



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

FROM CONCEPT TO CONSTRUCTION

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

Date: September 17, 2013
To: Interested Person
From: Hillary Adam, Land Use Services
503-823-3581 / Hillary.Adam@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 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 13-181695 HR – EXTERIOR ALTERATIONS

GENERAL INFORMATION

Applicant: Kim McGhee / Siteworks Design Build
1255 NW 9th Ave Suite 17 / Portland OR 97209

Dale Building LLC, Owner
Po Box 759 / Portland, OR 97207

Site Address: 410-420 NW 14TH AVE

Legal Description: BLOCK 89 LOT 3&4, COUCHS ADD **Tax Account No.:** R180208130,
State ID No.: 1N1E33DA 01300, 1N1E33DA 01300 **Quarter Section:** 3028
Neighborhood: Pearl District, contact Patricia Gardner at 503-243-2628.
Business District: Pearl District Business Association, Adele Nofield at 503-223-0070.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - River District
Other Designations: Contributing resource in the NW 13th Avenue Historic District, listed in the National Register of Historic Places on June 15, 1987.
Zoning: EXd – Central Employment with Design overlay
Case Type: HR – Historic Resource Review
Procedure: Type II, an administrative decision with appeal to the Historic Landmarks Commission.

Proposal:

The applicant proposes the following exterior alterations:

At the NW 14th Avenue (east) façade:

- A new canopy on the NW 14th Avenue façade, measuring 13'-7" (l) x 8'-0" (w) x 0'-8" (d), to be constructed of steel with wood tongue-and-groove decking;
- A new aluminum and glass roll-up door;
- A new fixed glass storefront to provide additional security and temperature control at the existing sliding door (to be painted black), with two new vinyl sticker signs, measuring 1'-1" (h) x 2'-0" (w) and 1'-5" (h) x 2'-2" (w);
- Three new gooseneck lights;
- Removal of the abandoned wood slider track;
- New black paint at the window trim and non-brick base; and

At the north façade:

- New black paint at the non-brick areas of the façade at the 2nd floor and the foundation. Additional alterations not subject to review due to their location in the right-of-way include new black paint at the loading dock stairs and railings.

Historic Resource 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:

- Central City Fundamental Design Guidelines
- NW 13th Avenue Historic District Design Guidelines

ANALYSIS

Site and Vicinity: The subject property, known as the Dale Building, was built in 1915 by Houghtaling and Dougan and is a Primary Contributing resource in the NW 13th Avenue Historic District. Named after the original owners, Robert and Anna Eliza Dale, early Portland pioneers, the building was first occupied by Goodyear Tire and Rubber Company. The building was originally constructed as a one-story building, but designed to accommodate a second-story.

In 1904, the Portland City Council approved the construction of a railroad spur line along 13th to extend from Johnson Street to Glisan Street, which was completed in 1907. This spur, as well as one along 15th and the purchase of 40 blocks in the area by various railroad companies resulted in a significant increase in land values as well as the construction of what became a warehouse district for the shipping and receiving of goods. NW 13th Avenue was the first spur line used specifically for warehouse use and is consequently the most intact, easily distinguished from other streets in the Pearl District by its wealth of extant brick warehouse buildings and its unusual pedestrian character marked by the prevalence of loading docks converted to contemporary use as elevated sidewalks.

The building is located within the Northwest Triangle Pedestrian District with NW 13th Avenue designated a City Walkway and NW 14th Avenue designated a Community Corridor, a City Bikeway, a Major City Traffic Street in the City's Transportation System Plan.

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 "d" overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. 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. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

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 land use reviews for this site:

- HLDZ 063-86 (ref. file #86-006329) – Designation of the NW 13th Avenue Historic District;
- LU 95-012306 (ref. file #LUR 95-00413 DZ) – Approval with conditions of modifications to enlarge the loading door opening and add a new metal loading door, removal of the existing loading dock and construction of a smaller dock, requiring that the existing sliding track remain on the exterior, the loading door to be of bronze anodized aluminum, and the new dock to be at least 12 feet long;
- LU 98-016245 (ref. file #LUR 98-00939 DZ) – Approval of enlargement of an existing window opening to provide for a new pedestrian entrance at the NW 13th Avenue (rear) façade, with new wood landing and stair with metal railing; and
- LU 12-215098 HDZ – Approval of 61.91 square feet of new signage and painting of the front façade.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **August 22, 2013**. The following Bureaus have responded with no issues or concerns:

The Life Safety Division of BDS responded with the following comment: “Awnings, canopies, marquees and signs with less than 15 feet clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building.” Please see Exhibit E-1 for additional details.

Staff Response: The applicant has coordinated with City staff from the Life Safety Division and the Bureau of Transportation and redesigned the canopy from the original proposal to meet these requirements.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on August 22, 2013. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Patricia Gardner, Chair of the Planning and Transportation Committee for the Pearl District Neighborhood Association, on September 12, 2013, wrote that the committee was supportive of the new roll up door, lights, and canopy, but noted there were questions regarding the materiality and proportion of the canopy, with no consensus on the details provided. The committee was also strongly opposed to any painting of the historic brick. The committee was supportive of any brick repair or re-pointing that may be necessary.

ZONING CODE APPROVAL CRITERIA

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 located within the NW 13th Avenue Historic District and the proposal is for a non-exempt treatment. Therefore Historic Resource Review approval is required. The approval criteria are the *NW 13th Avenue Historic District Design Guidelines* and the *Central City Fundamental Design Guidelines*.

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

NW 13th Avenue Historic District Design Guidelines

GUIDELINES FOR EXTERIOR REMODELING HISTORIC NW 13TH AVENUE DISTRICT

- 1. Visual Integrity of Structure.** The vertical lines of columns and piers, and the horizontal definition of spandrels and cornices, and other primary structural elements should be maintained. Such structural lines should be restored if previous alterations have substantially changed them.

Findings: The visual integrity of the structure will be maintained. No changes are proposed to the vertical structure or distinctive horizontal elements of the building. *This guideline is met.*

- 2. Scale and Proportion.** The scale and proportion of altered or added building elements, and the relationship of voids to solids (that is, the relationship of doors and windows to walls and column elements) should be visually compatible with the traditional architectural character of the historic district. Avoid blank walls on street elevations, especially on ground floors, unless there is a historic precedent for the blank wall.

Findings: The proposed canopy is appropriately scaled to the building and for the purpose it will serve, which is to provide rain protection at the elevated dock. The rear façade of this building has changed since its original construction, including expansion of the north window to a door, extension of the central door to the ground and expansion in its width, along with removal of the wood slider, and changes to the docks in the right-of-way. At one time there was a shed canopy that extended almost the full width of the rear façade which was located at a height near the top of the arched windows. The proposed canopy continues this tradition of crossing the window, but allows additional light into the windows through a 1'-4" (w) x 7'-2" (l) opening in the canopy where it meets the wall. This opening also minimizes the canopy's points of contact with the historic brick. *This guideline is met.*

- 3. Exterior Building Materials.** Most of the buildings within the NW 13th Avenue Historic District were constructed of bearing wall brick masonry (left exposed or covered with plaster), or stone. This feature gives the area much of its textural surface character. Surfaces should be treated, repaired, and maintained in a manner which respects this character.

- a. Walls.** Wall materials within the District maintain a fairly uniform surface texture, but are articulated through columns, piers, and surface ornamentation. Bricks, stone and plaster are the predominant materials. Original building materials should be preserved wherever possible. Cleaning and/or repainting of masonry is preferred over replacement. If masonry has to be replaced, it should be done with original or new masonry of matching color, texture, size and coursing. Mortar color should match the color and joint configuration of the existing masonry wall.

Plastered surfaces should be cleaned, repaired with a similar plaster texture, and repainted. Avoid exposing brick to the weather by removing finish plaster, as this will speed deterioration of the brick. Artificial and/or inappropriate coverings, such as metal, plastic, or wood sidings, should not be applied to masonry surfaces.

- b. Storefronts, Doors, and Windows.** The shape, size, placement and trim of storefront openings are a key element in establishing the character of a building. Where original storefronts remain, they should be preserved and repaired. Where covered with other materials, the latter materials should be removed to determine the condition of the original materials.

Storefronts requiring new materials may include a wide variety of replacement systems. Building Codes require non-combustible materials (steel, aluminum, etc.), but wood systems may be acceptable provided other means of fire protection are installed. Wood systems should be painted.

New window and door openings should maintain a similar horizontal and vertical relationship as the originals. Traditionally, ground floor window systems vary in the District — some buildings feature multi-paned wood or metal industrial casement windows. Other buildings feature large storefront panes with smaller transom panes above. Still others feature ground floor systems similar to upper floor systems, typically double-hung, one-over-one, wood sash windows.

Clear glass should be used instead of tinted glass. Original hardware should be maintained wherever possible. If not, new hardware should be in keeping with original designs.

- c. Loading Docks, Overhead Doors, and Canopies.** Many of the buildings along NW 13th Avenue have concrete or wood loading docks projecting into the street, with canopies above and roll-up doors adjacent to the loading space. These features are among the most distinctive features in the District, and should be retained even where loading operations have been discontinued. New docks are also encouraged, to a maximum projection of 11 feet.
- 4. Rear and Side Walls and Roofs.** Generally, the issues which apply to the fronts of buildings also, apply to rear and side walls. Masonry surfaces should be repaired as necessary. Historic elements on rear or side walls, such as old painted wall signs, and historic roof top features, such as water towers, should be retained where practicable. New openings are allowed in rear or side walls, but should be a consistent system (as opposed to random placement) which doesn't detract from primary elevations.
- 5. Color.** As has been noted, all of the buildings in the NW 13th Avenue Historic District are masonry clad. Most of these structures have never been painted (except for decorative details and wood systems); but several of the buildings were painted, either originally or at a later date.

Painting of masonry, which has never been painted, is discouraged. Removal of paint to reveal originally exposed surfaces is encouraged. Paint removal should be done as gently as possible, i.e., **not by sandblasting**.

When repainting surfaces which were traditionally painted (window systems or some decorative masonry details), effort should be made to determine the original color by scraping a chip from the existing surface. If the original color cannot be determined, or a new color is desired, the new color should be compatible with the rest of the building facade.

Findings for 3, 4, and 5: The historic red brick which characterizes this building and so many others in the district will remain unpainted. The applicant has been directed toward National Park Service information on proper cleaning of historic brick to remove areas of graffiti and random paint. The only portions of the building to be painted black, to match the front façade of the building, are the 2nd level of the north façade which has an applied secondary material over the historic masonry, the previously-painted concrete at the base of the building, and the wood window trim. No red brick will be painted.

One new storefront window is proposed to be located in the opening behind the wood slider to remain. The purpose of this storefront window is to provide additional

security and climate control for the building. The original wood sliding door will remain in place and operable.

The applicant proposes to replace the existing overhead door with a new overhead door of black anodized aluminum and glass with translucent film in the bottom three rows. The applicant also proposes a new canopy over the rear entrance door. The canopy will be constructed of steel and will feature unfinished reclaimed silver cedar wood decking on the underside of the canopy to enhance the industrial character of the warehouse district. While most of the canopies along NW 13th Avenue feature corrugated metal decking with wood only appearing as a structural member in two other historic canopies, staff believes the wood selected is appropriate for the decking by virtue of its rough texture, width, and unfinished quality. Staff believes that the reclaimed wood is responsive to the character of the district, though proposed in a contemporary application. *With the condition of approval that the proposed reclaimed silver cedar wood decking in the canopy remain untreated, including sanding, staining, or painting, with the exception of the application of a clear sealant with matte finish, these guidelines are met.*

- 6. Signs.** There is a tradition in the NW 13th Avenue Historic District of painting large signs on the walls (usually on non-street elevations) of warehouse structures. These historic painted wall signs should be retained where practical.

New signs on the principal (i.e., street) elevations of new or existing buildings should be restrained and should not be a dominant facade feature. Lettering painted on windows, and signs located inside buildings are appropriate; moreover, these types of signs do not require review. Other appropriate design types include indirectly lit letters mounted on spandrels above the storefront, or signs on an entry awning. Contemporary plastic, backlit signs are discouraged. Signs should be mounted so as to minimally damage any historic surface to which they are attached.

Findings: Two new vinyl sticker signs, measuring 1'-1" (h) x 2'-0" (w) and 1'-5" (h) x 2'-2" (w) are proposed in the storefront window, totaling 5.24 square feet of new signage. The new signage matches that on the front façade and is within the allowable area for total signage. *This guideline is met.*

- 8. Horizontal Additions.** Horizontal additions may be added to historic buildings provided that:
- a. The addition maintains the traditional scale and proportion of the building style.
 - b. The addition is visually compatible with adjacent historic buildings.

Findings: The proposed canopy addition is proportionally appropriate for the historic resource, in keeping with the other canopies in the district, and therefore, is visually compatible with the district. *This guideline is met.*

Central City Fundamental Design Guidelines

- A4. Use Unifying Elements.** Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

Findings: Unifying aspects of the NW 13th Avenue Historic District include red brick as a primary construction material, docks, and canopies. The primary aspect of this land use proposal is the introduction of a new steel and wood canopy on the NW 13th Avenue façade. The introduction of this new canopy will strengthen the identity of the historic district, where 84% of the buildings include a canopy on NW 13th Avenue. The proposed canopy utilizes steel as the structural support and introduces reclaimed wood as a decking material in addition to its use as a structural member, as exhibited at 1314 NW Glisan Street and 401 NW 13th Avenue. *This guideline is met.*

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

Findings: The proposal demonstrates the applicant's investment in the continued use and rehabilitation of the historic resource through appropriate treatments and sympathetic alterations to the existing structure. *This guideline is met.*

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

Findings: The proposed canopy is constructed of a steel frame with tie supports attached to the historic building with knife plates connecting to the interior building structure through the mortar joints of the brick. The canopy will also feature reclaimed wood decking and recessed lighting. Additional lighting will be provided via three black gooseneck fixtures. The proposed overhead door and storefront window are both of aluminum and glass construction and will offer a sense of permanence at the ground level, particularly behind the wood slider which has been left un-insulated from the elements. *This guideline is met.*

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: The proposed canopy respects the existing architecture, both in its proportions and method of attachment. The knife plate attachments through the mortar joints will minimize damage to the historic brick. The proposed dimensions of the canopy directly correspond to the wooden dock below, establishing this area as a clear entrance. *This guideline is met.*

C4. Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.

Findings: As noted above, 84% of the buildings in the NW 13th Avenue Historic District have canopies on the 13th Avenue facade, the majority of which are constructed of steel with tie rods. Two of the canopies in the district include wood, though as a structural material. The proposed canopy complements the existing canopy vocabulary of the district and adds to it with the introduction of reclaimed wood as a decking material for the underside of the canopy. Staff notes that the unfinished character of the proposed wood makes it an appropriate new material which helps to maintain the historic character of the district, while a finished wood product would not be as appropriate. *This guideline is met.*

C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings: The proposal is comprised of several different aspects, which achieve an overall coherency through the proportion of the canopy and its materials, the finishes on the metal aspects of the proposal and the signage. The signage directly relates to previously approved and installed signage on the NW 14th Avenue facade. The proposed canopy is proportionally appropriate for the dock below, while the wood canopy decking relates to the wood decking of the dock. The steel canopy, storefront window, overhead door, and gooseneck light fixtures will all be painted black or black anodized aluminum which corresponds with the color accent at the painted concrete and 2nd floor of the north facade, as well as the front facade of the building on NW 14th Avenue. *This guideline is met.*

C12. Integrate Exterior Lighting. Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.

Findings: Recessed can lighting will be integrated into the underside of the canopy to provide night time lighting at this entrance, while three gooseneck fixtures will provide additional lighting at the rear for additional security and pedestrian safety. *Provided that all conduit is immediately routed through the building and completely hidden from view, this guideline is met.*

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

Findings: As noted above, the proposed signage totals 5.24 square feet and comprises two vinyl stickers attached to the storefront window. The signs match other signs on the NW 14th Avenue façade, completing a unified sign package. *This guideline is 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 seeks to address the NW 13th Avenue façade of this historic building in the NW 13th Avenue Historic District. The proposal includes the introduction of a storefront window with signage to provide for climate control at this corner of the building, as well as additional security which is also aided by the proposed overhead door and gooseneck lighting. In addition, the proposed canopy reinforces the character of the NW 13th Avenue Historic District, which is distinguished by the this particular architectural feature. The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of exterior alterations in the NW 13th Avenue Historic District, including:

At the NW 14th Avenue (east) façade:

- A new canopy on the NW 14th Avenue façade, measuring 13'-7" (l) x 8'-0" (w) x 0'-8" (d), to be constructed of steel with wood tongue-and-groove decking;
- A new aluminum and glass roll-up door;
- A new fixed glass storefront to provide additional security and temperature control at the existing sliding door (to be painted black), with two new vinyl sticker signs, measuring 1'-1" (h) x 2'-0" (w) and 1'-5" (h) x 2'-2" (w);
- Three new gooseneck lights;
- Removal of the abandoned wood slider track;
- New black paint at the window trim and non-brick base; and

At the north façade:

- New black paint at the non-brick areas of the façade at the 2nd floor and the foundation.

This approval is per the approved site plans, Exhibits C-1 through C-10, signed and dated September 13, 2013, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B and C) 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 13-181695 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. All conduit must be immediately routed to the interior of the building and remain completely hidden from view.
- C. The reclaimed silver cedar wood proposed for the canopy decking must remain untreated, including sanding, staining, or painting, with the exception of the application of a clear sealant with matte finish.

Staff Planner: Hillary Adam

Decision rendered by:  **on September 13, 2013**

By authority of the Director of the Bureau of Development Services

Decision mailed: September 17, 2013

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 July 18, 2013, and was determined to be complete on August 16, 2013.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on July 18, 2013.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant 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 October 1, 2013** 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 **October 2, 2013**.
- 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:

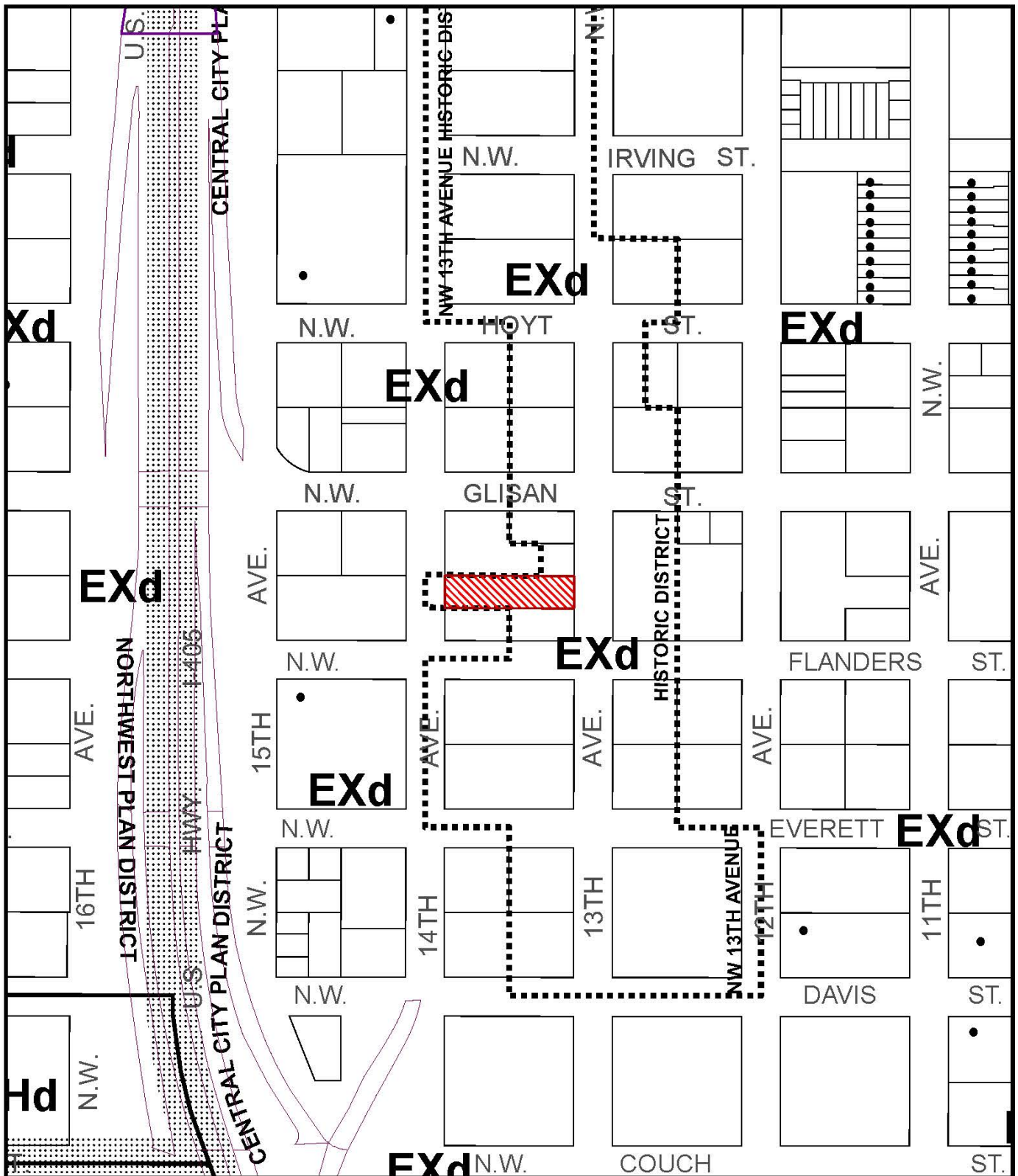
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Original Submittal Statement, dated July 19, 2013
 - 2. Applicant Completeness Response, dated August 12, 2013
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Existing Conditions Photos
 - 3. Rendering of Proposal
 - 4. Proposed Elevation and Section (attached)
 - 5. Canopy Section Detail and Storefront Section Detail
 - 6. Canopy Attachment Sketch Detail
 - 7. Reclaimed Silver Cedar Wood Photo
 - 8. Lithonia Lighting REAL6 D6 Specifications
 - 9. TMS Lighting GBR C1 Gooseneck and B115 RLM Reflector Specifications
 - 10. Clopay Model 902 Overhead Door Specifications
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life safety Division of BDS
- F. Correspondence:
 - 1. Patricia Gardner, Chair of the Planning and Transportation Committee for the Pearl District Neighborhood Association, on September 12, 2013, wrote that the committee was supportive of the new roll up door, lights, and canopy, but noted there were questions regarding the materiality and proportion of the canopy, with no consensus on the details provided. The committee was also strongly opposed to any painting of the historic brick. The committee was supportive of any brick repair or re-pointing that may be necessary.
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter, dated August 1, 2013

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



ZONING



Site



Historic Landmark

This site lies within the:
CENTRAL CITY PLAN DISTRICT
13TH AVE HISTORIC DISTRICT



NORTH

File No. LU 13-181695 HR

1/4 Section 3028

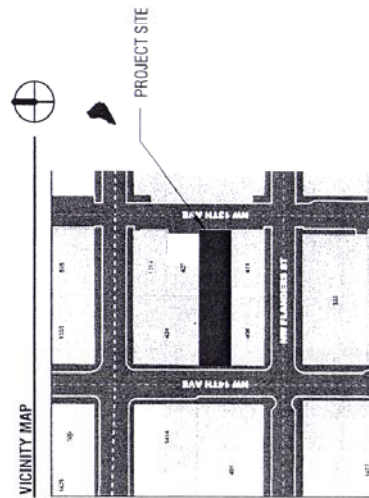
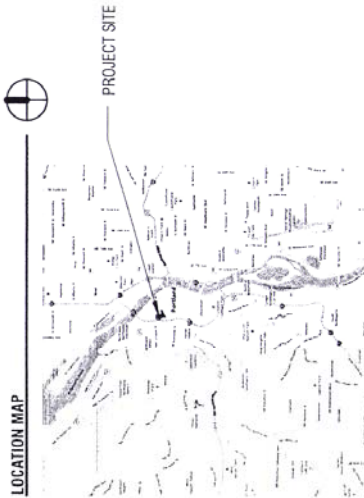
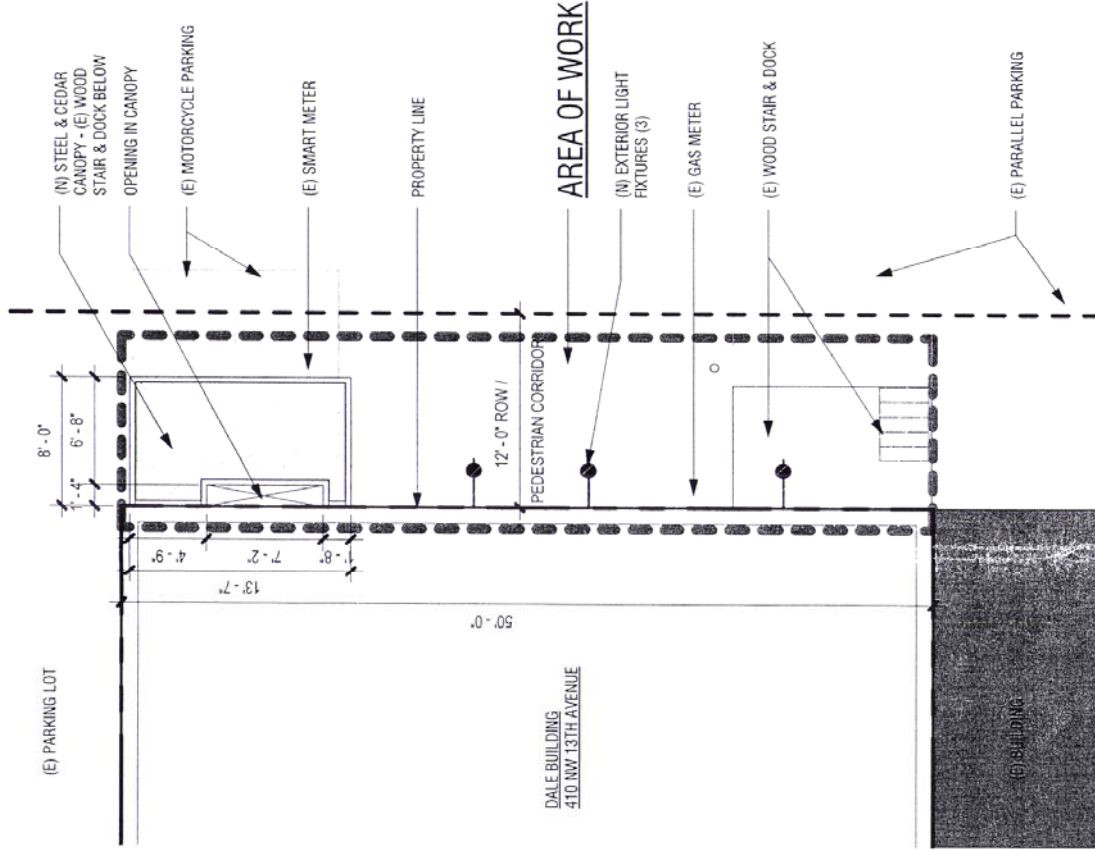
Scale 1 inch = 200 feet

State_Id 1N1E33DA 1300

Exhibit B (Jul 23, 2013)

RECEIVED
SEP 09 2013

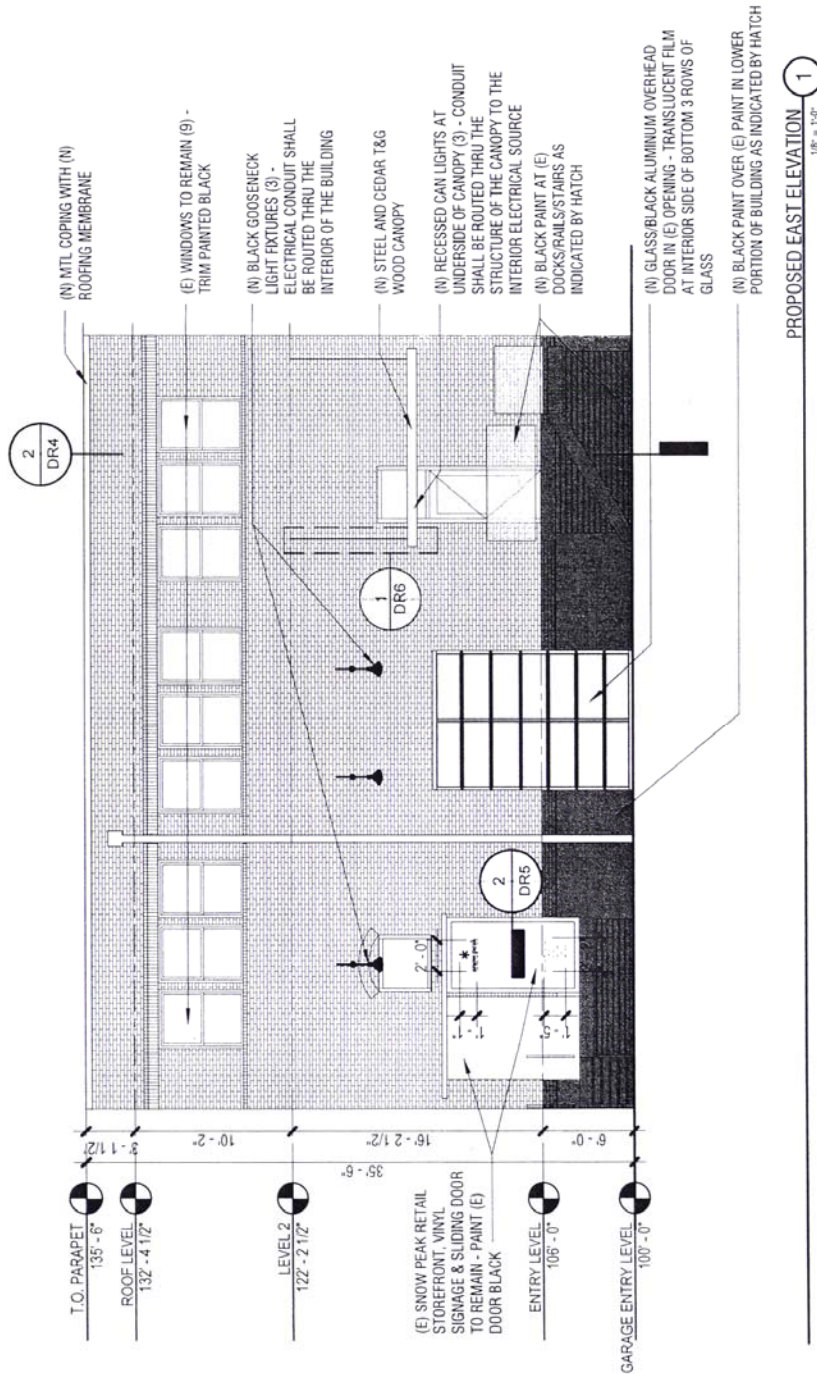
NW 13TH AVENUE



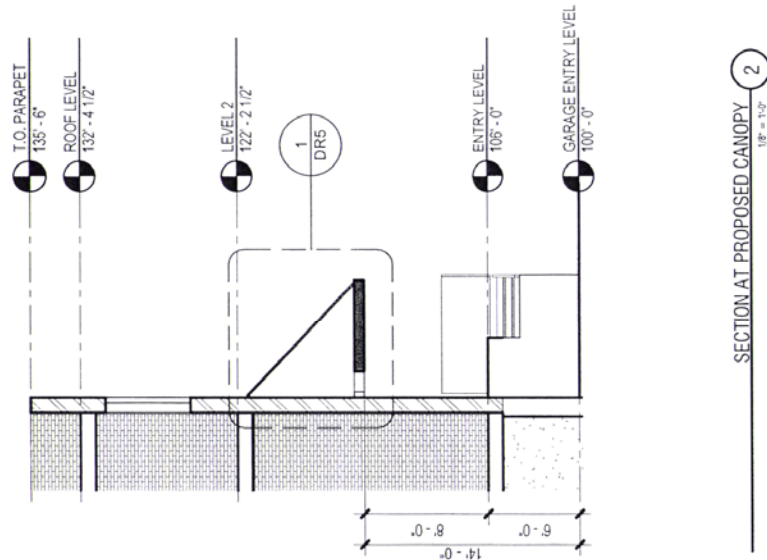
Approved
City of Portland
Bureau of Development Services
Planner *[Signature]*
Date *9/13/13*
* This approval applies only to the reviews requested and is subject to all conditions of approval.
Additional zoning requirements may apply.

PARTIAL SITE PLAN 1 18" = 1'-0"

THE DALE BUILDING
410 NW 13TH AVENUE
PORTLAND, OREGON 97209
2013.08.09



PROPOSED EAST ELEVATION 1
1/8" = 1'-0"



SECTION AT PROPOSED CANOPY 2
1/8" = 1'-0"

Approved
City of Portland
Bureau of Development Services
Planner *[Signature]*
Date *9/15/13*

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.