



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

Amanda Fritz, Commissioner
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Date: May 1, 2015
To: Interested Person
From: Benjamin Nielsen, Land Use Services
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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 mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 15-129945 HR – WINDOW REPLACEMENT

GENERAL INFORMATION

Applicant / Representative: Meg Matsushima | Hennebery Eddy Architects Inc
921 SW Washington, Ste 250 / Portland, OR 97205

Owner's Representative: Greg Hockert | Multnomah County (Library Admin)
401 N Dixon St / Portland, OR 97227-1865

Site Address: 205 NE RUSSELL ST

Legal Description: BLOCK 17 LOT 21-25 EXC PT IN ST LOT 26 EXC PT IN STS, ALBINA
Tax Account No.: R009605980
State ID No.: 1N1E27AD 17200
Quarter Section: 2730
Neighborhood: Eliot, contact Mike Warwick at 503-284-7010.
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-841-5032.
District Coalition: Northeast Coalition of Neighborhoods, contact info@necoalition.org

Plan District: Albina Community
Other Designations: Eliot Conservation District
Zoning: RH – High Density Residential
Case Type: HR – Historic Resource Review
Procedure: Type II – an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicant requests historic resource review for the Isom Building, located at 205 NE Russell Street in the Elliot Conservation District, to replace fourteen steel frame, single pane windows on the south and west elevations of the second floor. Replacement windows are proposed to be aluminum frames with a clear anodized finish, with double pane, insulated glazing units that are similar in scale and detail to the existing painted steel frame windows. All

fourteen windows are approximately 2'-8" wide x 8'-9" tall. The existing six south facing windows have a single panel of glass with no mullions, while the existing eight west elevation windows have three horizontal mullions that divide the window into four panels. The replacement windows will be similar to the two existing window types: the new windows will use the same style frame and add only a single mullion near the base.

Historic resource review is required since this proposal includes exterior alterations in a conservation district.

Relevant Approval Criteria:

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

- 33.846 Historic Resource Review
- Community Design Guidelines

ANALYSIS

Site and Vicinity: The subject site, the Isom Building, is a noncontributing, two-story, modern style office structure that was built during the 1960s as an addition to the landmark Albina Branch Library building. Both buildings are now home to the Multnomah County Library administrative offices. The Isom Building is constructed out of concrete, and the concrete columns and the concrete slab edges (or beams) of the second floor and the base of the roof are expressed on the exterior facades. Between each concrete column, a concrete infill wall is recessed, and two vertical steel windows, one at each end of the bay, sit adjacent to the columns. Above, the parapet is covered with standing seam metal coping with a reveal between the coping and the slab edge below. The building is set back approximately 42 feet from NE Russell Street [*Neighborhood Collector Street, Transit Access Street, Local Service Walkway (Eliot Pedestrian District), City Bikeway, Minor Emergency Response Street*] and approximately 125 feet from NE Rodney Ave [*Local Service Walkway (Eliot Pedestrian District), Minor Emergency Response Street*]. Parking lots occupy both setbacks.

Directly across NE Russell Street lie three contributing streetcar commercial style buildings, including the landmark Hibernian Hall building—currently home to the Wonder Ballroom. Directly across NE Rodney Avenue lies an electrical substation. Further to the east on NE Russell Street are several more streetcar commercial style buildings, though the street overall is interspersed with parking lots and noncontributing structures of a more modern vintage.

Zoning: The High Density Residential (RH) is a high density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will range from 80 to 125 units per acre. Allowed housing is characterized by medium to high height and a relatively high percentage of building coverage. The major types of new housing development will be low, medium, and high-rise apartments and condominiums. Generally, RH zones will be well served by transit facilities or be near areas with supportive commercial services. Newly created lots in the RH zone must be at least 10,000 square feet in area for multi-dwelling development. There is no minimum lot area for development with detached or attached houses or for development with duplexes. Minimum lot width and depth standards may apply.

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.

The Albina Community Plan District implements the Albina Community Plan. The plan district's provisions are intended to ensure that new higher density commercial and industrial developments do not overwhelm nearby residential areas. Infill housing compatibility and affordability is encouraged by eliminating off-street parking requirements for small multi-dwelling projects. The plan district's provisions also encourage the development of new housing along Martin Luther King Jr. Boulevard by allowing new housing projects to include ground level commercial uses that orient to King Boulevard.

The Eliot Conservation District denotes an area with common historic values significant to the neighborhood and seeks to contribute to the preservation of significant features of Portland's development history. New development and exterior modifications to existing development must meet the Community Design Standards (Chapter 33.218) or are subject to historic design review.

Land Use History: City records indicate the following land use reviews:

- LU 99-017189 (Ref # LUR 99-008785): Approval of a proposal to place new mechanical equipment on the roof on the existing building.
- LU 15-129936 HR: Concurrent historic resource review for proposed addition of exterior stairs. This review is still pending.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **March 19, 2015**.

The following Bureaus have responded with no issues or concerns:

- The Life Safety Section of BDS responded with the general life safety comments. Please see Exhibit E-1 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 19, 2015. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846.060 - Historic Resource Review

Purpose of Historic Resource Review

Historic Resource Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Resource Review Approval Criteria

Requests for Historic Resource Review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is located within the Eliot Conservation District and the proposal is for a non-exempt treatment. Therefore Historic Resource Review approval is required. The approval criteria are the *Community Design Guidelines*.

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

Community Design Guidelines

P1. Plan Area Character. Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and traditions.

Findings: The Isom Building is a noncontributing building within the Eliot Conservation District, with no relation to the district's historic character. The replacement aluminum windows will be installed within existing window openings on the second story and will closely match the existing steel windows in terms of the frame profile and glass depth, resulting in a neutral impact to the district.

Therefore, this guideline is met.

P2. Historic and Conservation Districts. Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area's historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

D7. Blending into the Neighborhood. Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

Findings for P2 & D7: As a noncontributing, 1960s modern structure within the conservation district, the Isom Building shares no architectural features found in nearby commercial buildings or houses. In order to minimize potential visual impacts to the district, the replacement windows are consistent with the existing architectural character of the building. The new aluminum windows will be installed within the existing openings and will closely match the existing steel windows in terms of frame profile and depth of glass in relation to the building façade.

Therefore, these guidelines are met.

D5. Crime Prevention. Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

Findings: The replacement windows will maintain the same level of transparency and visual connection between the building occupants and the site, sidewalk, and street. Security levels for building occupants should, therefore, remain the same as they are currently.

Therefore, this guideline is met.

D6. Architectural Integrity. Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings for D6 & D8: The proposal calls for the replacement of existing vertical steel windows with nearly identical aluminum windows. Each window will be 8'-9" tall and 2'-8" wide to fit within the existing window bays on the south and west facades. Each will have a 2" aluminum frame. A single 2" aluminum mullion will be located 12" from the base of each window. This mullion is located in the same position as the low mullion the existing west-facing windows. Though this particular design is not currently represented on the building, it is nonetheless compatible with the existing building's style and, perhaps, represents a clearer expression of the windows' necessary structure, separating tempered glazing from un-tempered, much like the building expresses its simple structure on the exterior.

Therefore, 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 proposal to replace existing steel frame windows with new aluminum frame windows of very similar design will integrate well with the existing architecture and detailing of the noncontributing building in the Eliot Conservation District and will be of lasting quality.

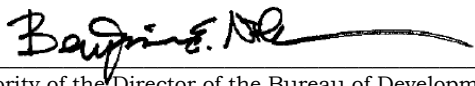
The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of new aluminum frame windows with a single 2" mullion approximately 12" from the window base and located on the western and southern building facades, per the approved site plans, Exhibits C-1 through C-3, signed and dated 04/27/2015, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-3. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-129945 HR. No field changes allowed."

Staff Planner: Benjamin Nielsen

Decision rendered by:  **on April 27, 2015.**
By authority of the Director of the Bureau of Development Services

Decision mailed: May 1, 2015

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

Procedural Information. The application for this land use review was submitted on March 10, 2015, and was determined to be complete on March 16, 2015.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on March 10, 2015.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: July 14, 2015.**

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

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

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

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

Appealing this decision. This decision may be appealed to the Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on May 15, 2015** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th 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, Oregon 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 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 **May 18, 2015 – (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.

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:

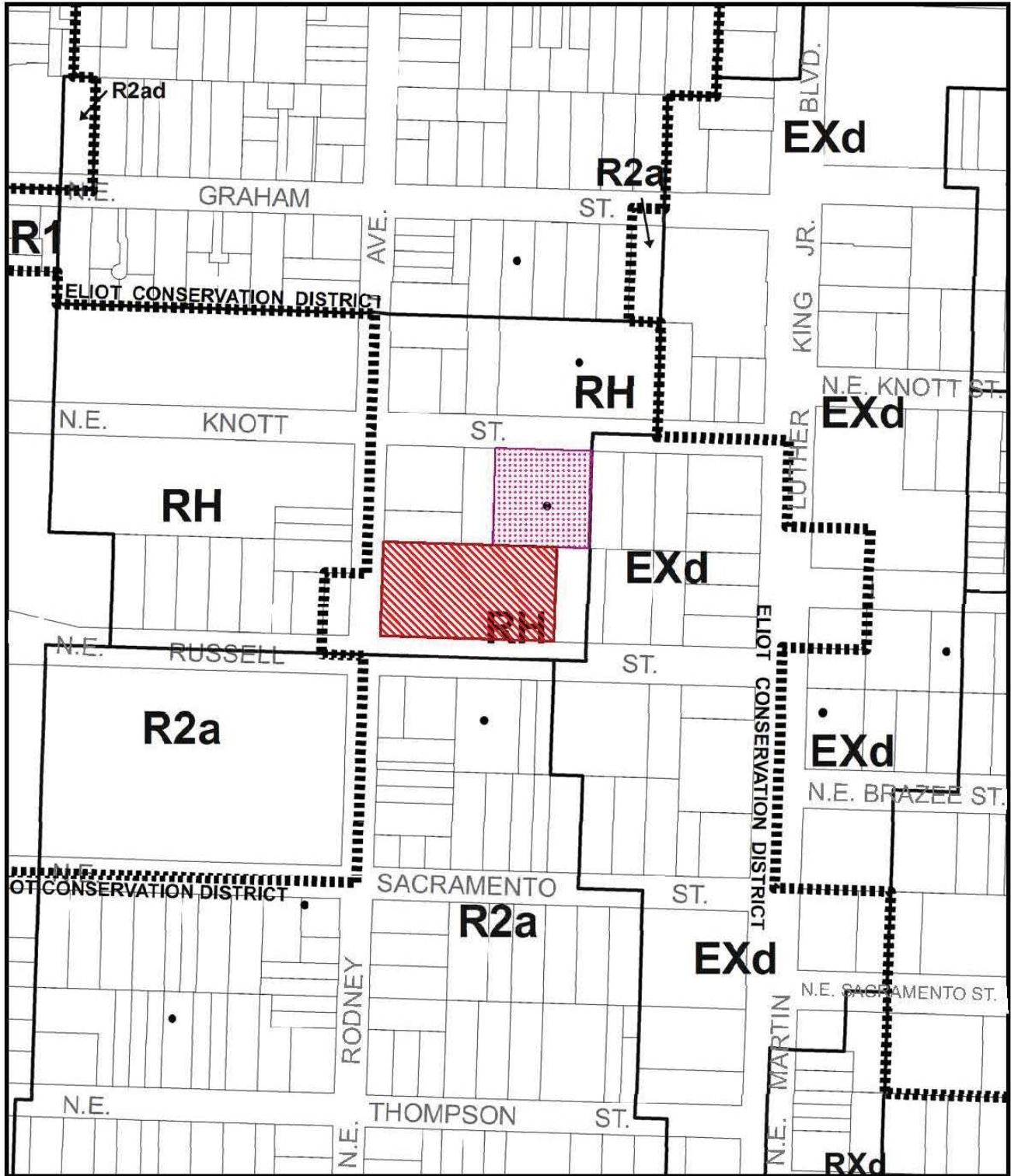
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevations (attached)
 - 3. Details (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Section of BDS
- F. Correspondence:
 - No comments were received.
- 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

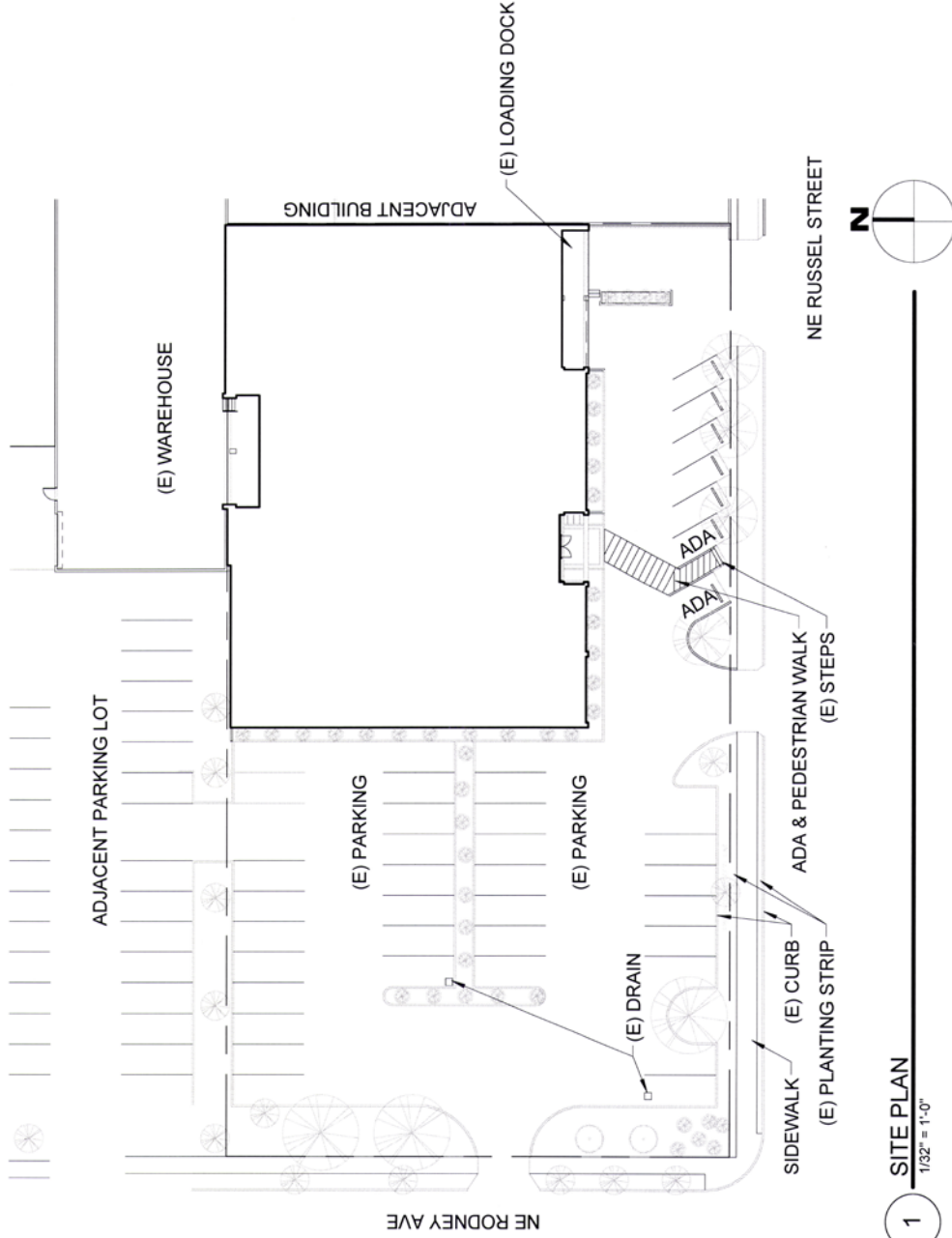


- Site
- Also Owned
- Historic Landmark



This site lies within the:
ALBINA COMMUNITY PLAN DISTRICT
ELIOT CONSERVATION DISTRICT

File No. LU 15-129945 HR
1/4 Section 2730,2830
Scale 1 inch = 200 feet
State_Id 1N1E27AD 17200
Exhibit B (Mar. 16, 2015)



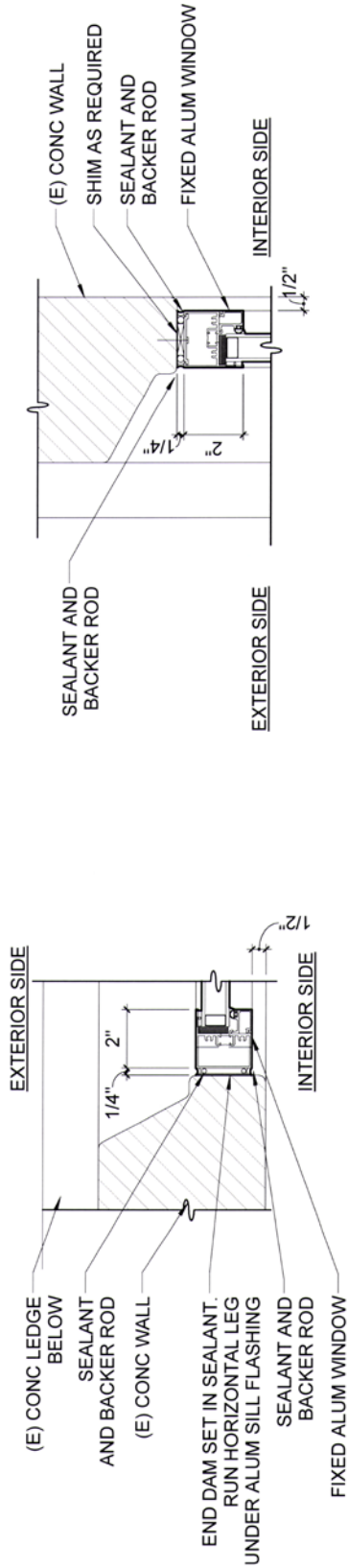
Approved
City of Portland
Bureau of Development Services
Planner *Erin E. Dick*
Date *04/27/2015*
* This approval applies only to the
reviews requested and is subject to all
Additional zoning requirements may apply

15-129945-HR

Exhibit C-1

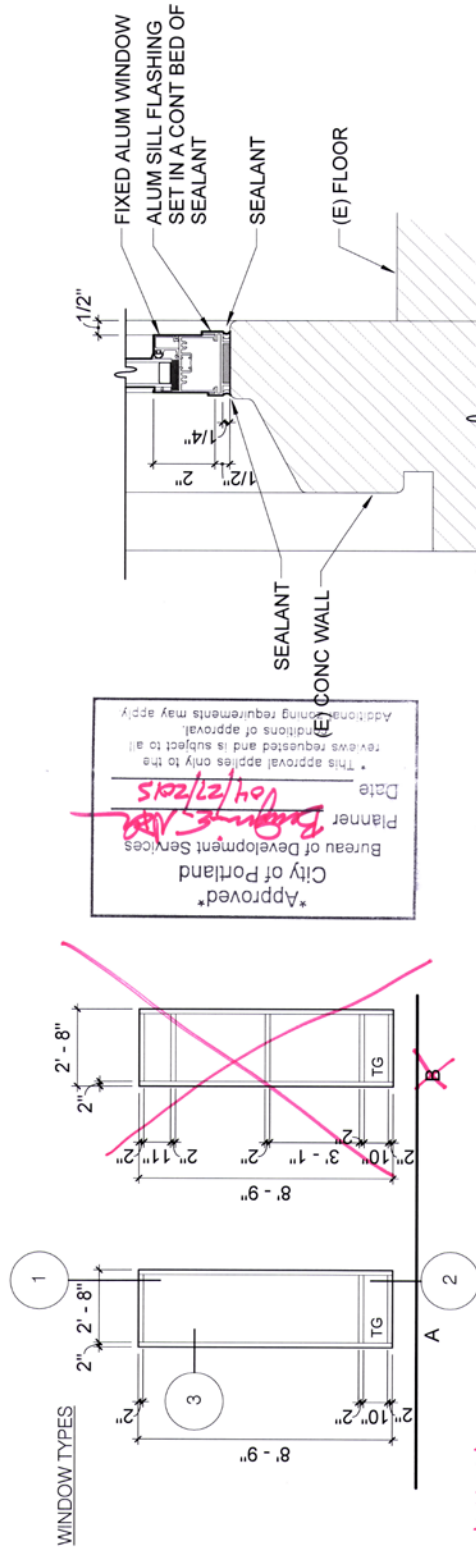


Approved
City of Portland
Bureau of Development Services
Planner *Burgess, Nick*
Date *04/27/2015*
* This approval applies only to the
revisions requested and is subject to all
conditions of approval.
Additional zoning requirements may apply.



1 WINDOW - HEAD
3" = 1'-0"

3 WINDOW - JAMB
3" = 1'-0"



2 WINDOW - SILL
3" = 1'-0"

4 DOOR & FRAME TYPES
1/4" = 1'-0"

15-129945-HR
Exhibit C-3