



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

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Date: Friday, February 20, 2009
To: Interested Person
From: Kate Marcello, Land Use Services
503-823-9162 / kate.marcello@ci.portland.or.us

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

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

CASE FILE NUMBER: LU 08-192045 DZ **EXTERIOR ALTERATIONS @ FORMER SCHUMACHER FURS STOREFRONT**

GENERAL INFORMATION

Applicant/Architect: Barry Smith, (503) 295-6261
715 SW Morrison St, Suite 909 / Portland, OR 97205-3105

Owner: Rick Wilson, Rock Asset Management
9777 Wilshire Blvd, Suite 710 / Beverly Hills, CA 90212

Site Address: 739 SW 10th Avenue

Legal Description: E 63 1/3' OF S 14' OF LOT 3 BLOCK 251 E 63 1/3' OF LOT 4 BLOCK 251, PORTLAND

Tax Account No.: R667727760

State ID No.: 1N1E33DD 04900

Quarter Section: 3028

Neighborhood: Downtown Cmty Assoc., contact Jennifer Geske at 503-750-9843.

Business District: Downtown Retail Council, contact Stephen Pirkel at 503-274-7682.

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

Plan District: Central City Plan District, Downtown Sub-district, West End Sub-area

Other Designations: Listed on City of Portland Historic Resource Inventory (HRI)

Zoning: Central Commercial base zone, Design overlay zone (CXd)

Case Type: Design Review (DZ)

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

Proposal: The applicant requests Design Review approval for exterior alterations to the former Schumacher Furs storefront, which is located at 739 SW 10th Avenue. The building is listed on the City of Portland's Historic Resource Inventory as a significant architectural resource.

The proposed alterations include the following:

- The existing wood-framed storefront windows and doors will be removed from both façades. They will be replaced with an aluminum-framed storefront system. (Note: The existing wood-framed transom windows will be retained.)
- A new up-and-down can-light fixture will be installed on each pilaster, in approximately the same locations as existing light fixtures that will be removed. The new light fixtures are composed of aluminum with a bronze finish. Each fixture will be about 2'-0" tall x 0'-8" wide.
- A new emergency egress door with a transom window will be installed at the north end of the east façade. Existing wooden storefront windows and wood-framed wall will be removed to accommodate the new door and window.
- The existing fire escape on the south façade will be removed.
- On the south façade, the existing louvers located in two 3'-0"-tall window openings will be removed. The louvers will be replaced with clear glazing.
- Near the west end of the south façade, an existing approximately 4'-0"-wide section of solid wall and adjacent double-door entrance will be removed. The doors and solid wall will be replaced with an aluminum-framed storefront system with double doors.
- A new elevator will be installed in the building, necessitating an elevator shaft over-run on the rooftop. The over-run will protrude from the rooftop by about 1'-8".
- Four existing rooftop mechanical units will be removed and replaced with three new units. Unit "A" will be about 7'-3" long x 4'-10" wide x 4'-1" tall, and Units "B" and "C" will each be about 6'-2" long x 3'-9" wide x 2'-9" tall.

On both facades, there is an existing metal sign cabinet with internal illumination. The cabinets, lighting, and other associated structural elements will be repaired and refurbished. The existing "SCHUMACHER FURS" sign panels will be removed from the cabinets and replaced with sign panels for the new retail tenant(s). Because the existing sign cabinets are being retained in the same locations, and the new sign panels will be the same size and composed of the same materials as the existing sign panels, this alteration is exempt from this Design Review (per Sign Code 32.36.020.C).

Because the proposal is for non-exempt exterior alterations to an existing building on a site with design overlay zoning in the Central City Plan District, Design Review is required prior to the issuance of building permits.

Relevant Approval Criteria:

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

- 33.825 Design Review; and
- *Central City Fundamental Design Guidelines.*

ANALYSIS

- I. **Site and Vicinity:** The subject building is located at the southwest corner of the block bounded by SW 10th Avenue, SW Morrison Street, SW 11th Avenue, and SW Yamhill Street. The building was constructed in 1922 in the Twentieth Century Classical Style. The original owner was the Reed Institute. The building has two floors. The exterior finish is either cement plaster/stucco. Cast-stone decorative elements include a dentil frieze below the cornice and fluted capitals on the pilasters. The building underwent significant alterations in 1959 and 1967.

Until recently, the subject building was the home of Schumacher Furs. On February 19, 2007, the fur store's owners announced that the store was closing, after a total of 112 years of business in downtown Portland. The building was the store's third and final location. Persistent animal-rights demonstrations on public sidewalks outside the building were cited by store owners as the reason for closing. Schumacher Furs was the oldest furrier in the United States. Now the building is being renovated for new ground-floor retail tenants and second-floor office use.

The surrounding area comprises the core of downtown Portland, with a variety of retail shops, restaurants, taverns, and entertainment venues such as movie theaters. Multnomah County's Central Library is located on the block to the south. Pioneer Courthouse Square is located three blocks east. Several buildings in the area are listed on the National Register of Historic Places.

With regard to transportation in the surrounding area, Portland's Transportation System Plan has classified SW 10th Avenue as a Traffic Access Street, Transit Access Street, Local Service Bikeway, Central City Transit/Pedestrian Street, and Community Main Street. SW Yamhill Street has been classified as a Regional Transitway/Major Transit Priority Street, Local Service Bikeway, Central City Transit/Pedestrian Street, and Community Main Street. The site is located in a designated pedestrian district – the Downtown Pedestrian District. The northbound Portland Streetcar alignment is located on SW 10th Avenue. A streetcar stop is located at the southeast corner of SW 10th Avenue and SW Yamhill Street, across the street from the subject building.

- II. Zoning:** The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together.

The design (d) overlay zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. 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.

- III. Land Use History:** City records indicate two prior land use reviews for this site:

1. LUR 98-00673 DZ (reference file # LU 98-015979 DZ): Design Review approval of the installation of a new awning.
2. LU 05-157147 DZ: Design Review denial of the removal existing awnings, replacement existing signage, and installation new windows and doors.

- IV. Agency Review:** A *Notice of Proposal in Your Neighborhood* was mailed on January 16, 2009.

The following bureaus have responded with no issues or concerns:

- Portland Fire & Rescue;
- Portland Water Bureau;
- Bureau of Environmental Services;
- Urban Forestry Division of Portland Parks & Recreation; and
- Site Development Section of the Bureau of Development Services.

Two bureaus have responded:

- The Life Safety (Building Code) Section of the Bureau of Development Services responded with comments. Please see Exhibit E-1 for details.
- The Development Review Section of the Bureau of Transportation responded with comments. Please see Exhibit E-2 for details.

- V. Neighborhood Review:** A *Notice of Proposal in Your Neighborhood* was mailed on January 16, 2009. No written comments in response to the proposal have been received from the neighborhood association (Downtown Community Association) or notified property owners.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

Findings: The site is designated with design overlay zoning (d); therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Central City Fundamental Design Guidelines.

Central City Fundamental Design Guidelines

These guidelines provide the constitutional framework for all design review areas in the Central City.

The Central City Fundamental Design Guidelines focus on four general categories. **(A) Portland Personality** addresses design issues and elements that reinforce and enhance Portland's character. **(B) Pedestrian Emphasis** addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design** addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas** provides design guidelines for the four special areas of the Central City.

Central City Plan Design Goals

This set of goals has been developed to guide development throughout the Central City. The goals apply within the eight Central City sub-districts, or policy areas. The nine goals for design review within the Central City and its sub-districts are as follows:

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City that is safe, humane and prosperous; and
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

A4. Use Unifying Elements.

Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

A5. Enhance, Embellish, and Identify Areas.

Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

C4. Complement the Context of Existing Buildings.

Complement the context of existing buildings by using and adding to the local design vocabulary.

Findings for A4, A5, C4: The subject building is located in the heart of downtown Portland, just north of the Central Library. Other notable buildings in the immediately surrounding area include the Galleria at SW Morrison Street and SW 9th Avenue, the Medical Arts building at SW Taylor Street and SW 9th Avenue, and the Lincoln Hotel at SW Morrison Street and SW 11th Avenue. Like these buildings, the subject building was constructed in the first quarter of the 20th century and has retained much of its original appearance despite enduring some alterations over the years. The building has retained its original cladding material, second-floor wood windows, ground-floor transom windows, and decorative pilasters. The building is not officially recognized as historic by the National Register of Historic Places; nonetheless, it is an important part of the historic building stock in the downtown core. The proposal supports this historical role for the building. The proposal calls for the existing storefront windows, which are not original, to be removed. The existing windows are of varying sizes and appear more akin to punched openings than the typical expansive storefront windows usually found on this type of 1920s commercial building. They will be replaced with a new aluminum storefront system that is closer in configuration to the original storefront. The new storefront system will help to restore the building's original appearance, with large panes of glass that terminate closer to the ground, increased visual rhythm and alignment with the existing transom windows, and mullion thickness that is more consistent with the existing transoms. The proposal uses an element of the local design vocabulary – consistency with and respect for the typical design characteristics of historic ground-floor storefronts – and thereby maintains the building's unity with its surrounding historic counterparts. *Therefore, these guidelines are met.*

A6. Reuse/Rehabilitate/Restore Buildings.

Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

C9. Develop Flexible Sidewalk-Level Spaces.

Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

Findings for A6, C9: The new storefront system and pilaster-mounted light fixtures will help to rehabilitate the ground floor of this 1922 building so it may accommodate a variety of active uses well into the future. *Therefore these guidelines are met.*

A7. Establish and Maintain a Sense of Urban Enclosure.

Define public rights-of-way by creating and maintaining a sense of urban enclosure.

A8. Contribute to a Vibrant Streetscape.

Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

B1. Reinforce and Enhance the Pedestrian System.

Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone,

street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

C1. Enhance View Opportunities.

Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

Findings for A7, A8, B1, C1: New storefront windows and doors will be installed at the ground floor of the building. The abundant glazing provided by these windows and doors will allow views in and out of the building, thus developing a visual connection between the private interior of the building and the public space of the surrounding streetscape.

By highlighting a particular decorative feature of the building – the capitals of the pilasters – the new light fixtures strengthen articulation of the building façade and create a more defined street wall. By allowing ample views into the building’s interior, the new storefront system also strengthens definition of the street wall. The light fixtures and storefront windows establish a sense of visual rhythm along the ground floor, fostering a sense of urban enclosure along SW 10th Avenue and SW Yamhill Street. *Therefore these guidelines are met.*

B2. Protect the Pedestrian.

Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

C11. Integrate Roofs and Use Rooftops.

Integrate roof function, shape, surface materials, and colors with the building’s overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City’s skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

Findings for B2, C11: A new elevator will be installed in the building, necessitating a new elevator shaft over-run at the rooftop. The over-run will protrude from the rooftop by about 1’-8”. It will not rise above the 3’-0”-tall parapet. Additionally, three new mechanical units will be installed on the rooftop. They will be located far from the roof edges. Unit “A” will be located about 17’-0” from the eastern roof edge; Unit “B” will be located about 11’-0” from the northern roof edge; and Unit “C” will be located about 16’-0” from the northern roof edge. Unit “A” is about 4’-1” tall, and Units “B” and “C” are each about 2’-9” tall. Unit “A” will protrude above the existing 3’-0”-tall parapet by about 1’-1”, and Units “B” and “C” will not protrude above the parapet at all. The elevator shaft over-run and Units “B” and “C” will not be visible from surrounding street-level vantage points. Due to the existing topography in the area and the density of the built environment in this part of downtown, Unit “A” will be very difficult to view from surrounding street-level vantage points. Thus the new rooftop elements will not detract from the pedestrian environment or the overall design concept of the building. *Therefore, these guidelines are met.*

B6. Develop Weather Protection.

Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

Findings for B6: Weather protection is provided by the existing recessed entries. Building patrons will be protected from adverse weather as they enter and exit the building. *Therefore this guideline is met.*

B7. Integrate Barrier-Free Design.

Integrate access systems for all people with the building's overall design concept.

Findings for B7: The existing entries will remain at grade with the abutting public sidewalks, making the building accessible to people with physical disabilities. *Therefore this guideline is met.*

C2. Promote Quality and Permanence in Development.

Use design principles and building materials that promote quality and permanence.

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.

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 for C2, C3, C5: The proposal respects and begins to restore the original character of the subject building. The new aluminum storefront system will help to restore the building's original 1902s commercial storefront appearance, with large panes of glass that terminate close to the ground, increased visual rhythm and alignment with the existing transom windows, and mullion thickness that is more consistent with the existing transoms. The new bronze-finished aluminum light fixtures are aligned with the spandrel area between the ground floor and second floor, and they will highlight the original decorative capitals of the pilasters. The new emergency egress door is appropriately located away from the corner of the building, at the northern end of the east façade. The removal of existing louvers from two window openings on the south façade will result in more glazing, which helps the two openings to blend better with the rest of the well-glazed ground floor and overall south façade. The removal of solid wall from the south façade and replacement with glazed storefront and double doors will achieve the same effect of increasing overall coherency on the south façade. The new elevator shaft over-run and rooftop mechanical units will be modest in height and located far from roof edges, resulting in rooftop protrusions that do not affect the architectural integrity of the building. The proposal employs high-quality materials and design principles that lend a sense of permanence to the building befitting its location in downtown Portland. The proposed alterations will result in a coherent architectural composition. *Therefore, these guidelines are met.*

C7. Design Corners that Build Active Intersections.

Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

Findings for C7: The subject building has a retail entrance located near the corner of the building. A new glazed door will be installed at the entrance located near the northwest corner of the building. The entrance and exit of people at the corner will add pedestrian activity to the abutting public sidewalk and help to activate the corner of SW 10th Avenue and SW Yamhill Street. *Therefore, this guideline is met.*

C8. Differentiate the Sidewalk-Level of Buildings.

Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

Findings for C8: The sidewalk level will be differentiated from the second floor of the building. The new aluminum storefront windows with large panes of fixed glass are clearly

distinct from the existing second-floor double-hung windows. The new up-and-down pilaster-mounted light fixtures will also highlight the distinction between the two floors. The up-light will cast a soft glow on the decorative capitals of the pilasters at the top of the façade, whereas the down-lights will illuminate the sidewalk along the ground floor. *Therefore, 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 for C12: The existing pilaster-mounted light fixtures will be removed and replaced with new fixtures in the same locations. The fixtures are up-and-down cylindrical can-lights with a bronze finish. Each fixture has a flat glass top that overlaps to prevent water and dust accumulation. A multi-step baffle is located at the bottom of each fixture to reduce glare. The up-lights will illuminate the decorative capitals of the pilasters and the down-lights will illuminate the sidewalks surrounding the buildings. Because the lights are subtle and focused to illuminate specific areas, they will not cause light pollution in the surrounding area that would impact views of the Portland skyline. *Therefore, 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 design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. . The proposal employs high-quality materials and design principles that lend a sense of permanence to the building befitting its location in downtown Portland. The proposed alterations will result in a coherent architectural composition. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval to remove the following existing elements:

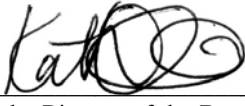
- fire escape,
- pilaster-mounted light fixtures, and
- louvers from two existing window openings.

Approval to install the following new elements:

- storefront system,
- pilaster-mounted light fixtures,
- glazing in two existing window openings,
- elevator shaft over-run on rooftop, and
- three rooftop mechanical units.

Approval per the approved plans and drawings, Exhibits C-1 through C-8, signed and dated 18 February, 2009, subject to the following conditions:

- A. As part of the building permit application submittal, each of the four required plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-8. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-192045 DZ. No field changes allowed."

Decision rendered by:  on February 18, 2009
By authority of the Director of the Bureau of Development Services

Decision mailed: February 20, 2009

Staff Planner: Kate Marcello

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 December 30, 2008, and was determined to be complete on **January 13, 2009**.

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 December 30, 2008.

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 Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on Friday, March 6, 2009** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., 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. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. 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 contact the receptionist at 503-823-7967 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 Design 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 Design 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 **Monday, March 9, 2009 (the day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

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

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

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

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

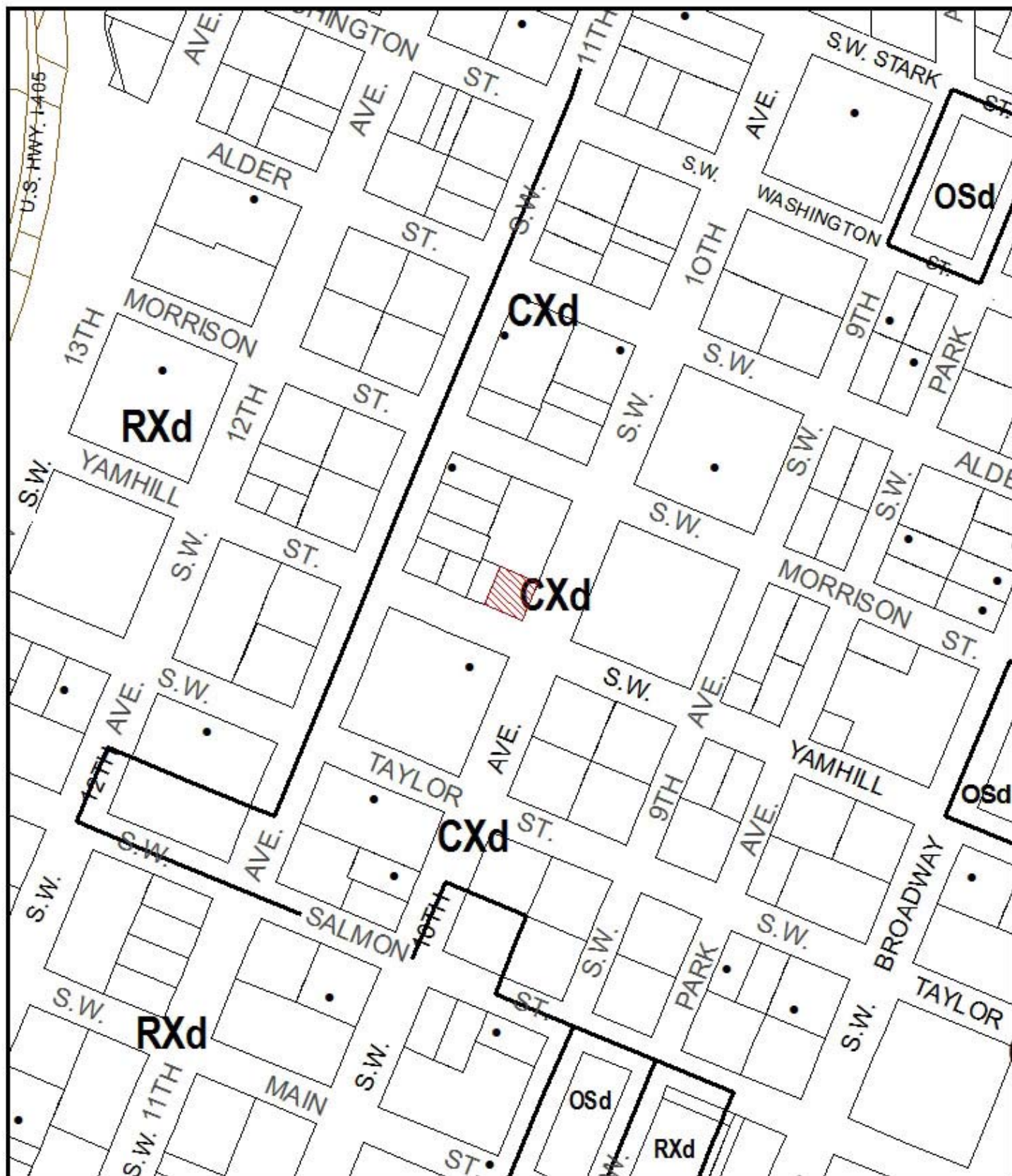
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans and Drawings:
 - 1. Site Plan (attached)
 - 2. South and East Elevations – Demolition (attached)
 - 3. South Elevation (attached), South Entrance Elevation, Partial Section of South Entrance – New
 - 4. East Elevation (attached), Enlarged Elevation of Emergency Door Location, Partial Section of Emergency Door – New
 - 5. Enlarged Elevation of South Façade Storefront, Storefront Details – New
 - 6. Roof Plans – Existing, Demolition, New (attached)
 - 7. Light Fixture Cutsheet (photo and drawing attached)
 - 8. Rooftop Mechanical Unit Cutsheets
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety (Building Code) Section of the Bureau of Development Services
 - 2. Development Review Section of the Bureau of Transportation
- F. Correspondence: None received.
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. Building Information from Portland's Historic Resources Inventory (HRI)

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



ZONING



Site



Historic Landmark



NORTH

This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No.	LU 08-192045 DZ
1/4 Section	3028
Scale	1 inch = 200 feet
State_Id	1N1E33DD 4900
Exhibit	B (Jan 02,2009)

SITE PLAN

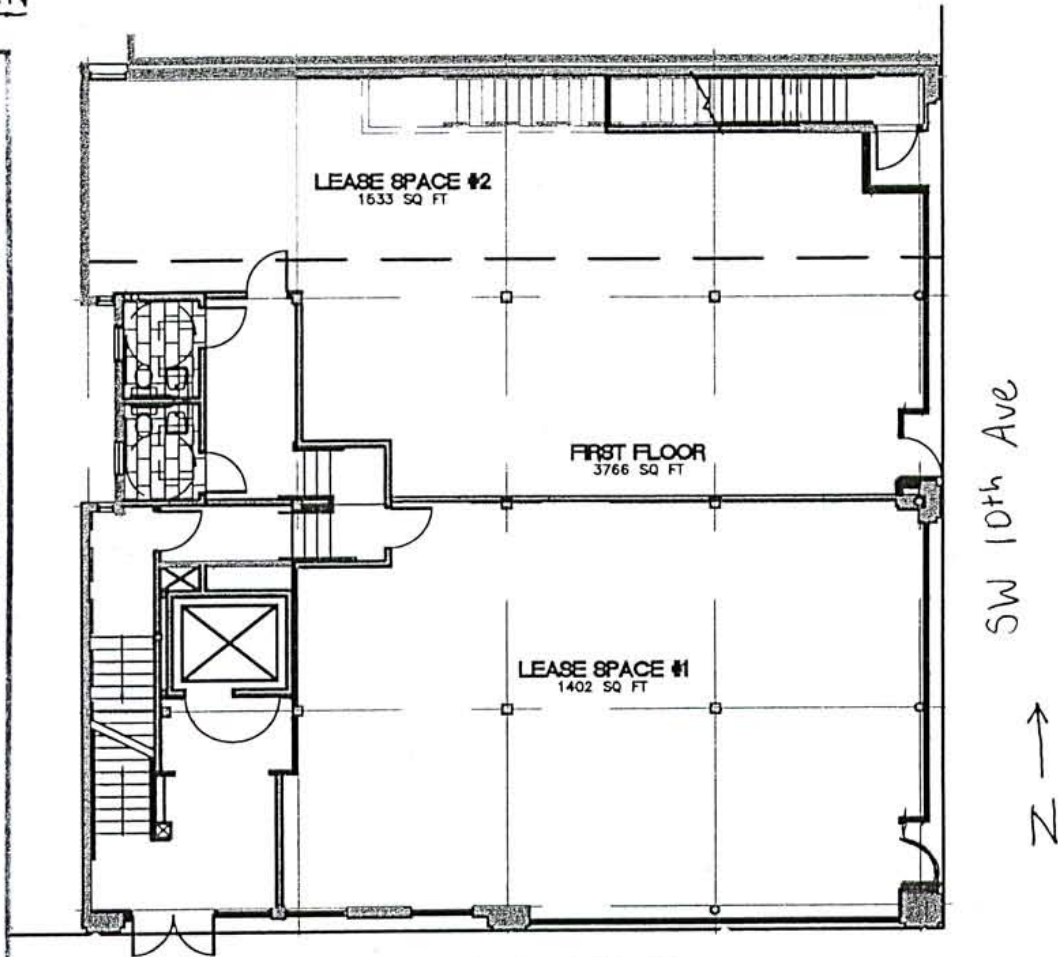
* Approved *

City of Portland - Bureau of Development Services

Date 18 Feb, 2009

Phone Katrina

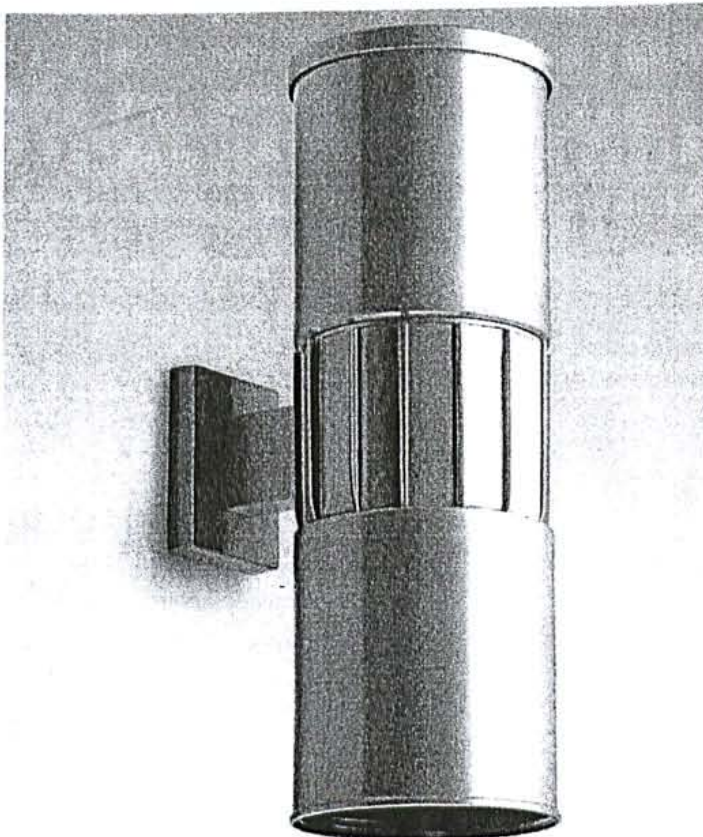
* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.



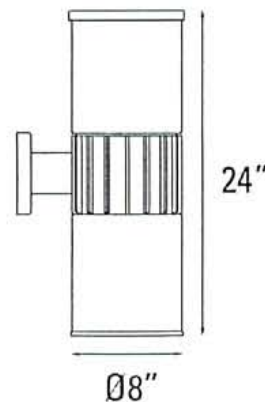
SW Yamhill St

CASE NO. LU08-192045DZ
EXHIBIT C-1

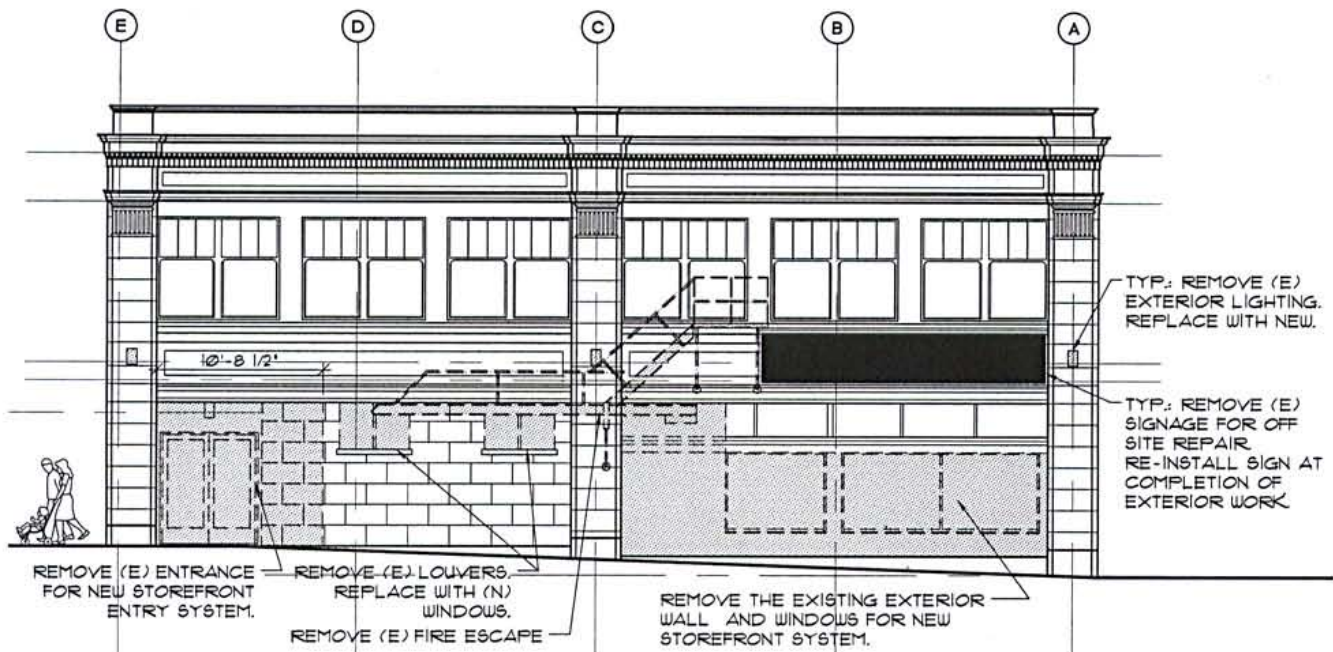
Not to scale.



LIGHT FIXTURE PHOTO
AND DRAWING

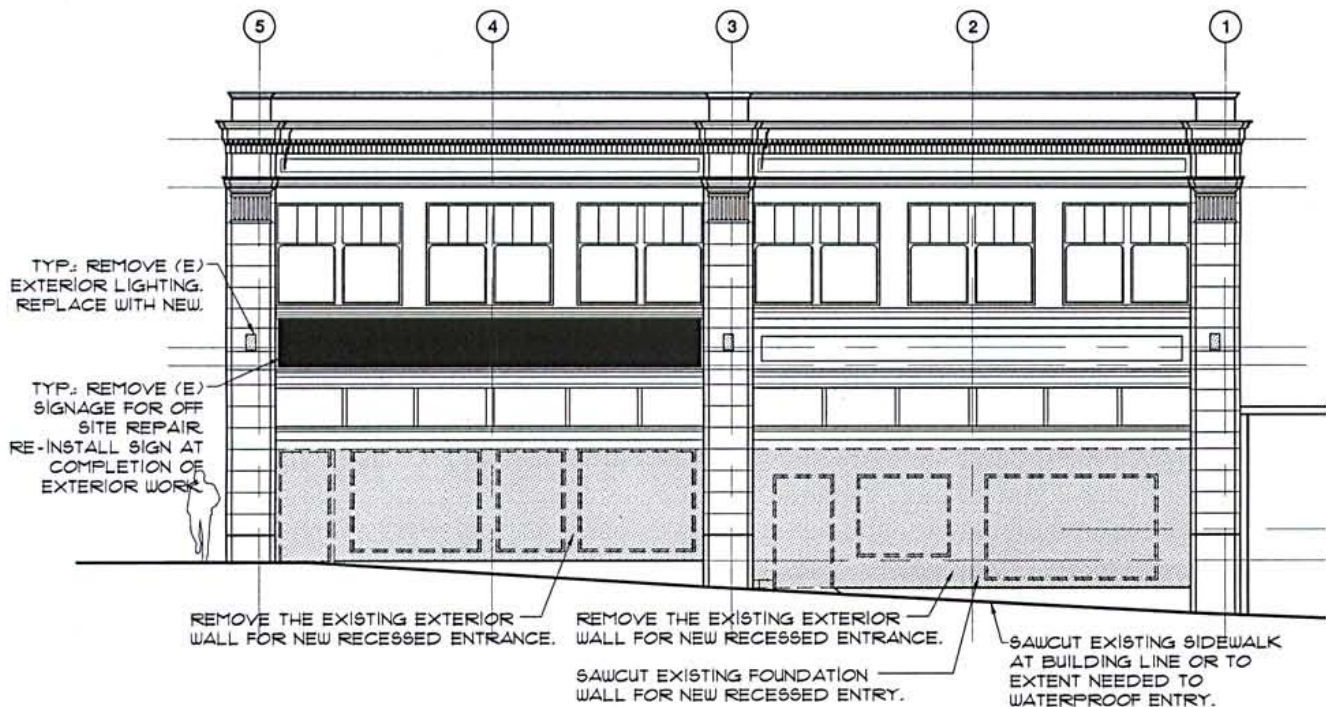


CASE NO. LU 08-192045 DZ
EXHIBIT C-7



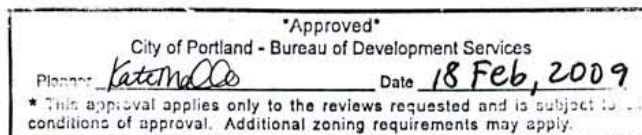
1 SOUTH ELEVATION - DEMOLITION

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



2 EAST ELEVATION - DEMOLITION

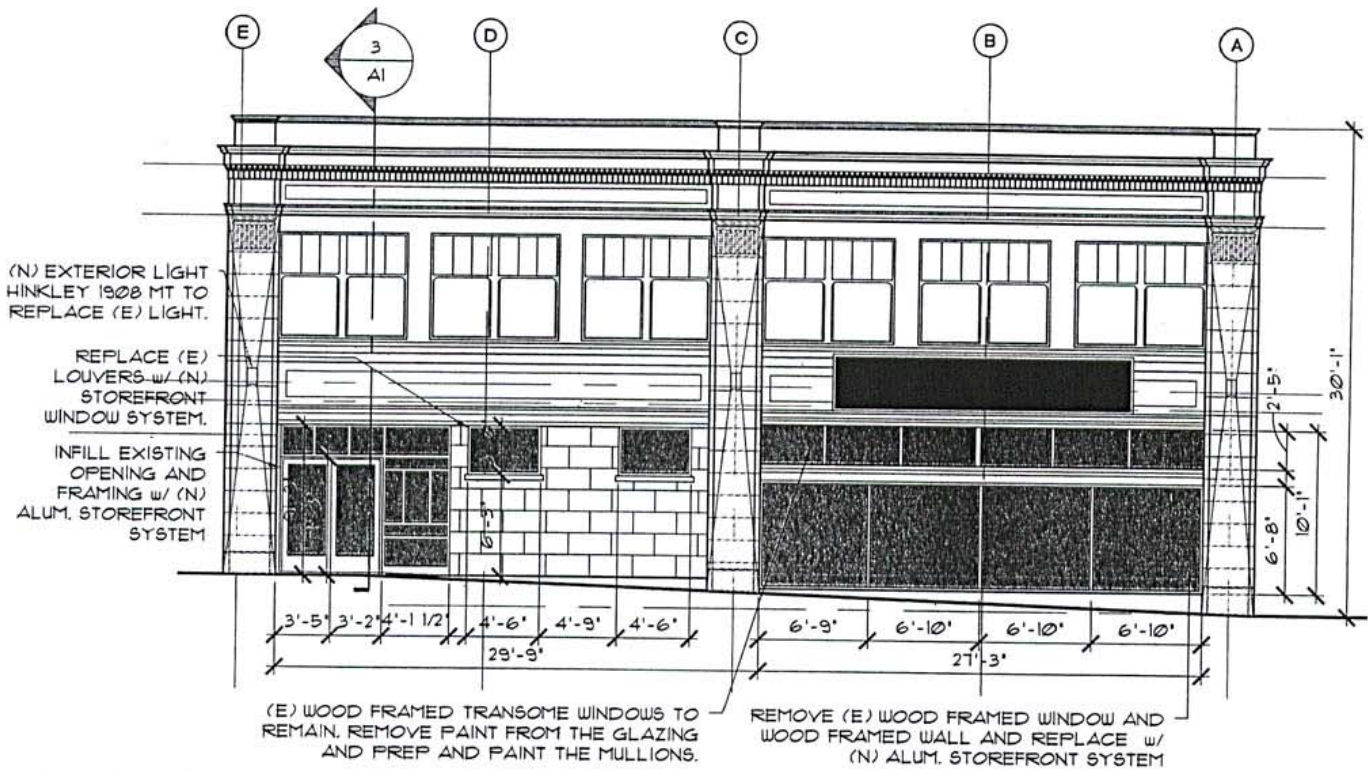
SCALE: 1/8" = 1' - 0"



BARRY R. SMITH, PC, ARCHITECT
715 SW MORRISON STREET SUITE 909
Portland OR 97205 503.241.7966 www.barryrsmith.com

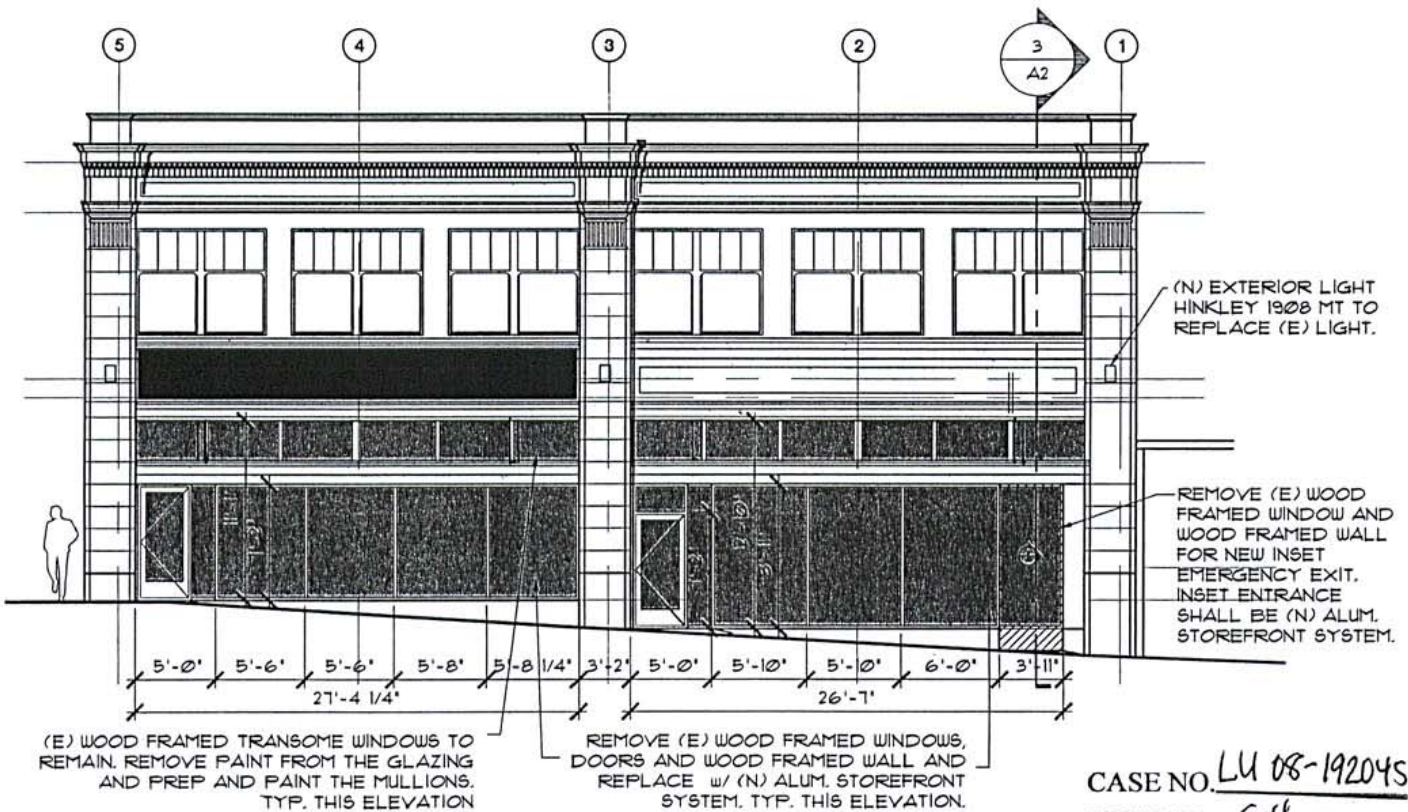
AD

CASE NO. LU 08-192045 DZ
EXHIBIT C-2



1 SOUTH ELEVATION - NEW
A1 SCALE: 1/8" = 1' - 0"

CASE NO. LU 08-192045 D2
EXHIBIT C-3



1 EAST ELEVATION - NEW
A2 SCALE: 1/8" = 1' - 0"

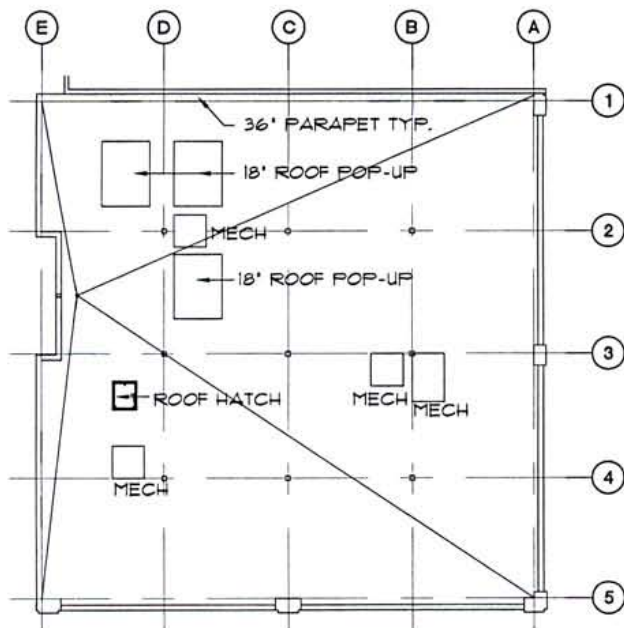
CASE NO. LU 08-192045 D2
EXHIBIT C-4

Approved

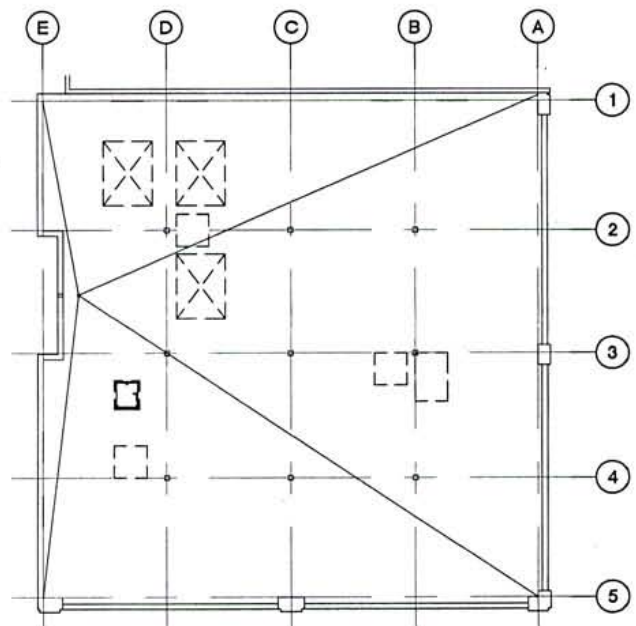
City of Portland - Bureau of Development Services

Planner: Katrina Lee Date: 18 Feb, 2009

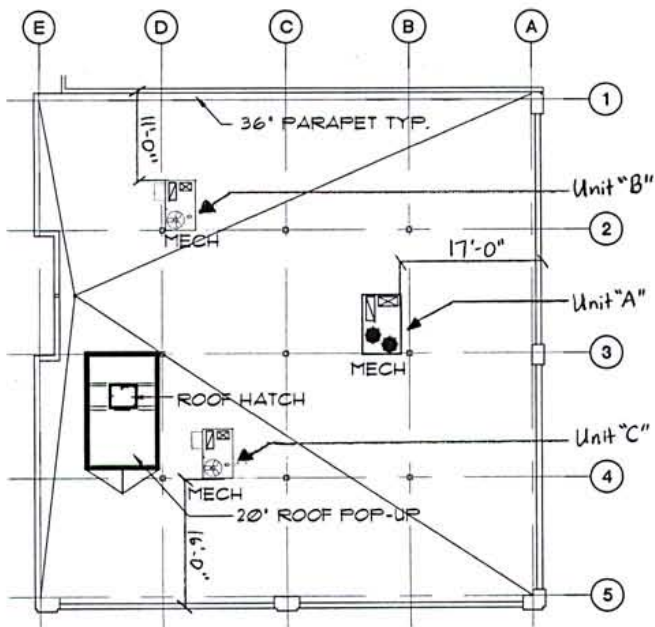
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1
A4
EXISTING ROOF PLAN
SCALE: 1/16" = 1' - 0"



2
A4
DEMO ROOF PLAN
SCALE: 1/16" = 1' - 0"



3
A4
NEW ROOF PLAN
SCALE: 1/16" = 1' - 0"

Approved
City of Portland - Bureau of Development Services
Planner *Kate Muel* Date *18 Feb, 2009*
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A4

CASE NO. *LU 08-192045 D2*
EXHIBIT *C-6*