



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

Ted Wheeler, Mayor
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Date: June 27, 2019
To: Interested Person
From: Tim Heron, Land Use Services
503-823-7726 / Tim.Heron@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 19-161687 HR – LADDER REMOVAL

GENERAL INFORMATION

Applicant: Robert Mawson, Heritage Consulting Group
1120 NW Northrup St
Portland, OR 97209
rmawson@heritage-consulting.com

Owner/Owner's Representative: Patricia Garder, Burnside and King II LLC & 1111 Partners
416 NW Hermosa
Portland, OR 97210

Site Address: 1111 NW DAVIS ST
Legal Description: BLOCK 79 LOT 1-4, COUCHS ADD
Tax Account No.: R180207260
State ID No.: 1N1E33DA 03100
Quarter Section: 3028 & 3029

Neighborhood: Pearl District, contact Reza Farhoodi at planning@pearldistrict.org.
Business District: Pearl District Business Association, contact at info@explorethepearl.com

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

Plan District: Central City - Pearl District
Other Designations: The Pacific Coast Biscuit Company Building is listed on the National Register of Historic Places

Zoning: EXd, Central Employment with design overlay
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 is requesting approval for the removal of three ladder portion only elements of three exterior fire escapes at the Historic Pacific Coast Biscuit Company Building. The fire escape balconies will remain intact. Fire escape egress will be provided inside the building. Because the proposal is for exterior alteration of a Historic Landmark, Historic Resource Review is required.

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
- River District Design Guidelines
- Other Approval Criteria 33.846.060.G

ANALYSIS

Site and Vicinity: The Pacific Coast Biscuit Company Building is comprised of two buildings, built in 1890 and 1905. The building was nominated to National Register Historic status in 1998. The structure is a prime example of the Brick Utilitarian Style which functioned as a factory originally and is now used as a garage. Notable amongst the architectural features are the brick facade, corbel brick table at gabled roof, the segmental arched windows with brick hood molds and rowlocks, and the stone foundation at basement level.

The surrounding area has changed from a warehouse, distribution and light industrial neighborhood to a neighborhood of mixed retail and residential uses in which older and historic buildings have been adapted for modern uses.

Zoning: The 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.

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

- LU 08-151430 HDZ: Historic Design Review approval for exterior alterations to the Pacific Coast Biscuit Company Building including the addition of a new SE entry with a new glass canopy, a new opening for exit stair door at the NW corner, and replacing exterior wall downlights.
- LU 09-114926 HDZ: Approval of the addition of three new black aluminum and clear glass garage doors located at southeast garage opening, the northeast garage opening, and the west garage opening.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **May 24, 2019**. Bureaus have responded with no issues or concerns.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **May 24, 2019**. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

- May 28, 2019 letter from Ms. Alexandra Cernat in support of the proposal.

ZONING CODE APPROVAL CRITERIA

Purpose of Historic Design Review

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Design Review Approval Criteria

Requests for historic design review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is a designated Historic Landmark. Therefore the proposal requires historic design review approval. The relevant approval criteria are listed in 33.846.060 G. 1.-10. In addition, because the site is located within the River District and the Central City Plan District, the relevant approval criteria are also the River District Design Guidelines and the Central City Fundamental Design Guidelines.

I. Historic Landmark 33.846.060.G. 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 character will be avoided.

Findings: The historic character of the property is retained and preserved. Work involves minimal changes and does not impact character-defining features or historic materials. The building is important as an example of vernacular architecture and the National Register nomination, which underpins the property's landmark status, makes no mention of the fire escapes. The fire escapes were generic products and were not an integral element of the design. *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 removal of the fire escape ladders will not impact the ability of the historic resource to be a record of its time. Work will not create a false sense of history. The building remains reflective of its heritage and of its time, place, and use. *This criterion is met.*

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

Findings: The proposed work does not impact any changes over time that may have acquired historic significance. *This criterion is met.*

- 4. Historic features:** Generally, deteriorated historic features will be repaired rather than replaced, the new feature will match the old design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missed features must be substantiated by documentary, physical, or pictorial evidence.

Findings: Proposed work does not involve repair of deteriorated historic features. *This criterion is met.*

- 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: Existing historic features are protected. No chemical or physical treatments, such as sandblasting, are involved in this work. *This criterion is met.*

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

Findings: The site is fully disturbed and absent any archaeological resources. The project does not involve any excavation. *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: The proposed work will not destroy historic materials that characterize the property. Work does not involve adding new materials to the building. *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.

- 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; and

Findings: The project does not involve any new additions or new construction. The essential form and integrity of the historic resource and its environment will be unimpaired. *This criterion is met.*

- 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. When practical, compatibility will be pursued on all three levels.

Findings: No alterations or additions are proposed. Work involves only removal of fire escape ladders, which are generic and not identified as historic materials in the National Register nomination. *This criterion is met.*

II. River District Design Guidelines and Central City Fundamental Design Guidelines

The River District is planned to become a place that is remarkable within the region. The area is intended to grow rich with special and diverse qualities that are, or will become characteristic of Portland. Further, the River District will accommodate a significant portion of the region’s population growth. The plan calls for the creation of a new community of dense neighborhoods, housing a resident population of over 15,000 people, and providing jobs, services, and recreation to this population and others. This area is intended to emphasize the joy of the river, connections to it, and create a sense of community. The goals frame the urban design direction for Central City and River District development.

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.

River District Design Goals

1. Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
2. Create a community of distinct neighborhoods that accommodates a significant part of the region's residential growth.
3. Enhance the District's character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
4. Strengthen connections within River District, and to adjacent areas.

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.

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 C3: By and large, the limited and reductive nature of the proposed work – removing ladders that are part of three fire escapes attached to a vernacular historic building – will not impact the architectural integrity of the historic building. *This design guideline is met.*

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The purpose of the historic design review process is to ensure that exterior alterations to existing buildings protect the integrity of the special characteristics of the historic resources. The removal of the fire escape ladders, and retention of the fire escape balconies, will not impact the distinguishing characteristics of this nationally registered historic property. The proposal meets the applicable design guidelines and historic criteria, and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of three decommissioned fire escape ladders from the Historic Pacific Coast Biscuit Company Building [Pearl Garage], per the approved Exhibits C-1 through C-2, signed and dated June 25, 2019, 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 19-161687 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: Tim Heron



Decision rendered by: _____ **on June 25, 2019**

By authority of the Director of the Bureau of Development Services

Decision mailed June 27, 2019

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 May 8, 2019, and was determined to be complete on May 21, 2019.

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 May 8, 2019.

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: September 18, 2019.**

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 on or after **June 28, 2019** 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:

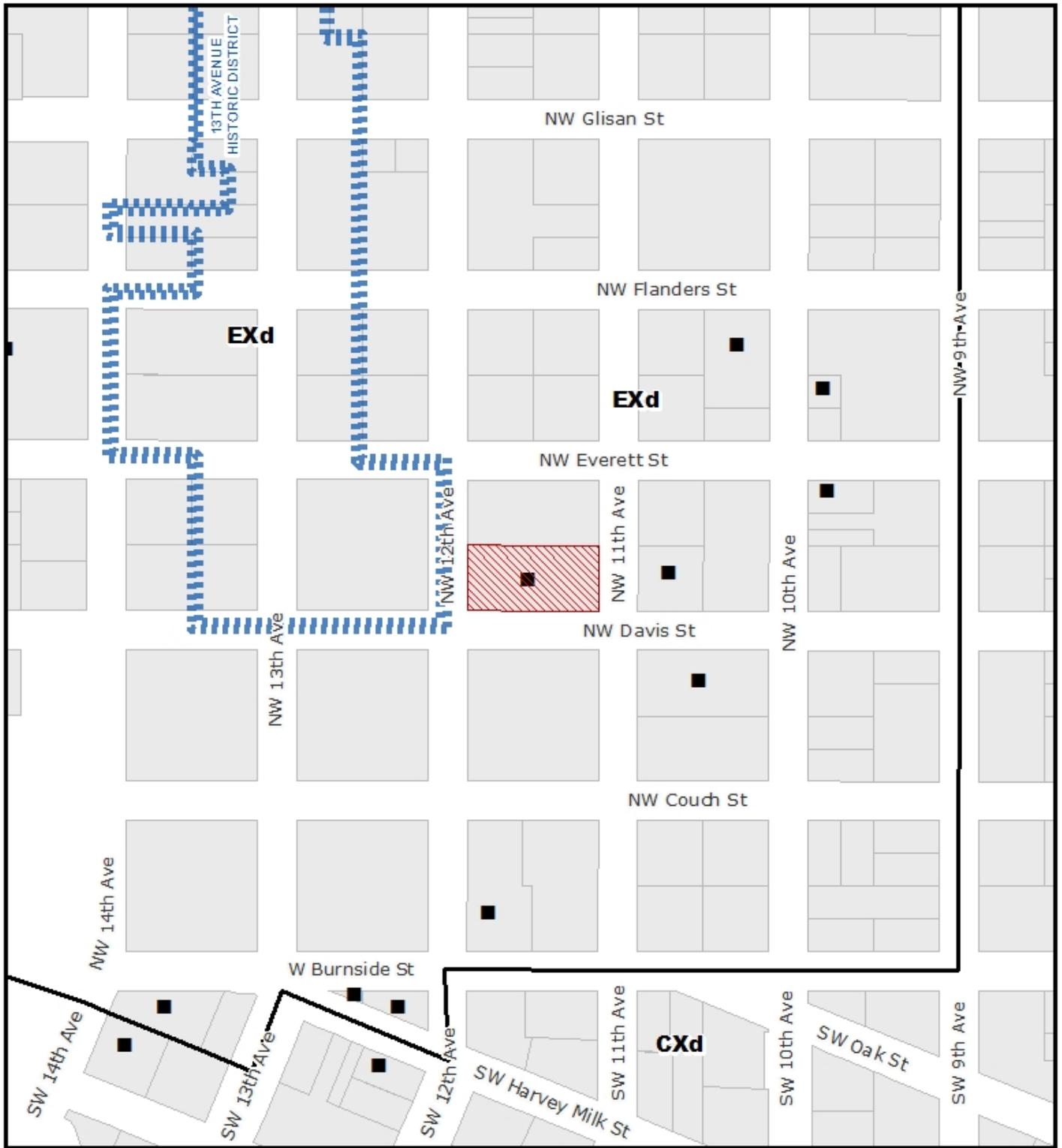
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Narrative and drawings
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevations (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Fire Bureau, June 21, 2019 response
 - 2. Fire, Life, Safety, June 21, 2019 response.
- F. Correspondence: One response was received.
 - 1. May 28, 2019 letter from Ms. Alexandra Cernat in support of the proposal.
- 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
PEARL SUBDISTRICT

-  Site
-  Historic Landmark

File No.	LU 19-161687 HR
1/4 Section	3028,3029
Scale	1 inch = 200 feet
State ID	1N1E33DA 3100
Exhibit	B May 10, 2019



1120 NW Couch Street
 Suite 300, Portland
 Tel: (503) 224-9656
 Fax: (503) 299-6273
 www.gbdarchitects.com



PEARL GARAGE RENOVATION
 1111 NW DAVIS
 PORTLAND, OR 97209
 GEORGINA BISHOP/ARCHITECT

GENERAL CONTRACTOR: J. DUNN/NEWELL
 1120 NW Couch Street
 PORTLAND, OR 97209

DATE: 2019.04.23
 PROJECT NUMBER: 20076012

SHEET TITLE: GROUND/BASEMENT LEVEL FLOOR PLAN
 SCALE: 1/8"=1'-0"

A101

LEGEND

EXISTING WALL
 NEW WALL
 WALL/DOOR FOR DEMO
 WALL TYPE SYMBOL - SEE SHEET A101

FE-1
 FE-2
 DOOR NUMBER

PLAN NOTES

1) EXISTING CODE STORAGE
 2) NOT USED

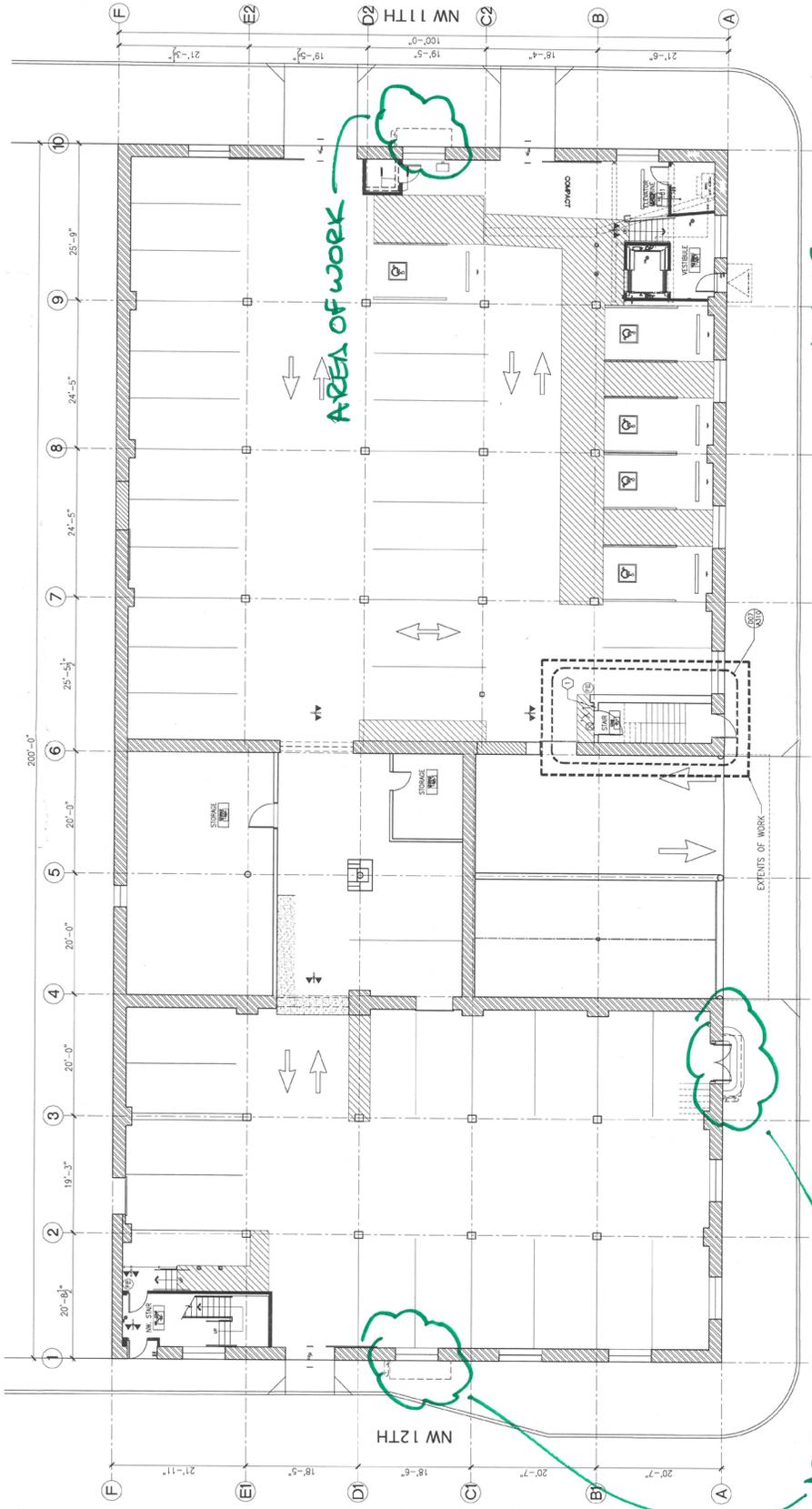
***Approved*
 City of Portland - Bureau of Development Services**
 Planner: LM Date: 6-25-19
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

GENERAL NOTES

1) CONTRACTOR TO AS-BUILT EXISTING CONDITIONS. NOTIFY ARCHITECT OF ANY DISCREPANCIES OR CONDITIONS DIFFER FROM THE CONTRACT DRAWINGS.

2) GENERAL CONTRACTOR TO FIELD VERIFY ALL EXISTING NEW OPENINGS AND CLEARANCE DIMENSIONS AND COORDINATE WITH ALL SUB-CONTRACTORS AND VENDORS. NOTIFY ARCHITECT OF ANY MAJOR DISCREPANCIES.

3) NEW ASPHALT CONCRETE PAVING TO BE APPLIED THROUGHOUT ENTIRE GROUND LEVEL ON TOP OF EXISTING ASPHALT CONCRETE PAVING. VERIFY AND BLEND ALL LEVEL CHANGES PER A.I.A. AND LOCAL CODE REQUIREMENTS.



AREA OF WORK

AREA OF WORK

NW DAVIS ST.

1 GROUND/BASEMENT LEVEL FLOOR/SITE PLAN
 1/8" = 1'-0"

LU 19.161687 HR
 EXH.C.1

DATE: 2019.04.23

PROJECT NUMBER: 20076012

SHEET TITLE: GROUND/BASEMENT LEVEL FLOOR PLAN

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

A101

