



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

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**FINAL FINDINGS AND DECISION BY THE HISTORIC  
LANDMARKS COMMISSION RENDERED ON July 13,  
2020**

**CASE FILE NUMBER: LU 20-124348 HRM  
PC # 19-239662**

**1010 SE Ash**

**BUREAU OF DEVELOPMENT SERVICES STAFF:** Hillary Adam 503-823-3581 /  
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The Historic Landmarks Commission has **approved** a proposal in your neighborhood. This document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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.

**GENERAL INFORMATION**

**Applicant:** Megan Zack (312) 226-4488 \*134  
Hartshorne Plunkard Architecture  
232 N Carpenter  
Chicago, Il 60607

**Owner Representative:** Allison Reynolds (503) 294-9625  
Stoel Rives LLP  
760 SW 9th Ave #3000 (30th Fl)  
Portland, OR 97205

**Consultant:** Robin Scholetzky (971) 706-8720  
Urbanlens Planning LLC  
3439 SE Hawthorne, Suite 215  
Portland, OR 97214

**Owner/Agent:** Alex Standford (312) 267-4185  
Troy Laundry Property Holder LLC  
133 N Jefferson St 4th Flr  
Chicago, Il 60661

**Site Address:** 1010 SE ASH ST

**Legal Description:** BLOCK 224 LOT 1&2&7&8, EAST PORTLAND  
**Tax Account No.:** R226514450  
**State ID No.:** 1N1E35CD 08400  
**Quarter Section:** 3031

**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 x313.

**Plan District:** Central City - Central Eastside  
**Other Designations:** Within the boundary of a National Register-listed Landmark, the Troy Laundry Building

**Zoning:** EXd – Central Employment with Design and Historic Resource Protection overlays

**Case Type:** HRM – Historic Resource Review w/ Modification  
**Procedure:** Type III, with a public hearing before the Historic Landmarks Commission. The decision of the Historic Landmarks Commission can be appealed to City Council.

**Proposal:**

The applicant requests Historic Resource Review for a proposed 6-story residential building with ground floor retail, rooftop terrace, and below-grade parking and loading accessed from SE Ash, to be constructed within the boundary of the landmark Troy Laundry building. Exterior materials include brick, limestone, and aluminum windows.

One Modification is requested:

1. 33.510.243.B - to reduce the required amount of ecoroof from 60% to approximately 43% of the roof area not otherwise occupied by terraces, mechanical, and other service areas.

Please note: The decision adopting the July 9, 2018 code (CC2035 Plan) was appealed to the Land Use Board of Appeals (LUBA). LUBA's decision was appealed to the Oregon Court of Appeals by multiple parties. While the particular code provisions this project relies on are not at issue in the appeal, the Oregon Court of Appeals remanded CC2035 on 3-16-2020 and on that date the City reverted back to the version of PCC 33.510 that was in existence before July 9, 2018 until Council is able to readopt CC2035.

Please be aware of the following. As details of the remand and results of the Council's future action to the remand are unknown at this time, this land use review is being reviewed under two versions of PCC 33.510. The most recent version that went into effect on July 9, 2018, and the previous PCC 33.510 version that was in effect prior to July 9, 2018, which is now the 3-16-2020 Code.

**Relevant Approval Criteria:**

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

- 33.846.060.G Other approval criteria
- Central City Fundamental Design Guidelines
- Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan
- 33.846.070 Modifications Considered During Historic Resource Review
- Oregon Statewide Planning Goals

## ANALYSIS

**Site and Vicinity:** The subject property is located on the north half of the block bound by SE 10<sup>th</sup>, SE Ash, SE 11<sup>th</sup>, and SE Pine in the Central Eastside subdistrict of the Central City Plan District. The south half of the block is occupied by the historic Troy Laundry Building, a National Register-listed landmark, constructed in 1913. The two-story brick building was designed by Ellis Lawrence, a prominent Portland architect. On the north half of the block, is a surface parking lot and a one-story non-contributing warehouse addition to the Troy Laundry Building. The immediate area is a mix of commercial, warehouse, and residential development, with the concentrated residential areas of the Buckman neighborhood located one block east just beyond SE 12<sup>th</sup>, which marks the boundary of the Central City Plan District. Newer, larger buildings have begun to be constructed within the Central City Plan District to the north, west, and south, as well as some larger developments being developed just east of 12<sup>th</sup>. SE Sandy Boulevard runs diagonally just beyond the northwest corner of the property. Per the City's Transportation System Plan, SE Sandy Boulevard and SE 11<sup>th</sup> Avenue are Transit Access Streets, Emergency Response Routes, City Bikeways, Major City Walkways. Additionally, SE 11<sup>th</sup> is classified as a Major Truck Street and a Community Corridor.

**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 development standards are intended to allow new development which is similar in character to existing development.

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 Design "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.

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

- LU 02-124188 HDZ – Historic Design review for a new fence around the parking lot;
- EA 19-142041 APPT – Early Assistance Appointment for the proposed building within the boundary of the historic landmark Troy Laundry Building as well as a rooftop addition to the Troy Laundry Building;
- EA 19-239662 PC – Pre-Application Conference for the proposed building within the boundary of the historic landmark Troy Laundry Building as well as a rooftop addition to the Troy Laundry Building; and
- EA 20-103960 DA – Design Advice Request for the proposed building within the boundary of the historic landmark Troy Laundry Building as well as a rooftop addition to the Troy Laundry Building.

**Agency Review:** A “Notice of proposal in Your Neighborhood” was mailed May 19, 2020. The following Bureaus have responded with no issue or concerns:

- Water Bureau
- Fire Bureau
- Life Safety Division of BDS

The **Bureau of Environmental Services** initially responded, noting that the applicant has not provided information sufficient to determine that the proposed project can accommodate approvable stormwater facilities; therefore, BES did not recommend approval. Please see Exhibit E-1 for additional details. Following review of the applicant’s stormwater management report (Exhibit H-10), the Bureau of Environmental Services issued a revised response, dated July 6, 2020, (Exhibit E-8) in support of the proposal.

The **Bureau of Transportation Engineering** responded with no objections. Please see Exhibit E-2 for additional details.

The **Site Development Section of BDS** responded with no objections. Please see Exhibit E-3 for additional details.

The **Bureau of Parks-Forestry Division** initially responded with the following comment: Urban Forestry does not object to approval of the proposed development subject to the following conditions: “Building materials are not selected that require an encroachment into the right-of-way which prevent the existing street trees to be preserved. This includes scaffolding requirements associated with some masonry installation.” Please see Exhibit E-4 for additional details. Urban Forestry later revised the suggested condition in a revised response dated June 8, 2020. Staff has since updated the condition as follows: “Building design and construction, and the selected materials and methods, including, but not limited to, scaffolding and façade material, may not impact the existing street trees required for preservation unless approved by Urban Forestry. A Tree Preservation Plan for the existing street trees must be approved by Urban Forestry prior to building permit submittal and/or public works concept approval.”

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on May 19, 2020. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

**Procedural History:** This application was submitted on February 28, 2020, and was determined to be complete on April 24, 2020. The first hearing was scheduled for June 8, 2020, notices were posted on the site on May 8, 2020 and a public notice was mailed on May 19, 2020. At the first hearing, which was held virtually via Zoom, the Historic Landmarks Commission did not accept staff’s recommendation of approval with conditions and requested the applicant return with changes to the proposed design. The applicant revised the design based on comments at the June 8, 2020 hearing. Revisions include:

- Reducing the height of the sidecar by one level, from five to four;
- Added detail to window drawings; Added dimension to indicate 1 ¼” depth between mullions and glazing at upper level windows;
- Simplified storefronts; and
- Provided section details at brick transitions, parapet, and glass railing at rooftop.

On July 13, 2020, the Commission voted 6-0 to approve the proposal with conditions.

## ZONING CODE APPROVAL CRITERIA

### (1) HISTORIC RESOURCE REVIEW (33.846)

#### **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 Landmark in the Central Eastside subdistrict of the Central City Plan District. 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 Eastside subdistrict of the Central City Plan District, the relevant approval criteria are the Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan and Central City Fundamental Design Guidelines.

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

#### **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.
- 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.
- 3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.
- 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.
- 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.
- 9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.

**Findings for 1, 2, 3, 4, 5, and 9:** The proposed building will be located on the north half of the block within the boundary of the historic Troy Laundry Building, which is located immediately south of the proposed building. While situated within the boundary of the landmark Troy Laundry Building, the demolition of the one-story 1953 warehouse and the surface parking lot on the north half of the block will not result in a loss of historic features, materials, or character as these elements are noncontributing to the significance of the Troy Laundry Building. The essential form and integrity of the landmark Troy Laundry Building, which is on a separate property but technically part of the "site" will remain intact as a result of this proposal with the exception that windows on the north

facade will be obscured and ultimately closed as is required by Building and Fire Codes. *These criteria are met.*

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

**Findings:** No known archaeological resources are known to exist; however, some excavation will be performed in order to construct the below grade parking structure. If in the event that archaeological resources are discovered, as is required by state law, all work will be stopped and the State Archaeologist will be notified. This has been included as a condition of approval.

*With the condition of approval that upon the discovery of archaeological resources, all work will be stopped and the State Archaeologist will be notified, 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 building will be situated on a separate property, though within the boundary, of the historic landmark Troy Laundry Building. As noted above the proposal will not destroy historic materials that characterize the property as there are no materials on the north half of the block that are considered to be significant. The proposed building is generally designed to be compatible, though differentiated from the adjacent historic landmark; this is discussed in more depth in findings below. *This criterion is met.*

- 8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.
- 10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

**Findings:** The proposed building, while significantly larger than the landmark Troy Laundry Building has made attempts at achieving greater compatibility with the resource through materials, detailing, and proportional relationships. The primary building materials include standard brick, limestone, and aluminum window systems. The brick is proposed to be laid in various patterns throughout the facade, including variations in depth, similar to the various brick detailing patterns seen on the Troy Laundry Building, though the proposed patterns are not intended to match those on the Troy.

While the building is larger than the two-and-a-half-story Troy Laundry Building, the proposed building attempts to take some inspiration from the proportional relationships of the Troy, though not in a literal 1:1 sense. For instance, the building has a primary mass with a shorter and narrower sidecar mass set, offset with a slight recess from the primary mass. The primary mass of the proposed building has an ABABA rhythm (plus sidecar) on the west and east ends while the Troy has an ABCBA rhythm (plus sidecar) on the west and east ends. The north facade of the proposed building follows an AABAAAAAABAA pattern, akin to the CBCCCCCCCBA pattern of the south facade of the Troy, the introduction of the Bs being the primary element used to break up the length of the 200' facade. While the Bs on the Troy are slightly projecting and feature raised parapets, those on the proposed

building are slightly recessed and do not feature distinct parapets. At the February 24, 2020 Design Advice Request (DAR) the Historic Landmarks Commission expressed support for this variation in the pattern.

At the DAR and at the June 8, 2020 hearing, the Commission expressed consternation about the proposed 5-story height of the sidecar, stating that the sidecar had no clear relationship with the sidecar of the Troy building which is two stories. At the June 8<sup>th</sup> hearing, the Commission indicated that a 4-story sidecar would be more appropriate than the 5-stories previously proposed. The proposed four-story sidecar maintains a more direct relationship with the Troy in that the two buildings together step down from north to south. The applicant has also revised the design of the sidecar in response to comments in the previous staff report and at the June 8<sup>th</sup> hearing including reducing the size of the third and fourth floor windows, introducing additional limestone detailing, and reducing the height of the ground floor doors in order to better tie it to the Troy sidecar. The reduction of the sidecar from five stories to four reduces the amount of potential blank wall on the south façade along the property line. In the 2<sup>nd</sup> revised staff report, staff suggested a condition that south-facing windows indicated to be spandrel glazing should be revised to vision glazing. The Commission noted that interior lot line walls often have variations in pattern and were amenable to spandrel glazing, solid brick, or recessed brick in these areas. During the hearing the applicant noted that south-facing windows at the fourth floor of the sidecar were also likely to be spandrel but that this was not shown in the packet. Therefore the Commission added a condition to allow this diversion from the proposed elevations.

*With the condition of approval that the south-facing windows at the fourth floor may be spandrel glazing, these criteria are 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 11<sup>th</sup> and 12<sup>th</sup> 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 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.*

**A1. Integrate the River.** Orient architectural and landscape elements including, but not limited to, lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and greenway. Develop accessways for pedestrians that provide connections to the Willamette River and greenway.

**Findings:** The proposed building occupies a full half-block in the Central Eastside, eleven blocks from the Willamette River. An outdoor terrace is proposed at the west end of the roof, offering views toward the river, Downtown, and the West Hills. The residential lobby entrance is located at the northwest corner, reducing residents' travel distance to the river ever so slightly. *This guideline is met.*

**A2. Emphasize Portland Themes.** When provided, integrate Portland-related themes with the development's overall design concept.

**A2-1. Recognize Transportation Modes, Produce, and Commerce as Primary Themes of East Portland.** Recognize and incorporate East Portland themes into a project design, when appropriate.

**Findings for A2 and A2-1:** The Central City Fundamental Design Guidelines suggest that the A2 guideline could be met by introducing imagery of Portland-related symbols such as a rose or salmon while the Central Eastside guidelines suggest that A2-1 can be met by recognizing themes such as transportation, produce, and commerce. The proposed building emphasizes and respects Portland and East Portland Themes in a less literal manner but emphasizes these values through its design. Specifically, more recognized current themes of the city include access to the outdoors, quality design, and emphasis on the pedestrian realm which serves one form of transportation. The proposed building emphasizes these themes with the proposed rooftop deck providing access to the outdoors and expansive views to the surrounding landscape, plentiful windows offering similar views, ample retail space to support local commerce and an active pedestrian realm. In addition, the building is of quality design and will make better use of the north half of this block by replacing a one-story warehouse and surface parking lot. *These guidelines are met.*

**A3. Respect the Portland Block Structures.** Maintain and extend the traditional 200-foot block pattern to preserve the Central City's ratio of open space to built space. Where superblock exist, locate public and/or private rights-of-way in a manner that reflects the 200-foot block pattern, and include landscaping and seating to enhance the pedestrian environment.

**A7. Establish and Maintain a Sense of Urban Enclosure.** Define public rights-of-way by creating and maintaining a sense of urban enclosure.

**Findings for A3 and A7:** The proposed building occupies a full half-block and is designed to be built to the property lines, and meets the corners of the half-block Troy Laundry Building with only a slight recess introduced to offset the sidecar from the rest of the building. The blocky development pattern maintains and reinforces the 200-foot block pattern of the city. As such the proposed building helps maintain a sense of urban enclosure. *This guideline is met.*

**A4. Use Unifying Elements.** Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

**Findings:** The proposed building's primary relationship is to the Troy Laundry Building. This primacy is necessary in order to ensure compatibility with the Troy as the proposed building is located within the landmark boundary of the Troy. The two buildings occupy half-blocks oriented east-west and are defined by long rectangular blocky masses with slightly shorter sidecar buildings. Similarly, the proposed building's materials take inspiration from the Troy and primarily consist of brick and limestone. Additionally, the proposed window pattern is reflective of the grouped double-hung windows of the Troy, though the proposed windows are markedly modern in their design and materiality. In this way, the proposed building is unified with the adjacent historic landmark. In addition, the proposed large massing volume, use of brick, and large windows unifies the building with other contemporary buildings of similar use in the neighborhood. *This guideline is met.*

**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.

**A5-2. Acknowledge the Sandy River Wagon Road (Sandy Boulevard).** Acknowledge the historical significance of the Sandy River Wagon Road (Sandy Boulevard) from East Burnside to 7<sup>th</sup> Avenue with an upgrade of the public right-of-way to be more pedestrian accommodating and which is related to its historical context. New development located adjacent to this diagonal alignment also should acknowledge the historical significance in a creative way that is attractive, informative, and appropriate.

**B1. Reinforce and Enhance the Pedestrian System.** Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

**B3. Bridge Pedestrian Obstacles.** Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.

**B3-1. Reduce width of Pedestrian Crossings.**

- a. Where possible, extend sidewalk curbs at street intersections to narrow pedestrian crossings for a safer pedestrian environment.
- b. Maintain large service vehicle turning radii where necessary.

**Findings for A5, A5-2, B1, B3, and B3-1:** The sidewalks around the building will be rebuilt to current PBOT standards, thus reflecting the local character in the right-of-way. Thus, the pedestrian environment will be reinforced and enhanced, with barrier-free access. While not immediately adjacent, Sandy Boulevard is located just beyond the site and the northwest corner of the proposed building will be highly visible from Sandy Boulevard. This road is acknowledged by locating the residential entrance at this prominent corner. *These guidelines are met.*

**A5-3. Plan for or Incorporate Underground Utility Service.** Plan for or Incorporate Underground Utility Service to development projects.

**C10. Integrate Encroachments.** Size and place encroachments in the public right-of-way to visually and physically enhance the pedestrian environment. Locate permitted skybridges toward the middle of the block, and where they will be physically unobtrusive. Design skybridges to be visually level and transparent.

**C8-1. Allow for Loading and Staging Areas on Sidewalks.** On local service streets, adjacent businesses may use the sidewalk area for temporary loading and staging as long as pedestrian access through it is maintained.

**Findings for A5-3, C10 and C8-1:** Utility service is proposed below grade in the right-of-way on SE 10th, thus allowing services to be concentrated at the interior of the building or below grade, rather than at the building face. There are no other encroachments other than the below-grade utility vaults. Dedicated loading spaces are provided in the below-grade parking garage; however, this will not prohibit local service delivery trucks from parking on the street and utilizing the sidewalks on occasion. *These guidelines are 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

**B4. Provide Stopping and Viewing Places.** Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.

**B6. Develop Weather Protection.** Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

**B6-1. Provide Pedestrian Rain Protection.** Rain protection is encouraged at the ground level of all new and rehabilitated commercial buildings located adjacent to primary pedestrian routes. In required retail opportunity areas, rain protection is strongly recommended.

**Findings for B2, B4, B6, and B6-1:** As is noted elsewhere, vehicle access is located on SE Ash Street and provides access to both automobile parking and loading in the below-grade garage. The garage location was selected as this is the safest location with regard to traffic, including truck traffic on Sandy and SE 11<sup>th</sup> Avenue. Pedestrians are also protected from the negative impacts of rain, sun, and glare in that canopies are provided at the ground level and the primary material is brick which absorbs light. The ground level also features approximately 3'-0" recesses between the columns where entries are located and over 1'-0" where there are no doors which provide opportunities for pedestrians and visitors of the building to stop, rest, and socialize outside of the pedestrian path of travel. The proposed design also features sidewalk-oriented night-lighting at the columns and signage at the ground level. Mechanical equipment is located at the roof level and no ventilation is proposed at the street level or at the street-facing façades. Therefore, pedestrians will be protected from vehicles, mechanical equipment and will be provided a sense of safety with lighting. *These guidelines are met.*

**B7. Integrate Barrier-Free Design.** Integrate access systems for all people with the building's overall design concept.

**Findings:** The proposed building is designed to ensure barrier-free access to all levels, all retail spaces, and all residential amenity areas. *This guideline is met.*

**A5-4. Incorporate Works of Art.** Incorporate works of art into development projects.

**C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.

**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 A5-4, C2, and C5:** The Central Eastside guideline indicates that “works of art should be included in the development of major outdoor and indoor spaces accessible to the public.” As this building is built to the property lines, works of art can be accommodated at the interior. The building itself, has a higher level of detailing than is often proposed in similar contemporary buildings of this size. The proposed variations in brick pattern and depth show a level of craft and artistic expression that will provide interest to the streetscape. The proposed materials – brick, limestone, and the aluminum window system – are quality materials that will ensure the longevity of the proposed building.

The overall composition of the building is ordered and coherent, with an attention to detail in ensuring consistency in the overall rhythm, such as the extension of the garage door between the columns despite the narrower width of the garage entry behind the door. At the June 8<sup>th</sup> hearing, the Commission expressed an interest in greater depth between the glazing and mullions at the storefronts as well as the windows at upper levels. The drawings now show 1<sup>3</sup>/<sub>4</sub>” between the glazing and face of mullions at the storefronts and a 1<sup>1</sup>/<sub>4</sub>” difference at the upper level windows. At the July 13<sup>th</sup> hearing the Commission noted that the louvers shown at the storefront level would be more coherent if they were divided at the same intervals at the storefront windows. As such, a condition was added that where louvers are used in place of transom glazing, the vertical divisions used in the storefront shall be extended up through the louvers; a frame matching the storefront width shall be introduced and shall match the width of the mullions.

The building is coherent from bottom to top with a consistent storefront base, accented with ordered lighting and canopies between the columns and wrapping the corners, the decorative warehouse expression, traditional detailing, deeply inset windows, and topped with a single volume containing mechanical equipment, stair and elevator towers. The proposed railing is set 2'-0” back from the edge of the parapet but is shown to be approximately 4'-2” taller than the planter which is located inboard of the railing around the majority of the roof perimeter. The Commission believed that a reduced height for the railing would reduce its visibility without compromising people's sense of safety due to the presence of the planter. As such, a condition was added to reduce the height of the glass railing to no more than 3'-10” over the top of the coping.

*With the condition that where louvers are used in place of transom glazing, the vertical divisions used in the storefront shall be extended up through the louvers; a frame matching the storefront width shall be introduced and shall match the width of the mullions; and*

*With the condition that the glass railing at the rooftop shall be lowered to be 3'-10” from the top of the coping, these guidelines are met.*

**C1-1. Integrate Parking.**

- a. Integrate parking in a manner that is attractive and complementary to the site and its surroundings.
- b. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

**Findings:** The parking is located below grade and accessed from SE Ash Street. The proposed garage door is glazed and extends to the edges of the columns on either side of the opening, thus ensuring a coherent composition with the rest of the ground level. *This guideline is met.*

**C13. Integrate Signs.** Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

**C1-2. Integrate Signs.**

- a. Retain and restore existing signage which reinforces the history and themes of the district, and permit new signage which reinforces the history and themes of the East Portland Grand Avenue historic district.
- b. Carefully place signs, sign supports, and sign structures to integrate with the scale, color and articulation of the building design, while honoring the dimensional provisions of the sign chapter of the zoning code.
- c. Demonstrate how signage is one of the design elements of a new or rehabilitation project and has been coordinated by the project designer/ architect. Submit a Master Signage Program as a part of the project's application for a design review.

**Findings for C13 and C1-2:** The applicant has provided some signage details indicating the general locations and sizes anticipated to be installed. These include canopy-mounted free-standing letters and wall-mounted blade signs, all of which are noted to be illuminated. While staff is generally supportive of the proposed signage scheme and the proposed locations, not enough details have been provided to approve these specific signs in this review. As such, staff has added a condition of approval that the any future signage must be approved through a separate follow-up review.

*With the condition of approval that any future signage must be approved through a separate follow-up review, these criteria are met.*

**C3-1. Design to Enhance Existing Themes in the District.** Look to buildings from throughout the district for contextual precedent. Innovation and creativity are encouraged.

**C3-2. Respect Adjacent Residential Neighborhoods.** Respect the architectural character and development patterns of adjacent residential neighborhoods.

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

**Findings for C3-1, C3-2, and C4:** The Central Eastside subdistrict of the Central City Plan District has long served as a largely industrial and commercial neighborhood of Central City. Over the past several years, many new mixed-use buildings have been constructed in the area of this subdistrict. The proposed building follows that pattern of larger blocky new buildings with residential units located above ground floor retail uses. Many of these new buildings are clad with brick and the proposed building is intended to be clad with brick primarily to be compatible with the immediately adjacent historic Troy Laundry Building.

With regard to respecting adjacent residential neighborhoods, which is situated one block away beyond SE 12<sup>th</sup>, the proposed building is intended to be 75' tall, rather than the maximum 125' which could be achievable through the housing bonuses. This maximum 125' height limit achievable through bonuses is available to all of the blocks between SE 11<sup>th</sup> and SE 12<sup>th</sup> between NE Couch, three blocks to the north, and SE Taylor, seven blocks to the south. All of which are subject to Design Review, but not to Historic Resource Review. Only one landmark exists on a ¼ block at SE 12<sup>th</sup> & Ash. On the east side of SE 12<sup>th</sup> Avenue, between SE Ankeny and SE Stark, the CM2d zone extends the depth of one-half block, allowing heights up to 75' with bonuses. These height allowances indicate that within this area east of 12<sup>th</sup>, buildings could be constructed up to 75' with buildings west of 12<sup>th</sup> constructed up to 125'. Due to these allowances, the proposed building respects the adjacent neighborhood as it is only proposed to be a height of 75'. *These guidelines are met.*

**A8. Contribute to a Vibrant Streetscape.** Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

**C1. Enhance View Opportunities.** Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

**C6. Develop Transitions between Buildings and Public Spaces.** Develop transitions between private development and public open space. Use site design features such as movement zones, landscape elements, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

**C7. Design Corners that Build Active Intersections.** Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

**C8. Differentiate the Sidewalk-Level of Buildings.** Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

**C9. Develop Flexible Sidewalk-Level Spaces.** Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

**Findings for A8, C1, C6, C7, C8, and C9:** A substantial amount of active use areas surround the perimeter of the ground floor; the only inactive areas are the garage entrance and a few egress paths. Retail is proposed to front on the east and north facades with the residential lobby and fitness amenity located at the northwest corner and on the west facade. Locating the residential lobby at the northwest corner will ensure increased activity at the most visible corner. The retail spaces are large and could potentially be divided into smaller spaces. The ground level of the building is designed as projecting brick columns with storefront, set approximately 1'-0" to 3'-0" back, extending from column to column with canopies situated over the majority of these recesses. This design allows for extensive views between the interior and exterior of the building as well as plentiful comfortable space for retail spillover such as cafe seating along the sidewalk but out of the path of pedestrians. The ground level is differentiated from the upper levels by these larger storefront windows, canopies and signage, light fixtures illuminating the sidewalk and building features. *These guidelines are 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 storm water management tools.

**A5-5. Incorporate Water Features.** Enhance the quality of public spaces by incorporating water features.

**Findings for C11 and A5-5:** The rooftop hosts many different functions including mechanical equipment, a rooftop terrace for passive recreation including a spa, ecoroof, and stormwater management. The proposed location of the rooftop amenity at the west end of the building will provide the opportunity for views of the Downtown skyline while the proposed mechanical enclosure is contained within a single coherent volume so as to minimize clutter and enhance the view of this building from other buildings and the street. However, an additional metal screen is shown just north of the mechanical enclosure and includes north-south barriers between the terrace and the ecoroof/residential unit condenser fields. Because of the height of these screens, and particularly because the north-south screen on the north side of the terrace extends almost to the parapet edge, a condition has been added that these screens shall be limited to the area near the mechanical units and shall match the height of the glass railing at the rest of the terrace. This will ensure that the screen extending to the parapet edge will be glass to match the glass railing around the rest of the terrace.

*With the condition that the metal screens at the roof level shall be limited to the area near the mechanical units and shall match the height of the glass railing at the rest of the terrace, these guidelines are met.*

**C12. Integrate Exterior Lighting.** Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.

**Findings:** The proposal includes simple up-down lights to be mounted at the column faces along the ground level. These fixtures are subtle and will provide illumination to the sidewalk and will also highlight the architectural features of the building without negatively impacting the skyline at night. *This guideline is met.*

## **(2) 33.846.070 Modifications Considered During Historic Resource Review**

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the historic resource review process. These modifications are done as part of historic resource review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through historic resource review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. Better meets historic resource review approval criteria. The resulting development will better meet the approval criteria for historic resource review than would a design that meets the standard being modified; and
- B. Purpose of the standard.
  1. The resulting development will meet the purpose of the standard being modified; or
  2. The preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.

**Modification #1:** Ecoroofs - 33.510.243.B - to reduce the required amount of ecoroof from 60% to approximately 50% of the roof area not otherwise occupied by terraces, mechanical, and other service areas.

*Purpose Statement:* Ecoroofs provide multiple complementary benefits in urban areas, including stormwater management, reduction of air temperatures, mitigation of urban heat island impacts, air quality improvement, urban green spaces, and habitat for birds, plants, and pollinators. The standards are intended to:

- Maximize the coverage of ecoroofs;
- Allow for the placement of structures and other items that need to be located on roofs; and
- Support the architectural variability of rooftops in the Central City.

*Standard:* The ecoroofs, including required firebreaks between ecoroofs areas, must cover 100% of the building roof area, except that up to 40% of the building roof area can be covered with a combination of the following:

- Mechanical equipment, housing for mechanical equipment, and required access to, or clearance from, mechanical equipment;
- Areas used for fire evacuation routes;
- Stairwell and elevator enclosures;
- Skylights;
- Solar panels;
- Wind turbines;
- Equipment, such as pipes and pre-filtering equipment, used for capturing or directing rainwater to a rainwater harvesting system; or
- Uncovered common outdoor areas. Common outdoor areas must be accessible through a shared entrance.

**Findings:** At the June 8, 2020 hearing the Commission noted that the extent of mechanical equipment at the roof level served to ensure that no mechanical equipment would be located at the street-facing façades, as is common in new residential buildings where various vents and louvers are set within the exterior walls. The Commission noted that the proposed response is more in keeping with the historic character of the Troy Laundry Building which relies on natural ventilation. As such, the Commission found that the proposed reduction in required ecoroof better met criteria #8 and #10 than would a proposal that met the required amount of ecoroof. As is noted above, BES submitted a revised response in support of the reduced ecoroof, thus eliminating the need for staff's previously proposed condition of approval for a follow-up review. Thus, the Commission also found that the proposal still met the purpose of the standard.

*This Modification warrants approval.*

### **(3) Oregon Statewide Planning Goals**

#### **Goal 1: Citizen Involvement**

Goal 1 calls for “the opportunity for citizens to be involved in all phases of the planning process.” It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a Committee for Citizen Involvement (CCI) to monitor and encourage public participation in planning.

**Findings:** The City of Portland maintains an extensive citizen involvement program which complies with all relevant aspects of Goal 1, including specific requirements in Zoning Code Chapter 33.730 for public notice of land use review applications that seek public comment on proposals. There are opportunities for the public to testify at a local hearing on land use proposals for Type III land use review applications, and for Type II and Type Ix land use

decisions if appealed. *For this application, a written notice seeking comments on the proposal and notifying of the public hearing was mailed to property-owners and tenants within 400 feet of the site, and to recognized organizations in which the site is located and recognized organizations within 1,000 of the site. Additionally, the site was posted with a notice describing the proposal and announcing the public hearing.*

The public notice requirements for this application have been and will continue to be met, and nothing about this proposal affects the City's ongoing compliance with Goal 1. Therefore, the proposal is consistent with this goal.

### **Goal 2: Land Use Planning**

Goal 2 outlines the basic procedures of Oregon's statewide planning program. It states that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

**Findings:** Compliance with Goal 2 is achieved, in part, through the City's comprehensive planning process and land use regulations. For quasi-judicial proposals, Goal 2 requires that the decision be supported by an adequate factual base, which means it must be supported by substantial evidence in the record. *As discussed earlier in the findings that respond to the relevant approval criteria contained in the Portland Zoning Code, the proposal complies with the applicable regulations, as supported by substantial evidence in the record. As a result, the proposal meets Goal 2.*

### **Goal 3: Agricultural Lands**

Goal 3 defines "agricultural lands," and requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.

### **Goal 4: Forest Lands**

This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

**Findings for Goals 3 and 4:** In 1991, as part of Ordinance No. 164517, the City of Portland took an exception to the agriculture and forestry goals in the manner authorized by state law and Goal 2. Since this review does not change any of the facts or analyses upon which the exception was based, the exception is still valid and Goal 3 and Goal 4 do not apply.

### **Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources**

Goal 5 relates to the protection of natural and cultural resources. It establishes a process for inventorying the quality, quantity, and location of 12 categories of natural resources. Additionally, Goal 5 encourages but does not require local governments to maintain inventories of historic resources, open spaces, and scenic views and sites.

**Findings:** The City complies with Goal 5 by identifying and protecting natural, scenic, and historic resources in the City's Zoning Map and Zoning Code. Natural and scenic resources are identified by the Environmental Protection ("p"), Environmental Conservation ("c"), and Scenic ("s") overlay zones on the Zoning Map. The Zoning Code imposes special restrictions on development activities within these overlay zones. Historic resources are identified on the Zoning Map either with landmark designations for individual sites or as Historic Districts or Conservation Districts. *This site is not within any environmental or scenic*

*overlay zones; however, it is located within the boundary of a National Register-listed historic landmark, the Troy Laundry Building. Compliance with all requirements related to this designation have been verified as part of this land use review. Therefore, the proposal is consistent with Goal 5.*

### **Goal 6: Air, Water and Land Resources Quality**

Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

**Findings:** Compliance with Goal 6 is achieved through the implementation of development regulations such as the City's Stormwater Management Manual at the time of building permit review, and through the City's continued compliance with Oregon Department of Environmental Quality (DEQ) requirements for cities. The Bureau of Environmental Services reviewed the proposal for conformance with sanitary sewer and stormwater management requirements and expressed no objections to approval of the application, as mentioned earlier in this report. The Bureau of Environmental Services has reviewed the proposal and found it consistent with their requirements related to sanitary and stormwater management. *Therefore, the proposal is consistent with Goal 6.*

### **Goal 7: Areas Subject to Natural Disasters and Hazards**

Goal 7 requires that jurisdictions adopt development restrictions or safeguards to protect people and property from natural hazards. Under Goal 7, natural hazards include floods, landslides, earthquakes, tsunamis, coastal erosion, and wildfires. Goal 7 requires that local governments adopt inventories, policies, and implementing measures to reduce risks from natural hazards to people and property.

**Findings:** The City complies with Goal 7 by mapping natural hazard areas such as floodplains and potential landslide areas, which can be found in the City's MapWorks geographic information system. The City imposes additional requirements for development in those areas through a variety of regulations in the Zoning Code, such as through special plan districts or land division regulations. *The subject site is not within any mapped floodplain or landslide hazard area, so Goal 7 does not apply.*

### **Goal 8: Recreation Needs**

Goal 8 calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expediting siting of destination resorts.

**Findings:** The City maintains compliance with Goal 8 through its comprehensive planning process, which includes long-range planning for parks and recreational facilities. Staff finds the current proposal will not affect existing or proposed parks or recreation facilities in any way that is not anticipated by the zoning for the site, or by the parks and recreation system development charges that are assessed at time of building permit. Furthermore, nothing about the proposal will undermine planning for future facilities. *Therefore, the proposal is consistent with Goal 8.*

### **Goal 9: Economy of the State**

Goal 9 calls for diversification and improvement of the economy. Goal 9 requires communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

**Findings:** Land needs for a variety of industrial and commercial uses are identified in the adopted and acknowledged Economic Opportunity Analysis (EOA) (Ordinance 187831). The EOA analyzed adequate growth capacity for a diverse range of employment uses by distinguishing several geographies and conducting a buildable land inventory and capacity

analysis in each. In response to the EOA, the City adopted policies and regulations to ensure an adequate supply of sites of suitable size, type, location and service levels in compliance with Goal 9. The City must consider the EOA and Buildable Lands Inventory when updating the City's Zoning Map and Zoning Code. *Because this proposal does not change the supply of industrial or commercial land in the City, the proposal is consistent with Goal 9.*

### **Goal 10: Housing**

Goal 10 requires local governments to plan for and accommodate needed housing types. The Goal also requires cities to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

**Findings:** The City complies with Goal 10 through its adopted and acknowledged inventory of buildable residential land (Ordinance 187831), which demonstrates that the City has zoned and designated an adequate supply of housing. For needed housing, the Zoning Code includes clear and objective standards. *Since approval of this application will enable an increase in the City's housing supply, the proposal is consistent with Goal 10.*

### **Goal 11: Public Facilities and Services**

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

**Findings:** The City of Portland maintains an adopted and acknowledged public facilities plan to comply with Goal 11. See Citywide Systems Plan adopted by Ordinance 187831. The public facilities plan is implemented by the City's public services bureaus, and these bureaus review development applications for adequacy of public services. Where existing public services are not adequate for a proposed development, the applicant is required to extend public services at their own expense in a way that conforms to the public facilities plan. Service bureaus have reviewed the proposal and found an adequate level of capacity available for the proposed development. *Therefore, the proposal is consistent with Goal 11.*

### **Goal 12: Transportation**

Goal 12 seeks to provide and encourage "safe, convenient and economic transportation system." Among other things, Goal 12 requires that transportation plans consider all modes of transportation and be based on inventory of transportation needs.

**Findings:** The City of Portland maintains a Transportation System Plan (TSP) to comply with Goal 12, adopted by Ordinances 187832, 188177 and 188957. The City's TSP aims to "make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs." The extent to which a proposal affects the City's transportation system and the goals of the TSP is evaluated by the Portland Bureau of Transportation (PBOT). *As discussed earlier in this report, PBOT evaluated this proposal and had no concerns. Therefore, the proposal is consistent with Goal 12.*

### **Goal 13: Energy**

Goal 13 seeks to conserve energy and declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

**Findings:** With respect to energy use from transportation, as identified above in response to Goal 12, the City maintains a TSP that aims to "make it more convenient for people to

walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs.” This is intended to promote energy conservation related to transportation. Additionally, at the time of building permit review and inspection, the City will also implement energy efficiency requirements for the building itself, as required by the current building code. *For these reasons, staff finds the proposal is consistent with Goal 13.*

**Goal 14: Urbanization**

This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an “urban growth boundary” (UGB) to “identify and separate urbanizable land from rural land.” It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

**Findings:** In the Portland region, most of the functions required by Goal 14 are administered by the Metro regional government rather than by individual cities. The desired development pattern for the region is articulated in Metro’s Regional 2040 Growth Concept, which emphasizes denser development in designated centers and corridors. The Regional 2040 Growth Concept is carried out by Metro’s Urban Growth Management Functional Plan, and the City of Portland is required to conform its zoning regulations to this functional plan. *This land use review proposal does not change the UGB surrounding the Portland region and does not affect the Portland Zoning Code’s compliance with Metro’s Urban Growth Management Functional Plan. Therefore, Goal 14 is not applicable.*

**Goal 15: Willamette Greenway**

Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

**Findings:** The City of Portland complies with Goal 15 by applying Greenway overlay zones which impose special requirements on development activities near the Willamette River. *The subject site for this review is not within a Greenway overlay zone near the Willamette River, so Goal 15 does not apply.*

**Goal 16: Estuarine Resources**

This goal requires local governments to classify Oregon’s 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those “management units.”

**Goal 17: Coastal Shorelands**

This goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for “water-dependent” or “water-related” uses.

**Goal 18: Beaches and Dunes**

Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes, but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.

**Goal 19: Ocean Resources**

Goal 19 aims “to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf.” It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19’s main requirements are for state agencies rather than cities and counties.

**Findings:** *Since Portland is not within Oregon’s coastal zone, Goals 16-19 do not apply.*

## **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 building, to be constructed within the boundary of the historic landmark Troy Laundry Building, is larger than the Troy but takes cues from the Troy and incorporates them into the design. The proposed building features high quality materials and fine detailing and will be a welcome introduction to the neighborhood. In order to address some relatively minor revisions and lack of information staff has added recommended conditions to the recommendation of approval. 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 with conditions. Reduction of the ecoroof standard is also warranted, therefore, staff recommends approval of the requested Modification.

## **HISTORIC LANDMARKS COMMISSION DECISION**

It is the decision of the Historic Landmarks Commission to approve Historic Resource Review for a proposed 6-story residential building with ground floor retail, rooftop terrace, and below-grade parking and loading accessed from SE Ash, to be constructed within the boundary of the landmark Troy Laundry building. Exterior materials include brick, limestone, and aluminum windows.

Staff recommends approval of the following Modification:

1. 33.510.243.B - to reduce the required amount of ecoroof from 60% to approximately 43% of the roof area not otherwise occupied by terraces, mechanical, and other service areas.

Approvals per Exhibits C.1-C.59, signed, stamped, and dated July 13, 2020, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B – 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 20-124348 HRM. 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.
- D. Building design and construction, and the selected materials and methods, including, but not limited to, scaffolding and façade material, may not impact the existing street trees

required for preservation unless approved by Urban Forestry. A Tree Preservation Plan for the existing street trees must be approved by Urban Forestry prior to building permit submittal and/or public works concept approval.

- E. Upon the discovery of archaeological resources, all work will be stopped, and the State Archaeologist will be notified.
- F. The south-facing windows at the fourth floor may be spandrel glazing.
- G. The glass railing at the rooftop shall be lowered to be 3'-10" from the top of the coping.
- H. The metal screens at the roof level shall be limited to the area near the mechanical units and shall match the height of the glass railing at the rest of the terrace.
- I. Any future signage must be approved through a separate follow-up review.
- J. Where louvers are used in place of transom glazing, the vertical divisions used in the storefront shall be extended up through the louvers; a frame matching the storefront width shall be introduced and shall match the width of the mullions.

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By:   
Kristen Minor, Historic Landmarks Commission Chair

Application Filed: February 28, 2020  
Decision Filed: July 14, 2020

Decision Rendered: July 13, 2020  
Decision Mailed: July 23, 2020

**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 February 28, 2020, and was determined to be complete on April 24, 2020.

*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 February 28, 2020.

*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 waived the 120-day review period, as stated with Exhibit A-2). Unless further extended by the applicant, **the 120 days will expire on: April 23, 2021.**

**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. This report is the final decision of the Historic Landmarks Commission with input from other City and public agencies.

**Conditions of Approval.** This approval 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, 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 August 6, 2020. **Towards promoting social distancing during the COVID-19 pandemic, the completed appeal application form must be e-mailed to [LandUseIntake@portlandoregon.gov](mailto: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 \$5,000 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 ONI 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 the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note that due to COVID-19 and limited accessibility to files, only digital copies of material in the file are available for viewing. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

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 City Council is final; any further appeal is to the Oregon Land Use Board of Appeals (LUBA).

Upon submission of their application, the applicant for this land use review chose to waive the 120-day time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing, one in which new evidence can be submitted to City Council.

**Who can appeal:** You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision.

Neighborhood associations may qualify for a waiver of the appeal fee. Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

**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 **August 7, 2020** 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 must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

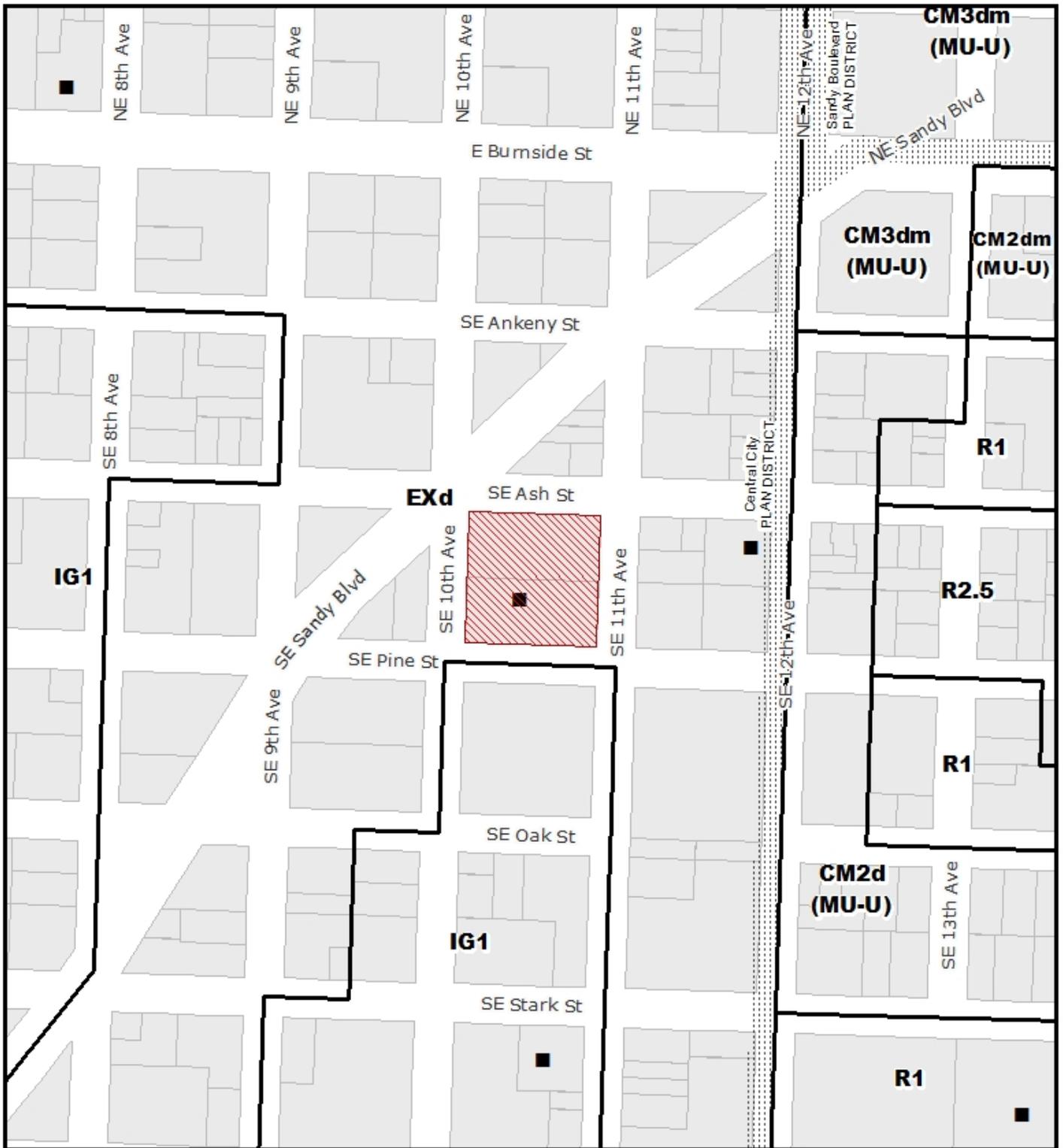
**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**

**EXHIBITS – NOT ATTACHED UNLESS INDICATED**

- A. Applicant's Statement
  1. Original Submittal
  2. 120-Day Waiver
  3. Completeness Response, received April 24, 2020
  4. Packet for June 8, 2020 Hearing
- B. Zoning Map (attached)
- C. Plan & Drawings
  1. Lower Level 2 (C.24)
  2. Lower Level 1 (C.25)
  3. Level 1 (C.26) (attached)
  4. Level 2-4 (C.27)
  5. Level 5 (C.28)
  6. Level 6 (C.29)
  7. Roof Plan (C.30)
  8. East Elevation (C.32) (attached)
  9. North Elevation (C.33) (attached)
  10. West Elevation (C.34) (attached)

11. South Elevation (C.35) (attached)
12. Building Section (C.36)
13. Building Section (C.37)
14. Building Section (C.38)
15. Perspective – NE Corner (C.40)
16. Perspective – SE Corner (C.41)
17. Perspective SW Corner (C.42)
18. Perspective – NW Corner (C.43)
19. Perspective – NE Corner (C.45)
20. Details – Storefront (C.46)
21. Details – Base Conditions (C.47)
22. Details – Storefront Window Product Info (C.48)
23. Details – Driveway Location (C.50)
24. Details – Garage Speed Ramp (C.51)
25. Details – Garage Door & Metal Panel (C.52)
26. Product Info – Garage Door (C.53)
27. Details – Residential Windows (C.54)
28. Details – Residential Windows (C.55)
29. Details – Typical Detail & Residential Window Product Info (C.56)
30. Product Info – Glazing (C.57)
31. Details – Glazing Percentage Calculations (C.58)
32. Details – Signage (C.60)
33. Details – Signage (C.61)
34. Details – Signage (C.62)
35. Details – Signage (C.63)
36. Details – Blade Signage (C.64)
37. Details – Canopy (C.65)
38. Façade Materials – East Elevation (C.66)
39. Façade Materials – North Elevation (C.67)
40. Façade Materials – West Elevation (C.68)
41. Façade Materials – South Elevation (C.69)
42. Details – Brick Coursing – Key (C.70)
43. Details – Façade Depth Study (C.71)
44. Elevation – Store Front Area (C.72)
45. Perspective – Store Front Activity (C.73)
46. Plan – Tree Plan (C.76)
47. Ground Level Plan – Landscape (C.77)
48. 2<sup>nd</sup> Floor Plan – Landscape (C.78)
49. Roof Plan – Landscape (C.79)
50. Plant Palette – Landscape (C.80)
51. Materials Palette – Landscape (C.81)
52. Details – Glass Guardrail (C.82)
53. Details – Parapet Details (C.83)
54. Details – Roof Systems (C.84)
55. Details – Street Trees (C.85)
56. Details – Plant Schedule (C.86)
57. Product Info – Mechanical (C.90)
58. MEP – Mechanical Screening (C.91)
59. Product Info – Exterior Light Fixture (C.92)
60. Plan – Site Lighting (C.93)
61. Site Plan – Civil (C.96)
62. Utilities – Plan (C.97)
63. Existing Conditions – Plan (C.98)
64. Grading – Plan (C.99)
65. Diagram – Bike Parking & Product Info (C.102)

66. Diagram – FAR Calculations (C.103)
  67. Diagram – Ecoroof Calculations (C.104)
  68. Diagram – Building Height (C.105)
- D. Notification information:
1. Request for response
  2. Posting letter sent to applicant
  3. Notice to be posted
  4. Applicant’s statement certifying posting
  5. Mailed notice
  6. Mailing list
- E. Agency Responses:
1. Bureau of Environmental Services
  2. Bureau of Transportation Engineering and Development Review
  3. Site Development Review Section of BDS
  4. Bureau of Parks, Forestry Division
  5. Fire Bureau
  6. Life Safety Division of BDS
  7. Revised Forestry Division response, dated June 8, 2020
  8. Revised BES Response, dated July 6, 2020
- F. Letters: none
- G. Other
1. Original LUR Application
  2. Incomplete Letter, dated March 20, 2020
  3. Staff Report, dated May 29, 2020
  4. Staff Memo, dated May 29, 2020
  5. Approval Criteria Matrix, dated May 29, 2020
  6. DAR Summary, dated March 9, 2020
  7. Revised Staff Report, dated June 8, 2020
- H.
1. Staff Presentation, dated June 8, 2020
  2. Applicant Presentation, dated June 8, 2020
  3. 2<sup>nd</sup> Revised Staff Report, dated July 3, 2020
  4. Revised Staff Memo, dated July 3, 2020
  5. Revised Matrix, dated July 3, 2020
  6. Revised Drawing Packet, received June 22, 2020
  7. Applicant Memo on changes, dated June 29, 2020
  8. Drawing Packet for printing, dated July 13, 2020
  9. Drawing Packet Appendix, dated July 13, 2020
  10. Stormwater Management Report, dated June 29, 2020
  11. Staff Presentation, dated July 13, 2020
  12. Applicant Presentation, dated July 13, 2020



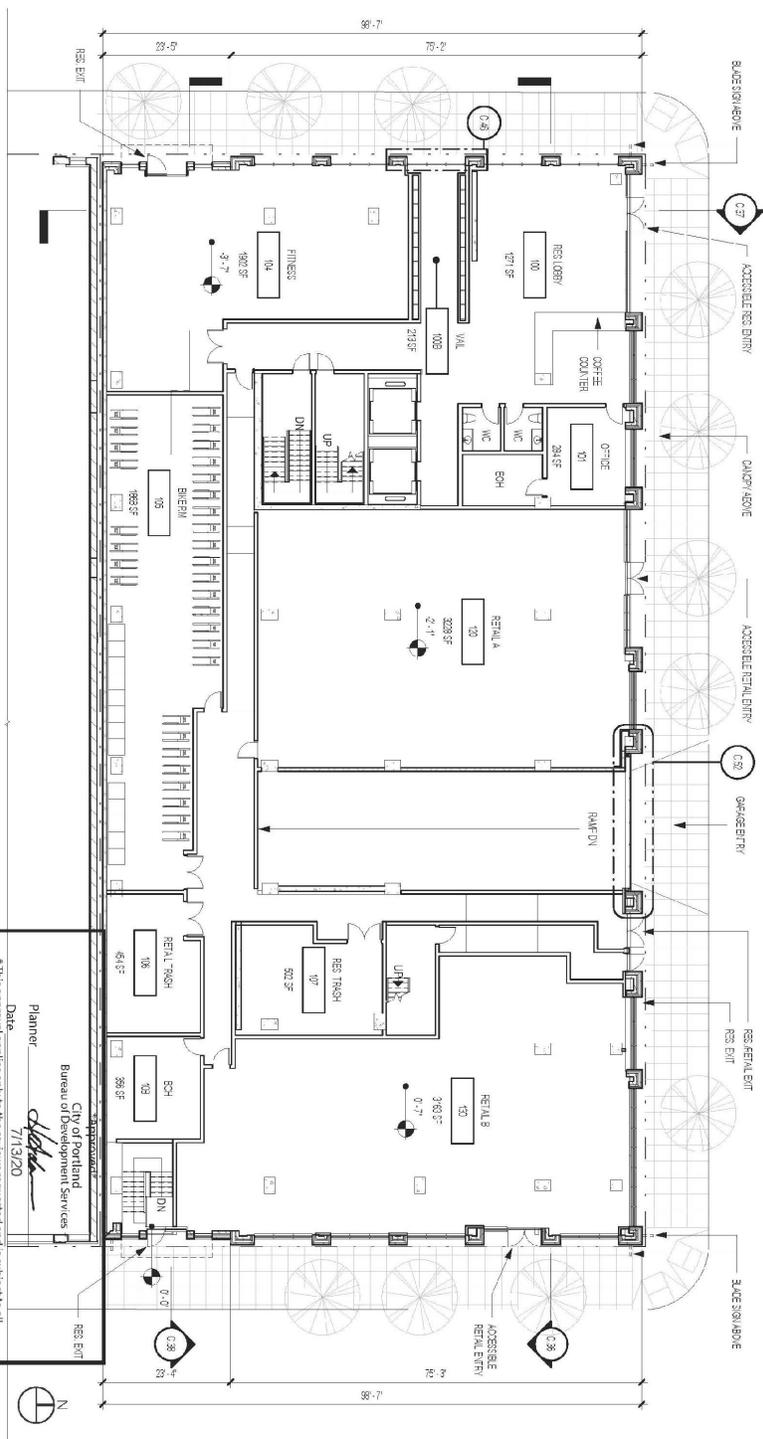
**ZONING**   
 CENTRAL CITY PLAN DISTRICT  
 CENTRAL EASTSIDE SUB DISTRICT

 Site  
 Historic Landmark

File No.	LU 20 - 124348 HRM
1/4 Section	3031
Scale	1 inch = 200 feet
State ID	1N1E35CD 8400
Exhibit	B Apr 24, 2020

# PLAN | Level 01

1/16" = 1'



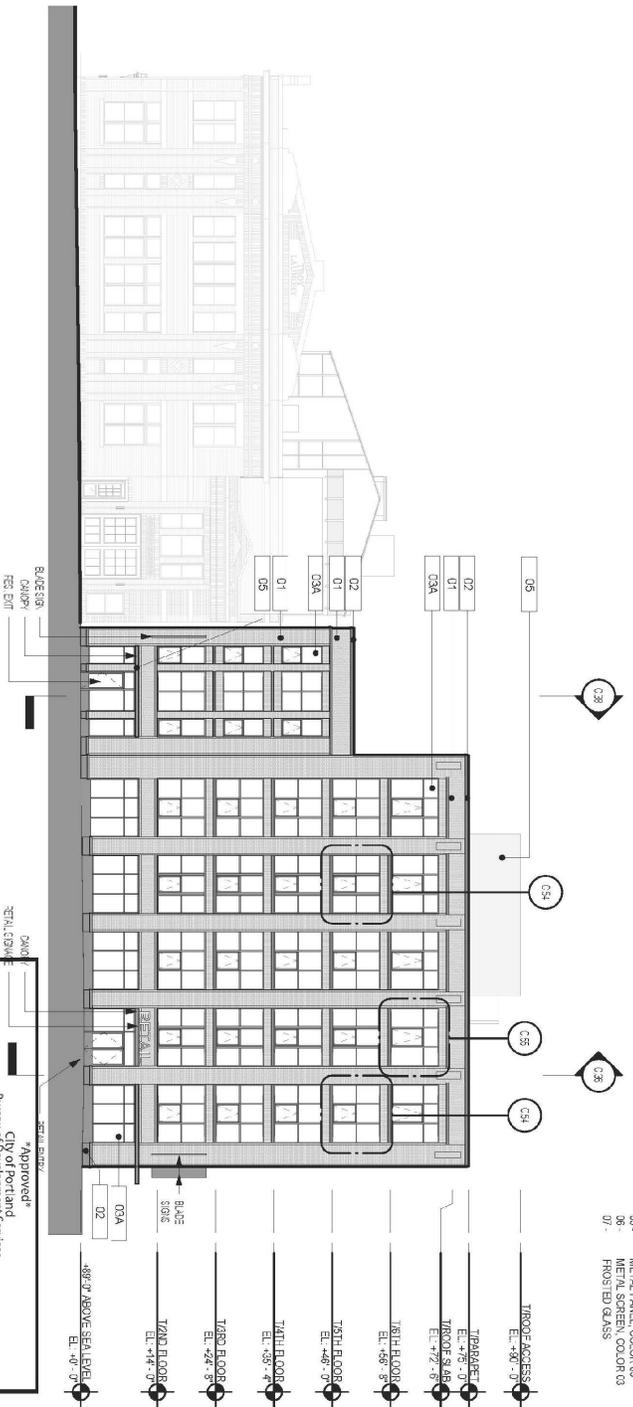
Troy Land  
City of Portland  
LD20-124348 HR Land Use Type III Application 07.13.2020

\* This approval applies only to the reviews requested and is subject to all  
City of Portland rules and regulations. See the Planning Department's  
LD20-124348 HR Land Use Type III Application 07.13.2020

Planner  
City of Portland  
Bureau of Development Services  
*Chloe*  
Date  
7/13/20

# FACADE | East Elevation

1/16" = 1'



- MATERIAL TAG LEGEND**
- O1 - BRICK MASONRY, COLOR 01
  - O2 - STONE, COLOR 02
  - O3A - SPANDREL GLASS
  - O3B - ALUMINUM FRAME, COLOR 03
  - O4 - METAL PANEL, COLOR 04
  - O5 - METAL SCREEN, COLOR 05
  - O6 - FROSTED GLASS
  - O7 -
  - C3A -
  - C3B -
  - C3C -
  - C3D -

Troy Laundry Property Holder LLC | 1010 SE Ash Street, Portland, OR 97214  
 LU20-124348 HR | Land Use Type II Application | 07.13.2020



Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planner: *Chloe*  
 Date: 7/13/20

\*This approval applies only to the reviewer requested and is subject to all conditions of approval. Additional zoning requirements may apply.

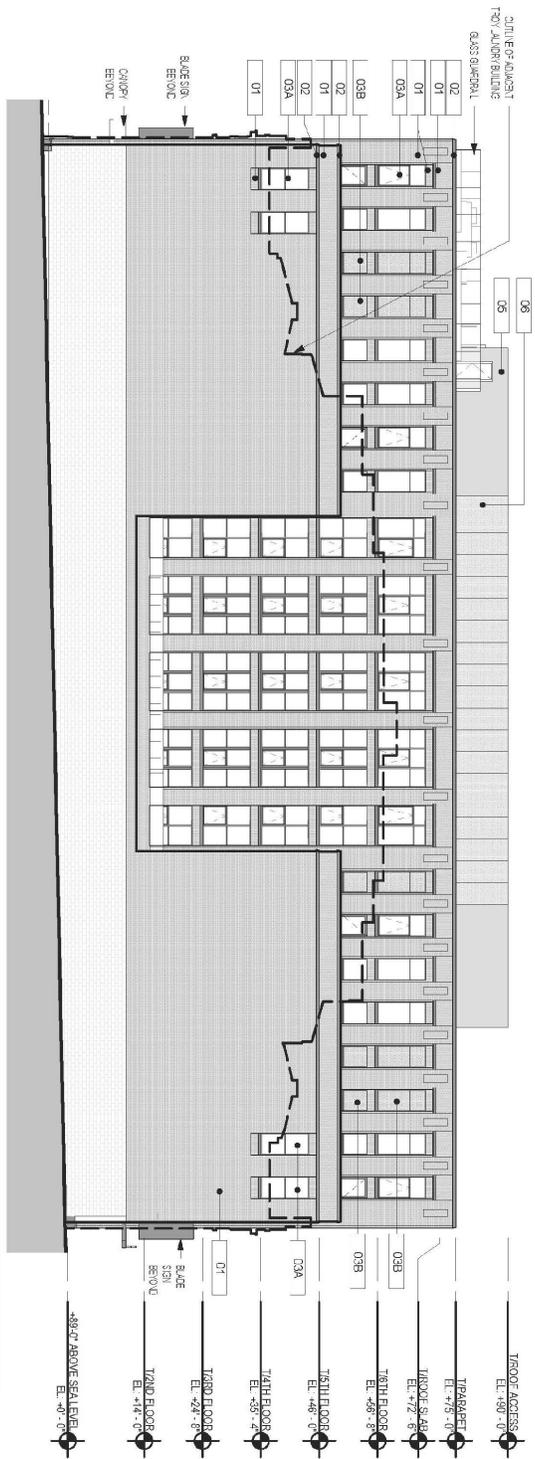
C32





# FACADE | South Elevation

1/16" = 1'



- MATERIAL TAG LEGEND**
- 01 - BRICK MASONRY, COLOR 01
  - 02 - STONE, COLOR 02
  - 03A - SPANDREL GLASS
  - 03B - ALUMINUM FRAME, COLOR 03
  - 06 - METAL SCREEN, COLOR 03
  - 07 - FROSTED GLASS

Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planner *[Signature]*  
 Date 7/13/20

Troy Laundry Property Holder LLC | 1010 SE Ash Street, Portland, OR 97214  
 LU20-124348 HR | Land Use Type II Application | 07.13.2020

