



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

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**Date:** December 30, 2021  
**To:** Interested Person  
**From:** Benjamin Nielsen, Land Use Services  
503-865-6519 / [Benjamin.Nielsen@portlandoregon.gov](mailto:Benjamin.Nielsen@portlandoregon.gov)

**NOTICE OF A TYPE Ix 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 <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 21-104539 HR**  
***NEW CALL BOX FOR THE SELLING BUILDING***

**GENERAL INFORMATION**

**Applicant:** Megan Crosby, Schlesinger Companies  
610 SW Alder St., Ste 1221  
Portland, OR 97205  
[megan.crosby@schlesingercos.com](mailto:megan.crosby@schlesingercos.com), (503) 223-4128

**Owner:** Ralph Schlesinger Company LLC  
610 SW Alder St #1221  
Portland, OR 97205-3613

**Site Address:** 610 SW ALDER ST

**Legal Description:** BLOCK 178 LOT 1-3 TL 8000, PORTLAND  
**Tax Account No.:** R667718220  
**State ID No.:** 1N1E34CC 08000  
**Quarter Section:** 3029 & 3129

**Neighborhood:** Portland Downtown, contact Wendy Rahm at [wwrahm@aol.com](mailto:wwrahm@aol.com)  
**Business District:** Downtown Retail Council, contact at [info@portlandalliance.com](mailto:info@portlandalliance.com)  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

**Plan District:** Central City - Downtown  
**Other Designations:** Historic Landmark, listed on the National Register of Historic Places – Known as the Selling Building

**Zoning:** CXd, Central Commercial (CX) with Design (d) and Historic Resource Protection overlays

**Case Type:** HR, Historic Resource Review  
**Procedure:** Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The applicant seeks Historic Resource Review approval to add a new call box and two card readers at the main entrance facing SW Alder to the Selling Building, a historic landmark, located in the Downtown Subdistrict of the Central City Plan District.

Historic Resource Review is required for non-exempt exterior alterations to a Historic Landmark per Portland Zoning Code (PZC) Section 33.445.140.A.

**Relevant Approval Criteria:**

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

The relevant approval criteria are:

- Zoning Code Section 33.846.060.G
- Central City Fundamental Design Guidelines

**ANALYSIS**

**Site and Vicinity:** The subject site is located in the Downtown Subdistrict of the Central City Plan District on the southwest corner of the SW 6<sup>th</sup> Avenue and SW Alder Street intersection. The site is developed with a 12-story building (the Selling Building) with retail space on the ground floor and office space above. The Selling Building was constructed in 1910 and is a designated Historic Landmark. The building design is in the early 20<sup>th</sup> century commercial style with elements of Italian Renaissance Revival. Alterations during the 1930s changed removed original glazed terra cotta from the ground level of the building and replaced it with polished granite cladding and detailing in the Art Deco style. Marble panels appear to be used at the main lobby entrance. The subject location of this review is at the building's main entry, facing SW Alder Street.

**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 Design overlay zone ensures that Portland is both a city designed for people and a city in harmony with nature. The Design overlay zone supports the city's evolution within current and emerging centers of civic life. The overlay promotes design excellence in the built environment through the application of additional design standards and design guidelines that:

- Build on context by enhancing the distinctive physical, natural, historic and cultural qualities of the location while accommodating growth and change;
- Contribute to a public realm that encourages social interaction and fosters inclusivity in people's daily experience; and
- Promotes quality and long-term resilience in the face of changing demographics, climate and economy.

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 Central City Plan District implements the Central City 2035 Plan. The regulations address the unique role the Central City plays as the region's premier center for jobs, health and human services, tourism, entertainment and urban living. The regulations encourage a high-density urban area with a broad mix of commercial, residential, industrial and

institutional uses, and foster transit-supportive development, pedestrian and bicycle-friendly streets, a vibrant public realm and a healthy urban river. 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 19-252364 HR: 2019 Historic Resource Review approval to remove a fabric sign element from the north façade.
- LU 13-123232 HDZ: 2013 Historic Design Review approval of new exterior signage under an existing canopy and removal of an existing fabric awning.
- LU 09-116229 HDZ: 2009 Historic Design Review approval for alterations to the ground level of the building.
- LU 07-151925 HDZ: 2007 Historic Design Review approval of two stainless steel eyebolts on the SW 6<sup>th</sup> Ave façade.
- LUR 96-00336 DZ: 1996 Design Review approval for a new awning and sign (Moonstruck).
- LUR 95-00688 DZ: 1995 Design Review approval for a new awning and sign (Payless Shoe Source).
- DZ 103-89: 1989 Design Review approval for storefront alterations.
- DZ 87-89: 1989 Design Review approval for storefront alterations.
- DZ 47-84: 1984 Design Review approval for storefront alterations.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on November 24, 2021. The following Bureaus have responded with no issues or concerns about the proposal:

- Site Development Section of BDS
- Bureau of Environmental Services
- Life Safety Review Section of BDS

The Bureau of Transportation Engineering responded with no objections to the proposal and with information about adjacent street classifications and Title 17 requirements. See Exhibit E.1.

The Fire Bureau responded with comments stating that all applicable Fire Code requirements will apply at permitting. See Exhibit E.2.

The Urban Forestry Division of Portland Parks & Recreation replied with no objections to the proposal and with information about tree plan requirements. See Exhibit E.3.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on November 24, 2021. 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/Conservation 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.

**Findings:** The addition of a call box and two card readers at the exterior entry will not alter the historic character of the building, and no historic materials or features of significance will be removed or significantly altered with this proposal.

*Therefore, this criterion is met.*

- 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.

**Findings:** The proposed call box and card readers will not create a false sense of historic development, and the neither will alter the building to the extent that it will lose a physical record of its time, place, and use.

*Therefore, this criterion is met.*

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

**Findings:** The proposed call box and card readers will not destroy or remove any changes to the building that have acquired historic significance.

*Therefore, this criterion is 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.

**Findings:** No deteriorated historic features are proposed to be repaired or removed as part of this proposal.

*Therefore, this criterion does not apply.*

- 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.

**Findings:** The proposed new call box will be installed adjacent to the nearby storefront entry doors to the building's main lobby. Nearly all conduit supplying power to the call box will be located on the building's interior, though a small portion will need to be placed on the building's exterior leading to the box. This will help to better preserve historic marble—precluding the need to drill a large conduit hole at eye level into the marble, which will become visible should the call box be removed in the future—and will not reduce the quality or cohesiveness of the entryway into the building.

Similarly, new card readers will be installed on the building's existing storefront doors at the lobby entrance, which is not composed of historic character defining material.

No other chemical or physical treatments are proposed that would cause damage to historic materials.

*Therefore, this criterion is met.*

- 6. Archaeological resources.** Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. When such resources are disturbed, mitigation measures will be undertaken.

**Findings:** The proposed call box and card readers will not disturb any archaeological resources that may remain on the subject site.

*Therefore, this criterion is 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.

**Findings:** As noted in the Findings for Criterion 1 above, the addition of a call box and card readers to the exterior entry will not alter the historic character of the building, and no historic materials or features of significance will be destroyed or altered with this proposal. These items are also clearly modern pieces of hardware that can be easily differentiated from historic materials.

*Therefore, this criterion is met.*

- 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.

- 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 8 & 10:** The proposed call box and card readers are small in scale relative to the overall landmark structure, making it a relatively insignificant alteration to the building's exterior. Their locations immediately adjacent to the main entry places them in an area where they will be most compatible with the historic resource and where they will have the least noticeable impact on the ground level of the building.

*Therefore, these criteria are met.*

- 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 proposed call box and card readers may be easily removed from the building in the future without damaging the essential form and integrity of the landmark building.

*Therefore, this criterion is 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.*

- C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.
- C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal’s architectural integrity.
- C5. Design for Coherency.** Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

**Findings for C2, C3, & C5:** The proposed new call box will be installed adjacent to the nearby storefront entry doors to the building’s main lobby. Nearly all conduit supplying power to the call box will be located on the building’s interior, though a small portion will need to be placed on the building’s exterior leading to the box. This will help to better preserve historic marble—precluding the need to drill a large conduit hole at eye level into the marble, which will become visible should the call box be removed in the future—and will not reduce the quality or cohesiveness of the entryway into the building.

Similarly, new card readers will be installed on the building’s existing storefront doors at the lobby entrance. These will fit on existing bronze mullions and will be colored a similar dark color, helping to fully integrate them with the existing entryway.

*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 requirements of Title 11 can be met, and that all development standards of Title 33 can be met or have received an Adjustment or Modification via a land use review, prior to the approval of a building or zoning permit.

## **CONCLUSIONS**

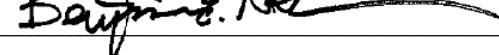
The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants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

## **ADMINISTRATIVE DECISION**

Approval of a new call box and two card readers at the main entrance facing SW Alder to the Selling Building, a historic landmark, located in the Downtown Subdistrict of the Central City Plan District, per the approved site plans, Exhibits C.1 through C.3, signed and dated 12/27/2021, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the four 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 21-104539 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

**Staff Planner: Benjamin Nielsen**

**Decision rendered by:**  **on December 27, 2021.**

By authority of the Director of the Bureau of Development Services

**Decision mailed: December 30, 2021.**

**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 November 8, 2021, and was determined to be complete on November 22, 2021.

*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 November 8, 2021.

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: March 22, 2022.**

**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.

**This decision, and any conditions associated with it, is final.** It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further 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](http://www.portlandonline.com).

**Recording the final decision.**

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

- *Unless appealed*, the final decision will be recorded after **December 30, 2021** by the Bureau of Development Services.

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

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



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

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

**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 for the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
  - 1. Narrative
  - 2. Entryway Perspective Diagram
  - 3. Call box cutsheet
  - 4. Revised Entryway Perspective Diagram
  - 5. Site Plan
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Entryway Perspective Diagram (attached)
  - 3. Call box cutsheet
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. PBOT
  - 2. Fire Bureau
  - 3. Urban Forestry
- F. Correspondence: *No correspondence was received.*
- G. Other:
  - 1. Original LU Application
  - 2. Email thread between original planner and applicant re: application, additional materials needed, and revisions requested, 11/18 – 12/10/2021

**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).**