

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

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FROM CONCEPT TO CONSTRUCTION

Date: April 17, 2015

To: Interested Person

From: Grace Jeffreys, Land Use Services 503-823-7840 / Grace.Jeffreys@portlandoregon.gov

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

The Bureau of Development Services has **approved** a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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 15-106291 HR

KAISER TOWN HALL LOUVERS

GENERAL INFORMATION

Applicant:	Alia Birr, Anderson Dabrowski Architects 1430 SE 3rd Ave, Suite 200, Portland, OR 97214
Owner:	Dai Truong, Kaiser Permanenete 500 NE Multnomah Sr Flr #12, Portland, OR 97233
	Kaiser Foundation Health 500 NE Multnomah St #100, Portland, OR 97232-2031
Site Address:	3704 N INTERSTATE AVE
Legal Description: Tax Account No.: State ID No.: Quarter Section: Neighborhood: Business District: District Coalition:	BLOCK 30 INC PT VAC ALLEY LOT 14&16, MULTNOMAH R591905110 1N1E22CC 11100 2629 Overlook NA, contact Mary Skarie at 206-818-6355. Interstate Corridor North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.
Plan District: Other Designations: Zoning:	North Interstate "Finnish Town Hall" Designated Portland Historic Landmark on July 1, 1970. Institutional Residential (IRd) base zone; Design (d) overlay zone; Historic Resource overlay (by virtue of site's designation as Historic
Case Type:	Landmark) Historic Resource Review (HR)

Procedure:

Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant seeks Historic Design Review to replace two window assemblies with ones which include louvers at the top for mechanical ventilation, to the Finnish Town Hall building, a Historic Landmark.

The proposed new window assemblies will be placed within existing ground floor window openings, one on the south elevation and one on the north elevation. The aluminum louvers will replace the upper glazed panel of the one-over-two window assembly, and the lower glazed panels will match existing windows. The new assemblies will be comparable in size, color and configuration to the existing window assemblies. One window assembly is located on the north elevation and one window assembly is located on the south elevation.

Because the proposal is for non-exempt alterations to the exterior of a historic structure, Historic Resource Review is required.

Relevant Approval Criteria:

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

Other Approval Criteria – Section 33.846.060.G

ANALYSIS

Site and Vicinity: The Kaiser medical facility at N Interstate consists of a series of properties between the I-5 freeway and Interstate Avenue, bounded roughly by N Failing to the north and the intersection of N Greeley and N Interstate to the south. A couple of additional properties are on the west side of N Interstate, bounded by the vacated N Revere Street to the south, N Fremont Street to the north, and, at the southwest corner, N Greeley Avenue. Immediately to the north and west is a public park (Overlook Park), and to the south are some residential properties. The MAX Yellow Line runs along the center of the N Interstate Avenue right-of-way, with a light rail station located directly in front of the campus. With the exception of the multi-story Kaiser facility, commercial uses along this portion of N. Interstate are primarily low-scale (one to two stories), and include motels, gas stations, and restaurants.

The Kaiser Town Hall building is a former club meeting facility located at 3704 N Interstate Avenue at the NE corner of its intersection with N Overlook Boulevard. It is a Local Landmark, designated as such July 1, 1970. The Hall was built in 1907 by Finnish-American volunteers in the 20th Century Colonial style and was originally used as a lodge hall for the Finnish Workers Association. The building features a gambrel roof with exposed rafter ends at lower ridges and eaves, one-over-two windows with label moldings, a 2nd floor balcony at the gable end on N Interstate Avenue and pedimented entrances with Doric columns on N Interstate Avenue and N Overlook Boulevard. In 1992, the building was moved to this site from 3425 N Montana Avenue as part of the Edgar F. Kaiser Campus Master Plan of 1989. Additional historic structures north of the Kaiser campus include the Polish Church and Library.

The City of Portland Transportation System Plan designates N Interstate a Regional Main Street, Major Transit Priority Street, District Collector Street, City Bikeway, and City Walkway. North Overlook Boulevard is designated a Local Street, Local Service Traffic Street, Local Transit Access Street, Local Service Bikeway, and Local Service Walkway.

Existing Windows: The current windows are metal clad, fixed-unit assemblies which are not original windows. The windows shown in the photo on the April, 1970 Landmark Inventory Form look to be a double hung wood system. The building has been designated a Historic Landmark since July, 1970, and the City of Portland has no record of on file approving such an alteration to the window system. It appears this change may have

occurred in 1989- 1993 when the building was moved and renovated, and at that time, the city did have a requirement for Historic Review in the zoning code.

Zoning The Institutional Residential (IR) zone is a multi-use zone that provides for the establishment and growth of large institutional campuses as well as higher density residential development. The IR zone recognizes the valuable role of institutional uses in the community. However, these institutions are generally in residential areas where the level of public services is scaled to a less intense level of developments. Institutional uses are often of a significantly different scale and character than the areas in which they are located. Intensity and density are regulated by the maximum number of dwelling units per acre and the maximum size of buildings permitted. Some commercial and light industrial uses are allowed, along with major event entertainment facilities and other uses associated with institutions. Residential development allowed includes structures of all types. Mixed use projects including both residential development and institutions are allowed as well as single use projects that are entirely residential or institutional. IR zones will be located near one or more streets that are designated District Collector streets, Transit Access Streets, or streets of higher classification. IR zones will be used to implement the Comprehensive Plan's Institutional Campus designation. The IR zone will be applied only when it is accompanied by the "d" Design Review overlay zone. Minimum lot area for multi-dwelling development is 10,000 square feet and 2,000 square feet for duplexes. Intensity and density are regulated by the maximum number of dwelling units per acre and the maximum size of buildings permitted.

The <u>"d" overlay</u> 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 <u>Historic Resource Protection</u> 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:

- EA 14-199813 Pre-Application conference to discuss alternative reviews for Master Plan no new development proposed.
- PR 13-215348 Public registry for Non-Conforming Upgrades Option 2, Kaiser Interstate Campus.
- LU 12-128879 HDZ Approval for one pylon sign marker located on the front lawn.
- LU 12-106787 DZM Approval with a modification for new signs around the campus.
- EA 11-164128- LUBA 2012-87 Kaiser Master Plan Validity Letter (1989 Master plan expired)
- LUR 01-00756 DZM (LU 01-008153 DZM) Approval to widen driveway, add landscaping, relocate bus stop. Modification to waive landscaping along driveway and ramp on east side of site.
- CU 69-89 (LUR 89-003955 CU) Approval with conditions for campus master plan updates.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **February 11**, **2015**. The following Bureaus have responded with no issues or concerns about the proposal. The applicant was provided with copies of exhibits E1 –E.3:

- Life Safety Section of BDS (Exhibit E.1)
- Fire Bureau (Exhibit E.2)

The Water Bureau responded with the following comment: (Please see Exhibit E-3 for additional details) "The Water Bureau has no concerns regarding the requested Historic Resource review for exterior building modifications as depicted in this LUR, but does have comments to be included in the Water Bureau portion of the BDS response which may affect future development, for the property located at 3704 N Interstate Ave."

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **February 11, 2015**. 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 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 a designated Historic Landmark outside the Central City Plan District and not within in a Historic or Conservation District, and the proposal is for non-exempt treatments. Therefore the proposal requires Historic Resource Review approval. The approval criteria are those listed in 33.846.060 G – Other Approval Criteria.

Staff has considered all of the approval criteria and addressed only those applicable to this proposal.

33.846.060 G - Other Approval Criteria

1. Historic character. The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.

Findings: No removal of historic materials is proposed. The new window assemblies including the louvers will replace existing non-historic window assemblies. The size and the shape of the existing window openings will not change, nor will the existing window trims. The proposed louvers will replace the top glass pane in the one-over-two fixed window assembly. The proposed louvers will be painted to match the existing window mullion color and finish.

There are two new window assemblies with louvers proposed, marked on exhibit C.3 as Louvers #1 and #3 on the north elevation, and Louver #2 on the south elevation. The south elevation of the building faces N. Overlook, and is very visible from both N Interstate and N Overlook, and the MAX platform across N. Interstate. The north elevation, on the other hand, does not face a public street, somewhat hidden behind a large hedge and is more private in orientation. Therefore, to retain the existing character of the landmark relating to the public face, especially at its primary corner, Louver #1 is approved, Louver #2 is denied and alternative location Louver #3 is approved. *This criterion is therefore met.*

2. Record of its time. The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.

Findings: The proposed window assemblies with louvers will match the existing elements of the current building, and does not add a false sense of historic development. *This criterion is therefore met.*

3. Historic changes. Most properties change over time. Those changes that have acquired historic significance will be preserved.

Findings: The proposed window assemblies with louvers will not affect any characteristics which have achieved historic significance. *This criterion is not applicable.*

4. Historic features. Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.

Findings: No historic features are being repaired or replaced. *This criterion is therefore met.*

5. Historic materials. Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.

Findings: No chemical treatments are proposed. This criterion is met.

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

Findings: No historic archaeological resources are proposed to be disturbed. *This criterion is not applicable.*

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

Findings: The proposed window assemblies with louvers will not destroy or affect any historic materials, as the existing windows are not original, nor have they been approved through Historic Resource review. The new louver infill will differentiate it from the existing window assemblies in the Town Hall. *This criterion is therefore met.*

8. Architectural compatibility. New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.

Findings: The proposed window assemblies with louvers will not affect the resources massing, size, scale or architectural features. *This criterion is therefore met.*

9. Preserve the form and integrity of historic resources. New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.

Findings: The size and shape of the existing rough opening will not change, and the form and integrity of the existing trims and façades will not be impaired. Because the window assemblies being replaced are not original materials, the essential form and

integrity of the resource will not be impaired by removing these. In addition, retaining the form and integrity of the trims ensures the opportunity for future replacement of the windows with more historically compatible window systems. *This criterion is therefore met.*

10. Hierarchy of compatibility. Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

Findings: The proposed location of Louver #2 on the south elevation is positioned in a very prominent and public facing location of the building, and as such is not compatible with the existing resource. An alternative location for this second louver is approved adjacent to the proposed Louver #1 on the north elevation, called out as Louver #3. The proposed window assemblies with louvers on the north elevation are located in less prominent locations on the building, and designed to be compatible with the existing resource as it exists today. The adjacent properties at the resource's current location do not have historical significance. The resource's current location is not located within a Historic or Conservation District. *This criterion is therefore 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 proposed aluminum window and louver one-over-two assembly is designed to fit within existing openings and no historic materials will be removed,

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. No louvers are approved for the south elevation, but two locations are approved on the north elevation.

ADMINISTRATIVE DECISION

Approval of historical review for the installation of two new window assemblies with mechanical louvers located on the north elevation of the Town Hall building, a local landmark, on the Kaiser medical campus in the North Interstate Plan District. As shown on exhibits C.2 and C.3, proposed Louver #1 on the north elevation is <u>approved</u>. Proposed Louver #2 is <u>denied</u>, and alternative location, Louver #3 on the north elevation is <u>approved</u>, per the approved site plans, Exhibits C-1 through C-3, signed and dated April 13, 2015, subject to the following conditions:

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-C.3. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-106291 HR. No field changes allowed."

Staff Planner: Grace Jeffreys

Decision rendered by: By authority of the Director of the Bureau of Development Services on (April 13, 2015.)

Decision mailed (within 5 days of dec.) April 17, 2015

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 January 16, 2015, and was determined to be complete on **February 6, 2015**.

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 January 16, 2015.

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. Unless further extended by the applicant, **the 120 days will expire on: June 6, 2015.**

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.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further 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.

Recording the final decision.

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **April 17, 2015**.

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, permitees 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 for 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. Applicant's Statement
 - 2. Applicant's Written Narrative
 - 3. Applicant's Original Drawing
 - submittal
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Location and Site Plans (attached)
 - 2. Demo and New Floor Plans Detail (attached)
 - 3. Elevations and Details (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:

- 1. Water Bureau
- 2. Fire Bureau
- 3. Life Safety
- F. Correspondence: None received.
- G. Other:
 - 1. Original LU Application
 - 2. Site Photos
 - 3. Oregon Historic Site record
 - 4. Email correspondence
 - 5. Historic Landmarks Commission Inventory Form
 - 6. Greenstreet Architecture Plans and Details from March 1993
 - 7. ZGF building relocation set

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).





LU15-106291-HR Ex

Exh.C.l





LU15-106291 - HR

Exh. C.3