



City of Portland
Bureau of Development Services
Land Use Services Division

1900 SW Fourth Ave. Suite 5000
Portland, Oregon 97201
Telephone: 503-823-7300
TDD: 503-823-6868
FAX: 503-823-5630
www.portlandonline.com/bds

Date: June 24, 2008
To: Interested Person
From: Noelle Elliott, Land Use Services
503-823-7812 / Noelle.Elliott@ci.portland.or.us

**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 08-128306 DZ – MECHANICAL
EQUIPMENT AT 633 SW MONTGOMERY ST, KOINONIA HOUSE**

GENERAL INFORMATION

Applicant: Portland State University
Office of Facilities and Planning
PO Box 751
Portland, OR 97207-0751

Representative: Tom Arnich, PSU Facilities And Planning, 503-725-4306
PO Box 751
Portland, OR 97207-0751

Site Address: 633 SW Montgomery Street

Legal Description: BLOCK 189 LOT 5 S 1/2 OF LOT 6, PORTLAND
Tax Account No.: R667719400
State ID No.: 1S1E04DA 06200
Quarter Section: 3128
Neighborhood: Downtown Cmty Assoc., contact Jennifer Geske at 503-750-9843.
Business District: Downtown Retail Council, contact Portland Business Alliance at 503-224-8684.

Plan District: Central City - University District
Zoning: CXd: Central Commercial zone with a 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 a new ground-mounted mechanical unit to be installed in an internal outdoor courtyard of an existing institutional building on the PSU campus. The new heat pump will measure approximately 3'-0" tall, 3'-0" wide and 1'-0" deep and will be located on the ground of an existing outdoor courtyard in the northeast corner of the site. The new unit will not be visible from the street due to screening by the building, and adjacent buildings do not appear to have views into the courtyard.

Because the proposal is in a district with design guidelines and exterior alterations are proposed, Design Review is required.

Relevant Approval Criteria:

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

- Chapter 33.825 Design Review
- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The 75'-0" by 100'-0" lot located at the corner of SW Montgomery and SW Broadway St incorporates an existing two-story institutional building that forms three exterior courtyards on the west, south and east sides of the building. The block is bound by SW Montgomery to the south, SW Broadway to the west, SW Mill to the north and SW 6th Ave to the east, with the building located at the southwestern corner of the block. Three rectangular masses combine to form the positive space of the building's exterior courtyards, with the building pulled back from the street along the majority of its southern frontage facing SW Montgomery St. Constructed in 1967, the building reflects its era with a simple building parti and a strong connection with the exterior. The building's architecture is characterized by a low cast-in-place concrete base, a middle portion clad in running bond brick, and an upper floor tucked into a steeply-sloped wood-shingled mansard roof. The east-facing courtyard that will house the new ground-mounted mechanical unit is similarly clad in brick on its east and south frontages, with a band of glazed wood French doors facing east. The site is surrounded by large-scale, 5-7 story institutional buildings that serve the PSU campus, and is two blocks east of the south park blocks. The Portland streetcar stops one block east of the building at the PSU urban center plaza, and frequent buses serve SW Broadway and SW Mill St.

SW Broadway is identified as a Traffic Access St, Mill is classified as a Transit Access St, and 6th Ave is identified as a Regional Transitway. Montgomery and Broadway are classified as City Bikeways, while Mill and 6th Ave are Local Service Bikeways. The site lies within the Downtown Pedestrian District, and Broadway, Mill & 6th Ave are all designated Community Main Streets, while the entire block is surrounded by Enhanced Pedestrian Streets.

Zoning: The CX zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together.

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.

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

- LU 98-015699 [Ref. File #: LUR 98-00939 CU]: Approval to remove the condition of approval of CU 145-86 which requires conditions to a conditional use master plan.
- LU 86-003878 [Ref. File #: CU 145-86]: Approval for classroom, library and other physical plant additions.
- LU 86-003877 [Ref. File #: CU 145-86]: Duplicate of LU 86-003878.
- LU 79-003520 [Ref. File #: CU 098-74]: Approval for a conditional use proposal for a college master plan.
- LU 79-003519 [Ref. File #: CU 098-79]: Duplicate of LU 79-003520.
- LU 74-004937 [Ref. File #: DZ 60-74]: Approval to Redo the PSU area of the Park Blocks.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **May 28, 2008**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Bureau of Transportation Engineering
- Bureau of Parks-Forestry Division
- Fire Bureau
- Site Development Section of BDS

The following bureau responded with comments:

The Life-Safety Plans Examiner of BDS responded with the following comment: “The structure is enrolled in the Facilities Permits Program (FPP). Please contact the assigned Facilities plans examiner/building inspector for building code requirements. FPP main telephone number (503) 823-5521. A separate Mechanical Permit is required for the work proposed. OMSC 106.1.” Please see Exhibit E-1 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **May 28, 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 of the site’s location, the applicable design guidelines are the Central City Fundamental Design Guidelines.

Central City Fundamental Design Guidelines

These guidelines provide the constitutional framework for all design review areas in the Central City.

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 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.

B5. Make Plazas, Parks and Open Space Successful. Orient building elements such as main entries, lobbies, windows, and balconies to face public parks, plazas, and open spaces. Where provided, integrate water features and/or public art to enhance the public open space. Develop locally oriented pocket parks that incorporate amenities for nearby patrons.

Findings for A6 and B5: The addition of a ground-mounted mechanical unit to the interior-accessed courtyard of the Koinonia House on the Portland State University campus, encourages the continued success of the facility, and does not unduly impinge upon the aesthetic qualities of the courtyard. The courtyard serves the campus religious facility, acting as an extension of the meeting room to the west of the courtyard. A grouping of glazed doors on the western edge of the exterior space link the interior with the courtyard. The location of the new mechanical unit, at the southwestern corner of the courtyard, has limited visibility from the building interior. The proposed unit is placed low to the ground, projecting approximately 3'-0", and with its out-of-the-way location, should not unduly impinge upon the aesthetic qualities of the courtyard. The new unit supports the building as a whole, and maintains the continued success of both the building and the private exterior courtyard. *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.

Findings for C2, C3 and C5: The placement of the new ground-mounted mechanical unit in the corner of an interior courtyard of the two-story Koinonia House, is an ideal location that obscures the unit from surrounding buildings and the street, and does not damage the functional and aesthetic qualities of the courtyard. By screening the mechanical unit from the sidewalk with the building itself, the new addition has no visibility from the public realm. Furthermore, by locating the unit on the ground, rather than on the two-story roof, the new unit is shielded from views from surrounding buildings and any pedestrian vantage points.

The specific location of the new unit within the courtyard is carefully placed to avoid views from the building interior. The surrounding buildings that form the north and eastern edges of the courtyard incorporate mostly opaque walls that provide limited visibility into the courtyard from above. The durable materiality of the metal unit and its careful placement within the courtyard, maintains the building's architectural integrity, respects the visual integrity urban environment, and suggests that it will be a long-lasting contribution to the building. *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 location of the new ground-mounted mechanical unit at the Koinonia House on the PSU campus is carefully chosen to preserve the architectural integrity of the building, and screen views from neighboring buildings and the sidewalk. The new unit is placed in a corner of an existing courtyard, fully shielding the unit from exterior views, and limiting views of the unit from the building interior. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of a new ground-mounted mechanical unit measuring 3'-0" tall, 3'-0" wide and 1'-0" deep per the approved drawings, Exhibits C-1 through C-3, signed and dated June 19, 2008, 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.3. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-128306 DZ. No field changes allowed."

Decision rendered by:  on June 19, 2008
By authority of the Director of the Bureau of Development Services

Decision mailed: June 24, 2008

Staff Planner: Noelle Elliott

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 May 12, 2008, and was determined to be complete on **May 23, 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 **May 12, 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 July 8, 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. 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. 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 **July 9, 2008 – (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.

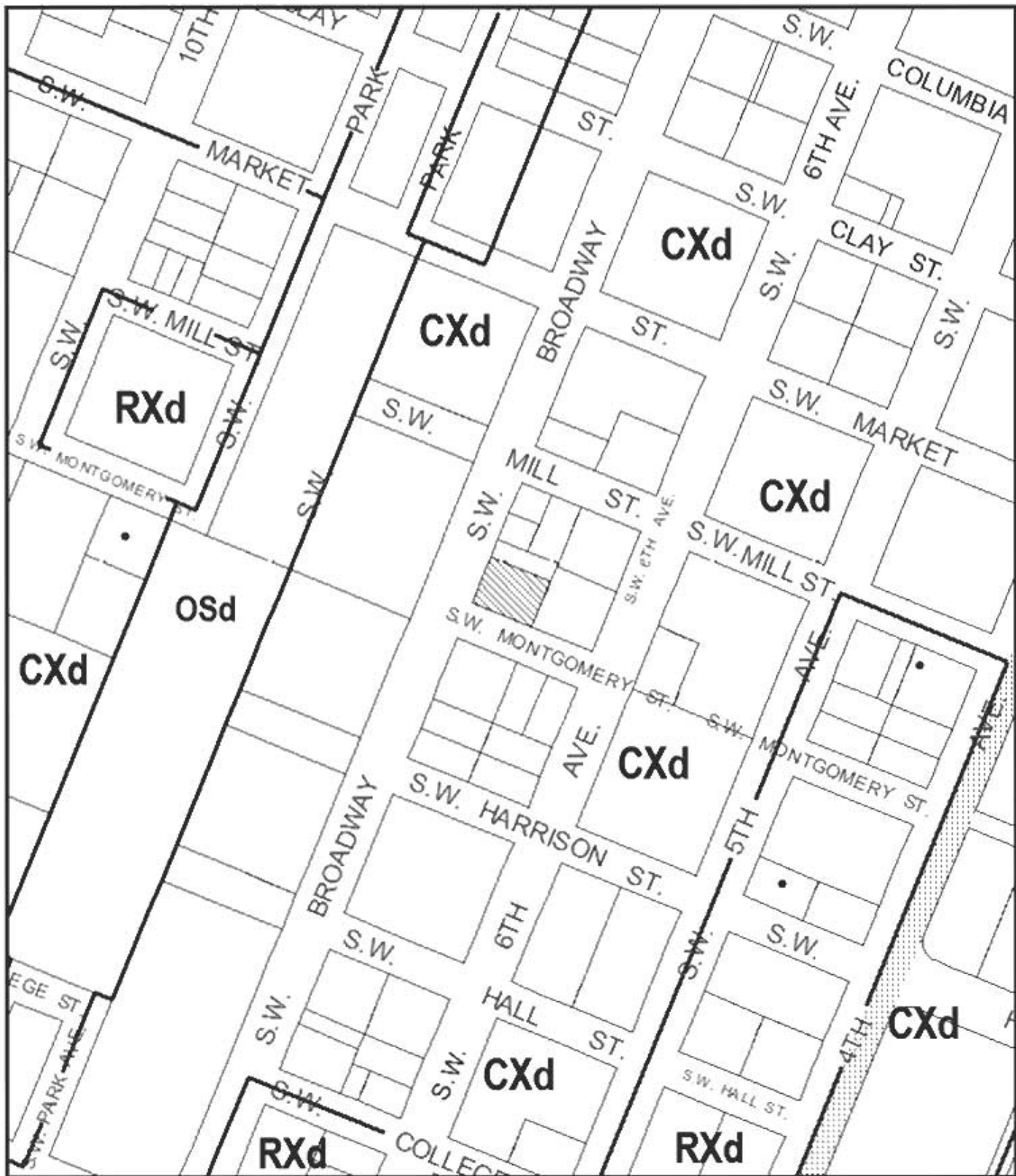
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 1. Statement & Drawings

- B. Zoning Map (attached)
 - C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. East Elevation & South Elevation (facing SW Montgomery St)
 - 3. Mechanical Unit Manufacturer's Cutsheet
 - D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
 - E. Agency Responses:
 - 1. Life-Safety Plans Examiner of BDS
- Correspondence: None
- 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. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



ZONING

-  Site
-  Historic Landmark



This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No.	LU 08-128306 DZ
1/4 Section	3128,3228
Scale	1 inch = 200 feet
State_Id	1S1E04DA 6200
Exhibit	B (May 15,2008)

Minor Remodel New Mechanical Unit

East Courtyard
Koinonia House
(Block 189)
633 SW Montgomery Ave.
Portland, Oregon 97201
Date: 5/9/08

DESIGN REVIEW SET

PROPOSED NEW
MECH. UNIT LOCATION

Approved
City of Portland
Bureau of Development Services

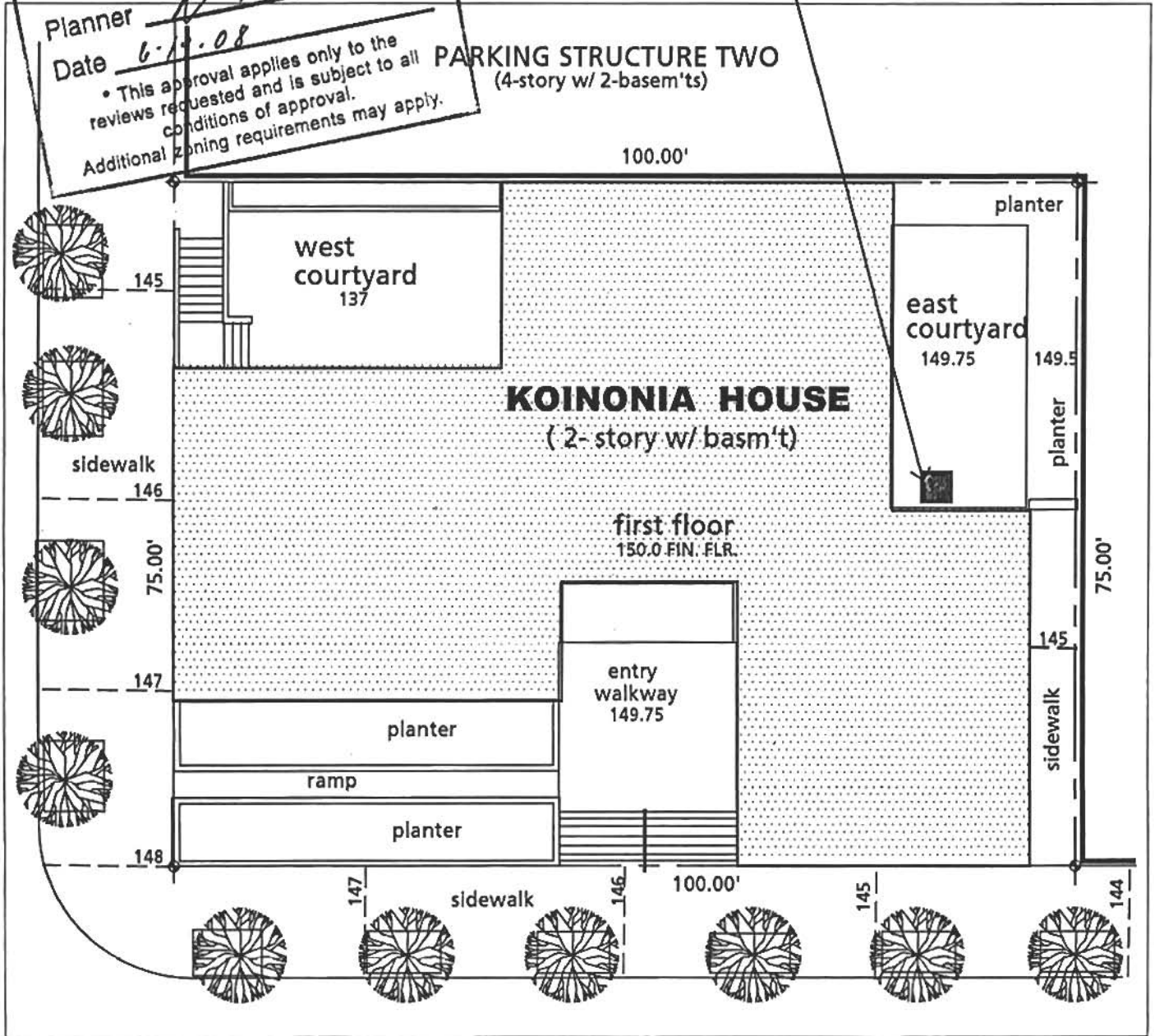
Planner _____

Date 6-17-08

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

PARKING STRUCTURE TWO
(4-story w/ 2-basem'ts)

SW BROADWAY AVE.



SW MONTGOMERY ST.

Site Plan

*LH 08-128306 D2
Exhibit C.1*

Verify all dimensions
and grades.



1/16" = 1'-0"