



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

Dan Ryan, Commissioner  
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**Date:** June 4, 2021  
**To:** Interested Person  
**From:** Megan Sita Walker, Land Use Services  
503-865-6515 / MeganSita.Walker@portlandoregon.gov

**NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

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The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

**CASE FILE NUMBER: LU 21-030900 HR – PNCA LOADING DOCK ENCLOSURE**

**GENERAL INFORMATION**

**Applicant:** Michael Roberts | LRS Architects  
720 NW Davis Suite 300  
Portland, OR 97209  
503-806-5147

**Owner:** City of Portland, PDC  
222 NW 5th Ave  
Portland, OR 97209-3812

**Owner's Representative:** Greg Herrenbruck, Pacific Northwest College Of Art  
511 NW Broadway  
Portland, OR 97209

**Site Address:** 511 NW BROADWAY

**Legal Description:** BLOCK S TL 7800, COUCHS ADD  
**Tax Account No.:** R180236920  
**State ID No.:** 1N1E34BC 07800  
**Quarter Section:** 2929

**Neighborhood:** Pearl District, contact [planning@pearldistrict.org](mailto:planning@pearldistrict.org).  
**Business District:** Pearl District Business Association, contact at [info@explorethepearl.com](mailto:info@explorethepearl.com) & Downtown Retail Council, contact at [lfrisch@portlandalliance.com](mailto:lfrisch@portlandalliance.com)

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

**Plan District:** Central City - Pearl District  
**Other Designations:** Historic Landmark

**Zoning:** CXd – Central Commercial with Design and Historic Resource Protection Overlays

**Case Type:** HR – Historic Resource Review

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

**Proposal:**

The applicant is seeking Historic Resource Review approval for alterations to the PNCA building (aka US Post Office building), an individually listed Landmark on the National Register of Historic Places. Proposed work includes installation of a new fence enclosure with four (4) gates at the rear loading dock area along the North Elevation of the resource fronting along NW Hoyt.

The height of the enclosure is proposed to range from 6'-6" to 7'-2" tall and will be composed of two (2) new lockable 16' rolling gates and two (2) new out swinging egress gates that are proposed to swing 12" into the public right-of-way to allow the necessary clearance at the landings of the exterior egress stairs. The steel fence is designed to be made of traditional square steel pickets and post stanchions and horizontal members with top post finials and circle forms and the vertical pickets will be spaced to provide good transparency at this rear loading location of the resource. The fence will be painted to match the color of the existing basement grilles at the building's resource.

Historic resource review is required for proposed exterior alterations to a Historic Landmark.

**Relevant Approval Criteria:**

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

- *33.846.060.G – Other Approval Criteria*
- *River District Design Guidelines*
- *Central City Fundamental Design Guidelines*

**ANALYSIS**

**Site and Vicinity:** The U.S. Post Office Building, also commonly referred to as the Federal Building, occupies all of Block "S" in Couch's Addition. It replaced the earlier post office in the building known today as the Pioneer Courthouse. First authorized in 1911, design and construction of the new building were to take seven years due to difficulties in acquiring the property, disagreements among elected and appointed officials, and manpower shortages resulting from the country's participation in World War I. Designed by San Francisco architect, Lewis P. Hobart, the building departed from tradition by setting aside the classical temple form favored for public buildings at the time in favor of a Second Renaissance Revival treatment. Notwithstanding the departure from traditional stylistic considerations, the building was designed to convey the power and stability of the federal government.

The U.S. Post Office Building was completely renovated into a new home for PNCA, and the building remains highly historically intact. The main entrance to the building is now through the western, barrel-vaulted, two-story tall portal which faces a full block owned by the City of Portland Bureau of Parks and Recreation and that is currently developed as a parking lot. Plans to redevelop the parking lot into the long-anticipated terminus of the north park blocks have been under discussion in recent years. When completed that project should give the Federal Building a much more sympathetic and supportive setting.

**Zoning:** The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close

together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

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

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

The Central City Plan District implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the River District Subdistrict of this plan district.

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

- EA 12-151963 PC – Optional pre-application conference for a Type II historic design review for proposed alterations to the landmark US Post Office Building.
- EA 12-160505 – Early assistance appointment for proposed alterations to the landmark US Post Office Building.
- LU 13-138612 HDZM – Historic design review with modifications approval for exterior alterations and three new signs.
- LU 15-147127 HR – Historic Resource Review for a new 3.8 square foot, illuminated sign and aluminum mounting shelf above the main entry door in the west vaulted portal of the landmark United States Post Office (Federal) Building in the River District Subdistrict of the Central City Plan District.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **April 22, 2021**.

**The following Bureaus have responded with comments expressing no issues or concerns with the approval of the proposal with conditions:**

1. Bureau of Environmental Services (See Exhibit E-1)
2. Life safety Division of BDS (See Exhibit E-2)
3. Fire Bureau (See Exhibit E-3)
4. Site Development (See Exhibit E-4)
5. Water Bureau (See Exhibit E-5)
6. Bureau of Transportation Engineering. See Exhibit E-6. PBOT responded stating that they do not object to the approval of the proposed development with recommend Conditions of Approval. See recommended Condition of Approval language from PBOT below:
  1. *The vehicle area is limited to loading and trash/ recycling vehicles only.*
  2. *The two egress emergency gates shall not have any exterior hardware and shall include alarms. This requirement shall be enforced at the time of building permit review. An encroachment permit shall be required for any doors/ gates that swing into the right-of-way.*

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on April 22, 2021. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## ZONING CODE APPROVAL CRITERIA

### **Chapter 33.846, Historic Reviews**

#### **Purpose of Historic 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 a designated Historic Landmark. Therefore the proposal requires Historic Resource Review approval. The relevant approval criteria are listed in 33.846.060 G. 1.-10. In addition, because the site is located within the Central City and the River District, the relevant approval criteria are the Central City Fundamental Design Guidelines and the River District Design Guidelines.

#### **G. Other Approval Criteria:**

- 1. Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.
- 2. Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.
- 3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.
- 4. Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.
- 5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.
- 6. Archaeological Resources.** Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. When such resources are disturbed, mitigation measures will be undertaken.
- 7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.
- 8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.
- 9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.
- 10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

**Findings for 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10:** The proposal addresses the above-mentioned approval criteria in the following ways:

- The historic character of the property is retained and preserved in the limited alterations proposed. New improvements (fence) will be offset and not anchored to the any of the original base walls.
- The historic resource will remain a physical record of its time. Non-original features in the back of house loading dock area have not acquired historic significance. The new enclosure references the traditional in style of the resource with quality material and detailing and will be differentiated through the use of contemporary materials and construction methods.
- The proposal does not include the replacement of original historic features or materials. Additionally, historic materials will be protected during the installation of the proposed alterations, and no physical or chemical treatments will be used that may damage historic materials.
- The scope of work includes very limited excavation for the proposed enclosure structure. If any resources are found during construction, they will be protected and preserved.
- The design of the proposed steel enclosure is simple and utilitarian, which is compatible with the utilitarian use of the area. To complement the resource, the design of the proposed enclosure includes simple geometric forms and minimal detail and restrained ornamentation. The rhythm and composition of the enclosure responds to the primary rhythms expressed in the bays of the resource. In addition, the enclosure will be painted to match the color of the building's ground level grilles. As such, the proposed design retains the architectural integrity of the resource and the form and integrity of the resource will be retained.

*These criteria are therefore met.*

### **River District Design Guidelines and Central City Fundamental Design Guidelines**

The River District is planned to become a place that is remarkable within the region. The area is intended to grow rich with special and diverse qualities that are, or will become characteristic of Portland. Further, the River District will accommodate a significant portion of the region's population growth. The plan calls for the creation of a new community of dense neighborhoods, housing a resident population of over 15,000 people, and providing jobs, services, and recreation to this population and others. This area is intended to emphasize the joy of the river, connections to it, and create a sense of community. The goals frame the urban design direction for Central City and River District development.

The Central City Fundamental Design Guidelines and the River District Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland's character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

### **River District Design Goals**

1. Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
2. Create a community of distinct neighborhoods that accommodates a significant part of the region's residential growth.
3. Enhance the District's character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
4. Strengthen connections within River District, and to adjacent areas.

### **Central City Plan Design Goals**

1. Encourage urban design excellence in the Central City;

2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

**A5. Enhance, Embellish, and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

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

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

**Findings for A5, A6, and C4:** The proposal addresses the above-mentioned approval criteria in the following ways:

- The design of the proposal references to the quality of materials and intricate detailing seen on the resource while remaining simple and restrained. This approach is compatible with the function of the enclosure, consistent with the treatment of building services in the area, and the refined design complements the context of existing buildings.
- The proposed loading dock enclosure improves the function of building services and supports the continued use of the building.

*These guidelines are therefore met.*

**A4. Use Unifying Elements.** Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

**A7. Establish and Maintain a Sense of Urban Enclosure.** Define public rights-of-way by creating and maintaining a sense of urban enclosure.

**A8. Contribute to a Vibrant Streetscape.** Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

**A8-1. Design Fences, Walls and Gateways to be Seen Over.** Design fences, walls and gateways located between a building and the sidewalk to be seen over to allow for social interaction. This guideline may be accomplished by:

- 1) Elevating building entries higher than the public sidewalk or path.
- 2) Creating a low fence or wall to visually separate but not hide semi-private spaces.
- 3) Using a low or stepped-down planting area or terraces to separate private development from a public sidewalk.

**B1. Reinforce and Enhance the Pedestrian System.** Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

**B1-1. Provide Human Scale to Buildings along Walkways.** Provide human scale and interest to buildings along sidewalks and walkways. This guideline may be accomplished by:

- 1) Providing street furniture outside of ground floor retail, such as tables and chairs, signage and lighting, as well as large windows and balconies to encourage social interaction.
- 2) Providing stoops, windows, and balconies within the ground floors of residential buildings.

**B2. Protect the Pedestrian.** Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

**B3. Bridge Pedestrian Obstacles.** Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.

**C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.

**C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

**C5. Design for Coherency.** Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

**C6. Develop Transitions between Buildings and Public Spaces.** Develop transitions between private development and public open space. Use site design features such as movement zones, landscape elements, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

**C7. Design Corners that Build Active Intersections.** Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

**C8. Differentiate the Sidewalk-Level of Buildings.** Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

**C9. Develop Flexible Sidewalk-Level Spaces.** Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

**Findings for A4, A7, A8, A8-1, B1, B1-1, B2, B3, C2, C3, C5, C6, C7, C8, and C9:** The proposal addresses the above-mentioned approval criteria in the following ways:

- The proposal continues to introduce unifying elements that coherently incorporate human scale, texture, and warmth which helps the proposed enclosure compliment the existing building. This helps the proposal relate to the area and still define the public right-of-way by continuing a sense of urban enclosure in a way that is compatible to the building and the use of the space.
- The proposed alterations contribute to a vibrant streetscape by continuing to support significant visual permeability, as well as interest and detailing at the street edge while allowing increased definition of the private loading and maintenance portion of the PNCA building from the public pedestrian sidewalk zone. To ensure that PBOT's stated concerns with the use and design of the proposed enclosed area and the out swinging egress gates are adequately addressed, staff has added Conditions of Approval 'C' and 'D' at the request of PBOT.
- The height of the proposed enclosure will be limited to between 6'-6" and 7'-2" to ensure visual permeability, security, safety and awareness for pedestrians.
- The proposed loading dock enclosure will assist with providing more safety and awareness for passing pedestrians to ongoing building services. When closed, any service vehicle will not be able to quickly or directly turn into the loading area (via crossing the sidewalk) without first stopping and engaging the fence control or

requesting assistance.

- The design of the proposed steel enclosure is simple and utilizes quality materials appropriate for this application and compatible with the resource. As mentioned above, the rhythm and composition of the enclosure also responds to the primary rhythms expressed in the bays of the resource which respects the architectural integrity of the building and forms a coherent composition.

*With Conditions of Approval 'C' that, the vehicle area is limited to loading and trash/recycling vehicles only, and 'D' that the two egress emergency gates shall not have any exterior hardware and shall include alarms, this requirement shall be enforced at the time of building permit review, and an encroachment permit shall be required for any doors/gates that swing into the right-of-way, these guidelines are met.*

## **DEVELOPMENT STANDARDS**

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

## **CONCLUSIONS**

The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

## **ADMINISTRATIVE DECISION**

Approval of exterior alterations to the landmark United States Post Office (Federal) Building in the River District Subdistrict of the Central City Plan District to include the installation of a new steel fence enclosure with four (4) gates at the rear loading dock area along the North Elevation of the resource fronting along NW Hoyt. The height of the enclosure is proposed to range from 6'-6" to 7'-2" tall and will be composed of two (2) new lockable 16' rolling gates and two (2) new out swinging egress gates that are proposed to swing 12" into the public right-of-way to allow the necessary clearance at the landings of the exterior egress stairs.

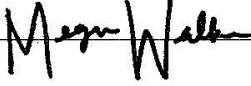
Approved per Exhibits C-1 through C-9, signed and dated June 2, 2021, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through E) 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 21-030900 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. The vehicle area is limited to loading and trash/recycling vehicles only



- D. The two egress emergency gates shall not have any exterior hardware and shall include alarms, this requirement shall be enforced at the time of building permit review, and an encroachment permit shall be required for any doors/gates that swing into the right-of-way
- E. No field changes allowed.

**Staff Planner: Megan Sita Walker**

**Decision rendered by:** \_\_\_\_\_  \_\_\_\_\_ **on June 2, 2021**

By authority of the Director of the Bureau of Development Services

**Decision mailed: June 4, 2021**

**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 March 30, 2021, and was determined to be complete on April 14, 2021.

*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 March 30, 2021.

*ORS 227.178* states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: August 12, 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. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**Appealing this decision.** This decision may be appealed to the Landmarks Commission, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received **by 4:30 PM on June**

18, 2021. **The completed appeal application form must be emailed to [LandUseIntake@portlandoregon.gov](mailto:LandUseIntake@portlandoregon.gov) and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for Office of Community and Civic Life recognized organizations for the appeal of Type II and IIX decisions on property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Landmarks Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

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

**Recording the final decision.**

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded on or after **June 21, 2021** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

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

- All conditions imposed herein;

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

### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Original Project Description and Narrative
  - 2. Original Drawing Packet
- B. Zoning Map (attached)
- C. Plans & Drawings
  - 1. Vicinity Map & Site Plan (attached)
  - 2. Existing Conditions Photos
  - 3. Existing Conditions Photos
  - 4. Existing Enlarged Plan – Loading Dock Area (attached)
  - 5. Proposed Enlarged Plan – Loading Dock Area (attached)
  - 6. Existing North Elevation
  - 7. Existing Enlarged Elevation – Loading Dock Area
  - 8. Proposed Enlarged Elevation – Loading Dock Area (attached)
  - 9. Details – Fence and Gate
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Life safety Division of BDS
  - 3. Fire Bureau
  - 4. Site Development
  - 5. Water Bureau
  - 6. Bureau of Transportation Engineering
- F. Letters: none
- G. Other
  - 1. Original LUR Application
  - 2. Email correspondence between staff and the applicant

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