



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

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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** December 26, 2017  
**To:** Interested Person  
**From:** Emily Hays, Land Use Services  
503-823-5676 / [Emily.Hays@portlandoregon.gov](mailto:Emily.Hays@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 <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 17-270908 HR – ROOFTOP MECHANICAL**

#### **GENERAL INFORMATION**

**Applicant:** Brian Emerick | Emerick Architects  
Anne Marie Kuban | Emerick Architects  
321 SW 4th Avenue #200 | Portland, OR 97204

**Owner:** KPR Holdings LLC  
1314 NW Glisan Street | Portland, OR 97209

**Site Address:** **1314 NW Glisan Street**

**Legal Description:** BLOCK 89 LOT 8 HISTORIC PROPERTY 10 YR 2011 POTENTIAL ADDITIONAL TAX, COUCHS ADD

**Tax Account No.:** R180208170

**State ID No.:** 1N1E33DA 01000

**Quarter Section:** 3028

**Neighborhood:** Pearl District, contact [planning@pearldistrict.org](mailto:planning@pearldistrict.org).

**Business District:** Pearl District Business Association, contact Carolyn Ciolkosz at 503-227-8519.

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

**Plan District:** Central City - River District

**Other Designations:** Contributing Resource in the NW 13<sup>th</sup> Avenue Historic District

**Zoning:** **EXd** – Central Employment with Design & Historic Resource Protection Overlay

**Case Type:** **HR** – Historic Resource Review

**Procedure:** **Type II** - an administrative decision with appeal to the Landmarks Commission.

**Proposal:**

The applicant is seeking Historic Resource Review approval for rooftop mechanical equipment on a contributing resource in the NW 13<sup>th</sup> Avenue Historic District and the River Subdistrict of the Central City Plan District. Proposed changes include the replacement for 6 malfunctioning roof-mounted gaspacks with 6 new code-compliant gaspacks.

Historic Resource Review is required for non-exempt exterior alterations in the NW 13<sup>th</sup> Avenue Historic District.

**Relevant Approval Criteria:**

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

■ Central City Fundamental Design Guidelines

■ NW 13<sup>th</sup> Avenue Historic District Guidelines

## ANALYSIS

**Site and Vicinity:** The subject property is located at the southwest corner of the intersection of NW 13<sup>th</sup> Avenue and NW Glisan Street. NW 13<sup>th</sup> Avenue and NW Glisan are both designated as City Walkways, with NW Glisan additionally designated as a Transit Access Street. The site is located within the Northwest Triangle Pedestrian District.

The building is a two-story wood frame building clad with red brick and was originally constructed in 1910, as a meat packing plant and warehouse for Swift and Company, out of Chicago. Based on city records, the original building appears to have had an articulated parapet, a wagon court in the 2<sup>nd</sup> bay from the east on NW Glisan, and a primary entrance that accessed a loading dock on the east façade. Minor exterior alterations were made in 1926 including the introduction of a single door under the single window in the 2<sup>nd</sup> bay from the west on NW Glisan. In 1941, the building was dramatically altered when Lee S. Elliott, president of Defiance Coffee and Tea Company purchased the building. The 1941 alterations by local architect Herman Brookman, were executed in a Moderne style and included simplification of the parapet, introduction of three new windows on the east façade 2<sup>nd</sup> floor and two new windows above the wagon court on the north façade, infill of the wagon court, replacement of the ground floor double-hung windows with new three-over-one storefront windows on the north façade and at the north end of the east façade, and the introduction of a new storefront entrance with reeded stucco surround on the north façade.

In 1904, the Portland City Council approved the construction of a railroad spur line along 13<sup>th</sup> to extend from Johnson Street to Glisan Street, which was completed in 1907. This spur, as well as one along 15<sup>th</sup> and the purchase of 40 blocks in the area by various railroad companies resulted in a significant increase in land values as well as the construction of what became a warehouse district for the shipping and receiving of goods. NW 13<sup>th</sup> Avenue was the first spur line used specifically for warehouse use and is consequently the most intact, easily distinguished from other streets in the Pearl District by its wealth of extant brick warehouse buildings and its unusual pedestrian character marked by the prevalence of loading docks converted to contemporary use as elevated sidewalks.

**Zoning:** The Central Employment (EX) zone allows mixed uses and is intended for areas in the center of the City that have predominantly industrial-type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area.

The “d” overlay 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. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

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.

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

- HLDZ 063-86 – City Council Ordinance #159127 designating the NW 13<sup>th</sup> Avenue Historic District;

- LU 98-015901 DZ (ref. file: LUR 98-00595 DZ) – Historic Design Review approval of a 12 square-foot metal blade sign;
- LU 01-008054 HDZ (ref. file LUR 01-00657 HDZ) – Historic Design Review approval for new paint, loading dock repairs, and new signage measuring 98 square feet;
- LU 03-144813 HDZ – Historic Design Review Approval for 5 new blade signs, measuring 2' (w) x 4' (h), on the north elevation and 3 banners, measuring 2' (w) x 8'-3" (h), on the east elevation;
- LU 05-134020 HDZ – Historic Design Review approval to allow construction of a new skylight at the rooftop and installation of three gooseneck lights at the main entrance on NW Glisan Street; and
- LU 13-181087 HR – Historic Resource Review approval for new rooftop mechanical units, entrance awning, and halo-lit sign.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **November 29, 2017**. The following Bureaus have responded with no issues or concerns:

- Fire Bureau
- Site Development Section of BDS
- Life Safety Review Section of BDS, See Exhibit 1

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on November 29, 2017. 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 NW 13th Avenue Historic District and the proposal is for a non-exempt treatment. Therefore, Historic Resource Review approval is required. The approval criteria are the *NW 13<sup>th</sup> Avenue Historic District Design Guidelines* and the *Central City Fundamental Design Guidelines*.

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

#### **NW 13<sup>th</sup> Avenue Historic District Design Guidelines**

#### **Guidelines for Exterior Remodeling Historic NW 13<sup>th</sup> Avenue District**

- 1. Visual Integrity of Structure.** The vertical lines of columns and piers, and the horizontal definition of spandrels and cornices, and other primary structural elements should be maintained. Such structural lines should be restored if previous alterations have substantially changed them.
- 2. Scale and Proportion.** The scale and proportion of altered or added building elements, and the relationship of voids to solids (that is, the relationship of doors and windows to walls and column elements) should be visually compatible with the traditional architectural character of the historic district. Avoid blank walls on street elevations, especially on ground floors, unless there is a historic precedent for the blank wall.
- 4. Rear and Side Walls and Roofs.** Generally, the issues which apply to the fronts of buildings also, apply to rear and side walls. Masonry surfaces should be repaired as necessary. Historic elements on rear or side walls, such as old painted wall signs, and historic roof top features, such as water towers, should be retained where practicable. New openings are allowed in rear or side walls, but should be a consistent system (as opposed to random placement) which doesn't detract from primary elevations.

**Findings for 1, 2 & 4:** No changes to the street facing façade are proposed and no features that contribute to the property's historic significance will be removed or altered.

The mechanical units are concealed behind the existing parapet and will not be visible from the public right-of-way, as shown in sightline studies provided by the applicant. *These guidelines have been met.*

### **Central City Fundamental Design Guidelines**

**A6. Reuse/Rehabilitate/Restore Buildings.** Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

**Findings:** The proposed alterations demonstrate the building owner's continued investment in this historic building, thus perpetuating its continued use. The proposed location of the mechanical equipment will allow re-use of the building without impact on the integrity of the street facing façade. *This guideline is met.*

**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.

**Findings:** The proposal capitalizes on the height of the existing parapet to locate mechanical systems in a way that does not detract from the pedestrian environment. The work will not be visible from the pedestrian realm and will not detract from the pedestrian environment. *This guideline has been met.*

**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.

**C4. Complement the Context of Existing Buildings.** Complement the context of existing buildings by using and adding to the local design vocabulary.

**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 C3, C4 & C5:** The proposed mechanical work will not be visible from the right-of-way. No facades or building elements will be altered; the original character of the building will be maintained. The mechanical units will continue to be concealed by the height of the parapet. *These guidelines have been met.*

**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:** The proposed rooftop mechanical equipment is set behind the parapet and will not be visible from the street. The existing parapets shield all new equipment, preventing impact on the Central City skyline. The proposed equipment is set back from all roof edges and below the sightlines established from the neighboring buildings across adjacent rights-of-way. *This guideline has been 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 proposed mechanical units are located away from the NW Glisan Street and NW 13<sup>th</sup> Avenue façades which will help preserve views of the building from the street. The purpose of

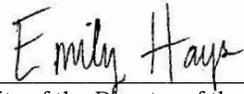
the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of rooftop mechanical equipment on a contributing resource in the NW 13<sup>th</sup> Avenue Historic District and the River Subdistrict of the Central City Plan District. Proposed changes include the replacement for 6 malfunctioning roof-mounted gaspacks with 6 new code-compliant gaspacks. Approval per the approved site plans, Exhibits C-1 through C-6, signed and dated December 21, 2017, 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 17-270908 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: Emily Hays**

**Decision rendered by:**  **on December 21, 2017**

By authority of the Director of the Bureau of Development Services

**Decision mailed: December 26, 2017**

**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 15, 2017, and was determined to be complete on November 21, 2017.

*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 15, 2017.

*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 21, 2018.**

**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 Hearings Officer, which will hold a public hearing. Appeals must be filed **by 4:30 PM on January 9, 2018** at 1900 SW Fourth Ave. Appeals can be filed at the 5<sup>th</sup> floor reception desk of 1900 SW 4<sup>th</sup> Avenue Monday through Friday between 8:00 am and 4:30 pm. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

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

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Hearings Officer 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 Hearings Officer 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 **January 9, 2018**.
- 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 503-823-7617.

**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, or
- In situations involving only the creation of lots, the land division has been recorded.

**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. Project Narrative & Response to Guidelines
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Roof Plan (attached)
  - 2. Building Section – Gas Pack 2 Clearance (attached)
  - 3. Building Section – Gas Pack 1 Clearance
  - 4. Building Section – Remote Compressor H Clearance
  - 5. Building Section – Gas Pack 3 Clearance
  - 6. Building Section – Remote Compressor B Clearance
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Life Safety Review Section of BDS
- F. Correspondence: None
- G. Other:
  - 1. Original LU Application

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



# ZONING



THIS SITE LIES WITHIN THE:  
 CENTRAL CITY PLAN DISTRICT  
 RIVER DISTRICT SUBDISTRICT  
 13TH AVENUE HISTORIC DISTRICT



Site



Historic Landmark



Bridge

File No.	LU 17-270908 HR
1/4 Section	3028
Scale	1 inch = 200 feet
State ID	1N1E33DA 1000
Exhibit	B Nov 16, 2017

LUR-1

DATE: 11-6-17

JOB #: 1648

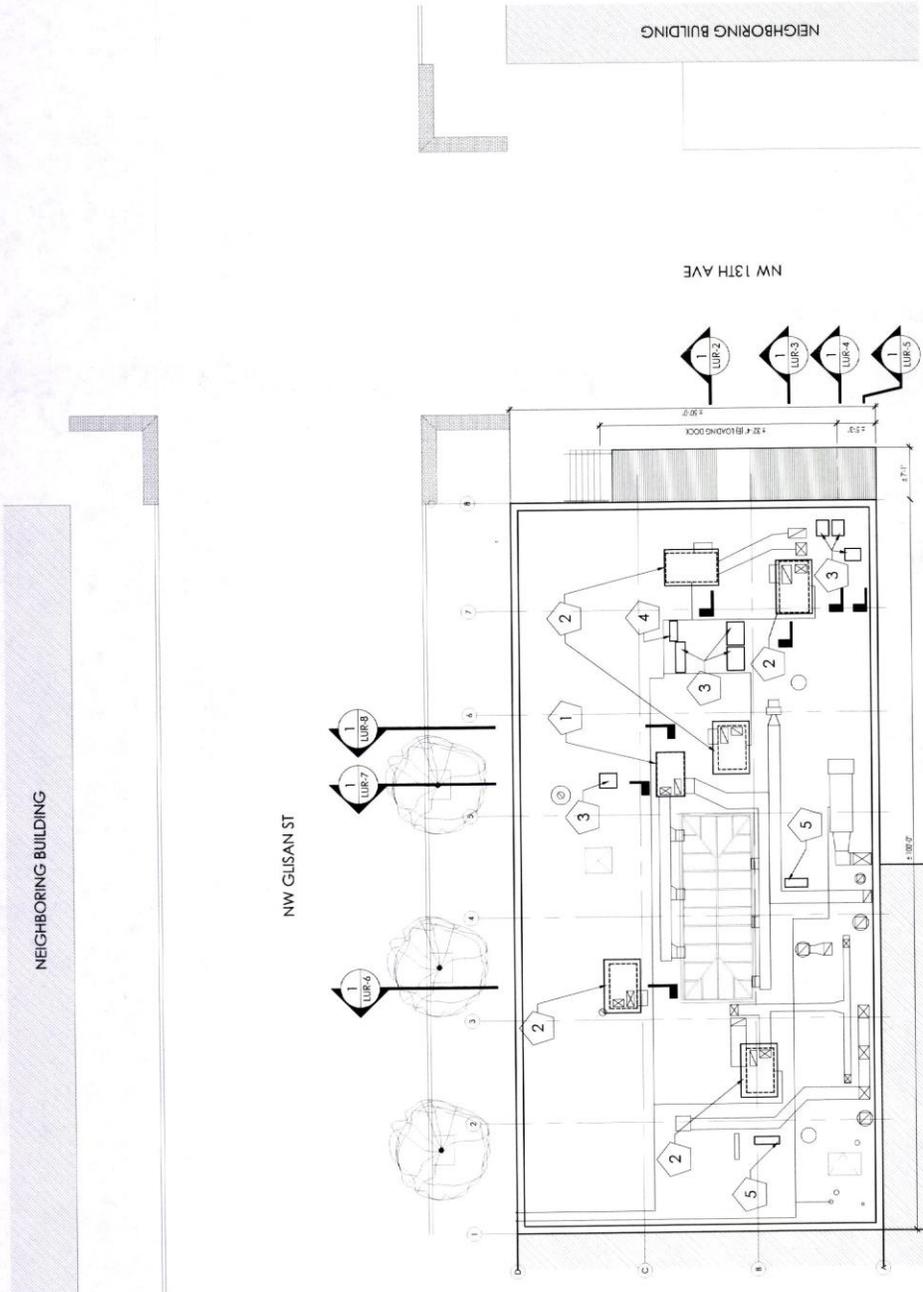
EMERICK ARCHITECTS

ANDINA RESTAURANT  
1314 NW GLISAN ST.  
PORTLAND, OR 97209

**\*Approved\***  
City of Portland  
Bureau of Development Services  
Planner EMMA HAMF  
Date 12/21/17  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

KEYNOTES

- 1 NEW 1200 CFM GASPACK.  
±3'-11 $\frac{1}{2}$ " TALL, REPLACING EXISTING GASPACK
- 2 NEW 3000 CFM GASPACK.  
±5'-3 $\frac{3}{8}$ " TALL, REPLACING EXISTING GASPACK
- 3 EXISTING REMOTE COMPRESSOR
- 4 EXISTING REMOTE UNIT
- 5 EXISTING KITCHEN COOLING UNIT



1 ROOF PLAN  
SCALE: 1/16" = 1'-0"

WA 17-270908 HR C1

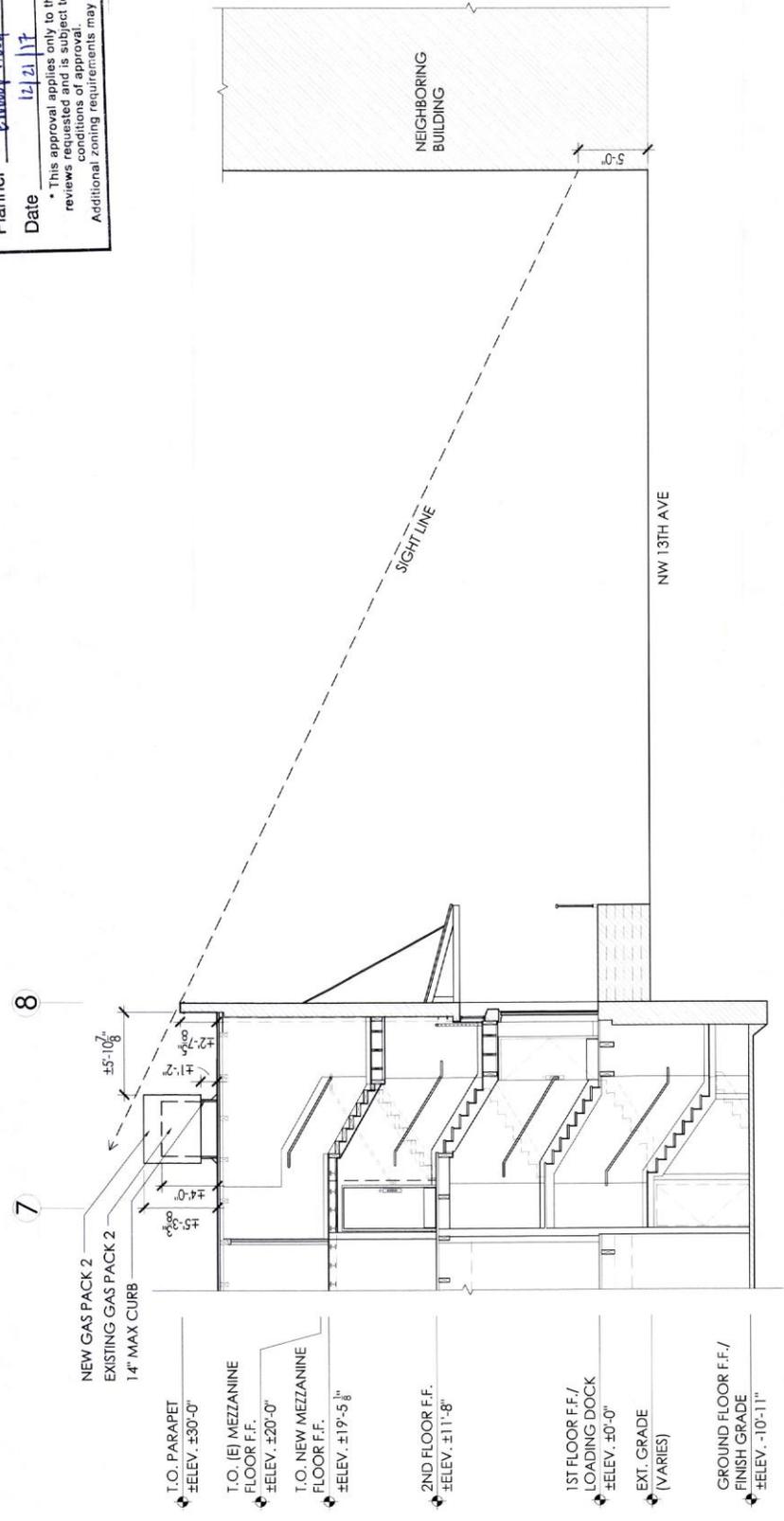


ANDINA RESTAURANT  
1314 NW GLISAN ST.  
PORTLAND, OR 97209

C2

LA 17-270908 HP

**\*Approved\***  
City of Portland  
Bureau of Development Services  
Planner EMMA HALL  
Date 12/21/17  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



- T.O. PARAPET  
±ELEV. ±30'-0"
- T.O. (E) MEZZANINE FLOOR F.F.  
±ELEV. ±20'-0"
- T.O. NEW MEZZANINE FLOOR F.F.  
±ELEV. ±19'-5 3/8"
- 2ND FLOOR F.F.  
±ELEV. ±11'-8"
- 1ST FLOOR F.F./LOADING DOCK  
±ELEV. ±0'-0"
- EXT. GRADE (VARIES)
- GROUND FLOOR F.F./FINISH GRADE  
±ELEV. -10'-11"

1 BUILDING SECTION - GAS PACK 2 CLEARANCE  
SCALE: 1/8" = 1'-0"