



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

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**Date:** March 2, 2010  
**To:** Interested Person  
**From:** Dave Skilton, Land Use Services 503-823-0660  
dave.skilton@ci.portland.or.us

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

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 10-103110 HDZ – ROOFTOP  
MECHANICAL EQUIPMENT**

**GENERAL INFORMATION**

**Applicant:** Fire Station No 7 LLC, Owner  
70 NW Couch Street #207  
Portland, OR 97209

**Representative:** Dana Moore, Architect 503-235-9400  
Emerick Architects  
208 SW 1st Avenue #320  
Portland, OR 97204

**Site Address:** 1036 SE Stark Street

**Legal Description:** BLOCK 221 LOT 7&8, EAST PORTLAND  
**Tax Account No.:** R226514230, R226514230  
**State ID No.:** 1S1E02BA 08900, 1S1E02BA 08900  
**Quarter Section:** 3131

**Neighborhood:** Buckman, contact Susan Lindsay at 503-725-8257.  
**Business District:** Central Eastside Industrial Council, contact Juliana Lukasik at 503-287-5886.  
**District Coalition:** Southeast Uplift, contact Leah Hyman at 503-232-0010.

**Plan District:** Central City - Central Eastside  
**Other Designations:** Listed in the National Register of Historic Places as the Portland Fire Station #7, on June 8, 1989.

**Zoning:** IG1, General Industrial 1  
**Case Type:** HDZ, Historic Design Review  
**Procedure:** Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The applicant is seeking Historic Design Review approval for a proposal to install rooftop mechanical equipment in five locations. Four locations, on a flat roof set back a minimum of 23' from the front parapet, will receive HVAC units 3'-9" wide x 6'-11" long x 3'-7" high. One location, on a visible internal roof slope, will receive a linear bank of seven condenser units each 2'-4" wide x 2'-4" deep x 3'-2" tall. The overall installation will be approximately 24' long and set back from the front facade 24'. It will be hidden from view, as seen from across SE Stark Street with a perforated metal screen painted a neutral gray color. Historic Design Review is required because the property is listed in the National Register of Historic Places as the Portland Fire Station #7.

**Relevant Approval Criteria:**

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

- 33.846 Historic Reviews
- 33.846.060 G – Other Approval Criteria
- Central Eastside Design Guidelines

**ANALYSIS**

**Site and Vicinity:** The 10,000 SF site is at the northeast corner of a block bounded by SE Washington Street, SE Stark Street, and SE 10<sup>th</sup> and SE 11<sup>th</sup> Avenues in the Central City Plan District. The site is occupied by Portland Fire Station No. 7, which was built in 1927 and is a Historic Landmark. Two non-contributing additions, one added in 1930 and the other in 1964, are located on the west side of the original firehouse.

Portland Fire Station No. 7 was designed by Lee Gray Holden, a nationally renowned architect of firehouse design. The original two-story masonry structure is roughly 50 feet by 100 feet and is covered by a low gable roof. On the front (north) elevation is a central stuccoed gable dormer, which is topped by a tall flagpole. Two skylights, various ducts, and a twelve-foot tall red brick chimney protrude from the roof. The front of the roof is accented by a separate, more steeply pitched, hipped roof structure that was originally covered in Spanish style clay tiles, and the south end of the main gable butts into a stepped parapet.

Commercial, warehouse, industrial buildings, small retail venues, surface parking lots, and vehicle storage yards characterize the surrounding vicinity. The Central Eastside District itself is characterized by warehouse and industrial uses mixed with limited pockets of commercial, retail, and residential development.

**Zoning:** The General Industrial 1 (IG1) zone is one of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zone provides areas where most industrial uses may locate, while other uses are restricted to prevent potential conflicts and to preserve land for industry. IG1 areas generally have smaller lots and a grid block pattern.

The Historic Resource Protection Overlay zone 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.

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

- HL 114-89: Designation as a Historic Landmark.
- LU 09-127376 HDZ: Approving exterior alterations.

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **May 20, 2009**. No Bureaus have responded with issues or concerns.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **January 27, 2010**. 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 Design Review**

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

#### **Historic Design Review Approval Criteria**

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

**Findings:** The site is a designated Historic Landmark; therefore the proposal requires Historic Design Review approval. The relevant approval criteria are listed in 33.846.060 G. 1.-10. In addition, because the site is located within the Central City Plan District, the relevant approval criteria are the 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.

**Findings:** The proposal is to retain all historic features. *This guideline is therefore met.*

- 2. Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.

**Findings:** The addition of screened rooftop mechanical units serves a practical purpose and will not create a false sense of historic development. *This guideline is therefore 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.

**Findings:** The mechanical equipment, which is to be installed on a roof surface sloping toward the interior of the property, will only be visible from one vantage point, and will be screened to minimize intrusiveness. *This guideline is therefore 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 and the River District Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland's character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

#### **Central Eastside Design Goals**

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

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

#### **Central City Plan Design Goals**

This set of goals are those developed to guide development throughout the Central City. They apply within the River District as well as to the other seven Central City policy areas. The nine goals for design review within the Central City are as follows:

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

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

**Findings:** The proposal rehabilitates both the designated historic resource and its non-historic addition for continued use. The mechanical equipment is located in the only practical location where it is minimally visible, and it will be screened from view with a low, partially transparent material. *This guideline is therefore 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

This proposal provides for the practical needs of the rehabilitated structure while impacting its historic character only minimally. The visibility of the equipment from certain vantage points is mitigated by the screening structure. The purpose of the historic design review process is to ensure that exterior alterations to existing buildings protect the integrity of the special characteristics of the historic resources. The proposal meets the applicable historic review guidelines and therefore warrants approval.


## ADMINISTRATIVE DECISION

Approval of Historic Design Review for the exterior alteration (installation of rooftop mechanical equipment, on the Historic Landmark Portland Fire Station #7, which was listed in the National Register of Historic Places on June 8, 1989.

Approval per Exhibits C-1 through C-9, signed and dated February 25, 2010, subject to the following condition:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-9. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 10-103110 HDZ."

**Staff Planner: Dave Skilton**

**Decision rendered by:**  **on February 25, 2010.**

By authority of the Director of the Bureau of Development Services

**Decision mailed March 2, 2010.**

**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 14, 2010, and was determined to be complete on **January 25, 2010.**

*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 14, 2010.

*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.

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. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

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 must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **March 2, 2010**. The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034. For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-7967.

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

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

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

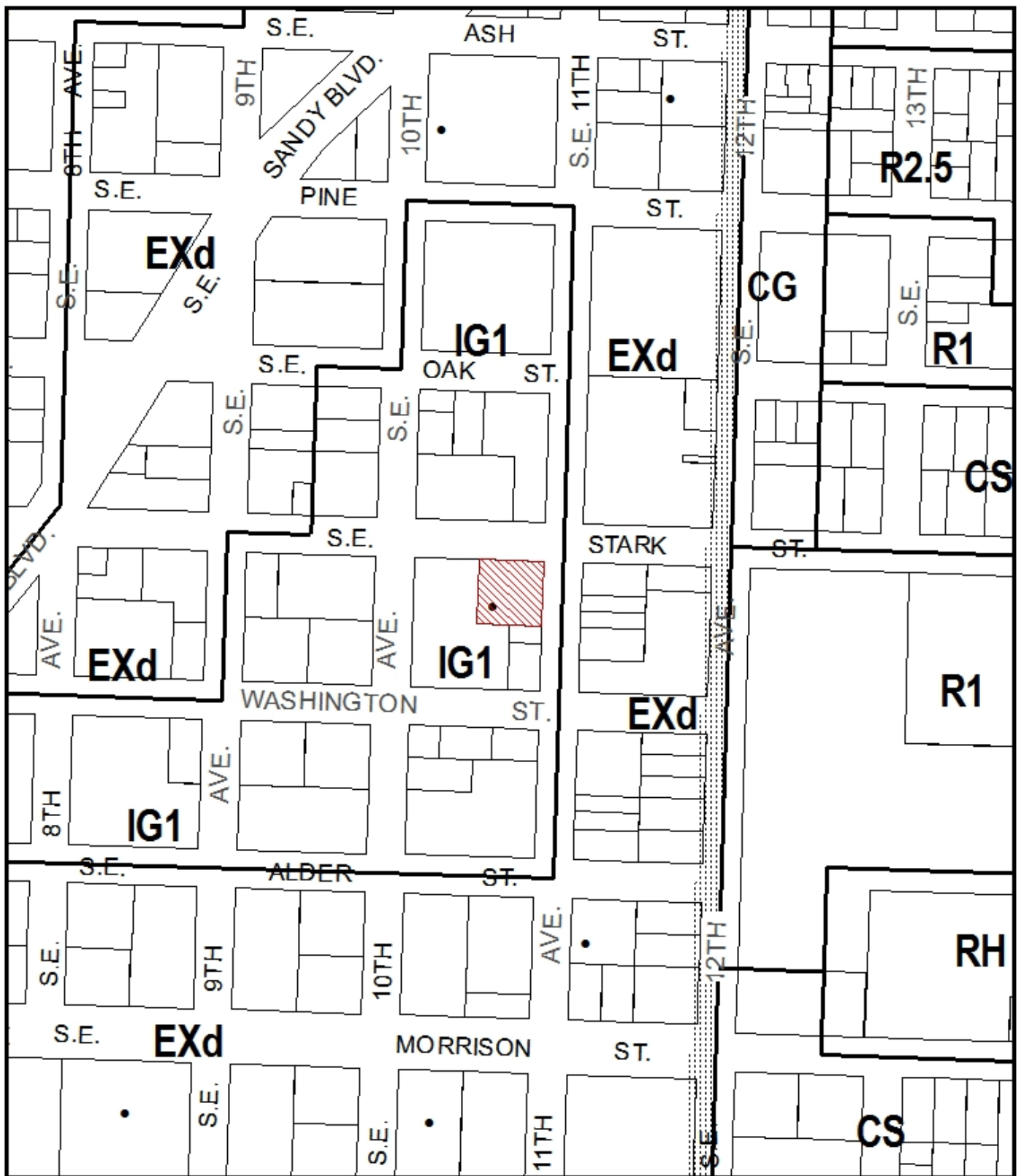
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. North Elevation (attached)
  - 3. East Elevation (attached)
  - 4. South Elevation
  - 5. West Elevation
  - 6. Screen Details
  - 7. Screen Details
  - 8. Mounting Details
  - 9. Screen Pattern
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence: none
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research
  - 3. Case Communication Log

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



# ZONING



Site



Historic Landmark



NORTH

This site lies within the:  
CENTRAL CITY PLAN DISTRICT

File No. LU 10-103110 HDZ

1/4 Section 3131

Scale 1 inch = 200 feet

State\_Id 1S1E02BA 8900

Exhibit B (Jan 15, 2010)



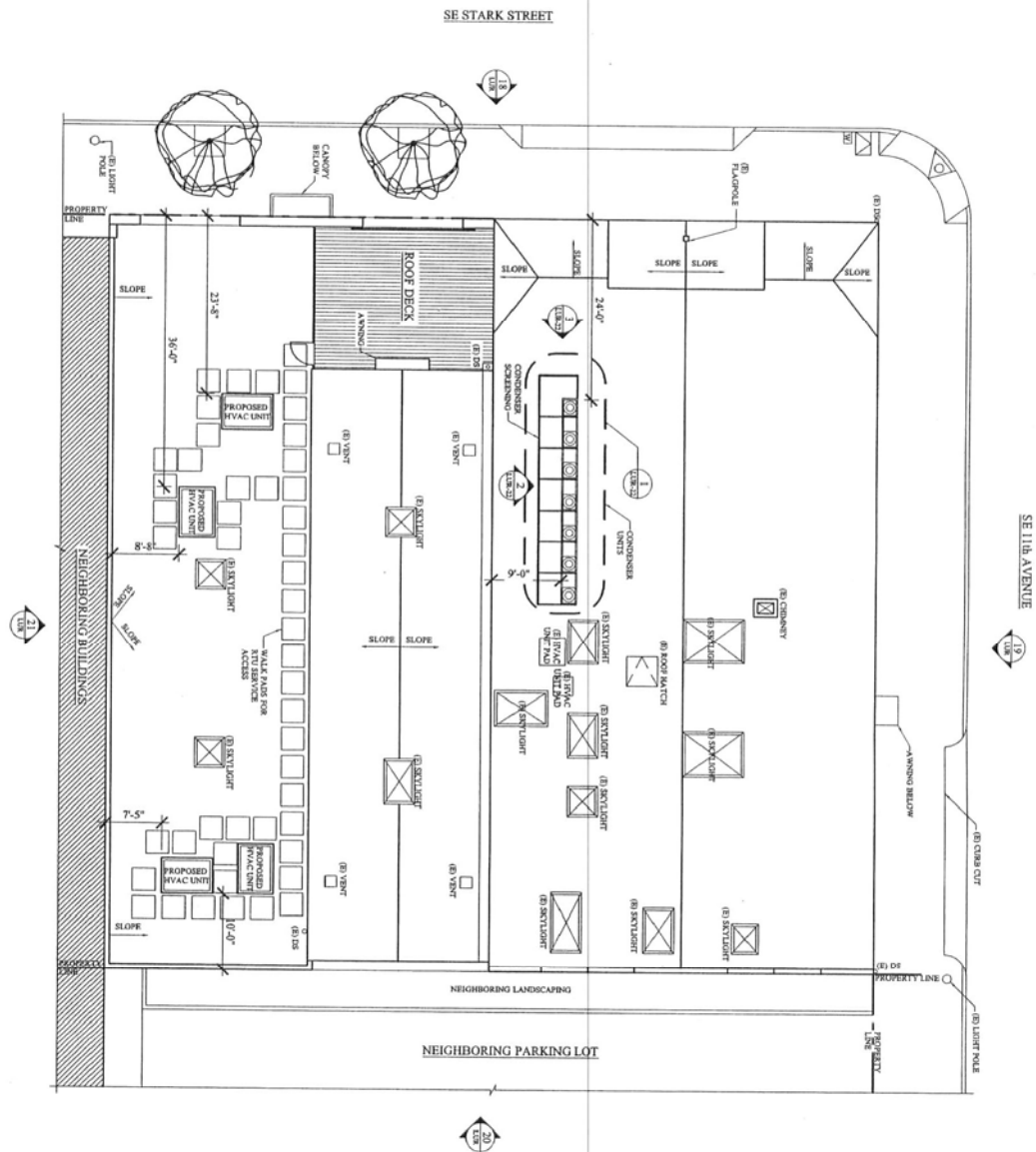
\*Approved\*

City of Portland - Bureau of Development Services

Planner Dave Britton Date 2.25.10

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

1  
PROPOSED SITE / ROOF PLAN  
SCALE: 1/8" = 1'-0"



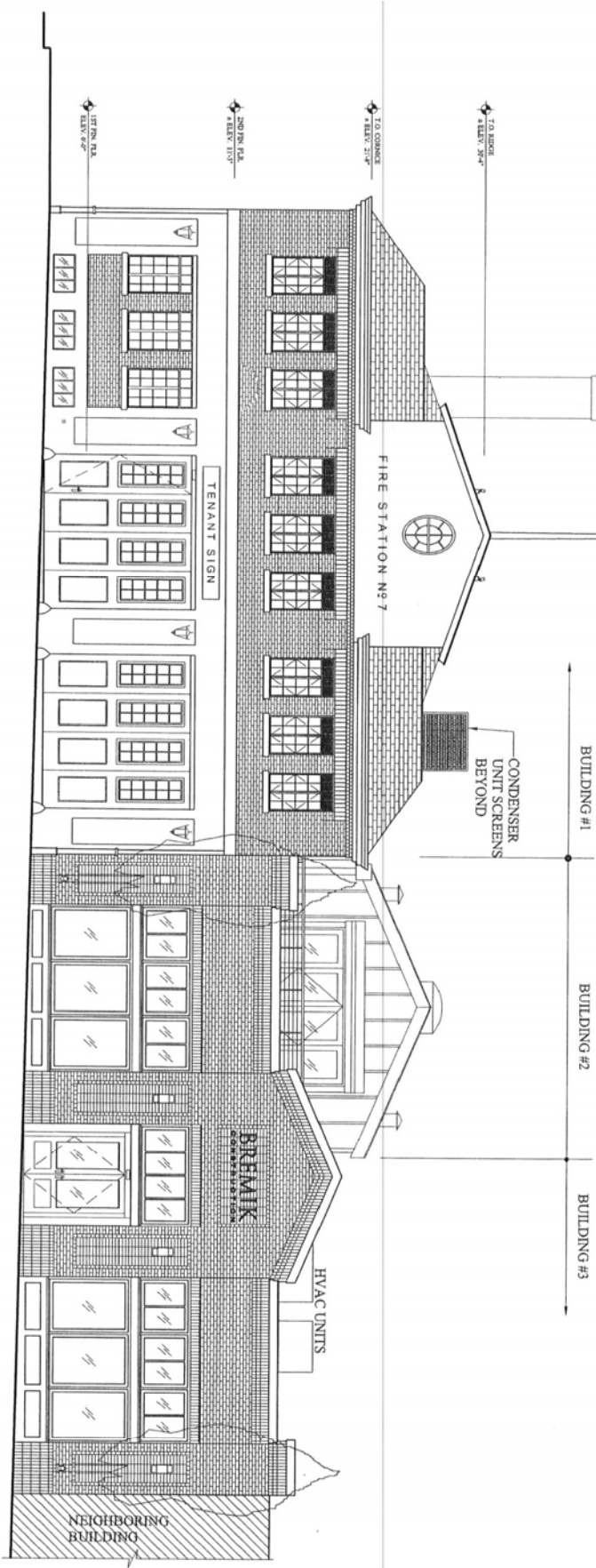
SITE PLAN/ ROOF PLAN

emerick architects p.c.

VENERABLE  
FIRE STATION No. 7  
JOB #: 0860  
DATE: 02-05-10

LUR-17

Approved\*  
 City of Portland - Bureau of Development Services  
 Project Venerable Fire Station Date 2.25.10  
 \*This approval applies only to the reviews requested and is not a guarantee of conditions of approval. Additional zoning requirements may apply.



1 PROPOSED NORTH ELEVATION  
 SCALE: 1/8" = 1'-0"

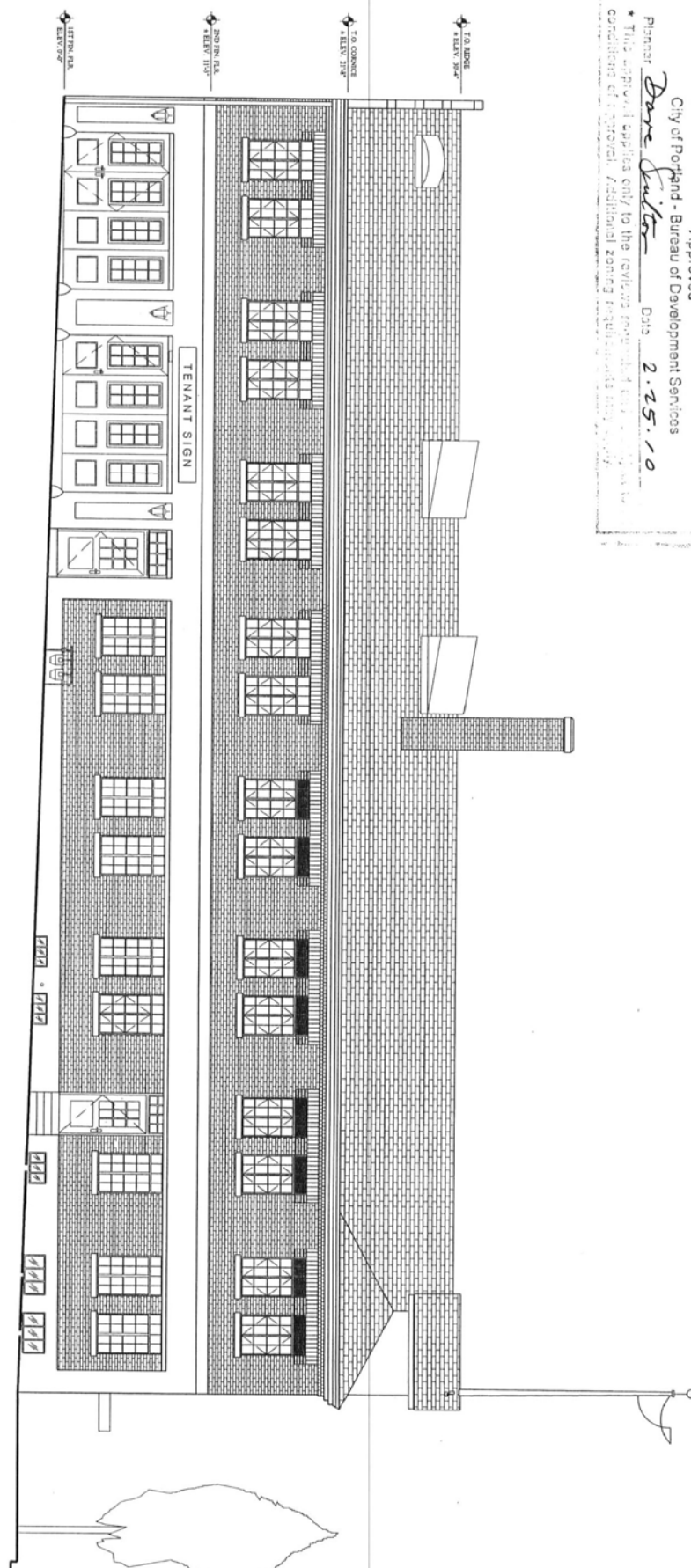
PROPOSED ELEVATIONS

emerick architects p.c.

VENERABLE  
 FIRE STATION No. 7  
 JOB #: 0860  
 DATE: 02-05-10

LUR-18

Approved\*  
 City of Portland - Bureau of Development Services  
 Planner *Dave Lurita* Date *2.25.10*  
 \* This approval applies only to the review provided and does not constitute a  
 condition of approval. Additional zoning requirements may apply.



2 PROPOSED EAST ELEVATION  
 SCALE: 1/8" = 1'-0"

PROPOSED ELEVATIONS

emerick architects p.c.

VENERABLE  
 FIRE STATION No. 7

JOB #: 0860  
 DATE: 02-05-10

LUR-19