



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

Carmen Rubio, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7310
TTY: (503) 823-6868
www.portland.gov/bds

Date: May 18, 2023
To: Interested Person
From: Tim Heron, Land Use Services
503-823-7726 / Tim.Heron@portlandoregon.gov

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 23-005995 HR – ELEVATOR TOWER

GENERAL INFORMATION

Applicant: John Wright & Augustin McLaughlin, Wright Architecture
augustin@wright-architecture.com
2222 NE Oregon St #210
Portland, OR 97232

Owner: Joseph Barbeau
2205 NW Johnson St
Portland, OR 97210

Site Address: 2205 NW JOHNSON ST

Legal Description: BLOCK 2 E 55' OF LOT 3&4 HISTORIC PROPERTY 15 YR 2008, POTENTIAL ADDITIONAL TAX, KINGS 2ND ADD

Tax Account No.: R452300230

State ID No.: 1N1E33BD 14500

Quarter Section: 2927

Neighborhood: Northwest District, contact Greg Theisen at planningchair@northwestdistrictassociation.org

Business District: Northwest, contact at nobhillportland@gmail.com.

District Coalition: Neighbors West/Northwest, contact Darlene Urban Garrett at darlene@nwnw.org

Plan District: Northwest

Other Designations: Historic Landmark, individually listed in the National Register and Contributing resource in the Alphabet Historic District, listed in the National Register of Historic Places on November 16, 2000.

Zoning: RM3d, Multi-dwelling Residential 3 with design and Historic Resource overlay

Case Type: HR, Historic Resource Review

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

Proposal:

The applicant requests Historic Resource Review Approval for the addition of a new 4-story elevator tower at the Historic Landmark Cohn-Sichel House, located at 2205 NW Johnson Street in the Alphabet Historic District. The elevator addition provides accessible street front access to all levels of the residence, including the top floor accessory dwelling unit. The owner of the residence, due to his disability, currently has no reasonable accommodation or accessible access to any level of the residence. Alternative locations were explored in previous Early Assistance meetings, but the applicant found they were cost prohibitive and more damaging to the existing residence than the current proposal.

The new elevator tower addition (9'-3" wide x 7'-2" deep x 45'-6" tall to the ridge) will be at the northeast corner of the building, adjacent to the existing rear porch and the NW 22nd Avenue sidewalk. The addition will contain elevator access with five stops: the street level, basement, main level, upper level, and roof level accessory dwelling unit. New wood lap siding and trim, board width and paint to match existing is proposed, as well as a hip roof at addition to match existing building design. Width of addition is to match width of existing porch. A secondary option, accessing the three lowest levels is also proposed as an alternative [9'-3" wide x 7'-2" deep x 28' tall to the ridge], and would have the same materials and detailing as the preferred five-level elevator design.

Some portion of existing landscaping along the street level is to be removed for the elevator access landing between the basement and elevator and for an enclosed trash area. The new basement exterior door at the new elevator landing will match existing exterior door design and materials. The new retaining walls at the elevator landing and new landscaping will also be provided to match existing.

Because the proposal is for exterior alterations to an existing Historic Landmark in a National Register Historic District, Historic Resource Review is required.

Relevant Approval Criteria:

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

- [Community Design Guidelines](#)
- [Historic Alphabet District: Community Design Guidelines Addendum](#)

ANALYSIS

Site and Vicinity: The subject property is a 2.5-story single dwelling, with attic-level accessory dwelling, located at the northwest corner of NW 22nd and NW Johnson, elevated from the street and oriented south. The house was constructed in 1907 in the Craftsman style. From the National Register nomination:

This residence is significant for its association with John Kiernan, who once occupied the house. A native of Illinois, Kiernan amassed his fortune as one of Oregon's first salmon packers, lumbermen, and industrialists. He was also a prominent figure in real estate development in the state and was the sole owner of Ross Island for over 50 years.

This residence was also occupied at one time by Herbert H. Sichel. Born in Portland in 1888, Sichel was a prosperous Portland merchant who operated the Moses and H.H. Sichel men's furnishings store. Active in civic and club affairs, he was a leader in merchandizing organizations and a member of various organizations, including the Selective Service Board, Al Kader Shrine, Scottish

Rite, and the American Legion. Sichel was also the treasurer for the American Council for Judaism.

The Alphabet Historic District is an area of Portland significant for its concentration of intact late 19th and early 20th Century, mostly middle class, housing stock and small-scale commercial buildings. Of special note are the many mid-sized apartment and institutional buildings. Many of these are in the various Period Revival styles, e.g. Tudor, Spanish Colonial, Byzantine, Jacobean, etc. and this is especially the case in the immediate vicinity of the proposed new development. The area is characterized by a grid of narrower, more tree-lined, east-west residential streets, named alphabetically after prominent Portlanders of the day, which are crossed by generally more robust north-south avenues. Two of these, NW 21st Avenue and NW 23rd Avenue are low-scale business corridors featuring a mix of purpose-built commercial structures and converted houses.

Zoning: The **RM3** zone is a medium to high density multi-dwelling zone applied near the Central City, and in centers, station areas, and along civic corridors that are served by frequent transit and are close to commercial services. It is intended for compact, urban development with a high percentage of building coverage and a strong building orientation to the pedestrian environment of streets. This zone is intended for areas where the established residential character includes landscaped front setbacks. Allowed housing is characterized by mid-rise buildings up to six stories tall. The Design overlay zone is applied to this zone.

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 **"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 **Northwest Plan District** implements the Northwest District Plan, providing for an urban level of mixed-use development including commercial, office, housing, and employment. Objectives of the plan district include strengthening the area's role as a commercial and residential center. The regulations of this chapter: promote housing and mixed-use development; address the area's parking scarcity while discouraging auto-oriented developments; enhance the pedestrian experience; encourage a mixed-use environment, with transit supportive levels of development and a concentration of commercial uses, along main streets and the streetcar alignment; and minimize conflicts between the mixed-uses of the plan district and the industrial uses of the adjacent Guild's Lake Industrial Sanctuary.

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

- LU 20-198076 HR - The Historic Landmarks Commission upheld the Administrative Decision that approved the proposal with additional revisions for a new solar energy system on the roof.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **February 16, 2023**.

- Bureau of Environmental Services, minor comments and no concerns. Exhibit E1.

- Bureau of Transportation, minor comments and no concerns. Exhibit E2.
- Urban Forestry, minor comments and no concerns. Exhibit E3.
- Bureau of Fire, minor comments and no concerns. Exhibit E4.
- Bureau of Development Services, Life Safety section, minor comments and no concerns. Exhibit E5.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **February 16, 2023**. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Dan Volkmer, Frank Dixon, 2/22/2023, wrote in support with recommendations for basement material. Exhibit F1.
2. Rosalie Lingo and Brittany Parsegian, 2/23/2023, wrote in support. Exhibit F2.
3. Ruth Roth, 3/4/2023, wrote in opposition to the elevator location and design. Exhibit F3.
4. Marcia Wood, 3/4/2023, wrote in opposition to the elevator location and design. Exhibit F4.
5. Rick Michaelson, 3/6/2023, wrote in opposition to the elevator location and design. Exhibit F5.
6. Nancy and Lawrence Pautsch, 3/6/2023, wrote in opposition to the elevator location and design. Exhibit F6.
7. Mike Janniro, 3/7/2023, wrote in opposition to the elevator location and design. Exhibit F7.
8. Greg Theisen, Chair of the NW District Association Planning Committee, 3/9/23, wrote in support. Exhibit F8.

Staff response: The applicant has completed two early assistance appointments with Staff [Exhibit G3] with the specific goal of exploring alternative locations for accessible access than the one proposed in this Land Use Review. The options included internal changes and/ or other exterior locations on the site.

The applicant has also submitted a “reasonable accommodation request” per the Federal Fair Housing Act from Disability Rights of Oregon [Exhibit A2].

Additional responses to concerns raised are addressed in the findings below.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846.060 - Historic Resource Review

Purpose of Historic Resource Review

Historic Resource Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Resource Review Approval Criteria

Requests for Historic Resource Review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is located within the Alphabet Historic District and the proposal is for a non-exempt treatment. Therefore, Historic Resource Review approval is required. The approval criteria are the *Community Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*.

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

Historic Alphabet District - Community Design Guidelines Addendum

1. **Historic Changes.** Most properties change over time; those changes that have acquired

historic significance will be preserved.

2. Differentiate New from Old. New additions, exterior alterations, or related new construction will retain historic materials that characterize a property to the extent practicable. Replacement materials should be reasonable facsimiles of the historic materials they replace. The design of new construction will be compatible with the historic qualities of the district as identified in the Historic Context Statement.

3. Hierarchy of Compatibility. Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a historic or conservation district, with the rest of the District. Where practical, compatibility will be pursued on all three levels. New development will seek to incorporate design themes characteristic of similar buildings in the Historic Alphabet District.

Findings:

The proposed elevator tower location along the NW 22nd Avenue right-of-way at the rear of the property was considered alongside multiple other options. Alternate locations were explored and were found extremely challenging [Exhibit A6, Exhibit A7 and Exhibit G3] and would depart from existing floor plans in ways that would remove existing spaces from their current use, impair or destroy various historical features important to preserve, prove much more costly, or have all these effects. The applicant has also submitted a letter from Disability Rights of Oregon requesting accommodation under the Federal Fair Housing Act, which grants individuals the right to reasonable accommodation to access all portions of their residence. With the complications and effects tied to the alternate locations, none of the alternate locations for an elevator would be a reasonable accommodation. The vertical scale cannot be compromised without denying access to upper levels of the house, and an owner is entitled under Federal law to be granted accessible access to all portions of their residence.

The proposed elevator addition was designed to complement the existing form of the historic residence as reasonably as possible, given the specific limitations of the existing house and the site. The existing residence is located on top of a slope, which elevates the main level more than thirteen feet above street level. Most of the property is located well above street level elevation. The applicant provided alternate locations explored in the interior of the property that would require significant site work and alterations to the existing residence to accommodate the addition. Additionally, the alternate locations explored would depart from existing floor plans in ways that would remove existing spaces from their current use, impair or destroy various historical features important to preserve, prove prohibitively costly, or have all these effects.

Additionally, the existing residence has four floors. These existing conditions make the Historic Cohn-Sichel House larger in scale than many other single-family residences in the neighborhood. The proposed elevator addition has a relatively small footprint compared to the existing residence. The proposed addition matches the height of the existing residence and the depth of the existing porch addition. The existing porch addition is vertically orientated, extending from the NW 22nd Avenue street level to the finish floor of the Accessory Dwelling Unit [ADU] level. The proposed elevator addition would match the depth of the existing rear porch addition and match the height of the existing residence.

The existing rear porch, where the elevator addition will be located, will have its east walls updated to accommodate the elevator. The entirety of the original residence, including the rest of the rear porch addition, will remain intact. A small portion of the ground level landscaping along the NW 22nd Avenue rear of the house will be altered to accommodate the exterior elevator landing.

For the proposed addition to complement the historic qualities of the historic residence, the elevator addition will match the new finishes and materials with existing materials. This includes cladding the elevator addition with wood lap siding and wood trim, painted to match the existing colors. The proposed addition will contain a hip roof,

which matches the roof type of the existing residence. The addition also proposes adding wood, double hung windows. The sill heights, size, and finish will match the existing windows of the residence and reduce the visual bulk of the addition. The width of the proposed elevator addition will match the depth of the existing porch addition.

The proposed elevator addition matches proportions of the existing porch addition, as well as the roof height of the existing residence. The exterior finishes of the elevator addition will match those of the existing residence. The design of the elevator addition will respect the character of the existing residence, as well as minimally alter its exterior. By matching the proportions and exterior cladding of the existing residence, the addition is aesthetically compatible with the historic Cohn-Sichel House, other foursquare/craftsman homes within the adjacent blocks, and the larger Alphabet Historic District ensemble.

Because a request for a reasonable accommodation has been made per the Federal Fair Housing Act, and successful attempts have been employed in the design to make the addition as compatible as possible within the envelope necessary to accommodate the accessibility needs of the owner, these guidelines are met.

Community Design Guidelines

P1. Plan Area Character. Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and traditions.

P2. Historic and Conservation Districts. Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area's historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

D7. Blending into the Neighborhood. Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

Findings for P1, P2, and D7:

The Alphabet Historic District is an area of Portland significant for its concentration of intact late 19th and early 20th Century, mostly middle class, housing stock and small-scale commercial buildings. Of special note are the many mid-sized apartment and institutional buildings. Many of these are in the various Period Revival styles, e.g., Tudor, Spanish Colonial, Byzantine, Jacobean, etc. and this is especially the case in the immediate vicinity of the proposed new development. The area is characterized by a grid of narrower, more tree-lined, east-west residential streets, named alphabetically after prominent Portlanders of the day, which are crossed by generally more robust north-south avenues. Two of these, NW 21st Avenue and NW 23rd Avenue are low-scale business corridors featuring a mix of purpose-built commercial structures and converted houses.

The proposed elevator addition will complement the existing character of the Historic residence by utilizing cedar lap siding and wood trim, painted to match the existing residence. This includes cladding the elevator addition with wood lap siding and wood trim, painted to match the existing colors. The base of the addition will match the scored cast-in-place concrete of the existing foundation walls. The proposed addition will contain a hip roof, which matches the roof type of the existing residence. The addition will include vertically oriented wood double hung windows, similar to the existing historic residence. The sill heights, size, and finish will match the existing windows of the residence and reduce the visual bulk of the addition. The height of the addition will align with the height of the existing residence.

The proposal will also minimally alter the exterior of the existing residence. The size of the proposed addition is relatively small compared to the existing residence. By incorporating materials that match the existing residence, the elevator addition's

Craftsman inspiration falls in line with the existing Historic residence and the design vocabulary of the Craftsman homes in the Alphabet District.

The proposed elevator addition matches proportions of the existing porch addition, as well as the roof height of the existing residence. The exterior finishes of the elevator addition will match those of the existing residence. The design of the elevator addition will respect the character of the existing residence, as well as minimally alter its exterior. By matching the proportions and exterior cladding of the existing residence, the addition is aesthetically compatible with the historic Cohn-Sichel House, other foursquare/craftsman homes within the adjacent blocks, and the Alphabet Historic District.

Because a request for a reasonable accommodation has been made per the Federal Fair Housing Act, and successful attempts have been employed in the design to make the addition as compatible as possible within the envelope necessary to accommodate the accessibility needs of the owner, these guidelines are met.

E3. The Sidewalk Level of Buildings. Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.

D3. Landscape Features. Enhance site and building design through appropriate placement, scale, and variety of landscape features.

D6. Architectural Integrity. Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings E3, D3, D6 and D8:

The proposed elevator addition will provide accessible access to all levels of the residence. Currently the existing entrance door to the residence is elevated substantially above the public right-of-way (20+ steps up from the street). The base of the proposed addition is at street level and will provide accessible stops at each floor of the residence. The owner of the residence has a disability which prevents him from individually being able to enter or travel between floors of his residence. Providing reasonable accommodation to the entirety of the residence, including the top floor ADU, is backed by the Federal Fair Housing Act, and aligns with the City of Portland goals of promoting inclusivity and diversity in building design.

The site work at the ground level is sufficient to provide comfortable access to the elevator addition and the stairs leading up to the backyard. The trash enclosure is tucked underneath the basement landing and provides ample clearance for moving the bins. The trash enclosure will be screened with cedar plank doors, painted to match the existing trim of the residence. The project is also proposing planting yew trees along the existing green strip at the sidewalk edge. The yew trees would span the entire length of the Street level elevator landing and trash enclosure. Along with the cedar fence, this further conceals the trash enclosure from street level and screens this utilitarian function from the street.

In order for the proposed addition to be compatible with the historic qualities of the historic residence, the elevator addition will match the new finishes and materials with existing materials. This includes cladding the elevator addition with wood lap siding and wood trim, painted to match the existing colors. The proposed addition will contain a hip roof, which matches the roof type of the existing residence. The addition proposes adding wood, double hung windows and the sill heights, size, and finish will match the existing windows of the residence and reduce the visual bulk of the addition. The form of the existing porch addition to the northeast corner of the site will be utilized when sizing the elevator addition footprint.

The scored cast-in-place concrete base of the elevator addition will create a break in the façade and provide a material change at street level. This will create a human-scale band of materials within the portion of the addition that will receive the most foot traffic.

Because a request for accommodation has been made per the Federal Fair Housing Act, and successful attempts have been employed in the design to make the addition as compatible as possible within the envelope necessary to accommodate the accessibility needs of the owner, 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. Providing reasonable accommodation to the entirety of the residence, including the top floor ADU, is backed by the Federal Fair Housing Act, and aligns with the City of Portland goals of promoting inclusivity and diversity in building design. Because a request for a reasonable accommodation has been made per the Federal Fair Housing Act, and because successful attempts have been employed in the design to make the addition as compatible as possible within the envelope necessary to accommodate the accessibility needs of the owner, this proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

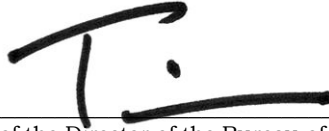
Approval of a new 4-story elevator tower addition to the Historic Landmark Cohn-Sichel House, located at 2205 NW Johnson Street in the Alphabet Historic District. The new elevator tower addition (9'3" wide x 7'2" deep x 45'-6" tall to the ridge) will be at the northeast corner of building, adjacent to the existing rear porch and the NW 22nd Avenue sidewalk.

Approval also includes an alternative 2-story elevator tower (9'-3" wide x 7'-2" deep x 28'-0" tall to the ridge), using the same footprint, materials and details as the 4-story elevator.

Approval per the approved site plans, Exhibits C-1 through C-21, signed and dated May 16, 2023, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 23-005995 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

Staff Planner: Tim Heron



Decision rendered by: _____ **on May 16, 2023**

By authority of the Director of the Bureau of Development Services

Decision mailed: May 18, 2023

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 January 20, 2023, and was determined to be complete on **February 13, 2023**.

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 January 20, 2023.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant requested that the 120-day review period be extended a total of 56 days [Exhibit A3, A5]. Unless further extended by the applicant, **the 120 days will expire on: August 8, 2023**.

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 1, 2023. 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 **June 1, 2023** 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

1. Applicant's Statement

1. Original Submittal
 2. October 28, 2022, Disability Rights of Oregon Letter
 3. 120-day extension request [42 days]
 4. Applicant response to testimony
 5. 14-day extension request [14 days]
 6. Revised Narrative
 7. Revised Appendix Set
- B. Zoning Map (attached)
- C. Plans/Drawings:
1. Project Vicinity
 2. Site Plan (attached)
 3. Enlarged Site Plan at sidewalk
 4. Enlarged Basement Plan
 5. Enlarged Main Level Plan
 6. Enlarged Upper-Level Plan
 7. Enlarged Upper-Level Plan at ADU
 8. Roof Plan
 9. North Elevation (attached)
 10. South Elevation/ NW Johnson
 11. East Elevation/ NW 22nd Avenue (attached)
 12. Section North/ South
 13. Section East/ West
 14. Foundation details
 15. Roof and Window Sections (attached)
 16. Elevator wall section 1
 17. Elevator wall section 2
 18. Alternate – North Elevation
 19. Alternate – East Elevation (attached)
 20. Exterior Materials
 21. Window Details
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses:
1. Bureau of Environmental Services, minor comments and no concerns.
 2. Bureau of Transportation, minor comments and no concerns.
 3. Urban Forestry, minor comments and no concerns.
 4. Bureau of Fire, minor comments and no concerns.
 5. Bureau of Development Services, Life Safety section, minor comments and no concerns.
- F. Correspondence:
1. Dan Volkmer, Frank Dixon, 2/22/2023, wrote in support with recommendations for basement material.
 2. Rosalie Lingo and Brittany Parsegian, 2/23/2023, wrote in support.
 3. Ruth Roth, 3/4/2023, wrote in opposition to the elevator location and design.
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 5. Rick Michaelson, 3/6/2023, wrote in opposition to the elevator location and design.
 6. Nancy and Lawrence Pautsch, 3/6/2023, wrote in opposition to the elevator location and design.
 7. Mike Janniro, 3/7/2023, wrote in opposition to the elevator location and design.
 8. Gregory Theisen, Chair NW District Association, wrote in support.
- G. Other:
1. Original LU Application
 2. Incomplete Letter
 3. Early Assistance Appointment EA 22-140461 Summary Notes

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).