



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

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Date: December 16, 2019
To: Interested Person
From: Megan Sita Walker, Land Use Services
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NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has denied 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 19-218429 HR – EXTERIOR CLADDING

GENERAL INFORMATION

Applicant: Lance Mueller | Lance Mueller & Associates Architecture
130 Lakeside Avenue, Suite 250
Seattle, WA 98122
(206) 325-2553

Owner's Representative: Eric Hansen | OB Portland Properties LLC
C/O Hansen Real Estate LLC
5112 E Sammamish Pkwy SE #10
Issaquah, WA 98029

Owner: OB Portland Properties
PO Box 726
Bellevue, wa 98009

Site Address: 107 SE GRAND AVE

Legal Description: BLOCK 105 LOT 1-4 LOT 5-8 EXC PT IN ST, EAST PORTLAND
Tax Account No.: R226507090
State ID No.: 1N1E35CC 03300
Quarter Section: 3031

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: Noncontributing Resource in the East Portland/ Grand Avenue Historic District

Zoning: EXd – Central Employment with Design and Historic Resource Protection Overlay Zones

Case Type: HR – Historic Resource Review

Procedure: Type II, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicant is seeking Historic Resource Review approval for exterior alterations to a noncontributing resource in the East Portland/ Grand Avenue Historic District. The proposed alterations include the installation of cladding over existing architectural detailing, storefront glazing, and upper story windows of an existing building. The proposed cladding, noted as corporate identity materials, consist of a stacked slate “tower” extending the full height of the building on the east elevation, and a 10’ high horizontal band of aluminum composite material (ACM) paneling along the top of the 2nd floor. The proposed ACM paneling is shown to wrap from the “tower” on the east elevation, the north elevation, and a portion of the west elevation. Based on the details provided, both the slate cladding and ACM paneling are proposed to project over the property line and into the public Right-of-Way.

Historic Resource Review is required as the proposal includes non-exempt exterior alterations in a Historic District.

Relevant Approval Criteria:

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

- *East Portland Grand Avenue Historic District Design Guidelines*
- *Central City Fundamental Design Guidelines*
- *Oregon Statewide Planning Goals*

ANALYSIS

Site and Vicinity: The subject site occupies the entire block bounded by SE Grand Avenue to the east, SE Ankeny Street to the north, SE Martin Luther King Jr Blvd to the west, and SE Ash Street to the south. The existing building located on the block is two stories tall. It is L-shaped and occupies about ¾ of the block. The remaining ¼ of the block contains a paved surface parking lot.

The subject site consists of an automobile dealership and repair shop.

The historic name for the subject building is the Talbot & Casey Building. It was constructed in two parts. The first part was constructed circa 1915 as a two-story building located in the northeast quarter of the block. An article in the *Sunday Oregonian* at the time discussed the upcoming construction of the building, saying in part:

Plans covering the structure, which have been prepared by the Portland architectural firm of Houghtaling & Dousan, call for a two-story structure of white brick front, without basement. The probable cost is given as \$20,000. The lower floor will be occupied by the sales department of the company and the entire upper floor as a repair shop. The members of the firm, T. K. Talbot and H. J. Casey, were formerly assistant superintendent and shop foreman, respectively, at the local assembly plant of the Ford Motor Company and virtually all of their 17 employes [sic] in the present establishment at East Twenty-third and East Morrison streets were formerly employed at the Ford plant.

Around 1936, the second part of the building was constructed in the southern half of the block. The cost of construction was \$35,000. The second part is also two stories tall. The first floor was designed as a commercial garage and the second floor was designed for office space. When

this second part of the building was constructed, the first part underwent substantial remodeling so that the first and second parts would appear as one unified building.

The building is constructed of reinforced concrete. Many changes have been made to the windows over time, primarily with respect to style and materials, with the regularity of the bays remaining. Most of the existing windows appear to be made of aluminum. One-over-one windows located at the second floor are operable, with each lower light serving as an awning window. The dealership showroom is located in the northeast portion of the ground floor. The remainder of the building's ground floor is occupied primarily by the repair shop.

The building's architectural style, dating from construction of the second part around 1936, could be considered Art Moderne. This style is evident in the existing twin pilasters located at two storefront bays on the east façade. These pilasters feature prominent vertical score lines and they project above the parapet. At each of these two bays, there are four decorative inset square panels between the first floor and the second floor.

Other prominent characteristics of the building's exterior include horizontally scored pilasters flanking each storefront bay on a portion of the north façade and along the east façade (with the exception of the two bays mentioned in the preceding paragraph); wooden garage doors, each with two rows of divided lights located near the mid-point of the door; and painted wall signs, mostly located on the set-back portion of the west façade and the set-back portion of the north façade.

Perhaps the most prominent feature of the overall site is the enormous freestanding sign comprised of neon letters. This sign, several hundred square feet in area, is visible from the waterfront of downtown Portland. Many Portland citizens consider this sign a positive defining characteristic of the area. Indeed, the sign recalls the rich transportation history of this area. This history is heavily steeped in the advent of the automobile. Automobile dealerships and repair shops have been a significant part of the Grand Ave-MLK Jr Blvd corridor since at least the 1920s.

According to the City of Portland's Transportation System Plan (TSP), SE Grand Avenue in this area is classified as a Major Transit Priority Street, a Civic Main Street, a Central City Transit/ Pedestrian Street, and a City Bikeway. SE MLK Jr Blvd is also classified as a Major Transit Priority Street, a Civic Main Street, a Central City Transit/ Pedestrian Street, and a City Bikeway. SE Ankeny Street in this area is classified as a Local Service Transit Street, a Local Service Walkway, and City Bikeway. SE Ash Street in this area is classified as a Local Service Transit Street, a Local Service Walkway, and Local Service Bikeway.

The site is served well by public transportation. There is a northbound stop for the Portland Streetcar and TriMet bus route #6 located one block away, at the southeast corner of SE Grand Avenue and E Burnside Street. There is a southbound stop for the streetcar and the #6 bus located about two blocks away, at the southwest corner of SE Martin Luther King, Jr Boulevard and NE Couch Street.

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.

The Design (d) overlay zone 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 zone is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks. The regulations that pertain to these properties protect certain historic resources in the region and preserve significant parts of the region’s heritage. Historic preservation beautifies the city, promotes the city’s economic health, and helps to preserve and enhance the value of historic properties.

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

- LUR 95-00030 DZ: Approval for painted wall signs, awnings, and landscaping.
- LUR 97-00820 DZ: Unknown; information unavailable.
- LU 03-152661 DZM AD: Approval for new two-story building with parking lot and landscaping (Wentworth Subaru dealership). Located on block bounded by E Burnside Street, SE Grand Avenue, SE Ankeny Street, and SW Martin Luther King, Jr Boulevard.
- LU 13-118109 HDZM: Approval of exterior alterations (including signage alterations) and a one-story building addition, at the Wentworth Chevytown building located in the East Portland/Grand Avenue Historic District and the Central Eastside Subdistrict of the Central City Plan District.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **November 5, 2019**. The following Bureaus have responded with no issues or concerns:

1. Life safety Division of BDS (See Exhibit E-1)
2. Site Development Section of BDS (See Exhibit E-2)
3. Fire Bureau (See Exhibit E-3)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on November 5, 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: Historic Reviews

Purpose of Historic Design Review

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

Historic Design Review Approval Criteria

Requests for historic design review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is located within the East Portland/Grand Avenue Historic District. Therefore the proposal requires Historic Design Review approval. The relevant approval criteria are the *East Portland/Grand Avenue Design Zone Design Guidelines*. The site is also located in the Central City Plan District; therefore the *Central City Fundamental Design Guidelines* apply as well.

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

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.

A5. Enhance, Embellish, and Identify Areas.

Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area’s character. Identify an area’s special features or qualities by integrating them into new development.

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.

B1. Reinforce and Enhance the Pedestrian System.

Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

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, A5, A8, B1, and C4:

The proposal does not meet the above guidelines in the following ways:

- The proposed application of faux architectural elements that conceal existing character defining detailing and storefront on the building does not serve to integrate unifying elements. The proposal also does not embellish building elements important to the area's character, such as the form and detailing of the existing building with storefront set within regular bays framed by decorated pilasters.
- The proposal blocks existing clear storefront at the ground level and upper level. As the proposal obstructs views into and out of the tenant space, limiting visual connections, the proposal does not contribute to a vibrant streetscape.
- The proposed cladding detailing is shown to project into the public right-of-way at the ground level and upper stories. As such, the proposal, as designed, detracts from the pedestrian environment.

Therefore, these guidelines are not met.

A6. Reuse/Rehabilitate/Restore Buildings.

Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

Findings for A6: The building was originally constructed as an automobile dealership and repair shop. While the proposal includes continued use of the building, the alterations proposed are not architecturally consistent with the rest of the building, and do not contribute to the intent of the proposal to reuse the building.

Therefore, this guideline is not met.

B2. Protect the Pedestrian.

Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

Findings for B2: The proposed application of faux stone veneer applied over existing building detailing is shown to project into the public right-of-way at the ground level and upper stories. As such, the proposal, as designed, detracts from the pedestrian environment.

Therefore, this guideline is not met.

B6. Develop Weather Protection.

Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

Findings for B6: The proposal does not include alteration to existing pedestrian weather protection.

Therefore, this guidelines is not applicable.

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.

C8. Differentiate the Sidewalk Level of Buildings.

Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

Findings for C2, C3, C5, and C8: As currently designed, the proposal does not meet the guidelines listed above in the following ways:

- The application of faux stone clad tower and composite metal panel over the existing detailing of the building that defines the base, middle, and top of the building, does not respect the architectural integrity of the building and does not differentiate the sidewalk level of the building.
- The form and detailing of the existing building with storefront within regular bays framed by decorated pilasters, is a coherent expression of the reinforced concrete structure. The application of secondary cladding to establish faux architectural elements, attached to the existing concrete, concealing the existing rhythms and associated detailing does not form a coherent composition and does not promote quality and permanence.

Therefore, these guidelines are not met.

C7. Design Corners that Build Active Intersections.

Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

Findings for C7: The proposal includes the application of faux stone veneer over existing clear storefront at a main entry to the building, adjacent to the corner. The proposal blocks existing clear storefront, and therefore obstructs views into and out of the tenant space adjacent to a main entry near the corner of SE Grand Avenue and SE Ankeny Street. As such, the proposal does not produce an integrated solution that enhances the building corner and the adjacent rights-of-way in a manor that contributes to the vitality of the Central City's pedestrian network.

Therefore, this guideline is not met.

C12. Integrate Exterior Lighting.

Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.

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 C12, and C13: As noted above, the proposed application of large fields of cladding over existing character-defining architectural detailing and storefront do not adequately address the design guidelines for the reasons listed in the findings above and below. The original drawings submitted with the application (and the drawings submitted with the Early Assistance application) show that the proposed fields of cladding are intended to accept large illuminated signage, and that the size and placement of the proposed fields of cladding directly relate to the intended sizes of signage previously included in the drawings. However, the Applicant has clarified that signage is not proposed under the scope of the current review and has provided proposed drawings that no longer include signage. As clarified by the applicant, all signage has been removed from the scope of the current Historic Resource Review.

Therefore, these guidelines are not applicable.

EAST PORTLAND/GRAND AVENUE DESIGN ZONE DESIGN GUIDELINES:
Guidelines for Alterations

A6-1. Use Special East Portland/Grand Avenue Historic Design Zone Guidelines.

A6-1a. 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 National Register Nomination for the East Portland/ Grand Avenue Historic District, notes that on this building, the twin pilasters which project above the hooded parapet emphasize the original primary access points of the east and south elevations. As designed, the proposed application of the faux stone “tower” element and banding of composite metal panel, extend up over the existing parapet and conceal the tops of the twin pilasters that frame the east entry.

The application of secondary cladding, including a faux stone veneer and composite metal panel, over existing detailing that is integrated into the architecture of the existing building does not respond to the scale and proportion of building detailing or the rhythm of the existing bays and is therefore not visually compatible with the original architectural character of the building. Furthermore, the obstruction of existing clear storefront at the ground floor and upper level, does not maintain the visual integrity of the original building with the obstruction of prominent vertical lines of columns, piers, and of the horizontal definition of spandrels and cornices, and other primary structural and decorative elements on the building.

Therefore, these guidelines are not met.

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 existing building is a reinforced concrete building, primarily constructed in 1915 and in 1936. The proposed exterior materials include large areas of stone veneer and composite metal paneling applied over existing concrete detailing, ground floor storefront, and upper story glazing. In the background text of this guideline, it is noted that maintaining the integrity of exterior materials is important to protecting the character

of the District. The proposed application of stone veneer and composite metal paneling elements do not maintain the integrity of the existing concrete structure, are out of scale with the detailing of the subject building, and not compatible with the district as a whole.

Therefore, this guideline is not met.

A6-1f. Signs

1. Exterior building signs should be visually compatible in size, scale, proportion, color and materials with the original architectural character of the building.
2. A variety of signs within the District are encouraged, incorporating excellence in graphic design and lettering, careful color coordination with the building, mounting, and readability.
3. Prominent signs that are creative yet compatible with the building and the District are encouraged, particularly on simple concrete buildings.
4. Sign lighting that is creative and compatible with the building and the District is acceptable. Plastic signs and backlit plastic signs are generally not acceptable.

Findings for A6-1f: See findings for *Central City Fundamental Design Guidelines*, C13 *Integrate Signs*, above.

Therefore, this guideline is not applicable.

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 seeking comments on the proposal was mailed to property-owners and tenants within 150 feet of the site, and to recognized organizations in which the site is located and recognized organizations within 400 of the site. There is also an opportunity to appeal the administrative decision at a local hearing. 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 subject property includes is a noncontributing 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.*

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.”

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 August 28, 2019 and was determined to be complete on October 31, 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 August 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 extended by the applicant, **the 120 days will expire on: February 28, 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 Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on December 30, 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 Landmarks Commission is

final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

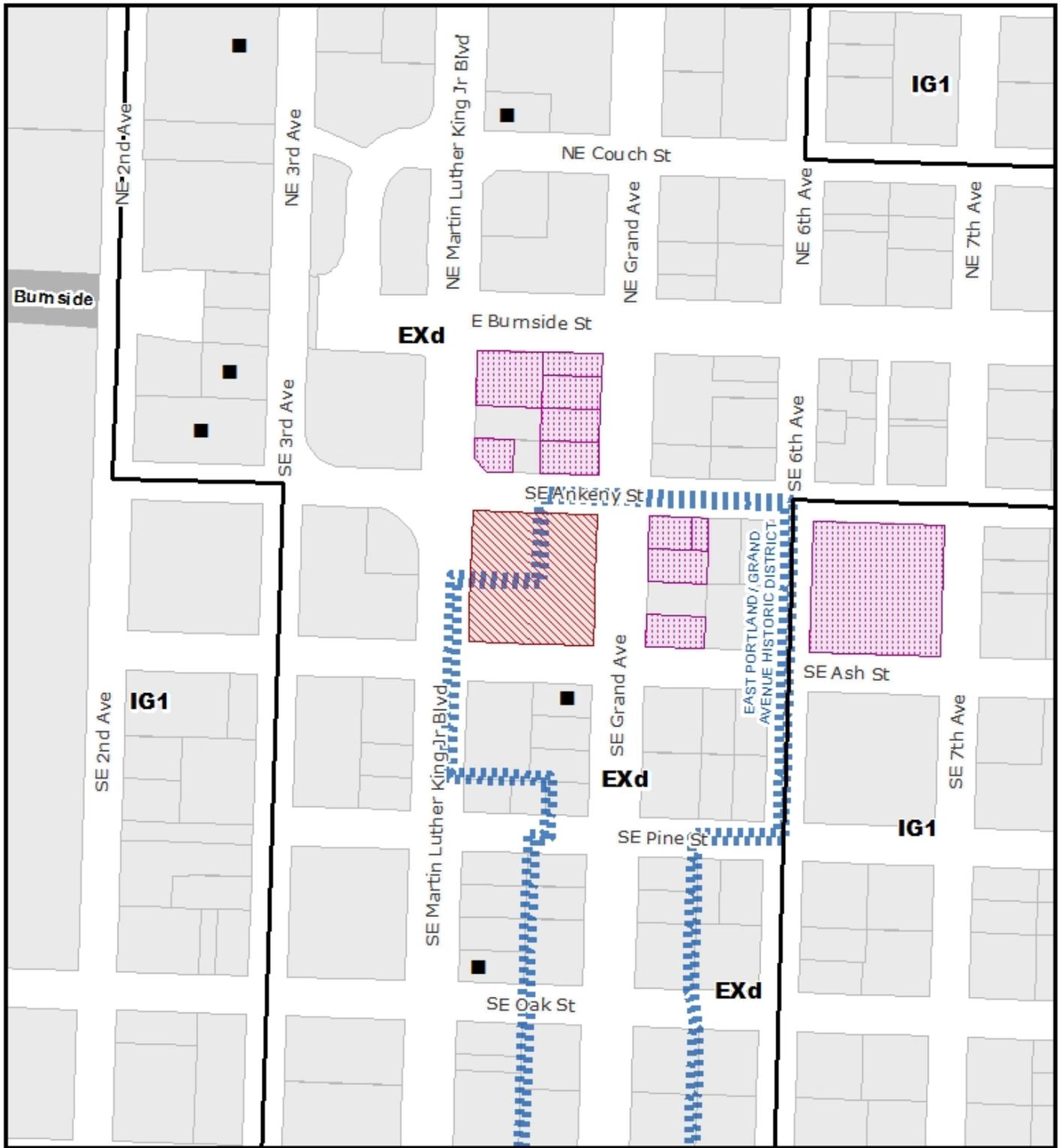
Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Landmarks Commission an opportunity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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Project Narrative
 - 2. Original Drawing Set
 - 3. Site Photos
 - 4. Response Letter, Rec'd October 11, 2019
 - 5. Updated Drawings, Rec'd October 11, 2019
 - 6. Confirming Complete, Rec'd October 31, 2019
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. First Floor Plan
 - 3. Existing Elevations (attached)
 - 4. Proposed North Elevation (attached)
 - 5. Proposed East Elevation (attached)
 - 6. Proposed West Elevation (attached)
 - 7. Proposed South Elevation (attached)
 - 8. Details
 - 9. Specifications – Stone
 - 10. Specifications – Composite Metal Panel
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life safety Division of BDS
 - 2. Site Development Section of BDS
 - 3. Fire Bureau
- F. Correspondence: none
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter, Sent September 11, 2019
 - 3. Staff Memo, Sent October 23, 2019
 - 4. Email Correspondence between staff and the applicant

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 ↑
 NORTH

CENTRAL CITY PLAN DISTRICT
 CENTRAL EAST SIDE SUB DISTRICT
 EAST PORTLAND /
 GRAND AVENUE HISTORIC DISTRICT

-  Site
-  Also Owned Parcels
-  Historic Landmark
-  Bridge

File No. LU 19 - 218429 HR
 1/4 Section 3031
 Scale 1 inch = 200 feet
 State ID 1N1E35CC 3300
 Exhibit B Sep 04, 2019

A-1

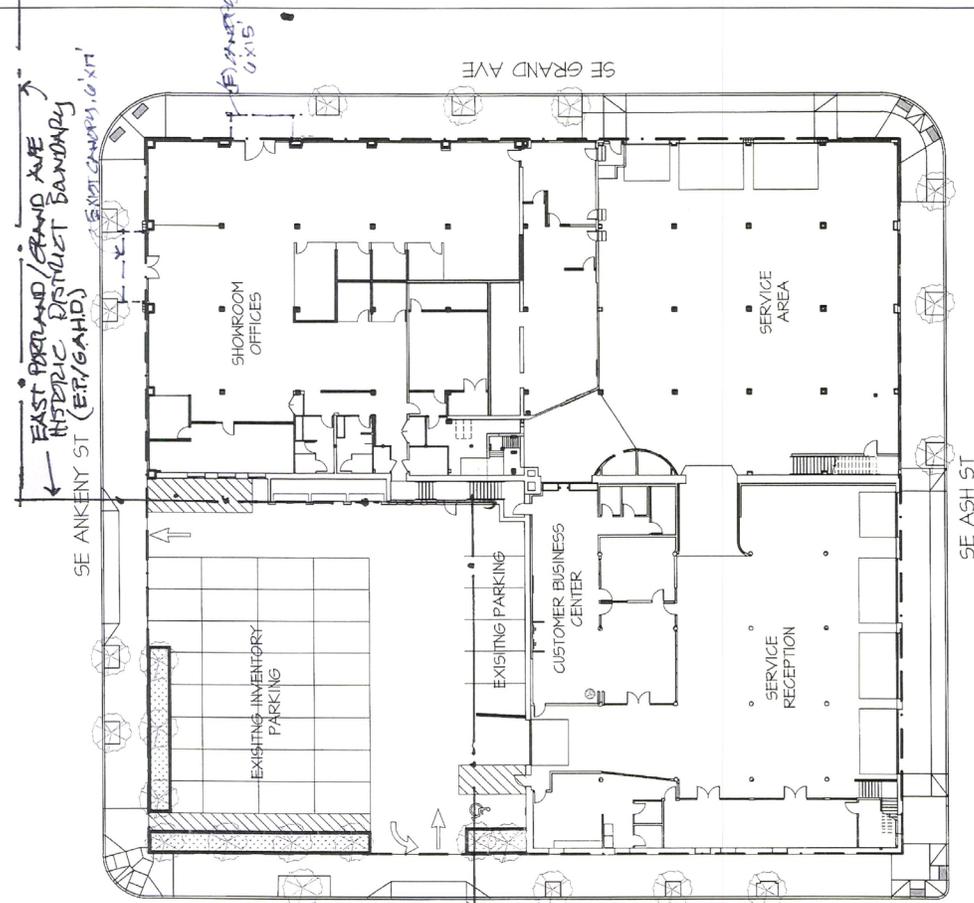


SUBARU OF PORTLAND
107 SE GRAND AVE.
PORTLAND, OR 97214

LANGMUELLER & ASSOCIATES
150 LAKEVIEW - SUITE 250 - SEASIDE, WA 98132 - (360) 329-2292

DATE: 09/22/2019
CHECKED: LM
DRAWN: VASILE C.
JOB NO: 19-017
JOB NAME: SITE PLAN

EVLS-1
A-1



REVISION 10/7/19

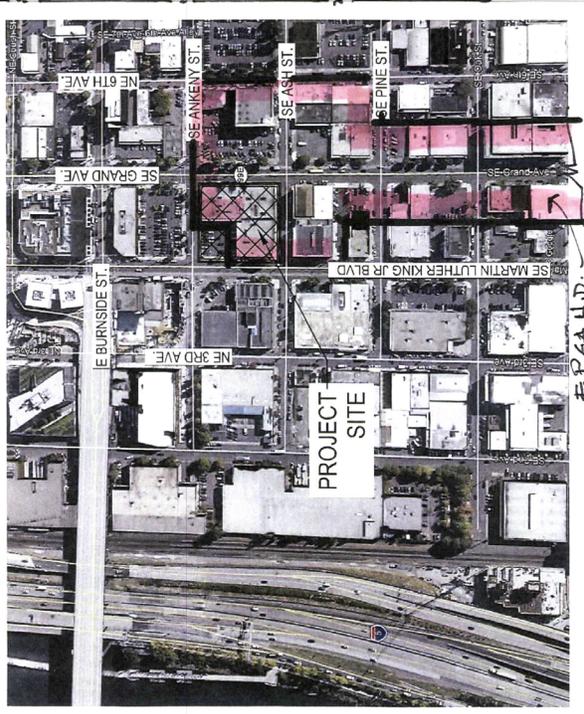
SCALE: 1"=30'-0"

EXISTING SITE PLAN

(A)

LU 19-218429 AR

VICINITY MAP



PRELIMINARY
 NOT FOR
 CONSTRUCTION

KEYNOTES

- 101 REMOVE EXISTING WINDOW AND REPAIR
- 102 ADD WINDOW TO EXISTING WINDOW
- 103 REMOVE EXISTING WINDOW AND REPAIR
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107 SE GRAND AVE
 PORTLAND, OR
 97214

PROJECT NUMBER
**SUBARU OF
 PORTLAND**

107 SE GRAND AVE
 PORTLAND, OR
 97214

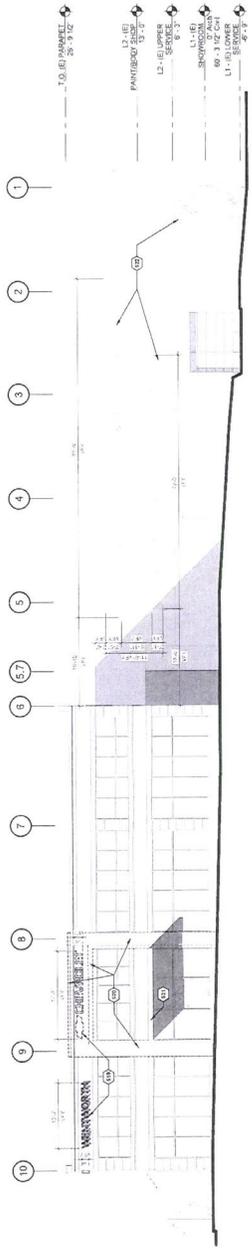
**EXISTING
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EXISTING/DEMO
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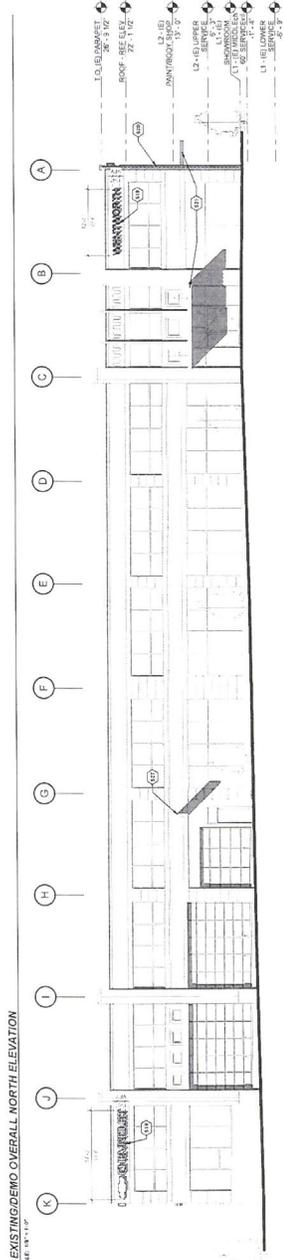
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AD511
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 DRAWING

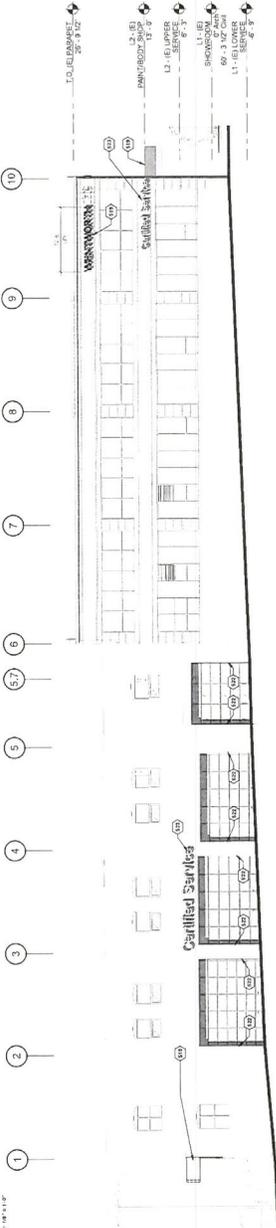
LU 19-218AZ9 AK Rev. 1-1



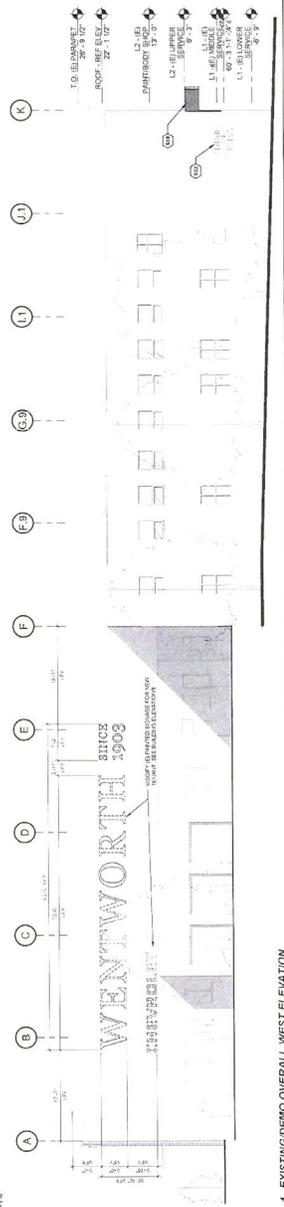
1. EXISTING/DEMO OVERALL NORTH ELEVATION
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2. EXISTING/DEMO OVERALL EAST ELEVATION
 SCALE: 1/8" = 1'-0"



3. EXISTING/DEMO OVERALL SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



4. EXISTING/DEMO OVERALL WEST ELEVATION
 SCALE: 1/8" = 1'-0"



North Elevation

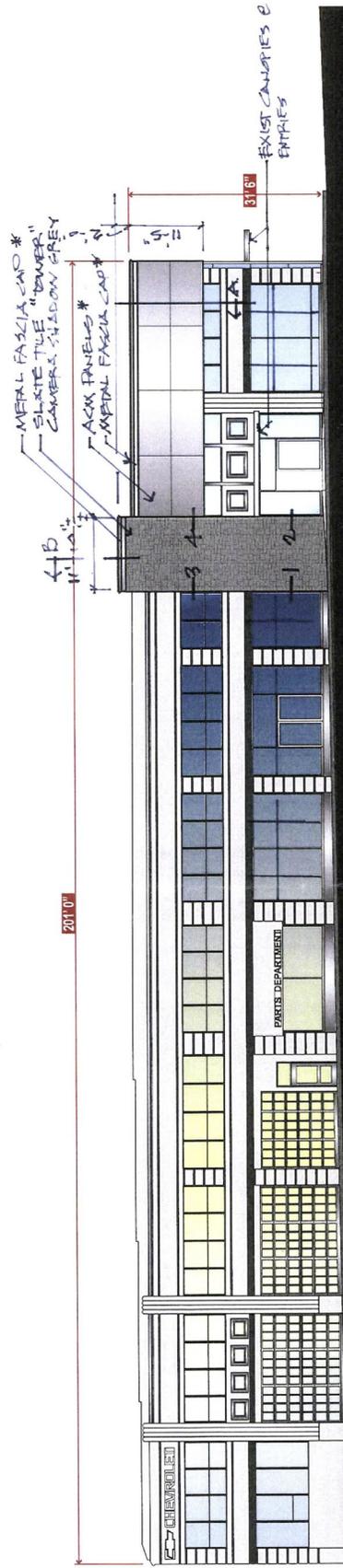
NOTE - SIGNAGE NOT SHOWN, TO BE SUBMITTED UNDER SEPARATE PERMIT APP.

PHILADELPHIASIGN BRINGING THE WORLD'S BRANDS TO LIFE	TITLE Subaru	DWG BY AFR	DATE 09.24.18	REVISION Added N11 and N12	BY ZAS
	ADDRESS SUBPortl Subaru of Portland 107 SE Grand Avenue Portland, OR 97214	DWG NUM B80143	DATE 10.30.18 12.06.18	REVISION Revised Name and Address	DATE 10.30.18 12.06.18
		SHEET 1			DATE 10/7/19

L.U. 19-218429 AP 10/7/19

EL-1

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East Elevation

SEE DETAILS/SECTIONS, D-1
* SILVER METALLIC FINISH

EL-2

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DATE	REVISION	BY
10.30.18	Added N11 and N12	ZAS
12.06.18	Revised Name and Address	ZAS

DATE	DWG NUM	SHEET
09.24.18	B80143	2

TITLE: Subaru
 ADDRESS: SUBPortl Subaru of Portland
 107 SE Grand Avenue
 Portland, OR 97214

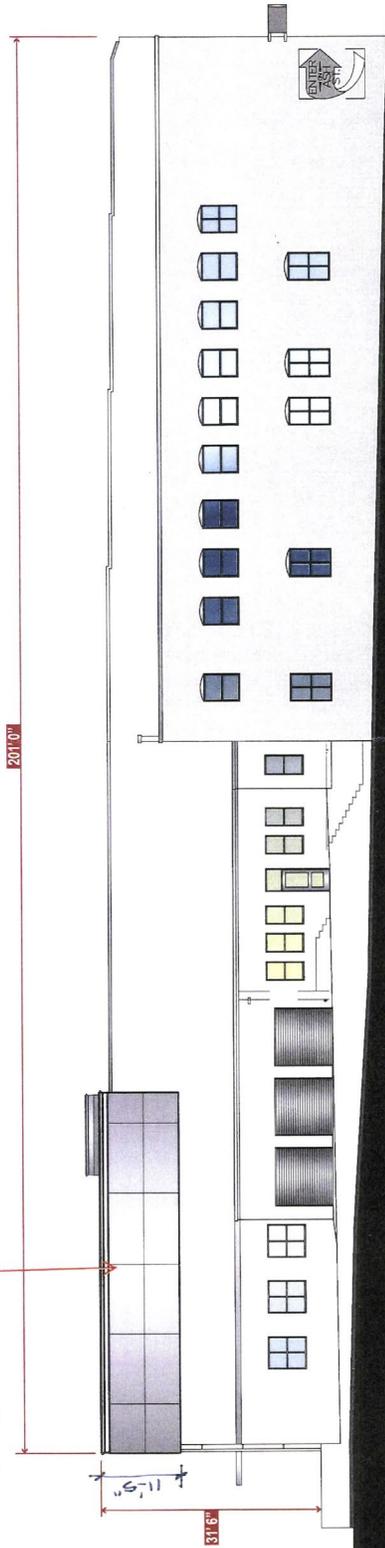
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LU 19 213219 HR 10/7/19

EXH-C-5

NOTE: SUBARU DROPPED THEIR REQUEST TO ADD THE ACM WALL PANELS SHOWN HERE ON THE WEST ELEVATION FACING MLK BLVD, IN LIEU OF THE PAINTED WALL GRAPHICS ALREADY IN PLACE.

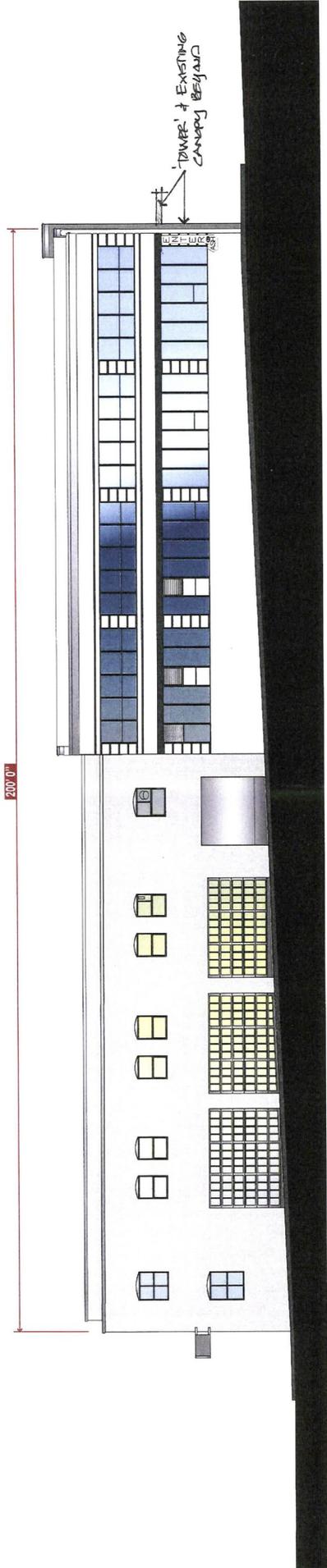


West Elevation

 PHILADELPHIASIGN BRINGING THE WORLD'S BRANDS TO LIFE		TITLE: Subaru ADDRESS: SUBPort Subaru of Portland 107 SE Grand Avenue Portland, OR 97214		DWG BY: AFR DATE: 09.24.18 DWG NUM: B80143 SHEET: 3		REVISION: Added N11 and N12 Revised Name and Address DATE: 10.30.18 12.05.18		BY: ZAS DATE: 10/7/19		THIS IS AN ORIGINAL UNPUBLISHED DRAWING CRAFTED BY P.S.C.O. IT IS NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF PHILADELPHIASIGN. IF YOU ARE A CONTRACTOR, ARCHITECT, ENGINEER, OR OTHER PROFESSIONAL, YOU MUST OBTAIN THE NECESSARY PERMISSIONS FROM PHILADELPHIASIGN BEFORE USING THIS DRAWING FOR YOUR PROJECT. THIS DRAWING IS THE PROPERTY OF PHILADELPHIASIGN AND IS TO BE USED, COPIED, REPRODUCED, OR TRANSMITTED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF PHILADELPHIASIGN.	
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EL. 3

LU 19 28479 RR. 10/7/19 EXHC-6



South Elevation

EL-4

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OR YOUR REGISTRATION WORK
OFFICE FOR P.S.C.O.

BY
DRAWN BY.....ZAS
CHECKED BY.....ZAS

REVISION
Added N11 and N12
Revised Name and Address

DATE
10.30.18
12.06.18

DATE
09.24.18

DWG BY AFR
DWG NUM B80143
SHEET 4

TITLE
Subaru
ADDRESS
SUBPortl Subaru of Portland
107 SE Grand Avenue
Portland, OR 97214

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10/7/18
10/19/18 JFR
EXH C-7

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