



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** December 27, 2011  
**To:** Interested Person  
**From:** Mark Bello, Land Use Services  
503-823-7810 / [Mark.Bello@portlandoregon.gov](mailto:Mark.Bello@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 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 11-192699 DZM**  
**LLOYD 700 BUILDING – NONCONFORMING UPGRADE TIMELINE EXTENSION**

**GENERAL INFORMATION**

**Applicant:** Anthony Silvestrini  
825 NE Multnomah Ste 1275  
Portland OR 97232  
  
AAT Lloyd District LLC  
11455 El Camino Real #200  
San Diego, Ca 92130-2047

**Site Address:** 700 NE MULTNOMAH ST

**Legal Description:** BLOCK 92 LOT 1-8 TL 3100, HOLLADAYS ADD; BLOCK 93 LOT 1-3&6-8 TL 2600, HOLLADAYS ADD; BLOCK 93 LOT 3-6 TL 2700, HOLLADAYS ADD; BLOCK 100 TL 2800, HOLLADAYS ADD; BLOCK 101 LOT 1-8 TL 3000, HOLLADAYS ADD; BLOCK 101 TL 2900, HOLLADAYS ADD

**Tax Account No.:** R396204830, R396204910, R396204950, R396205510, R396205560, R396205610

**State ID No.:** 1N1E35BB 03100, 1N1E35BB 02600, 1N1E35BB 02700, 1N1E35BB 02800, 1N1E35BB 03000, 1N1E35BB 02900

**Quarter Section:** 2931

**Neighborhood:** Lloyd District Community, contact Lisa Faust at 503-350-1205.  
**Business District:** Lloyd District Community Association, contact William Ruff at 503-221-1121.  
**District Coalition:** Unaffiliated  
**Plan District:** Central City - Lloyd District  
**Zoning:** CXd: Central Commercial with design overlay  
**Case Type:** DZM: Design Review with modification  
**Procedure:** Type II, an administrative decision with appeal to the Design Commission.

**Proposal:** In 2008, the applicant received approval for parking lot landscaping upgrades to non-conforming development on several contiguous properties owned by Ashforth Pacific in the Lloyd District. The upgrades were to be implemented through a phased plan, with improvements to the Lloyd 700 Building and Surface Parking Lots to be completed no later than January 9, 2011 (LU 06-119638 DZM, condition E). The applicant has requested an extension to January 9, 2014. This extension would allow new owners to plan for a mixed use project of residential rental housing, commercial office and retail.

Because the request is to amend a condition of approval, a new design review with modification application is required.

**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:

- 33.258.070 Nonconforming Development
- 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:** The site contains the Lloyd 700 Building, located at 700 NE Multnomah Street, and associated parking. This is a full block bounded by NE 7<sup>th</sup> and NE 9<sup>th</sup> Avenues and NE Multnomah and NE Holladay Streets. The block provides a link between the light rail station on Holladay at NE 7<sup>th</sup> Avenue and office development on NE Multnomah Street. Lloyd Center is to the northeast on NE Multnomah. Light rail runs along NE Holladay Street. Also close by are several office towers and the Bonneville Power Authority headquarters.

**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.

The Design overlay zone [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. This is achieved through the creation of design districts and application of the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

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

- LUR 91-00245 – 827 NE Oregon St – Approval for rooftop mechanical equipment.
- LUR 92-00352 DZ AD – NE Holladay St and 6<sup>th</sup> & 7<sup>th</sup> Ave – Approval with Adjustment to change a self-park lot to valet parking for 20 months during construction.
- LUR 92-00353 DZ – 801 NE Pacific St – Approval for public restrooms and storage building to serve courtyard.
- LUR 94-00105 CU DZ – 700 NE Multnomah St – Approval for seven antennas and a penthouse addition to the rooftop.
- LUR 94-00815 DZ – vacant lot between NE Oregon St and Pacific St at 6<sup>th</sup> and 7<sup>th</sup> Aves – Approval for parking lot alterations.
- LUR 95-00338 VA – Approval for street vacation.
- LUR 95-00959 DZ – 650 NE Holladay St – Approval for Liberty Center (new office tower with plaza and parking garage).
- LUR 97-00051 DZ – 650 NE Holladay St – Approval for alterations to original design of Liberty Center approved under 97-00959.
- LUR 97-00234 DZ – 700 NE Multnomah St – Approval for alterations to Port of Portland Building.

- LUR 98-00435 DZ – 825 NE Multnomah Street – Approval for a new screen to obscure to rooftop mechanical equipment.
- LUR 98-00560 DZ – 729 and 827 NE Oregon St – Approval for revisions to landscaping requirements.
- LUR 99-00547 DZ – 700 NE Multnomah St – Approval for exterior alterations at building entrances.
- LUR 00-00180 DZ – 518 NE Holladay St – Approval for exterior alterations to existing motel.
- LUR 06-119638 DZM – Approval of a phased 3-year timeline to upgrade parking lot landscaping, including 80 new trees, for the Ashforth Pacific Properties parking lots; (the subject property is in bold text):
  - Site 2 – Lloyd Center Tower and Parking Lot, to be completed no later than January 9, 2010;
  - **Site 3 – Lloyd 700 Building and Parking Lot, to be completed no later than January 9, 2011;** and
  - Sites 4 & 5 – Oregon Square and Goodyear Tire lot, to be completed no later than January 9, 2011

(Note that this review of a change to condition E applies only to the Lloyd 700 block.)

**Summary of Applicant’s Statement:** “Extension is requested due to new Ownership (American Assets Trust) actively developing Lloyd 700 Superblock for mixed use project of residential rental housing, commercial office and retail”. AAT has engaged an architect and expects to break ground early 2013.”

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **November 21, 2011**. The following Bureaus have responded with no issues or concerns:

- Bureau of Transportation Engineering and Development Review
- Water Bureau
- Fire Bureau
- Site Development Review Section of BDS
- Bureau of Parks, Forestry Division
- Bureau of Development Services, Life Safety Plans Examiner

The Bureau of Environmental Services does not recommend approval of extending the deadline for the applicant to install landscaping as installation of landscaping now would improve the environmental situation now. (See Exhibit C-1.) BDS Staff comment: A delay of 24 months is appropriate given that the landscaping would be installed only for a short time before being replaced by development. A longer period than that requested by the applicant would be problematic.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on November 21, 2011. The Lloyd District community Association has written in support. William R. Ruff, citing years of active involvement as an engaged participant in Lloyd District planning, has written in support of the proposed time extension. Otherwise, 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.

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

This set of goals is 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.

### **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.

*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.*

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

**A3-1. Support a Convenient Pedestrian Linkage Through the Superblocks Between the Convention Center and Lloyd Center.** Provide and support a convenient pedestrian linkage through the superblocks between the Oregon Convention Center at NE Martin Luther King Blvd. and NE Oregon to the Lloyd Center at NE Multnomah and 9<sup>th</sup>.

**A3-2. Make Superblock Plazas Inviting and Easily Accessible From Holladay Street.** Make superblock plazas and public spaces in superblocks fronting on Holladay Street inviting and easily accessible from Holladay Street. Public spaces should be visually connected to Holladay Street. Public/private spaces are also encouraged to be visually connected with adjacent public improvements.

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

**A5. Enhance, Embellish, and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area’s character. Identify an area’s special features or qualities by integrating them into new development.

**A5-6. Incorporate Landscaping as an Integral Element of Design.** Incorporate landscaping as an integral element of design which is supportive of both the built and natural environment.

**A5-7. Integrate the Civic Campus into the Lloyd District.**

- Integrate the Civic Campus into the Lloyd District in a manner that provides a cohesive link westerly to the river and easterly to the core of the Lloyd District.
- Extend the Holladay Street pedestrian project to an active terminus overlooking the Willamette River.
- Link river overlooks, open spaces and trails into a unified system to and along the riverfront wherever possible; create clear pedestrian connections to the riverfront; and encourage and enhance visual and physical corridors to river viewpoints and amenities.
- Provide safe and attractive vehicular/pedestrian access through the area that connects with development patterns in surrounding sub-districts.
- Integrate bridge and freeway access ramps into the arterial streets circulation pattern.

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

**C1-1. Integrate Parking.**

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

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

**Findings for A3, A3-1, A3-2, A4, A5, A5-6, A5-7, C2, C1-1, and C6:** The installed landscaping improvements have resulted in a more pleasant pedestrian experience within adjacent super-blocks. A more pleasant pedestrian environment is also expected for this block if redevelopment does not occur and the block is landscaped as proposed in 2004. New trees added for additional interior landscaping will provide shade and weather protection to pedestrians traversing the subject parking lots. The new trees for additional perimeter landscaping will provide protection to passersby on adjacent public sidewalks. The proposed landscaping will result in a more inviting atmosphere for the subject sites, further integrating them with the surrounding large plaza areas and large street trees in this office tower center of the Lloyd District.

The landscaping will also soften the appearance of the parking lots and provide for better transitions among the private space of buildings and parking lots, the public space of adjacent city sidewalks, and the semi-public space of super-block plazas and outdoor areas, such as the courtyard located at Oregon Square. In addition, the landscaping will increase the amount of pervious surface in the Lloyd District and significantly reduce stormwater drainage into the public system. The proposed landscaping contributes to the existing tree canopy of the area, therefore improving the quality of the larger site and vicinity, and enhancing the urban landscape of this area of the Lloyd District. *These guidelines are therefore met.*

## 2) Modifications, 33.825

### **Section 33.825.040, Modifications Which Will Better Meet Design Review**

**Requirements:** The review body may consider adjustments for site-related development standards as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. In order to approve these modifications, the review body must find the applicant to have shown that the resulting development a) will better meet the design review objectives and b) will, on balance, be consistent with the purpose of the applicable regulations.

**Modification Request 1:** Pedestrian Connection (33.130.240) to waive the north-south pedestrian connection between NE Holladay Street and NE Multnomah Street per LUR 98-00560 DZ, Condition of Approval B. Due to the existing underground parking layout and the adjacent grade to the surface parking area, a straight-line path is not feasible without bridging the gap with a bridge or significant site shoring. The applicant has proposed additional interior parking lot landscaping and 55 new trees to mitigate the standard.

#### *Pedestrian Connection (33.130.240)*

The purpose of the pedestrian standards is to encourage a safe, attractive, and usable pedestrian circulation system in all developments. They ensure a direct pedestrian connection between abutting streets and buildings on the site, and between buildings and other activities within the site. In addition, they provide for connections between adjacent sites, where feasible.

Condition B states: *Blocks 92, 93, 100, and 101 [700 NE Multnomah Street – SITE 3]. The applicant must construct a pedestrian connection from NE Holladay to the building entrance, as shown in Exhibit C.4, within 3 years of the date this decision becomes final. The connection indicated in Exhibit C.4 must meet the required pedestrian standard stated in Section 33.130.240. If the proposed redevelopment does take place on Blocks 92, 93, 100, and 101, all applicable development standards must be met according to the redevelopment plans, or the applicant will be required to apply for Modification requests.*

**Findings for Modification 1:** The resulting development will be consistent with the purposes of the Pedestrian Connection standard. As stated above, it is not physically

feasible to provide a north-south straight line pedestrian connection through the site, due to the existing underground parking layout and significant grade changes associated with it. The safest, most attractive and usable route for pedestrians traveling to and from the Lloyd 700 Building will be provided by future development which will be able to provide a private street connection in line with the existing midblock connection through Oregon Square. The applicant anticipates development in 2014 and has submitted a concept plan that illustrates current design work to date (Exhibit A). In the interim, the existing perimeter landscaping and street trees physically and visually buffer pedestrians from vehicle movement, providing a pleasant walking environment.

If the proposed project does not materialize, additional landscaping will be provided in 2014. Exhibit G3.3 shows the proposed landscaping for this block as approved in 2004. The proposed additional interior parking lot landscaping, including 55 new trees, supports the surrounding pedestrian environment by softening the appearance of the parking lot for passersby. Rather than seeing a large uninterrupted swath of pavement as they walk by, pedestrians will see groundcover, shrubbery, and trees. Moreover, the additional interior landscaping will improve stormwater drainage on the site, which minimizes the negative effects that heavy rain events can have on the pedestrian environment.

So, if the proposed redevelopment does not materialize by the extension date, the resulting development will meet the objectives of this design review. The proposed additional interior landscaping with 55 new trees helps to integrate the parking lot with its surroundings. Installed landscaping on surrounding blocks is in keeping with the softened appearance desired for this office tower area of the Lloyd District. Landscaping fosters an improved visual transition between the building and adjacent streets, development, and plaza areas. An objective of design review in the Lloyd District is to provide a safe, pleasant pedestrian environment. Granting the proposed Modification will accomplish this.

*Therefore this modification merits approval.*

- **Modification Request 3 (number per previous design review case LU 06-119638 DZM:** Parking Lot Landscaping (33.266.130.G.2) to reduce the 5'-0" deep L2 landscaping requirement along NE 7<sup>th</sup> Avenue to 3'-0", and allow new interior parking lot landscaping improvements mitigate the setback reduction along this frontage.

*Parking Lot Landscaping, 33.266.130.G*

The purpose of required setbacks and landscaping standards:

- Improve and soften the appearance of parking areas;
- Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;
- Direct traffic in parking areas;
- Shade and cool parking areas;
- Reduce the amount and rate of stormwater runoff from vehicle areas;
- Reduce pollution and temperature of stormwater runoff from vehicle areas; and
- Decrease airborne and waterborne pollution.

**Findings for Modification 3:** If redevelopment does not occur prior to 2014 and the 2004 landscaping plan is installed, the resulting development will be consistent with the purposes of the Parking Lot Landscaping standard. The new interior parking lot landscaping will be sufficient to improve and soften the appearance of the parking lot; reduce visual impacts of the parking lot from adjacent sidewalks and streets; and shade and cool the parking area. The purposes of aiding in stormwater drainage and decreasing pollution are also still met by the proposal, as the landscaping – irrespective

of location – allows water to seep into the ground and leaches harmful substances from the air and stormwater.

The resulting development will meet the objectives of this design review. The proposed new interior landscaping helps to integrate the parking lot with its surroundings. The landscaping is in keeping with the softened appearance desired for this office tower area of the Lloyd District. It fosters an improved visual transition between the parking lot and its surroundings. Moreover, this parking lot is part of the larger Oregon Square property, which features a heavily landscaped walkway and plaza area. When viewing the parking lot in this larger context, it is apparent that the objectives of design review are met. Other nearby parking lots have been landscaped and the new trees and internal landscaping contribute to a more environmentally-friendly and pedestrian-friendly district.

*Therefore this modification merits approval.* Note that the applicant intends to remove surface parking when this block is redeveloped.

- **Modification Request 4 :** Interior Parking Lot Landscaping (33.266.130.G.3) to reduce the required 10% internal landscaping requirement to 0%;

**Findings for Modifications 4:** If redevelopment does not occur prior to 2014 and the 2004 landscaping plan is installed, the resulting development will be consistent with the purposes of the Parking Lot Landscaping standard. The new shrubs and groundcover along the NE Grand and 6<sup>th</sup> Avenue, new hedges and saw-tooth curb-line landscaping along NE Pacific Street, and existing trees are sufficient to improve and soften the appearance of the parking lot; reduce the visual impact of the parking lot from adjacent sidewalks, streets, and properties; and shade and cool the parking area.

Additionally, the purposes of aiding in stormwater drainage and decreasing pollution are also still met by the proposal, as the landscaping allows water to seep into the ground, and it helps to leach harmful substances from the air and stormwater.

*Therefore these modifications merit approval.* Note that the applicant intends to remove surface parking when this block is redeveloped.

## 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 applicant is actively pursuing a major redevelopment of the block which would provide a pedestrian connection and landscaping appropriate to new construction of significant buildings. An extension of the deadline for landscaping will avoid installation of landscaping that would be then removed for the redevelopment. However, BES clearly states the detrimental consequences of this delay. A longer period than that requested by the applicant would be problematic.

## ADMINISTRATIVE DECISION

Design review approval of a site in the Central City Plan, Lloyd Subdistrict to extend the timeline for completion of landscaping on the Lloyd Center 700 block. Condition of approval E



of LU 06-119638 DZM (Site 3, Exhibit C.0) is amended to extend the completion date for landscaping until January 9, 2014.

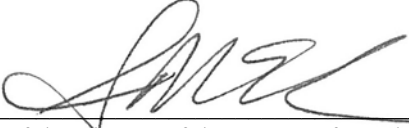
Approval of Modifications requested through Design Review:

- Pedestrian Connection (33.130.240) to waive the north-south pedestrian connection between NE Holladay Street and NE Multnomah Street per LUR 98-00560 DZ, Condition of Approval B;
- Parking Lot Landscaping (33.266.130.G.2) to reduce the 5'-0" deep L2 landscaping requirement along NE 7<sup>th</sup> Avenue to 3'-0", and allow new interior parking lot landscaping improvements mitigate the setback reduction along this frontage;
- Interior Parking Lot Landscaping (33.266.130.G.3) to reduce the required 10% internal landscaping requirement to 0%;

Approval is subject to the following conditions:

- A. Previous conditions of approval of LU 06-119638 DZM apply.
- B. Phase 3, Lloyd 700 Building and Surface Parking Lots (Site 3 per Exhibit C.0), must be completed no later than January 9, 2014.

**Staff Planner: Mark Bello**

**Decision rendered by:**  **on December 23, 2011**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: December 27, 2011**

**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 November 9, 2011, and was determined to be complete on **November 16, 2011**.

*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 November 9, 2011.

*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: March 21, 2012.**

**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 January 10, 2012** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, 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. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. 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 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).

**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 **January 11, 2011.**
- 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.

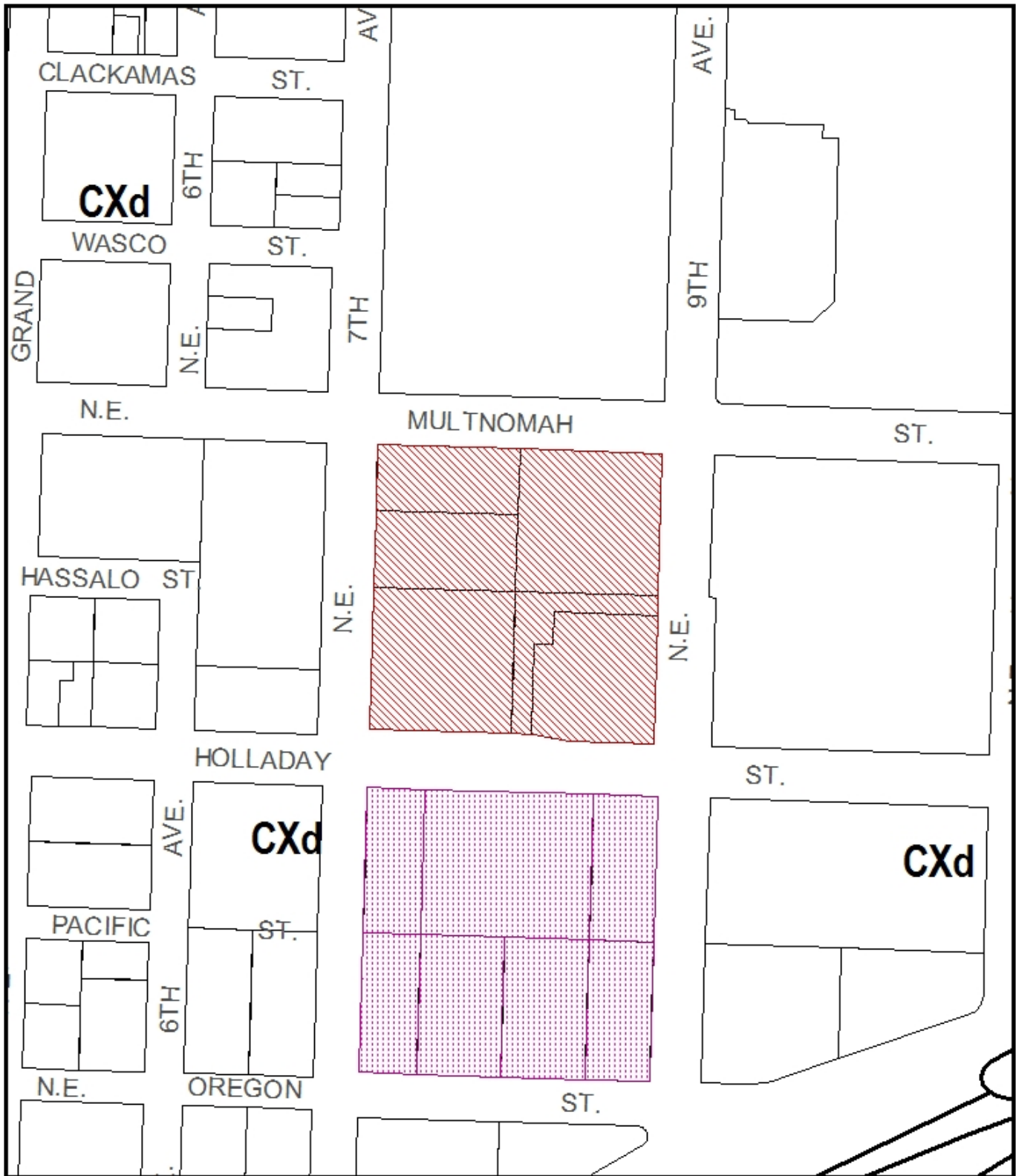
#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Redevelopment Concept Plan
- B. Zoning Map (attached)
- C. Plans/Drawings: (none)
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. Site Development Review Section of BDS
  - 6. Bureau of Parks, Forestry Division
  - 7. Bureau of Development Services, Life Safety Plans Examiner
- F. Correspondence:
  - 1. William E. Ruff, December 8, 2011, in support
  - 2. Lloyd District Community Association, December 9, 2011
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research
  - 3. LU 06-119638 DZM Exhibits
    - 1. Lloyd Center Tower Parking Garage Site/Landscaping Plan
    - 2. Lloyd Center Tower and Parking Lot Site/Landscaping Plan
    - 3. Lloyd 700 Building Parking Garage and Parking Lot Site/Landscaping Plan
    - 4. Oregon Square Park Buildings and Parking Lot Site/Landscaping Plan

5. Liberty Center and Goodyear Tire Parking Lot Site/Landscaping Plan

**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
-  Also Owned



This site lies within the:  
CENTRAL CITY PLAN DISTRICT

File No. LU 11-192699 DZM  
 1/4 Section 2931  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E35BB 2800  
 Exhibit B (Nov 17, 2011)