



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** January 4, 2017  
**To:** Interested Person  
**From:** Megan Sita Walker, Land Use Services  
503-823-7294 / [MeganSita.Walker@portlandoregon.gov](mailto:MeganSita.Walker@portlandoregon.gov)

## **NOTICE OF A TYPE Ix DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

## **CASE FILE NUMBER: LU 16-258773 HR- SEISMIC BOLTS ON FRONT FAÇADE**

### **GENERAL INFORMATION**

**Applicant:** Eric Hoffman  
Sum Design Studio  
2505 SE 11th Avenue Suite 268  
Portland, OR 97202

**Owner:** Lex Industries LLC  
PO Box 780  
Hood River, OR 97031

**Owners/ Agents Representative:** Roger Malinowski  
Lex Industries LLC  
2291 N Broadview Place  
Boise, ID 83702

**Site Address:** **208-218 SW 1<sup>st</sup> Avenue**

**Legal Description:** BLOCK 26 LOT 7&8 TL 2700, PORTLAND  
**Tax Account No.:** R667703990, R667703990  
**State ID No.:** 1N1E34DC 02700, 1N1E34DC 02700  
**Quarter Section:** 3030

**Neighborhood:** Old Town-China Town, contact Sarah Stevenson 503-226-4368 x2 or Zach Fruchtengarten 503-227-1515.

**Business District:** Old Town Chinatown Business Association, contact at [chair@oldtownchinatown.org](mailto:chair@oldtownchinatown.org).

**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Central City - Downtown

**Other Designations:** Contributing resource in the Skidmore/ Old Town Historic District

**Zoning:** CXd – Central Commercial with design overlay  
**Case Type:** HR – Historic Resource Review  
**Procedure:** Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The applicant seeks Historic Resource Review approval for non-exempt exterior alterations to the Old Portland Machine Company building, also known as the 208 Building, a contributing resource in the Skidmore/ Old Town Historic District, listed in the National Register of Historic Places on December 6, 1975. The proposed alterations are associated with a voluntary seismic upgrade to the resource and include the installation of seismic anchor plates to be located approximately 19'-0" above the finish floor grade at 4'-0" on center. The 6" by 6" steel plates with acorn nut caps are proposed to be painted to match the existing brick.

Historic Resource Review is required as the proposal includes non-exempt exterior alterations in the Skidmore/ Old Town Historic District.

**Relevant Approval Criteria:**

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

- *Central City Fundamental Design Guidelines*
- *Skidmore Old Town Historic District Design Guidelines*

## ANALYSIS

**Site and Vicinity:** The subject property, the historic Old Portland Machine Company building, is located near the northwest corner of the block bounded by SW 1st Avenue and SW Naito Pkwy (formerly SW Front) to the west and east, respectively, SW Pine Street to the north and SW Oak Street to the south in the Skidmore/Old Town Historic District. This property is a contributing resource in the Skidmore/ Old Town Historic District, listed in the National Register of Historic Places on December 6, 1975, and is directly adjacent to the Landmark Seufert Building to the south. This historic block contains two other Landmark building, the Dielschneider Building and the Fechheimer + White Building to the southeast, and one other contributing building, Hallock + McMillen building which is the oldest brick commercial structure still in its original location in downtown Portland, and is the first building to incorporate cast iron structure in Portland.

The building immediately to the north of the property is a non-contributing building that was constructed in 1983, out of the Skidmore/ Old Town Historic District's period of significance.

The Portland Machine Company building (also known as the 208 Building), is a streetcar era commercial building, designed by an unknown architect and constructed in 1895. The registration form for the Skidmore/Old Town Historic District nomination states the following about the Portland Machine Company building:

*This three-story buff colored brick building was constructed for office and retail use. It is distinguished by tri-partite windows, a full-length entablature above the storefront level, and a masonry cornice. Alterations were made to the storefronts and interior of this building in the late 1970s and early 1980s. This property has an easement holding with the Historic Preservation League of Oregon.*

The Skidmore/Old Town Historic District is nationally significant for its association with the initial phase of commercial development of Portland. In addition to listing in the National Register of Historic Places, the district is recognized as a National Historic Landmark (one of only sixteen in Oregon and two in Portland) because of the importance of Portland in the development of commerce and transportation in the western United States from the mid-

nineteenth century through the early twentieth. The area is especially rich in Italianate commercial buildings with elaborate cast iron facades.

**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. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

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. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

The Central City Plan District implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation Management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the Downtown Subdistrict of this plan district.

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

- **HL 59-76** Land Use Review approval for storefront restoration.
- **HL 8-78** Land Use Review approval for building renovation and a tax freeze.
- **HL 23-88** Land Use Review approval for window installation.
- **EA 15-134663 APPT** Early Assistance appointment for the proposed storefront restoration of Portland Machine Company Building.
- **LU 15-253945 HR** Historic Resource Review approval for façade alterations.
- **LU 16-129919 HR** Staff denial of a Historic Resource Review application for a proposed new stealth wireless facility on the roof of the historic Old Portland Machine Company building in the form of a faux water tower that consists of a fiber reinforced plastic (FRP) “tank” approximately 10’ in diameter and 9’-6” tall supported by a 7’-9” tall steel structure, for a maximum total height of 17’-3” from the surface of the roof deck to the top of the tower. Appeal of Staff level decision to Portland Historic Landmarks Commission submitted on November 18, 2016 with a hearing date scheduled for January 23, 2017.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on November 14, 2016. The following Bureaus have responded with no issues or concerns about the proposal:

- Bureau of Environmental Services (See Exhibit E-1)
- Life Safety Division of BDS (See Exhibit E-2)

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on November 14, 2016. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.846, Historic Review**

#### **Purpose of Historic Resource Review**

Historic Resource Review ensures the conservation and enhancement of the special characteristics of historic resources.

#### **Historic Resource Review Approval Criteria**

Requests for Historic Resource 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 Skidmore/Old Town Historic District. Therefore, the proposal requires Historic Resource Review approval. The relevant approval criteria are the *Skidmore/Old Town Historic District Design Guidelines* and the *Central City Fundamental Design Guidelines*.

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

### **Skidmore/Old Town Historic District Design Guidelines**

#### **General Guidelines**

**A4.** Select Historically Compatible, High Quality Materials with Finishes and Colors that are Appropriate to the District.

**Findings:** The proposed steel plates with acorn nut caps are made of high quality material and are designed to be compliant with the District by aligning with existing building elements and blending in to the façade. The proposed paint color of the steel plates and acorn nut caps will match the original brick as closely as possible. A condition of approval has been added to insure that the steel plates and acorn nut caps will be painted to match the original brick rather than the still material which will help minimize the proposed plates and not detract from the original brick detailing. *With a condition of approval that the steel plates and associated hardware be painted to match the adjacent existing brick, this guideline is met.*

### **Guidelines for Alterations**

**B1.** Respect the Building’s Historic Period, Style, Materials, and Details in the Design of Alterations.

**B2.** Preserve and Repair Historic Exterior Materials and Distinctive Details. Maintain the Vertical Lines of Columns and Piers, the Horizontal Definition of Spandrels and Cornices, and Other Primary Structural Elements.

**B3.** Respect the Shape, Size, Placement, Rhythm, and Trim of the Historic Openings in the Building.

**Findings for B1, B2, and B3:** The proposed steel faceplates and acorn nut caps are the exterior elements of a larger system which is intended to keep the building safe and increase the lifespan of the resource. The proposed steel plates and acorn nut caps will be aligned just below the existing transition cornice and will be placed in line with major vertical elements on the façade. As such, the proposed alterations maintain the vertical lines of the existing columns and the primary horizontal line of the original transition cornice. The plates will also match the color of the existing brick so that they do not detract from the historic elements of the resource. A condition of approval has been added to insure that the steel plates and acorn nut caps will be painted to match the original brick rather than the still material which will help minimize the proposed plates and not detract from the original brick detailing. With a condition of approval that the steel plates and associated hardware be painted to match the adjacent existing brick, this guideline is met.

### **Central City Fundamental Design Guidelines**

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

**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.

**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 for A6, C2, C3, C4, and C5:** The proposed nineteen (19) steel faceplates with acorn nut caps are part of a larger seismic upgrade which will allow for the continued use (and increased longevity) of the resource. By aligning the proposed steel faceplates with both horizontal and vertical building elements and painting them to match the brick, the proposal promotes the continued use of the resource while maintaining the coherency of the façade and respecting its architectural integrity of the resource. As originally proposed, the steel plates and acorn nut caps were to be painted to match the storefront system to subtly contrast with the existing brick. A condition of approval has been added to insure that the steel plates and acorn nut caps will be painted to match the original brick rather than the still material which will

help minimize the proposed plates and not detract from the original brick detailing.  
*With a condition of approval that the steel plates and associated hardware be painted to match the adjacent existing brick, this guideline is 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 applicant is seeking Historic Resource Review Approval for the proposed nineteen (19) steel faceplates with acorn nut caps, as part of a larger seismic upgrade which will allow for the continued use (and increased longevity) of the resource. By aligning the proposed steel faceplates with both horizontal and vertical building elements and painting them to match the brick, the proposal promotes the continued use of the resource while maintaining the coherency of the façade and respecting its architectural integrity of the resource. As originally proposed, the steel plates and acorn nut caps were to be painted to match the storefront system to subtly contrast with the existing brick. A condition of approval has been added to insure that the steel plates and acorn nut caps will be painted to match the original brick rather than the still material which will help minimize the proposed plates and not detract from the original brick detailing.

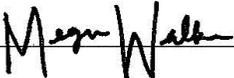
The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal, with a condition of approval that the steel plates and associated hardware be painted to match the adjacent existing brick, meets the applicable Historic Resource Review approval criteria and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of exterior alterations to a contributing building in the Skidmore/ Old Town Historic District for seismic bolts centered approximately 19' above the finish floor height, aligned below the transition cornice at the second floor, per the approved site plans, Exhibits C-1 through C-5, signed and dated December 30, 2016, 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 four 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 16-258773 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. All steel plates and associated hardware shall be painted to match the adjacent existing brick.

**Staff Planner: Megan Sita Walker**

**Decision rendered by:**  **on December 30, 2016**

By authority of the Director of the Bureau of Development Services

**Decision mailed January 4, 2017**

**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 October 14, 2016, and was determined to be complete on November 7, 2016.

*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 October 14, 2016.

*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: March 7, 2016.**

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

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

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

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

**This decision, and any conditions associated with it, is final.** It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further 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](http://www.portlandonline.com).

**Recording the final decision.**

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **January 5, 2017.**

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 503-823-7617.

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

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

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

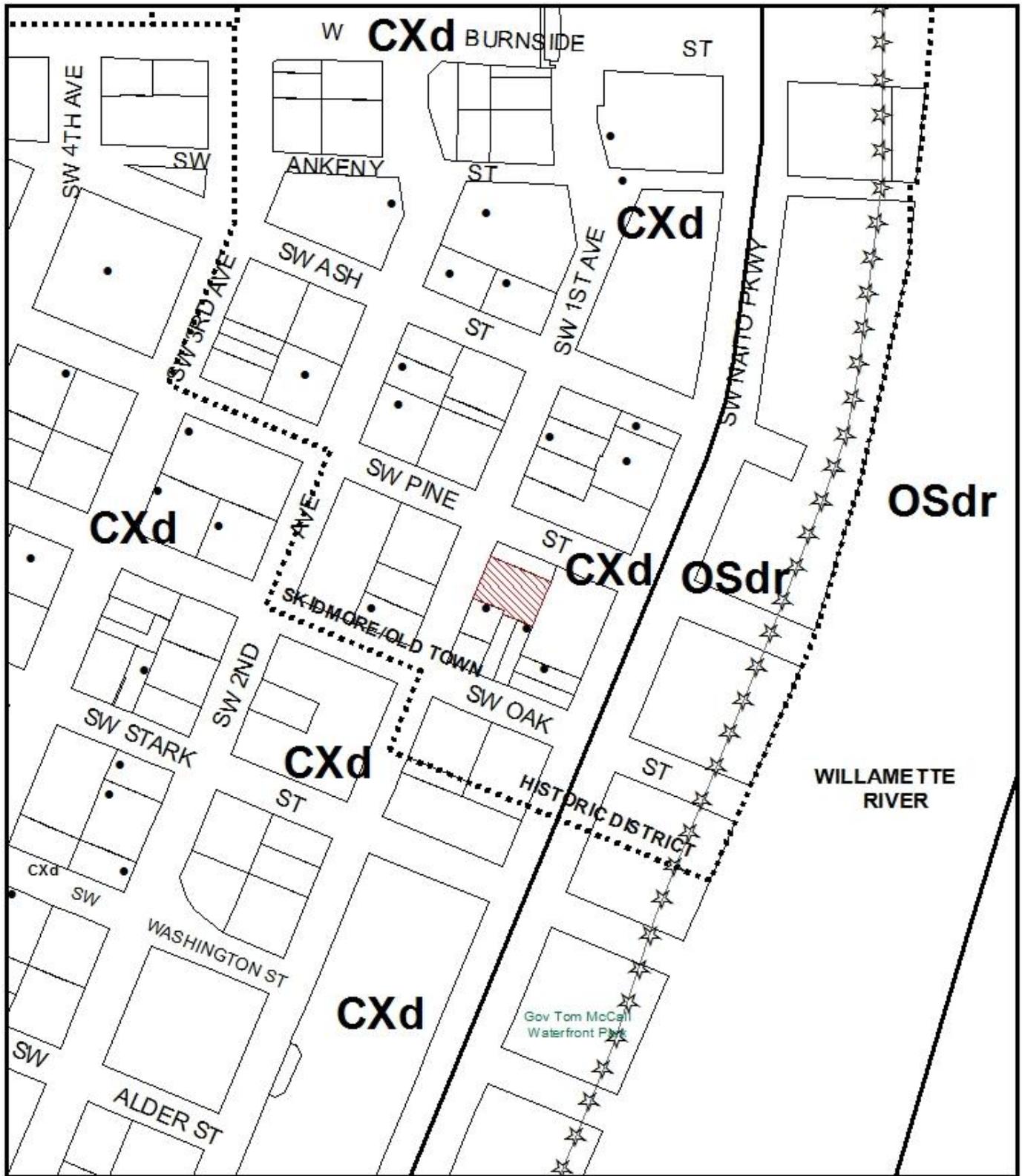
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  1. Project Description, Response to Approval Criteria, & Supplemental information
  2. Photos of Existing Conditions
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Vicinity Map
  2. Utility and Roof Plan (attached)
  3. Proposed West Elevation & Enlarged Elevation (attached)
  4. Project Materials
  5. Project Details & Specifications
- D. Notification information:
  1. Mailing list
  2. Mailed notice
- E. Agency Responses:
  1. Bureau of Environmental Services
  2. Life Safety Division of BDS
- F. Correspondence: no response
- G. Other:
  1. Original LU Application
  2. Oregon Historic Site Record
  3. HRI Form
  4. Correspondence between staff and the applicant dated from October 14, 2016 to December 30, 2016.

**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



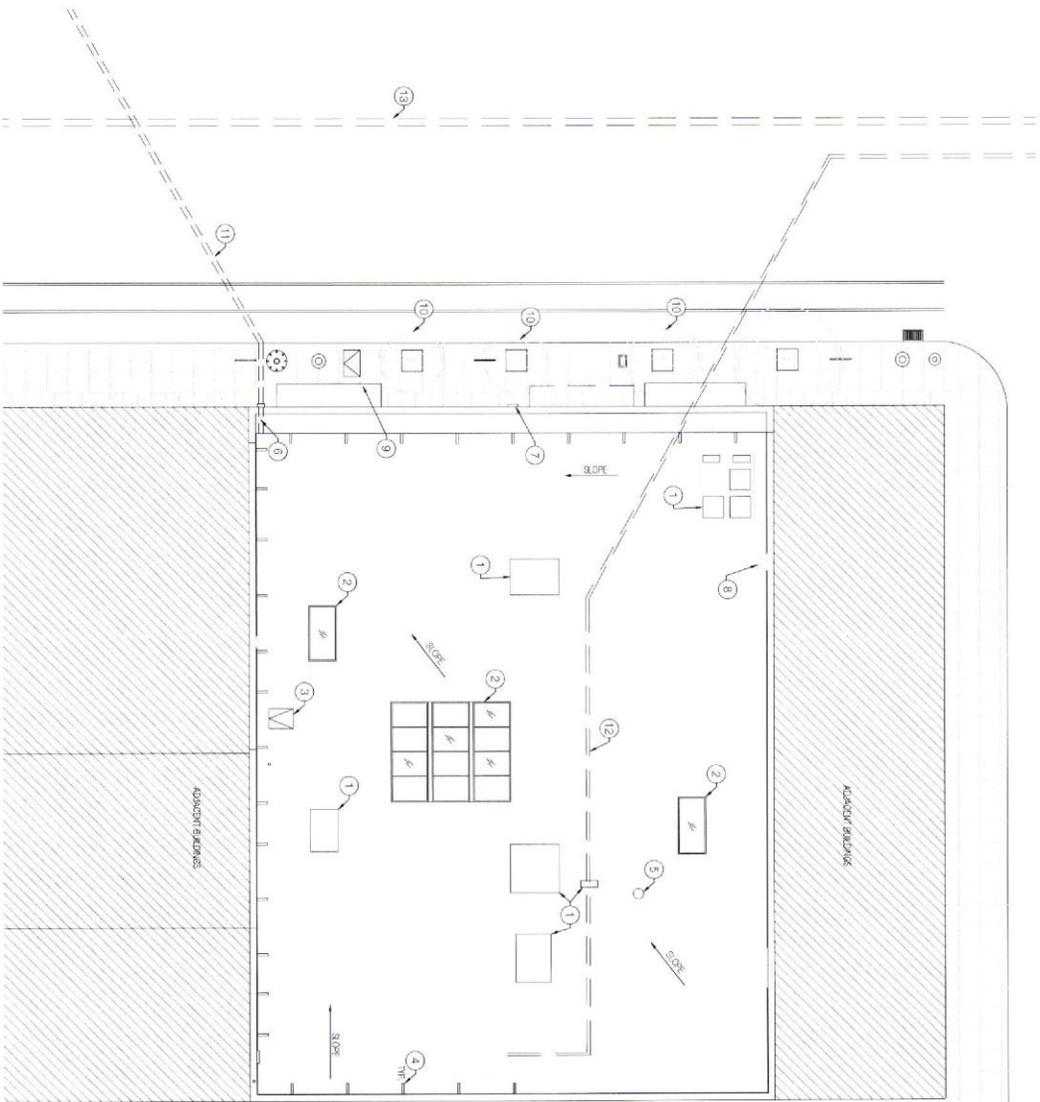
This site lies within the:  
**CENTRAL CITY PLAN DISTRICT**  
**DOWNTOWN SubDistrict**  
**SKIDMORE / OLD TOWN HISTORIC DISTRICT**

- Site
- Recreational Trails
- Historic Landmark

File No.	<u>LU 16-258773 HR</u>
1/4 Section	<u>3030</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E34DC 2700</u>
Exhibit	<u>B (Oct 19, 2016)</u>

Site Documentation

- 1 Existing Mechanical Unit
- 2 Existing Skylight
- 3 Existing Hood Hatch
- 4 Existing Parapet Beating
- 5 Existing Antenna
- 6 Existing Stormwater Drain
- 7 Existing Fire Escape Structure
- 8 Existing Chimney
- 9 Existing Canopy Profile Belew
- 10 Existing Street Trees
- 11 Existing Stormwater Line



Utility & Roof Plan  
7/16" = 1'-0"

208 Building Revitalization Project 208 SW 1st Avenue, Portland, Oregon

**\*Approved\***  
 City of Portland  
 Bureau of Development Services  
 Planner WJL  
 Date 12.30.16  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval.  
 Additional zoning to other laws may apply.

**\* APPROVED PER CONDITION B**

EXH C-2  
 LV 16-256773 HR



