



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

FROM CONCEPT TO CONSTRUCTION

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## **STAFF REPORT AND RECOMMENDATION TO THE LANDMARKS COMMISSION**

**CASE FILE:** LU 16-207720 HRM AD  
PC # 16-134597  
*Multnomah County Central Courthouse Project*

**REVIEW BY:** Landmarks Commission

**WHEN:** October 24, 2016 at 1:30 PM

**WHERE:** 1900 SW Fourth Ave., Room 2500A  
Portland, OR 97201

**Bureau of Development Services Staff:** Staci Monroe 503-823-0624 /  
[staci.monroe@portlandoregon.gov](mailto:staci.monroe@portlandoregon.gov)

### **GENERAL INFORMATION**

**Applicant/  
Property Owner:**

JD Deschamps  
Multnomah County Facilities  
401 N Dixon Street  
Portland, OR 97227-1865

**Consultants:**

Beverly Bookin + Chris Hagerman  
The Bookin Group LLC  
812 SW Washington St., Suite 600  
Portland, OR 97205

**Architect:**

Hussain Mirza + Bjorn Clouten + Steve Simpson  
SRG Partnership  
621 SW Morrison St., Suite 200  
Portland, OR 97205

**Site Address:**

1236 SW 1ST AVENUE (Block 8)

**Legal Description:**

BLOCK 8 LOT 1-4, PORTLAND; BLOCK 8 N 16' OF LOT 6,  
PORTLAND; BLOCK 8 N 25' OF LOT 7, PORTLAND; BLOCK 8 N  
20' OF S 25' OF LOT 7, PORTLAND; BLOCK 8 S 5' OF LOT 7,  
PORTLAND; BLOCK 8 LOT 8, PORTLAND; GENERAL COMMON  
ELEMENTS, JEFFERSON STATION CONDOMINIUM

**Tax Account No.:**

R667701350, R667701410, R667701430, R667701436,  
R667701440, R667701470, R427400010, R667701470

**State ID No.:**

1S1E03BD 00800, 1S1E03BD 01000, 1S1E03BD 01300,  
1S1E03BD 01200, 1S1E03BD 01100, 1S1E03BD 01400,  
1S1E03BD 80000, 1S1E03BD 01400

**Quarter Section:**

3129

**Neighborhood:**

Portland Downtown, contact Rani Boyle at 503-725-9979.

**Business District:** None  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Central City - Downtown  
**Other Designations:** Jefferson Station is an Historic Landmark (National Register of Historic Places)  
**Zoning:** CXd – Central Commercial zone with a Design overlay  
**Case Type:** HRM AD – Historic Resource Review with Modifications & an Adjustment  
**Procedure:** Type III, with a public hearing before the Landmarks Commission. The decision of the Landmarks Commission can be appealed to City Council.

**Proposal:**

The applicant seeks Historic Resource Review approval for exterior alterations and a building addition to the Jefferson Station building (Historic Landmark) in association with the new Multnomah County Central Courthouse in the Central City Plan District. The project includes the following:

Building Addition

- 17-story, 325' tall tower addition (recent legislative height increase from 200' to 325' approved by City Council on June 8, 2016).
- 441,001 GSF that will house multiple courts, offices for District Attorneys, Public Defenders, Sheriff, and support areas for staff, juries, defendants and the public.
- Two gated garage entries serving a secured sally port at the southeast corner.
- A large hardscaped entry plaza at the northwest corner that includes landscaping, seat walls and bike racks. Should be noted the project will pay into the bike fund for all of the short-term bike spaces required at the time of building permit.
- A 5,000 SF green roof (see FAR bonus for ecoroof below).
- Projecting glass bay at floors 2 and 3 extending 4' into SW Naito right-of-way, which requires an exception to the Oriel Window code standard F that limits projections to 12' in width (54' width proposed).
- Building exterior finishes include limestone, curtainwall (vision and spandrel), punched window openings, and metal accents.

Jefferson Station Alterations:

- Replace some non-original storefronts and windows on the ground floor.
- Rebuild the north, and portion of the east, walls to provide seismic structural reinforcement of the building and add new aluminum windows to rebuilt north façade.
- Remove the non-historic rooftop penthouse and add a green roof.
- Removal of the non-original windows on east façade to accommodate the addition.
- New metal parapet flashing.
- Repair all of the original and non-original steel and wood windows to remain, repair the roof monitors, repair stucco veneer at damaged locations, repoint the brick as necessary, and repaint the building to match the existing color.
- A 2,900 SF bike locker room in the ground floor as part of the FAR bonus. More than 65 long-term parking spaces are provided, which exceeds the 110% required by this bonus.

The base FAR for the site is 9:1 with a potential for 3:1 additional FAR through bonuses. The proposed 11.02:1 FAR for the project is achieved as follows and utilizes the bonus FAR options of Section 33.510.210.C.8 and 10:

Existing base FAR for block*	321,120 SF	8.02:1 FAR
4,250 SF BES certified ecoroof FAR bonus	4,000 SF	0.1:1 FAR
2,900 SF bike locker FAR bonus	116,000 SF	2.9:1 FAR
<b>TOTAL</b>	<b>440,811 SF</b>	<b>11.02:1 FAR</b>

\* The existing base FAR on the site is the result of several floor area transfers to and from the Jefferson Station building over the course of 10 or so years. After the final transfer that restores some floor area to the landmark from the current courthouse landmark building is complete, the resulting floor area for Jefferson Station that contributes to the block will be 36,720 SF (the existing building after the penthouse removal, plus 11,000 SF transferred from the existing courthouse). Therefore, the floor area for Jefferson Station (36,720 SF) in addition to the floor area for the remainder of the block (284,400) results in the 321,120 SF for the base FAR.

The following Modifications are requested:

- *Ground floor windows* – To reduce the required 50% of the length and 25% of the wall area of ground floor windows as follows (PZC Section 33.510.220):
  - SW Madison – length 37%
  - SW Naito – length 5%, area 3%
  - SW Jefferson – length 30%, area 17%
- *Required building lines* – To reduce the amount of building wall within 12’ of the property line on SW 1<sup>st</sup> from the required 75% to 56% (PZC Section 33.510.215).

The following Adjustment is requested:

- *Loading* – To not provide two large (Standard A) loading spaced required on the site (PZC Section 33.266.310.C.2c).

A Type 3 Historic Resource review is required for exterior alterations and additions to Historic Landmarks per PZC Section 33.846.060, Table 846-1 and 33.445.140.A.

**Approval Criteria:**

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

- Central City Fundamental Design Guidelines
- Section 33.846.060.G – Other Approval Criteria
- Modification Approval Criteria – Section 33.825.040
- Adjustment Approval Criteria – Section 33.805.040

**ANALYSIS**

**Site and Vicinity:** The 40,000 SF site (known as Block 8) is situated at the western base of the Hawthorne Bridge and bounded by SW Madison, SW 1<sup>st</sup>, SW Jefferson and SW Naito. The site is currently improved with the Jefferson Station building (Historic Landmark), one-story building on its north side, and an abandoned on-ramp from Naito to the bridge. The one-story building (1220 SW 1<sup>st</sup>) was built in 1885 and on the City’s

Historic Resource Inventory. A historic assessment was prepared by the applicant and upon review by the State Historic Preservation Office (SHPO) was deemed not eligible for the historic designation, as the exterior alterations made over time were irreversible and resulted in a loss of integrity. The building was removed from the Historic Resource Inventory and is now proposed for demolition. The Jefferson Station building will remain and will be added onto with the new courthouse tower.

The Jefferson Station building was constructed in 1909 and was expanded to the north in 1925. The building, originally known as the Jefferson Substation, was added to the National Register of Historic Places in 1980. The building is significant as one of the oldest remaining buildings in Portland that served as an electrical substation, as well as one of the earliest examples in the City of a building with a reinforced concrete superstructure. Changes to the building over time include alterations within the ground floor bays, removal of wood paneling below the 2<sup>nd</sup> floor windows, addition of stucco cladding, addition of a rooftop penthouse, and the addition of windows to the north and east facades.

The surrounding area is developed with large towers and development and public facilities. In the immediate area: west of the site is a 6-story public parking garage, a large multi-story office tower to the south, Waterfront Park to the east across Naito and ramps to the Hawthorne bridge and landscape area to the north. The site's frontage along SW 1<sup>st</sup> and Jefferson are relatively flat, with significant grade changes along SW Madison and Naito given the abutting bridge conditions. At the northeast corner of the site, stairs that extend down to Naito from the bridge deck above will be rebuilt, modified in design and shifted within the right-of-way frontage on Naito.

The site is within the Downtown Pedestrian District and the classifications of the rights-of-way fronting the site are as follows:

- SW Madison – *Major Transit Priority St, CC Transit/Pedestrian Street, City Bikeway*
- SW Naito – *Transit Access Street, Local service Walkway, City Bikeway*
- SW 1<sup>st</sup> – *Transit Access Street, CC Transit/Pedestrian Street, City Bikeway*
- SW Jefferson - *Local Service Street, Walkway & Bikeway*

**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 [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.

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

preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

The Central City Plan District implements the Central City 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 Downtown Subdistrict of this plan district.

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

- DZ 10-76: Design Review approval of a tavern remodel.
- DZ 20-81: Design Review approval of a building renovation.
- DZ 20-84: Design Review approval of a building renovation.
- DZ 48-84: Design Review approval of a storefront remodel.
- DZ 124-90: Design Review approval of a storefront replacement and kitchen addition.
- LUR-97-00738: Historic Review approval of a new sign with exterior illumination for Minuteman Press copy center, to be mounted at the ground floor corner.
- LUR\_99\_00079: Historic Design Review approval to install two mechanical vents on the building exterior.
- LU 03-103549 HDZ: Historic Review approval to insert a new vent into the back wall of the building.
- LU 06-179319 HDZ: Historic Review approval of alterations to the Jefferson Street Substation including a new entrance storefront and canopy, new rooftop terrace, new exit door and utility doors, and new lighting.

**Agency Review:** A "Notice of proposal in Your Neighborhood" was mailed **October 4, 2016**. The following Bureaus have responded with no issue or concerns (See E Exhibits for details):

- Bureau of Environmental Services
- Water Bureau
- Fire Bureau
- Plan Review Section of BDS
- Park Bureau
- Site Development Section of BDS

The Bureau of Transportation Engineering responded that they could not support the project at this time due to a lack of adequate information on elements that could affect the exterior of the building and site improvements. Specifically:

- Sally port access location near the intersection and the operation of the sally port doors have not yet been approved through PBOT's Design Exception Process.
- Adjustment request for no on-site loading requires additional information to be submitted by the applicant to in order to complete the review and support the request.
- 30% Public Works Concept Approval is pending. Although most of the issues have been resolved this approval is required before PBOT can support. It is likely that the public works approval could occur after this staff report and before the hearing on Oct. 24<sup>th</sup>.

Additional project element that require a separate PBOT review are the stairs from the bridge down to the sidewalk on Naito, the bollards in the furnishing zone portion of the rights-of way along Madison and 1<sup>st</sup>, the transformer vaults within Naito since they are

attached to the building's basement, and the door swings into the sidewalk along Jefferson, Madison and 1<sup>st</sup> for the Jefferson main entry. The bollards, as a non-standard improvement in the right-of-way, are subject to review. If PBOT finds them not approvable during the Encroachment Review process they would be removed from this review. Regarding the door swings, if not approved by PBOT, then changes would be necessary to the plans to accommodate a recessed entry on Jefferson Station and alcoves for the two egress stairs on the tower addition.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **October 4, 2016**. Two written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal. See Exhibits F-1 and F-2 for details.

1. Thomas C. Sand, Multnomah County Circuit Court, dated 9/22/16, expressing support for the project and safety measures necessary for such facility.
2. Nan G. Waller & Barbara Marcille, Multnomah County Circuit Court, dated 9/26/16, expressing support for the project and safety measures necessary for such facility.

## **ZONING CODE APPROVAL CRITERIA**

### **(1) HISTORIC DESIGN REVIEW (33.846)**

#### **Chapter 33.846, Historic Reviews**

##### **Purpose of Historic Resource Review**

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

##### **Historic Resource Review Approval Criteria**

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

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

#### **G. Other Approval Criteria:**

1. **Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.

**Findings:** Jefferson Station is significant in that it is one of the oldest remaining buildings in Portland that served as an electrical substation, as well as one of the earliest examples in the city of a reinforced concrete superstructure. Based on the building's historic significance and current condition, the Applicant's historic consultant, Architectural Resource Group (ARG), has identified the following exterior character-defining features for Jefferson Station:

- Corner location with five bays along SW 1st Avenue and seven bays along SW Jefferson Street.

- Three-story height with flat roof.
- Wood windows along SW 1st Avenue and Jefferson Street façades at the second and third stories.
- Steel windows along SW 1st Avenue façade at the second and third stories.
- Exposed brick beneath second-floor windows and at the parapet.

Each of these characteristics will be retained and preserved as part of the proposed project. The non-historic penthouse will be removed from the roof, restoring the building to its historic profile. All of the original windows will remain, be repaired and receive an interior storm window to increase thermal insulation. The brick beneath the building's second-floor windows will be left exposed. The addition of the tower will not impact the character of the building as it will only be connected on the east side and setback to allow the original form of the landmark to read strongly and be clearly differentiated through distinct materials and scale. *This criterion is met.*

- 2. Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.

**Findings:** The proposed project does not include the addition of any features that would create a false sense of historic development. *This criterion is met.*

- 3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.

**Findings:** Jefferson Station's 1925 addition was included in the building's National Register nomination and is considered historic in its own right. The façade of the 1925 addition along SW 1st Avenue, including the historic steel windows, will be retained, as will its current footprint and three-story height. Several changes have been made to Jefferson Station since completion of the 1925 addition, including:

- The reinforced concrete structure and portions of the brick infill walls have been clad in stucco.
- All ground floor windows have been replaced and the openings have been reconfigured.
- Two entrances have been added to the SW 1st Avenue façade, and the original large entrance also along SW 1st Avenue has been substantially reconfigured.
- Both entrances along SW Jefferson Street have been reconfigured.
- Windows were added to the previously windowless north and east elevations of the building.
- A rooftop penthouse was added and the four rectangular lanterns in the 1909 portion of the building have been converted to skylights.

Most of these changes date to the building's extensive remodel in 1981. None of the alterations identified above appears to have acquired historic significance in

their own right. That said, it should be noted that the four original rooftop lanterns, though significantly modified, will be retained. *This criterion is met.*

- 4. Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.
- 5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.

**Findings for 4 and 5:** The existing windows and storefronts on the ground floor proposed to be replaced are not original to the building. The canopy above the entry is also not original and is proposed for removal. For the original windows that will all remain they will be patched and repaired as indicated in the survey starting on sheet APP41. However, it should be noted that several of the original windows on the west and south facades have not been surveyed. Upon inspection, if they are shown to be damaged beyond repair, the condition will need to be documented before replacement is allowed. If replacement is found to be necessary in time for the upcoming hearing, cutsheets/details and sections of replacement windows will be needed. If not a follow-up Type 2 Historic Resource Review will be required.

To increase the thermal insulation of the single paned windows, interior storm windows are proposed. No chemical or physical treatments that cause damage to historic materials are proposed for Jefferson Station. The project team is currently conducting focused testing of the building's elastomeric paint and underlying stucco, both of which are failing in select locations and will be repaired.

The north and east wall of the 1925 addition are original and proposed to be removed and rebuilt to achieve seismic upgrades for the landmark. Several options on how to achieve the structural upgrades were explored with the majority not affecting the exterior walls and material. Rebuilding the walls was the least preferred by the Commission at the last DAR. The applicant may elaborate more at the hearing as why this approach is being pursued, but in the meantime staff provides the following comments on this aspect of the proposal:

- Applicant should explore reusing the existing original brick in the rebuilt wall or elsewhere in the project like the infill below the window on the westernmost bay on the SW 1<sup>st</sup> facade.
- If existing brick cannot be reused a sample of the new brick is needed to compare to the existing brick to ensure the size and more importantly the texture and edge conditions complement the aged brick on the building. This is necessary, along with an enlarged section detail to ensure a seamless transition where the new and old brick meet (at cornice and window infills).

Given that more details are needed on the new brick, criterion 5 is not yet met.

- 6. Archaeological resources.** Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. When such resources are disturbed, mitigation measures will be undertaken.



**Findings:** No archaeological resources have been recorded previously within the proposed project area. However, the location of the project in the earliest settled part of Portland and its proximity to the Willamette River suggests that buried archaeological deposits may be present. Historic-period archaeological deposits are common beneath existing buildings and paved parking lots in Portland, and pre-contact (Native American) archaeological deposits may also be present. Multnomah County has retained Archaeological Investigations Northwest, Inc. (AINW) to provide archaeological services for the project. AINW will conduct background research and prepare a project-specific inadvertent discovery plan that will include procedures to be followed in the event that an archaeological resource is found during construction. In the event of a discovery, AINW will assist in coordinating with the Oregon State Historic Preservation Office (SHPO) and will provide recommendations for evaluating the significance of the resource and mitigating impacts to the resource if it is significant and cannot be avoided.

*With a condition of approval that, in the event of any archaeological discovery, work will be stopped and the State Archaeologist will be notified, this criterion is met.*

- 7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.

**Findings:** Physical connection between the new tower and existing Jefferson Station has been limited to the historic building's rear (east) wall. This wall, which originally abutted a now-demolished adjacent building, has been altered over time and, in particular, had no window openings prior to the building's 1981 remodel. As the existing building and new construction will be fully integrated, several openings will be cut into this wall to accommodate circulation between the tower and Jefferson Station.

Because the connection is limited to the east wall, the tower will not directly impact Jefferson Station's historic west and south façades. A zinc metal composite panel will create a gasket between the two structures and be setback 1'-0" to the allow the original form of the landmark to remain evident. A plaza and narrow gated garden will separate the tower from Jefferson Station's north wall, so that the latter will still be visible, and no new construction is proposed on the roof. *This criterion is met.*

- 8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.
- 9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.
- 10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

**Findings for 8, 9 and 10:** The essential form of Jefferson Station will be maintained by the proposed project. In the unlikely event that the new tower

and Jefferson Station were physically detached in the future, Jefferson Station's rear (east) wall could be restored to its current condition as a substantially altered exterior wall.

The project is not located within a Historic District or Conservation District, but the proposed tower addition design does fit within its context. Because Jefferson Station is already surrounded by similar large modern buildings and the attachment of the courthouse and the historic resource does not change the perceived relationship of distinct buildings from the exterior, the addition of the tower does not create an incompatible condition that diminishes the Station's integrity. As noted in more detail in the Central City Fundamental Design Guideline findings the three-story volume lobby that intentionally lowers the tower's scale to better relate to Jefferson Station across the gated outdoor garden. This stepped-down massing approach is achieved by aligning the building parapets. It also relates and ties into Jefferson Station with its podium base and window alignments. The three-story datum of the Jefferson Station is evident along the building's lower 30 feet and repeated on the upper façade. The fenestrations on the tower addition are deeply punched providing depth and articulation to all facades and complementing those on Jefferson Station.

Staff has identified the following items need further details and discussion:

- Enlarged section details of the original steel and wood windows to remain are needed to compare with the new windows to ensure a matching profile (muntin & sash dimensions) and inset.
- At the most recent DAR it was noted that on the south (Jefferson) façade there was little response to the proportions and rhythm of the ground floor openings of the landmark on the addition's ground level. This needs further discussion since the current design of the sally port on this façade responds to other feedback from the Commission for the decorative metal panels to remain visible and part of the façade at all times.

*Given these outstanding items, criterion 8 and 9 are not yet met.*

### **Central City Fundamental Design Guidelines**

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

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

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

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

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;

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

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

**A1. Integrate the River.** Orient architectural and landscape elements including, but not limited to, lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and greenway. Develop accessways for pedestrians that provide connections to the Willamette River and greenway.

**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.

**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 existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

**Findings for A1, B3 and C1: As stated by the applicant** the building's "big idea" was developed to connect with the best attributes of the site including retention of the historically-designated Jefferson Station and with a majority of the interior public spaces oriented to Waterfront Park, the Willamette River and greater Portland beyond. The tower addition contains two masses, the northwest ¼ block and main eastern ½ blocks. The latter contains 40 courtrooms on the top 10 floors oriented eastward with public galleries flanking the outer portions of each floor on the north and east facades, providing panoramic views. On lower floors, a similar circulation system is employed to provide employees similar visual connections to the city. The civic plaza and main entrance are located at the corner of SW Madison Street and SW 1<sup>st</sup> Avenue, to relate both to the Hawthorne Bridge approach and orient towards the greater downtown street grid. The transparent glass enclosure at the entry atrium maximizes the view into and outward from within the courthouse. The large windows in the historic Jefferson Station will be repaired and/or replaced in a historically-sensitive manner to preserve views to the west and south.

With regard to physical connections to the river, the significant improvement of the pedestrian way along the building's east façade, made possible by the reconstruction of the north stair up to the bridgehead, will improve the pedestrian experience, including heightening visual connection to the east. A large concrete wall that accommodates the on-ramp onto the bridge obstructs the visual connection to the river and park along most of the eastern ground level, with the exception of the southeast corner. Given this visual connection, a crosswalk to the park and river across Naito at this southeast corner was explored, but determined to be extremely challenging given the existing signals and vehicle movements along the parkway. Pedestrians will continue to utilize the existing crossing at SW Naito Parkway and SW Columbia, one block to the south, or take the stairs at the northeast corner of the block up to the bridge and then down the stairs to Waterfront Park where the steel bridge structure

begins. The crosswalks on SW 1<sup>st</sup> to Jefferson and Madison and to west side of 1<sup>st</sup> remain in place. *These guidelines are met.*

**A2. Emphasize Portland Themes.** When provided, integrate Portland-related themes with the development's overall design concept.

**Findings:** The Central City Fundamental Design Guidelines were written in 2001 and updated in 2003; they identify incorporating specific symbols of Portland's identity and natural environment, such as the great blue heron, the rose, bridges, etc., as a way to meet this guideline. Staff contends that contemporary approaches to meet this guideline can be much more subtle than the incorporation of symbols. As such, two ecoroof areas are proposed atop the tower addition that reflect Portland's climate and commitment to capture and treat rainwater on site in an environmentally sensitive manner. The project also includes more long-term bicycle parking spaces than is required by the Code and for the locker room FAR bonus. Specifically, 52 spaces are required to meet the 110% standard and 65 spaces are provided along with locker rooms, showers, bike repair and large bike spaces for cargo and larger style bikes. The bike facility provided supports the bike culture and commuter scene of the City. *This guideline is met.*

**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. Where superblock exist, locate public and/or private rights-of-way in a manner that reflects the 200-foot block pattern, and include landscaping and seating to enhance the pedestrian environment.

**A7. Establish and Maintain a Sense of Urban Enclosure.** Define public rights-of-way by creating and maintaining a sense of urban enclosure.

**C10. Integrate Encroachments.** Size and place encroachments in the public right-of-way to visually and physically enhance the pedestrian environment. Locate permitted skybridges toward the middle of the block, and where they will be physically unobtrusive. Design skybridges to be visually level and transparent.

**Findings for A3, A7, and C10:** The construction of the project will redevelop the now-nearly vacant  $\frac{3}{4}$  block. The project accommodates the nearly 462,000 GSF program onto a standard 200' X 200' downtown Portland block, and, in so doing, respects and strengthens Portland's traditional block pattern.

The carefully-considered building massing will enhance and strengthen the sense of urban enclosure. Except for the grand civic plaza in the northwest corner of the site, the building facades including those of Jefferson Station will be on or near the property lines on all four street frontages, creating the sense of urban enclosure appropriate to Downtown Portland. The plaza and main entry to the building at the northwest corner will be setback from the property lines, however the site edges will be clearly defined by the elements in the plaza including seat walls and several stairs along the street lot line and granite pavers that will help define the right-of-way.

The second and third floor public viewing areas on the east façade will extend 4'-0" into the Naito right-of-way (ROW) at the northeast corner of the site. As designed, this projection is considered an Oriel Window and subject to the Oregon Structural Specialty Code Title 32 – Regulations for Window Projections into Public Right-of-Way. The proposal meets all but one of the standards, the 12'-0" maximum width, which can be modified through this review. The 54'-0" length of the fully glazed oriel is well-proportioned for the mass and scale of the building. It also provides visual interest at the most visible corner from the sidewalk below,

adjacent stair and elevated platform of the bridge above. Architecturally, it is welcome break from the heavy stone material and rhythmic façade.

The large steel bollards proposed in the furnishing zone near the curb on SW Madison and 1<sup>st</sup> frontages for security purposes are considered non-standard improvements by PBOT and therefore subject to review. These elements, along with others (bridge stairs and out-swinging doors), are currently being reviewed in a PBOT Encroachment Review. At this point PBOT is not sure they will be supported in the ROW. BDS Staff does not feel bollards are the best use of, and most inviting elements in, the ROW, however, the proposed location within the landscape planter is preferred over lining the edge of the public plaza along the back of the sidewalk.

Regarding the out-swinging doors that project into the ROW for the Jefferson Station entrance on SW 1<sup>st</sup> and the stair egresses of the addition on Madison and Jefferson, these are also under review by PBOT. If PBOT does not approve the proposed conditions, the entrance at Jefferson Station will need to be recessed as well as the egress doors, and revisions to the plans will be necessary.

Until the encroachment review process is complete, these two items remain outstanding and guideline C10 Integrate Encroachments is not yet met.

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

**C4. Complement the Context of Existing Buildings.** Complement the context of existing buildings by using and adding to the local design vocabulary.

**Findings for A4 and C4:** In the Central City 2035 Plan now under development, the city proposes to increase the height of buildings on 18 blocks around the western approach to the Hawthorne Bridge to strengthen this gateway. In an expedited process, City Council recently approved a legislative map modification to increase the height on this block to 325' in advance of the adoption of the plan. Many of the buildings that surround the site are similar in massing dimension in width, but shorter in height, reflecting the lower maximum heights on these blocks since the original adoption of the Central City Plan in the early 1990s. By and large, these are heavy, squat and boxy buildings and do not respond as well to the grand scale of the Waterfront Park and River. Therefore, the proposed design breaks from the traditional, rather lower-scale development along the river frontage. At the same time, the addition is integrated and responds to the massing and datums of the historic three-story Jefferson Station.

The surrounding area contains a variety of buildings with a range of architectural styles and accommodating various commercial and governmental activities – offices, public parking. As a major civic building, the design of the new courthouse tower reflects the best classical, compositional devices of other major nearby civic buildings, such as the existing Multnomah County Courthouse and the Gus J. Solomon United States Courthouse, and marries with contemporary features that are open, airy, and optimistic. *These guidelines are met.*

**B5. Make Plazas, Parks and 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.

**C6. Develop Transitions between Buildings and Public Spaces.** Develop transitions between private development and public open space. Use site design features such as movement zones, landscape element, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

**Findings for B5 and C6:** The large civic plaza and 3-story glass building entry are situated at the northwest corner of the site at the bridgehead. This is the most appropriate location for the plaza and entry given the site conditions on the east side facing Waterfront Park. Since the courthouse is a public institution by definition, its civic plaza with direct access from the sidewalks on SW 1<sup>st</sup> and Madison will be accessible all days and all hours. The plaza space utilizes granite pavers, gradual steps and seating walls to define the space while creating areas of movement and gathering as it transitions from the sidewalk to the grand entry. Flags poles, an engraved building name into the limestone, and artistic metal panel fencing and landscaping all contribute the grand yet human-scaled and tactile qualities of the public space. *These guidelines are met.*

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

**Findings:** Listed on the National Register of Historic Places, Jefferson Station located on the southwest corner of the site, will be fully integrated physically, operationally and programmatically into the main 17-floor tower addition. This will be accomplished by careful rehabilitation of the existing building that preserves the best of its historic fabric, while updating its internal spaces to make them more functional, comfortable, secure and energy-efficient. The details of the alterations to the landmark are discussed in more detail in the findings above (Section 33.846.060.G). *This guideline is met.*

**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.

**C9. Develop Flexible Sidewalk-Level Spaces.** Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

**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.

**Findings:** Throughout the course of the DARs the focus and challenge has been the ground floor program and its lack of contribution to the pedestrian and public realm. The most active area on the block is the plaza building entry at the northwest corner, which will be very active, but given its focused location it does not fully mitigate for the remaining 3/4 quarters of the block. Several options were suggested, which included pushing the secured program on the 1<sup>st</sup> floor up or down a level to allow the ground floor to contain active uses and clear glazing and eliminating the sally port. The applicant maintains the secured perimeter requirements of the program, interior layout needs of the courtrooms, need for an on-site sallyport, and three separate cores were challenges associated with any or such change. The Jefferson Station ground floor program appears to the have the

greatest opportunity to engage the building with the public realm. However, a corridor screening bike lockers, storage, repair, and training rooms with opaque film on the windows and a service area with solid metal doors line the ground floor. While art is shown to be placed on the corridor wall visible from the street, it is not included in the RACC art package currently being reviewed nor does it solve the lack of activity within the building.

At the last DAR several Landmarks Commissioners were still struggling with the ground floor stating: more active use is needed, art is not the sole solution, more focus is needed on the pedestrian's experience rather than just the interior use, focus on the restoring and differentiating the landmark to help off-set ground floor condition, Given that no changes have been made to the ground floor program and the pedestrian amenities like canopies, and seating have not been addressed, the ground floor remains a concern. The applicant is working with extensively with RACC on interior and exterior public art, which has been supported by the Commission as part of the solution. A meeting with RACC's nine-member committee is scheduled to occur on Friday October 21<sup>st</sup>. A representative from RACC will be at the Commission hearing on October 24<sup>th</sup> and will provide an update on the art selection process.

Given the outstanding concerns related to ground floor, these guidelines are not yet met.

**A9. Strengthen Gateways.** Develop and/or strengthen gateway locations.

**Findings:** The subject property is not located at an identified gateway. However, the city acknowledges the western approach of the Hawthorne Bridge as an important gateway to Downtown Portland. The Central City 2035 Plan now under development proposes to increase the height of buildings on 18 blocks around the western bridgehead of the Hawthorne Bridge to strengthen this gateway. It is especially beneficial that the proposed facility is such a critical element of civic infrastructure, providing a powerful landmark while at the same time preserving and re-purposing the historic Jefferson Station that occupies the southwest corner of the site. A night view of the project shows that it will be a dramatic beacon from the east side of the river. *This guideline is met.*

**A5. Enhance, Embellish, and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an 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.

**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: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

**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 uses.

**B6. Develop Weather Protection.** Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

**Findings for A5, B1, B4 and B6:** The plaza at the northwest quarter of the block provides a considerable amount of weather protection and seating and gathering opportunities. The plaza at the back of the sidewalk also acts as an extension of

the public realm along SW 1<sup>st</sup> and Madison enhancing the pedestrian environment. The rest of the block has limited places for people to stop, rest or take shelter from the weather elements. Canopies are proposed along the ground floor of SW Naito and have been expanded in width to provide more meaningful protection as recommended during the Design Advice Request (DAR). However, the rest of the frontages are devoid of these pedestrian elements, which are evident along the sidewalk throughout downtown. The large, deep canopy at the Jefferson Station entrance on SW 1<sup>st</sup> is proposed to be removed and not replaced. While staff acknowledges that there are some challenges with incorporating more canopies on all facades of the landmark and the tower addition, there are opportunities to insert a few at building entry or exit points to provide moments of shelter to those along the sidewalk and accessing the building. Additionally, the generous width of the sidewalk on Naito could easily accommodate seating opportunities, as suggested by both the Design and Landmarks Commissions at the prior DARs.

*Given the outstanding concern regarding a lack of weather protection and places for people along the ROW, these guidelines are not yet 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.

**Findings:** The building service zone is located on SW Jefferson Street on the opposite frontage from the main entry to eliminate pedestrian conflicts and promote safety. Since the building is not proposing to have any on-site loading for security reasons, there will be no curb cut from loading bays across the sidewalk.

However, there will be two sally-port access points, an entry from SW Naito Parkway and an exit onto SW Jefferson Street, but these will only be in use a few times during a typical weekday. PBOT is currently reviewing Design Exceptions to allow these two vehicle access points so close to the intersection and to allow the bi-fold access door at the face of the building, rather than setback to allow the truck to queue on-site. PBOT’s review is not complete, however during their assessment, the applicant noted the times of operation for the gates align with the court times which occur in the morning, midday and evening. Therefore, the times of operation will be focused at three points in the day limiting pedestrian conflicts. Furthermore, for security purposes the truck drivers will be alerting building operations of the passenger trucks in route to the building when several blocks away to ensure the vehicle can pull directly in without obstructing sidewalk users while waiting for the gate to open. This protocol is also required for security purposes.

During the DARs the Commission struggled with the sally port component and its impact on the pedestrian environments and noted the “dark holes” in the building would need to be designed well to be attractive elements along the sidewalk. While they do not contribute to an active streetscape, the operations of the sally port have been shown to be limited and well thought out to ensure limited pedestrian conflicts. Regarding the design, decorative metal panels through RACC are proposed on both sally port doors providing interest and texture along the sidewalk. Details of the bi-fold door and screen are needed to



understand the opacity into the sally port area and the visibility of the decorative metal once applied on the exterior face of the sally port doors.

Finally, there will be no ground-level mechanical equipment or vents that will obstruct pedestrian movement or otherwise detract from the pedestrian environment. The louvers and mechanical systems have been incorporated into the west façade.

Until PBOT's design exception review process is complete and details of the metal bi-fold door and screen are provided, this guideline is not yet met.

**B7. Integrate Barrier-Free Design.** Integrate access systems for all people with the building's overall design concept.

**Findings:** The building is level with the sidewalk, providing barrier-free access into the building for all people. For elevators provide barrier-free access to all levels of the building, including the rooftop. *This guideline is met.*

**C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.

**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 for C2 and C5:** The primary exterior cladding material on the addition will be limestone, tying back to the tradition of using this material for courthouses both locally and across the US. In general, stone is a durable and lasting building material, creating a sense of permanence and strength. Limestone in particular is also lighter in color and continues to look inviting on Portland's dark winter days. The use of limestone also is complementary to the light-colored stucco and painted brick cladding of Jefferson Station. The tower also will feature an aluminum-clad curtain-wall system with a transparent, insulated glazing system, further enhancing the views into the building's spaces, evoking the sense of "the transparency of justice." Metal accents will be used on the building exterior and comprised of a zinc composite panel, which is a very durable material with a quality finish. A wood ceiling will continue outward from the building to form a soffit over the civic plaza and into the lobby further enhancing the sense of welcome. The protected, soffit areas of the wood will ensure it does not succumb to the weather elements as exposed wood might.

Regarding the composition, the tower addition has been thoughtfully designed with inspiration from civic, especially courthouse buildings locally and abroad, as well the Jefferson Station. The public invitation to the building at the northwest corner incorporates a three-story volume lobby that intentionally lowers the tower's scale to better relate to Jefferson Station across the gated outdoor garden. This stepped-down massing approach is achieved by aligning the building parapets. It also relates and ties into Jefferson Station with its podium base and window alignments. The three-story datum of the Jefferson Station is evident along the building's lower 30 feet and repeated on the upper façade. The fenestrations on the tower addition are deeply punched providing depth and articulation to all facades and complementing those on Jefferson Station. The building façade rises beyond the roof to incorporate the numerous utilitarian elements. The materials discussed above are employed consistently throughout the building's façade for a coherent composition.

At the most recent DAR it was noted that on the south (Jefferson) façade there was little response to the proportions and rhythm of the ground floor openings of the landmark on the addition's ground level. The scale and height of the sally port opening appears to be the primary contributor. The width of the opening appears to have increased since the DAR to allow the decorative art panel doors to slide back and remain visible during the day when the secondary gate behind is in operation. Ensuring the artistic panel remained a primary element of the façade at all times was encouraged by the Commission. Therefore, these two items need to be further discussed to find a way to achieve both goals or understand if one take precedent over the other.

In addition, while the overall composition is strong and the materials appear durable, the following additional details are needed to fully evaluate the proposal against these criteria:

- Samples of the stone base, fritted screen glass, louver material, and brick are needed to confirm the quality of the finishes and if result in a coherent material palate.
- Cutsheet/details/sections needed for overhead door on Jefferson, 2<sup>nd</sup> sally port bi-fold doors and screen, remote refueling station panel detail on Jefferson, window section with louver above, solar panel cutsheet, storefront cutsheet including color and finish, color and finish of metal canopies on Jefferson (match art panels?), enlarged detailed section of existing wood and steel windows to remain on Jefferson Station to ensure muntin and sash dimensions match new windows as well as inset in the wall, accurate vine trellis location on north wall of Jefferson Station, section of gate, canopy and metal panel at viewing garden.

Given these outstanding items, these guidelines are not yet met.

**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.

**Findings:** The preservation of the historic three-story Jefferson Station is a hallmark of the project. The addition will be structurally, programmatically and operationally integrated into Jefferson Station. To this end, it will be renovated skillfully to upgrade and repair its historic features like restoring damaged windows, removing subsequent building additions and the penthouse, for example) to restore the building's historic value while increasing its durability, safety and energy efficiency.

The County's design team has concentrated on creating compatibility between the first three floors of the tower and Jefferson Station in terms of floor datum, roof lines, cladding, and window design. This is also evident in the three-story entry lobby at the northwest corner of the site, which is the same height as Jefferson Station to the south. In addition, the southern portion of the lobby over the security-screening function drops to a single story and is separated from the north wall of Jefferson Station by a narrow gated garden, allowing the latter to retain its visual integrity and bringing the western edge of the site to a more pedestrian scale. The metal joint (zinc composite panel) connection between Jefferson Station and the addition on the south is setback 1'-0" to allow the original form of the landmark to remain evident. *This guideline is met.*

**C8. Differentiate the Sidewalk-Level of Buildings.** Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

**Findings:** The project features large expanses of glass where possible, such as at the main entry lobby at the northwest corner of the block. This was intentional so that this space has greater prominence and visibility. Other street facades of this building have “punched” openings that extend the fenestrations along the entire ground level and reflect the fenestration of the historic Jefferson Station. Although not transparently glazed elements, the metal art panels placed within each opening (window, door, sally port gates) on the first floor, for building security purposes, will distinguish the sidewalk level of the building from the upper tower and providing texture and interest for pedestrians. Other elements that differentiate the building’s ground level include a tooled dimensional limestone base material and the engraved quote on the Madison façade and building name within the plaza. *This guideline is met.*

**C11. Integrate Roofs and Use Rooftops.** 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 building façades will extend upward to enclose and screen the rooftop mechanical equipment. The materials used for the façade extensions will be the same as used on the primary building facades, to create a unified design. Non-public stormwater green roofs will be employed on the lower roof over the ground-floor security screening area off the main lobby and on the tower. The Bureau of Environmental Services has certified the ecoroof, which qualifies the project for a 4,000 SF floor area (0.1:1 FAR) bonus.

While the intention to integrate and screen the rooftop elements and solar panels is evident, enlarged elevations that include the rooftop enclosures are needed to evaluate the design of these elements given that the enclosures project above the parapet. Manufacturer cutsheet for the extensive solar panels system is also needed. Given these outstanding items, this guideline is not yet 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:** The applicant proposes integrated lighting in various forms. Soffits will receive recessed can lights, which will illuminate the areas below including the building entry points and large plaza at the northwest corner. Two in ground fixtures in the plaza will illuminate the flags on the two poles as well as provide indirect lighting for the building name carved into the limestone adjacent to the flag poles. More dramatic lighting is proposed within the viewing garden between the buildings on SW 1<sup>st</sup> that will wash the internal wall and highlight the cable and vine structure on the north wall of Jefferson Station. The lighting proposed is not expected to adversely affect the nighttime sky. *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:** The only building signage proposed is a 70 SF engraved building name on the west façade in the wall facing the plaza. A 150 SF quote is also proposed on the lower Madison façade as well. As engraved elements, these are not technically signs per Title 32 (Sign Code). As design elements, they befit a building of this civic importance and are appropriately scaled. The depth of the carving (1”) into the limestone-clad wall provide relief in the façade and texture. No external lighting is proposed and its location near on the ground floor of the building will ensure it does not have any presence in the skyline, day or night. No other signage on the building is proposed. *This guideline is met.*

## **(2) MODIFICATION REQUESTS (33.846)**

### **33.445.050 Modifications that Enhance Historic Resources and 33.846.070 Modifications Considered During Historic Resource Review**

The review body may grant modifications to site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the historic resource review process. To obtain approval of a modification to site-related development standards, the applicant must show that the proposal meets the approval criteria.

The approval criteria for modifications considered during historic resource review are:

- A. Better meets historic resource review approval criteria.** The resulting development will better meet the approval criteria for historic resource review than would a design that meets the standard being modified; and
- B. Purpose of the standard.**
1. The resulting development will meet the purpose of the standard being modified; or
  2. The preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.

The following modifications are requested:

- **Ground floor windows** – To reduce the required 50% of the length and 25% of the wall area of ground floor windows as follows (PZC Section 33.510.220):  
SW Madison – length 37%  
SW Naito – length 5%, area 3%  
SW Jefferson – length 30%, area 17%

*Purpose: 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; and*
- *Avoid a monotonous pedestrian environment.*
- *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.*

**Findings:** The calculations for the ground floor windows still need to be finalized, however, the percentages above are a close representation of the modification request. As indicated in the findings in Section (1 ) above, throughout the course of the DARs the focus and challenge has been the ground floor program and its lack of active uses and transparency. As suggested early on in the DAR process, the applicant has been working with RACC to substitute and mitigate the ground floor window requirement. The applicant has had several success meetings with RACC for the building’s public art that is also required as a public project (1% of project costs must be dedicated to art). A nine-member committee has been established to review the art concepts, locations and specific artists for installations on the interior and exterior of the building. Exhibit C6 identifies the locations of both interior and exterior art in addition to the stone carvings, which include a 150 SF quote on Madison and a 70 SF building name within the plaza area facing SW 1<sup>st</sup>. The exterior art panels will be located within each window bay at the ground floor of the addition, for both sally port gates and the gate into the viewing garden between Jefferson Station and the addition on SW 1<sup>st</sup>. The current concept for the art panels are ½” perforated metal panel in front of translucent glass intended to be laser cut with images that tell the story of the judicial system. Interior lighting will emanate through the translucent glass to provide illumination at night. Similar art panels are also proposed for the gate at the viewing garden and attached to the bi-fold doors and screen at both sally port accesses. A large art installation is also proposed within the 3-story building entry at the northwest corner and visible from the sidewalk. A representative from RACC will be attending the Hearing on October 24<sup>th</sup> with an update on the artist selection and overall process of the art for the project.

Although the metal art panels are being designed to be attractive and meaningful, the idea that it can fully mitigate the lack of any ground floor windows or visible active uses on the majority of the project remains a question. In addition, Staff notes the following:

- The art identified on the corridor wall behind the ground floor windows in Jefferson Station has not been acknowledged by RACC as being part of the art location in the program.
- Staff does not support the translucent film proposed on the interior of the ground floor windows in the easternmost bay of the Jefferson Street façade of the Jefferson Station building.
- Using translucent glass in aluminum overhead or person doors on Jefferson Street frontage that would be illuminated when interior lights are on may benefit the pedestrian realm to show activity is occurring within the building.

Given these outstanding concerns and the need for an accurate ground floor calculation, this criteria is not yet met.

- Required building lines – To reduce the amount of building of wall within 12’ of the property line on SW 1<sup>st</sup> from the required 75% to 56% (PZC Section 33.510.215).

*Purpose: Required building lines are intended to enhance the urban quality of the Central City plan district.*

**Findings:** SW 1<sup>st</sup> Avenue is the only abutting street that is required to have a façade where 75% of the frontage must be within 12’ of the property line, with the intermediary space dedicated to public open space, defined as “extension of the sidewalk and committed to active uses such as sidewalk cafes, vendor's stands, or developed as stopping places. Given the design of the proposed building, which includes a large public plaza at the building’s main entrance on the northwest corner, only 84’ (56%) of the 150’ west façade of the project meets the requirement. This includes the west façade of Jefferson Station but none of the tower, which is set back farther than 12’ from the street to accommodate the facility’s large public civic plaza. All of the space between the SW 1<sup>st</sup> Avenue property line and the building façade is devoted to public open space, providing gathering, sitting, bicycle parking, and space for public art and civic displays, in keeping with the intent of this regulation. This grand plaza is appropriate for a civic building with this importance to the community fabric.

The proposed urban plaza in the northwest portion of the site responds to direction provided in Guidelines A8 (Contribute to a Vibrant Streetscape), B1 (Reinforce and Enhance the Pedestrian System) and B4 (Provide Stopping and Viewing Places). *This approval criterion is met.*

### **(3) ADJUSTMENT REQUESTS (33.805)**

#### **33.805.010 Purpose**

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

#### **33.805.040 Approval Criteria**

The approval criteria for signs are stated in Title 32. All other adjustment requests will be approved if the review body finds that the applicant has shown that either approval criteria A. through F. or approval criteria G. through I., below, have been met.

The following adjustment is requested:

*Loading* – To not provide two large (Standard A) loading spaced required on the site (PZC Section 33.266.310.C.2c).

- A. Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

**Findings:** The size (more than 50,000 SF) and office-type use of the building requires two large 35’ long x 10’ wide loading spaces on the site. The project

proposes no loading on the site. The applicant seeks to eliminate on-site loading spaces for two reasons. The more compelling reason is that the security perimeter of the building cannot be breached by people, vehicles or goods not fully vetted for weapons, bombs and other dangerous materials. This means that all deliveries must be examined either within the vehicle or on the sidewalk fronting SW Jefferson Street just outside the proposed delivery entrance in the southeast corner of Jefferson Station. The current Courthouse also does not have an on-site loading dock for this and other reasons.

Secondly, because of the nature of courthouse use, there are relatively few deliveries, mostly office supplies, to the site on any given day. The applicant submitted a loading study that documents there are, on average, no more than six deliveries a day, at the current Courthouse. Even though the new courthouse will be significantly larger, the number of deliveries is noted as the same, only the length of time that each truck is parked in the loading space would increase. Even then, the average stay per truck will only be about 20 minutes.

The purpose of the loading regulations is to ensure adequate areas for loading for larger uses and developments, the appearance of loading areas will be consistent with that of parking areas, and that access to and from loading facilities will not have a negative effect on the traffic safety or other transportation functions of the abutting right-of-way. Transportation is still evaluating the loading study submitted. Until the additional information requested by Transportation is submitted, reviewed and found to be adequate to serve the project and not impact the surrounding right-of-way functions, this approval criterion is not yet met.

- B. If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in a C, E, or I zone, the proposal will be consistent with the desired character of the area; and

**Findings:** The site is located in the Central Commercial (CX) zone in the downtown sub district of Central City. The 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. Not providing two large loading bays within the building that could constitute over 20' of frontage devoted to large loading vehicles supports the pedestrian environment and urban character of the zone by eliminating potential conflicts when trucks cross-over the sidewalk and allowing for a more attractive ground floor. *This criterion is met.*

- C. If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and

**Findings:** Because only one Adjustment is requested, *this criterion does not apply.*

- D. City-designated scenic resources and historic resources are preserved; and

**Findings:** There are no City-designated scenic resources on this site. The receiving dock for any loading will be located in the southeast corner of Jefferson

Station, which is listed on the National Register of Historic Places. The receiving dock will be accessible via an already-existing exit door in the southeast corner of the building, so that there will be no modification of the building's exterior. Not altering the Jefferson Station building with the addition of a loading bay ensures the historic resource on the site is preserved. *This criterion is met.*

E. Any impacts resulting from the adjustment are mitigated to the extent practical; and

**Findings:** *Since the PBOT's review is not complete, impacts have not yet been identified, therefore this criterion is not yet met.*

F. If in an environmental zone, the proposal has a few significant detrimental environmental impacts on the resource and resource values as is practicable;

**Findings:** This site is not within an environmental zone. *This criterion does not apply.*

## DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

## CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The project has had four Design Advice Requests (DARs), two with the Design Commission and two with the Landmarks Commission. Throughout the course of the DARs the focus and challenge has been the ground floor program and its lack of contribution to the pedestrian and public realm. The Commissions suggested ways to mitigate the security issues that are driving the ground floor program and related issues including utilizing art and incorporating other pedestrian elements and reworking the layout and uses along the building edges. While the project is working extensively with RACC on interior and exterior public art, no program changes have occurred. In addition, there are details and information that are still needed to review the proposal, outstanding PBOT reviews that need to be completed and other items to be addressed. The outstanding items and concerns include:

- Ground floor: active uses, window mitigation and fenestration proportions
- Weather protection & pedestrian amenities
- Outstanding PBOT reviews for loading Adjustment, bollards, door swings (encroachment reviews), sally port access and door locations (design exceptions)
- Additional details, elevation, sections and samples needed to ensure the intentions of the project are successful and meet the guidelines.

Based on these outstanding items, the following Central City Fundamental Design Guidelines, Other Approval Criteria of Section 33.846.060.G, as well as the Modification and Adjustment approval criteria, have not yet been met:

- A5 Enhance, Embellish, and Identify Areas
- B2 Protect the Pedestrian



- B4 Provide Stopping and Viewing Place
  - B6 Develop Weather Protection
  - C2 Promote Quality and Permanence in Development
  - C5 Design for Coherency
  - C10 Integrate Encroachments
  - C11 Integrate Roofs and Use Rooftops
  - 5 Historic Materials
  - 8 Architectural Compatibility
  - 10 Hierarchy of compatibility
- Modification Approval Criteria of Section 33.846.070  
Adjustment Approval Criteria of Section 33.805.040

**TENTATIVE STAFF RECOMMENDATION**

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

Until the concerns and items identified above are resolved, Staff is not able to support the Historic Resource Review, Ground Floor Window Modification, and Loading Adjustment, and therefore must recommend denial at this time.

Staff *does* recommend approval of the Modification to the Required Building Line as proposed.

When ready for approval Staff recommends the following conditions:

- A covenant must be recorded on 1230 SW 1st Avenue (Jefferson Station, receiving property) and 1021 SW 4th Avenue (existing historic courthouse, transferring property) to reflect the transfer of 11,000 SF of floor area. The covenant shall include the unused and available FAR for 1021 SW 4th Avenue. The covenant must be provided to the City for review and be recorded before building permit issuance.
- A covenant for the proposed Regional Arts and Culture Council (RACC) art installation will be required, following the regulations of Section 33.700.060, Covenants with the City, to ensure the installation, preservation, maintenance, and replacement of the public art must be provided prior to approval of the main building permit. The covenant must document approval by the RACC.
- The public art (in lieu of the required ground floor windows along SW Naito, Jefferson and Madison) will be approved by RACC and installed prior to issuance of final occupancy of the building.
- The color and finish of the steel canopies shall match the color and finish of the metal art panels.
- In the event of archaeological discovery during excavation, work will be stopped and the State Archaeologist will be notified.
- No field changes allowed.

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**Procedural Information.** The application for this land use review was submitted on July 19, 2016, and was determined to be complete on September 14, 2016.

*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 19, 2016.

*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 waived the 120-day review period, as stated with Exhibit G.3.

**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 recommendation of the Bureau of Development Services with input from other City and public agencies.

**This report is not a decision. The review body for this proposal is the Landmarks Commission who will make the decision on this case.**

This report is a recommendation to the Landmarks Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Landmarks Commission will make a decision about this proposal at the hearing or will grant a continuance. Your comments to the Landmarks Commission can be mailed, c/o the Landmarks Commission, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201 or faxed to 503-823-5630.

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. You may review the file on this case by appointment at our office at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201. Please call the file review line at 503-823-7617 to schedule an appointment.

**Appeal of the decision.** The decision of the Landmarks Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Landmarks 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 write a letter which is received before the close of the record for the hearing, 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 \$5,000.00 will be charged (one-half of the application fee for this case).**

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 the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Neighborhood associations recognized by the Office of Neighborhood Involvement 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 Chair person 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.**

If this Land Use Review is approved the final 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.

- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034. 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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**Applying for your 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:

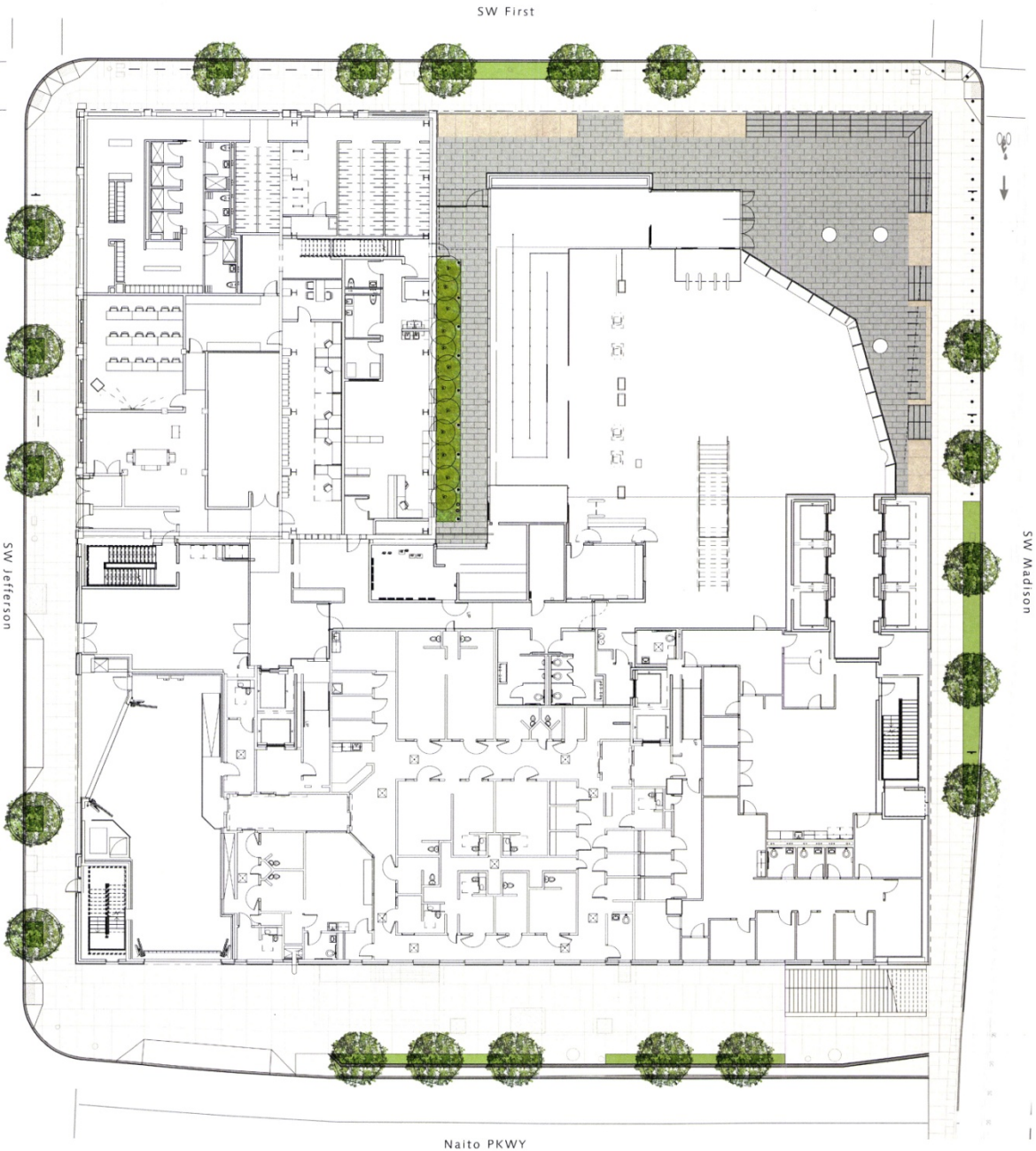
- All conditions imposed here.
- All applicable development standards, unless specifically exempted as part of this land use review.
- All requirements of the building code.
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

Staci Monroe  
October 16, 2016

**EXHIBITS – NOT ATTACHED UNLESS INDICATED**

- A. Applicant's Statement
  - 1. Narrative, approval criteria responses, zoning summary, initial plan submittal, PC summary dated 9/12/16
  - 2. Stormwater Report dated 8/26/16
  - 3. Applicant response dated 9/12/16 in response to Staff's incomplete letter
  - 4. Letter from County attorney Ken Elliot dated 9/8/16 regarding County's condo ownership
  - 5. Letter from County attorney Ken Elliot dated 9/9/16 regarding the site's FAR
  - 6. Letter from County attorney Ken Elliot dated 9/21/16 regarding the site's FAR
- B. Zoning Map (attached)
- C. Plan & Drawings
  - 1. Through 175 (C4, C24-27, APP23, APP25 & APP 27 attached)
- 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. Bureau of Environmental Services
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. Plan Review Section of BDS
- F. Letters
  - 7. Thomas C. Sand, Multnomah County Circuit Court, dated 9/22/16, expressing support for the project and safety measures necessary for such facility.
  - 2. Nan G. Waller & Barbara Marcille, Multnomah County Circuit Court, dated 9/26/16, expressing support for the project and safety measures necessary for such facility.
- G. Other
  - 1. Original LUR Application
  - 2. Incomplete Letter dated 8/11/16
  - 3. Signed Request for an Evidentiary Hearing & Extension of 120-day Review Period
  - 4. RFC Routing Slip dated 7/26/16
  - 5. BES Ecoroof certification letter dated 10/13/16
  - 6. Staff Memo to Applicant dated 7/29/16 regarding change in land use review type
- H.



SW First

SW Madison

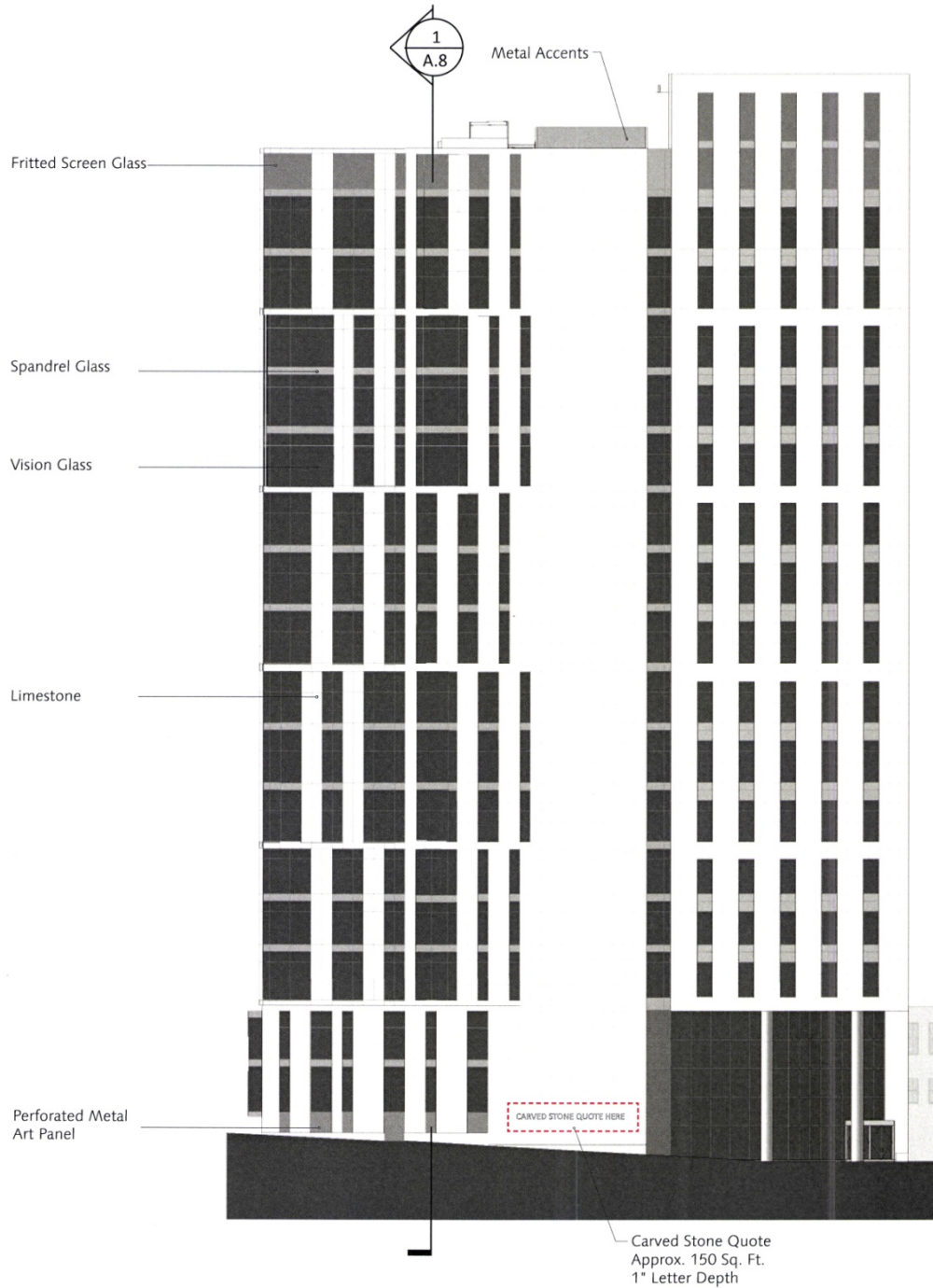
SW Jefferson

Naito PKWY

# Site Plan

SRG Partnership | CGL Ricci Greene  
October 24, 2016

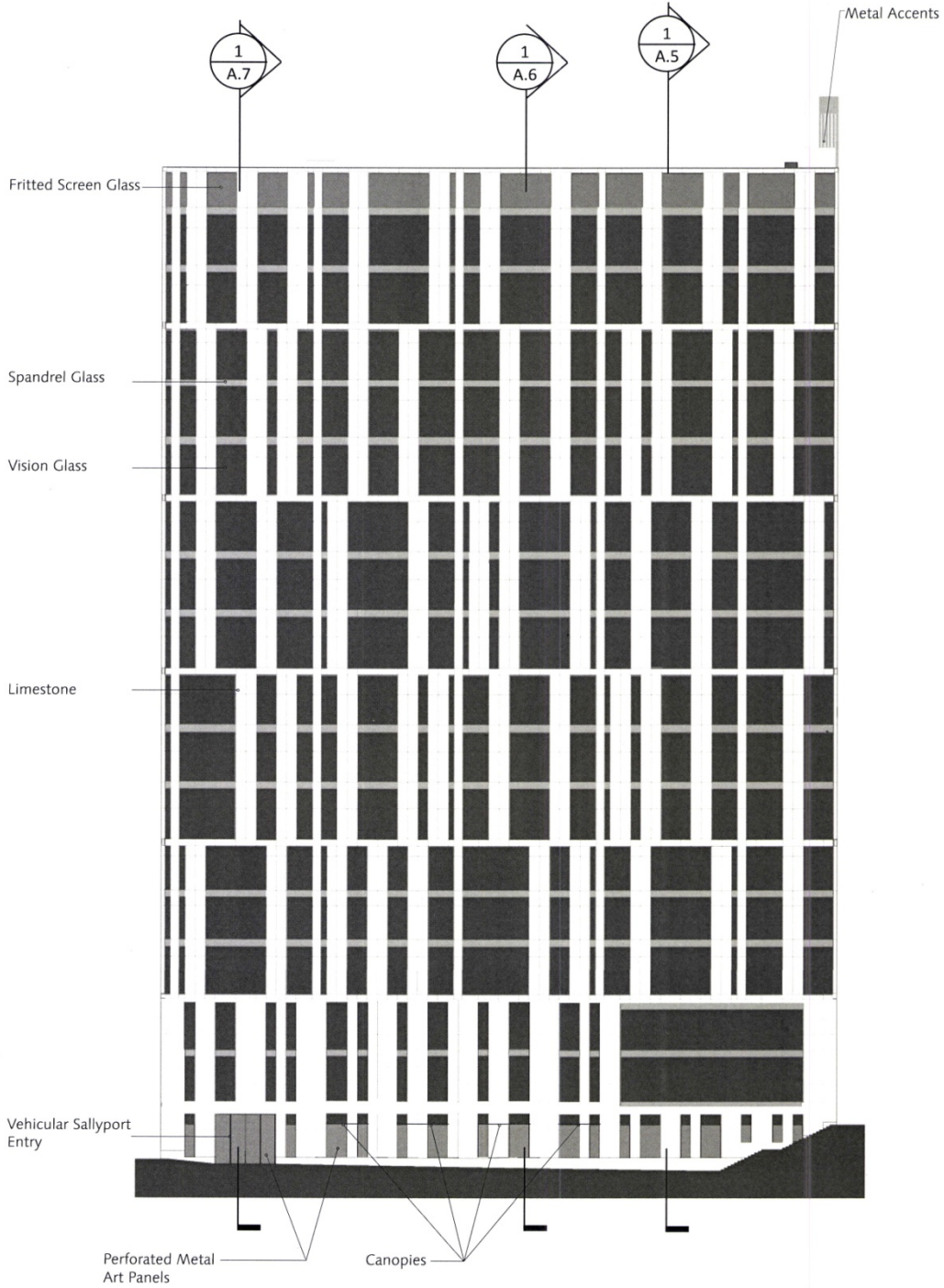
Multnomah County Courthouse | Historic Design Review  
LU 16-207720 HRM AD Exhibit C4



1  
A.1 Elevation - North @ Madison Ave

Scale: 1/32" = 1' 0"

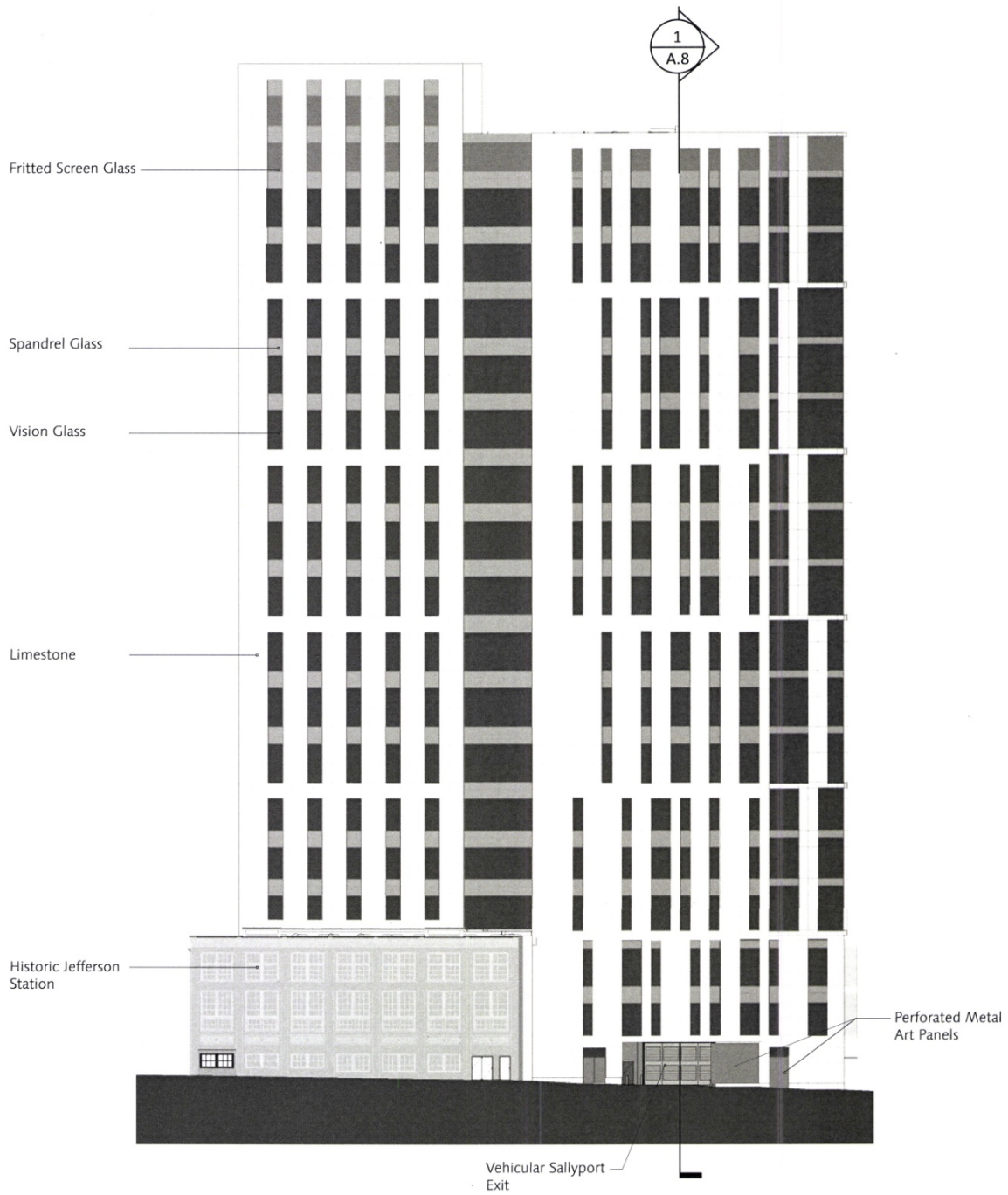




1  
A.2

Elevation - East @ Naito Pkwy

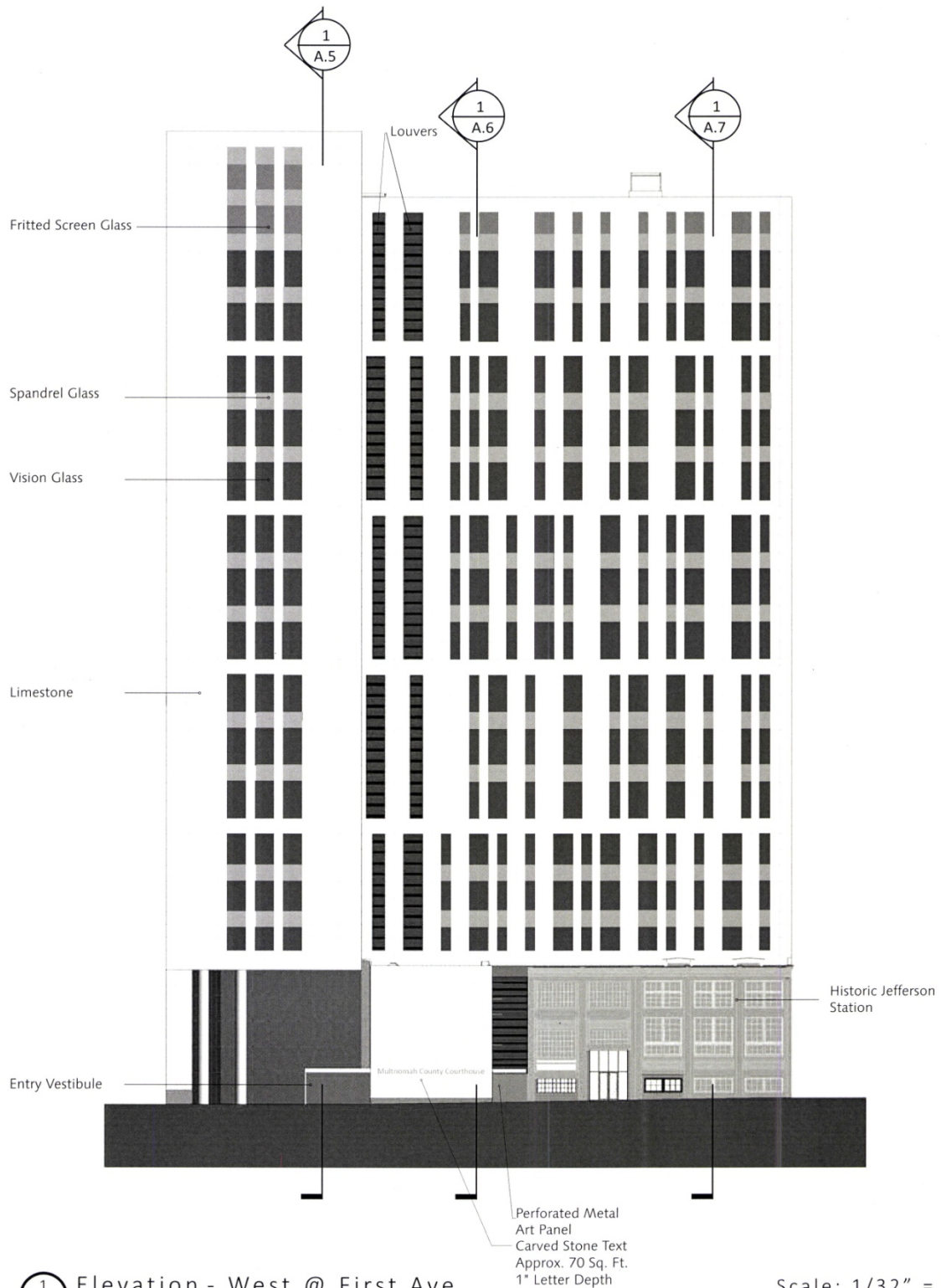
Scale: 1/32" = 1' 0"



1  
A.3 Elevation - South @ Jefferson St

Scale: 1/32" = 1' 0"





1  
A.4 Elevation - West @ First Ave

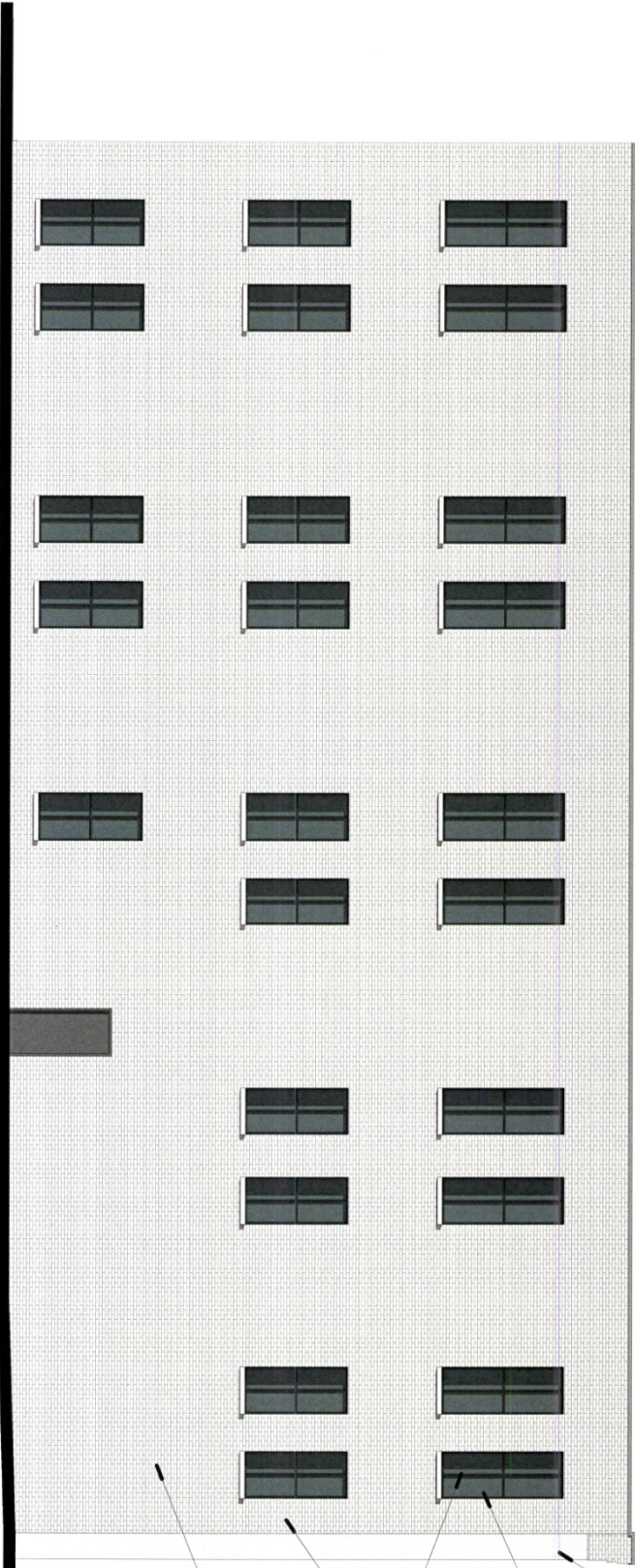


1 West Elevation Rendering, Jefferson Station





1 South Elevation Rendering, Jefferson Station



- White paint at existing structure (beams and columns)
- Steel sash windows (BOD - HOPE'S Landmark 175 Series)
- Dark warm grey at steel windows
- Light warm grey at brick
- Vine trellis on facade per Landscape drawings
- Approximate line of grade

1 North Elevation Rendering: Jefferson Station