

City of Portland, Oregon

Bureau of Development Services

Land Use Services

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

Date: April 27, 2012

To: Interested Person

From: Dave Skilton, Land Use Services 503-823-0660

dave.skilton@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has **approved** a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 12-119197 HDZ – STOREFRONT ALTERATIONS, NEW CORNER ENTRY

GENERAL INFORMATION

Applicant: Reach Community Development Inc.

1135 SE Salmon Street Portland, OR 97214

Representative: Cynthia Bankey 971-244-3087

2115 SE 46th Avenue Portland, OR 97215

Site Address: 420-438 SE Grand Avenue

Legal Description: BLOCK 121 LOT 3&4 EXC PT IN ST W 10' OF LOT 5&6, EAST

PORTLAND

Tax Account No.: R226508200 **State ID No.:** 1N1E35CC 12200

Quarter Section: 3031

Neighborhood: Buckman, contact Susan Lindsay at 503-725-8257.

Business District: Central Eastside Industrial Council, contact David Lorati at 503-224-

3900.

District Coalition: Southeast Uplift, contact Leah Hyman at 503-232-0010.

Plan District: Central City - Central Eastside

Other Designations: Non-contributing resource in the East Portland Grand Avenue Historic

District, which was listed in the National Register of Historic Places on

March 4, 2012

Zoning: EXd, Central Employment with Historic Resource Protection and

Design Overlays

Case Type: HDZ, Historic Design Review

Procedure: Type II, an administrative decision with appeal to the Historic

Landmarks Commission.

Proposal:

The applicant is seeking Historic Design Review approval for a proposal to regularize the varied, non-historic, storefront and transom systems on the ground floor of the building, including closure of three non-functioning recessed entries, and introduction of a new, recessed corner entry. Two obsolete fire escapes will also be removed. Historic Design Review is required because the proposal is for non-exempt exterior alterations in a historic district.

Relevant Approval Criteria:

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

- East Portland Grand Avenue Historic District Design Guidelines
- Central City Fundamental Design Guidelines Central Eastside

ANALYSIS

Site and Vicinity: The subject property, a four story brick building, is identified as the Morgan, Leith, and Cook Building in the National register documentation for the East Portland Grand Avenue Historic District. It was constructed, in 1911, as retail space on the ground floor with apartments above, and has operated in that configuration through most of its existence. In spite of its intact massing, wall materials, and overall fenestration pattern, there were enough alterations to the building by the time the historic district was being formed to preclude its evaluation as a contributing resource. The property's age and remaining qualities were, however, recognized by a designation of "historic non-contributing".

The East Portland Grand Avenue Historic District is significant for its association with broad patterns of historic development, especially as it relates to commerce and transportation. This area, stretching north-south along SE Grand Avenue parallel to the Willamette River was, until consolidation with Portland in 1893, the core of a separate community known as East Portland. The National Register nomination document also notes that in the years from approximately 1915 to 1930 this locale developed a concentration of automotive businesses, with building adapted or designed to support it.

Zoning: The Central Employment (EX) zone allows mixed-uses and is intended for areas in the center of the City that have predominantly industrial type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area. The development standards are intended to allow new development which is similar in character to existing development.

The Historic Resource Protection Overlay chapter protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

The 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 two prior relevant land use reviews for this site:

- LUR 92-00778, approving restoration, repairs, and painting of upper floor entry and storefronts.
- LUR 99-00222, approving new awnings, trash enclosure, and lighting.

Public Notice: A "Notice of Proposal in Your Neighborhood" was mailed on March 29, 2012.

Agency Review: None of the notified Bureaus has responded with issues or concerns.

Neighborhood Review: One written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

• William Wright, owner of property at 534 SE Oak Street, wrote on April 3, 2012 with no objection to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846.060 - Historic Design Review

Purpose of Historic Design Review

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

Historic Design Review Approval Criteria

Requests for historic design 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 East Portland Grand Avenue Historic District and the proposal is for a non-exempt treatment. Therefore Historic Design Review approval is required. The approval criteria are the *Design Guidelines - East Portland Grand Avenue Historic Design Zone*. Because the site is within the *Central City Plan District*, the *Central City Fundamental Design Guidelines* are also approval criteria.

Staff has considered all guidelines and addressed only those applicable to this proposal. The <u>Design Guidelines</u> - <u>East Portland Grand Avenue Historic Design Zone</u> and the <u>Central City Fundamental Design Guidelines</u> are addressed concurrently.

<u>Design Guidelines - East Portland Grand Avenue Historic Design Zone</u> <u>Central City Fundamental Design Guidelines</u>

A6. Reuse/Rehabilitate/Restore Buildings. Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

A6-1g. Lighting

- **1.** Repair or replace damaged period lighting with the same or similar lighting fixtures and design elements.
- **2.** Lighting in entryways and doorways and other highly visible public areas should match the original fixtures where possible, or be designed in a manner that is compatible with the historic building and with the district.
- **3.** Bathing a historic building with light or the use of exterior spotlights on the major facade is discouraged, unless historic precedence exists to support such display.
- **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 A6, A6-1g, and C3: The designated resource is the East Portland Grand

Avenue Historic District, not the subject building, which, as a non-contributing resource in the district is subject to demolition without any review under Chapter 33.445 Historic Resource Protection of the Zoning Code. It is therefore important to focus the application of the guidelines, which unfortunately do not specifically anticipate the proposed sort of treatment, on the impact to the historic district. Viewed from this more global perspective, the proposed regularizing of the existing hodgepodge of non-historic storefronts with a consistent building-wide system, having characteristics similar to those of contributing historic properties, is desirable.

The National Register nomination documentation for the East Portland Grand Avenue Historic District points out that the ground floor of this building has, over time, housed varying numbers of retail tenants, and that this is the source of the mixed storefront systems. The proposed rehabilitation of the ground floor offers an opportunity to go back to a semblance of original, uniform treatment, very much in respect of its remaining historic integrity.

Although the applicant was unable to uncover any evidence of a previous corner entry on this building, such locations were historically common for single-tenant ground floors, and the proposed detailing is both in the spirit of the period of significance and subtly distinguishable by virtue of its materials.

One historically referent replacement light fixture is proposed, at the entry to upstairs dwelling units, and other low-key and utilitarian lighting are proposed at the new corner entry. Both will make positive contributions to the historic district without creating distraction.

These guidelines are met

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The proposal, to replace the varied and non-historic ground floor storefronts with a new single, consistent, compatible system will help to improve the character of this particular building as well as the East Portland Grand Avenue Historic District. The purpose of the Historic Design 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 Design Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of new storefronts and a new corner entry on a non-contributing resource in the East Portland Grand Avenue Historic District:

Approval is per Exhibits C-1 through C-9, signed and dated April 24, 2012, 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 and C-9. The sheets on which this information

appears must be labeled, "Proposal and design as approved in Case File # LU 12-119197 HDZ. No field changes allowed."

Staff Planner: Dave Skilton

Decision rendered by: Dave Shuto on April 24, 2012.

By authority of the Director of the Bureau of Development Services

Decision mailed: April 27, 2012

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on March 9, 2012, and was determined to be complete on **March 27, 2012.**

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 March 9, 2012.

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 did not waive or extend the 120-day review period.

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed to the Historic Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on May 11, 2012** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged**. The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws.

Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Historic Landmarks Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Historic Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision 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.

- Unless appealed, The final decision may be recorded on or after May 14, 2012.
- 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:

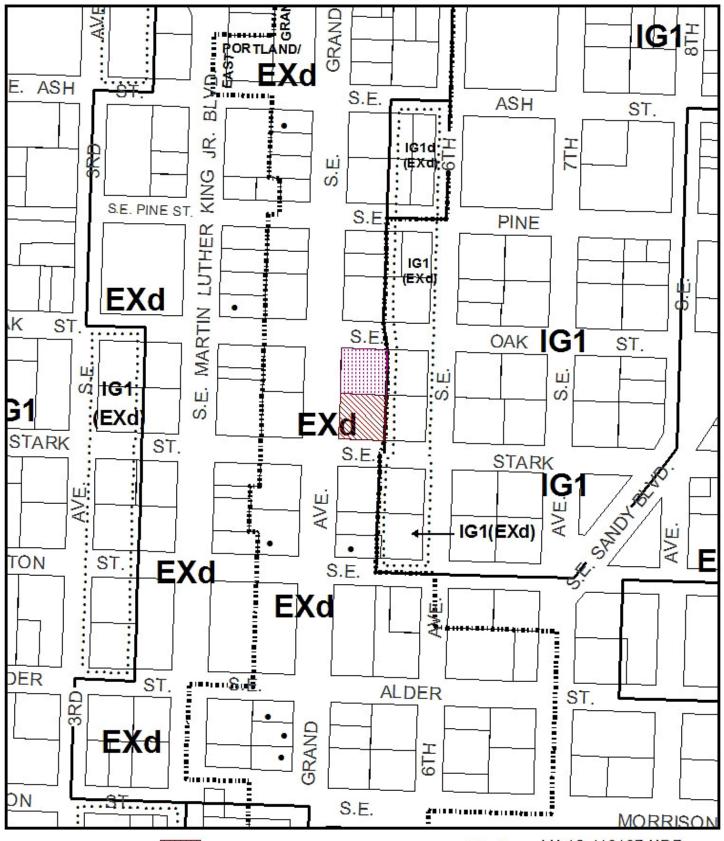
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site and Vicinity Plans; Scope of Work (attached)
 - 2. Ground Floor Plan
 - 3. Building Photos
 - 4. West Elevation (attached)
 - 5. South Elevation (attached)
 - 6. East Elevation
 - 7. Storefront Section Details
 - 8. Corner Entry Plan and Section
 - 9. Upper Floor Entry Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Water Bureau
 - 2. Fire Bureau
 - 3. Life Safety Review Section of BDS
- F. Correspondence:
 - 1. William Wright, owner of property at 534 SE Oak Street, wrote on April 3, 2012 with no objection to the proposal.
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research

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



Historic Landmark



This site lies within the: EAST PORTLAND / GRAND AVENUE HISTORIC DISTRICT CENTRAL CITY PLAN DISTRICT File No. LU 12-119197 HDZ

1/4 Section 3031

Scale 1 inch = 200 feet

State_Id 1N1E35CC 12200

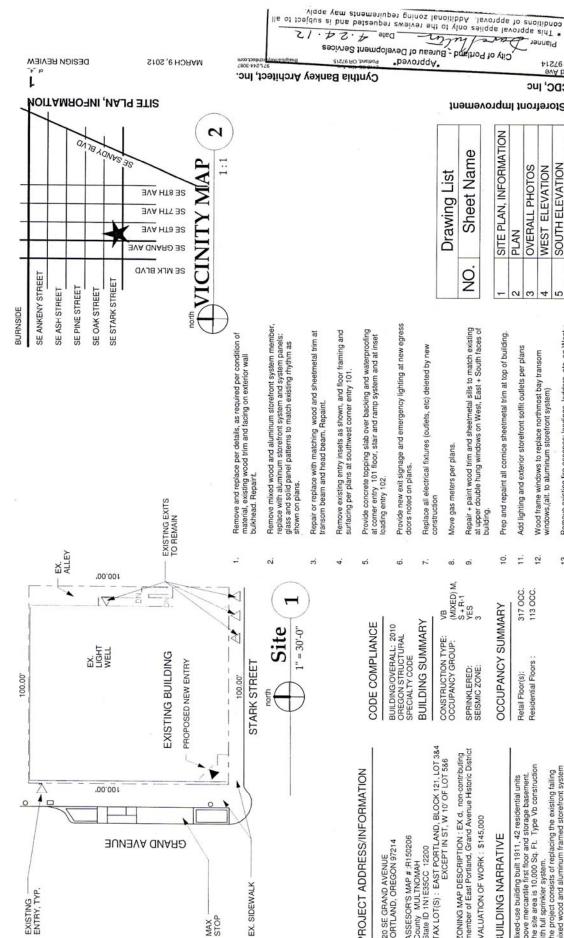
Exhibit B (Mar 16,2012)

Portiand, Oi

450 SE G18

REACH CDC, Inc

Wilshire Storefront Improvement



PROJECT ADDRESS/INFORMATION

420 SE GRAND AVENUE PORTLAND, OREGON 97214

ASSESOR'S MAP #:R150206 County MULTNOMAH State ID 1N1E35CC 12200

TAX LOT(S): EAST PORTLAND, BLOCK 121, LOT 3&4 EXCEPT IN ST, W 10' OF LOT 5&6

ZONING MAP DESCRIPTION: EX d, non-contributing member of East Portland, Grand Avenue Historic District VALUATION OF WORK: \$145,000

BUILDING NARRATIVE

Mixed-use building built 1911, 42 residential units above mercantile first floor and storage basement. The site area is 10,000 Sq. Ft. Type Vb construction with full sprinkler system. The project consists of replacing the existing failing

mixed wood and aluminum framed storefront system with aluminum storefront system at the ground floor and above the transom beam, removing a number of unused entry recesses, and creating a corner entry at the SW corner, included in the project is replacement of wood trim around the upper floor windows, and repainting all wood and sheetmetal trim.

CODE COMPLIANCE

BUILDING/OVERALL: 2010 OREGON STRUCTURAL SPECIALTY CODE

Provide new exit signage and emergency lighting at new egress doors noted on plans.

Replace all electrical fixtures (outlets, etc) deleted by new

Provide concrete topping stab over backing and waterproofing at corner entry 101 floor, stair and ramp system and at inset

loading entry 102.

BUILDING SUMMARY

VB (MIXED) M, S + R-1 YES CONSTRUCTION TYPE: OCCUPANCY GROUP: SPRINKLERED: SEISMIC ZONE:

OCCUPANCY SUMMARY

10

317 OCC. 113 OCC. Residential Floors Retail Floor(s):

12 13

Description

List	t Name
Drawing	Shee
	Š.

Repair + paint wood trim and sheetmetal sills to match existing at upper double hung windows on West, East + South faces of

Move gas meters per plans.

Prep and repaint all cornice sheetmetal trim at top of building

Add lighting and exterior storefront soffit outlets per plans Wood frame windows to replace northmost bay transom windows.(all. to aluminum storefront system)

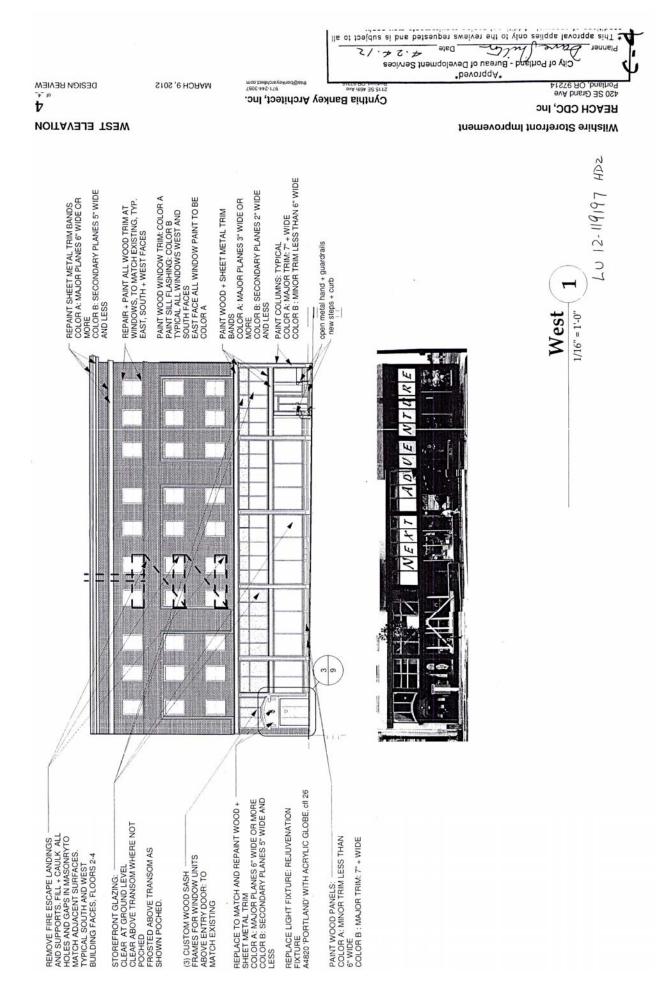
.Approved.

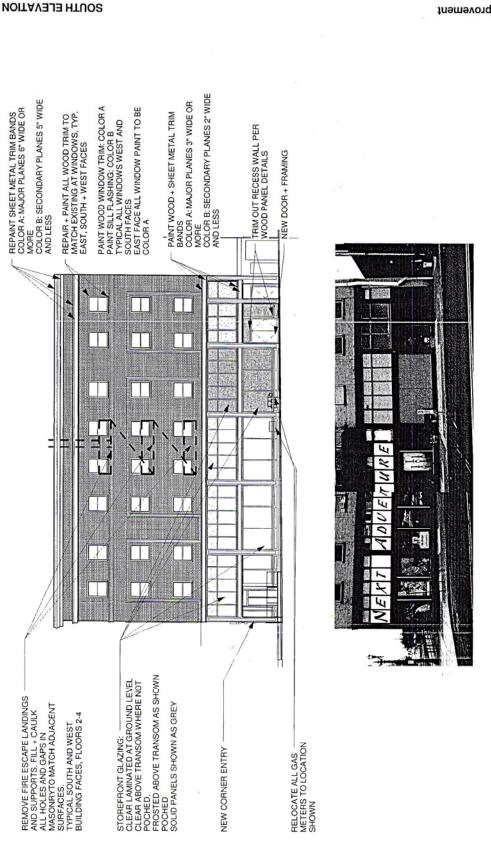
_	SITE PLAN, INFORMATION
2	PLAN
8	OVERALL PHOTOS
4	WEST ELEVATION
5	SOUTH ELEVATION
9	EAST ELEVATION
7	SECTIONS, DETAILS
8	CORNER ENTRY DETAILS
σ	SECTIONS DETAILS

Remove existing fire escapes: landings, ladders, etc. on West + South sides of building. Patch and repair masonry surfaces as required.

LU (2-119197 HDZ SCOPE OF WORK

1:1





Wilshire Storefront Improvement

REACH CDC, Inc

LU 12-119197 HDZ

1/16" = 1'-0" South

420 SE Grand Ave Portland, OR 97214

Cynthia Bankey Architect, Inc.

City of Portand - Bureau of Development Services 51.24.12

* This approval applies only to the reviews requested and is subject to all

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DESIGN BENIEM

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WARCH 9, 2012

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