



City of Portland
Bureau of Development Services
Land Use Services Division

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Date: August 25, 2008
To: Interested Person
From: Shawn Wood, 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 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 08-120905 DZ - UPTOWN TOWER RENOVATION

GENERAL INFORMATION

Applicant: Jill Cropp (Applicant's Representative)
Carleton Hart Architecture
322 NW 8th Ave
Portland, OR 97209

Uptown Assoc Ltd (Owner)
3932 W 18th Street Ln
Greeley, CO 80634-3445

Site Address: 712 SW ST CLAIR AVE

Legal Description: W 100' OF BLOCK 6 EXC S 124' LAND & IMPS POTENTIAL
ADDITIONAL TAX ALSO SEE R529751 FOR RETAIL IMPS, JOHNSONS
ADD

Tax Account No.: R431600910
State ID No.: 1N1E33CA 15300
Quarter Section: 3027

Neighborhood: Goose Hollow, contact Jerry Powell at 503-222-7173.
Business District: Goose Hollow Business Association, contact Angela Crawford at 503-223-6376.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - Goose Hollow
Zoning: Central Commercial with Design Overlay (CXd)
Case Type: Design Review (DZ)
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant requests design review approval for the following alterations to the Uptown Tower residential building: New garage doors and storefront system at ground level, replacing existing metal siding with either hardiplank lap siding or Ipe wood horizontal siding, extending existing rooftop stairway overrun, new steel canopies at entryways, new vinyl-clad windows and sliding doors at balconies, new concrete planters and Ipe bench, and resurfacing existing brick at residential entrance with smooth skim coat.

Exterior alterations to structures in the design overlay require design review.

Relevant Approval Criteria:

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

- 33.825, Design Review
- Central City Fundamental Design Guidelines
- Goose Hollow District Design Guidelines

ANALYSIS

Site and Vicinity: The site is located along the West Burnside Street Corridor, a major City transit street and connector into and out of downtown Portland. SW Vista Avenue and SW St. Clair Avenue both provide access to the King's Hill Historic District. To the north is the Alphabet Historic District and the popular NW 23rd Avenue commercial strip. Buildings in the area are typically low, 2-3 story, masonry structures along West Burnside. Similar massing as well as taller, and more historic structures, are to the north and south of the site in their respective historic districts.

Street Classifications

Street Name	Traffic	Transit	Bicycle	Pedestrian	Freight	Emergency Response	Street Design
W Burnside	Major City Traffic Street	Major Transit Priority Street	Local Service	Pedestrian District	Local Service	Major Emergency Response	Regional Main Street
SW St. Clair	Local Service	Local Service	Local Service	Local Service	Local Service	Local Service	Local Service

Zoning: The Central Commercial (CX) base zone, is Portland's most densely built, urban zone which allows for a variety of uses that reinforce the city's role as a commercial, cultural, and governmental center. This type of development is intended to have large buildings that are placed close together and typically cover most of their respective lot areas. This development is also intended to be pedestrian-oriented, with a strong emphasis on a safe and attractive streetscape.

The Design (d) overlay zone designation also ensures that exterior alterations to existing development conserve and enhance the identified historic, scenic, architectural, and cultural values of each design district: in this case, the **Central City Plan District** and the **Goose Hollow Plan District**.

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

LUR 92-00015 – Design Review approval for mechanical equipment

VZ 008-80 – Variances to multiple development standards for the construction of an 11-story apartment building

VZ 519-80 – Variances to multiple development standards for the construction of an 9-story apartment building

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **May 30, 2008**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- Bureau of Parks-Forestry Division

The **Bureau of Transportation Engineering** responded with the following comment: Please see Exhibit E.1 for additional details.

The proposed improvements along the Burnside frontage (bench, planters, etc) appear from the site plan to be on private property, not in the right-of-way; however, it appears that part of the proposed canopy will be in the right-of-way. All canopy projections in the right-of-way must meet the IBC. The future building permit submittal needs to show the property lines and clearly dimension and label any projections in the right-of-way. We have no issues with the design review.

The **Plan Review Section of BDS** responded with the following comment: Please see Exhibit E.2 for additional details.

GENERAL LIFE SAFETY COMMENTS

The following comments are intended to provide the applicant with preliminary Building Codes information that could affect the Land Use Review and/or future Building Permit reviews. The comments may not identify all conflicts between the Land Use proposal and the Building Codes. A complete Life Safety plan review will be provided at the time of Building Permit submittal. The comments are based on The Oregon Structural Specialty Code, The Oregon Mechanical Specialty Code, or The Oregon Residential Specialty Code.

Item # Comment

- 1** A separate Building Permit is required for the work proposed and the proposal must be designed to meet all applicable building codes and ordinances. More information regarding building code requirements can be obtained by visiting the Bureau of Development Services Development Services Center -1900 SW 4th Ave, 1st floor, between the hours of 7:30 AM and 3:00 PM Monday through Friday and also 5:00 PM to 7:30 PM Thursday evening (no appointment necessary.) Building Code information is also available online at: <http://www.portlandonline.com/bds/>, or by calling (503) 823-1456.

- 2** Alterations to the building exterior envelope shall meet the prescriptive requirements Energy Code.
Exception: When up to 25 percent of the glazing in any one wall is being replaced, it may be replaced with glazing with a U-factor and shading coefficient equal or better than the existing glazing. OSSC 1312.3.2
- 3** The vertical clearance from the public right-of-way to the lowest part of an awning, including valances, shall be 7 feet minimum. OSSC 3202.2.3
- 4** Awnings, canopies, marquees and signs with less than 15 feet clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building. OSSC 3202.3.1

Neighborhood Review: A “Notice of Proposal in Your Neighborhood” was mailed on **May 30,**

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 district guidelines.

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 and Goose Hollow Special Design Guidelines.

Goose Hollow District Design Guidelines and Central City Fundamental Design Guidelines

The Goose Hollow District is envisioned to be a predominantly urban residential, transit-oriented community located on the western edge of the Central City between Washington Park and Downtown Portland. When riding light rail through the West Hills tunnel to the Central City, it is the first neighborhood experienced before entering downtown Portland. The Urban Design Vision celebrates the sense of arrival from the west at Jefferson Street Station and Collins Circle, and from the north at the Civic Stadium Station and Fire Fighter's Park. This is done by integrating the history of the community with its special natural and formal (man-made) characteristics.

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.

Goose Hollow District Design Goals

The Goose Hollow District Design Goals are specific to the Goose Hollow District. These urban design goals and objectives are to:

- Enhance mixed-use, transit-oriented development around the light rail stations to make it a pedestrian-friendly station community.
- Provide open spaces to accommodate active public life.
- Strengthen connections to adjacent neighborhoods through light rail, bike and pedestrian access and assure a safe and pleasant bike/pedestrian environment.
- Preserve and enhance the community's history and architectural character.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within the River District as well as to the other seven Central City policy areas. The nine goals for design review within the Central City are as follows:

1. Encourage urban design excellence in the Central City;

2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

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

C4. Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.

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

Findings for A4, C4 and C5: The proposal will introduce unifying elements to the building's façade, which will allow it to better connect with the Central City design vocabulary.

- The existing corrugated metal siding on the building will be replaced with either: (a) 6" wide horizontal Ipe wood boards, which will be sealed to retain the wood's deep brown color; or (b) 6" wide painted, horizontal fiber cement siding and solid fiber cement panels at the parapet.
- All existing windows, and sliding doors at the building's balconies, will be replaced with vinyl clad, wood windows and vinyl clad, wood swing doors with side lites. The new windows and doors will fit within the existing window openings.
- The entire building will be repainted.

In addition, the proposed changes to the building's ground level are consistent with the pedestrian-oriented character of the Central City.

- The existing storefront windows and doors at the retail space along West Burnside Street will be replaced with glazed aluminum windows and doors. Additionally, new aluminum garage doors, with windows, will replace the existing garage doors along Burnside.
- New steel canopies with anodized aluminum faces will be installed at the residential entrance at St. Clair Avenue and the commercial entrance at Burnside. New light fixtures within the canopies will light the sidewalk areas.
- The brick cladding at the residential entrance at St. Clair Avenue will be skim coated and painted to match the adjacent concrete wall.
- The existing guardrail and sub-grade stair at Burnside Street will be removed and replaced with painted concrete planters. An Ipe bench will be attached to the concrete planter along Burnside Street with embedded steel supports. Bamboo will be planted within all the planters, adding texture and interest at the building's sidewalk-level façade.

The proposed work also extends to the building's roof.

- The existing stair penthouse will be extended and the siding material at the new portion of the penthouse will match that on the existing penthouse, maintaining a consistent rooftop design.

The proposed alterations will contribute to a unified composition and will also function

to visually connect this building with the pedestrian-oriented urban character of the area. Furthermore, the proposal will lend a more intimate scale to the building's sidewalk level and maintain transparency between the sidewalk environment and the building's interior activities. *Therefore, this guideline is met.*

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.

A5-3. Enhance West Burnside Street. Enhance West Burnside Street as a boulevard by extending and improving its boulevard treatment and its environment for pedestrians west of the Park Blocks. This guideline may be accomplished by any or all of the following:

- a. Buffering and separating the sidewalk from vehicular traffic by introducing street trees, plantings and protective bollards;
- b. Enhancing the pedestrian promenade along Burnside and making it a linear focus for safe pedestrian activity by widening the space used by pedestrians and locating sidewalk cafes and food vendors in the wider pedestrian space;
- c. Maintaining visual contact and surveillance between the inside of buildings and the adjacent public right-of-way space of West Burnside Street;
- d. Punctuating ground floors of buildings with many destination points such as entries for pedestrians and display windows;
- e. Locating driveways and garage entrances on side streets where feasible, rather than crossing sidewalks along West Burnside; or
- f. Providing pedestrian scale to buildings fronting the street by using awnings and/or balconies along the street.

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 A5, A5-3 and A8: The proposal will contribute to a vibrant streetscape along Burnside.

- The new planters and seating area at Burnside will create a functional public space along the pedestrian path.
- The proposed canopies will help define both building entrances and will lend a more human scale to the ground level façade.
- The new glazed storefront system at Burnside will allow for visual contact and surveillance between the sidewalk environment and the interior of the building.

Therefore, these guidelines are met.

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

Findings: Instead of tearing down the existing building, whose appearance has become somewhat dated, the existing building elements will be upgraded, and new elements will be added that are consistent with the emerging character of West Burnside Street and in this portion of the Goose Hollow neighborhood. New windows, storefront systems, garage doors, siding material, as well as a new color scheme will enhance the overall quality of the building. The addition of new canopies and landscaped planters will make the existing building entrances more inviting to tenants and. *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.

Findings: The existing nine-story building wall, abutting the sidewalk successfully creates a sense of urban enclosure along this block. The existing sub-grade stair and

guardrail at Burnside will be replaced with a concrete planter and bench. Bamboo is proposed at the planters, which will add interest and diversity to the pedestrian environment. In addition, the proposed canopies will also lend to the sense of enclosure at the sidewalk environment. *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.

B1-1. Provide Human Scale to Buildings along Walkways. Provide human scale and interest to buildings along sidewalks and walkways.

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.

Findings for B1, B1-1 and B4: The proposal will enhance the pedestrian experience along this block.

- The new planters and seating area at Burnside will create a comfortable place along the pedestrian path to stop, wait, socialize, and people-watch.
- The new canopies at both Burnside and St. Clair will define building entrances for pedestrians and lend a more human scale to the building's sidewalk level.
- The exterior lighting, incorporated into the canopies will be directed down toward the sidewalk, creating a safer and more pleasant pedestrian path.

Therefore, these guidelines are met.

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.

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 Outdoor Lighting at Human Scale. Provide outdoor lighting at a human scale to encourage evening pedestrian activity.

Findings for B2, B6 and B6-1: The new canopies will serve the dual purpose of protecting pedestrians from the elements and defining the building's entrances. In addition, lighting will be incorporated into the new canopies and directed down toward the sidewalk, enhancing the safety of the pedestrian environment in the evening and at night. *Therefore, these guidelines are met.*

B7. Integrate Barrier-Free Design. Integrate access systems for all people with the building's overall design concept.

Findings: The existing building entrances are at grade and accessible. *Therefore, this guideline is met.*

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

Findings: The proposed design will contribute to the quality of the building. In addition, the materials proposed for the project include wood, glass, metal, and fiber-reinforced cement siding. These are all long-lasting, high-quality products.

- The existing metal siding on the building will be replaced with either (a) Ipe siding or (b) fiber cement siding and panels. The new siding will be installed over a rain screen system.
- The garage doors on both street-facing façades will be replaced with new metal

- doors, and those along the Burnside frontage will also have glazed windowpanes.
- The new canopies at both the residential and commercial building entrances consist of steel construction with aluminum faces.
 - The new planters will be made of concrete, with an Ipe wood bench attached to the planters with a steel structure.
 - The windows and doors at the upper stories of the building will be replaced with vinyl clad wood windows and doors. The vinyl windows have a matte finish and bronze color to match the aluminum storefront components at the ground level. The matte finish and dark color set it apart from other windows that have a shiny plastic appearance.

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.

Findings: The existing building, which was constructed in 1982, demonstrates a classical design through its organization of vertical bays and a differentiated base and parapet "cornice" flashing. However, the original design employed architectural detailing and materials, while contemporary at the time of construction, have become dated and worn. The proposed alterations reinforce the building's clean, modern detailing through the use of a simple, coherent material palette.

- Both the Ipe and fiber cement siding options that are proposed at the vertical bays have a similar linear quality as the existing standing seam metal siding. The new siding material will enhance the rhythm of the building's bays and will also maintain the established contrast in color and texture with the existing split face block that makes up the remainder of the building façade.
- The new steel canopies will introduce a strong line to the building's ground level, and together with the storefront systems and planter elements, will create a more cohesive building base.
- The articulation of the parapet "cornice" will be maintained with a new parapet wall cap flashing in a contrasting color.
- The new windows and doors will fit within existing openings.

Therefore, these guidelines are met.

C1-1. Integrate Parking. Design surface parking and parking garage exteriors to visually integrate with their surroundings. This guideline may be accomplished by any or all of the following:

- a. Designing street facing parking garages to not express the sloping floors of the interior parking;
- b. Designing the sidewalk level of parking structures to accommodate active uses, display windows, public art or other features which enhance the structure's relationship to pedestrians; or
- c. Accommodating vending booths along sidewalks adjacent to parking facilities when active ground level uses are not possible.

Findings: The existing metal roll-up garage doors at Burnside and St. Clair will be replaced with new metal doors. The new doors at Burnside will also have glass panes, which will allow the garage openings to read less like a wall, and in conjunction with the proposed treatment of the adjacent commercial space, will create a more visually cohesive sidewalk façade at Burnside. *Therefore, this guideline is met.*

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 any or all of the following:

- 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.

Findings: The new steel canopies will span the commercial entrance at Burnside, and the residential building entrance at St. Clair. The proposed canopies create a strong line at the base of the building, helping to differentiate the building's ground level from its upper stories. *Therefore, this guideline is 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: The new planters and bench at Burnside will contribute to a more active corner at this intersection. This new configuration will also create a functional space at the corner where people can socialize. *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.

C9. Develop Flexible Sidewalk-Level Spaces. Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

Findings: The smooth concrete at the building's base differentiates it from the split face concrete of the upper stories. The proposal will emphasize this differentiation even further through the following:

- The building's base will be painted a darker, contrasting color than that used at the split face concrete at the upper stories;
- The new storefront window systems, and new garage doors will maintain ground level transparency along Burnside;
- The proposed seating area and planters will add interest, as well as a functional ground level gathering area at the corner; and
- The new canopies at Burnside and St. Clair will create a strong line, which will further distinguish the building's sidewalk level.

Therefore, these guidelines are met.

C11. Integrate Roofs and Use Rooftops. Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

Findings: The stair penthouse, located at the building's roof will be extended. However, the addition to the penthouse will match the existing in terms of materials and color, and therefore, will have little impact on the roof function or overall design concept of the building. *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 design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of exterior alterations to the Uptown Tower including new garage doors and storefront system at ground level, replacing existing metal siding with either hardiplank lap siding or Ipe wood horizontal siding, extending existing rooftop stairway overrun, new steel canopies at entryways, new vinyl-clad windows and sliding doors at balconies, new concrete planters and Ipe bench, and resurfacing existing brick at residential entrance with smooth skim coat. All approvals per the approved site plans, Exhibits C-1 through C-17, signed and dated August 21, 2008, 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-C.17. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-120905 DZ. No field changes allowed."



Decision rendered by: _____ **on (August 21, 2008.)**

By authority of the Director of the Bureau of Development Services

Decision mailed: August 25, 2008

Staff Planner: Shawn Wood

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 April 8, 2008, and was determined to be complete on May 22, 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 April 8, 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 Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on September 8, 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.

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 **September 9, 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.

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.

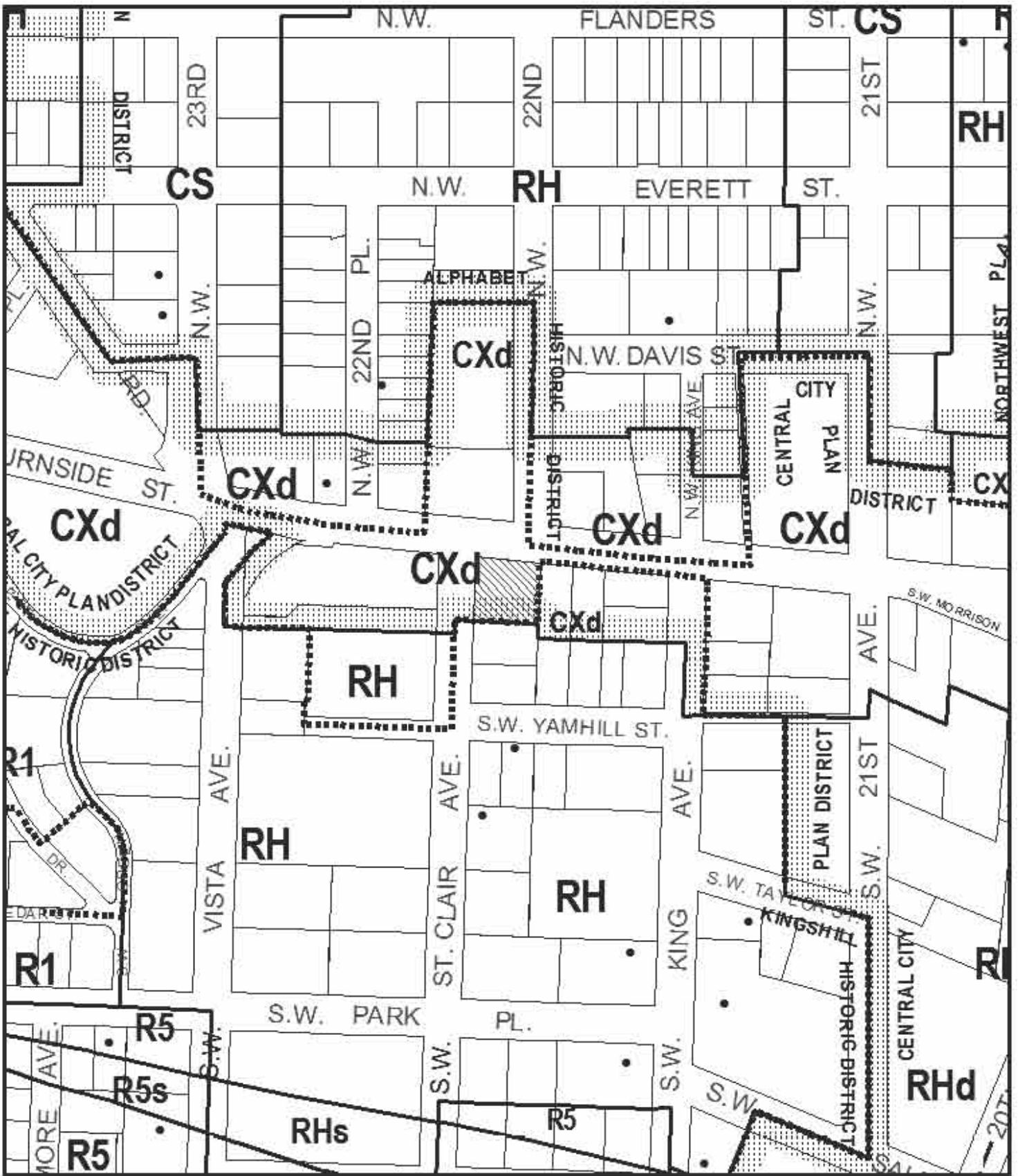
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan at W. Burnside (attached)
 - 2. Site Plan at St. Clair Ave (attached)
 - 3. Roof Plan, Penthouse Plan & Enlarged Elevations (attached)
 - 4. West & North Elevations (attached)
 - 5. East & South Elevations (attached)
 - 6. Building Cross Sections
 - 7. West & North Enlarged Elevations (attached)
 - 8. Exterior Details 1
 - 9. Exterior Details 2
 - 10. Casement Window Cutsheets
 - 11. Door Cutsheets
 - 12. Storefront System Cutsheets
 - 13. Glazed Rollup Door Cutsheets
 - 14. Metal Rollup Door Cutsheets
 - 15. HardiePlank Cutsheet
 - 16. Material Palette Ipe
 - 17. Material Palette Fiber Cement
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:

1. Bureau of Transportation Engineering and Development Review
 2. Plan Review Section of BDS
- F. Correspondence:
None Received
- G. Other:
1. Original LU Application
 2. Site History Research
 3. Incomplete Letter

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



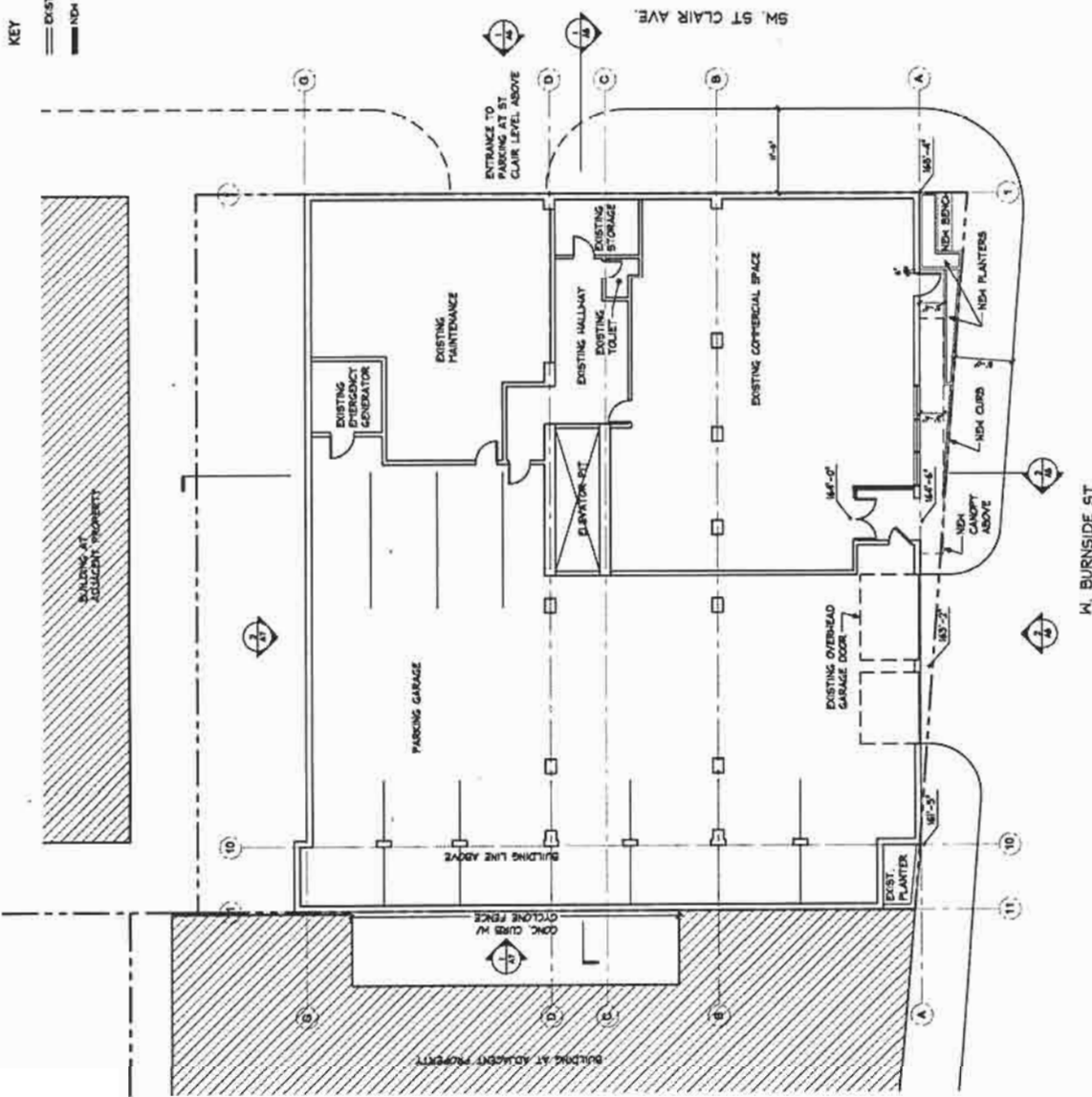
Historic Landmark



NORTH

File No.	LU 08-120905 DZ
1/4 Section	3027
Scale	1 inch = 200 feet
State Id	1N1E33CA 15300
Exhibit	B (Apr 14, 2008)

KEY
 ——— EXISTING HALL
 ——— NEW HALL



1 PLAN AT W. BURNSIDE ST. - PROPOSED
 SCALE: 1/8" = 1'-0"

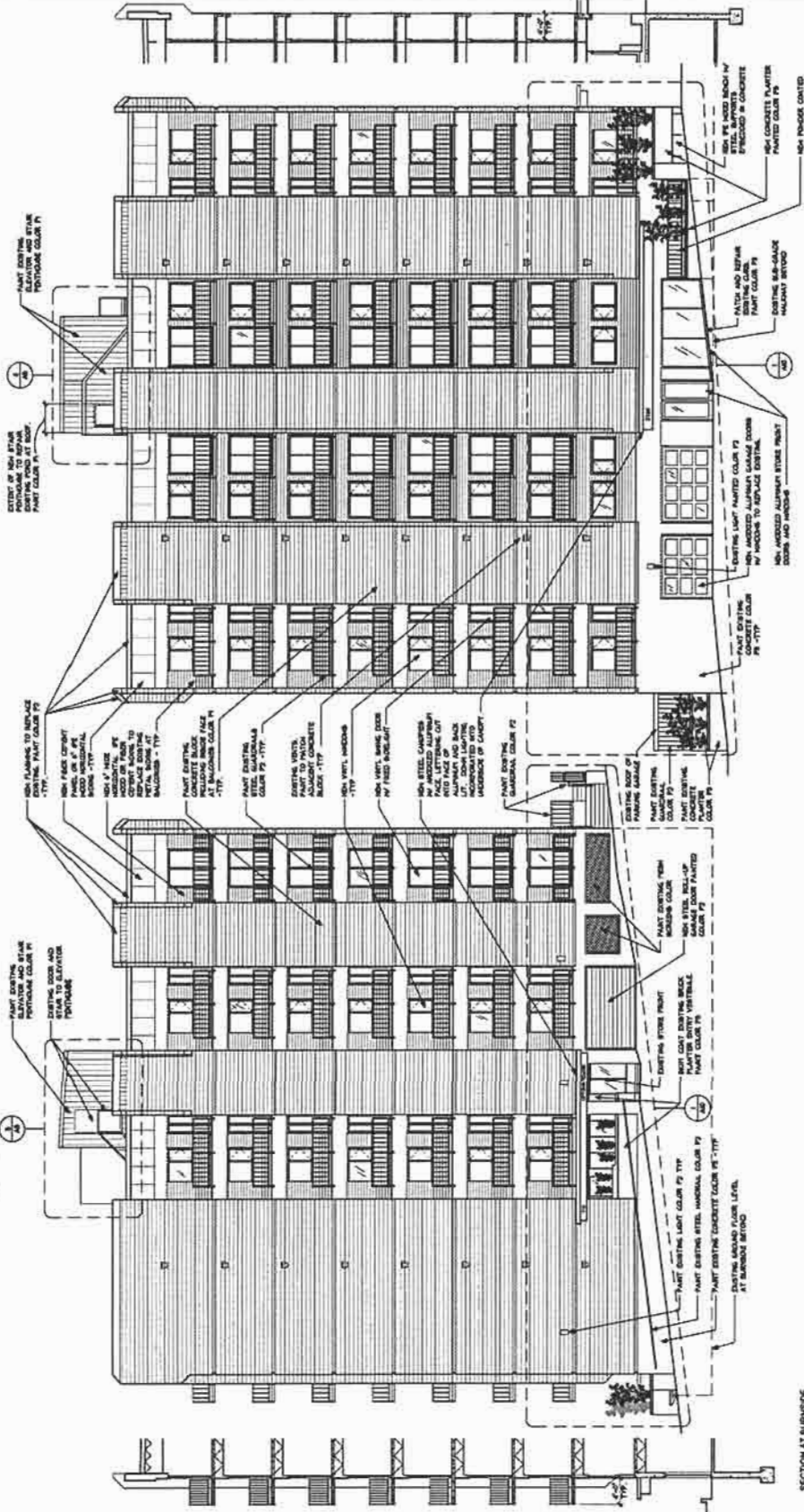
Approved
 City of Portland
 Bureau of Development Services
 Planner *[Signature]*
 Date 8.21.08

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

EXHIBIT C.5

RECEIVED
 JUL 24 2008

GENERAL NOTES
 1. SEE COLOR SCHEDULE AND MATERIALS BOARD FOR PAINT COLORS



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

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

CARLETON HART ARCHITECTURE
 1000 NE 10TH AVE SUITE 200 PORTLAND, OREGON 97232
 TEL: 503.255.1111 FAX: 503.255.1112
 WWW.CARLETONHART.COM

DESIGN REVIEW APPLICATION
 GUARDIAN MANAGEMENT, OREGON
 712 SW ST. CLAIR AVENUE, PORTLAND, OREGON

REVISIONS
 PROJ. NO. 20810
 03.13.08

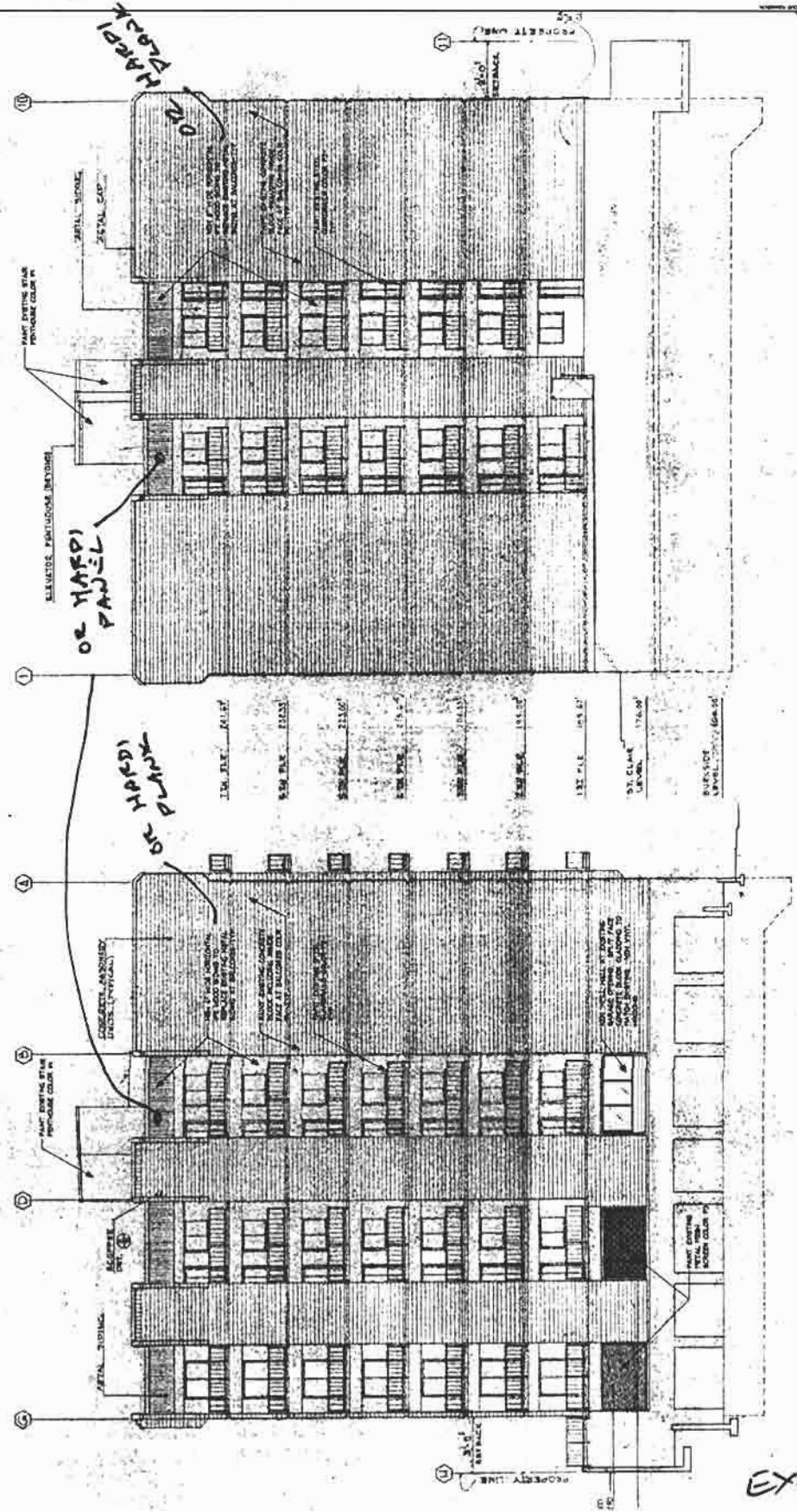
SECTION AT ST. CLAIR ENTRY

SECTION AT BURNING RETAIL SPACE

A6

Approved
 City of Portland - Bureau of Development Services
 Planner *Sharon Wood* Date **8.21.08**
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

EXHIBIT C.4



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

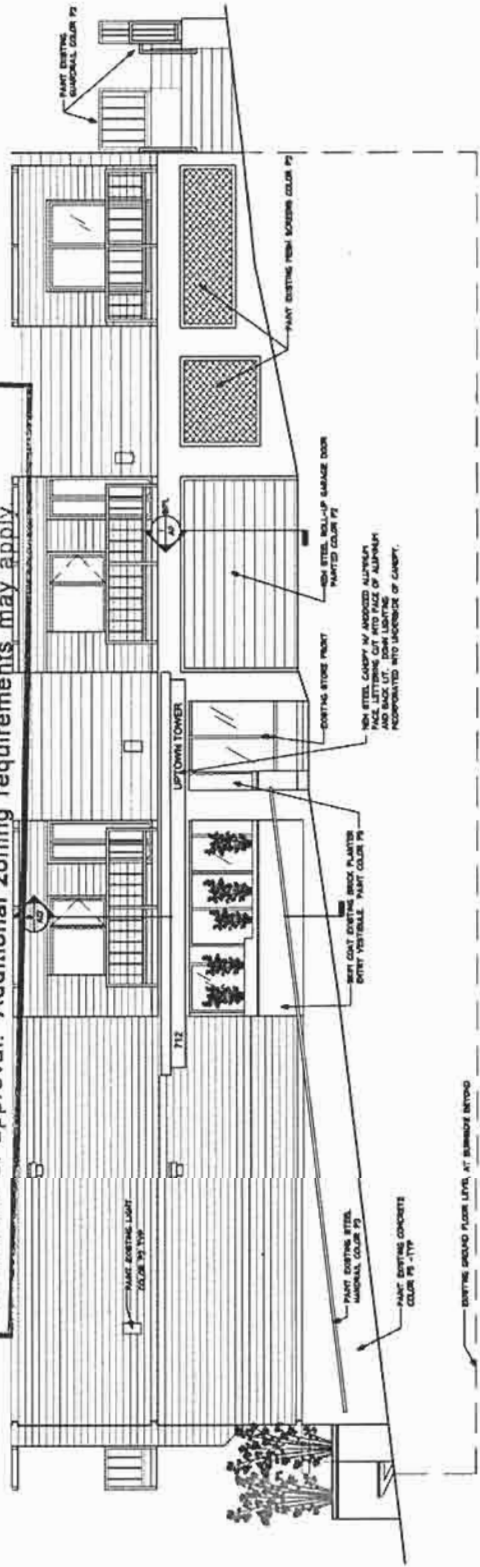
1 EAST ELEVATION
 SCALE: 1/8" = 1'-0"

EXHIBIT C.5

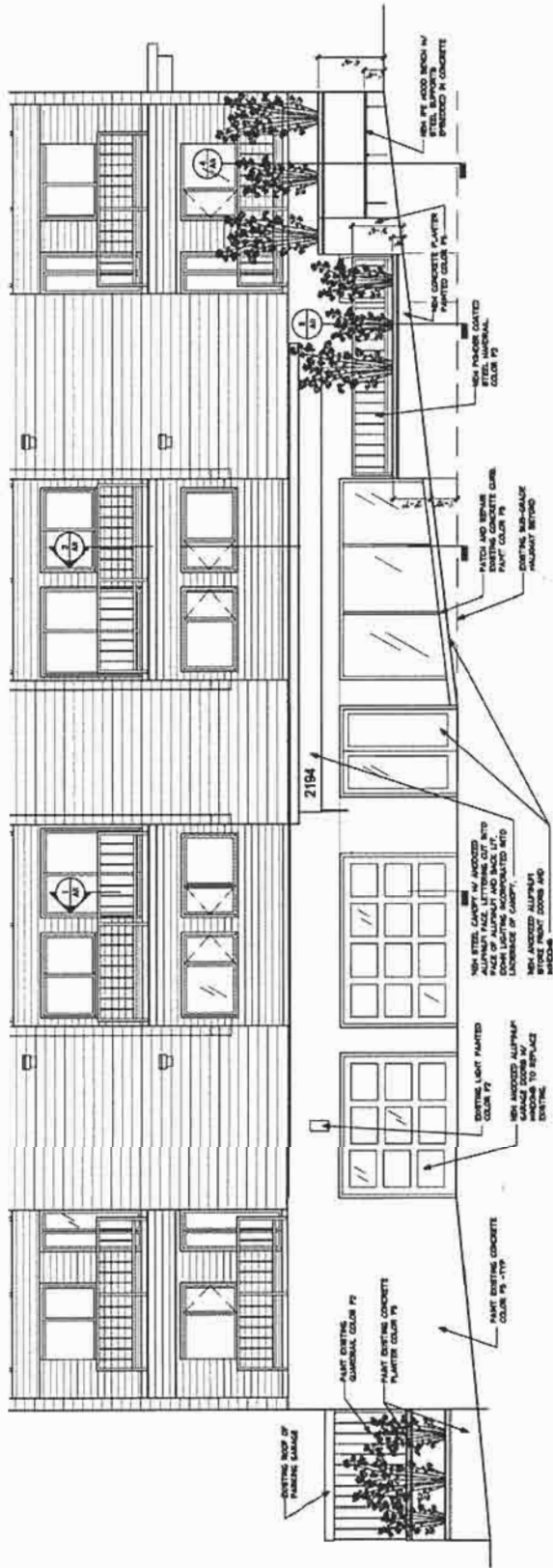
Approved
 City of Portland - Bureau of Development Services
 Planner DLB Date 8.21.08
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

Approved
 City of Portland - Bureau of Development Services
 Planner *Alison* Date **8.21.08**

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



1 WEST ELEVATION
 SCALE: 1/4" = 1'-0"



2 NORTH ELEVATION
 SCALE: 1/4" = 1'-0"

EXHIBIT C.7