



City of Portland, Oregon
Bureau of Development Services
Land Use Services

FROM CONCEPT TO CONSTRUCTION

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Date: October 25, 2012
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From: Hillary Adam, Land Use Services
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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 the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 12-153431 HDZM STOREFRONT REMODEL

GENERAL INFORMATION

Applicant: Beth Ries, Architect, (206) 623-4646 / Callison Architects
1420 Fifth Avenue, #2400 / Seattle, WA 98101

Owners: Panache Properties LLC
2761 NE Halsey St / Portland, OR 97232

Mark Phillips, Lease Holder / Key Bank
3300 East First Avenue / Denver, CO 80206

Site Address: 2310 NW EVERETT ST

Legal Description: BLOCK 5 N 71.6' OF LOT 1 EXC PT IN STS N 71.6' OF LOT 2, MEADS ADD

Tax Account No.: R556500390

State ID No.: 1N1E33CB 02400

Quarter Section: 3027

Neighborhood: Northwest District, contact John Bradley at 503-313-7574.

Business District: Nob Hill, contact Patricia Fielder at 503-407-6163.

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

Plan District: Northwest

Other Designations: Non-compatible Non-contributing resource in the Alphabet Historic District, listed in the National Register of Historic Places on August 24, 2000.

Zoning: CS – Storefront Commercial

Case Type: DZM – Design Review with request for Modification

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

Proposal:

The Applicant proposes to remodel the ground floor of the existing building for use as a bank, including:

- Infill of a portion of the southern window bay on the east façade to match the existing adjacent construction, to meet seismic upgrades, as required by the City of Portland;

- Replacement of existing divided-light roll-up doors and fixed divided-light storefront systems on the ground floor with fixed center-divided aluminum storefront systems in a light satin finish with man doors at the westernmost and second-easternmost bay;
- Installation of an ATM with infill wall in the bay second from the right with remainder to be glazed storefront;
- Installation of wall sconces between the bays on the recessed north façade, a total of seven downlights above the storefront systems, one downlight above the ATM, and four 42" bollard light fixtures with two at either end of the parking area to provide nighttime security lighting;
- Removal of the existing asphalt parking area and wooden deck, and replacement with buff colored stamped asphaltic concrete with delineated pedestrian pathway and ADA compliant parking space and new landscaped area between the parking area and driveway; and
- Installation of an exterior bicycle rack for short-term bicycle parking.

One Modification is being requested:

1. 33.266.130.G Parking area setbacks and landscaping– to not provide the required 5 ft. of L2 (low screen) perimeter landscaping as part of the required non-conforming upgrades.

The Notice of Proposal, sent on August 16, 2012, listed two 20' high pole light fixtures at either end of the parking area as well as infill of the entire southern window bay on the east façade. Staff has worked with the applicant to negotiate the alternatives listed above, which will better meet the standards in the Zoning Code and the Community Design Guidelines. The Notice of Proposal also listed the installation of divided-light storefront systems in some of the ground floor bays, with some existing storefronts to remain, however given the differences in the existing and proposed systems, it was determined that replacement of all ground floor storefronts with simplified center-divided systems would be the preferred alternative, as a standard system approximately the existing system could not be located. The Notice of Proposal also listed a man door to be located in the center bay; however the current proposal is for a man door in the second-easternmost bay, the same bay in which the door is currently located.

Because the proposal is for exterior alterations to a non-contributing resource in a historic district, Historic Design Review is required.

Relevant Approval Criteria:

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

- Community Design Guidelines
- Historic Alphabet District: Community Design Guidelines Addendum

ANALYSIS

Site and Vicinity: The subject property is located at the southeast corner of the intersection of NW 23rd Avenue and NW Everett Street with an existing two-story stucco-finished concrete Modern Commercial style building facing NW Everett. The building was originally constructed as a one-story building in 1963 and was expanded in 1985 when the second story was added. The building is characterized by its rectilinear shape, entire storefront bays of divided light windows on the 1st floor and divided light ribbon windows on the 2nd floor. The building abuts the sidewalk along NW 23rd Avenue but is set back from its frontage along NW Everett Street with an asphalt parking area in front. A narrow concrete walkway directly north of the building connects the front entrance to the sidewalk along NW 23rd Avenue. A narrow strip of plantings separates the parking area from the sidewalk on NW Everett Street. West of the parking lot is a wooden deck with railing that was constructed in 1991. West of the deck is a paved driveway leading to the enclosed trash area. At the east end of the property is a small landscaped area surrounding a coffee kiosk at the corner of NW Everett Street and NW 23rd Avenue.

Directly south of the subject property are the Weist Apartments, a 3-½-story Neo-Baroque apartment building built in 1905 by Portland's "Apartment House King" William Morgan and a contributing resource to the district. To the west of the subject property is a modified Queen Anne structure formerly used as a residence, but since converted to commercial use. Across NW Everett Street, on the west side of NW 23rd Avenue, is a small paved parking lot with a compatibly-designed one-story retail building constructed in 1995 to its north, and on the east side of NW 23rd, is a two-story compatibly-designed retail building constructed in 1996. Across NW 23rd Avenue on the south side of NW Everett, is a 1930 Jacobethan four-story brick apartment building designed by notable Portland architect Elmer E. Feig, which is contributing to the district. The property is located within the Northwest Pedestrian District and NW 23rd Avenue is classified in the Transportation System Plan as a Community Main Street, a Major Transit Priority Street, a Neighborhood Collector Street, and a City Bikeway.

Zoning: The Storefront Commercial (CS) zone is intended to preserve and enhance older commercial areas that have a storefront character. The zone intends that new development in these areas will be compatible with this desired character. The zone allows a full range of retail, service and business uses with a local and regional market area. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. The desired character includes areas which are predominately built-up, with buildings close to and oriented towards the sidewalk especially at corners. Development is intended to be pedestrian-oriented and buildings with a storefront character are encouraged.

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 that prior land use reviews include the following:

- LU 85-000338 (reference file #ADA 3-85) – approval with conditions of an Alternative Design Adjustment to building orientation requirements, with provided for the redevelopment of the one-story building to two stories for use as an open-air market on the ground floor with retail and office above while retaining the existing parking area between the building and the street and allowing for its reconfiguration. At this time, the northwest and northeast corners of the building were extended north four feet and the large picture windows were replaced with divided-light windows and roll-up overhead doors;
- LU 85-032317 (reference file #VZ 167-85) – variance to reduce the screening and landscaping on the north side from the required 5' to 0', but requiring street trees;
- LU 04-012436 – Approval of two signs constructed of black pin-mounted letters with red halo lighting;
- LU 07-131878 – Approval of the installation of porcelain tile from the ground level to a height of 5'-5" on the east and north façades and the installation of two awnings at the 2nd floor roof deck. The approved tile was not installed.

Public Notice: A "Notice of Proposal in Your Neighborhood" was mailed August 16, 2012.

Agency Review: The following Bureaus responded with comments:

The **Bureau of Transportation Engineering** responded, noting the street frontage improvements that will be required at the time of Building Permit. The Bureau noted that the existing sidewalk corridors along NW Everett Street and NW 23rd Avenue do not satisfy the City's Pedestrian Design Guide recommendations. Based on provisions contained in Title 17,

PBOT is granted authority to require right-of-way improvements at the time of Building Permit review to address insufficient existing conditions.

Because the property is located within the Northwest Pedestrian District and because NW Everett Street is classified as a Local Service Street, the City's Pedestrian Design Guide recommends a 12-ft sidewalk corridor comprised of a 0.5-ft sidewalk, 4-ft furnishing zone, 6-ft sidewalk and 1.5-ft frontage zone. Though this existing sidewalk corridor satisfies the 12-ft width standard, it is not comprised of the appropriate widths for the recommended elements. Accordingly, this sidewalk corridor will need to be reconstructed as a condition of Building Permit review.

Similarly because the property is within the Northwest Pedestrian District and NW 23rd Avenue is classified as a Neighborhood Collector Street, the City's Pedestrian Design Guide recommends a 15-ft sidewalk corridor comprised of a 0.5-ft sidewalk, 4-ft furnishing zone, 8-ft sidewalk and 2.5-ft frontage zone. The existing 12-ft wide sidewalk corridor therefore does not satisfy the Pedestrian Design Guide's recommendations. According to the submitted plans, the existing building is located between 2.2 and 2.3-ft from the current (east) property line, therefore there is insufficient area between the current property line and the building for dedication of property to meet the 15-ft standard sidewalk corridor width. Accordingly, the applicant will be required to dedicate property that matches the location of the existing building line along the site's NW 23rd Ave frontage to accommodate the aforementioned 4-ft wide furnishing zone, 8-ft wide sidewalk and a portion of the required 2.5-ft frontage zone. The existing sidewalk corridor will need to be reconstructed to include these elements. Both the property dedication and frontage improvement requirements will be conditioned as part of the Building Permit review.

The Bureau also noted the existence of a free-standing structure, Sunny Day Coffee, at the north-east corner of the site. The structure appears to be already partially encroaching into the public right-of-way. With the required dedication of property noted above along the site's NW 23rd frontage, this structure will further encroach into the public right-of-way. As another condition of the expected Building Permit review, this structure will need to be removed from its current location or relocated entirely on private property. If the applicant (or owner of the structure) prefers to maintain the structure in its current location, approval of an Encroachment Permit may be sought. Please see Exhibit E-1 for additional details.

The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Life Safety Division of BDS
- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- Bureau of Parks-Forestry Division

Neighborhood Review: No written responses have been received from either the Neighborhood Association or notified property owners in response 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 Alphabet Historic District and the proposal is for a non-exempt treatment. Therefore Historic Design Review approval is required. The approval criteria are the *Community Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*.

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

Historic Alphabet District - Community Design Guidelines Addendum

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

Findings: The subject property is a noncompatible noncontributing resource, built in 1963, outside of the period of significance of the district. The proposed alterations are in keeping with the resource, as it was originally designed. The existing building has non-historic aluminum divided-light storefront windows which were installed in the mid-1980s, approximately 8' tall on the first floor and occupying the entire width of each bay. The windows on the second floor are similarly divided, though only half as tall. Through the course of the design review process, it was revealed that the project would require seismic reinforcement, resulting in the decision to infill a portion of the eastern wall to match the existing. Finding an exact or similar match to the existing systems, which have shallow beveled muntins proved difficult without the commission of a custom system. As such, it was decided that all of the ground floor storefront systems would be replaced to ensure uniformity along the ground floor and a simpler design was negotiated, with center dividers only rather than the divided light rendering originally proposed, as the modern divided-light option appeared that it would be too heavy and overwhelmingly to the resource, particularly at the sidewalk level. It is worth noting that when the building was first constructed, the storefront bays were divided at the center. The current proposal approaches the historic condition, but will be distinctly modern. The new storefronts will be aluminum with a satin finish, which will complement the aluminum storefront windows above to remain.

The adjacent properties are an eclectic mix of high style and vernacular residential buildings, modified vintage residential structures converted to commercial use and modern commercial structures designed to be compatible with the district. The proposed parking area improvements, including the replacement of the dark asphalt paving and wooden deck with buff-colored stamped asphalt paving and landscape improvements, are designed to better relate to the Main Street character of NW 23rd Avenue. *This criterion is therefore met.*

Community Design Guidelines

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

Findings: The proposed parking area improvements, which include landscaping, light-colored paving materials and an articulated pedestrian pathway, will help to contribute to the pedestrian-oriented streetscape. Though a portion of the NW 23rd Avenue façade is being infilled to accommodate a shear wall as required by the City to improve seismic safety, the applicant has made efforts to retain as much glazed wall area as possible

and the proposal meets the minimum standards for ground floor windows. *This guideline is therefore met.*

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

Findings: While it is important not to add conjectural features in order to reinforce the district's historic significance, certain improvements can be made with respect to this history. The proposed parking area improvements minimize the negative effect of having a parking area in front of the building, where the building otherwise would have been built to the right-of-way. Likewise, the removal of the existing large awnings, which are rather overbearing, will allow more of the building wall to be visible. In addition, the proposed light fixtures were chosen for their subtlety with the desire that the focus would be on what is illuminated rather than the source of the illumination. *With the condition of approval that all conduit for the lighting shall be hidden from view and, if necessary, painted to match the wall behind, this guideline is therefore met.*

E1. The Pedestrian Network. Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.

Findings: The existing condition of the property includes a pedestrian path from the main building entrance to the sidewalk at NW 23rd Avenue. Currently, pedestrians entering the site from NW Everett Street must cross through the drive aisle of the parking lot. Though the proposal will maintain the shared use of the parking area with pedestrians, there will now be a pedestrian path through the parking area, demarcated with alternate paving materials and striping, in order to alert drivers that this area is shared with pedestrians. *This guideline is therefore met.*

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

Findings: The proposal includes the removal of the large awnings that currently span the length of the recessed portion of the north façade. Though not on the sidewalk, these awnings hang over the pedestrian walkways internal to the site and are overwhelming to the building façade. The street level façade will be further differentiated by the installation of new storefronts which, though similar in material and color, will be distinctly different in the glazing pattern and modern in profile. Though the profile of the new storefront mullions and muntins will be less detailed than that of the existing, the light satin finish which will add interest to the storefront systems. *This guideline is therefore met.*

E5. Light, Wind, and Rain. Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

Findings: The removal of the black tar asphalt parking area and its replacement with a buff-colored stamped asphaltic concrete, as well as the installation of additional landscaping, will significantly reduce the adverse effects of the sun on this site. Though the soil conditions of the site would not support a fully-integrated stormwater collection system, the proposed additional landscaping will still reduce the amount of stormwater runoff from the site better than the existing wooden deck which is to be removed. *This guideline is therefore met.*

D1. Outdoor Areas. When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;

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

Findings for D1 & D3: The existing building is located at the south end of the property, with a parking area between the main entrance and the frontage of NW Everett Street, creating a non-conforming situation. Due to the value of the proposed improvements, the applicant is required to provide upgrades to the site, including the installation of long-term and short-term bicycle parking, landscape improvements and site improvements such as the repaving of the parking area and the addition of a pedestrian connection to NW Everett Street. The purpose of these upgrades is to make the property more accessible, pleasant and safe. The landscaping proposed is intended to supplement the existing landscaping on the site and the identified plantings are appropriately scaled for the building. *This guideline is therefore met.*

D2. Main Entrances. Make the main entrances to houses and buildings prominent, interesting, pedestrian-accessible, and transit-oriented.

Findings: The subject property lies at the intersection of two Transit Streets, with NW 23rd Avenue classified as a Major Transit Priority Street and the portion of NW Everett at the property classified as a Community Transit Street. The existing building, with its front façade facing NW Everett Street is set back approximately 30-37 feet. Along NW 23rd Avenue, the building is currently set back approximately 2 feet from the property line. The existing entrance door is approximately 28 linear feet from the eastern edge of the building in the recessed portion of the north façade, thus the building is currently non-conforming related to this standard. Due to site constraints, the applicant proposes to maintain the existing orientation to the north, but move the main entrance, within its current bay, closer to NW 23rd Avenue, resulting in a distance less than 25 feet. *This guideline is therefore met.*

D4. Parking Areas and Garages. Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

Findings: The proposal includes significant upgrades to the parking area, including removal of the black tar asphalt paving and its replacement with a buff-colored stamped asphaltic concrete with differentiated pedestrian pathway. In addition, the parking area will be illuminated with 42" bollard lights in order to ensure nighttime safety. The parking area will also have new and supplemental perimeter landscaping to partially screen the view to parked vehicles from pedestrians. *This guideline is therefore met.*

D5. Crime Prevention. Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

Findings: With the exception of the shear wall requested by the City along NW 23rd Avenue, and the wall housing the ATM, the applicant is proposing to maintain the building's sense of openness by providing views between the interior to the exterior at every location possible. In addition, the applicant proposes to remove the wooden deck at the western edge of the property, which is overgrown with vegetation, and replace it with low and medium shrubs. The proposed additional lighting in the parking area and on the building façade will also help to deter crime at this location. *This guideline is therefore met.*

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

Findings: The proposed alterations are directly derived from the building's existing character of full bay glazed storefronts, and although veering from the divided-light motif of the past few decades, restores the center-divided design of the original building. The proposed alterations are compatible with the character of the existing building. The ground floor will now have storefronts of large expanses of glass with the more delicate divided lights remaining at the second floor. The light satin finish will provide additional interest in the simpler storefront system and will complement the finish of the existing windows above. *This guideline is therefore met.*

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

Findings: The proposed storefronts systems will be of similar materials and scale as the existing building, but will be more similar to contemporary commercial properties nearby with center-divided glazing, which is also closer to the original condition of the building than are the current systems. The infill material will match the subject building but will appear similar to those nearby. *This guideline is therefore met.*

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

Findings: The proposed aluminum storefronts will be contemporary center-glazed systems in a satin finish which provide additional warmth and interest, as well as provide increased views to the interior. The proposed systems are of long-lasting quality and with the replacement of all storefronts on the ground floor, will provide a cohesive composition at the ground floor and differentiate the lower level from the upper level with the divided-lights to remain, thereby establishing a hierarchy currently not present. Although significant alterations took place in 1985, obscuring the original form of the building, the new storefronts will better approximate what the building originally looked like and will unify the appearance of the ground floor. *This guideline is therefore met.*

33.846.070 Modifications Considered During Historic Design Review

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.

33.266.130 Development Standards for All Other Uses

- A. Purpose.** The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones. Together with the transit street building setback standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian Districts:
 - Provide a pedestrian access that is protected from auto traffic; and
 - Create an environment that is inviting to pedestrians and transit users.

- The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles.

The setback and landscaping standards:

- Improve and soften the appearance of parking areas;
- Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;
- Provide flexibility to reduce the visual impacts of small residential parking lots;
- Direct traffic in parking areas;
- Shade and cool parking areas;
- Reduce the amount and rate of stormwater runoff from vehicle areas;
- Reduce pollution and temperature of stormwater runoff from vehicle areas; and
- Decrease airborne and waterborne pollution.

Modification #1:

1. 33.266.130.G Parking area setbacks and landscaping– to not provide the required 5 ft. of L2 (low screen) perimeter landscaping as part of the required non-conforming upgrades.

Findings for A: As evidenced in the findings under Guidelines P1, P2, E1, E5, D1, D3 and D4 above, the resulting development will better meet the approval criteria because the existing black tar asphalt and wooden deck will be removed and the front setback will be softened by the installation of a buff-colored stamped asphaltic concrete parking area as well as the addition of supplemental landscaping on the east end of the parking area and with additional plantings on the west and in the narrow planting strips between the parking area and the sidewalk on NW Everett Street. The overall concept will encourage increased caution among drivers and will create a more pleasant environment for pedestrians, as the lighter color paving material and the additional plantings will reduce the negative effects of the sun. The additional plantings will also help to mitigate stormwater runoff and air pollution, as well as provided additional screening for the parking area. The pedestrian path through the parking area will provide a second access path to the main entrance, while the existing path from NW 23rd Avenue will be maintained. The proposed pedestrian path will be differentiated from the rest of the parking area in material and pattern and will be located behind the two parking spaces to the west, rather than the three on the east, providing the safer route through the parking area. The proposed improvements to the parking area and landscaped areas will create a more pleasant environment in the front setback than would a 5' wide planting strip of low shrubs between the existing asphalt parking area and the sidewalk.

The proposed Modification meets the approval criteria and the purpose of the standard and therefore merits 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 subject property is identified as a “non-compatible non-contributing resource” in the National Register nomination of the Alphabet Historic District. Significant alterations in 1985, including the extension of the north corners of the building, an addition of a second floor and the installation of divided light storefronts and upper level windows forever altered the original appearance of the building. Stricter building codes require seismic upgrades as part of the permitting process. Although infill of storefront glazing along a Community Main Street is never the preferred option, the design meets the minimum standard for ground floor windows and

provides a significant amount of glazing at every other location possible on the façades visible from the public right-of-way. The proposed storefronts across the ground floor will establish a hierarchy to the building with larger expanses at the ground floor and divided light pattern to remain at the top floor.

The Modification requested is justified by the other improvements the applicant is making to the site, including repaving of the parking lot and the addition of a pedestrian pathway and supplemental landscaping. When completed, the proposed improvements to the building and the site will better integrate the subject property with the 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 exterior alterations and site improvements in the Alphabet Historic District, including the following:

- Infill of a portion of the southern window bay on the east façade to match the existing adjacent construction, to meet seismic upgrades, as required by the City of Portland;
- Replacement of existing divided-light roll-up doors and fixed divided-light storefront systems on the ground floor with fixed center-divided storefront systems in a light satin finish with man doors at the westernmost and second-easternmost bay;
- Installation of an ATM and infill wall in the bay second from the right with remainder to be divided light glass storefront;
- Installation of wall sconces between the bays on the recessed north façade, a total of seven downlights above the storefront systems, and four 42" bollard light fixtures with two at either end of the parking area to provide nighttime security lighting;
- Removal of the existing asphalt parking area and wooden deck, and replacement with buff colored stamped asphaltic concrete with delineated pedestrian pathway and ADA compliant parking space and new landscaped area between the parking area and driveway; and
- Installation of an exterior bicycle rack for short-term bicycle parking.

Also approved is the requested Modification to 33.266.130.G Parking area setbacks and landscaping – to not provide the required 5 ft. of L2 (low screen) perimeter landscaping as part of the required non-conforming upgrades.

This approval is per the approved site plans, Exhibits C-1 through C-15, signed and October 19, 2012, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B) 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 12-153431 HDZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. All conduit for the proposed light fixtures shall be hidden from view and, if necessary, painted to match the wall behind.

Staff Planner: Hillary Adam

Decision rendered by:  **on October 19, 2012.**

By authority of the Director of the Bureau of Development Services

Decision mailed: October 25, 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 June 21, 2012, and was determined to be complete on **August 13, 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 June 21, 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 November 8, 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 **November 9, 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.

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.

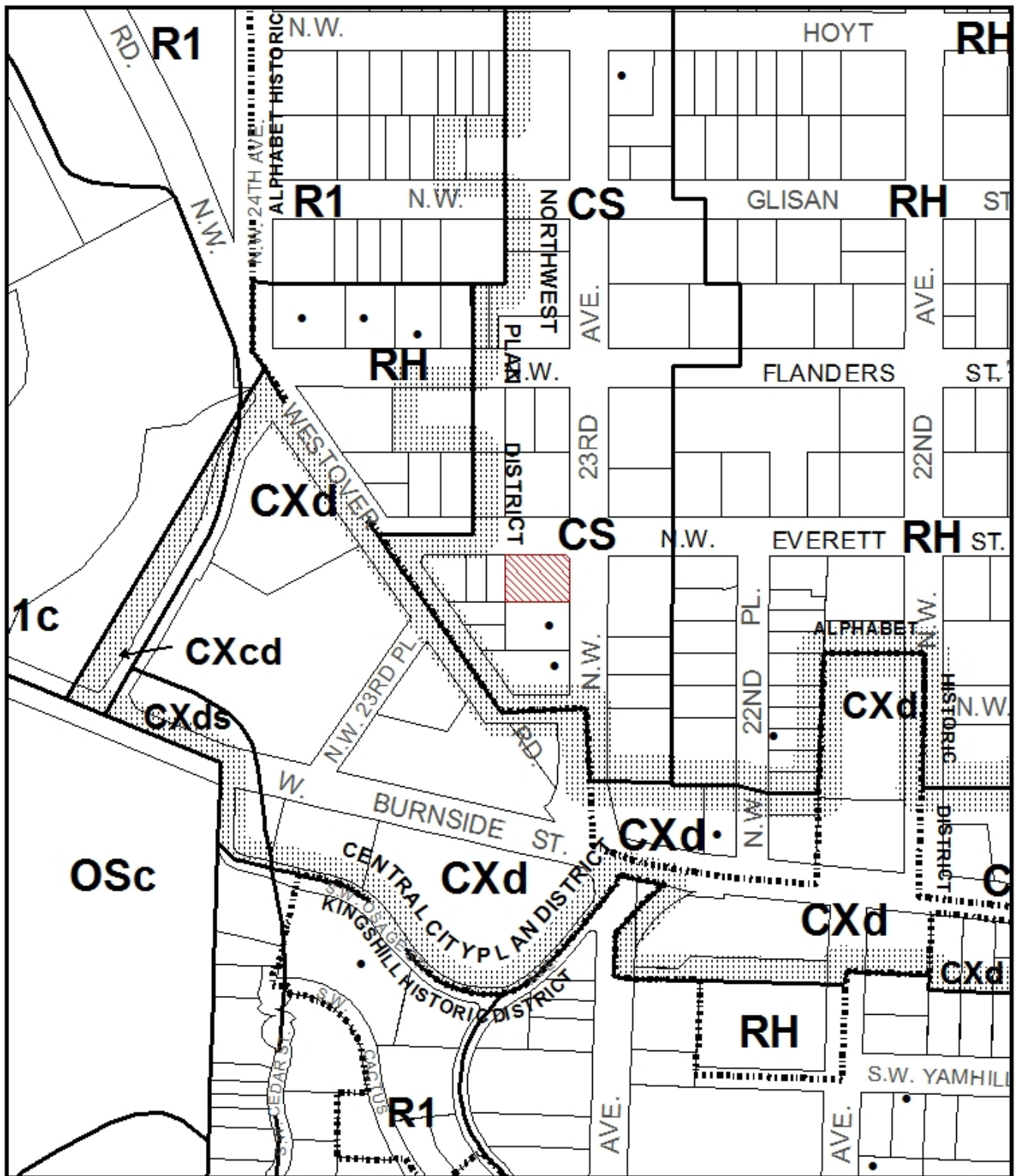
EXHIBITS

NOT ATTACHED UNLESS INDICATED

A. Applicant's Statement

1. June 21, 2012 Land Use Application –Written Statement
 2. August 8, 2012 Callison Response to Incomplete Letter
 3. August 10, 2012 AKS Response to Incomplete Letter
- B. Zoning Map (attached)
- C. Plans/Drawings:
1. Site Plan
 2. Non-Conforming Upgrades Plan (attached)
 3. Floor Plan
 4. Elevations (attached)
 5. Site Photometric Plan
 6. Site Plan - Electrical
 7. Grading and Spot Elevation Plan
 8. Construction Details
 9. Kawneer Trifab®VG 451/451T Cutsheets
 10. Exterior Details
 11. Wall Sections
 12. Lithonia Lighting Decorative Wall-Mounted Specifications (LE1)
 13. KIM Lighting BNM Mini-Bounce™ Specifications (LE2)
 14. Hydrel 4620 Knuckle Mount Specifications (LE3)
 15. Lithonia Lighting MRBX Architectural Bollard Specifications (LE9)
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses:
1. Bureau of Transportation Engineering and Development
 2. Bureau of Environmental Services
 3. Life Safety Division of BDS
 4. Water Bureau
- F. Correspondence: none
- G. Other:
1. Original LU Application
 2. Incomplete Letter
 3. National Register Information

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING



Site



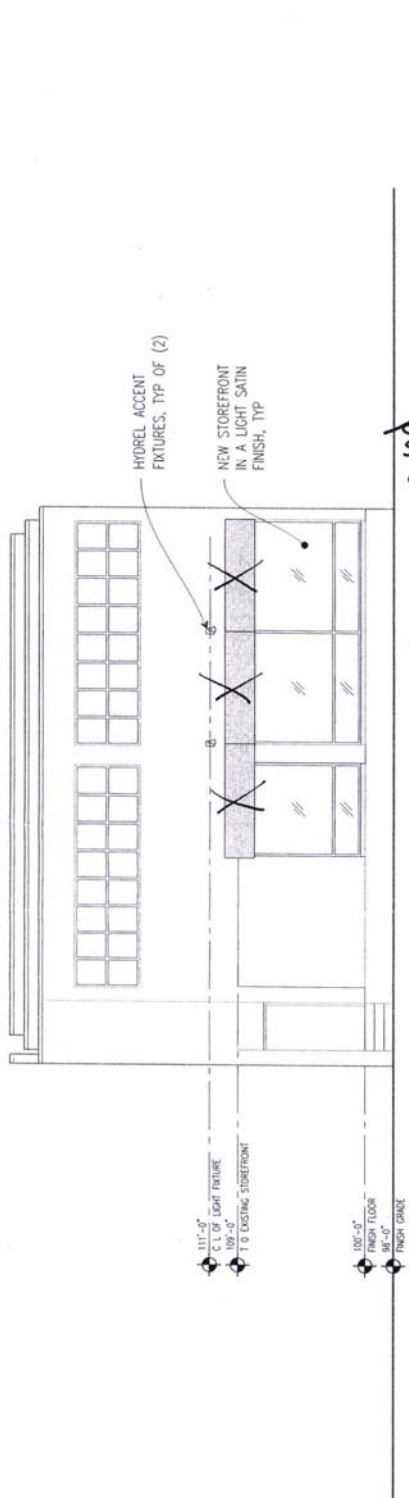
Historic Landmark



NORTH

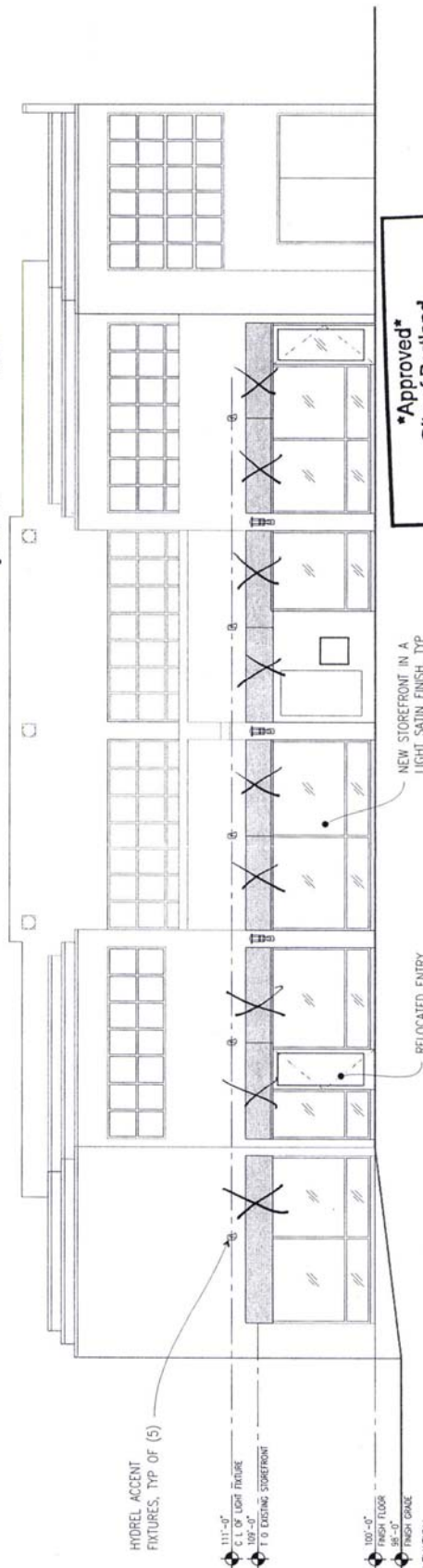
This site lies within the:
ALPHABET HISTORIC DISTRICT
NORTHWEST PLAN DISTRICT

File No.	LU 12-153431 HDZ
1/4 Section	3027
Scale	1 inch = 200 feet
State_Id	1N1E33CB 2400
Exhibit	B (Jun 29, 2012)



2 EAST ELEVATION
SCALE: 1/8"=1'-0"

*No Awning approved
with this application*



1 NORTH ELEVATION
SCALE: 1/8"=1'-0"

Approved
City of Portland
Bureau of Development Services
Planner *[Signature]*
Date *6/19/12*
* This approval applies only to the reviews requested and is subject to all conditions of approval.
Additional zoning requirements may apply.

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KEYBANK: 23RD & EVERETT
2012-153431-000-00-LU
PROJECT NO: 211251.23
EXTERIOR ELEVATIONS
SHEET 3 OF 5
DATE: 10/19/12



1/A