



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
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Date: September 1, 2011
To: Interested Person
From: Chris Caruso, Land Use Services
503-823-5747 / Chris.Caruso@portlandoregon.gov

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 11-152445 DZ **ELECTIONS BUILDING ENTRY AND WINDOWS**

GENERAL INFORMATION

Applicant: Meg Matsushima / Hennebery Eddy Architects
921 SW Washington Street #250 / Portland, OR 97205

Representative: Greg Hockert / Multnomah County
401 N. Dixon St. / Portland, OR 97227

Site Address: 1040 SE MORRISON ST

Legal Description: BLOCK 218 LOT 5-7 LOT 8 EXC N 12' IN ST, 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 Juliana Lukasik at 503-287-5886.

District Coalition: Southeast Uplift, contact Leah Hyman at 503-232-0010.
Plan District: Central City - Central Eastside
Zoning: EXd, Central Employment with design overlay
Case Type: DZ, Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant seeks design review approval for alterations to the Multnomah County Elections Building in the Central Eastside subdistrict of the Central City Plan District. The alterations include the following:

- New ADA-compliant aluminum and glass entry doors and sidelites on SE 11th Ave, in the third bay from the building's northeast corner;
- New 5'-0" deep by 10" thick steel framed canopy with support rods and light fixture above new SE 11th Avenue entry, painted to match window frame color;

- Twenty-six aluminum framed replacement windows on the north, south, and east elevations - color, material, and profile to match existing windows; and
- Infill existing corner entry with aluminum framed, clear glazed storefront.

In the original proposal, five bollards were proposed in the right-of-way outside the new entrance. Due to Bureau of Transportation concerns, the applicant has withdrawn this portion of the request. Exterior alterations to existing development in the Central City design zones require design review.

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
- Central Eastside Special Design Guidelines

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 in 1925 as a warehouse. 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, particularly 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 area includes a variety of warehouses, apartment buildings, and older commercial structures, as well as more recent, automobile-oriented strip commercial developments and surface parking lots. 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 adjacent street frontages, which are all 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.

Zoning: The Central Employment (EX) 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. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area. The current uses of office, storage, and retail service are allowed in this zone.

The "d" overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. 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 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 Central Eastside Subdistrict of this plan district.

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

1. LU 08-112497 DZ - Approval of Design Review for exterior alterations 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.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **August 8, 2011**. The following Bureaus have responded with no issues or concerns that would affect this proposal:

- Bureau of Environmental Services
- Bureau of Transportation Engineering
- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- Bureau of Parks-Forestry Division
- Life Safety Review Section of BDS (Exhibit E-1)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on August 8, 2011. 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.

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.

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 for A6, A7, A8, C1 & C7: The proposed relocated main entry, replacement windows, and new canopy enhance the usability of the building for the tenants and customers, allowing the structure to be retained within the Central Eastside neighborhood. The project preserves the street edge and sense of urban enclosure with the installation of clear-glazed doors and windows and the prominent canopy that defines the relocated main entrance. Visual and physical connections into active interior spaces such as the lobby and offices are provided from adjacent sidewalks by the new clear glazed doors and windows along SE 11th Avenue and the revised corner at SE Morrison Street. The placement of the new door on SE 11th Avenue is consistent with the spacing and scale of existing person doors on that elevation, and continues the rhythm of openings and solids at the pedestrian level along this street. *These guidelines are therefore 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.

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.

B6-1. Provide Pedestrian Rain Protection. Rain protection is encouraged at the ground level of all new and rehabilitated commercial buildings located adjacent to primary pedestrian routes. In required retail opportunity areas, rain protection is strongly recommended.

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

Findings for B1, B6, B6-1 & B7: Findings: Existing access routes along public sidewalks around the building will be maintained with this proposal. Additional street trees will be provided as required by the City Forester. The proposed entry canopy projects over the sidewalk on SE 11th Avenue, providing weather protection at the ground level. The proposed new main entry is directly connected to the sidewalk and will meet all accessibility requirements. *These guidelines are therefore met.*

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.

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.

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.

C8-1. Allow for Loading and Staging Areas on Sidewalks. On local service streets, adjacent businesses may use the sidewalk area for temporary loading and staging as long as pedestrian access through it is maintained.

Findings for C2, C3, C5, C12, C10 & C8-1: The proposed windows, entry doors, and metal canopy are all made of quality materials such as aluminum framing, glass, and steel, which all promote a sense of permanence to the building alterations. Both upper

and lower story replacement windows and doors match the earlier replaced windows and doors, so the building continues to evolve into a comprehensive design of matching elements. The placement of the new main entry doors and canopy continues the rhythm of openings and solids at the pedestrian level along SE 11th Avenue.

The existing pedestrian zones on the two street frontages will be maintained with this proposal. The overhead canopy will be located high enough above the sidewalk to not impede passers-by and the proposed light fixture will illuminate the sidewalk, creating a safer nighttime environment. The large ground-level windows and doors also promote “eyes on the street” which creates a safer environment around the building. Loading and staging space will be available along SE 11th Avenue, away from the main entry doors which includes a sidewalk that is wide enough to accommodate pedestrian access together with loading. *These guidelines are therefore 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 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 proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of design review for alterations to the Multnomah County Elections Building in the Central Eastside subdistrict of the Central City Plan District to include the following:

- New ADA-compliant aluminum and glass entry doors and sidelites on SE 11th Ave, in the third bay from the building’s northeast corner;
- New 5’-0” deep by 10” thick steel framed canopy with support rods and light fixture above new SE 11th Avenue entry, painted to match window frame color;
- Twenty-six aluminum framed replacement windows on the north, south, and east elevations - color, material, and profile to match existing windows; and
- Infill existing corner entry with aluminum framed, clear glazed storefront.

Approved per the approved site plans, Exhibits C-1 through C-8 signed and dated August 30, 2011, subject to the following conditions:

- 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.8. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 11-152445 DZ. No field changes allowed."

Staff Planner: Chris Caruso

Decision rendered by:  **on (August 30, 2011.)**
By authority of the Director of the Bureau of Development Services

Decision mailed: September 1, 2011

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 July 8, 2011, and was determined to be complete on **August 4, 2011**.

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 8, 2011.

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 further extended by the applicant, **the 120 days will expire on: December 2, 2011**.

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 September 15, 2011** 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 **September 16, 2011 – (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.

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

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:

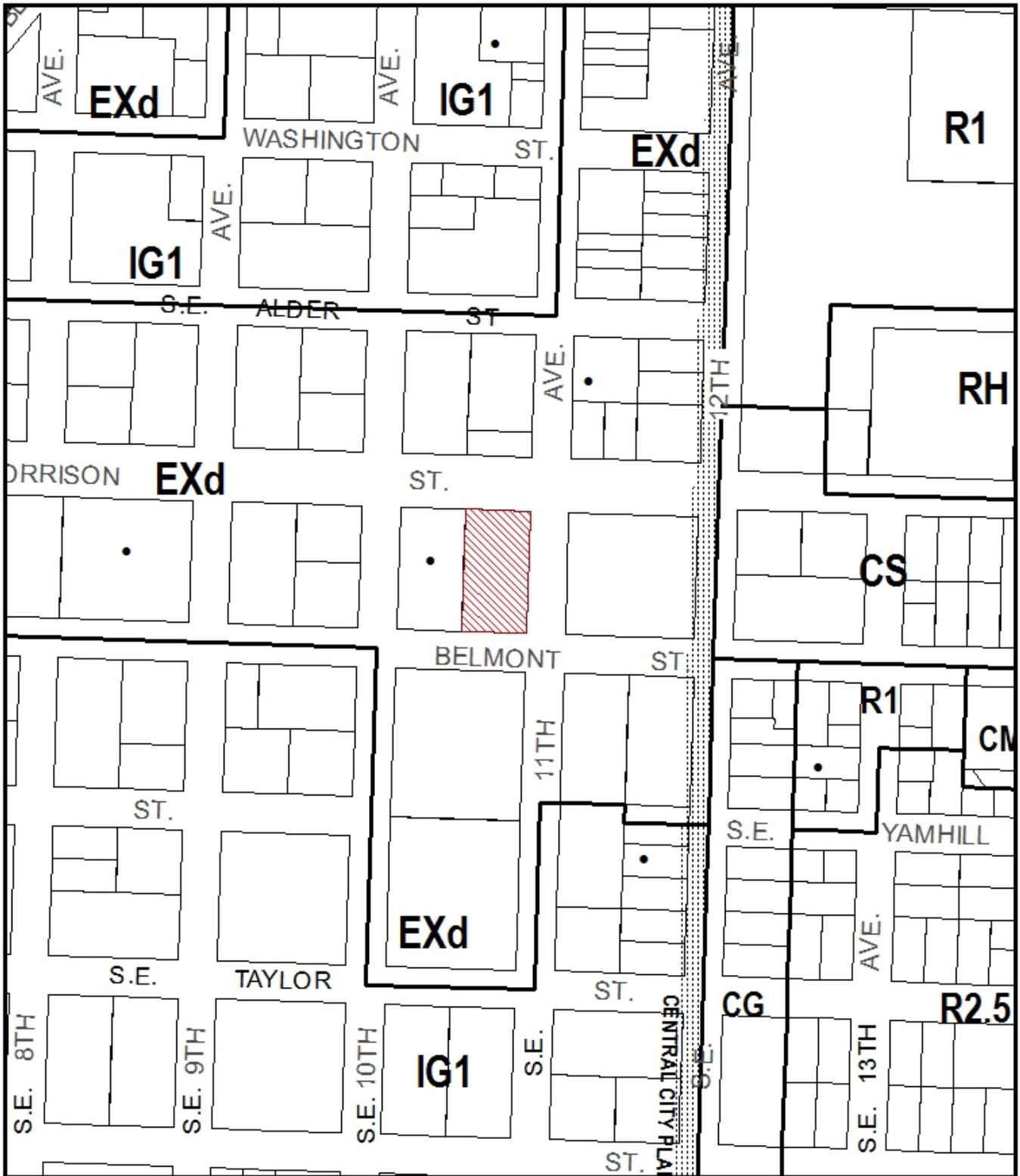
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. First Floor Plan
 - 3. Demo Plan & Proposed Improvements (attached)
 - 4. Existing Photos
 - 5. Existing Photos
 - 6. Elevations (attached)
 - 7. Canopy Details
 - 8. Light Fixture Specification
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Review Section of BDS
- F. Correspondence: none received
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research

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).



ZONING

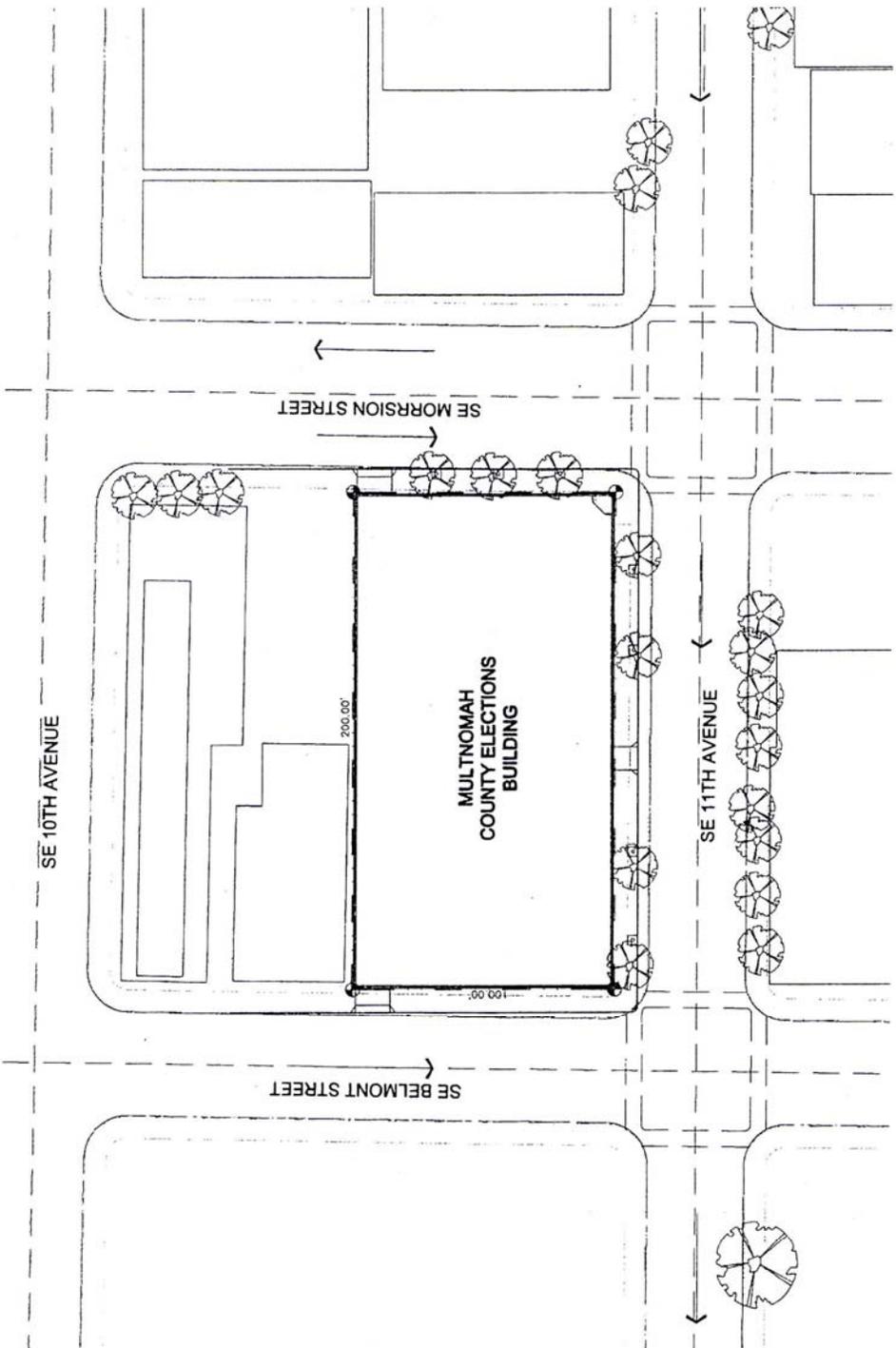
 Site

 Historic Landmark



This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No.	LU 11-152445 DZ
1/4 Section	3131
Scale	1 inch = 200 feet
State_Id	1S1E02BA 5000
Exhibit	B (Jul 14, 2011)



Site Plan

1:500



SITE PLAN

DESIGN REVIEW

A1.0

29 June 2011

Hennebery Eddy Architects

Multnomah County - Elections Building
1040 SE Morrison St, Portland, OR

Approved

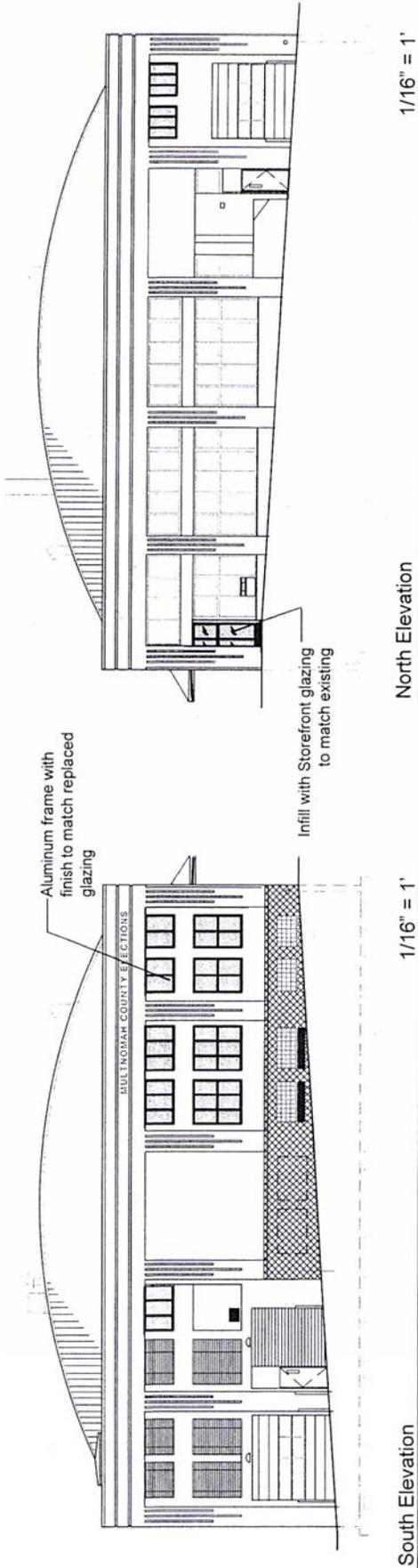
City of Portland - Bureau of Development Services

Planner *[Signature]* Date *8/30/11*

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

L11-15244SD2
EXH. C-1

EXH. C - 1



South Elevation
1/16" = 1'

North Elevation
1/16" = 1'

Approved
City of Portland - Bureau of Development Services
Planner *C. Carr* Date *8/30/11*
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



East Elevation
1/16" = 1'

- Replaced Glazing
- Glazing To Be Replaced- Match Existing Replacements

111-152445 D2
WINDOW REPLACEMENTS

29 June 2011

Hennebery Eddy Architects

Multnomah County - Elections Building
1040 SE Morrison St. Portland, OR

DESIGN REVIEW

A3.0
EXH. C-6