



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

Dan Ryan, Commissioner  
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[www.portland.gov/bds](http://www.portland.gov/bds)

**Date:** November 15, 2022  
**To:** Interested Person  
**From:** Hillary Adam, Land Use Services  
503-823-8953 / [Hillary.Adam@portlandoregon.gov](mailto:Hillary.Adam@portlandoregon.gov)

## **NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has a approved 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 22-188206 DZ - LOUVERS**

#### **GENERAL INFORMATION**

**Applicant:** Halla Hoffer  
Peter Meijer Architect  
2232 SE Clinton St  
Portland, OR 97202

**Owner**

**Representative:** Robert Dell [robert.dell@homeforward.org](mailto:robert.dell@homeforward.org)  
Home Forward  
135 SW Ash Street, #500  
Portland, OR 97204

**Owner/  
Interested Party:** Mandy Byrd  
Portland Housing Bureau  
City Of Portland  
1900 SW 4th Ave #7007  
Portland, OR 97201-5380

**Contractor:** Bennett Barnwell  
Walsh Construction Co  
2905 SW 1st Ave  
Portland, OR 97201

**Site Address:** 1121 SW HARVEY MILK ST

**Legal Description:** BLOCK 88 TL 200, PORTLAND  
**Tax Account No.:** R667709170  
**State ID No.:** 1N1E33DD 00200  
**Quarter Section:** 3028 & 3029

<b>Neighborhood:</b>	Portland Downtown, contact Marian DeBardelaben at debardelabenmarian@gmail.com
<b>Business District:</b>	None
<b>District Coalition:</b>	Neighbors West/Northwest, contact Darlene Urban Garrett at darlene@nwnw.org
<b>Plan District:</b>	Central City - West End
<b>Zoning:</b>	CXd – Central Commercial with Design overlay
<b>Case Type:</b>	DZ – Design Review
<b>Procedure:</b>	Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The applicant proposes three different options for mechanical ventilation louvers at the ground floor storefronts and one louver at the north interior window well. One set of louvers are proposed, as drawn, above one of the south façade entries, with optional future louver locations identified. The other louver options, shown on the East Elevation, are intended to allow for future tenant improvements to install exterior louvers without additional review.

Design Review is required because the proposal is for nonexempt exterior alterations within the design zone in the Central City Plan District.

**Relevant Approval Criteria:**

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

- Central City Fundamental Design Guidelines

**ANALYSIS**

**Site and Vicinity:** The subject property was designed by Whidden and Lewis and constructed in 1911 for Paterson Effinger. The 4-story blond brick building occupies the northwest corner of the intersection of SW 11th Avenue and SW Harvey Milk Street. The original design shows eight storefronts lining the two streets with a small lobby leading to the upstairs boarding rooms located at the second bay from the west. The building was originally known as the Blackstone Hotel and later became the Fairfield Hotel. Prior to this building being constructed, the site was home of Adolphus D. Griffin, prominent African-American editor and publisher who started Portland's first African-American newspaper, *The New Age*. The building is listed as a Significant Resource in the City's Historic Resource Inventory. Until recently, Portland institution "The Roxy" occupied the westernmost bay for 27 years, serving as a respite for many in the LGBTQ community.

Per the City's Transportation System Plan, SW 11th Avenue is listed as a Major Transit Priority Street. Both streets are Major City Walkways and Neighborhood Main Streets

**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 Design overlay zone ensures that Portland is both a city designed for people and a city in harmony with nature. The Design overlay zone supports the city's evolution within current and emerging centers of civic life. The overlay promotes design excellence in the built environment through the application of additional design standards and design guidelines that:

- Build on context by enhancing the distinctive physical, natural, historic and cultural qualities of the location while accommodating growth and change;

- Contribute to a public realm that encourages social interaction and fosters inclusivity in people’s daily experience; and
- Promotes quality and long-term resilience in the face of changing demographics, climate and economy.

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 West End Subdistrict of this plan district.

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

- LU 22-123850 DZ – Design Review approval for rehabilitation of the Fairfield Apartments building to include voluntary seismic improvements, reconfiguration of the ground floor, and accessibility improvements.
- LU 10-182395 DZ – Design Review approval for storefront remodel.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on October 18, 2022. No responses were received.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on October 18, 2022. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.825 Design Review**

#### **Section 33.825.010 Purpose of Design Review**

Design review implements the Design overlay zone, strengthening these areas as places designed for people. Design review supports development that builds on context, contributes to the public realm, and provides high quality and resilient buildings and public spaces.

#### **Section 33.825.055 Design Review Approval Criteria**

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

**Findings:** The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site’s location, the applicable design guidelines are the Central City Fundamental Design Guidelines.

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

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;

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

*Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.*

**A6. Reuse/Rehabilitate/Restore Buildings.** Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

**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.

**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.

**Findings:** The current land use review, and the one approved in May 2022, seek to facilitate reuse of the existing 111-year-old building by adapting it for new uses. The previous proposal included targeted replacement of some storefronts with new aluminum storefronts to accommodate reconfiguration of the ground level spaces. The current proposal seeks to introduce mechanical ventilation by the inclusion of louvers at the ground level. The proposed louvers are intended to be located above the storefront, within the transom level.

The applicant provided three options for louver configuration for staff consideration. The applicant's preferred option (A) shows louvers inserted across the top of the transom windows. This arrangement would be constructed in the bay to the right of the primary building entry as part of the current improvements; future installations of louvers would potentially come later with future tenant improvements. Staff supports option A because it allows for the proposed louvers to be located as far as possible from the sidewalk level and they are visually minimized by being linearly stretched across the bay, rather than filling in a whole transom which has a blocky, more highly visible appearance. In order for a coherent design to be achieved, staff has added a condition that all future louver installations shall be installed at the same datum and in the same manner, extended across the bay rather than in a single transom window, as is proposed in the initial installation to match option A; the other options are not approved. The proposed preferred option A respects the architectural integrity of the building and, with the added assurance in the condition of approval, will promote quality and permanence in its intentional design.

*With the condition that Option A is approved and options B & C are not approved, and that all future louver installations shall be installed at the same datum and in the same manner, extended across the bay rather than in a single transom window, as is proposed in the initial installation to match option A, these guidelines are met.*

## DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all 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 implements the Design overlay zone, strengthening these areas as places designed for people. Design review supports development that builds on context, contributes to the public realm, and provides high quality and resilient buildings and public spaces. The proposal meets the applicable design guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of mechanical ventilation louvers at the ground floor storefronts and one louver at the north interior window well. One set of louvers are proposed, as drawn, above one of the south façade entries, with optional future louver locations identified. The other louver options, shown on the East Elevation, are intended to allow for future tenant improvements to install exterior louvers without additional review.

This approval is per the approved site plans, Exhibits C-1 through C-8, signed and dated November 8, 2022, 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 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 22-188206 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.
- D. Option A is approved; options B & C are not approved. All future louver installations shall be installed at the same datum and in the same manner, extended across the bay rather than in a single transom window, as is proposed in the initial installation, to match option A.

**Staff Planner: Hillary Adam**

Decision rendered by:  on November 8, 2022  
By authority of the Director of the Bureau of Development Services

**Decision mailed: November 15, 2022**

**Procedural Information.** The application for this land use review was submitted on September 29, 2022, and was determined to be complete on October 13, 2022.

*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 September 29, 2022.

*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: February 10, 2022.**

**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](http://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 **November 15, 2022** 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:

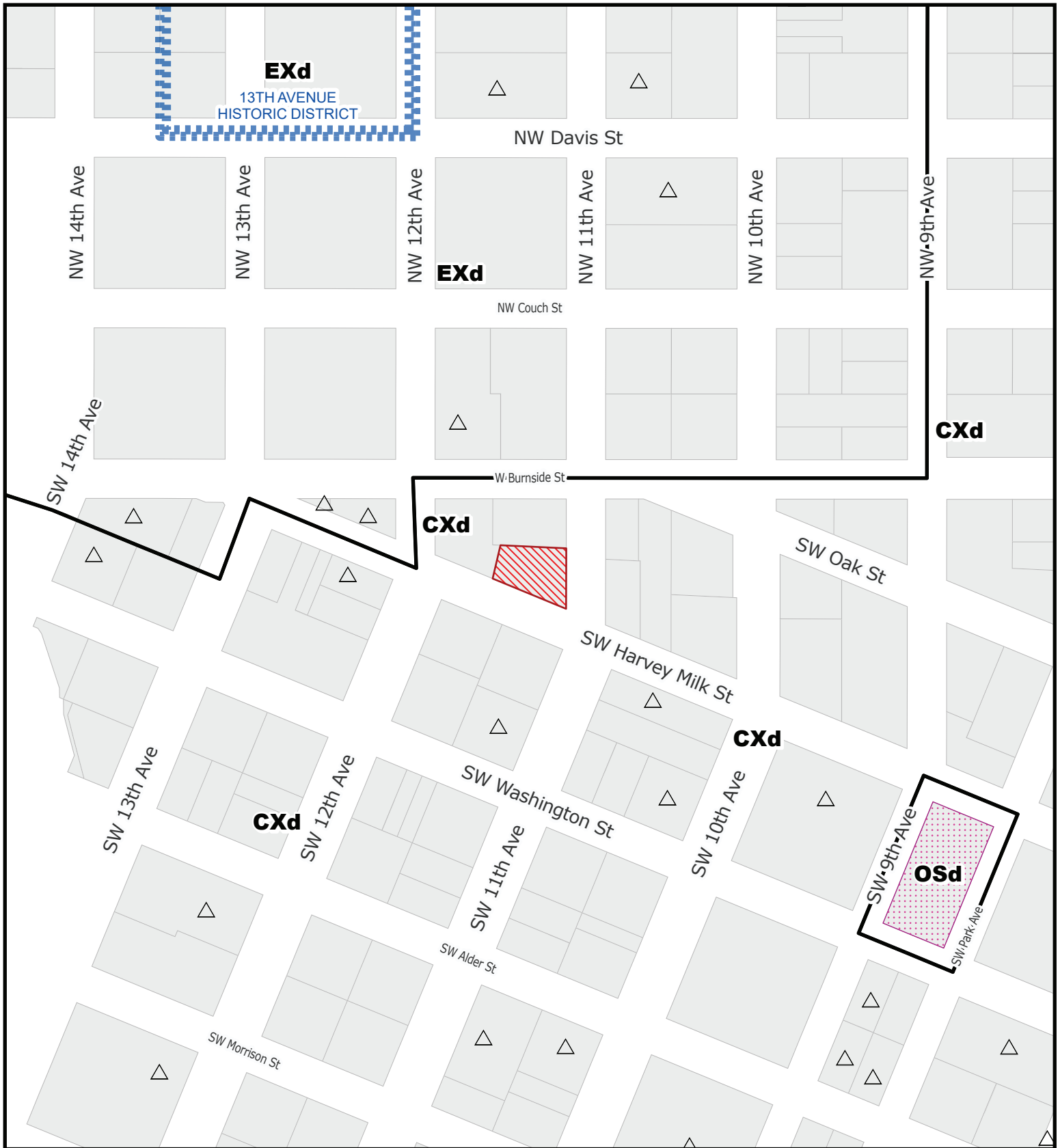
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Narrative
  - 2. PHB Letter
  - 3. Drawings
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. South Elevation (attached)
  - 3. Lightwell Elevations
  - 4. Section Details
  - 5. Proposed Options
  - 6. Kawneer Window Manufacturer's Specifications
  - 7. Kawneer Color Options
  - 8. Ruskin Louver Manufacturer's Specifications
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence: No responses were received.
- G. 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).**



For Zoning Code in effect Post August 1, 2021

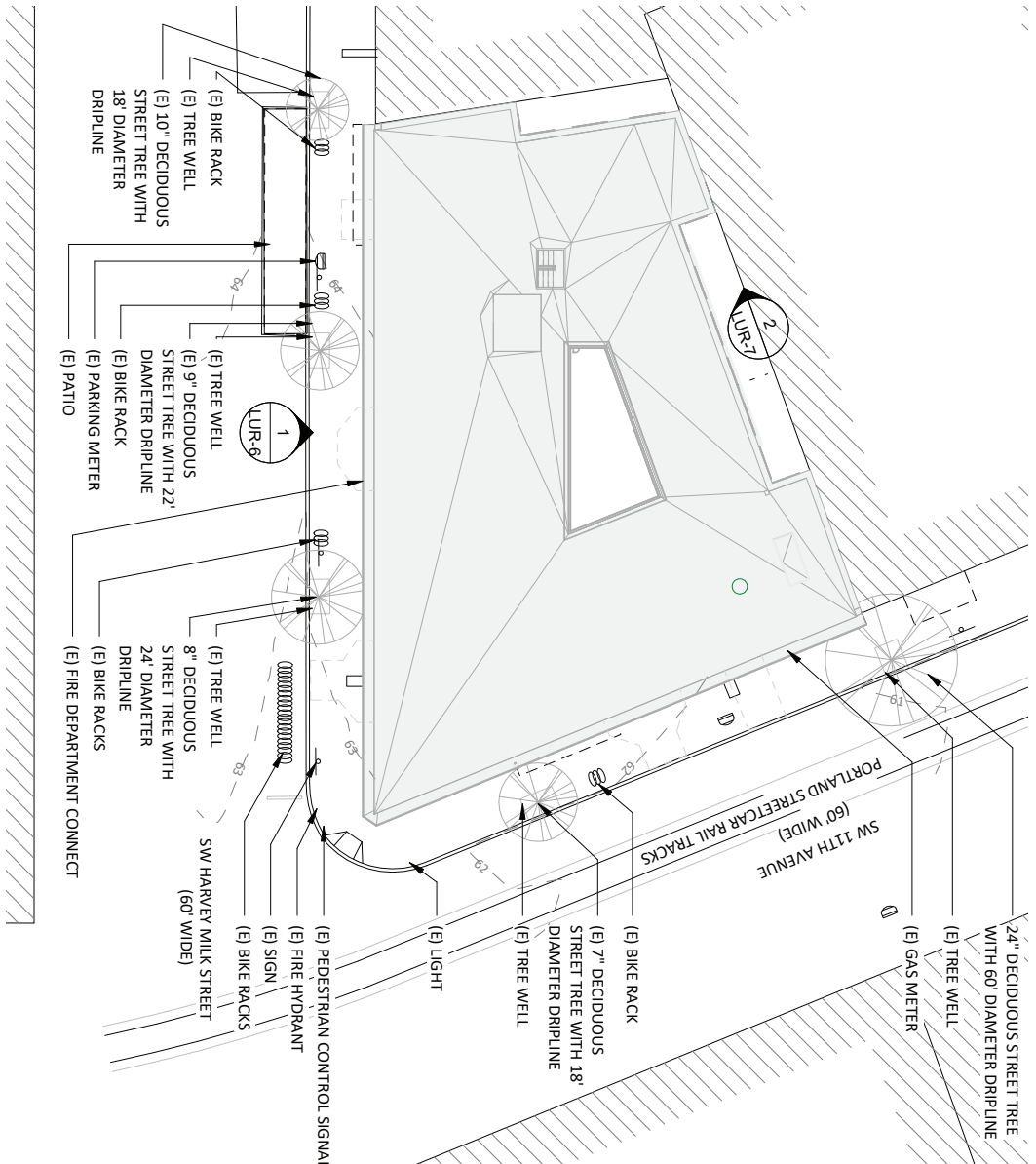
# ZONING

THIS SITE LIES WITHIN THE:  
CENTRAL CITY PLAN DISTRICT  
WEST END SUB DISTRICT

-  Site
-  Also Owned Parcels
-  Historic Landmark

File No.	<u>LU 22 - 188206 DZ</u>
1/4 Section	<u>3028,3029</u>
Scale	<u>1 inch =200 feet</u>
State ID	<u>1N1E33DD 200</u>
Exhibit	<u>B</u> <u>Sep 29, 2022</u>





\*Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planner \_\_\_\_\_  
 Date 11/8/22  
 \*This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.\*

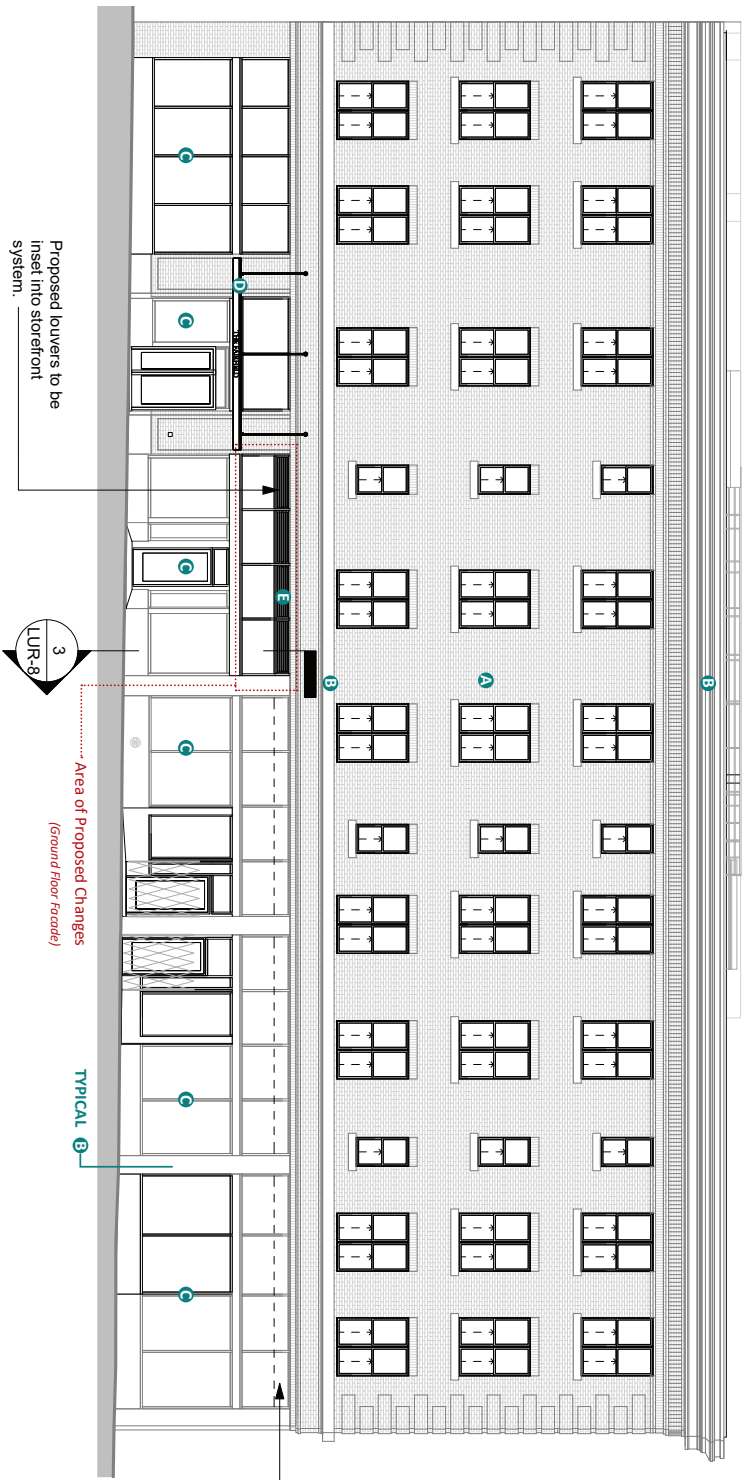


1 | SITE PLAN



**Material Legend**

- A** Existing Brick
- B** Existing Paint
- C** Aluminum Storefronts (Existing and Previously Approved)
- D** Metal Entry Canopy (Previously Approved)
- E** Metal Louvers



**1 | SOUTH ELEVATION**

(1/32" = 1'-0")  
 0' 8' 16' 24'

\*Approved\*  
 City of Portland  
 Bureau of Development Services

Planner *Allyssa*

Date 11/18/22

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

Optional locations for additional louvers if needed by future commercial tenants. Any additional louvers would match proposed in configuration and finish.