



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

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**Date:** December 13, 2019  
**To:** Interested Person  
**From:** Tim Heron, 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 19-242195 DZ – OREGON SQUARE RENOVATION**

### **GENERAL INFORMATION**

**Applicant:** Dustin White, GBD Architects  
1120 NW Couch St, Suite 300  
Portland OR 97209  
[Dustin@gbdarchitects.com](mailto:Dustin@gbdarchitects.com)

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

Kim Steers, American Assets Trust  
700 NE Multnomah, Ste 300  
Portland OR 97232

**Site Address:** 710 NE HOLLADAY ST

**Legal Description:** BLOCK 91 LOT 1-3 EXC PT IN ST INC PT VAC ST LOT 4, DEFERRED  
ADDITIONAL TAX LIABILITY, HOLLADAYS ADD

**Tax Account No.:** R396204750  
**State ID No.:** 1N1E35BC 00300  
**Quarter Section:** 2931

**Neighborhood:** Lloyd District Community, contact Ziggy Lopuszynski at [zlopuszynski@cportland.com](mailto:zlopuszynski@cportland.com)

**Business District:** Lloyd District Community Association, contact at [admin@lloyddistrict.org](mailto:admin@lloyddistrict.org)

**District Coalition:** Northeast Coalition of Neighborhoods, contact Laura Becker at 503-388-6088.

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

**Zoning:** CXd, Central Commercial with design overlay  
**Case Type:** DZ, Design Review  
**Procedure:** Type II, an administrative decision with appeal to the Design Commission.

**Proposal:**

The applicant requests design review approval for modest changes to the 1949 Oregon Square Block 91 at 710 NE Holladay.

Proposed exterior alterations include:

- Updating and enhancing the North and West entry portals,
- Creating a new large portal on the east side with glazed overhead doors,
- Existing black-out spandrel glass will be swapped for clear glazing and removal of suspended ceiling systems,
- The existing exterior slate stone wainscot will be removed and resurfaced to match the typical walls above,
- The roof will include new skylight openings for increased daylighting, and
- New mechanical equipment will be fully screened.

Because the proposal is for alterations to existing development in the Design Overlay Zone, Design Review is required.

**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
- Special Design Guidelines for the Lloyd District

**ANALYSIS**

**Site and Vicinity:** Oregon Square Block 91, ‘ORS 710’ is located in Portland’s Lloyd District at the intersection of NE Holladay St and NE 7th Ave. This building shares a large site with the ORS 830 building which was recently updated and renovated this year. Together the two buildings bookend the Oregon Square Plaza in the middle which currently host the Lloyd Farmers Market among other events.

ORS 710 is a two-story office building originally built for the General Petroleum Company, circa 1949. It is constructed of exterior concrete walls and concrete post and beam structural frame with concrete shear walls. The building was last occupied by Trimet, with extensive interior partition walls creating many windowless and clustered spaces. It has been vacant for approximately the last 12 years.

The architectural style of the building belongs to the early modernist era with steel-framed windows arranged in simple large vertical openings on the mostly flat façade. Roof cornices are profiled but mostly restrained and simple as well. Most of the architectural interest is created at the two, North and West, main entry “portals” clad with travertine stone and hosting simple storefront sidelights and doors.

**Zoning:** The **Central Employment (EX)** zone allows mixed uses and is intended for areas in the center of the City that have predominantly industrial-type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area.

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 **Central City Plan District** implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation Management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the **Lloyd Subdistrict** of this plan district.

**Land Use History:** Below are the relevant land use case reviews that the City of Portland has on record for the subject site:

- SB 002-88: Landscaped courtyard.
- LU 06-119638: Approval of a phased 3-year timeline to upgrade parking lot landscaping, including 80 new trees, for the Ashforth Pacific Properties parking lots.
- LU 15-156716 DZM: Design Review with Modifications approval for the Oregon Square project.
- LU 15-190239 PR: Approval of a Central City Parking Review for the Oregon Square development.
- LU 16-195933 DZM: Design Review approval to phase a previously approved project known as Oregon Square.
- LU 18-169496 DZ: Design Review approval for exterior building and site alterations.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **November 8, 2019**. The following Bureaus have responded with no issues or concerns:

- Site Development Section of BDS, Exhibit E.1.
- Life Safety Section of BDS, Exhibit E.2.
- Fire Bureau, Exhibit E.3.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **November 8, 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

### (1) DESIGN REVIEW (33.825)

#### 33.825.010 Purpose

Design Review ensures:

- That development conserves and enhances the recognized special design values of a site or area;
- The conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district;
- That certain types of infill development will be compatible with the neighborhood and enhance the area; and
- High design quality of public and private projects.

#### 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 guidelines for the area.

It is important to emphasize that design review goes beyond minimal design standards and is viewed as an opportunity for applicants to propose new and innovative designs. The design guidelines are not intended to be inflexible requirements. Their mission is to aid project designers in understanding the principal expectations of the city concerning urban design.

The review body conducting design review may waive individual guidelines for specific projects should they find that one or more fundamental design guidelines is not applicable to the circumstances of the particular project being reviewed.

The review body may also address aspects of a project design which are not covered in the guidelines where the review body finds that such action is necessary to better achieve the goals and objectives of design review in the Central City.

**Findings:** The site is designated with design overlay zoning (d). Therefore the proposal requires Design Review approval. Because the site is within the Lloyd sub-District, the applicable approval criteria are listed in Central City Fundamental Design Guidelines and the Special Design Guidelines of the Lloyd District.

*Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project. Responses to the Design Guidelines are addressed by “Three Tenets of Design Review”: Context, Public Realm, and Quality and Permanence.*

**Context: A5, A6, C1, C4**

*A5 - Enhance Embellish and Identify Areas*

*A6 – Reuse, Rehabilitate and Restore Buildings*

*C1 – Enhance View Opportunities*

*C4 – Complement the Context of Existing Buildings.*

**Findings:** The proposal is based on the goal of refreshing the building’s façade and function so that it may be once again occupied and activated.

The proposal renovates the main entry doorways/portals of the original building’s entries while further identifying in character to the adjacent 830 Building. The specific design of the entry portals steel facing trim (and west canopy fascia) uses an angled/tapered profile that pairs with the original metal trim banding around the large openings of the original window bays.

The character-defining original steel-framed windows and trim are being refinished but left in-tact throughout. As many doors & window panes as possible, once blacked-out, are being reinstalled with clear glazing to further enhance and open up the building’s interesting structure and for added daylight deeper within the interior spaces.

*These guidelines are therefore met.*

**Public Realm: A8, B1, B2, C11**

*A8 – Contribute to a Vibrant Streetscape*

*B1 – Reinforce and Enhance the Pedestrian System*

*B2 – Protect the pedestrian*

*C11 – Integrate Roofs and Use Rooftops*

**Findings:** The current lobby spaces have short ceiling heights and dark, enclosed, and understated feeling, the new two-story entry lobby atrium spaces aim to greatly enhance the sense of entry and invitation. The revised design provides openness and connection from within by cutting away the upper floor and opening the stairways. The effect will also be visible and attractive to pedestrians from the street and adjacent sidewalks. With added clear glass lites on the exterior, combined with added rooftop skylights positioned directly above, these atrium lobbies will be highlighted through the new entry portals, further developing the visual and physical connection to and from the pedestrian realm.

Entrances feature storefronts with deep setback creating portals that offer weather protection. At the west entry, the original small canopy overhang of approximately two-feet

has been doubled to four-feet, further embellishing the weather protection and highlighting the point of entry visually.

A new mechanical unit is repositioned to be in closer proximity to the exterior wall enclosure and fully screened with new stucco cladding and metal coping/trim with colors matching the main body of the building. This screening, together with the simple metal and glass skylights, maintains a simple and well-integrated composition at the rooftop.

*These guidelines are therefore met.*

**Quality & Permanence: C2, C3, C5**

*C2 – Promote Quality and Permanence*

*C3 – Respect Architectural Integrity*

*C5 – Design for Coherency.*

**Findings:** Most of the materials on the building are existing, consisting of painted concrete, steel, & glass. The new entry portals feature heavy-gauge steel trim profiles that will be durable, can be maintained and refinished easily. The use of wood cladding at entry walls and soffits adds a higher level of quality in its contrast to the other heavier and somewhat colder material aesthetics of concrete and steel. The glass and aluminum-framed storefronts further contribute to the quality and permanence at grade.

New steel entry surrounds match and complement the original window trim in profile and material, all will be refinished in the same color. The wainscot portion of wall is refinished to match the above surface and in so doing, further enhances the simple but clear coherency of material palette and architectural styling overall. The new wood cladding at entrances imparts a fresh look with needed contrast and juxtaposition from the rest. It helps give the building entrances a touch of warmth and interest while also creating a connection to the interior lobby designs with open stairs extending through to the upper floor clad in the same wood material.

Exterior lighting around the existing building is not at all character-defining nor prevalent (simple can downlights at entry soffits only). As such, the only new fixtures proposed are found at the entry portals and have been recessed from view to further complement the simple and clean appearance.

Window and door systems added on the east side and at entries have been designed with glass lites proportioned and aligned to the existing adjacent windows to complement and establish coherent visual datums.

*These guidelines are therefore met.*

**(2) OREGON STATEWIDE PLANNING GOALS**

**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 seeking comments on the proposal was mailed to property-owners and tenants within 150 feet of the site, and to recognized organizations in which the site is located and recognized organizations within 400 of the

site. There is also an opportunity to appeal the administrative decision at a local hearing. 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 *Goal 3 and Goal 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. Natural and scenic resources are identified by the Environmental Protection ("p"), Environmental Conservation ("c"), and Scenic ("s") overlay zones on the Zoning Map. The Zoning Code imposes special restrictions on development activities within these overlay zones. Historic resources are identified on the Zoning Map either with landmark designations for individual sites or as Historic Districts or Conservation Districts. *This site is not within any environmental or scenic overlay zones and is not part of any designated historic resource. Therefore, Goal 5 is not applicable.*

### **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. The Bureau of Environmental Services reviewed the proposal for conformance with sanitary sewer and stormwater management requirements and expressed no objections to approval of the application, as mentioned earlier in this report. *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. *For these reasons, staff finds the proposal is consistent with Goal 10.*

### **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, the City's public services bureaus found that existing public services are adequate to serve the proposal, as discussed earlier in this report.*

### **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 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." The extent to which a proposal affects the City's transportation system and the goals of the TSP is evaluated by the Portland Bureau of Transportation (PBOT). *The scope of this project does not warrant transportation review; therefore Goal 12 is not applicable.*

### **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 by applying Greenway overlay zones which impose special requirements on development activities near the Willamette River. *The subject site for this review is not within a Greenway 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 design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. As indicated in detail in the findings above, the proposal meets the applicable design guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

**Approval** of storefront remodel and rooftop equipment and screening for the 1949 Oregon Square Block 91 at 710 NE Holladay.

**Approval** includes revised North and West entryways, a new entryway on the east side with glazed overhead doors, existing black-out spandrel glass will be swapped for clear glazing, existing exterior slate stone wainscot will be removed and resurfaced to match the walls above, and new rooftop mechanical equipment and screening.

**Approval** per the approved Exhibits C-1 through C-12, signed and dated December 11, 2019, 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 19-242195 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: Tim Heron**



**Decision rendered by:** \_\_\_\_\_ **on December 11, 2019**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: December 13, 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 October 18, 2019, and was determined to be complete on **November 6, 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 October 18, 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: March 5, 2020.**

**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 December 27, 2019** at 1900 SW Fourth Ave. Appeals can be filed at the 5<sup>th</sup> floor reception desk of 1900 SW 4<sup>th</sup> 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](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 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 **December 30, 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 of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Site and Vicinity Plan (attached)
  2. Survey and Existing Conditions
  3. Enlarged Site Plan (attached)
  4. Ground Floor - Proposed Plan
  5. Roof Plan
  6. Exterior Elevations - North & West (attached)
  7. Exterior Elevations - South & East (attached)
  8. Composite Plan and Elevation – West
  9. Composite Plan and Elevation – North
  10. Composite Plan and Elevation – East
  11. Roof Penthouse Screen Elevation
  12. Exterior Material Information
- D. Notification information:
  1. Mailing list
  2. Mailed notice
- E. Agency Responses:
  1. Site Development Review Section of BDS
  2. Life Safety Review Section of BDS
  3. Fire Bureau
- F. Correspondence: None submitted.
- G. Other:
  1. Original LU Application

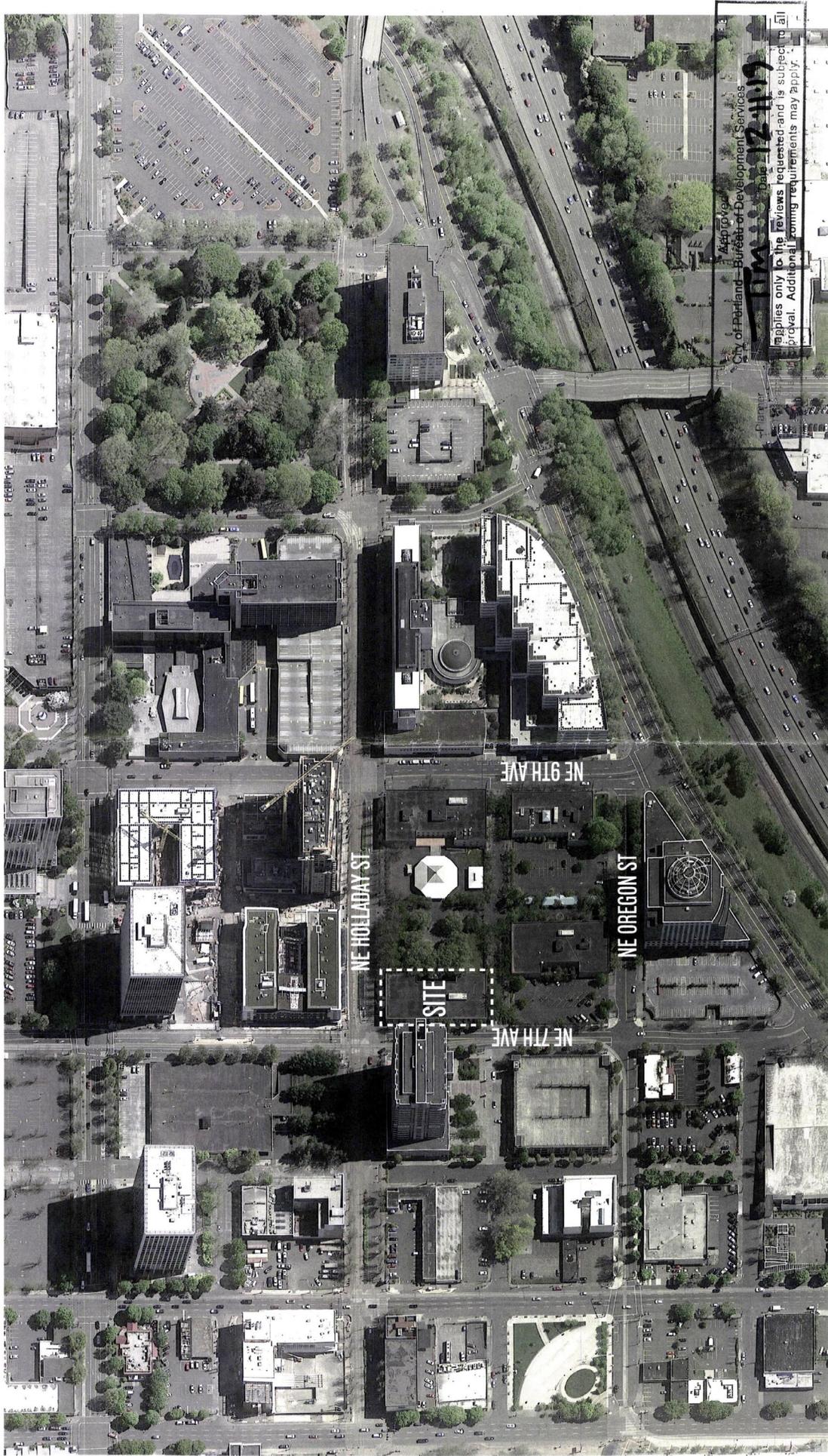
**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**



**ZONING**   
 CENTRAL CITY PLAN DISTRICT  
 LLOYD SUB DISTRICT

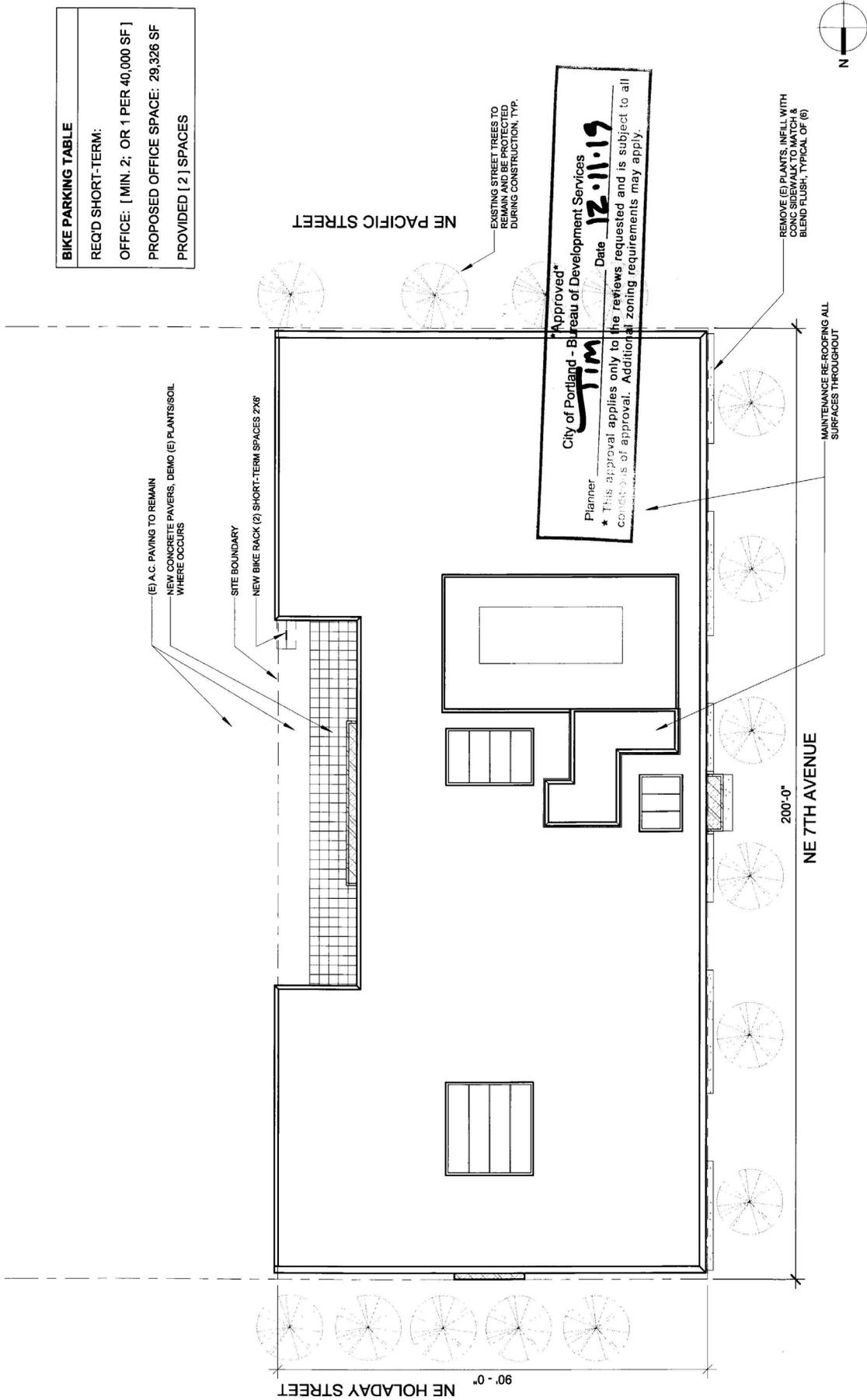
-  Site
-  Also Owned Parcels
-  Recreational Trails

File No.	LU 19 - 242195 DZ
1/4 Section	2931
Scale	1 inch = 200 feet
State ID	1N1E35BC 300
Exhibit	B Oct 23, 2019

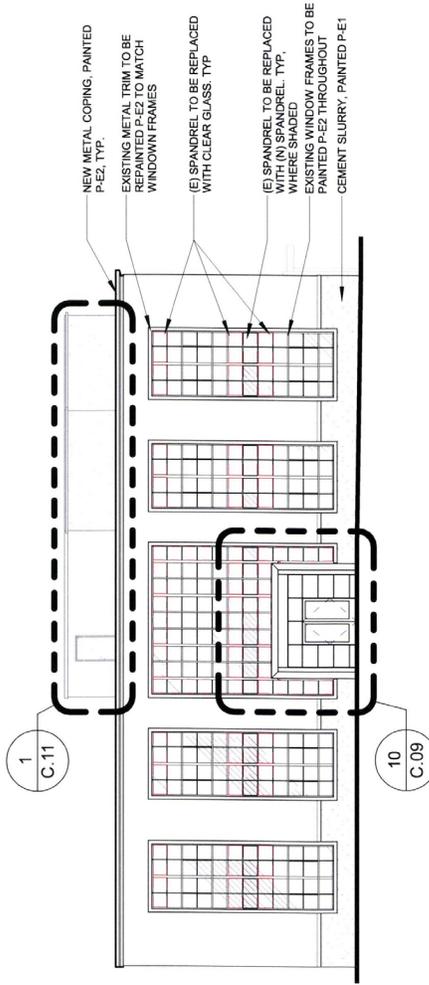


### SITE AND VICINITY

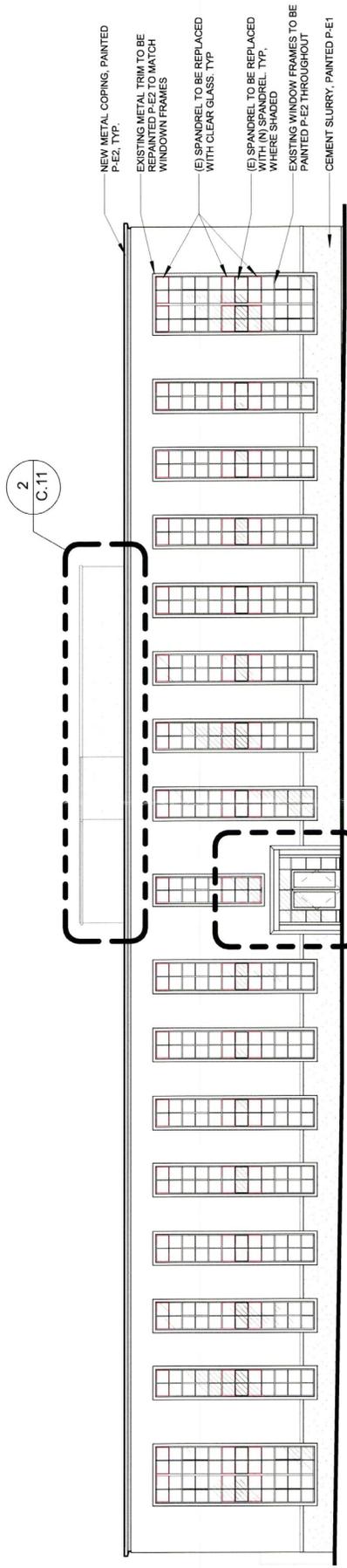
<b>BIKE PARKING TABLE</b>
REQ'D SHORT-TERM:
OFFICE: [ MIN. 2; OR 1 PER 40,000 SF ]
PROPOSED OFFICE SPACE: 29,326 SF
PROVIDED [ 2 ] SPACES



**ENLARGED SITE PLAN**



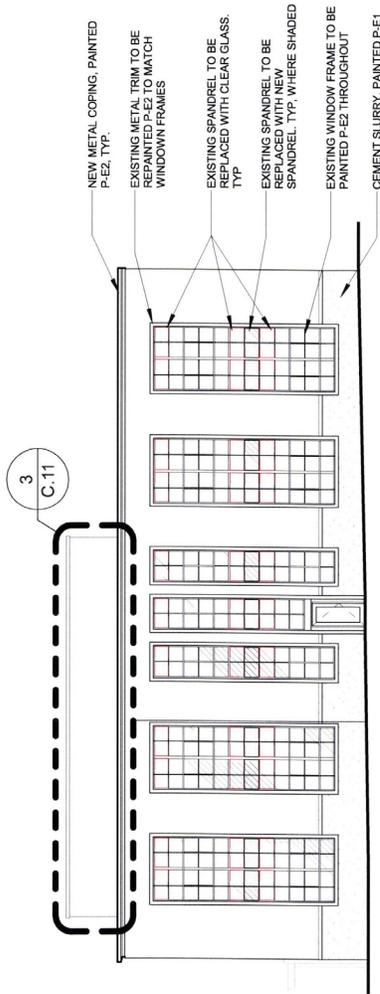
**NORTH ELEVATION**



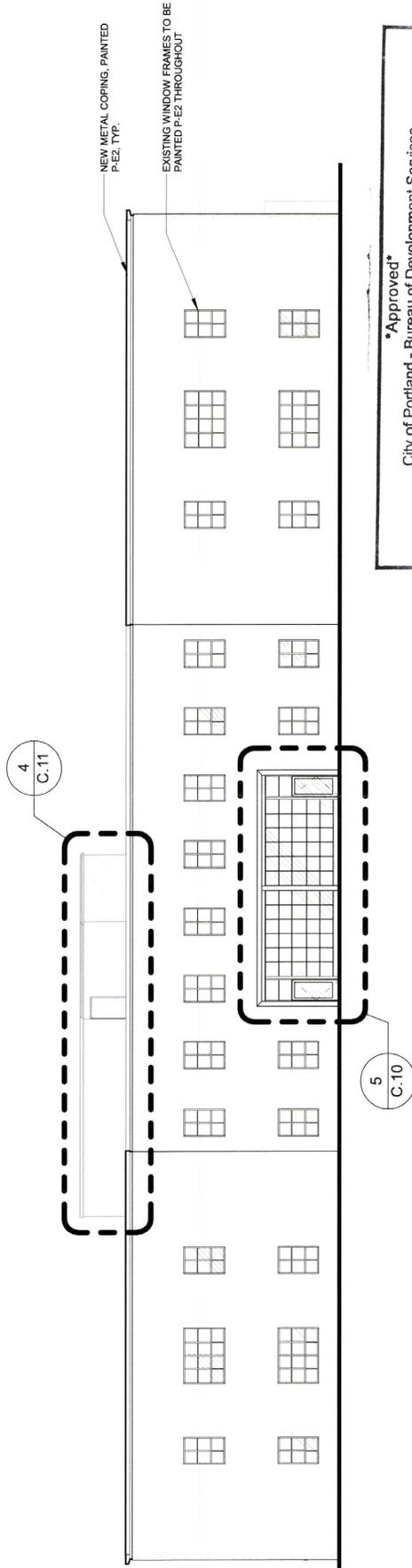
**WEST ELEVATION**

\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner **TJM** Date **12-11-19**  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

**EXTERIOR ELEVATIONS - NORTH & WEST**



**SOUTH ELEVATION**



**EAST ELEVATION**

Planner **TIM** Date **12.11.19**  
 \*Approved\* - Bureau of Development Services  
 This approval applies only to the reviews requested and is not a final approval. Additional zoning requirements may apply.

**EXTERIOR ELEVATIONS - SOUTH & EAST**