



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

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**Date:** August 31, 2020  
**To:** Interested Person  
**From:** Hannah Bryant, 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 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 20-144915 HR – RENOVATION OF HISTORIC CREMATORIUM***

#### **GENERAL INFORMATION**

**Applicant:** Jennifer Rinkus | Baysinger Partners Architecture  
1006 SE Grand Ave, #300  
Portland, OR 97214

**Owner/Agent:** Jason Fayollat | The Sphynx LLC  
865 NE Tomahawk Island Dr, Ste 102-308  
Portland, OR 97217

**Site Address:** 537 SE ALDER ST

**Legal Description:** BLOCK 123 LOT 5&6 W 32 2/3' OF LOT 7&8, EAST PORTLAND  
**Tax Account No.:** R226508390  
**State ID No.:** 1S1E02BB 02500  
**Quarter Section:** 3131  
**Neighborhood:** Buckman, contact Richard Johnson at [buckmanlandusepdx@gmail.com](mailto:buckmanlandusepdx@gmail.com)

**Business District:** Central Eastside Industrial Council, contact [ceic@ceic.cc](mailto:ceic@ceic.cc).  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.  
**Plan District:** Central City - Central Eastside  
**Other Designations:** Contributing Resource in the East Portland/Grand Avenue Historic District

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

**Case Type:** HR – *Historic Resource Review*  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

**Proposal:**

The applicant seeks Historic Resource Review approval for exterior alterations to a contributing resource in the East Portland / Grand Avenue Historic District. Constructed in 1930, the

subject property was built as a mortuary and crematorium for Eastside Funeral Directors. More recently, it has served as an office building. The proposed remodel includes:

- A new egress stair and elevator tower added to the north building façade;
- Seven new windows on the east façade;
- One new window on the north façade, and removal of one window on the same façade;
- Replacement of existing ladder to roof on north façade;
- Replacement of existing roll-up door with new carriage-door on north façade;
- Replace existing window on west façade with new person door;
- Thirteen new windows on the west façade;
- Four new skylights;
- Alter existing wrought-iron vehicle gates to add egress person-gate;
- Non-conforming upgrades to site.
- No Modifications or Adjustments to Title 33 standards are proposed.

Historic Resource Review is required for non-exempt exterior alterations in the East Portland/Grand Avenue Historic District.

**Relevant Approval Criteria:**

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

- Central City Fundamental Design Guidelines
- East Portland/Grand Avenue Historic District Design Guidelines

## ANALYSIS

**Site and Vicinity:** The subject property is a 13,266 square foot L-shaped parcel. The majority of the parcel is a quarter-block parcel at the northwest corner of the intersection at SE 6<sup>th</sup> and SE Alder. However, a long driveway extends from this parcel to the north, connecting with SE Washington Street mid-block, between SE Grand and SE 6<sup>th</sup> Avenues.

The subject property was designed by Thomas and Mercier Architects, and constructed in 1930 as a crematorium and funeral home. The north-south driveway was used to serve these functions. At both ends of the driveway there are original, ornate iron gates. The subject property is notable for its monolithic, tiered architecture, with decorative stained-glass windows on the south façade and limited stained glass on the upper tier of the east façade demarcating the interior chapel spaces. Most other walls are solid brick facades, to conceal the crematorium functions within. It is listed in the City of Portland’s Historic Resource Inventory as an excellent example of Art Deco architecture.

At this location, SE Alder Street, SE 6<sup>th</sup> Avenue and SE Washington Streets are Local Service Streets and a City Walkways.

**Zoning:** The Central Employment (EX) zone allows mixed-uses and is intended for areas in the center of the City that have predominantly industrial type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area. The development standards are intended to allow new development which is similar in character to existing development.

The “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The 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.

East Portland/Grand Avenue Historic District is listed in the National Register of Historic Places under two of the eligibility criteria: “A” for its association with the development of the City of East Portland (which was annexed into Portland in 1893) and “C” for its examples of commercial architectural styles from the period 1883 to 1939.

**Land Use History:** City records indicate there are no relevant land use cases for this site.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **July 14, 2020**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services (exhibit E.1)
- Portland Bureau of Transportation (exhibit E.2)
- Life Safety (exhibit E.3)
- Site Development
- Water Bureau

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on July 14, 2020. No comments have been received from neighbors of the Neighborhood Association.

## **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 East Portland Grand Avenue Historic District and the proposal is for a non-exempt treatment. Therefore, Historic Resource Review approval is required. The approval criteria are the *Design Guidelines - East Portland Grand Avenue Historic Design Zone*. Because the site is within the *Central City Plan District*, the *Central City Fundamental Design Guidelines* are also approval criteria.

*Staff has considered all guidelines and addressed only those applicable to this proposal. The Design Guidelines - East Portland Grand Avenue Historic Design Zone and the Central City Fundamental Design Guidelines are addressed concurrently.*

### **Design Guidelines - East Portland Grand Avenue Historic Design Zone** **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.

**A6. Reuse/Rehabilitate/Restore Buildings.** Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

**Findings for A4, A5 and A6:** Constructed in 1930 as a mortuary and crematorium, the subject building is notable for its unique form, with limited windows and large planes of brick exterior wall. It exemplifies Art Deco architecture, with ornate floral motif cast concrete decorations around the parapet and door surround. It is located within the East Portland/Grand Avenue Historic District. When it was constructed, it fit well within the context of surrounding mix of light industrial and commercial buildings, with regular, deeply punched steel windows set within masonry exterior walls.

As the surrounding neighborhood has redeveloped into an active area with retail, restaurants and breweries, the fortress-like street-facing facades of this building, which lacks large windows at the ground level, and its deeply recessed entrance facing the corner of SE Alder and SE 6th are notable exceptions to the vibrancy of the surrounding blocks. The proposal strikes a balance between retention of the character-defining architecture and materials of the original design, and thoughtful introduction of additional windows and a more welcoming entrance to increase connectivity between the interior uses and the public realm. To achieve this balance, the proposal introduces new windows that match the existing windows in their unique, vertical proportions and appearance, and all new massing for elevator and stair towers are clad in brick to match the existing cladding. The proposal uses unifying elements to achieve a more open, welcoming façade that will serve to enhance the neighboring context and better reflect the public nature of the surrounding Historic District.

*Therefore, these guidelines are met.*

### **Guidelines for Alterations**

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

**Introduction: Scale and Proportion.** A building's bulk in conjunction with its proportional height and width will have a significant impact on the degree to which it fits in with its historic neighbors. Structures which are much wider, taller or just are significantly bigger than neighboring structures will disrupt the continuity of the area and may damage the area's historic integrity.

##### **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 & A6-1a:** While the proposal is primarily a renovation of an existing building, and will retain the unique layered form of the original building, a single mass is proposed for a new elevator and stair tower at the northeast corner of the tallest, central building mass. Due to the stepped form of the building, which is shortest along the street frontages and steps up toward the center of the block, and the low, one-story building to the north, the new elevator/stair tower will be very visible from SE 6<sup>th</sup> Street, particularly as viewed over the neighboring one-story building. If the adjacent

parcel is redeveloped with a taller building, the stair/elevator tower mass will no longer be very visible.

Due to the nature of the site, which includes a central block driveway that connects SE Washington Street to SE Alder Street, and the low building massing along both street frontages, this was the only feasible location for the new, code-required stair and elevator tower. To mitigate the appearance and to enhance unity with the rest of the building, a low-profile elevator has been proposed. The new mass will be clad in brick to match the rest of the building, and has a matching parapet/roof edge detail to match the detail the wraps the rest of the primary building mass. Two new, vertically aligned windows will be added to the tower to match other new windows on the SE 6<sup>th</sup> façade in detail, material and dimension.

Additional proposed alterations include new windows at the second floor mezzanine level, to match existing windows elsewhere on the building in detail, material and dimension. The new windows are vertically aligned with existing, original windows, and set back on the taller building mass that is stepped back from the lower street-level massing. Due to the layer cake form of the building, particularly along the SE 6<sup>th</sup> Avenue frontage, the new windows will be minimally visible from the adjacent pedestrian realm.

*Therefore, this guideline is met.*

**Introduction: Exterior Building Materials.** After issues of height, mass and bulk the building characteristic having the greatest impact on the District's character will be its exterior materials. Maintaining the integrity of exterior materials is important to protecting the character of the District.

**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:** As noted above, all new exterior materials are proposed to match existing materials. The applicant has provided a brick mock up (see exhibit C.31) demonstrating how the new brick texture, color and patterning will match the existing cladding. Further, existing brick will be reclaimed where it is removed for new windows, and cleaned to augment the blend of new brick. While the new brick lacks the weathering and staining of the existing brick, the color and pattern are impressive reproductions and within a short period the new massing will achieve a patina that makes it challenging to distinguish from the original brick.

Similarly, all the new windows are proposed to be steel replica windows, to match the original steel windows while achieving required energy code. The steel replica windows (see exhibit C.19) feature the large openings and minimal sight lines of historic steel windows. With a true floating vent, and dimensional exterior muntins with a concave profile to match the existing original windows, the proposed new windows are the best commercially available product to match the character defining extant steel windows.

*Therefore, this guideline is met.*

**Introduction: Rear and Side Walls.** Portland and the East Portland/Grand Avenue Historic District share a pattern of orienting corner building entrances to the adjacent north-south street. Within the Historic District city blocks are small resulting in most buildings extending to one or more of the block's corners. Orientations to King Boulevard and Grand Avenue are characteristic of the East Portland/Grand Avenue District. Building alterations should respect this pattern.

**A6-1c. Rear and Side Walls**

1. Side and rear walls should be compatible with building facades or public street elevations, but can be simple and basically blank.
2. New window and door openings may be added in moderation and when compatible in size, scale, proportion and detailing with the original building. New openings should be designed to be subtly distinguishable from the original building.
3. Where possible, avoid filling openings with concrete block, wood or other material that will change the overall appearance of the wall and/or create blank walls along pedestrian ways.

**Findings for A6-1c:** The existing building entrance is a diagonal entry, fronting the intersection of SE Alder and SE 6<sup>th</sup> Avenue. The proposal intends to retain the existing configuration, but to replace the existing person door with a new wood entry door and transom window, to facilitate more light and visibility, and to add a new exterior light within the recessed entry vestibule above the front door. While limited in scope, the minor changes will enhance the entry and will reduce the opacity of the building at the pedestrian level.

*Therefore, this guideline is met.*

**Introduction: Exterior Mechanical Systems and Auxiliary Service Elements.**

The character of the district may be damaged by the introduction of distracting visual elements which clutter building exteriors. When updating a building's mechanical systems, locating its trash areas and installing electronic communications equipment, care must be taken to avoid visual clutter.

**A61-d. Exterior Mechanical Systems and Auxiliary Service Elements.** Avoid unnecessary clutter and unsightliness of mechanical systems, auxiliary structures, and service elements such as trash containers, storage sheds, satellite dishes, etc.

**Findings for A6-1d:** No mechanical units are shown or proposed as part of the scope of this review.

*Therefore, this guideline does not apply.*

**Introduction: Color.** All new color schemes should be reviewed. To choose appropriate colors, it is best to start with a paint analysis on the building to determine its original color. Though it may not be possible to duplicate that color, the color should at least be compatible with the original color. (See Appendix B for guidance on how to do a paint analysis and consult local paint companies for assistance). Experimenting with colors in small sample locations is encouraged. For additional guidance, consult the State Historic Preservation Office in Salem at 1 (503) 378-6508, or the East Portland Historic District Advisory Board.

**A6-1e. Color**

1. When painting a building or making color changes, colors chosen should be visually compatible with the architectural character of the District represented by both the primary (1870-1914) and secondary (1915-1935) historic periods of development. A broad range of color schemes may be acceptable.
2. The colors should be compatible with the original architectural style of the building. If the building has no apparent style, use the surrounding buildings and any character-defining features on the building itself as a guide.

**Findings for A6-1e:** No exterior painted materials are proposed. The existing brick will be matched in dimension, texture and the multi-tone palette and patterning.

*Therefore, this guideline is met.*

**Introduction: Lighting.** Lighting should be compatible with the overall character of the building first and the District second. Lighting should not detract from the character defining

features of the building, introduce radically incompatible design elements or damage the building through its installation.

**A6-1g. Lighting**

1. Repair or replace damaged period lighting with the same or similar lighting fixtures and design elements.
2. Lighting in entryways and doorways and other highly visible public areas should match the original fixtures where possible, or be designed in a manner that is compatible with the historic building and with the district.
3. Bathing a historic building with light or the use of exterior spotlights on the major facade is discouraged, unless historic precedence exists to support such display.

**Findings for A6-1g:** The proposal includes new exterior lighting, including discreet, historic-style lighting above the primary entry and street-facing egress doors, LED lighting on the underside of the breezeway that spans the on-site driveway behind the building, and limited wall-washing lights set on the roof and within the deep landscape buffer to highlight the building's architecture and prominent stained glass windows.

While guidelines discourage excessive use of wall-washing lights in this district, there is precedent for illumination of stained-glass windows on churches and other religious structures. Therefore, the exterior illumination of the stained-glass chapel windows is consistent with the typology and highlights the original program and its character-defining architecture. Further, the building's deep, landscaped setback and tiered form, which steps back above the first level, create a dark, inactive street edge that feels foreboding for pedestrians at night. This is exacerbated by the relatively small, recessed entrance, lack of windows at the street level and diminutive two-story height. The proposal to include limited wall-washing lighting within the landscaping at grade and concealed on the first level roof to highlight the upper-story stained glass windows has an additional benefit of strengthening the pedestrian's sense of enclosure and safety when walking beside this site.

*Therefore, this guideline is met.*

**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.

**C4. Complement the Context of Existing Buildings.** Complement the context of existing buildings by using and adding to the local design vocabulary.

**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.

**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.

**Findings for C2, C3, C4, C5 and C12:** The proposed changes include new windows on the sidewalls and rooftop skylights, limited changes to fenestration at the ground level facing the on-site driveway (not visible from the public right-of-way) and the addition of a new stair and elevator tower above the tallest roofline, at the center of the rear façade. While the quantity of new windows proposed is extensive, the final composition utilizes the existing palette of window sizes and shapes to create a logical, ordered composition that does not draw attention to itself. The majority of the new windows are proposed for non-street facing facades and upper levels that are set back from the street and screened by the lower level walls. The new windows are vertically aligned with the existing window patterns at the ground level and continue the symmetry and order of

the original design, resulting in a coherent, unified building. New massing elements (stair and elevator towers) are proposed to be clad in bricks to match the original in color and pattern, with salvaged original bricks mixed in to help blend the new sections with the older.

Proposed lighting includes functional LED lighting below the breezeway/carport at the midblock driveway; period appropriate lighting above all entries and exit doors; and limited in-grade and rooftop lighting to highlight the historic stained-glass windows. The proposal includes three in-ground lights within the building's deep landscape buffer on the south side, two in-ground lights at the east side, and two in-ground lights at the recessed corner entrance. In addition, three concealed lights are proposed on the first-floor roof, to highlight the tall upper level stained glass windows on the recessed south façade. The proportion of exterior wall-washing light to the length of wall is conservative, with the light proposed only at the base of windows. In this situation, the building's two-story height, its deep landscape buffer at the ground level and the terraced upper level that sits further from the street frontage create conditions where the lighting is necessary to create a sense of urban enclosure for pedestrians at night and to highlight the otherwise dark, solid building in its recessed location away from the street.

*Therefore, these guidelines are met.*

### **33.846.060 G - Other Approval Criteria**

- 1. Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.
- 2. Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.
- 3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.
- 4. Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.
- 5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.

**Findings for 1, 2, 3, 4 and 5:** Built in 1930 as a mortuary and crematorium, the building's tiered massing is derived from its unique original program. The varied rooflines reflect the upper level interior chapel spaces, ground level office, crematorium and caretaker residential spaces, and the taller chimneys from the crematorium. Large windowless walls reflect the somber and private aspects of its program, while the dramatic stained-glass windows indicate the public portion of the interior. Over time, the building has transitioned into an office for the Volunteers of America non-profit, however very little exterior work was done to accommodate this transition. The result is that many interior working spaces lack natural light, despite their location adjacent to exterior, street-facing walls. The building's solid walls, and tiered form set back from the sidewalk contribute little to the public realm. A deep landscaping buffer between the sidewalk and the exterior walls creates a dark and unwelcoming nighttime pedestrian condition.

With this proposal, the somber and religious aspects of the original program and its art deco architecture are retained, retaining significant expanses of windowless brick walls to contrast with the many windows on the south façade. However, additional windows added on the upper levels will facilitate high-quality interior spaces and therefore,

ongoing commercial viability and preservation, without reducing the character defining aspects of the building. Since the new windows are introduced at the upper stories and through rooftop skylights, which are set back from the ground level, they will be minimally visible from the street-level. All new elements are derived directly from the existing architectural palette, and no conjectural features are proposed.

The majority of new windows are proposed on the roof, through skylights, and along the sidewall facing the mid-block driveway. These locations maximize the desired increase in natural light while minimizing the visibility of the changes from the public realm or the impacts to the street-facing facades.

To ensure the unification of the original and new elements, the proposal includes restoration and repair of all existing steel windows, and only proposes new windows where new openings will be introduced – no new windows are proposed to replace existing windows. Where new window openings are created, the applicant proposes to clean and salvage the original brick, to mix it in with the new brick on the stair and elevator tower to minimize the visual difference between old and new brick fields. All original materials are proposed to be retained and repaired where possible, and no chemical treatments are proposed.

*Therefore, these criteria are met.*

**6. Archaeological resources.** Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. When such resources are disturbed, mitigation measures will be undertaken.

**Findings:** The proposal does not include any site work or excavation that may yield archaeological discoveries. *Therefore, this criterion does not apply.*

**7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.

**8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.

**9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.

**10. 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.

**Findings for 7, 8, 9 and 10:** The form and integrity of the historic resource will be retained, with careful interventions directly derived from the original palette of architectural elements. The resulting proposal utilizes matching brick, windows and ornamentation to reinforce and honor the strength of the original architecture while maintaining compatibility with the original resource and the surrounding Historic District. If the new elements were removed in the future, the original fenestration and massing will remain legible and the building could be converted back to its exact original form. While new windows and new brick are carefully chosen to match the original, close examination will reveal double pane glazing and contemporary steel replica windows, which are easily differentiated from the original steel windows that will be repaired elsewhere on the building. Similarly, the new brick is chosen to match the existing in color, dimension and texture, but it will be fabricated at a different local

factory from the original brick, and will lack the patina and timeworn smoothness of the extant original brick.

All aspects of this proposal are chosen to celebrate and enhance the existing architecture, while adding sufficient windows to facilitate its adaptation from a crematorium to an active office building. The strength of this proposal is its clear intent to derive all new elements from existing patterns in the original architecture and to minimize changes to the street-facing facades.

*Therefore, these criteria 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**

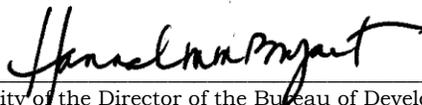
The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal is carefully crafted to provide additional lighting and upgrades necessary for long term commercial viability while honoring the original architecture with every decision. It models thoughtful adaptive reuse and will enhance its Historic District context with enhanced vitality, visibility and activity. It meets the applicable Historic Resource Review criteria and therefore warrants approval.

## **ADMINISTRATIVE DECISION**

Approval of a new egress stair and elevator tower; new windows; replacement of existing doors; new skylights; alterations to existing wrought-iron gates and replacement of an existing rooftop access ladder, per the approved site plans, Exhibits C-1 through C-33, signed and dated August 28, 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 20-144915 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

**Staff Planner: Hannah Bryant**

**Decision rendered by:**  **on August 28, 2020**

By authority of the Director of the Bureau of Development Services

**Decision mailed August 31, 2020**

**About this Decision.** This land use decision is **not a permit** for development. A Final Plat must be completed and recorded before the proposed lots can be sold or developed. 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 May 12, 2020, and was determined to be complete on July 1, 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 May 12, 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 requested that the 120-day review period be extended (exhibit A.2). Unless further extended by the applicant, **the 120 days will expire on: November 5, 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, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received by 4:30 PM on September 14, 2020. **Towards promoting social distancing during the COVID-19 pandemic, the completed appeal application form must be emailed to [LandUseIntake@portlandoregon.gov](mailto:LandUseIntake@portlandoregon.gov), and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. An appeal fee of \$250 will be charged. Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations for the appeal of Type II and IIX decisions on property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If you are interested in viewing information in the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note

that due to COVID-19 and limited accessibility to paper files, only digital copies of material in the file are available for viewing. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

**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 Historic 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 Historic 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 after **September 14, 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, or
- In situations involving only the creation of lots, the land division has been recorded.

**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:

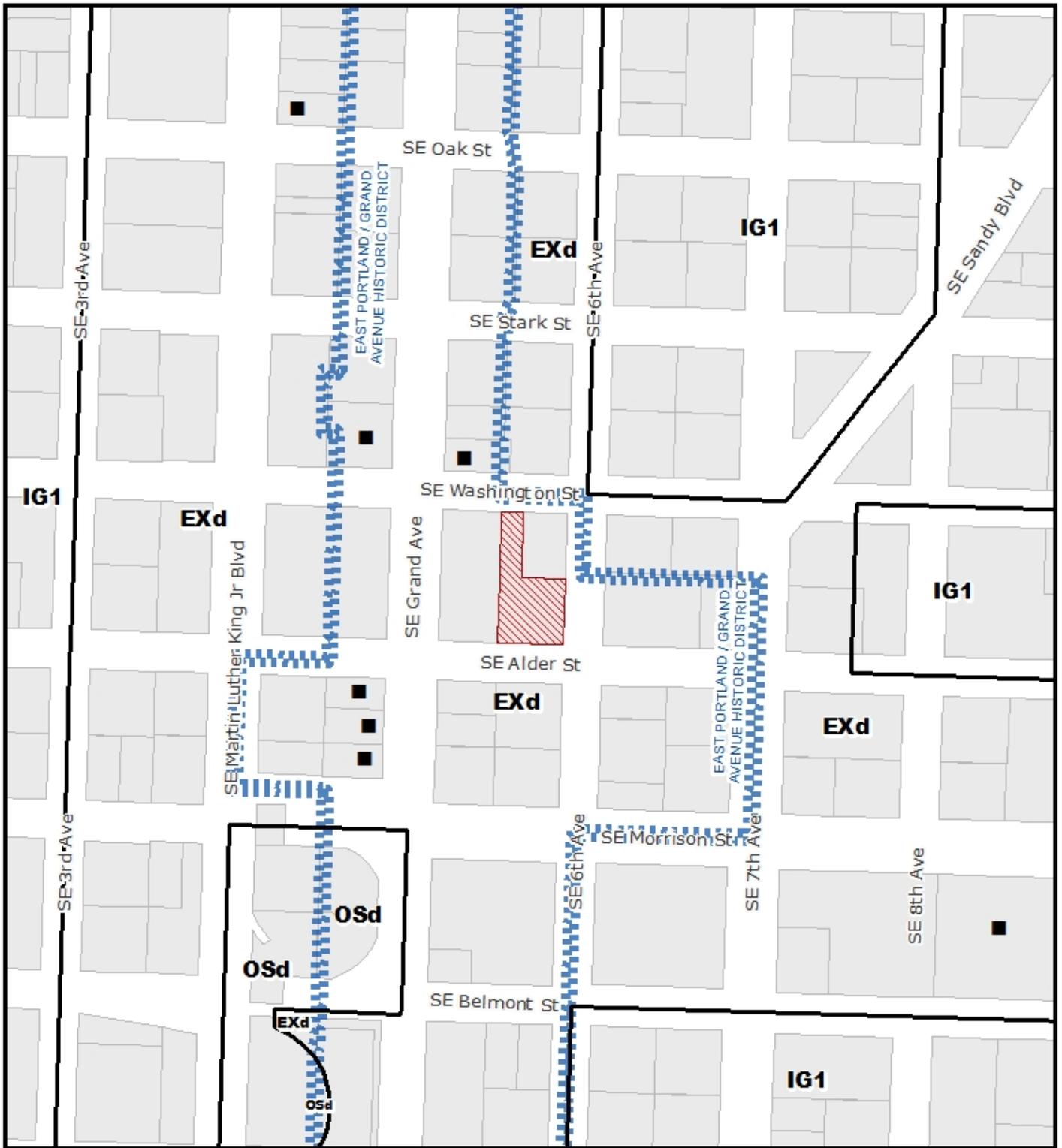
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
  - 1. Original Submittal
  - 2. 7-day Extension
  - 3. Response to Incomplete, dated June 24, 2020
  - 4. Sightline Diagram
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Proposed Site Plan (attached)
  - 2. Landscape Plan
  - 3. Existing Site Plan
  - 4. Existing First Floor Plan
  - 5. Existing Basement Plan
  - 6. Existing Lower 2<sup>nd</sup> Floor Plan
  - 7. Existing Upper 2<sup>nd</sup> Floor Plan
  - 8. Bike Room Details + Trash Enclosure
  - 9. Proposed First Floor Plan
  - 10. Proposed Basement Plan
  - 11. Proposed First Floor + Lower 2<sup>nd</sup> Floor Plan
  - 12. Proposed Upper 2<sup>nd</sup> Floor Plan
  - 13. Proposed Upper 2<sup>nd</sup> Floor Mezzanine Plan
  - 14. South Elevation + Corner Entrance Elevation
  - 15. East Elevation
  - 16. North Elevation
  - 17. West Elevation
  - 18. Building Details
  - 19. Steel Replica Window Cutsheet
  - 20. In Grade Wall Wash Lighting Cutsheet
  - 21. Concealed Wall Wash Lighting Cutsheet
  - 22. Breezeway Skylight Cutsheet
  - 23. Pyramid Skylight Cutsheet
  - 24. Breezeway LED Lighting Cutsheet
  - 25. Entry Alcove Lighting Cutsheet
  - 26. Elevator Details
  - 27. Breezeway Egress Lighting Cutsheet
  - 28. SE 6<sup>th</sup> Ave Egress Lighting Cutsheet
  - 29. Doors Cutsheet
  - 30. Carriage House Garage Door Cutsheet
  - 31. Brick Details
  - 32. Bike Rack Cutsheet
  - 33. Exterior Bike Rack Cutsheet
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Portland Bureau of Transportation
  - 3. Life Safety
- F. Correspondence: None
- G. Other:
  - 1. Original LU Application
  - 2. Incomplete Letter, dated May 26, 2020

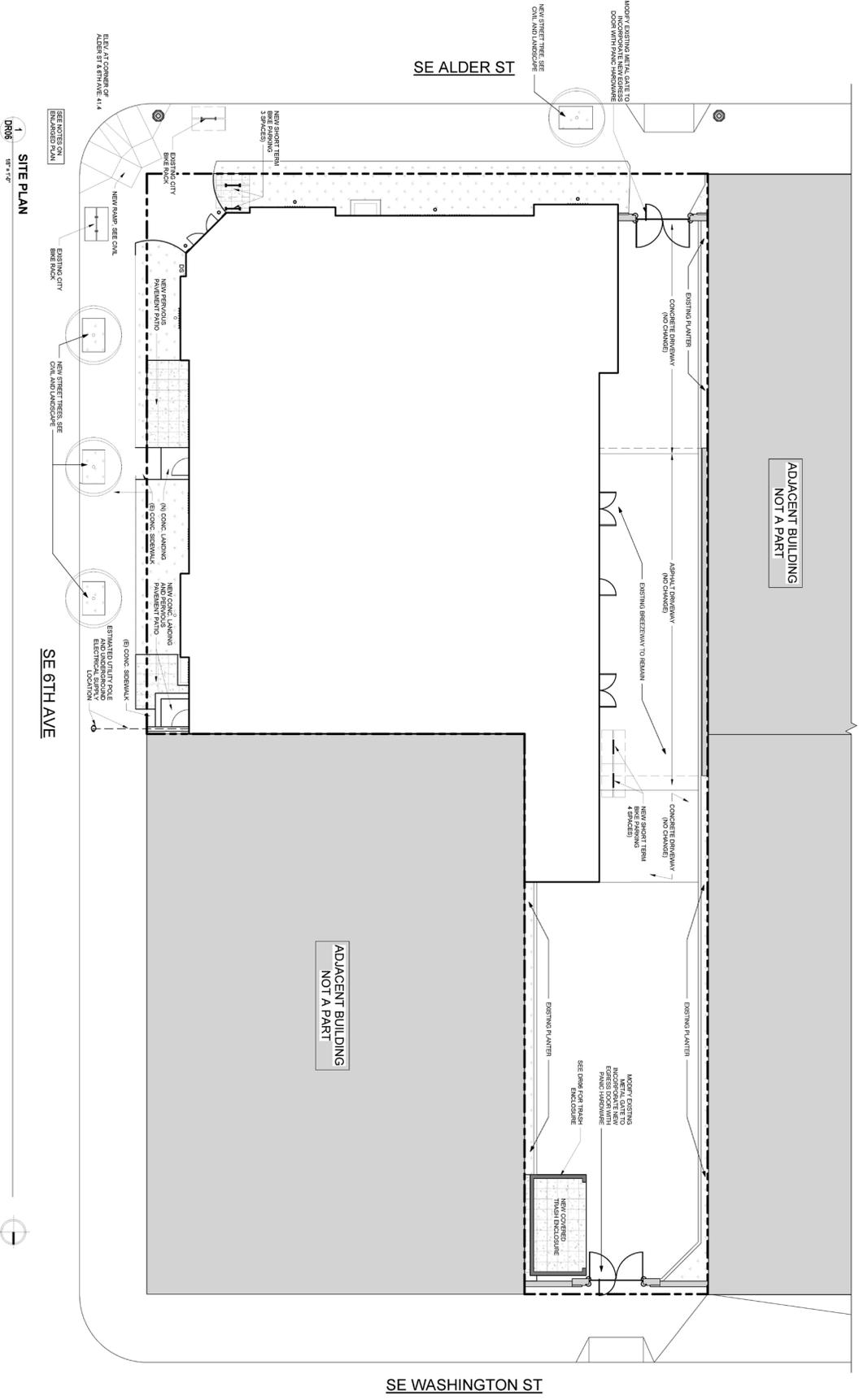
**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**



**ZONING**  NORTH  
 CENTRAL CITY PLAN DISTRICT  
 CENTRAL EASTSIDE SUB DISTRICT  
 E. PORTLAND / GRAND AVE HISTORIC DIST

 Site  
 Historic Landmark

File No.	LU 20 - 144915 HR
1/4 Section	3131
Scale	1 inch = 200 feet
State ID	1S1E02BB 2500
Exhibit	B May 20, 2020



**1 SITE PLAN**  
 1/8" = 1'-0"

DR06

SEE NOTES ON BLANKED PLAN