



City of Portland, Oregon
Bureau of Development Services
Office of the Director

FROM CONCEPT TO CONSTRUCTION

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Report to Council

March 7, 2012

TO: Mayor Sam Adams
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Randy Leonard
Commissioner Dan Saltzman

FROM: Paul L. Scarlett, Director
Bureau of Development Services

PLS

SUBJECT: Portland Historic Landmarks Commission State of the City Preservation Report.

The attached report is a required Annual Report of the Portland Historic Landmarks State of the City Preservation Report for 2012. The report is required by Portland City Code [Title 33] to fulfill the Annual Report requirement for its actions and accomplishments for each fiscal year.

Current Issues and Concern before Council today:

On January 23, 2012 I spoke before the Landmarks Commission in my yearly address to thank them for their service and advocacy on behalf of Historic Preservation. Both BDS and the Landmarks Commission see the need to adjust Portland's Historic Design Review regulations and processes, to help streamline the review process, bring costs down, and thereby reduce the application fees.

I wholeheartedly agree that the current Historic Design Review process needs a close examination of its goals, regulations and code-mandated processes, and some amendments to the code. This is necessary to maintain and increase public support for historic preservation in Portland and to facilitate rehabilitation work. While the fee structure is a vital component that needs adjustment, the policy of cost recovery for the Bureau of Development Services' (BDS) work is in place and must continue to be an overarching goal for BDS's operation. A prioritized, simplified, and tiered approach to regulation is needed that keeps processes in closer proportion to the scale and cost of the projects proposed. These changes require amendments to the zoning code. In order to maintain and expand public support for historic preservation in general, it may be necessary to prioritize what is most important to regulate, and find some compromises so that the average property owner sees the regulations, costs, and time involved as reasonable.

To this end, some of the ideas and concepts that have been developed by the Commission and staff are:

- a) Define terms such as "repair", "maintenance", and "replacement", and create appropriate exemptions from Historic Design Review for very minor projects;
- b) Simplify the design guidelines and approval criteria that need to be addressed with each application (especially for minor exterior changes), to reduce confusion for applicants, save staff time, and thereby reduce costs (i.e. fees);

FROM CONCEPT TO CONSTRUCTION

- c) Re-define the public interest in historic districts as limited to what is visible from the right-of-way. (Exempt work that is not visible from the right-of-way, such as replacing windows at the back of a house.); and
- d) Create a new faster review procedure for the most minor Historic Design Reviews, and design it in a way that keeps BDS costs down, so the fees can be kept low.

Staff in BDS are poised and willing to work with stakeholders in realigning our code and fee structures, but this can't be accomplished without other Bureau staff involvement, specifically the Mayor's Office and the Bureau of Planning and Sustainability. I look forward to working with you and the Landmarks Commission in my capacity as the Director of BDS, as we work together to make these needed improvements.

Background:

The Historic Landmarks Commission provides leadership and expertise on maintaining and enhancing Portland's historic and architectural heritage. The Commission identifies and protects buildings and other properties that have historic or cultural significance or special architectural merit. The Commission provides advice on historic preservation matters, and coordinates historic preservation programs in the City. The Commission is also actively involved in the development of design guidelines for historic design districts.

The Historic Landmarks Commission consists of seven members, none of whom may hold public elective office. The Commission must include a historian with knowledge of local history; an architectural historian; an architect; two members from the following: landscape architecture, real estate, construction, community development, urban planning, archeology, law, finance, cultural geography, cultural anthropology, or related disciplines; and two members at-large.

All members must have demonstrated interest, competence, or knowledge of historic preservation. No more than two members of the Commission may be in the business of buying, selling, leasing, or developing real estate for profit, or be officers of such a business. Members are appointed by the Mayor and confirmed by the City Council. The terms shall be a maximum of four years with a maximum of two full terms.

Powers and Duties:

The Historic Landmarks Commission has all of the powers and duties which are assigned to it by PCC Title 33 or by City Council. The Commission powers and duties include:

1. Establishing or removing Historic Landmark and Conservation Landmark designations for specific buildings or sites in quasi-judicial reviews;
2. Recommending the establishment or removal of Historic Landmark and Conservation Landmark designations to the City Council in legislative actions;
3. Recommending the establishment, amendment, or removal of Historic Districts and Conservation Districts to the Planning Commission and the City Council;
4. Recommending and developing design guidelines for Historic Districts and Conservation Districts to the City Council;

5. Reviewing development proposals for Historic Landmarks and Conservation Landmarks and in Historic Districts and Conservation Districts;
 6. Reviewing demolition and relocation requests for certain Historic landmarks and buildings in Historic Districts;
 7. Providing advice on historic preservation matters to the Hearings Officer, Design Commission, Planning Commission, Portland Development Commission, other City commissions and committees, and City Council; and
 8. Initiating and coordinating historic preservation and public outreach programs in the City, including reviewing recommendations for national register status and making recommendations to other governmental agencies regarding historic preservation programs and issues.
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TO THE COUNCIL

The Commissioner of Public Affairs concurs with the recommendations of the Director of the Bureau of Development Services and

RECOMMENDS:

That the Council accepts this Portland Historic Landmarks Commission State of the City Preservation Report to Council and report as set forth in Exhibit A.

Respectfully submitted,

Dan Saltzman, Commissioner of Public Affairs

STATE OF THE CITY PRESERVATION REPORT 2012
PORTLAND HISTORIC LANDMARKS COMMISSION
MARCH 7, 2012

Responsibilities of the Historic Landmarks Commission

Portland is blessed with a rich and distinctive heritage. Buildings, public spaces and distinctive neighborhoods are the fabric which links our magnificent natural setting, cultural diversity and complex history together. These elements are foundational to keeping Portland unique and livable, but maintaining these aspects of our city is a difficult task.

The Portland City Council has charged the Historic Landmarks Commission (HLC) with this responsibility. We are citizen volunteers appointed by the Mayor to promote the protection and preservation of Portland's historic and architectural heritage and to provide leadership and expertise on maintaining and enhancing Portland's architectural and cultural resources. The HLC identifies and protects buildings and other properties that have historic or cultural significance or special architectural merit. We provide advice on historic preservation matters, coordinate historic preservation programs in the City and are actively involved in the development of design guidelines for historic design districts.

We take seriously these responsibilities and, as part of our mission, we submit this report as the third annual installment of direct accountability of the Portland Historic Landmarks Commission to the Portland City Council.

Landmark Commission Activity Summary

The Commission met 14 times during 2011 and conducted retreats on January 25, 2011 and February 24, 2012. Additionally, the Commission Chair meets quarterly with the Design Commission and Planning and Sustainability Commission Chairs to share and coordinate overlapping interests.

Of the 97 Type 2 Historic Design Reviews reviewed by staff this past year, only one - the Globe Hotel - was appealed to HLC for consideration. This represents nearly double the number of building alteration requests over 2010, significantly fueled by the addition of 2,800+ properties in the Irvington Historic District, also notable as the largest Historic District in the State of Oregon. Moreover, these same 97 Type 2 Historic Design Reviews in 2011 represent over 80 percent of the number of reviews completed in 2007 (111 reviews), 2008 (120 reviews) and 2009 (123 reviews), all completed with only half a many BDS staff as were in place four or five years ago. We sincerely thank BDS staff for this yeoman's effort.

There were three Type 3 Historic Design Review decisions including the new Blanchet House, the Globe Hotel and the Olds, Wortman & King Department Store. HLC heard five different Design Advice Request proposals; two of those were reviewed twice.

Finally, six National Register nominations were reviewed and forwarded to the State with recommendations for approval. The Commission received 11 briefings that addressed a broad spectrum of topics including the Portland Plan Update, Centennial Mills Redevelopment Update, Travel Portland, Portland Public Schools, PDC Update and Cornerstones Project – Portland’s African American Building Heritage and others.

2011 Landmarks / Historic Preservation Successes

- Renewed interest in the creation of historic districts – Irvington and Buckman
- Olds, Wortman & King Department Store for City Target
- Odd Fellows Building (affordable senior housing)
- Thoughtful engagement with the Portland Plan
- New Blanchet House approval
- Leadership succession and new members appointed to the HLC

Historic Preservation Priorities for 2012

I. Involvement in Ongoing City-Wide Planning Activities

The HLC has remained actively engaged in long-term planning activities pursued by the Bureau of Planning and Sustainability including the Portland Plan, the Central City 2035 Plan and the upcoming Comprehensive Plan. For many years HLC has been working to expand the view of historic preservation beyond one that focuses primarily on aesthetic benefits to a view that encompasses historic preservation’s critical role in any sustainability agenda. Beginning with the Portland Plan, HLC has framed this issue more clearly, emphasizing that preservation of the built historic fabric is critical to what makes Portland a vibrant, livable city. Many of these recommendations were incorporated into the draft Portland Plan adopted by the Planning and Sustainability Commission and recommended for adoption by the City Council.

a. Social Equity

As a matter of social equity, all of Portland’s older neighborhoods and commercial corridors deserve protection from demolition of irreplaceable historic resources and the construction of incompatible infill, which is highly disruptive to their character and identity. Underserved areas with disadvantaged populations have often been overlooked when it comes to historical and cultural resource protection and the incentivizing of building rehabilitation. The recently-

completed Bosco-Milligan Foundation report—“Cornerstone Project - Portland’s African American Building Heritage”—suggests that the built history of African Americans remaining in areas of North Portland is being lost at an alarming rate. A reasonable way to respond to gentrification complaints would be to encourage the use of historic preservation and adaptive reuse incentives as critical ingredients of providing social equity when planning for growth. Engaging the community to address equity and the elevation of racial justice requires a concurrent commitment to the inventory and preservation of the built environment that has been constructed to house and serve our diverse populations, and that embodies their rich and varied histories.

b. “20-Minute” Neighborhood Centers

When discussing the ingredients for what contributes to vibrant neighborhood centers, the preservation of Portland’s existing built environment should be at the top of the list. Vintage neighborhoods and districts, with their tree-lined streets, interconnected blocks, and varied texture of high-quality building materials, provide a sense of place and unique identity that is critical to each neighborhood’s social and economic vitality. Additionally, these older neighborhoods typically have smaller building footprints, human-scaled streets, and centralized commercial areas that provide some of the most walkable and transit-accessible places within the City. The diverse identities of Portland’s neighborhoods and districts are an undeniable and irreplaceable part of the City’s appeal and livability, and it is this existing built environmental that is a central component of their vibrancy.

c. Combating Climate Change

The intrinsic connection between building reuse/rehabilitation and ecological sustainability cannot be overlooked. A stated 2035 Objective within the Portland Plan, and anticipated in other plans, is to reduce transportation-related carbon emissions in an effort to address climate change. Although transportation choices contribute 34% to greenhouse gas emissions in Oregon, residential and commercial construction and operations contribute a very close 31%. Reducing carbon emissions is enhanced by embracing the goal of using what you have. In his recent presentation, “The Greenest Building,” Ralph DiNola, consultant for Preservation Green Lab, noted that the retrofit and reuse of 1% of the buildings slated for demolition over the next 10 years would satisfy 15% of the county-wide climate change, carbon reduction goals. Adaptive reuse of our existing buildings reduces the amount of demolition and construction waste deposited in landfills, lessens unnecessary demand for energy and other natural resources, and conserves embodied energy. Many historic and older buildings are remarkably energy efficient because of their site sensitivity, quality of construction, and use of passive heating and cooling. According to the U.S. Energy Information Administration, commercial buildings constructed prior to 1920 have an average energy consumption of 80,127 BTUs per square foot. For the more

efficient buildings built since 2000, that number is 79,703 BTUs. The importance of making planning and development choices that take into account the overall embodied energy as well as the on-going energy efficiency of buildings as compared against an existing building is essential.

Older and historic buildings are defining features of a neighborhood's identity and give the City a sense of place. These resources contribute to neighborhood vibrancy, they stimulate economic development, and they support the cultural and social heritage of areas containing disadvantaged populations. We hope that the Council will support HLC's efforts in educating, incentivising and regulating in way that further these objectives.

II. Need to Update the HRI.

The large city-wide planning activities that have been initiated or are scheduled to launch this next year have made the need for an updated Historic Resource Inventory (HRI) more important than ever. As part of updating the City's Comprehensive Plan and the Central City 2035 Plan, the City has or will soon have to update background documents including buildable land, needed housing, industrial lands, and natural resource inventories. Yet, with a Portland Plan-identified goal of encouraging development in Neighborhood Centers and Corridors, there are no plans to inventory the historic resources within these areas in advance of making development decisions that are foreshadowed by these plans.

For the past two years, the HLC has come before you asking that funds be dedicated to update the City's Historic Resource Inventory from 1987 that is woefully out of date. Undeterred by the lack of funds available from the Council, in September 2011, HLC was able to dedicate a mere pittance of residual State Historic Preservation Office (SHPO) CLG grant money to commission a Historic Resource Inventory Assessment and Recommendations Report (copy attached). This report identified existing deficiencies within the current HRI, highlighted some alternative approaches for conducting a city-wide survey, identified potential collaborative opportunities and funding sources, outlined overall survey costs, and provided recommendations for next steps. From that work, HLC has identified two objectives requiring a balance of: (1) identifying a type of HRI platform or structure that would allow for the greatest ease of data input given that collection or compilation efforts may rely on the labor of volunteers or those who are not trained in preservation; and (2) given these limitations, determining a baseline as to how much information is needed to make the inventory a useful and long-term tool.

As a means of gauging this balance, HLC worked with the Bureau of Planning and Sustainability staff to submit a 2012 SHPO CLG grant request to include further survey work in a number of Neighborhood Centers and Corridors. Many of the City's historic resources are constructed of unreinforced masonry that has not been seismically upgraded, and are highly susceptible to damage by earthquake. Given the significant overlap between Neighborhood Centers and those

containing a large concentration of unreinforced masonry buildings, the survey will serve as a starting point for compiling a city-wide HRI while providing an opportunity to join with it emergency management bureaus, both local and national, who would benefit from the opportunity to gauge seismic risk.

In terms of budget, the grant will provide \$9,000 plus an equal match from Bureau of Planning and Sustainability staff time. The HLC is committed to continually chipping away at the HRI—something that we feel is so essential to setting priorities for preservation in planning and making informed decisions about future growth of the City. The HLC would welcome a greater commitment of funds from the City Council to further this much-needed effort.

III. Facilitating the Creation and Continued Success of Portland's Historic National Register Districts

One of the greatest preservation successes of the last few years has been the designation of the Irvington National Register Historic District. As the first new district created since 2001, the residents there have struggled with a steep learning curve in terms of understanding the review requirements associated with building modifications. This has only been exacerbated by the lack of clear design guidelines and the recent imposition of a new fee structure requiring that all development reviews pay for themselves. Most particularly, in terms of fees, the minimum fee for all permit-related work for Bureau of Development Services Review is \$1,050. This is the fee for example, removing a non-original vinyl window and replacing it with a wood window. These fees place too large a burden on property owners seeking to make small modifications and are so high that they inadvertently encourage individuals to make repairs and modification without going through review. The Buckman Neighborhood, which spent the past 4-5 years compiling a National Register Historic District proposal that it was ready to file in the next few months, has had to put its efforts on hold given the uproar over the fees assessed for minor reviews.

The HLC does not set design review fees; however, we are sensitive to issues outside our purview when they discourage preservation efforts either in terms of individual building restoration efforts, the creation of historic districts, or the education of the public on the benefits of preservation. HLC is also mindful of the City Council's severely restricted budget that is likely to require even further BDS cuts this coming budget cycle. Given these significant countervailing interests, we support efforts by the neighbors, our preservation partners and BDS with regards to four particular areas:

- 1) Revise the fee structure so that larger projects shoulder more of the overall preservation review budget while remaining cost neutral;

- 2) Make code amendments that would authorize certain minor improvement activities to be undertaken without review, such as window repair or replacement with like-kind materials and design;
- 3) Dedicate a small amount of BDS time to re-organizing and updating the historic design review website presence by providing better instruction on design review triggers and application procedures. This will be coupled with an HLC commitment to issue preservation best practices on key design review issues, such as window repair and replacement, thereby reducing demand on staff time for education efforts;
- 4) Adopt the *Secretary of Interior's Standards for Rehabilitation* which would set a clear preservation hierarchy into the code. The latter will serve as a stop-gap measure for those districts that do not yet have design standards or guidelines, or in cases of out-of-date guidelines (as is currently the case in for all historic districts in Portland).

We understand Comm. Saltzman and BDS are looking at the fee situation, but we implore the Council to provide more, not less in the way of General Fund monies to BDS to help cover the cost to administer these important regulations. Second, make it a BPS 2012-13 work plan and budget item to include funding for Zoning Code amendments to the Historic Design Review regulations that will exempt truly minor projects from Historic Design Review and simplify the regulations in an effort to reduce BDS administrative costs. Both of these steps are essential to gain public support for historic preservation in Portland neighborhoods and not just for those already created, but also those who are considering it. Keep in mind that historic preservation efforts, especially when organized through historic districts, work to preserve and enhance property values which, in turn, increase property tax and generate legitimate revenue for the City.

IV. Public Commission Cooperation to Prohibit Publicly Funded Demolition or Neglect

In April 2011, HLC leadership had an opportunity to meet with representatives of PDC and the Mayor's office to discuss a number of items that we raised before this Council last year. The meeting was productive and from it, PDC produced a list of all real property it owns, an assessment of each properties' level of historic significance, as well as PDC's most current plans for disposing of it. In an effort to increase communication between HLC and PDC, PDC has appointed a PDC employee as an HLC liaison who attended an HLC meeting in November and briefed the Commission on current PDC activities and challenges. All parties agreed that improved communication between the two commissions that could result in the earliest possible discussion of potential conflict could only be beneficial to both organizations. On that front, we would like to have another follow-up meeting with PDC this spring and would ask for the

indulgence of the Mayor or his staff, in working with us, as he so kindly did last year, to bring this meeting to fruition.

Although this issue was brought up as part of the PDC meeting, the HLC would like the City Council's support of a policy that restricts the use of urban renewal money, or any public money, for the demolition of National Register properties, either intentionally or by neglect. The Council should consider including within the Portland Plan the obligation to: "Prioritize the investment of public dollars in projects that enhance stewardship of City-owned resources and that encourage maintenance and rehabilitation of existing building over demolition to clear land for new construction." This plan policy is consistent with the statutory mandate in ORS 358.653, which stipulates that cities must assure that historically significant properties within its control shall not be "demolished, substantially altered or allowed to deteriorate." HLC is especially sensitive to this issue given that development plans for the old Blanchet House and Centennial Mills have not been identified. A City that embraces sustainability, preservation and stewardship must not expend public funds in efforts that so blatantly hamper these objectives.

V. The Adoption of the Skidmore / Old Town Historic Guidelines

It has now been three years since we forwarded to you our proposed Design Guidelines and Cast Iron Resolution for approval. The controversy blockading the adoption of the Design Guidelines and the Cast Iron Resolution is all centered around the Zoning Ordinance, which calls for inappropriate height and scale in our only National Landmark District. Last year, our esteemed Chair Art DeMuro met with the Mayor's office, offering a compromise that would have allowed the additional height to go forward on approximately half of the properties identified to receive it. This offer was summarily rejected. Again, it is regretful that this prior investment of public time and resources generated documents that are the paradigm for all historic design review guidelines in this city, yet they sit on a shelf unadopted.

VI. Threatened and Endangered Resources.

1. Washington High School — PPS is concluding a year-long process to select a buyer and redeveloper of this historically significant property that is so critical to the Buckman Neighborhood and our City.
2. Northwest Cultural Center — The Northwest Children's Theater, Waterleaf Architecture and Schommer Construction have teamed and are exploring a rehabilitation plan for this Alphabet District landmark.
3. 511 Building — PNCA has selected a project manager and begun its planning process for the rehabilitation of this historic post office on the North Park Blocks.

4. Skidmore/Old Town — Proposed Zoning Code Amendments that remain under consideration by Council threaten the loss of National Landmark designation for our city's most important historic commercial district.
5. Centennial Mills – PDC appears to be searching for a developer and HLC is hopeful that whoever is selected will place a high priority on preservation.
6. Memorial Coliseum — The long term use for this building has yet to be identified.
7. Portland Public Schools — The bond levy failed. All future bond language should be scrutinized to keep these treasures off our list.
8. Morris Marks House/Dori Court Apartments — 1134 SW 12th Avenue—Low scale buildings in an area zoned for high rises. Discussions of possible relocation have begun.
9. Portland Gas and Coke Building — 1910 icon on St. Helen's Highway south of St John's Bridge is a superfund site.

Agenda No.
REPORT NO.
Title

Accept the Portland Historic Landmarks Commission State of the City Preservation Report (Report)

<p>INTRODUCED BY Commissioner/Auditor: Commissioner Dan Saltzman</p>	<p>CLERK USE: DATE FILED <u>MAR 02 2012</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman <i>[Signature]</i></p> <p>Position 4/Safety - Leonard</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Development Services Bureau Head: <i>[Signature]</i> Paul L. Scarlett, Director</p>	<p>ACTION TAKEN:</p> <p>MAR 07 2012 ACCEPTED As Amended</p>
<p>Prepared by: Leanne Torgerson Date Prepared: 2/29/12</p>	
<p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Council Meeting Date 3/7/12, 9:30 a.m. TC</p>	
<p>City Attorney Approval</p>	

AGENDA

TIME CERTAIN
Start time: 9:30 a.m.

Total amount of time needed: 45 minutes
(for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: 45 minutes
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams		←