

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

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

FROM CONCEPT TO CONSTRUCTION

**Date:** March 2, 2016

To: Interested Person

From: Amanda Rhoads, Land Use Services 503-823-7837 / Amanda.Rhoads@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 mailed copy of this document is only a summary of the decision.

The reasons for the decision are included in the version located on the BDS website <u>http://www.portlandonline.com/bds/index.cfm?c=46429</u>. 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 15-251863 HR T-Mobile Storefront Remodel/Expansion on Electric Building

## **GENERAL INFORMATION**

Applicant:	April Thornton Fitch AAD 16435 N. Scottsdale Rd., Suite 195 Scottsdale, AZ 85254
Owner:	Electric Building LLC 621 SW Alder St #800 Portland, OR 97205
Representative:	Kerry Lobebestael Market Contractors 10250 NE Marx Street Portland, OR 97220
Site Address:	635 SW ALDER ST
Legal Description:	BLOCK 177 LOT 5&6, PORTLAND
Tax Account No.:	R667718180, R667718180, R667718180, R667718180, R667718180, R667718180, R667718180
State ID No.:	1N1E34CC 07000, 1N1E34CC 07000, 1N1E34CC 07000, 1N1E34CC 07000, 1N1E34CC 07000, 1N1E34CC 07000
Quarter Section:	3029
Neighborhood:	Portland Downtown, contact Rani Boyle at 503-725-9979.
<b>Business District:</b>	None
District Coalition:	Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District:	Central City - Downtown
Other Designations:	Historic Landmark – The Electric Building, individually listed in the
	National Register of Historic Places on January 23, 1989
Zoning:	CXd – Central Commercial with "d" Design Overlay Zone
Case Type:	HR – Historic Resource Review

#### **Procedure:**

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

#### **Proposal:**

The applicant seeks Historic Resource Review approval for storefront alterations resulting from an expansion of a T-Mobile retail store into the southwest corner of the Electric Building, a National Historic Landmark originally constructed in 1910 in downtown Portland.

**Storefront Changes:** The proposed alterations include relocating the existing tenant entry door from the south façade to the west. The existing recessed entry on the south elevation will be replaced with storefront glazing flush with the rest of the system. A recessed corner will be removed by extending the line of the building wall back to the existing column. Further, the two storefront bays on the west façade and the west-most bay on the south façade are proposed to be made taller, from 6 feet, 3.75 inches to approximately 8 feet, 8 inches. The proposed black anodized aluminum storefront system matches the existing system in the southwest corner of the Electric Building.

**Signs and Awnings:** Four new awnings are proposed at 3 feet deep, located above each of the storefront bays, each with a sign on the valence measuring 3.4 square feet. The applicant proposes to remove an existing 24-square-foot internally illuminated T-Mobile sign above the existing T-Mobile entry. A new non-illuminated aluminum blade sign with push-through acrylic letters is proposed on the column on the south façade measuring 3 square feet. Finally, on the new main entrance on the west façade, the applicant proposes two new vinyl door graphics, each measuring .375 square feet.

#### **Relevant Approval Criteria:**

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

- Central City Fundamental Design Guidelines Downtown
- 33.846.060.G Other Approval Criteria

## ANALYSIS

**Site and Vicinity:** The site is the Electric Building, a nine-story structure with reinforced concrete framing clad in brick and a sheet metal cornice and decoration, executed in the 19<sup>th</sup>- and 20<sup>th</sup>-century American Movement "Commercial Style." The building occupies a 100' x 100' site at the northeast corner of SW Broadway and Alder Street. Completed in 1910, the building was constructed for the Portland Railway, Light & Power Company for offices and its downtown power-generating station. The station provided direct electrical current for downtown buildings and for the streetcars operated by the company. The building is most significant under National Register Criterion "C" as a work by prominent Portland architects Edgar M. Lazarus and Carl L. Linde. The building is also significant under Criterion "A" for its association with the Portland Railway, Light & Power Company.

When first constructed, the power generators occupied the west 60 feet of the basement, ground floor, and second floor in a large three-story open space. The power station was visible and audible from the sidewalks surrounding the Electric Building. The eastern 40 feet of the first floor contained the entrance lobby, an electric store selling light bulbs and electric appliances, a cashier's window were customers could pay their electric bills, and offices for "solicitors" who signed up electric service customers. The second floor contained a display room for electric appliances. Offices for the Portland Railway, Light & Power Company were located on the third floor, and the fourth through ninth floors contained offices leased to various tenants.

Originally, the first two floors had arched openings sheathed in unglazed, buff-colored, rusticated terra cotta. Ornamented keystones projected from various voussoirs at the head of each arch. A belt course of ornamental sheet metal separated the terra cotta base of the building from the brick-clad upper floors. At the top of each of the six brick piers dividing the

window bays of the upper floors, there is a cartouche ornament of terra cotta. Surmounting the building is a wide projecting cornice of sheet metal ornamented with dentils and moldings. When constructed, the building had 1,100 light bulbs installed in sockets at the cornice and belt courses and in the brick piers. The sockets are no longer functional.

In June 1941, the power station was removed and the space it had occupied was remodeled into basement, street-level, and second-floor retail space. The rusticated terra cotta and the arches were replaced with rectangular window openings, and a new front of ceramic veneer was installed. Major alteration of the first three floors was executed in the 1940's by the Portland architecture firm of A.E. Doyle & Associates. Numerous minor changes to the storefronts have since been made.

In regard to the building's modern-day context, the surrounding area comprises the retail core of downtown Portland. The Electric Building is located on SW Broadway, which contains many of downtown Portland's prominent hotels, theaters, restaurants, historic buildings, as well as jewelry, clothing, and other retail shops. Macy's Department Store at Meier & Frank Square is located about 200 feet southeast of the Electric Building, and the downtown Nordstrom department store is located about 300 feet to the southwest. The building is located in the Downtown Pedestrian District and the Broadway Unique Sign District.

**Zoning:** The <u>Central Commercial</u> (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 <u>"d" overlay</u> promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review.

The <u>Historic Resource Protection</u> overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

The <u>Central City Plan District</u> implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the Downtown Subdistrict of this plan district.

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

- **LU 11-113753 HDZ**, Historic Design Review approval for a new uplit marquee sign above the Packouz Jewelers retail tenant entry on the SW Broadway façade;
- **LU 08-103155 HDZ**, Historic Design Review approval for a new internally illuminated sign for Mailbox Plus, a retail tenant in the easternmost space on the SW Alder Street façade;
- **LU 05-111527 HDZ**, Historic Design Review approval for new signage for Money Mart check-cashing store, at the easternmost storefront bay on the SW Alder St façade;
- **LU 02-142251 HDZ**, Historic Design Review approval for new signage for T-Mobile cell phone store, the third storefront bay from the east, on the SW Alder St façade;

- **LU 98-016094 DZ (reference file # LUR 98-00788 DZ)**, Historic Design Review approval for storefront renovation for Shutterbug Camera store, the storefront bay at the corner of SW Alder St and Broadway;
- LU 96-013132 DZ (reference file # LUR 96-00245 DZ): Design Review approval for canvas awning with signage at a ground-floor storefront bay;
- **LU 93-010386 DZ (reference file # LUR 93-00387 DZ)**: Design Review approval for storefront renovation for new stucco treatment and signage for Blimpie sandwich shop on SW Broadway façade;
- **LU 92-009362 DZ (reference file # LUR 92-00243 HL DZ)**: Design Review approval for storefront renovation for Packouz Jewelers, the middle storefront bay on the SW Alder St façade; and
- **HL 47-88**, historic landmark designation for the Electric Building.

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **January 21, 2016**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services (Exhibit E.1);
- Bureau of Transportation (Exhibit E.2);
- Water Bureau (Exhibit E.3);
- Fire Bureau (Exhibit E.4);
- Site Development Section of BDS (Exhibit E.5); and
- Bureau of Parks-Forestry Division (Exhibit E.6).

The Life Safety (Building Code) Plans Examiner noted a number of building code standards which must be verified at time of permit.

**Neighborhood Review:** No written responses were 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.

## 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.
- **2. Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.
- **9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.

Findings: The first two levels of the building were substantially altered in the 1940s when the power station was removed and new main, second and third levels were created. The original arched windows and terra cotta materials were replaced with rectangular openings and a ceramic veneer. No original materials remain on the first two levels and substantial remodeling of the various storefronts on the west and south sides has occurred over the years. The proposal to fill in the recessed area behind the corner column with new storefront and a new main entry to the corner tenant, with new storefront areas, will therefore not alter the historic character of the building.

The historic resource will remain a physical record of its time and place. The changes will remove an inset entry that was added several decades ago, and bring the storefront back out to the column at the southwest corner of the property. While none of the material evident on the first two stories is original to the resource, the removal of the inset corner nevertheless will be more consistent with the historic development pattern. Removal of proposed changes in the future would not impact the form and integrity of the historic resource. These criteria are met.

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

Findings: Though the 1940s changes to the first several stories were carried out by well-known Portland architecture firm of A.E. Doyle & Associates, the changes have not acquired historic significance themselves due to ongoing alterations to the various storefronts on the ground floor. This criterion has been met.

- 4. Historic features. Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.
- **5.** Historic materials. Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.
- 6. Differentiate new from old. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.

Findings: Existing historic materials on the structure will not be affected through the proposed alterations, which will be limited to the first floor where no original historical materials remain. Chemical or physical treatments, such as sandblasting which could cause damage to historic materials, will not be used. The changes will be differentiated from historic features through style and materiality. The aluminum storefronts will not be mistaken for historic materials given the material and style. The existing/proposed exterior finish of white silicone alkyd enamel is visually different from the historic brick façade of the upper levels. These criteria have been met.

- 7. 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.
- 8. 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: As stated above, no historic materials remain on the first level of the building. The collective work proposed to the Electric Building will greatly improve the SW Alder Street and SW Broadway façades at the pedestrian level both in terms of visual

connection as well as access and pedestrian comfort. The new double-door entryway facing SW Broadway will replace a non-ADA-compliant single entry door that provided access to the corner retail space. The existing T-Mobile recessed entrance on SW Alder will be replaced with new storefront that is flush with the existing storefront glazing.

The proposal calls for the removal of a large internally-illuminated sign over the existing T-Mobile entry along SW Alder and replacement of same with a new awning, bringing the total number of awnings in the review area from 3 to 4. This will improve the pedestrian environment and the rain protection provided in the area. The awnings are proposed at 3 feet deep, while the existing awnings are some 4 feet deep. A condition of approval will require the awnings to extend a minimum of 4 feet from the face of the building in order to provide better rain cover and match the depth of the existing awnings. The new blade sign at the corner of the building will better integrate with other buildings along SW Broadway, many of which have blade signs.

The proposal will increase the existing glazing from 440 square feet to 546 square feet by extending the storefronts on the expansion area up to match the 8-foot, 8-inch height of the existing storefront of the T-Mobile retail area. While the black color of the storefront system does not match the other storefronts on the building, which are various, it does match the existing T-Mobile storefront system, some of which will be retained. With the lack of uniformity on the adjacent storefront systems, and the coordination with the proposed black awnings, the black storefront color is an appropriate choice.

The proposal to replace the existing rough aggregate white plaster lathe on the façade of the existing corner retail space with a sand-textured white silicone alkyd enamel will bring this area of the façade into alignment with the existing T-Mobile retail space and provide a cohesive look with the adjacent ground floor and second level tenants, in an effort to have a more unified experience at the pedestrian level for both street facing façades.

The proposed alterations preserve the form and integrity of the landmark resource while better unifying the north and the west façades. These alterations serve to directly strengthen the architectural aesthetics of the landmark building while indirectly improving the Downtown Sub-District of the Central City Plan District as well. With the conditions of approval to require the awnings to extend 4 feet out from the building and to mount the blade sign at the corner of the building, *these criteria can be met*.

#### **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 and the River District 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 are those developed to guide development throughout the Central City. They apply within the River District as well as to the other seven Central City policy areas. The nine goals for design review within the Central City 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 which is safe, humane and prosperous;
- **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.

**Findings:** The proposal to removed the recessed corner entry and bring the façade out to the corner, while replacing a large sign with a matching awning, will produce a unified street-facing façade at the southwest corner of the landmark and work to unify the base of the building as a whole. *This guideline is met.* 

- **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.
- **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.
- **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.
- **B7.** Integrate Barrier-Free Design. Integrate access systems for all people with the building's overall design concept.

**Findings:** In expanding the storefront window systems on the west façade, the streetscape adjacent the building will be improved for pedestrian users. In addition to better unifying the west and south façades of the building, the proposed alterations also contribute to the SW Alder streetscape as a whole by providing improved architectural consistency regarding glazing and awnings for the building which in turn will provide improved pedestrian comfort and activity both inside the building and in the sidewalk right-of-way. Staff notes the four proposed awnings on the west and south façades. As awnings are a component of the approval criteria in that they protect the pedestrian, providing weather protection, the extension of these awnings at least 4 feet from the building wall has been added as a condition of approval.

- **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.

**Findings:** The area of work is on the first story of a landmark building whose bottom two floors were completely remodeled after the period of significance. The changes impact only non-original areas and update two retail spaces that were last updated several decades ago. The proposed storefront window system is black aluminum with clear glazing that will match, in design and installation, the system installed in the existing T-Mobile retail space. The new entryway and squared-off façade is more

appropriate for this historical building than the angled recessed entries at the corner and the current T-Mobile entrance.

This corner of the building will now have four awnings and a larger amount of glazing, with a corner blade sign instead of a large, internally-illuminated sign over the entry door. The new sign better fits the historic building and the placement complements other blade signs in the Broadway Unique Sign District. The materials proposed, including the aluminum, Sunbrella-type awning material, and enamel coating in the expansion area are high-quality and designed to be durable in various weather conditions over time. Neither the awnings nor the storefront system will cover up the projecting half-round bullnose horizontal detail that continues uninterrupted around the ground floor fascia. *These guidelines are met.* 

- **C13. Integrate Signs.** Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.
- **D3. Broadway Unique Sign District.** Provide opportunities for the development of large, vertically oriented, bright, and flamboyant signs that add to the unique character of this Broadway environment. Size and place signs and their structural support systems so that significant architectural or historical features of the building are not concealed or disfigured. Ensure that all signs receive proper maintenance.

**Findings:** The area in which the site is located is within the core downtown area, an urban pedestrian environment. The applicant's lease area is limited to the first story, so a larger corner blade sign mounted higher or vertically was not possible. Given this limitation, the 3-square-foot blade sign is appropriate for the corner retail tenant. The applicant proposed the sign on the pier along the SW Alder façade only, about 10 inches from the corner of the building. Since the first two floors of the building were extensively altered in the 1940s, this sign will not disrupt any architectural or historical features. The minimal vinyl signage on the four awnings and main entryway is appropriate in scale for its location. *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 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. The proposed storefront renovation respects the original building design by helping create a more unified ground floor façade and not damaging the building's historic structure or materials. With the conditions of approval that the blade sign be mounted at the corner of the building and the awnings extend a minimum of 4 feet from the building, the relevant approval criteria and design guidelines can be met and the proposal should be approved.

## **ADMINISTRATIVE DECISION**

Historic Resource Review approval of storefront alterations and new signs and awnings on the Electric Building, a Historic Landmark located in the Downtown Subdistrict of the Central City Plan District, as follows:

- **1. Storefront Changes** to include a new recessed, double-door main entry to the expanded retail space located on the west façade; bringing the line of the building out to the corner pier; removing the recessed entry on the south façade and replacing it with new storefront to match existing; and enlarging the window openings in the area of expansion to match the existing T-Mobile storefront system. The proposed black anodized aluminum storefront system matches the existing system in the southwest corner of the Electric Building.
- **2.** *Signs and Awnings:* Four new awnings above the storefront bays, each with a sign on the valence measuring 3.4 square feet; removal of an existing 24-square-foot internally illuminated T-Mobile sign above the existing T-Mobile entry on the south façade; new non-illuminated aluminum blade sign with push-through acrylic letters on the corner column measuring 3 square feet; and two new vinyl door graphics on the new main entrance on the west façade, each measuring .375 square feet.

Approval is per the approved plans, Exhibits C.1 through C.21, signed and dated February 29, 2016, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related condition B 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 15-251863 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The awnings shall be a minimum of 4 feet deep, measured from the building wall.

#### **Staff Planner: Amanda Rhoads**

#### **Decision rendered by:**

By authority of the Director of the Bureau of Development Services

#### Decision mailed: March 2, 2016

**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 October 16, 2015, and was determined to be complete on **January 19, 2016**.

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 October 16, 2015.

*ORS 227.178* states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: May 18, 2016.** 

#### 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.

on February 29, 2016

**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 March 16, 2016** 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 5<sup>th</sup> 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 <a href="https://www.portlandonline.com">www.portlandonline.com</a>.

**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 March 17, 2016 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
  - 1. Narrative (superseded)
  - 2. Plan Set (superseded)
  - 3. Specifications (superseded)
  - 4. Black and White Drawings (superseded)
  - 5. Response to Incomplete Letter, November 20, 2015
  - 6. Revised Black and White Drawings, November 20, 2015
  - 7. Revised Narrative, November 20, 2015
  - 8. Revised Specifications, November 20, 2015
  - 9. Revised Plan Set, November 20, 2015
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. South Elevation Detail (attached)
  - 3. West Elevation Detail (attached)
  - 4. Proposed Elevations Entire Building
  - 5. Storefront and Entrance Sections
  - 6. Additional Sections
  - 7. Floor Plan
  - 8. Sign Locations (attached)
  - 9. Sign and Awning South Elevation
  - 10. Sign and Awning West Elevation
  - 11. Sign and Awning Dimensions (attached)
  - 12. Awning Section Details

- 13. Blade Sign Elevations (attached)
- 14. Blade Sign Mounting Details
- 15. Blade Sign Section Details
- 16. Storefront Materials Image
- 17. Storefront Renderings
- 18. Day and Night Renderings
- 19. Door Vinyl Graphic
- 20. Storefront System Details and Sections
- 21. Enamel Specifications
- 22. Existing West Elevation
- 23. Existing South Elevation
- 24. Existing Building Sections
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Bureau of Transportation
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. Site Development Review Section of BDS
  - 6. Bureau of Parks, Forestry Division
  - 7. Life Safety (Building Code) Plans Examiner
- F. Correspondence: none received
- G. Other:
  - 1. Original Land Use Application and Receipt
  - 2. Incomplete Letter, November 12, 2015
  - 3. Early Assistance Summary Memo for EA 15-188930, August 4, 2015
  - 4. National Register of Historic Places Nomination Form for the Electric Building, January 23, 1989

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).



DOWNTOWN SUB DISTRICT

NORTH











