



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

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**Date:** October 20, 2008  
**To:** Interested Person  
**From:** Staci Monroe, Land Use Services  
503-823-7870 / [Staci.Monroe@ci.portland.or.us](mailto:Staci.Monroe@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 08-161279 HDZ – HISTORIC DESIGN REVIEW FOR DOORS AND TRASH ENCLOSURE**

#### **GENERAL INFORMATION**

**Applicant:** Smith Block Enterprises LLC (owner)  
805 SW Broadway #2200  
Portland, OR 97205

**Representative:** Brian Mares (architect), 503-230-2211  
Emmons Architects  
1006 SE Grand Ave 2nd Floor  
Portland OR 97214

**Site Address:** 111-113 SW FRONT AVENUE

**Legal Description:** BLOCK 27 LOT 1-3&7 TL 1600, PORTLAND  
**Tax Account No.:** R667704050  
**State ID No.:** 1N1E34DC 01600  
**Quarter Section:** 3030  
**Neighborhood:** Old Town-China Town, contact Carol McCreary at 503-984-4081.  
**Business District:** Old Town Chinatown Business Association, contact Dorian Yee at 503-224-7066.

**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Central City - Downtown  
**Other Designations:** Smith's Block Building is a National Historic Landmark (No. 155)  
**Zoning:** CXd – Central Commercial zone with a Design overlay  
**Case Type:** HDZ – Historic Design Review  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

#### **Proposal:**

The applicant seeks Historic Design Review for changes to a previous Historic Design Review approval (LU 06-185300 HDZ). Due to an existing grade condition where the elevation of the

paved area along the south side of the building is higher than the interior finished floor of the southern tenant space, the applicant wishes to defer the installation of three sets of glass doors on the south elevation and the trash enclosure screen for approximately one year. Within this year, excavation and repair of the courtyard will occur and bring the interior and exterior grades to the same level.

In the interim, plywood infill panels have been installed in the two easternmost door openings and finished with stucco and painted to match the south building wall. The current vacancy of the southern tenant space allows trash and recycling to be accommodated on the interior of this space. It is accessed via a temporary metal and glass roll-up door in the western door opening. Once the exterior grade work on the courtyard is complete the previously approved wood slat trash enclosure can be constructed along the south side of the building and the roll-up door and plywood infill panels can be replaced with the wood slider doors.

Proposals for exterior alterations to historic landmarks require Historic Design Review.

**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
- Skidmore/Old Town Historic District
- Other Approval Criteria for Historic Landmarks – Section 33.846.060.G

## ANALYSIS

**Site and Vicinity:** The 10,000 square foot lot is located immediately west of the Waterfront Park on SW Front (Naito Pkwy) and bound by SW Pine and SW Ash Streets. The site contains a 4-story building and a narrow strip of parking adjacent to the south wall of the building. The building itself is comprised of four, 25' wide bays, however only three of the bays are within the subject sites boundary and a part of the proposal. The fourth bay is located on a 5,000 square foot parcel to the immediate north.

The Smith's Block Building was constructed in 1872 and received National Historic Landmark status in December of 1969. The Italianate style building is comprised of brick with cast iron work in an intricate pattern on the front facade and a wood cornice. Numerous renovations throughout the years have resulted in a random window placement and stucco over brick on the south façade and replacement of the southernmost storefront in non-traditional materials and style.

**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 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.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks. The regulations that pertain to these properties protect certain historic resources in the region and preserve significant parts of the region's heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

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

- **HL 37-78:** Approval of a 1978 Historic Landmark Review for building renovation (additional details can be found in City records).
- **HL 33-79:** Approval of 1979 Historic Landmark Review for a facade restoration (additional details can be found in City records).
- **HL 49-82:** Approval of 1982 Historic Landmark Review for a penthouse addition.
- **HL 10-82:** Discussion of a 1982 Historic Landmark Review for design modifications (additional details can be found in City records).
- **HL 20-83:** Approval of 1983 Historic Landmark Review for the restoration of the 3 bay façade.
- **HL 45-83:** Denial of a 1983 Historic Landmark Review for a modification to building color scheme.
- **HL 75-83:** Discussion of a 1983 Historic Landmark Review for a rooftop addition.
- **HL 28-84:** Conceptual approval of 1984 Historic Landmark Review for building renovations (additional details can be found in City records).
- **HL 69-86:** Approval of a 1986 Historic Landmark Review for signage.
- **HL 2-87:** Discussion of 1987 Historic Landmark Review with the City Engineer for a proposed display within the right-of-way (additional details can be found in City records).
- **LUR 91-00477 CU, AD:** Approval of 1991 Conditional Use Review for new retail and residential uses and an Adjustment Review for a reduction in parking from 8 to 0 spaces.
- **LUR 91-00478 HL:** Approval of a 1997 Historic Landmark Review for conceptual building renovation associated with new retail and residential uses including a penthouse, deck and parking.
- **LUR 91-00743 HL:** Approval of a 1991 Historic Landmark Review for the addition of 3 windows on the first floor of the south elevation and a 4-foot door.
- **LUR 95-00618 DZ:** Approval of 1995 Design Review for the installation of two new windows and wall surface repair on the rear façade.
- **LUR 06-185300 HDZ:** Approval of 2006 Historic Design Review for a storefront remodel, stairwell and equipment enclosure on the roof, shearwall, windows and doors on south elevation, and trash enclosure and screen wall.
- **LUR 07-184708 HDZ:** Approval of 2007 Historic Design Review to modify a previously approved roof screen and enclosure.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **September 17, 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
- Bureau of Transportation Engineering

The Plan Review Section of BDS responded with comments on the proposal, which have been attached to the decision as Exhibit E-1. The comments are general and do not pose any issues with the approval of this land use review.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on September 17, 2008. One written response has been received from a notified property owner in response to the proposal.

- Arnold Weiner (property owner of 131 SW Front Avenue), 7215 SW Montclair Drive, Portland, OR 97225, affirming concerns for no encroachment onto their adjacent parking lot property.

Staff Response: The work proposed within this review does not require any access or work to occur on the adjacent surface parking lot to the immediate south. However, the owner of the Smith’s Block has been notified of the neighbors concerns.

## **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 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 Skidmore/Old Town Historic District, the relevant approval criteria are the Skidmore/Old Town Historic Design Guidelines and the Central City Fundamental Design Guidelines.

### **I. Historic Landmark Approval Criteria (PZC 33.846.060.G)**

#### **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.
- 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.
- 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.
- 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:** Postponing the installation of the previously approved wood slider doors and trash enclosure will not have an adverse impact on the historic resource or its materials. The metal roll-up door and plywood infill panels are temporary installments within previously approved openings. They allow the building to be secured and the trash to be stored and accessed during the period of excavation on the exterior courtyard. As installed, the metal roll-up door complement the previously approved aluminum wood clad windows on the south elevation and the plywood is finished with a stucco surface and painted to match the new shear wall finish. Once installed, the new wood slider doors and 8'-0" tall horizontal wood slat trash enclosure will continue to complement the original wood windows, doors and storefront materials used on the

building yet create distinctly new, more modern elements that are compatible with the resource. *These criterion are therefore met.*

### **Central City Fundamental Design Guidelines and Historic Skidmore/Old Town Design Guidelines**

The Skidmore/Old Town Historic District is a unique asset to Portland and has been recognized nationally by its placement on the National Register of Historic Places. In addition, the Skidmore/Old Town Historic District has been identified as a National Landmark, of which there is only one other in Portland, Pioneer Courthouse. There are certain procedures and regulations the City has adopted for the protection and enhancement of the Skidmore/Old Town Historic District.

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 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.*

## **II. Historic Skidmore/Old Town Design Guidelines**

### **General Guidelines: Alterations and Additions to Historic Landmarks, Potential Landmarks, and other Compatible Buildings.**

**A. Retention of Original Construction.** So far as practicable, all original exterior materials and details shall be preserved.

**Findings:** The temporary metal roll-up door and plywood panels will be located within previously approved openings on the south elevation. Therefore, these temporary elements will not remove any original material or details. *This guideline is therefore met.*

**B. Visual Integrity of Structure.** The vertical lines of columns and piers, and the horizontal definition of spandrels and cornices, and other primary structural elements shall be maintained. Such structural lines should be restored if previous alterations have substantially changed such elements.

- The modulation of building facades was determined by lot parceling. Generally, buildings were built at 25, 50 or 100-foot widths. Within those general building widths, the building was further divided into smaller bay storefront systems.
- Where structural lines cannot be carried to the ground, integrate the upper and lower floor design with color, materials and form simplicity.

**C. Scale and Proportion.** The scale and proportion of altered or added building elements, the relationship of voids to solids (i.e. openings such as doors and windows to walls and column elements) shall be visually compatible with the traditional architectural character of the Historic District. An important element within the Historic District was the emphasis on the pedestrian scale activities, which were characterized with the addition of canvas awnings or permanent canopies. This defined an important scale and proportion element of the District and to the extent possible, this relationship at pedestrian level should be re-established within the District.

**D. Exterior Building Materials.** Most of the buildings within the District were constructed of bearing wall brick masonry (left exposed or covered with plaster), or stone. This feature gives the area much of its textual surface character. Surfaces need to be treated, repaired, and maintained in a manner which is sympathetic to the District.

#### **1. Walls**

- Original building materials shall be preserved wherever possible. Cleaning and/or repointing masonry is preferred over replacement.
- If masonry has to be replaced, repair or replace existing masonry with masonry of matching color, texture, size, coursing. Avoid using “used” brick in replacement. This conflicts with traditional masonry surfaces.
- Mortar should match the color and joint configuration of the existing masonry wall.
- Masonry was painted to seal soft bricks from the weather or painted later for other reasons. Where soft brick surfaces are found to be painted, surfaces should not be stripped but should be repainted.
- Plastered surfaces should be cleaned, repaired with a similar plaster texture and repainted. Avoid exposing brick to the weather by removing finish plaster as this will speed deterioration of the brick.
- Do not apply artificial and/or inappropriate coverings to masonry surfaces. Examples are metal, plastic or wood sidings.

#### **2. Storefronts, Doors and Windows.** The shape, size, placement and trim of storefront openings are a key element in establishing the character of a building.

- Where original storefronts remain, preserve and repair. Where covered with other materials, remove and determine condition of original materials.
- Storefronts requiring new materials could consider a wide variety of replacement systems. Building Codes require non-combustible materials (steel, aluminum, etc.), but wood systems may be acceptable provided other means of fire protection are installed. Wood systems should be painted, rather than stained or treated naturally.
- New window and door openings should maintain a similar horizontal and vertical relationship as the originals. Traditionally, windows were two-over-two or one-over-one. Large panes of glass, as used in contemporary storefronts, should be avoided.
- Glazed portions of windows were important elements to the building and should not be altered, painted over or eliminated.
- Clear glass is traditional and should be used instead of tinted glass. Additionally, signs cannot be painted on tinted glass without the possibility of breakage due to the effect of sunlight.
- Re-use original hardware whenever possible. If possible, new hardware should be in keeping with original designs.
- On sidewalls, avoid walling-in openings with masonry, if possible. Rather, maintain the opening and replace the glazing if necessary with appropriate hard surface materials.

**E. Rear and Side Walls.** Generally, the standards which apply to the fronts of buildings also apply to rear and side walls, although the conditions to meet are usually much more simple. The chief concern lies with the removal of redundant additions to each building including signs, pipes, non-functioning stacks, grills, television aerials, etc. The repair and repointing of brick or masonry, painting of wood or certain masonry surfaces, and an effort to coordinate and subdue the clutter of the mechanical equipment are all recommended.

**Findings:** These temporary infill elements will occur within previously approved openings which were found to be compatible with the scale and proportions of the existing building thus maintaining the integrity of the landmark. The 8'-0" tall horizontal wood sliders are compatible with the material, horizontal patterning and vertical proportions of the windows on the south elevation as well as on the front facade. The 8' tall trash enclosure and screen along the southern ground floor elevation is a light wood element that will not appear as a building addition as the structure will be setback 65' from the front of the building and will not have the appearance of a horizontal addition thus maintaining the distinct 25' wide bays on the front elevation. *These guidelines have been met.*

**F. Color.** The colors used in alterations or additions within the District shall be visually compatible with the traditional architectural character of the historic buildings within the area.

- Historically, in the era of the late 1800's and early 1900's, painting was usually done using earth colors, i.e., hues tending towards brown, soft greens, and beiges.
- Bright colors and white were rarely used. Buildings, therefore, are perhaps most appropriately painted using subdued colors. Little or nothing is gained by the use of strong or loud colors, especially those with no tradition of local usage.
- Color combinations will occur, as nearly all buildings will have wood trim or metal ornamentation in addition to their base materials. This, plus the further elaboration of wood storefronts, suggests the use of an overall wall color plus one or two trim colors.
- A method for determining the original wall and trim colors consists of scraping chips from the existing surface and analyzing them microscopically. This should be done whenever the original color is unknown and major repainting is contemplated.

**Findings:** The temporary plywood infill panels in the two eastern openings on the south elevation have been finished to match the new southern wall with a stucco surface and painted a reddish-mauve color to match the building. Therefore, this temporary situation is visually compatible with the warm, more subdued color of the resource. The previously approved doors and trash enclosure are both comprised of wood that will be stained with a natural finish to match one another. *This guideline is therefore met.*

### **III. Central City Fundamental Design Guidelines**

**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.

**B5. Make Plazas, Parks and Open Space Successful.** Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.

**C1. Enhance View Opportunities.** Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

**Findings:** The temporary nature of the solid infill panels will ensure the vibrancy of the streetscape and visual connections from the interior to exterior spaces are maintained once the glass slider doors are installed within the year. In the interim, the metal roll-up door provides for some transparency into the interior spaces. *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 and finishes of the infill door and panels have a quality appearance and durability. The roll-up door is comprised of aluminum and glass which are both long-lasting materials. The plywood panels have been finished with a stucco surface and paint to match the southern building wall. The stucco finish is durable and provides a permanent, finished appearance. The temporary installment of the plywood will be required to be removed within one year due to its limited permanence qualities. With the condition of approval that both the roll-up door and plywood infill panels be removed within one year and replaced with the original wood slider doors and exterior trash enclosure screen will ensure the permanence and quality of the originally approved materials. *This guideline is therefore met.*

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

**A5. Enhance, Embellish, and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

**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.

**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:** As previously discussed, the previously approved openings and trash enclosure were found to complement the existing building while respecting its architectural integrity, which maintains the character of the Skidmore/Old Town Historic District. Similarly, the exterior finish of the plywood panels match the reddish-mauve stucco surface of the south building wall while the metal roll-up door complements the aluminum clad windows on the upper floor of this south elevation. *These guidelines 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 purpose of the historic design review process is to ensure that exterior alterations to existing buildings protect the integrity of the special characteristics of the historic resources.



The proposed interim metal roll-up door and wood infill panels complement the materials and design of the elements previously approved on the south elevation. The proposal meets the applicable design guidelines and therefore warrants approval.

### ADMINISTRATIVE DECISION

Approval of the temporary infill of door openings on the south elevation and installation of three wood slider doors and a trash enclosure screen within one year from the date of this decision per the approved site plans, Exhibits C-1 through C-3, signed and dated 10/16/08, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 08-161279 HDZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The trash enclosure along the south side of the building and the three sets of wood slider doors on the south elevation are required to be installed by October 16, 2008, within one year of the date of this decision.



**Decision rendered by:** \_\_\_\_\_ **on October 16, 2008**

By authority of the Director of the Bureau of Development Services

**Decision mailed: October 20, 2008**

**Staff Planner: Staci Monroe**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on September 9, 2008, and was determined to be complete on September 15, 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 September 9, 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 November 3, 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 **November 4, 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:

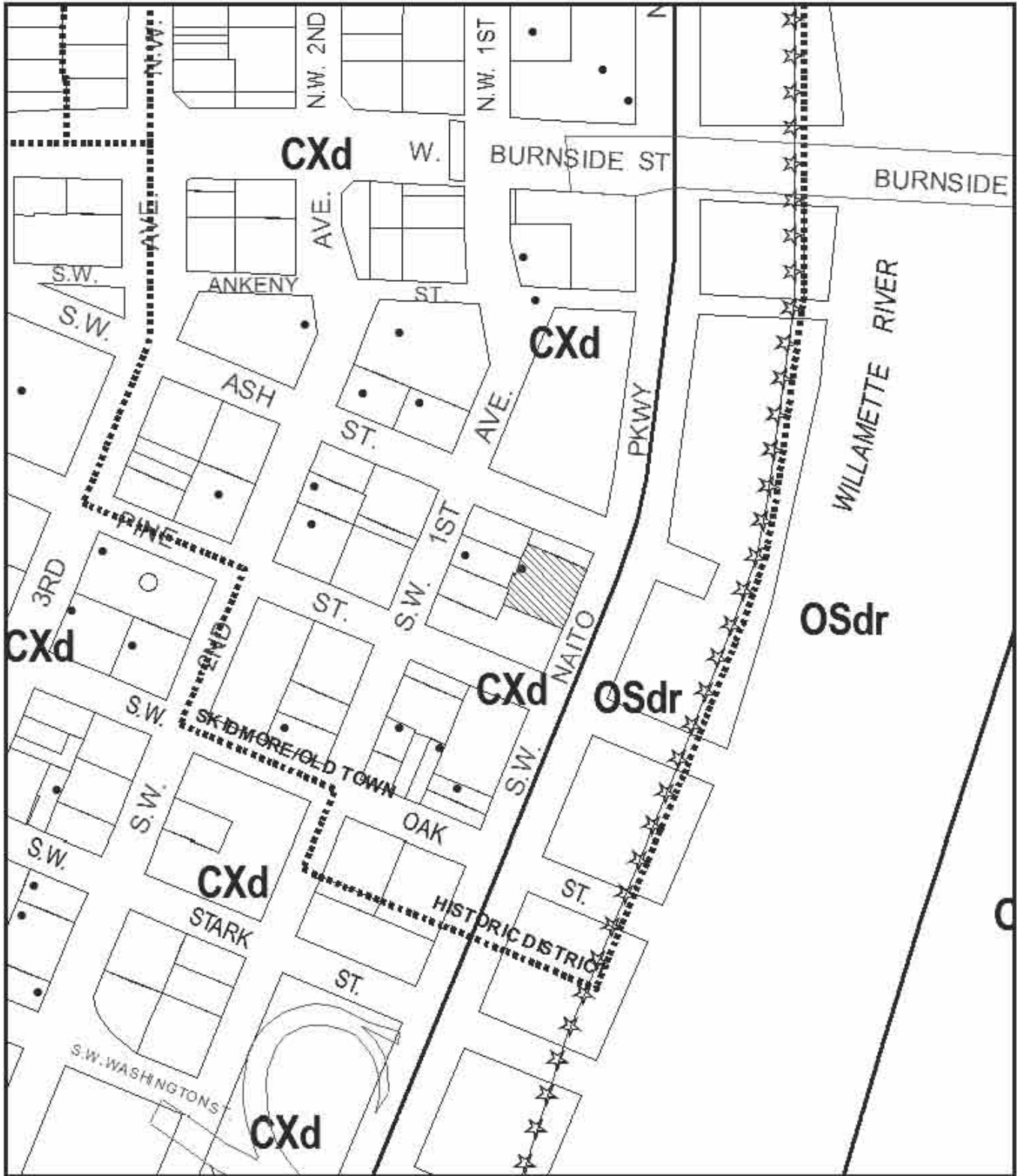
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site & Ground Floor Plan (attached)
  - 2. As Built South Building Elevations (attached)
  - 3. Proposed South Building Elevations (attached)
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Plan Review Section of BDS
- F. Correspondence:
  - 1. Arnold Weiner (property owner of 131 SW Front Avenue), 7215 SW Montclair Drive, Portland, OR 97225, affirming concerns for no encroachment onto their adjacent parking lot property.
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research

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



# ZONING



Site



Historic Landmark

This site lies within the:  
 SKIDMORE / OLD TOWN HISTORIC DISTRICT HISTORIC DISTRICT  
 CENTRAL CITY PLAN DISTRICT



NORTH

File No. LU 08-161279 HDZ

1/4 Section 3030

Scale 1 inch = 200 feet

State\_Id 1N1E34DC 1600

Exhibit B (Sep 10, 2008)

10/16/08



1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.

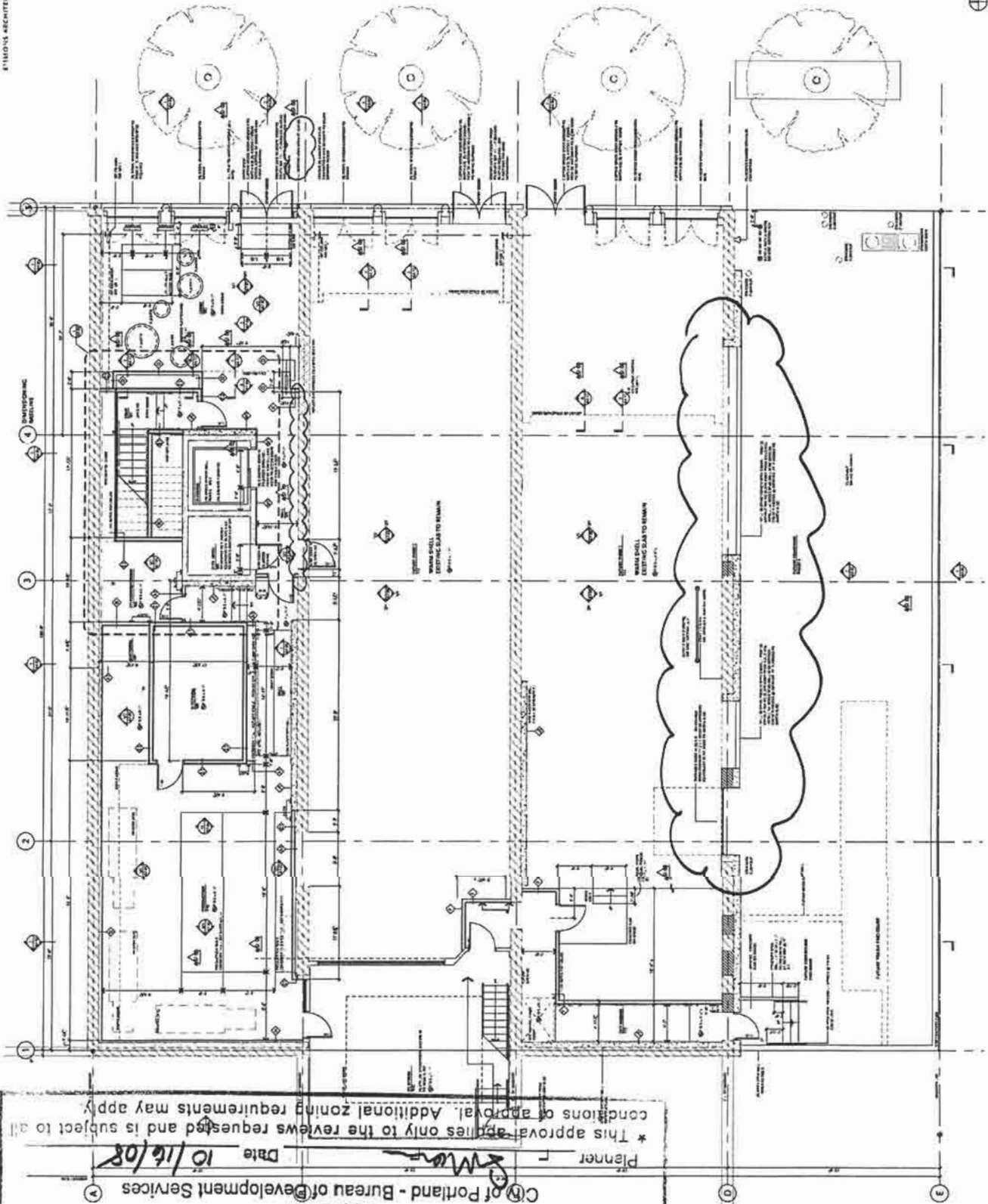
DATE: 10/16/08  
BY: [Signature]

PROJECT: [Project Name]

10/16/08

⊕ A2.01

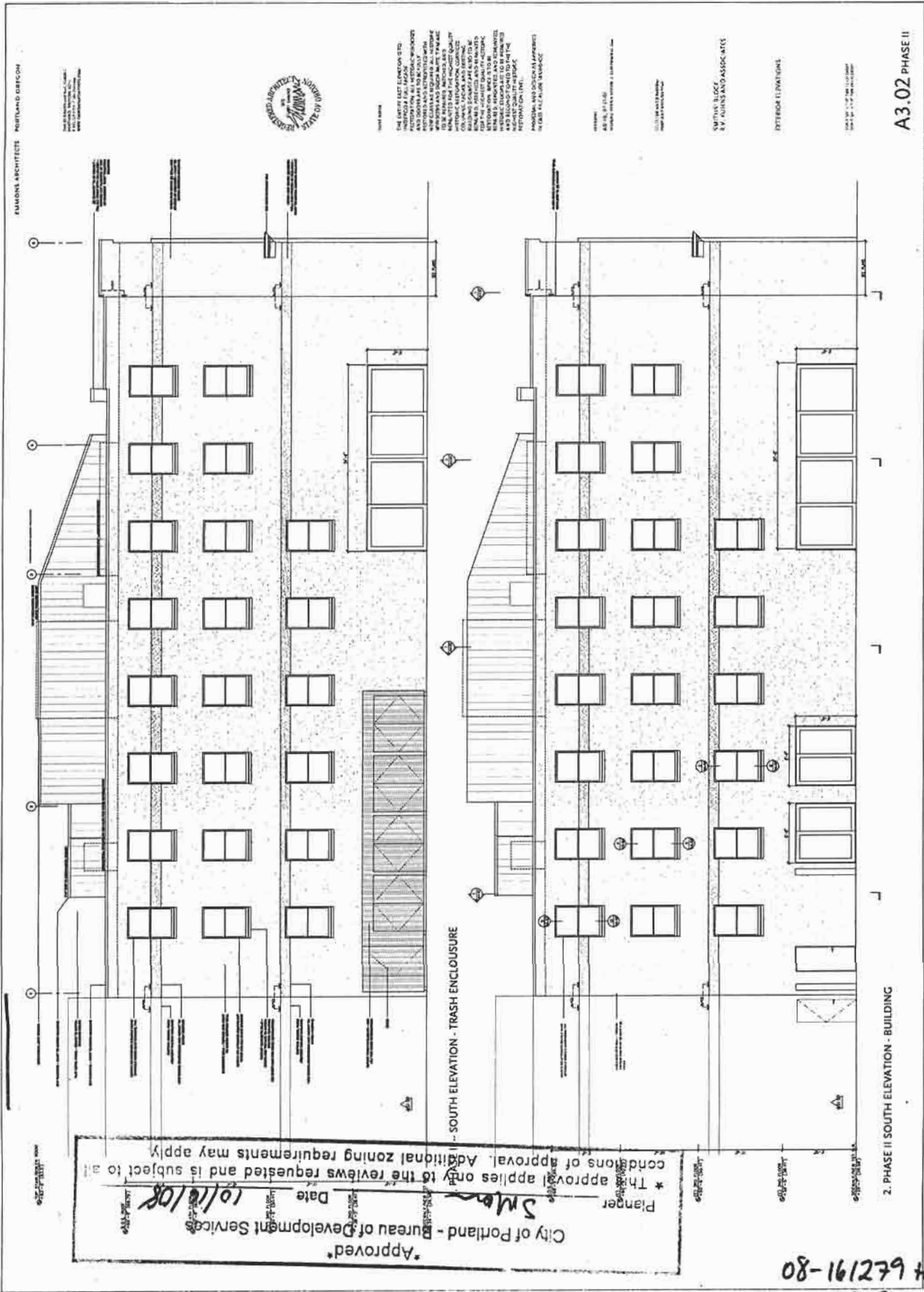
LW 08-161279 HDZ



\* Approved\*  
City of Portland - Bureau of Development Services  
Planner [Signature]  
Date 10/16/08  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

EX. C-1  
ZOH 672191-80

# PROPOSED DOORS AND TRASH ENCLOSURE

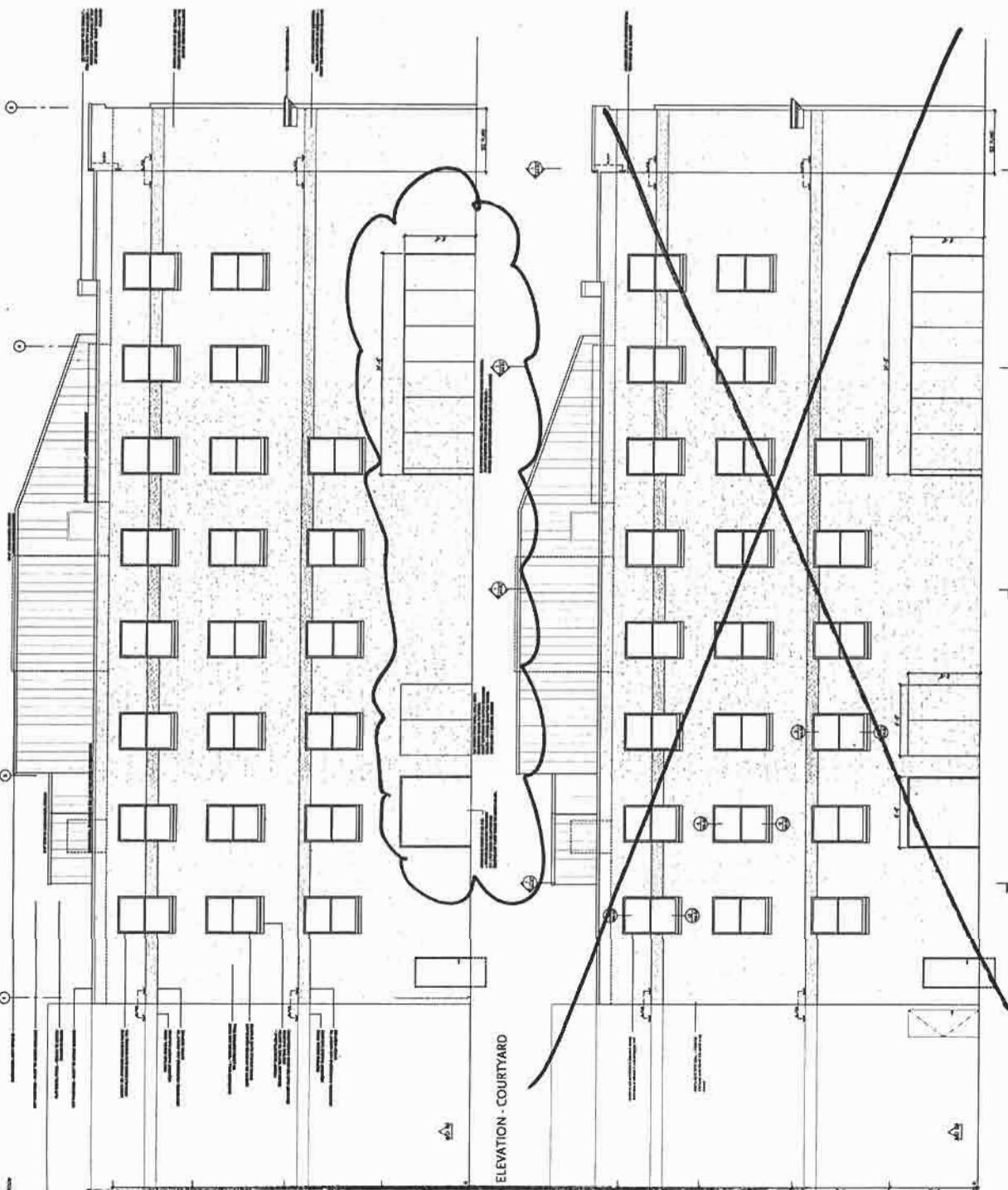


EX. C-3  
ZOH 672191-80

LW 08-161279 HDZ

AS BUILT - WITH METAL ROLL-UP DOOR & WOOD INFILL PANELS

RAMONAL ARCHITECTS PORTLAND, OREGON



ELEVATION - COURTYARD

2. SOUTH ELEVATION - BUILDING

Approved  
City of Portland - Bureau of Development Services  
Planner *SM*  
Date *10/16/08*  
\* This approval applies only to the reviews requested and is subject to condition of approval. Additional zoning requirements may apply.



THE PORTLAND CITY CODE...  
...AND SUBJECT TO CITY ORDINANCES...  
...AND SUBJECT TO CITY ORDINANCES...  
...AND SUBJECT TO CITY ORDINANCES...

DATE: 10/16/08

PROJECT: [illegible]

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

DATE: 10/16/08

PROJECT: [illegible]

A3.02

LU 08-161279 HDZ

EX-C-2  
204 67191-80