



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

FROM CONCEPT TO CONSTRUCTION

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**Date:** January 16, 2014  
**To:** Interested Person  
**From:** Kate Marcello, 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 reasons for the decision are included in the version located on the BDS website, via this link: <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the district coalition and 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 13-204756 DZ**

#### **New Deck Area, Fencing, and Exterior Alterations to Existing Building**

#### **GENERAL INFORMATION**

**Applicant:** Geno Salimena, Emerick Architects PC | 503-235-9400  
208 SW 1st Ave, Ste 320 | Portland, OR 97204

**Owners:** Stanley A. and Shirley Hodes  
1803 NE M L King Blvd, Portland, OR 97212-3926

**Site Address:** 432 SE 9<sup>th</sup> Avenue

**Legal Description:** BLOCK 201 LOT 3 W 68.5' OF LOT 4, EAST PORTLAND  
**Tax Account No.:** R226513460  
**State ID No.:** 1N1E35CD 12800  
**Quarter Section:** 3031  
**Neighborhood:** Buckman; contact Matthew Kirkpatrick at 503-236-6350  
**Business District:** Central Eastside Industrial Council; contact Peter Fry at 503-274-1415  
**District Coalition:** Southeast Uplift; contact Bob Kellett at 503-232-0010  
**Plan District:** Central City Plan District; Central Eastside Subdistrict  
**Zoning:** Central Employment (EX) base zone; Design (d) overlay zone  
**Case Type:** Design Review (DZ)  
**Procedure:** Type II, which is an administrative decision with appeal to the Design Commission.

**PROPOSAL:** The applicant requests Design Review approval for exterior alterations to an existing building, as well as a new deck area and new fencing, as follows:

- At the northernmost garage door bay on the northern half of the building, new clear glazing will replace the existing wood panels. At the two adjacent garage door bays, new clear-glazed garage doors will replace the existing garage doors.
- At the northern storefront on the southern half of the building, cedar slats will be installed over the existing solid spandrel panels, and the existing person door will be replaced with fixed glazing and cedar slats. At the southern storefront, cedar slats will be installed over the existing solid spandrel panels, and new glazing will replace the existing solid wood panels.
- At the garage door bay on the southern half of the building, a new clear-glazed garage door will replace the existing garage door.

- On the south/SE Stark St façade, a new solar-panel awning will be installed above the existing steel-sash windows.
- At the northern half of the building, a new steel-framed gate with horizontal cedar slats will be installed. The gate will be located along the site's north and west property lines. On the west property line, a portion of the new gate – about 16'-0" – will slide horizontally to allow motor vehicle access to the existing paved lot that abuts the building.
- At the southern half of the building, a new fence with horizontal cedar slats will be installed. The cedar fence will enclose an outdoor patio area, where cedar decking will be installed. The cedar fence will have steel-framed window-like cut-outs to allow views from the sidewalk into the enclosed patio. A new cedar gate with an arbor-like decorative cedar gateway will provide pedestrian access to the patio and the building entrance. The decking for the patio will terminate about 5'-0" from the building façade. The existing paving in the 5'-0" wide area between the new decking and the building will remain, so it can serve as a walkway between the new cedar gate and the building entrance. There will be four steel planter boxes along the perimeter of the patio area – two flanking the entry, just beyond the cedar gateway, and two along the west elevation of the cedar fence.

The proposed work will be performed in two phases: Phase 1 consists of the steel-framed gate with horizontal cedar slats, located at the northern half of the building, and the cedar fence and entry gate located at the southern half of the building. Phase II consists of all other proposed work.

Because the proposal is for non-exempt exterior alterations to a site with Design overlay zoning in the Central City Plan District, Design Review is required prior to the issuance of building permits.

**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 the *Central City Fundamental Design Guidelines* and the *Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan*.

## ANALYSIS

- I. Site and Vicinity:** The subject site is located in the southwest corner of the block bounded by SE 9<sup>th</sup> Avenue, SE Oak Street, SE 10<sup>th</sup> Avenue, and SE Stark Street in the Buckman neighborhood and the Central Eastside Industrial District (CEID). The site is approximately 8,425 square feet in area. It contains an approximately 4,900-square-foot building, a paved parking lot about 2,500 square feet in area, and other paving totaling about 900 square feet.

The building was constructed around 1957. Although it has undergone façade alterations over the years, the building still displays the simple Mid-Century Modern architecture exhibited by many similar buildings from the same time period in the CEID. Notable architectural characteristics of the building include its concrete construction, flat roof with a substantial overhang along the front façade, steel-sash windows (located on the south and east façades), and evenly spaced patterning of garage door openings.

The surrounding area contains a variety of uses, including automobile repair shops, a tofu manufacturing facility, taverns, small offices, the Multnomah County Department of Community Corrections, a church and associated park, a hardware store, multi-family rental housing, a coffee shop, an historic firehouse now occupied by small retail tenants, and a bilingual English-Spanish preschool.

The area's eclectic mixture of uses has been accentuated recently due to burgeoning redevelopment in this portion of the Buckman neighborhood. For example, the building located in the northeast corner of the block was constructed in 1949 as an electrical company warehouse. Recently it was renovated for adaptive re-use as a local microbrewery and taproom. A few other nearby buildings originally constructed for light-industrial and warehouse uses now contain such tenants as small-scale local manufacturers, architecture firms, advertising agencies, and artist workspaces and

studios. The subject building is part of this current redevelopment; the current tenant is Grove, a local company that designs and produces bamboo cases for smart phones, as well as other similar products made from natural materials.

## II. Zoning:

**Base Zone:** The Central Employment (EX) base zone allows mixed uses and is intended for areas in the center of the City that have predominantly industrial-type development. The intent of the zone is to allow industrial and commercial uses that need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area.

**Overlay Zone:** 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.

**III. Land Use History:** City records indicate no prior land use reviews for 432 SE 9<sup>th</sup> Avenue.

**IV. Public Notice:** A *Notice of Proposal in Your Neighborhood* was mailed on September 3, 2013.

**Neighborhood Review:** No written comments in response to the proposal have been received from the neighborhood association (Buckman Community Association); however, a comment was received via e-mail from Doug Klotz on October 3, 2013. Mr. Klotz expressed concern that some of the proposed construction could be located within the sidewalk right-of-way because the site plan indicated only the “approximate location” of property lines. His e-mail states in part: “Preserving the sidewalk corridor for the use of the public is important...” Exhibit F-1 contains additional details.

**Staff Response:** Mr. Klotz’s concern was shared with the applicant, who then provided a 1970 survey of the site, which shows the location of property lines. Additionally, the applicant added a note to the site plan (Exhibit C-1), as follows: “CONTRACTOR TO VERIFY SOUTH AND WEST PROPERTY LINES BEFORE STARTING WORK.”

**Agency Review:** One City bureau/department – the Bureau of Environmental Services – has not provided comments and does not object to the proposal. The following City bureaus/departments, have provided comments. These bureaus also do not object to the proposal:

- Site Development Section of Bureau of Development Services (Exhibit E-1);
- Portland Water Bureau (Exhibit E-2);
- Urban Forestry Division of Portland Parks & Recreation (Exhibit E-3);
- Development Review Section of Portland Bureau of Transportation (Exhibit E-4);
- Portland Fire & Rescue (Exhibit E-5); and
- Life Safety/Building Code Section of Bureau of Development Services (Exhibit E-6).

## 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 the site is located generally within the Central City Plan District, the applicable design guidelines are the Central City Plan Fundamental Design Guidelines. Because the site is specifically located within the Design Zone of the Central Eastside District, the Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan also apply.

*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.

**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.

**C3-1. Design to Enhance Existing Themes in the District.**

Look to buildings from throughout the district for contextual precedent. Innovation and creativity are encouraged in design proposals, which enhance overall district character.

**C4. Complement the Context of Existing Buildings.**

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

**Findings for A4, A5, C3-1, and C4:** The proposal is consistent with recent redevelopment of existing warehouse-type buildings in the Central Eastside Industrial District. With recent redevelopment, the original form and general light-industrial appearance of buildings have been maintained, even as these buildings are reused for contemporary uses. The proposal maintains the subject building's original garage-door openings, simply replacing solid-paneled garage doors with clear-glazed garage doors. The clear glazing allows pedestrians to more easily view the activities occurring inside the building, which is consistent with another emerging theme in this evolving district – increased visual transparency between the interior of buildings and the adjacent streetscape. Additionally, the proposal continues the District's emerging theme of providing outdoor gathering space, whether it be for patrons – as the case is with the brewery and taproom at the northerly abutting site – or for employees, as the case is with the subject site. The provision of such space is helping to make the pedestrian experience of the District more dynamic, humanly scaled, and visually interesting. *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 involves reuse and restoration as follows:

- The existing garage door located in the northernmost garage bay will be retained. The existing solid wood panels will be removed and replaced with glazing.
- The existing windows located at the building's two storefront bays will remain; where solid wood has been used to replace glazing in the past, it will be removed so that new glazing can be installed to restore the original condition.
- The building, originally constructed presumably for a light-industrial or warehouse use, is now being re-used as a design and production facility for a product design company.

*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.

**A7-1. Maintain a Sense of Urban Enclosure When Single-Story Buildings are Set Back.**

Maintain a sense of urban enclosure, through the use of landscaping and other means, when single-story buildings are set back from the property line. Do not set buildings back from the property line within the East Portland Grand Avenue Historic District.

**Findings for A7 and A7-1:** The use of horizontal cedar slat fence and gate along the west and south frontages of the site provides a consistent edge for the site. The visual rhythm of steel planters and steel-framed window-like cut-outs within the new fence along the southern half of the site fosters a comfortable sense of urban enclosure for passersby. *Therefore these guidelines are met.*

**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.

**Findings for A8:** The proposal contributes to a vibrant streetscape in the following ways:

- By allowing views into the patio area from the adjacent public sidewalk, the steel-framed window-like cut-outs in the new fence will foster a visual connection between the site and its surroundings.
- The slats of the aforementioned fence are spaced to allow 50% visibility, fostering another opportunity for visual connection between the private sphere of the site and the public sphere of the sidewalk.
- The arbor-like cedar gateway highlights the pedestrian entry for the site, which cultivates a physical connection with the immediately surrounding streetscape.

*Therefore this guideline is met.*

**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.

**B2. Protect the Pedestrian.**

Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

**Findings for B1 and B2:** The proposed steel-framed gate with cedar slats and the new cedar-slatted fence do not encroach into the public right-of-way of the sidewalk; rather, they form a strong visual and physical edge along the property line. Thus the convenient access route for pedestrian travel along the sidewalk of SE 9<sup>th</sup> Avenue will be maintained.

Whereas previously the paving of the public sidewalk seamlessly connected with the paving of the existing paved lot on the site, now the new gate along the northern portion of the west property line will define the movement zone of the sidewalk as separate from the paved lot. The boundary line provided by the new gate will physically separate pedestrians from automobile movement in the paved lot, enhancing the pedestrian environment on SE 9<sup>th</sup> Avenue.

*Therefore this guideline is 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.

**B6. Develop Weather Protection.**

Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

**B6-1. Provide Pedestrian Rain Protection.**

Rain protection is encouraged at the ground level of all new and rehabilitated commercial buildings located adjacent to primary pedestrian routes. In required retail opportunity areas, rain protection is strongly recommended.

**Findings for B4, B6, and B6-1:** The new solar-panel awning on the south façade projects about 3'-0" over the existing strip of grassy area located between the building and the sidewalk on SE Stark Street. This will provide a weather-protected space where passersby can stop briefly without obstructing the flow of pedestrian traffic on the sidewalk. *Therefore this guideline is met.*

**B7. Integrate Barrier-Free Design.**

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

**Findings for B7:** The proposal will not hinder access to the building for people with physical disabilities. The decking for the new patio will terminate about 5'-0" from the building façade. The existing paving in the 5'-0" wide area between the new decking and the building will remain, so it can serve as an unobstructed walkway between the new cedar gate and the building entrance. *Therefore this guideline is met.*

**C2. Promote Quality and Permanence in Development.**

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

**Findings for C2:** The proposal employs the design principle of adaptive reuse. The proposed alterations will allow the building, originally constructed in 1957, to be reused for a new tenant engaged in product design and production. Reuse of the building in this way promotes it as a permanent structure in the Central Eastside. The proposal also employs appropriately durable materials – cedar, steel, clear window glazing, and solar panels – that impart a sense of permanence. *Therefore this guideline is 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.

**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 C3 and C5:** The proposal respects the architectural integrity of the subject building and increases its coherence as an architectural composition, as follows:

- The location and size of each existing garage door opening will be maintained. The replacement of existing solid wood panels with glazed panels at the northernmost garage door, and the installation of new glazed doors at the three other garage door openings, will give all of the garage doors a uniform appearance. The horizontal and vertical alignment of mullions at the three side-by-side garage doors will provide visual unity as well.
- The widespread use of cedar material – for the new gate at the northern building portion, the new fence and pedestrian gateway at the southern building portion, the decking and benches within the new patio, and the new decorative slats to be located at window bays –

provides overall site cohesion.

- Similarly, the repeated use of steel – for the planter boxes, the framing of the new gate, and the framing of the window-like openings in the new fence – materially unifies the site.
- By forming a simple awning structure centered above the existing industrial steel-sash windows, the new solar panels respect the original appearance of the south façade.

*Therefore these guidelines are met.*

**C7. Design Corners that Build Active Intersections.**

Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

**Findings for C7:** The new fence along the west and south property lines will have cedar slats that allow 50% visibility. Additionally, the fence along the south property line will contain two steel-framed window-like cut-outs, located very close to the intersection of SE Stark Street and SE 9<sup>th</sup> Avenue. These design elements highlight the southwest corner of the building by allowing views of the new patio and the building beyond. *Therefore this guideline is 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 for C8:** The sidewalk level of the building is differentiated from the upper portion of the building by the new gate and fence, which will run along the entire front property line of the building. The sidewalk level of the southern portion of the building façade will be further distinguished by the new cedar slats installed along the bottoms of the upper windows, creating a strong horizontal line across the façade. *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:** Because of the site's Central Employment (EX) base zoning, the existing building's simple Modern design, and the building's division into two distinct segments – one segment with large garage door bays, and the other segment with storefront-type bays and expansive clerestory windows – the site is able to host a variety of active uses, such as retail, restaurant, office, and studio and exhibition space for artists and industrial designers. The proposal will not diminish this existing sidewalk-level flexibility; rather, the proposal will enhance it. The new glazed garage doors will allow significantly enhanced views of the building's active interior. The new patio can serve as a ground-level outdoor gathering space for employees as well as visitors to the site. The addition of cedar slats along the bottom portions of the building's storefront-type windows introduces a visually interesting design element where previously solid spandrels existed. These aspects of the proposal maintain and strengthen the building's ability to accommodate a variety of active uses in the future. *Therefore this guideline is 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 alterations increase the design cohesion of the subject building and respect its architectural integrity. The proposal also contributes to a vibrant streetscape in the Central Eastside. The proposal meets the applicable design guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of new solar-panel awning, glazing, garage doors, person door, decorative cedar slats, gate, fence, arbor-like pedestrian entry, planters, and patio with decking and benches, located at 432 SE 9<sup>th</sup> Avenue in the Central Eastside Subdistrict of the Central City Plan District.

Approval for the proposed work to be performed in two phases: Phase 1 consists of the steel-framed gate with horizontal cedar slats, located at the northern half of the building, and the cedar fence and entry gate located at the southern half of the building. Phase II consists of all other proposed work.

Approval per the approved plans and drawings, Exhibits C-1 through C-12, signed and dated January 14, 2014, subject to the following condition:

- A. As part of the building permit application submittal, each of the four 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-12. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 13-204756 DZ. No field changes allowed."

**Staff Planner: Kate Marcello**

Decision rendered by:  on January 14, 2014  
By authority of the Director of the Bureau of Development Services

**Decision mailed: January 16, 2014**

**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 September 13, 2013, and was determined to be complete on September 27, 2013.

*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 September 13, 2013.

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 requested that the 120 day review period be extended for 30 days, as stated in Exhibit G-4.. Unless further extended by the applicant, **the 120 days will expire on February 26, 2014.**

**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 January 30, 2014** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **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](http://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 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, 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 must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed,* The final decision may be recorded on or after **January 31, 2014 (the day following the last day to appeal).**
- A building or zoning permit will be issued only after the final decision is recorded.

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 503-823-0625.

**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.

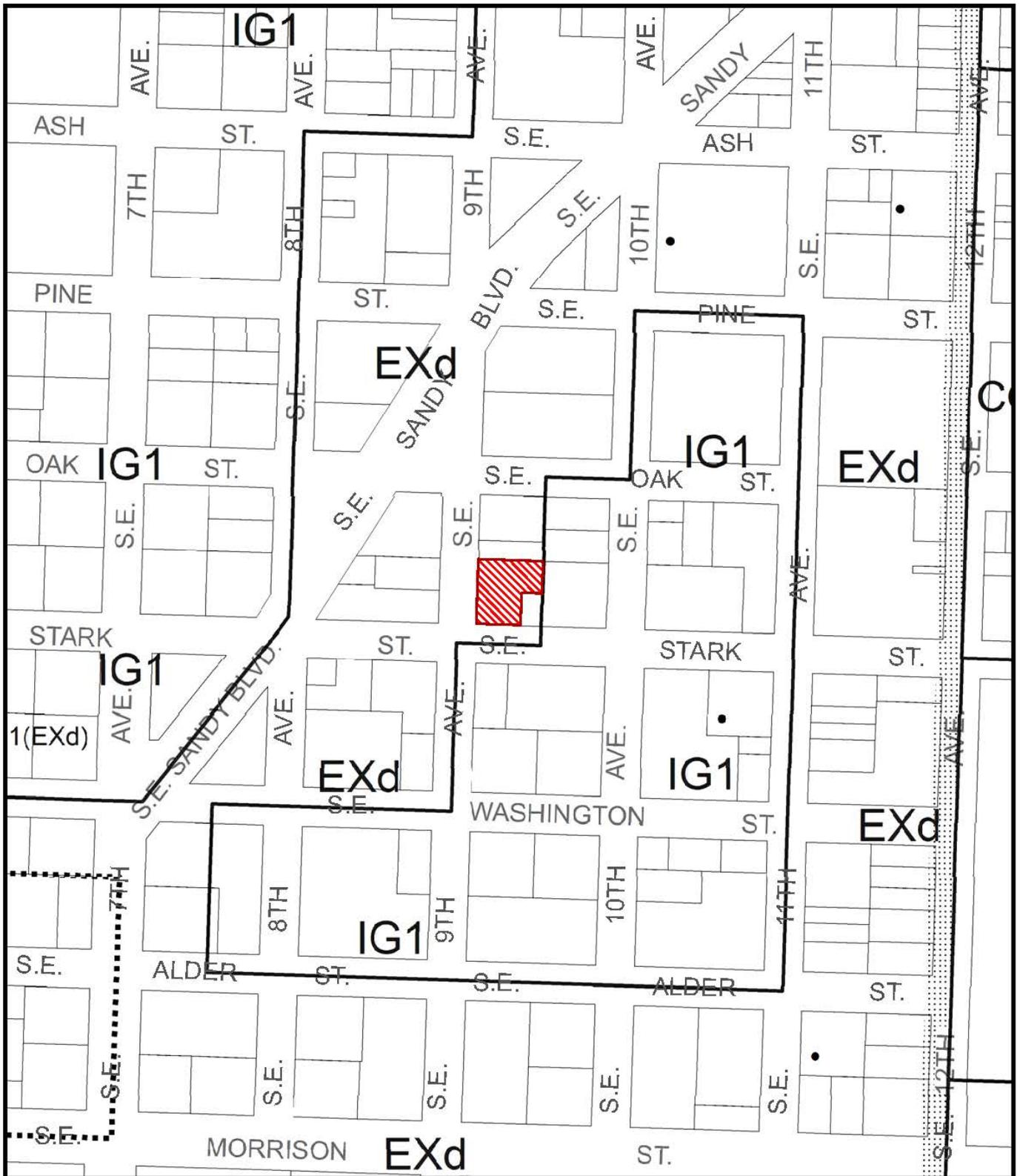
#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement/Narrative
- B. Zoning Map (attached)
- C. Plans and Drawings:
  - 1. Existing and Proposed Site Plans (attached)
  - 2. Enlarged Proposed Site Plan
  - 3. Existing and Proposed West Elevation Drawings (attached)
  - 4. Existing and Proposed South Elevation Drawings (partially attached)
  - 5. Existing and Proposed North Elevation Drawings
  - 6. Section Drawing – Deck Framing at Planter, Partial West Elevation Drawing at Deck (attached), Detail Drawing – Window with Cedar Slats
  - 7. Plan View Photograph of Solar Panel Awning at South Elevation, Detailed Section Drawing for Awning, Proposed South Elevation Drawing
  - 8. Reflected Ceiling Plan – Solar Panel Awning
  - 9. Detail Drawing – Window Opening in Cedar Fence
  - 10. Manufacturer's Information for Glazed Garage Door
  - 11. Manufacturer's Information for Steel Planter
  - 12. Survey from 1970
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Bureau/Department Responses:

1. Site Development Review Section of the Bureau of Development Services
  2. Portland Water Bureau
  3. Urban Forestry Division of Portland Parks & Recreation
  4. Development Review Section of the Portland Bureau of Transportation
  5. Fire Prevention Division of the Portland Fire Bureau
  6. Life Safety/Building Code Section of the Bureau of Development Services
- F. Correspondence: None received.
- G. Other:
1. Original Land Use Review Application
  2. Original Submittal
  3. Site Visit Photographs
  4. 120-day Timeline Extension Form

**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



Site



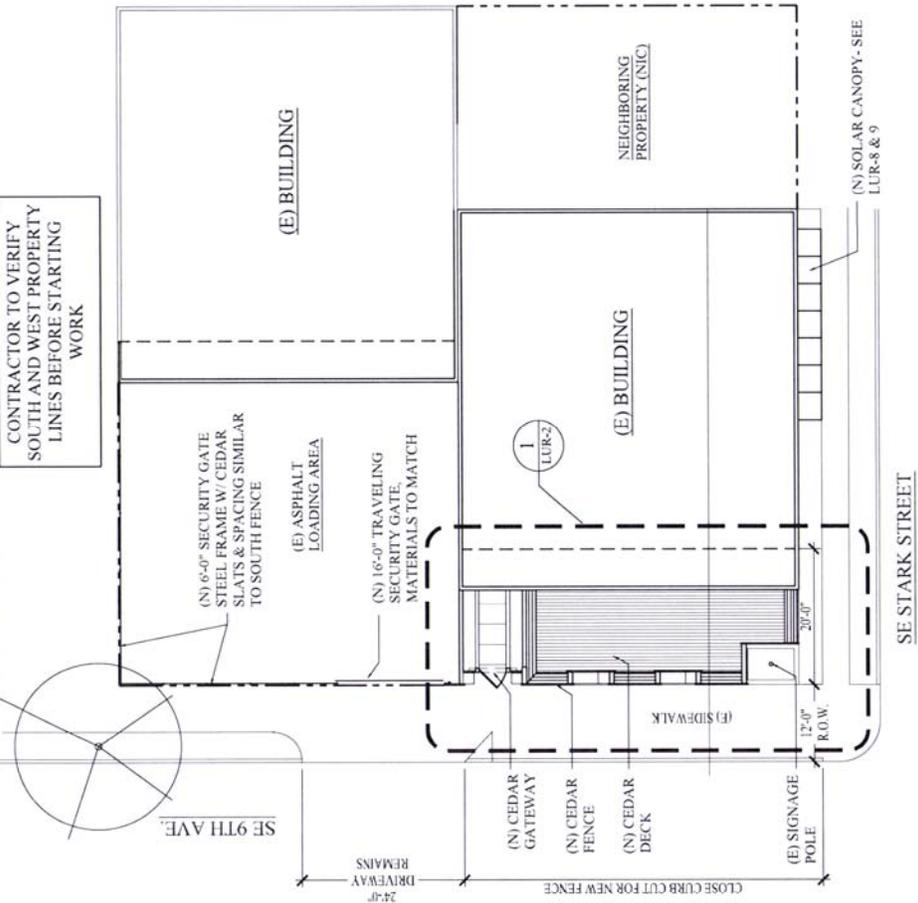
Historic Landmark



This site lies within the:  
**CENTRAL CITY PLAN DISTRICT**  
**CENTRAL EASTSIDE**

File No.	<u>LU 13-204756 DZ</u>
1/4 Section	<u>3031</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E35CD 12800</u>
Exhibit	<u>B (Sep 16, 2013)</u>

Note: Proposed work can occur in 2 phases.  
 Phase One: Steel-framed gate with cedar slats, and cedar fence and entry gate.  
 Phase Two: All other work.



1 EXISTING SITE PLAN  
 SCALE: 1/16" = 1'-0"

2 PROPOSED SITE PLAN  
 SCALE: 1/16" = 1'-0"

DESIGN REVIEW DRAWINGS PER CITY OF PORTLANDS CORRECTIONS. NOT FOR CONSTRUCTION

GROVE JOB # 1320 REVISED 11-15-13

LUR-1 DATE 09-09-13

emrick architects p.c.

City of Portland - Bureau of Development Services

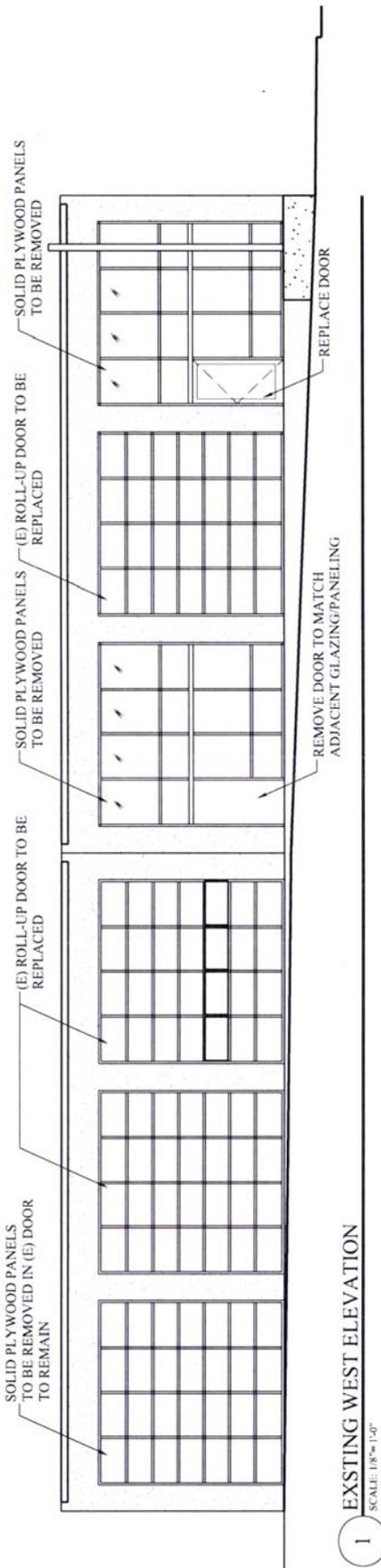
Planner: *Kate* Date: *January 14, 2014*

\* This approval applies only to the reviews requested and is subject to all other applicable zoning requirements. Additional zoning requirements may apply.

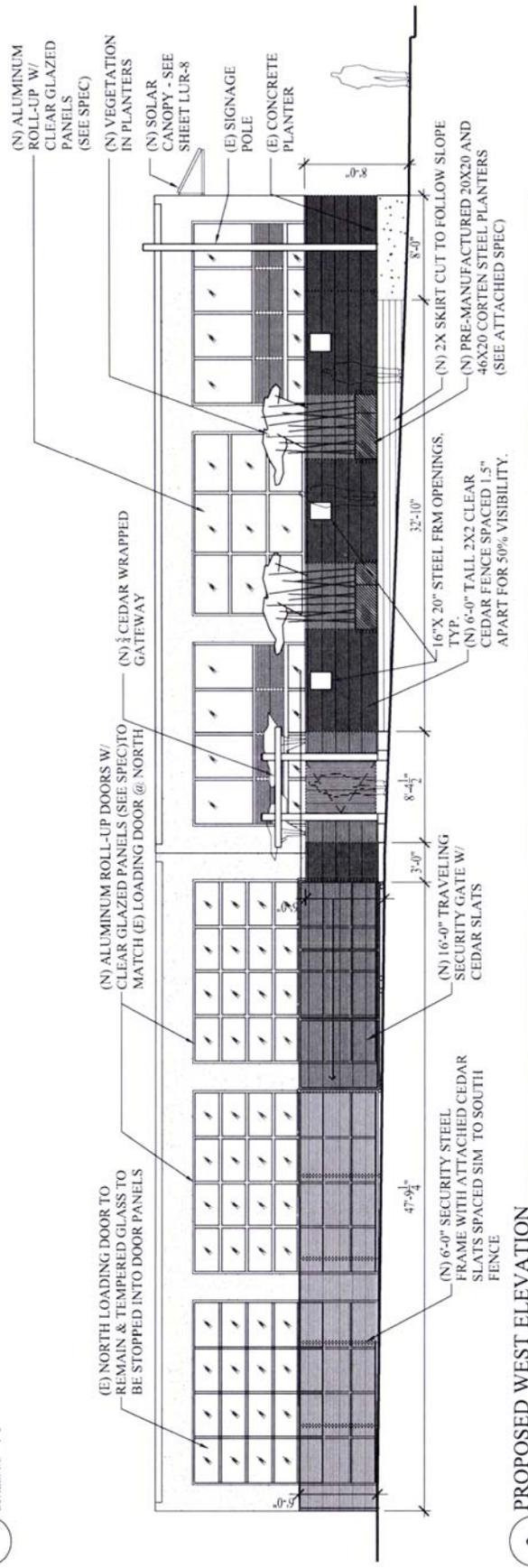
Sheet size has been altered.

Exhibit C-1

Case #: LU 13-204756 DZ



1 EXISTING WEST ELEVATION  
SCALE: 1/8" = 1'-0"



2 PROPOSED WEST ELEVATION  
SCALE: 1/8" = 1'-0"

*Sheet size has been altered.*

LUR-3  
DATE: 09-09-13

GROVE  
JOB #: 1320  
REVISED 11-15-13



DESIGN REVIEW DRAWINGS  
PER CITY OF PORTLANDS CORRECTIONS  
NOT FOR CONSTRUCTION  
City of Portland - Bureau of Development Services  
Planner *Kate [Signature]* Date *January 14, 2014*

\*Approved\*

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

*Exhibit C-3  
case#: LU 13-204756 DZ*

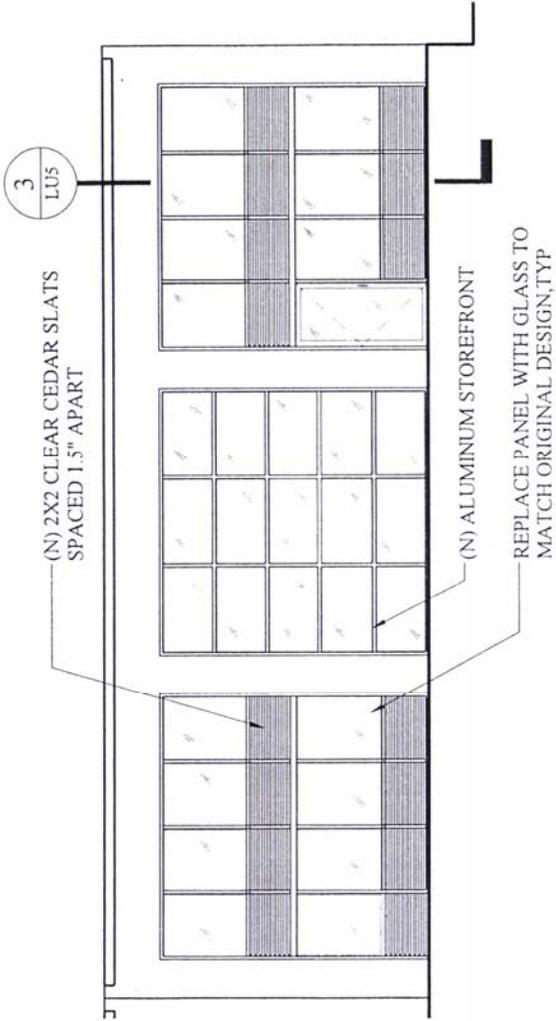
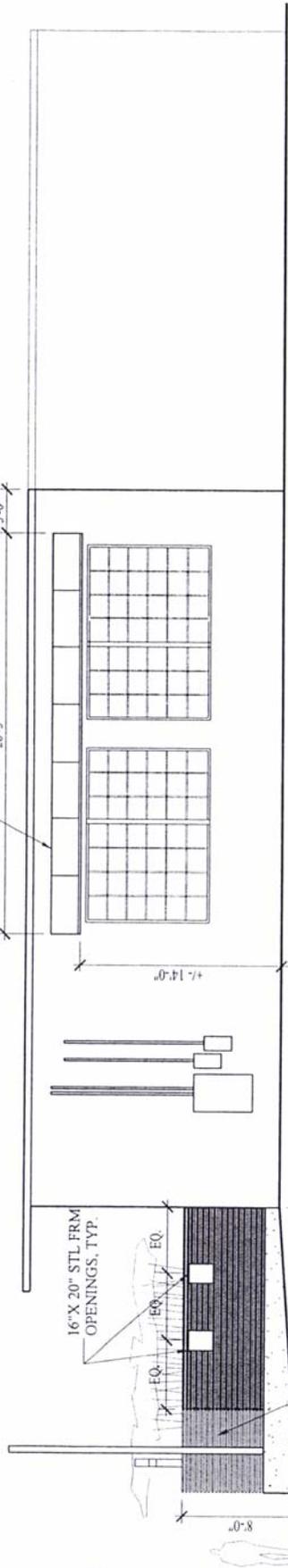


Exhibit C-6

2 PARTIAL WEST BUILDING ELEVATION @ DECK

SCALE: 1/8" = 1'-0"



2 PROPOSED SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

\* Approved\*  
 City of Portland - Bureau of Development Services  
 Planner: [Signature]  
 Date: January 14, 2014  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

Exhibit C-4

Sheet size has been altered.  
 Case#: LU 13-204756 DZ