



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner  
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**NOTICE OF A PUBLIC HEARING BEFORE THE CITY COUNCIL ON A  
 COMPREHENSIVE PLAN MAP AMENDMENT AND ZONING MAP AMENDMENT**

CASE FILE: LU 14-104931 CP ZC  
 PC # 13-164455  
 WHEN: May 28, 2014 at 3:00 PM  
 WHERE: CITY COUNCIL CHAMBERS  
 1221 SW FOURTH AVENUE  
 Date: May 7, 2014  
 To: Interested Person  
 From: Matt Wickstrom, City Planner, Land Use Services, 503-823-6825

A public hearing will be held to consider the Land Use Hearings Officer's recommendation on an application for a Comprehensive Plan Map and Zoning Map Amendment. On October 21, 2013, the Hearings Officer issued a recommendation of approval, with conditions, of the requested Comprehensive Plan Map and Zone Map Amendments. Because this case includes a Comprehensive Plan Map Amendment, the City Council must make the final decision.

Copies of the existing and proposed zoning maps and site plan are attached. I am the staff person handling this case - please contact me with any questions regarding this proposal, the Council hearing, or how to testify in this matter. **For a general explanation of the City Council hearing process, please refer to the last page of this notice.**

**Applicant:** Rich Attridge / City Of Portland Office Of Finance And Management  
 1120 SW 5th Ave Room 1204 / Portland, OR 97204  
**Representative:** Beverly Bookin / The Bookin Group LLC  
 813 SW Alder St Ste 320 / Portland, OR 97205  
**Site Address:** 2730 SW MULTNOMAH BLVD  
**Legal Description:** BLOCK 6&7&9 TL 6900, RYAN PL  
**Tax Account No.:** R734301810  
**State ID No.:** 1S1E20DA 06900  
**Quarter Section:** 3826  
**Neighborhood:** Multnomah, contact Susan Rudloff at 503-358-2316.  
**Business District:** Multnomah Village, contact Michele Cassinelli at 503-244-1821.  
**District Coalition:** Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592  
**Existing Zoning:** R1 (Residential 1,000)  
**Proposed Zoning:** EG2 (General Employment 2)  
**Case Type:** CP ZC, Comprehensive Plan Map Amendment & Zoning Map Amendment  
**Procedure:** Type III, with a public hearing before the Hearings Officer. The Hearings Officer issued a recommendation to City Council who makes the final decision in this matter.

**Proposal:** The applicant requests to change the Comprehensive Plan Map and Zoning Map designations for the now-vacant SFC Jerome F. Sears US Army Reserve Center site from R1 (Residential 1,000) to EG2 (General Employment 2). In 2012, the City of Portland acquired the site for use as an Auxiliary Emergency Operations Center on Portland's west side to augment the City's primary emergency management facility in southeast Portland. Emergency management services are classified by the Portland Zoning Code as a Basic Utility, an allowed use in the EG2 zone. The City has completed a four-phase master plan to show how emergency services can

begin to occupy the property. This involves first phasing in simple upgrades such as meeting the Americans with Disabilities Act (ADA) standard, then adding roadway de-icing and fueling facilities, and finally large-scale building upgrades to meet "Essential Facility" seismic requirements. Analysis of impacts was based on the four-phase master plan, although some elements of the master plan may be subject to change based on availability of funding and other considerations.

Attached to this notice are two zoning maps depicting the existing and proposed zoning and a site plan that identifies the four phase redevelopment of the site.

**Relevant Approval Criteria:**

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

- 33.810.050 Comprehensive Plan Map Amendments
- 33.855.050 Zoning Map Amendments

The above criteria also include, by reference, applicable portions of the *Portland Comprehensive Plan* (goals and policies), State Land Use Goals, and the *Metro Urban Growth Management Functional Plan* (titles).

**DECISION MAKING PROCESS**

**Review of the Case File:** The Land Use Hearings Officer's recommendation and all evidence on this case are available for review (by appointment) at the Bureau of Development Services, 1900 SW Fourth Avenue, 4<sup>th</sup> Floor, Portland OR 97201. Please contact the receptionist at 503-823-7300 to schedule a time to review the file. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost for such services. You may also find additional information about the City of Portland and City bureaus as well as a digital copy of the Portland Zoning Code, by visiting the City's home page on the Internet at [www.ci.portland.or.us](http://www.ci.portland.or.us)

**We are seeking your comments on the proposal.** The hearing will be held before the City Council. To comment, you may write, or testify at the hearing. In your comments, you should address the approval criteria, which are identified above. Please refer to the case file number when seeking information or submitting testimony. Written comments **must be received by the end of the public testimony of the hearing**, and should include the case file number and name and address of the submitter. It must be given to the Council Clerk in person, or mailed to 1221 SW Fourth Avenue, Room 140, Portland, OR 97204.

**APPEAL PROCESS**

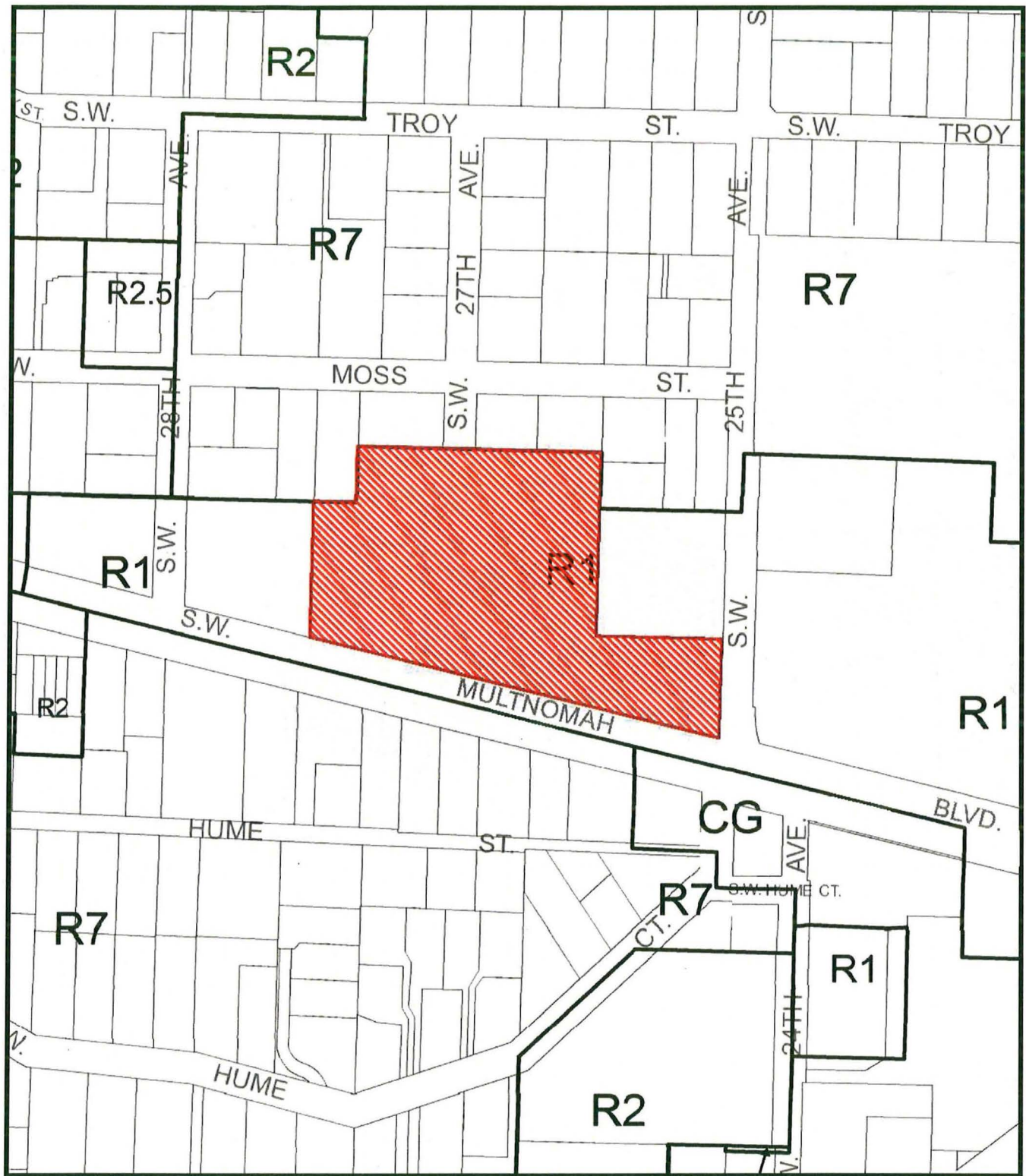
The decision of the City Council may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer Street NE, Suite 330, Salem, OR 97310. The phone number for LUBA is (503) 373-1265. Failure to raise an issue in person or in writing by the close of the record at or following the final evidentiary hearing before the City Council on this case may preclude an appeal to LUBA on that issue. Also, if you do not provide enough detailed information to the review body, they may not be able to respond to the issue you are trying to raise. In such a situation an appeal to LUBA based on that issue may not be allowed.

Public transportation to City Hall is available. Call TriMet at (503) 238-7433 (or [www.trimet.org/routes\\_times.htm](http://www.trimet.org/routes_times.htm)) for routes and times. Hourly rated public parking is available underneath the Portland Building immediately north of City Hall. Other public parking garages are in the immediate vicinity.

**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).**

**Enclosures:**

- Existing Zoning Map
- Proposed Zoning Map
- Full Build Out Plan for AEOC Master Plan
- General Explanation for City Council Process For Evidentiary/De Novo Hearings

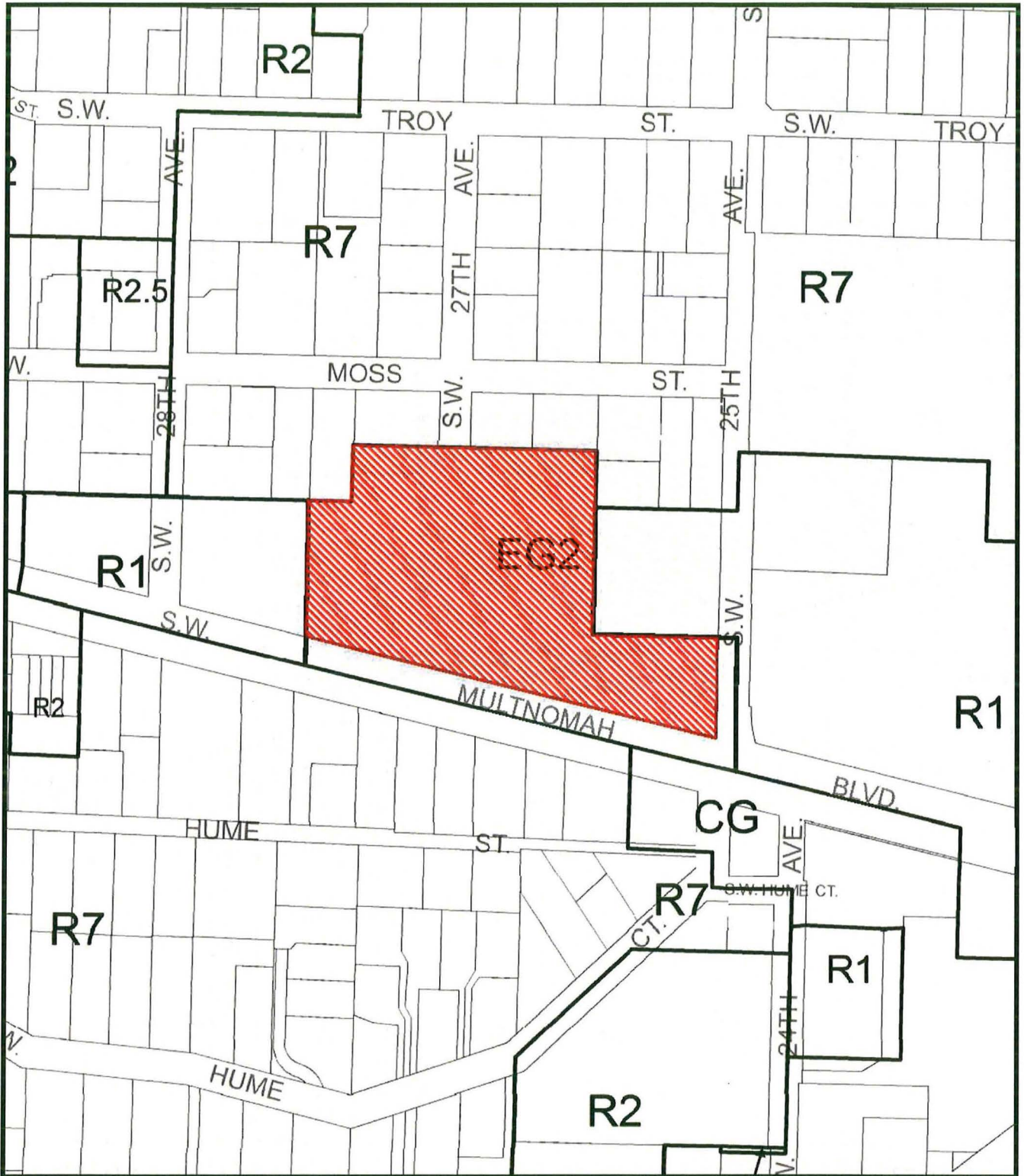


# ZONING EXISTING

 Site



File No. LU 14-104931 CP,ZC  
 1/4 Section 3826  
 Scale 1 inch = 200 feet  
 State\_Id 1S1E20DA 6900  
 Exhibit B.1 (Jan 15,2014)



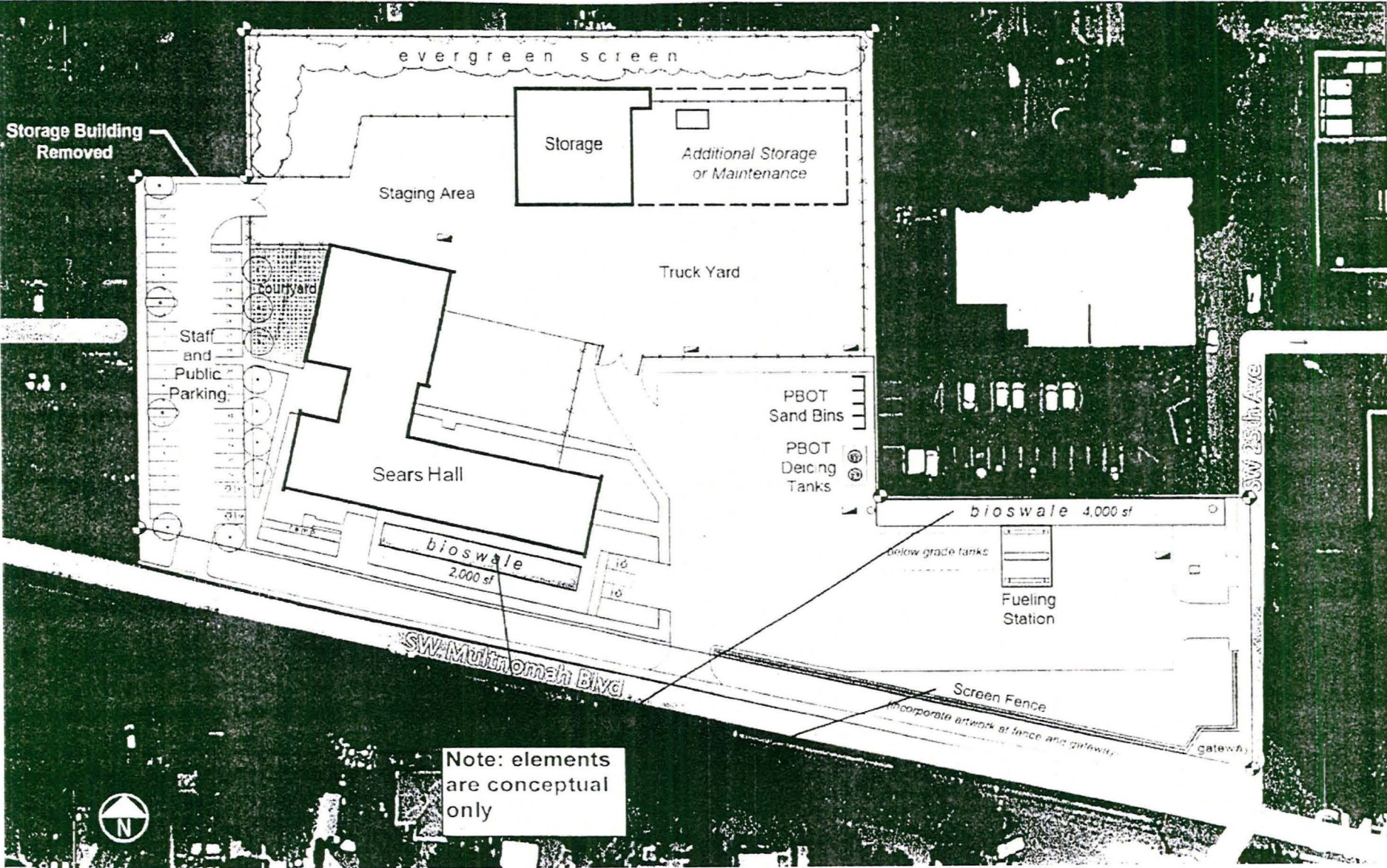
# ZONING PROPOSED

 Site



File No. LU 14-104931 CP,ZC  
 1/4 Section 3826  
 Scale 1 inch = 200 feet  
 State\_Id 1S1E20DA 6900  
 Exhibit B.2 (Jan 15,2014)

# Full Build-Out Plan for AEOC Master Plan



**GENERAL EXPLANATION OF THE CITY COUNCIL PROCESS FOR  
EVIDENTIARY/DE NOVO HEARINGS**

**1. SUBMISSION OF TESTIMONY**

- a. Testimony may be submitted in writing to the Council Clerk, 1221 SW Fourth Avenue, Room 140, Portland, OR 97204. Written comments must be received by the time of the hearing and should include the case file number.
- b. Testimony may be submitted orally (see below).

**2. HEARINGS PROCESS**

- a. The order of appearance and time allotments are generally as follows:

Staff Report	10 minutes
Applicant	10 minutes
Supporters of Applicant	3 minutes each
Principal Opponent	15 minutes
Opponents	3 minutes each
Applicant Rebuttal	5 minutes
Council Discussion	

- b. The applicant and proponents have the burden of proof to show that each and every element of the approval criteria can be satisfied. If the applicant is opposing the Hearings Officer's recommendation, the applicant may also argue the criteria are being incorrectly interpreted, the wrong approval criteria are being applied or additional approval criteria should be applied.
- c. In order to prevail, the opponents of the application must persuade the City Council to find that the applicant has not carried the burden of proof to show that the evidence submitted in support of the application demonstrates that each and every element of the approval criteria is satisfied. The opponents may wish to argue the criteria are being incorrectly applied, the wrong criteria are being applied or additional approval criteria should be applied.
- d. The failure to address an issue with sufficient specificity to afford the decision maker and the parties an opportunity to respond to the issue precludes an appeal to the Land Use Board of Appeals (LUBA) on that issue.

**3. OTHER INFORMATION**

- a. Prior to the hearing, the case file and the Hearings Officer decision are available for review, by appointment, at the Bureau of Development Services, 1900 SW 4<sup>th</sup> Avenue, Portland, OR 97201. Call 503-823-7300 to make an appoint to review the file.

**If you have a disability and need accommodations, please call 823-4085 (TDD: 823-6868). Persons requiring a sign language interpreter must call at least 48 hours in advance.**





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DATE: May 20, 2014

TO: Mayor Charlie Hales  
 Commissioner Amanda Fritz  
 Commissioner Nick Fish  
 Commissioner Steve Novick  
 Commissioner Dan Saltzman

FROM: Sylvia Cate, Bureau of Development Services, Land Use Services Division   
 Matt Wickstrom, Bureau of Development Services, Land Use Services Division 

CC: Rich Attridge, Office of Management and Finance  
 Carmen Merlo, Portland Bureau of Emergency Management  
 Beverly Bookin, The Bookin Group, Land Use Consultant

RE: City Council hearing on LU 14-104931 CP ZC (Auxiliary Emergency Operations Center)

Following the hearing and release of the Hearings Officer recommendation concerning the requested Comprehensive Plan Map and Zoning Map Amendments for the former Sears Armory site at 2730 SW Multnomah Boulevard, the Multnomah Neighborhood Association voted to reconsider its support for the proposal and will be requesting the zoning of the site be changed to EG1 rather than EG2 as recommended. Staff has prepared the following analysis of this request for City Council consideration.

Standard	EG1	EG2
Maximum FAR (see 33.140.205)	3 to 1	3 to 1
Maximum Height (see 33.140.210)	45 ft.	no limit
Min. Building Setbacks Street Lot Line (see 33.140.215)	5 ft.	25 ft.
- Lot line abutting an OS, C, E, or I zoned lot	0	0
- Lot line abutting an R zoned lot	See Table 140-4	15 ft.
Max. Building Stbks (see 33.140.215) Transit Street or Pedestrian District	10 ft.	None
Maximum Building Coverage (see 33.140.220)	85% of site area	85% of site area
Min. Landscaped Area (see 140.225)	15% of site area	15% of site area
Ground Floor Window Standards apply (see 33.140.230)	No	No
Pedestrian Standards Apply (see 33.140.240)	Yes	Yes
Min. Landscaping Abutting an R zoned lot (see 33.140.215.B.)	5 ft. @ L3 or none	10 ft. @ L3

- Floor area ratio is the same.
- Height limit compromises long-term flexibility for unforeseen needs.
- Current development is consistent with EG2 setback.
- Setbacks abutting R zoned lots in EG2 are greater than EG1.
- Maximum building setback makes current buildings nonconforming and would require Adjustments for future development.
- Maximum building coverage and minimum landscaped area are the same.
- Ground floor window and pedestrian standards are the same.
- Greater landscape buffering required in the EG2 zone.

Characteristics of the Zones – General Employment (33.140.030.A)

At almost 4 acres, the site is large and is located in an area without a consistent grid block pattern. The site has relatively low building coverage and buildings are set back from the street. These characteristics are more consistent with sites in the EG2 zone as described in the "characteristics of the zones" statements listed below.

General Employment 1. EG1 areas generally have smaller lots and a grid block pattern. The area is mostly developed, with sites having high building coverages and buildings which are usually close to the street. EG1 zoned lands will tend to be on strips or small areas.

General Employment 2. EG2 areas have larger lots and an irregular or large block pattern. The area is less developed, with sites having medium and low building coverages and buildings which are usually set back from the street. EG2 zoned lands will generally be on larger areas than those zoned EG1.

Other considerations

- A change of this magnitude would require renotification and would delay the land use review.
- A change to the proposed EG2 zone would be inconsistent with the Hearings Officer's recommendation.
- New findings supporting a selection of the EG1 zone would need to be drafted. This could be challenging considering the site and development is more consistent with the characteristics of the EG2 zone.
- Staff would need to renotify the Land Conservation and Development Commission of the change to zoning.
- In his letter to the Hearings Officer regarding this land use review, James Peterson suggested application of the EG1 zone. In his recommendation, the Hearings Officer found that although an alternative to the EG2 zone was suggested, no evidence was presented that the EG2 zone was inappropriate.

In summary, staff sees the following issues with a request to zone the site EG1 rather than EG2:

1. The development standards of the EG2 zone more closely match the existing and proposed development at the site.
2. The characteristics of the site and development, both existing and future, are more consistent with those of the EG2 zone.
3. Application of the EG1 zone would be inconsistent with the Hearings Officer recommendation and could delay proceedings.
4. Writing findings to support application of the EG1 zone over the EG2 zone would be challenging, and would require an additional hearing for City Council to adopt the revised findings.

Staff concludes that because the site must be used in perpetuity as an emergency services facility, the recommended EG2 zoning would provide maximum flexibility to the City for the current proposal, as well as any future proposals unforeseen today.

As of the date of this memo, staff has not received or reviewed a copy of the Multnomah Neighborhood Association letter. Once that letter is received staff may provide additional commentary and analysis.