



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: March 15, 2011
To: Interested Person
From: Mark Bello, Land Use Services
503-823-7810 / Mark.Bello@portlandoregon.gov

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 11-109466 HDZ 1640 NW IRVING STREET EXTERIOR ALTERATIONS

GENERAL INFORMATION

Applicant		
Zelda LLC 421 SW 6th Ave #900 Portland, OR 97204	Ron Swick 4841 SW Richardson Drive Portland OR 97239	Stephanie Douglas-Furman Zelda LLC 12126 SE High Creek Rd Happy Valley OR 97086

Site Address: 1640 NW IRVING ST

Legal Description: BLOCK 155 LOT 6&7, COUCHS ADD
Tax Account No.: R180213580
State ID No.: 1N1E33AC 02100
Quarter Section: 2928

Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: Nob Hill, contact Kay Wolfe at 503-227-0898.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest
Other Designations: Alphabet Historic District

Zoning: EXd Central Employment with 'd' design overlay zoning

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

Proposal:
This one-story Art Deco commercial building is a "Secondary contributing" structure in the historic Alphabet District. The applicant proposes minor exterior alterations to allow for additional egress from the building. A small section of wall and window on the north elevation

that is adjacent to the existing vehicle entrance will be replaced with a new steel door and sidelight. Also, the existing sign at the main entry at the northwest corner of the building will be enlarged to a maximum of 21 sq. ft. in area. The sign could be up to 7-ft. wide or 3-ft. high. The sign would remain pin-mounted, non-illuminated.

Because the site is within the Alphabet Historic District, historic design review is required.

Relevant Approval Criteria:

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

- Community Design Guidelines and the Alphabet District Community Design Guidelines Addendum

ANALYSIS

Site and Vicinity: This one-story 1929 commercial building is located at the southeast corner of NW 17th and Irving. It has a square plan, with a concrete block foundation overlaid with stucco, and a concrete frame. The building has a flat roof with a parapet.

The main entrance is located at the northwest corner of the building and the corner is cut back to provide a diagonal entrance to the building. The corner is notable for its masonry work that includes fluted pilasters and modified cornice above. The space between the entrance and cornice is further demarked by molding and a channel that separates different masonry textures above and below the channel.

The service entrance is at the northeast corner of the building. The ramp and alcove were added in 1963. Fenestration is a combination of fixed pane and metal casement.

The Historic Register narrative rates this building as secondary contributing and a good example of an Art Deco commercial building.

The area surrounding the site is a mix of light industrial and residential uses characteristic of the eastern edge of the Alphabet district. The Campbell Townhomes, 1705-1719, are located to the northwest across the intersection of NW 17th and Irving. I-405 is located along NW 16th Avenue.

Zoning: The Central Employment (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 development standards are intended to allow new development which is similar in character to existing development.

The Design “d” overlay promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. 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 or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **February 15, 2011**. The following Bureaus have responded with no issues or concerns:

1. Bureau of Environmental Services
2. Bureau of Transportation Engineering and Development Review
3. Water Bureau
4. Fire Bureau
5. Site Development Review Section of BDS
6. Bureau of Parks, Forestry Division
7. Life Safety, BDS

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on February 15, 2011. 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 33.846.060 - Historic Design Review

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 located within the Alphabet Historic District and the proposal is for a non-exempt treatment. Therefore Historic Design Review approval is required. The approval criteria are the *Community Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*.

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

Historic Alphabet District - Community Design Guidelines Addendum

1. Historic Changes. Most properties change over time; those changes that have acquired historic significance will be preserved.

Findings: The addition of a secondary egress door on the north elevation and an increase in sign area above the corner entry does not significantly alter the appearance of the historic property nor significantly damage the historic fabric. The egress door will be recessed and the alteration of the casement window removes one row of windows and substitutes a tube steel lintel at the appropriate height. Additional signage area over the main entry does not disturb any of the decorative masonry and is the same type, pin-mounted lettering as before. *This guideline is therefore met.*

2. Differentiate New from Old. New additions, exterior alterations, or related new construction will retain historic materials that characterize a property to the extent practicable. Replacement materials should be reasonable facsimiles of the historic materials they replace. The design of new construction will be compatible with the historic qualities of the district as identified in the Historic Context Statement.

Findings: The new egress door is an obvious secondary, contemporary alteration. It does not mimic aspects of the original building nor does it compete for visual prominence with the character defining elements of the historic façade such as stucco or steel casement windows. *This guideline is therefore met.*

3. 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. New development will seek to incorporate design themes characteristic of similar buildings in the Historic Alphabet District.

Findings: The careful placement of the egress door and the small increase in area of the entry sign limits their visual impact on the building, and therefore maintains the historic character of the building and its architectural contribution to the district. *This guideline is therefore met.*

Community Design Guidelines

D6. Architectural Integrity. Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings for D6 and D8: The egress door is recessed and side walls are of similar materials to the building. The door is respectful of the surrounding casement windows and in character with an industrial building. The composition retains its cohesiveness. The entry sign may increase in area but remains subordinate to the main entry by its location in the open areas above and below the masonry channel. *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 proposed alterations preserve characteristic art deco features. The new egress door preserves the architectural and cohesive composition of the building. The sign fits well within the natural frame of the building edge and trim above the main entry. Applicable design guidelines are met.

ADMINISTRATIVE DECISION

Approval of exterior alterations to an existing building in the Alphabet Historic district, including:

- A small section of wall and window on the north elevation that is adjacent to the existing vehicle entrance will be replaced with a new steel door and sidelight, and
- A new 21 sq. ft. sign at the main entry at the northwest corner of the building.

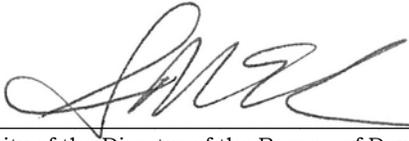
And

Approval per Exhibits C-1 through C-4, signed and dated March 11, 2011, is subject to the following condition:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.4. The sheets on which this information

appears must be labeled, "Proposal and design as approved in Case File # LU 11-109466 HDZ. No field changes allowed."

Staff Planner: Mark Bello

Decision rendered by:  **on March 11, 2011**
By authority of the Director of the Bureau of Development Services

Decision mailed: March 15, 2011

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 February 4, 2011, and was determined to be complete on **February 10, 2011**.

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 February 4, 2011.

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. Unless further extended by the applicant, **the 120 days will expire on: June 10, 2011**.

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 April 5, 2011** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, 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. Assistance in filing the appeal is available from BDS in the Development Services Center. 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 call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, 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 **April 6, 2011**
- 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:

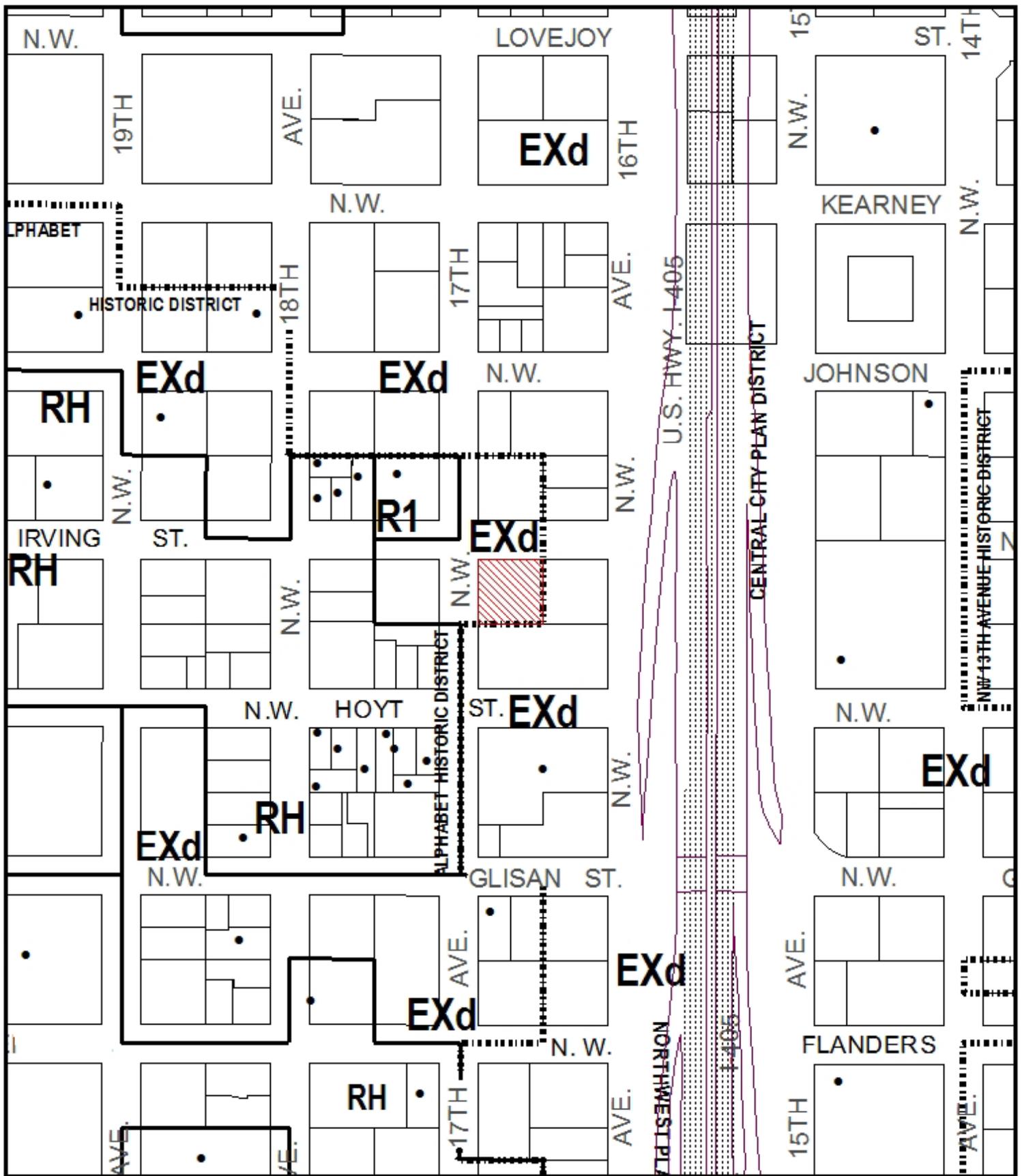
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevations (attached)
 - 3. Egress Door Section (attached)
 - 3. Main Entry Sign Detail (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Bureau of Parks, Forestry Division
 - 7. Life Safety, BDS
- F. Correspondence:
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. National Register of Historic Places Description and Significance Statement

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING



Site



Historic Landmark



NORTH

This site lies within the:
NORTHWEST PLAN DISTRICT

File No. LU 11-109466 HDZ

1/4 Section 2928

Scale 1 inch = 200 feet

State_Id 1N1E33AC 2100

Exhibit B (Feb 10, 2011)

1640 NW IRVING TENANT REMODEL

RON SWICK, A.I.A.
ARCHITECT

TENANT REMODEL

1640 NW IRVING ST.
PORTLAND, OR

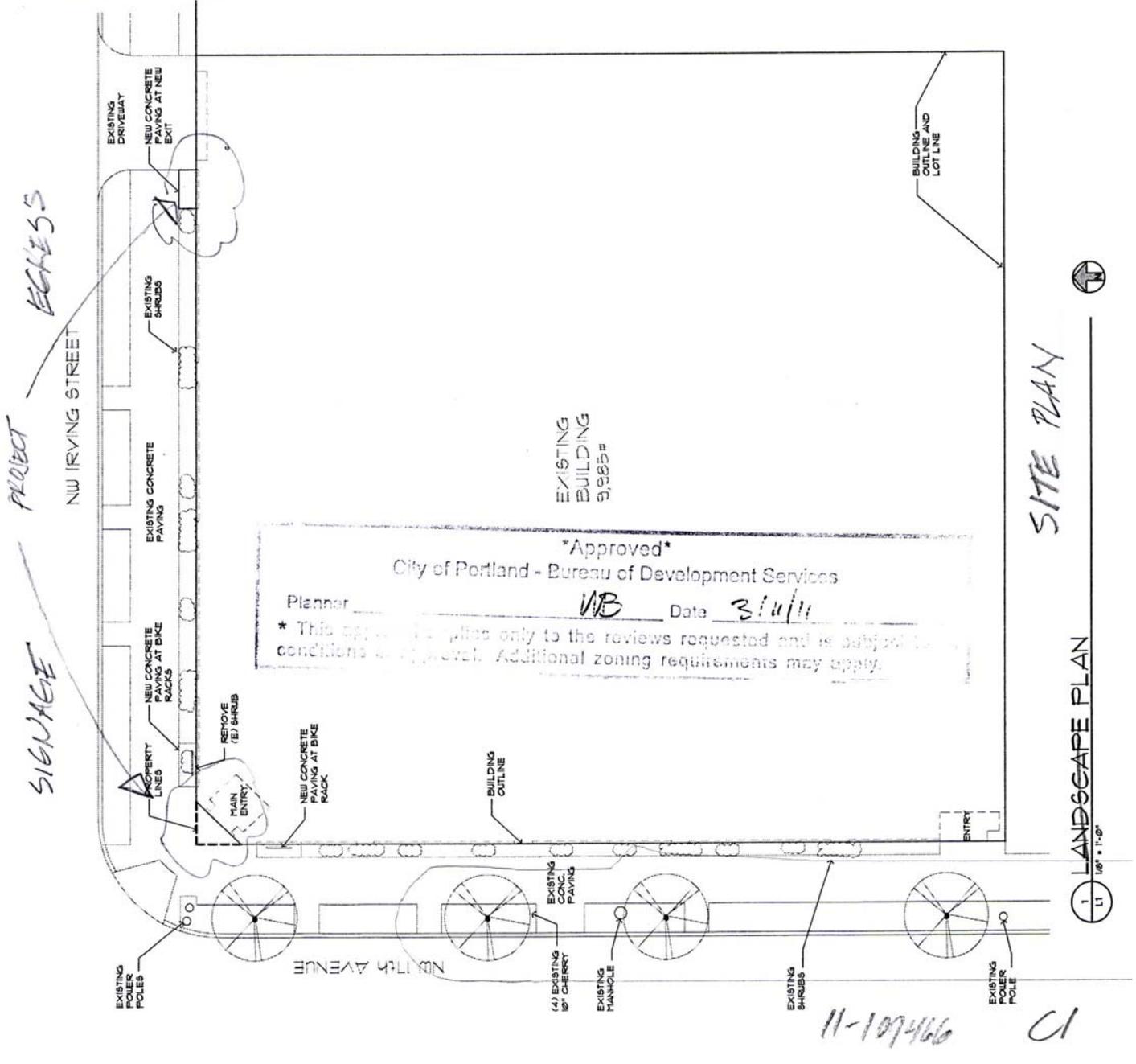
DATE:	JAN. 2011
DRAWN BY:	RS
CHECKED BY:	RS
REVISIONS:	

FILE LANDSCAPE PLAN
LANDSCAPE
PLAN

L1

LEGAL DESCRIPTION
LOT 6 471, BLOCK 19, COUCH ADDITION PORTLAND, OREGON STATE ID NO. INE33AC 01000 MAP 2918
ZONING
ZONE: EXD. CENTRAL EMPLOYMENT ZONE, ALPHABET HISTORIC DISTRICT (design overlay zone)
LOT AREA * 10,000 * BUILDING AREA * 9,985 *

CASE NO. 11-109466
EXHIBIT C1



LANDSCAPE PLAN
L1 1/8" = 1'-0"

11-109466 C1

1640 NW IRVING
TENANT REMODEL

RON SWICK, AIA,
ARCHITECT

TENANT
REMODEL

1640 NW IRVING ST.
PORTLAND, OR

DATE: JAN. 2011

DRAWN BY: RS

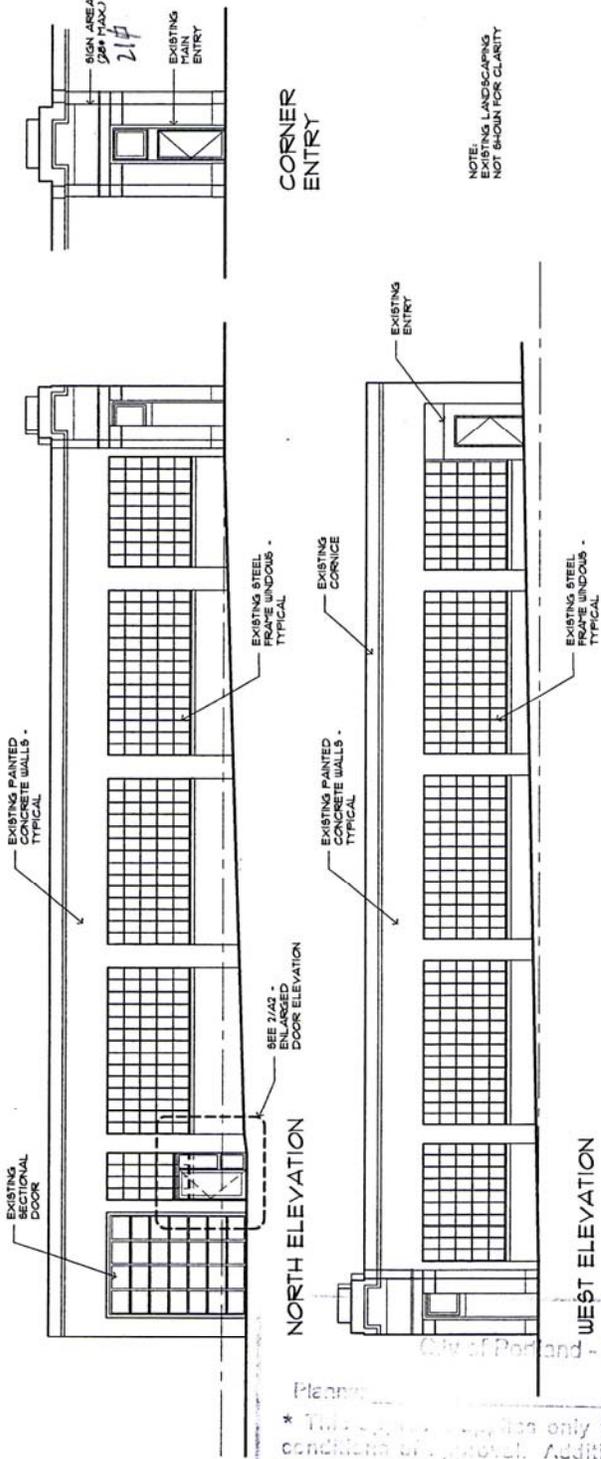
CHECKED BY: RS

REVISIONS:

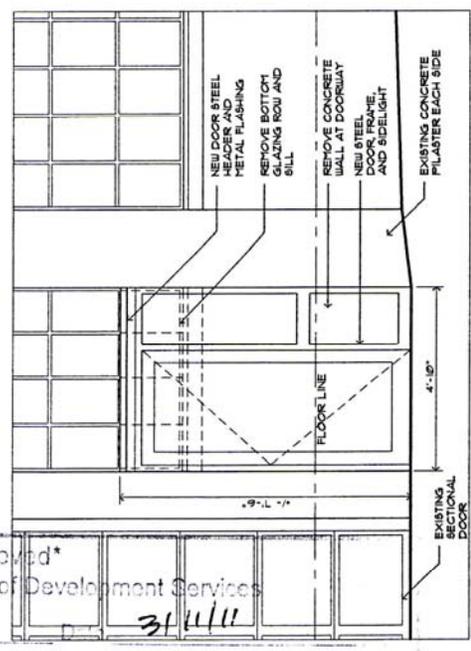
FILE ELEVATIONS

ELEVATIONS

A2



NOTE:
EXISTING LANDSCAPING
NOT SHOWN FOR CLARITY



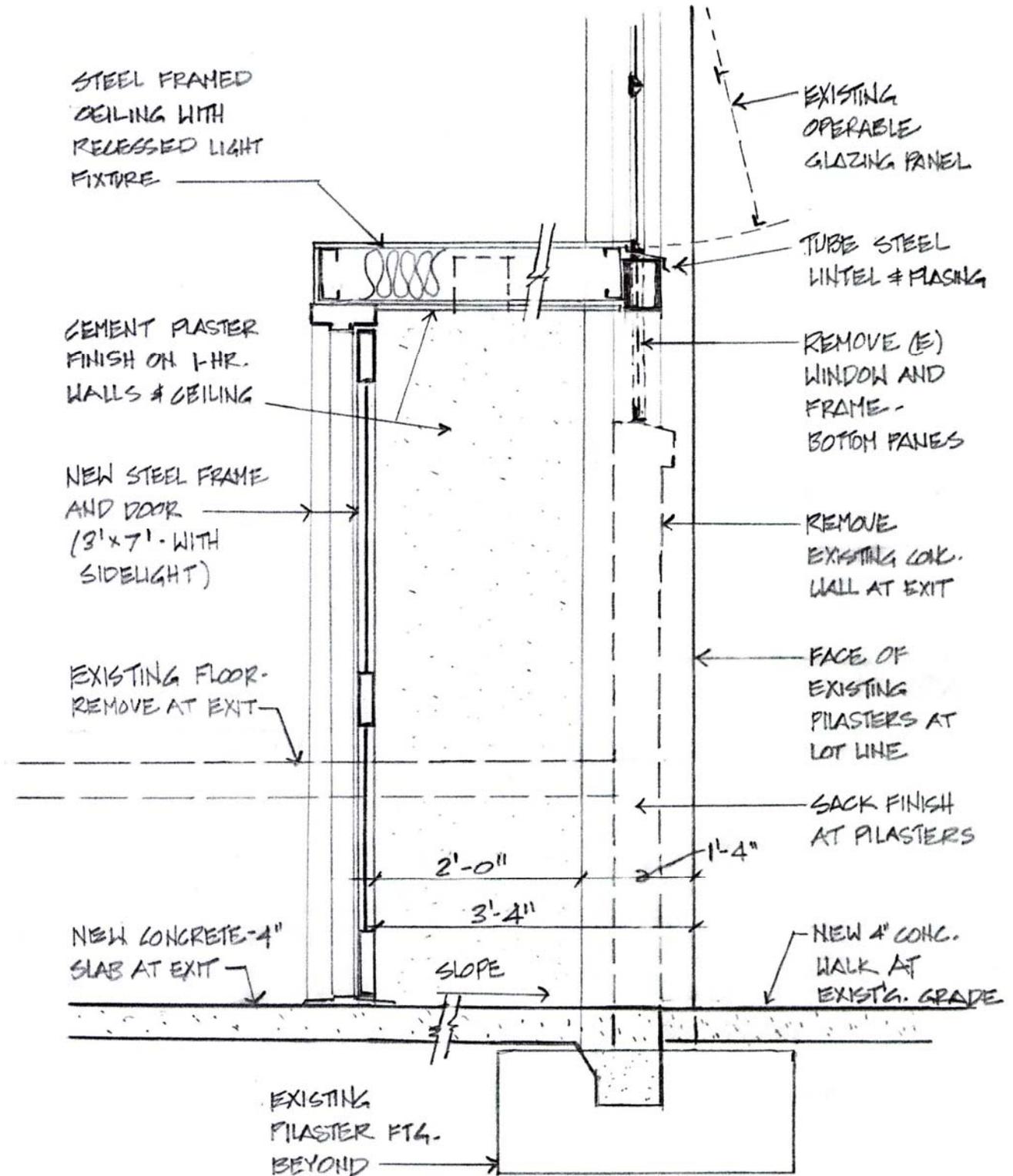
2 ENLARGED EXIT DOOR ELEVATION
1/2" = 1'-0"

CASE NO. 11208468
EXHIBIT 2

* This drawing is for information only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

City of Portland - Bureau of Development Services
3/11/11

22



3
A2

DOOR SECTION

Approved

1640 NW IRVING ST.

3/4" = 1'-0"

WB Date 3/11/11

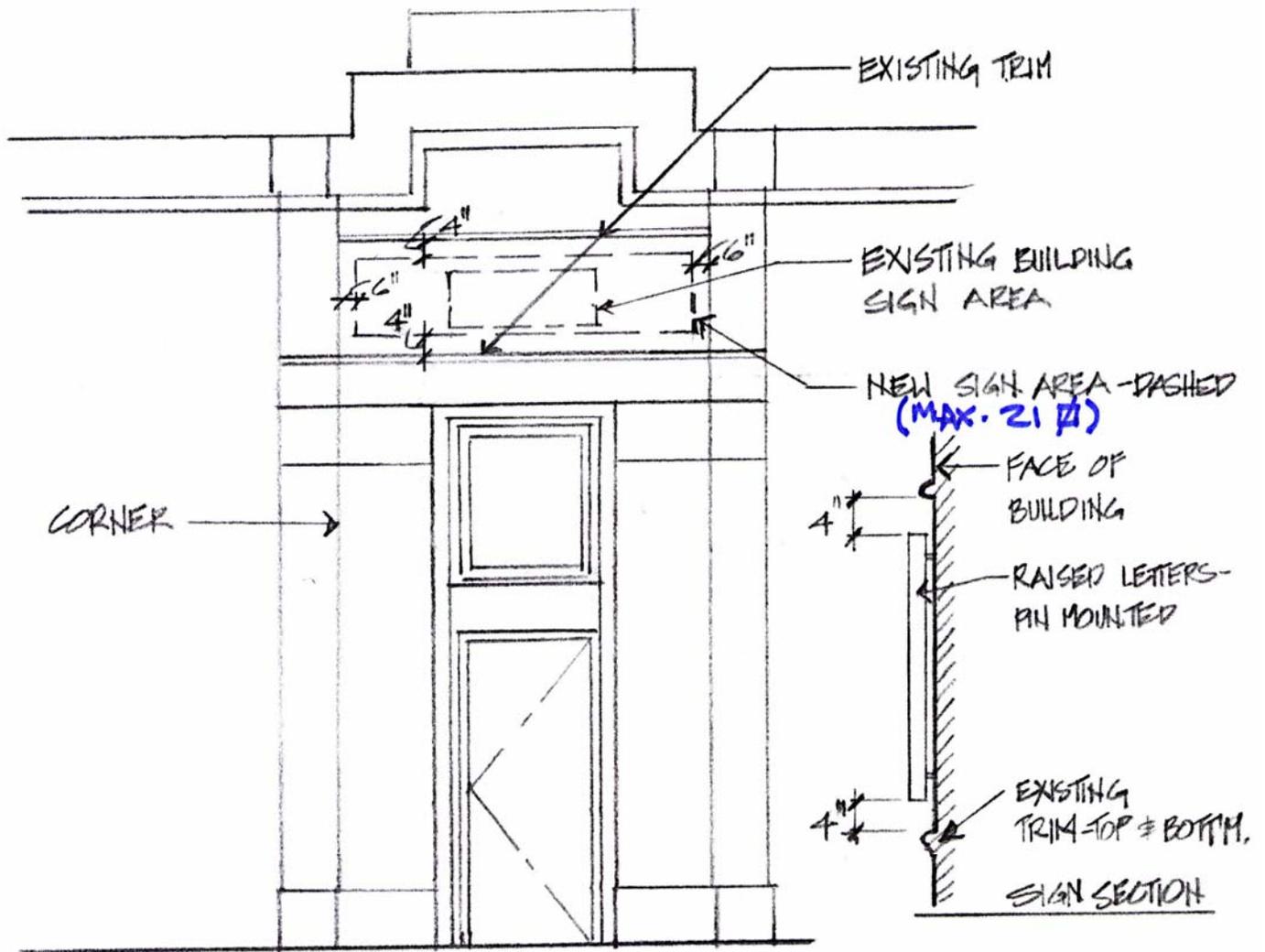
CASE NO.

11-109468

EXHIBIT

C3

This plan is submitted in compliance with the reviews requested and is subject to the approval of the City of Portland. Additional zoning requirements may apply.



CORNER ENTRY ELEVATION

Approved
 City of Portland - Bureau of Development Services
 Planner: VB Date 3/11/11
 *This approval is subject to the reviews requested and is subject to the applicable zoning requirements that may apply.

CASE NO. 11-109466
 EXHIBIT C4

4 SIGN
 A2 N.T.S.

1640 NW IRVING ST.