



REVISED STAFF REPORT AND RECOMMENDATION TO THE LANDMARKS COMMISSION

CASE FILE: LU 19-206924 HR
PC # 19-189520
Kearney Apartments
REVIEW BY: Landmarks Commission
WHEN: February 10, 2020; 1:30pm
WHERE: 1900 SW Fourth Ave., Room 2500A
Portland, OR 97201

Bureau of Development Services Staff: Hannah Bryant 503-823-5353 /
Hannah.Bryant@portlandoregon.gov

Please Note: This is a revised Staff Report. All findings have been updated.

GENERAL INFORMATION

Applicants: Mike Osterman | Osterman Design, Inc.
7158 Mill Ridge Place SE
Salem, OR 97317
(503) 799-2189

Lindsey Jones | Aligned Design, LLC
18505 SE Lincoln St
Portland, OR 97233

Owner: Andrey Koshuba
14237 Bridge Ct
Lake Oswego, OR 97034

Site Address: **NW KEARNEY ST between NW 22nd and NW 23rd (R198600)**

Legal Description: BLOCK 20 LOT 12, KINGS 2ND ADD
Tax Account No.: R452303320
State ID No.: 1N1E33BC 00600
Quarter Section: 2927
Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: Nob Hill, contact Nob Hill at nobhillportland@gmail.com.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Northwest
Other Designations: Non-contributing resource in the Alphabet Historic District
Zoning: RH, High-Density Residential with Historic Resource Overlay
Case Type: HR, Historic Resource Review

Procedure: Type III, with a public hearing before the Landmarks Commission. The decision of the Landmarks Commission can be appealed to City Council.

Proposal:

The applicant seeks Historic Resource Review approval for a 15-unit, 9,467 square foot apartment building. The proposal is 3 stories, plus a finished basement, and will include studio, 1- and 2- bedroom units. No affordable housing units or vehicle parking are required or proposed.

Historic Resource Review is required for new, non-exempt development in the Alphabet Historic District.

Relevant Approval Criteria:

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

- *Community Design Guidelines*
- *Alphabet District Addendum to the Community Design Guidelines*

ANALYSIS

Site and Vicinity: The 5,000 square foot site is located midblock at the northern edge of the Alphabet Historic District and within the Northwest Plan District. It is currently a vacant lot, being used as a community garden. The property fronts NW Kearney Street, between NW 23rd and NW 22nd Avenues. At this location, NW Kearney is a local service bikeway, a local service walkway, and a minor emergency response street. The site is located in the Northwest Pedestrian District. The streetcar is located one block to the north, on NW Lovejoy.

Zoning: The High Density Residential (RH) is a high-density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are regulated by floor area ratio (FAR) limits and other site development standards. Generally, the density will range from 80 to 125 units per acre. Allowed housing is characterized by medium to high height and a relatively high percentage of building coverage. The major types of new housing development will be low, medium, and high-rise apartments and condominiums. Generally, RH zones will be well served by transit facilities or be near areas with supportive commercial services. Newly created lots in the RH zone must be at least 10,000 square feet in area for multi-dwelling development. There is no minimum lot area for development with detached or attached houses or for development with duplexes. Minimum lot width and depth standards may apply.

The Northwest Plan District implements the Northwest District Plan, providing for an urban level of mixed-use development including commercial, office, housing, and employment. Objectives of the plan district include strengthening the area’s role as a commercial and residential center. The regulations of this chapter: promote housing and mixed-use development; address the area’s parking scarcity while discouraging auto-oriented developments; enhance the pedestrian experience; encourage a mixed-use environment, with transit supportive levels of development and a concentration of commercial uses, along main streets and the streetcar alignment; and minimize conflicts between the mixed-uses of the plan district and the industrial uses of the adjacent Guild’s Lake Industrial Sanctuary.

The Alphabet Historic District is an area of Portland significant for its concentration of intact late 19th and early 20th Century, mostly middle class, housing stock and small-scale commercial buildings. Of special note are the many mid-sized apartment and institutional buildings. Many of these are in the various Period Revival styles, e.g. Tudor, Spanish Colonial, Byzantine, Jacobean, etc. and this is especially the case in the immediate vicinity of the proposed new development. The area is characterized by a grid of narrower, more tree-lined, east-west residential streets, named alphabetically after prominent Portlanders of the day, which are crossed by generally more robust north-south avenues. Two of these, NW 21st Avenue and NW 23rd Avenue are low-scale business corridors featuring a mix of purpose-built commercial structures and converted houses.

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

Land Use History: City records indicate there are no relevant or approved prior land use reviews for this site.

Agency Review: A "Notice of proposal in Your Neighborhood" was mailed **November 26, 2019**. The following Bureaus have responded with no issue or concerns:

- Site Development (E.1)
- Urban Forestry (E.2)
- Water Bureau (E.3)
- Life Safety (E.4)
- Fire (E.5)
- Bureau of Environmental Services (E.6)
- Portland Bureau of Transportation

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **November 26, 2019**.

No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

PROCEDURAL HISTORY

The proposal had two previous Design Advice Requests on November 6, 2017 and January 22, 2018. The Land Use application was submitted on August 8, 2019. An Incomplete Letter was mailed on August 29, 2019. The applicant deemed the proposal complete on October 18, 2019. The first hearing was originally scheduled for December 9, 2019 (52 days after being deemed complete), but was rescheduled due to an error on the posting board. The first hearing was held with the Landmarks Commission on December 16, 2019, 59 days after being deemed complete. At the first hearing, the Staff Report recommended denial due to multiple unmet Title 33 code standards and not meeting the Design Guidelines. The hearing was continued to February 10, 2020.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846.060 - Historic Resource Review

Purpose of Historic Resource Review

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

Historic Resource Review Approval Criteria

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

Findings: The site is located within the Alphabet Historic District and the proposal is for a non-exempt treatment. Therefore, Historic Resource Review approval is required. The approval criteria are the *Community Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*.

Staff has considered all guidelines and addressed only those applicable to this proposal. To facilitate review, Staff has included page references in parentheses.

Historic Alphabet District - Community Design Guidelines Addendum

- 2. Differentiate New from Old.** New additions, exterior alterations, or related new construction will retain historic materials that characterize a property to the extent practicable. Replacement materials should be reasonable facsimiles of the historic materials they replace. The design of new construction will be compatible with the historic qualities of the district as identified in the Historic Context Statement.
- 3. Hierarchy of Compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a historic or conservation district, with the rest of the District. Where practical, compatibility will be pursued on all three levels. New development will seek to incorporate design themes characteristic of similar buildings in the Historic Alphabet District.

Findings for 2 and 3:

Site

The site is set up above the street with a steep hillside beginning at the rear of the sidewalk. Previous iterations of this proposal have essentially leveled the site, carving it out at sidewalk level with tall retaining walls at both side lot lines. The midblock excavation of all natural topography was problematic, and compromised the building's architectural compatibility with its context. In this proposal, the proposed building is sited atop the existing natural grade, with terraced retaining walls at the front to mitigate the grade change and to match retaining walls and landscaping at the adjacent homes.

Massing

The proposed massing is comparable in height and width to numerous other large homes and historic multi-dwelling buildings designed to look like large single-family homes. The wide side dormers are not typical of this typology, but dormers exist as alterations to contributing resources in the district. The symmetry of these proposed dormers, and the bands of windows at the attic level, reinforce the typical configuration of dormers in the historic district.

Bays

The side facades each have three vertical bays which continue from the roof eave

down through the basement level. The paired windows at each bay are vertically aligned at each floor, including the basement level. All exhaust vents have been located in the recessed wall planes between the bays, to screen them from view from the public realm.

Basement Entry

A 7' wide path leads to a basement level entrance, but does not continue beyond the basement lobby entrance and associated mechanical/service areas. Basement level units have large, paired windows opening into egress window wells. The single pedestrian and bike access path to the basement entrance is a minimal intervention at the street level, and is thoughtfully treated with layered landscaping and cedar slat screening on the retaining walls. Since no other driveway or vehicle area is provided on site, the space frequently allocated to cars at other adjacent sites is used for pedestrian and bicycle access.

Materials

Exterior materials, window styles, trim detailing and proportions are critical elements to determine the compatibility of the proposed development with the historic qualities of the district. The primary materials include Hardie Artisan smooth lap siding with a 4" exposure on the main building walls; wood trim; wood tongue and groove soffits; cedar shingles at the dormers; fiberglass single-hung and casement windows; wood columns; wood entry door, sidelites and transom; wood basement level doors, and powder coated metal railings.

Windows

The applicant has provided cutsheets for two window products. Their preferred model is the fiberglass Andersen 100 series. Staff found that this product appears very flat, with thin sashes that do not resemble the proportions and resulting shadow lines of traditional wood windows typical in this Historic District. Staff asked for a second window product, and noted that the Landmarks Commission has recently approved the Marvin Ultimate G2 window on new construction in a Historic District. The applicant has submitted the cutsheets for this product as an alternative window product. The Marvin Ultimate G2 window is an aluminum clad wood product that provides the thicker sashes and resulting shadow lines that are typical of wood windows, while maintaining a commercially-rated, durable, low-maintenance product. Therefore, Condition of Approval G says all windows shall be the Marvin Ultimate G2, installed without flanges to ensure a minimum of 2- 3/4" from face of top sash glazing to face of exterior cladding. This minimum recess of the windows ensures that the installation and shadow lines are compatible with the windows of adjacent contributing historic resources.

Mechanical

All exterior mini-split units are located on the foundation level of the rear façade, below the horizontal trim board. This location is discreet, does not obscure the rear façade of the building, and is screened by the proposed L2 screening at the rear property line. To ensure that conduit from these eleven units does not wrap around the exterior of the building, adding an unreviewed element that may obscure the trim details and proportions that are crucial to this new development being compatible with the historic district context, Condition of Approval D states that all conduit associated with the HVAC units shall run directly interior to the building and shall not be visible on the exterior.

Trim

The proposed trim is all wood, and detailed to demonstrate typical historic

elements without excessive ornamentation or faux-historicist elements. Simple crown moulding elements are applied above the top casing of all windows on the front and side facades, and a simple angled window sill beneath aligns with the outside of the vertical window casing. The proportions of the window trim are compatible with the typical windows of the historic district but are a more contemporary application. A water table and horizontal trim board divide the lap siding of the primary building walls from the skim coated concrete at the basement level.

Siding Reveal

The proposed siding includes a Hardi Artisan cementitious lap siding with a 4” reveal on the primary building, painted cedar shakes on the dormers, and skim coated concrete at the foundation. The drawings do not specify the cedar shake reveal at the attic-level dormers. To enhance compatibility with the rest of the proposed building, Condition of Approval C states that the cedar shakes at the attic level shall have a 4” reveal to match the reveal on the Hardi Artisan lap siding.

In conclusion, this proposal is a precedent for how to thoughtfully accommodate much-needed residential density in a 5,000 square foot, mid-block Historic District site. Its massing, setback, roof pitch, front porch dimensions, window configurations and trim detailing are derived from the contributing resources of the surrounding Alphabet Historic District.

With Condition of Approval C states that the cedar shakes at the attic level shall have a 4” reveal to match the reveal on the Hardi Artisan lap siding; Condition of Approval D that all conduit associated with the HVAC units shall run directly interior to the building and shall not be visible on the exterior, and Condition of Approval G that all windows shall be the Marvin Ultimate G2, installed without flanges to ensure a minimum of 2- 3/4” from face of top sash glazing to face of exterior cladding, these guidelines are met.

Community Design Guidelines

P1. Plan Area Character. Enhance the sense of place and identity by incorporating site and building design features that respond to the area’s desired characteristics and traditions.

P2. Historic and Conservation Districts. Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area’s historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

D7. Blending into the Neighborhood. Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long-lasting quality, and designed to form a cohesive composition.

Findings for P1, P2, D7 and D8: The two and a half story massing and the wide front porch and wide front entrance set above the street like adjacent historic properties is an appropriate contextual response. This residential street, at the northern edge of the Alphabet Historic District, has a significant role in defining and reinforcing the identity of the District. This proposal has successfully integrated the typical palette of traditional architectural elements, including a wide covered porch; vertical bays; attic-level dormers; terraced retaining walls and paired, vertically aligned windows to develop a highly

compatible contemporary apartment building that reinforces this district's historic significance. It fills in an empty mid-block lot with a proposal that incorporates the building details, massing, proportions and material dimensions of adjacent properties.

Roofline

The primary hipped roofline is punctuated with wide symmetrical dormers on each side and small dormers on the front and rear. The dormers are set in from the roof edge and end below the peak of the roofline. The 10:12 roofline is similar to other nearby contributing resources. The 2'-6" eaves are a strong response to the historic district.

Siding

The proposed primary cladding material is Hardie Artisan, smooth finish, fiber cement lap siding with a 4" reveal and metal corner caps painted to match the siding. This material has a comparable thickness to the wood lap siding that is traditional in the Alphabet Historic District. It has been deemed by the Landmarks Commission to be a reasonable facsimile of the historic wood material it replaces when used on new primary buildings in historic districts and when applied in a comparable manner to traditional wood lap siding.

The four attic-level dormers are proposed to be clad with painted cedar shingles. The large contributing resource directly across the street from this property utilizes wood lap siding and shingles, all painted the same color, so replicating this pattern helps create a composition while also blending into the neighborhood.

Windows

The applicant has provided two options for window products. The first is a fiberglass window product that staff found to be flat in appearance, and not visually compatible with the wood windows typical of this historic district. The second product is an aluminum clad wood window that does resemble typical wood windows in its proportions and operational style. This product better relates to the traditional windows of nearby, quality buildings. The large scale of this building and its minimal ornamentation make the recess of the window a significant detail, as it offers some of the only relief from a large façade – particularly on the front and back. The Marvin Ultimate 2.0 product creates a more cohesive composition and better relates to the historic district context. Therefore, Condition of Approval G says all windows shall be the Marvin Ultimate G2, installed without flanges to ensure a minimum of 2- 3/4" from face of top sash glazing to face of exterior cladding.

Mechanical + Meters

The proposal includes eleven wall-mounted mechanical units on the rear façade (C.11). While this is a highly visible façade, fronting the balconies and units of dozens of apartments, the mechanical is proposed to be consolidated at the foundation level and screened with evergreen L2 landscaping. This location is the least impactful location on site, and the array has been minimized to facilitate the use of individual energy efficient heat pumps without detracting from the proposal's adherence to design guidelines. It is typical for large homes to have multiple HVAC units in the side setback, and this location is preferable since it is not visible at all from the public realm. To ensure that the associated conduit does not wrap around the sides of the building, Condition of Approval D states that all conduit associated with the HVAC units shall run directly interior to the building and shall not be visible on the exterior.

In previous iterations, the electrical meters were directly beside the basement level lobby entrance. The proposal now shows all electric meters moved into a basement level mechanical room, interior to the building. This convenient location provides easy access to the meters as needed, but screens them from the residents who utilize this entry as their primary entrance.

Retaining Walls

Throughout the district, it is typical of properties set above the sidewalk to utilize attractive, landscaped retaining walls to facilitate successful, level planting areas that soften and enhance the pedestrian realm. Guideline P1: Plan Area Character notes that in the Northwest Plan District, proposals shall incorporate residential design elements such as landscaped setbacks. With approximately 11' of elevation between the front porch deck and the sidewalk, it is critical that this proposal mitigate its impact on the pedestrian realm with thoughtful, successful plantings.

The proposal now includes terraced, skim-coated concrete retaining walls, to facilitate layered landscaping and to provide a gracious step-down to the sidewalk and to the basement-level entrance. This landscape solution both supports more successful planting conditions and maintenance for front gardens, but also reduces the fortress-like effect of the steep grade change on the pedestrian realm.

With Condition of Approval D that all conduit associated with the HVAC units shall run directly interior to the building and shall not be visible on the exterior, and Condition of Approval G that all windows shall be the Marvin Ultimate G2, installed without flanges to ensure a minimum of 2- 3/4" from face of top sash glazing to face of exterior cladding, these guidelines are met.

E3. The Sidewalk Level of Buildings. Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building features, creating effective gathering places, and differentiating street level facades.

E5. Light, Wind, and Rain. Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

D2. Main Entrances. Make the main entrances to houses and buildings prominent, interesting, pedestrian-accessible, and transit-oriented.

Findings for E3, E5 and D2: The previous iterations had a narrow path leading to the basement lobby entrance. The path did not meet minimum width standards in the Title 33 zoning code. That path has now been widened, and is 7'5" wide from the sidewalk to the front of the building. This width accommodates two short-term bicycle parking racks while still providing over 5' of clear pedestrian space. This is sufficient to facilitate access to the bicycle storage room at the basement level, and allows adequate space for residents to pass one another.

A 5' deep canopy over the basement entrance has been added to enhance this entrance. Since this level is the only accessible space on the property, it is critical that residents and guests of all abilities are provided equal weather protection to that provided at the main level porch.

This basement level entrance has been further improved with the addition of cedar screening mounted to the inside of the concrete retaining wall. The cedar adds a softer, more residential quality, and provides a thoughtful detail that

helps this entrance not feel like a service entry. To further improve this sidewalk condition, a Condition of Approval E states that the entry door into the basement lobby shall be at least 30% glazed to facilitate visibility into this busy space and to allow light to spill out into the entry path. A glazed entry door in this location will serve to differentiate this primary entry from the two flanking service doors on either side.

With Condition of Approval E that the entry door into the basement lobby shall be at least 30% glazed, these guidelines are met.

D1. Outdoor Areas. When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;

D3. Landscape Features. Enhance site and building design through appropriate placement, scale, and variety of landscape features.

D5. Crime Prevention. Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

Findings for D1, D3 & D5: The proposal includes a wide front porch. At over 7' deep, the porch is adequately sized to provide usable, pleasant and safe outdoor areas. The front of the porch is set back almost 19' from the sidewalk (C.03). This deep front yard offers ample opportunity for relaxing, visiting or gardening. To facilitate access to the yard for residents and for maintenance, Condition of Approval F states that the horizontal railing panels at the landing shall be removed from both exterior railings. The center railing may be continuous through the railing if desired.

As discussed previously, the proposed retaining walls along the sidewalk and basement level entry path are terraced, with deep, level planting areas provided between the skim-coated concrete walls. This configuration softens the impact of the vertical elements with landscaping, facilitates successful plantings, and increases the perception of space and light since the grade slopes away from the pedestrian realm.

Trees are proposed between window bays on the east façade, along the rear property line, and in the narrow space between the egress path and adjacent driveway at the side property line. The proposed trees provide seasonal interest in the form of flowers, variegated bark and berries. There is sufficient space on site to shift their planting locations as needed if the proposed space is not adequate for their survival.

The proposed basement entrance is wider, and has been reconfigured to eliminate any recessed corners or other potential hiding spaces. Recessed path lights are integrated into the retaining wall along the basement entry path, and lighting is proposed beneath the canopy over the basement lobby door. To further enhance the safety of this entrance, Condition of Approval E states that the entry door into the basement lobby shall be at least 30% glazed. This will facilitate views into, and out of, this entrance prior to opening the door.

With Condition of Approval E that the entry door into the basement lobby shall be at least 30% glazed and Condition of Approval F that the horizontal railing panels at the landing shall be removed from both exterior railings, these guidelines are met.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all 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 purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal models maximizing much-needed housing while also meeting the applicable Historic Resource Review criteria, and therefore warrants approval.

TENTATIVE STAFF RECOMMENDATION

(May be revised upon receipt of new information at any time to the Landmarks Commission decision)

Staff recommends approval of a 15-unit apartment building in the Alphabet Historic District.

Staff recommends approval of the following Conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through H) 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 19-206924 HR". All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. Cedar shakes at the attic level shall have a 4" reveal to match the reveal on the Hardi Artisan lap siding.
- D. All conduit associated with the HVAC units shall run directly interior to the building and shall not be visible on the exterior
- E. The entry door into the basement lobby shall be at least 30% glazed.
- F. The horizontal railing panels at the landing shall be removed from both exterior railings.
- G. All windows shall be the Marvin Ultimate G2, installed without flanges to ensure a minimum of 2- 3/4" from face of top sash glazing to face of exterior cladding.
- H. No field changes allowed.

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Procedural Information. The application for this land use review was submitted on August 8, 2019, and was determined to be complete on October 18, 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 8, 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 waived the 120-day review period, as stated with Exhibit A.2. Unless further extended by the applicant, **the 120 days will expire on: October 17, 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 recommendation of the Bureau of Development Services with input from other City and public agencies.

This report is not a decision. The review body for this proposal is the Landmarks Commission who will make the decision on this case. This report is a recommendation to the Landmarks Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Landmarks Commission will make a decision about this proposal at the hearing or will grant a continuance. Your comments to the Landmarks Commission can be mailed, c/o the Landmarks Commission, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201 or faxed to 503-823-5630.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. You may review the file on this case by appointment at our office at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201. Please call the file review line at 503-823-7617 to schedule an appointment.

Appeal of the decision. The decision of the Landmarks Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Landmarks Commission, City Council will hold an evidentiary hearing, one in which new evidence can be submitted to them. Upon submission of their application, the applicant for this land use review chose to waive the 120-day time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing.

Who can appeal: You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. **Appeals must be filed within 14 days of the decision. An appeal fee of \$5000.00 will be charged.**

Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

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 **February 25, 2020** 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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

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

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

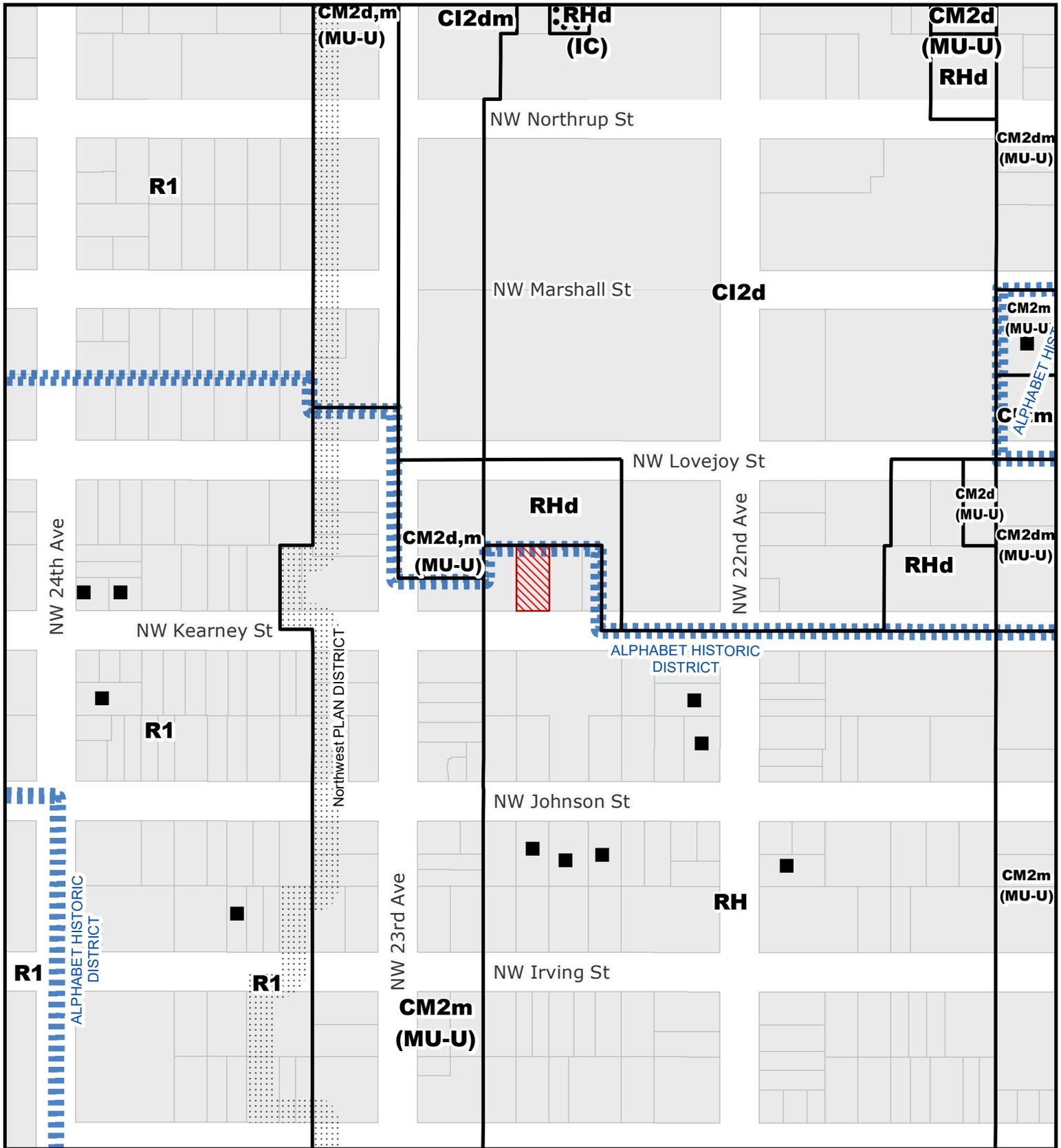
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Hannah Bryant
January 29, 2020

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
 - 1. Original Submittal
 - 2. 120-Day Waiver
 - 3. Completeness Response
 - 4. Revised Submittal
 - 5. Hearing One Submittal
 - 6. Email from Applicant re: changes for final submittal
- B. Zoning Map (attached)
- C. Plan & Drawings
 - 1. Not Used
 - 2. Existing Site Plan
 - 3. Proposed Site Plan (attached)
 - 4. Basement Plan
 - 5. First Level Plan
 - 6. Second Level Plan
 - 7. Third Level Plan
 - 8. Roof Plan
 - 9. South Elevation
 - 10. West Elevation
 - 11. North Elevation
 - 12. East Elevation
 - 13. East/West Section
 - 14. East/West Section
 - 15. North/South Section
 - 16. North/South Section
 - 17. Enlarged East Entry (Plan)
 - 18. Enlarged East Entry (Elevation)
 - 19. Enlarged East Entry (Details)
 - 20. Building Details
 - 21. Building Details
 - 22. Building Details
 - 23. Building Details
 - 24. Building Details
 - 25. Site Materials
 - 26. Landscape Plan
 - 27. Landscaping Plants
 - 28. Landscaping Plants
 - 29. Lighting Plan
 - 30. Lighting Cutsheet
 - 31. Lighting Cutsheet
 - 32. Lighting Cutsheet
 - 33. Lighting Cutsheet
 - 34. Lighting Cutsheet
 - 35. Bike Rack Cutsheet
 - 36. Utility Plan
 - 37. Marvin Window Cutsheet
 - 38. Basement Entry Door Cutsheet
 - 39. Andersen Window Cutsheets (5 sheets)
 - 40. Front Porch Entry Door (6 pages)
 - 41. Basement Entry Doors (2 pages)
 - 42. Moulding Profiles (five sheets)

- 43. Railing Profile (two sheets)
- 44. Hardi Artisan Lap Siding
- D. Notification information:
 - 1. Request for response
 - 2. Posting letter sent to applicant
 - 3. Notice to be posted
 - 4. Applicant's statement certifying posting
 - 5. Mailed notice
 - 6. Mailing list
- E. Agency Responses:
 - 1. Site Development
 - 2. Urban Forestry
 - 3. Water Bureau
 - 4. Life Safety
 - 5. Fire
 - 6. Bureau of Environmental Services
- F. Letters: None
- G. Other
 - 1. Original LUR Application
 - 2. Incomplete Letter, dated August 28, 2019
 - 3. Email from Staff re: Outstanding items to resolve
- H. First Hearing
 - 1. Staff Report, December 16, 2019
 - 2. Staff Memo, December 16, 2019
 - 3. Staff Presentation, December 16, 2019



ZONING

THIS SITE LIES WITHIN THE:
 NORTHWEST PLAN DISTRICT
 ALPHABET HISTORIC DISTRICT

-  Site
-  Historic Landmark

File No.	LU 19-206924 HR
1/4 Section	2927
Scale	1 inch = 200 feet
State ID	1N1E33BC 600
Exhibit	B Aug 12, 2019

