



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

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STAFF REPORT AND RECOMMENDATION TO THE LANDMARKS COMMISSION

CASE FILE: LU 17-107021 HRM
Barbur and Hooker Apartments
PC # 16-236452
REVIEW BY: Landmarks Commission
WHEN: October 23, 2017 at 1:30 pm
WHERE: 2020 SW Fourth Ave., Lincoln Room
Portland, OR 97201

BUREAU OF DEVELOPMENT SERVICES STAFF: TIM HERON / TIM.HERON@PORTLANDOREGON.GOV

GENERAL INFORMATION

Applicant: Francis Dardis, Stack Architecture George N Diamond,
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Fbd@Stackpdx.com Mdiamond@Reig.com

Michael N Diamond, Catherine Lee Owen,
2839 SW 2nd Ave 2839 SW 2nd Ave
Portland, OR 97201-4736 Portland, OR 97201-4736
503-222-1655
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Site Address: NE corner of SW Barbur Boulevard and SW Hooker Street

Legal Description: BLOCK 68 LOT 2&3&6&7 TL 8000, CARUTHERS ADD; BLOCK 68 INC PT VAC ST S 10' OF E 60' OF LOT 3 INC PT VAC ST-E 60' OF LOT 4, CARUTHERS ADD; BLOCK 68 LOT 3-6 TL 8200, CARUTHERS ADD

Tax Account No.: R140906800, R140906820, R140906830

State ID No.: 1S1E10BB 08000, 1S1E10BB 08100, 1S1E10BB 08200

Quarter Section: 3329

Neighborhood: South Portland NA., contact Jim Gardner at 503-227-2096.
Business District: South Portland Business Association, contact info@southportlanddba.com.
District Coalition: Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592.

Plan District: South Portland/ Lair Hill Historic District

Zoning: CM – Mixed Use Commercial

Case Type: HR – Historic Resource Review
Procedure: Type III, with a public hearing before the Landmarks Commission. The decision of the Landmarks Commission can be appealed to City Council.

Proposal:

This new 62-unit apartment building project is being built on vacant, unimproved land. New public right-of-way improvements including street trees and sidewalks will be constructed on SW Barbur Boulevard and SW Hooker Street frontages.

The project consists of a stepped-height brick apartment building with a four-story mass fronting SW Barbur and a three-story mass fronting SW Hooker. Garage access to the 38 parking spaces is provided by a sectional garage door in the south façade on SW Hooker, at the SE corner of the site. Parking consists of 17 surface spaces at grade level and 21 spaces in the basement level.

One Modification [PZC 33.846.070] is requested for this proposal to the Transit Street Main Entrance Standard [PZC 33.130.242] to locate the required Transit Main Building Entrance facing SW Barbur Boulevard Transit Street to SW Hooker Street.

Because the proposal is for new construction in a Historic District Historic Review is required.

Approval Criteria:

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

- Lair Hill Conservation District Design Guidelines
- 33.846.070 Modifications Considered Through Historic Resource Review

ANALYSIS

Site and Vicinity: The subject property is vacant, 25,727 gsf, and slopes approximately 23 feet up from the low point at the northeast corner to the high point at the southwest corner. The corner block site fronts west along SW Barbur Boulevard which is designated as City Bikeway, Regional Transitway, and Major City Traffic Street; the south frontage is SW Hooker Avenue, which is designated as a Neighborhood Collector and Local Service Walkway. The surrounding neighborhood is designated as the Lair Hill Pedestrian District.

The Lair Hill/ South Portland Historic District is significant as the remnant of an early, originally much larger, working class and immigrant neighborhood that was greatly diminished by construction of the I-5 and I-405 freeways, and by large scale clearance under the auspices of Urban Renewal, during the 1960s and 1970s. The area was originally home to concentrations of ethnic and religious minorities from southern and eastern Europe, especially Italian Catholics and Jews from Poland, the Baltic States, and the Russian Empire. The majority of the district's remaining historic resources were built as residences, but with supporting commercial buildings, religious and social institutions, and small scale industrial structures scattered throughout the neighborhood fabric. Originally associated with workers at the shipping, manufacturing, and processing enterprises dependent on the nearby Willamette River, the area today is among the best remaining examples of a late Nineteenth Century working class residential neighborhood in Portland.

Zoning: The Mixed Commercial/Residential (CM) zone promotes development that combines commercial and housing uses on a single site. This zone allows increased development on busier streets without fostering a strip commercial appearance. This development type will support transit use, provide a buffer between busy streets and residential neighborhoods, and provide new housing opportunities in the City. The emphasis of the nonresidential uses is primarily on locally oriented retail, service, and office uses. Other uses are allowed to provide a variety of uses that may locate in existing buildings. Development is intended to consist primarily of businesses on the ground floor with housing on upper stories. Development is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk, especially at corners.

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: EA 13-200130 DA – Design Advice Request for the proposed development.

Agency Review: A “Request for Response” was mailed **September 11, 2017**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services, Exhibit E.1
- Bureau of Transportation Engineering, Exhibit E.2
- Water Bureau, Exhibit E.3
- Forestry Bureau, Exhibit E.4
- Site Development Section of BDS, Exhibit E.5
- Life Safety, Exhibit E.6

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on October 3, 2017. One written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

- October 2, 2017 email from Jim Gardner, Chair of the South Portland Neighborhood Association Land Use Committee, in full support of the proposal and related Modification to the Main Entrance Requirement and the Garage Door Design Exception. Exhibit F.1.

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 Lair Hill Conservation District and the proposal is for a non-exempt treatment. Therefore, Historic Resource Review approval is required. The approval criteria are the *Lair Hill Historic Conservation District Design Guidelines*.

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

Lair Hill Historic Conservation District Design Guidelines

1. **Guideline: How the Building Relates to the Street. How the Building Relates to Adjacent Buildings. Goal: To maintain the existing character of building spaces and setbacks.**
 1. **Front Yard. A distance equal to the average of the front setbacks of the**

immediately adjacent buildings. Where there are no adjacent buildings, the recommended setback is 8’.

- 2. Side Yard. Average of adjacent setbacks. If no adjacent buildings, the recommended setback is 5’**
- 3. Rear Yard. Average of adjacent setbacks. If no adjacent buildings, the recommended setback is 15’.**

Findings: The building defines the edge of the historic district and is similar in massing to similar buildings fronting Barbur Boulevard. The building is set back from all property lines, except at the corner, where the building entry is immediately adjacent to the street lot line. The building massing is situated close to the street frontages to maximize the setbacks from the adjacent houses on Meade Street. Most of the building is over 50-feet from shared property lines to maintain access to light for the adjacent houses to the north. The northwest corner of the building is angled from the property line, so there are only two corners that are 14’ from the property line within the base zone setback requirements.

The building is located closer to the streets, similarly to other multi-story brick buildings in the District. The building is adjacent to the Lair Hill Apartments to the east, which is an R-zone. The setbacks along this property line vary from 11-feet to 14-feet in order to meet the requirements for wall height per table 130-4. An L3 landscape buffer at least 5-feet wide is proposed along this side of the property. *This guideline is met.*

- 2. Guideline: Parking. Goal: To discourage the use of the private auto as the primary source of transportation. To avoid a landscape of cars at curbside and in surface parking lots. The pedestrian should not be surrounded by cars parked on the street and the building site.**
 - 1. It is strongly recommended that parking be in the building structure.**
 - 2. No ground floor street façade should be composed solely of parking or parking accesses. Ground floor facades must have pedestrian entrances and/or windows. (see Guideline 6)**
 - 3. On-site parking should be appropriately landscaped so as to screen the parking.**
 - 4. On-site parking should not completely fill any front or rear yard.**
 - 5. No parcel of land should be converted solely for parking.**

Findings: The automobile parking area is located behind the building, away from sidewalks with a single curb-cut and driveway entrance. Concrete sidewalks and the driveway entrance will be patterned with pedestrian scale scoring similar to historic patterns in the historic district. A sectional glass door hides the parking area from pedestrians’ view. Surface parking will be fully screened from neighboring houses with a landscape buffer and partial height walls. The parking area will be screened to minimize the light pollution created by headlights. 38 automobile parking spaces are provided, as well as a loading zone, exceeding the code-minimum of .33 stalls per dwelling unit.

Bike parking spaces in excess of the required minimum will be provided in secure rooms within the building. Additional amenities including a bike repair station and lockers are provided to encourage bicycle use. *This guideline has been met.*

- 3. Guideline: Building Shape – Height. Goal: To maintain the low building height that is an important characteristic of the neighborhood. It serves to enhance the pedestrian scale and helps to maximize sunlight on the street façades.**
 - No building height should exceed three stories or forty-five feet.**

Findings: The building has been designed as a four-story structure along Barbur Boulevard to respond to the development along this transit corridor and steps down to a three-story building to match the adjacent building scale along Hooker Street. The stepped massing is in

keeping with the intent of the District Design Guidelines and the Comprehensive Plan in terms of transitioning from higher density and intensity development to smaller-scale residential zoning.

The portion of the building facing Barbur Boulevard is within the height limit of 45-feet as noted in The Lair Hill Design Guidelines and the base zone. Barbur Boulevard is a major traffic and public transportation corridor; it is not a local, neighborhood street. Recent large-scale construction projects (Under Armour Headquarters, Medina Apartments) highlight the development of taller structures along Barbur Boulevard. The taller massing along this street is in character with this development, defines the edge of the district and creates a gateway to the Lair Hill neighborhood.

The fourth floor is fully integrated with the rest of the building by detailing and an overall cohesive composition. Pedestrians will primarily use Hooker Street and will engage with the three-story massing. The stepped massing proposed is appropriate for the busier edge of the district and transitions gracefully to the adjacent three story Lair Hill Apartments and the district. *This guideline is met.*

- 4. Guideline: Building Shape – Massing. Goal: To avoid buildings with long, flat façades, as such façades are inconsistent with the broken façade pattern of numerous small buildings.**
- **Buildings that are fifty feet or longer should be divided into modules of twenty-five feet, or less, in length. This modulation can be created by changes in the façade plane. (See “B Architectural Specifics.”)**

Findings: The building is divided into modules of 25-feet or less, except at the corner and the East end of the Hooker façade; these are appropriately emphasized with more mass. The East end of the Hooker Street façade is larger to emphasize and anchor that end of the building.

The modulation on each street facing façade is dictated by the street it faces. Bay windows, which mitigate traffic-noise, front Barbur Boulevard while open balconies face Lair Hill park and the much quieter Hooker Street.

Modulation, along with historically detailed cornices and brick throughout, provides a consistent, articulated façade along both frontages. *This guideline is met.*

- 5. Building Shape – Roof Shape. Goal: To maintain a roof character of steeply pitched roofs with elaborate junctions or flat roofs with distinct edges.**
- 1. Pitched roofs should have a pitch of at least 6:12.**
 - 2. Flat roofs should be surrounded by a parapet.**

Findings: The building is capped with distinctive flat roofs with well-defined cornices. The building provides a strong, unifying cornice at the 3rd and 4th levels in character with existing larger brick buildings in the neighborhood. The four-story, corner massing unifies the two street-facing façades with similar cornice detailing, rhythm and composition, simultaneously uniting the two façades and separating the four-story and three-story areas of the building. *This guideline is met.*

- 6. Architectural Specifics – Entryways. Goal: To encourage the design of new buildings to reflect existing architectural components in such a way as to complement the spirit of the existing detail in the district.**
- 1. All buildings should have a permanently protected entryway. (Awnings are not permanent protection).**
 - 2. On corner lots the main entrance should be on the nearest major street.**

3. All main entrances should face the street.

Findings: The building provides a recessed, protected entry with canopy and accent lighting at the corner facing Hooker Street in character with similar historic buildings in the district. Locating the primary pedestrian entry on Hooker Street better serves the tenants and the neighborhood because of the pedestrian nature of Hooker Street. High traffic volume on Barbur Boulevard is less conducive to pleasant pedestrian experiences. Locating the entry and lobby close to the intersection of Barbur Boulevard and Hooker Street strengthens the corner. *This guideline is met.*

7. Architectural Specifics – Windows. Goal: To encourage the design of new buildings to reflect existing architectural components in such a way as to complement the spirit of the existing detail in the district.

- 1. Wood sash is the preferred window material.**
- 2. No pane of glass in any window unit should be larger than 30” wide by 84” high.**
- 3. Windows on wood buildings should be surrounded by exterior trim on the top and sides that is 5 ½” minimum width.**
- 4. Glass should be clear or stained.**

Findings: Upper level apartment windows are based on the prevalent, wooden double-hung type while the ground level windows are based on a taller, commercial type with simulated divided lights. The proposed windows are Milgard Essence energy-efficient fiberglass windows with clear glazing. They are manufactured specifically to emulate traditional wood sash windows. Windows will incorporate energy efficient clear, insulated, double-glazing with a low-e coating. Windows in brick façades are detailed with an articulated brick head, jamb, and sill consistent with existing windows in the neighborhood.

Bay windows and three-coat stucco façades are detailed with trim to match the predominant historic style including a more elaborate top trim at the bay windows. Windows in the stucco façade are set back within the wall an equal distance as the window in brick facades. *This guideline is met.*

8. Architectural Specifics – Siding.

9. Architectural Specifics – Exterior Finish.

Goal: Horizontal wood siding, brick or stucco should be used for exterior finish. Vertical wood siding may be used in board and batten form. Shingles should only be used in conjunction with horizontal wood siding. The use of rough sawn finishes is discouraged.

- 1. Wood siding and shingles should be finished with a full-bodied paint, preferably of a semi-gloss finish.**
- 2. Staining of wood shakes/shingles used for roofing is acceptable. Otherwise staining is not a preferred finish.**

Findings for 8 & 9: The building is clad primarily in brick at the street facades (only the oriel windows are not clad in brick) and 3-coat stucco at the rear, inset area with traditional textures and colors inspired by historic buildings in the district. Brick pattern details at upper cornices and horizontal banding below, as well as at window openings articulate different levels of the façades; base, middle and top. The base of the building is articulated with scored concrete in character with similar buildings in the district (similar to the Walsh Building). *These guidelines are met.*

10. Other Building Components. Where appropriate, new buildings should incorporate architectural detailing from the building components listed [below]:

- 1. Dormers**

2. **Bays**
3. **Bracketing**
4. **Cornice**
5. **Trim**

Findings: Bay windows provide modulation, interior noise reduction and interest along Barbur Boulevard. Recessed, protected balconies facing Hooker Street allow residents to take advantage of views to the park and provide “eyes on the street.” Continuous cornices create a unifying element around the building. The brick detailing, traditional windows and modulated façade elements link the two façades and create a strong, unified composition. Varying brick patterns at the cornice and belly bands and a scored, concrete base articulate the building’s base, middle, and top. *This guideline is met.*

11. **Plantings. Goal: To encourage the maximum use of open land for visual enjoyment and/or to fulfill more functional purpose such as shading, wildlife shelter or food production. Plantings should not hide, but enhance buildings.**
 1. **New buildings should be landscaped and the landscaping should include the parking strip.**
 2. **No exposed plastic or bark mulch (except in rose beds or beds of other acid loving plants) should be used as a permanent ground cover.**
 3. **New ground cover planting should be in sufficient density to fill out the area planted within a season or two. (Ex. Ivy should be spotted 12” to 18” apart or less.) Larger shrubs and smaller trees should infill no later than five years and sooner if possible.**
 4. **Existing trees should be left in place if possible and appropriate.**

Findings: Native, drought resistant landscaping is proposed. Street-facing plantings will be low and will serve to soften the interface between the right-of-way and the base of the building. Screening trees and landscaping will be provided at interior shared property lines to create maximum privacy for the neighboring dwellings. The plantings, in conjunction with the retaining walls, will fully screen the parking area and driveway from neighboring properties. Design of the landscape screening, retaining wall plantings and flow-through planter will provide required trees and shrubs for screening but also include cascading plantings to soften the retaining wall for the adjoining properties. On-site stormwater retention and treatment is provided via a stormwater planter incorporated into the retaining walls and adjacent to the required landscape screening.

The applicant also spent particular care in developing the planting plan around the sunken transformer vault. The exposed portion of the vault facing towards the north will be screened with robust landscaping at the property line. And by virtue of its below grade condition facing west towards Barbur Boulevard, no screening is necessary as the vault lid will be flush with the sidewalk grade. *This guideline met.*

33.846.070 Modifications Considered During Historic Resource Review

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the historic resource review process. These modifications are done as part of historic resource review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through historic resource review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

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

Modification #1: Modify the location standard for Transit Street Main Entrance [PZC 33.130.242.C.] to locate main entrance on SW Hooker Street instead of SW Barbur Blvd.

Code Standard: Transit Street Main Entrance 33.130.242.C

C. Location. For portions of a building within the maximum building setback, at least one main entrance for each nonresidential tenant space on the ground floor must meet the standards of this section. The ground floor is the lowest floor of the building that is within four feet of the adjacent transit street grade. The main entrance must:

1. Be within 25 feet of the transit street;
2. Allow pedestrians to both enter and exit the building; and
3. Either: a. Face the transit street; or b. Be at an angle of up to 45 degrees from the transit street, measured from the street property line, as shown in Figure 130-6.

Standard Purpose Statement: *Locating the main entrance to a use on a transit street provides convenient pedestrian access between the use and public sidewalks and transit facilities, and so promotes walking and the use of transit.*

- A. **Better meets historic resource review approval criteria.** The resulting development will better meet the approval criteria for historic resource review than would a design that meets the standard being modified; and

Findings: Relevant standards from the Lair Hill Conservation District Design Guidelines:

Goal: “To encourage the design of new buildings to reflect existing architectural components in such a way as to complement the spirit of the existing detail in the district.”

Given the unique site characteristics, the proposed location is consistent with these goals and meets them better than compliance with the letter of the code for the following reasons:

- The proposed entrance is located at the southwest corner of the building facing Hooker. The building lobby abuts both rights-of-way. The travel distance from the proposed entrance to the sidewalk of Barbur is approximately 20’ and consequently will not add any significant additional distance or inconvenience for residents using the bus stops on Barbur.
- The pedestrian environment on SW Hooker is significantly more hospitable than SW Barbur. Slow speeds and low traffic volume enhances the pedestrian experience. The proposed entry faces Lair Hill Park, a significant amenity for residents. On-street parking is available for visitors on Hooker. Parked cars also provide a physical buffer between pedestrians and moving vehicles, enhancing the sense of safety.
- Barbur Blvd also functions as State Highway 99W. Traffic noise, speed and volume on Barbur creates a hostile environment for pedestrians. Pedestrian connectivity to the north and south along Barbur is limited, with sidewalks absent or inadequate in many locations. Furthermore, there are no walkable destinations immediately accessible via Barbur; areas to the south have a limited-access condition and high-volume intersecting roads to the north further hinder pedestrian viability.

- In addition to forming the perimeter of the Lair Hill Historic District, SW Barbur, has formed a physical barrier to pedestrian movement at the edge of Lair Hill since it was constructed in the 1930s. Placing the entry on the southern side of the building lobby at Hooker St., the building's relationship to the street is enhanced and pedestrian use by residents is strongly encouraged.

For the reasons stated above, the placement of the main entry on the south side of the lobby on SW Hooker better meets the intent of the Lair Hill Conservation District Design Guidelines. The design for a recessed entry with a fixed metal canopy is consistent with the desired character and features.

B. Purpose of the standard. *The resulting development will meet the purpose of the standard being modified or 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.*

Findings: The proposed entrance is located at the southwest corner of the building facing Hooker. The building lobby abuts both rights-of-way. The travel distance from the proposed entrance to the sidewalk of Barbur is approximately 20' and consequently will not add any significant additional distance or inconvenience for residents using the bus stops on Barbur.

The pedestrian environment on SW Hooker is significantly more hospitable than SW Barbur. Slow speeds and low traffic volume enhances the pedestrian experience. The proposed entry faces Lair Hill Park, a significant amenity for residents. On-street parking is available for visitors on Hooker. Parked cars also provide a physical buffer between pedestrians and moving vehicles, enhancing the sense of safety.

Barbur Blvd also functions as State Highway 99W. Traffic noise, speed and volume on Barbur creates a hostile environment for pedestrians. In addition to forming the perimeter of the Lair Hill Historic District, SW Barbur, has formed a physical barrier to pedestrian movement at the edge of Lair Hill since it was constructed in the 1930s. By placing the entry on the southern side of the building lobby at Hooker St., the building's relationship to the street is enhanced and pedestrian use by residents is strongly encouraged.

Therefore, this Modification 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 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.

The South Portland Historical District, formerly known as Lair Hill, is one of Portland's oldest and most historically significant. Located south of Downtown Portland in a wedge of land between the main vehicular arteries of SW Barbur Boulevard, Highway 26 / Highway 99W, and I-5, it is essentially cut off from the rest of the city by its own boundaries. The traffic thoroughfares create significant physical barriers and bisect the neighborhood, making it isolated and difficult to

navigate. The site across from the Lair Hill Park is an ideal location for a new landmark identifying the surrounding Lair Hill neighborhood.

The Barbur & Hooker Apartments follow the historical precedent of the neighborhood in having a strong base, a definitive middle, and a distinct top to the building. The concrete base provides visual weight to bottom of building, the belly-bands mark level changes between floors, and the articulated cornice defines the top. All three of these visual devices reference the language of larger buildings in neighborhood, taking cues from the existing historical context and meeting the intent of the district guidelines.

The proposed building is shaped by the current Zoning Code and the Lair Hill Historic Conservation District Design Guidelines. By taking cues from the existing fabric of the neighborhood for the site, the massing, and the material palette and from relevant, historic multi-family apartment buildings outside the district, the Barbur & Hooker Apartments successfully fit into and enrich the South Portland Historical District.

TENTATIVE STAFF RECOMMENDATION

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

Approval of a new 62-unit residential building in the Lair Hill/ South Portland Historic District.

Approval of Modification to the Transit Street Main Entrance; 33.130.242.C to locate the main entrance on SW Hooker Street instead of SW Barbur Blvd.

Approval subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through 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 17-107021 HRM." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

Procedural Information. The application for this land use review was submitted on January 18, 2017, and was determined to be complete on July 17, 2017. At that time, the Applicant requested the first hearing to be October 23, 2017.

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 18, 2017.

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 requested that the 120-day

review period be extended as stated with (Exhibit A.1]. Unless further extended by the applicant, **the 120 days will expire on: July 17, 2018.**

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

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

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 report is not a decision. The review body for this proposal is the Landmarks Commission who will make the decision on this case. This report is a recommendation to the Landmarks Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Landmarks Commission will make a decision about this proposal at the hearing or will grant a continuance. Your comments to the Landmarks Commission can be mailed c/o the Landmarks Commission, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201 or faxed to 503-823-5630.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. This Staff Report will be posted on the Bureau of Development Services website. Look at www.portlandonline.com. On the left side of the page use the search box to find Development Services, then click on the Zoning/Land Use section, select Notices and Hearings. Land use review notices are listed by the District Coalition shown at the beginning of this document. You may review the file on this case at the Development Services Building at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201.

Appeal of the decision: The decision of the Landmarks Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Landmarks Commission, City Council will hold an evidentiary hearing, one in which new evidence can be submitted to them. Upon submission of their application, the applicant for this land use review chose to waive the 120-day time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing.

Who can appeal: You may appeal the decision only if you write a letter which is received before the close of the record on hearing or if you testify at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$5,000.00 will be charged (one-half of the BDS application fee, up to a maximum of \$5,000.00).**

Appeal Fee Waivers: Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

Recording the final decision.

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

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

Applying for your permits. A building permit, occupancy permit, or development permit 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.

Planner's Name: Tim Heron

Date: October 13, 2017

EXHIBITS – NOT ATTACHED UNLESS INDICATED

A. Applicant's Statement & Drawings

1. January 18, 2017 Narrative
2. January 18, 2017 120-day waiver
3. July 21, 2017 Submittal – drawings, revised narrative
4. September 11, 2017 Modification Request Narrative and Drawings
5. October 9, 2017 Revised Narrative

- B. Zoning Map (attached)
- C. Plan & Drawings
 - 1. Title Page
 - 2. Project Team
 - 3. Table of Contents
 - 4. Site Plan
 - 5. Basement Floor Plan
 - 6. Ground Floor Plan
 - 7. Level 02 - 03 Floor Plan
 - 8. Level 04 Floor Plan / Roof Plan
 - 9. Roof Plan
 - 10. West Elevation at SW Barbur Blvd
 - 11. South Elevation at SW Hooker St
 - 12. East Elevation
 - 13. North Elevation
 - 14. East Elevation (Beyond)
 - 15. 15 West Elevation at SW Barbur Blvd
 - 16. South Elevation at SW Hooker St
 - 17. East Elevation
 - 18. North Elevation
 - 19. East Elevation (Beyond)
 - 20. Building Section - North-South
 - 21. Building Section - North-South
 - 22. Building Section - East-West
 - 23. Building Section - East-West
 - 24. Sightline - North-South
 - 25. Sightline - East-West
 - 26. Materials
 - 27. Roof Deck - Sections & Enlarged Plan
 - 28. Enlarged Elevations / Typical Details
 - 29. Enlarged Elevations / Typical Details
 - 30. Enlarged Elevations / Typical Details
 - 31. Enlarged Elevations / Typical Details
 - 32. Enlarged Elevations / Typical Details
 - 33. Enlarged Elevations / Typical Details
 - 34. Enlarged Elevations / Typical Details
 - 35. Windows - Enlarged Elevations / Typical Details
 - 36. Windows - Enlarged Elevations / Typical Details
 - 37. Signage Details
 - 38. Landscape Plan at Ground Floor
 - 39. Plant Board
 - 40. Site Lighting Plan
 - 41. Site Lighting - Building Elevations
 - 42. Stormwater & Utility Plan
 - 43. Bicycle Parking
 - 44. Window Manufacturer's Cut Sheets
 - 46. Lighting Manufacturer's Cut Sheets
 - 47. Exterior Materials Cut Sheets
 - 48. Mechanical Cut Sheets
 - 49. Garage Door Cut Sheets
 - 50. Bicycle Rack Cut Sheets
- D. Notification information:
 - 1. Request for response
 - 2. Posting letter sent to applicant
 - 3. Notice to be posted

4. Applicant's statement certifying posting
 5. Mailed notice
 6. Mailing list
- E. Agency Responses:
1. Bureau of Transportation Engineering and Development Review
 - a. RFC Response
 - b. RFR Response
 2. Bureau of Environmental Services
 - a. RFC Response
 - b. RFR Response
 3. Water Bureau
 4. Forestry Bureau
 5. Site Development Section of BDS
 6. Life Safety
- F. Letters
1. October 2, 2017 email from Jim Gardner, Chair of the South Portland Neighborhood Association Land Use Committee, in full support of the proposal and related Modification to the Main Entrance Requirement and the Garage Door Design Exception. Other
- G. Other
1. Original LUR Application & Fee
 2. February 13, 2017 Incomplete Letter
- H. October 23, 2017 Historic Landmarks Commission Hearing

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).

