



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

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

STAFF REPORT AND RECOMMENDATION TO THE LANDMARKS COMMISSION

CASE FILE: LU 21-111639 HRM
PC # 21-087454, DAR# 21-087458
Grace Peck Terrace Renovations
REVIEW BY: Historic Landmarks Commission
WHEN: February 28, 2022
REMOTE ACCESS: Historic Landmarks Commission Agenda:
<https://www.portlandoregon.gov/bds/42441>

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

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

Bureau of Development Services Staff: Arthur Graves 503.865.6517
Arthur.Graves@portlandoregon.gov

GENERAL INFORMATION

Applicant: Mark Schmidt | Holst Architecture
123 NE 3rd Ave, Ste 310 | Portland OR 97232
mschmidt@holstarc.com | 503.233.9856

Owner's Rep: Robert Dell | Home Forward
135 SW Ash Street, #500 | Portland OR 97204

Site Address: **1839 NE 14TH Avenue**

Legal Description: BLOCK 258 LOT 1&2 TL 8800, HOLLADAYS ADD; BLOCK 258 LOT 5 S 40' OF LOT 6, HOLLADAYS ADD; BLOCK 258 N 10' OF LOT 6, HOLLADAYS ADD; BLOCK 258 LOT 7, HOLLADAYS ADD; BLOCK 258 LOT 8, HOLLADAYS ADD

Tax Account No.: R396218880, R396218920, R396218940, R396218950, R396218960, R396218950

State ID No.: 1N1E26CD 08800, 1N1E26CD 09200, 1N1E26CD 09300, 1N1E26CD 09400, 1N1E26CD 09500, 1N1E26CD 09400

Quarter Section: 2831

Neighborhood: Irvington, contact Dean Gisvold at deang@mcewengisvold.com

Business District: NONE

District Coalition: Northeast Coalition of Neighborhoods, contact at info@necoalition.org

Plan District: NONE

Other Designations: Non-contributing Resource in the Irvington Historic District, listed in the National Register of Historic Places on October 22, 2010.

Zoning: RM3d: Residential Multi-Dwelling 3 (RM3) Base Zone, Design (d) Overlay, and Historic Resource Review (Overlay)

Case Type: HRM: Historic Resource Review, with Modifications

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

Proposal:

Type III Historic Resource Review for proposed renovations to *Grace Peck Terrace*, a 95-unit affordable housing apartment building in the Irvington Historic District. Renovations include: new exterior cladding (removal of existing stucco to be replaced with “Okoskin” (glass fiber reinforced concrete panels,); alterations to the main entrance; HVAC upgrades; site/landscape upgrades; non-conforming upgrades. Note: The building is listed as “non-contributing” due to being constructed outside the “period of significance” (1891-1948).

Four Modifications are requested:

1. To Parking Area Layouts - 33.266.130.F.2: To provide a drive aisle that is 19'-4" in width rather than the required 20'-0" width per the standard.
2. To Perimeter Parking Area Landscaping - 33.266.130.G.2.d.(2): To allow the required L3 perimeter parking landscaping to be 4-feet in depth rather than the required 5-feet per the standard. This is proposed along the parking area's west boundary.
3. To Landscaping and Screening Standards - 33.248.020.C.2: To deviate from the L3 required materials and not include trees, per the standard, in the perimeter parking area mentioned previously. Shrubs and groundcover are proposed. This is proposed along the parking area's west boundary.
4. To Pedestrian Standards - 33.120.255.B.2.a.(3): To provide a 3-foot-wide path along a portion of the west edge of the site rather than the required 5-foot-wide path due to site constraints with existing and proposed mechanical equipment.

Historic Resource Review is required for all non-exempt exterior alterations in a Historic District.

Relevant Approval Criteria:

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

- Criteria in Section 33.846.060.G of the Portland Zoning Code
- 33.846.070 Modifications Considered During Historic Resource Review

ANALYSIS

Site and Vicinity:

The subject site is slightly greater than a half-block, is non-contributing, and is a 95-unit 6-story residential apartment building constructed in 1979 in the Irvington Historic District. The site is in the south-west quadrant of the historic district and is one of eight contiguous blocks that while not in a plan district are immediately north of the Central City Plan District and directly south of the Albina Community Plan District. The site is defined by NE Schuyler St. to the south, NE Hancock St. to the north, and NE 14th Ave to the east. Bus service is provided a block south of the site on NE Broadway and to the east on NE 15th Ave. NE 14th Ave is a City Bikeway 9th and Neighborhood Walkway.

Structures surrounding the site are predominantly on 50'x100' lots consisting of single-story and two-story apartment buildings. All surrounding sites are contributing resources in the Irvington Historic District. Similar to the District as a whole, the surrounding block includes a wide range of styles that were typical of the era: craftsman cottages; American foursquare, etc.

Irvington Historic District Platted in the late Nineteenth Century as the first addition to Portland that employed restrictive covenants, the Irvington area developed intensely with a mix of middle-class housing types and sizes during the first two decades of the Twentieth Century. The contributing resources in Irvington range in design character from expressions of the late Victorian Era styles, especially Queen Anne, through the many Period Revival modes of the early decades of the Twentieth Century, to a few early modernist examples. There is also a wide diversity in the sizes of lots and houses. In terms of the streetscape, the numbered north-south avenues in Irvington vary dramatically in width, and they mostly form rather long block faces which the houses generally face. The named east-west street block faces are more consistent in length, almost all being traditional 200' Portland blocks. All are lined with mature street trees. These patterns help to lend the neighborhood the distinctive and homogeneous historic character.

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 Design overlay zone ensures that Portland is both a city designed for people and a city in harmony with nature. The Design overlay zone supports the city's evolution within current and emerging centers of civic life. The overlay promotes design excellence in the built environment through the application of additional design standards and design guidelines that:

- Build on context by enhancing the distinctive physical, natural, historic and cultural qualities of the location while accommodating growth and change;
- Contribute to a public realm that encourages social interaction and fosters inclusivity in people's daily experience; and
- Promotes quality and long-term resilience in the face of changing demographics, climate and economy.

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.

Land Use History: City records indicate the following prior land use reviews for this site:

- LU 15-231056 HR: Withdrawn Historic Resource Review to remove and replace 3 antennas (1 per sector) and replace with new models (1 per sector. Remove 6 coax cables and replace with 3 hybrid cables. Relocate one sector from flush mount against the building to rooftop to match the other two sectors.
- 99-00984 DZ CU: Historic Resource Review and Conditional Use Review approval for the addition of 9 radio antennas to the walls and roof of the building: 3 on the south elevation; 3 on the east elevation; and 3 on the roof close to the north façade.
- 76-035774, IVR# 635774: Review to reduce the minimum lot area from the required 5,000 sq. ft. to 3,304 sq. ft., to reduce the minimum lot depth from the required 80' to 59.33', to the east front yard from the required 7' to 3' in order to legalize the existing lot and dwelling.
- PC 4164: Zone change. No further information is available.
- VZ 039-72: No information is available.

Agency Review: A "Notice of proposal in Your Neighborhood" was mailed **February 8, 2022**.

- Portland Bureau of Transportation: Tammy Boren-King: January 31, 2022. (Exhibit E-1). With no objections to the proposal.
- Portland Water Bureau: Michael Puckett: February 09, 2022. (Exhibit E-2). With no concerns.
- Parks Bureau, Urban Forestry: Dan Gleason: February 10, 2022. (Exhibit E-3). With no objections to the proposal.
- Bureau of Development Services Life Safety / Building Code Section: Tara Carlson: February 11, 2022. (Exhibit E-4). With no objections to the proposal.
- Fire Bureaus: Dawn Krantz, February 11, 2022. (Exhibit E-5). With no concerns.
- Bureau of Environmental Services: Ella Indarta: February 11, 2022. (Exhibit E-6). With no objects to approval of the Historic Resource review.
- Bureau of Development Services Site Development: Kevin Wells: February 14, 2022. With no concerns. (Exhibit E-7).

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **February 8, 2022**. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, on February 11, 2022, wrote with support for the proposal, specifically, strong support for the retention of balconies and perimeter parking lot landscaping Modifications. Comments were received that the proposed cladding appears “too busy” (Exhibit F-1).

Staff Response: This Historic Resource Review proposal is a response to Landmark Commission’s Design Advice Request (DAR) comments regarding providing more muted color for the cladding and overall support for Oko Skin as a cladding material. Staff feels the current cladding scheme helps to break down the mass of the building while the muted tones help to ensure that the building remains a viable background resource in the historic district.

Note: The balconies are being fully retained. And Modifications are supported in findings below.

PROCEDURAL HISTORY

- **Early Assistance Pre-Application Conference (PC): EA 21-087454 PC: October 13, 2021:**
Issues included: Discussion of proposed cladding options: thin brick and Oko skin; proposed alterations to the main entry; proposed impacts/alterations to existing balconies; concerns with a proposed outdoor patio area on the north elevation; non-conforming issues with existing parking and parking lot landscaping.
- **Design Advice Request (DAR): EA 21-087458 DA: October 25, 2021:**
The Landmarks Commission supported the proposed removal and replacement of the existing cladding. Both proposed materials, Oko skin and thin brick, were initially supported with a majority of Commissioners supporting Oko skin over thin brick. Detailing of materials was stated as being very important. The Commission agreed that the removal of the balconies should be avoided. Commission encouraged development of another common outdoor area as concerns about north patio in shade 100% of the time. Commission was amenable to new vinyl windows to replace existing vinyl windows. Commission was amenable to possible Modifications if necessary, depending on limitations of existing building/site conditions and proposal.
- **Land Use Application LU 21-111639 HRM: Submitted on December 06, 2021:**
Deemed complete on January 12, 2022. A hearing with the Historic Landmarks Commission was scheduled for February 28, 2022.

ZONING CODE APPROVAL CRITERIA

(1) HISTORIC DESIGN REVIEW (33.846)

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 within the Irvington Historic District and the proposal is for non-exempt treatment. Therefore, Historic Resource Review approval is required. The approval criteria are those listed in *33.846.060 G – Other Approval Criteria*.

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

33.846.060 G - Other Approval Criteria

1. **Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.
2. **Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.
4. **Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.

Findings for 1, 2, and 4:

Grace Peck Terrace is a non-contributing resource in the Irvington Historic District, constructed in 1979, outside the nomination's "period of significance" (1891-1948). Proposed building alterations removing existing failing stucco, balconies, main entry alterations, and deteriorated vinyl window systems aim to reclad and renovate the building to address deferred maintenance, modernize the 43-year-old building with new quality materials, and more importantly, to stop current water intrusion into the units caused by the failing cladding, windows, and balconies. Proposed alterations will not impact the non-contributing structure's mass, scale or form, all of which contribute to the building's unique character in the historic district. In addition, due to the retention and renovation of the existing balconies (which were initially proposed for removal per EA 21-087454 PC and EA 21-087458 DA) the building will continue to maintain its strong residential character within the district.

No conjectural materials are proposed, and while the dominate new cladding material is Oko Skin (a glass fiber reinforced concrete panel system, to be installed in a horizontal orientation and muted tones: "Off-white" and "Silver gray"), it is not attempting to resemble the material that it is replacing. However, Oko Skin is consistent with the stucco that it is replacing in that it is also a cementitious cladding material.

Similarly, proposed site alterations will not remove or impact non-existent defining features from the non-contributing site. Rather, proposed site alterations will largely provide increased access and interest around the site for residents through additional seating, paths, gathering areas, and landscaping. Proposed site alterations include: new main entrance sequence at the north-east corner - providing increased access, visibility and seating; new benches at the south-east planter (adjacent to the large linden tree at the south-east corner of the site) - providing additional perimeter seating; new long-term and short-term bicycle parking - providing increased modal access; new generator in cmu enclosure - providing emergency power as necessary; new west sensory garden area - providing additional seating, gathering areas, and landscaping; and, new north edge terrace - providing additional outdoor area and seating for residents with direct access from the adjacent community room.

Therefore, these criteria are met

3. **Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.
5. **Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.

Findings for 3 and 5:

No changes to the property that have acquired historic significance will be removed. The existing building was constructed in 1979, outside of the period of historic significance (1891-1948) for the Irvington Historic District. There is no historic material present on the site.

While the use of chemical or physical treatments, such as sandblasting are not mentioned, the submittal is for the removal of existing stucco that is failing causing water intrusion to the units. The methods used to remove existing failing stucco and install new cladding will minimize impacts to the building.

Therefore, these criteria are met.

6. **Archaeological resources.** Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. When such resources are disturbed, mitigation measures will be undertaken.

Findings:

Slight ground disturbance will occur with the installation of the proposed new outdoor patio on the north elevation and site improvements. Because of this disturbance there is a potential that archaeological resources could be impacted.

With a condition of approval that, in the event of any archaeological discovery, work will be stopped, and the State Archaeologist will be notified, this criterion is met.

7. **Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.

Findings:

Proposed alterations to the building, namely alterations to the main entry, new Oko Skin horizontal panel and metal panel siding accents, and new vinyl windows, will

not affect historic material as the building is a non-contributing resource constructed in 1979.

Oko Skin, new metal panel accents, and new vinyl windows are constituent with the material palette of materials being removed but will clearly read as new materials on the building.

Additional site features such as: new main entry sequence, south-east corner planter seating, west sensory garden, and north patio, all include modern materials in the seating and hardscaping that will clearly read as new materials while providing design continuity to the site.

Therefore, this criterion is met.

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

Findings for 8, 9, and 10:

Renovations to *Grace Peck Terrace* are compatible with and will not impact the integrity of the non-contributing building's form, scale, or mass. Proposed alterations such as removing existing failing stucco, vinyl windows, balconies, and front entrance wing-wall will be replaced with modern quality materials that are consistent with the existing material palette and which provide increased continuity to the building and site.

Oko Skin in muted tones is proposed as the dominant cladding material and will be installed in a staggered horizontal banding pattern with exposed fasteners matching the color of the cladding. Metal panel, also in muted tones ranging from gray to dark blue, is proposed (in gray) below proposed new window systems, and in organized vertical bands (in three shades of blue) between bays. Commercial-grade vinyl windows systems matching existing vinyl tripartite slider systems are proposed in all existing locations. Dual window systems slightly larger (horizontally) than the area of the existing dual window systems are proposed in all existing dual window locations. No windows are fixed, with exception of the center tripartite window. All window systems maintain consistent head and sill heights and datum lines across elevations. In addition, all windows will be inset approximately 6-inches in the wall plane, except for the center tripartite window which will have an inset of approximately 4-inches from face of glass to face of adjacent trim cladding. Balconies will be removed and replaced in their current locations, their footprint will not change from existing. The removal of the existing

wing-wall at the main entrance (which provided no weather protection) will be replaced with new fully glazed entrance doors and 8-foot deep by 20-foot-wide canopy providing increased visibility, weather protection, and access to the building and site.

Proposed horizontal Oko Skin cladding alterations are consistent with surrounding architecture, referencing horizontal lap siding common in the historic district. In addition, as mentioned previously, the proposed Oko Skin is also consistent with the existing stucco in that it is a modern interpretation of a cementitious material. Lastly, the proposed cladding materials help to visually break down the mass building to be more compatible with surrounding buildings in the residential historic district (Note: Grace Peck Terrace is a six-story building, surrounding buildings are two-stories)

Site alterations, as mentioned previously, including: new main entry sequence, south-east corner planter seating, west sensory garden, and north patio, all include modern materials in the seating and hardscaping that will clearly read as new materials while providing design continuity to the site.

If the proposed alterations including: new Oko Skin cladding; metal panel accents; vinyl windows; or site features were to deteriorate and need to be removed and replaced in the future the essential form and integrity of the resource and its environment would be unimpaired.

Collectively, this proposal is compatible and complimentary to this site, the adjacent properties and the neighborhood at large. The proposed alterations will not negatively impact the non-contributing resource on site, adjacent neighbors or the Irvington Historic District as a whole.

Therefore, these criteria are met

(2) MODIFICATION REQUESTS (33.846)

33.445.050 Modifications that Enhance Historic Resources and 33.846.070 Modifications Considered During Historic Design Review

The review body may grant modifications to site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the historic design review process. However, modification to a parking and loading regulation within the Central City plan district may not be considered through the historic design review process. Modifications made as part of historic design review are not required to go through a separate adjustment process. To obtain approval of a modification to site-related development standards, the applicant must show that the proposal meets the approval criteria. Modifications to all other standards are subject to the adjustment process. Modifications that are denied through historic design review may be requested through the adjustment process.

The approval criteria for modifications considered during historic design review are:

- A. Better meets historic design review approval criteria.** The resulting development will better meet the approval criteria for historic design 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.

The following Modifications are requested:

1. **Modification #1: 33.266.130.F.2 - Parking Area Layouts:** To provide a drive aisle width of 19'-4" rather than the required 20'-0" width per the standard. This Modification is proposed for only the north portion of the existing uncovered vehicle area on site and is requested so the required minimum width for the adjacent Standard "B" loading space can be maintained. The remaining drive aisle width south of the area of the Modification continuing to the right-of-way (NE Schuyler Street) will be the required 20'.

Findings for A:

The area of the Modification for a proposed parking lane access width of 19'-4" is limited to the northern portion of the parking area that is interior to the site (see Exhibit C-30) and will have no impact on the non-contributing *Grace Peck Terrace* building. In addition, the proposed area, which is currently uncovered hardscape vehicle area allows the existing Standard "B" loading area to be maintained without impact, which in turn further reduces potential impacts to the building.

Findings for B:

Reducing the drive aisle width by 8-inches in the limited area adjacent to the site's Standard "B" loading area maintains the loading area's location interior to the site and away from potentially being located in the adjacent right-of-way on one of the three streets adjacent to the site. The proposed Modification meets the purpose statement of the standard, in particular through helping to help limit the prominence of vehicle areas along street frontages through maintaining on-site loading; limit the size of paved areas through the reduced width of the limited portion of drive aisle; reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones through to reduced width of the drive aisle; and direct traffic in parking areas, in that the proposed width reduction is at the end of the parking area and does not impact on-site parking or parking access.

Because modification approval criteria are met, this Modification warrants approval.

2. **Modification #2: 33.266.130.G.2.d.(2) - Perimeter Parking Area Landscaping:** To allow the required L3 perimeter parking landscaping to be 4-feet in depth rather than the required 5-feet per the standard. This is proposed along the parking area's west boundary.

Findings for A:

The area of the Modification to perimeter parking lot landscaping is limited to the landscape buffer west of the on-site surface parking area (see Exhibit C-30) and will have no impact on the non-contributing *Grace Peck Terrace* building. The existing 4-foot-deep planter is an existing condition with an established, mature, and continuous (approximately) 8-foot-tall arborvitae hedge. This Modification is to formalize existing non-conforming development for on-site parking and makes no change to the non-contributing resource or the site.

Findings for B:

The Modification allows continuous uninterrupted use of the existing 11 on-site parking spaces for the 95-unit apartment building without damage to the existing hedge. The concern is that impacts to the existing condition (i.e., enlarging the landscape planter by a foot) may result in negative impacts to the health of the established (approximately) 8-foot-tall arborvitae hedge, further resulting in a net loss of buffering and screening for the site and adjacent residential neighbors to the west. In addition to currently providing screening, the existing 4-foot-deep planter with existing 8-foot-tall arborvitae hedge: improves and softens the appearance of the parking area; helps to reduce the visual impact of parking area from sidewalks, streets, and especially from adjacent residential zones; helps to provide shade and cool parking areas; and contributes to reducing the amount and rate of stormwater runoff.

Because modification approval criteria are met, this Modification warrants approval.

3. **Modification #3: 33.248.020.C.2 - Landscaping and Screening Standards:** To deviate from the L3 required materials and not include trees, per the standard, in the perimeter parking area mentioned previously. Shrubs and groundcover are proposed. This is proposed along the parking area's west boundary.

Findings for A:

The area of the Modification to landscaping and screening is limited to the landscape buffer west of the on-site surface parking area (see Exhibit C-30) and will have no impact on the non-contributing *Grace Peck Terrace* building. The existing 4-foot-deep planter is an existing condition with an established, mature, and continuous (approximately) 8-foot-tall arborvitae hedge. This Modification is to formalize existing non-conforming development for on-site parking and makes no change to the non-contributing resource or the site.

Findings for B:

The Modification allows continuous uninterrupted use of the existing 11 on-site parking spaces for the 95-unit apartment building without damage to the existing hedge. The concern is that impacts to the existing condition, such as attempting to install trees meeting the standard, will likely damage the roots, health, and viability of the existing 8-foot-tall arborvitae hedge, further resulting in a net loss of buffering and screening for the site and adjacent residential neighbors to the west. As mentioned previously, in addition to currently providing screening, the existing buffer with existing 8-foot-tall arborvitae hedge and no trees: improves and softens the appearance of the parking area; helps to reduce the visual impact of parking area from sidewalks, streets, and especially from adjacent residential zones; helps to provide shade and cool parking areas; and contributes to reducing the amount and rate of stormwater runoff.

Because modification approval criteria are met, this Modification warrants approval.

4. **Modification #4: 33.120.255.B.2.a.(3) - Pedestrian Standards:** To provide a 3-foot-wide path rather than the required 5-foot-wide path along a portion of the west edge of the site due to site constraints with existing and proposed mechanical equipment.

Findings for A:

The area of the Modification for a reduced width path from the required 5-feet to proposed 3-feet is limited to the north-south path on the west portion of the site

providing connection between the existing vehicle area NE Hancock Street, to the north (see Exhibit C-30). The proposed Modification will have no impact on the non-contributing *Grace Peck Terrace* building.

Findings for B:

The proposed path provides access along the west portion of the site connecting NE Hancock Street (to the north) to the existing on-site parking area (to the south). Along the proposed path are newly developed outdoor areas including perimeter landscaping, a “sensory garden”, and seating and gathering areas. Due to site constraints resulting from existing and proposed mechanical equipment along the south portion of the path a 3-foot width is the maximum width that can be achieved. The area of the path north of the existing and proposed mechanical equipment does not have constraints limiting the width of the path.

Staff supports the ganging of mechanical equipment in the proposed location which is the least visible from residents on the site, pedestrians in any of the adjacent rights-of-way, and the adjacent neighbor to the west. Staff further understands that this condition results in a pinch-point where the width of the path can only be 3-feet in width. However, there are no such constraints for the portion of the path from NE Hancock Street (to the north) to the south edge of the “sensory garden”, to the south. Anticipating that the renewed landscaping, seating areas, and “sensory garden” will be maintained, successful, and a used group of amenities accessed by the residents of the 95-unit facility staff recommends that a 5-foot-wide path meeting the standard be installed in this location. A 5-foot-wide path allows for comfortable and courteous pedestrian movement and passing where a 3-foot-wide does not.

With the Condition of Approval for the Modification that the portion of the path from NE Hancock Street (to the north) to the south edge of the “sensory garden” (to the south) must be 5-feet-wide per the standard, 33.120.255.B.2.a.(3), this Modification warrants approval

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 proposed alterations and Modifications to the non-contributing resource and site maintain the historic integrity and architectural character of the site while providing increased access and use for residents of the 95-unit apartment building.

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. As indicated in detail in the findings above, this proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

TENTATIVE STAFF RECOMMENDATION

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

Staff recommends approval of proposed alterations to the building and site with the following conditions listed below.

- A. As part of the building permit application submittal, the following development-related conditions (B through E) 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 21-111639 HRM". 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. In the event of any archaeological discovery, work will be stopped, and the State Archaeologist will be notified.
- D. The portion of the path from NE Hancock Street (to the north) to the south edge of the "sensory garden" (to the south) must be 5-feet-wide per the standard, 33.120.255.B.2.a.(3).
- E. NO FIELD CHANGES ALLOWED.

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Procedural Information. The application for this land use review was submitted on December 6, 2021, and was determined to be complete on January 12, 2022.

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 December 6, 2021.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant waived the 120-day review period, as stated with Exhibit (Exhibit A-3) Unless further extended by the applicant, **the 120 days will expire on January 12, 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 recommendation of the Bureau of Development Services with input from other City and public agencies.

This report is not a decision. The review body for this proposal is the 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. Any new written testimony should be email to **Arthur Graves** at Arthur.Graves@portlandoregon.gov. If you cannot email comments and must mail comments via USPS mail, 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.

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

If you are interested in viewing information in the file, please contact the planner listed on this decision. The planner can provide information over the phone or via email. Please note that due to COVID-19 and limited accessibility to files, only digital copies of material in the file are available for viewing. A digital copy of the Portland Zoning Code is available on the internet at <http://www.portlandoregon.gov/zoningcode>.

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. 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.

Appeal of the decision. The decision of the Landmarks Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the 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 for the hearing, if you testify at the hearing, or if you are the property owner/applicant. **Appeals must be filed within 14 days of the decision. An appeal fee of \$5,513 will be charged (one-half of the BDS LUS application fee for this case).**

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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded by the Bureau of Development Services after the end of the appeal period.

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.

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

Applying for your permits. A building permit, occupancy permit, or development permit must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed here.
- All applicable development standards, unless specifically exempted as part of this land use review.
- All requirements of the building code.
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the city.

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).

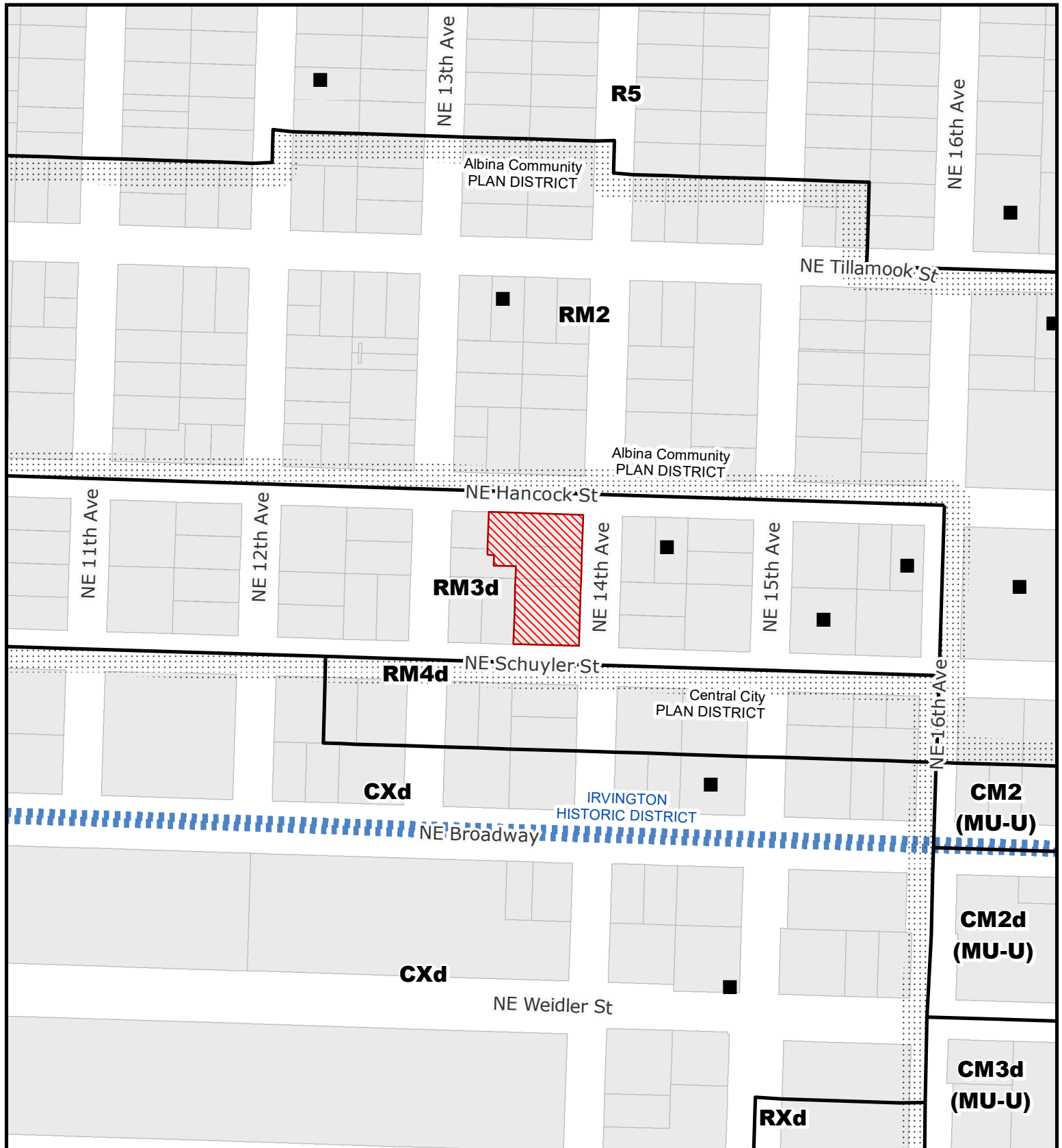
Arthur Graves
February 18, 2022

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 1. Original Submittal: December 06, 2021 (superseded)
 2. Revised Submittal: January 01, 2022
 3. Signed Waiver: January 14, 2021
 4. Final Submittal: February 14, 2022
- B. Zoning Map (attached)
- C. Plan & Drawings

1. Site Plan (attached)
 2. Floor Plan – Ground Floor
 3. Floor Plans – 02-04
 4. Floor Plan – 05
 5. Floor Plan – 06
 6. Roof Plan
 7. Elevation: East (attached)
 8. Elevation: North (attached)
 9. Elevation: West (attached)
 10. Elevation: South (attached)
 11. Building Sections
 12. Sightline Drawing
 13. Details – Windows
 14. Details – Balconies
 15. Details – Wall Assemblies
 16. Details – North Patio and Office Window
 17. Details – Main Entry
 18. Details – Parapet
 19. Details – Back Entry and Louvers
 20. Details – Mechanical Enclosure
 21. Details – Security Screen
 22. Detail/Section – North Patio
 23. Landscape – Planting Plan
 24. Landscape – Planting Material
 25. Landscape – Site Materials Plan
 26. Landscape – Site Furnishing Plan
 27. Landscape – Site Furnishing
 28. Lighting Plan
 29. Materials Cutsheets
 30. Modifications Sheet
- D. Notification information:
1. Request for Response
 2. Posting letter sent to applicant – for February 28, 2022, Hearing
 3. Notice to be posted – for February 28, 2022, Hearing
 4. Applicant's statement certifying posting – for February 28, 2022, Hearing
 5. Revised Posting Notice – sent to applicant on February 04, 2022
 6. Revised Posting Notice – sent to applicant on February 17, 2022
 7. Mailed notice
 8. Mailing list
- E. Agency Responses:
1. Portland Bureau of Transportation: Tammy Boren-King: January 31, 2022.
 2. Portland Water Bureau: Michael Puckett: February 09, 2022.
 3. Parks Bureau, Urban Forestry: Dan Gleason: February 10, 2022.
 4. Bureau of Development Services Life Safety / Building Code Section: Tara Carlson: February 11, 2022.
 5. Fire Bureaus: Dawn Krantz, February 11, 2022.
 6. Bureau of Environmental Services: Ella Indarta: February 11, 2022.
 7. Bureau of Development Services Site Development: Kevin Wells: February 14, 2022.
- F. Correspondences:
1. Dean P. Gisvold, on behalf of the Irvington Community Association: February 11, 2022.
- G. Other:
1. Original Application
 2. Historic Information

3. Site Pictures
4. Incomplete Letter: January 05, 2022



ZONING



For Zoning Code in effect Post August 1, 2021

THIS SITE LIES WITHIN THE:
IRVINGTON HISTORIC DISTRICT



Site



Conservation Landmarks



Historic Landmark

File No. LU 21-111639 HRM

2831

1/4 Section

Scale 1 inch = 200 feet

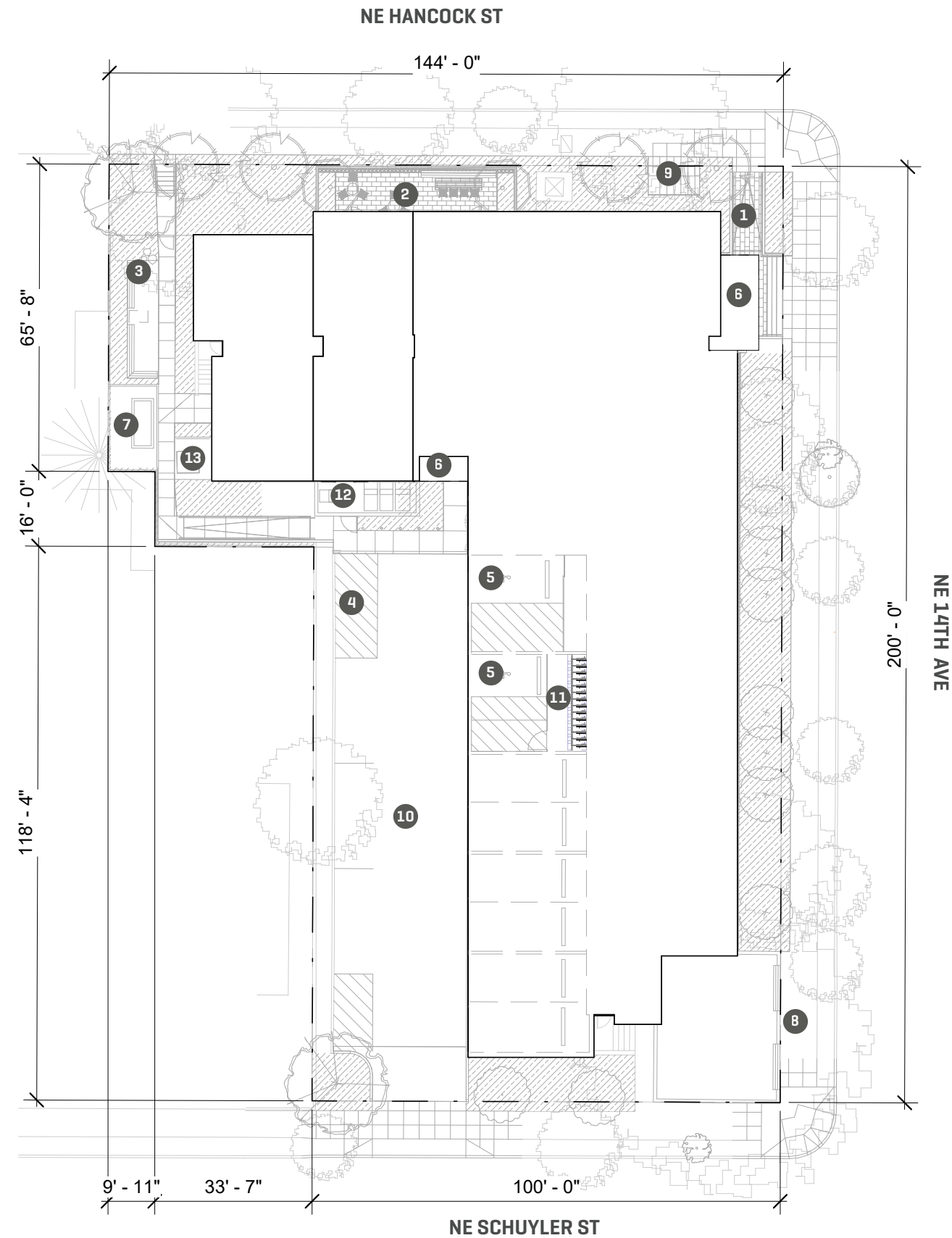
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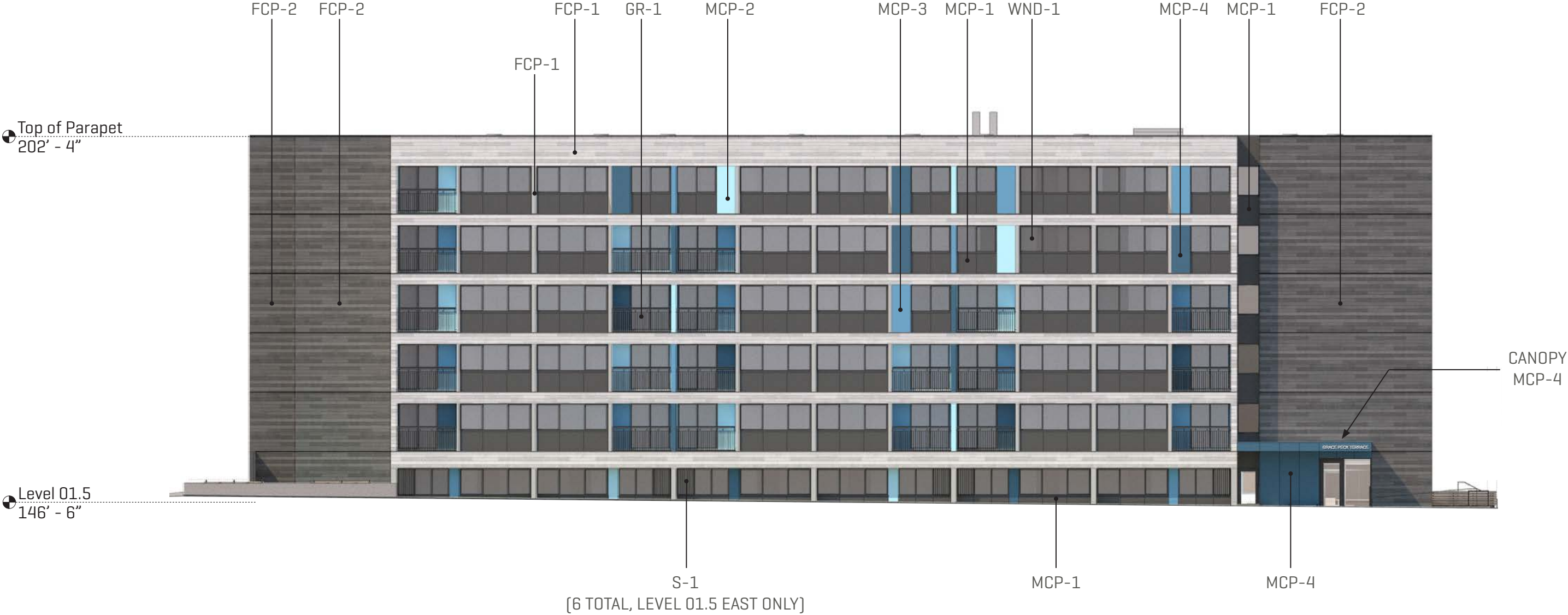
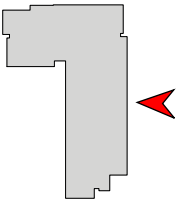
Exhibit

B

Jan 27, 2022

- 1 ENTRY PLAZA
- 2 NORTH TERRACE
- 3 WEST SENSORY GARDEN TERRACE
- 4 STANDARD 'B' LOADING SPACE
- 5 ADA PARKING
- 6 CANOPY
- 7 PROPOSED EMERGENCY GENERATOR
- 8 SOUTH SEATING
- 9 SHORT-TERM BIKE PARKING - 3 RACKS [6 SPACES]
- 10 PARKING LOT REPAVING
- 11 LONG-TERM BIKE PARKING - 14 RACKS
- 12 PROPOSED MECH CONDENSING UNITS
- 13 EXISTING TRANSFORMER TO REMAIN





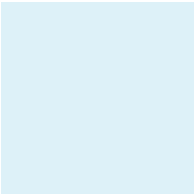
FCP-1
Oko Skin
Panel



FCP-2
Oko Skin
Panel



MCP-1
Aluminum
Composite
Metal Panel



MCP-2
Light Blue



MCP-3
Medium Blue



MCP-4
Dark Blue



WND-1
Vinyl Window



SF-1
Aluminum
Storefront



GR-1
Guardrail



S-1
Security
Screens

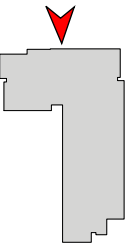


P-1
High-
Performance
Paint



SCALE: 1/16" = 1'-0"

NORTH



1
C.22

Top of Parapet
202' - 4"

Level 01.5
146' - 6"

CANOPY
MCP-4

FCP-1 MCP-2 WND-1 MCP-3 GR-1 FCP-2 MCP-4 FCP-2 WND-1 *

FCP-2 MCP-1 SF-1 SF-1 SF-1 FCP-2



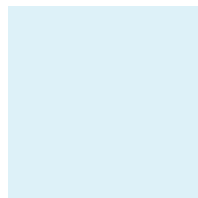
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Panel



FCP-2
Oko Skin
Panel



MCP-1
Aluminum
Composite
Metal Panel



MCP-2
Light Blue



MCP-3
Medium Blue



MCP-4
Dark Blue



WND-1
Vinyl Window



SF-1
Aluminum
Storefront



GR-1
Guardrail

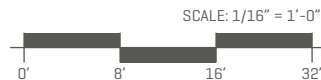


S-1
Security
Screens



P-1
High-
Performance
Paint

* NEW WND-1 UTILIZES
EXISTING WALL OPENING.
REF DEMO ELEVATION, C.10.



SCALE: 1/16" = 1'-0"

HOLST

© 2019 HOLST ARCHITECTURE INC.

GRACE PECK TERRACE

1839 NE 14TH AVE
PORTLAND, OR 97212

DESIGN REVIEW

12.03.2021

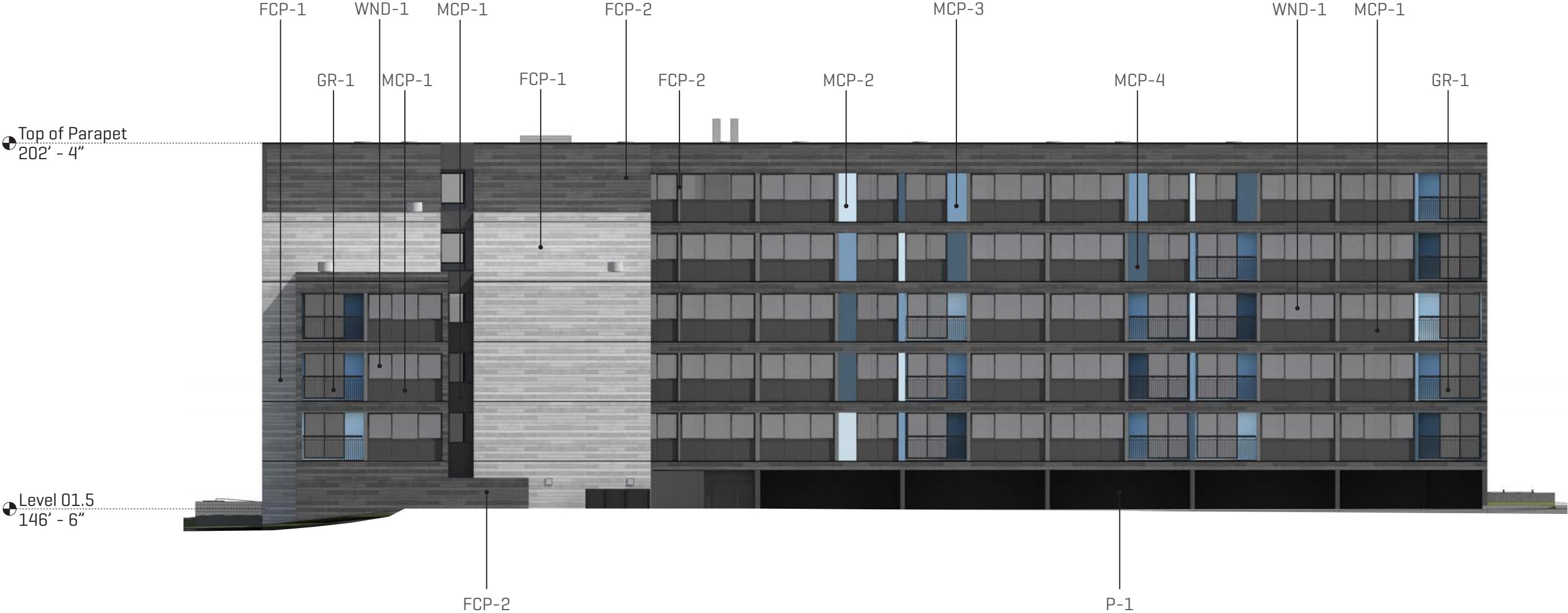
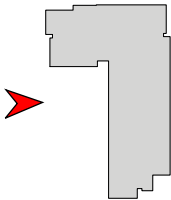
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NORTH ELEVATION

LU NO.

LU 21-111639 HRM AD **C.13**

sheet :



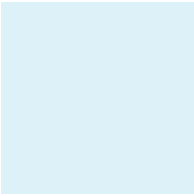
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FCP-2
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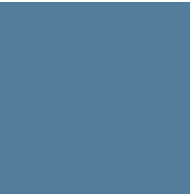
MCP-1
Aluminum
Composite
Metal Panel



MCP-2
Light Blue



MCP-3
Medium Blue



MCP-4
Dark Blue



WND-1
Vinyl Window



SF-1
Aluminum
Storefront



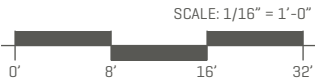
GR-1
Guardrail



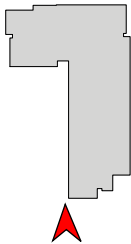
S-1
Security
Screens



P-1
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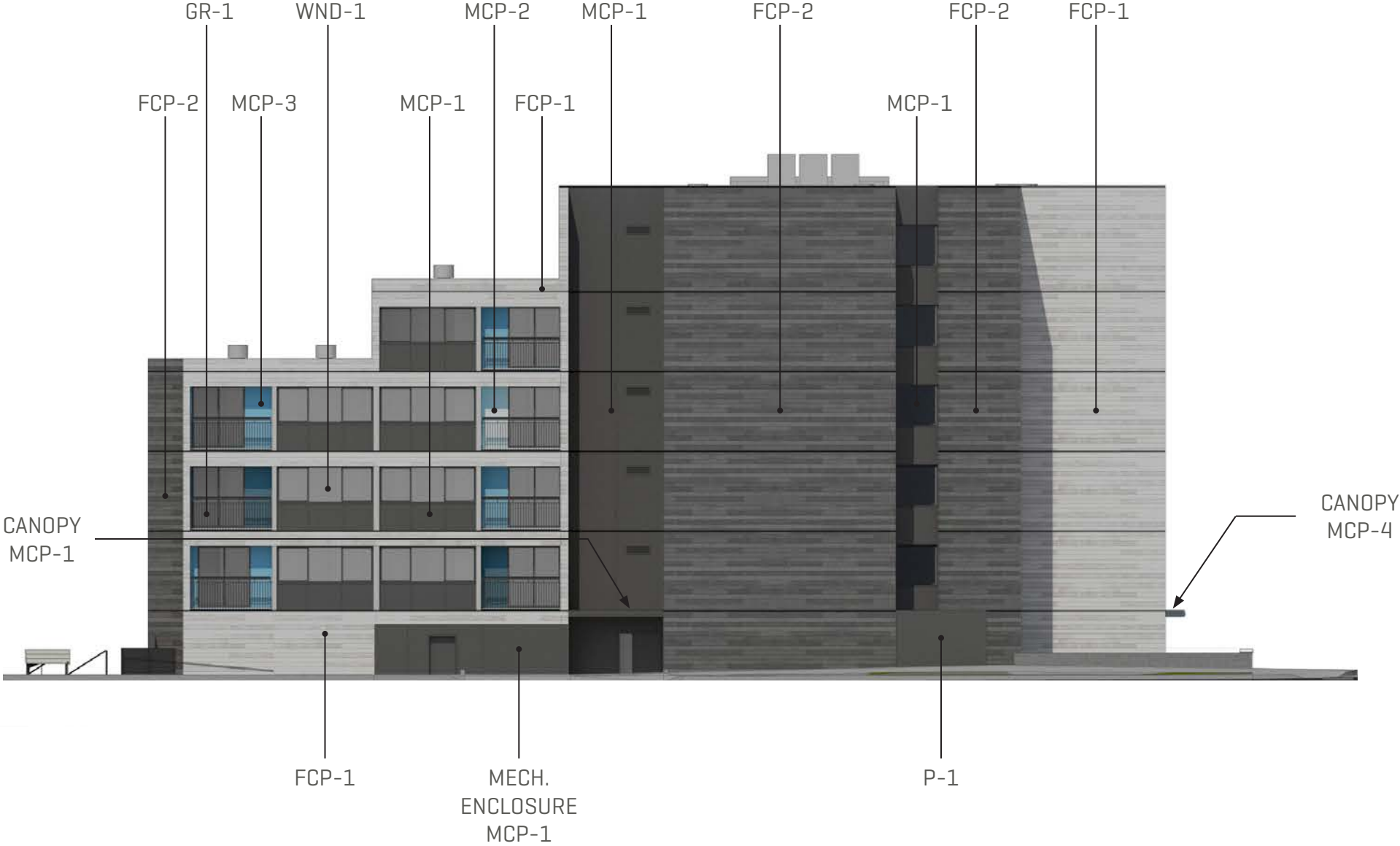


SOUTH



Top of Parapet
202' - 4"

Level 01.5
146' - 6"



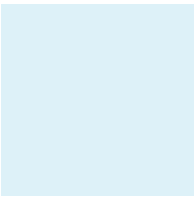
FCP-1
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Panel



FCP-2
Oko Skin
Panel



MCP-1
Aluminum
Composite
Metal Panel



MCP-2
Light Blue



MCP-3
Medium Blue



MCP-4
Dark Blue



WND-1
Vinyl Window



SF-1
Aluminum
Storefront



GR-1
Guardrail



S-1
Security
Screens



P-1
High-
Performance
Paint

