

**MULTNOMAH COUNTY****LAND USE AND TRANSPORTATION PROGRAM**1600 SE 190<sup>TH</sup> Avenue Portland, OR 97233

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[http://www.co.multnomah.or.us/dbcs/LUT/land\\_use](http://www.co.multnomah.or.us/dbcs/LUT/land_use)

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## NOTICE OF DECISION

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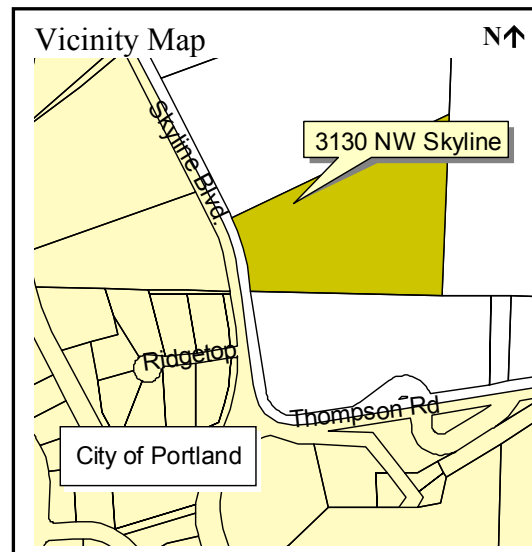
This notice concerns a Planning Director Decision on the land use case(s) cited and described below.

**Case File:** T3-04-008

**Permit:** Administrative Decision Of The Planning Director

**Location:** 3130 NW Skyline Blvd  
TL 1300, Sec 25B, T 1N, R 1W, W.M.  
Tax Account # R96125-0370

**Applicant/Owner:** City of Portland  
Bureau of General Services  
1120 SW Fifth Avenue, Room 1204  
Portland, OR 97204



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**Summary:** This administrative decision is to satisfy Condition No. 36 from Case File T3-04-008. Condition No. 36 specifies *In any instance where a staff decision is expressly required by the conditions of approval, notice of the decision shall be provided, in writing, to persons entitled to notice of land use matters and the decision may be appealed to the hearings officer.* The applicant has submitted in new materials, colors, elevations and enclosure designs in order to demonstrate compliance with Conditions No. 30, 31, 33, 34 & 35 of the land use permit.

**Decision:** Approved.

Unless appealed, this decision is effective Thursday, June 30, 2005, at 4:30 PM.

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Issued by:

By: \_\_\_\_\_  
Lisa Estrin, Planner

For: Karen Schilling- Planning Director

Date: Thursday, June 16, 2005

**Opportunity to Review the Record:** A copy of the Planning Director Decision, and all evidence submitted associated with this application, is available for inspection, at no cost, at the Land Use Planning office during normal business hours. Copies of all documents may be purchased at the rate of 30-cents per page. The Planning Director's Decision contains the findings and conclusions upon which the decision is based, along with any conditions of approval. For further information on this case, contact Lisa Estrin, Staff Planner at 503-988-3043.

**Opportunity to Appeal:** This decision may be appealed within 14 days of the date it was rendered, pursuant to the provisions of MCC 37.0640. An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. To obtain appeal forms or information on the procedure, contact the Land Use Planning offices at 1600 SE 190th Avenue (Phone: 503-988-3043). This decision cannot be appealed to the Land Use Board of Appeals (LUBA) until all local appeals are exhausted.

**This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Thursday, June 30, 2005 at 4:30 pm.**

**Applicable Approval Criteria:** Multnomah County Code (MCC):

*Hearings Officer's Decision T3-04-008:* Condition No. 30, 31, 33, 34, & 35.

Copies of the referenced Multnomah County Code sections can be obtained by contacting our office at 503-988-3043 or by visiting our website at [http://www.co.multnomah.or.us/dbcs/LUT/land\\_use](http://www.co.multnomah.or.us/dbcs/LUT/land_use).

### **Scope of Approval**

1. Approval of this land use permit is based on the submitted written narrative(s) and plan(s). No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein.
  2. **Pursuant to MCC 37.0690, this land use permit expires two years from the date the decision is final if; (a) development action has not been initiated; (b) building permits have not been issued; or (c) final survey, plat, or other documents have not been recorded, as required. The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 37.0690 and 37.0700. Such a request must be made prior to the expiration date of the permit.**
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**FINDINGS:** Written findings are contained herein. The Multnomah County Code criteria are in **bold** font. Staff comments and analysis are identified as **Staff:** and follow Applicant comments identified as **Applicant:** to the applicable criteria. Staff comments include a conclusionary statement in *italic*.

#### 1.00 ***Project History***

**History:** In July, 2003 the County approved a combined application consisting of a Conditional Use Permit, Hillside Development Permit, Design Review and a Significant Environmental Concern Permit for wildlife habitat (T3-03-003) to construct a fire station and training/community meeting room on the subject site. In October, 2003 the applicant requested that the County allow modifications to the prior approval due to design issues and a settlement to dismiss a LUBA appeal. In April, 2004 the County granted approval of these modifications in the case known as T3-03-008. Then in August, 2004 the applicant requested reconsideration of

various modifications and new alterations to the approved plans (T3-04-008). The hearings officer issued a conditional approval on the matter and required additional notification to show compliance with certain conditions.

Condition No. 36 specifies *In any instance where a staff decision is expressly required by the conditions of approval, notice of the decision shall be provided, in writing, to persons entitled to notice of land use matters and the decision may be appealed to the hearings officer.* This administrative decision fulfills Condition No. 36 of T3-04-008 for those conditions listed below. Staff finds that no additions conditions at this time require notification as part of this decision.

- 1.01 **Condition No. 30: The applicant shall provide trim along the bottom edge of the roof and around windows, as shown on approved 2003 site plan, to achieve the appearance depicted on the 2003 approved building elevation drawings (Condition#12 – 008) In lieu of compliance with this condition and Condition 31, below, the applicant may submit a new trim and window design plan to County Planning staff for administrative review and approval if it also replaces the metal siding with brick, stucco, wood or a material that looks like wood (e.g. Hardie siding). The new trim, windows and siding shall be approved if they match the appearance of materials used on area residents.**

**Applicant:** The trim, the windows and the roof fascia have been changed to match the appearance of the 2003 elevations. As allowed by the Hearings Officer in this condition, we are submitting new details for these conditions in addition to changing the siding (see response #34). We've added 3 1/2" painted cement fiber board (Hardie Siding). The roof fascia size has been increased to 9 3/4" matching the appearance of the fascia on the 2003 elevations (note: we have measured the 2003 drawings and the fascia measures 10" in most areas, not the 12" referenced in the HO decision).

**Staff:** The applicant has modified the building exterior materials to reflect more commonly utilized materials found on residences in the area. The siding has been changed to a lap siding with trim boards around the windows on the within the lap siding area. A 9-3/4" pre-finished metal fascia has been included with the roof design to trim the roof line of the structure (see attached elevations). *Based upon these changes, Condition No. 30 has been met.*

- 1.02 **Condition No. 31: The applicant shall use the type and style of windows depicted on the 2003 site plan building elevations on all elevations/windows and the two-story wall of glass shown on east elevation are not approved and must be changed to match the appearance of the 2003 plan, except as modified by Division staff approval of the revised window plan. Approval should be granted if the reviewed plan matches the 2003 plan (except as the window plans were modified by the 2004 modification decision to allow the elimination of and frosting windows on the south elevation). Strict compliance with this condition is not required if the applicant obtains staff approval of a revised elevation plan, as described in Condition 30, above.**

**Applicant:** The type and style of the windows has been changed in several areas to match the appearance of the previously approved 2003 preliminary elevations. The plot sheets and colored elevations that are being submitted have been formatted to match the previously approved elevations for easier comparison. Overall, many of the mullions have been eliminated resulting in larger "picture windows". As we discussed in our meeting with you, the triangular shape the Hearings Officer refers to is not actually a visible window style, but depicts the hinge side of an operable portion of a window. The clarity the triangular marks have been taken off the drawings.

On the east side of the meeting room we have broken the two story window into large "picture windows" without mullions. The meeting room and exercise room require natural ventilation so

there are smaller operable windows next to the picture windows.

The windows on the first floor near the kitchen/dining room are slightly different than the previous elevations due to the internal layout changing from the preliminary phases to the current configuration. The current windows are actually smaller than the previous version.

The Hearings Officer allow for some flexibility in the window configuration based on the siding change (see response #34). We would like to request this flexibility on the windows around the Meeting Room entry and fire station entry where the horizontal style mullions match the style of the roll up Apparatus Bay doors giving the entire area a cohesive feel. The window around the Meeting Room will have the solar gray glass to match the door (see response #28).

**Staff:** The applicant has matched the previously approved windows as modified on the southern elevation. The two windows on the east side of the southern elevation have been frosted to prevent visual intrusion onto the adjacent property. The windows within the apparatus bay have been raised to 6' 1/2 inches in height from the bay floor. On the east elevation for the meeting room, the windows have reverted back to large picture windows with adjacent operable windows available for ventilation.

The applicant is requesting that the windows on the reception area/day office and the meeting room/exercise building be allowed to remain with mullions to match the apparatus bay doors near by. The locations of these windows create an interior compound setting near the front entrance to the fire station and meeting room door entrance to the fire station. Planning staff finds that with the modification to the exterior materials to reflect more of the residential character that this window style is more acceptable in this location. *Based upon the above findings and attached elevations the applicant has met Condition No. 31.*

- 1.03 **Condition No. 33: The four condensers and back-up generator shall be enclosed in a wood structure with a roof that screens the equipment from view on any part of the subject property or adjoining properties. The design and materials of the structure shall be approved by County Planning Division staff. The noise levels generated during operation of the condensers and/or generator shall not increase the ambient statistical noise levels by more than 10 dBA in any one hour as measured at the property line.**

**Applicant:** Wood fence enclosures have been added around the condenser units and the generator on the east side of the building. The fence will be constructed of 2x4 wood studs laid flat and stacked with air gaps to form a slat style fence. A detail has been included with this submittal. The slat fence will run from the slab up to 5'-6" above the slab, which is much taller than any equipment inside the enclosure. Wood posts extend above this level to support a trellis style "roof" that is open to allow air flow necessary for the equipment. The noise level at the property line will not be more than 10 dBA above the noise level established as normal background noise.

**Staff:** The condenser units and generator have been enclosed within a wooden slatted enclosure with wood trellis roof. The design for these enclosures can be seen on the east elevation submitted by the applicant. The applicant has submitted in base readings of the ambient noise level on the property lines. After the construction of the enclosures and installation of the equipment additional noise readings will be taken by the applicant to document that the ambient noise levels have not risen above the specified threshold. *Based upon the elevations submitted by the applicant, Condition No. 33 has been met.*

- 1.04 **Condition No. 34: The corrugated metal siding proposed by the applicant is not approved. It must be replaced with new siding of a type and color approved by the County Planning**

**Division staff.** The siding, if metal, must have an appearance that is similar to the appearance of wood siding used on area residences, e.g. shingles or lap siding.

**Applicant:** The metal siding has been eliminated from the building and replaced with cement fiber board (Hardie siding). The siding is 5 ½” high and will be laid in a lap siding style seen in several residences in the area. The siding will be painted light green (Miller Paint – Gumleaf), please refer to the sample board that has been submitted with this package.

**Staff:** The applicant has changed the metal siding to a cement fiber board which looks like a wooden lap siding. The window trim is also a cement fiber board that is approximately ½” thick and has the appearance of wood. *Based upon the applicant’s submitted materials, Condition No. 34 has been met.*

1.05 **Condition No. 35: The color of the building materials proposed by the applicant is not approved. The applicant shall obtain approval of building colors from County Planning Division staff, concurrent with its review of the siding and window trim.**

**Applicant:** As stated in response #34 the color of the siding is proposed to be light green. The color of the roof has been changed to be a dark bronze color, please refer to the sample board. This accomplishes the goals expressed by the Hearings Officer of different colors for the roof and the siding (reference page 67 of 91, 7.04, second paragraph). The windows have been changed to a painted finish, Sandstone (Kawneer standard color) which is an off white putty type color. The window trim that has been added will be painted off white (Miller Paint – Shire Fields) to match the window frames. The stucco will be a light warm gray and the concrete will also be a light warm gray/natural concrete color. Colored elevations have been included in this submittal.

**Staff:** The applicant has submitted in a new color scheme for the fire station structure. The color choices specified above reflect more typical color combinations found on a residential structure within the area. Staff has reviewed the proposed colors with the proposed lap siding and trim and finds them suitable. *Based upon the color and materials board submitted by the applicant, Condition No. 35 has been met.*

2.00 **Conclusion**

Based on the findings and other information provided above, the applicant modified the exterior elevations to comply with the changes specified in Conditions No. 30, 31, 33, 34, & 35 of T3-04-008.

3.00 **Exhibits**

Exhibit #	# of Pages	Description of Exhibit	Dated
Z.1	3	Letter from Dick Ragland to Lisa Estrin addressing the various conditions of approval listed in T3-04-008	5/4/05
Z.2	1	Materials and Color Board for Fire Station	5/4/05
Z.3	2	Colored Renderings for Fire Station	5/4/05
Z.4	1	Elevations – East , North	5/4/05
Z.5	1	Elevations – West , South	5/4/05
Z.6	1	Wall Sections	5/4/05
Z.7	1	Product Sheet for Tinted Window Glass	5/4/05

**Notice to Mortgagee, Len Holder, Vendor, or Seller:**

ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.