



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

FROM CONCEPT TO CONSTRUCTION

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

Date: September 26, 2013
To: Interested Person
From: Dave Skilton, Land Use Services
503-823-0660 / Dave.Skilton@portlandoregon.gov

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

The Bureau of Development Services has **approved** a proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 13-105640 HDZ – NEW ENTRY CANOPY

GENERAL INFORMATION

Owner: Acquisition LLC
1900 N Akard Street
Dallas, TX 75201-2300

Consultant: Andy Ferchland
415 N State Street
Lake Oswego, OR 97034

Architect: Katalin Czege
C2K Architecture
107 SE Washington Street #740
Portland, OR 97214

Representative: Ronda Tyrell 602-757-2732
Portland Governor Hotel Acquisition LLC
614 SW 11th Avenue
Portland, OR

Site Address: 614 SW 11th Avenue

Legal Description: BLOCK 252 LOT 1&2 HISTORIC PROPERTY 15 YR 2004 POTENTIAL ADDITIONAL TAX, PORTLAND; BLOCK 252 HISTORIC PROPERTY 15 YR 2004 POTENTIAL ADDITIONAL TAX, PORTLAND

Tax Account No.: R667727880, R667727960, R667727880

State ID No.: 1N1E33DD 04400, 1N1E33DD 04300, 1N1E33DD 04400

Quarter Section: 3028

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

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

Plan District: Central City - Downtown

Other Designations: Portland Historic Landmark pursuant to listing in the National Register of Historic Places as the Elks Temple on February 17, 1978.

Zoning: CXd, Central Commercial with Historic Resource and Design overlays

Case Type: HDZ, Historic Design Review

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

Proposal:

The applicant is seeking Historic Design Review approval for a proposal to install a freestanding steel and glass canopy structure at the front entrance of the subject Historic Landmark. The canopy will not be attached to the building, but will be cantilevered from the basement through the pavement at the recessed entry. It will overhang the sidewalk by approximately six feet and will include an edge-lit, etched glass sign 6.1 square feet in face area. Historic Design Review is required because the proposal is for the non-exempt alteration of a Historic Landmark.

Approval Criteria:

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

- 33.846.060 G – Other Approval Criteria
- *Central City Fundamental Design Guidelines*

ANALYSIS

Site and Vicinity: Designed in the Second Renaissance Revival style by the noted local firm of Houghtaling and Dougan, and completed in 1923, the Elks Temple was at the time considered to be the largest such facility in the United States. It is modeled loosely on the Farnese palace in Rome, and it occupies a 100' by 150' lot at the corner of SW 11th and Alder, in an area that was at the fringe of the expanding downtown at the time. Although it represented a wealthy and thriving fraternal organization at the time of its construction, the building's heyday was brief. Membership plummeted following the stock market crash in October 1929, and by July of 1932 Elk's Lodge #142 had declared bankruptcy, losing control of the property. After a long and checkered history of ownerships and users, the building was finally rehabilitated as the Governor Hotel in association with the Seward Hotel building, which it abuts at the rear, in the late 1990s. It was listed in the National Register of Historic Places on February 17, 1978.

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. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

The Historic Resource Protection chapter 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.

The Design Overlay Zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. 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 or compliance with the Community Design Standards. In addition,

design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

Land Use History: City records indicate the following related Land Use review:

- LU 06-116777 HDZ approving a new fabric canopy at a retail entry facing SW Alder Street.

Public Notice: A Notice of Proposal was mailed on **August 26, 2013**.

Agency Review: None of the notified Bureaus has responded with issues or concerns about the proposal.

Neighborhood Review: No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846, Historic Reviews

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. Therefore the proposal requires Historic Resource Review approval. The relevant approval criteria are listed in 33.846.060 G. 1.-10. In addition, because the site is located within the Central City, the relevant approval criteria are the *Central City Fundamental Design Guidelines*.

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

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.
- 4. 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 for 1 and 4: The new canopy is proposed in perhaps the most significant location on the facade of the subject property, the main entrance in the center bay of an imposing, two-story temple front portico. In order to respect the importance of this space the proposed canopy support structure has been kept as slender and minimal as possible, and a glass roof panel is used to further reduce its visual "weight." It also aligns with the columns to the sides and the door beyond without obscuring them. Because the metal framework is cantilevered from the basement through the pavement, it will not touch any significant historic materials. *These criteria are met.*

- 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.

- 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.
- 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.
- 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 for 7, 8, 9, and 10: A good balance between distinction and compatibility is struck by the canopy design because, while its lightness is in sharp contrast to the classical solidity of the facade composition, it is minimal, separate, and relatively small. At the same time it achieves a high degree of compatibility by relying on traditional proportioning and a level of detail similar to that on the building itself. Because the structure does not touch the building, its future removal would completely restore the current spatial configuration. *These criteria are met.*

Central City Fundamental Design Guidelines

- A6. Reuse/Rehabilitate/Restore Buildings.** Where practical, reuse, rehabilitate, and restore buildings and/or building elements.
- 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.
- C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

Findings for A6, B6, and C3: The proposed new canopy supports the continued reuse of the Elks Temple Building by providing weather protection at the principle entrance. While in contrast to the building's classically inspired facade composition, the proposed structure is integrated by its minimal presence, traditional proportions, and a level of detail. *These guidelines are 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 provision of weather protection for arriving guest at this entry without damage to or competition with the existing building has long been desired. This solution achieves those goals with fitting elegance. The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not

compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of a new, glass-roofed, entry canopy incorporating an edge-lit, etched glass sign 6.1 square feet in face area, on the Historic Landmark Old Elks Temple building;

Approval is per Exhibits C-1 through C-10, signed and dated September 24, 2013, subject to the following condition:

- 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 through C-10. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 13-105640 HDZ. No field changes allowed."

Staff Planner: Dave Skilton

Decision rendered by:  on September 24, 2013.
By authority of the Director of the Bureau of Development Services

Decision mailed: September 26, 2013

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on January 16, 2013, and was determined to be complete on **July 1, 2013**.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on January 16, 2013.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant requested that the 120-day review period be extended 60 days.

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

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

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed to the Historic Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on October 10, 2013** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Landmarks Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, OR 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Historic Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **October 11, 2013**
- A building or zoning permit will be issued only after the final decision is recorded.

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

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

For further information on recording, please call the County Recorder at 503-988-3034

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

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

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

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

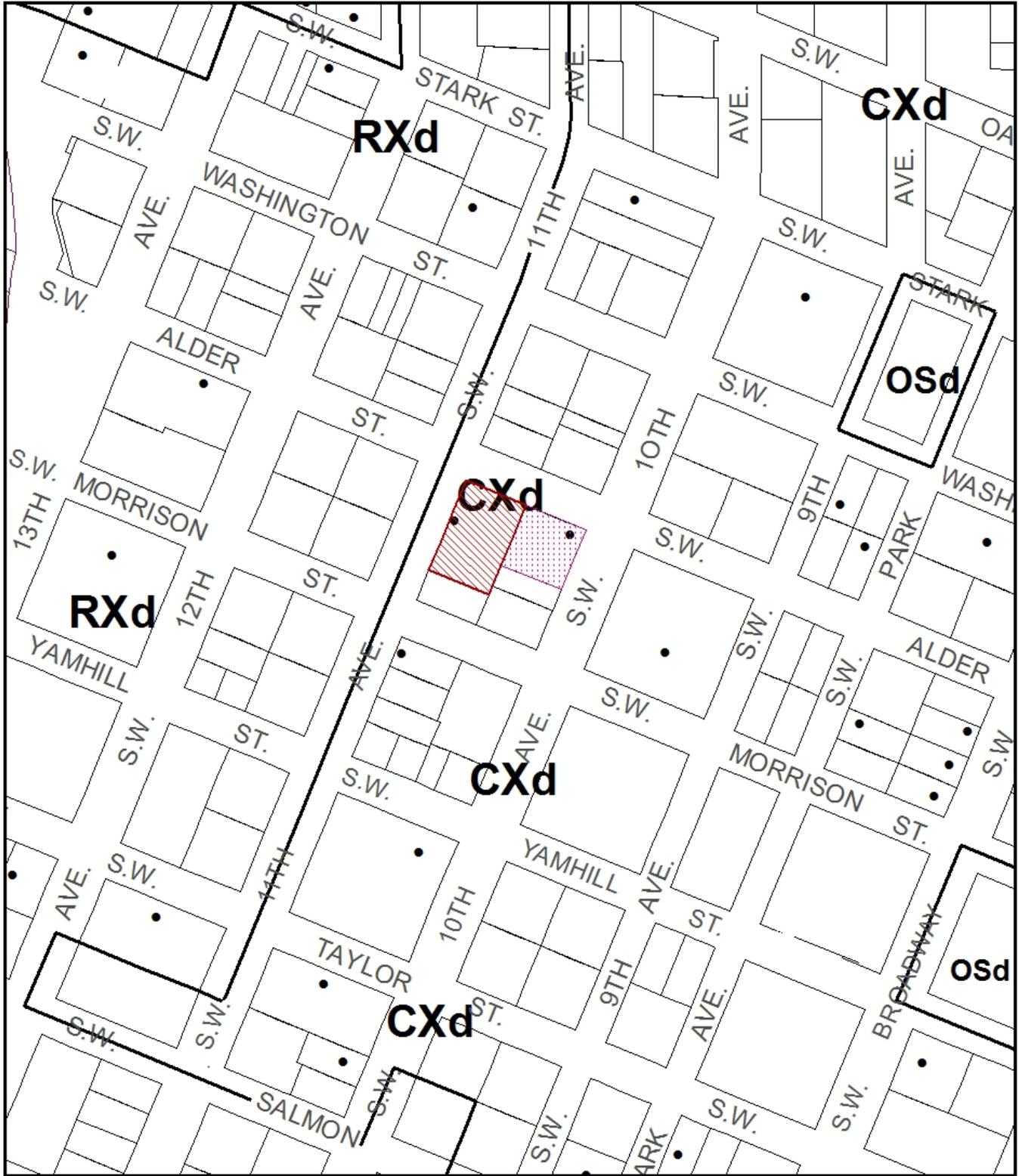
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Materials
 - 1. Applicant's Statement
 - 2. Request for Extension of 120-Day Review Period
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Index and Site Plan (attached)
 - 2. Nighttime Perspective Renderings (attached)
 - 3. Plan
 - 4. Partial Building Elevation (attached)
 - 5. West and North Canopy Elevations (attached)
 - 6. South Elevation
 - 7. Longitudinal Section
 - 8. Details
 - 9. Sign Details
 - 10. LED Product Information
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Water Bureau
 - 2. Fire Bureau
 - 3. Site Development Review Section of BDS
 - 4. Life Safety Review Section of BDS
- F. Correspondence: none
- G. Other:
 - 1. Original LU Application

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



ZONING

-  Site
-  Also Owned
-  Historic Landmark



This site lies within the:
CENTRAL CITY PLAN DISTRICT
DOWNTOWN

File No.	LU 13-105640 HDZ
1/4 Section	3028
Scale	1 inch = 200 feet
State_Id	1N1E33DD 4300
Exhibit	B (Jan 17, 2013)

LAND USE APPLICATION LU 13-105640 HD2

GOVERNOR HOTEL ENTRY CANOPY

614 SW 11TH AVE. PORTLAND, OR 97205

CLIENT:
Portland Governor Hotel Acquisition, LLC

614 SW 11th Ave Portland, OR 97205

Contact:

Ronda J. Tyrrell

ph. (480) 556-8313

rtyrrell@woodbinesouthwest.com

ARCHITECT:
C2K ARCHITECTURE INC.

107 SE Washington St #740 Portland, OR 97214

Contact:

Katalin Czege

ph. (504) 444-2223

kczege@c2karch.com

STRUCTURAL:
HAYDEN CONSULTING ENGINEERS

12480 SW 68th Ave. Tigard, OR 97223

Contact:

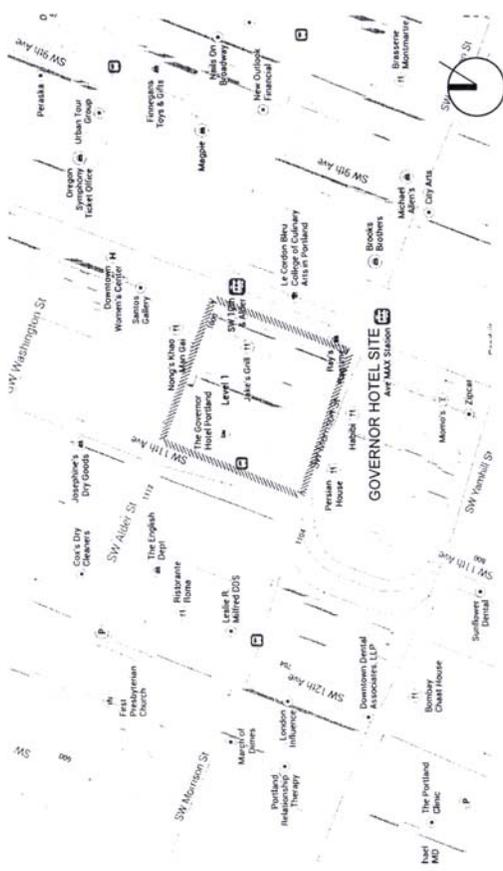
Darron R. Hayden, P.E., S.E.

ph. (503) 968-9994

dhayden@hayden-engineers.com

DRAWING INDEX:

- AX100 COVER
- AX200 RENDERINGS
- AX300 PLAN
- AX400 BUILDING ELEVATION, WEST
- AX401 ELEVATIONS, NORTH & WEST
- AX402 ELEVATION, SOUTH
- AX500 SECTIONS
- AX600 DETAILS
- AX700 LIGHTING & SIGNAGE
- AX800 LIGHTING CUTSHEET



CLIENT INFORMATION:
GOVERNOR HOTEL
614 SW 11TH AVE.
PORTLAND OR 97205

MANAGING PRINCIPAL:
KEVIN SAUSER

PROJECT MANAGER:
KATALIN CZEGE

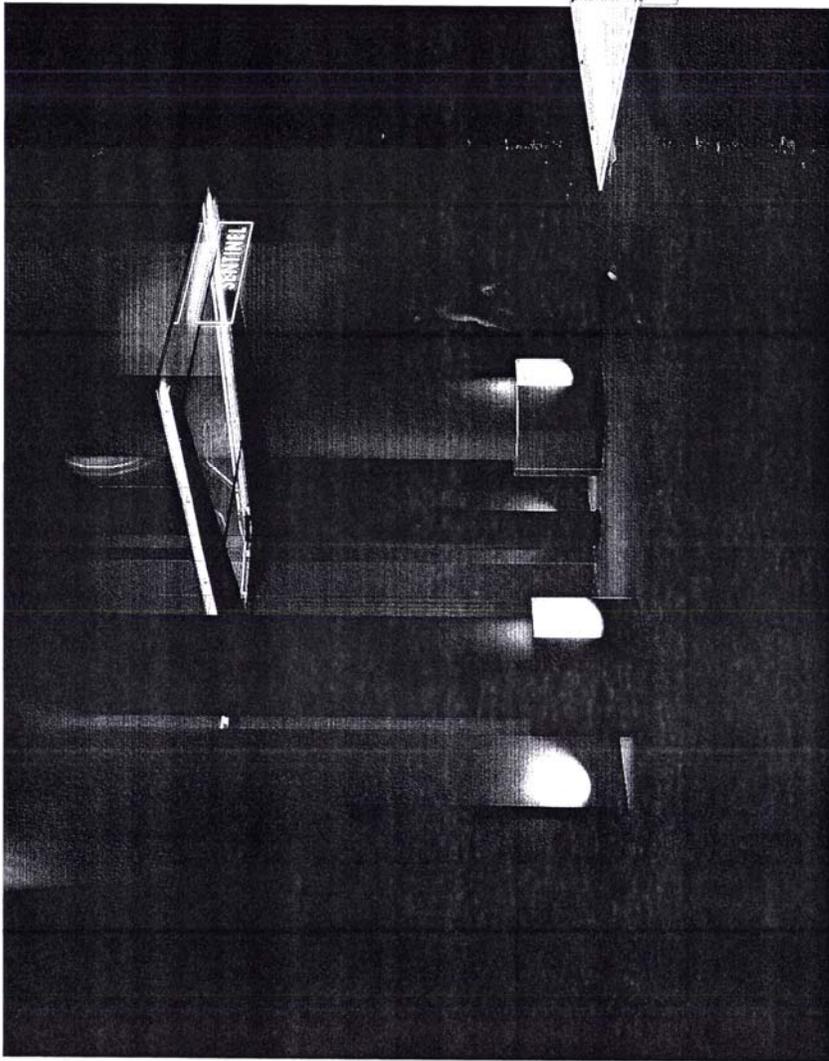
JOB NO: 12139

DATE:	08/20/2013
REVISION:	
APPROVED:	<i>[Signature]</i> Date: 9.27.13
City of Portland - Bureau of Development Services	
This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.	

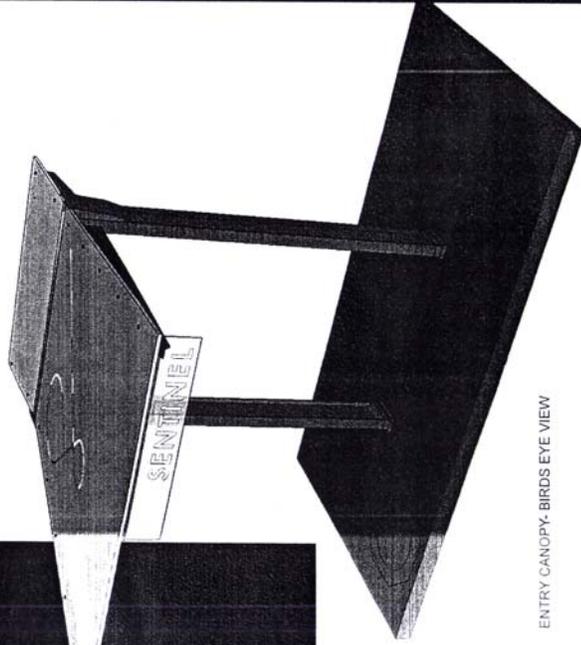
SHEET TITLE:
COVER

SHEET NO:
AX100

C-1



ENTRY CANOPY AT NIGHT



ENTRY CANOPY- BIRDS EYE VIEW



ARCHITECTURE INC

107 SE WASHINGTON ST # 740
 PORTLAND, OR 97204
 TEL: 503.444.2000

CLIENT INFORMATION:
 GOVERNOR HOTEL
 614 SW 11TH AVE.
 PORTLAND OR 97205

MANAGING PRINCIPAL:
 KEVIN SAUSER
 PROJECT MANAGER:
 KATALIN CZESE
 JOB NO: 12139

DATE:
 08/20/2013
 REVISION:

"Approved"
 City of Portland - Bureau of Development Services
 Planner: *Dave Hickey*
 Date: 9.24.13
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

SHEET TITLE:
 RENDERING
 SHEET NO:
 AX200



ARCHITECTURE INC

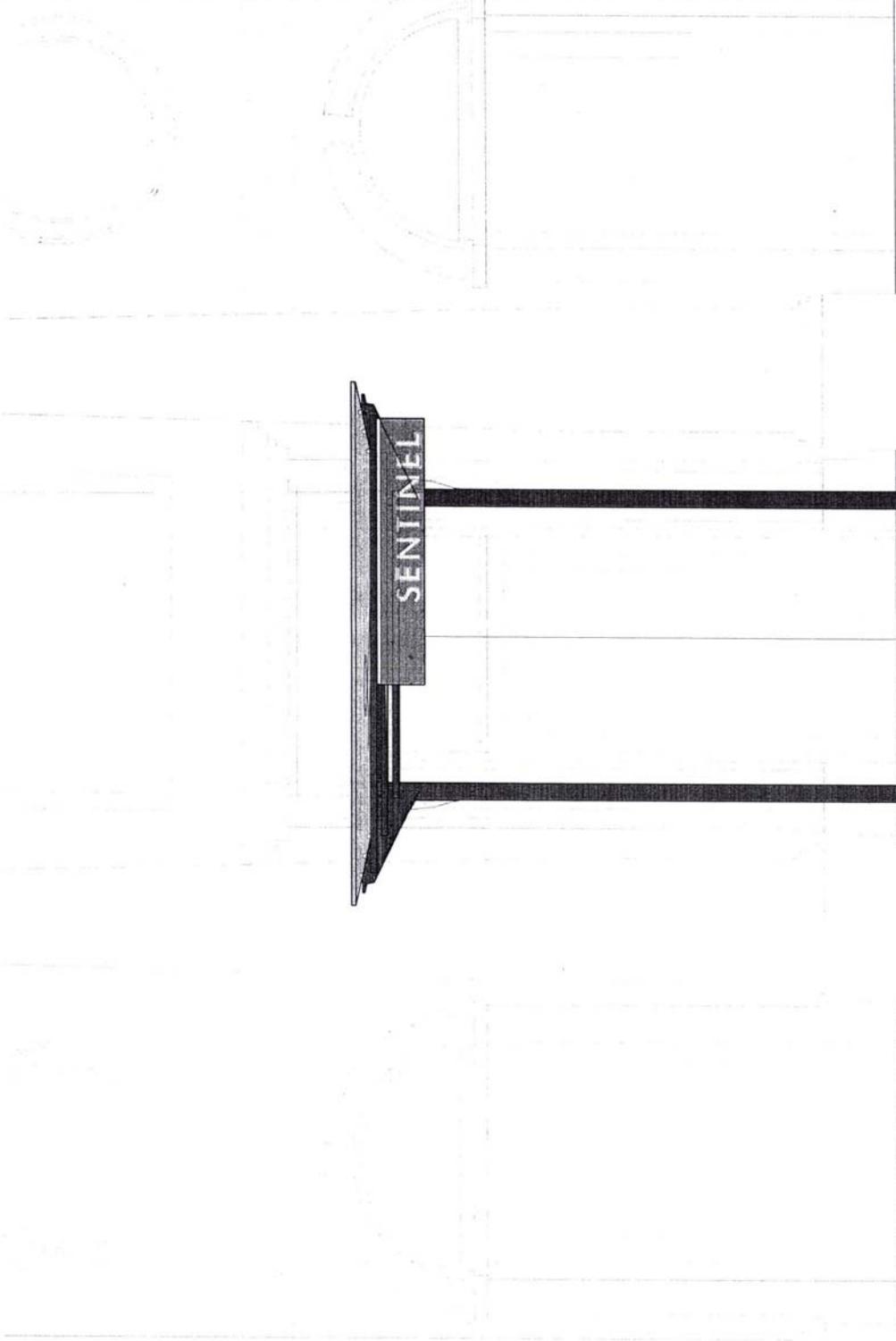
107 SE WASHINGTON ST # 740
PORTLAND OR 97214
T: 503.441.2000

CLIENT INFORMATION:
GOVERNOR HOTEL
614 SW 11TH AVE.
PORTLAND OR 97205

MANAGING PRINCIPAL:
KEVIN SAUSER
PROJECT MANAGER:
KATALIN GZEGE
JOB NO: 12139

DATE: 08/20/2013	*Approved* City of Portland - Bureau of Development Services <i>Dave Johnson</i> Date: 9.24.13
REVISION:	

SHEET TITLE:
BUILDING ELEVATION
SHEET NO:
AX400



NOTE: SEE MATERIAL ANNOTATIONS AX402

4-4

1
AX400
BUILDING ELEVATION, WEST
1/2" = 1'-0"



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



127 26 WASHINGTON ST # 740
 PORTLAND, OR 97205
 T: 503-444-2000

CLIENT INFORMATION:
GOVERNOR HOTEL
 614 SW 11TH AVE.
 PORTLAND OR 97205

MANAGING PRINCIPAL:
KEVIN SAUSER

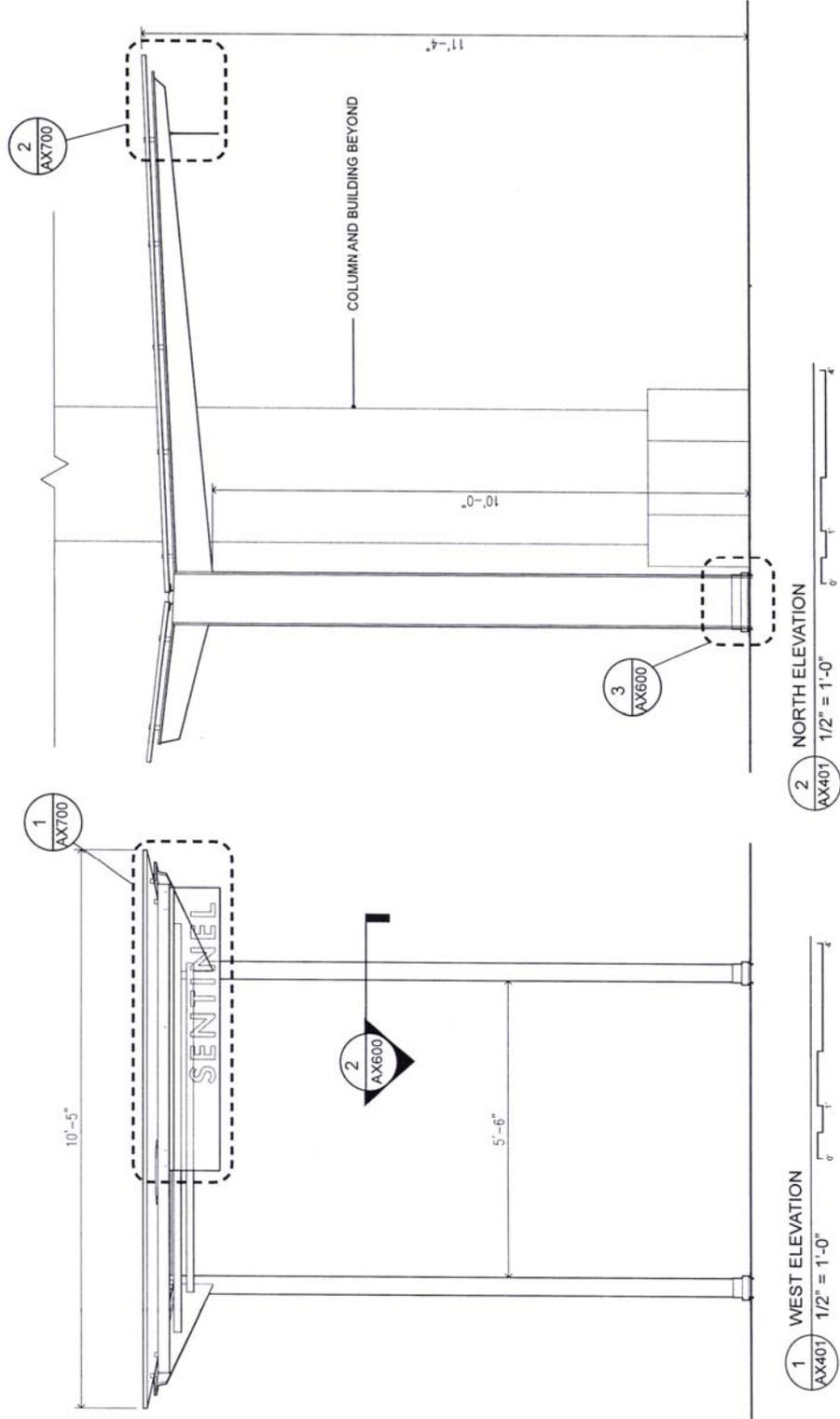
PROJECT MANAGER:
KATALIN GZEGE

JOB NO: 12139

DATE: 08/20/2013	REVISION:	*Approved* <i>Kevin Sauser</i> Date: 9.24.13	* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.
---------------------	-----------	--	---

SHEET TITLE:
ELEVATIONS

SHEET NO.
AX401



NOTE: SEE MATERIAL ANNOTATIONS AX402

C-5