



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

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Date: September 15, 2021
To: Interested Person
From: Megan Sita Walker, Land Use Services
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NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has 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 21-062739 HR – SMITH BLOCK PATIO ENCLOSURE

GENERAL INFORMATION

Applicant: Jon McGrew | Hennebery Eddy Architects
921 SW Morrison St Suite 250
Portland, OR 97205
503-227-4860

Owner/Agent: Dan Dittmer | MMI Smith Block LLC
111 SW Columbia Street #1380
Portland, OR 97201

Site Address: 113 SW NAITO PKWY

Legal Description: BLOCK 27 LOT 1-3&7 TL 1600 HISTORIC PROPERTY 15 YR 2007, POTENTIAL ADDITIONAL TAX, PORTLAND

Tax Account No.: R667704050
State ID No.: 1N1E34DC 01600
Quarter Section: 3030

Neighborhood: Old Town Community Association, contact Jonathan Cohen at treasurer@pdxoldtown.org or Mary-Rain O'Meara at secretary@pdxoldtown.org

Business District: Downtown Retail Council, contact at lfrisch@portlandalliance.com
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - Old Town/Chinatown
Other Designations: Local Historic Landmark and Contributing Resource in the Skidmore/Old Town Historic District

Zoning: CXd – Central Commercial zone 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 proposes exterior alterations within the boundary of the Landmark Smith Block Building property. The Smith Block Building, constructed in 1872, is a Local Landmark and contributing resource in the Skidmore/ Old Town Historic District. The proposed alterations include the following:

- Installation of a new uncovered free-standing enclosure immediately south of the resource consisting of steel posts with 3/16" painted steel plates with painted solid steel pickets along the east SW Naito frontage and painted 1/2" by 1/2" welded wire mesh panels along the south elevation. The enclosure has a single in-swinging gate on the East Elevation along SW Naito Pkwy and a single gate along the West (rear).
- Installation of a 190 SF covered trash and recycling enclosure with a steel roll-up door and a person-door at the southwest corner of the site adjacent to a proposed egress path. The enclosure is proposed to be clad in prefinished standing seam metal panels with a low parapet and a 'flat' roof. A steel roll-up door and a person-door both with a 'black' finish are proposed on the south and west elevations of the trash enclosure.
- Installation of a lockable gate to provide secure access to an existing walk-in cooler located at the rear of the site along the south elevation of the Smith Block building.
- Installation of a sunken patio immediately adjacent to the south exterior wall of the resource with a sloped accessible walkway from the sunken patio to the main courtyard area to be paved with concrete unit pavers. The larger courtyard area is intended to serve as an occupiable and accessible courtyard space for tenants and will be paved with larger format concrete pavers. In ground landscaping is proposed within the proposed enclosure along the west, south, and east perimeter of the courtyard.
- Installation of low retaining walls between the sunken patio, courtyard, and western edge of the enclosure to accommodate grading required for the accessible design. The low retaining walls will consist of a modular block set in a running bond pattern.
- Establish an asphalt paved egress pathway abutting the proposed enclosure and an existing surface parking lot on the property to the south. The egress pathway leads from the existing exterior building egress door/stair to the public way sidewalk on SW Naito. Painted steel railings are proposed along the full extent of the egress pathway running adjacent to the west and south property lines to protect the proposed path.
- Installation of exterior lighting at the trash enclosure structure, south wall of the existing building, and egress pathway.

Historic Resource Review is required because the proposal is for non-exempt alterations to a Local Historic Landmark within a historic district.

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:

- *PZC, 33.846.060.G Other approval criteria*
- *Skidmore Old Town Historic District Design Guidelines*
- *Central City Fundamental Design Guidelines*

ANALYSIS

Site and Vicinity: The 10,000 square foot lot is located immediately west of the Waterfront Park fronting onto SW Naito Pkwy (formerly Front Street) in the northeast quadrant of a block bound by SW Ash and SW Pine Streets to the north and south and SW 1st Avenue to the West. The subject site contains the 2-story Smith Block building, constructed in 1872 and a narrow paved area adjacent to the south wall of the building, at some point used for surface parking. The subject property is a Local Landmark and contributing property in the Skidmore/Old Town

Historic District. All buildings on the block are listed as contributing resources with the one also directly behind the subject site also listed as a Local Landmark. From north to south on the west, they include: a 2-story contributing retail building, the Railway Building, constructed in 1872; and a 3-story contributing retail building, the historically named the Oregon & Washington Trust Investment Co Building, constructed in 1887.

The Italianate style Smith Block building is comprised of brick with cast iron work in an intricate pattern on the front facade is comprised of three, 25' wide storefront modules, a common characteristic seen in the District, as well as a wood cornice.

The Skidmore/Old Town Historic District is nationally significant for its association with the initial phase of commercial development of Portland. In addition to listing in the National Register of Historic Places, the District is recognized as a National Historic Landmark (one of only sixteen in Oregon and two in Portland) because of the importance of Portland in the development of commerce and transportation in the western United States, from the mid-nineteenth century through the early twentieth century. The area is especially rich in Italianate commercial buildings with elaborate cast iron facades, set against a background of less spectacular but nonetheless significant brick buildings.

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.

The Design ("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.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks. The regulations that pertain to these properties protect certain historic resources in the region and preserve significant parts of the region's 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 Downtown Subdistrict of this plan district.

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

- **HL 37-78:** Approval of a 1978 Historic Landmark Review for building renovation.
- **HL 33-79:** Approval of 1979 Historic Landmark Review for a facade restoration.
- **HL 49-82:** Approval of 1982 Historic Landmark Review for a penthouse addition.
- **HL 10-82:** Discussion of a 1982 Historic Landmark Review for design modifications.
- **HL 20-83:** Approval of 1983 Historic Landmark Review for the restoration of the 3 bay façade.
- **HL 45-83:** Denial of a 1983 Historic Landmark Review for a modification to building color scheme.
- **HL 75-83:** Discussion of a 1983 Historic Landmark Review for a rooftop addition.
- **HL 28-84:** Conceptual approval of 1984 Historic Landmark Review for building renovations.
- **HL 69-86:** Approval of a 1986 Historic Landmark Review for signage.
- **HL 2-87:** Discussion of 1987 Historic Landmark Review with the City Engineer for a proposed display within the right-of-way.

- **LUR 91-00477 CU, AD:** Approval of 1991 Conditional Use Review for new retail and residential uses and an Adjustment Review for a reduction in parking from 8 to 0 spaces.
- **LUR 91-00478 HL:** Approval of a 1997 Historic Landmark Review for conceptual building renovation associated with new retail and residential uses including a penthouse, deck and parking.
- **LUR 91-00743 HL:** Approval of a 1991 Historic Landmark Review for the addition of 3 windows on the first floor of the south elevation and a 4-foot door.
- **LUR 95-00618 DZ:** Approval of 1995 Design Review for the installation of two new windows and wall surface repair on the rear façade.
- **LUR 06-185300 HDZ:** Approval of 2006 Historic Design Review for a storefront remodel, stairwell and equipment enclosure on the roof, shearwall, windows and doors on south elevation, and trash enclosure and screen wall.
- **LUR 07-184708 HDZ:** Approval of 2007 Historic Design Review to modify a previously approved roof screen and enclosure.
- **LUR 08-161279 HDZ:** Approval of 2007 Historic Design Review for the temporary infill of door openings on the south elevation and installation of three wood slider doors and a trash enclosure screen.
- **EA 14- 229105 APPT:** Early Assistance Appointment for changes to south courtyard to include addition and interior renovation.
- **LUR 16-228830 HR:** Approval of 2016 Historic Resource Review for the following:
 - Construction of a new 24'-10" wide by 101'-1" long uncovered patio enclosure immediately south of the Landmark building on an existing paved area;
 - Optional installation of two (2) light fixtures on the front façade of the patio enclosure;
 - Installation of 12" tall precast raised planter beds internal to the patio;
 - Installation of fixed power coated steel railings; and
 - Installation of pavers on top of existing asphalt.
 Note: This scope of work was never completed.
- **LUR 18-255157 HR:** Approval of 2018 Historic Resource Review for the following:
 - Installation of a new uncovered enclosure immediately south of the Landmark building consisting of brick piers and decorative metal fencing and a pair of recessed decorative steel gates on the east (front) elevation, and a brick bulkhead and decorative metal fencing along the south property line.
 - Installation of a covered trash and recycling area.
 - Installation of an uncovered walk-in cooler located at the rear of the site along the south elevation of the Smith Block building, to be screened from the street with solid prefinished metal panels.
 - Installation of prefinished metal panels and a gate along the west property line; and
 - Installation of steel framed fabric awnings over existing openings in the south elevation of the Smith Block building.
 Note: This scope of work was never completed.
- **EA 19-241528 APPT:** Early Assistance Appointment for changes to south courtyard.
- **LU 20-118026 HR:** Approval of 2020 Historic Resource Review for the installation of three (3) steel blade signs with external illumination on the east façade.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **July 19, 2021**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services (See Exhibit E-1)
- Life safety Division of BDS (Exhibit E-2)
- Bureau of Transportation Engineering (Exhibit E-3)
- Site Development Section of BDS (Exhibit E-4)
- Water Bureau (Exhibit E-5)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on July 19, 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 Skidmore/Old Town Historic District and the Central City Plan District, the relevant approval criteria are the Skidmore/Old Town Historic District Design Guidelines and the Central City Fundamental Design Guidelines.

Each of the three sets of approval criteria is addressed separately below. Staff has considered all of the criteria and has addressed only those considered applicable to this proposal.

I. 33.846.060.G - Other Approval Criteria

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

Findings for 1, 2, 3, 4, and 5: The above-mentioned approval criteria are met in the following ways:

- All alterations, with the exception of the installation of one (1) light fixture mounted to the south elevation of the resource, are free standing elements that will not impact historic material. By designing the enclosure to be completely free-standing, the proposal ensures that historic material will be protected.
- The proposal does not include alterations to historic features or elements that acquired historic significance.
- The thoughtful attention to relate the proportions of enclosure to the resource, the use of durable materials, the references to primary datums on the primary facade of the resource, and the use of appropriate finishes ensure that the character of the resource will be retained.
- To conclude, the proposal ensures the historic character of the property is retained, historic features and materials are protected, and that the resource will remain a physical record of its time, place, and use.

These guidelines are therefore met.

- 7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.
- 8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.
- 9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.
- 10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

Findings for 7, 8, 9, and 10: The above-mentioned approval criteria are met in the following ways:

- The proposed materials of the enclosure consist of simple painted steel elements that are durable and respond to primary datums and the scale of the historic structural elements expressed in the primary façade of the resource. The painted steel plate clad posts relate to the dimensions of the pilasters on the street-facing facades of the resource and will be infilled with painted solid steel pickets on the main street-facing East Elevation. These elements are compatible with painted wrought iron elements found on historic buildings within the district. On the secondary South (side) Elevation, the infill transitions to a painted ½” by ½” welded wire mesh. The secondary more utilitarian elements of the proposal including the proposed trash enclosure clad in prefinished black standing seam metal panels, and the painted steel rails to protect the egress path continue to utilize durable materials and are simply detailed as to defer to the primacy of the resource.
- The proposed alterations intend to establish an occupiable amenity space that can serve as a patio immediately south of the resource and screen the trash enclosure and the previously approved back-of-house equipment from pedestrians along the street edge. The proposal is compatible with the resource and the district while accommodating necessary improvements to the functionality of the resource.
- The proposed alterations will be differentiated through the use of contemporary materials and construction methods.
- Seeing as the elements are freestanding, and that the points of attachment to the end wall of the resource are limited to a light fixture, if the proposed elements are removed in the future, the essential form and integrity of the resource and its environment will be unimpaired.

These guidelines are therefore met.

II. Skidmore / Old Town Historic District Design Guidelines

General Guidelines

A1.a. Reinforce the Predominant Scale and Massing of the Historic District.

A1.b. Reinforce Pedestrian Scale and Orientation in the District.

A1.c. Reestablish the Sense of the District in Waterfront Park and on Naito Parkway.

A2. Maintain and Strengthen the Street Wall in New Construction, Additions, and Improvements to Open Portions of Sites.

A3. Reintegrate Cast Iron into the District.

A4. Select Historically Compatible, High Quality Materials with Finishes and Colors that are Appropriate to the District.

A5. Install Lighting that Strengthens the Historic Character and Vitality of the District.

Findings for A1.a, A1.b, A1.c, A2, A3, A4 and A5: The above-mentioned approval criteria are met in the following ways:

- The proposed uncovered freestanding enclosure is designed to reference the proportions of the primary structural elements of the primary street-facing façade of the resource and defer to existing horizontal datums of the Landmark while reinterpreting this into a simplified expression to meet the needs of an open-air egress court fronting onto a primary thoroughfare in the District. The proposed uncovered freestanding enclosure measures 8'-8" tall at the street (East facade) and serves to maintain the street edge and reinforce the pedestrian orientation in the District.
- The design team has been in communication with Prosper Portland (keeper of the cast iron collection), and the Owner of the Property is still committed to understanding if finding a path to reintegrate cast iron into the design is possible. While the current design does not yet reintegrate cast iron, the design team and owner are continuing to pursue reintegration. The specifics of this project scope do result in limits on how many cast iron pieces in the catalog would be available to use and reintegrate given that they should be looking to utilize relatively short columns that are also part of smaller sets as to not break apart existing larger sets that should be used on larger buildings.
- As mentioned above, the painted steel plate clad posts relate to the dimensions of the pilasters on the street-facing facades of the resource and successfully relate to the verticality of the resource. On the primary street-facing East Elevation, the infill between the painted steel posts will be painted solid steel pickets which are compatible with painted wrought iron elements found on contributing resources within the District.
- On the secondary South (side) Elevation, the infill transitions to a painted ½" by ½" welded wire mesh. The secondary more utilitarian elements of the proposal including the proposed trash enclosure clad in prefinished black standing seam metal panels, and the painted steel rails to protect the egress path continue to utilize durable materials and are simply detailed as to defer to the primacy of the resource.

These guidelines are therefore met.

Guidelines for Alterations

- B1.** Respect the Building's Historic Period, Style, Materials, and Details in the Design of Alterations.
- B2.** Preserve and Repair Historic Exterior Materials and Distinctive Details. Maintain the Vertical Lines of Columns and Piers, the Horizontal Definition of Spandrels and Cornices, and Other Primary Structural Elements.
- B3.** Respect the Shape, Size, Placement, Rhythm, and Trim of the Historic Openings in the Building.

Findings for B1, B2, and B3: The proposed lighting that is attached to the South (side) façade of the resource is minimal and will have all conduit routed internally to the building and will thus preserve historic materials and respect the building.

These guidelines are therefore met.

Guidelines for Additions

- C1.** Minimize the Visual Impact of Vertical Additions to Historic Structures.
- C2.** Respect the Scale and Proportion of Traditional Building Styles in Horizontal Additions.
- C3.** Subtly Differentiate Additions from the Historic Building while Maintaining Compatibility and Deference.

Findings for C1, C2, and C3: The proposed enclosures are designed to limit impact to the resource by being detached. Through designing the proportions of enclosure to relate to the resource, the use of durable materials, the references to primary datums on the primary facade of the resource, and the use of appropriate finishes, the design ensures that the proposal will be successfully differentiated while still ensuring that the character of the resource will be retained.

These guidelines are therefore met.

III. Central City Fundamental Design Guidelines

The Central City Fundamental 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.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within all of the Central City policy areas. The nine goals for design review within the Central City are as follows:

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.
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- A1. Integrate the River.** Orient architectural and landscape elements including, but not limited to lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and Greenway. Develop access ways for pedestrians that provide connections to the Willamette River and Greenway.
 - A2. Emphasize Portland Themes.** When provided, integrate Portland-related themes with the development’s overall design concept.
 - A4. Use Unifying Elements.** Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.
 - A5. Enhance, Embellish, and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area’s character. Identify an area’s special features or qualities by integrating them into new development.
 - A6. Reuse/Rehabilitate/Restore Buildings.** Where practical, reuse, rehabilitate, and restore buildings and/or building elements.
 - 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.
 - 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.
- 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.
- B4. Provide Stopping and Viewing Places.** Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.
- B5. Make Plazas, Parks and Open Space Successful.** Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.
- B6. Develop Weather Protection.** Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.
- B7. Integrate Barrier-Free Design.** Integrate access systems for all people with the building's overall design concept.
- C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.
- C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.
- C4. Complement the Context of Existing Buildings.** Complement the context of existing buildings by using and adding to the local design vocabulary.
- C5. Design for Coherency.** Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.
- 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.
- C12. Integrate Exterior Lighting.** Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.

Findings for A1, A2, A4, A5, A6, A7, A8, B1, B2, B3, B4, B5, B6, B7, C2, C3, C4, C5, C6, and C12: The above-mentioned approval criteria are met in the following ways:

- The proposed uncovered freestanding enclosure is located along SW Naito Parkway, facing Waterfront Park at the edge of the Skidmore/ Old Town Historic District. While the structure is small and does not exceed one story in height, views toward the river are provided through the relatively open front façade as a result of the façade being composed of open decorative steel pickets. The proposed uncovered enclosure maintains the street edge which defines a typical transition between private development and public open space seen in the District.
- The current scope of work will help ensure the resource's continued viability as the alterations are intended to accommodate necessary changes to allow the

patio area to be occupiable with the rerouted egress path continuing to serve the building along the south edge of the patio and trash enclosure. There was a 2006 Historic Resource Review approval to integrate glazed doors into the South wall of the resource (LUR 06-185300 HDZ). This proposal with the enclosure, alterations to the hardscape within the patio, and relocation of the egress path create an opportunity for usable outdoor amenity space which will help contribute to a vibrant streetscape.

- The proposed alterations to the Landmark building are relatively minimal in scope and will not negatively impact the architectural integrity of the resource.
- A strong street edge is a unifying element of contributing resources in the District. By continuing to hold the street edge, the proposed occupiable patio helps unify and enhance the identity of the area, provide stopping and viewing places, maintains a sense of urban enclosure, contributes to a vibrant streetscape, and reinforced and enhances the pedestrian realm.
- By locating the proposed trash and recycling enclosure at the rear of the site and screened the proposal will not detract from the pedestrian environment.
- The minimal and thoughtfully placed lighting is limited and is well integrated.
- The proposed design incorporates an accessible egress path and at-grade entry to the occupiable patio amenity space.
- The proposed use of durable materials and thoughtful detailing promote a sense of quality and permeance evident in the proposed design.
- The design successfully references the existing proportions and verticality of the resource and is designed to complement the historic character within the district through its use of painted steel and thoughtful proportions. Thus, the proposal respects the architectural integrity of the resource and continues to form a coherent composition.

These guidelines are therefore 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. The proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of non-exempt exterior alterations to the Landmark Smith Block Building site, listed as a contributing resource in the Skidmore/ Old Town Historic District, in the Downtown Subdistrict of the Central City Plan District, to include:

- Installation of a new uncovered free-standing enclosure immediately south of the resource consisting of steel posts with 3/16" painted steel plates with painted solid steel pickets along the east SW Naito frontage and painted 1/2" by 1/2" welded wire mesh panels along the south elevation. The enclosure has a single in-swinging gate on the East Elevation along SW Naito Pkwy and a single gate along the West (rear).
- Installation of a 190 SF covered trash and recycling enclosure with a steel roll-up door and a person-door at the southwest corner of the site adjacent to a proposed egress

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 July 1, 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: November 10, 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 September 29, 2021.** **The completed appeal application form must be emailed to 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 after **September 29, 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 Drawing Packet with Project Description & Response to Approval Criteria
2. Draft Revised Drawing Packet, Rec'd July 29, 2021, Not Approved/ For Reference Only
3. Revised Drawing Packet, Rec'd August 28, 2021

B. Zoning Map (attached)

C. Plans/Drawings:

1. Overall Site Plan & Vicinity (attached)
2. Site Survey
3. Enlarged Site Plan – Existing
4. Enlarged Site Plan – Proposed (attached)
5. Landscape Plan - Proposed
6. East & West Elevations – Proposed (attached)
7. South & West Elevations – Proposed (attached)
8. Details - Fence

9. Details - Fence
 10. Details - Site & Building
 11. Details - Site & Building
 12. Materials Proposed
 13. Materials Proposed – Lighting
 14. Specifications – Metal Siding on Trash Enclosure, Cont.
 15. Specifications – Metal Siding on Trash Enclosure, Cont.
 16. Specifications – Metal Siding on Trash Enclosure, Cont.
 17. Specifications – Light Fixture - Type 1
 18. Specifications – Light Fixture - Type 2
 19. Specifications – Light Fixture - Type 2, Cont.
 20. Specifications – Light Fixture - Type 2, Cont.
 21. Specifications – Light Fixture - Type 2, Cont.
 22. Specifications – Light Fixture - Type 2, Cont.
 23. Specifications – Light Fixture - Type 3
 24. Specifications – Light Fixture - Type 3, Cont.
 25. Specifications – Light Fixture - Type 3, Cont.
 26. Specifications – Light Fixture - Type 4
 27. Specifications – Overhead Door
 28. Specifications – Overhead Door, Cont.
 29. Specifications – Overhead Door, Cont.
 30. Specifications – Overhead Door, Cont.
 31. Specifications – Overhead Door, Cont.
 32. Specifications – Overhead Door, Cont.
 33. Specifications – Door
 34. Specifications – Door, Cont.
 35. Specifications – Door, Cont.
 36. Specifications – Door, Cont.
 37. Specifications – Door, Cont.
 38. Specifications – Hardscape
 39. Specifications – Hardscape, Cont.
 40. Specifications – Hardscape, Cont.
 41. Specifications – Hardscape, Cont.
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses:
1. Bureau of Environmental Services
 2. Life safety Division of BDS
 3. Bureau of Transportation Engineering
 4. Site Development Section of BDS
 5. Water Bureau
- F. Correspondence: none
- G. Other:
1. Original LU 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).