



City of Portland  
**Bureau of Development Services**  
Land Use Services Division

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**Date:** July 2, 2008  
**To:** Interested Person  
**From:** Chris Beanes, Land Use Services  
503-823-7983 / [chris.beanes@ci.portland.or.us](mailto:chris.beanes@ci.portland.or.us)

**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 this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 08-129562 HDZ, STOREFRONT REVISION**

**GENERAL INFORMATION**

**Applicant:** Bruce Wood 503-546-2321  
Fifth & Washington LLC  
1000 SW Broadway Suite 960  
Portland OR 97205

**Representative:** Phillip Chubb, Architect 503-222-1661  
Fletcher Farr Ayotte Inc.  
520 SW Yamhill, Suite 900  
Portland, OR 97204

**Site Address:** SWETLAND BLDG HISTORIC LANDMARK  
**Legal Description:** LAND ONLY W 1/2 OF LOT 7&8 BLOCK 63, PORTLAND; IMPS ONLY  
W 1/2 OF LOT 7&8 BLOCK 63, PORTLAND

**Tax Account No.:** R667707430, R667707431  
**State ID No.:** 1N1E34CD 09500, 1N1E34CD 09500A1  
**Quarter Section:** 3029  
**Neighborhood:** Downtown Cmty Assoc., contact Jennifer Geske at 503-750-9843.  
**Business District:** Downtown Retail Council, contact Portland Business Alliance at 503-224-8684.

**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Central City - Downtown  
**Zoning:** CXd, Central Commerical with design overlay  
**Case Type:** HDZ, Historic Design Review  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

**Proposal:**

The applicant requests Design Review approval for alteration to the storefront of a Historic Landmark, The Swetland Building. The original approval of the work to be performed was reviewed and approved under LU 06-152846 DZ, however alterations in design to the previously approved storefront have prompted a review of the new work. In the intervening

time between the last review and the current one, the building has been designated a Historic Landmark.

Amongst proposed changes are:

- A new louver location along the west elevation. The previous louver location was above the recessed exit door, at the far bay.
- New storefront tri-partite spacing. Previous spacing of the storefront window panes were equally spaced. The current proposal is for the center window of each storefront bay to be wider than the 2 outer windows.
- New aluminum panel base at the bottom of each storefront. Previous proposal was for a glass spandrel panels for each storefront base.

Because the proposal is for alterations to a Historic Landmark, Historic Design Review 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 approval criteria are:

- Central City Fundamental Design Guidelines
- 33.846.060 G. (1-10) Other Approval Criteria

## ANALYSIS

**Site and Vicinity:** The subject 5,000 square foot lot, situated on a prominent corner along the transit mall at the intersection of SW 5<sup>th</sup> Avenue and Washington Street lies within the core of the downtown commercial retail district. The lot is flat, with a north-south dimension of 100 feet while the east-west dimension is 50 feet.

The Swetland Building, built in 1907, was nominated to National Register Historic status in 2007. The seven story steel-frame building is a prime example of the Commercial Style, with emphasis of retail on the ground floor, while offices occupied the remainder of the building. Notable amongst the architectural features are the brick façade, sheet-metal cornice, and voussiors and bracketed cornice above the sixth floor windows.

The building is essentially intact above the ground floor, while the ground floor has undergone multiple changes over time, most recently a glass storefront with stucco covering the transom and belt course. Originally, the ground floor contained 6 storefronts, each with its own entry along the SW 5<sup>th</sup> side. Along SW Washington Street, there were originally 3 storefronts. Transom windows existed above the storefronts, while a belt course separates the ground floor from upper floors.

**Zoning:** The 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 “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review.

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

- LU 06-152846 DZ: Approval for storefront alteration to the Swetland Building.
- LU 07-152089 HDZ: Approval of eyebolt connection.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **June 4, 2008**. The following Bureaus have responded with no issues or concerns:

- Site Development Section of BDS has commented on the proposal and recommended a process manager to assist in coordinating the City reviews for this project, see Exhibit E.1 for more details.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on June 4, 2008. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.825 Design Review**

#### **Section 33.825.010 Purpose of Design Review**

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

#### **Section 33.825.055 Design Review Approval Criteria**

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

**Findings:** The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site’s location, the applicable design guidelines are the Central City Fundamental Design Guidelines.

#### **Central City Plan Fundamental Design Guidelines**

These guidelines provide the constitutional framework for all design review areas in the Central City.

The Central City Fundamental Design Guidelines and the River District Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland’s character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

#### **Central City Plan Fundamental 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 only addressed 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.

**Findings:** Alterations proposed include the following:

- New louver location along the west elevation. The previous louver location was above the recessed exit door, at the far bay.
- New storefront tri-partite spacing alteration. Previous spacing of the storefront window panes were equally spaced. The current proposal is for the center window of each storefront bay to be wider than the 2 outer windows.
- New aluminum panel base at the bottom of each storefront. Previous proposal was for a glass spandrel panels for each storefront base.

Of particular interest in the alterations proposed, is the need to express consistency in the storefront system, and that the different elements of the storefront, including base, storefront windows, and transoms, are harmonious, and bear relation to one another in overall design. The applicant has provided a proposal that ultimately achieves the desired goal of consistency within the storefront system. Mullions and seams within metal panels line up, from the transom, down to the storefront window, to the base. In addition, the new louver, although wider than the previously approved louver, is situated in a bay that is not central, and away from the entry to the building. In addition, comparison has been made between the previously approved storefront profile and finishes, along with the new proposal. The new proposal is consistent in profile and material finishes as the previous proposal, thus ensuring that unifying elements will remain intact. Other key features of the previously approved storefront remain the same, including the restoration of the belt course and masonry pilasters, and addition of an entry canopy. *This guideline is therefore met.*

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

**Findings:** The proposed remodel of the existing building will allow new use of the spaces within. Additionally, the project includes removing non-original material to expose original design elements. The exposure of these elements along with the addition of new elements creates a well-designed façade. *This guideline is therefore 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.

**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 A8, B1, and B2:** The design of the remodel increases the building's pedestrian presence on the street. The remodel includes increased glazing which will allow views into work activities in the building as well as views out onto the street. New entry canopies will provide weather protection to pedestrians as well as identify pedestrian entrances to the building. Additionally, pedestrian-scale lighting is provided on the pilasters and entry canopies that will illuminate the sidewalk. *These guidelines are therefore met.*

**C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.

**Findings:** The materials associated with the proposed remodel include steel, aluminum, and glass. These are all quality materials and should provide longevity to the project. *This guideline is therefore 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 restoration of original elements combined with new features creates a cohesive design that is pedestrian friendly and respects the character of the building. The new glass storefront respects the locations of existing columns within the building and reflects their placement through vertical divisions in the glass. Additionally, nighttime lighting further enhances the structural elements of the building with pedestrian-scaled wall sconce lighting and lighting near the top of the building. The lighting at the top of the building is concealed by an existing cornice and will not be visible from the street. *These guidelines are therefore met.*

## **Chapter 33.846, Historic Reviews**

### **Purpose of Historic Design Review**

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

### **Historic Design Review Approval Criteria**

Requests for historic design review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

**Findings:** The site is a designated Historic Landmark. Therefore the proposal requires historic design review approval. The relevant approval criteria are listed in 33.846.060 G. 1.-10. In addition, because the site is located within the Central City Plan District, the relevant approval criteria are the Central City Fundamental Design Guidelines.

*Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.*

### **G. Approval criteria based on the Standards of the Secretary of the Interior:**

- 1. Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.
- 2. Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.

**Findings:** As noted in the Historic Register Nomination for the Swetland Building, the extant portion of the building is floors 2 through 7. As such, the current proposal affects the non-extant storefront of the building. Alterations to the storefront design are consistent, on the whole, with the previously approved design and will maintain its status as a record of its time due to the planar qualities and modern materials proposed. In addition, it should be noted that the proposed changes have been

reviewed by the Oregon State Historic Preservation Office (Exhibit G.3), and the changes have been found to be consistent with the Amendment Sheet of the nomination packet. *These criteria are met.*

- 3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.
- 4. Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.
- 5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.

**Findings for 3, 4, and 5:** The proposed changes will not affect any historic features, materials, or features that have acquired historic significance. The storefront system that is being replaced is modern. The masonry belt course above the transom windows will be restored and historic materials on the upper floors will not be affected. *These criteria are therefore met.*

- 6. Archaeological resources.** Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. When such resources are disturbed, mitigation measures will be undertaken.

**Findings:** The site does not contain significant archaeological resources. *This criterion does not apply.*

- 7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.

**Findings:** As the proposed alteration is to an affected non-original portion of the building, differentiation will be made between new work, and the existing extant building façade above the ground floor. *This criterion is therefore met.*

- 8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.
- 9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.
- 10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

**Findings for 8, 9, and 10:** While the proposal will add modern design elements to the building, the overall design of the new entry system is compatible with the resource, as well as the adjacent properties found in the area. The new storefront entry will fit within the existing storefront opening and its patterning will mimic the vertical and horizontal patterning of the other storefronts on the building. These new elements are designed so they can be removed without harming the form or integrity of the building. *These criteria are therefore met.*

## DEVELOPMENT STANDARDS

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

## CONCLUSIONS

The proposed storefront alteration to the Swetland Building, previously approved under LU 06-152846 DZ, is consistent with meeting the intent of applicable Central City Fundamental Design Guidelines, including, in particular Use Unifying Elements, Respect Architectural Integrity, and Design for Coherency. The minor modifications proposed to the storefront window spacing, louver location, and base panels continue the overall intent of providing a unified façade to the ground level of the building.

The applicable Historic Guidelines have been met as the work proposed affects a non-extant storefront, and will exist as a feature that is a record of its time. The proposal meets applicable Design Guidelines and warrants approval.

## ADMINISTRATIVE DECISION

Approval of:

- New louver located along the west elevation. The previous louver location was above the recessed exit door, at the far bay;
- New storefront tri-partite spacing alteration. Previous spacing of the storefront window panes were equally spaced. The current proposal is for the center window of each storefront bay to be wider than the 2 outer windows;
- New aluminum panel base at the bottom of each storefront. Previous proposal was for a glass spandrel panels for each storefront base.

per the approved site plans, Exhibits C-1 through C-3, signed and dated June 30, 2008, subject to the following conditions:

- 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-C.3. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-129562 HDZ. No field changes allowed."

Decision rendered by:  on June 30, 2008  
By authority of the Director of the Bureau of Development Services

Decision mailed: July 2, 2008

Staff Planner: Chris Beanes

**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 May 15, 2008, and was determined to be complete on **May 28, 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 May 15, 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.

**Appealing this decision.** This decision may be appealed to the Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on July 16, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., 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. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. 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 contact the receptionist at 503-823-7967 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 Landmarks 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 Landmarks 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 **July 17, 2008 – (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

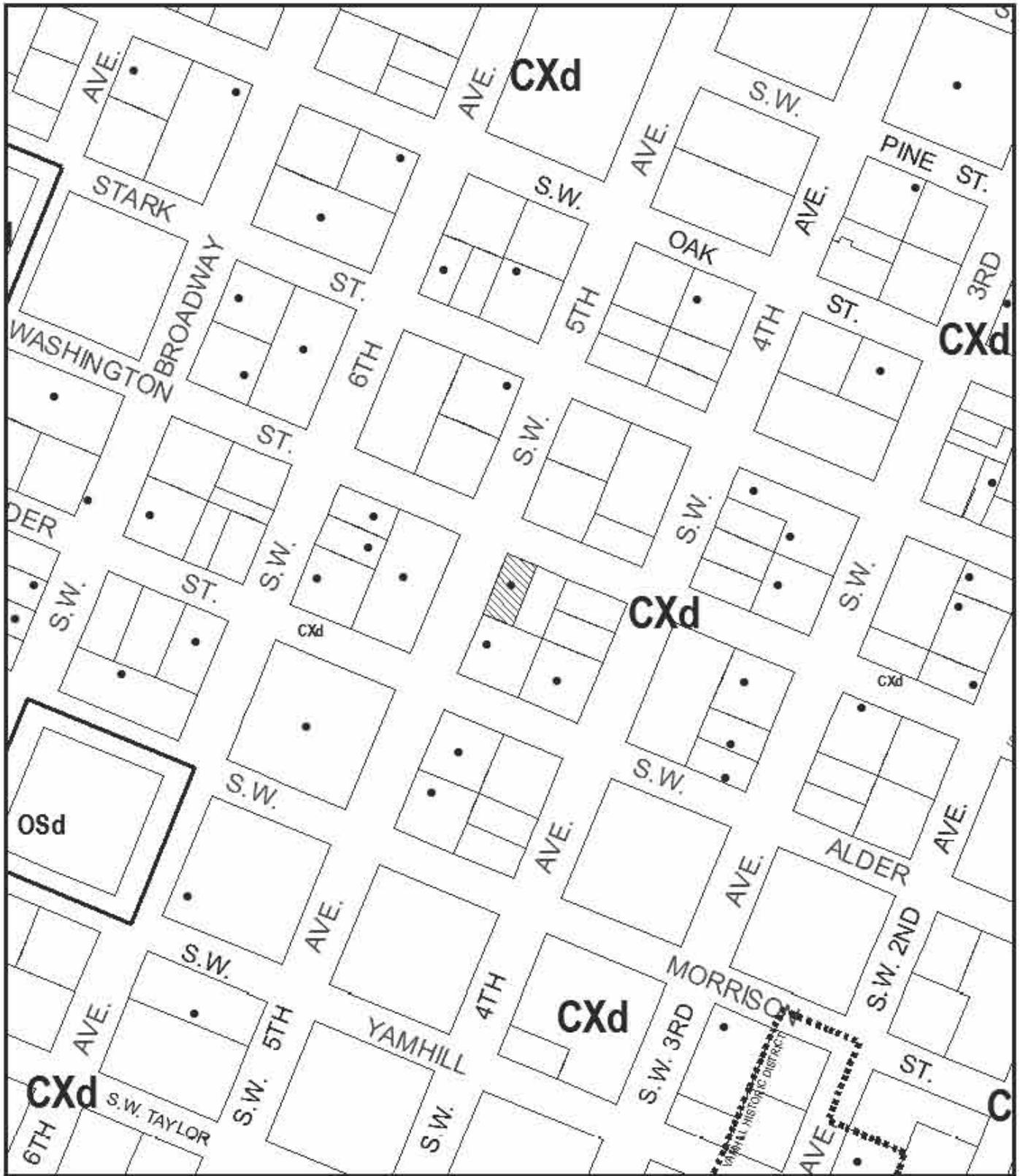
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. North/West Elevation
  - 3. Elevation/Section Details
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Site Development Review Section of BDS
- F. Correspondence:
  - 1. none
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research
  - 3. Amendment Sheet, Joy Sears, State Historic Preservation Office (SHPO), 3/25/08 and 5/28/2008.
  - 4. Hold Harmless Agreement, May 28, 2008.

**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



Historic Landmark



NORTH

This site lies within the:  
CENTRAL CITY PLAN DISTRICT

File No. LU 08-129562 HDZ

1/4 Section 3029

Scale 1 inch = 200 feet

State\_Id 1N1E34CD 9500

Exhibit B (May 20, 2008)





