



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

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Date: May 3, 2019
To: Interested Person
From: Grace Jeffreys, Land Use Services
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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 19-124131 HR - 931 SE 6th, New storefront door with transom window

GENERAL INFORMATION

Applicant: Nina Handelman, Handleman Studio
2959 NW Cumberland Rd., Portland, OR 97210
Nina@handelmanstudio.com, (503) 319-0568

Owner: Bitar Bros, Robert A Bitar Corp
2929 E Burnside St., Portland, OR 97214-1831
barbara@bitarcompanies.com, (503) 234-0337

Site Address: **523 SE YAMHILL STREET**

Legal Description: BLOCK 126 LOT 5&6, PARK ADD TO E P
Tax Account No.: R644500050, R644500050
State ID No.: 1S1E02BB 07900, 1S1E02BB 07900
Quarter Section: 3131
Neighborhood: Buckman, contact Richard Johnson at buckmanlandusepdx@gmail.com
Business District: Central Eastside Industrial Council, contact ceic@ceic.cc.
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.
Plan District: Central City - Central Eastside
Other Designations: Considered a historic non-contributing resource to the East Portland/Grand Avenue Historic District

Zoning: **EXd**, Central Employment (EX) with Design overlay (d)
Case Type: **HR**, Historic Resource Review
Procedure: **Type Ix**, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

Applicant proposes the installation of a new glazed storefront door with a transom window above, replacing one window of three in a structural bay, in a building that is considered a non-contributing resource in the East Portland/Grand Avenue Historic District, the Central City Plan District and the Central Eastside Subdistrict.

Because the proposal is for non-exempt exterior alterations in a Historic District, Historic Resource Review is required per Portland Zoning Code, Title 33.445.320.

Relevant Approval Criteria:

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

- Design Guidelines for East Portland/Grand Avenue Historic District Zone
- Central City Fundamental Design Guidelines
- Chapter 33.445 Historic Resource Protection Overlay zone
- Chapter 33.846 Historic Reviews
- Oregon Statewide Planning Goals

ANALYSIS

Site and Vicinity: The subject property is a one-story non-contributing historic building built in 1928, sitting on a quarter-block site in the Central Eastside Historic District. The site fronts SE Yamhill Street to the south and SE 6th Avenue to the east. The exterior alterations proposed are limited to the mid-block bay on the east elevation facing SE 6th Avenue.

The site is located within a narrow north-south strip of EX zoning, generally three blocks wide that is otherwise surrounded by IG1 zoning. A 2-block wide strip of EX zoning extends to the East on either side of SE Morrison Street, one block north. The site is located within the southern one-third of the East Portland/Grand Avenue Historic District and at the east side of the Morrison Bridge bridgehead, where the bridge off-ramp meets Grand Avenue. The typical scale and character of contributing resources within the East Portland/Grand Avenue Historic District are 1- to 4-story commercial buildings constructed between the years 1883-1930. The Weatherly Building, constructed one block north in 1928, is the one outlier with a 1/8-block 12-story tower.

The City's Transportation Plan identified SE Yamhill Street as a Local Service Walkway and Local Service Bikeway, and Local Service Traffic Street, and SE 6th as a Local Service Street for all modes. The site is located within a Freight District.

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 Overlay Zone (d) promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. 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 2035 Plan. The regulations address the unique role the Central City plays as the region's premier center for jobs, health and human services, tourism, entertainment and urban living. The regulations encourage a high-density urban area with a broad mix of commercial, residential, industrial and institutional uses, and foster transit-supportive development, pedestrian and bicycle-friendly streets, a vibrant public realm and a healthy urban river. The site is within the Central Eastside Subdistrict of this plan district.

East Portland/Grand Avenue Historic District is listed in the National Register of Historic Places under two of the eligibility criteria: "A" for its association with the development of the City of East Portland (which was annexed into Portland in 1893) and "C" for its examples of commercial architectural styles from the period 1883 to 1939.

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

- LU 91-008387 (LUR 91-00133): Historic Design Review approval for a painted wall sign with indirect lighting on the west elevation and a canvas awning above the entrance on Yamhill Street.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **March 22, 2019**. The following Bureaus have responded with no issues or concerns about the proposal:

- Fire Bureau (Exhibit E.1)
- Life Safety Section of BDS (Exhibit E.2)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **March 22, 2019**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

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 requirements of Title 11 can be met, and 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.

PLANS AND POLICIES

Chapter 33.846.060 - Historic Resource 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 East Portland Grand Avenue Historic District and the proposal is for a non-exempt treatment. Therefore, Historic Resource Review approval is required. The approval criteria are the *Design Guidelines - East Portland Grand Avenue Historic Design Zone*. Because the site is within the *Central City Plan District*, the *Central City Fundamental Design Guidelines* are also approval criteria.

Staff has considered all guidelines and addressed only those applicable to this proposal. The Design Guidelines - East Portland Grand Avenue Historic Design Zone and the Central City Fundamental Design Guidelines are addressed concurrently.

Design Guidelines - East Portland Grand Avenue Historic Design Zone
Guidelines for Alterations

A61. Use Special East Portland/Grand Avenue Historic Design Zone Guidelines

Introduction: Scale and Proportion. A building's bulk in conjunction with its proportional height and width will have a significant impact on the degree to which it fits in with its historic neighbors. Structures which are much wider, taller or just are significantly bigger than neighboring structures will disrupt the continuity of the area and may damage the area's historic integrity.

A61a. Scale and Proportion

1. The added height or width of an alteration should be compatible with the original scale and proportion first of the affected building and second of adjacent buildings.
2. The scale and proportion of altered or added building elements, such as the size and relationship of new windows, doors, entrances, columns and other building features should be visually compatible with the original architectural character of the building.
3. The visual integrity of the original building should be maintained when altering or adding building elements including the vertical lines of columns, piers, the horizontal definition of spandrels and cornices, and other primary structural and decorative elements.

Findings for A6-1a: The new glazed new door with transom will be a minor alteration to the building's exterior, affecting about 30 square feet of the east façade:

- To minimize disrupting the existing facade, the infill will replace an existing window that is one of a bank of three. The header will remain aligned with the header of the window that is being replaced, as well as the headers of adjacent windows. The opening will be slightly wider than the window being replaced; however, the 3-foot width is proportionally similar to the glazed sidelights of the main building entry doors that are 4 bays to the south.
- The new glazed door with transom infill has been positioned and sized to maintain the scale and proportion of the existing bay, and therefore maintains the visual integrity of the original building.

This guideline has been met.

Introduction: Exterior Building Materials. After issues of height, mass and bulk the building characteristic having the greatest impact on the District's character will be its exterior materials. Maintaining the integrity of exterior materials is important to protecting the character of the District.

A6-1b. Exterior Building Materials. Exterior surfaces need to be repaired and maintained in a manner that is compatible first with the original building and second with the District.

Findings for A6-1b: The new storefront door with transom above is a minimal change and has been sized and positioned to have the least impact on the existing building:

- The new storefront door and transom window above will replace an existing window. The window opening will be made slightly wider, and the sill will be extended to the ground to accommodate the door. The top of transom above will be aligned with the existing headers. The CMU wall will be patched and painted to match the existing CMU exterior surrounding it.

- The new steel frames will match the existing storefront entry two bays down and will be recessed to match the recess depth of the existing, adjacent windows, as shown in the detail section Exhibit C.6.

These guidelines have been met.

Central City Fundamental Design Guidelines

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

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

C4. Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.

Findings for A4, A6 & C4:

- The proposed new glazed storefront door and transom utilize the common vocabularies of the building – regularized rhythm of bays with subtle hierarchies, brick cladding with areas of articulation and detailing, storefronts with transoms, punched upper level windows, concrete sills, horizontal banding, an articulated cornice, etc.
- This balance is of importance due to the scale of the proposed building, which is taller than most of the buildings in the district; however, because of the compatible detailing, the building will serve as an appropriate infill building which does not significantly detract from the historic buildings in the district.

These guidelines have been met.

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

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 and C5:

- The new metal storefront door and transom will be of quality and durability, and match the existing storefront already used in the building. The frames and support structure will be recessed from the façade, matching the simple punched opening language of the building to maintain the integrity of the façade.

These guidelines have been met.

Oregon Statewide Planning Goals

Goal 1: Citizen Involvement

Goal 1 calls for “the opportunity for citizens to be involved in all phases of the planning process.” It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a Committee for Citizen Involvement (CCI) to monitor and encourage public participation in planning.

Findings: The City of Portland maintains an extensive citizen involvement program which complies with all relevant aspects of Goal 1, including specific requirements in Zoning Code Chapter 33.730 for public notice of land use review applications that seek public comment on proposals. There are opportunities for the public to testify at a local hearing on land use proposals for Type III land use review applications, and for Type II and Type Ix land use decisions if appealed. *For this application, a written notice seeking comments on the proposal was mailed to property-owners and tenants within 100 feet of the site, and to recognized organizations in which the site is located.*

The public notice requirements for this application have been and will continue to be met, and nothing about this proposal affects the City's ongoing compliance with Goal 1. Therefore, the proposal is consistent with this goal.

Goal 2: Land Use Planning

Goal 2 outlines the basic procedures of Oregon's statewide planning program. It states that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

Findings: Compliance with Goal 2 is achieved, in part, through the City's comprehensive planning process and land use regulations. For quasi-judicial proposals, Goal 2 requires that the decision be supported by an adequate factual base, which means it must be supported by substantial evidence in the record. *As discussed earlier in the findings that respond to the relevant approval criteria contained in the Portland Zoning Code, the proposal complies with the applicable regulations, as supported by substantial evidence in the record. As a result, the proposal meets Goal 2.*

Goal 3: Agricultural Lands

Goal 3 defines "agricultural lands," and requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.

Goal 4: Forest Lands

This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

Findings for Goals 3 and 4: In 1991, as part of Ordinance No. 164517, the City of Portland took an exception to the agriculture and forestry goals in the manner authorized by state law and Goal 2. Since this review does not change any of the facts or analyses upon which the exception was based, the exception is still valid, and Goal 3 and Goal 4 do not apply.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

Goal 5 relates to the protection of natural and cultural resources. It establishes a process for inventorying the quality, quantity, and location of 12 categories of natural resources. Additionally, Goal 5 encourages but does not require local governments to maintain inventories of historic resources, open spaces, and scenic views and sites.

Findings: The City complies with Goal 5 by identifying and protecting natural, scenic, and historic resources in the City's Zoning Map and Zoning Code. Natural and scenic resources are identified by the Environmental Protection ("p"), Environmental Conservation ("c"), and Scenic ("s") overlay zones on the Zoning Map. The Zoning Code imposes special restrictions on development activities within these overlay zones. Historic resources are identified on the Zoning Map either with landmark designations for individual sites or as Historic Districts or Conservation Districts. *This site is a non-contributing resource in the East Portland/ Grand Avenue Historic District. Compliance with all requirements related to this designation have been verified as part of this land use review. Therefore, the proposal is consistent with Goal 5.*

Goal 6: Air, Water and Land Resources Quality

Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

Findings: Compliance with Goal 6 is achieved through the implementation of

development regulations such as the City's Stormwater Management Manual at the time of building permit review, and through the City's continued compliance with Oregon Department of Environmental Quality (DEQ) requirements for cities. The Bureau of Environmental Services reviewed the proposal for conformance with sanitary sewer and stormwater management requirements and expressed no objections to approval of the application, as mentioned earlier in this report. *In this case, the scope of the project does not warrant review by the Bureau of Environmental Services; Goal 6 is not applicable.*

Goal 7: Areas Subject to Natural Disasters and Hazards

Goal 7 requires that jurisdictions adopt development restrictions or safeguards to protect people and property from natural hazards. Under Goal 7, natural hazards include floods, landslides, earthquakes, tsunamis, coastal erosion, and wildfires. Goal 7 requires that local governments adopt inventories, policies, and implementing measures to reduce risks from natural hazards to people and property.

Findings: The City complies with Goal 7 by mapping natural hazard areas such as floodplains and potential landslide areas, which can be found in the City's MapWorks geographic information system. The City imposes additional requirements for development in those areas through a variety of regulations in the Zoning Code, such as through special plan districts or land division regulations. *The subject site is not within any mapped floodplain or landslide hazard area, so Goal 7 does not apply.*

Goal 8: Recreation Needs

Goal 8 calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expediting siting of destination resorts.

Findings: The City maintains compliance with Goal 8 through its comprehensive planning process, which includes long-range planning for parks and recreational facilities. Staff finds the current proposal will not affect existing or proposed parks or recreation facilities in any way that is not anticipated by the zoning for the site, or by the parks and recreation system development charges that are assessed at time of building permit. Furthermore, nothing about the proposal will undermine planning for future facilities. *Therefore, the proposal is consistent with Goal 8.*

Goal 9: Economy of the State

Goal 9 calls for diversification and improvement of the economy. Goal 9 requires communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

Findings: Land needs for a variety of industrial and commercial uses are identified in the adopted and acknowledged Economic Opportunity Analysis (EOA) (Ordinance 187831). The EOA analyzed adequate growth capacity for a diverse range of employment uses by distinguishing several geographies and conducting a buildable land inventory and capacity analysis in each. In response to the EOA, the City adopted policies and regulations to ensure an adequate supply of sites of suitable size, type, location and service levels in compliance with Goal 9. The City must consider the EOA and Buildable Lands Inventory when updating the City's Zoning Map and Zoning Code. *Because this proposal does not change the supply of industrial or commercial land in the City, the proposal is consistent with Goal 9.*

Goal 10: Housing

Goal 10 requires local governments to plan for and accommodate needed housing types. The Goal also requires cities to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Findings: The City complies with Goal 10 through its adopted and acknowledged inventory of buildable residential land (Ordinance 187831), which demonstrates that the

City has zoned and designated an adequate supply of housing. For needed housing, the Zoning Code includes clear and objective standards. *Since this proposal is not related to housing or to land zoned for residential use, Goal 10 is not applicable.*

Goal 11: Public Facilities and Services

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

Findings: The City of Portland maintains an adopted and acknowledged public facilities plan to comply with Goal 11. See Citywide Systems Plan adopted by Ordinance 187831. The public facilities plan is implemented by the City's public services bureaus, and these bureaus review development applications for adequacy of public services. Where existing public services are not adequate for a proposed development, the applicant is required to extend public services at their own expense in a way that conforms to the public facilities plan. *In this case, the scope of the project does not warrant review by the City's public services bureaus; Goal 11 is not applicable.*

Goal 12: Transportation

Goal 12 seeks to provide and encourage "safe, convenient and economic transportation system." Among other things, Goal 12 requires that transportation plans consider all modes of transportation and be based on inventory of transportation needs.

Findings: The City of Portland maintains a Transportation System Plan (TSP) to comply with Goal 12, adopted by Ordinances 187832, 188177 and 188957. The City's TSP aims to "make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs." The extent to which a proposal affects the City's transportation system and the goals of the TSP is evaluated by the Portland Bureau of Transportation (PBOT). *The scope of this project does not warrant transportation review; therefore Goal 12 is not applicable.*

Goal 13: Energy

Goal 13 seeks to conserve energy and declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

Findings: With respect to energy use from transportation, as identified above in response to Goal 12, the City maintains a TSP that aims to "make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs." This is intended to promote energy conservation related to transportation. Additionally, at the time of building permit review and inspection, the City will also implement energy efficiency requirements for the building itself, as required by the current building code. *For these reasons, staff finds the proposal is consistent with Goal 13.*

Goal 14: Urbanization

This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

Findings: In the Portland region, most of the functions required by Goal 14 are administered by the Metro regional government rather than by individual cities. The desired development pattern for the region is articulated in Metro's Regional 2040 Growth Concept, which emphasizes denser development in designated centers and corridors. The Regional 2040 Growth Concept is carried out by Metro's Urban Growth Management Functional Plan, and the City of Portland is required to conform its zoning

regulations to this functional plan. *This land use review proposal does not change the UGB surrounding the Portland region and does not affect the Portland Zoning Code's compliance with Metro's Urban Growth Management Functional Plan. Therefore, Goal 14 is not applicable.*

Goal 15: Willamette Greenway

Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

Findings: The City of Portland complies with Goal 15 by applying Greenway overlay zones which impose special requirements on development activities near the Willamette River. The subject site for this review is not within a Greenway overlay zone near the Willamette River, so Goal 15 does not apply. *As discussed earlier in this report, the applicable requirements for the Greenway overlay zone in Zoning Code Chapter 33.440 are found to be met. Therefore, the proposal is consistent with Goal 15.*

Goal 16: Estuarine Resources

This goal requires local governments to classify Oregon's 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units."

Goal 17: Coastal Shorelands

This goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for "water-dependent" or "water-related" uses.

Goal 18: Beaches and Dunes

Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.

Goal 19: Ocean Resources

Goal 19 aims "to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf." It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19's main requirements are for state agencies rather than cities and counties.

Findings: *Since Portland is not within Oregon's coastal zone, Goals 16-19 do not apply.*

CONCLUSIONS

The proposed glazed storefront door with transom has been located to create minimal impact to the building, and have been recessed to replicate existing punched openings, so is coherent with the simple straightforward masonry design of the building. 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 meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of a new glazed storefront door with transom per the approved site plans, Exhibits C-1 through C-6, signed and April 30, 2019, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) 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 19-124131 HR."

All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

Staff Planner: Grace Jeffreys



Decision rendered by: _____ **on April 30, 2019**

By authority of the Director of the Bureau of Development Services

Decision mailed, May 3, 2019.

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 28, 2019** and was determined to be complete on **March 19, 2019**.

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 28, 2019**.

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: July 17, 2019.**

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.

Recording the final decision.

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **May 3, 2019** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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.

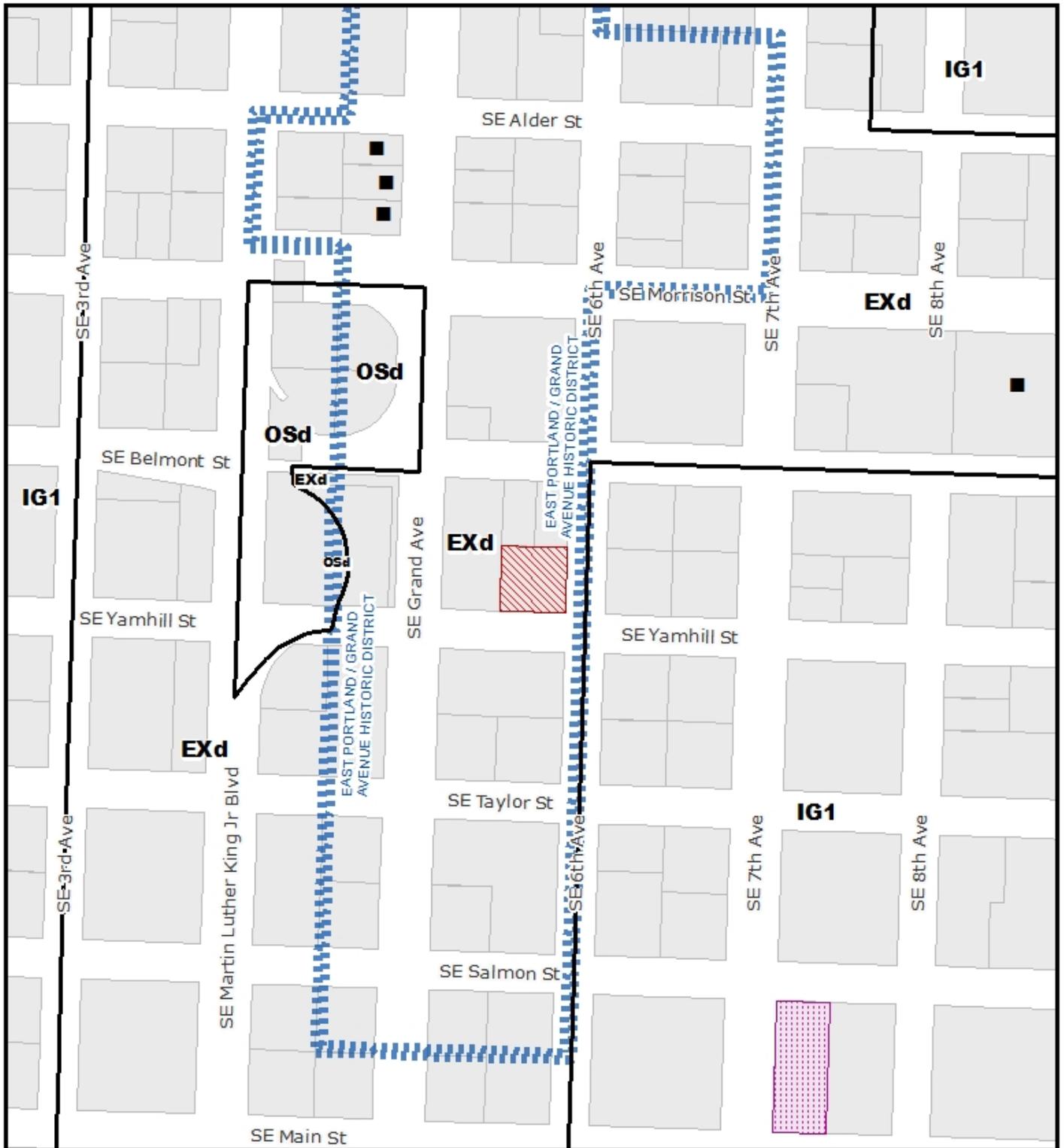
Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- 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. Initial submittal
 - 2. Door cutsheets, 3/19/19
 - 3. Request to deem application complete, 3/19/19
 - 4. Possible revised design, 3/25/19
 - 5. Revised drawings, 4/12/19
 - 6. Revised drawings with recessed door, 4/16/19
 - 7. Revised drawings with steel frame, 4/17/19
 - 8. Revised drawings with steel structure, 4/23/19
 - 9. Revised drawings, with recessed frame, 4/30/19
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Enlarged Site plan
 - 3. Site Utility Plan
 - 4. Proposed East Elevation (attached)
 - 5. Existing East Elevation
 - 6. Enlarged Sections
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Fire Bureau
 - 2. Life Safety Review Section of BDS
- F. Correspondence: None received.
- G. Other:
 - 1. Original LU Application
 - 2. Email correspondence regarding completeness, 3/4/19
 - 3. Email correspondence regarding details, 3/19/19
 - 4. Site Photos

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
 CENTRAL EASTSIDE SUBDISTRICT
 EAST PORTLAND / GRAND AVENUE
 HISTORIC DISTRICT

-  Site
-  Also Owned Parcels
-  Historic Landmark

File No.	LU 19-124131 HR
1/4 Section	3131
Scale	1 inch = 200 feet
State ID	1S1E02BB 7900
Exhibit	B Mar 04, 2019

PROJECT INFORMATION:

PROJECT DESCRIPTION:

UPDATING ACCESSIBLE RESTROOM PER CODE;
 PERMITTING UNPERMITTED WALLS BUILT BY
 PREVIOUS TENANT. UPDATING EGRESS AND
 EMERGENCY ACCESSIBILITY PER CODE, TO
 EXISTING 1928 CONCRETE BUILDING.

LEGAL DESCRIPTION:

LOT: 5 & 6
 BLOCK: 126
 MAP#: 3131 OLD
 PROPERTY ID: R233836

ZONING:

EXG COMPREHENSIVE PLAN (REV. IG1.d)
 - CHANGE OF OCCUPANCY FROM OFFICE
 TO RETAIL W/ STORAGE; PER NEW ZONING
 CODE 33.510.11.6.C

LOT AREA:

10,000 SQFT
 BLDG HEIGHT:
 51 FT
 USE CODE:
 WHSE FLEX
 CONSTRUCTION TYPE:
 VB

PREVIOUS BUILDING PERMIT:

(ATTACHED) BLD94-06269

2014 OREGON STRUCTURAL SPECIALTY CODE

PROJECT CONTACTS:

OWNER:

BITAR COMPANIES
 BARBARA BUSHNELL
 T: 503.234.0337

DESIGNER:

HANDELMAN STUDIO
 NINA HANDELMAN
 T: 503.319.0568
 E: NINA@HANDELMANSTUDIO.COM

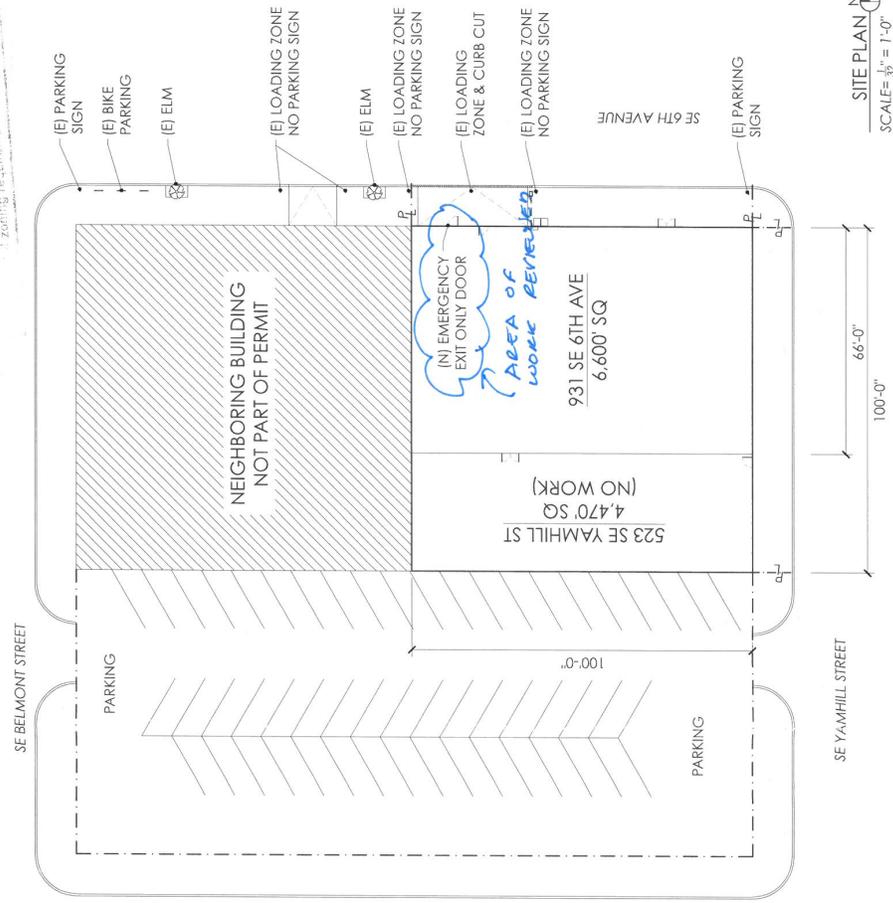
Approved
 City of Portland Services
 Bureau of Development Services
 Planner _____
 4/30/19
 This approval applies only to the
 as requested and is subject to all
 conditions of approval.
 Zoning requirements may apply.

REVISIONS:	
Date:	Description:
05.23.2018	BUILDING PERMIT - CORRECTIONS
12.28.2018	BUILDING PERMIT - CORRECTIONS
04.20.2019	BUILDING PERMIT - CORRECTIONS

PROJECT NO.:
 SCALE: 3/8" = 1'-0"
 TITLE: SITE PLAN
 SHEET: 1
 DATE: 04/20/2019

131 SW BANCROFT
 PORTLAND, OR 97239
 JOCELYN BATES ARCHITECT, LLC

931 SE 6TH AVENUE



SITE PLAN
 SCALE = 3/8" = 1'-0"

LU 19-124131 HR

EXH.C-1

Approved
 City of Portland
 Bureau of Development Services
 Planner _____
 Date 4/30/19

* This approval applies only to the work shown on this drawing and is subject to all applicable codes and regulations. Amendments may apply.

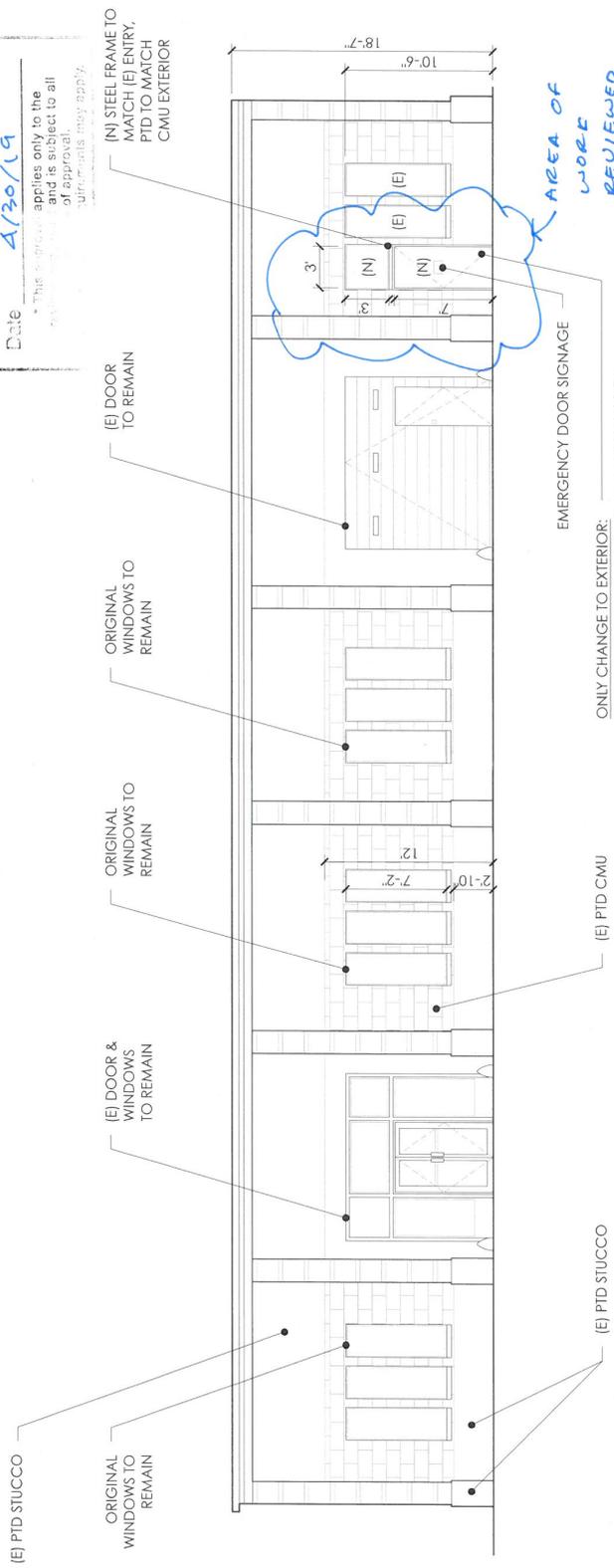
JOCELYN BATES ARCHITECT, LLC
 1315 W BANCROFT
 PORTLAND, OR 97239

931 SE 6TH AVENUE

REVISIONS:	Description	Date

PROJECT NO.:
 SCALE: $\frac{1}{8}'' = 1'-0''$
 TITLE: ELEVATION
 SHEET: **3**
 DATE: 04/20/2019

PROPOSED EAST ELEVATION
 SCALE: $\frac{1}{8}'' = 1'-0''$



- ONLY CHANGE TO EXTERIOR:
- (N) 36"W x 84"H EMERGENCY EXIT ONLY DOOR TO REPLACE (E) WINDOW UTILIZING (E) OPENING TO PRESERVE ORIGINAL BUILDING AND STRUCTURAL INTEGRITY
 - (N) 36"W x 36"H WINDOW TO ALIGN W/ EXISTING HEADER AND WINDOWS
 - (N) DOOR & WINDOW RECESSED TO MATCH (E) ADJACENT WINDOWS
 - (N) STEEL FRAME TO MATCH (E) STOREFRONT, PTD TO MATCH (E) CMU EXTERIOR
 - HORIZONTAL LINES TO ALIGN WITH EXISTING
 - ALL PATCH & PTD TO MATCH EXISTING
 - NO EXTERIOR ACCESS.
 - EMERGENCY EXIT ONLY SIGNAGE TO BE POSTED

ku 19-124131 HR

Exn.c.4