

City of Portland, Oregon Bureau of Development Services Land Use Services

1900 SW 4th Avenue, Suite 5000 Portland, Oregon 97201 503-823-7300 Fax 503-823-5630 TTY 503-823-6868 www.portlandonline.com/bds

Date: May 15, 2009
To: Interested Person

From: Breah Pike-Salas, Land Use Services

503-823-6825 / Breah.Pike-Salas@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 09-114926 HDZ PEARL GARAGE DOORS

GENERAL INFORMATION

Applicant: Patrick Wilde (Owner)

Gerding Edlen Development Co 1120 NW Couch, Ste. 600 Portland, OR 97209

Jesse Emory (Architect) GBD Architects, Inc 1120 NW Couch, Ste. 300 Portland, OR 97209 503.224.9656

Davis Garage LLC (Owner) 920 SW 6th Ave., #223 Portland, OR 97204

Site Address: 1111 NW DAVIS ST

Legal Description: LOT 1-4 BLOCK 79 POTENTIAL ADDITIONAL TAX, COUCHS ADD

Tax Account No.: R180207260 **State ID No.:** 1N1E33DA 03100

Quarter Section: 3028

Neighborhood: Pearl District, contact Patricia Gardner at 503-228-3273.

Business District: Pearl District Business Association, contact Adele Nofield at 503-223-

0070.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - River District

Zoning: EXd, Central Employment zone with 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 approval for exterior alterations to the Pacific Coast Biscuit Company Building, a registered historic landmark. The proposal includes the replacement of three mismatched, dilapidated wood garage doors with three new matching doors made of aluminum and glass. A single replacement door will be located at the southeast garage opening, the northeast garage opening, and the west garage opening.

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:

 Central City Fundamental Design Guidelines

Other Approval Criteria 33.846.060.G

River District Design Guidelines

ANALYSIS

Site and Vicinity: The Pacific Coast Biscuit Company Building is comprised of two buildings, built in 1890 and 1905. The building was nominated to National Register Historic status in 1998. The structure is a prime example of the Brick Utilitarian Style which functioned as a factory originally and is now used as a garage. Notable amongst the architectural features are the brick facade, corbel brick table at gabled roof, the segmental arched windows with brick hood molds and rowlocks, and the stone foundation at basement level.

The surrounding area has changed from a warehouse, distribution and light industrial neighborhood to a neighborhood of mixed retail and residential uses in which older and historic buildings have been adapted for modern uses.

Zoning: The EX zone allows mixed uses and is intended for areas in the center of the City that have predominantly industrial-type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area.

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

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

<u>LU08-151430HDZ</u>: Historic Design Review approval for exterior alterations to the Pacific Coast Biscuit Company Building including the addition of a new SE entry with a new glass canopy, a new opening for exit stair door at the NW corner, and replacing exterior wall downlights.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **April 7, 2009**. 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
- Site Development Section of BDS
- Life and Safety Section of BDS

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on April 7, 2009. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

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 River District and the Central City Plan District, the relevant approval criteria are also the River District Design Guidelines and the Central City Fundamental Design Guidelines.

I. Historic Landmark 33.846.060.G. Approval Criteria

G. Approval criteria:

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

Findings for 1 and 7: For the majority, the historic character of the existing building and its materials and detailed features will remain unaltered. However, three replacement garage doors will be adding new elements intending to have the integrity of the modern times while simultaneously respecting and highlighting the building's historic character. Removal of the existing historic material will be minimal by utilizing existing garage openings on the northeast, southeast, and west facade of the structure. These criteria are therefore met.

8. Architectural compatibility. New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource;

Findings: The new garage doors are designed with a modern and unique materiality from the historic character. The design of the new garage doors will incorporate flat

window mullions currently found in existing window mullions along the ground floor adjacent to the existing garage openings. The black finish color, vinyl material and glazing will match the materials found in newly installed pedestrian doors on the west facade and the south facade. *This criterion is therefore met.*

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: The existing garage doors on the building do not benefit the historic character of the building and are not reflected on adjacent buildings. Therefore new garage doors are proposed to replace the existing garage doors. The new garage doors will be influenced style wise from the adjacent properties which have been redeveloped as part of the Brewery Blocks building and Pearl warehouse renovations. The finish material and color of the garage doors is selected to identify with the newly installed doors on the east facade and the south facade. *Therefore, this criterion is met.*

II. River District Design Guidelines and Central City Fundamental Design Guidelines

The River District is planned to become a place that is remarkable within the region. The area is intended to grow rich with special and diverse qualities that are, or will become characteristic of Portland. Further, the River District will accommodate a significant portion of the region's population growth. The plan calls for the creation of a new community of dense neighborhoods, housing a resident population of over 15,000 people, and providing jobs, services, and recreation to this population and others. This area is intended to emphasize the joy of the river, connections to it, and create a sense of community. The goals frame the urban design direction for Central City and River District development.

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.

River District Design Goals

- **1.** Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
- **2.** Create a community of distinct neighborhoods that accommodates a significant part of the region's residential growth.
- **3.** Enhance the District's character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
- **4.** Strengthen connections within River District, and to adjacent areas.

Central City Plan Design Goals

- **1.** Encourage urban design excellence in the Central City;
- 2. Integrate urban design and preservation of our heritage into the development process;
- **3.** Enhance the character of the Central City's districts;
- **4.** Promote the development of diversity and areas of special character within the Central City;

- **5.** Establish an urban design relationship between the Central City's districts and the Central City as a whole:
- **6.** Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
- **7.** Provide for the humanization of the Central City through promotion of the arts;
- **8.** Assist in creating a 24-hour Central City which is safe, humane and prosperous;
- **9.** Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

Staff has 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.

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 into new development.

Findings for A4 and A5: The new garage doors will use similar materials and finishes found in the existing architecture. The black aluminum and glass garage door materials are currently found in existing pedestrian entrances located on the south and west elevation. In addition, the same design, color and materials are found on adjacent buildings in the neighborhood. Thus the new garage doors will integrate unifying elements which will connect the subject building with other buildings in the neighborhood. *These guidelines are therefore met*.

B1. Reinforce and Enhance the Pedestrian System.

Maintain a convenient access route for pedestrian travel where a public right-of-way exists or have 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 rights-of-way system through superblocks or other large blocks.

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.

Findings for B1 and B2: The existing vehicle entrances into the Pearl Garage will remain from NW 11th Avenue and NW 12th Avenue. The proposed garage doors within the existing openings of the garage adjacent to the sidewalk along NW 11th and 12th Avenues provides visual interest at the pedestrian level. Pedestrians are protected via the creative use of glass in the garage door allowing for a visual interaction between pedestrians and vehicles leaving the parking garage. The simplistic and modern design of the new garage doors reaffirm this unique element added previously to the existing character of the architecture. Therefore, the new garage doors will not detract from the pedestrian experience, but rather enhance the sidewalk level of the building. *These guidelines are therefore met.*

C2. Promote Quality and Permanence in Development.

Use design principles and building materials that promote quality and permanence.

C3. Respect Architectural Integrity. Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

C5. Design for Coherency.

Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a

coherent composition.

Findings for C2, C5 and C3: The proposed garage doors consist of clear glazing with flat aluminum mullions approximately 2" thick, and 2" wide painted black. The new garage doors will be influenced style wise from the adjacent properties which have been redeveloped as part of the Brewery Blocks building and Pearl warehouse renovations. Therefore, a common visual link can be established between the Pearl Garage and existing buildings in the neighborhood.

Respect to and compatibility with the character of the existing architecture is successfully accomplished as a result of the new garage doors incorporating a window design and flat mullion style found in the existing architecture. This proposal utilizes a durable building material such as aluminum that promotes permanence and long-lasting quality. *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 new garage doors respect, and are compatible with the character of the existing architecture by incorporating a window design, flat mullion style, and finishes found in the existing architecture and existing buildings in the neighborhood. The proposal meets the applicable design guidelines and, therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of the addition of three new black aluminum and clear glass garage doors located at southeast garage opening, the northeast garage opening, and the west garage opening per the approved site plans, Exhibits C-1 through C-4, signed and dated May 11, 2009, subject to the following conditions:

A. As part of the building permit application submittal, the following development-related conditions 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 09-114926HDZ. No Field Changes. "All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

Decision rendered by: _____on May 13, 2009.

By authority of the Director of the Bureau of Development Services

Decision mailed: May 15, 2009

Staff Planner: Breah Pike-Salas

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 March 17, 2009, and was determined to be complete on **March 31, 2009**.

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 July 31, 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 May 29, 2009 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 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 **June 1, 2009.**
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

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

For further information on recording, please call the County Recorder at 503-988-3034 For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

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

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

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

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

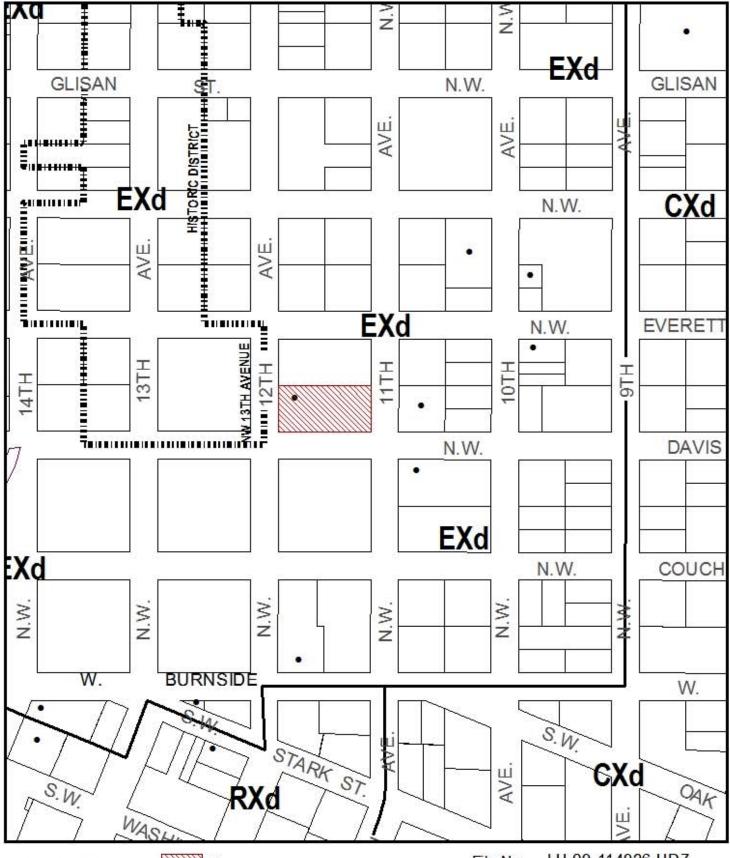
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site plan (attached)
 - 2. West Elevation (attached)
 - 3. East Elevation
 - 4. East and West Garage Door Photosim (attached)
 - 5. Manufacturer Cutsheets (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. Historic Preservation Certification Application and email

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



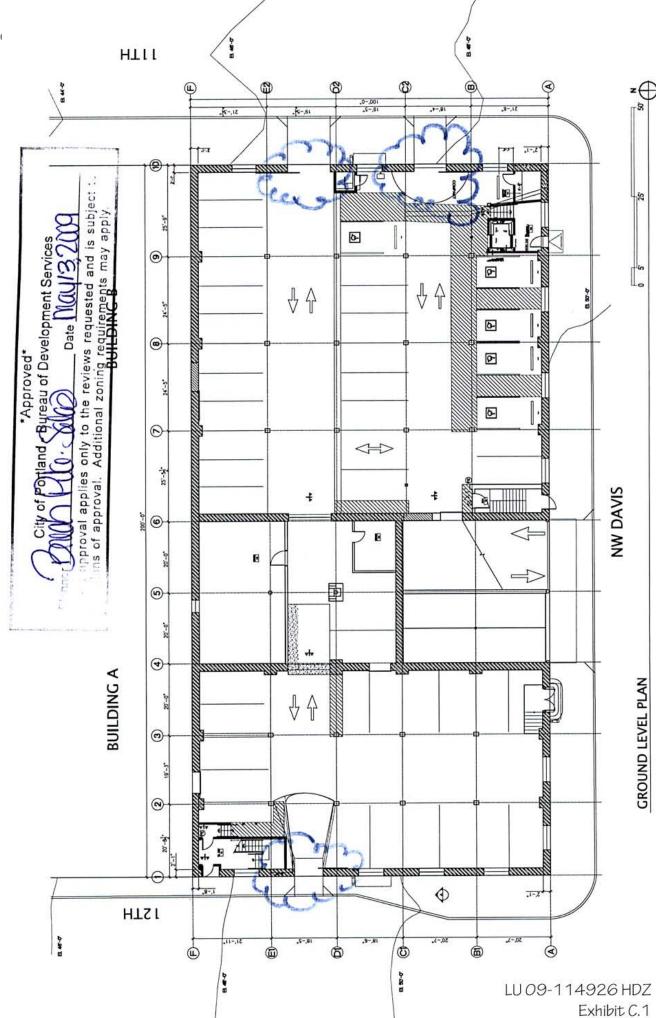
This site lies within the: CENTRAL CITY PLAN DISTRICT File No. LU 09-114926 HDZ

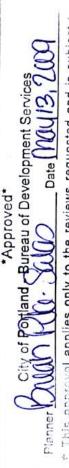
1/4 Section 3028

Scale 1 inch = 200 feet

State_Id 1N1E33DA 3100

Exhibit B (Mar 18,2009)





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

SCALE: 1-0 -NEW GARAGE (BLACK) ALUMINUM GARAGE DOOR AND CLEAR GLAZING

LU09-114926

WEST ELEVATION - EXIST. BUILDING W/ GARAGE DOOR IMPROVEMENTS

LAND USE AND DESIGN REVIEW SUBMISSION

NW 12th & Davis

☐ GerdingEdlen Development ☐ GBD Architects, Incorporated ☐ Fortis Construction

GBD LEMIEN

UPDATES AUG 18 2028 JULY 28 2008 MARCH 16 2009

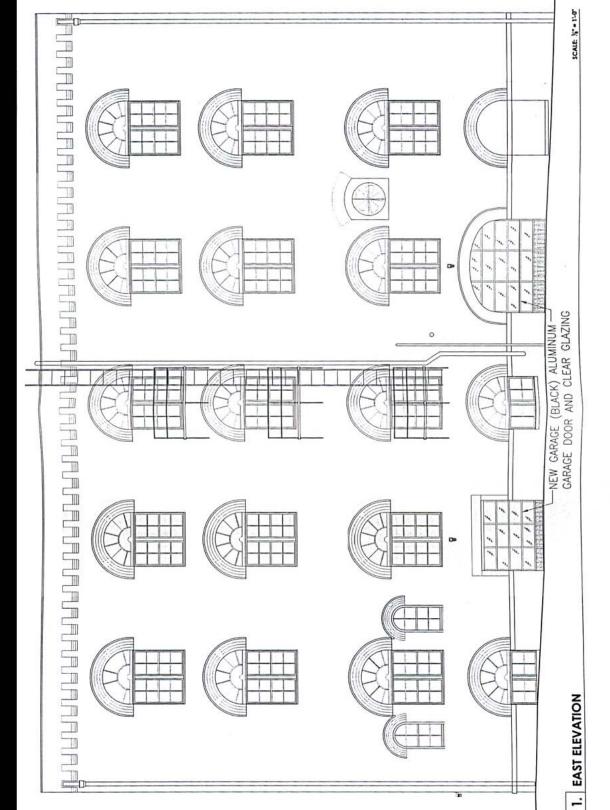
LU 09-114926 HDZ

Exhibit C.2

LU 09-114926 HDZ

Exhibit C.3







PROPOSED GARAGE DOOR - SOUTHEAST





PROPOSED GARAGE DOOR - WEST EAST & WEST ELEVATIONS - EXIST. DOORS AND NEW DOORS

LAND USE AND DESIGN REVIEW SUBMISSION

NW 12th & Davis













EXISTING GARAGE DOOR - WEST

Exhibit C.4



EXISTING DOORS - INTERIOR & EXTERIOR PHOTOS







LU 09-114926 HDZ