



City of Portland
Bureau of Development Services
Land Use Services Division

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Portland, Oregon 97201
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www.portlandonline.com/bds

Date: September 2, 2008
To: Interested Person
From: Dave Skilton, Land Use Services
503-823-0660 / dave.skilton@ci.portland.or.us

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

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

CASE FILE NUMBER: LU 08-141275 HDZ - THREE NEW ENTRIES

GENERAL INFORMATION

Applicant: Amato Brothers Enterprises Inc., Owner
901 NE Glisan St
Portland, OR 97232

Craig T. Olson, Owner
2933 SW Periander Street
Portland, OR 97201

Representative: Thomas Shaw, Architect (503-255-3305)
Stearns Construction LLC
17256 NE Sacramento Street
Portland, OR 97230-5940

Site Address: 333 SW Taylor Street

Legal Description: Lot 4 Block 51, Portland
Tax Account No.: R667706170
State ID No.: 1S1E03BA 07000
Quarter Section: 3129

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
Other Designations: Portland Historic Landmark, pursuant to listing in the National Register of Historic Places on August 21, 1980.

Zoning: CXd, Central Commercial, with Design Overlay

Case Type: HDZ, Historic Design Review
Procedure: Type II, an administrative decision with appeal to the Historic Landmarks Commission.

PROPOSAL:

Applicant is seeking historic design review for a proposal to install three new ground floor entries within a non-historic storefront system on the Gilbert Building. Two of the openings will be within a recessed area on the SW Taylor Street side of the building, and the third will face SW Third Avenue. The entry on SW Third and the easterly entry on SW Taylor will consist of pairs of doors; the other entry facing Taylor will be a single door. All the doors will be similar in character to the existing historic doors in the main upstairs entry facing Taylor Street. Historic Design Review is required because the Gilbert Building is a Portland Historic Landmark, pursuant to listing in the National Register of Historic Places on August 21, 1980.

RELEVANT APPROVAL CRITERIA:

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

- 33.846.060 G Other Approval Criteria
- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The Gilbert Building is located on an eighth-block site on the northwesterly corner of SW Third Avenue and SW Taylor Street. A two-story commercial building occupies the eighth-block to the west, and a seven story parking garage occupies the remainder of the block. Designed for office use in 1893, the building was converted to a hotel in 1916. It is currently vacant on the ground floor and used as offices above.

The Gilbert building has also been known historically as the Jacobs Building, a fact stemming from the original owners' change of surname from Jacobs to Gilbert. The building, an outstanding example of the Renaissance Revival style, is assumed to be an early design by the firm of Widden and Louis, but this has not been verified. Notable design features include a highly-detailed yellow brick, bearing-wall construction, double-hung windows grouped in three-story round arches with decorative brickwork, and a corbelled arcade cornice. The building also features some terra cotta elements, such as the parapet copings, window sills, and name block. As is the case with many historic commercial structures, the original ground floor materials were removed or significantly altered over time. A restoration in the spirit of the original was carried out in 1982.

The site is outside, but within half a block of the Yamhill Historic District to the east, lending a moderate sense of historic context. SW Third Avenue and SW Taylor Street are classified as Traffic Access streets in the Transportation Element of the Comprehensive Plan. SW Third Avenue is a City Bikeway and SW Taylor Street is a Local Service Bikeway. The site is located within the Downtown Pedestrian District.

Zoning: The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together.

The design (d) overlay zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

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

- **LU 03-100364 HDZ:** Approval of a similar proposal to install new doorways within the existing storefront system of the building. This work was never done and the land use decision expired after three years.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **July 30, 2008**. The following Bureaus have responded with no issues or concerns about the proposal:

- Bureau of Environmental Services
- Water Bureau
- Bureau of Transportation Engineering
- Site Development Section of BDS

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **July 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 33.846, 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/Conservation 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, the relevant approval criteria are the Central City Fundamental Design Guidelines.

Staff has considered all the approval criteria and addressed only those that are applicable to this case.

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.

Findings: The ground floor areas of the building proposed for alteration are non-historic, representing a 1982 rehabilitation in the spirit of the original. In a similar manner the proposal carries on the late nineteenth century traditions of entry sequence embodied in the current configuration. *This criterion is therefore met.*

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: The proposed alterations, while sensitive to the historic character of the building, employ modern methods and configurations, and upon close inspection are unlikely to be mistaken for historic materials. *This criterion is therefore met.*

- 3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.

Findings: The areas of the building proposed for alteration are less than fifty years old and do not qualify as historic changes. This precludes their consideration as significant changes. *This criterion is therefore met.*

- 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.

Findings: No historic materials are being considered for change. *This criterion is therefore met.*

Central City Fundamental Design Guidelines

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

The Central City Fundamental 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 Design Goals

This set of goals has been developed to guide development throughout the Central City. The goals apply within the eight Central City sub-districts, or policy areas. The nine goals for design review within the Central City and its sub-districts 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 that is safe, humane and prosperous; and
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.

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

Findings: The proposed project will facilitate more intense use of the ground floor, supporting the continued use of this 115 year old building. *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.

Findings: The proposed addition of three new retail entries provides direct physical connection from the sidewalk to the active ground floor space of the building. *This guideline is therefore met.*

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

Findings: The provision of barrier-free accessibility is one purpose of this project. The westerly door proposed on the south face of the building will give access both to an elevator and the ground floor businesses. *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.

Findings: As noted above, the proposed new doors are well integrated within the 1982 ground floor alterations that were in turn designed to re-establish character compatible with the rest of the historic building. *This guideline is therefore met.*

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: The proposed new doors draw their proportions, wood materials, and decorative patterns directly from the existing storefront system into which they are being inserted. That system is compatible with the historic character of the building. *This guideline is therefore met.*

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

Findings: By introducing three new openings within the storefront system where only one existed before, the proposal greatly enhances the opportunity for retail use on the ground floor. Because the property is on a corner, great flexibility will be made available in the configuration of shops. *This guideline is therefore met.*

CONCLUSIONS


This simple proposal, to provide three new doors within the existing compatible storefront system will help to achieve several important goals. It will enliven the ground floor by facilitating retail rather than office use, and it will help to complete an accessible path to the elevator making the entire building more compliant with the requirements of the Americans with Disabilities Act. The proposal therefore merits approval.

ADMINISTRATIVE DECISION

Approval of three new ground floor entries, per the approved drawings, Exhibits C-1 through C-4, signed and dated August 29, 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 through C-4. The sheets on which this

information appears must be labeled, "Proposal and design as approved in Case File # LU 08-141275 HDZ ."

Decision rendered by:  on August 29, 2008.

By authority of the Director of the Bureau of Development Services

Decision mailed September 2, 2008.

Staff Planner: Dave Skilton

About this Decision. This land use decision is **not a permit** for development. A Final Plat must be completed and recorded before the proposed lots can be sold or developed. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on June 27, 2008, and was determined to be complete on **July 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 June 27, 2008.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period.

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

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

The file and all evidence on this case is available for your review by appointment. Please contact the receptionist at 503-823-7967 to schedule an appointment. Copies of all

information in the file can be obtained for a fee equal to the cost for such services. You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of the Portland Zoning Code, by visiting the City's homepage on the Internet at www.portlandonline.com.

Recording the final decision.

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **September 3, 2008**. The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-7967.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

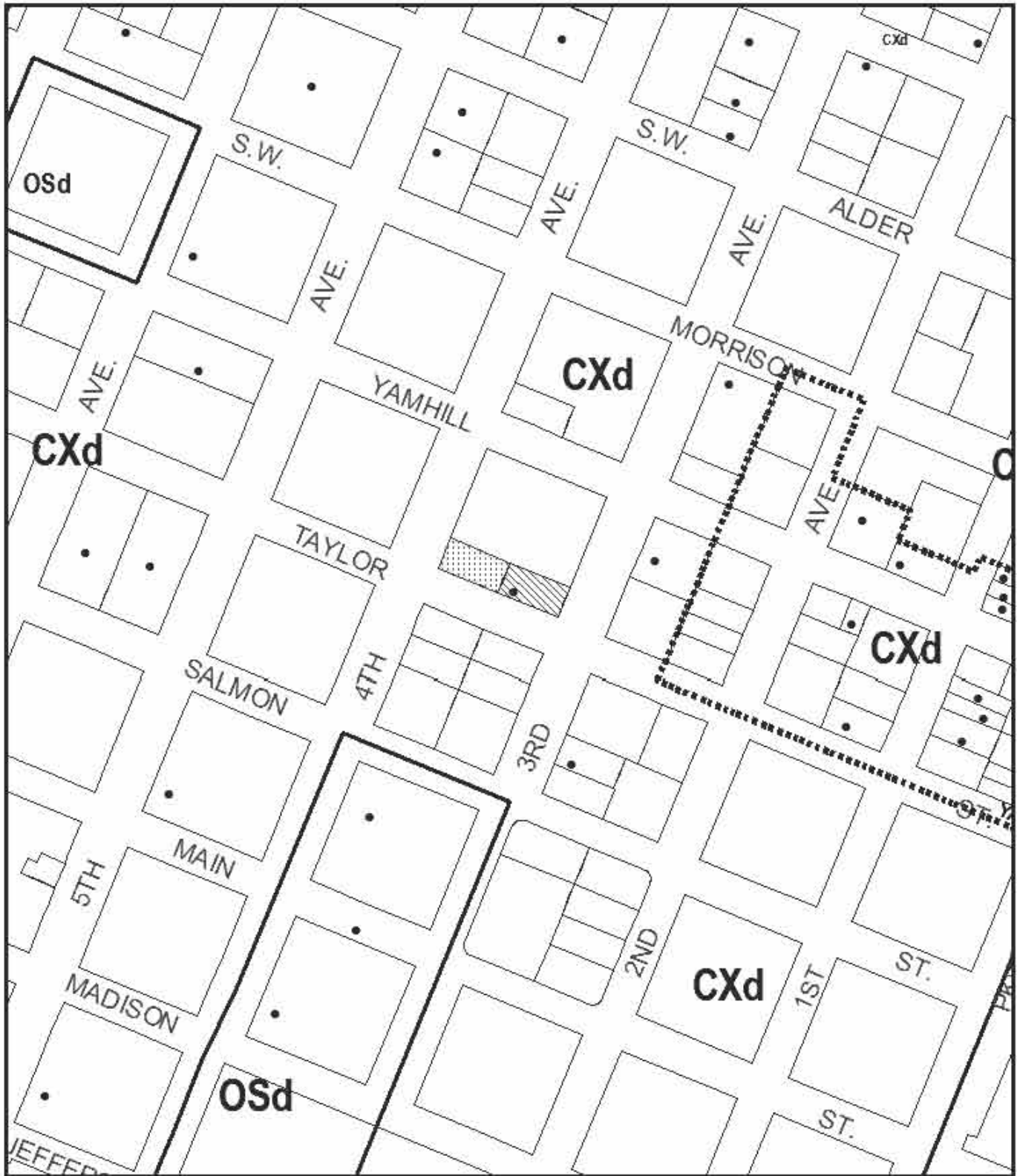
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site/Floor Plan (attached)
 2. East Elevation (attached)
 3. South Elevation (attached)
 4. Details (attached)
- D. Notification information:
 1. Mailing list
 2. Mailed notice

- E. Agency Responses: None
- F. Correspondence: None
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. Case Communication Log

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



ZONING

-  Site
-  Also Owned
-  Historic Landmark



This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No.	LU 08-141275 HDZ
1/4 Section	3129
Scale	1 inch = 200 feet
State_Id	1S1E03BA 7000
Exhibit	B (Jun 30, 2008)

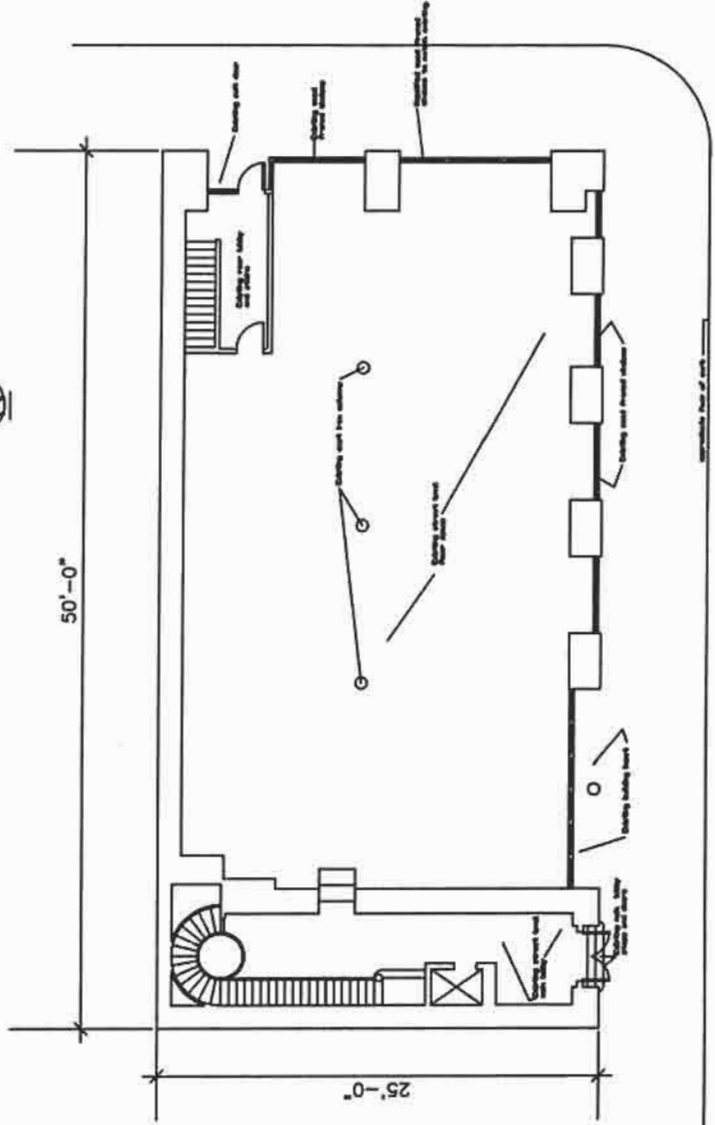
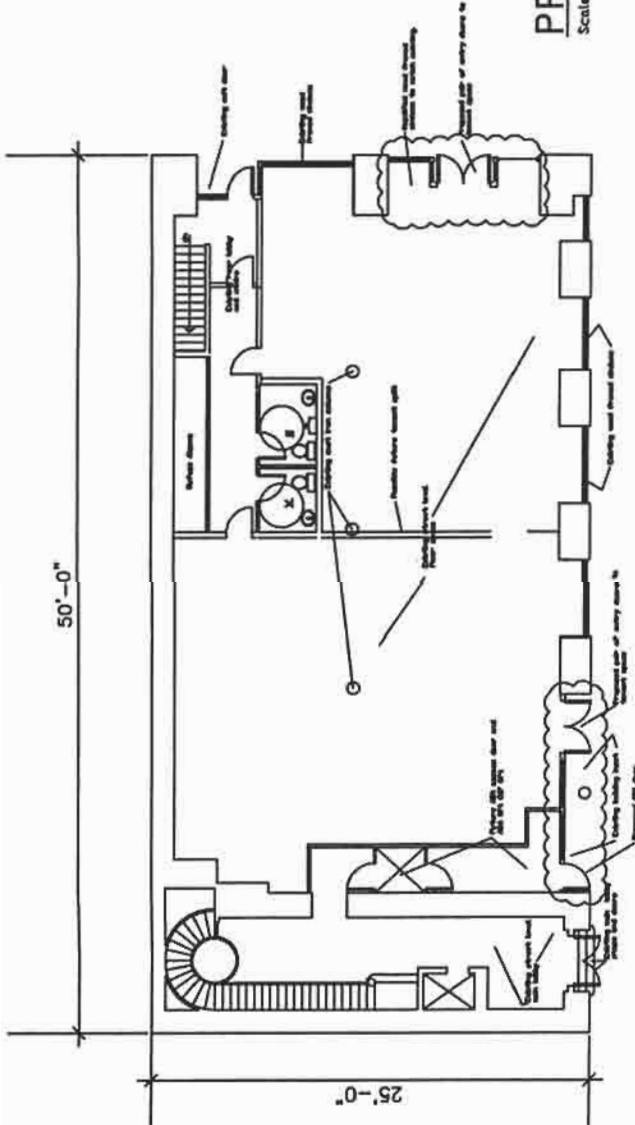
CONSTRUCTION MANAGER: STEARNS CONSTRUCTION, LLC 17256 NE SACRAMENTO ST. PORTLAND, OR 97230	PROJECT: Gilbert Building Historical Design Review 333 SW Taylor Portland, Oregon	ARCHITECT: THOMAS SHAW 4242 SW HEWETT BLVD PORTLAND, OR 97221	SHEET: 1-A
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PROJECT NOTES:

1. All doors, window frames and mullion treatment to match existing with respect to both profile and architectural profile.
2. New glazing panels to be insulated and tempered.
3. Paint/stain colors to match existing.
4. Soffit material at East Elev. to match existing soffit material at South Elev.

PROPOSED FLOOR PLAN

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



Approved

City of Portland

Bureau of Development Services

Planner *Pure Shu* (6)

Date 8.29.8

* This approval applies only to the reviews requested and is subject to all conditions of approval.

Additional zoning requirements may apply.

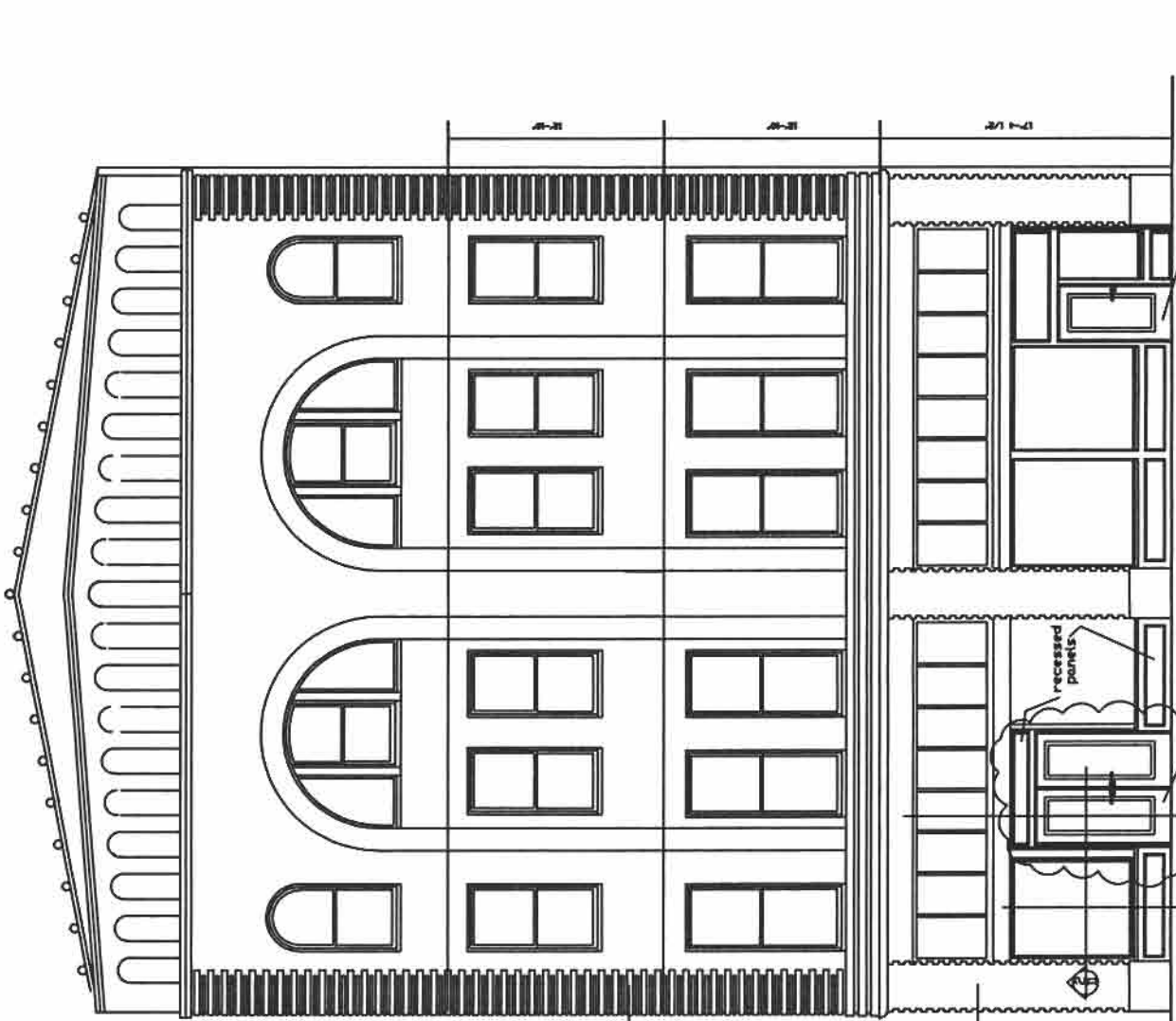
EXISTING FLOOR PLAN

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



LU 08-141275 HDZ
EXHIBIT C-1

<p>CONSTRUCTION MANAGER: STEARNS CONSTRUCTION, LLC 17256 NE SACRAMENTO ST. PORTLAND, OR 97230</p>	<p>PROJECT: Gilbert Building Historical Design Review Portland, Oregon</p>	<p>ARCHITECT: THOMAS SHAW 4242 SW HEWETT BLVD PORTLAND, OR 97221</p>	<p>Sheet: 17/28/08</p>	<p>1-B</p>
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EAST ELEVATION
 Scale: 1/4"=1'-0"

Approved
 City of Portland
 Bureau of Development Services
 Planner Doreen Hilborn
 Date 8.29.08

brick corals

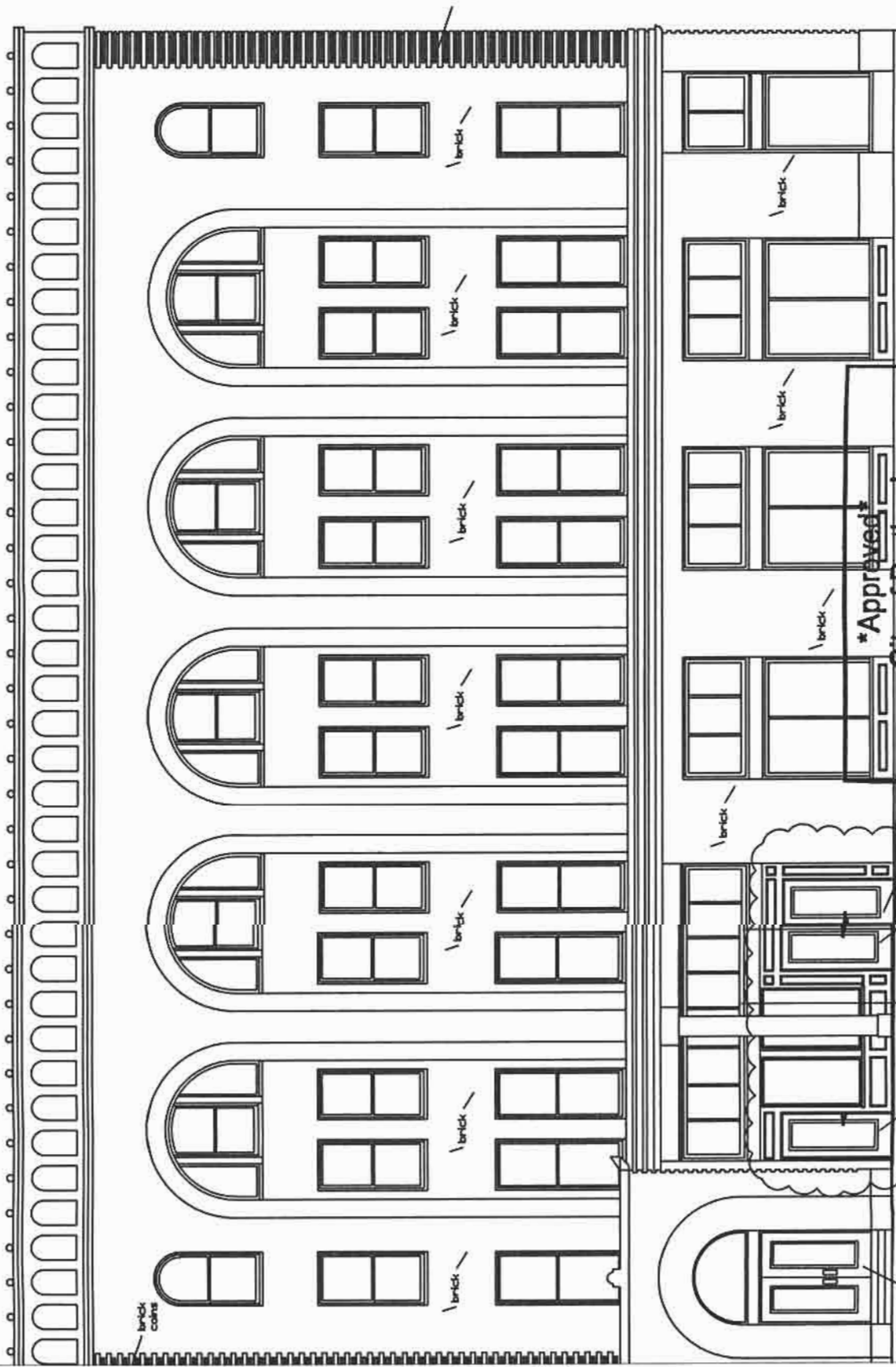
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

brick corals

East Elev. area of proposed modification

LU 08-141275 HDZ
 EXHIBIT C-2

PROJECT: Gilbert Building Historical Design Review Portland, Oregon	ARCHITECT: THOMAS SHAW 4242 SW HEWETT BLVD PORTLAND, OR 97221	CONSTRUCTION MANAGER: STEARNS CONSTRUCTION, LLC 17256 NE SACRAMENTO ST. PORTLAND, OR 97230	SHEET 1-C
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SOUTH ELEVATION
 Scale: 1/4"=1'-0"

Approved
 Bureau of Development Services
 City of Portland
 Planner *Dave Phil*
 Date 8.29.8

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

LU 08-141275 HDZ
 EXHIBIT C-3

Approved
City of Portland
 Bureau of Development Services
 Planner Dave Miller
 Date 8-29-08

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

Inside corner recessed panel profile to match existing

PANEL TRIM
1/4" x 1/4"

Existing transom lite.

Existing horiz. mullion/trim

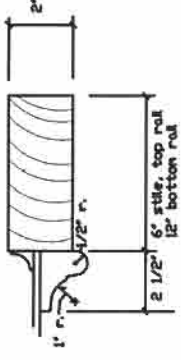
5/8" x 1 1/2" S4S applied stops

insulated glazing

sloped sill w/applied sill stop

5/4 x 6 stool and trim at recessed panel

inside corner trim to match existing



STILE PROFILE
1/4" x 1/4"

Existing transom lites

Existing horizontal mullion



3/4" ply recessed panel

5/4 x 6 CVG corners

door in open position

WINDOW/DOOR ALCOVE SECTION
1/4" x 1/4"

Door alcove area

5/8" x 1 1/2" wood window stops to match existing

insul. clr. glass

3' x 8' white oak rail/stile door

WINDOW SECTION
1/4" x 1/4"

WINDOW/RECESSED DOOR SECTION
1/4" x 1/4"

2
B

1
B

LU 08-141275 HDZ
 EXHIBIT C-4

ARCHITECT: THOMAS SHAW 4242 SW HEWETT BLVD PORTLAND, OR 97221	PROJECT: Gilbert Building Historical Design Review 333 SW Taylor Portland, Oregon	CONSTRUCTION MANAGER: STEARNS CONSTRUCTION, LLC 17256 NE SACRAMENTO ST. PORTLAND, OR 97230
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1-D
 SHEET