



City of Portland
Bureau of Development Services
Land Use Services Division

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Portland, Oregon 97201
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www.portlandonline.com/bds

Date: May 1, 2008
To: Interested Person
From: Mark Walhood, City Planner
mwalhood@ci.portland.or.us 503-823-7806

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 08-112497 DZ
(COUNTY ELECTIONS BLDG. ALTERATIONS)**

GENERAL INFORMATION

Applicant/Contact: Alden Kasiewicz 503-226-3617
Scott | Edwards Architecture
2525 E. Burnside Street
Portland, OR 97214

Property Owner: Multnomah County - Property Management
401 N Dixon St
Portland, OR 97227-1865

Site Address: 819 SE 11TH AVE

Legal Description: LOT 5-7 BLOCK 218 EXC N 12' IN E MORRISON ST LOT 8 BLOCK 218, EAST PORTLAND

Tax Account No.: R226513930
State ID No.: 1S1E02BA 05000
Quarter Section: 3131

Neighborhood: Buckman, contact Susan Lindsay at 503-725-8257.
Business District: Central Eastside Industrial Council, contact Chris Hammond at 503-309-1971.
District Coalition: Southeast Uplift, contact Gary Berger at 503-232-0010.

Zoning: **EXd** (Central Employment base zone with the "d" or Design overlay zone), **Central City Plan District**

Case Type: **DZ** (Design Review)
Procedure: **Type II**, an administrative decision by Bureau of Development Services Staff that can be appealed to the Design Commission.

Proposal: The owners of the Multnomah County Elections Building at 1040 SE Morrison Street are proposing several exterior modifications related to a program of interior life safety

improvements to the building. The building occupies a half-block site between SE Morrison and Belmont Streets, on the west side of SE 11th Avenue. The attached site plan, elevations, and detail drawings include dimensions and additional details. The exterior modifications include the following changes:

- A new exit-only solid metal door on the east elevation, facing SE 11th Avenue; and
- A new louvered mechanical vent on the south face of the building, above one of two south-facing loading bay doors.

STAFF NOTE: In the original proposal, four glass block windows were proposed within original openings on the south face of the structure. Due to staff concerns regarding the ability of this window type to meet the design guidelines, the applicant has withdrawn this portion of the request.

With a project valuation of \$15,000, and because the exterior changes occur on a building in the Central City plan district, this project requires consideration through a Type II Design Review (33.420.041.B, 33.825.025.A.2.b).

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

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

ANALYSIS

Site and Vicinity: The site occupies a half block parcel on the west side of SE 11th Avenue, between SE Morrison and Belmont Streets. The property is developed with an existing two-story building with a basement, originally constructed as a warehouse in 1925. The structure has a bow truss roof, covers the entire site, and has a smooth cement plaster exterior with stucco or plaster infill within individual bays. Windows on the building are a combination of modern aluminum and glass storefront systems, steel industrial sash windows, steel roll-up garage doors, and solid metal doors with vertical lights. Many of the original window openings have been filled in with stucco or cement plaster, especially on the south and east facades. The site slopes downhill approximately 6'-0" from NE to SW, and has no on-site surface parking.

The surrounding area includes a variety of industrial, commercial, and residential developments and uses. The area includes a variety of pedestrian-oriented warehouses, apartment buildings, and older commercial structures, as well as more recent, automobile-oriented strip commercial developments. The large superblock directly south of the site, formerly developed with a produce distribution facility, currently lies vacant. Paved public sidewalks abut each of the three adjacent street frontages, each of which are designated as City Walkways in the City's Transportation System Plan. Some street trees are located in the abutting SE Morrison and SE 11th Avenue rights-of-way, but not in SE Belmont.

Zoning: The Central Employment (EX) base zone implements the Central Employment map designation of the Comprehensive Plan. The zone allows mixed-uses and is intended for areas in the center of the City that have predominantly industrial type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Office uses are allowed by-right in the EX base zone. The "d" or Design overlay zone always accompanies the EX base zone designation. The Design overlay zone 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 overlay zone as part of community planning projects, development of design guidelines for each district, and by requiring design review or compliance with the Community Design Standards. Because this site is located in the Central City plan district, the proposed exterior alterations trigger a mandatory design review.

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 that address special circumstances existing in the Central City area.

Land Use History: City records indicate two prior land use reviews at the site:

- *LUR 96-00272 DZ* - Approved design review for exterior and seismic upgrades to the building, including new windows, doorways, and louvers; and
- *LUR 99-00738 DZ* - Approved design review for replacement of seven exterior windows, including an optional approval for two glass block windows.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **March 14, 2008**.

The following Bureaus have responded with no issues or concerns:

- The *Site Development Section of the Bureau of Development Services* (Exhibit E.1);
- The *Fire Bureau* (Exhibit E.2);
- The *Development Review Division of Portland Transportation* (Exhibit E.3);
- The *Water Bureau* (Exhibit E.4); and
- The *Urban Forestry Division of Portland Parks and Recreation* (Exhibit E.5).

The *Bureau of Environmental Services* (BES) has no objections to the proposed exterior changes, but notes that further and future development of the property will be subject to BES standards and requirements during the building permit review process. Exhibit E.6 contains staff contact information.

The *Life Safety (Building Code) Section of the Bureau of Development Services* has provided a preliminary response, noting that the structure is enrolled in the Facilities Permits Program (FPP). Questions regarding potential Life Safety of Building Code issues should be directed to FPP Staff. No specific Life Safety concerns were identified in this preliminary response. Exhibit E.7 contains staff contact information.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **March 14, 2008**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055, Design Review Approval Criteria

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

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because the site is located generally within the Central City Plan District, the applicable design guidelines are the Central City Plan Fundamental Design Guidelines. As the site is also specifically located within the Design Zone of the Central Eastside District, the Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan also apply.

Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan and Central City Fundamental Design Guidelines

The Central Eastside is a unique neighborhood. The property and business owners are proud of the district's heritage and service to the community and region. Light industry, distribution/warehousing, and transportation are important components of the district's personality. To the general public, retail stores and commercial businesses provide the central focus within the district.

The underlying urban design objective for the Central Eastside is to capitalize on and emphasize its unique assets in a manner that is respectful, supportive, creative and compatible with each area as a whole. Part of the charm and character of the Central Eastside District, which should be celebrated, is its eclectic mixture of building types and uses. An additional strength, which should be built on, is the pattern of pedestrian friendly retail uses on Grand Avenue, East Burnside and Morrison Streets, as well as portions of 11th and 12th Avenues.

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 Eastside Design Goals

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

- Encourage the special distinction and identity of the design review areas of the Central Eastside District.
- Provide continuity between the Central Eastside and the Lloyd District.
- Provide continuity between the Central Eastside and the river, downtown, and adjacent residential neighborhoods.
- Enhance the safety, convenience, pleasure, and comfort of pedestrians.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within 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.

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

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

A8. Contribute to a Vibrant Streetscape. Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

Findings for A6 - A8: The narrow vertical window in the new east-facing door does provide some visual connection between the active interior spaces in the basement and the adjacent sidewalk. The new doorway itself is horizontally and vertically aligned with edges of a closed original building window above. The project preserves the street edge and sense of enclosure the building provides to adjacent streets, and the single new door swings in to the building, avoiding direct functional impacts to the adjacent sidewalk in SE 11th Avenue.

Therefore, these guidelines are met.

B1. Reinforce and Enhance the Pedestrian System. Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: 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.

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.

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.

Findings: No changes are proposed to the adjacent public right-of-way, and the single new exterior door facing SE 11th Avenue swings inward into the building, preventing any pedestrian impacts to the adjacent sidewalk. The bottom of the proposed louvered mechanical vent is approximately 13'-0" above the adjacent sidewalk, ensuring that pedestrian passersby will not be exposed to air discharged through the system. In addition, the new louver location is in close proximity to the grouping of existing mechanical vents, and has been aligned vertically with the garage door below, strengthening the overall composition.

Therefore, these guidelines are met.

C1. Enhance View Opportunities. Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

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

C3. Respect Architectural Integrity. Respect the original character of an existing

building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings for C1 - C3 and C5: Visual connections from inside the building to the adjacent public sidewalk is provided via the vertical window within the new door facing SE 11th Avenue. The vertical window in this new door is compatible with other exterior door windows found on the building facing both SE 11th Avenue and SE Belmont. The new exterior materials include a metal door and metal exhaust louver, which are permanent, high-quality elements. The placement of the new door on SE 11th Avenue is consistent with the spacing and scale of existing man doors on that elevation, and continues the rhythm of openings and solids at the pedestrian level along this street. Both the louvered mechanical vent and new door have been horizontally and vertically aligned with existing architectural features of the building nearby.

Therefore, these guidelines are met.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all 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 applicant has proposed two modest exterior alterations to the half-block Multnomah County Elections building in the Central Eastside. The proposed alterations will better connect interior activities of the building with adjacent streets, and are architecturally integrated with original and more recent exterior patterns of the building. The request is able to meet the applicable design guidelines and should be approved.

ADMINISTRATIVE DECISION

Approval of Design Review (33.420.041.B) for exterior alterations to the Multnomah County Elections Building at 819 SE 11th Avenue, including a new exit-only solid metal door with a single vertical window facing SE 11th Avenue, and a single louvered metal mechanical exhaust vent on the south façade. This approval is granted based on the approved drawings, Exhibits C.1 through C.7, each exhibit being signed and dated April 28, 2008, and subject to the following condition:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.7. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-112497 DZ. No field changes allowed."

Decision rendered by: _____ **on April 28, 2008.**

By authority of the Director of the Bureau of Development Services

Decision mailed: May 1, 2008.

Staff Planner: Mark Walhood

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on February 29, 2008, and was determined to be complete on **March 12, 2008**.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on February 29, 2008.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period.

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on May 15, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. Recognized neighborhood associations are not subject to the appeal fee. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 503-823-7967 to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **May 16, 2008 – (the next business day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative 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; *OR*
- *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.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Original Narrative
 - 2. Supplemental Narrative
 - 3. Memo requesting withdrawal of glass block window portion of project
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Floor Plans
 - 3. Elevations (attached)
 - 4. Enlarged Elevations (attached)
 - 5. Wall Section at New Door
 - 6. Wall Section at New Mechanical Louver
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Site Development Section of the Bureau of Development Services

2. Fire Bureau
 3. Development Review Division of Portland Transportation
 4. Water Bureau
 5. Urban Forestry Division of Portland Parks and Recreation
 6. Bureau of Environmental Services
 7. Life Safety (Building Code) Section of the Bureau of Development Services
- F. Correspondence (*none received at time of decision mailing*)
- G. Other:
1. Original LU application form, tax account information and receipt
 2. Site History Research
 3. Site Photos

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



ZONING



Site



Historic Landmark



NORTH

This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No. LU 08-112497 DZ

1/4 Section 3131

Scale 1 inch = 200 feet

State_Id 1S1E02BA 5000

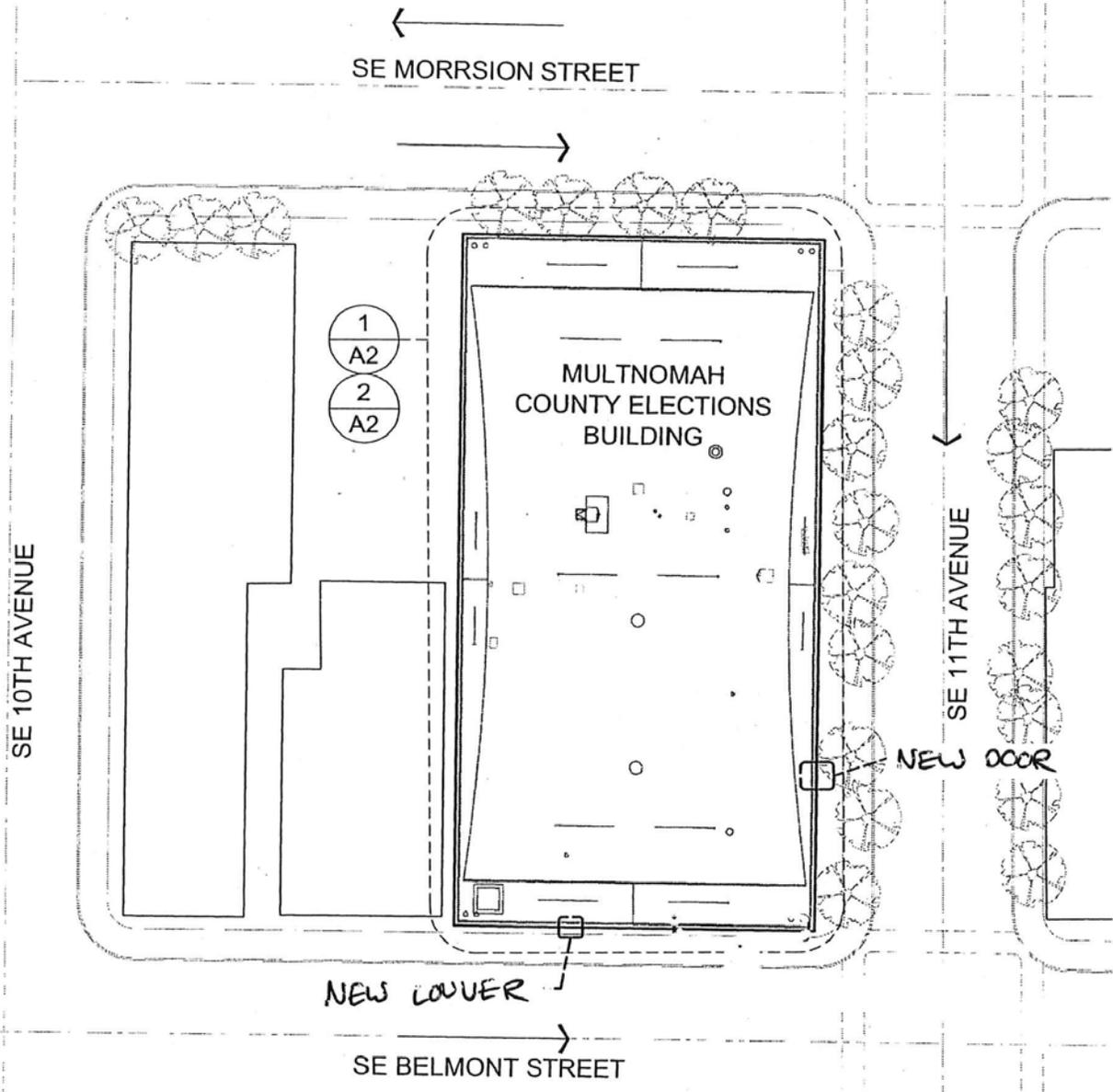
Exhibit B (Mar 03,2008)

A1

Approved
 City of Portland - Bureau of Development Services

Planner MARK VALHOO Date APRIL 28, 2008

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

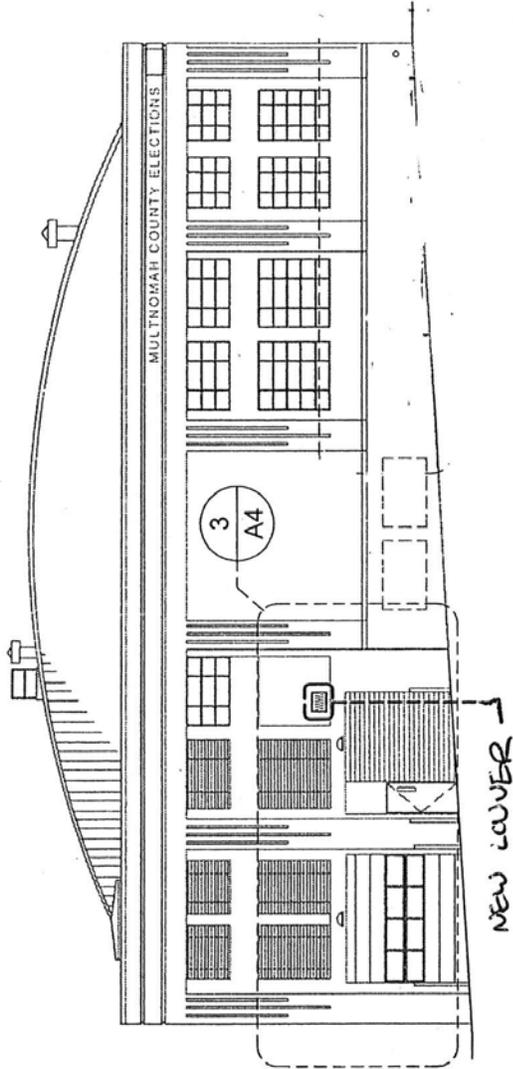


Proposal and design as approved
 in case file #LU 08-112497 02.
 No field changes allowed.

CASE NO. 08-112497 02
 EXHIBIT C.1

1 SITE PLAN

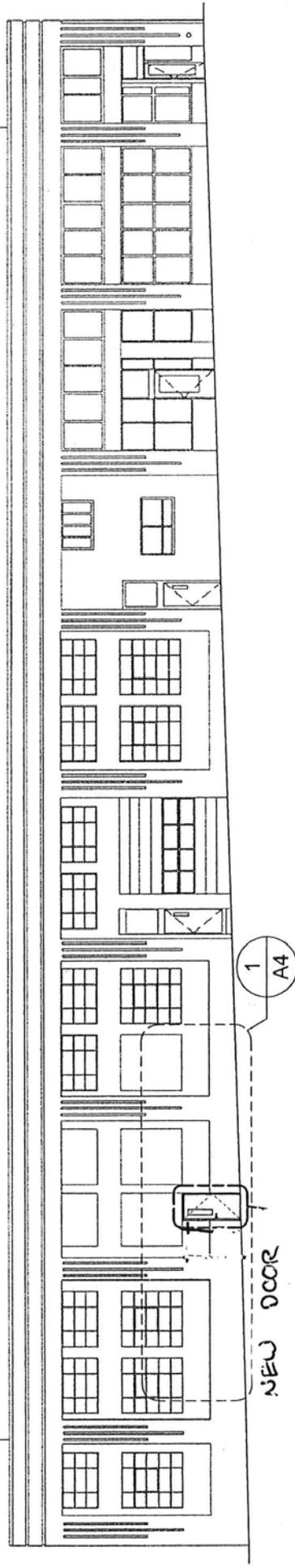
1" = 50'-0" 



1 SOUTH ELEVATION

Proposal and design as approved
 in case file #LU 08-112497 D2.
 No field changes allowed.

Approved
 City of Portland - Bureau of Development Services
 Planner MARK WAZHOOD Date APRIL 28, 2008
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

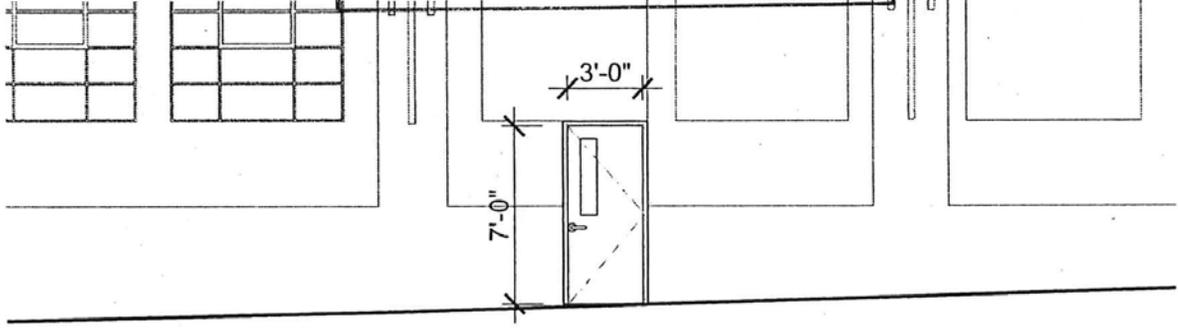


2 EAST ELEVATION

W
 CASE NO. 08-112497 D2
 EXHIBIT C.3

A4

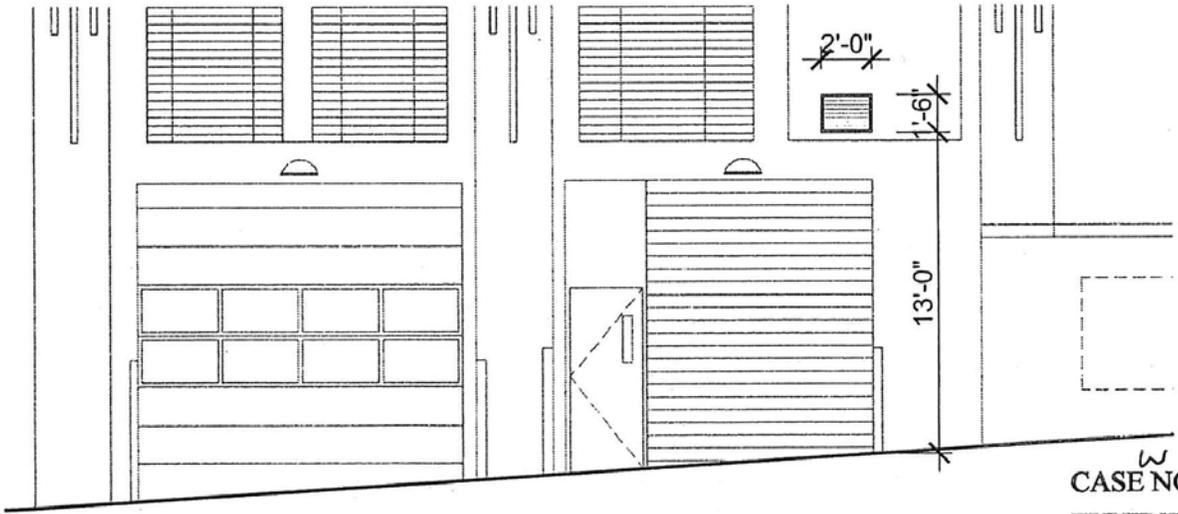
Proposal and design as approved
In case file #LU 08-112497 02.
No field changes allowed.



1 PARTIAL EAST ELEVATION: NEW DOOR

1/8" = 1'-0"

Approved
City of Portland - Bureau of Development Services
Planner MARIC WATKINS Date APRIL 28, 2008
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



3 PARTIAL SOUTH ELEVATION: NEW LOUVER

CASE NO. 08-112497 02
EXHIBIT C.4

1/8" = 1'-0"