



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

Dan Ryan, Commissioner  
Rebecca Esau, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portland.gov/bds](http://www.portland.gov/bds)

**Date:** September 23, 2021  
**To:** Interested Person  
**From:** Hillary Adam, Land Use Services  
503-823-8953 / [Hillary.Adam@portlandoregon.gov](mailto:Hillary.Adam@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 21-061740 HR – ELEVATOR OVERRUN**

#### **GENERAL INFORMATION**

**Applicant:** Miranda Wright  
Hartshorne Plunkard Architecture  
232 N Carpenter Street  
Chicago, IL 60607

**Owner/Agent:** Alex Stanford  
Troy Laundry Property Holder  
133 N Jefferson St, 4th Floor  
Chicago, IL 60661

**Site Address:** 1010 SE ASH ST

**Legal Description:** BLOCK 224 LOT 1&2&7&8, EAST PORTLAND  
**Tax Account No.:** R226514470, R226514450  
**State ID No.:** 1N1E35CD 08401, 1N1E35CD 08400  
**Quarter Section:** 3031

**Neighborhood:** Buckman, contact John Rose or Josh Baker at [buckmanlandusepdx@gmail.com](mailto:buckmanlandusepdx@gmail.com)

**Business District:** Central Eastside Industrial Council, contact [ceic@ceic.cc](mailto: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 Historic Landmark (the Troy Laundry Building), which is individually listed on the National Register of Historic Places

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

**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 proposes to extend the height of the elevator overrun an additional 5'-2" above the height approved in the original Historic Resource Review (LU 20-124348 HRM) which was approved July 14, 2020.

Historic Resource Review is required because the proposal is for a non-exempt substantial change to an approved building within the Historic Resource Protection overlay zone.

**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
- Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan
- 33.846.060.G Other approval criteria

## 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 soon-to-be-demolished 1-story non-contributing warehouse addition to the Troy Laundry Building. This site was recently approved for redevelopment with a 6-story mixed-use building with residential units above ground floor retail and amenities.

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 "d" overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

The Central City Plan District implements the Central City 2035 Plan. The regulations address the unique role the Central City plays as the region's premier center for jobs, health and human services, tourism, entertainment and urban living. The regulations encourage a high-density urban area with a broad mix of commercial, residential, industrial and institutional uses, and foster transit-supportive development, pedestrian and bicycle-friendly streets, a vibrant public realm and a healthy urban river. The site is within the Central Eastside Subdistrict of this plan district.

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

- 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;
- EA 20-103960 DA – Design Advice Request for a new 6-story building within the boundary of the historic landmark Troy Laundry Building as well as a rooftop addition to the Troy Laundry Building; and
- LU 20-124348 HRM – Historic Resource Review and Modification approval for a new 6-story mixed-use building with a reduced ecoroof area requirement.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on **July 27, 2021**. The following Bureaus have responded with no issues or concerns about the proposal:

- Bureau of Environmental Services
- Life Safety Division of BDS
- Bureau of Transportation Engineering

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **July 27, 2021**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.846, Historic Reviews**

#### **Purpose of Historic Resource Review**

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

#### **Historic Resource Review Approval Criteria**

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

**Findings:** The site is a designated Historic Landmark with 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 Eastside subdistrict of the Central City Plan District, the relevant approval criteria are the Central City Fundamental Design Guidelines and the Special Design Guidelines for

the Design Zone of the Central Eastside District of the Central City Plan.

**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.
- 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.
- 10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

**Findings for 1, 2, 3, 8, 9, and 10:** The proposed revision to the approved design of the new 6-story building is limited to the additional height of the elevator overrun. No changes are proposed to the historic Troy Laundry Building, which is on a separate site, though the approved building is located within the boundary of the landmark designation. The essential historic character of the adjacent Troy Laundry building will remain intact and the resource will remain a record of its time, with its essential form and integrity not impacted by the current proposal. The extension of the elevator overrun is modest and minimally visible from the public realm. It will be clad in the same material as the rest of the rooftop extensions including the stair towers and mechanical enclosure. *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.*

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

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

**C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

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

**C5. Design for Coherency.** Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

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

**Findings for B7, C2, C3, C3-2, C5, and C11:** The proposed elevator overrun extension is a result of the final elevator design requiring additional height than originally anticipated. The elevator allows barrier-free design to all floors of the new building including the activated rooftop, therefore, accommodation of an elevator is critical to the equitable and active design of the building. The proposed solution is modest, integrated with the existing rooftop extensions, such as the stair towers and mechanical enclosure, and is minimally visible from the public realm. The elevator is at the west end of the site, thus locating this additional height further from the

adjacent residential district. *These guidelines are met.*

## DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all requirements of Title 11 can be met, and that all development standards of Title 33 can be met or have received an Adjustment or Modification via a land use review, prior to the approval of a building or zoning permit.

## CONCLUSIONS

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

## ADMINISTRATIVE DECISION

Approval to extend the height of the elevator overrun an additional 5'-2" above the height approved in the original Historic Resource Review (LU 20-124348 HRM) which was approved July 14, 2020.

This approval is per the approved site plans, Exhibits C-1 through C-6, signed and dated August 26, 2021, 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 21-061740 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: Hillary Adam**

**Decision rendered by:**  **on August 26, 2021**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: September 23, 2021**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on June 30, 2021, and was determined to be complete on July 21, 2021.

*Zoning Code Section 33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the

application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on June 30, 2021.

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: November 18, 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. 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](http://www.portlandonline.com).

**Recording the final decision.**

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **September 23, 2021** 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 it is rendered unless:

- A building permit has been issued, or
- The approved activity has begun, or
- In situations involving only the creation of lots, the land division has been recorded.

**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code 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. Drawings
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Vicinity Plan (attached)
  - 2. East Elevation
  - 3. North Elevation (attached)
  - 4. West Elevation (attached)
  - 5. South Elevation
  - 6. Rendering
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Life Safety Division of BDS
  - 3. Bureau of Transportation Engineering and Development Review
- F. Correspondence: none
- G. Other:
  - 1. Original LU Application

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