



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

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Date: March 25, 2020
To: Interested Person
From: Staci Monroe, 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 20-118861 DZ – NEW SIGN

GENERAL INFORMATION

Applicant: David Demuth | Hannah Sign Systems
1660 SW Bertha Blvd | Portland, OR 97219
davepd@hannahsignsystems.com | 503.946.8373

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

Site Address: 830 NE Holladay Street (previously noticed as 710 NE Holladay Street)

Legal Description: BLOCK 91&102 TL 200 DEFERRED ADDITIONAL TAX LIABILITY, HOLLADAYS ADD; BLOCK 102 INC PT VAC ST LOT 5 LOT 6-8, HOLLADAYS ADD

Tax Account No.: R396204790, R396205680

State ID No.: 1N1E35BC 00200, 1N1E35BC 00100

Quarter Section: 2931

Neighborhood: Lloyd District Community, contact Ziggy Lopuszynski at zlopuszynski@cportland.com

Business District: Lloyd District Community Association, contact at admin@lloyddistrict.org

District Coalition: Northeast Coalition of Neighborhoods, contact Jessica Rojas at jessica@necoalition.org.

Plan District: Central City - Lloyd District

Other Designations: none

Zoning: CXd – Central Commercial zone with a 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 a new 43 SF sign on the building at 830 NE Holladay Street in the Lloyd Sub District of Central City. The project includes a total of five new

signs added to the street facades of the building, however, only one is subject to review since it is over 32 SF in size.

The 3' tall x 14'-4.5" sign is proposed on the east building elevation facing NE 9th Avenue above the windows near the building's parapet. The sign will consist of individual aluminum channel letters with internal illumination and acrylic face panels.

Signs over 32 SF in Design Overlay zones require Design Review per Zoning Code Section 33.420.041.F.

Please note: The decision adopting the July 9, 2018 code (CC2035 Plan) was appealed to the Land Use Board of Appeals (LUBA). LUBA's decision has been appealed to the Oregon Court of Appeals by multiple parties. While the particular code provisions this project relies on are not at issue in the appeal, if the courts remand CC2035, the City will revert back to the version of PCC 33.510 that was in existence before July 9, 2018 until Council is able to readopt CC2035. Please be aware of the following. As details of the remand and results of the Council's future action to the remand are unknown at this time, this land use review is being reviewed under two versions of PCC 33.510. The most recent version that went into effect on July 9, 2018, and the previous PCC 33.510 version that was in effect prior to July 9, 2018.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines
- Lloyd District Design Guidelines
- Statewide Planning Goals

ANALYSIS

Site and Vicinity: The site is located in the Lloyd Subdistrict of the Central City Plan District and is one-fourth of the larger super block development, Oregon Square. The 830 Building was completed in 1949 and has been in use as office space since that time. The Superblock site is intended to be redeveloped, with previous approval for four towers, a public plaza, and two and a half levels of underground parking.

The site is bounded by NE Holladay Street to the north, which consists of deep sidewalks, MAX platform, and one-way traffic heading east. The site is bounded by NE 9th Avenue to the east, which consists of existing sidewalks with street trees, on street parking and two-way traffic. The site is bounded by NE Pacific Street to the south, which consists of existing sidewalks with street trees, street loading zone and one-way traffic heading to the east. The site is then bounded to the west by NE 8th Avenue, which is a vacated street used for pedestrian foot traffic only.

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 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: City records indicate the following prior land use reviews for this 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 alterations to an office building.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **February 27, 2020**. Given the small scope of the proposal no Bureau responses were necessary.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on February 27, 2020. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal (see Exhibit F.1)

- William and Elizabeth Anderson, email dated 3/2/20, stating support for the proposal.

ZONING CODE APPROVAL CRITERIA

Design Review - Chapter 33.825

Section 33.825.010, Purpose of Design Review

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 and to promote quality development near transit facilities. 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, 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.

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because the site is within the Lloyd District subdistrict of the Central City Plan District, the applicable approval criteria are the Special Design Guidelines for the Design Zone of the Lloyd District of the Central City Plan and the Central City Design Guidelines.

The **Central City Fundamental Design Guidelines** and the **Special Design Guidelines for the Design Zone of the Lloyd District of the Central City Plan** 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.

Lloyd District Design Goals

1. Encourage the special distinction and identity of the Lloyd District;
2. Integrate the sub-areas of the District for a visual and functional coherence of the whole;

3. Improve safety, convenience, pleasure, and comfort of pedestrians.

Central City Plan Design Goals

1. Encourage urban design excellence;
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 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; and
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.

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.

C13. Integrate Signs. Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only minimal presence in the Portland skyline.

C1-2 Integrate Signs. Carefully place signs and sign supports on and for buildings to integrate with the scale, color and articulation of the building design. Avoid large, excessively illuminated or freestanding signs that contribute to visual clutter. Demonstrate how signage is one of the design elements of a new or rehabilitation project and has been coordinated by the project designer/architect. Submit a master signage program as a part of every design review application. Incorporate signage that compliments and supports the pedestrian scale and use of the Broadway/Weidler Corridor and Holladay Street. While recognizing the dimensional provisions in the Code, size and scale of signs should be moderated in these pedestrian-oriented areas.

Findings for C2, C3, C5, C13 & C1-2: The sign meets these design guidelines as follows:

- The placement of the sign up near the parapet of the 2-story building works well with the building fenestrations as the window bays extend vertically up the building façade leaving little room for integrated signs at the ground level.
- The sign is situated to align vertically with the windows and parapet and horizontally between two window bays.
- The size and upper façade location are appropriate given the large-scale proportions of the 200' long façade and building fenestrations. It will have minimal presence on the skyline given the 2-story building height.
- The sign materials are of high quality and durable with an aluminum surround and acrylic face panels.
- The sign will be internally illuminated. To ensure a clean and integrated finish, a condition of approval has been added to require all electrical conduit to be internalized within the building and sign.

- The 5” profile of the sign is minimal and complements the modern design aesthetic of the building. The flushness of the sign combined with the location and internal illumination will ensure it does not overwhelm the pedestrian environment.

As conditioned for no exposed conduit allowed on the exterior of the building or sign, these guidelines are met.

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. *In this case, the scope of the project does not warrant review by the Bureau of Environmental Services; Goal 6 is not applicable.*

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, the scope of the project does not warrant review by the City’s public services bureaus; Goal 11 is not applicable.*

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 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 proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of a 43 SF sign on the east elevation, per the approved site plans, Exhibits C-1 through C-3, signed and dated 3/17/20, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through D) 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 20-118861 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 exposed conduit on the exterior of the building or sign.
- D. No field changes allowed.

Staff Planner: Staci Monroe



Decision rendered by: _____ **on March 17, 2020**

By authority of the Director of the Bureau of Development Services

Decision mailed: March 25, 2020

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 February 14, 2020, and was determined to be complete on February 25, 2020.

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 February 14, 2020.

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 extended by the applicant, **the 120 days will expire on June 24, 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. Appealing this decision. This decision may be appealed, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received by 4:30 PM on April 8, 2020. **Towards promoting social distancing to combat COVID-19, the completed appeal application form must be emailed to the planner listed on the first page of this decision and to BDSLUSTeamTech@portlandoregon.gov.** An appeal fee of \$250 will be charged. Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations for the appeal of Type II and IIX decisions on property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If you are interested in viewing information in the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note that due to COVID-19 and accessibility to files, only digital copies of material in the file are available for viewing. 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 **April 8, 2020** 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. Project narrative
 - 2. Original submitted drawings
 - 3. Photo Renderings
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. East Elevation (attached)
 - 3. Sign Details and section (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence:
 - 1. William and Elizabeth Anderson, email dated 3/2/20, stating support for the proposal.
- 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

NORTH ↑

CENTRAL CITY PLAN DISTRICT
LLOYD SUB DISTRICT

-  Site
-  Also Owned Parcels
-  Recreational Trails

File No.	LU 20 - 118861 DZ
1/4 Section	2931
Scale	1 inch = 163 feet
State ID	1N1E35BC 200
Exhibit	B Feb 20, 2020

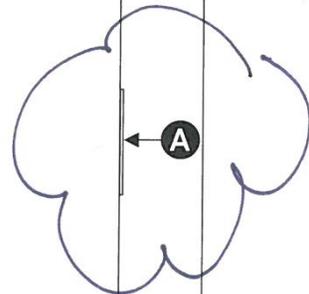
NE HOLLADAY ST.

B

B

- not subject to review

200'-0"



A

Approved
 City of Portland
 Bureau of Development Services
 Planner Sulu
 Date 3/17/20
 * This approval applies only to the review requested and is subject to all conditions of approval. Other applicable codes may apply.

NE 9TH AVE

830 NE HOLLADAY ST.
PORTLAND, OR

SCALE: NOT TO SCALE

C

B

- not subject to review

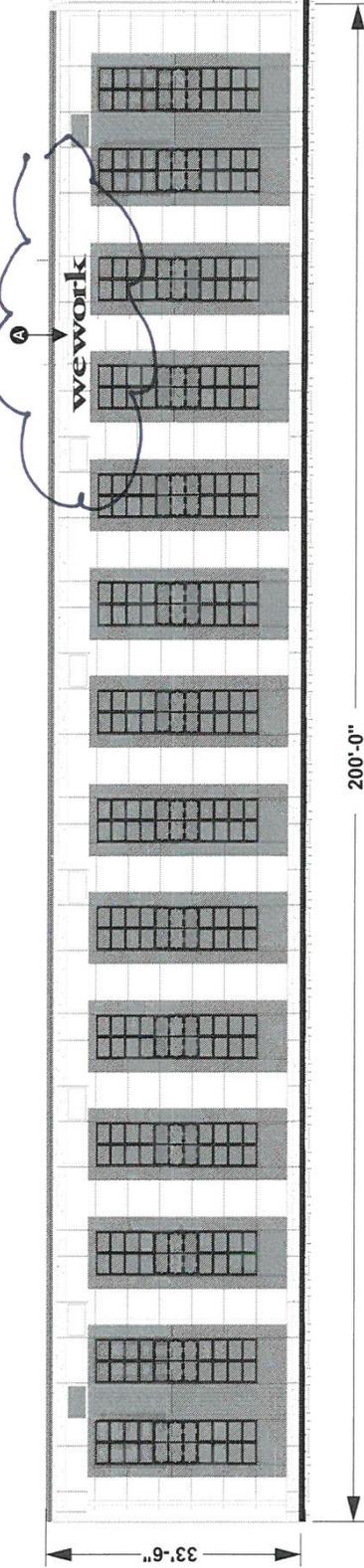
NE PACIFIC ST.

100'-0"

EX. C.1

LU 20-118861 DZ

BOTTOM OF SIGN 28'-6" FROM GRADE



EAST ELEVATION - 83 ONE HOLLADAY ST. PORTLAND OR

SCALE: NOT TO SCALE

* Approved*
 City of Portland
 Bureau of Development Services
 Planner GMO
 Date 3/17/20

* This approval applies only to the reviews requested and is subject to all conditions of approval.
 Additional zoning requirements may apply.

Lu 20.118861 DZ
EX. C.2

LU 20 - 118861 DZ

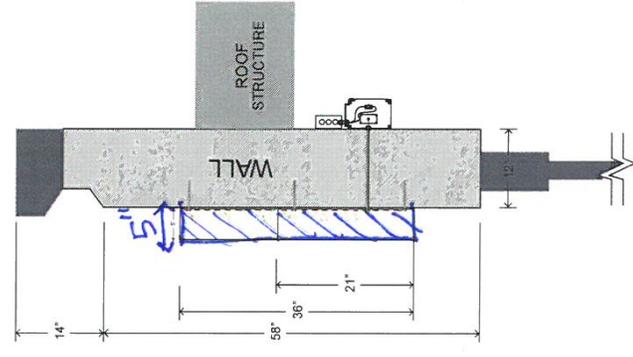
1. TRIM CAP W/ SCREW
2. ACRYLIC FACE
3. WHITE LED MODULES
4. ALUMINUM .063" BACKS / .040" RETURNS
5. SLEEVED LOW-VOLTAGE WIRES
6. 120/240VAC CLASS 2 POWER SUPPLY
7. INTERIOR 4" x 7" EXTRUDED ALUMINUM RACEWAY, PAINTED WHITE
8. DISCONNECT SWITCH
9. ANCHORS AS NECESSARY
10. WALL
11. J-BOX (PRIMARY POWER TO SIGN BY OTHERS)

*** Approved ***
 City of Portland
 Bureau of Development Services
 Planner SMM
 Date 3/17/20
 * This approval applies only to the reviews requested and is subject to all conditions of approval.
 Additional permitting requirements may apply.

21" | **wevework** | 3' | 14'-4-1/2"

SIGN A
 SCALE: NOT TO SCALE

~ 43



LU 20.118861DZ
 EX.C.3

LU 20-118861DZ