



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

Dan Ryan, Commissioner  
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**Date:** March 14, 2022  
**To:** Interested Person  
**From:** Hillary Adam, Land Use Services  
503-823-8953 / Hillary.Adam@portlandoregon.gov

**NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

**CASE FILE NUMBER: LU 22-108246 HR – MECHANICAL AND NORTH FAÇADE CHANGES**

**GENERAL INFORMATION**

**Applicant:** Andrew Becker  
Hartshorne Plunkard Architecture LLC  
232 N Carpenter St  
Chicago, IL 60607

**Owners Representative:** Alex Stanford  
Troy Laundry Property Holder Llc  
133 N Jefferson Street, 4th Floor  
Chicago, IL 60661

**Site Address:** 1025 SE PINE ST

**Legal Description:** EAST PORTLAND Block 24 Lots 3-6  
**Tax Account No.:** R226514470  
**State ID No.:** 1N1E35CD-08401  
**Quarter Section:** 3031

**Neighborhood:** Buckman, contact John Rose or Josh Baker at buckmanlandusepdx@gmail.com  
**Business District:** Central Eastside Industrial Council, contact ceic@ceic.cc.  
**District Coalition:** Southeast Uplift, contact Matchu Williams at matchu@seuplift.org

**Plan District:** Central City - Central Eastside  
**Other Designations:** Historic Landmark, individually listed on the National Register of Historic Places

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

**Case Type:** HR – Historic Resource Review  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

**Proposal:**

The applicant proposes revisions to alterations to the Historic Landmark in the Central Eastside subdistrict of the Central City Plan District which were approved in LU 20-136009 HR. The proposed changes include:

- Revisions to the rooftop mechanical systems along the northside of the roof; and
- Revising the exterior materials of the new penthouse’s north façade from stucco to brick due to the proximity of the future building on the north half of the block and the need to access this area for future maintenance.

Historic Resource Review is required because the proposed revisions are for non-exempt exterior alterations that do not conform to the prior approval.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant 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 (1-10) Other approval criteria

## ANALYSIS

**Site and Vicinity:** The subject property is 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 and subject site 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, within the boundary of the Troy Laundry landmark designation, is the construction site of a future 6-story mixed-use 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 “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 Central City Plan District implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within 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 a 6-story 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 a 6-story 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;
- LU 20-124348 HRM – Historic Resource Review and Modification approval for a new 6-story mixed-use building with a reduced ecoroof area requirement;
- LU 21-061740 HR – Historic Resource Review approval for revisions to the approved elevator overrun; and
- LU 21-069088 HR – Historic Resource Review approval for storefront revisions to the approved 6-story building.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **February 11, 2022**. The following Bureaus have responded with no issues or concerns:

- Life Safety Division of BDS
- Site Development Section of BDS
- Fire Bureau

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on February 11, 2022. 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. 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 *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.
- 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.
- 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.
- 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, 4, 5, 7, 8, 9, and 10:** The proposal is for relatively minor changes to the previously approved rooftop mechanical equipment. The approved scheme located a number of condenser unit on the west roof of the sidecar with larger equipment shown on the east side of the sidecar roof. This proposal reserves the location of those different elements based on newly identified needs. The west side roof of the sidecar sits lower than the east side roof, allowing the larger equipment to be better obscured by the parapet than it could have been on the east side, thus better preserving the historic character of the building. Additional equipment is also proposed to be added beyond the approved mechanical screen at the roof of the newly approved penthouse. The proposed equipment is low in profile, justifying its location outside of the screen as extending the screen to capture this equipment would result in a bulkier rooftop mechanical screen more likely to be visible from adjacent sidewalks, whereas the approved screen condition is minimally visible.

The change in material at the north façade of the penthouse is proposed for constructability and to accommodate future maintenance needs. While the majority of

the unglazed walls of the new penthouse will be clad in stucco, the north façade will now be primarily clad in brick which will require significantly less maintenance over time. Where space allows, stucco is still proposed and is dimensionally offset from the adjacent brick so that these two materials are not coplanar. The brick will be the same color as the stucco so as to not draw attention and to distinguish it from the brick of the existing building below.

These two changes – to the mechanical equipment and the north penthouse façade – are compatible with the historic building and allow for preservation of its historic character. No historic materials or features will be compromised by this proposed change. The penthouse itself was approved in a prior review and found in that review to maintain the essential form and integrity of the historic resource. The building will remain a record of its time as these changes on this previously approved new element are differentiated but also minimally visible from public view. *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.*

**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.

**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:** The proposed changes to the previously approved proposed respect the architectural integrity of the existing landmark in that they do not result in changes to the historic building not already approved in the prior review and they remain minimally visible from the public realm. The proposed brick at the north penthouse façade is a higher quality material than the stucco which requires more maintenance and the change in material will only be noticeable from the immediately adjacent apartment building currently under construction. The change in materials is accompanied by a change in plane thus allowing each material to be associated with a distinct element of the penthouse, thereby ensuring a high level of thoughtfulness in design even in areas that are minimally visible. The additional mechanical equipment will maintain a low profile by being appropriately located and by not further extending the mechanical screen, thus minimizing visibility of this utilitarian aspect of the addition. *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 development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

## CONCLUSIONS

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

## ADMINISTRATIVE DECISION

Approval of revisions to alterations to the Historic Landmark in the Central Eastside subdistrict of the Central City Plan District which were approved in LU 20-136009 HR. The proposed changes include:


- Revisions to the rooftop mechanical systems along the northside of the roof; and

- Revising the exterior materials of the new penthouse's north façade from stucco to brick due to the proximity of the future building on the north half of the block and the need to access this area for future maintenance.

This approval is per the approved site plans, Exhibits C-1 through C-16, signed and dated March 10, 2022, subject to the following conditions:

- As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 22-108246 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- 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.
- No field changes allowed.

**Staff Planner: Hillary Adam**

**Decision rendered by:**  **on March 9, 2022**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: March 14, 2022**

**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 January 31, 2022, and was determined to be complete on February 7, 2022.

*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 January 31, 2022.

*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: June 7, 2022.**

**Some of the information contained in this report was provided by the applicant.**

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project

elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**Appealing this decision.** This decision may be appealed to the Landmarks Commission, 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 March 29, 2022. The completed appeal application form must be emailed 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 \$250 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 Office of Community and Civic Life 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 this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Landmarks Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

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

- *Unless appealed*, the final decision will be recorded after **March 29, 2022** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.



Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

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

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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Cover Sheet
  - 2. Site Plan (attached)
  - 3. Roof Plan (attached)
  - 4. South Elevations
  - 5. East Elevations
  - 6. West Elevations
  - 7. North Elevations (attached)
  - 8. Massing Diagram
  - 9. Wall Sections and Details
  - 10. Pedestrian View looking Northeast
  - 11. Pedestrian View looking Northwest
  - 12. Pedestrian View looking Southwest
  - 13. Pedestrian View looking Southeast
  - 14. Aerial View looking Northeast
  - 15. Aerial View looking Northwest
  - 16. Aerial View looking Southeast
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Life Safety Division of BDS
- F. Correspondence: none
- G. Other:
  - 1. Original LU Application

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