



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

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Date: April 5, 2013
To: Interested Person
From: Kate Marcello, Land Use Services
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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 the version located on the BDS website, via this link: <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the district coalition and then scroll to the relevant neighborhood and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 13-103853 DZ **Expansion of Existing Warehouse Building** **GENERAL INFORMATION**

Applicant: Raphael Goodblatt, AhHa! Architecture | 503-828-0028
615 SE Alder St, Suite 203 | Portland, OR 97214

Owner: Jeb Reit PDX LC
3667 1st Ave South | Seattle, WA 98134-2201

Site Address: 610 SE 6th Avenue
Legal Description: BLOCK 140 LOT 1 N 37.5' OF LOT 2, EAST PORTLAND
Tax Account No.: R226508740
State ID No.: 1S1E02BB 02700
Quarter Section: 3131
Neighborhood: Buckman Community Association;
contact Susan Lindsay at 503-725-8257

Business District: Central Eastside Industrial Council; contact Peter Fry at 503-274-1415
District Coalition: Southeast Uplift; contact Bob Kellett at 503-232-0010
Plan District: Central City - Central Eastside
Zoning: Central Employment (EX) base zone; design (d) overlay zone
Case Type: Design Review (DZ)
Procedure: Type II (an administrative decision, with appeal to the Design Commission)

Proposal: The applicant requests Design Review approval for expansion of an existing concrete-block warehouse building. The warehouse building is part of an ensemble of four existing buildings, referred to on the attached drawings as Buildings A, B, C, and D. The proposed expansion will occur at Building C, which abuts Building B to the west and Building D to the east.

Building C is currently about 17'-0" tall. After the expansion, Building C will be about 24'-0" tall. There will be a horizontal row of fixed windows on the new portion of the north façade, just above the existing metal canopy. The new portion of Building C will be made of concrete block and clad with acrylic render.

Because the proposal is for non-exempt exterior alterations to an existing building on a site with design overlay zoning in the Central City Plan District, Design Review is required prior to the issuance of building permits.

Notes:

- An existing wall-mounted sign is going to be replaced with a new wall-mounted sign. The new sign is exempt from Design Review because it is considered “copy change.”
- An existing window opening is going to be enlarged to accommodate a person door. A concrete ramp will provide access to the door. The new door and ramp are intended to comply with the Americans with Disabilities Act (ADA). The new door and ramp are exempt from Design Review per 33.420.045.H in the Portland Zoning Code.

Relevant Approval Criteria:

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

- 33.825 Design Review,
- Central City Fundamental Design Guidelines, and
- Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan.

ANALYSIS

I. Site and Vicinity: The subject site is located in the northwest portion of the block bounded by SE 6th Avenue, SE Alder Street, SE 7th Avenue, and SE Washington Street in the Buckman neighborhood. The site is occupied by an ensemble of four buildings and a paved lot. A chain-link fence topped by razor wire abuts the public sidewalk on the SE Washington Street and 6th Avenue frontages. The surrounding area contains a wide variety of uses, including warehouses, light industrial operations, retail storefronts, restaurants, small offices, taverns, apartment buildings, and social service organizations.

II. Zoning:

The Central Employment (EX) base 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 that need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area.

The Design (d) 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 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.

III. Land Use History: City records indicate no prior land use reviews for the subject site.

IV. Agency Review: A *Notice of Proposal in Your Neighborhood* was mailed on January 29, 2013. The Life Safety/Building Code Section of the Bureau of Development Services responded with comments and with no objections to the proposal (Exhibit E-1).

V. Neighborhood Review: A *Notice of Proposal in Your Neighborhood* was mailed on January 29, 2013. No written comments in response to the proposal have been received from the neighborhood association (Buckman Community Association) or notified property owners.

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. Because the site is 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.

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: The new portion of Building C will be made of concrete block, which will match the existing building. The new windows will be aluminum, the same material as the existing windows. The roof will be flat, which will also match the existing condition. These characteristics are consistent with Buildings A, B, and D on the subject site, as well as modern warehouse and light-industrial buildings in the Central Eastside Industrial District. Thus the building will remain unified with its surroundings. *Therefore these guidelines are met.*

C2. Promote Quality and Permanence in Development.

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

Findings for C2: The new portion of Building C will be made of concrete block, and it will have a row of aluminum windows. These durable materials are appropriate for the warehouse function of the building, and they reinforce the building's sense of permanence as part of the ensemble of existing buildings at the subject site. *Therefore this guideline is 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.

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 C3 and C5:

- After the proposed expansion of Building C, it will be the same height as Buildings B

and A.

- The expanded portion of Building C will be made of concrete block, which will match the existing building, as well as Buildings B and D.
- Building C will have a horizontal row of four aluminum windows at the upper portion of the north façade. This will match the existing condition at Building B, which abuts Building C to the west.
- The east façade of the expanded portion of Building C will be solid, with no window openings or architectural ornamentation. This is consistent with the existing condition of the east façade, which is a side wall that is set back considerably from the street. Thus the proposed expansion retains the north elevation as the building's primary façade.

In these ways, the proposal respects the integrity of the subject site's simple, modern warehouse buildings. Building C itself will remain a coherent composition; additionally, the composition of the existing ensemble of buildings at the site will remain architecturally intact. *Therefore these guidelines are 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 storm water management tools.

Findings for C11: After the proposed expansion, the roof of Building C will remain flat. This is consistent with Buildings A, B, and D at the subject site, as well as similar modern warehouse buildings in the Central Eastside. *Therefore this guideline is 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 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 proposed building expansion employs appropriate materials and massing. Building C itself will remain a coherent composition; additionally, the composition of the existing ensemble of buildings at the site will remain architecturally intact. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of the following, located at the existing building identified as Building C on the attached plans and drawings, in the Central Eastside Subdistrict of the Central City Plan District:

- Increase in height from 17'-0" to 24'-0";
- Concrete block construction for the new portion of the building; and
- Aluminum windows on the north façade of the new portion of the building.

Approval per the approved plans and drawings, Exhibits C-1 through C-5, signed and dated April 3, 2013, subject to the following condition:

- A. As part of the building permit application submittal, each of the four 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 through C-5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 13-103853 DZ. No field changes allowed."

Staff Planner: Kate Marcello

Decision rendered by:  **on April 3, 2013**
By authority of the Director of the Bureau of Development Services

Decision mailed: April 5, 2013

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 January 11, 2013, and was determined to be complete on January 25, 2013.

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 January 11, 2013.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless extended by the applicant, **the 120 days will expire on May 27, 2013.**

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 April 19, 2013** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, 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. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. 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 call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

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 **April 22, 2013 (the day following the last day to appeal).**
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative 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.

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.

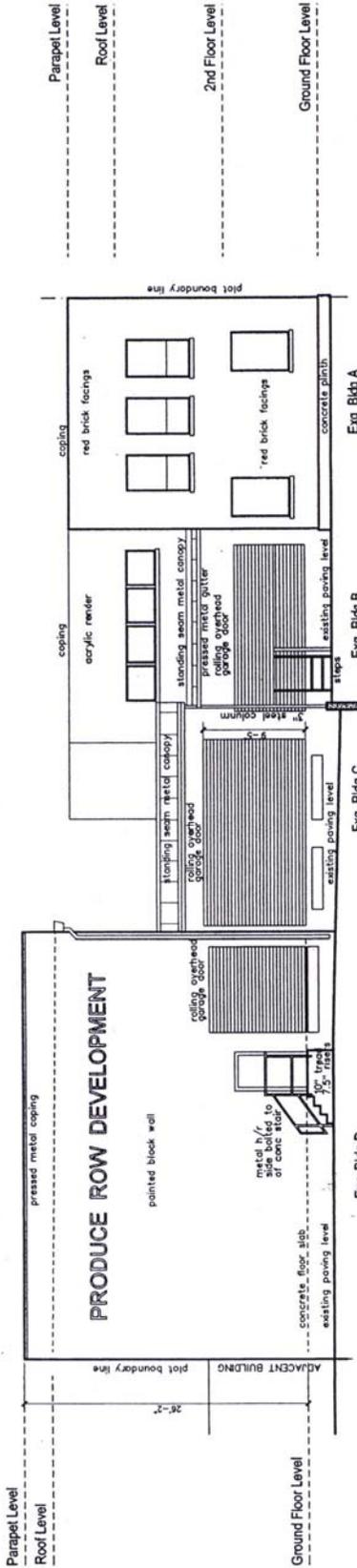
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement/Narrative
- B. Zoning Map (attached)
- C. Plans and Drawings:
 - 1. Site Plan/Ground-floor Plan (attached)
 - 2. Existing North Elevation Drawing (attached)
 - 3. Building Section Drawings and Proposed North Elevation Drawing (partially attached)
 - 4. Proposed East and South Elevation Drawings
 - 5. Wall Section Drawings
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Response:
 - 1. Life Safety/Building Code Section of BDS
- F. Correspondence: None received.
- G. Other
 - 1. Original Land Use Review Application
 - 2. Site Visit Photographs

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).

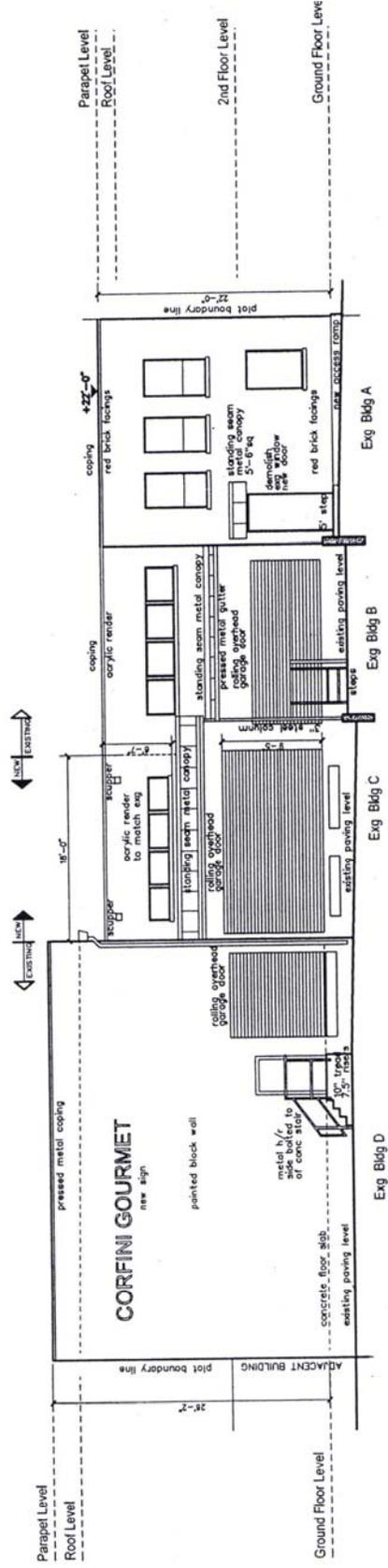
LV 13-103853 DZ
610 SE 6th Ave



Existing North Elevation

Approved
 City of Portland - Bureau of Development Services
 Planner Kate Marcello Date April 3, 2013
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

Scale: 1/8" = 1'-0" Reduced sheet size.



Proposed North Elevation

Exhibits C-2 and C-3