



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

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Date: August 16, 2017
To: Interested Person
From: Hannah Bryant, Land Use Services
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NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

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

CASE FILE NUMBER: LU 17-183849 DZ – NEW STOREFRONT ENTRANCES

GENERAL INFORMATION

Applicant: Whit Middlecoff | GBD Architects
1120 NW Couch Street, Suite 300
Portland, OR 97209
503-224-9656 | Whit@gbdarchitects.com

Owner: AAT Lloyd District LLC
11455 El Camino Real #200
San Diego, CA 92130-2047
858-350-2613

Site Address: **1107 NE 9TH AVE**

Legal Description: LOT 2, LLOYD BLOCKS
Tax Account No.: R502560100
State ID No.: 1N1E35BB 02602
Quarter Section: 2931
Neighborhood: Lloyd District Community, contact Cassidy Bolger at bolger.cassidy@gmail.com
Business District: Lloyd District Community Association, contact Brian Griffis at admin@lloyddistrict.org
Plan District: Central City - Lloyd District
Other Designations: None
Zoning: **CXd**, Central Commercial with a design overlay
Case Type: **DZ**, Design Review
Procedure: **Type II**, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant seeks Design Review approval for the addition of four new retail entrances and two additional exterior canopies to support new retail tenants at the Elwood Building. All

storefront entrances and canopies proposed will match the existing elements already installed on the building, as approved through a previous design review. Design Review is required for all non-exempt exterior alterations on this building because it is located in the Lloyd District design overlay zone.

Relevant Approval Criteria:

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

- *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 is the Elwood Building, located within the Lloyd sub-district of the Central City Plan District. The Elwood is part of a recently redeveloped, four-building "Superblock" development – a parcel made up of multiple blocks with vacated streets, known as 'Hassalo on Eighth'. The Elwood building is the northeast structure on the Superblock site, and the proposal is for exterior alterations that facilitate interior tenant improvements and create individual entries for confirmed ground floor tenants.

Bordered by NE Multnomah Street (City Walkway, Transit Access Street, City Bikeway) on the north, NE 9th Avenue (City Walkway) on the east, and the privately-owned portion of NE 8th Avenue on the west and NE Hassalo Street to the south, this full-block building was approved through a 2013 design review. It consists of a 5-story building with ground level retail and 143 residential units.

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.

The "d" overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

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

- LU16-258042 DZ – Approval of a new exterior ATM at the southeast side of the Elwood Building;
- LU16-238827 DZ – Approval of additional lovers in high-bay windows above ground-floor;
- LU15-149436 AD – Approval of bike racks stacked vertically and staggered at 18" on center;
- LU13-127647 DZM AD– Design Commission approval of three new buildings; landscaped private drive and outdoor plaza. Includes over 600 residential units, over 44,000 sf of retail, and 1200 underground parking spaces.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **June 27, 2017**. The following Bureaus have responded with no issues or concerns:

- Life Safety (exhibit E.1)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on June 27, 2017. 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.*

Lloyd District 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 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 all of the Central City policy areas. The nine goals for design review within the Central City are as follows:

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

Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project. Central City and Lloyd District Guidelines are addressed concurrently.

C2 PROMOTE PERMANENCE AND QUALITY IN DEVELOPMENT *Use design principles and building materials that promote quality and permanence.*

C3 RESPECT ARCHITECTURAL INTEGRITY *Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.*

C4 COMPLEMENT THE CONTEXT OF EXISTING BUILDINGS *Complement the context of existing buildings by using and adding to the local design vocabulary.*

C5 DESIGN FOR COHERENCY *Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.*

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.*

A5-1 DEVELOP IDENTIFYING FEATURES *Encourage the inclusion of features in the design of projects that give projects identity and a sense of place or significance within the District.*

A6 RE-USE / REHABILITATE / RESTORE BUILDINGS *Where practical, reuse, rehabilitate, and restore buildings and/or building elements.*

Findings: The proposed new retail entries and new canopies all match the existing comparable elements on this building, and the other two adjacent buildings designed and constructed at the same time. The buildings were thoughtfully designed to accept minor alterations that facilitate the re-use and adaptation of the buildings without detracting from the architectural coherency. The new storefronts and canopy will be constructed of the same high-quality materials, fastened in the same manner, and finished to match the existing elements. The proposal respects the integrity and context of the existing building and site. *Therefore, these guidelines are met.*

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.*

A5-1 DEVELOP IDENTIFYING FEATURES *Encourage the inclusion of features in the design of projects that give projects identity and a sense of place or significance within the District.*

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.

B5 MAKE PLAZAS, PARKS, AND OPEN SPACE SUCCESSFUL *Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.*

B7 INTEGRATE BARRIER-FREE DESIGN *Integrate access systems for all people with the building's overall design concept.*

C1 ENHANCE VIEW OPPORTUNITIES *Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.*

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.*

C8 DIFFERENTIATE THE SIDEWALK LEVEL OF THE BUILDINGS *Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.*

Findings: The proposed clear glass storefronts and metal canopies are identical to others used on this building and adjacent buildings. These elements have become identifying features for the Hassalo & 8th four-building development. The canopies and significant quantities of storefront glazing enhance and identify the superblock development.

The incorporation of additional storefront entrances serves to activate the plaza and open space at the center of the four-building superblock site. The storefronts, and their associated interior tenant spaces, provide more public destinations, and activate the streetscape and sidewalk level of the building by enhancing the commercial viability of the building. The glass doors are sufficiently wide to incorporate users of all abilities, and the maintenance of maximum quantities of glazing serves to enhance view opportunities. *Therefore, these guidelines are met.*

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

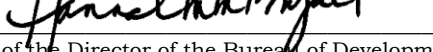
The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposed changes to the building are successfully expressed to integrate with overall building coherency. The proposed alterations to allow for installation of new storefront entrances and an additional canopy are well-integrated with the existing architecture and constructed of high-quality materials. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of four new storefront entrances and two new canopies, per the approved site plans, Exhibits C-1 through C-15, signed and dated August 14, 2017, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 17-183849 DZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

Staff Planner: Hannah Bryant

Decision rendered by:  on August 14, 2017
By authority of the Director of the Bureau of Development Services

Decision mailed: August 16, 2014

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 June 8, 2017, and was determined to be complete on June 21, 2017.

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 June 8, 2017.

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 August 30, 2017** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **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.

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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the 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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after August 31, 2017 by the Bureau of Development Services.

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

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

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

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

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

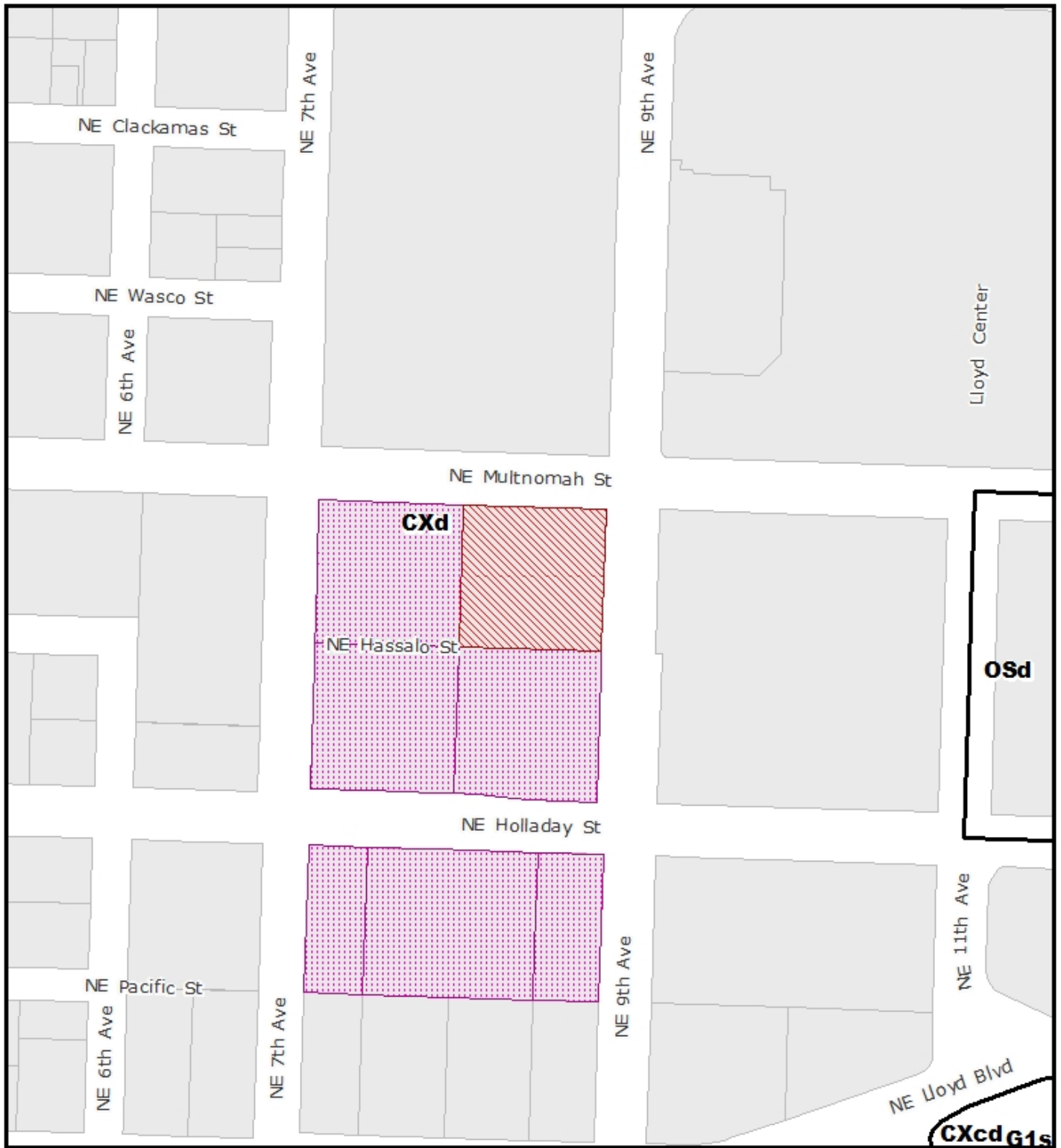
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 1. Original Submittal, dated May 15, 2017
 2. Site Plan, Elwood Building
 3. 30-day Extension
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Southwest Retail Entry
 3. Southeast Retail Canopy
 4. Typical Storefront Entry
 5. Ground Floor Plan
 6. South Elevation
 7. North Elevation
 8. East Elevation
 9. West Elevation
 10. Canopy Layouts
 11. Canopy Shop Drawings
 12. Door Cutsheet
 13. Site Plan Showing New Doors
 14. New South Door – Elevation
 15. New North Door - Elevation
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Life Safety
- F. Correspondence: None
- G. Other:
 1. Original LU Application
 2. Incomplete Letter, dated June 16, 2017



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).



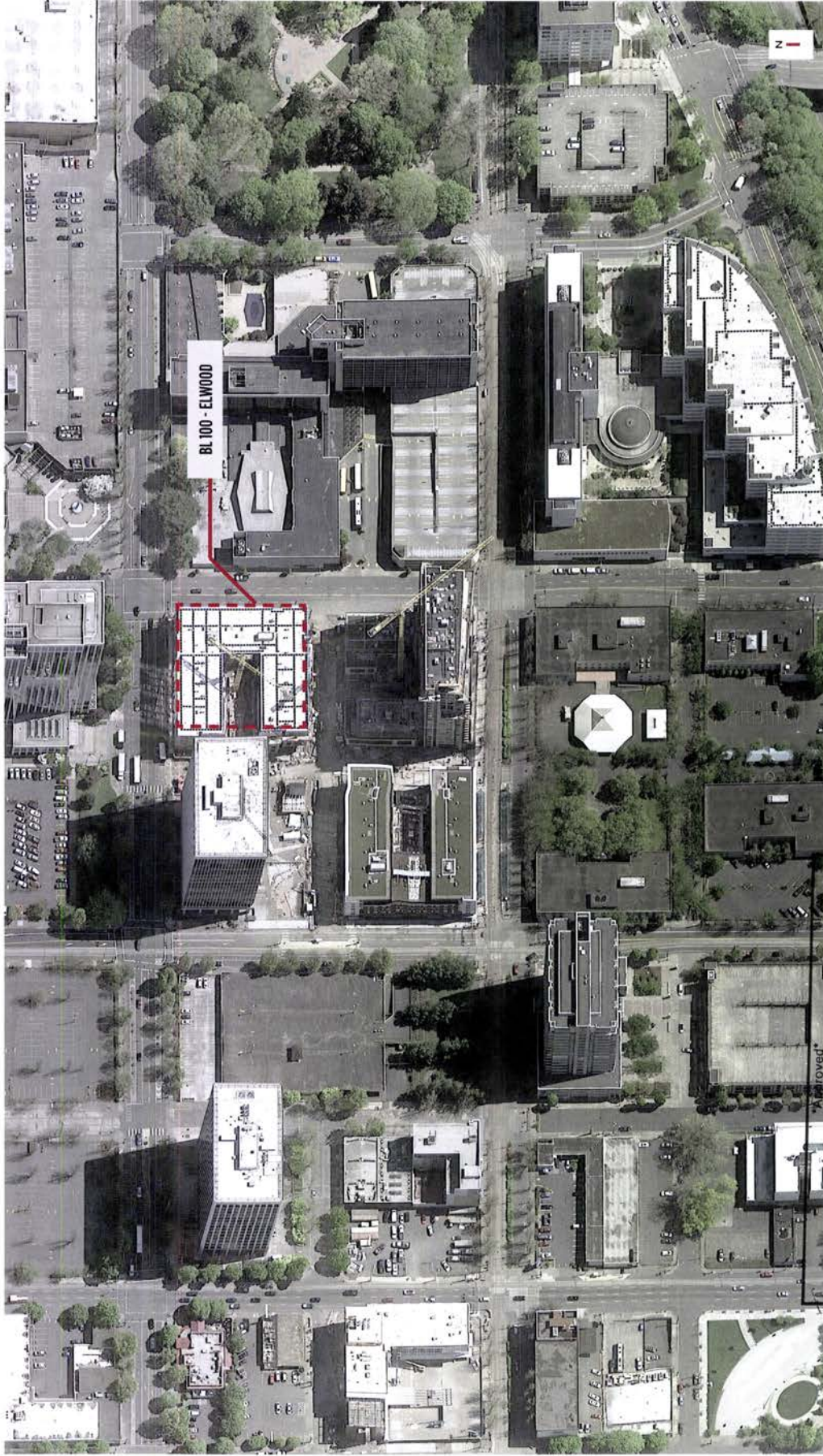
ZONING

NORTH

THIS SITE LIES WITHIN THE:
 CENTRAL CITY PLAN DISTRICT
 LLOYD DISTRICT SUBDISTRICT

-  Site
-  Also Owned Parcels

File No.	LU 17-183849 DZ
1/4 Section	2931
Scale	1 inch = 200 feet
State ID	1N1E35BB 2602
Exhibit	B Jun 13, 2017



Approved
 City of Portland - Bureau of Development Services
 Planner: *H. Mack* Date: 8.14.2017
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

EXISTING CONDITIONS: OVERHEAD VIEW