



## City of Portland, Oregon - Portland Permitting & Development

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### **STAFF REPORT AND RECOMMENDATION TO THE PORTLAND DESIGN COMMISSION**

CASE FILE: LU 24-061104 DZM  
PC # 24-026172  
Lloyd Center Concert Venue  
REVIEW BY: Portland Design Commission  
WHEN: September 19, 2024 at 1:30 PM

Remote Access: Design Commission Agenda:  
<https://www.portland.gov/ppd/design-commission>

This land use hearing will be limited to remote participation via Zoom. Please refer to the instructions included with this notice to observe and participate remotely.

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**Portland Permitting & Development Staff:** Tim Heron 503-823-7726 / [Tim.Heron@portlandoregon.gov](mailto:Tim.Heron@portlandoregon.gov)

#### **GENERAL INFORMATION**

**Applicant:** Michael Reis, Works Progress Architecture  
[michael@worksarchitecture.net](mailto:michael@worksarchitecture.net)  
811 SE Stark Street, Suite 210  
Portland, OR 97214

**Owner:** Kref Lloyd Center Owner LLC  
720 SW Washington St #640  
Portland, OR 97205

**Site Address:** 901 NE LLOYD CENTER

**Legal Description:** BLOCK 114&115 TL 200, HOLLADAYS ADD  
**Tax Account No.:** R396206500  
**State ID No.:** 1N1E35BA 00200  
**Quarter Section:** 2931

**Neighborhood:** Lloyd District Community, contact at [info@necoalition.org](mailto:info@necoalition.org)  
**Business District:** Lloyd District Community Association, contact Ziggy Lopuszynski at [lloyd@lcapdx.org](mailto:lloyd@lcapdx.org)

**District Coalition:** District 2, contact at [info@necoalition.org](mailto:info@necoalition.org)

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

**Zoning:** CXd, Central Commercial with design overlay

**Case Type:** DZM, Design Review with Modifications requested through Design Review

**Procedure:** Type III, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to Portland City Council.

**Proposal:**

The proposed development is for a new 2-story multi-purpose event center, approximately 67,000 SF, at the Lloyd Center located on NE 9<sup>th</sup> Avenue at the corner of NE Multnomah Street. The site is currently occupied by the existing Nordstrom building at the southwest corner of the Lloyd Center Mall. The proposal includes demolishing the former Nordstrom building and removing the NE 9<sup>th</sup> Avenue skybridge.

The proposed new building preserves the public plaza adjacent to NE Multnomah Street and the existing basement of the current structure for storage and back of house support areas. Two stories above will include a main event space, loading, lobbies, and a second-floor mezzanine that overlooks the main event space on the ground level.

Main pedestrian entrances will be located off of NE Multnomah Street. Secondary entrances will be located on the east and west sides of the building along NE 9<sup>th</sup> Ave and where the existing mall is currently. Vehicular access will be located along NE 9<sup>th</sup> Avenue.

The site also lies at the western boundary of the future Lloyd Masterplan and the proposal is taking in consideration to maximize the proposed building's connection to this new development.

Open space at the building's SE and SW corners extends the existing plaza along Multnomah Street. Art and landscaping are planned to be incorporated as integral elements of the design.

*Because the proposal is for new development in a Design Overlay Zone, Design Review is required.*

**Two [Modifications through Design Review \[33.825.040. A, B & C\]](#) are being requested:**

- **Modification 1: [33.510.220 Ground Floor Windows](#).** The applicant requests to reduce the 40% window area requirement along NE 9<sup>th</sup> Avenue to 36%. The applicant also requests to reduce the clear vision glass requirement to 0% along both the west facing NE 9<sup>th</sup> Avenue frontage and the south-facing Plaza frontage. Translucent glazing is proposed at both frontages in lieu of clear glazing.
- **Modification 2: [33.510.243 Ecoroofs](#).** The applicant requests reduction from 60% roof coverage to 0%, proposing mitigation for lack of ecoroof with rooftop planters and heavily landscaped setbacks with ground level planters for stormwater management.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The Portland Zoning Code is available online at <https://www.portland.gov/code/33>.

The relevant criteria are:

- [Central City Fundamental Design Guidelines](#)
- [Lloyd District Design Guidelines](#)
- [Modifications through Design Review \[33.825.040. A, B & C\]](#)

## ANALYSIS

**Site and Vicinity:** The site in the Lloyd District, at Lloyd Center Mall, which opened in 1960. One of the largest shopping malls in the United States when it opened, the mall was originally an open-air shopping environment. It was renovated and fully enclosed in 1990. The approximately 100 retail tenants are served by structured parking and surface parking lots abutting the mall on a portion of all four street frontages. The mall is a superblock, bounded by NE Halsey Street to the north, Multnomah Street to the south, 15<sup>th</sup> Avenue to the east, and 9<sup>th</sup> Avenue to the west.

The former West Anchor (Nordstrom) building is currently a three story, brick building with no windows into the retail space. There is a prominent curved corner wall at the southwest corner of the building. It is connected across NE 9<sup>th</sup> Avenue to the neighboring Lloyd Center office tower by a second story sky bridge. There are currently two main entrances from this building facing the plaza. There is a south facing entry facing the plaza that historically provided a direct entry into the anchor tenant space, and a diagonal southwest facing entry that provided entry to the mall concourse.

The current plaza has benches, landscaping, a large sculpture, and bicycle parking. It is surrounded by mature street trees, and has smaller landscape trees within, including a heritage dogwood that was planted in the 1890s. The surrounding Lloyd District contains a mixture of retail, hotel, large new mixed-use developments, single- and multi-dwelling residential, the Oregon Convention Center, and the Rose Garden arena.

According to the City of Portland Transportation System Plan, the site is located within a Bicycle District, a Pedestrian District and the Central Transportation District. Northeast Multnomah Street is classified as a City Walkway, a Major City Bikeway, a Major Emergency Response Street, a Traffic Access Street, a Regional Transitway and a Major Transit Priority Street. Northeast 9<sup>th</sup> Avenue is classified as a City Walkway, a City Bikeway, a Secondary Emergency Response Street, a Traffic Access Street, and a Transit Access Street.

**Zoning:** 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 Sub District of this plan district.

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 \[d\]](#) promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. This is

achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

**Land Use History:**

- No relevant Land Use Reviews apply.

**Agency Review:** A “Notice of proposal in Your Neighborhood” was mailed **August 29, 2024**. The following Bureaus have responded with no issues or concerns:

- Public Infrastructure Permit Review – Environmental Services (Exhibit E1)
- Public Infrastructure Permit Review - Transportation (Exhibit E2)
- Life Safety Plan Review Section of PPD (Exhibit E3)
- Water Bureau (Exhibit E4)
- Fire Bureau (Exhibit E5)
- Site Development Review Section of PPD (Exhibit E6)
- Bureau of Parks, Forestry Division (Exhibit E7)
  - Condition of Approval added: A Tree Protection Plan for the existing street trees must be approved by Urban Forestry.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **August 29, 2024**. Two neighborhood responses were received.

- Patrick Rice, 8/15/24, support. “You can’t build it soon enough.” (Exhibit F1).
- John Williamson, 8/17/24, support. “This kind of venue is needed in the city.” (Exhibit F2).

## ZONING CODE APPROVAL CRITERIA

### (1) 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](#) and the [Lloyd District Design Guidelines](#).

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

The Lloyd District is a unique, multi-dimensional neighborhood in the Central City, with special features and assets found nowhere else in Oregon.

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

The Central City Fundamental Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland’s character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

### **Lloyd District Design Goals**

The following goals and objectives define the urban design vision for new development and other improvements in the Lloyd District

- Encourage the special distinction and identity of the Lloyd District;
- Integrate the sub-areas of the District for a visual and functional coherence of the whole; and
- Improve the safety, convenience, pleasure, and comfort of pedestrians.

### **Central City Plan Design Goals**

This set of goals are those developed to guide development throughout the Central City. They apply within all of the Central City policy areas. The nine goals for design review within the Central City are as follows:

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

*Central City and Lloyd District Guidelines are addressed concurrently in the following **Three Tenet format: Context, Public Realm, Quality & Permanence** and Permanence. Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.*

## **CONTEXT**

### **A2 EMPHASIZE PORTLAND THEMES**

*When provided, integrate Portland-related themes with the development’s overall design concept.*

### **A3 RESPECT THE PORTLAND BLOCK STRUCTURES**

*Maintain and extend the traditional 200-foot block pattern to preserve the Central City’s ratio of open space to built space.*

#### **A3-1 SUPPORT A CONVENIENT PEDESTRIAN LINKAGE THROUGH THE SUPERBLOCKS BETWEEN THE CONVENTION CENTER AND LLOYD CENTER**

*Activation the connection through landscaping, ground level activities, and a sequence of space that enhances pedestrian experience and views.*

**Findings:** The proposal is designed specifically for a concert venue, tapping into a vibrant Portland music destination in a unique and placemaking way at this well-known Lloyd Center Mall location in Portland’s Central City Lloyd District. The site design and

surrounding landscape is driven by an urban forest concept, emphasizing Portland's connection to the Pacific Northwest evergreen forests. Both these themes are thoughtfully integrated into the proposal's overall design concept, reinforced by conditions of approval for the landscaping to be automatically irrigated and maintained to ensure a lush and thriving urban forest concept.

This project maintains the open plaza on the corner and provides the opportunity for reintroducing the Portland block structure should the Lloyd Center Mall be modified, as is currently being considered in the early stages of a possible Central City Master Plan process for the rest of the Lloyd Mall.

This project maintains the open plaza on the southwest corner of NE 9<sup>th</sup> Avenue and NE Multnomah Street and does not prohibit the opportunity for reintroducing the Portland block structure should the mall be modified as is being considered in the Central City Master Plan process.

*Given the landscape is an essential design component to the project's compliance with these guidelines, with a condition of approval that all proposed landscape sizes, locations and plant types are automatically irrigated and maintained, these guidelines are met.*

#### **A4 USE UNIFYING ELEMENTS**

*Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.*

#### **A5 ENHANCE, EMBELLISH, AND IDENTIFY AREAS**

*Enhance an area by reflecting the local character within the right of way. Embellish and area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.*

#### **A5-1 DEVELOP IDENTIFYING FEATURES**

*Encourages the inclusion of features in the design of projects that give projects identity and a sense of place or significance within the district.*

#### **A5-2 ACCOMMODATE OR INCORPORATE UNDERGROUND UTILITY SERVICE**

*Plan for or incorporate underground utility service to the development.*

#### **A5-3 INCORPORATE WORKS OF ART**

*Incorporate works of art into development projects.*

**Findings:** The building design concept incorporates the use of masonry exterior materials that is consistent with the Lloyd District's design guideline intent. Other complimentary materials such as metal panel, screening and colored translucent glazing accentuate and highlight architectural features and entries. The proposal creates a unifying material and color strategy ensemble that activated the NE 9<sup>th</sup> Avenue frontage with art, landscaping and lighting, while focusing the main entrance adjacent to the plaza fronting the corner of NE 9<sup>th</sup> Avenue and NE Multnomah Street.

The design meets the context by integrating some features of the district, while also acting as disruptor in the current context. For example, its use of masonry and the evergreen landscape located along NE 9<sup>th</sup> Avenue in the building setback, and the use of art, building lighting and massing projections along both street frontages and facing the public plaza, successfully blends many of these design guidelines driven concepts. The scale and program of the building add an appropriate level of purposeful interruption from the existing neighborhood context.

The main entry is located facing the large plaza at the corner of NE 9th Avenue and NE Multnomah Street. The building utilizes a strong canopy feature and elevated outdoor space to embellish the southern face. The overall theme of diagonal lines that direct and

emphasis key moments of the building carry across all side of the structure.

This project is utilizing the existing below-grade utility connections.

A large-scale art installation, implemented by a Title 4 Original Art Mural permit, is planned for the exterior in the service and loading area, which focuses its artistic character outward and breaks up larger façade moments. This Title 4 artwork is located in a way that accents the larger design themes by revealing itself in a diagonal expression as it interacts with loading area screen wall angles.

An additional Title 4 Original Art Mural at the street edge, along the loading dock fencing and gates should also be considered to more immediately address the public realm frontage of this NE 9<sup>th</sup> Avenue pedestrian experience, so an additional Condition of Approval will be added for this portion of the development.

Lastly, a Title 4 Original Art Mural artwork on the east wall at the time of master plan implementation that focuses on event and/or local musicians will be featured at a future date to be determined. As these Title 4 Original Art Mural installations will have distinct installation timelines, separate Conditions of Approval will be applied.

*With the Condition of Approval that:*

- 1) *Title 4 Original Art Mural approved installation completed at the adjacent loading area elevations shown on Exhibit C.30 prior to issuance of final certificate of occupancy,*
- 2) *Title 4 Original Art Mural approval installation is completed along the east façade as shown on Exhibit C.11 prior to completion of future NE 10<sup>th</sup> Avenue,*
- 3) *All Title 4 Original Art Murals are maintained at the sizes shown, or another Design Review is required to review relocation, elimination and/or reduction, and*
- 4) *All proposed landscape sizes, locations and plant types are automatically irrigated and maintained,*

*These guidelines are met.*

#### **A5-5 USE PUBLIC RIGHT-OF-WAY DESIGN CRITERIA ESTABLISHED FOR THE LLOYD DISTRICT**

*Use the public right-of-way design criteria as established and administered by the City Engineer especially for the Lloyd District from the adopted Lloyd District Transportation Capital Improvements – District-Wide Criteria.*

#### **A5-6 INCORPORATE LANDSCAPING AS AN INTEGRAL ELEMENT OF DESIGN**

*Incorporate landscaping as an integral element of design which is supportive of both the built and natural environment.*

#### **A5-7 INTEGRATE THE CIVIC CAMPUS INTO THE LLOYD DISTRICT**

*Integrate the Civic Campus into the Lloyd District in a manner that provides a cohesive link westerly to the river and easterly to the core of the Lloyd District. Provide safe and attractive vehicular/pedestrian access through the area that connects with development patterns in surrounding sub-districts.*

#### **A5-8 INTEGRATE THE LLOYD SHOPPING CENTER IN THE LLOYD DISTRICT**

*Through inviting pedestrian access and clear visual connections for both vehicles and people, integrate by linking the Lloyd Center with residential areas to the east and west, office areas along Multnomah Street, Holladay Park, and transit stops. Improve and extend the Center's pedestrian access to the north. Establish pedestrian access through the shopping center that connects with development in surrounding subdistricts.*

**Findings:** The proposed project maintains and improves the existing public right-of-way conditions on NE 9th Avenue. The proposal keeps the open plaza at the corner of NE 9th

and Multnomah and maintains street trees where reasonable.

A 10-foot landscaped area along the primary 9<sup>th</sup> Avenue elevation, as well as heavily landscaped planters in key areas of the roof are at visible levels and will support and enhance the integration of built and natural environment and create an urban forest design effect.

Proposed development facilitates movement from the larger Lloyd Center Mall to the east and towards the river and Convention Center to the west though its open corner plaza on the corner of Multnomah Street.

The corner plaza is designated as open space and will allow for connection to the mall and eventually lead pedestrians to a larger central green once the mall is redeveloped.

*Given the landscape is an essential design component to the project's compliance with these guidelines, with a condition of approval that the proposed landscape sizes, locations and plant types are automatically irrigated and maintained, these guidelines are met.*

#### **A6 REUSE/ REHABILITATE/ RESTORE BUILDINGS**

*Where practical, reuse, rehabilitate and restore buildings and/or elements.*

#### **A9 STRENGTHEN GATEWAYS**

*Develop and/or strengthen gateway locations.*

#### **A9-1 PROVIDE A DISTINCT SENSE OF ENTRY AND EXIT**

*Design and develop gateways into and within the Lloyd District that are appropriate and relate to the district and subdistrict emerging characteristics.*

**Findings:** The proposed building preserves the plaza adjacent to NE Multnomah Street for public use and the existing basement of the current structure for storage and back of house support areas. Despite complications with integrating the existing below grade structure, this provides a strong example of reuse of meaningful building elements.

Preservation of the existing plaza on Multnomah Street will continue to act as a gateway into the larger Lloyd Center block. The proposal responds to the current and future gateway plaza through its massing and orientation. The building form focuses attention to the plaza element and street intersection. Angled forms, primary canopies and glazing highlight the sense of entry to the building and to the district.

*These guidelines are met.*

#### **C4 COMPLEMENT THE CONTEXT OF EXISTING BUILDINGS**

*Compliment the context of existing buildings by using and adding to the local design vocabulary.*

**Findings:** The massing of this proposed concert venue maintains the same relationship to the surrounding buildings as it will be approximately the same size and height as the existing Nordstrom building to be demolished, and therefore maintains the same relationship to that structure, and not towering over the adjacent plaza to the south. As future Central City Master Plan buildings have the option of being taller than existing planning goals, this building creates a lower massing that steps up to that future high-density opportunity. This project, by virtue of being a major event entertainment destination, has the potential to be the catalyst for the larger master plan, driving pedestrian traffic and creating another reason to live, work, rest and play in the Lloyd District.

*This guideline is met.*



**C10-1 USE MASONRY MATERIALS**

*Except for window glazing, use masonry types of materials as the predominant exterior material for building walls. Use modular stone or masonry materials on the building base or first floor of buildings whenever possible.*

**C10-2 DESIGN EXTERIOR BUILDING WALLS THAT ARE TRANSPARENT IN GLAZED AREAS AND SCULPTURAL IN SURFACE**

*Design exterior building walls that are transparent or translucent in the glazed areas and which are textural, sculptural, and articulated in surface color.*

**C10-3 USE LIGHT COLORS**

*The use of light color values is preferred for the predominant exterior buildings materials. Darker value materials should be used to accent or articulate the design.*

**Findings:** Masonry is the predominant exterior material on both floors, accented and differentiated with the use of glitter/ reflective paint, metal reveal, and LED lighting system. Glazing, metal panel, stucco and other materials are used to compliment and highlight other important architectural aspects and entries.

The design incorporates areas of translucent, colored glazing, setbacks and building articulations. This approach is fitting to the nature of the buildings program and function and also articulates special moments in the building design that hints at unique program movements on the interior. The civic nature of the program will have an influence on its architecture and formal expression.

At the May 2, 2024, Design Advice Request meeting with the Design Commission, a Commissioner acknowledged the guidelines recommend utilizing lighter color materials. However, the majority of the Commission acknowledged that more modern themes and recent buildings in the district tend to separate themselves from this guideline. The nature of this proposal’s program and demonstrated architectural intent of creating a deep, rich color palette that provides for an existing event experience is separate from the more civic or office uses in the district. For these reasons, a darker color palette is appropriate and on balance still appropriate to the overall light colored masonry palette of the Lloyd District.

*These guidelines are therefore met.*

**PUBLIC REALM**

**A7 ESTABLISH & MAINTAIN A SENSE OF URBAN ENCLOSURE**

*Define public rights of way by creating and maintaining a sense of urban enclosure.*

**A8 CONTRIBUTE TO A VIBRANT STREETScape**

*Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings’ active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.*

**Findings:** The project recognizes the common scale and proportion of the surrounding context, creating a balanced street volume while also working as a public attractor and presence. The setback building frontages and second story building projections will maintain an urban street wall presence; combined with the landscaping, these setbacks and projections soften that edge and add interest at the street level.

Utilizing the guidelines for building line standards, the project design developed an intensified landscape area along the NE 9<sup>th</sup> Avenue street frontage. This streetscape

greenery exists for a minimum of 50% of the frontage along NE 9<sup>th</sup> Avenue providing vibrancy and visual interest. The proposed building provides for a varied relationship between the right of way and the building edge, provides for a modulated façade position and is accented with overall design moves in the form of angles, surface treatment and moments of landscaped roof edges visible from the street.

*Given the landscape is an essential design component to the project's compliance with these guidelines, with a condition of approval that the proposed landscape sizes, locations and plant types are automatically irrigated and maintained, these guidelines are met.*

### **B1 REINFORCE AND ENHANCE THE PEDESTRIAN SYSTEM**

*Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.*

#### **B1-1 PROTECT PEDESTRIAN AREAS FROM MECHANICAL EXHAUST**

*Incorporate mechanical exhausting systems in a manner that does not detract from the quality of the pedestrian environment.*

#### **B1-2 INCORPORATE ADDITIONAL LIGHTING**

*Incorporate project lighting in a manner that reinforces the pedestrian environment, and which provides design continuity to an area by enhancing the drama and presence of architectural features.*

#### **B1-3 DESIGN PROJECTS TO ATTRACT PEDESTRIANS TO THE BROADWAY/WEIDLER CORRIDOR**

*Incorporate design features in new projects or building renovation which attract pedestrians and encourage their safe and enjoyable movement throughout the Broadway/Weidler Corridor and which support the corridor as a neighborhood retail area.*

**Findings:** The proposed project maintains and improves the existing public right-of-way conditions on NE 9<sup>th</sup> Avenue. This proposal has developed multiple zones along the pedestrian sidewalk - with varied width and landscaping.

The project has minimized the extent of both mechanical exhaust routing and loading/service access areas and their exposure to the pedestrian environment. Both are routed to avoid the public frontages along NE 9<sup>th</sup> Avenue or the plaza and are screened from the Right of Way. Rooftop utilities will receive the same screened treatment.

LED feature lighting and painted masonry along 9<sup>th</sup> Avenue and the opposite East elevation enhance the existing and future pedestrian experience and highlight the architectural aspects. Lights within the landscape and on existing street trees will highlight natural elements and the architectural surface interests. Translucent, colored glazing, landscape lighting, lit canopies, and lightbox elements further utilize lighting to direct and highlight architectural features.

Maintaining the corner plaza and creating an active gathering event space will encourage pedestrians to utilize the primary Lloyd district corridors.

*These guidelines are met.*

### **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.*

**B3 BRIDGE PEDESTRIAN OBSTACLES**

*Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings, and consistent sidewalk designs.*

**Findings:** LED feature lighting and other lighting along 9th Avenue and the opposite East elevation enhance the pedestrian experience, highlight the architectural aspects, improve night lighting, and encourage varied public use. The proposal has developed zones along the pedestrian sidewalk - with varied width and landscaping and widened sections of sidewalk. Lights within the landscape and on existing street trees will highlight natural elements and the architectural surface interests. The connection to and the continuation of the corner plaza provide pedestrian refuge away from vehicular movement. The project has minimized the extent of both mechanical exhaust routing and loading/service access area and their exposure to the pedestrian environment.

The proposed project maintains and improves the existing public right-of-way conditions on NE 9<sup>th</sup> Avenue.

*These guidelines are met.*

**B4 PROVIDE STOPPING AND VIEWING PLACES**

*Provide safe, comfortable places where people can stop, view, socialize, and rest. Ensure that these places do not conflict with other sidewalk issues.*

**B5 MAKE PLAZAS, PARKS & OPEN SPACE SUCCESSFUL**

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

**Findings:** The proposed building preserves and is set back from the public plaza adjacent to NE Multnomah Street, with an update to the plaza planned with the future proposed masterplan.

The main entry faces the existing public plaza adjacent to NE Multnomah and features storefront to the extent possible. Landscape elements and stormwater basins are planned along the length of 9<sup>th</sup> Avenue and artwork is planned for larger building faces along all facades. The connection to and the continuation of the corner plaza provide pedestrian refuge away from vehicular movement. The activation of the southern façade and the frontage onto the plaza reinforce the existing public realm.

*These guidelines are met.*

**B6 DEVELOP WEATHER PROTECTION**

*Develop integrated weather protection systems at the sidewalk level of buildings to mitigate the effects of wind, glare, shadow, reflection and sunlight on the pedestrian environment.*

**B6-1 PROVIDE PEDESTRIAN RAIN PROTECTION**

*Rain protection is encouraged at the ground level of all new and rehabilitated commercial buildings located adjacent to primary pedestrian routes. In required retail opportunity areas, rain protection is strongly recommended.*

**B7 INTEGRATE BARRIER-FREE DESIGN**

*Integrate access systems for all people with the building's overall design concept.*

**Findings:** The project provides generous canopies at both main building entry and side entries for employees and patrons. Combined with varied landscape zones these provide creative shading solutions and points of repose and protection.

The project provides generous canopies at both main building entry and side entries employees and patrons. The setback from the right of way also necessitates an alternate interpretation of the building's relationship to the right of way and therefore the length of facade available for traditional canopy coverage.

The project will provide accessible routes into the building and around the pedestrian perimeter.

*These guidelines are met.*

### **C1 ENHANCE VIEW OPPORTUNITIES**

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

#### **C2-1 MAXIMIZE VIEW OPPORTUNITIES**

*Maximize view opportunities.*

**Findings:** The main entry faces the existing public plaza adjacent to NE Multnomah Street and features storefront to the extent possible. The existing view corridor through NE Multnomah Street plaza is preserved. The building design situates an outdoor deck at the corner of NE 9th and the plaza. This maximizes view connections to the Lloyd district and activates the frontage.

Views to the building are facilitated by large sidewalk level windows as far as sound requirements allow. Views from the building to the neighborhood are enhanced by exterior terraces accessed from the second floor of the venue.

*These guidelines are met.*

### **C6 DEVELOP TRANSITIONS BETWEEN BUILDINGS & PUBLIC SPACES**

*Develop transitions between private development and public open space. Use site design features such as movement zones, landscape elements, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.*

**Findings:** This proposal develops zones along the pedestrian sidewalk - with varied width and landscaping and widened sections of sidewalk. The setback along NE 9th and the future NE 10th Avenue reintroduction creates semi-public transition spaces. The connection to and the continuation of the corner plaza provide pedestrian refuge away from vehicular movement.

*This guideline is met.*

### **C7 DESIGN CORNERS THAT BUILD ACTIVE INTERSECTIONS**

*Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators and other upper floor building access points toward the middle of the block.*

### **C8 DIFFERENTIATE THE SIDEWALK LEVEL OF BUILDINGS**

*Differentiate the sidewalk-level of the building from the middle and top using elements including, but not limited to, different exterior materials, awnings, signs and large windows.*

**C9 DEVELOP FLEXIBLE SIDEWALK-LEVEL SPACES**

*Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.*

**Findings:** The massing at the southwest corner of the proposal is set back to accommodate a terrace and lightbox at the corner overlooking the plaza at NE 9th Avenue and NE Multnomah Street. The proposal has placed the most active entry and public face to address this corner. The connection to and the continuation of the corner plaza provide pedestrian refuge away from vehicular movement.

The pedestrian level base of the building is differentiated from its more solid upper story by a unique glitter paint finish, massing shifts and projections, moments of glazing, generous awnings and building signage.

The proposal has developed zones along the pedestrian sidewalk - with varied width and landscaping and widened sections of sidewalk. The setback along NE 9<sup>th</sup> Avenue and the future NE 10<sup>th</sup> Avenue reintroduction creates semi-public transition spaces. This variety of width creates flexibility for event egress and daily pedestrian activity.

*These guidelines are met.*

**C12 INTEGRATE EXTERIOR LIGHTING**

*Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.*

**Findings:** LED lighting is used to differentiate the base and the upper story of the project. This LED reveal directs light downward to enhance pedestrian experience and minimize the effect on the night sky. Translucent, colored glazing, lit canopies and landscape lighting will provide additional lighting at the pedestrian level.

*This guideline is met.*

**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 a minimal presence in the Portland skyline.*

**Findings:** New signage on the building is less than 32 SF, and therefore not subject to Design Review. However, the signage does appear compatible and appropriate to the location and venue and shown on the rendered elevations for context.

*This guideline is not applicable.*

**QUALITY AND PERMANENCE**

**C2 PROMOTE QUALITY & PERMANENCE IN DEVELOPMENT**

*Use design principles and building materials that promote quality and permanence.*

**Findings:** Utilizing two types of masonry, one plain black and the other with glitter paint, a distinct sense of base and upper story is created. This sense is further heightened by a

metal reveal and LED highlight. The use of masonry is consistent with the Lloyd district character of quality and permanence.

*This guideline is met.*

#### **C5 DESIGN FOR COHERENCY**

*Integrate the different building 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 project creates a coherent design by establishing a strong base and upper articulation. The proposed base is clad with glitter painted masonry, highlighted by an LED reveal and punctuated by storefront moments at the pedestrian scale. The upper story is clad in a similar masonry but without the glitter paint for a more matte finish. The composed masonry building reads as a coherent whole, consistent with the Lloyd district character.

*This guideline is met.*

#### **C11 INTEGRATE ROOFS & USE ROOF TOPS**

*Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.*

**Findings:** The project provides planters and a terrace on the second level and roof of the building. Rooftop mechanical equipment has been consolidated and screened to avoid impacting the overall appearance of the building. Mechanical screens are integrated with the overall building massing and are key to the overall massing expression. Substantial planters at street level along 9<sup>th</sup> Avenue will provide the required stormwater management and feature lush vegetation for bird and pollinator habitats as well as improved pedestrian experience. A Condition of Approval that all rooftop planters contain a minimum of 3' wide and 3' deep, as measured at the interior of the planter, automatically irrigated will be required to ensure plantings will survive and reach the potential as demonstrated by the design concept.

*To ensure longevity of the plantings, with the Condition of Approval that all rooftop planters include soil at a minimum of 3' wide and 3' deep, as measured at the interior of the planter, are automatically irrigated and maintained, this guideline is met.*

### **(2) MODIFICATION REQUESTS (33.825)**

#### **Section 33.825.040 Modifications That Will Better Meet Design Review Requirements**

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. The review body may not consider modifications to standards for which adjustments are prohibited. Modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or other standards that are calculated based upon the size or intensity of the use such as the quantity of parking and loading spaces) are required to go through the

adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. Better meets design guidelines.** The resulting development will better meet the applicable design guidelines;
- B. Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested; and
- C. Mitigation of impacts.** Any impacts resulting from the modifications are mitigated to the extent practical.

**Two Modifications That Will Better Meet Design Review are requested:**

**Modification 1: 33.510.220 Ground Floor Windows.** The applicant requests to reduce the 40% window area requirement along NE 9th Avenue to 36%. The applicant also requests to reduce the clear vision glass requirement to 0% along both the west facing NE 9th Avenue frontage and the south-facing Plaza frontage. Translucent glazing is proposed at both frontages.

*Purpose Statement:* . In the Central City plan district, blank walls on the ground level of buildings are limited in order to:

- Provide a pleasant, rich, and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk areas;
- Encourage continuity of retail and service uses;
- Encourage surveillance opportunities by restricting fortress-like facades at street level;
- Avoid a monotonous pedestrian environment; and
- The plan district modifications to the base zone standards for ground floor windows are intended to promote ground floor windows in a larger number of situations than in the base zones and to provide additional flexibility in meeting the standard.

*Standard:* To meet the standards, ground floor windows must be windows that allow views into work areas or lobbies or be windows in pedestrian entrances. Windows into storage areas, vehicle parking areas, garbage and recycling areas, mechanical and utility areas and display cases attached to outside walls do not qualify. Windows into bicycle parking areas are allowed to qualify for up to 25 percent of the ground floor windows coverage requirement.

1. Ground level facades that face a street or open area shown on Map 510-8 must have windows that cover at least 60 percent of the ground level wall area. For the purposes of this standard, ground level wall area includes all exterior wall area from 2 feet to 10 feet above the finished grade. Until January 1, 2029, the standard for development that includes a residential use is 40 percent of the ground level wall area.
2. All other ground level facades that face a street lot line, sidewalk, plaza, or other publicly accessible open area or right-of-way must have windows that cover at least 40 percent of the ground level wall area. For street facing facades of dwelling units the regulations of 33.130.230.B.4 apply. For the purposes of this standard, ground level wall area includes all exterior wall area from 2 feet to 10 feet above the finished grade.
3. *Optional artwork.* Projects proposing to use artwork as an alternative to the ground floor window requirements may apply for this through the adjustment procedure. Projects may also apply for a modification through design review if they meet the following qualifications. Buildings having more than 50 percent of their ground level space in storage, parking, or loading areas, or in uses which by their nature are not conducive to

*windows (such as theaters), may be allowed to use the design review process. Artwork and displays relating to activities occurring within the building are encouraged. In these instances, the artwork will be allowed if it is found to be consistent with the purpose for the ground floor window standard.*

**Findings for Section 33.825.040: A, B and C:**

**A. *Better meets design guidelines.*** *The resulting development will better meet the applicable design guidelines;*

**Findings:** The proposed building setback will feature a 9'-10" wide landscape basin at select locations to create an improved pedestrian experience consistent with the purpose of the standard. Combined with placing windows at the non-setback locations, the proposed building creates an integrated and interesting pedestrian experience along the street frontages.

The proposed development has demonstrated unique program attributes for a music venue event space:

- The program requires the main event space to be acoustically and visually separated from the exterior of the building.
- A reduction in ground floor windows allows the proposal to comply with maximum permissible sound levels of 60dBA during the day and 55dBA at night per Title 18.10.010 Noise Control Code. Proximity to the property line at which sound levels are measured requires this mitigation in glazing percentages.
- The major entertainment program, in the strategic CX zone, also encounters operational issues with high percentages of glazing related to views into the ticketed areas, light bleed during the day and evening hours that interfere with engineered light efforts and video walls.
- Egress requirements for this program require dispersed egress points.

**B. *Purpose of the standard.*** *The proposal will be consistent with the purpose of the standard for which a modification is requested.*

- *Provide pleasant, rich Pedestrian experience* – Densely planted zones along NE 9<sup>th</sup> Avenue, meeting the building line standards per Portland Zoning Code 33.510.215.2, will create a pleasant urban green space for the pedestrian. Glazing is placed in sections of the façade that have the closest proximity to the right of way for betterment of the pedestrian experience and pleasantness.
- *Encourage continuity of retail and services & surveillance opportunities* – Where the program allows, active spaces such as offices, breakrooms, bike rooms are all provided with ground floor windows that have semi-view glazing.
- *Avoid Monotonous pedestrian experience* – The articulation of the building's massing in combination with placing windows at program allowable areas and landscaping at the remaining locations, will break up any monotony in the pedestrian environment during non-event times.

**C. *Mitigation of impacts resulting from the Modification.*** *Any impacts resulting from the modifications are mitigated to the extent practical.*

With this unique program, the typical Design Guidelines may be met in a nonstandard way.

- The high-density program and nature of the building itself will be able to draw pedestrians that will activate this part of the Lloyd District.
- High pedestrian activation during events links the interior and exterior activities, providing a safe and lively environment per the stated purpose of



the standard.

- All windows will receive an applied window film, providing a varying degree of translucency and color that provides privacy in response to the programmatic nature of the building yet maintains visual connection from interior to exterior. No film will be completely opaque.
- At select locations the windows will feature a backlit LED that offers a different type of movement and intrigue at the pedestrian experience

*With the Conditions of Approval that:*

- 1) *Title 4 Original Art Mural approved installation completed at the adjacent loading area elevations shown on Exhibit C.30 prior to issuance of final certificate of occupancy,*
- 2) *Title 4 Original Art Mural approval installation is completed along the NE 9<sup>th</sup> Avenue loading dock screening and operable gate frontage prior to issuance of final certificate of occupancy,*
- 3) *Title 4 Original Art Mural approval installation is completed along the east façade as shown on Exhibit C.11 prior to completion of future NE 10<sup>th</sup> Avenue,*
- 4) *All Title 4 Original Art Murals are maintained at the sizes shown, or another Design Review is required to review relocation, elimination and/or reduction, and*
- 5) *All proposed landscape sizes, locations and plant types are automatically irrigated and maintained,*

*This Modification merits approval.*

**Modification 2: 33.510.243 Ecoroofs.** The applicant requests reduction from 60% roof coverage to 0%, proposing mitigation for lack of ecoroof with rooftop planters the ground level stormwater planters.

*Purpose Statement: Ecoroofs provide multiple complementary benefits in urban areas, including stormwater management, reduction of air temperatures, mitigation of urban heat island impacts, air quality improvement, urban green spaces, and habitat for birds, plants and pollinators. The standards are intended to:*

- *Maximize the coverage of ecoroofs;*
- *Allow for the placement of structures and other items that need to be located on roofs;*
- *Support the architectural variability of rooftops in the Central City.*

*Standard: Section 33.510.243 requires new buildings with a net building area of 20,000 square feet or more must have an ecoroof that meets the following standards: 1. The ecoroofs, including required firebreaks between ecoroofs areas, must cover 100 percent of the building roof area, except that up to 40 percent of the building roof area can be covered with a combination of other types of roof elements.*

**Findings for Section 33.825.040. A, B and C:**

- A. Better meets design guidelines.** *The resulting development will better meet the applicable design guidelines;*

The proposed building articulation will feature a 9'-10" wide landscaped storm basins at grade that will be able to sustain a wider variety of tree & plant species and better address the purpose set by the Ecoroof requirement.

Understanding the unique program attributes for a music venue event space:

- The main event space roof cannot have any motorized, mechanical equipment or vibration-generating items, therefore the supporting space roofs must contain ALL the mechanical and ventilation equipment, which for this program are massive and space-consuming. The standard expressly supports the required rooftop structures and equipment.
- The program requires long span structure that is sensitive to added weight.
- The green roof systems and trays are shallow, and the planting medium would not withstand the vibrational impacts of low frequency noise as vibrational sedimentation would adversely affect the planted zone. The vibrational aspects are mainly isolated to the main room, the area wrapped with the masonry envelope to deaden vibration.
- The project is working with existing foundation and basement conditions, where adding roof loads over this area beyond minimums are problematic for the below existing conditions, which most proposed new buildings do not have to work around.
- Environmentally, the added structural steel weight required to support additional loads would require more material, negatively impacting the environmental life cycle cost needed. Additionally, robust in-ground planting allows for increased amount of carbon sequestration on our site.

**B. Purpose of the standard.** *The proposal will be consistent with the purpose of the standard for which a modification is requested.*

- *Stormwater management* – The stormwater treatment facility as designed, will treat 100% of the proposed site, per the stated purpose of the standard with both inground planters and with drywells on site. In volume of planting medium and water retention, this method results in the same goals as the 60% of available eco roof intent.
- *Reduction of air temperature & Mitigation of heat island impacts* – All exposed roofing is light colored with high albedo - reflecting solar heat instead of absorbing it. In addition, the generous planting areas in the project, at the select locations on the roof with deeper planter boxes and the larger at-grade planting areas, will aid in the overall reduction of air temperatures and mitigate heat island impacts.
- *Urban Green Spaces & Air Quality Improvements* – The urban green space provided along NE 9<sup>th</sup> Ave is not typical for an urban infill development. This setback and in-ground condition provides an opportunity for substantial in-ground planted storm water basins. These planted basins are a minimum of 9'-10" wide and are 3' feet deep. This opens the opportunity up to planting types that are much larger and denser than any planting that is typical of green roof system.
- *Habitat for birds, plants, and pollinators* – This type of dense and varied planting provides for air quality improvement, reduced temperature and heat island impact, urban green spaces, and habits for birds, plants and pollinators per the standard. The proposal meets the intent of the habitat criteria by providing planting types and species that are more supportive for habitat by being located at ground level and having deeper soil levels, which will support more variety of native plants than a tray system on the rooftop. According to the applicant's submittal, some research supports that lower-level landscapes support more birds and bees foraging and shelters than at rooftops or spaces that lack wind protection.
- The project team proposes to ultimately provide certification for this area as wildlife support, furthering the commitment for a lush, green stormwater treatment display and education.

**C. Mitigation of impacts resulting from the Modification.** *Any impacts resulting from the modifications are mitigated to the extent practical.*

The proposed development will still treat and retain stormwater on site. While not in the prescriptive way as outlined in the eco roof standard, the proposal will provide a minimum of 450 square feet of planters along the primary roof edges, which will create a visual connection to greenery, enhance the dynamic parapet design, and assist in mechanical screening. Additionally, the project will be treating 100% of the roof area and site with a robust in-ground planting and drywells.

The site and site plan also demonstrate a balanced solution in keeping with the stated purposes of the standard:

- The building program requires that the main portion of our structure steps back from the ROW on 9<sup>th</sup> Ave by 10 feet+ to meet the building line standards in the central city plan district.
- Although the entire eastern and northern half of the building sit overtop of an existing basement, the majority of the western and southern portions of the building site are over grade.
- Large trees, small trees, shrubs and tall grass will be coupled with ground cover to create green space on ground level that is especially accessible to the users.

Roof edge treatments:

- The proposal is providing 2ft-3ft deep, 2-foot-wide planters at key areas of roof edges.
- These planters provide visual access to plantings from pedestrian areas and allow for plant types that are larger and achieve the aesthetic approach as described in our rendered images.
- The placement of these planters at the lower roof sections and at the primary southern façade provides for architectural variability in the rooftops in the district.

*To ensure longevity of the plantings, with the Condition of Approval that all rooftop planters must include soil at a minimum of 3' wide and 3' deep, as measured at the interior of the planter, and automatically irrigated, this modification merits approval.*

*Given the landscape is an essential design component to the project's compliance with these guidelines, with a condition of approval that the proposed landscape sizes, locations and plant types are automatically irrigated and maintained, this modification merits approval.*

## **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 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 modification criteria and therefore warrants approval.

### **TENTATIVE STAFF RECOMMENDATION**

(May be revised upon receipt of new information at any time to the Design Commission decision)

**Approval** for a new 2-story multi-purpose event center, approximately 67,000 SF, at the Lloyd Center located on NE 9th Avenue at the corner of NE Multnomah Street. The proposal includes demolishing the former Nordstrom building and removing the NE 9th Avenue skybridge.

**Approval** for two Modifications through Design Review:

- **Modification 1: [33.510.220 Ground Floor Windows](#).** Reduce the 40% window area requirement along NE 9th Avenue to 36%, and reduce the clear vision glass requirement to 0% along both the west facing NE 9th Avenue and the south-facing Plaza frontage.
- **Modification 2: [33.510.243 Ecoroofs](#).** Reduction of 60% roof coverage to 0%, proposing mitigation for lack of ecoroof with rooftop planters and ground level stormwater planters.

**Approval** per Exhibits C-1 through C-54, subject to the following conditions:

- A. A finalized permit must be obtained to document the approved project. As part of the permit application submittal, the following development-related conditions (B through J) must be noted on the site plans or included as a separate sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 24-061104 DZM". 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 permit submittal, a signed Certificate of Compliance form (<https://www.portland.gov/ppd/documents/design-and-historic-resource-review-approvals-certificate-compliance>) 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. A Tree Protection Plan for the existing street trees must be approved by Urban Forestry.
- E. Title 4 Original Art Mural approved installation completed at the adjacent loading area elevations shown on Exhibit C.30 prior to issuance of final certificate of occupancy.
- F. Title 4 Original Art Mural approval installation is completed along the NE 9th Avenue loading dock screening and operable gate frontage prior to issuance of final certificate of occupancy.
- G. Title 4 Original Art Mural approval installation is completed along the east façade as shown on Exhibit C.11 prior to completion of future NE 10th Avenue.

- H. All Title 4 Original Art Murals are maintained at the sizes shown, or another Design Review is required to review relocation, elimination and/or reduction.
- I. All proposed landscape sizes, locations and plant types are automatically irrigated and maintained.
- J. All rooftop planters include soil at a minimum of 3’ wide and 3’ deep, as measured at the interior of the planter, and automatically irrigated.

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**PROCEDURAL INFORMATION**

The application for this land use review was submitted on July 15, 2024, and was determined to be complete on **August 6, 2024**.

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 July 15, 2024.

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 extended at the request of the applicant. In this case, the applicant waived the 120-day review period, as stated with Exhibit A2. Unless further extended by the applicant, **the 120 days will expire on: August 5, 2025**.

**Some of the information contained in this report was provided by the applicant.** As required by Zoning Code Section 33.800.060, the burden of proof is on the applicant to show that the approval criteria are met. Portland Permitting & Development has independently reviewed the information submitted by the applicant and has included this information only where Portland Permitting & Development has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the recommendation of Portland Permitting & Development with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to specific conditions of approval, 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 report is not a decision. The review body for this proposal is the Design Commission who will make the decision on this case.** This report is a recommendation to the Design Commission by Portland Permitting & Development. The

review body may adopt, modify, or reject this recommendation. The Design Commission will make a decision about this proposal at the hearing or will grant a continuance. Any written testimony should be emailed to Tim Heron at [Tim.Heron@portlandoregon.gov](mailto:Tim.Heron@portlandoregon.gov). If you cannot email comments and must mail comments via USPS mail, your comments to the Design Commission can be mailed, c/o the Design Commission, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201.

**Please note regarding USPS mail:** USPS mail is only received a couple times a week, and testimony must be received before the close of the record. Therefore, please mail testimony well in advance of the hearing date.

If you are interested in viewing information in the file, please contact the planner listed on the front page of this document. The planner can provide information over the phone or via email.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant.

**Appeal of the decision.** The decision of the Design Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Design Commission, City Council will hold an evidentiary hearing, one in which new evidence can be submitted to them. Upon submission of their application, the applicant for this land use review chose to waive the 120-day time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing.

**Who can appeal:** You may appeal the decision only if you submit written comments which are received before the close of the record, if you testify at the hearing, or if you are the property owner/applicant. **Appeals must be filed within 14 days of the decision. An appeal fee of \$5,250.00 will be charged.**

Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from Portland Permitting & Development website: <https://www.portland.gov/ppd/zoning-land-use/land-use-review-fees-and-types/land-use-review-appeals>. Neighborhood associations recognized by the Office of Community & Civic Life may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chairperson or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations who wish to qualify for a fee waiver must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

**Recording the final decision.**

Before the applicant can proceed with their project, the final Land Use Review decision must be recorded with the Multnomah County Recorder.

A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless, appealed,* The final decision may be recorded on or after **the day following the last day to appeal.**
- A building or zoning permit will be issued only after the final decision is recorded.

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

For further information on recording, please call the County Recorder at 503-988-3034. For further information on your recording documents please call Portland Permitting & Development 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 permits.** A building permit, occupancy permit, or development permit must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

**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).**

Tim Heron  
September 9, 2024

**EXHIBITS** (not attached unless indicated)

- A. Applicant’s Statement
  - 1. Original Narrative and Drawings submittal
  - 2. 120-day waiver
  - 3. PBOT and BES RFC Completeness Response
  - 4. Applicant deemed application complete letter
  - 5. Updated Submittal 8-30-24
  - 6. Updated Submittal 9-3-24
  - 7. Updated Submittal 9-4-24

B. Zoning Map (attached)

C. Plan & Drawings

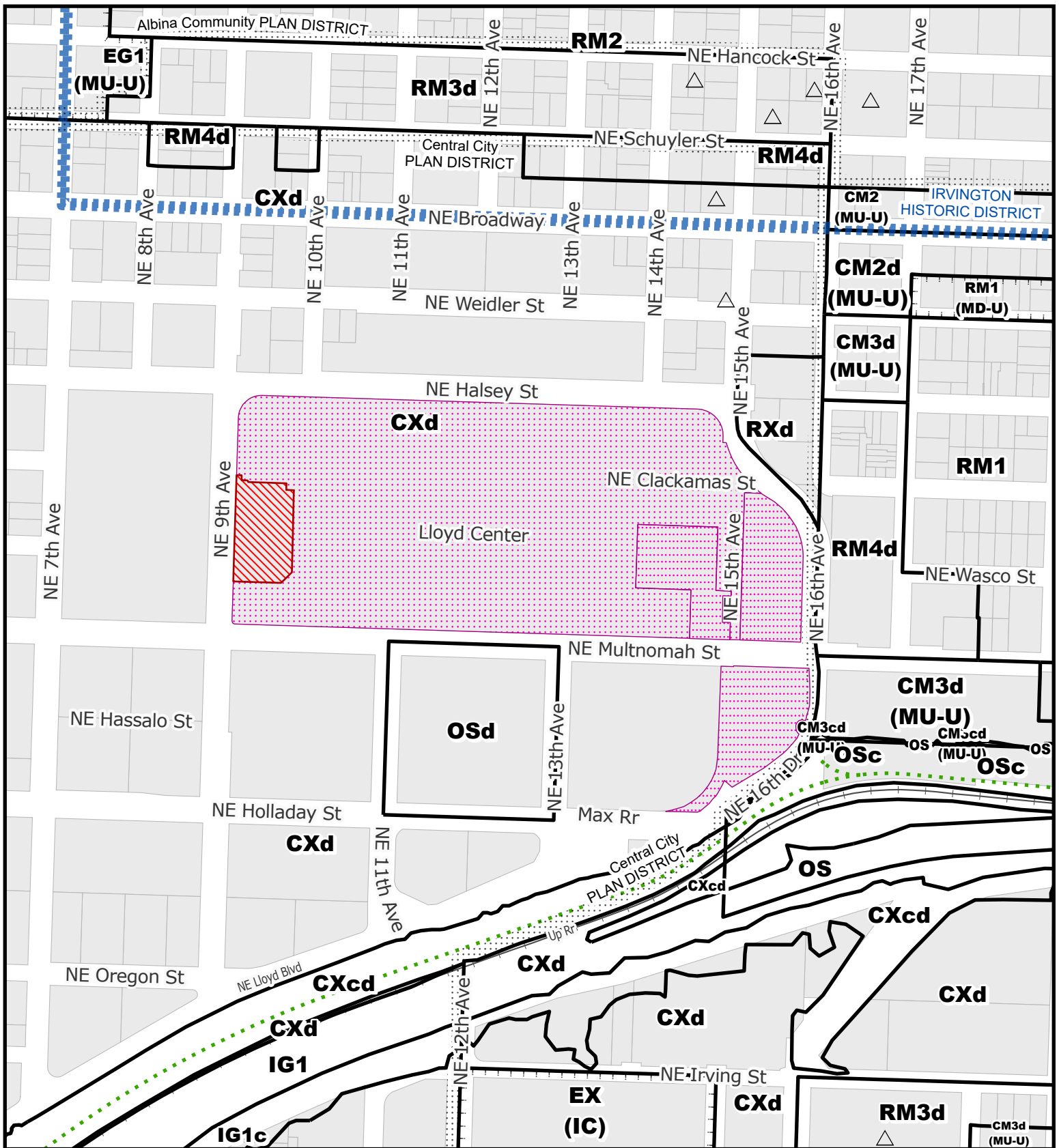
C.1	SITE PLAN - EXISTING	C.41	LIGHTING CUTSHEETS
C.2	SITE PLAN - DAY 1	C.42	LIGHTING CUTSHEETS
C.3	SITE PLAN - FUTURE CONDITION	C.43	MATERIAL PALETTE - CUTSHEETS
C.4	BUILDING PLAN - BASEMENT	C.44	MATERIAL PALETTE - CUTSHEETS
C.5	BUILDING PLAN - LEVEL 1 PLANS	C.45	MATERIAL PALETTE - CUTSHEETS
C.6	BUILDING PLAN - LEVEL 2 PLANS	C.46	MATERIAL PALETTE - CUTSHEETS
C.7	BUILDING PLAN - ROOF PLAN	C.47	MATERIAL PALETTE - CUTSHEETS
C.8	ELEVATIONS - SOUTH ELEVATION	C.48	PRODUCT CUTSHEETS
C.9	ELEVATIONS - WEST ELEVATION	C.49	PRODUCT CUTSHEETS
C.10	ELEVATIONS - NORTH ELEVATION	C.50	MODIFICATION - GROUND FLOOR WINDOWS
C.11	ELEVATIONS - EAST ELEVATION	C.51	MODIFICATION - GROUND FLOOR WINDOWS
C.12	SECTIONS - EAST TO WEST	C.52	MODIFICATION - ECOROOF
C.13	SECTIONS - NORTH TO SOUTH	C.53	MODIFICATION - ECOROOF
C.14	SECTIONS - SIGHTLINES		
C.15	BUILDING DETAILS - MAIN ENTRANCE WALL SECTION		
C.16	BUILDING DETAILS - MAIN ENTRANCE DETAILS		
C.17	BUILDING DETAILS - FOH WALL SECTION		
C.18	BUILDING DETAILS - FOH WALL SECTION		
C.19	BUILDING DETAILS - FOH WALL SECTION		
C.20	BUILDING DETAILS - FOH DETAILS		
C.21	BUILDING DETAILS - MAIN HALL WALL SECTION		
C.22	BUILDING DETAILS - MAIN HALL WALL SECTION		
C.23	BUILDING DETAILS - MAIN HALL DETAILS		
C.24	BUILDING DETAILS - BOH WALL SECTION		
C.25	BUILDING DETAILS - LOADING AREA WALL SECTION		
C.26	BUILDING DETAILS - LOADING AREA		
C.27	BUILDING DETAILS - LOADING AREA		
C.28	BUILDING DETAILS - PERFORATED SCREENS		
C.29	BUILDING DETAILS - FORM		
C.30	BUILDING DETAILS - TITLE 4 MURAL		
C.31	MATERIAL PALETTE		
C.32	LANDSCAPE PLANS - HARDSCAPE		
C.33	LANDSCAPE PLANS - GROUND LEVEL PLANTING		
C.34	LANDSCAPE PLANS - GROUND LEVEL PLANTING		
C.35	LANDSCAPE PLANS - ROOFTOP PLANTERS		
C.36	LANDSCAPE PLANS - ROOFTOP PLANTERS		
C.37	LANDSCAPE PLANS - PLANTING MATERIALS		
C.38	LIGHTING PLANS		
C.39	LIGHTING CUTSHEETS		
C.40	LIGHTING CUTSHEETS		

- D. Notification information:
  - 1. Request for response
  - 2. Posting letter sent to applicant
  - 3. Notice to be posted




4. Applicant’s statement certifying posting
  5. Mailed notice
  6. Mailing list
- E. Agency Responses:
1. Public Infrastructure Permit Review – Environmental Services
  2. Public Infrastructure Permit Review - Transportation
  3. Life Safety Plan Review Section of PPD
  4. Water Bureau
  5. Fire Bureau
  6. Site Development Review Section of PPD
  7. Bureau of Parks, Forestry Division
- F. Letters
1. Patrick Rice, 8/15/24, support; “you can’t build it soon enough.”
  2. John Williamson, 8/17/24, support; “this kind of venue is needed in the city.”
- G. Other
1. Original LUR Application
  2. Incomplete Letter

**The Bureau of Development Services is committed to providing equal access to information and hearings. To request an accommodation or alternative format of communication, please contact us at least five business days prior to the hearing at 503-823-7300 (TTY 503-823-6868).**



For Zoning Code in Effect Post October 1, 2022

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

-  Site
-  Also Owned Parcels
-  Plan District
-  Historic District
-  Historic Landmark
-  Recreational Trails

File No.	LU 24 - 061104 DZM
1/4 Section	2931
Scale	1 inch = 400 feet
State ID	1N1E35BA 200
Exhibit	B Jul 16, 2024