



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

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Date: 12/5/2022
To: Interested Person
From: Tanya Paglia, 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 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 22-185223 HR – ORNAMENTAL METAL ROOF REPLACEMENT PROJECT

GENERAL INFORMATION

Owner/Applicant: Neil Lee | Chinese Consolidated Benevolent Association
315 NW Davis St | Portland, OR 97209
neil.lee@leekainc.com

Site Address: 317 NW DAVIS ST

Legal Description: BLOCK 27 W 30' OF LOT 1&4, COUCHS ADD
Tax Account No.: R180201950
State ID No.: 1N1E34CA 05200
Quarter Section: 3029

Neighborhood: Old Town Community Association, contact Jonathan Cohen at treasurer@pdxoldtown.org or Mary-Rain O'Meara at secretary@pdxoldtown.org

Business District: Downtown Retail Council, contact at lfrisch@portlandalliance.com & Old Town Community Association, contact at chair@PDXoldtown.org

District Coalition: Neighbors West/Northwest, contact Darlene Urban Garrett at darlene@nwnw.org

Plan District: Central City - Old Town/Chinatown
Other Designations: A contributing resource in both New Chinatown/Japantown and Skidmore/Old Town historic districts

Zoning: CXd – Central Commercial zone with Design and Historic Resource Protection overlays

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 for exterior alterations on the contributing building located at 315 NW Davis in both New Chinatown/Japantown and Skidmore/Old Town historic districts. The project will involve replacement of the ornamental metal tile portion of the roof located on a shed roof form at the south end of roof at the front of the building. The shed roof slopes southwards towards the front façade. The metal roof tiles will be replaced with similar aluminum roof tiles and painted green to match the historic roof.

Historic Resource Review is required because the proposal is for non-exempt exterior alterations in the New Chinatown/Japantown and Skidmore/Old Town historic districts.

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
- Skidmore/Old Town Historic District Design Guidelines
- Design Guidelines for the New Chinatown/Japantown Historic District

ANALYSIS

Site and Vicinity: The 3,000 SF site is located mid-block on the north side of NW Davis and bounded by NW 3rd and 4th to the east and west, respectively. The site is developed with a 11,520 SF building that houses the Chinese Consolidated Benevolent Association. The building was built in 1911 in the twentieth century commercial style and designed by the architect D. L. Williams. The four-story yellow brick building was constructed as a community center and school by the Chinese Consolidated Benevolent Association. The main entrance is through wrought-iron gates. The third and fourth floors have balconies with wrought iron balustrades and trim. A metal parapet with a quarter-round element in the center rises above a plain cornice. This property is located in both Skidmore/Old Town and New Chinatown/Japantown Historic Districts.

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

The historic resource overlay zone protects historic resources that have been identified as significant to the history of the city and region. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting education and enjoyment for those living in and visiting the region. The regulations foster awareness, memory, and pride among the region's current and future residents in their city and its diverse architecture, culture, and history. Historic preservation recognizes social and cultural history, retains significant architecture, promotes economic and environmental health, and stewards important resources for the use, education, and enjoyment of future generations.

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.

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

- 20-216362 HR – Rrepair and replacement of exterior elements.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **October 24, 2022**. The following seven Bureaus, Divisions and/or Sections responded with no objections and two of these included comments found in Exhibits E1-E2:

- Life Safety Division of the Bureau of Development Services (Exhibit E.1)
- The Bureau of Parks-Forestry Division (Exhibit E.2)
- Site Development Review Section of Bureau of Development Services
- Fire Bureau
- Bureau of Environmental Services
- Bureau of Transportation Engineering and Development Review
- Water Bureau

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on October 24, 2022. 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 New Chinatown/Japantown and the Skidmore/Old Town Historic Districts and the proposal is for a non-exempt treatment. Therefore Historic Resource Review approval is required. The approval criteria are:

- *New Chinatown/Japantown Historic District Design Guidelines*
- *Skidmore/Old Town Historic District Design Guidelines*
- *Central City Fundamental Design Guidelines.*

Design Guidelines for the New Chinatown/Japantown Historic District Design Guidelines, Skidmore/Old Town Historic District Design Guidelines and Central City Fundamental Design Guidelines

The New Chinatown/Japantown Historic District is a unique asset to Portland and has been recognized nationally by its placement on the National Register of Historic Places. There are certain procedures and regulations the City has adopted for the protection and enhancement of the New Chinatown/Japantown Historic District.

The Skidmore/Old Town Historic District is a unique asset to Portland and has been recognized nationally by its placement on the National Register of Historic Places. In addition, the Skidmore/Old Town Historic District has been identified as a National Landmark, of which there is only one other in Portland, Pioneer Courthouse. There are certain procedures and regulations the City has adopted for the protection and enhancement of the Skidmore/Old Town Historic District.

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

Central City Plan Design Goals

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.

Design Guidelines for the New Chinatown/Japantown Historic District

General Guidelines

- A1.** Integrate Authentic Chinese and/or Japanese Design Elements in Keeping with District Character.
- A2.** Use durable, high-quality materials and finishes.
- A7.** Minimize the visibility of rooftop mechanical equipment from the right-of-way.

Guidelines for alterations

- B1.** Retain and Repair Historic features and materials.
- B2.** Design alterations to be respectful of the original style, type and design of the building.

Skidmore/Old Town Historic District Design Guidelines

General Guidelines

- A4.** Select Historically Compatible, High Quality Materials with Finishes and Colors that are Appropriate to the District.

Guidelines for Alterations

- B1.** Respect the Building’s Historic Period, Style, Materials, and Details in the Design of Alterations.
- B2.** Preserve and Repair Historic Exterior Materials and Distinctive Details. Maintain the Vertical Lines of Columns and Piers, the Horizontal Definition of Spandrels and Cornices, and Other Primary Structural Elements.

Central City Fundamental Design Guidelines

- A5. Enhance, Embellish, and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area’s character. Identify an area’s special features or qualities by integrating them into new development.
- A6. Reuse/Rehabilitate/Restore Buildings.** Where practical, reuse, rehabilitate, and restore buildings and/or building elements.
- 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.

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.

C11. Integrate Roofs and Use Rooftops. Integrate roof function, shape, surface materials, and colors with the building’s overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City’s skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

Findings for NCJHD A1, A2, A7, B1, B2; SOTHDDGs A4, B1, B2; and CCFDGs A5, A6, B2, C2, C3, C5, C11: The project to replace an ornamental tile portion of the roof of a contributing resource in the New Chinatown/Japantown and Skidmore/Old Town historic districts will respect the building’s historic period, style, materials, and details. The roof field replacement will not alter the look of the roof design. It is a replacement of the original deteriorated roof field which has been determined to be beyond repair/restoration and must thus be replaced. The proposed alterations will help preserve a contributing resource, helping to maintain that resource’s longevity and ensure it continues to be part of the fabric of the New Chinatown/New Japantown and Skidmore/Old Town Historic Districts.

The renovation of the roof field will maintain all existing design elements and finishes. The metal roof tiles will be replaced with roof tiles with the same gauge metal as the original tiles and will be painted green to match the historic roof. Given the limited scope of the proposed alterations, the matching materials, and their location at the top of the building, the visual impact of the alterations from the public realm will be negligible.

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 is a necessary replacement of failing materials that will protect the building to help ensure it will continue to enrich the character of the New Chinatown/Japantown and Skidmore/Old Town historic districts. The alterations will be sensitive to the history and architecture of the existing building and will not diminish its historic character, nor that of the two districts. 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 replacement of the ornamental metal tile portion of the roof of a contributing building located at 315 NW Davis in both New Chinatown/Japantown and Skidmore/Old Town historic districts, per the approved site plans, Exhibits C-1 through C-3, signed and dated 11/30/2022, 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 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 22-185223 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: Tanya Paglia



Decision rendered by: _____ **on 11/30/2022**
By authority of the Director of the Bureau of Development Services

Decision mailed: 12/5/2022

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 September 21, 2022, and was determined to be complete on October 17, 2022.

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 September 21, 2022.

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: 2/14/2023.**

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, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received **by 4:30 PM on 12/19/2022**. **The completed appeal application form must be emailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for Office of Community and Civic Life recognized organizations for the appeal of Type II and IIX decisions on property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **12/19/2022** 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 of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal:
 - 1. Applicant's response to approval criteria
 - 2. Existing Roof Condition Survey
 - 3. Paint Selection Information
 - 4. Roof Tile Cut Sheets
 - 5. Alternative Roof Tile Cut Sheets
 - 6. Paint Product Specs
 - 7. Paint Product Specs
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. South Elevation, Building Section, Enlarged Floor Plan, Enlarged Ornamental Roof Plan (attached)
 - 3. Vicinity Plan and Plan Set Cover Page
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Division of the Bureau of Development Services
 - 2. The Bureau of Parks-Forestry Division
- F. Correspondence: No written responses received
- G. Other:
 - 1. Original LU Application
 - 2. Oregon Historic Site Record
 - 3. Incomplete Letter

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).