



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

Dan Ryan, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portland.gov/bds

Date: January 4, 2022
To: Interested Person
From: Hillary Adam, Land Use Services
503-823-8953 / Hillary.Adam@portlandoregon.gov

**NOTICE OF A PUBLIC HEARING ON A PROPOSAL
IN YOUR NEIGHBORHOOD**

CASE FILE: LU 21-076261 HR – Courtyard 21
PC # 20-188301

REVIEW BY: Historic Landmarks Commission

WHEN: January 24, 2022 @ 1:30pm

Remote Access: Historic Landmarks Commission Agenda

<https://www.portlandoregon.gov/bds/HLCagenda>

Due to the City's Emergency Response to COVID19, this land use hearing will be limited to remote participation via Zoom. Please refer to the instructions included with this notice to observe and participate remotely.

It is important to submit all evidence to the Historic Landmarks Commission. City Council will not accept additional evidence if there is an appeal of this proposal.

Development has been proposed in your neighborhood requiring a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map are attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Applicant: Jack Lyon jack@investmentbuilders.net / 503-805-1818
Investment Builders, LLC
3411 NE 65th St
Vancouver, WA 98661

Owner: 21 Glisan LLC
Po Box 4803
Parker, CO 80134-1462

Owner Representative: Brad Johnson 501glisan@dragonreef.com / 303-396-2322
21 Glisan, LLC
11640 SW Jody St
Beaverton, OR 97005

Site Address: 501 NW 21ST AVE

Legal Description: BLOCK 18 LOT 4, KINGS 2ND ADD
Tax Account No.: R452303010
State ID No.: 1N1E33CA 00400
Quarter Section: 3027

Neighborhood: Northwest District, contact Greg Theisen at 503-227-5430.
Business District: Nob Hill, contact Nob Hill at nobhillportland@gmail.com.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest
Other Designations: Non-contributing resource in the Alphabet Historic District

Zoning: CM2(MU-U)m – Commercial Mixed-Use 2 with Centers Main Street overlay and Historic Resource Portetion overlay

Case Type: HR – Historic Resource Review
Procedure: Type III, with a public hearing before the Historic Landmarks Commission. The decision of the Historic Landmarks Commission can be appealed to City Council.

Proposal:

The applicant proposes to add two stories of apartments over an existing one-story noncontributing building that contains a restaurant in the Alphabet Historic District. The proposed new second and third levels will contain four apartments each, centered around an enclosed courtyard, with a new lobby/stair and recycling/trash room at the ground level.

Historic resource Review is required because the proposal is for non-exempt exterior alterations in a historic district.

Relevant Approval Criteria:

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

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

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. This application was submitted on August 10, 2021 and determined to be complete on December 8, 2021.

DECISION MAKING PROCESS

The Bureau of Development Services will be making a recommendation on this proposal; our report and recommendation will be available 10 days before the hearing. The Staff report will be posted on the Bureau of Development Services website at <http://www.portlandoregon.gov/bds/35625> . Land use review notices are listed on the website by the District Coalition in which the site is located; the District Coalition for this site is identified at the beginning of this notice. The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the City’s website at <http://www.portlandoregon.gov>.

The neighborhood association, listed on the first page of this notice, may take a position on this application and may have scheduled an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

We are seeking your comments on this proposal. To comment, you may write or testify at the remote hearing. Please refer to the file number when seeking information or submitting testimony. In your comments, you must address the approval criteria as stated in the administrative report and decision which you previously received. Please note that all correspondence and testimony received will become part of the public record.

Written comments must be received by the close of the record and should include the case file number. Any new written testimony should be emailed to Hillary Adam at Hillary.Adam@portlandoregon.gov.

Please note regarding USPS mail: If you choose to mail written testimony via USPS, due to the Covid-19 Emergency, USPS mail is only received a couple times a week, and testimony must be received before the close of the record. Therefore, please mail testimony well in advance of the hearing date.

Thank you for any information you can provide regarding this case. Note: If you have already written, it is not necessary to write again; your correspondence will be given to the Historic Landmarks Commission.

If you plan to testify at the hearing, please refer to instructions included with this notice.

The applicant and proponents have the burden of proof to show that each and every element of the approval criteria are satisfied. In order to prevail, the opponents must persuade the Historic Landmarks Commission to find that the applicant has not carried the burden of proof with regard to one or more of the approval criteria. The opponents may also explain to the Historic Landmarks Commission how or why the facts asserted by the applicant are not supported by evidence in the record. Opponents may wish to recommend conditions of approval which will make the proposal more acceptable, if approved.

Prior to the conclusion of the hearing before the Historic Landmarks Commission, any participant may request an opportunity to present additional evidence or testimony regarding the application. If such a request is made, the record will be held open for seven days to receive the new evidence and the record shall be held open for at least an additional seven days to provide the other parties an opportunity to respond to that new evidence.

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 extended at the request of the applicant.

APPEAL PROCESS

You can appeal the Historic Landmarks Commission decision to City Council. However, the appeal to City Council will be conducted as an on-the-record review of the Historic Landmarks Commission decision. The City Council will consider legal arguments (for example arguments pointing out ways the Historic Landmarks Commission decision improperly interprets or applies relevant approval criteria). The City Council will also consider arguments that the Historic Landmarks Commission findings are not supported by the evidence submitted to the Historic Landmarks Commission. However, the City Council will not accept or consider new evidence that was not submitted to the Historic Landmarks Commission.

A fee is charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver. City Council's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA).

Failure to raise an issue, in person or by letter, by the close of the record by the Historic Landmarks Commission in this case may preclude an appeal to LUBA on that issue. Also, if you do not provide enough detailed information to the Historic Landmarks Commission, they may not be able to respond to the issue you are trying to raise. In such a situation, an appeal to LUBA on that issue may not be allowed.

Thank you for any information you can provide to help us make this decision. Please call me if you have any questions. My name and number are on the first page of this notice.

HEARING CANCELLATION

This public hearing will be cancelled due the inclement weather or other similar emergency.

- Design Commission, Historic Landmarks Commission or Adjustment Committee: This public hearing will be cancelled if Portland Public Schools close due to inclement weather or other similar emergency. Check local television and radio reports for school closures. Please call the Bureau of Development Services at 503-823-7617, for information regarding cancellations or rescheduling.

The hearing will be rescheduled for the earliest possible date. A renotification notice will not be sent.

To attend the hearing, public transportation is available. Tri-Met buses stop near the BDS building at SW Fifth or Sixth Ave. at SW Hall St. and SW Harrison St. Call Tri-Met at 503-238-7433 (or www.trimet.org) for routes and times. Hourly rated public parking is available a half block south of the building on Fourth Ave.

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).

Enclosures:

Zoning Map
Site Plan
East Elevation
South Elevation

Applicant's Guide to Zoom Webinar Hearings for Design Commission and Landmarks Commission

Preparing for the Webinar

1. Test your set-up. The easiest way to make sure that you're all set for the Webinar is to try out Zoom's "[test meeting](#)". If your audio and video work on this test, you will be fine when you join the Webinar.
 - We recommend downloading Zoom to your desktop or phone ([Learn more about downloading Zoom](#)) so that you can make use of its full functionality. You can also download the [Zoom app](#) for easy entry into the Webinar.
 - Some helpful resources from Zoom: Check out these resources from Zoom: [FAQ](#) and [Zoom Video Tutorials](#).
2. We will open the Zoom Webinar 30 minutes before the hearing, so you can log on, say hi, do a sound check, try a few Zoom features such as raising hands, and get settled.
3. Review the agenda and know when your item will be coming up.
4. Turn off computer notifications so we don't hear them during the Webinar.
5. Please have all presentation materials prepared, open, and ready to go.
 - All other documents and windows should be closed. This will help facilitate easier transitions to screen-sharing.
6. Applicants will be on video, so check your background for distractions.
 - Try as much as possible to avoid distractions on your computers.
 - Always keep your mic muted unless you're presenting.

Getting into the Webinar

1. You can enter the Webinar before it starts to make sure your set-up is working. Please login about 20-30 minutes prior to the start time, so you can log in, say hi, do your sound check, and get settled.
2. To join the Webinar via computer, smartphone, or tablet, follow the link you receive. As Staff will be sharing their screens (documents or PowerPoint presentations), we highly encourage you use a computer so that the information is readable.
3. If you do have a slower internet connection, consider connecting to video via your computer and also connecting to audio via your cell phone, or consider turning off video if experiencing poor voice quality.

During the Webinar

1. The Webinar will be organized the following way:
 - **Hosts/ co hosts** [Clerks, Commission Leadership, Liaisons],
 - **Panelists** [Commissioners, Staff and Applicants], and
 - **Attendees** [public].
2. We ask that Commission members, presenters, and staff with a presenting or facilitating role to be on camera most of the time. We understand if you need to periodically turn off your camera to take care of what needs to be done.

3. When speaking, please remember to identify yourself for the Public and for Close Captioning.
4. When not speaking, please remember to mute your microphone.
5. Chat function – We will **not** be using the Chat function in Zoom for DC/ HLC hearings.
6. Breaks – We will be taking 15-minute breaks between cases.

Public participation in the Webinar:

1. After Staff and Applicant presentations, the Chair will announce public testimony is open, and will ask if anyone else would like to testify.
2. The following is instruction given to the Public so they can provide public comment in this Webinar in several ways:
 - If during registration you indicated you would like to testify, we will put your name in order of request.
 - Members of the public will be automatically muted except for when they are called by the Hearings Clerk for their public comment. During the Webinar, the Hearings Clerk will unmute participants in the order of Webinar Registrations received.
 - If you indicated in your registration that you did not want to testify but later changed your mind, when testimony is open:
 1. Click the “raise your hand” function in ZOOM, and the Hearings Clerk will add you to the list of testifiers.
 2. If you will be participating by call-in, raise your hand by pressing *9 – the Webinar host will see this notification.
 - When you are unmuted, your name will be announced by the Hearings Clerk. Please be prepared to provide testimony.
 - Each testifier is allotted 2 minutes of testimony.
 - Please manage your time when testifying, the Hearings Clerk will provide a 15 second warning.
3. We will enable video sharing only for Design and Landmarks Commission members, project teams, and staff participating in the Webinar.

Follow-up:

1. The Webinar will be recorded and uploaded to the City of Portland Auditors website, under the Case File Number, here: <https://efiles.portlandoregon.gov/Search>.

FAQs

How do I sign up for Zoom?

You can sign up for a free Zoom account at zoom.us/signup, but you don't have to sign up to join a Design Commission or Landmarks Commission Webinar Hearing.

How do I join a Zoom meeting?

You can join a meeting by clicking the meeting link or going to join.zoom.us and entering in the meeting ID. [Learn more about joining a meeting.](#)

I can't hear anything, what should I do?

On most devices, you can join computer/device audio by clicking Join Audio, Join with Computer Audio, or Audio to access the audio settings. [Learn more about connecting your audio.](#)

How do I use Zoom on my PC or Mac?

After downloading Zoom, [learn how to use the Zoom Desktop Client](#).

Why is there echo in the meeting?

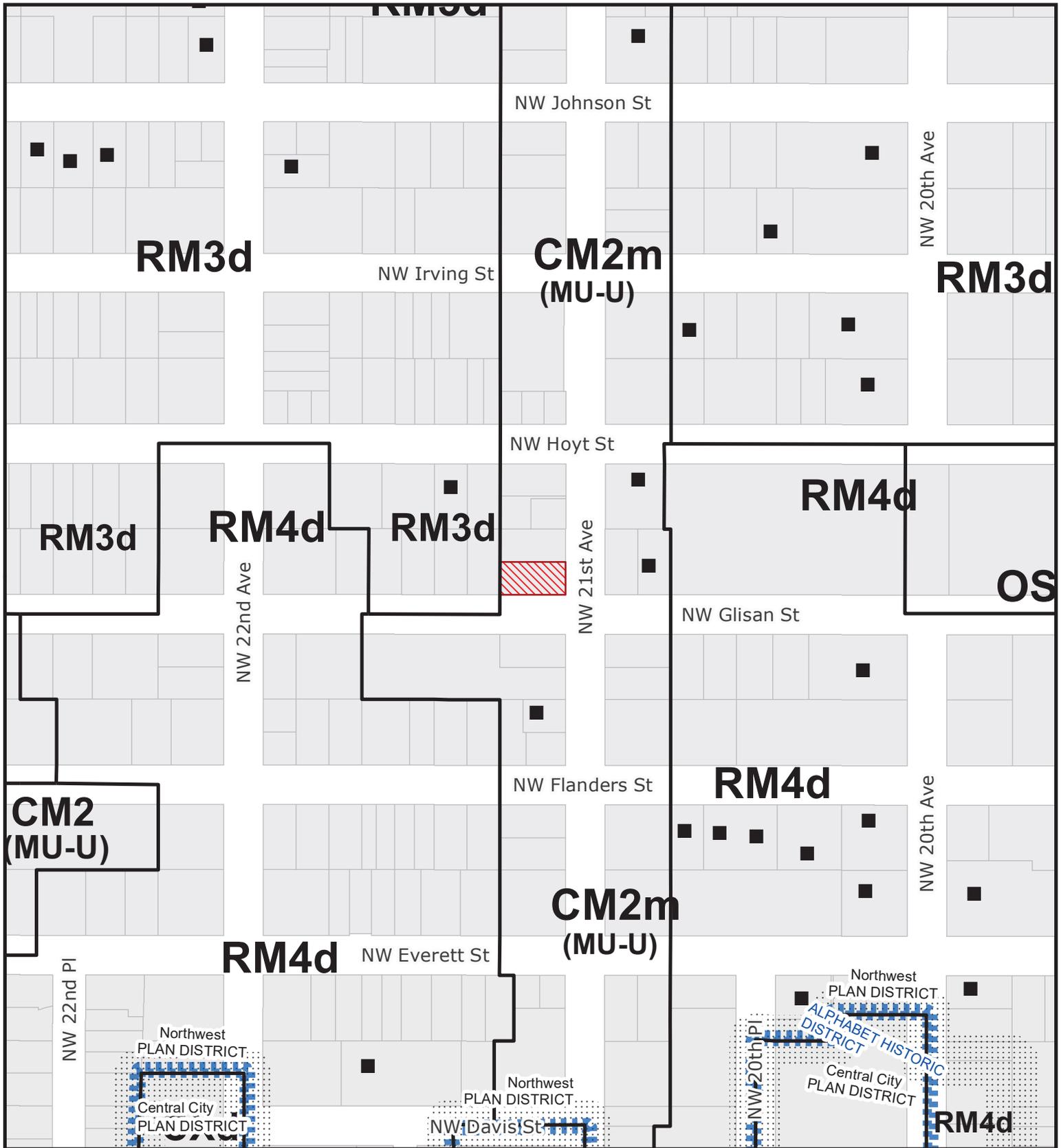
Echo can be caused by many things, such as a participant connected to the meeting audio on multiple devices or two participants joined in from the same local. [Learn about common causes of audio echo](#).

Audio isn't working on my mobile device.

[Read tips on troubleshooting audio that isn't working on your iOS or Android device](#).

Audio isn't working on my laptop. What should I do?

You can dial in from your phone at the given meeting number.



ZONING

↑ NORTH

For Zoning Code in effect Post August 1, 2021

NORTHWEST PLAN DISTRICT
ALPHABET HISTORIC DISTRICT



Site



Historic Landmark

| | |
|-------------|-------------------|
| File No. | LU 21 - 076261 HR |
| 1/4 Section | 3027 |
| Scale | 1 inch = 200 feet |
| State ID | 1N1E33CA 400 |
| Exhibit | B Aug 11, 2021 |

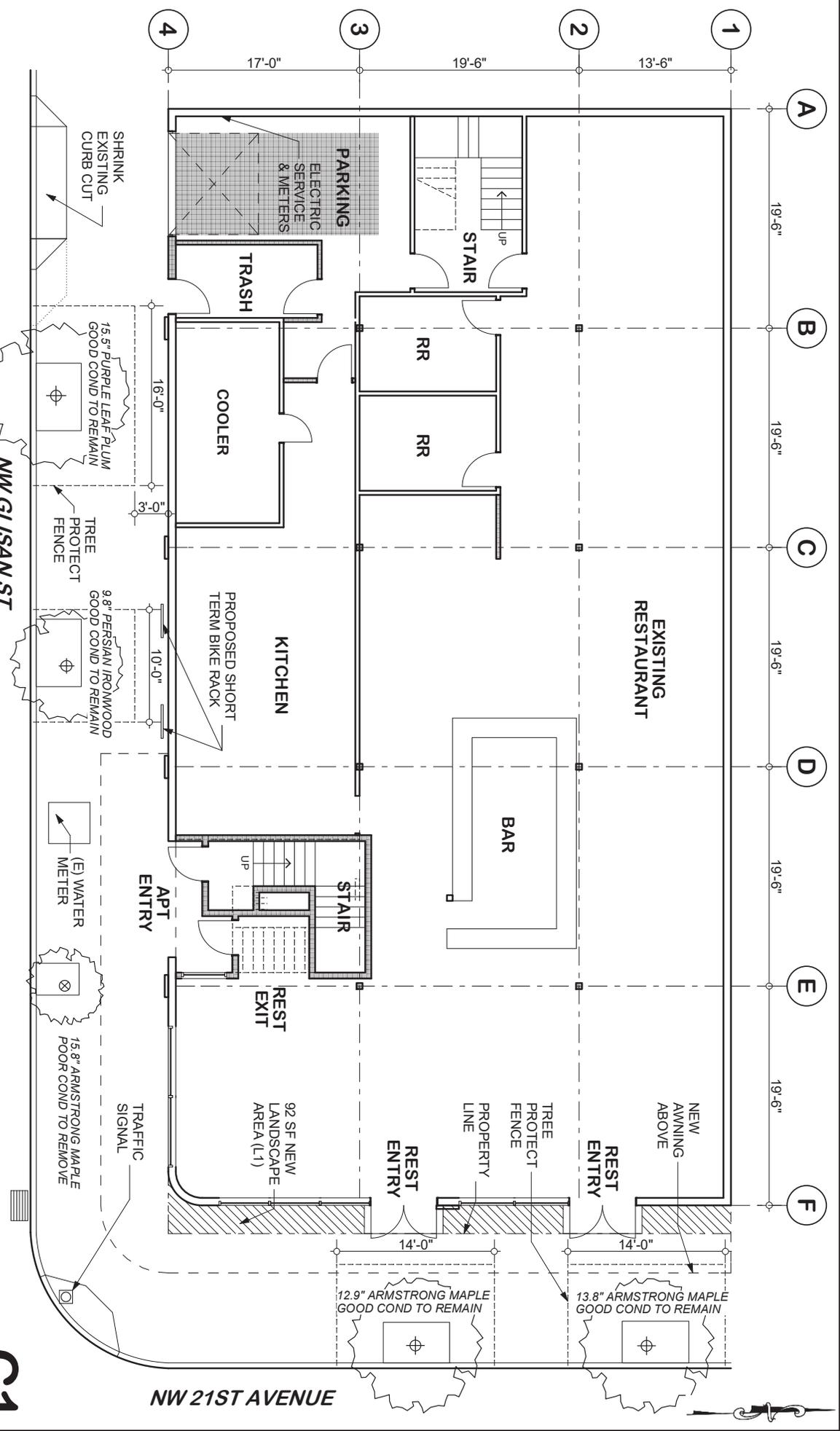
Courtyard 21

SITE PLAN

LUR 21-

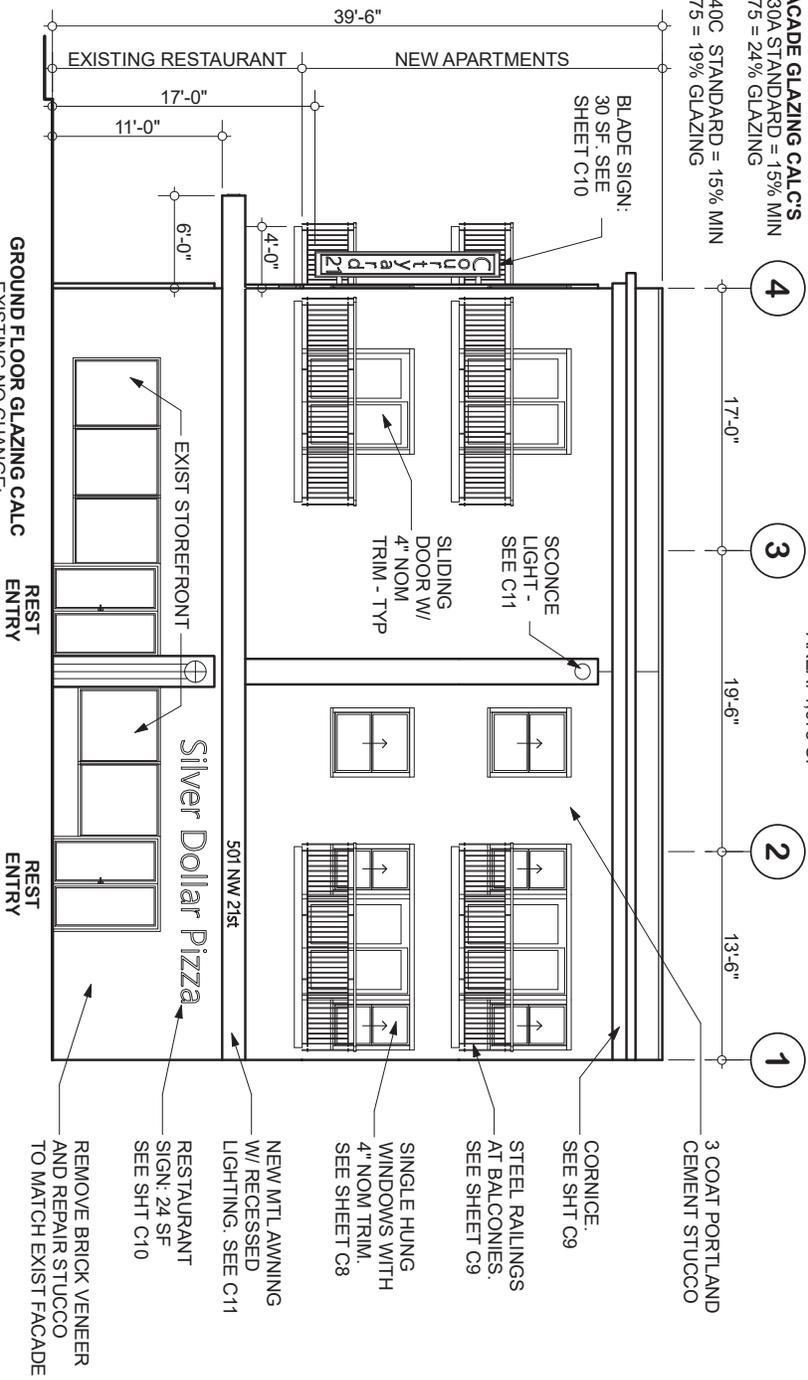
-DZ 080321

C1



PRIMARY FACADE
 HEIGHT: 39'-6"
 AREA: 1,975 SF

EAST FACADE GLAZING CALC'S
 33,130.230A STANDARD = 15% MIN
 470 / 1,975 = 24% GLAZING
 33,562.240C STANDARD = 15% MIN
 274 / 1,475 = 19% GLAZING

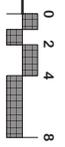


GROUND FLOOR GLAZING CALC
 EXISTING NO CHANGE:
 168 / 400 = 42% GLAZING
 AT GROUND FLOOR
 (33,130.230B STANDARD = 25% MIN)
 (33,415.340 STANDARD = 60% MIN)

Courtyard 21

EAST ELEVATION

1" = 8'-0"



LUR 21-

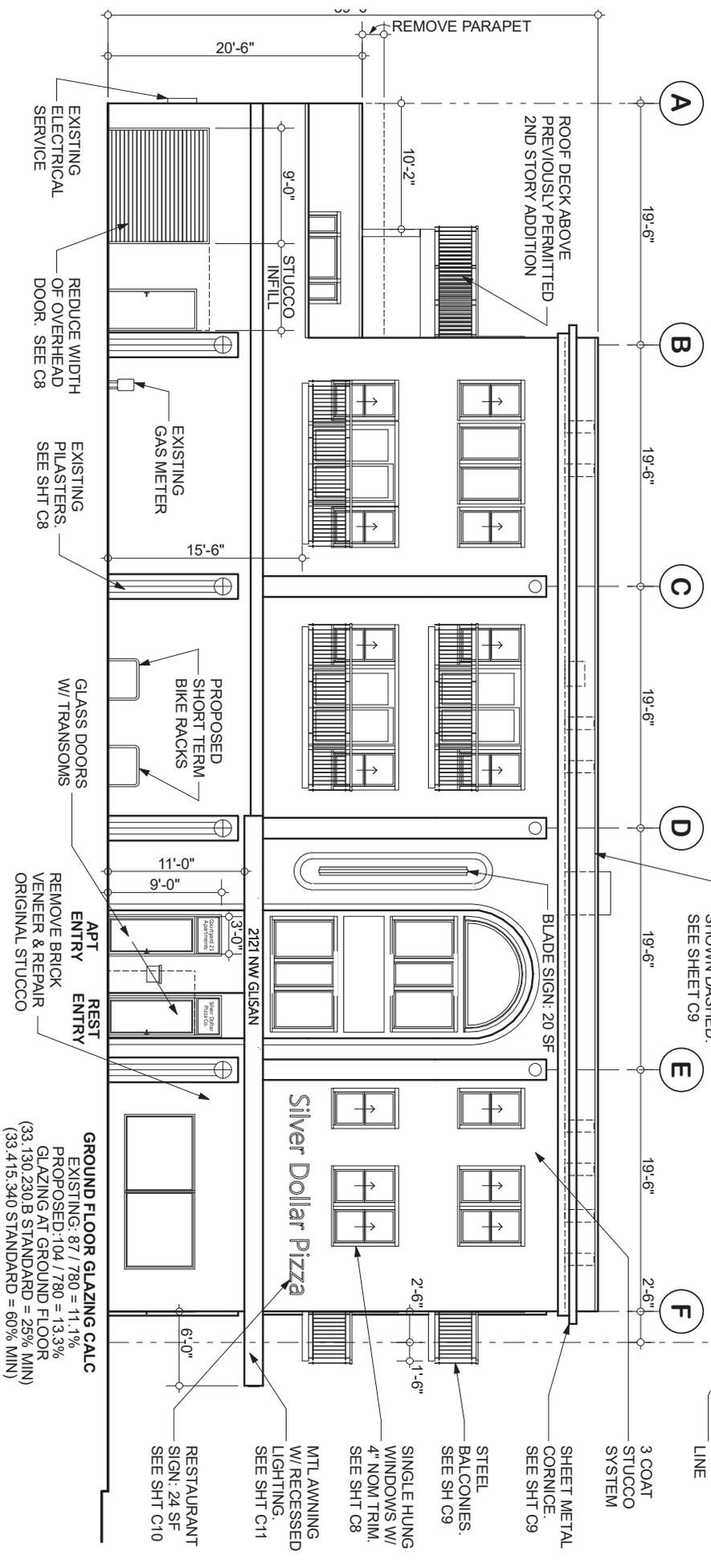
-DZ 080321

C5

SOUTH FACADE GLAZING CALC
 578 / 3,492 = 16.5% GLAZING
 WINDOWS AND GLASS DOORS
 (33,130.A STANDARD = 15% MIN)

30" HIGH PARAPET
 / MECH SCREEN,
 EQUIPMENT
 SHOWN DASHED.
 SEE SHEET C9

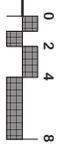
PRIMARY FACADE
 HEIGHT: 39'-6"
 AREA: 3,410 SF



Courtyard 21

SOUTH ELEVATION

1" = 8'-0"



LUR 21-

-DZ 080321

C6

GROUND FLOOR GLAZING CALC
 EXISTING: 87 / 780 = 11.1%
 PROPOSED: 104 / 780 = 13.3%
 GLAZING AT GROUND FLOOR
 (33,130.B STANDARD = 25% MIN)
 (33,415.340 STANDARD = 60% MIN)