



City of Portland  
**Bureau of Development Services**  
Land Use Services Division

1900 SW Fourth Ave. Suite 5000  
Portland, Oregon 97201  
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[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** October 9, 2008  
**To:** Interested Person  
**From:** Dave Skilton, Land Use Services  
503-823-0660 / [dave.skilton@ci.portland.or.us](mailto:dave.skilton@ci.portland.or.us)

**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 reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 08-157474 DZ – EXTERIOR ALTERATIONS**

**Applicant:** Steven Koch, Owner  
Tourtellotte Building LLC  
5625 N Greeley Avenue  
Portland, OR 97217

**Representative:** Dan Glennon, Architect (503-288-4132)  
4106 NE 32nd Place  
Portland, OR 97211

**Site Address:** 122-140 NE Broadway Street (1621 NE 2<sup>nd</sup> Avenue)

**Legal Description:** Lot 7&8 Block 214, Holladays Addition  
**Tax Account No.:** R396215010  
**State ID No.:** 1N1E27DD 10700  
**Quarter Section:** 2830

**Neighborhood:** Lloyd District Community, contact William Ruff at 503-221-1121.  
**Business District:** Lloyd District Community Association, contact Nancy Chapin at 503-774-2832.

**Plan District:** Central City - Lloyd District

**Zoning:** CXd, Central Commercial with Design Overlay

**Case Type:** DZ, Design Review  
**Procedure:** Type II, an administrative decision with appeal to the Design Commission.

**Proposal:**  
Applicant is seeking Design Review for a proposal to alter the exterior of the Tourtellotte Building. The area where the changes are proposed is the southernmost structural bay on the east face of the building, where a garage door opening will be reconfigured with a combination

of storefront, transom and door openings. Design Review is required because the subject building is within the Central City Plan District – Lloyd Subdistrict.

**Relevant Approval Criteria:**

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

- 33.825 Design Review
- Central City Fundamental Design Guidelines
- Special Design Guidelines for the Design Zone of the Lloyd District of the Central City Plan

## ANALYSIS

**Site and Vicinity:** Although the neighborhood surrounding the building proposed for alteration has been zoned for more intense urban commercial development for several decades, it continues to be dominated by auto-related and surface parking uses at the street edge. To some degree this is a continuation of a longstanding auto-related business predominance in the area. One and two story utilitarian structures are the predominant building type, with a mix of structures constructed throughout the twentieth century. A block west Interstate 5 and its associated entry/exit ramps forms a distinct edge to the area. South of NE Weidler there are several higher rise hotels, but these too are largely surrounded by surface parking.

The subject property, designed by the firm of Tourtellotte and Hummel and constructed in 1926, is in a fanciful Mediterranean stylistic vein. The building was originally an automobile dealership, with the westernmost bay on NE Broadway designed as a distinctly separate carpet store. The façades are decorated with accents of polychrome ceramic tile, and this ornamental treatment is especially intense in the retail bay where the carpet store was located.

The façade area proposed for alteration is the southernmost structural bay on the east side of the building, a partially enclosed garage door. This frontage, facing east onto NE 2<sup>nd</sup> Avenue is utilitarian in character with two other garage entries in the bays to the north. The site is within the Broadway/Weidler Corridor, identified as a pedestrian zone in the Lloyd District Design Guidelines.

**Zoning:** The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

**Land Use History:** City records indicate there are no prior land use reviews for this site.

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **September 9, 2008**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- Bureau of Transportation

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on September 9, 2008. 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 33.825, Design Review

#### Section 33.825.010 Purpose

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

#### Section 33.825.055, Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design district guidelines.

**Findings:** The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Central City Fundamental and Lloyd District Special Design Guidelines.

### Special Design Guidelines for the Design Zone of the Lloyd District of the Central City Plan and Central City Fundamental Design Guidelines

The Lloyd District is a unique, multi-dimensional neighborhood in the Central City, with special features and assets found nowhere else in Oregon.

With the recent completion of the Oregon Convention Center, the District now serves as the “front door for Oregon and our city.” The District as a whole is emerging as a special area in the state and the region, and the way it is developed will determine its comfort and continued use.

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

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.

#### Lloyd District Design Goals

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

- Encourage the special distinction and identity of the Lloyd District;
- Integrate the sub-areas of the District for a visual and functional coherence of the whole; and
- Improve 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. Central City and Lloyd District Guidelines are addressed concurrently.*

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

**Findings for A6:** The proposal is to adaptively reuse one structural bay of the building for a small scale office. The approach is to fill in one of the garage door openings in a reversible manner, retaining the sense of the opening through the strategic placement of the introduced elements, i.e. door storefront window, and transom windows. *This Guideline is therefore met.*

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

**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.

**Findings for A7 and A8:** Although the building already has a defined street wall, the proposal provides a stronger sense of urban enclosure by opening up an otherwise blank and auto-oriented garage door bay to the street. The space inside the building and the sidewalk both benefit from this arrangement by enlivening one another. *These Guidelines are therefore met.*

**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.

**Findings for B1:** The proposal strengthens pedestrian safety by eliminating the vehicular conflict points associated with the current garage door opening. Visibility from within the building is also increased. *This Guideline is therefore met.*

**B1-3. Design Projects to Attract Pedestrians to the Broadway/Weidler Corridor.** Incorporate design features in new projects or building renovation which attract pedestrians and encourage their safe and enjoyable movement throughout the Broadway/Weidler Corridor and which support the corridor as a neighborhood retail area.

**Findings for B1 and B1-3:** The proposal introduces a pedestrian scale entrance and a small office or retail use in an area otherwise dominated by automobile uses. *This Guideline is therefore met.*

**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.

**Findings:** The proposed entrance and window into the area of the building being remodeled for office use provide a node where interactions between users and passers-by are likely to occur. Currently the condition is one of a normally closed garage door. *This Guideline is therefore met.*

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

**Findings:** The proposal includes an internal ramp to make the newly created unit fully accessible. The sill at the door will also be ADA compliant. *This Guideline is therefore met.*

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

**C10-1. Use Masonry Materials.** Except for window glazing, use masonry types of materials as the predominant exterior material for building walls. Use modular stone or masonry materials on the building base or first floor of buildings whenever possible.

**C10-2. Design Exterior Building Walls that are Transparent in Glazed Areas and Sculptural in Surface.** Design exterior building walls that are transparent or translucent in the glazed areas and which are textural, sculptural and articulated in surface character.

**Findings for C2, C10-1, and C10-2:** The proposed materials are stucco over reinforced concrete block, finished to match the rest of the building body in texture and color, an aluminum window and door system, and clear glazing. These infill materials are durable and detailed for permanence. The existing building is highly articulated and colorful, and that character is fully maintained in the bay being remodeled. *This Guideline is therefore met.*

**C10-3. Use Light Colors.** The use of light color values is preferred for the predominant exterior building materials. Darker value materials should be used to accent or articulate the design.

**Findings for C10-3:** The existing building is painted in a light orange color and decorated with accents of historic polychrome tile. The remodeled area will be painted to match the existing. *This Guideline is therefore met.*

**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.

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

**C3-1. Design to Enhance Existing Themes in the Broadway/Weidler Corridor.** Use special design features which reinforce architectural themes and elements within the Broadway/Weidler Corridor. Look to buildings from throughout the corridor for architectural precedent.

**Findings for C3, C4, and C3-1:** The proposal, on the building's minor frontage, alters one of three existing garage doors in a reversible manner that also subtly

reflects the opening through placement of new elements within the façade. Other originally automobile-related buildings in the area have also been partially converted to office and retail uses and the proposal continues that trend. The design vocabulary of the alteration is restrained, allowing the flamboyant character of the original design to take primacy. *These Guidelines are therefore met.*

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

**Findings for C9:** The proposal will allow either a retail or office use, and will not preclude the return to a loading dock at this location. *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.

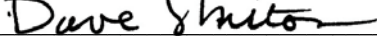
## CONCLUSIONS

The proposal is modest in scale but provides a positive move toward the pedestrian character envisioned by the Lloyd District Guidelines, especially within the Broadway/Weidler Corridor. This is achieved by replacing a normally closed vehicular entry with a small storefront development. The proposal therefore merits approval.

## ADMINISTRATIVE DECISION

Approval of infill of a garage door opening with a door, storefront window, and transom windows, per the approved drawings, Exhibits C-1 through C-3, signed and dated October 6, 2008, subject to the following conditions:

- 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-3. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-157474 DZ. No field changes allowed."

**Decision rendered by:**  **on October 6, 2008.**

By authority of the Director of the Bureau of Development Services

**Decision mailed: October 9, 2008**

Staff Planner: Dave Skilton

**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 August 22, 2008, and was determined to be complete on September 3, 2008.

*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 August 22, 2008.

*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.

**Appealing this decision.** This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on October 23, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 503-823-7967 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).

**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 Design 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 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, 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 Design 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 must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **October 24, 2008 – (the day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

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 503-823-0625.

**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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**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.

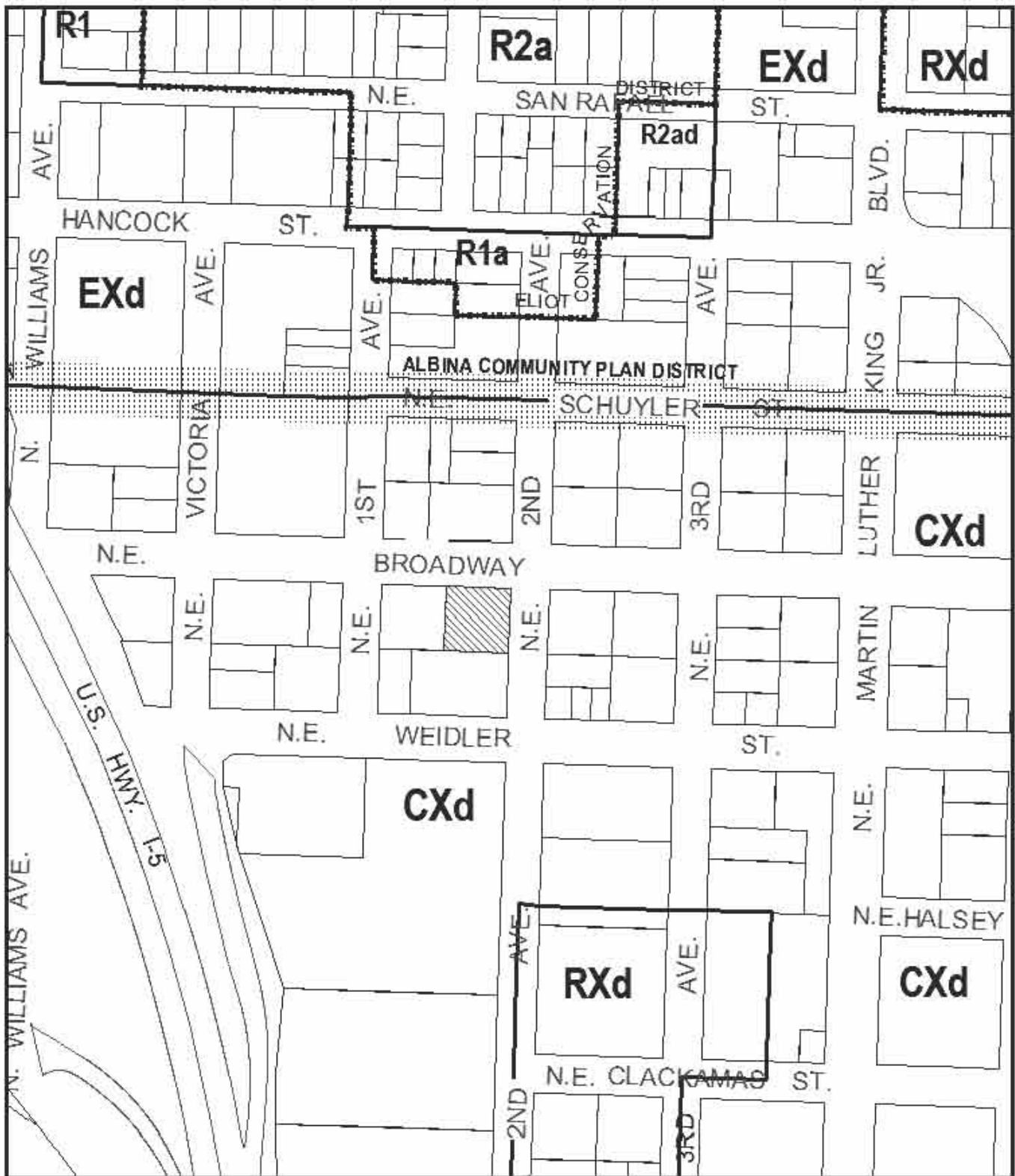
**EXHIBITS**

NOT ATTACHED UNLESS INDICATED



- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Floor Plan
  - 3. Elevation/Section Details (attached)
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Transportation
- 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. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).**



# ZONING

 Site



This site lies within the:  
CENTRAL CITY PLAN DISTRICT

File No.	LU 08-157474 DZ
1/4 Section	2830
Scale	1 inch = 200 feet
State Id	1N1E27DD 10700
Exhibit	B (Aug 27, 2008)

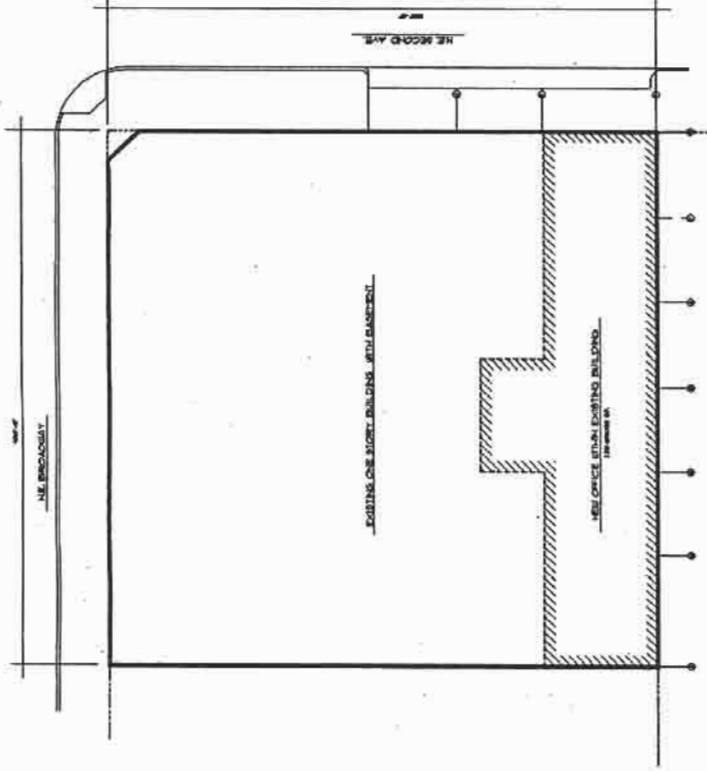
\*Approved\*  
City of Portland - Bureau of Development Services  
Planner *Dave Smith* Date 10.6.8  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

DAN GLENNON ARCHITECT  
406 NE 30th PLACE PORTLAND, OREGON 97218  
TEL: (503) 288-4933 FAX: (503) 288-4444

NEW OFFICE SPACE AT  
EXISTING TOURTELLOTTÉ BUILDING  
PORTLAND, OREGON  
851 NE RECORD AVENUE

JOB NO.  
0000  
DATE  
August 8, 1988  
REVISIONS

SHEET NO.  
A.11



SITE PLAN  
SCALE: 1/4" = 1'-0"

GENERAL PROJECT NOTES

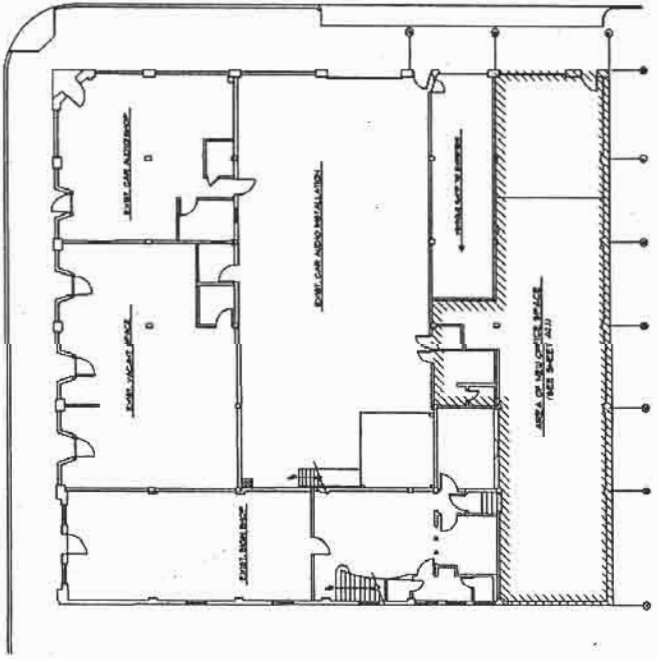
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PROJECT INFO

CONTRACTOR TYPE: VMC  
COMPACTORY TYPE: W  
OWNER: Dan Glennon Architect  
ARCHITECT: Dan Glennon Architect  
DATE: August 8, 1988

PROJECT TEAM

OWNER:  
DAN GLENNON ARCHITECT  
406 NE 30th PLACE  
PORTLAND, OREGON 97218  
TEL: (503) 288-4933  
FAX: (503) 288-4444  
ARCHITECT:  
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EXISTING FIRST FLOOR PLAN  
SCALE: 1/4" = 1'-0"

