



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

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Date: September 19, 2019
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NOTICE OF A TYPE Ix 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 19-178080 HR – CATENARY LIGHTING CONNECTIONS TO LANDMARK STEVENS BUILDING AND LANDMARK WOODLARK BUILDING

GENERAL INFORMATION

Applicant/

Representative: Kyle Andersen, GBD Architects Inc.
1120 NW Couch Street, #300, Portland, OR 97209
(503) 548-2336, kyle@gbdarchitects.com

Owner/

Representative: Ryan Feigelson
Stevens Hotel LLC / Woodlark Owner LLC / NBP
9 SE 3rd Ave #100, Portland, OR 97214
(971) 279-2295, ryan@nbpcapital.com

Owner's

Representative: Brian Owendoff, BDC Washington Street LLC
1331 NW Lovejoy St #775, Portland, OR 97209
(503) 201-9590, brian@bmcocre.com

Site Addresses: **813-817 SW Alder St (Woodlark Building); 812-820 SW Washington St (Stevens Building)**

Legal Description: PORTLAND PARK BLOCKS BLOCK 2 LOT 3, HISTORIC PROPERTY, POTENTIAL ADDITIONAL TAX, PORTLAND; PORTLAND PARK BLOCKS BLOCK 2 LOT 4, HISTORIC PROPERTY, POTENTIAL ADDITIONAL TAX, PORTLAND

Tax Account No.: R667743220, R667743240
State ID No.: 1N1E34CC 06300, 1N1E34CC 06200
Quarter Section: 3029

Neighborhood: Portland Downtown, contact Wendy Rahm at wwrahm@aol.com
Business District: Downtown Retail Council, contact at lfrisch@portlandalliance.com
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - Downtown

Other Designations: Historic Landmarks

Zoning: CXd – Central Commercial with Design and Historic Resource Protection Overlays

Case Type: HR – Historic Resource Review

Procedure: Type Ix – an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant requests Historic Resource Review for proposed catenary lighting connections to the Stevens Building and to the Woodlark Building, both of which are designated Historic Landmarks in the Downtown Subdistrict of the Central City Plan District. The proposed catenary lighting and subsequent connections to both buildings are part of the proposed streetscape design of SW 9th Ave, which was approved with conditions as part of the Block 216 development through a previous Design Review (case number LU 18-210124 DZM AD). Condition of approval “E” from that Design Review approval requires further study and approval of the proposed overhead/catenary lighting and connections to both buildings through a follow-up Historic Resource Review.

The applicants propose to connect catenary lighting to both buildings—both of which are clad with brick—at their structural pilasters, with connections penetrating through mortar joints between the brick. Existing bricks on both buildings will be temporarily removed to make the connections and then replaced. No electrical connections are proposed to either building and will instead be made at the Block 216 project across SW 9th Ave.

Historic Resource Review is required as a condition of approval to the Design Review approval from case number LU 18-210124 DZM AD, and it is also required for proposed exterior alterations to Historic Landmark structures.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines
- Oregon Statewide Planning Goals
- 33.846.060.G – “Other approval criteria”

ANALYSIS

Site and Vicinity: The subject property consists of two historic Landmark buildings in the commercial core of downtown Portland, bound by SW 9th Ave to the west, SW Alder Street to the south, SW Washington St to the north, and two other buildings to the east. The site is part of the Midtown Park Blocks, a section of the half-size blocks, originally envisioned to be a continuation of the open space north-south park blocks but ultimately developed by commercial interests. The subject site lies to the east, across SW 9th Ave, from the recently-approved Block 216 tower, which will rise to 35 stories and which will rebuild the block of SW 9th Ave adjacent to the subject site to be a pedestrian-oriented, *woonerf*-style segment of the Green Loop. The Green Loop is a proposed linear park and active transportation path through the Central City.

The Woodlark Building, the southern landmark building under review, was designed in the early 20th Century commercial style by Doyle, Patterson, & Beach and constructed in 1912 for Woodard, Clarke & Company, a wholesale drug company. The first two floors of the building operated as a pharmacy until 1924 when the business was sold. At this time, there

was a renovation of the building, by Schacht & Bergen, which significantly altered the first two floors, resulting in removal of the deep wraparound canopy, replacement of first and second floor windows, and relocation of the primary entrance. A complete renovation of the building was completed in 2019 and converted the building into a hotel and restaurant connected to the adjacent Cornelius Hotel Building to the east.

The Stevens Building, a twelve-story office structure designed by the firm of Whidden and Lewis, was constructed in 1914. Its design is straightforward and restrained in ornament, the more so because the exterior of the first and mezzanine levels was completely remodeled in 1954 to plans by David Pugh of the firm Belluschi, Skidmore, Owings, and Merrill. In 1998 when the building was being considered for National Register listing these alterations were deemed not to have so changed the building as to make it ineligible, but the alterations were found to be non-contributing.

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.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

The Central City Plan District implements the Central City 2035 Plan. The regulations address the unique role the Central City plays as the region's premier center for jobs, health and human services, tourism, entertainment and urban living. The regulations encourage a high-density urban area with a broad mix of commercial, residential, industrial and institutional uses, and foster transit-supportive development, pedestrian and bicycle-friendly streets, a vibrant public realm and a healthy urban river. The site is within the Downtown Subdistrict of this plan district.

Land Use History: City records indicate that prior land use reviews include the following:
813-817 SW Alder St (Woodlark Building)

- LU 86-004855 (ref. file: DZ 51-86) – Design Review approval for a Taco Bell Remodel.
- LU 89-004305 (ref. file: DZ 125-89) – Design Review approval for renovation.
- LU 93-010233 (ref. file: LUR 93-00234 DZ) – Design Review approval for new canopy and windows at northwest corner.
- LU 15-149489 HR – Historic Resource Review approval with conditions for renovation of the Cornelius Hotel Building and renovation of the Woodlark Building.

812-820 SW Washington St (Stevens Building)

- LU 84-005229 (ref. file: DZ 94-84) – Void Design Review application for a proposed boiler.
- LU 11-176031 HDZ – Historic Design Review approval for a sign and new entry door.

- LU 13-230267 HR – Withdrawn Historic Resource Review request for proposed screened rooftop antennas for a radio frequency facility.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **July 10, 2019**. The following Bureaus have responded with no issues or concerns about the proposal:

- Portland Fire Bureau
- Site Development Review Section of BDS

The Life Safety Review Section of BDS responded with no objections and with a statement say that the structure is enrolled in the Facilities Permits Program. Please see Exhibit E.1 for details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **July 10, 2019**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846, Historic Reviews

Purpose of Historic Resource Review

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

Historic Resource Review Approval Criteria

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

Findings: The site is a designated Historic/Conservation Landmark. Therefore the proposal requires Historic Resource Review approval. The relevant approval criteria are listed in 33.846.060 G. 1.-10. In addition, because the site is located within the Central City, the relevant approval criteria are the Central City Fundamental Design Guidelines.

G. Other Approval Criteria:

- 1. Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.
- 5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.
- 7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.

Findings for 1, 5, & 7: The proposed new steel brackets and steel cables will be easily distinguished from existing historic features. To install the steel brackets, individual bricks will be removed to allow the brackets to attach to internal structural members. The existing historic bricks will then be reinstalled. The brackets will extend out from the internal structural members through the mortar joints between the bricks. These efforts will help to minimize damage to the historic bricks. A condition of approval will ensure the installation happens in this manner.

On the landmark Woodlark Building, the brackets will be installed directly above decorative medallions. These medallions, which help to define the building's historic character, will not be removed as part of the work. In order to ensure that they are not damaged as work is conducted, these medallions should be covered with

protective shielding materials, and a condition of approval will ensure this is done also.

Since historic materials will be temporarily removed from both landmark buildings, and since the proposed work is contingent upon approval of similar work on the Block 216 building, which is construction on the full block site across SW 9th Ave, it is important that the alterations proposed in this review not begin until design review approval for the similar catenary lighting connections on the Block 216 building has also been approved and until the catenary light fixtures that will hang between them have also been approved through the design review process. A condition of approval requiring design review approval for the installation of the catenary lighting mounting system on the Block 216 building and for the catenary lighting fixtures over SW 9th Ave prior to the issuance of permits for the work outlined in this proposal has been added to ensure that these approvals are in place.

With the condition of approval that existing historic bricks that are removed shall be reinstalled and that the proposed steel brackets shall penetrate only through the mortar joints;

With the condition of approval that the decorative medallions on the Woodlark Building shall be covered with protective shielding materials during construction; and,

With the condition of approval that design review approval for a similar catenary lighting connection system on the Block 216 building and for the proposed catenary light system that will hang over SW 9th Ave must be attained prior to the issuance of permits for the work proposed in this historic resource review, these criteria will be met.

- 2. Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.
- 3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.
- 4. Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.

Findings for 1, 2, 3, & 4: No conjectural features are proposed, nor are architectural elements from other buildings proposed. The proposed alterations will not change the physical record of the buildings' time, place, or use. No changes that have acquired historic significance will be removed or altered.

No historic features are proposed to be permanently removed. Individual bricks will be removed to allow structural connections to be made, and then the bricks will be reinserted into place.

Therefore, these criteria are met.

- 8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.

9. Preserve the form and integrity of historic resources. New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.

10. Hierarchy of compatibility. Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

Findings for 8, 9, & 10: The proposed attachment plates will have a minimal presence on the facades of either building. Since they will be installed behind existing brick and will penetrate through the mortar joints, should they be removed in the future, there will be no significant impact to the essential form and integrity of either historic façade. The plates' minimal presence helps to ensure that they will be both architecturally and historically compatible with the existing facades. They would be more compatible if they were finished to match the color of the adjacent brick, however, and a condition of approval requiring this has been added to ensure this.

With the condition of approval that the steel attachment plates shall be finished to match the adjacent brick on each building's façade, these criteria will be met.

Central City Fundamental Design Guidelines

These guidelines provide the constitutional framework for all design review areas in the Central City.

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 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.

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

B2. Protect the Pedestrian. Protect the pedestrian environment from vehicular

movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

- D1. Park Blocks.** Orient building entrances, lobbies, balconies, terraces, windows, and active use areas to the Park Blocks. In the South Park Blocks, strengthen the area's emphasis on history, education, and the arts by integrating special building elements, such as water features or public art. In the Midtown Park Blocks, strengthen the connection between the North and South Park Blocks by using a related system of right-of-way elements, materials, and patterns. In the North Park Blocks, strengthen the area's role as a binding element between New China/Japantown and the Pearl District.

Findings for A4 & B2: The proposed catenary lighting support system will help to establish a character for the Green Loop, which is proposed to run along SW 9th Ave. The system may be used on additional blocks, helping to connect different areas of the Green Loop, and, more specifically, the North and South Park Blocks together. The proposed lights that will be hung from the cables (to be approved through a separate design review) will provide additional lighting on the street, helping to protect the pedestrian environment.

Therefore, these guidelines are met.

- C2. Promote Quality and Permanence 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.
- 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.
- C12. Integrate Exterior Lighting.** Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.

Findings for C2, C3, C5, & C12: The proposed catenary lighting connections and hanging system are designed using very high-quality steel materials. Their installation, by way of removing and replacing historic brick and protruding through mortar joints helps to retain the overall architectural integrity of the landmark buildings. A condition of approval, as stated in the Findings above, that requires the steel connection plates to be finished to match the color of the bricks will help to ensure that these alterations are well-integrated and maintain coherency on the exterior facades.

With the condition of approval that the steel attachment plates shall be finished to match the adjacent brick on each building's façade, these guidelines will be met.

Oregon Statewide Planning Goals findings for site in the Central City plan district

Goal 1: Citizen Involvement

Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing

six components specified in the goal. It also requires local governments to have a Committee for Citizen Involvement (CCI) to monitor and encourage public participation in planning.

Findings: The City of Portland maintains an extensive citizen involvement program which complies with all relevant aspects of Goal 1, including specific requirements in Zoning Code Chapter 33.730 for public notice of land use review applications that seek public comment on proposals. There are opportunities for the public to testify at a local hearing on land use proposals for Type III land use review applications, and for Type II and Type IIX land use decisions if appealed. For this application, a written notice seeking comments on the proposal was mailed to property-owners and tenants within 100 feet of the site, and to recognized organizations in which the site is located.

The public notice requirements for this application have been and will continue to be met, and nothing about this proposal affects the City's ongoing compliance with Goal 1. Therefore, the proposal is consistent with this goal.

Goal 2: Land Use Planning

Goal 2 outlines the basic procedures of Oregon's statewide planning program. It states that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

Findings: Compliance with Goal 2 is achieved, in part, through the City's comprehensive planning process and land use regulations. For quasi-judicial proposals, Goal 2 requires that the decision be supported by an adequate factual base, which means it must be supported by substantial evidence in the record. As discussed earlier in the findings that respond to the relevant approval criteria contained in the Portland Zoning Code, the proposal complies with the applicable regulations, as supported by substantial evidence in the record. As a result, the proposal meets Goal 2.

Goal 3: Agricultural Lands

Goal 3 defines "agricultural lands," and requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.

Goal 4: Forest Lands

This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

Findings for Goals 3 and 4: In 1991, as part of Ordinance No. 164517, the City of Portland took an exception to the agriculture and forestry goals in the manner authorized by state law and Goal 2. Since this review does not change any of the facts or analyses upon which the exception was based, the exception is still valid and Goals 3 and 4 do not apply.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

Goal 5 relates to the protection of natural and cultural resources. It establishes a process for inventorying the quality, quantity, and location of 12 categories of natural resources. Additionally, Goal 5 encourages but does not require local governments to maintain inventories of historic resources, open spaces, and scenic views and sites.

Findings: The City complies with Goal 5 by identifying and protecting natural, scenic, and historic resources in the City's Zoning Map and Zoning Code.

The only Goal 5 natural resources in the Central City plan district are located near the Willamette River. Therefore, natural resource protection in the Central City is carried out by the River overlay zones discussed below in the findings for Statewide Planning Goal 15. Per OAR 660-023-0240(2), Goal 15 supersedes Goal 5 for natural resources that are also subject to Goal 15.

Protection of scenic resources is implemented through the Scenic (“s”) overlay zone on the Zoning Map or by establishing building height limits within view corridors as shown on Map 510-3 and 510-4.

Historic resources are identified on the Zoning Map either with landmark designations for individual sites or as Historic Districts or Conservation Districts.

The Zoning Code imposes special restrictions on development activities within the River overlay zones, the Scenic overlay zone, view corridors, and designated historic resources.

This site comprises two individual historic landmarks with landmark designations. Compliance with all requirements related to this designation have been verified as part of this land use review, as discussed earlier in this report. Therefore, the proposal is consistent with Goal 5.

Goal 6: Air, Water and Land Resources Quality

Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

Findings: Compliance with Goal 6 is achieved through the implementation of development regulations such as the City’s Stormwater Management Manual at the time of building permit review, and through the City’s continued compliance with Oregon Department of Environmental Quality (DEQ) requirements for cities. There are no impacts to the city’s stormwater system as a result of this proposal. Staff finds the proposal is consistent with Goal 6.

Goal 7: Areas Subject to Natural Disasters and Hazards

Goal 7 requires that jurisdictions adopt development restrictions or safeguards to protect people and property from natural hazards. Under Goal 7, natural hazards include floods, landslides, earthquakes, tsunamis, coastal erosion, and wildfires. Goal 7 requires that local governments adopt inventories, policies, and implementing measures to reduce risks from natural hazards to people and property.

Findings: The City complies with Goal 7 by mapping natural hazard areas such as floodplains and potential landslide areas, which can be found in the City’s MapWorks geographic information system. The City imposes additional requirements for development in those areas through a variety of regulations in the Zoning Code, such as through special plan districts or land division regulations. The subject site is not within any mapped floodplain or landslide hazard area, so Goal 7 does not apply.

Goal 8: Recreation Needs

Goal 8 calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expediting siting of destination resorts.

Findings: The City maintains compliance with Goal 8 through its comprehensive planning process, which includes long-range planning for parks and recreational facilities. Staff finds the current proposal will not affect existing or proposed parks or recreation facilities in any way that is not anticipated by the zoning for the site, or by the parks and recreation system development charges that are assessed at time of building permit. Furthermore, nothing about the proposal will undermine planning for future facilities. Therefore, the proposal is consistent with Goal 8.

Goal 9: Economy of the State

Goal 9 calls for diversification and improvement of the economy. Goal 9 requires communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

Findings: Land needs for a variety of industrial and commercial uses are identified in the adopted and acknowledged Economic Opportunity Analysis (EOA) (Ordinance 187831). The EOA analyzed adequate growth capacity for a diverse range of employment uses by distinguishing several geographies and conducting a buildable land inventory and capacity analysis in each. In response to the EOA, the City adopted policies and regulations to ensure an adequate supply of sites of suitable size, type, location and service levels in compliance with Goal 9. The City must consider the EOA and Buildable Lands Inventory when updating the City's Zoning Map and Zoning Code. Because this proposal does not change the supply of industrial or commercial land in the City, the proposal is consistent with Goal 9.

Goal 10: Housing

Goal 10 requires local governments to plan for and accommodate needed housing types. The Goal also requires cities to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Findings: The City complies with Goal 10 through its adopted and acknowledged inventory of buildable residential land (Ordinance 187831), which demonstrates that the City has zoned and designated an adequate supply of housing. For needed housing, the Zoning Code includes clear and objective standards. Since this proposal is not related to housing or to land zoned for residential use, Goal 10 is not applicable.

Goal 11: Public Facilities and Services

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

Findings: The City of Portland maintains an adopted and acknowledged public facilities plan to comply with Goal 11. See Citywide Systems Plan adopted by Ordinance 187831. The public facilities plan is implemented by the City's public services bureaus, and these bureaus review development applications for adequacy of public services. Where existing public services are not adequate for a proposed development, the applicant is required to extend public services at their own expense in a way that conforms to the public facilities plan. In this case, existing public services are adequate to serve the proposal, and the proposal is consistent with Goal 11.

Goal 12: Transportation

Goal 12 seeks to provide and encourage "safe, convenient and economic transportation system." Among other things, Goal 12 requires that transportation plans consider all modes of transportation and be based on an inventory of transportation needs.

Findings: The City of Portland maintains a Transportation System Plan (TSP) to comply with Goal 12, adopted by Ordinances 187832, 188177 and 188957. The City's TSP aims to "make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs."

Under the Oregon Transportation Planning Rule (TPR), which helps to implement Goal 12, the Central City is designated as a Multi-Modal Mixed-Use Area (MMA). The MMA designation is intended to foster a mixed-use, pedestrian-friendly center that allows a high intensity of uses. Development proposals are evaluated for their anticipated impacts to the safety of the transportation system.

There are no impacts to the city's transportation system. Therefore, the proposal is consistent with Goal 12.

Goal 13: Energy

Goal 13 seeks to conserve energy and declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

Findings: With respect to energy use from transportation, as identified above in response to Goal 12, the City maintains a TSP that aims to "make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs." This is intended to promote energy conservation related to transportation. Additionally, at the time of building permit review and inspection, the City will also implement energy efficiency requirements for the building itself, as required by the current building code. For these reasons, staff finds the proposal is consistent with Goal 13.

Goal 14: Urbanization

This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

Findings: In the Portland region, most of the functions required by Goal 14 are administered by the Metro regional government rather than by individual cities. The desired development pattern for the region is articulated in Metro's Regional 2040 Growth Concept, which emphasizes denser development in designated centers and corridors. The Regional 2040 Growth Concept is carried out by Metro's Urban Growth Management Functional Plan, and the City of Portland is required to conform its zoning regulations to this functional plan. This land use review proposal does not change the UGB surrounding the Portland region and does not affect the Portland Zoning Code's compliance with Metro's Urban Growth Management Functional Plan. Therefore, Goal 14 is not applicable.

Goal 15: Willamette Greenway

Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

Findings: The City of Portland complies with Goal 15 in the Central City by applying River overlay zones to areas near the Willamette River. These overlay zones impose special requirements on development activities.

The subject site for this review is not within a River overlay zone near the Willamette River, so Goal 15 does not apply

Goal 16: Estuarine Resources

This goal requires local governments to classify Oregon's 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units."

Goal 17: Coastal Shorelands

This goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for "water-dependent" or "water-related" uses.

Goal 18: Beaches and Dunes

Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes, but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.

Goal 19: Ocean Resources

Goal 19 aims “to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf.” It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19’s main requirements are for state agencies rather than cities and counties.

Findings: Since Portland is not within Oregon’s coastal zone, Goals 16-19 do not apply.

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 requirements of Title 11 can be met, and 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 purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

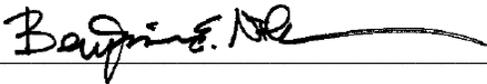
Approval of Historic Resource Review for proposed catenary lighting connections to the Stevens Building and to the Woodlark Building in the Central City Plan District, per the approved site plans, Exhibits C-1 through C-4, signed and dated September 16, 2019, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through E) must be noted on each of the four 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 19-178080 HR." 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.
- D. Existing historic bricks that are removed shall be reinstalled, and the proposed steel brackets shall penetrate only through the mortar joints.
- E. The decorative medallions on the Woodlark Building shall be covered with protective shielding materials during construction.
- F. Design review approval for a similar catenary lighting connection system on the Block 216 building and for the proposed catenary light system that will hang over SW 9th Ave

must be attained prior to the issuance of permits for the work proposed in this historic resource review.

- G. The steel attachment plates shall be finished to match the adjacent brick on each building's façade.

Staff Planner: Benjamin Nielsen

Decision rendered by:  **on September 16, 2019.**

By authority of the Director of the Bureau of Development Services

Decision mailed September 19, 2019.

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 13, 2019, and was determined to be complete on July 4, 2019.

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 13, 2019.

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: November 1, 2019.**

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further 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.

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 **September 20, 2019** 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 for the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

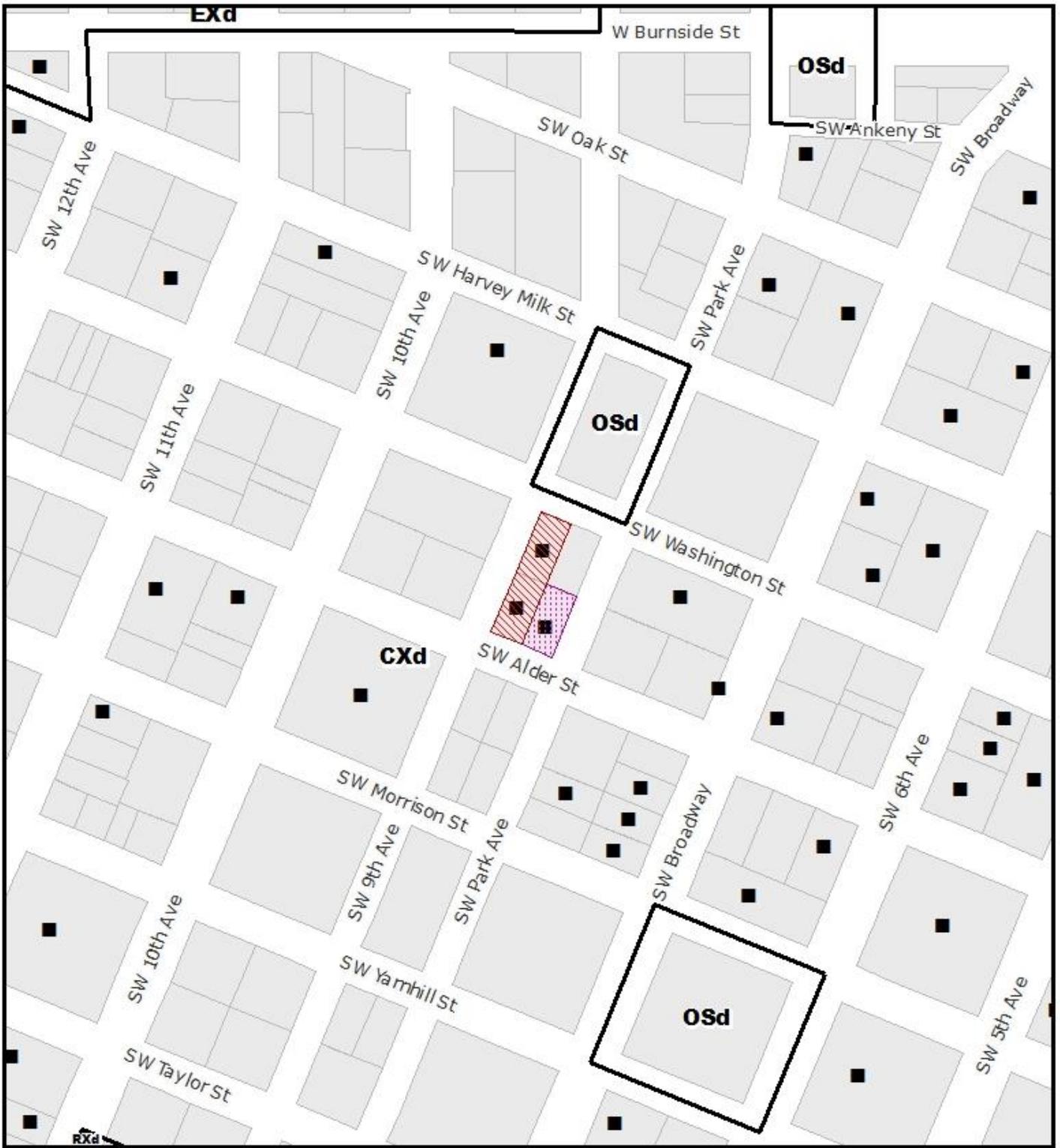
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
 - 1. Original Drawing Set
 - 2. Project Narrative
 - 3. Arne S Product Cutsheets
 - 4. Lanova LED Catenary Product Cutsheets
 - 5. RFS530 LED Product Cutsheets
 - 6. Bega Product Cutsheet
 - 7. Revised Drawing Set
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan/Plan Diagram (attached)
 - 2. Existing Elevations
 - 3. Proposed Elevations (attached)
 - 4. Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Review Section of BDS
- F. Correspondence:

No correspondence was received.
- G. Other:
 - 1. Original LU Application
 - 2. Email thread re: staff comments and design revisions, 08/09 – 08/15/2019

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).

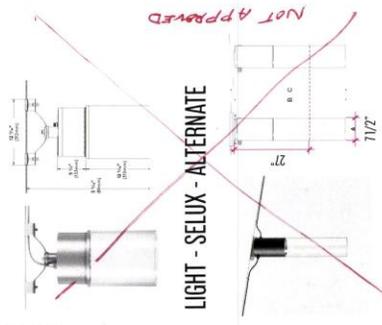
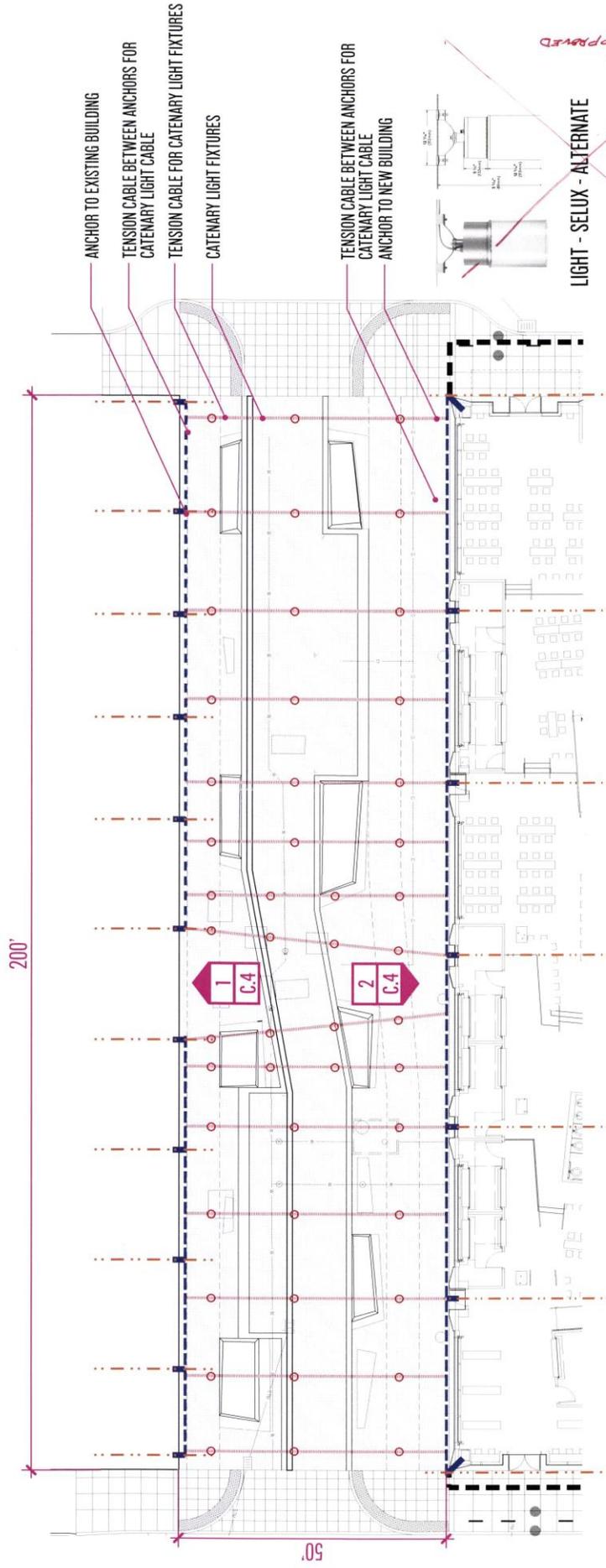


ZONING 
 NORTH

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

-  Site
-  Also Owned Parcels
-  Historic Landmark

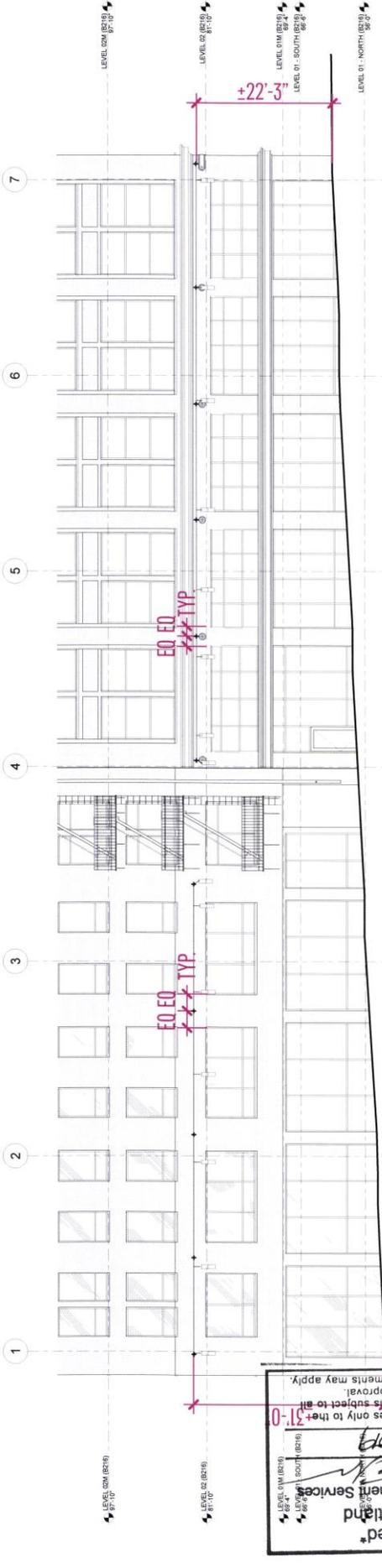
File No.	LU 19-178080 HR
1/4 Section	3029
Scale	1 inch = 200 feet
State ID	1N1E34CC 6300
Exhibit	B Jun 17, 2019



Approved
 City of Portland
 Bureau of Development Services
 Planner *Buffy Galle*
 Date *8/16/2019*

* This approval applies only to the project and site conditions shown on the drawings and is subject to all applicable codes and regulations. It is not intended to constitute a warranty or representation of any kind.

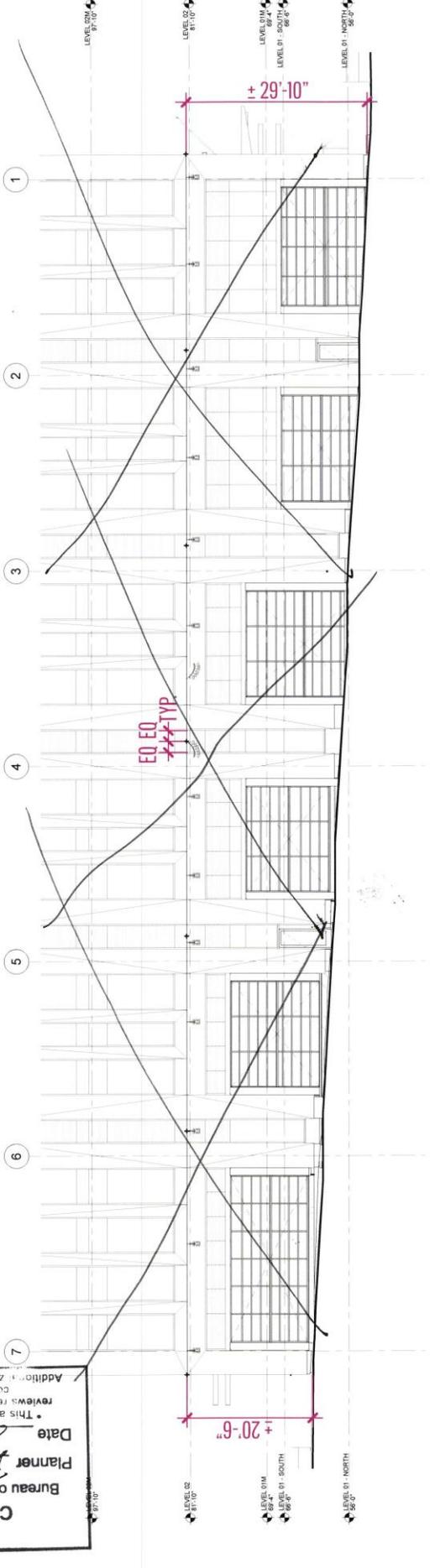
PLAN DIAGRAM | CATENARY LIGHTS
 LU 18-210124-02M
 C.1



STEVENS BUILDING - WEST ELEVATION

WOODLARK BUILDING - WEST ELEVATION

Approved
 City of Portland
 Bureau of Development Services
 Planner *[Signature]*
 Date *8/16/19*
 * This approval applies only to the conditions of approval. Additional zoning requirements may apply.



BLOCK 216 - EAST ELEVATION

LU 19-178880 HR C.3