



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

Ted Wheeler, Mayor
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Date: March 19, 2020
To: Interested Person
From: Tim Heron, Land Use Services
503-823-7726 / Tim.Heron@portlandoregon.gov

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 20-105986 HR – GYPSY TAVERN AND RESTAURANT STOREFRONT REMODEL

GENERAL INFORMATION

Owner: Lucky Strike NW LLC
1018 SE 8th Ave
Portland, OR 97214

Applicant: Will Uebelacker, Will Urban Design LLC, 208-440-1789
949 NW Overton St Unit 608
Portland, OR 97209

Site Address: 527 NW 21ST AVE

Legal Description: BLOCK 18 LOT 2 TL 6600, KINGS 2ND ADD
Tax Account No.: R452302980
State ID No.: 1N1E33BD 06600
Quarter Section: 2927, 3027

Neighborhood: Northwest District, contact Greg Theisen at planning@northwestdistrictassociation.org.
Business District: Nob Hill, contact at nobhillportland@gmail.com.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest
Other Designations: Contributing Resource in the Alphabet Historic District, listed in the National Register of Historic Places in November 16, 2000

Zoning: CM2(MU-U)m, Mixed Use Commercial with main street overlay
Case Type: HR, Historic Review

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

PROPOSAL:

The applicant requests Historic Resource Review approval for changes to the Gypsy Tavern and Restaurant at 519-527 NW 21st Avenue. The following changes are proposed:

- The existing stucco will be repaired and repainted.
- The existing brick will be also be repaired and repainted.
- The existing dry rot will be removed from the entry portico, repaired and repainted.
- The existing clay tile roof will be replaced with non-damaged, matching clay tiles.
- Four new aluminum-clad wood windows will replace the existing, and deteriorated, non-historic gridded window bay.
- New canvas awnings will be added above the entryways and above new windows
- Two new signs: 1) a 6.7 SF exposed neon “gypsy” sign, and 2) a 2.25 SF hanging wood “speakeasy” sign.

Because the proposal is for exterior alterations to an existing building in the Alphabet Historic District, Historic Resource Review is required.

RELEVANT APPROVAL CRITERIA:

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

- Community Design Guidelines
- Historic Alphabet District: Community Design Guidelines Addendum

ANALYSIS**Site and Vicinity:**

Site and Vicinity: The site is located along NW 21st Avenue between NW Glisan Street and NW Hoyt Street within the Alphabet Historic District. The existing building is a one story commercial structure that is considered to be contributing in the District. It is a good example of a Neo-Tudor style commercial building and part of a larger grouping of commercial development that occurred in the Northwest neighborhood. The street facing façade consists of stucco at the southern two thirds which is a later alterations, and brick on the northern third. The northern entrance is framed by an original shallow, gabled portico with false half-timbering at the gable end. Two non-original windows occur on the primary façade, one with original transom and one without. Alterations include the addition of a 10’ x 3’ aluminum front window in 1965, new doors in 1977; and a new storefront window and sign with gooseneck lighting in 2009. The building was converted from office use to restaurant in 1993.

The site is within the Northwest Pedestrian District and along NW 21st Avenue. Portland’s Transportation Management Plan classifies NW 21st Avenue as a Community Main Street, a Neighborhood Collector Street, a Transit Access Street, a Major Emergency Response Street, and a Local Service Bikeway.

The Alphabet Historic District, recognized by listing in the National Register of Historic Places in 2000, encompasses an entire neighborhood. It is significant for associations with both individuals and historic trends, and also for its architectural expressions. The district includes a broad mix of building types, ranging from single-family residences to quarter-block apartment buildings to one and two story commercial structures to substantial religious institutions. The period of significance is also quite broad, 1880 to 1940, meaning that a significant range of stylistic approaches, from Italianate to Art Deco, is represented. Overall district cohesiveness is supported by a regular pattern of tree-lined streets and a consistent mid-range scale of buildings punctuated by an occasional larger structure.

Zoning:

Commercial/Mixed Use 2 zone. The Commercial/Mixed Use 2 (CM2) zone is a medium scale zone intended for sites in a variety of centers, along corridors, and in other mixed use

areas that have frequent transit service. The zone allows a wide range and mix of commercial and residential uses, as well as employment uses that have limited off-site impacts. Buildings in this zone will generally be up to four stories tall unless height and floor area bonuses are used, or plan district provisions specify other height limits. Development is intended to be pedestrian-oriented, provide a strong relationship between buildings and sidewalks, and complement the scale of surrounding residentially zoned areas.

Centers Main Street Overlay Zone. The Centers Main Street overlay zone (m) encourages a mix of commercial, residential and employment uses on the key main streets within town centers and neighborhood centers identified in the Comprehensive Plan. The regulations are intended to encourage a continuous area of shops and services, create a safe and pleasant pedestrian environment, minimize conflicts between vehicles and pedestrians, support hubs of community activity, and foster a dense, urban environment with development intensities that are supportive of transit.

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

- **LU 09-147933 HDZ** - Approval of new storefront window, stucco wall material, wall signage, and exterior lighting.
- **LU 17-177871 HR** - Approval of exterior alterations including the restoration of the north and the addition of the south pediments.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed February 6, 2020. No agencies have responded with concerns.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on February 6, 2020. 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 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*.

Community Design Guidelines

These guidelines provide the constitutional framework for all design review areas outside the Central City that are not covered by their own specific area design guidelines. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland’s urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other transportation systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland’s urban design framework and the users of the city.

Historic Alphabet District - Community Design Guidelines Addendum

These guidelines were adopted on September 5, 2000 and were developed to work with the Community Design Guidelines to provide a set of guidelines specific to the district.

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

- 1. Historic Changes.** Most properties change over time; those changes that have acquired historic significance will be preserved.
 - 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.
- 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.

Findings for 1, 2, 3, and P2: The existing building is a one-story commercial structure that is considered to be contributing in the District. It is a good example of a Neo-Tudor style commercial building and part of a larger grouping of commercial development that occurred in the Northwest neighborhood.

This proposal retains most historic materials that still exist and that characterize the Sam Hens building, the original brick wall, and the north door with pediment. The restoration of the existing north pediment will help reinforce the historic character of the Sam Hens building. Many of the design elements will be repaired and replaced to match the existing elements including the roof. All of the materials proposed are compatible with the original building, and will reinforce and complement the Alphabet District as well. Moreover, the repaired and repainted stucco walls surrounding the centrally located door and the southernmost window are thoughtfully integrated to complement the existing north door appearance.

The new aluminum clad wood storefront window systems incorporate the existing wood window transom located on the northern portion of the street facing façade. The new centrally located aluminum clad door and signage help improve and create a more traditional storefront entry, and thus reinforce and complement the historic district. The color palette of the new storefront materials will be a dark tone, the windows and doors to be dark bronze to black color, to reflect the darker toned color palette of the surrounding storefronts in the area.

All changes proposed are meant to visually simplify the alterations made over the years that were outside the period of significance. Most materials and detailing proposed are to match historic materials and detailing except for the storefront window and door systems that are responding to a more modern aspect of the actual use of the building. The proposed alterations will not create a false sense of history, but they will allow the building the ability to convey its story.

With the Condition of Approval that the windows and doors will be painted a dark bronze or black color, these guidelines are therefore met.

- 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.

Findings: NW 21st Avenue is located along one of the original streetcar routes through the area and has served as one of the area's commercial main streets. The desired characteristics of this area are to preserve or adaptively reuse the Streetcar Era structures that define the main streets and retain the continuous frontage of buildings and active uses. The new storefront windows, brick, stucco and pediment restoration, and the new centrally located entryway with new signage improve the storefront character of the building. By reusing the existing building, the continuous storefront character of NW 21st Avenue is also preserved.

This guideline is 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.

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

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 E3, D2, and D5: The new storefront window and door systems, as well as the repaired and repainted stucco and pediment bring visual interest and a sense of order to the building's façade. The neon sign and hanging wood sign make the main door to the building easily identifiable at a pedestrian scale, and the neon signage is appropriately placed in line with the transom windows. The new aluminum-clad wood windows are an enhanced opportunity for eyes on the street and help reduce the likelihood of crime along NW 21st Avenue.

These guidelines are met.

D6. Architectural Integrity. Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

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 D6 and D8: The location, scale, and division of the storefront windows strongly reflect on the historic location, scale, and division of the original windows, including the remaining wood transoms. The restoration of the brick wall material preserves the original masonry character of the building. The new neon signage is appropriately scaled and aligned with the restored transoms, respecting the building architecture and creating a cohesive composition. To ensure that no electrical conduit is exposed on the building exterior and thus the building's architectural integrity protected, a Condition of Approval for no exposed electrical conduit has been added.

The wood, masonry, stucco, and aluminum materials proposed are long lasting and will improve the quality of the building. The new window and door systems, pediments, signage, and brick create a higher quality storefront with a cohesive façade composition than the condition of the existing storefront. The proposal enhances the pedestrian environment and will be interesting to view. The new aluminum clad windows and signage improve and create a more traditional storefront of long-lasting quality.

With Condition of Approval that no electrical conduit shall be visible on the building exterior, these guidelines are met.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all requirements of Title 11

can be met, and that all development standards of Title 33 can be met or have received an Adjustment or Modification via a land use review, prior to the approval of a building or zoning permit.

CONCLUSIONS

The purpose of the historic resource review process is to ensure that exterior alterations to existing buildings protect the integrity of the special characteristics of the historic resources. The proposed exterior alterations to the Sam Hens Building will restore and maintain the character of the original structure and easily blend into the neighborhood. The proposal meets the relevant approval criteria and thus merits approval.

ADMINISTRATIVE DECISION

Approval for changes to the Sam Hens building in the Alphabet Historic District, commonly known as the Gypsy Tavern and Restaurant, at 519-527 NW 21st Avenue. The following changes are approved:

- The existing stucco will be repaired and repainted.
- The existing brick will be also be repaired and repainted.
- The existing dry rot will be removed from the entry portico, repaired and repainted.
- The existing clay tile roof will be replaced with non-damaged, matching clay tiles.
- Four new aluminum-clad wood windows will replace the existing, and deteriorated, non-historic gridded window bay.
- New canvas awnings will be added above the entryways and above new windows
- Two new signs:
 - 1) a 6.7 SF exposed neon “gypsy” sign, and
 - 2) a 2.25 SF hanging wood “speakeasy” sign.

Approval per Exhibits C-1 through C-3, signed and dated March 17, 2020, 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 20-105986 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No electrical conduit shall be visible on the building exterior.
- D. Windows and doors will be painted a dark bronze or black color.
- E. No field changes allowed.

Staff Planner: Tim Heron



Decision rendered by: _____ **on March 17, 2020**

By authority of the Director of the Bureau of Development Services

Decision mailed: March 19, 2020

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 January 15, 2020, and was determined to be complete on **January 29, 2020**.

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 January 15, 2020.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. (Unless further extended by the applicant, **the 120 days will expire on: May 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 April 2, 2020** 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.

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 on or after **April 3, 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.

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 Statement
 - 1. Original 1-15-20 submittal
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site/ Floor Plan (attached)
 - 2. Elevations (attached)
 - 3. Storefront section and signage details (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence: No responses were received.
- G. Other:
 - 1. Original LU Application

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

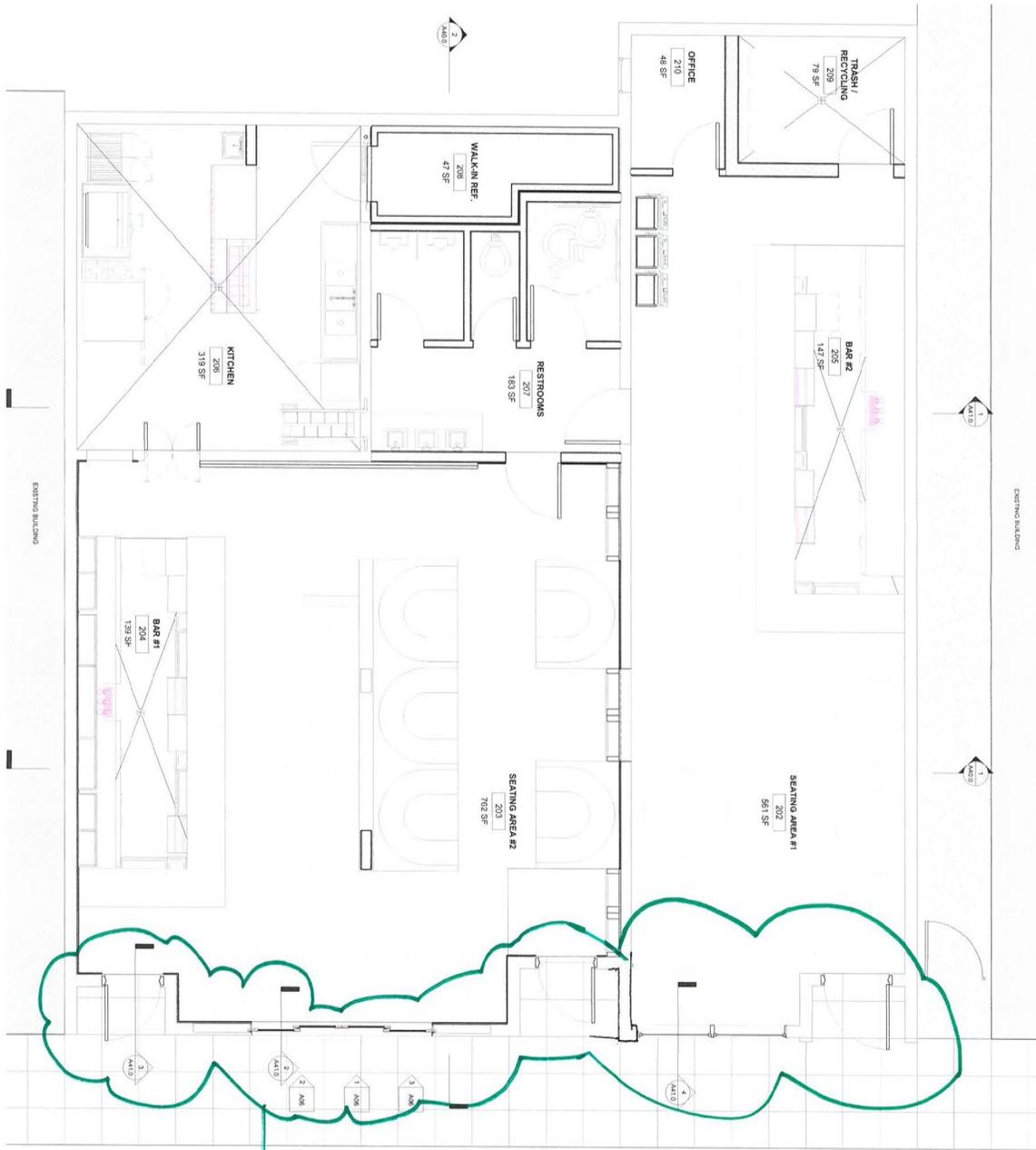


ZONING 
 NORTH
 NORTHWEST PLAN DISTRICT
 ALPHABET HISTORIC DISTRICT

 Site
 Historic Landmark

File No.	LU 20 - 105986 HR
1/4 Section	2927, 3027
Scale	1 inch = 163 feet
State ID	1N1E33BD 6600
Exhibit	B Jan 17, 2020

1 LEVEL 1- REFERENCE ONLY
 3/8" = 1'-0" @ 24" x 36"
 3/16" = 1'-0" @ 11" x 17"



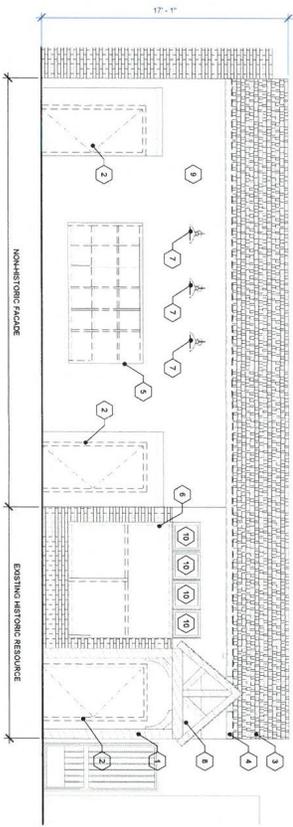
EXH.C.1
 20-105986 HR

AREA OF WORK

NW 21ST AVE

Title	Sheet	Revisions	Date	Set	Code	Project
FLOOR PLAN FOR REFERENCE ONLY			15 JANUARY 2020	HISTORIC REVISION	TYRN	519-527 NW 21ST AVE PORTLAND, OR 97209 GYPSY TAVERN & RESTAURANT
			15 JANUARY 2020			

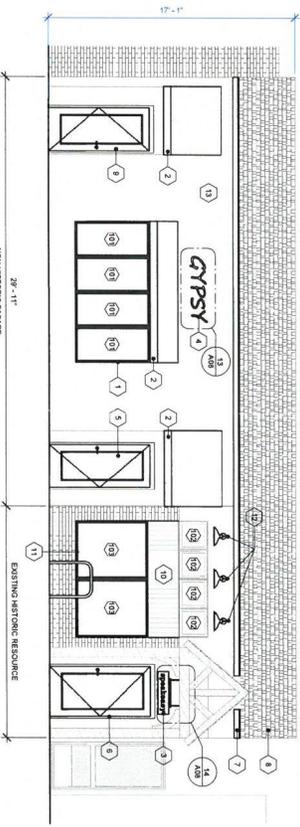




1 EAST ELEVATION - DEMOLITION
 1/4" = 1'-0" @ 24" x 36" 1/8" = 1'-0" @ 11" x 17"

ZONING COMPLIANCE PAGE
 CASE FILE LU 20-105986 HR
 NO FIELD CHANGES ALLOWED

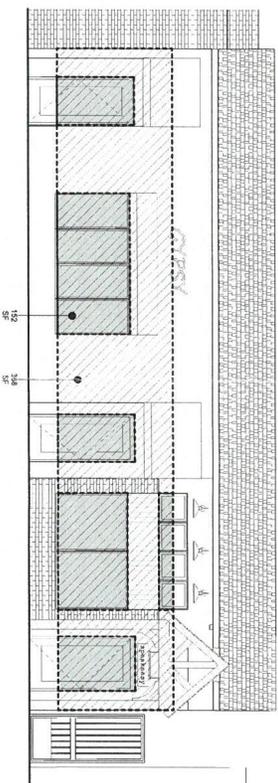
No.	DEMOLITION NOTES
1	REMOVE EXISTING FRONT PORCH
2	REMOVE EXISTING CLAY TILE ROOF TO BE REPLACED
3	REMOVE EXISTING CLAY TILE ROOF TO BE REPLACED
4	REMOVE EXISTING CLAY TILE ROOF TO BE REPLACED
5	REMOVE EXISTING CLAY TILE ROOF TO BE REPLACED
6	REMOVE EXISTING CLAY TILE ROOF TO BE REPLACED
7	REMOVE EXISTING CLAY TILE ROOF TO BE REPLACED
8	REMOVE EXISTING CLAY TILE ROOF TO BE REPLACED
9	REMOVE EXISTING CLAY TILE ROOF TO BE REPLACED
10	REMOVE EXISTING CLAY TILE ROOF TO BE REPLACED



2 EAST ELEVATION - PROPOSED
 1/4" = 1'-0" @ 24" x 36" 1/8" = 1'-0" @ 11" x 17"

No.	ELEVATION KEYNOTES
1	NEW ALUMINUM W/ CLAD WINDOWS
2	NEW ALUMINUM W/ CLAD WINDOWS
3	NEW ALUMINUM W/ CLAD WINDOWS
4	NEW ALUMINUM W/ CLAD WINDOWS
5	NEW ALUMINUM W/ CLAD WINDOWS
6	NEW ALUMINUM W/ CLAD WINDOWS
7	NEW ALUMINUM W/ CLAD WINDOWS
8	NEW ALUMINUM W/ CLAD WINDOWS
9	NEW ALUMINUM W/ CLAD WINDOWS
10	NEW ALUMINUM W/ CLAD WINDOWS
11	NEW ALUMINUM W/ CLAD WINDOWS
12	NEW ALUMINUM W/ CLAD WINDOWS

DARL BRONZETTO
 BACK COLORED DOORS
 & WINDOWS



3 EAST ELEVATION - GROUND FLOOR WINDOW REQ
 1/4" = 1'-0" @ 24" x 36" 1/8" = 1'-0" @ 11" x 17"

GROUND FLOOR WINDOW AREA: 388 SF
 MIN. 40% OF 388 SF = 147 SF
 PROVIDED OPENINGS = 152 SF: PASSES

LU 20-105986 HR
 EXH. C. 2

		Title: DEMOLITION & EXTERIOR ELEVATIONS		Sheet: A06		Revisions:		Date: 09 MARCH 2020		Set: PERMIT SET		Code: TV/RN		Project: 519-527 NW 21ST AVE PORTLAND, OR 97209 GYPSY TAVERN & BAR	
		#8 DESCRIPTION DOMINANT													

