



Date: Thursday, March 20, 2014
To: Interested Person
From: Kate Marcello, Land Use Services
 503-823-7538 | kate.marcello@portlandoregon.gov

NOTICE OF A **REVISED 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.

NOTE: The original decision was mailed on November 12, 2013. Since that time, the proposed work has been revised slightly. The revisions are not substantial enough to require an entirely new Design Review. It has been determined that a revised decision is sufficient for the minor changes proposed. The changes are explained in the "PROPOSAL" section of this document.

CASE FILE NUMBER: LU 13-207756 DZ
New Mechanical Unit at St Johns Branch of Multnomah County Library
GENERAL INFORMATION

Applicant: Chandra Robinson, Hennebery Eddy Architects | 503-542-1247
 921 SW Washington Street, Suite 250 | Portland OR, 97205

Owner: Mike Di Blasi (Project Manager) | 503-988-4044
 Multnomah County Facilities & Property Management
 401 N Dixon Street | Portland OR 97227-1865

Site Address: 7510 N Charleston Avenue

Legal Description: BLOCK 2 INC PT VAC ST LOT 5-8, JERSEY ST ADD
Tax Account No.: R429000210
State ID No.: 1N1W12AB 10300
Quarter Section: 2122
Neighborhood: St. Johns, contact Jennifer Levy at jenniferlevy@stjohnspdx.org.
Business District: St. Johns Business Boosters, contact John Englund at 503-247-9113.
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

Plan District: St. Johns Plan District
Zoning: Residential 1,000 (R1) base zone; Design (d) overlay zone
Case Type: Design Review (DZ)
Procedure: Type II, which is an administrative decision with appeal to the Design Commission.

PROPOSAL: The applicant requests Design Review approval to install a new ground-mounted mechanical unit in the rear yard of the St Johns branch of Multnomah County Library. This new unit will replace an existing roof-mounted mechanical unit that is being removed.

The new unit was originally proposed to be located in the east portion of the rear yard. Now the unit is proposed to be located in the side yard adjacent to the northeast façade of the building. The unit will be located within a fully fenced area. Originally the fenced area was proposed to be located about 13'-7" from the southeast property line and about 16'-4" from the northeast property line. Now the fenced area is proposed to be located about 62'-0" from the southeast property line and about 8'-2" from the northeast property line.

The following characteristics of the original proposal remain the same with this revised proposal:

- The mechanical unit will be located atop a concrete slab about 0'-6" tall.
- The fence is about 7'-0" tall and made of solid metal.
- A gate in the northeast portion of the fence provides access to the mechanical unit.
- The mechanical unit is approximately 3'-6" wide x 7'-6" long x 6'-6½" tall.
- All mechanical piping, conduit, and ductwork for the mechanical unit will be concealed behind the fence.

The proposal is for non-exempt alterations to a site with design overlay zoning in the St Johns Plan District; therefore, Design Review is required prior to the issuance of permits.

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 the *Community Design Guidelines*.

ANALYSIS

- I. Site and Vicinity:** The subject site is located on the irregularly shaped block bounded by N Charleston Avenue, N Central Street, N Richmond Avenue, and N Lombard Street in the St Johns neighborhood. The building on the subject site is one story tall. It is the St Johns branch of the Multnomah County library. The building faces N Charleston Avenue and is set back about 40 feet from the street. The building was constructed around 1915, in the 20th-century Georgian style. It underwent renovations in 1930 and 2000-2001.

The building was paid for by a grant from the Carnegie Corporation of New York, which provided funding to construct public libraries across the United States between 1892 and 1923. The building was designed by architects W. Folger Johnson and Donald Mayer.

The building underwent extensive renovations in late 2000 and early 2001. Renovations included new plumbing, mechanical, and electrical systems; new cabling and wiring; general refurbishment; and a small addition. The original building was 5,527 square feet in area. The renovation project brought the building's total square footage to 6,381 square feet. The building addition was designed by Thomas Hacker & Associates, a Portland architecture firm.

II. Zoning:

Base Zone: The Residential 1,000 (R1) is a medium density multi-dwelling zone. It allows approximately 43 units per acre. Density may be as high as 65 units per acre if amenity bonus provisions are used. Allowed housing is characterized by one to four story buildings and a higher percentage of building coverage than in the R2 zone. The major type of new housing development will be multi-dwelling structures (condominiums and apartments), duplexes, townhouse, and rowhouses. Generally, R1 zoning will be applied near Neighborhood Collector and District Collector streets, and local streets adjacent to commercial areas and transit streets. Newly created lots in the R1 zone must be at least 10,000 square feet in area for multi-dwelling development. There is no minimum lot area for development with detached or attached houses or for development with duplexes. Minimum lot width and depth standards may apply.

Overlay Zone: 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 two prior land use reviews for the subject site:

- LU 93-010293 CU (reference file number LUR 93-00284 CU): Conditional Use approval for parking for existing library and church.
- LU 99-017440 CU (reference file number LUR 99-01035 CU): Conditional Use approval to renovate the existing library and construct a building addition approximately 850 feet in area.

IV. Public Notice: A *Notice of Proposal in Your Neighborhood* was mailed on October 8, 2013, 2013.

Agency Review: Five bureaus responded with comments and with no objections to the proposal:

- Portland Fire & Rescue, Exhibit E-1;
- Portland Water Bureau, Exhibit E-2;
- Life Safety/Building Code Section of Bureau of Development Services (BDS), Exhibit E-3;
- Site Development Review Section of BDS, Exhibit E-4.

Neighborhood Review: No written comments in response to the proposal have been received from the neighborhood association (St Johns Neighborhood 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 of the site's location, the applicable design guidelines are the *Community Design Guidelines*.

Community Design Guidelines

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories:

- *(P) Portland Personality* establishes Portland's urban design framework;
- *(E) Pedestrian Emphasis* states that Portland is a city for people as well as cars and other movement systems; and
- *(D) Project Design* assures that each development is sensitive to both Portland's urban design framework and the users of the city.

Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.

D1. Outdoor Areas.

When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians.

D3. Landscape Features.

Enhance site and building design through appropriate placement, scale, and variety of landscape features.

Findings for D1 and D3: Visual effects of the proposed mechanical unit are minimized by its location within a new fully fenced area located in the side yard at the northeast façade of the building. The library building obstructs views of the fenced area from the street (N Charleston Avenue).

The fence provides ample screening for the proposed mechanical unit. The fence is 7'-0" tall and made of solid metal. The fence's height and solidity minimize the mechanical unit's effects on the existing side yard.

The most prominent landscape features and outdoor area of the library are located between the building's front façade and the public sidewalk on N Charleston Avenue. Features of this area include shrubs, trees, lampposts, and stairs leading to a paved entry walkway. Locating the proposed mechanical unit in the side yard ensures that it will not affect the appearance or enjoyment of this landscaped outdoor area.

Therefore these guidelines are met.

D6. Architectural Integrity.

Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

D8. Interest, Quality, and Composition.

All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings for D6 and D8: The proposed mechanical unit will be located within a new fenced area in the side yard adjacent to the northeast façade of the building, which is a side façade. The fenced area will be tucked into a corner where the building juts inward. This location uses two existing walls of the building to enclose the area on the northwest and southwest sides; the new fence will provide enclosure at the northeast and southeast sides. This location for the mechanical unit and fenced area ensures that views of the building from N Charleston Avenue will not be negatively impacted.

The new fencing will not be attached to the building; rather, the fencing will terminate about 0'-4" from the building, thus precluding damage to the façade. This characteristic, combined with the inconspicuous location for the mechanical unit and its fencing, ensure that the original building will remain an intact, coherent architectural composition.

Therefore these guidelines are met.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The proposed mechanical unit will be sufficiently screened from view by virtue of its located within a new fenced area located in the northeast side yard of the site. The architectural integrity of the existing library building will not be negatively affected. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION


Approval of the following, located in the east portion of the northeast side yard of the St Johns branch of the Multnomah County Library, in the St Johns Plan District:

- One mechanical unit, approximately 7'-6" long x 3'-6" wide x 6'-6½" tall, located on a concrete slab 0'-6" tall, within a fenced area;
- Solid metal fence, 7'-0" tall.

Approval per the approved plans and drawings, Exhibits C-1 through C-9, signed and dated March 17, 2014, 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-9. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 13-207756 DZ. No field changes allowed."

Staff Planner: Kate Marcello

Decision rendered by:  **on March 17, 2013**
By authority of the Director of the Bureau of Development Services

Decision mailed: March 20, 2014

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 September 20, 2013, and was determined to be complete on **October 4, 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 September 20, 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: January 31, 2014.**

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 3, 2014** 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 4, 2014 (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.

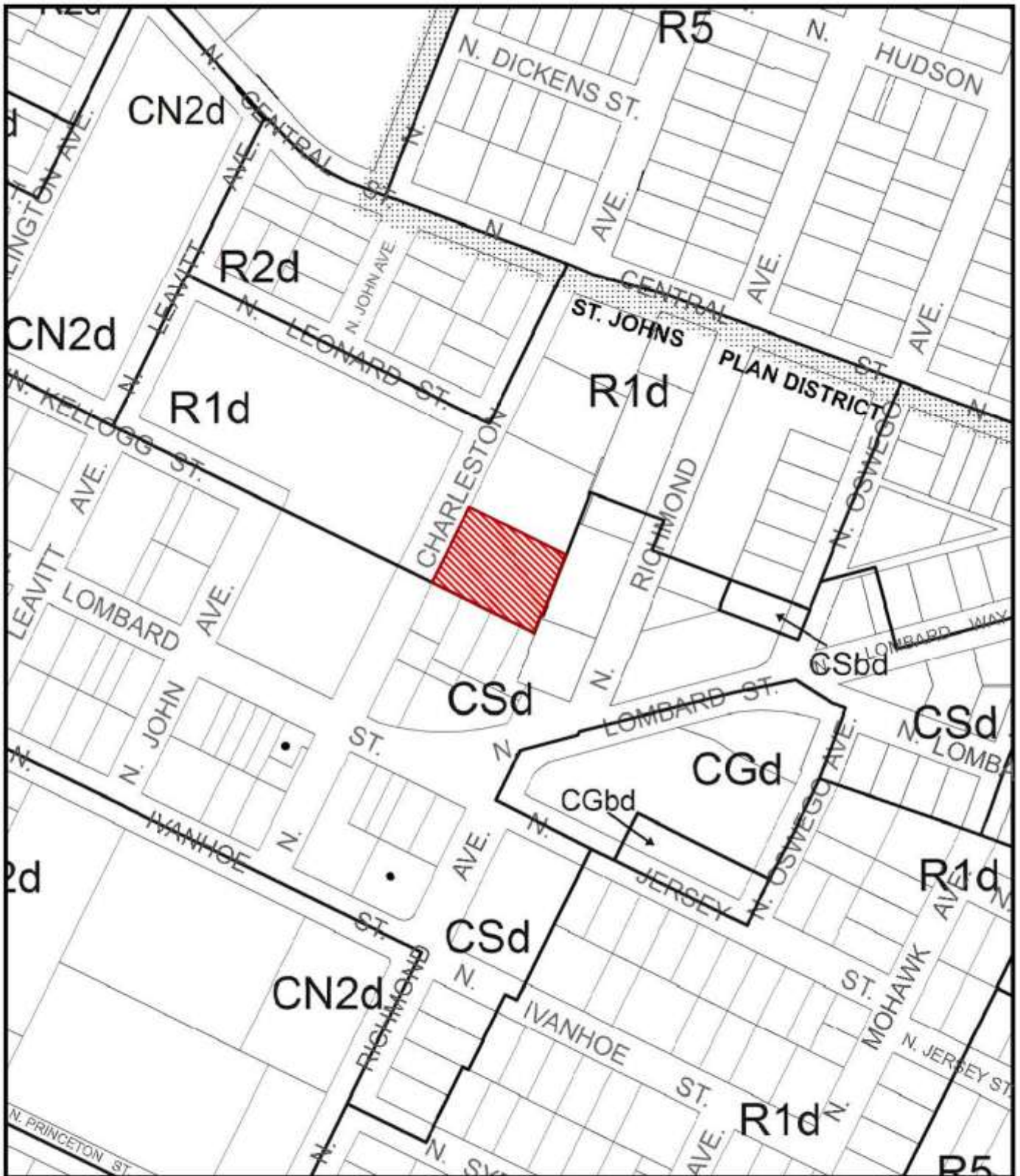
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement/Narrative
- B. Zoning Map (attached)
- C. Plans and Drawings:
 - 1. Site Plan
 - 2. Landscape and Utility Plan
 - 3. Diagrammatic Photographs
 - 4. Enlarged Plan View
 - 5. Enlarged Elevation Drawing
 - 6. Enlarged Elevation/Section Drawing
 - 7. Section Detail and Plan Detail Drawings
 - 8. Partial Electrical and Mechanical Plans
 - 9. Manufacturer's Material Specifications for Fence and Cutsheet for Mechanical Unit
 - 10. Updated Site Plan (attached)
 - 11. Updated Landscape and Utility Plan
 - 12. Updated Diagrammatic Photographs
 - 13. Updated Enlarged Plan View (attached)
 - 14. Updated Elevation Drawings (attached)
 - 15. Updated Section Detail and Plan Detail Drawings, and Enlarged Elevation Drawing
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Response:

1. Portland Fire & Rescue
 2. Portland Water Bureau
 3. Life Safety/Building Code Section of Bureau of Development Services
 4. Site Development Section of Bureau of Development Services
- F. Correspondence: None received.
- G. Other
1. Original Land Use Review Application
 2. "St Johns Library History" webpage on Multnomah County Library website
 3. GoogleMaps Photographs of Site
 4. Land Use Review Application for Re-notification
 5. Request for Extension of 120-Day Review Period

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:
ST. JOHNS PLAN DISTRICT

File No.	LU 13-207756 DZ
1/4 Section	2122
Scale	1 inch = 200 feet
State_Id	1N1W12AB 10300
Exhibit	B (Sep 25, 2013)

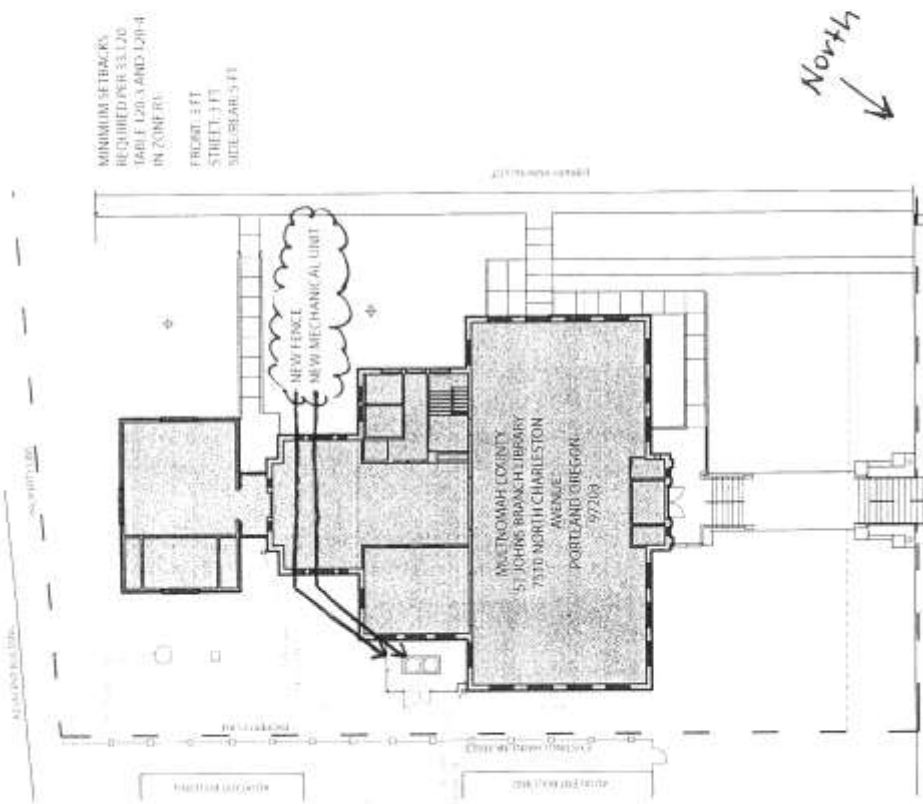
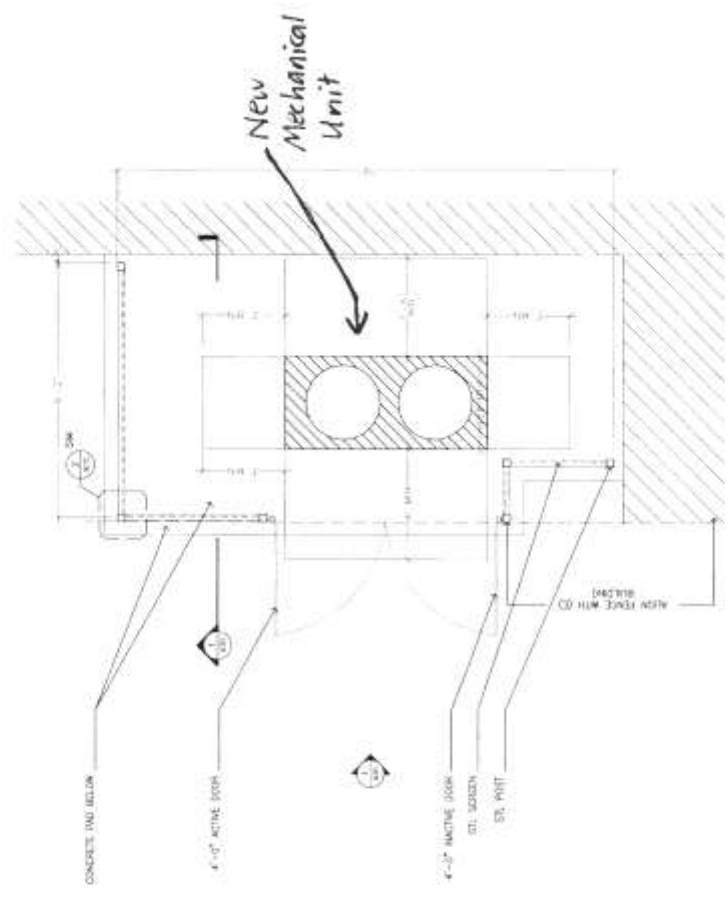


Exhibit C-10

Revised Decision
 Reduced sheet size.
 7510 N Charleston Avenue

LU 13-207756 DZ
 Exhibits C-10 and C-13

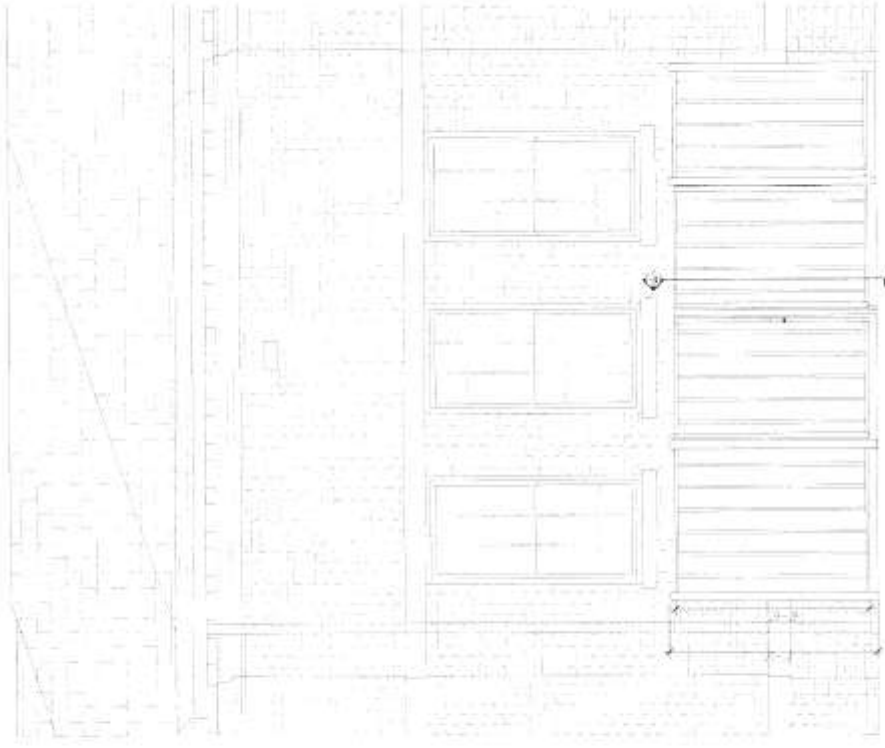


ENLARGED SITE PLAN
 1/2" = 1'-0"

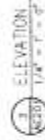
Exhibit C-13

* / Approved*
 City of Portland
 Bureau of Development Services
 Planner *Kittell*
 Date *March 17, 2014*

- This approval services only to the reviewe and is subject to all conditions of permits.
- Additional zoning fees, surcharges may apply.



(Southeast Elevation)



(Northeast Elevation)

Reduced sheet size

Hershey Eddy
Architect

Multnomah County | St. Johns Library Mechanical Upgrade

Revised Decision Exhibit C-14

LU 13-207756 DZ

7510 N Charleston Avenue

City of Portland
Bureau of Development Services
Planner *Kel & Co*
Date *March 17, 2014*

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