



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

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**STAFF REPORT AND RECOMMENDATION TO THE  
HISTORIC LANDMARKS COMMISSION**

**CASE FILE:** LU 13-185512 HRM  
PC # 13-169691  
**REVIEW BY:** Historic Landmarks Commission  
**WHEN:** October 28, 2013, at 1:30 p.m.  
**WHERE:** 1900 SW Fourth Ave., Room 2500A  
Portland, OR 97201

BDS LUS Staff: Dave Skilton 503-823-0660  
dave.skilton@portlandoregon.gov

**GENERAL INFORMATION**

**Applicant:** Jim Mark, Nick Ehlen  
Melvin Mark Companies / B13 Investors LLC  
111 SW Columbia Street Suite 1380  
Portland, OR 97201

**Representative:** Jon Mcgrew 503-227-4860  
Hennebery Eddy Architects  
921 SW Morrison Street Suite 250  
Portland, OR 97205

**Site Address:** 110 SW Yamhill Street

**Legal Description:** BLOCK 13 LOT 1&2, PORTLAND; BLOCK 13 LOT 3, PORTLAND; BLOCK 13 LOT 5&6 EXC PT IN ST, PORTLAND; BLOCK 13 LOT 7 EXC PT IN ST, PORTLAND

**Tax Account No.:** R667702210, R667702230, R667702270, R667702290  
**State ID No.:** 1S1E03BA 02400, 1S1E03BA 02300, 1S1E03BA 03700, 1S1E03BA 03600

**Quarter Section:** 3129

**Neighborhood:** Portland Downtown, contact Jennifer Geske at 503-750-9843.

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

**Plan District:** Central City - Downtown

**Other Designations:** Non-contributing resource in the Yamhill Historic District, which was listed in the National Register of Historic Places on July 30, 1976.

**Zoning:** CXd, Central Commercial with Historic Resource and Design overlays

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

**Procedure:** Type III, a public hearing before the Historic Landmarks Commission. The Historic Landmarks Commission decision can be appealed to City Council.

**Proposal:** The applicant is seeking Historic Resource Review approval for a proposal to reconfigure openings and replace all the exterior wall materials on an existing, two-story, non-contributing building in the Yamhill Historic District. The existing building skin includes metal and glass storefront systems and painted synthetic stucco. The proposed materials are brick, stone, painted metal framework and panel, and aluminum-framed windows. The proposal also includes signage. Historic Resource Review is required because the proposal is for non-exempt exterior alterations in a historic district.

**Modifications:** The applicant is seeking two modifications of 33.266.310 Loading Standards, to reduce the number of loading bays from two to one; and to reduce the overhead clearance height from 13 feet to 12 feet.

**Approval Criteria:**

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

- Yamhill Historic District Design Guidelines
- Central City Fundamental Design Guidelines
- 33.846.070 – Modifications Considered in Historic Resource Review

## ANALYSIS

**Site and Vicinity:** The subject property is unusual in the downtown area in that it occupies three-quarters of a block but is only two stories tall. The site was created by the agglomeration of smaller properties and was redeveloped into its current form, as a "festival marketplace," in 1986, well after the listing of the Yamhill Historic District. As designed, the building focuses inwardly to a sky-lit courtyard and the structural scheme is diagonal to the street grid. Although the drop is subtle, the near full-block footprint of the building contributes to the northeast corner being substantially lower than the southwest. This contributes to a rather squat ground floor condition along SW 2<sup>nd</sup> Avenue and SW Taylor Street. In addition to the foregoing, the building also occupies the center of the Yamhill Historic District, which is small and which has a low ration of contributing to non-contributing resources.

The Yamhill Historic District, listed in the National Register of Historic Places on July 30, 1976, is significant as an area with a high concentration of late Nineteenth Century commercial building, and especially those featuring cast iron facade elements. The block occupied by the subject site includes three contributing buildings, one at its southeast corner and two at the northwest.

**Zoning:** The commercial zones implement the commercial policies and plan map designations of the Comprehensive Plan. The zones are for areas of the City designated by the Comprehensive Plan for commercial uses. The differences in the zones reflect the diversity of commercial areas in the City. The zones are distinguished by the uses allowed and the intensity of development allowed. Some of the zones encourage commercial areas that are supportive of surrounding residential areas, while other zones allow commercial areas which have a community or regional market. The regulations promote uses and development which will enhance the economic viability of the specific commercial district and the city as a whole.

In general, a wide range of uses is allowed in each zone. Limits on the intensity of uses and the development standards promote the desired character for the commercial area. The development standards are designed to allow a large degree of development flexibility within parameters which support the intent of the specific zone. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed.

The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's

role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

The Historic Resource overlay preserves 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 Design Overlay Zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. 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 or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

**Land Use History:** City records indicate there are no related prior land use reviews for this site.

**Public Notice:** A "Notice of Proposal in Your Neighborhood" was mailed **October 4, 2013**.

**Agency Response:** None of the notified agencies has responded with concerns.

**Other Responses:** To date there have been no other responses to the proposal.

## ZONING CODE APPROVAL CRITERIA

### (1) Chapter 33.846, Historic Resource 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 located within the Yamhill Historic District. Therefore the proposal requires Historic Resource Review approval. The relevant approval criteria are the Yamhill Historic Design Guidelines and the Central City Fundamental Design Guidelines.

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

#### **Yamhill Historic District Design Guidelines**

General Guidelines Alterations and Additions to Historic Landmarks, Potential Landmarks and Other Compatible Buildings

**E. Visual Integrity of Structure.** The vertical lines of columns and piers, and the horizontal definition of spandrels and cornices, and other primary structural elements shall be maintained.

Such structural lines should be restored if previous alterations have substantially changed such elements.

- The modulation of building facades was determined by lot parceling. Generally, buildings were built at 25, 50 or 100-foot widths. Within those general building widths, the buildings was further divided into smaller bay storefront systems.
- Where structural lines cannot be carried to the ground, integrate the upper and lower floor design with color, materials and form simplicity.

**Findings:** Although the longest walls of the building, those along SW 1<sup>st</sup> and 2<sup>nd</sup> Avenues, are an uncharacteristic 150' in length, the reuse of the existing 1986 structural system dictates that the vertical divisions of the new facade treatment remain at the existing 17' bay system which fits well within the context of the historic district. Because the building is only two stories tall at the street edges, all the columns covers run from ground to cornice, and verticality is further reinforced by use of a consistent storefront-spandrel-window system between columns that creates the effect of a simple, two-story colonnade. This is especially helpful along SW 2<sup>nd</sup> and SW Taylor, where the height of the ground floor is rather short.

In terms of *This guideline is met.*

**F. Scale and Proportion.** The scale and proportion of altered or added building elements, the relationship of voids to solids (i.e. openings such as doors and windows to walls and column elements) shall be visually compatible with the traditional architectural character of the Historic District. An important element within the Historic District was the emphasis on the pedestrian scale activities which were characterized with the addition of canvas awnings or permanent canopies. This defined an important scale and proportion element of the District and to the extent possible, this relationship at pedestrian level should be re-established within the District.

**Findings:** While the proposed storefronts and windows do not mimic the narrower traditional bearing wall openings seen in the oldest buildings in the Yamhill Historic District, its period of significance runs to 1930, by which time buildings with the longer-span characteristics of the proposed treatment were typical. The juxtaposition of the proposed facade treatment with those of the adjoining older buildings is not jarring because it is commonplace in urban areas that have developed and redeveloped over time. The wall system is also broken down into many smaller constituent elements, and because it is understated and regular in character, it achieves a balance between compatibility and subtle distinctiveness. In terms of openness to the street and the pedestrian, the proposal improves the performance of the building, which was internally focused in its 1986 iteration. Permanent canopies are provided at all entries. *This guideline is met.*

**G. Exterior Building Materials.** Most of the buildings within the District were constructed of bearing wall brick masonry (left exposed or covered with plaster), or stone. This feature gives the area much of its textual surface character. Surfaces need to be treated, repaired, and maintained in a manner which is sympathetic to the District.

### 1. Walls

- Original building materials shall be preserved wherever possible. Cleaning and/or repointing masonry is preferred over replacement.
- If masonry has to be replaced, repair or replace existing masonry with masonry of matching color, texture, size, coursing. Avoid using "used" brick in replacement. This conflicts with traditional masonry surfaces.
- Mortar should match the color and joint configuration of the existing masonry wall.

- Masonry was painted to seal soft bricks from the weather or painted later for other reasons. Where soft brick surfaces are found to be painted, surfaces should not be stripped but should be repainted.
- Plastered surfaces should be cleaned, repaired with a similar plaster texture and repainted. Avoid exposing brick to the weather by removing finish plaster as this will speed deterioration of the brick.
- Do not apply artificial and/or inappropriate coverings to masonry surfaces. Examples are metal, plastic or wood sidings.

**2. Storefronts, Doors and Windows.** The shape, size, placement and trim of storefront openings are a key element in establishing the character of a building.

- Where original storefronts remain, preserve and repair. Where covered with other materials, remove and determine condition of original materials.
- Storefronts requiring new materials could consider a wide variety of replacement systems. Building Codes require non-combustible materials (steel, aluminum, etc.), but wood systems may be acceptable provided other means of fire protection are installed. Wood systems should be painted, rather than stained or treated naturally.
- New window and door openings should maintain a similar horizontal and vertical relationship as the originals. Traditionally, windows were two-over-two or one-over-one. Large panes of glass, as used in contemporary storefronts, should be avoided.
- Glazed portions of windows were important elements to the building and should not be altered, painted over or eliminated.
- Clear glass is traditional and should be used instead of tinted glass. Additionally, signs cannot be painted on tinted glass without the possibility of breakage due to the effect of sunlight.
- Re-use original hardware whenever possible. If possible, new hardware should be in keeping with original designs.
- On side-walls, avoid walling-in openings with masonry, if possible. Rather, maintain the opening and replace the glazing if necessary with appropriate hard surface materials.

**Findings:** The wall cladding system is tan brick in stacked bond. The column covers are pure stretchers and the field areas above the windows alternates headers and stretchers. The cornice base is a soldier course, with every fourth and fifth unit brought slightly proud to create a dentilated effect, and a painted sheet metal fascia and coping to finish off the top of the wall. The overall effect is a good balance between traditional and current practices that blends with the surroundings but is subtly distinguishable as of its own time.

Infill of the bays is generally consistent, but varies in one significant characteristic between the adjacent facades along SW 1<sup>st</sup>/SW Yamhill and those along SW 2<sup>nd</sup>/SW Taylor. In the former case the height of the ground floor is tall enough to allow for a band of transom windows between the storefronts and the second floor spandrel panels, while in the latter case it is not. This creates a subtle differentiation between the two sections, which are also separated from one another by corners and 150' feet of historic building walls, without sacrificing the owners' desired ability to identify the oddly-shaped structure as a single entity. Although basically a combination of modern elements, the overall storefront-spandrel-window infill system displays a high level of detailing, which, in combination with the familiar texture of brick wall cladding, successfully blends the proposed facade treatment into the context of the historic district.

An optional treatment proposed along the SW 2<sup>nd</sup>/Taylor facades is for operable, four-panel, bi-folding storefront windows. Because it would divide the glazing into four equal panels instead of mimicking the Chicago window pattern above it, this

design would provide another subtle differentiation from the facades on SW 1<sup>st</sup>/Yamhill. When closed, these windows would present a typical, flush, storefront appearance, and when open they would serve to enliven the street.

The proposal also includes the concept of flexibility in locating future tenant entries, allowing for use of the two storefront systems proposed here, within their respective opening types. Approval of this concept would minimize the need for redundant future reviews without having any adverse effect on the character of the Yamhill Historic District.

Location of a fire exit and a glazed roll-up loading door adjacent to the historic Mikado Building, on SW 1<sup>st</sup> Avenue appropriately continues and terminates the general bay pattern of the structure but requires a slightly lower loading bay head height than anticipated by the Zoning code, 12 feet instead of 13 feet. This difference is not significant in terms of operation. Given the fact that ground floor retail tenants will need to take many deliveries at the curb, the applicant has also requested a reduction in the number of required interior loading spaces from two to one. A single bay of loading is more in character with the historic district, and the Bureau of Transportation has no objection to either of these requests because they will not have adverse effects on traffic.

*This guideline is met.*

**I. Color.** The colors used in alterations or additions within the District shall be visually compatible with the traditional architectural character of the historic buildings within the area.

- Historically, in the era of the late 1800's and early 1900's, painting was usually done using earth colors, i.e., hues tending towards brown, soft greens, and beiges.
- Bright colors and white were rarely used. Buildings, therefore, are perhaps most appropriately painted using subdued colors. Little or nothing is gained by the use of strong or loud colors, especially those with no tradition of local usage.
- Color combinations will occur, as nearly all buildings will have wood trim or metal ornamentation in addition to their base materials. This, plus the further elaboration of wood storefronts, suggests the use of an overall wall color plus one or two trim colors.
- A method for determining the original wall and trim colors consists of scraping chips from the existing surface and analyzing them microscopically. This should be done whenever the original color is unknown and major repainting is contemplated.

**Findings:** The proposed material color scheme for the building includes: pale tan brick; a darker, warm gray mortar; dark gray basalt column bases and entry surround; painted light brown window, spandrel, canopy and storefront elements; and clear glass. This narrow palette, in combination with a restrained amount of ornamentation, serves both to give the facades a traditional elegance, and to reinforce the structure's role as background for the historically significant buildings in the district. *This guideline is met.*

**J. Signs.** Exterior building signage should be visually compatible with the traditional architectural character of the historic buildings in the District. A variety in signage is encouraged, incorporating excellence in graphic design and lettering, careful color coordination with the building, good mounting, readability, and materials, all of which are compatible with and sensitive to the character of the building. Lighting may also be permissible which is creative without being overwhelming. Sign design should be done in an "identification" sense rather than an "advertising" sense. All types of exterior signs are reviewed.

**Findings:** The proposed sign package includes three types: diagonally projecting blade signs at the second level at street corners; blade signs at the spandrel level along

SW2nd/Taylor; and blade signs at the transom level along SW 2<sup>nd</sup> and Yamhill. Within general parameters for typology, size and locations, a variety of signage would provide another means to diminish the impact of the atypically long facades, and to enliven the streetscape.

The following proposed parameters would provide both appropriate limits on the amount of signage and flexibility to create desirable variety:

- at each of the corners (SW 2<sup>nd</sup>/Taylor, and SW 1<sup>st</sup>/Yamhill) one externally illuminated, diagonally projecting, painted metal sign, centered within the horizontal band created by the upper floor windows, no greater than 9 feet tall and no more than 32 square feet in face area;
- on the SW 2<sup>nd</sup> Avenue and SW Taylor Street facades, one externally illuminated, projecting, painted metal blade sign per tenant entry, centered within the horizontal band created by the second floor spandrel panels, no greater than 3'-6" tall and no more than 8 square feet in face area; and
- on the SW 1<sup>st</sup> Avenue and SW Yamhill Street facades, one externally illuminated, projecting, painted metal blade sign per tenant entry, centered within the horizontal band created by the transom windows, no greater than 3'-6" tall and no more than 8 square feet in face area.

*This guideline is met.*

**K. Lighting.** Historically, lighting within the District was provided by lighting in the public right-of-way with the use of gas lamps, electrical lights, etc. First floor storefront lighting should be consistent with the overall character of the building and the District.

**L. Awnings/Canopies.** Alterations and/or additions to historic buildings within the District should consider the use of awnings and/or canopies. These should be consistent with the function of the building and the relationship of the awning to adjacent buildings and to the District.

**Findings for K and L:** Two similarly detailed, painted steel, canopy types are proposed, one for typical ground floor tenant entries and a larger version with a glazed ceiling for the second floor entry. The color will match all other painted elements, and the only exterior lighting proposed for the building is flush-mounted down lights in the ceilings of the store entry canopies. These will serve to subtly indicate entrances and facilitate movement after dark. *These guidelines are met.*

### **Central City Fundamental Design Guidelines**

**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.

**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.

**Findings for A4, A5, A6, and A8:** By virtue of its five-hundred linear feet of street frontage the building has had and will continue to have a significant presence within the context of the Yamhill Historic District. In terms of enhancement of area character, the proposed rehabilitation is balanced and improves on the inwardly focused original character of the building by opening up more storefront area and creating new entrances. *These guidelines are met.*

**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.

**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.

**C13. Integrate Signs.** Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

**Findings for B6, C12, and C13:** Weather protection and exterior lighting are combined within the canopies proposed at all tenant entries, and with the exception of those at the two street corners, all proposed signage is also directly associated with these entries. The corner signs are at traditional locations and align with building elements. The overall result of the proposed signage package is a rational treatment that will help pedestrians navigate to and enter businesses with ease and comfort. *These guidelines are met.*

**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.

**Findings for C2 and C3:** The proposed skin treatment for the building is significantly more durable than the original foam-backed synthetic stucco system. The basic, and appropriately simple form of the building is maintained. *These guidelines are met.*

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

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

**Findings for C8 and C9:** Although these guidelines probably anticipate buildings taller than two stories at the edge of right-of-way, the proposal does significantly improve on the existing more closed character of the building at the sidewalk level. Flexibility is provided through the options for operable storefronts and interchangeable entry locations. *These guidelines are met.*

**(2) 33.846.070 Modifications Considered During Historic Resource Review**

The approval criteria for modifications considered during Historic Resource Review are:

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

**B. Purpose of the standard.**

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

**33.266.310 Loading Standards**

**A. Purpose.** A minimum number of loading spaces are required to ensure adequate areas for loading for larger uses and developments. These regulations ensure that the appearance of loading areas will be consistent with that of parking areas. The regulations ensure that access to and from loading facilities will not have a negative effect on the traffic safety or other transportation functions of the abutting right-of-way.

**Modification Request:** The applicant is seeking two modifications of 33.266.310 Loading Standards, to reduce the number of loading bays from two to one; and to reduce the overhead clearance height from 13 feet to 12 feet.

**Findings for A:** As evidenced in the findings under Guideline G above, the resulting development will better meet the approval criteria because it will allow the loading bay to occupy a single building bay rather than two.

*The proposed Modification meets the approval criteria and the purpose of the standard and therefore merits approval.*

## CONCLUSIONS

The proposed alterations to the building will make significant improvements to its performance within the Yamhill Historic District, both in terms of compatibility and contribution to energy of the streetscape. The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and modification criteria and therefore warrants approval.

## TENTATIVE STAFF RECOMMENDATION

(May be revised upon receipt of new information at any time prior to the Historic Landmarks Commission decision)

Staff recommends approval of the proposed exterior alterations to a non-contributing resource in the Yamhill Historic District, per Exhibits C-1 through C-32, and subject to the following condition:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-32. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 13-185512 HRM. No field changes allowed.

**Procedural Information.** The application for this land use review was submitted on July 26, 2013, and was determined to be complete on Sep 24, 2013.

*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 July 26, 2013.

*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 by 245 days). Unless further extended by the applicant, the review must be completed by September 24, 2014.

**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 recommendation 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.

**This report is not a decision. The review body for this proposal is the Historic Landmarks Commission who will make the decision on this case.** This report is a recommendation to the Historic Landmarks Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Historic Landmarks Commission will make a decision about this proposal at the hearing or will grant a continuance. Your comments to the Historic Landmarks Commission can be mailed c/o the Historic Landmarks Commission, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201 or faxed to 503-823-5630.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. This Staff Report will be posted on the Bureau of Development Services website. Look at [www.portlandonline.com](http://www.portlandonline.com). On the left side of the page use the search box to find Development Services, then click on the Zoning/Land Use section, select Notices and Hearings. Land use review notices are listed by the District Coalition shown at the beginning of this document. You may review the file on this case at the Development Services Building at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201.

**Appeal of the decision:** The decision of the Historic Landmarks Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Historic Landmarks Commission, City Council will hold an evidentiary hearing, one in which new

evidence can be submitted to them. Upon submission of their application, the applicant for this land use review chose to waive the 120-day time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing.

**Who can appeal:** You may appeal the decision only if you write a letter which is received before the close of the record on hearing or if you testify at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$5000.00 will be charged.**

**Appeal Fee Waivers:** Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034  
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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**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.

Planner's Name: Dave Skilton

Date: October 18, 2013

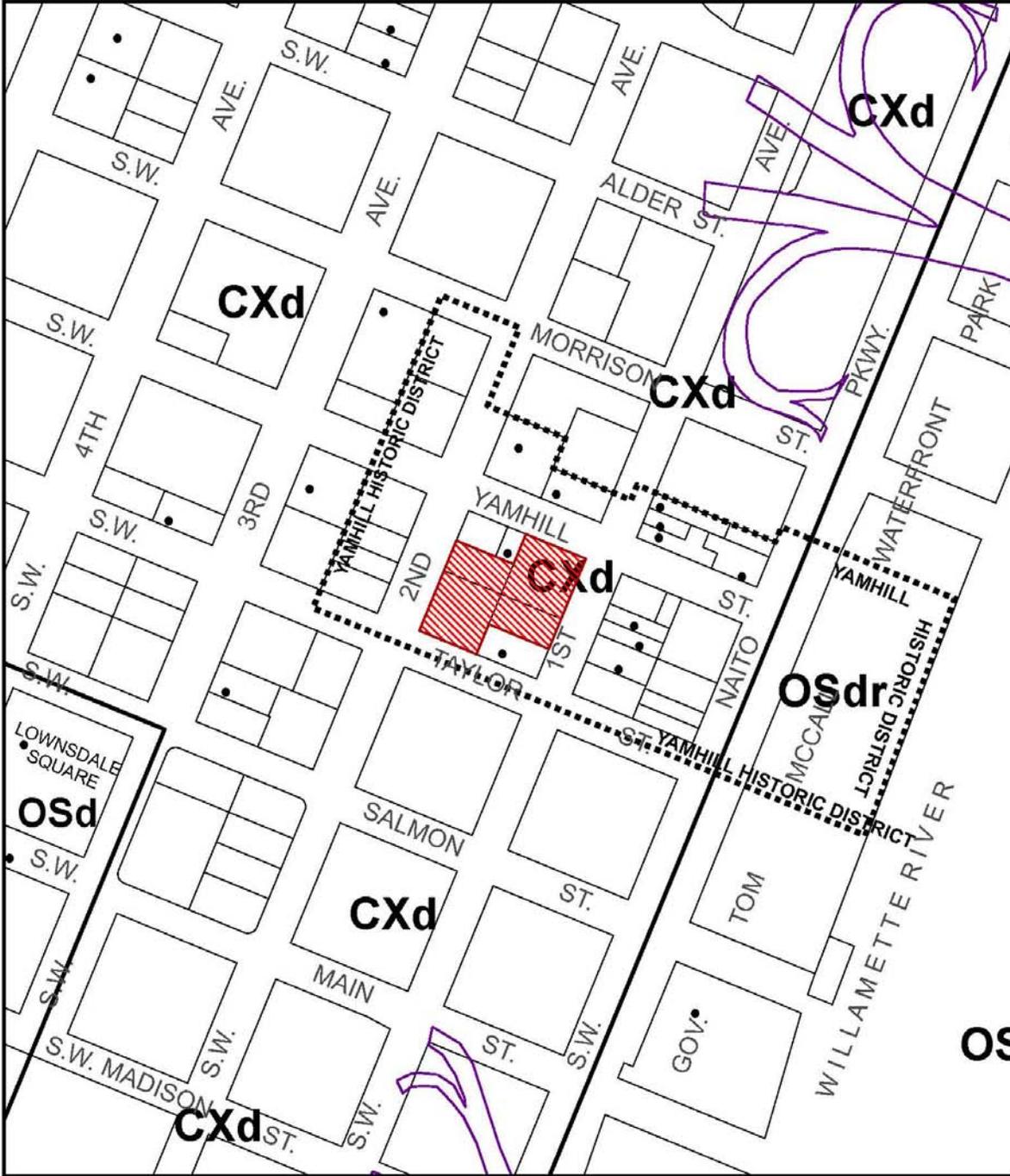
### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Materials:
  1. 120-day waiver
  2. Applicant's Statement Addressing Approval Criteria
- B. Zoning Map (attached)
- C. Plans & Drawings:
  1. Cover
  2. Directory and Table of Contents
  3. Vicinity Map
  4. Historic Photo
  5. Historic Photos
  6. Site Plan (attached)
  7. Basement Plan
  8. Level One Plan
  9. Level Two Plan
  10. Level three Plan
  11. Perspective from SW 2<sup>nd</sup> and Taylor (attached)
  12. Perspective from SW 1<sup>st</sup> and Yamhill (attached)
  13. Perspective from SW 2<sup>nd</sup> and Yamhill (attached)
  14. Perspective from SW 1<sup>st</sup> and Taylor (attached)
  15. Main Entry Perspective
  16. North Elevation
  17. East Elevation
  18. South Elevation
  19. West Elevation
  20. Main Entry, Rendered Elevation
  21. Tenant Entry and Operable Storefront Rendered Elevation
  22. Typical Storefront with Transoms Rendered Elevation
  23. North-South Building Section
  24. East-West Building Section
  25. Typical Bay Plan, Section, and Elevation
  26. Typical Tenant Entry Plan, Section, and Elevation
  27. Main Entry Plan, Section, and Elevation
  28. Corner Entry Plan, Section, and Elevation
  29. Loading Bay Plan, Section, and Elevation
  30. Storefront Details

- 31. Signage Details
- 32. Canopy Details
- D. Notification information:
  - 1. Request for response
  - 2. Posting letter sent to applicant
  - 3. Notice to be posted
  - 4. Applicant's statement certifying posting
  - 5. Mailing list
    - 1. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. Site Development Review Section of Bureau of Development Services
  - 6. Bureau of Parks, Forestry Division
- F. Letters: none to date
- G. Other:
  - 1. Original LUR Application
  - 2. Staff Report
  - 3. Staff Presentation

**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).**



# ZONING

 Site

 Historic Landmark



This site lies within the:  
 YAMHILL HISTORIC DISTRICT  
 CENTRAL CITY PLAN DISTRICT - DOWNTOWN

File No.	LU 13-185512 HDZ
1/4 Section	3129
Scale	1 inch = 200 feet
State_Id	1S1E03BA 2300
Exhibit	B (Jul 26, 2013)







VIEW FROM SW TAYLOR (CLOSE UP)  
13

2 & TAYLOR | Land Use Review | LU 13-185512 | 14 October 2013



