



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

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Date: October 28, 2019
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NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The 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 19-135212 DZ: NEW AWNING

GENERAL INFORMATION

Applicant: Dan Spearing | Pike Awning Co | 503.624.5600
7300 SW Landmark Ln | Portland OR 97224

Owner: Oregon Historical Society
1200 SW Park Ave | Portland, OR 97205-2441

Site Address: **1230 SW Park Avenue**

Legal Description: BLOCK 206 LOT 3 W 25' OF LOT 4, LOT 5&6, PORTLAND
Tax Account No.: R667722200
State ID No.: 1S1E03BB 02900
Quarter Section: 3128, 3129
Neighborhood: Portland Downtown, contact Wendy Rahm at wvrahm@aol.com
Business District: Downtown Retail Council, contact at lfrisch@portlandalliance.com
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City (Plan District), Downtown (Sub-District)
Other Designations: Listed on the Historic Resource Inventory (HRI)
Zoning: CXd: Central Commercial (CX) with a Design (d) overlay
Case Type: DZ: Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant seeks Design Review approval for the installation of an awning structure to the roof plaza of the single-story portion of the Oregon Historical Society building that is adjacent to SW Broadway. The proposed canopy is approximately 53 feet by 20 feet and 12 feet in height (at the peak of the shed style roof). The canopy frame is constructed of powder-coated aluminum tubing and the fabric is Sunbrella (in # 6079 *Ocean Blue*, matching the color of existing awnings on the building).

Per Portland Zoning Code (PZC) Section 33.420.041.B, Design Review is required for non-exempt proposals to exterior alterations to existing development.

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
- Oregon Statewide Planning Goals

ANALYSIS

Site and Vicinity:

The site is on SW Park Avenue between SW Madison Street to the north and SW Jefferson Street to the south. Constructed in 1965 in the New Brutalism style, the building is recognized on the Historic Resource Inventory (HRI) as the Oregon Historical Center. Primary features and materials of the three-story steel-frame building faced with pre-cast concrete include a glass-enclosed ground floor, windows and entrances set back between projecting piers, and a one-story wing on the east side with an existing roof garden (which is the precise proposed location of the alterations). The main entrance to the building is from the west, South Park Block facing, façade.

Regarding area amenities: being located downtown and within the Central City, the site is within a quarter mile (approximately 5-minute walk) of numerous retail shops, restaurants, hotels, and attractions that define the greater city of Portland. This includes restaurants such as Southpark, Higgins as well as the Art Museum, Arlene Schnitzer Concert Hall, Multnomah County Library, Park Blocks, Pioneer Courthouse Square, and Four Court Fountain.

Regarding transpiration amenities: the site is well served including numerous bus lines running immediately adjacent to the site, the Portland Streetcar established on the SW 10th and 11th to the west, and the MAX running on SW 5th and 6th to the east. The site is also surrounded by designated Bikeways (per the TSP) including SW Jefferson, SW Madison and SW Broadway.

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 Design [d] overlay zone designation also ensures that exterior alterations to existing development conserve and enhance the identified historic, scenic, architectural, and cultural values of each design district: in this case the Central City.

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

- DZ 14-85 approved a 56 space parking lot and a variance to the standard that imposes limitations on surface parking lots. A surface parking lot no longer existing at this site.
- DZ 65-87 approved alterations to the one-story commercial building south of the Sovereign Hotel [the Insurance Building] and redevelopment of the surface parking lot. Conditions of approval included: Final design of materials, color and finishes shall be conducted by the Design Commission; Consideration of a blank wall adjustment for SW Madison Street; Review of the parking lot vents; Review of the final design for the window treatment on the Insurance Building; and All Title 33 requirements shall be met.
- DZ 67-83 approved a boiler enclosure.
- DZ 5-64 approved new work at the site.

- DZ 154-85 approved a sign for the surface parking lot.
- HL 10-80 approved the historic designation for the Sovereign Hotel.
- HL 38-87 approved the Richard Haas murals on the Sovereign Hotel. This review was required through the conditions of approval in DZ 65-87.
- DZ 94-83 approved an awning.
- PC 5593 approved a zone change from M3 to C1.
- CU 5-85 allowed the continued use of the surface parking lot and determined if previous conditions of approval associated with the parking were met.
- CU 18-88 approved parking at this site and a variance for auto access from SW Madison Street. Conditions of approval included: No more than 32 cars may be parked in the facility during usual work day hours of the usual work week; no more than 11 spaces may be used for long-term parking. Carpool parking is encouraged but not required; Use of space during evening and weekend hours may be maximized under valet operation for cultural event parking provided that pedestrian use of the sidewalk is not unduly interfered with and can be kept safe; Ten bicycle parking spaces are required, at least five of which must be covered; Reports shall be submitted to the Parking Manager every January and July, showing short- and long-term utilization including the number of vehicles entering and exiting by hour for normal operating day; and the Hearings Officer retain jurisdiction of this matter for the purpose of resolving otherwise irresolvable difficulties in the implementation of these conditions.
- CU 36-64 approved a conditional use for the museum.
- LUR 93-00040 DZ approved design review for a new railing across the “old” Park Avenue entrance of the 1966 Museum Building. This case also approved the freestanding sign at the steps to the plaza.
- LUR 94-00208 DZ approved the replacement of the storefront system with a tripartite window arrangement at the Park Avenue façade of the 1966 Museum Building.
- LUR 94-00018 DZ approved a fabric, non-illuminated awning for the Higgins Restaurant.
- LU 02-126431 DZ approved new 3,900 SF entry lobby facing SW Park Ave.
- LU 03-101666 DZ approved minor alterations to the case file LU 02-126431 DZ.
- LU 16-147440 CU DZ approved of the addition of three radio frequency nodes resulting in a total of nine radio frequency antennas and associated equipment to the building.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **April 16, 2019**.

1. Fire Bureau: Dawn Krantz: April 16, 2019. Boilerplate information provided. (Exhibit E-1).
2. Bureau of Development Services Life Safety / Building Code Section: Geoffrey Harker: May 03, 2019. With the following comments. (Exhibit E-2).
 - A separate Building Permit is required for the work proposed and the proposal must be designed to meet all applicable building codes and ordinances. More information regarding building code requirements can be obtained by visiting the Bureau of Development Services Development Services Center - 1900 SW 4th Ave, 1st floor. The Development Services Center is open Monday through Friday from 8:00 a.m. to 3:00 p.m. (close at noon on Thursday). No appointment is necessary. Building Code information is also available online at: <http://www.portlandonline.com/bds/>, or by calling (503) 823-1456.
 - It is recommended the applicant request a Preliminary Life Safety Meeting to verify building code requirements. See <http://www.portlandonline.com/bds/index.cfm?c=45054&a=94545>. This meeting would be helpful to address code questions specific to the project.

- Potential code questions may include, but are not necessarily limited to the following:
 - § 302, Occupancy Classification
 - § 503.1.2 & § 705.3, Buildings on Same Lot
 - § 602, Construction Classification
 - § 603, Combustible Material in Type I and Type II Construction
 - § 1003, Means of Egress
 - § 1004, Occupant Load
 - § 2902, Minimum Plumbing Facilities
 - § 3105, Awning and Canopies

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on April 16, 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 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Central City Fundamental Design Guidelines.

Central City Fundamental Design Guidelines

These guidelines provide the constitutional framework for all design review areas in the Central City.

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

This set of goals are those developed to guide development throughout the Central City. They apply within all of the 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.

A2. Emphasize Portland Themes. When provided, integrate Portland-related themes with the development's overall design concept.

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.

C11. Integrate Roofs and Use Rooftops. Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

Findings for A2, A4, A6 and A11:

The installation of the proposed awning structure to the roof of the single-story portion of the Oregon Historical Society (OHS) building that extends to, and fronts, SW Broadway, is consistent with the Portland theme of activating and developing rooftops for increased use and programming. The proposed awning will allow additional activity and reuse through providing protection from wind, rain and sun on a roof that currently has full exposure. The awning will be consistent with the existing blue awning color and material currently found on other elevations of the building. The awning structure also is designed with a parapet to provide a faux flat roof form when viewed from the adjacent SW Broadway right-of-way. The flat roof form is consistent with the flat roof of the larger OHS building that this structure is a part of as well, as the roof forms of adjacent buildings.

Therefore, these Guidelines have been met.

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.

Findings for C1, C2, C3 and C5:

The proposed awning is on the single-story portion of the OHS building (a New Brutalism structure constructed in 1965) that fronts SW Broadway. This elevation of the building is a solid masonry wall without doors or windows. A below grade plaza is accessed through a locked metal gate located on the property line immediately adjacent to the sidewalk. The proposed awning structure enhances and activates this portion of the building, both at the roof and from the sidewalk level, by providing a sheltered area allowing year-round access, activity, and views to the city. In addition, the awning will be set-back 12' from the east edge of the roof to provide transition from the larger mass of the western portion of the building to the sidewalk. The awning will be further integrated into the building, as mentioned previously, with a roof form that is consistent with the flat roof forms of its

parent building and surrounding architecture. Proposed materials include powder-coated aluminum tubing framing and Sunbrella fabric awning (in #6079 Ocean Blue), both of which are quality materials that are consistent in design, construction and color with other existing canopies and awnings on the building. Finally, although the awning successfully integrates with aspects of the building and is setback from the east elevation of the building as it transitions from the sidewalk, it also has a collectively light structural impact on the building, in that could be removed at any time. This is to say that staff found this proposal supportable with the limited design and material palette due to its not being a necessarily permanent structural addition to the building, and setback from the right-of-way.

Therefore, these Guidelines have been met.

Oregon Statewide Planning Goals findings for site in the Central City plan district

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 IIx land use decisions if appealed.

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 Goals 3 and 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.

The only Goal 5 natural resources in the Central City plan district are located near the Willamette River. Therefore, natural resource protection in the Central City is carried out by the River overlay zones discussed below in the findings for Statewide Planning Goal 15. Per OAR 660-023-0240(2), Goal 15 supersedes Goal 5 for natural resources that are also subject to Goal 15.

Protection of scenic resources is implemented through the Scenic ("s") overlay zone on the Zoning Map or by establishing building height limits within view corridors as shown on Map 510-3 and 510-4.

Historic resources are identified on the Zoning Map either with landmark designations for individual sites or as Historic Districts or Conservation Districts.

The Zoning Code imposes special restrictions on development activities within the River overlay zones, the Scenic overlay zone, view corridors, and designated historic resources.

This site is not within any River overlay zone, Scenic overlay zone, or designated view corridor, and is not part of any designated historic resource. *Therefore, Goal 5 is not applicable.*

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. *Staff finds the proposal is consistent with Goal 6.*

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: *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 City's public services bureaus found that existing public services are adequate to serve the proposal, as discussed earlier in this report.

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 an 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.”

Under the Oregon Transportation Planning Rule (TPR), which helps to implement Goal 12, the Central City is designated as a Multi-Modal Mixed-Use Area (MMA). The MMA designation is intended to foster a mixed-use, pedestrian-friendly center that allows a high intensity of uses. Development proposals are evaluated for their anticipated impacts to the safety of the transportation system.

The extent to which a proposal affects the City’s transportation system is evaluated by the Portland Bureau of Transportation (PBOT). This submittal was reviewed by PBOT.
Therefore, the proposal is consistent with Goal 12.

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 in the Central City by applying River overlay zones to areas near the Willamette River. These overlay zones impose special requirements on development activities.

The subject site for this review is not within a River overlay zone near the Willamette River,

so Goal 15 does not apply.

Chapters 33.475 and 33.865 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.*

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 proposed alterations including the addition of an awning structure to the roof of the single-story portion of the OHS building located in the Downtown Subdistrict, of the Central City Plan District, maintains the architectural integrity of the building while allowing for additional uses within.

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. As indicated in detail in the findings above, the proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of the addition of an awning structure measuring 53 feet by 20 feet and 12 feet in height (at the peak of the shed style roof) to the single-story portion of the OHS building fronting SW Broadway.

Approval, per the approved site plans, Exhibits C-1 through C-4, signed and dated Tuesday, October 22, 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 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 19-135212 DZ." 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: Arthur Graves

Decision rendered by:  **on October 22, 2019.**

By authority of the Director of the Bureau of Development Services

Decision mailed: October 28, 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 March 20, 2019 and was determined to be complete on April 11, 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 March 20, 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 requested that the 120-day review period be extended by 148 days (Exhibits A-8, A-9 and A-10). Unless further extended by the applicant, **the 120 days will expire on: January 04, 2020.**

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

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

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

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

Appealing this decision. This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on November 12, 2019** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

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

- *Unless appealed*, the final decision will be recorded after **November 13, 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:

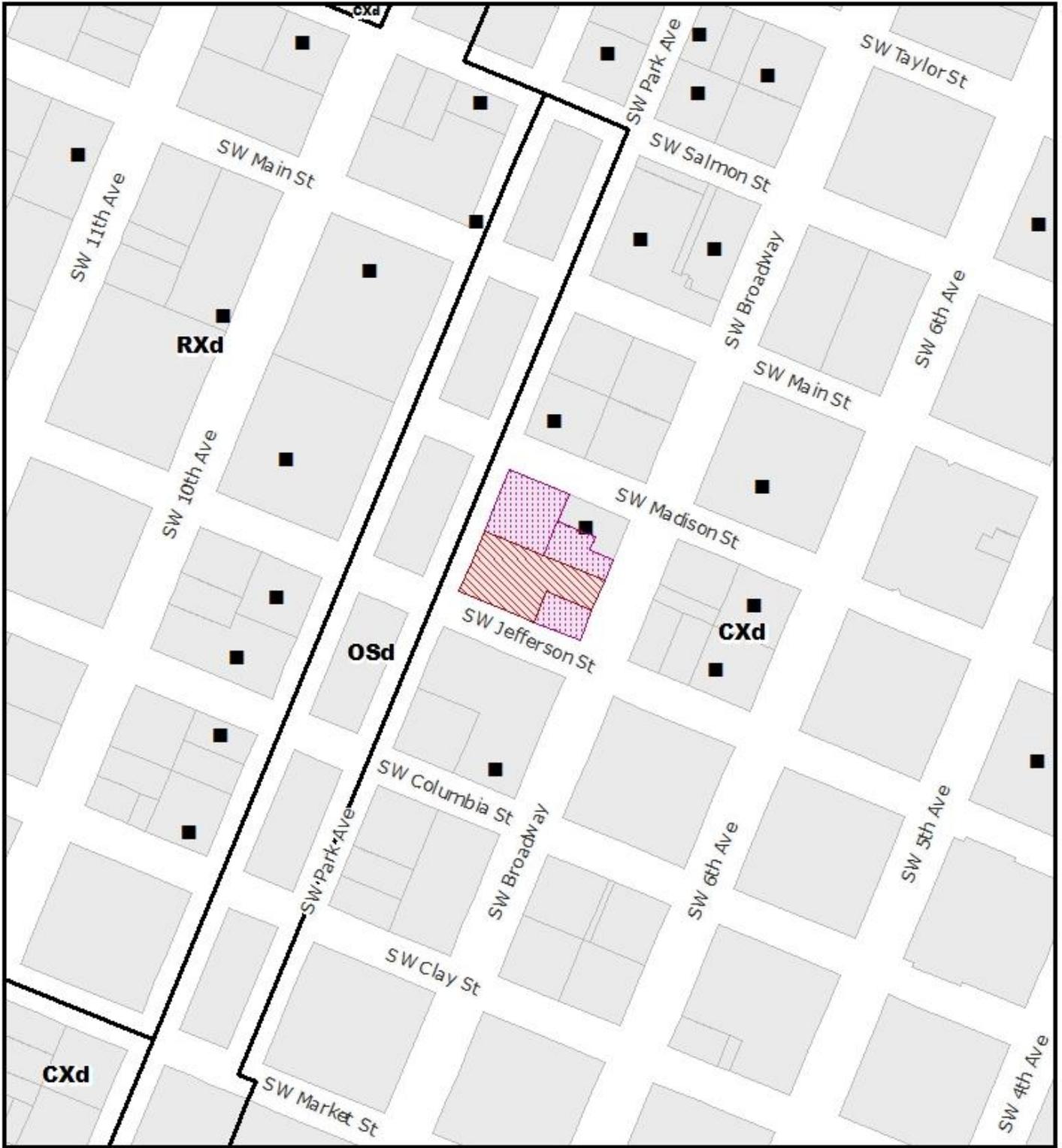
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 1. Initial Submittal Drawings and Narrative: March 20, 2019 – superseded
 2. Revised Drawings and Narrative: April 09, 2019
 3. Revised Drawings: June 03, 2019
 4. Revised Drawings: June 04, 2019
 5. Revised Drawings: July 24, 2019
 6. Revised Drawings: September 10, 2019
 7. Revised Drawings: October 21, 2019
 8. Waiver for 60 days: May 22, 2019
 9. Waiver for 60 days: July 25, 2019
 10. Waiver for 28 days: September 26, 2019
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Elevation (attached)
 3. Section/Elevation (attached)
 4. Detail
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Fire Bureau: Dawn Krantz, April 16, 2019
 2. Bureau of Development Services Life Safety/Building Code Section: Geoffrey Harker, May 03, 2019
- F. Correspondence: None Received
- G. Other:
 1. LU Application
 2. Historic Resource Inventory (HRI)
 3. Historic Information
 4. Site Photographs
 5. Incomplete Letter: March 26, 2019

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

-  Site
-  Also Owned Parcels
-  Historic Landmark

File No.	LU 19-135212 DZ
1/4 Section	3128,3129
Scale	1 inch = 200 feet
State ID	1S1E03BB 2900
Exhibit	B Mar 22, 2019

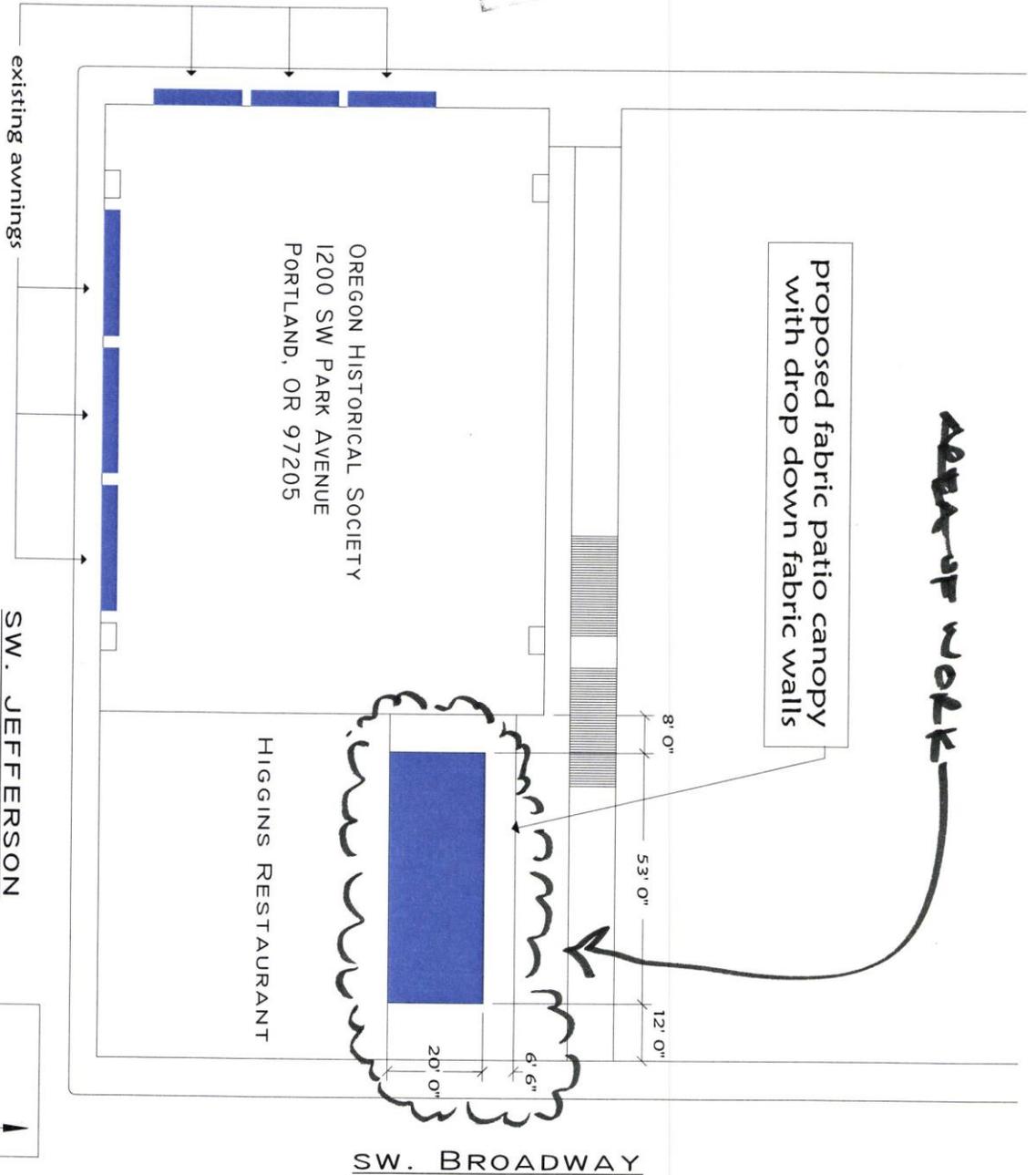
Approved
City of Portland
 Bureau of Development Services

Planner H.22.A

Date 10.22.19

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

SW. PARK



AREA OF WORK

PLOT PLAN WITH PATIO CANOPY

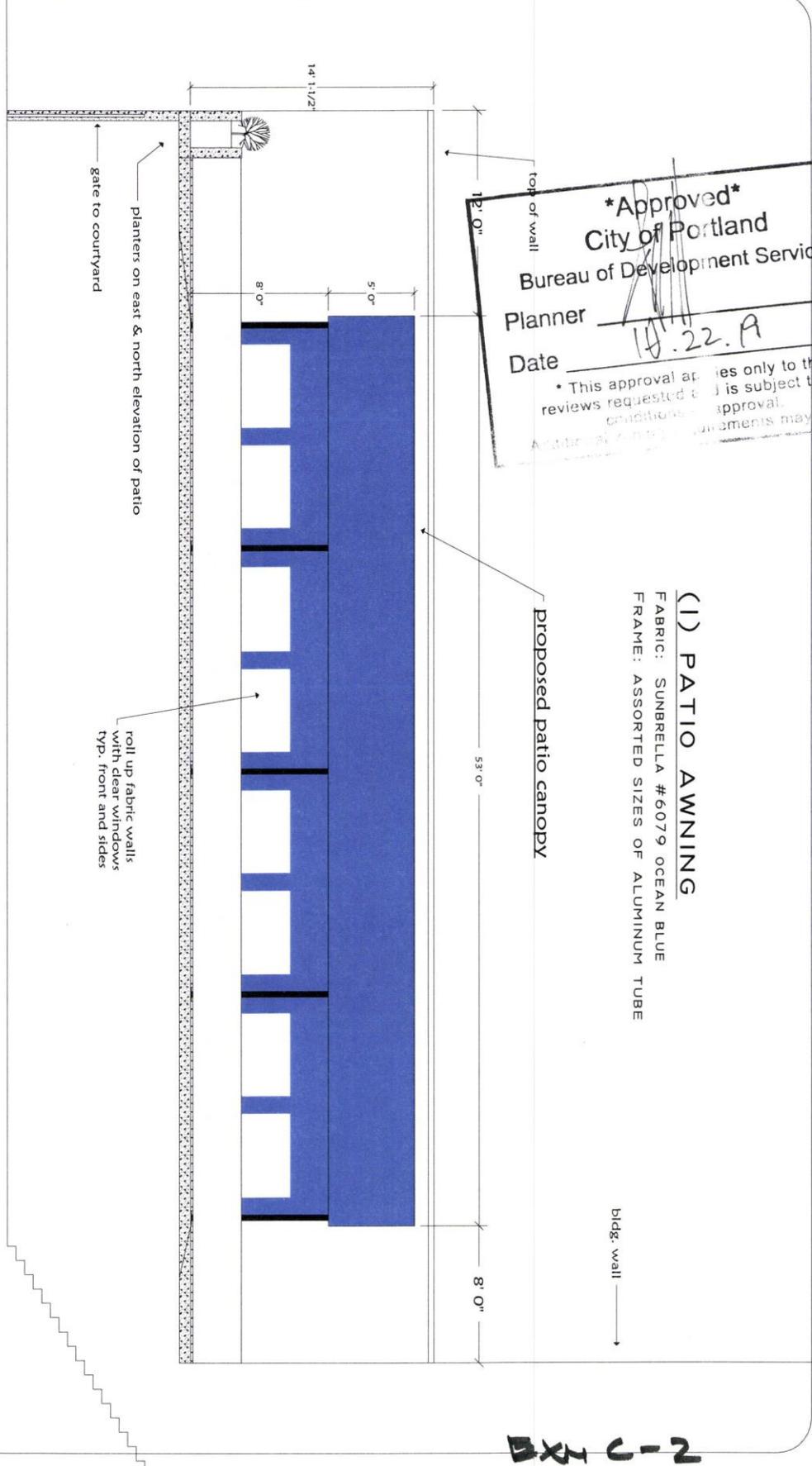
7300 SW LANDMARK LN. PORTLAND OR 97232 PH# (503) 624-5600 FX# (503) 968-5440 dan@pikeawing.com	
DATE: 9/10/2019	PROJECT: OREGON HISTORICAL SOCIETY 1200 SW PARK AVENUE PORTLAND, OR 97205
BY: DAN SPEARING	DESCRIPTION: PATIO CANOPY QTY: 1
SHEET: 1	FABRIC: SUNBRELLA
SCALE: 1/32" = 1' 0"	FRAME: ALUMINUM
	POWDER COAT: YES / TBD

EXH C-1
LU 19-135212-02

Approved
City of Portland
 Bureau of Development Services
 Planner _____
 Date 10.22.19

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional code requirements may apply.

(1) PATIO AWNING
 FABRIC: SUNBELLA #6079 OCEAN BLUE
 FRAME: ASSORTED SIZES OF ALUMINUM TUBE



PARTIAL NORTH ELEVATION WITH PATIO CANOPY
 OREGON HISTORICAL SOCIETY
 2ND FLOOR NORTH PATIO

	7300 SW LANDMARK LN PORTLAND OR 97232 PH: (503) 624-5860 FX: (503) 948-5440 dan@pikeawing.com	DATE: 9/10/2019 BY: DAN SPEARING SHEET: 1 SCALE: 1/8" = 1'-0"	PROJECT: OREGON HISTORICAL SOCIETY 1200 SW PARK PORTLAND, OR, 97205	DESCRIPTION: QTY: 1 STYLE: FABRIC CANOPY FABRIC: SUNBELLA #6079 OCEAN BLUE FRAME: ALUMINUM POWDER COAT: NONE
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EX C-2
LU 19-185212 A2



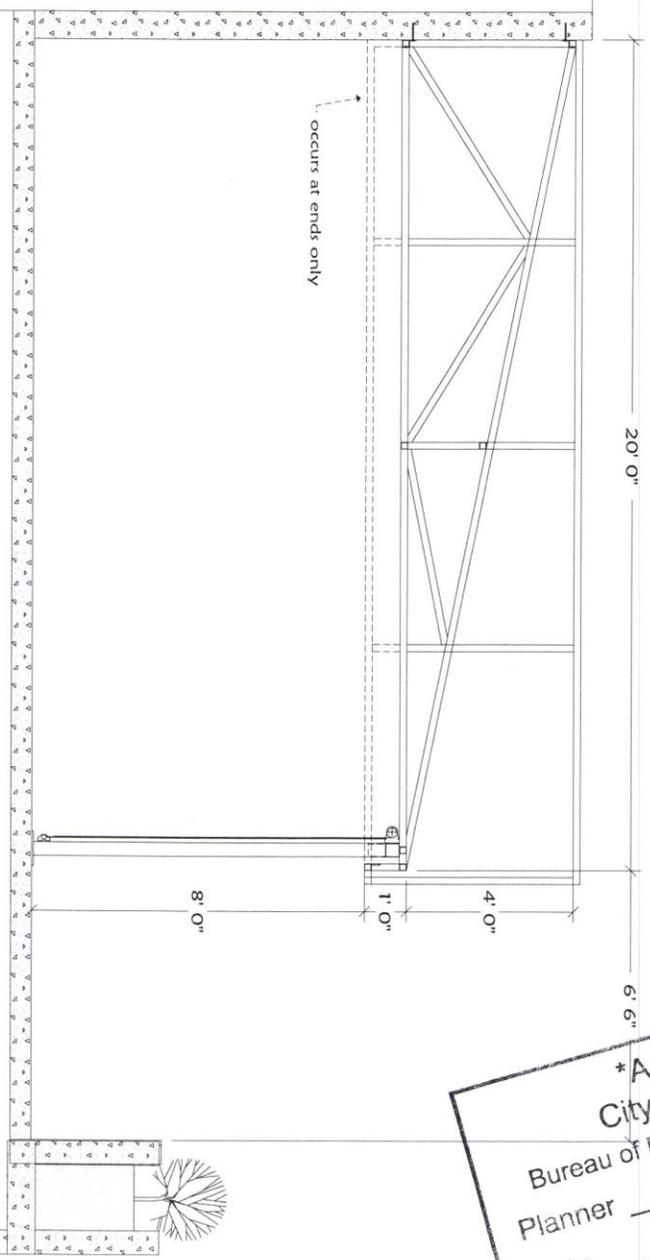
7300 SW LANDMARK LN
 PORTLAND OR 97225
 (503) 968-5400
 dlm@dikeawning.com

DATE: 9/10/2019
 BY: DAN SPEARING
 SHEET: 1
 SCALE: 1/4" = 1'-0"

PROJECT: OREGON HISTORICAL SOCIETY
 1200 SW PARK
 PORTLAND, OR. 97205

DESCRIPTION: QTY: 1
 STYLE: FABRIC CANOPY
 FABRIC: SUNRELLA #6079 OCEAN BLUE
 FRAME: ALUMINUM
 POWDER COAT: NONE

PATIO SECTION WITH PATIO CANOPY



Approved
 City of Portland
 Bureau of Development Services
 Planner _____
 Date 9.22.19
 • This approval applies only to the reviews requested and is subject to all conditions of approval.
 Additional zoning requirements may apply.

EXH C-3
 LU 19-135212 02