

**ORDER OF COUNCIL ON APPEAL OF
LAMONT SMITH, TMT DEVELOPMENT, APPLICANT, AGAINST THE HISTORIC
LANDMARKS COMMISSION'S DECISION TO IMPOSE CERTAIN CONDITIONS IN
APPROVING THE CORNELIUS HOTEL REHABILITATION AT 809 SW ALDER
(HEARING; LU 08-108274 HDZM)**

Appeal of Lamont Smith, TMT Development, applicant, against the Historic Landmarks Commission's decision to impose certain conditions in approving the Cornelius Hotel rehabilitation at 809 SW Alder (Hearing; LU 08-108274 HDZM)

Applicant: Thomas P Moyer, Owner
805 SW Broadway #2020
Portland, OR 97205-3360

Lamont Smith, Agent
TMT Development
805 SW Broadway Suite 2200
Portland, OR 97205

Representative: John Heili, Architect
TVA Architects
920 SW 6th Avenue #1500
Portland, OR 97204

Site Address: 809 SW Alder

Legal Description: Portland Park Blocks Lot 2 Block 2

Tax Account No.: R667743200

State ID No.: 1N1E34CC 06400

Quarter Section: 3029

Neighborhood: Downtown Community Association

Business District: Downtown Retail Council

Plan District: Central City - Downtown

Other Designations: Portland Historic Landmark (National Register of Historic Places, February 27, 1986)

Zoning: CXd, Central Commercial with Design Overlay

Case Type: HDZM, Historic Design Review with a Modification Request

Procedure: Type III, with a public hearing before the Historic Landmarks Commission.

Proposal: The applicant is seeking Historic Design review for a proposal to rehabilitate the historic Cornelius Hotel as a hotel, with the lobby and a retail space on the ground floor and guestrooms on the second through seventh floors. The proposal includes: repairs, cleaning, painting, lighting, new rooftop mechanical equipment, partial enclosure of the light well, window replacement, a new hotel entry and marquee canopy, and a large vertical illuminated sign at the corner of SW Park Avenue and Alder Street. The sign replicates a historic sign that once hung at the same location. A modification is requested for the sign because it exceeds 100 square feet and projects more than 30 square feet into the right of way.

Historic Design Review is required because the subject property is a Portland Historic Landmark pursuant to its listing in the National Register of Historic Places.

The applicant filed this Type III application for historic design review and a modification through design review for a sign on February 11, 2008 and the application was deemed to be complete on March 3, 2008. The Historic Landmarks Commission held a public hearing on the application on April 14, 2008 and issued its decision approving the application with conditions of approval on June 9, 2008. The applicant appealed the Commission's decision to the City Council and, following notice to interested persons as required by the zoning code, the Council held a public hearing on the appeal on August 21, 2008 at approximately 3:00 p.m. At the conclusion of the hearing and after hearing public testimony, Council voted 3-0 to tentatively grant the appeal, uphold the Historic Landmark Commission's decision, and to modify the Commission's decision to delete conditions of approval B and C that limited the number of historic windows that may be replaced and directed staff to prepare final findings and decision for September 17, 2008 at approximately 10:00 a.m. On September 17, 2008 at approximately 10:00 a.m., Council voted 3-0 to adopt findings and made a final decision to grant the applicant's appeal and uphold the Historic Landmarks Commission's decision as modified.

Based on evidence in the record and adoption of the City Council Findings and Decision as its findings in **Case File LU 08-108274 HDZM** and by this reference made a part of this Order, City Council hereby grants the appeal of Lamont Smith, TMT Development, and upholds the Historic Landmarks Commission's decision with modifications to remove conditions B and C imposed by the Historic Landmarks Commission in approving the Cornelius Hotel rehabilitation at 809 SW Alder.

DECISION

It is the decision of the City Council to:

Approve Historic Design Review for the following aspects of the proposal as submitted:

- General in-kind repairs,
- Masonry cleaning,
- Painting,
- Lighting,
- New rooftop mechanical equipment,
- Partial enclosure of the light well,
- New hotel entry configuration and surface treatment,
- New marquee canopy, and
- Vertical illuminated sign at the corner of SW Park Avenue and Alder Street.

Approval of the following Modification requests:

1. Approval of a sign greater than 100 square feet in area with more than 30 square feet of sign area projecting into the public right of way.

Approvals per Exhibits C-1 through C-15, 16 signed, stamped, and dated June 25, 2008, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (A – D) 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 08-108274 HDZM . All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled “REQUIRED.”
- B. No field changes are allowed.

IT IS SO ORDERED:
SEP 23 2008

Date

/S/Sam Adams

Commissioner Sam Adams
Presiding Officer at Hearing of
September 17, 2008
10:00 a.m. Session