meet the approval criteria for historic design review than would a design that meets the standard being modified; and
- B. Purpose of the standard.**
 1. The resulting development will meet the purpose of the standard being modified; or
 2. The preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.

The following modification is requested:

The applicant requests a Modification to 32.32.020 (Title 32: "Signs and Related Regulations"). Per 32.32.020, the art display space is allowed to have 32 square feet of signage. The entire 45.5-square-foot display is considered "signage" by the Sign Code. This exceeds the allowable amount of signage by 13.5 square feet. Therefore a Modification is required.

As stated in the zoning code, the purposes of 32.32.020 are as follows:

The regulations for signs and awnings have the following specific objectives:

- A. To ensure that signs and awnings are designed, constructed, installed, and maintained according to minimum standards to safeguard life, health, property, and public welfare;*
- B. To allow and promote positive conditions for sign communication while at the same time avoiding nuisances to nearby properties;*
- C. To reflect and support the desired character and development patterns of the various zones, overlay zones, and plan districts and promote an attractive environment;*
- D. To allow for adequate and effective signs in commercial and industrial zones while preventing signs from dominating the appearance of an area; and*
- E. To ensure that the constitutionally guaranteed right of free speech is protected.*

The regulations allow for a variety of sign types and sizes for a site. The provisions do not ensure or provide for every property or business owner's desired level of visibility for the signs. The sign standards are intended to allow signs to have adequate visibility from streets and rights-of-way that abut a site, but not necessarily to streets and rights-of-way farther away.

Findings: With the Modification to 32.32.020, the proposal better meets historic design review approval criteria. Allowing the display to have several small areas of text lettering, which must be measured as one large sign, supports the display's interactivity and increases its interest in the sidewalk environment, allowing it to better meet Guideline B4:

Provide Stopping and Viewing Places and A8: Contribute to a Vibrant Streetscape.

Additionally, the display will still meet the purposes of the standard being modified. The display will be constructed and maintained according to minimum standards to protect life, health, property, and public welfare. The display promotes positive conditions for sign communication, due to the proper location, scale, and proportions of its painted lettering. The display is a positive addition to the neighborhood, one of the oldest and therefore most intrinsically pedestrian districts in the City of Portland. Each individual "sign" is modestly sized and made of high-quality exterior-grade paint. The display reflects and supports the desired character and development patterns of the Central City Plan District, which calls for a pedestrian-oriented, human-scaled, engaging urban environment. The display will not dominate the appearance of the surrounding area.

Therefore, as Modification approval criteria "A" and "B" are met, the Modification merits approval.

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 purpose of the historic design review process is to ensure that exterior alterations to existing buildings protect the integrity of the special characteristics of the historic resources. The proposed display employs appropriate durable materials to create a unique, highly engaging new art display. The display fosters an active pedestrian environment and supports the distinct arts identity of the neighborhood. It introduces a unique artistic element to the NW 4th Avenue façade of the Goldsmith Building while maintaining respect for the building's character. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of an interactive art display, and approval of a Modification to 32.32.020 to allow 45.5 square feet of signage.

Approval per the approved site plans, Exhibits C-1 through C-4, signed and dated 06/05/08 subject to the following condition:

- 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 through C-4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-113728 HDZM. No field changes allowed."

Decision rendered by:  **on June 5, 2008.**

By authority of the Director of the Bureau of Development Services

Decision mailed: June 9, 2008

Staff Planner: Kate Marcello

About this Decision. This land use decision is **not a permit** for development. A Final Plat must be completed and recorded before the proposed lots can be sold or developed.

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 March 6, 2008, and was determined to be complete on March 20, 2008.

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 March 6, 2008.

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.

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.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

The file and all evidence on this case is available for your review by appointment. Please contact the receptionist at 503-823-7967 to schedule an appointment. Copies of all information in the file can be obtained for a fee equal to the cost for such services. You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of the Portland Zoning Code, by visiting the City's homepage on the Internet at www.portlandonline.com.

Recording the final decision.

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **June 9, 2008**. 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 503-823-7967.

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:

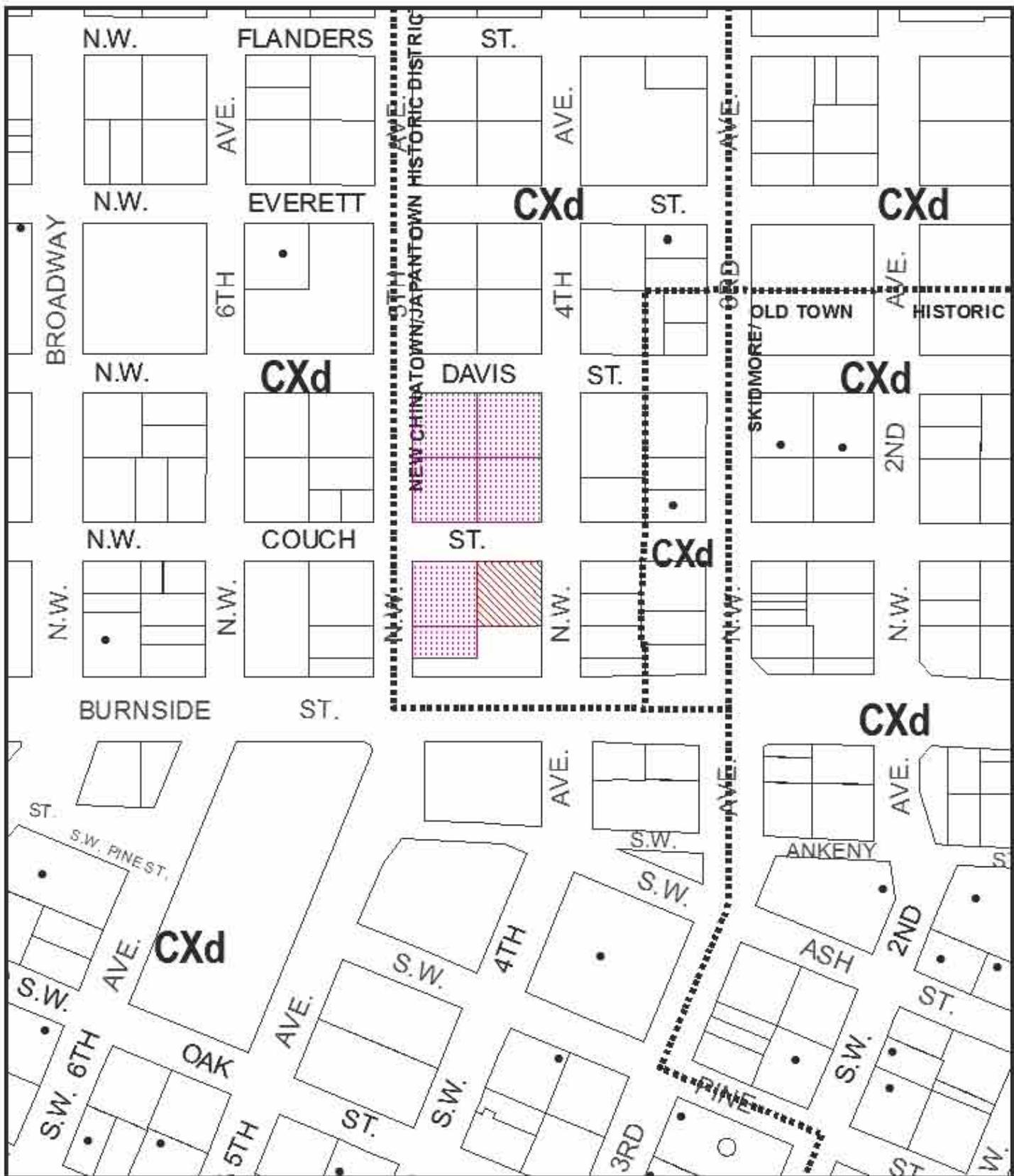
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan and Elevation Drawing of Building Facade (*attached*)
 2. Plan View of Art Display (*attached*)
 3. Elevation Drawing of Art Display (*attached*)
 4. Section Drawings (*attached*)
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Life Safety (Building Code) Section of the Bureau of Development Services
- F. Correspondence:
 1. Carol McCreary, 04/17/08, in support of the proposal
- G. Other:
 1. Original LU Application
 2. Site History Research

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



ZONING

-  Site
-  Also Owned
-  Historic Landmark

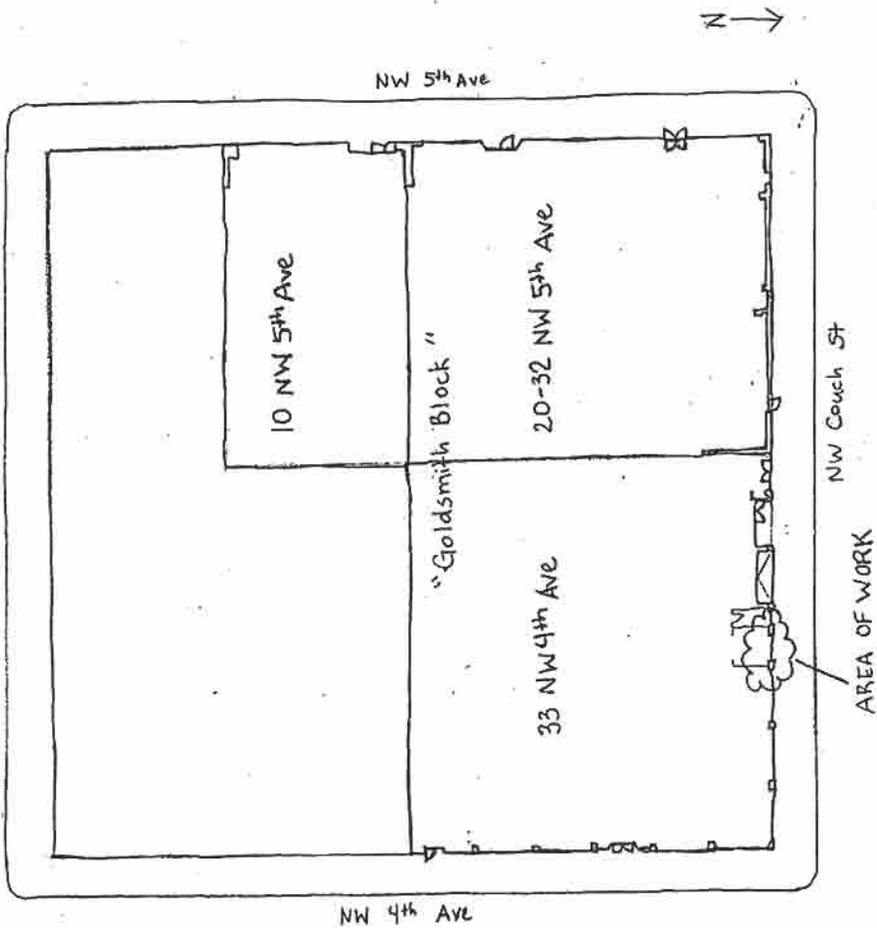
This site lies within the:
NEW CHINATOWN/JAPANTOWN HISTORIC DISTRICT
CENTRAL CITY PLAN DISTRICT



File No. LU 08-113728 HDZM
 1/4 Section 3029
 Scale 1 inch = 200 feet
 State_Id 1N1E34CA 11100
 Exhibit B (Apr 14, 2008)

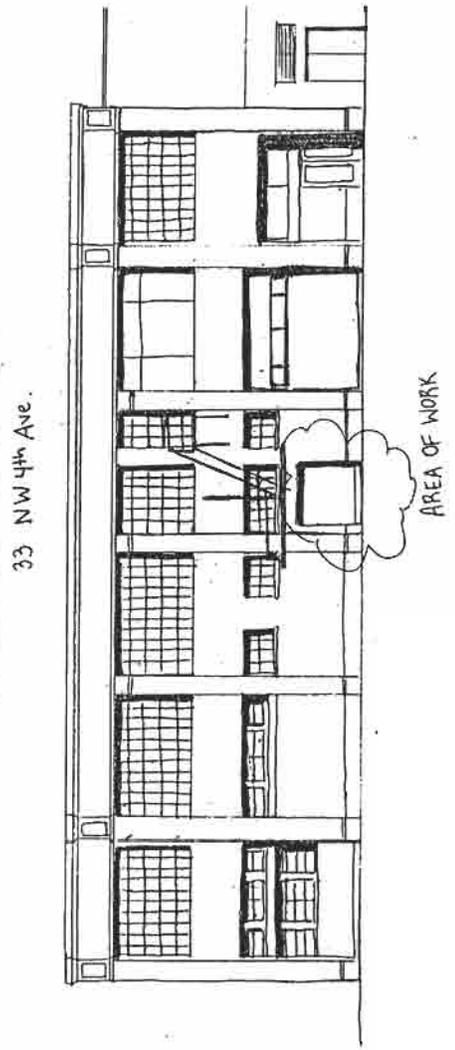
Exhibit C-1
LU 08-113728 HPZM

SITE PLAN



Approved
City of Portland - Bureau of Development Services
Planner *Kathryn Ward*
Date 6-5-08
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

ELEVATION DRAWING (north facade)

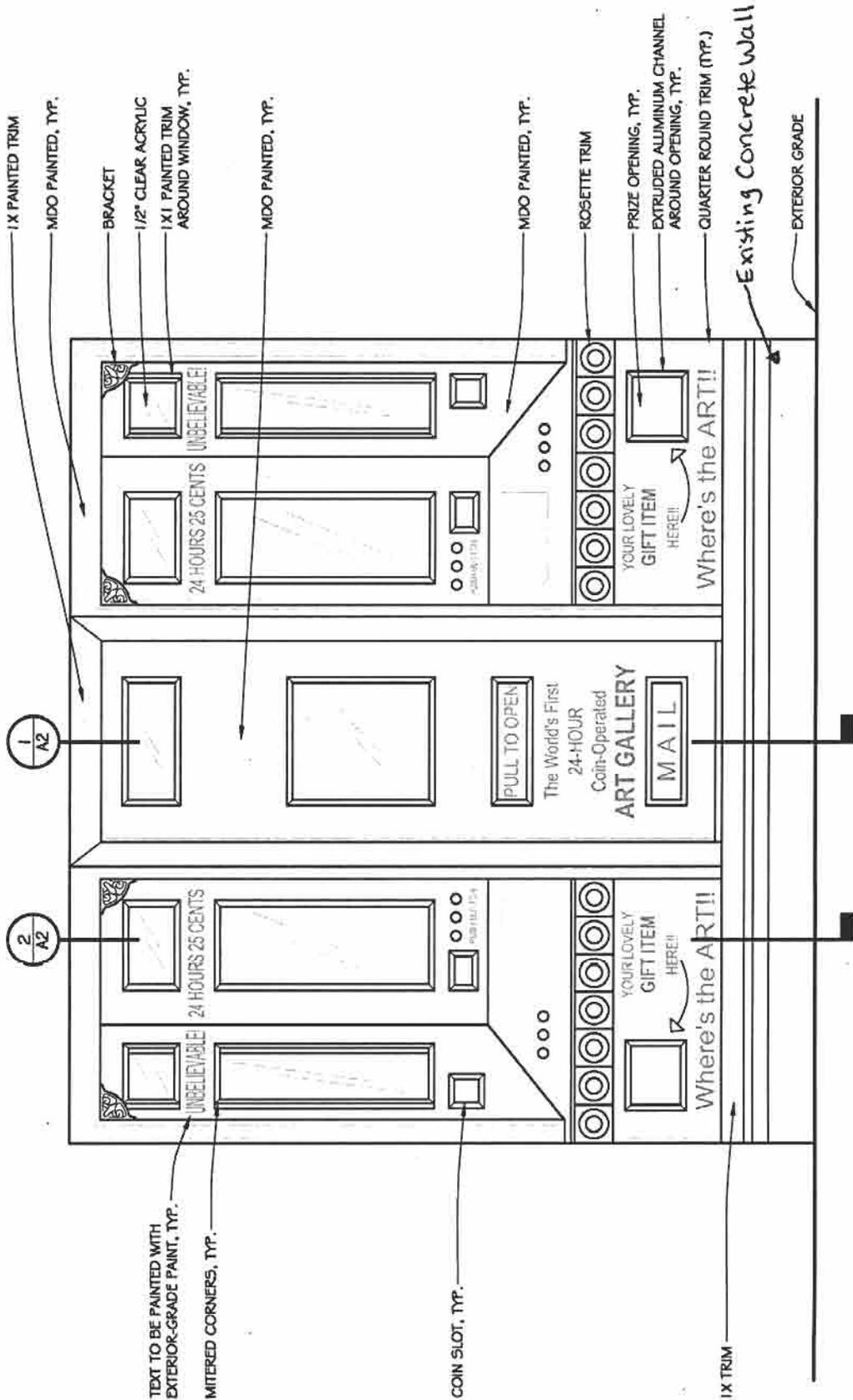


Reduced Sheet Size.

LU 08-113128 HDZM

Exhibit C-3

Stephanie Pierce
P.O. Box 1813
Portland, OR 97207
503-226-3671



WHERE'S THE ART!!
24 HOUR CHURCH OF ELVIS
408 NW Couch St, Portland, Oregon 97209

DATE: 6.1.08

A3

Front Elevation
1" = 1'-0"

Approved
 City of Portland - Bureau of Development Services
 Planner *Katherine Maxwell* Date *6-5-08*
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

3/A2

Reduced Sheet Size.

LU 08-113728 HDZM

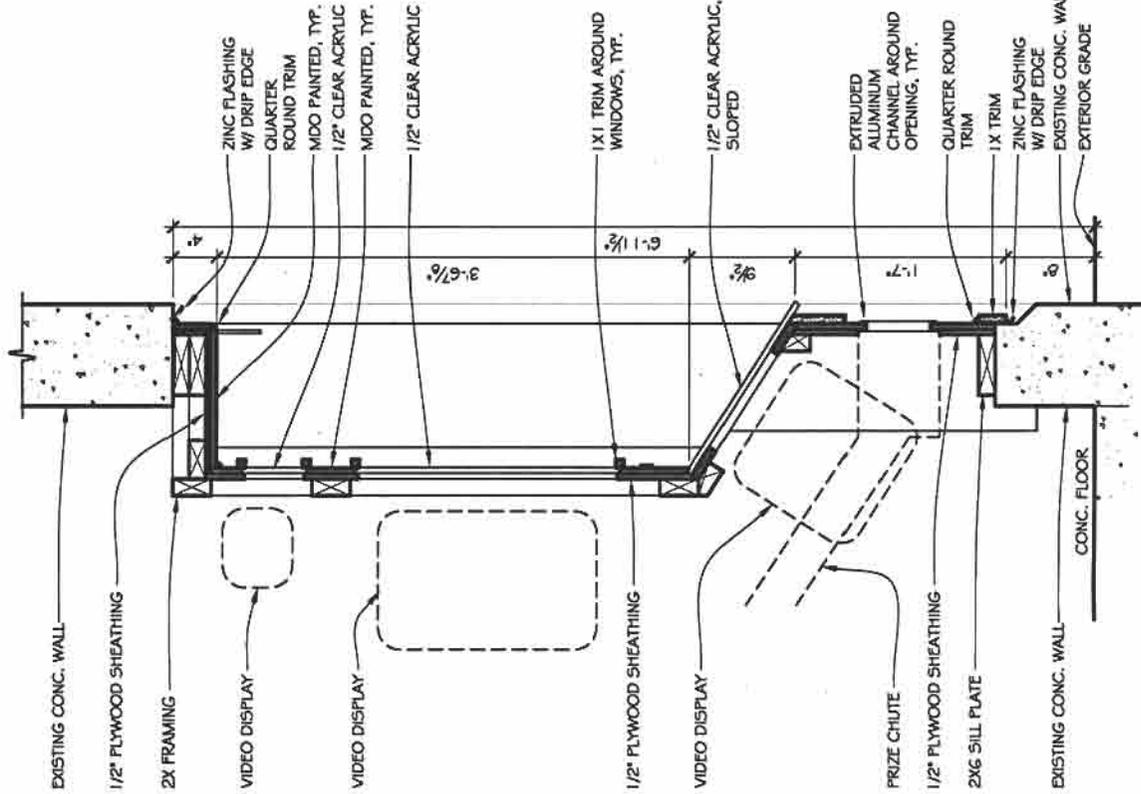
Exhibit C-4

Stephanie Placer
P.O. Box 1813
Portland, OR 97207
503-226-3671

WHERE'S THE ART!!
24 HOUR CHURCH OF ELVIS
408 NW Couch St, Portland, Oregon 97209

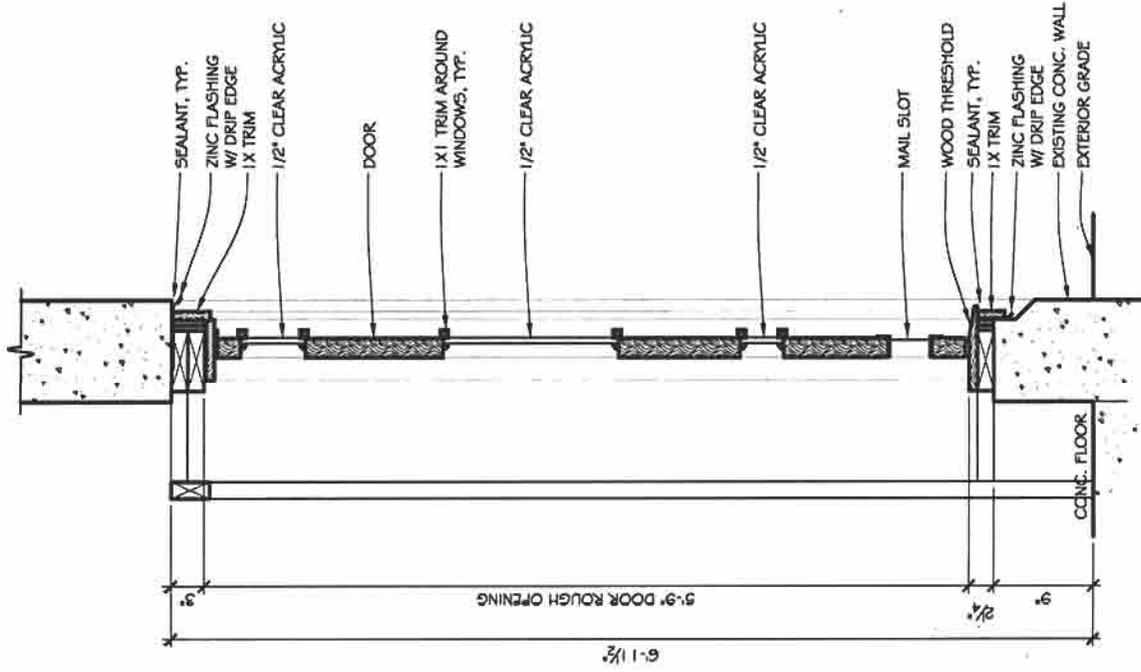
DATE: 6.1.08

A2



Section at Interactive Display
1" = 1'-0"

2
A2



Section at Door
1" = 1'-0"

1
A2

Approved
 City of Portland - Bureau of Development Services
 Planner Katherine [Signature] Date 6-5-08
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.