



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

Ted Wheeler, Mayor  
Rebecca Esau, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

---

**FINAL FINDINGS AND DECISION BY THE LANDMARKS COMMISSION RENDERED ON August 24, 2020**

**CASE FILE NUMBER: LU 19-245098 HRM**  
**PC # 19-110640**  
***New Multi-Dwelling Residential at***  
***2124 NW Flanders***

**BUREAU OF DEVELOPMENT SERVICES STAFF:** Benjamin Nielsen 503-823-7812 /  
[Benjamin.Nielsen@portlandoregon.gov](mailto:Benjamin.Nielsen@portlandoregon.gov)

The Historic Landmarks Commission has **approved** a proposal in your neighborhood. This document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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.

**GENERAL INFORMATION**

**Applicants/  
Representatives:** Brian Emerick, Anne Marie Kuban, & Britta Mack, Emerick Architects  
321 SW 4th Ave # 200, Portland, OR 97204  
(503) 235-9400, [brian@emerick-architects.com](mailto:brian@emerick-architects.com)

**Owner/Agent:** Elliott Gansner, 2124 NW Flanders LLC  
PO Box 6843, Portland, OR 97228

**Party of Interest:** David Peckham  
13467 NW Country View Way, Portland, OR 97229

**Site Address:** 2124 NW FLANDERS ST

**Legal Description:** N 100' OF W 50' OF E 150' OF BLOCK 36, KINGS 2ND ADD  
**Tax Account No.:** R452306090  
**State ID No.:** 1N1E33CA 09400  
**Quarter Section:** 3027

**Neighborhood:** Northwest District, contact Greg Theisen at  
[planning@northwestdistrictassociation.org](mailto:planning@northwestdistrictassociation.org).

**Business District:** Nob Hill, contact Nob Hill at [nobhillportland@gmail.com](mailto:nobhillportland@gmail.com).

**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

**Plan District:** Northwest  
**Other Designations:** Noncontributing Resource in the Alphabet Historic District

**Zoning:** RH – High Density Residential with Historic Resource Protection Overlay

**Case Type:** HRM – Historic Resource Review with Modifications

**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 applicants request Historic Resource Review for a proposed new five story, 19 unit multi-dwelling residential building in the Alphabet Historic District. The proposed new building will be approximately 55'-7" tall and will be clad primarily with brick on the north elevation and with cement plaster on the east, south, and west elevations and on the fifth floor penthouse. Design options are also proposed to use cement plaster on cement board, as opposed to traditional 3-coat plaster, and to replace some of the windows on the north elevation with glazed bi-fold doors.

Eight Modifications to zoning code development standards are requested:

- 1) Maximum Height (33.120.215.B). Modification to exceed the maximum 25'-0" building height within the first ten feet of the front lot line. The proposed building will be approximately 55'-9" tall within the first 10'-0" of the front lot line.
- 2) Minimum Building Setbacks – East Elevation (33.120.220.B). Modification to reduce the side setback along the east property line from the required 14'-0" to approximately 4'-9".
- 3) Minimum Building Setbacks – West Elevation (33.120.220.B). Modification to reduce the side setback along the west property line from the required 14'-0" to between approximately 4'-9".
- 4) Landscape Standards, Building Setbacks (33.120.235.C.1). Modification to reduce the length of required L1 landscape screening along the east lot line by 40 feet. A pedestrian pathway is proposed instead.
- 5) Standards for All Bicycle Parking, Bicycle Racks (33.266.220.C.3.b). Modification to reduce the width of required long-term bicycle parking from the required 2'-0" spacing dimension to 1'-6". Proposed bicycle racks would be hung vertically on walls and staggered by 6" in a bike storage room on the ground floor. One additional rack would be provided in one of the dwelling units.
- 6) Minimum Building Setbacks – South Elevation (33.120.220.B). Proposed balconies project too far into the required rear setback, which is 10'-0" for the recessed portion of the south building wall. Balconies are allowed to project into the setback by 20% of the setback distance, or 2'-0". Proposed balconies instead project 5'-6" into the setback and will be 4'-6" setback from the south property line.
- 7) Screening, Mechanical Units (33.120.250.C). Proposed mechanical units on the roof of the building are required to be screened entirely by the building's parapet or by screens, or they are required to be set back from the parapet by 3 feet for every 1 foot of height above the parapet. The building's proposed air conditioning units extend above the parapet (up to approximately 1'-8"), and some do not meet the setback requirement. None will be visible from the street.
- 8) Fences, Location and Height, Front Building Setbacks (33.120.285.C.1). Proposed fences may be no taller than 3'-6" within the first five feet of the front lot line. The proposal includes fences on both the east and west sides of the building within the first five feet of the front lot line that are approximately 6'-10" tall.

Historic Resource Review is required for proposed new development and for proposed Modifications to zoning code development standards in the Alphabet Historic District.

**Approval Criteria:**

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

- Community Design Guidelines
- Historic Alphabet District Community Design Guidelines Addendum
- PZC 33.846.070 – Modifications Considered During Historic Resource Review

## ANALYSIS

**Site and Vicinity:** The subject site is a 50' by 100' lot in the Northwest Plan District and Alphabet Historic District. The site is currently built with a 2.5-story wood-framed multi-dwelling structure that is set back slightly from the street. Taller multi-dwelling structures that abut the sidewalk lie on either side of the site. A mixture of single- and multi-dwelling residential buildings of various scales lie in close proximity to the site.

NW Flanders St is classified as a Major City Bikeway and a Major City Walkway in the city's Transportation System Plan. The site is also located in the Northwest Pedestrian District.

**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 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.

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 19<sup>th</sup> and early 20<sup>th</sup> 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 21<sup>st</sup> Avenue and NW 23<sup>rd</sup> Avenue are low-scale business corridors featuring a mix of purpose-built commercial structures and converted houses.

**Land Use History:** City records indicate the following prior land use reviews for this site:

- LU 11-197793 HRM – Approval of Historic Design Review with modifications for a new three story, masonry clad building in the Alphabet Historic District.

**Agency Review:** A “Notice of proposal in Your Neighborhood” was mailed **July 7, 2020**. The following Bureaus have responded with no issue or concerns:

- Site Development Section of BDS
- Water Bureau

The Bureau of Environmental Services responded with no objections and with comments about available sanitary sewer service and stormwater management requirements. Please see Exhibit E.1 for additional details.

The Bureau of Transportation Engineering responded with no objections to the proposal and with information about Title 17 requirements. Please see Exhibit E.2 for additional details.

The Life Safety Review Section of BDS responded with no objections to approval and with general life safety comments. Please see Exhibit E.3 for additional details.

The Bureau of Parks—Urban Forestry Division responded with no objections and with information about Urban Forestry standards and requirements at the time of permit application. Please see Exhibit E.4 for additional details.

The Fire Bureau responded with no objections and with a summary of key issues and requirements with regard to permitting. Please see Exhibit E.5.

The Site Development Review Section of BDS responded with no objections and with information about geotechnical and erosion control requirements at permitting. See Exhibit E.6.

*Staff forwarded these comments to the applicants.*

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **July 7, 2020**.

A total of four written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Olivia Cullen, 2110 NW Flanders St, 07/09/2020. Email requesting information regarding status of the proposal and concern about construction schedule and impacts of noise. See Exhibit F.1.

*Staff provided contact information for the applicants to the respondent, as staff has no information about the proposed construction schedule.*

2. Maliah Coolidge, 07/12/2020. Email objecting to lack of parking for proposed building and noting the difficulty in finding on-street parking in the neighborhood. Letter also objects to reduction in the amount of bicycle parking provided for tenants. See Exhibit F.2.

*Staff notes that there is no minimum parking required by code in the Northwest Plan District (PZC 33.562.280.B) or, more broadly, for any residential development with fewer than 30 dwelling units and within 500 feet of a frequent service transit line (PZC 33.266.110.B.1.a). There are no Historic Resource Review approval criteria that require parking, and provision for parking on this small site would likely cause the proposal to not meet Guidelines P1 – Plan Area Character, P2 – Historic and Conservation Districts, D7 – Blending Into the Neighborhood, and Historic Alphabet District Guideline 3 – Hierarchy of Compatibility. Staff also notes that no reduction in the number of required bicycle parking spaces is requested. Rather, the Modification requests reduction in the spacing between racks. Findings in support of this Modification are below.*

3. Steve Pinger, Northwest District Association Board, 07/17/2020. Letter stating opposition to requested Modifications to height and setbacks, objecting to proposed FAR for the project—specifically the transfer of an additional 1.4:1 FAR onto the site, and the demolition of existing affordable apartments. See Exhibit F.3.

*Staff provided Findings detailing why the proposed Modifications meet the approval criteria and notes that neither BDS nor the Landmarks Commission have discretion to deny transfer of FAR when it is allowed by code (PZC 33.120.205.E and G). Since the existing building on the site is classified as a noncontributing structure, and since no efforts have been made to change the status of the building to contributing, there are no standards or criteria to prevent the demolition of the existing structure.*

*Staff also forwarded this comment to the applicants and received a response from the Owner taking issue with the letter’s claim that the development team had presented the project to the NWDA and noting several attempts to do so. A corrected letter was sent (Exhibit F.4) at the same time this response was received.*

4. Steven Pinger, Northwest District Association Board, 07/17/2020. Corrected letter removing sentence that said the NWDA Board had reviewed the proposal with the development team. See Exhibit F.4.
5. Beth Hyams, 07/20/2020. Email stating opposition to demolition of the existing building and resulting loss of neighborhood character. Respondent also cited concerns about lack of off-street parking and existing parking problems in the neighborhood. See Exhibit F.5.

*See staff response to Exhibit F.2 for zoning code and approval criteria related to parking concerns. Since the existing building on the site is classified as a noncontributing structure, and since no efforts have been made to change the status of the building to contributing, there are no standards or criteria to prevent the demolition of the existing structure.*

*Staff forwarded all testimony received to the Historic Landmarks Commission and to the applicants.*

Many more written responses were received after the publication of the first staff report and before the start of the first hearing:

6. Melanie Coombs, 2014 NW Glisan St #404, 07/22/2020. Email regarding building at 2144 NW Flanders and identifying it as the Nathan Simon House, requesting

information about the Historic Resource Review process and hearing, and noting correction for image on page LUR-7 of applicant's drawing set. See Exhibit F.6.

7. Shannon M. Williams, 07/26/2020. Email in opposition to demolition of the existing building on the site, noting its affordability and historic character and significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who, the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to the eviction of existing tenants. See Exhibit F.7.
8. Kathryn Freeman, 07/26/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who, the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to demolition of the affordable units on the site. See Exhibit F.8.
9. Courtney Moor, 07/26/2020. Email in opposition to demolition of the existing building on the site. Please see Exhibit F.9.
10. Jamie Sheppard, 07/26/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who, the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to demolition of the affordable units on the site. See Exhibit F.10.
11. Chris Waller, 07/26/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who, the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to demolition of the affordable units on the site. See Exhibit F.11.
12. Melanie Coombs, 214 NW Glisan St #404, 07/27/2020. Email with concerns about possible damage to the historic house at 2144 NW Flanders during construction at the subject site and identifying the house at 2144 NW Flanders as the Nathan Simon House. See Exhibit F.12.

*Staff notes that this testifier is correct in stating that 2144 NW Flanders is the historic Nathan Simon House, according to city and state records, and that testifiers stating that the Nathan Simon House is located at 2124 NW Flanders are in error.*

13. Sarah Schmeer, [no address provided] Oatfield Road, Portland, OR 97267, 07/27/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who, the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to demolition of the affordable units on the site. See Exhibit F.13.
14. Brooke Best, 2100 SE Larch Ave, Portland, OR 97214, 07/27/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon. The respondent also states opposition to demolition of the affordable units on the site. See

Exhibit F.14.

15. Ghassan Ammar, 07/27/2020. Email in opposition to demolition of the existing building on the site, noting the diversity of residents, many of whom are lower income, and the historic character of the existing house at 2124 NW Flanders. See Exhibit F.15.
16. Blade, 07/27/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who, the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to demolition of the affordable units on the site. See Exhibit F.16.
17. Maia Watkins, 07/27/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who, the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to demolition of the affordable units on the site. See Exhibit F.17.
18. Nick Walker, 07/27/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who, the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to demolition of the affordable units on the site. See Exhibit F.18.
19. Emily Hayden, 07/27/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, the environmental impact of demolition, and the loss of affordable housing in the neighborhood. See Exhibit F.19.
20. Emily Garcia, 2134 NW Flanders St, Portland, OR 97210, 07/27/2020. Email in opposition to the demolition of the existing building on the site, citing the community of residents in the existing building and loss of the affordable housing it provides. The testifier also notes the historic significance of the house as the home of Nathan Simon and also citing the nearby house of Joseph Simon. The testifier resent comments a second time to include her address. See Exhibit F.20.
21. Luke Maxwell, 2167 NW Flanders St #205, Portland, OR 97210, 07/27/2020. Email in opposition to demolition of the existing house on the site and noting loss of the city's personality. See Exhibit F.21.
22. Joel Drummond, 2124 NW Flanders St, Portland, OR 97210, 07/27/2020. The testifier identifies himself as a current resident in the existing building on the subject site and taking issue with other testimony sent in. See Exhibit F.22.
23. Cameron W. Call, 07/27/2020. Email in opposition to demolition of the existing building on the site, citing its connection to Nathan and Joseph Simon, calling for a re-evaluation of the historic significance of the site, and noting the affordability of the units on the site today. See Exhibit F.23.
24. Venu, 07/27/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who,

the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to demolition of the affordable units on the site. See Exhibit F.24.

Additional written testimony was received as the first hearing was underway:

25. Meredith Stinger, 07/27/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who, the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to demolition of the affordable units on the site. See Exhibit H.2.
26. Dana Carey, 07/27/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who, the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to demolition of the affordable units on the site. See Exhibit H.3.
27. Theofanis Skourtis, 2134 NW Flanders #2, Portland, OR 97210, 07/27/2020. Email in opposition to the proposed fence height modification, citing unwelcoming design for the community and lack of viewing access to potential criminal activity. See Exhibit H.4
28. Emily Schnipper, 07/27/2020. Email in opposition to the proposal and to redevelopment of the site, citing lack of character in the proposed new building and historic significance of the existing structure in relation to Nathan Simon. See Exhibit H.5.
29. Ella Block, 07/27/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who, the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to demolition of the affordable units on the site. See Exhibit H.6.
30. Jordan Barbeau, 777 NW 19<sup>th</sup> Ave, Portland, OR 97209, 07/27/2020. Email in opposition to the proposal, stating that the project must contribute both to the character and livability of the neighborhood but does neither. The testifier also cites the number of vacant units available in the neighborhood as well as the positive scale and height of the existing building. The testifier also requests that, if approved, the proposed building have parking and no setback exemptions. See Exhibit H.7.
31. Tanya March, 07/27/2020. Email questioning architect's statements about additions to the existing building. See Exhibit H.8.
32. Jeremy Salmon, 07/27/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who, the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to demolition of the affordable units on the site. See Exhibit H.9.
33. Camille White-Avian, 07/27/2020. Email testimony clarifying that the North Portland Tenants Collective did not organize most of the oral testimony presented at the July 27,

2020 hearing. See Exhibit H.10.

Additional testimony has been received since the first hearing concluded:

34. Blade, 07/28/2020. Email in opposition to demolition of the existing building on the site, noting its historic significance as the Nathan Simon House, home to Portland lawyer Nathan Simon, and similarity to an adjacent house built for Joseph Simon, who, the respondent cites, was a state senator, first Jewish Republican US Senator, and Portland mayor. The respondent also states opposition to demolition of the affordable units on the site. See Exhibit H.12.
35. Bill Bold, 07/29/2020. Email in opposition to demolition of the existing building on the site. See Exhibit H.13.
36. Steve Pinger, 08/05/2020. Email with comments about setbacks, height, and FAR and asking questions re: Historic Landmarks Commission authority. See Exhibit H.14.
37. Joel Drummond, 2124 NW Flanders, Portland, OR 97210, 08/19/2020. Letter expressing disapproval over actions of North Portland Tenants Collective (NPTC) and forwarding his letters sent to the owner and forwarding a copy of a letter received from NPTC. See Exhibit H.18.
38. Steve Pinger, on behalf of the NWDA Planning Committee, 08/20/2020 (dated 08/24/2020). Letter in opposition to approval as proposed, citing the Commission's lack of discretion to increase development rights of a parcel, citing that the proposal does not better meet approval criteria for Modifications #2 and 3 relative to Guideline D7, citing that the proposal needs to maintain the correct building form and scale relationships vertically as well as horizontally, and citing the Commission's comments from the 2019 Design Advice Request, which stated that support of Modification requests would be "conditional on the provision of a building that is more appropriately massed." See Exhibit H.19.
39. Jaime Andaluz, 2625 E Burnside St, Portland, OR 97214, 08/23/2020. Letter in favor of the proposal citing increased density and compatibility with other buildings in the historic district. See Exhibit H.23.
40. William Pickard, 2137 NW Everett St, Apt A, Portland, OR 97210, 08/23/2020. Letter in opposition to demolition of the existing structure and citing loss of affordable housing and unrecognized historic character of the existing house. See Exhibit H.25.
41. Melanie Coombs & Brian Hansen, 2144 NW Flanders St, Portland, OR 97210, 08/23/2020. Letter in opposition to the proposal citing "lack of affordable and appropriate accommodations for people on low incomes" in Northwest Portland, unrecognized historic character, concern about height and footprint of proposed development and extent of requested Modifications. See Exhibit H.26.
42. Pamela Riahi, 2250 NW Kearny St, 08/23/2020. Letter in favor of proposal citing increased density and compatibility with other buildings in the historic district. See Exhibit H.27.
43. Jeremy Salmon, 08/24/2020. Letter in opposition to demolition of the existing building and urging commissioners to recognize value in saving naturally affordable housing. See Exhibit H.28.

44. Shayan Guhaniyogi, 2199 NW Everett St, 08/24/2020. Letter in favor of proposal citing increased density and compatibility with other buildings in the historic district. See Exhibit H.29.
45. Mario Correa, 2031 N Watts St, 08/24/2020. Letter in opposition to demolition of the existing building and eviction and displacement of its current residents and directly addressing the applicants. See Exhibit H.30.
46. Cameron Call, 08/24/2020. Letter in opposition to the proposal, citing its large scale, number of Modifications, and loss of affordable housing. See Exhibit H.31.
47. Janet M Elgin, 08/24/2020. Letter in opposition to demolition of the existing building, citing long wait lists to get into buildings with affordable housing and destruction of the community of residents in the building. See Exhibit H.32.
48. Cici Powers, 08/24/2020. Letter in opposition to demolition of the existing building and eviction of its tenants and the loss of naturally affordable housing. See Exhibit H.33.
49. Tyler Jamieson, 08/24/2020. Letter in opposition to demolition of the existing building and eviction of its tenants and the loss of naturally affordable housing. See Exhibit H.34.
50. Nick Walker, 08/24/2020. Letter in opposition to demolition of the existing building and eviction of its tenants and the loss of naturally affordable housing. See Exhibit H.35.

Note: One additional letter in opposition to the proposal was received after the close of the record to public testimony.

**Procedural History:**

- The application was submitted on October 24, 2019.
- An incomplete application letter was mailed on November 14, 2019.
- The application was made complete on April 21, 2020.
- The first hearing was scheduled for June 8, 2020.
- The hearing was rescheduled to July 27, 2020 at the request of the applicant.
- A continued hearing was scheduled for August 24, 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.*

## **Historic Alphabet District - Community Design Guidelines Addendum**

- 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.

**Findings for 1 & 2:** The existing structure and property are listed as noncontributing resources in the Alphabet Historic District. No alterations to the site have acquired historic significance.

*Therefore, these guidelines do not apply.*

- 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:** The proposal meets these guidelines in the following ways:

- The proposed building's overall scale and front elevation incorporate common themes found in similarly-scaled multi-dwelling residential buildings both along this block of NW Flanders St itself as well as in some sections within the greater historic district.
- Proposed brick cladding and detailing on the front elevation extend this compatibility, and the use of stucco cladding on the side and rear elevations is also a common characteristic of similar buildings in the immediate vicinity and overall district.
- The building has a "C-shaped plan" with a lightwell and balconies which brings light and air to the interior of the plan. Lightwells are found in a host of historic buildings to allow light into the center of the elongated building.
- The building is articulated with a base, middle, top hierarchy that is characteristic of the historic buildings in the district.
- The fifth floor penthouse level reads most clearly as a penthouse only from the north elevation, and for the first hearing, staff had recommended that the walls on the sides of the penthouse and rear of the penthouse should be set back behind true parapet walls by 18". The Commission deliberated on this issue, and the applicants stated that setting the walls back 18" would be too structurally difficult. The Commission requested the applicants study how the cornice may be extended around the sides and rear of the building to provide for differentiation of the penthouse from the main mass of the building.

For consideration at the second hearing, the applicants submitted two potential designs for the side and rear elevations of the fifth floor: one keeps the walls in line with the main mass of the building below, differentiating the two with an extension of the metal cornice from the front elevation. The other option sets the walls of the fifth floor back by 12" and

also extends the cornice around the side (and presumably the rear) elevations. The applicants also provided perspective studies showing that, from the street, the two options are virtually indistinguishable. Owing to this fact, and because the termination of the brick parapet above the cornice is somewhat awkward and unresolved in either scenario, both options provide sufficient differentiation between the main mass of the building and the fifth floor penthouse level which help to make this portion of the building compatible with adjacent properties and the district as a whole. Both options, therefore, equally meet this guideline, and the Commission found that no setback was required from either the side or rear elevations at the second hearing.

One aspect of the proposal does not yet fully satisfy this guideline:

- While proposed brick detailing generally responds well to the district’s historic character, where bricks have a reveal or corbel, they should project out at least 1” from the face of the brick adjacent, instead of the ½” to 1” indicated in the drawings. This would allow these brick details to provide the shadow lines and texture that can be found on historic brick buildings throughout the district. A condition of approval requiring all corbelled or other offset bricks to project at least 1” from the face of adjacent bricks will help to meet this guideline.

*With the following condition of approval, this guideline will be met.*

- *Projecting and corbelled brick details shall project out at least one inch from the face of adjacent bricks rather than the ½” indicated on detail drawings.*

### **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.

**Findings for P1, P2, & D7:** The proposal meets these guidelines in the following ways:

- The scale and height of the proposed development meets the intent of the Northwest Plan District for this particular section of the district—the “Nob Hill Residential Area.” As such, it has a four-story street-facing elevation, with the fifth story recessed behind it, that “contribute(s) to a more consistent streetscape” and “maintain(s) neighborhood scale.” These same characteristics also help the building to blend into its neighborhood and the Alphabet Historic District, both on the scale of its own street and block and of portions of the greater district where development is dense.
- The proposal also continues the common urban pattern in this portion of the NW Flanders St, with narrow buildings of no more than 50-60 feet facing the east-west streets on the interior of blocks.
- While east-west streets in the district are “characterized by a softer, greener edge

provided by large street trees and landscaping and plantings in shallow front setbacks and courtyards,” as the Northwest Plan District urban design character statement also notes, “some apartment buildings on these streets include no setbacks” and “rarely dominate any block frontage.” This building fits into the varying pattern found on this long block of NW Flanders St, which has a mixture of building setbacks—some are built right up to the street lot line, others have a narrow strip of landscaping, and many of the smaller-scale buildings have more of a front yard expression. The proposed building is one block west of the urban environment NW 21<sup>st</sup>, flanked one each side with a multi-unit structure built to the street property line and only has 50’ of street frontage. For these reasons the building is consistent with its immediate surroundings.

- Proposed materials—brick and cement plaster—and their associated detailing are consistent with the overall character and style of multi-dwelling buildings of this scale in the vicinity and within the larger Alphabet Historic and Northwest Plan Districts.
- The building is articulated with a base, middle, top hierarchy that is characteristic of the historic buildings in the district.
- The first floor level incorporates the formal articulation of the nearby, contributing buildings in the district. It creates a strong base element with defined articulation and texture at the street level to create interest for the pedestrian.
- Other proposed materials, such as the sheet metal cornice and aluminum clad wood windows and doors with simulated divided lites with dimensional divisions (specifically, dimensional divisions on both the exterior and interior surfaces of the glass with a spacer bar between panes) also add to the overall historic character of the building.
- Glazed bi-fold aluminum clad wood doors are proposed for the fifth (penthouse) floor on the south elevation, and proposed as an alternate on the north elevation. At the Historic Landmarks Commission hearing held on July 27, 2020, commissioner found that these door systems will both be largely unseen and are also otherwise compatible with the character of development within the historic district.
- The fifth floor penthouse level reads most clearly as a penthouse only from the north elevation, and for the first hearing, staff had recommended that the walls on the sides of the penthouse and rear of the penthouse should be set back behind true parapet walls by 18”. The Commission deliberated on this issue, and the applicants stated that setting the walls back 18” would be too structurally difficult. The Commission requested the applicants study how the cornice may be extended around the sides and rear of the building to provide for differentiation of the penthouse from the main mass of the building.

For consideration at the second hearing, the applicants submitted two potential designs for the side and rear elevations of the fifth floor: one keeps the walls in line with the main mass of the building below, differentiating the two with an extension of the metal cornice from the front elevation. The other option sets the walls of the fifth floor back by 12” and also extends the cornice around the side (and presumably the rear) elevations. The applicants also provided perspective studies showing that, from the street, the two options are virtually indistinguishable. Owing to this fact, and because the termination of the brick parapet above the cornice is somewhat awkward and unresolved in either scenario, both options provide sufficient differentiation between the main mass of the

building and the fifth floor penthouse level which help to make this portion of the building compatible with adjacent properties and the district as a whole. Both options, therefore, equally meet these guidelines, and the Commission found that no setback was required from either the side or rear elevations at the second hearing.

One aspect of the proposal does not yet fully satisfy these guidelines:

- While proposed brick detailing generally responds well to the district's historic character, where bricks have a reveal or corbel, they should project out at least 1" from the face of the brick adjacent, instead of the ½" to 1" indicated in the drawings. This would allow these brick details to provide the shadow lines and texture that can be found on historic brick buildings throughout the district. A condition of approval requiring all corbelled or other offset bricks to project at least 1" from the face of adjacent bricks will help to meet these guidelines.

*With the following conditions of approval, these guidelines will be met.*

- *Projecting and corbelled brick details shall project out at least one inch from the face of adjacent bricks rather than the ½" indicated on detail drawings.*

**E1. The Pedestrian Network.** Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.

**Findings:** A direct connection from the sidewalk to the interior of the building is provided off NW Flanders St. It is efficient, and safety is ensured by the use of glazing in the door and sidelites and sconce lighting on either side of the door.

*Therefore, this guideline is met.*

**E2. Stopping Places.** New large-scale projects should provide comfortable places along pedestrian circulation routes where people may stop, visit, meet, and rest.

**Findings:** The proposed project is not particularly large in scale, being located on a 5,000 square foot lot and having only 50 feet of street frontage along NW Flanders St. As such, there is little space for a courtyard style stopping place that might be found on historic multi-dwelling residential buildings with more than 50 feet of street frontage. Though the frontage is short, many similarly scaled buildings in the district incorporate small recessed areas at the building entries. In drawings presented for the first hearing, the proposed building incorporated a 1'-0" deep recess at the entry; however, incorporating a deeper here would provide an appropriately-scaled stopping place just off the public sidewalk while also better responding to the district's historic context. Staff recommended a condition of approval requiring the entry door and sidelites to be set back a total of 2'-0", as this would more appropriately provide for such a stopping place. Commissioners agreed with this direction, as did the applicants.

Revised drawings submitted for the continued hearing show a 2'-0" recess on some first floor plans, but not all. Therefore, the condition of approval is still needed to ensure the 2'-0" recess, and thus an adequate stopping place, is provided.

*With the condition of approval that the main entry to the building shall be recessed 2'-0" behind the front elevation, this guideline will be 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.

**Findings:** The proposal meets this guideline in the following ways:

- The building's façade incorporates a textured brick base which is similar in character to the Marlborough, the neighboring building to the East, and which adds visual interest to the building at the sidewalk level. Other details in the brick and at windows on the upper stories also contribute a sense of visual interest along the sidewalk.
- The proposed building's proximity to the sidewalk helps to create a sense of enclosure along the public sidewalk, especially given that the existing buildings on either side of this site are built to the street property line.

One aspect of the proposal does not fully meet this guideline, however:

- The building's water room is located at the ground floor along the street frontage. As a utility room it will contribute no visual interest along the sidewalk, unlike a residential dwelling unit might when its windows are open. For the first hearing, staff had recommended that the water room should be relocated to a portion of the building away from the street frontage and replaced either by a residential unit or shared common space for residential tenants. Commissioners largely agreed on this point, but the applicants noted code requirements necessitating placement of fire department connections at the street lot line and offered to instead provide the sense of activation by lighting the windows at night. The Commission encouraged the applicants to study a design that would enlarge the mail room and create a shared space at the front of the building while maintaining the ability to meet code requirements for fire department connections.

In response to this, the applicants proposed an option showing an alcove at the front of the building adjacent to the main entry wherein the mail room is located (Water Room/Mail Option A, Exhibit C.4). This alcove fronts the street with one window looking out to it. The other window still looks into the water room. The applicants note that this design option still requires a successful building code appeal to allow the alcove, and they propose retaining the original water room design as a fallback option. While the proposed option results in a better street-facing building program, providing for more visual interest along the street, it is not guaranteed. A fall-back option, presented as Water Room/Mail Option B, Exhibit C.4, retained the original water room configuration, occupying two windows on the front elevation at the ground floor.

Commissioners deliberated on the two options and found Option A to better meet this guideline by providing views to activity, however minimal, in the mail room. However, were the building code appeal needed to build Option A not granted, Commissioners found that Option B could also be acceptable. Since neither option addresses the treatment of the window(s) looking into the water room, Commissioners also found that consistent window coverings (drapes, blinds, etc) are needed at all windows on the ground floor of the front elevation, and a light (or lights) on a timer are needed behind the window(s) in the water room to help simulate the appearance of activity in the room.

As part of their decision, Commissioners struck two staff-recommended conditions of approval related to the water room and found that a condition of approval requiring that Water Room/Mail Option A (Exhibit C.4) shall be built with consistent window coverings and a light on a timer behind the window in the

Water Room, and they found that, if Option A does not receive building code appeal approval, then Option B may be built with the same window and light treatments in both Water Room windows.

*With the following condition of approval, this guideline will be met:*

- *Water Room/Mail Option A (Exhibit C.4) shall be built with consistent window coverings and a light on a timer behind the window in the Water Room. If Option A does not receive building code appeal approval, then Option B may be built with the same window and light treatments in both Water Room windows.*

**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.

**Findings:** A canopy is proposed over the sidewalk at the main entrance to the building; however, it is only proposed to extend approximately 2'-6" over the sidewalk. This will provide little protection from rain for pedestrians, and will provide a minimum of protection for residents or guests as they enter the building. To better meet this guideline, the canopy should extend a minimum of 4'-6" over the sidewalk.

At the first hearing, Commissioners and the applicants agreed that this extension of the canopy would better meet the guideline, and some drawings have been updated to show this extension. Other drawings have not been updated to reflect this, however, and the condition of approval requiring a 4'-6" canopy should remain to ensure it.

*With the condition of approval that the proposed canopy over the main entry door shall project 4'-6" over the sidewalk, this guideline will be 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.

**Findings for D1 & D3:** The proposal meets these guidelines in the following ways:

- Outdoor patios and balconies are provided for most dwelling units in the building. A large outdoor terrace is proposed for the north-facing penthouse level unit.
- A shared outdoor patio provides common outdoor area for building residents.
- A variety of trees, stormwater planters, and in-ground landscape plantings are proposed along the sides and at the rear of the subject site.

*Therefore, these guidelines are met.*

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

**Findings:** The main entrance is set in the middle of the street-facing elevation, following the pattern of similarly-scaled developments in the vicinity and district, helping to give it prominence on the façade. Additional prominence is given through glazing in the door and sidelites, pilaster detailing in the brick on either side of the door, which rises to the cornice above, a cement plaster sign band above the door, a glass canopy projecting over

the door and a portion of the sidewalk, and sconce lighting on either side of the doorway. (The main entrance will be made to have greater prominence by recessing the entry slightly, as described and conditioned in Findings for E2 above, and the same condition should be repeated here to ensure this guideline is fully met.)

The entry provides at-grade access into the ground floor of the building, making it easily accessible to pedestrians. It is transit-oriented by dint of being located on the front façade with direct access to the public sidewalk.

*With the condition of approval that the main entry to the building shall be recessed 2'-0" behind the front elevation, this guideline will be met.*

**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:** The proposal meets this guideline in the following ways:

- The building has windows with views from living spaces out onto the public sidewalk, providing opportunities for eyes on the street.
- Lighting is proposed at the main entry along the public sidewalk. Additional lighting is proposed along the egress pathway along the east side of the site and at ground level patios. This lighting will help to eliminate dark areas which could lead to unsafe conditions.

One aspect of the proposal does not fully meet this guideline:

- The water room for the building is proposed at the front elevation of the ground floor and occupying at least one or two windows, according to the design revisions presented to the Commission for the second hearing. Through a condition of approval described in Findings for E3, above, views from the building to the sidewalk may be possible from at least three of the four ground level windows facing the street, which will provide opportunities for more “eyes on the street.” For both options related to the water room, whether the water room has one window or two along the ground floor of the street-facing front elevation, the addition of lights on a timer through a condition of approval, also as described in Findings for E3, will give the sense of occupied space behind the wall when viewed from the street, helping to reduce the likelihood of crime to some extent. The same condition of approval will therefore be repeated here to ensure that this guideline is also fully met.

*With the following condition of approval, this guideline will be met:*

- *Water Room/ Mail Option A (Exhibit C.4) shall be built with consistent window coverings and a light on a timer behind the window in the Water Room. If Option A does not receive building code appeal approval, then Option B may be built with the same window and light treatments in both Water Room windows.*

**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:** The proposal meets this guideline in the following ways:

- The public face of the building is proposed to be clad in brick, with many intricate brick details proposed. This material is of a very lasting quality, and proposed details, generally, help to provide both a cohesive street-facing composition and visual interest.

- Proposed aluminum clad wood windows and doors are of high quality. Full simulated divisions (specifically, dimensional divisions on both the exterior and interior surfaces of the glass with a spacer bar between panes) give these windows and doors historic character, contributing to the overall cohesion of the composition. These windows and doors are also organized across the facades in a regular, uniform way, which contributes both to the compositional cohesion and the historic character of the building.
- Proposed cement plaster on the side and rear walls is also a durable material of long-lasting quality when used with a minimum of three coats. The number of coats is not specified in any of the material submitted for review, so a condition of approval is required to ensure that this is how the material will be used. Proposed details for this material help to both support this quality and extend the cohesiveness of the composition around the rest of the building.

One aspect of the proposal does not meet this guideline:

- A cement board with cement plaster coat design alternate for the cement plaster (stucco) siding is proposed for the side, rear, and front penthouse elevations. The details provided indicate that the board may be no more than ¼” thick, which is insufficient to provide a cladding that would be as durable and long lasting as the cement plaster by itself. As for the cement plaster system itself, the number of plaster coats is not indicated in submitted materials. A minimum of three coats of plaster would ensure that the proposed stucco cladding will be of sufficiently high quality.

At the first hearing, the Commission and the applicants both agreed with staff’s recommendation for a condition of approval requiring 3-coat stucco/cement plaster in lieu of the proposed cement board and plaster alternate. Some drawings provided for the second hearing reflect this design intent; however other drawings still contain references to the latter system. A condition of approval requiring the cladding of the rear, side, and penthouse elevations to be a three-coat stucco system will help to ensure this guideline is fully met.

*With the following condition of approval, this guideline will be met:*

- *Proposed cement plaster walls shall have a minimum of three coats, and the cement board and plaster alternate proposed shall not be used.*

### **33.846.070 Modifications Considered During Historic Resource Review**

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the historic resource review process. These modifications are done as part of historic resource review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through historic resource review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. **Better meets historic resource review approval criteria.** The resulting development will better meet the approval criteria for historic resource review than would a design that meets the standard being modified; and
- B. **Purpose of the standard.**
  1. The resulting development will meet the purpose of the standard being modified; or

2. The preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.

**Modification #1: Maximum Height (33.120.215.B). Modification to exceed the maximum 25'-0" building height within the first ten feet of the front lot line. The proposed building will be approximately 55'-9" tall within the first 10'-0" of the front lot line.**

*Purpose Statement:* The height standards serve several purposes:

- They promote a reasonable building scale and relationship of one residence to another;
- They promote options for privacy for neighboring properties; and
- They reflect the general building scale of multi-dwelling development in the City's neighborhoods.

*Standard:* 33.130.215.B, Maximum Height. The maximum heights allowed in the multi-dwelling zones are stated in Table 120-3. The maximum height standard for institutional uses is stated in 33.120.275, Development Standards for Institutions. The maximum height standards for detached accessory structures are stated in 33.120.280, Detached Accessory Structures.

1. In the R1 zone the maximum height is 45 feet, except on the portion of a site within 10 feet of a front property line, where the maximum height is 25 feet.
2. In the RH zone, the following maximum height limits apply:
  - a. Where the FAR is 2 to 1, the maximum height is 65 feet, except on the portion of a site within 10 feet of a front property line, where the maximum height is 25 feet.
  - b. Where the FAR is 4 to 1, the maximum height is 75 feet, except on sites within 1,000 feet of a transit station, where the maximum height is 100 feet.

**A. *Better meets historic resource review approval criteria.*** *The resulting development will better meet the approval criteria for historic resource review than would a design that meets the standard being modified; and*

**Findings:** The modification to increase the height of the building within 10 feet of the property line better complements and integrates with the historic context of development in the Alphabet Historic District and the Northwest Plan District, where similarly-scaled multi-dwelling buildings typically have relatively simple massing and a three to five story front elevation. This better meets Guidelines P1- Plan Area Character, P2 – Historic and Conservation Districts, D7 – Blending Into the Neighborhood, and Historic Alphabet District Guideline 3 – Hierarchy of Compatibility.

**B. *Purpose of the standard.*** *The resulting development will meet the purpose of the standard being modified or the preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.*

**Findings:** relationship of one residence to another and to reflect the general building scale of multi-dwelling development in the City's neighborhoods. Additionally, the buildings on either side of the proposal are not built as prescribed in this development standard. Allowing the proposed building to exceed the 25-foot height limit will better meet both parts of this standard's purpose. Regarding the other portion of the purpose, which is to promote options for privacy for neighboring properties, any loss of privacy will better preserve the character of the historic district, as noted in Findings for Criterion A, above, than would be gained in increased privacy at the street for neighboring properties. Given the scale and location on the site of the buildings on either side of this site, it is unlikely that there would be a loss of privacy by this project not complying with this standard.

*Therefore, this Modification merits approval.*

**Modification #2: Minimum Building Setbacks – East Elevation (33.120.220.B).**  
**Modification to reduce the side setback along the east property line from the required 14'-0" to approximately 4'-9".**

**Modification #3: Minimum Building Setbacks – West Elevation (33.120.220.B).**  
**Modification to reduce the side setback along the west property line from the required 14'-0" to between approximately 4'-9".**

**Modification #6: Minimum Building Setbacks – South Elevation (33.120.220.B).** **Proposed balconies project too far into the required rear setback, which is 10'-0" for the recessed portion of the south building wall. Balconies are allowed to project into the setback by 20% of the setback distance, or 2'-0". Proposed balconies instead project 5'-6" into the setback and will be 4'-6" setback from the south property line.**

*Purpose Statement:* The building setback regulations serve several purposes:

- They maintain light, air, separation for fire protection, and access for fire fighting;
- They reflect the general building scale and placement of multi-dwelling development in the City's neighborhoods;
- They promote a reasonable physical relationship between residences;
- They promote options for privacy for neighboring properties;
- They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity;
- Setback requirements along transit streets create an environment that is inviting to pedestrians and transit users; and
- They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.

*Standard:* 33.120.220.B. Minimum Building Setbacks. The required minimum building setbacks apply to all buildings and structures on the site except as specified in this section. Where no street setback is indicated in Table 120-3, the front, side, and rear setbacks apply. Where a street setback is indicated in Table 120-3 it supersedes front, side, and rear setbacks if the front, side, or rear lot line is also a street lot line. Setbacks for parking areas are in Chapter 33.266.

1. Generally. The required minimum building setbacks, if any, are stated in Tables 120-3 and 120-4.

If the area of the plane of the building wall is: [1]	The required side and rear setback is:
1,000 sq. ft. or less	5 ft.
1,001 to 1,300 sq. ft.	6 ft.
1,301 to 1,600 sq. ft.	7 ft.
1,601 to 1,900 sq. ft.	8 ft.
1,901 to 2,200 sq. ft.	9 ft.
2,201 to 2,500 sq. ft.	10 ft.
2,501 to 2,800 sq. ft.	11 ft.
2,801 to 3,100 sq. ft.	12 ft.
3,101 to 3,400 sq. ft.	13 ft.
3,401 sq. ft. or greater	14 ft.

Note:

[1] Measurement of the area of the plane of the building wall is described in Chapter 33.930, Measurements.

- A. Better meets historic resource review approval criteria.** *The resulting development will better meet the approval criteria for historic resource review than would a design that meets the standard being modified; and*

**Findings:** The modifications to reduce the minimum building setback on the east and west elevations result in a building form that better complements the character of development in the immediate area of the site (adjacent buildings and proximity to NW 21<sup>st</sup> Avenue), better meeting guidelines P1- Plan Area Character, P2 – Historic and Conservation Districts, D7 – Blending Into the Neighborhood, and Historic Alphabet District Guideline 3 – Hierarchy of Compatibility. The modification to permit the balconies on the south elevation to project into the minimum setback creates balconies that are more likely to be used by people, due to the increased depth, rather than for storage. This better meets Guideline D1 – Outdoor Areas.

- B. Purpose of the standard.** *The resulting development will meet the purpose of the standard being modified or the preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.*

**Findings:** Maintaining the correct building form and scale relationships in this dense portion of NW Flanders Street is more important than meeting the purpose of the standard with regard to both side setback modifications. Given the site is only 50' east to west, were the proposed building to meet the required setbacks, over half of the site would be devoted to setbacks, and the resulting building would be very narrow and out of character with adjacent historic buildings.

With regard to the requested modification to the rear setback, the portions of the purpose relating to maintenance of light, air, and separation for fire protection and the portion of the purpose related to promoting options for privacy for neighboring properties would both be better met if the balconies projected only 5'-0" into the setback. The rationale for this is that, were the setback area of the rear elevation, at approximately 845 square feet in area, designed to project out rather than recess, and were the area solid wall with doors opening onto Juliet balconies rather than projecting balconies, the wall in this scenario would be allowed to be within 5 feet of the rear property line, with an allowance for the balcony railings to project an additional foot into the setback in this scenario. Thus, by allowing open air balconies to project into the minimum setback, but remain at least 5'-0" from the rear lot line, additional opportunities for light and air, and likely increased privacy, would be afforded to neighboring properties, meeting the purpose of the standard.

Commissioners deliberated on this issue and staff's recommendation at the first hearing for this case and determined that the proposed modification would be most supportable by retaining the approximately 5'-6" deep balcony (with 5'-0" of usable depth) for accessibility and pushing the interior wall back 6 inches to accommodate it. The applicants have provided a revision showing two options—one as originally shown, with a balcony that provides 5'-0" of usable depth while keeping the rear wall in its original place, and a second option showing a balcony with depth reduced by 6" and again keeping the rear wall in its original place.

Commissioners revised their finding at the second hearing, noting that pushing the wall building wall back by 6 inches resulted in a negligible change to the exterior condition, and also finding that the balcony could encroach to within 4'-6" of the rear lot line due to the distance of the contributing (and therefore unlikely to be demolished and replaced with a larger building) house in the abutting lot to the rear of the site.

Commissioners therefore struck staff's recommended condition of approval that the balcony should not be closer than 5'-0" to the rear property line.

*Therefore, this modification merits approval.*

**Modification #4. Landscape Standards, Building Setbacks (33.120.235.C.1). Modification to reduce the length of required L1 landscape screening along the east lot line by 40 feet. A pedestrian pathway is proposed instead.**

*Purpose Statement:* The standards for landscaped areas are intended to enhance the overall appearance of residential developments and institutional campuses in multi-dwelling zones. The landscaping improves the residential character of the area, breaks up large expanses of paved areas and structures, provides privacy to the residents, and provides separation from streets. Landscaping also helps cool the air temperature, intercept rainfall and reduce stormwater run-off by providing a non-paved permeable surface. Landscaping can also provide food for people and habitat for birds and other wildlife.

*Standard:* 33.120.235.C.1, Landscaping Standards, Building setbacks. The required building setbacks must be landscaped to at least the L1 standard of Chapter 33.248, Landscaping and Screening. Detached accessory structures and other development allowed in the setbacks are exempt from this standard. Sites developed with a house, attached house or duplex are also exempt from this standard.

**A. *Better meets historic resource review approval criteria.*** *The resulting development will better meet the approval criteria for historic resource review than would a design that meets the standard being modified; and*

**Findings:** The Modification to reduce the length of required landscaping along the east lot line allows the site, which is only 50' wide, to have both an egress path and outdoor patios for individual dwelling units and a common outdoor space for all tenants. The latter will allow the proposal to better meet Guideline D1 – Outdoor Areas. The former continues a pattern established by similarly-scaled multi-dwelling buildings in the Alphabet Historic District, better meeting Guidelines P1- Plan Area Character, P2 – Historic and Conservation Districts, D7 – Blending Into the Neighborhood, and Historic Alphabet District Guideline 3 – Hierarchy of Compatibility.

**B. *Purpose of the standard.*** *The resulting development will meet the purpose of the standard being modified or the preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.*

**Findings:** The Modification request to reduce the amount of required landscaping within the setbacks is focused on the east side of the site, where the egress pathway for the building is located. Most of the landscaping that is provided is located towards the rear of the site. This is a consistent pattern for multi-dwelling buildings of similar or larger scale on small lots along this stretch of NW Flanders Street. Pathways are often found along the sides of similar development. Maintaining this pattern for multi-dwelling buildings on small lots, helps to preserve one characteristic of the historic resource, which is the district as a whole, and is generally more important than meeting all points of the purpose for this standard.

*Therefore, this Modification merits approval.*

**Modification #5. Standards for All Bicycle Parking, Bicycle Racks (33.266.220.C.3.b). Modification to reduce the width of required long-term bicycle parking from the required**

**2'-0" spacing dimension to 1'-6". Proposed bicycle racks would be hung vertically on walls and staggered by 6" in a bike storage room on the ground floor. One additional rack would be provided in one of the dwelling units.**

*Purpose Statement:* These standards ensure that required bicycle parking is designed so that bicycles may be securely locked without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.

*Standard:* 33.266.220.C.3.b, Bicycle racks. A space 2 feet by 6 feet must be provided for each required bicycle parking space, so that a bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components. See Figure 266-11.

**A. Better meets historic resource review approval criteria.** *The resulting development will better meet the approval criteria for historic resource review than would a design that meets the standard being modified; and*

**Findings:** The Modification request to reduce the width of required long-term bicycle parking spaces will allow for additional spaces to be provided in a room of similar size and affording additional opportunity to place residential dwelling units along the street front and to potentially create an occupied mail room alcove as designed in Water Room/Mail Option A, Exhibit C.4. Commissioners found that this would better meet Guideline E3 than would having a larger bicycle storage room.

**B. Purpose of the standard.** *The resulting development will meet the purpose of the standard being modified or the preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.*

**Findings:** Numerous examples exist throughout the city of similar long-term bicycle parking configurations, with racks hung vertically on walls. In order to ensure that the purpose of the standard is fully met, which is to design bicycle parking in such a way that "bicycles may be securely locked without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage," a minimum of 8 inches of vertical stagger between racks has been found to be needed, as opposed to the 6 inches proposed. This can be rectified through a condition of approval for the Modification.

*With the following condition of approval, this Modification will merit approval:*

- *Long-term bicycle storage racks shall be staggered vertically by a minimum of 8 inches on the wall.*

**Modification #7: Screening, Mechanical Units (33.120.250.C). Proposed mechanical units on the roof of the building are required to be screened entirely by the building's parapet or by screens, or they are required to be set back from the parapet by 3 feet for every 1 foot of height above the parapet. The building's proposed air conditioning units extend above the parapet (approximately 1'-8"), and some do not meet the setback requirement. None will be visible from the street.**

*Purpose Statement:* The screening standards address specific unsightly features which detract from the appearance of multi-dwelling residential areas.

*Standard:* 33.120.250.C, Mechanical equipment. Mechanical equipment located on the ground, such as heating or cooling equipment, pumps, or generators must be screened from the street and any abutting residential zones by walls, fences, or vegetation. Screening must comply with at least the L2 or F2 standards of Chapter 33.248, Landscaping and

Screening, and be tall enough to screen the equipment. Mechanical equipment placed on roofs must be screened in one of the following ways, if the equipment is within 50 feet of an R zone:

1. A parapet along facades facing the R zone that is as tall as the tallest part of the equipment;
2. A screen around the equipment that is as tall as the tallest part of the equipment; or
3. The equipment is set back from roof edges facing the R zone 3 feet for each foot of height of the equipment.

**A. Better meets historic resource review approval criteria.** *The resulting development will better meet the approval criteria for historic resource review than would a design that meets the standard being modified; and*

**Findings:** The Modification request to allow the parapet to be shorter (approximately 1'-8") than required to screen approximately four air conditioning condenser units on the roof will help to mitigate the overall height of the building, which is approaching the maximum height that would be consistent with the character of similarly-scaled historic multi-dwelling residential buildings in the Alphabet Historic District. This Modification, therefore, allows the proposal to better meet Guidelines P1- Plan Area Character, P2 – Historic and Conservation Districts, D7 – Blending Into the Neighborhood, and Historic Alphabet District Guideline 3 – Hierarchy of Compatibility.

**B. Purpose of the standard.** *The resulting development will meet the purpose of the standard being modified or the preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.*

**Findings:** The purpose of the standard is to protect the appearance of multi-dwelling residential areas from "specific unsightly features." The proposed air conditioning condensers that exceed the height limits requested by this Modification will not be visible from either side of the street and will almost certainly not be visible or noticeable from either the sides or from behind the building either. Therefore, the proposed Modification will meet the purpose of the standard.

*Therefore, this Modification merits approval.*

**Modification #8: Fences, Location and Height, Front Building Setbacks (33.120.285.C.1).** **Proposed fences may be no taller than 3'-6" within the first five feet of the front lot line. The proposal includes fences on both the east and west sides of the building within the first five feet of the front lot line that are approximately 6'-10" tall.**

*Purpose Statement:* The fence standards promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access, lessen solar access, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones.

*Standard:* 33.120.285.C.1, Location and Height, Front building setbacks. Fences up to 3-1/2 feet high are allowed in a required front building setback, or within the first 5 feet of the front lot line, whichever is greater.

- A. Better meets historic resource review approval criteria.** *The resulting development will better meet the approval criteria for historic resource review than would a design that meets the standard being modified; and*

**Findings:** The Modification to allow fences at the east and west ends of the building along the street lot line to be taller than 3'-6" will improve overall safety on the site and will serve to reduce the likelihood of crime on the site, better meeting Guideline D5 – Crime Prevention.

- B. Purpose of the standard.** *The resulting development will meet the purpose of the standard being modified or the preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.*

**Findings:** The proposed fences that are subject to the Modification of the standard will meet the standard's purpose by "creat[ing] a sense of privacy, protect[ing] children and pets, provid[ing] separation from busy streets, and enhance[ing] the appearance of property by providing attractive landscape materials." They will also avoid the negative aspects of fences on the public realm, including effects that result in "creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access, lessen solar access, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance," due to their very short length relative to the overall site and the presence of occupied building frontage (partially through a condition of approval) along the rest of the 50-foot long site. The purpose of the standard is therefore met.

*Therefore, this Modification merits approval.*

## 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 meets the applicable Historic Resource Review criteria and modification criteria and therefore warrants approval.

## LANDMARKS COMMISSION DECISION

It is the decision of the Landmarks Commission to approve Historic Resource Review for a proposed new five story, 19 unit multi-dwelling residential building in the Alphabet Historic District. The proposed new building will be approximately 55'-7" tall and will be clad primarily with brick on the north elevation and with cement plaster on the east, south, and west elevations and on the fifth floor penthouse.

Approval for the following eight Modification requests:

- 1) Maximum Height (33.120.215.B). Modification to exceed the maximum 25'-0" building height within the first ten feet of the front lot line. The proposed building will be approximately 55'-9" tall within the first 10'-0" of the front lot line.
- 2) Minimum Building Setbacks – East Elevation (33.120.220.B). Modification to reduce the side setback along the east property line from the required 14'-0" to approximately 4'-9".
- 3) Minimum Building Setbacks – West Elevation (33.120.220.B). Modification to reduce the side setback along the west property line from the required 14'-0" to between approximately 4'-9".
- 4) Landscape Standards, Building Setbacks (33.120.235.C.1). Modification to reduce the length of required L1 landscape screening along the east lot line by 40 feet. A pedestrian pathway is proposed instead.
- 5) Standards for All Bicycle Parking, Bicycle Racks (33.266.220.C.3.b). Modification to reduce the width of required long-term bicycle parking from the required 2'-0" spacing dimension to 1'-6". Proposed bicycle racks would be hung vertically on walls and staggered by 6" in a bike storage room on the ground floor. One additional rack would be provided in one of the dwelling units.
- 6) Minimum Building Setbacks – South Elevation (33.120.220.B). Proposed balconies project too far into the required rear setback, which is 10'-0" for the recessed portion of the south building wall. Balconies are allowed to project into the setback by 20% of the setback distance, or 2'-0". Proposed balconies instead project 5'-6" into the setback and will be 4'-6" setback from the south property line.
- 7) Screening, Mechanical Units (33.120.250.C). Proposed mechanical units on the roof of the building are required to be screened entirely by the building's parapet or by screens, or they are required to be set back from the parapet by 3 feet for every 1 foot of height above the parapet. The building's proposed air conditioning units extend above the parapet, and some do not meet the setback requirement. None will be visible from the street.
- 8) Fences, Location and Height, Front Building Setbacks (33.120.285.C.1). Proposed fences may be no taller than 3'-6" within the first five feet of the front lot line. The proposal includes fences on both the east and west sides of the building within the first five feet of the front lot line that are approximately 6'-10" tall.

All approvals per Exhibits C.1 through C.36, stamped and dated 08/27/2020 and subject to 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 19-245098 HRM". 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.
- D. The main entry to the building shall be recessed 2'-0" behind the front elevation.

- E. Projecting and corbelled brick details shall project out at least one inch from the face of adjacent bricks rather than the ½” indicated on detail drawings.
- F. Water Room/Mail Option A (Exhibit C.4) shall be built with consistent window coverings and a light on a timer behind the window in the Water Room. If Option A does not receive building code appeal approval, then Option B may be built with the same window and light treatments in both Water Room windows.
- G. The proposed canopy over the main entry door shall project 4’-6” over the sidewalk.
- H. Proposed cement plaster walls shall have a minimum of three coats, and the cement board and plaster alternate proposed shall not be used.
- I. Long-term bicycle storage racks shall be staggered vertically by a minimum of 8 inches on the wall.

=====  
 By:   
 Kristen Minor, Landmarks Commission Chair

Application Filed: October 24, 2019  
 Decision Filed: August 25, 2020

Decision Rendered: August 24, 2020  
 Decision Mailed: September 1, 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 October 24, 2019, and was determined to be complete on April 21, 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 October 24, 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.5. **The 120 days will expire on: April 20, 2021.**

**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. This report is the final decision of the Landmarks Commission with input from other City and public agencies.

**Conditions of Approval.** This approval 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.

**Appeal of this decision.** This decision is final unless appealed to City Council, who will hold a public hearing. Appeals must be filed by 4:30 pm on September 15, 2020. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. **Towards promoting social distancing during the COVID-19 pandemic, the completed appeal application form must be e-mailed 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.

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 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>.

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 City Council is final; any further appeal is to the Oregon Land Use Board of Appeals (LUBA).

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, one in which new evidence can be submitted to City Council.

**Who can appeal:** You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$5,000.00 will be charged (one-half of the application fee for this case, up to a maximum of \$5,000.00).**

Neighborhood associations may qualify for a waiver of the appeal fee. 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 website: <https://www.portlandoregon.gov/bds/article/411635>. Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

**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 15, 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 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).**

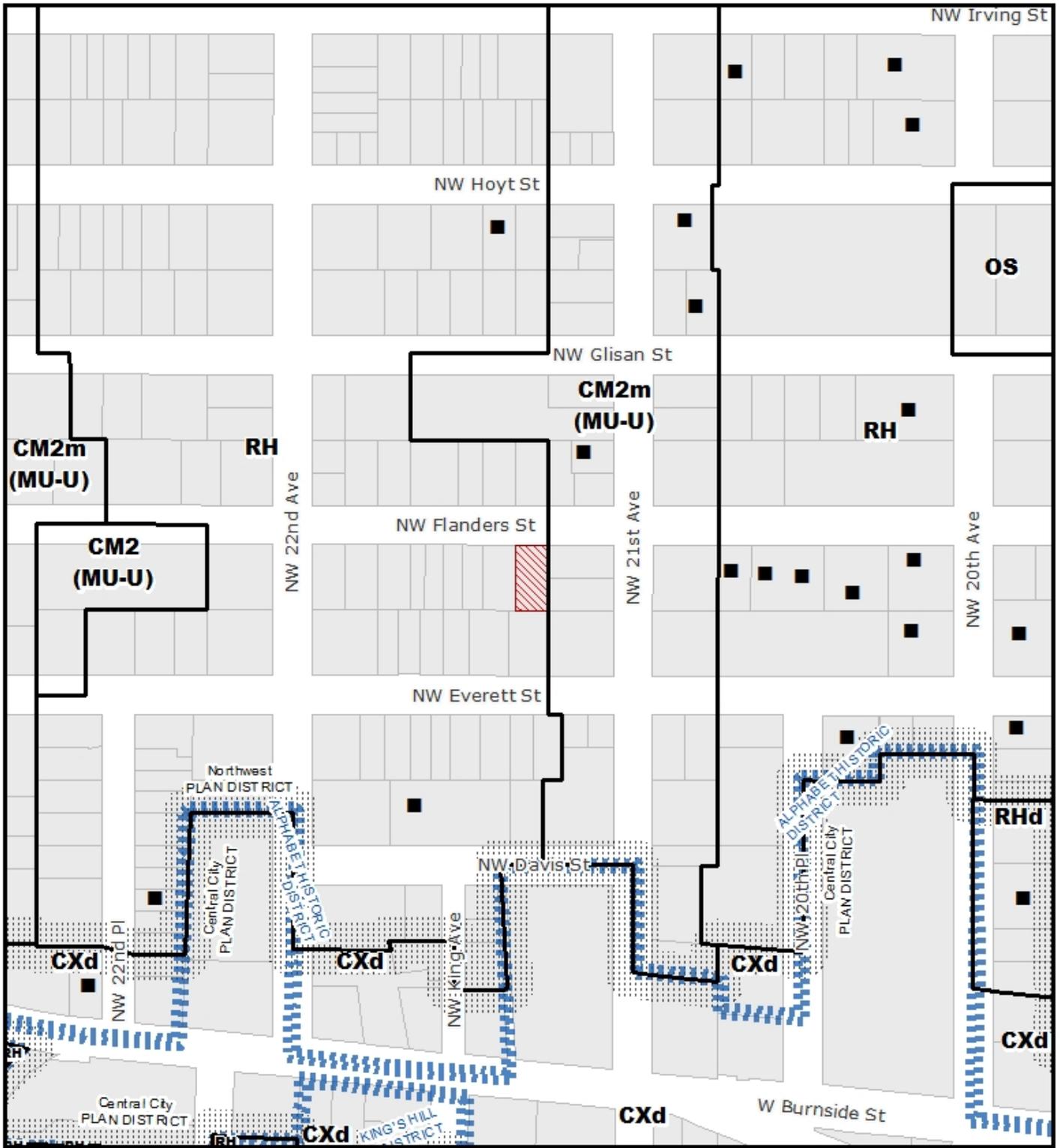
**EXHIBITS – NOT ATTACHED UNLESS INDICATED**

- A. Applicant's Submittals
  1. Original Drawing Set, 10/28/2019
  2. Original Narrative, 10/28/2019
  3. Pre-Application Conference Summary, received 10/28/2019
  4. DAR Summary Notes, received 10/28/2019
  5. Signed Request for an Evidentiary Hearing and Waiver of Right to a Decision within 120 Days, received 11/08/2019
  6. Revised Narrative, dated 11/22/2019 and received 04/23/2020
  7. Window Cutsheets, received 04/23/2020
  8. Revised Drawing Set, 06/17/2020
  9. Revised Narrative, 06/17/2020
  10. Revised DAR Summary Memo, 06/17/2020
  11. Product Cutsheets, 06/17/2020
  12. Stormwater and Geotechnical Report, 06/17/2020
  13. Request for 3 additional Modifications, 06/29/2020
  14. Revised Drawing Set, 06/29/2020
  15. Revised Narrative, 06/29/2020
  16. Response to Staff Report, 07/24/2020
- B. Zoning Map (attached)
- C. Plan & Drawings
  1. Site Plan (attached)
  2. Floor Plans – First through Fourth Floors
  3. First Floor – Option A and First Floor Alt. – Option B (LUR2-3)
  4. [Revised Plans] Water Room/Mail – Option A and Water Room/Mail Alt. – Option B and Roof Plan (LUR2-4)
  5. Floor Plans – Penthouse/5<sup>th</sup> Floor and Roof Plan
  6. Option B: 12" Setback Boundaries (LUR2-9)
  7. Section/Sightlines

8. North Elevation (attached)
  9. South Elevation Color (attached)
  10. West Elevation Color (attached)
  11. East Elevation Color (attached)
  12. North and East Elevations
  13. South and West Elevations
  14. Untitled materials sheet (LUR-27)
  15. Wall Assemblies
  16. Window Details
  17. Parapet/Cornice Details
  18. Partial Elevation – Flanders (North): Masonry Parapet and Parapet/Cornice at Masonry, Typ. (LUR2-15)
  19. Partial Elevation – (West) and [Sections] Option A: No Setback with 12” Cornice and Option B: 12” Setback with 12” Cornice (LUR2-16)
  20. Corner Pilaster Details
  21. Front Entry Details
  22. Side Entry Gate and Trash Enclosure Elevations
  23. Partial Elevation – Balcony (South)
  24. Partial Elevation – Balcony Section
  25. [South Balconies] Option A: Original Proposal and Option B: Approval 6” Off Balcony (LUR2-5)
  26. Typical Window Penthouse Level
  27. Bike Parking Room Plan
  28. Typ. Unit Bike Parking
  29. Project Information and Proposed Modifications
  30. F.A.R. Analysis
  31. Utility Plan
  32. Planting Plan
  33. Landscape Site Plan
  34. Landscape Plan – Levels 2-4
  35. Landscape Plan Level 5
  36. Plant List
- 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. Bureau of Environmental Services
  2. Bureau of Transportation Engineering and Development Review
  3. Life Safety Review Section of BDS
  4. Bureau of Parks, Urban Forestry Division
  5. Fire Bureau
  6. Site Development Review Section of BDS
- F. Letters
1. Olivia Cullen, 07/09/2020, request for information
  2. Maliah Coolidge, 07/12/2020, objection to lack of parking
  3. Steve Pinger, NWDA, 07/17/2020, objection to Modifications, FAR, and demo
  4. Steve Pinger, NWDA, 07/17/2020, correction to Exhibit F.3
  5. Beth Hyams, 07/20/2020, opposed to demo and concern about parking
  6. Melanie Coombs, 07/22/2020, email noting error in applicant’s drawings
  7. Shannon M. Williams, 07/26/2020, opposition to demolition of existing building
  8. Kathryn Freeman, 07/26/2020, opposition to demo of existing building

9. Courtney Moor, 07/26/2020, opposition to demolition of existing building
  10. Jamie Sheppard, 07/26/2020, opposition to demolition of existing building
  11. Chris Waller, 07/26/2020, opposition to demolition of existing building
  12. Melanie Coombs, 07/27/2020, email with concerns about damage to nearby house
  13. Sarah Schmeer, 07/27/2020, opposition to demolition of existing building
  14. Brooke Best, 07/27/2020, opposition to demolition of existing building
  15. Ghassan Ammar, 07/27/2020, opposition to demolition of existing building
  16. Blade, 07/27/2020, opposition to demolition of existing building
  17. Maia Watkins, 07/27/2020, opposition to demolition of existing building
  18. Nick Walker, 07/27/2020, opposition to demolition of existing building
  19. Emily Hayden, 07/27/2020, opposition to demolition of existing building
  20. Emily Garcia, 07/27/2020, opposition to demolition of existing building
  21. Luke Maxwell, 07/27/2020, opposition to demolition of existing building
  22. Joel Drummond, 07/27/2020, testimony against other testifiers
  23. Cameron W. Call, 07/27/2020, opposition to demolition of existing building
  24. Venu, 07/27/2020, opposition to demolition of existing building
- G. Other
1. Original LUR Application
  2. Incomplete Application Letter
  3. Email thread between Owner and staff re: FAR transfers, 12/02/2019.
  4. Request to deem application as complete and delay scheduling a hearing pending design revisions, 04/21/2020.
  5. Request to reschedule hearing date, 04/24/2020
  6. Email thread between applicants and staff re: setbacks, 06/26/2020
  7. Owner response to Exhibit F.3, 07/17/2020
  8. Staff Report, 07/21/2020
  9. Staff Memo to Historic Landmarks Commission, 07/21/2020
- H. Hearing
1. Staff Presentation to Historic Landmarks Commission, 07/21/2020
  2. Written testimony from Meredith Stinger, 07/27/2020
  3. Written testimony from Dana Carey, 07/27/2020
  4. Written testimony from Theofanis Skourtis, 07/27/2020
  5. Written testimony from Emily J. Schnipper, 07/27/2020
  6. Written testimony from Ella Block, 07/27/2020
  7. Written testimony from Joran Barbeau, 07/27/2020
  8. Written testimony from Tanya March, 07/27/2020
  9. Written testimony from Jeremey Salmon, 07/27/2020
  10. Written testimony from Camille White-Avian, 07/27/2020
  11. Testifier Sign-in Sheet from 07/27/2020 Hearing
  12. Written testimony from Blade, 07/28/2020
  13. Written testimony from Bill Bold, 07/29/2020
  14. Email thread between Steve Pinger and staff, 07/30 – 08/20/2020
  15. Revised Drawing Set for Hearing on 08/24/2020, received 08/10/2020
  16. Email thread between applicants and staff re: water room, 08/14/2020
  17. Email thread and additional drawings re: cornice termination on side elevations, 08/18/2020
  18. Written testimony from Joel Drummond, 08/19/2020
  19. Email from Steve Pinger on behalf of the NWDA Planning Committee, received 08/20/2020 and dated 08/24/2020
  20. Email from Elliott Gansner re: communication with North Portland Tenants Collective, 08/21/2020
  21. Email thread between James Baker, Water Bureau to BDS staff re: water backflow prevention devices, 08/21 – 08/24/2020
  22. Staff Report, August 22, 2020
  23. Written testimony from Jaime Andaluz, 08/23/2020

24. Email from Elliott Gansner re: contact with NWDA, 08/23/2020
25. Written testimony from William Pickard, 08/23/2020
26. Written testimony from Melanie Coombs & Brian Hansen, 08/23/2020
27. Written testimony from Pamela Riahi, 08/23/2020
28. Written testimony from Jeremy Salmon, 08/24/2020
29. Written testimony from Shayan Guhaniyogi, 08/24/2020
30. Written testimony from Mario Correa, 08/24/2020
31. Written testimony from Cameron Call, 08/24/2020
32. Written testimony from Janet M Elgin, 08/24/2020
33. Written testimony from Cici Powers, 08/24/2020
34. Written testimony from Tyler Jamieson, 08/24/2020
35. Written testimony from Nick Walker, 08/24/2020
36. Testifier Sign-in Sheet from 08/24/2020 Hearing



# ZONING

NORTH ↑

NORTHWEST PLAN DISTRICT  
ALPHABET HISTORIC DISTRICT

- Site
- Historic Landmark

File No.	LU 19 - 245098 HRM
1/4 Section	3027
Scale	1 inch = 200 feet
State ID	1N1E33CA 9400
Exhibit	B Oct 28, 2019



2124 N W Flanders St  
 TYPE III LUR-LU19-245098 HRM  
 05.10.20



- STAIR ROOF  
63' - 10"  
180' - 0"
- ROOF  
54' - 0"  
170' - 0"
- FIFTH FLOOR  
43' - 0"  
160' - 0"
- FOURTH FLOOR  
31' - 6"  
148' - 0"
- THIRD FLOOR  
21' - 0"  
136' - 0"
- SECOND FLOOR  
10' - 6"  
124' - 0"
- FIRST FLOOR  
0' - 0"  
112' - 0"

**APPROVED**  
 City of Portland  
 Bureau of Development Services  
 Number / Signature / Date: 08/27/2020  
 This approval applies only to the version submitted  
 and is subject to all conditions of approval.  
 Additional zoning requirements may apply.

2124 N W FLANDERS ST.  
 200' LAND - 02.9/20  
 NOT FOR CONSTRUCTION

NORTH ELEVATION 3/32" = 1'-0"  
 EMERICK ARCHITECTS

LUR - 21  
 2400-01-1827  
 LU 19-245098 HRM EXHIBIT C8

2124 NW Flanders St  
 TYPE III LUR-1U19-245098 HRM  
 05.10.20



SOUTH ELEVATION COLOR  
 3/32" = 1'-0"

**\*APPROVED\***  
 Bureau of Development Services  
 City of Portland  
 Permit # 54847704 Date: 08/27/2020  
 This approval applies only to the conditions indicated.  
 Additional zoning requirements may apply.

**EMERICK ARCHITECTS**

2124 NW FLANDERS ST.  
 20th LAND-02 9/7/20  
 NOT FOR CONSTRUCTION

LUR - 22  
 JUL 18 2020  
 LU 19-245098 HRM EXHIBIT C9

2124 N W Flanders St  
 TYPE III LUR - LU19-245098 HRM  
 05.10.20



**APPROVED\***  
 Bureau of Ordinance Services  
 Planner / [angela@bos.org](mailto:angela@bos.org) / 082722020  
 Date: 05/10/2020  
 \*This approval applies only to the reviews requested  
 Additional zoning requirements may apply.

WEST ELEVATION COLOR  
 3/32 = 1-0'

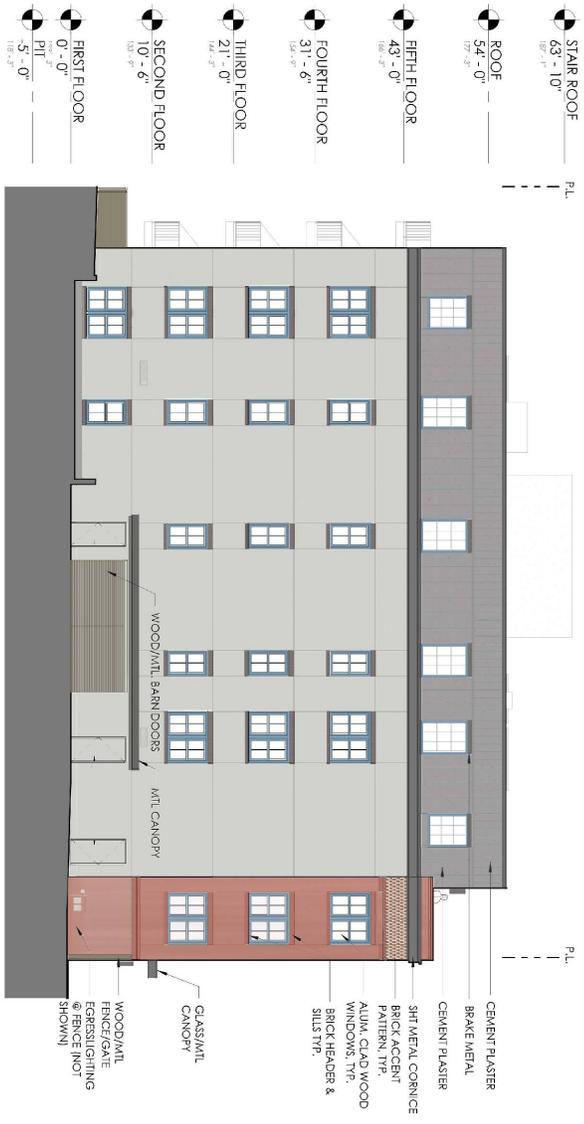
**EMERICK ARCHITECTS**

LUR - 23

SAO - 1827  
 LU 19-245098 HRM EXHIBIT C.10

2124 N W FLANDERS ST.  
 209 LAND. 03.9.2010  
 NOT FOR CONSTRUCTION

2124 NW Flanders St  
 TYPE III LUR-1U19-245098 HRM  
 05.10.20



EAST ELEVATION COLOR  
 3/32" = 1'-0"

**"APPROVED"**  
 City of Portland  
 Bureau of Development Services  
 Project: 245098 HRM  
 Date: 08/27/2020  
 This approval applies only to the version requested and is subject to all conditions of approval. Additional zoning requirements may apply.

**EMERICK ARCHITECTS**

LUR - 24  
 245098 HRM EXHIBIT C.11

2124 NW FLANDERS ST.  
 209' LAND - 0.97210  
 NOT FOR CONSTRUCTION