



CITY OF PORTLAND

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Council / Contracts

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NOTICE OF FINAL DECISION

TO: All Interested Persons
DATE: October 23, 2014
RE: LU 14-125908 DZM AD

Appeal of Central Eastside Industrial Council against the Design Commission's decision to approve with conditions the LOCA/Goat Blocks mixed-use project at 1004-1036 SE Belmont Street (Hearing; LU 14-125908 DZM AD)

Enclosed is a copy of the Order of Council on LU 14-125908 DZM AD denying the appeal of the Central Eastside Industrial Council and upholding the Design Commission's decision, and approving the application of Mike Cline, Ankrom Moisan Architects, Inc. for the LOAC/Goat Blocks mixed-use project at 1004-1036 SE Belmont Street. If you wish to obtain a copy of the City Council's findings and decision, please contact Karla Moore-Love, Council Clerk by email at: Karla.Moore-Love@portlandoregon.gov or at (503) 823-4086.

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with LUBA within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. LUBA's address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call LUBA at 1-503-373-1265 or visit LUBA's website (www.oregon.gov/LUBA) for further information on filing an appeal.

Encl.

**ORDER OF COUNCIL ON APPEAL OF CENTRAL EASTSIDE INDUSTRIAL COUNCIL
AGAINST THE DESIGN COMMISSION'S DECISION TO APPROVE WITH CONDITIONS THE
LOCA/GOAT BLOCKS MIXED-USE PROJECT AT 1004-1036 SE BELMONT STREET
(HEARING; LU 14-125908 DZM AD)**

Appellant: Debbie Kitchin
Central Eastside Industrial Council
P.O. Box 14251
Portland, OR 97293

Applicant: Mike Cline
Ankrom Moisan Architects, Inc.
6720 SW Macadam Ave., Suite 100
Portland, OR 97219

Owners: Belmont Investments LLC
500 E. Broadway, #110
Vancouver, WA 98660

Belmont Investments II LLC
500 E. Broadway, #110
Vancouver, WA 98660

Site Address: 1004-1036 SE BELMONT ST.

Legal Description: BLOCK 216 INC PT VAC ST LOT 1-4 LOT 5-8 SPLIT MAP R176892 (R366702130), HAWTHORNE PK; BLOCK 217 LOT 1-4 INC PT VAC ST LOT 5-8 SPLIT MAP R176891 (R366702110), HAWTHORNE PK; BLOCK 246 LOT 1&2&7&8, HAWTHORNE PK; BLOCK 247 LOT 4, HAWTHORNE PK

Zoning: **EXd** (Central Employment base zone with Design overlay zone), **Central City Plan District/Central Eastside Subdistrict**

Procedure: **Type III**, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

Proposal: The applicant has proposed the complete redevelopment of a large vacant superblock in the Central Eastside, as well as a portion of the adjacent block to the east. Bound by SE Belmont, 10th Avenue, Taylor and 11th Avenues, the site was home until recently for a herd of goats. A 20,000 square-foot parcel just east of the superblock across SE 11th Avenue immediately south of SE Belmont is also within the Design overlay zone and part of this proposal. The project does continue to the south in the IG1 zone on the east side of SE 11th, with a parking garage access point onto SE 12th Avenue, but the portion in the IG1 zone does not trigger Design Review, and is therefore not part of this application.

The proposal includes over 111,000 square feet of retail space in a broad range of sizes running from a few hundred square feet to over 40,000 square feet. There are 247 apartments in a range of sizes within three different 'buildings'. 246 retail parking stalls are proposed, as are 139 residential stalls, most of which are contained within covered below-grade garages. The proposal is referred to in these findings as the proposal or "Project."

Technically the interconnected structure on the superblock is considered a single building in the Zoning Code, but the above-grade appearance is of three distinct buildings. The distinct 'buildings' on the superblock are separated by an east-west walkway and stairs roughly in alignment with Yamhill Street, as well as an internal north-south walkway and stairs connecting the Yamhill walkway to Belmont Street. A four-story apartment building over a single-level grocery store occupies the northeast portion of the

superblock, with main entries oriented to Belmont and 11th Avenue. A two-story retail building occupies the northwest portion of the superblock, between the north-south walkway and 10th Avenue. The south portion of the superblock is five stories of apartments over a single story of smaller retail spaces and a hardware store. On the easterly block across SE 11th Avenue, the building has three stories of apartments over a story of smaller retail spaces oriented to SE 11th Avenue.

The project includes both extensive and intensive green roofs on every building, including a majority of all the roof surfaces except for the uppermost roof level above the two largest apartment structures. The stormwater management system is designed to maximize stormwater detention and treatment before disposal to the sewer system, primarily through the use of vegetated stormwater planters.

The superblock has two large 'A' loading spaces, one each for the grocery store (off SE 10th) and another for the hardware store (off SE Taylor). The single parking garage entry for the superblock is off of SE 10th Avenue. No loading is required or provided for the building east of SE 11th Avenue, as the structure has only 39 dwelling units and less than 20,000 square feet of retail space. Parking access for the east building is provided with a driveway off of SE Belmont Street.

The east-west Yamhill walkway begins at grade along SE 11th Avenue between the two larger apartment buildings, rises up slightly as it travels west towards 10th Avenue, and finally descends down a flight of stairs to 10th Avenue. Four small retail spaces front onto the Yamhill walkway with doors and large windows. At the highest grade level of the Yamhill walkway, a stairway connects to the north-south walkway that runs north to meet Belmont Street. The north-south walkway is elevated above the sidewalk grade and accessible from a grand stair at the corner of SE 10th and Belmont. Retail in the 2-story building along 10th Avenue connects to the north-south walkway on the upper level, and to 10th Avenue on the lower level. Public elevators provide access to both internal walkways at the Belmont and Yamhill/10th ends of the walkways.

The applicant has requested two concurrent Modifications and one Adjustment:

1. Modification to reduce the amount of **Ground Floor Windows** (33.140.230), on the south elevation of the south building (hardware store) from 50% to 3% of the length, and from 25% to 2% of the area.
2. Modification to reduce the minimum width of 90° **parking stalls** (33.266.130.F.2/Table 266-4) from 8'-6" to 8'-4" for 38 stalls where a structural column protrudes into part of the stall, and from 8'-6" to 8'-2" for 124 stalls provided in a stacking mechanical parking machine.
3. Adjustment to allow **parking access onto SE Belmont**, a Parking Access Restricted Street (33.510.265.F.6.b/Map 510-9).

The portion of the project within a central city Design overlay zone triggers a mandatory Design Review. Given the project valuation of \$57,000,000, the application is handled through the Type III procedure. Concurrently with this Design Review application, the applicant has requested the above-mentioned Modifications and Adjustment.

The appeal hearing before the City Council was opened in the Council Chambers, 1221 SW 4th Avenue on October 8, 2014 at approximately 2:00 p.m. After hearing public testimony, Council voted 4-0 to tentatively deny the appeal of Central Eastside Industrial Council, uphold the Design Commission's decision, and approve the applicant's proposal, and ordered revised findings be prepared for October 22, 2014 at 10:15 a.m. On October 22, 2014 at 10:15 a.m. Council voted 4-0 to deny the appeal, uphold Design Commission's decision and adopt findings.

DECISION

Based on evidence in the record and adoption of the Council's Findings and Decision in **Case File LU 14-**

125908 DZM AD and by this reference made a part of this Order, **it is the decision of Council** to deny the appeal by Central Eastside Industrial Council and uphold the Design Commission's Decision to **approve application** for the LOCA/Goat Blocks mixed-use project at 1004-1036 SE Belmont Street. The effect of the Council's decision is:

Approval of Design Review for the LOCA/Goat Blocks project, in the Central Eastside Subdistrict of the Central City Plan District, including approximately 110,000 square feet of retail space, 247 apartments, 339 parking spaces, and a public access easement over the internal Yamhill Alley and public plaza area, with all exterior design elements, materials, and details as shown on the approved Exhibits C.1 through C.183, all signed and dated August 14, 2014, and subject to conditions of approval A, B, C, E, and F, below.

Approval of the Modification to reduce the Ground Floor Window area on the south elevation of the south building (hardware store), with windows occupying only 3% of the length and 2% of the ground floor wall area (33.140.230), subject to condition A, below.

Approval of the Modification to reduce the minimum width of 90° parking stalls (33.266.130.F.2/Table 266-4) from 8'-6" to 8'-4" for 38 stalls where a structural column protrudes into part of the stall, and from 8'-6" to 8'-2" for 124 stalls provided in a stacking mechanical parking machine, subject to condition A, below.

Approval of the Adjustment to allow parking access onto SE Belmont, a Parking Access Restricted Street (33.510.265.F.6.b), subject to condition D, below.

Conditions of Approval:

- A. As part of the building permit submittal, all approved exterior building elements and designs, as well as the ground floor window layout and interior parking stall dimensions, must be as shown on the relevant approved drawings, Exhibits C.1 through C.183. The sheets on which this information appears must be labeled "Design as approved in Case File LU 14-125908 DZM AD".
- B. In the areas for public art shown on the west façade of the main North Block building (Exhibits C.65 & C.66), and on the north façade of the South Block building (Exhibits C.79 & C.80), the applicant shall obtain permits and install Original Art Murals prior to receiving a final certificate of occupancy for the project, unless an alternative art/display proposal is approved through a follow-up Type II Design Review. On the west façade of the North Block, the mural may be either four smaller panels or one large panel, as indicated on Exhibits C.65 & C.66.
- C. Rooftop mechanical equipment and layout for the East Block as shown on sheet C.164 of the approved drawing set is not approved. The earlier version of four centralized equipment corrals with perimeter screens shown on sheet C.164 of the August 4th plan set (Exhibit H.24) is approved instead.
- D. A curb cut extension shall be provided at SE 11th & Belmont on the eastern block, and the applicant shall coordinate with Tri-Met staff to develop a bus shelter configuration that maximizes available intersection sight distance.
- E. The raised planting boxes for the egg crate trellis at the vehicle area on the East Block must be planted with an evergreen vine, such as evergreen clematis, or other similar evergreen species.
- F. The aluminum egg crate trellis material over the vehicle area on the East Block must be replaced with the same translucent, "clear" shade of Pentaglas roofing material used on the

