



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

Ted Wheeler, Mayor
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: 9/26/2019
To: Interested Person
From: Tanya Paglia, Land Use Services
503-823-4989 / Tanya.Paglia@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 19-183117 HR – DOOR REPLACEMENT

GENERAL INFORMATION

Applicant: Peter Nylen | Rhiza Architecture & Design LLC
2127 N Albina Ave #203 | Portland, OR 97227
peter@rhizaaplusd.com

Owner: Goldsmith Blocks LLC
412 NW Couch St #220 | Portland, OR 97209

Site Address: **10 NW 5TH AVE**

Legal Description: BLOCK 32 LOT 6&7, COUCHS ADD; LOT 6&7 BLOCK 32, COUCHS ADD; LOT 6&7 BLOCK 32, COUCHS ADD

Tax Account No.: R180202560
State ID No.: 1N1E34CA 11200
Quarter Section: 3029

Neighborhood: Old Town Community Association, contact Peter Englander at treasurer@oldtownchinatown.org or Brian Harvey at planning@pdxoldtown.org

Business District: Downtown Retail Council, contact at lfrisch@portlandalliance.com, Old Town Community Association, contact at chair@oldtownchinatown.org.

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

Plan District: Central City - Old Town/Chinatown
Other Designations: Classified as Non-contributing Structure in New Chinatown/
Japantown Historic District

Zoning: **CXd**, Central Commercial with Design and Historic Resource Overlays
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 requests Historic Resource Review approval for alterations to the north façade of the Goldsmith Block building, which is classified as a non-contributing structure in the New Chinatown/Japantown Historic District. The project consists of removing an existing pair of sidewalk level solid metal doors (used to provide filling access to oil delivery trucks), a transom mounted louver, and concrete infill surrounding the existing openings. An in-swing aluminum storefront door with side light and transom window will be installed in the opening. As well, there will be a banner sign mounted adjacent to the door, matching in size and detail the existing banner signs for the building on Couch.

Because the proposal is for non-exempt exterior alterations to an existing building in a designated 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, Portland Zoning Code. The relevant approval criteria are:

- *Central City Fundamental Design Guidelines*
- *New China/Japantown Historic District Design Guidelines (2017)*

ANALYSIS

Site and Vicinity: The Goldsmith Block is comprised of four interconnected buildings bounded by NW 4th Avenue, W Burnside Street, NW 5th Avenue, and NW Couch Street located near the southwest corner of the New Chinatown/Japantown Historic District. Three of the buildings are considered non-contributing resources and one is a contributing resource. The subject building was constructed in 1911 and underwent substantial alterations in 1952. The surrounding area contains a mixture of historic commercial buildings, apartments buildings, and surface and structured parking. Uses are a mix of retail, restaurants, offices, and housing. The Transit Mall, which is located on 5th and 6th Avenues, directly abuts the west frontage of the subject site.

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 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 "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 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 Pearl Subdistrict of this plan district.

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

- LU 06-122463 HDZ - Historic Review approval for exterior alterations that included new canopies and storefront.
- LU 08-113728 HDZM - Historic Review approval for an interactive art display located on the north façade. Approval of a Modification to a Sign Code standard.
- LU 09-138952 HDZ - Historic Review approval for window and storefront alterations.
- LU 10-151122 HDZ - Historic Review approval for new signage.
- LU 12-215137 HDZ - Historic Review approval for new signage and exterior lighting.
- LU 13-145531HDZ - Historic Review approval for alterations to the existing entrance located at 20 NW 5th Avenue, on the west façade of the Goldsmith Block building.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **July 22, 2019**. The following six Bureaus, Divisions and/or Sections responded with no objections and three of these included comments found in Exhibits E1-E3:

- Life Safety Division of the Bureau of Development Services (Exhibit E.1)
- Fire Bureau (Exhibit E.2)
- Bureau of Transportation Engineering and Development Review (Exhibit E.3)
- Bureau of Environmental Services
- Site Development Review Section of Bureau of Development Services
- Water Bureau

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **July 22, 2019**. 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 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 New Chinatown/Japantown Historic District and the proposal is for a non-exempt treatment. Therefore, Historic Resource Review approval is required. The approval criteria are the *New Chinatown/Japantown Historic District Design Guidelines* and the *Central City Fundamental Design Guidelines*.

Staff has considered all guidelines and addressed only those applicable to this proposal. The New Chinatown/Japantown Historic District Design Guidelines and the Central City Fundamental Design Guidelines are considered concurrently.

Design Guidelines for the New Chinatown/Japantown Historic District Design Guidelines and Central City Fundamental Design Guidelines

The New Chinatown/Japantown Historic District is a unique asset to Portland and has been recognized nationally by its placement on the National Register of Historic Places. There are certain procedures and regulations the City has adopted for the protection and enhancement of the New Chinatown/Japantown Historic District.

The Central City Fundamental 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

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.

Design Guidelines for the New Chinatown/Japantown Historic District

General Guidelines

A2. Use durable, high-quality materials and finishes.

A3. Use dimensional signs and retain historic signs to help preserve the district's character.

A6. Provide texture, small scale detail, and a rich pedestrian environment at the ground floor.

A8. Reflect the desired streetscape character of the district in rights of way, at building entries, and in special places.

Guidelines for alterations

B2. Design alterations to be respectful of the original style, type and design of the building.

B3. Keep alterations or new elements visually secondary to the original features of the building.

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.

A8. Contribute to a Vibrant Streetscape. Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

C1. Enhance View Opportunities. Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

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

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

C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

C6. Develop Transitions between Buildings and Public Spaces. Develop transitions between private development and public open space. Use site design features such as movement zones, landscape element, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

C13. Integrate Signs. Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

Findings for NCJHD A2, A3, A6, A8, B2, B3 and CCFDGs A4, A6, A8, C1, C2, C3, C5, C6 and C13: The proposed alterations will enliven the streetscape on the north side of the Goldsmith Block building, restoring a historical opening along the building's base and bringing additional activation to the New Chinatown/New Japantown Historic District with a new active use along NW Couch St. The project allows for the transformation of a boiler room fronted by opaque doors with a louver above into a 404 SF micro-retail space with a large, glazed storefront. The change will allow views as well as pedestrian access between the sidewalk and the interior, strengthening the physical and visual connections between the building and the public realm. The project area is on the western half of the block's north frontage, a location where the new storefront will be in close proximity to the Max lines which run along SW 5th Ave. Adding a ground floor active use in this location will improve the pedestrian environment and enrich the character of the area.

Materials, including an anodized aluminum storefront system, will be durable and similar to those used elsewhere on the building façade. The storefront will replace non-structural infill masonry and non-original metal doors and louvers, a change that is respectful of the original style, type and design of the building. The simplicity of the design complements the non-contributing building and allows the adjacent contributing building to remain more prominent, enhancing a sense of architectural hierarchy.

The new retailer will have identification in the form of a banner sign that replicates other banner signs along the frontage in size and mounting details. The sign will serve as a unifying element along the base of the building, adding to the existing signage cohesion of the block. Like the existing signs, the new sign will be sympathetic to the district's character, add texture, human-scale and interest to the pedestrian realm, and help identify a new active use in the building.

These guidelines are 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 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.

CONCLUSIONS

The proposal will enhance the building's connection to the pedestrian realm and allow a new active use to be introduced along NW Couch St. The alterations will be sensitive to the history and architecture of the existing building and will not diminish its historic character, nor that of the district. 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 alterations to the north façade of the Goldsmith Block building, including replacement of metal doors, a transom mounted louver, and concrete infill surrounding the existing openings with an aluminum storefront door with side light and transom window, per the approved site plans, Exhibits C-1 through C-7, signed and dated 9/20/2019, 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 19-183117 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: Tanya Paglia



Decision rendered by: _____ **on 9/20/2019.**

By authority of the Director of the Bureau of Development Services

Decision mailed: 9/26/2019

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 June 24, 2019, and was determined to be complete on July 15, 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 June 24, 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: 11/12/2019.**

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 **9/26/2019** 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:

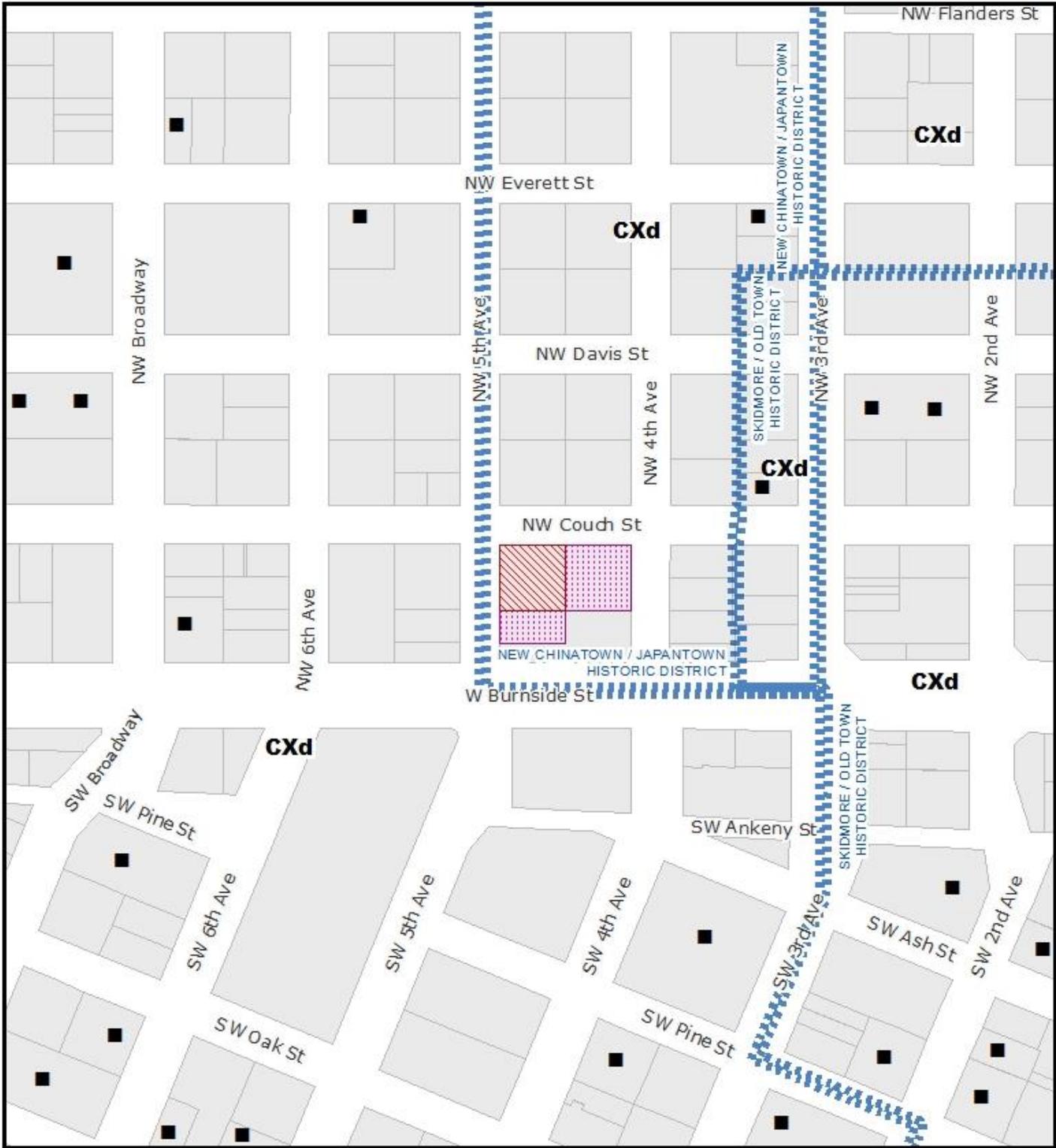
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal:
 - 1. Applicant's project description and response to approval criteria
 - 2. Photo of Street View Indicating Project Area
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site and Vicinity Plan (attached)
 - 2. Existing North Elevation
 - 3. Proposed North Elevation
 - 4. Enlarged Existing, Demo, and Proposed Elevations
 - 5. Existing and Proposed Storefront Section
 - 6. Sign Attachment Detail
 - 7. Storefront Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Division of the Bureau of Development Services
 - 2. Fire Bureau
 - 3. Bureau of Transportation Engineering and Development Review
- F. Correspondence: No written responses received
- G. Other:
 - 1. Original LU Application

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
 OLD TOWN / CHINATOWN SUBDISTRICT
 NEW CHINATOWN / JAPANTOWN
 HISTORIC DISTRICT

-  Site
-  Also Owned Parcels
-  Historic Landmark

File No.	LU 19-183117 HR
1/4 Section	3029
Scale	1 inch = 200 feet
State ID	1N1E34CA 11200
Exhibit	B Jun 25, 2019

rhiza A+D
 2127 N. Albina Ave. #203
 Portland, OR 97227
 t. 503 281.6829

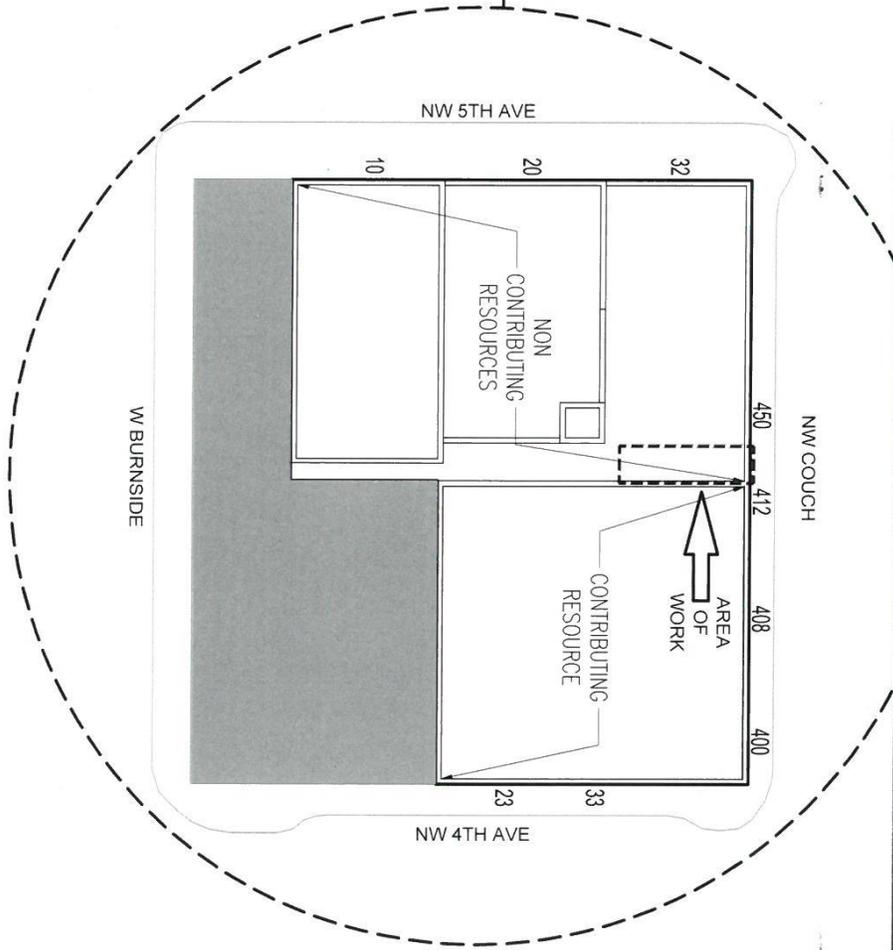
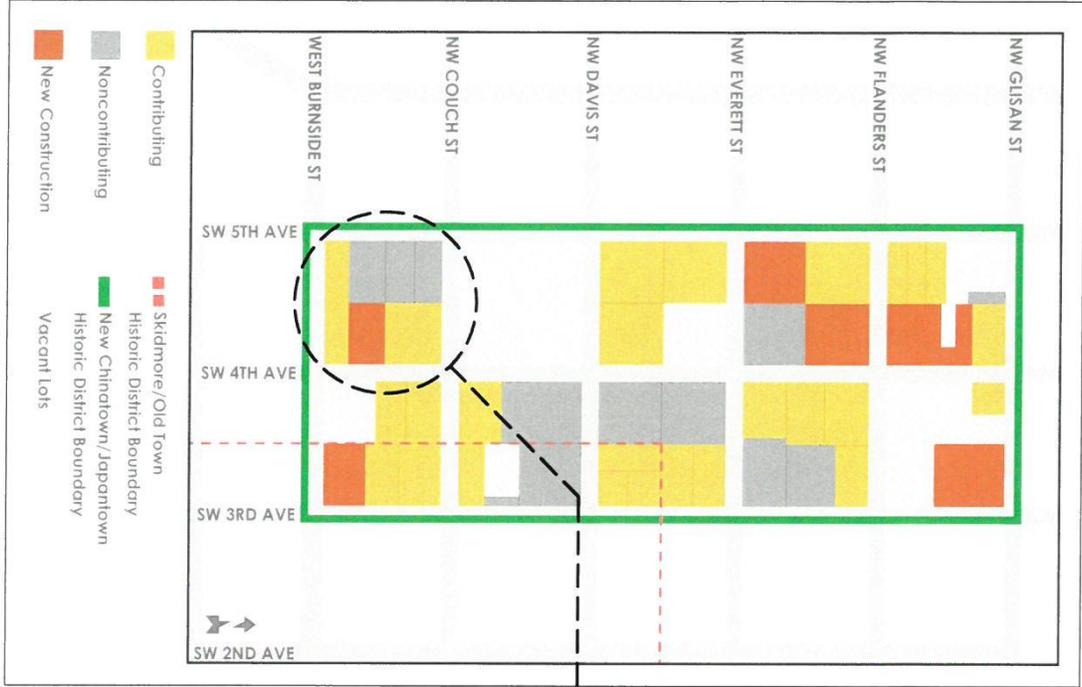
HISTORIC REVIEW

VICINITY PLAN

GOLDSMITH BLOCK

DATE: 06.14.19
 TO: BDS STAFF
 PROJ: BOILER RM. H.R.
 SCALE: N.T.S.

VP.01



Approved*
 City of Portland - Bureau of Development Services
 Planner [Signature] Date 6/10/2019
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.