



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

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Date: August 16, 2018
To: Interested Person
From: Santiago Mendez, Land Use Services
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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 18-191342 HR – WINDOW REPLACEMENT

GENERAL INFORMATION

Applicant: Justin Darling | Nai Elliott
901 NE Glisan Street, Portland, OR 97232
jdarling@naielliott.com

Owner: Olympic Mills Commerce Center LLC
901 NE Glisan Street, Portland, OR 97232

Site Address: 107 SE WASHINGTON ST

Legal Description: BLOCK 42 LOT 1-8 HISTORIC PROPERTY 15 YR 2006 POTENTIAL ADDITIONAL TAX; DEFERRED ADDITIONAL TAX LIABILITY, EAST PORTLAND

Tax Account No.: R226502380
State ID No.: 1S1E03AA 00900
Quarter Section: 3130

Neighborhood: Buckman, contact Richard Johnson at buckmanlandusepdx@gmail.com

Business District: Central Eastside Industrial Council, contact ceic@ceic.cc.
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.

Plan District: Central City - Central Eastside
Other Designations: Designated Historic Landmark

Zoning: IG1, General Industrial 1 with Historic Resource Protection Overlay
Case Type: Historic Resource Review
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant requests Historic Resource Review approval for the replacement of three wood windows of the Olympic Mills Building, a designated Historic Landmark Building in the Central Eastside of the Central City Plan District. The windows are located on the east facing silo of the building.

Historic Resource Review is required for the proposed exterior alteration to this Historic Landmark in the Central Eastside District.

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
- Criteria in Section 33.846.060.G of the Portland Zoning Code
- Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan

ANALYSIS

Site and Vicinity: The Olympic Cereal Mill, constructed in 1920 by the Hurley-Mason Company, is an industrial landmark on Portland's east side. The Olympic Cereal Mill is significant for its association with the Portland Flouring Mills and General Mills which played a pivotal role in establishing Portland as the principal west coast port for the shipment of flour products. Secondly, the building is significant under criterion C as a well-preserved example of a relatively early, reinforced concrete industrial building.

Located off the main railroad track in the Central Eastside Industrial District, the warehouse soars above the surrounding structures. This building occupies an entire block in the industrial district and is bounded by the tracks to the west.

The building was designated a Historic Landmark in 1989. The Historic Landmark designation protects certain Portland historic resources and preserves significant parts of Portland's heritage.

Zoning: The General Industrial 1 (IG1) zone is one of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zone provides areas where most industrial uses may locate, while other uses are restricted to prevent potential conflicts and to preserve land for industry. The intent is to promote viable and attractive industrial areas. IG1 areas generally have smaller lots and a grid block pattern. The area is mostly developed with sites having high building coverage and buildings which are usually close to the street. IG1 areas tend to be the City's older industrial areas. Minimum lot area is 10,000 square feet.

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 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 Central Eastside Subdistrict of this plan district.

The Historic Landmark designation protects certain Portland historic resources and preserves significant parts of Portland'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. Proposed alterations to Historic Landmarks must go through a Historic Design Review process (Chapter 33.846) and proposed demolition is subject to certain demolition protections (Section 33.445.150).

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

- LU 11-129340 HDZ – Approval of 3 new wood roof decks and walkways on the second floor roof of the building.
- LU 09-172684 HDZ - Approval for 2 new blade signs and 1 wall sign on the building.
- LU 09-168019 HDZ - Approval to install a restaurant kitchen vent fan unit and a fresh air intake duct on the third story roof.
- LU 07-144663 HDZ – Approval of rooftop mechanical equipment including:
 - fans and caps at the 3rd Floor Roof,
 - stair tower side wall vents and louvers at the 7th Floor Roof,
 - cooling towers and fans and caps at the 8th Floor Roof, and
 - associated support structures.
- LU 05-161578 HDZ - Approval of the renovation work including:
 - patch and repair of concrete walls,
 - installation of 75 new wood windows in existing wall penetrations or existing concrete masonry unit [CMU] and concrete infill panels,
 - new glass and metal garage doors at the loading bays,
 - new glass and metal entry doors,
 - new skylights at existing covered openings,
 - a new entry canopy,
 - a new elevator shaft extension,
 - rooftop mechanical equipment,
 - exterior painting, and
 - egress and exterior circulation improvements.
- LUR 96-00942 DZ (96-013829) – Approval to create a garage door to allow auto access to basement.
- LUR 91-00322 HL (91-008577) – Historic Landmark designation

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **July 9, 2018**.

The Life Safety Section of BDS responded with the following comment:

“The structure is enrolled in the Facilities Permits Program (FPP). Please contact the assigned Facilities plans examiner/building inspector for building code requirements. FPP main telephone number (503) 823-5521.”

Please see Exhibit E-1 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **July 9, 2018**. No 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.
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.
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 1,4, 8 & 10: The proposed window replacement of the three windows at the east elevation will improve their currently deteriorated state of the existing windows. The replacement will be done in a manner that will not alter the exterior features of the resource. The windows will be carefully replicated to ensure that new windows match materials, color, dimensions and detailing of the existing windows. Overall, this will ensure that the replacement windows are compatible with the existing building, respecting the historic character of this Landmark Building. *Therefore, these criteria have been met.*

Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan and Central City Fundamental Design Guidelines

The Central Eastside is a unique neighborhood. The property and business owners are proud of the district's heritage and service to the community and region. Light industry, distribution/warehousing, and transportation are important components of the district's personality. To the general public, retail stores and commercial businesses provide the central focus within the district.

The underlying urban design objective for the Central Eastside is to capitalize on and emphasize its unique assets in a manner that is respectful, supportive, creative and compatible with each area as a whole. Part of the charm and character of the Central Eastside District, which should be celebrated, is its eclectic mixture of building types and uses. An additional strength, which should be built on, is the pattern of pedestrian friendly retail uses on Grand Avenue, East Burnside and Morrison Streets, as well as portions of 11th and 12th Avenues.

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 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 Eastside Design Goals

The following goals and objectives define the urban design vision for new development and other improvements in the Central Eastside

- Encourage the special distinction and identity of the design review areas of the Central Eastside District.
- Provide continuity between the Central Eastside and the Lloyd District.
- Provide continuity between the Central Eastside and the river, downtown, and adjacent residential neighborhoods.
- Enhance the safety, convenience, pleasure, and comfort of pedestrians.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within all of the 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.

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

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 for A6, C2 & C3: The window replacement will be done in a manner that will not alter the exterior features of the resource. The windows will be carefully crafted in wood to reflect quality and permanence for this development. Overall, this will ensure that the replacement windows are compatible with the existing building,

respecting the historic character of this Landmark Building. *Therefore, these guidelines have 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 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 window replacements at the Olympic Mills Building located at 107 SE Washington Street per the approved site plans, Exhibits C-1 through C-5, signed and dated 8/8/18, 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 18-191342 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: Santiago Mendez



Decision rendered by: _____ **on 8/8/18**

By authority of the Director of the Bureau of Development Services

Decision mailed (within 5 days of dec.) 8/16/18

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 June 22, 2018, and was determined to be complete on July 2, 2018.

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 June 22, 2018.

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: 10/30/18.**

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.

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 **8/17/18** 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:

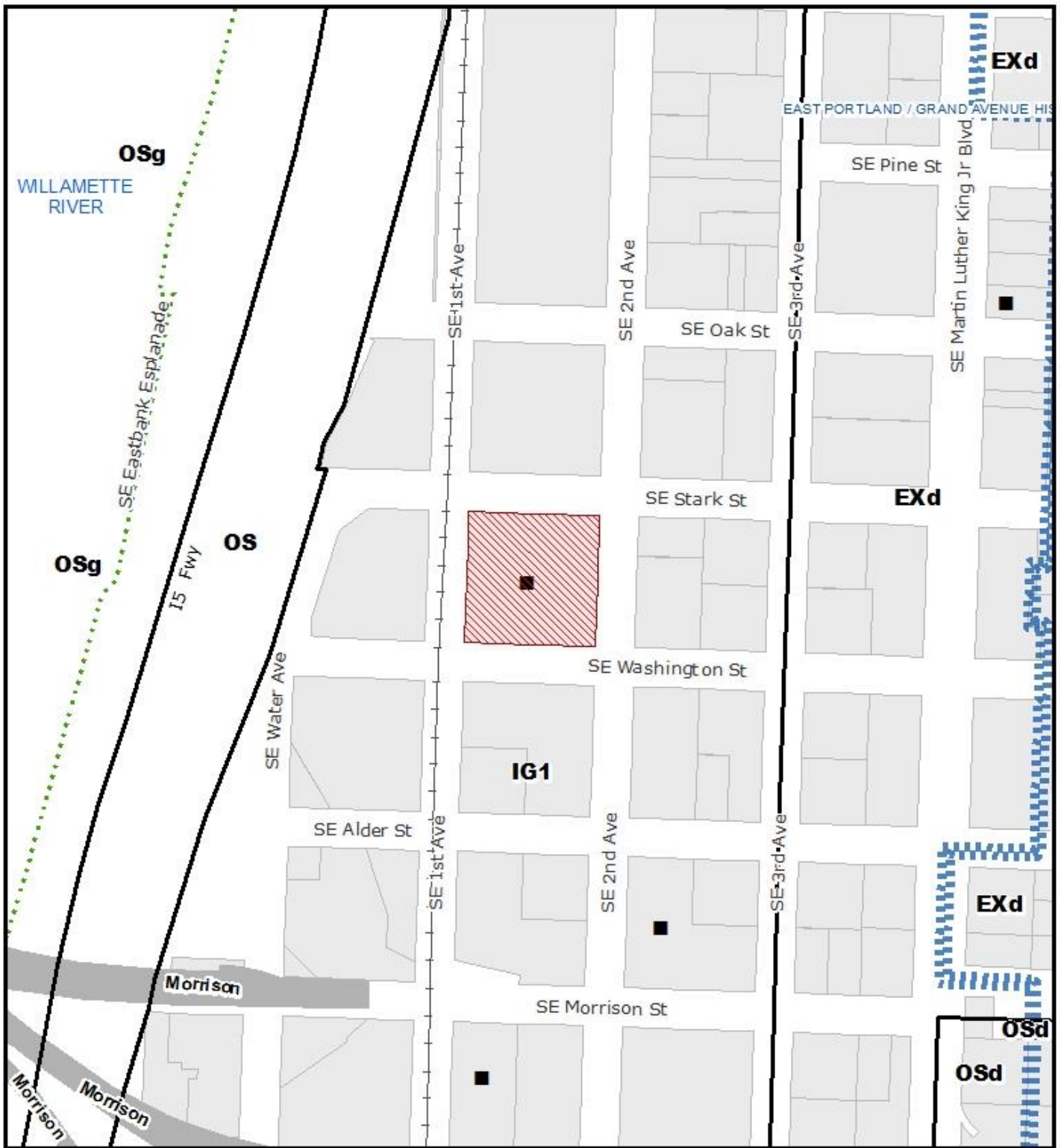
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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


EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 - 1. Project Narrative
 - 2. Site Photos
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. East Elevation (attached)
 - 2. Third Floor Plan (attached)
 - 3. Fourth Floor Plan
 - 4. Fifth Floor Plan
 - 5. Window Manufacturer's Cutsheet
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety 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).



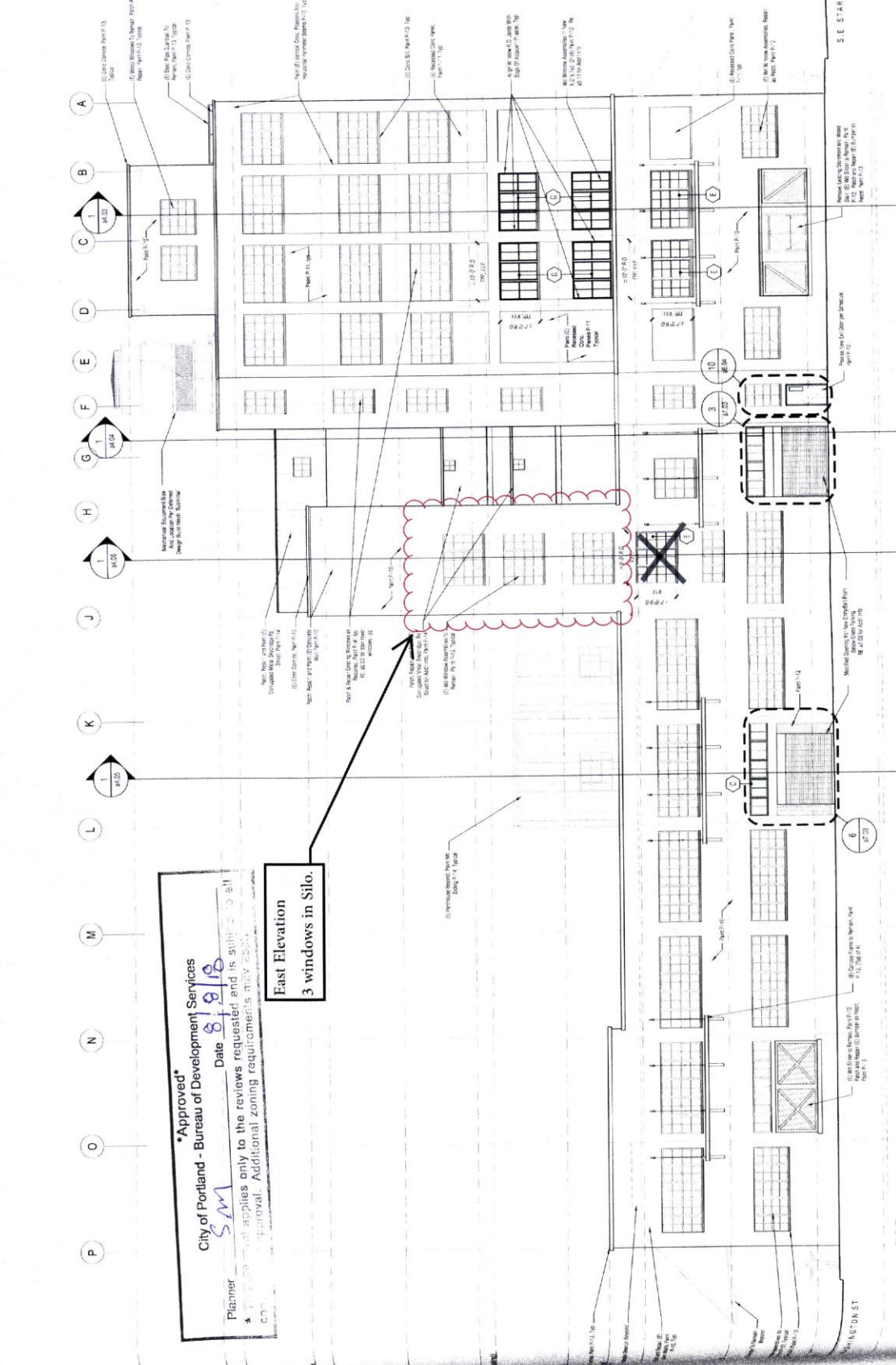
ZONING 
 NORTH

THIS SITE LIES WITHIN THE:
 CENTRAL CITY PLAN DISTRICT
 CENTRAL EASTSIDE SUBDISTRICT

-  Site
-  Historic Landmark
-  Bridge
-  Recreational Trails

File No.	LU 18-191342 HR
1/4 Section	3130
Scale	1 inch = 200 feet
State ID	1S1E03AA 900
Exhibit	B Jun 29, 2018

Approved
City of Portland - Bureau of Development Services
 Planner: SAM Date: 8/9/08
 This approval applies only to the reviews requested, and is subject to all applicable zoning and code requirements. Additional zoning requirements may apply.
East Elevation
3 windows in Silo.



WORKS PARTNERSHIP ARCHITECTURE LLC
 1025 SW WATER AVENUE SUITE 210 PORTLAND, OR 97214
 503.225.2855
 503.224.6583
 WORKSARCHITECTURE.NET

B & O / OLYMPIC MILLS BUILDING
 107 SE WASHINGTON ST
 PORTLAND, OR 97214

CONSTRUCTION SET 06.16.2006



EXTERIOR ELEVATION
 SCALE: 1/8" = 1'-0"

Construction Notes:
 A. CONVICTION TO ALL EXISTING CONDITIONS PRIOR TO START OF CONSTRUCTION.
 B. SET WINDOW TYPES AS SHOWN IN THIS PLAN, UNLESS INDICATED OTHERWISE.
 C. MESSAGE SIGNAGE AND ALL MAIL, SUPPORTED BY BRANCO, FROM THE BUILDING.
 D. REPLACE WINDOW GLAZING THAT IS MISSING OR BROKEN. REPLACE GLAZING TO MATCH EXISTING.
 E. REPAIR EXISTING WINDOWS UNLESS INDICATED OTHERWISE ON THIS PLAN.

EXHIBIT C-1
 LV 18-191342 HR

1 East Elevation
 8314 1/8" = 1'-0"

LV 18-191342 HR
 C-1

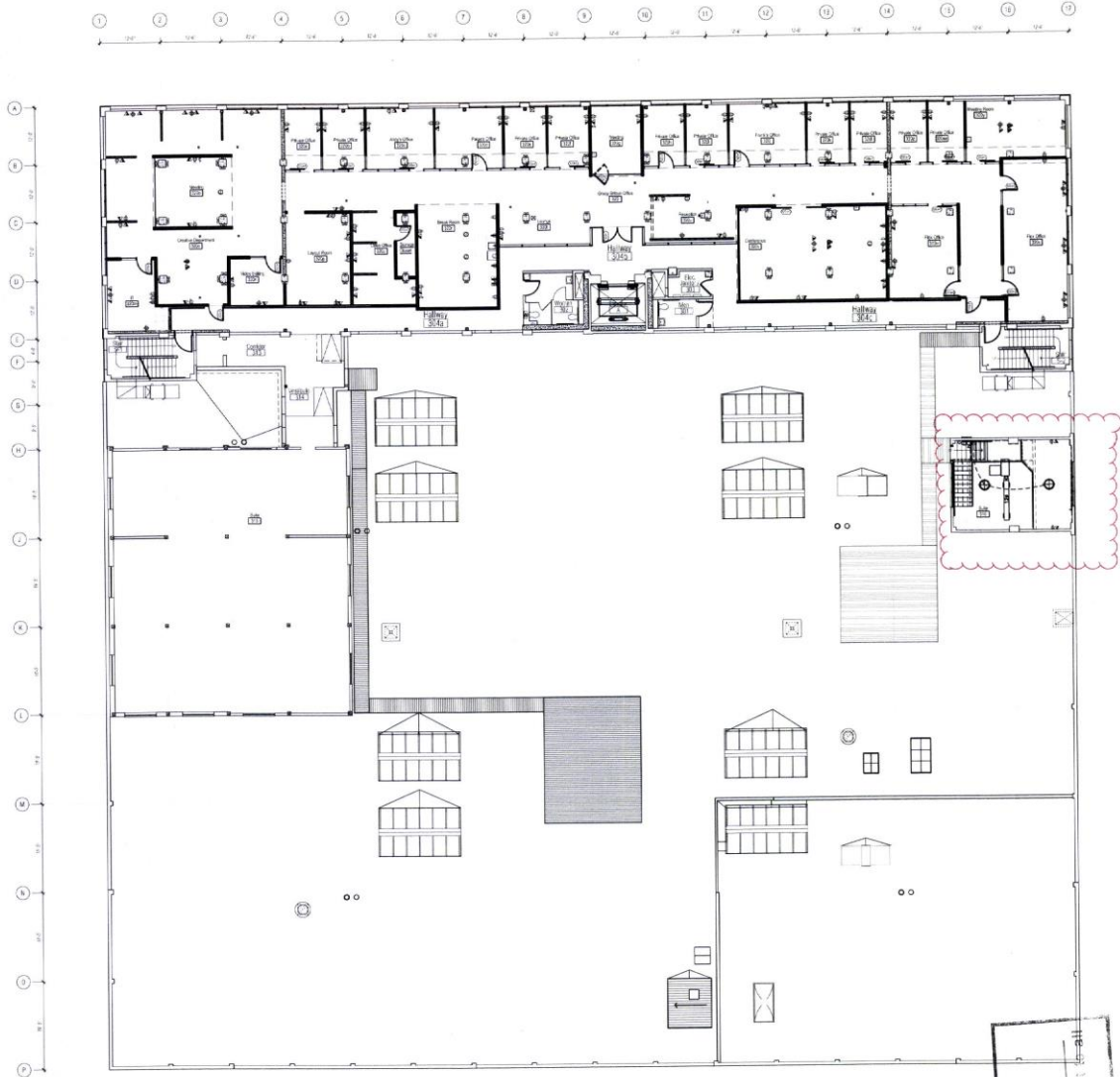


EXHIBIT C-2
 LU 18-191342 HR

1 Third Floor Plan
 a1.03 1/16" = 1'-0"



Approved
 City of Portland - Bureau of Development Services
 Date 8/8/19
 SM
 This approval is only to the reviews requested and is subject to all applicable codes and regulations. Additional zoning requirements may apply.
 con...

LU 18-191342 HR
 C-2