



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: May 12, 2014
To: Interested Person
From: Mark Walhood, City Planner
503-823-7806 / mark.walhood@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A REVISED 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 <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 14-120841 DZ – A.C. LOUVERS

GENERAL INFORMATION

Applicant: Jenny Jenkins / Ankrom Moisan Architects
6720 SW Macadam Ave, Ste 100 / Portland, OR 97209

Owner: Patrick Kessi / St Johns Ivanhoe, LLC
3330 NW Yeon Ave, Suite 210 / Portland, OR 97056

Site Address: 7227 N PHILADELPHIA AVE

Legal Description: BLOCK 38 LOT 1&2 LOT 3&4 EXC PT IN ST, JAMES JOHNS ADD
Tax Account No.: R425804170
State ID No.: 1N1W12BA 05800
Quarter Section: 2121
Neighborhood: Cathedral Park, contact Doug Larson at 503-206-6858.
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.

Zoning: **CN2ds** (Neighborhood Commercial 2 base zone with Design and Scenic Resource Protection overlay zones), **St. John's plan district, Public Recreational Trail**

Case Type: **DZ** (Design Review)
Procedure: **Type II**, an administrative decision with appeal to the Design Commission.

PROPOSAL: The St. John's Ivanhoe Apartments, a full-block project located on a full block near downtown St. John's, received design review approval under case file LU 12-169740 DZM in November, 2012. This proposal seeks to add a series of exterior wall louvers on two of the four perimeter facades of the building. Each louver would measure 0'-10" by 0'-10" when viewed in elevation, be made of aluminum painted to match the adjacent dark brown siding, and connect to an interior air conditioning unit port. The louvers are generally placed on side walls of the projecting bay window volumes where possible, or within exterior balcony walls behind the balcony railing. There are 6 instances, all at ground level, where the louvers are not on a perpendicular bay window wall or behind a balcony. A total of 30 new louvers are proposed for exterior walls.

Project financing required integral air conditioning for units on the two busy streets of Philadelphia and Ivanhoe, but not for the units facing Syracuse or Alta (where the new louvers

are proposed). The project could not afford AC in the entire building, so the owner is providing future adaptability for units on the other two sides of the building, where individual AC units could connect to the louvers for exhaust.

REVISIONS: In response to staff concerns, the applicant submitted final revised drawings for the louvers that have a more integrated location in context with the adjacent cement panel siding. Louvers have been moved to lower interior corners of individual panels where they are not contained within a unit balcony, to reduce their visual impact and better integrate them into the architecture. The number and general location of louvers remains the same.

Because exterior changes are proposed to the project as previously approved, and because of the project location in St. John's plan district, a Type II Design Review is required.

RELEVANT APPROVAL CRITERIA: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are the *Community Design Guidelines*.

ANALYSIS

Site and Vicinity: The site is a full-block parcel at the immediate east end of the St. Johns Bridge, surrounded by N. Philadelphia and Alta Avenues, and N. Syracuse and Ivanhoe Streets. Currently developed with a single-story structure and large surface parking lot, the site is at a transitional location between the heart of the St. Johns Business District and the adjacent residential hillside neighborhoods to the west. The site abuts apartment buildings to the west and north, the edge of the St. Johns Business District to the east, and is across the street from the historic St. Johns City Hall building.

The site is improved with paved public sidewalks, curbing, and paved roadways on all four adjacent streets. Limited street trees exist today on all but the Ivanhoe street frontages.

Zoning: The Neighborhood Commercial 2 (CN2) base zone is intended for small commercial sites and areas in or near less dense or developing residential neighborhoods. The emphasis of the zone is on uses which will provide services for the nearby residential areas, and on other uses which are small scale and have little impact. The Design (d) overlay zone is intended to preserve, enhance, and protect areas of the City with special scenic, architectural or cultural qualities. Regulations of the Design overlay zone require either a Design Review or compliance with the Community Design Standards for new buildings and most exterior alterations to a site. The Scenic (s) overlay zone is intended to protect Portland's scenic resources as identified in the *Scenic Resources Protection Plan*. At this site, the scenic resource is a Panorama from the center of the St. John's Bridge span of the surrounding hills and mountains, but there is no specific height restriction within this particular panorama designation.

The St. Johns plan district provides for an urban level of mixed-use development including commercial, employment, office, housing, institutional, and recreation uses. Specific objectives of the plan district include strengthening St. Johns role as the commercial and civic center of the North Portland peninsula.

Land Use History: City records indicate one prior land use review for this site. In 2012, the original Design Review with Modifications approval was granted for this apartment building project under case file *LU 12-169740 DZM*.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **March 27, 2014**. Given the limited project scope which does not add floor area or increase impervious surfaces, only one development review team is notified. The *Life Safety Section of the Bureau of Development Services* has reviewed the proposal and responded with standard comments that building and/or mechanical permits will be required, and that the proposal must be designed to meet all applicable building codes and ordinances. Exhibit E.1 contains staff contact and additional information.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 27, 2014. 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 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**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which 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.

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 & D8: The only change proposed from the prior Design Review approval in this application is the addition of a series of small louver grilles on the façade, allowing for the future installation of personal air conditioners in apartment units on the north and west sides of the project.

Individual louvers are 0'-10" by 0'-10" in size, and are constructed of an aluminum material to be painted brown to match the adjacent fiber cement wall panels. Eighteen of the 30 louvers are located on side walls of the projecting rectangular bay windows on the building, with a single louver tucked into the lower left corner of a small cement panel. Six of the 30 louvers are located behind the balcony railings on the inset balconies of the north and west facades. Both the bay window and balcony louvers occur only on the second through fourth floors, well above the pedestrian zone. The final six louvers all occur at the ground floor, and these are discretely placed at the lower side corner of individual cement fiber wall panels, to help minimize the visual impact of the louver within the façade. Locating the new louvers in this location minimizes the number of vertical and horizontal joints within the panelized siding, helping to maintain a cohesive, durable, interesting design.

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 applicant has proposed the installation of a series of small louvers in the exterior north and west facades of the building, to allow for future personal air conditioner installation by tenants. With minor changes to the placement of the louvers, such that they occupy lower corner edges of individual wall panels when possible, and through containing the louvers as much as possible on perpendicular side walls and within balconies behind a railing, the proposal is compatible with the original architectural design. The proposed louvers are able to meet the Community Design Guidelines and should be approved.

ADMINISTRATIVE DECISION

Approval of Design Review for the installation of a series of exterior wall louvers on the St. Johns Ivanhoe Apartments at 7227 N Philadelphia Ave., each measuring 0'-10" by 0'-10" and constructed of aluminum material painted to match the adjacent cement panel wall color, as shown on the approved plans and drawings, Exhibits C.1 through C.15, all signed and dated May 7, 2014, and subject to the following condition:

- 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.15. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 14-120841 DZ."

Staff Planner: Mark Walhood

Decision rendered by:  **on May 7, 2014.**
By authority of the Director of the Bureau of Development Services

Decision mailed: May 12, 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 February 27, 2014, and was determined to be complete on **March 21, 2014.**

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 February 27, 2014.

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 July 20, 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 May 27th, 2014 (extended to the 15th day due to Memorial Day Holiday)** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 2:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 2:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th 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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 **May 28th, 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.

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

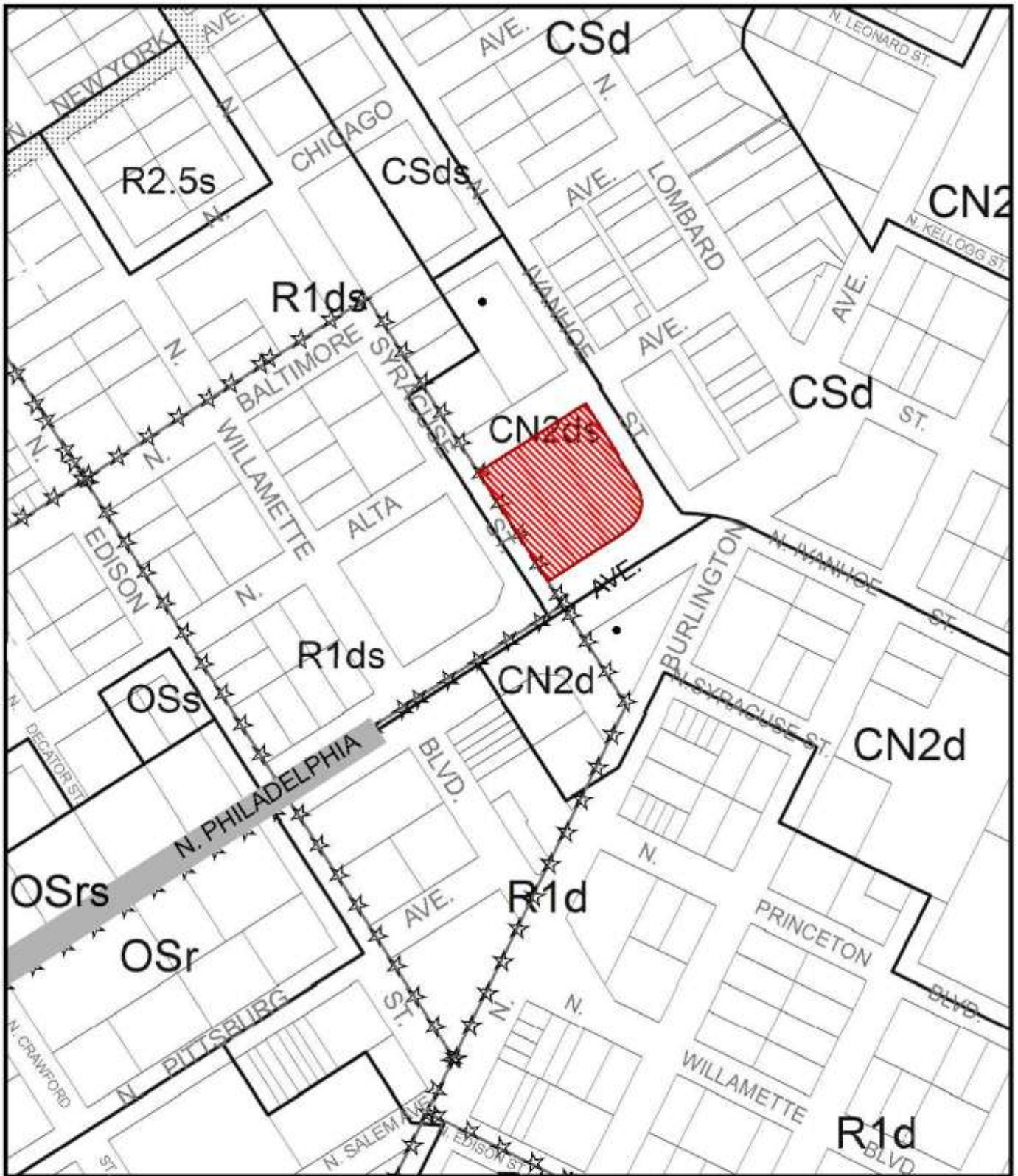
- A. Applicant's Statements
 1. Original Narrative and Plan Set
 2. Revised Narrative, received 3/21/14
 3. Old louver elevations and detail sheets from 3/21/14 submittal – reference only
 4. Cover memo from final drawing sheet revision submittal, received 4/30/14
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Overall Site Plan (attached)
 2. Ground Floor Plan
 3. 2nd-4th Floor Plan (attached)
 4. North Elevation (attached)
 5. West Elevation (attached)
 6. Enlarged Elevations and Details
 7. Large/Scalable Plan Set: Cover Sheet – REFERENCE ONLY
 8. Large/Scalable Plan Set: Table of Contents – REFERENCE ONLY
 9. Large/Scalable Plan Set: Overall Site Plan
 10. Large/Scalable Plan Set: Vicinity Aerial View – REFERENCE ONLY
 11. Large/Scalable Plan Set: Ground Floor Plan
 12. Large/Scalable Plan Set: 2nd-4th Floor Plan
 13. Large/Scalable Plan Set: North Elevation
 14. Large/Scalable Plan Set: West Elevation
 15. Large/Scalable Plan Set: Enlarged Elevations and Details
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Life Safety Section of the Bureau of Development Services

F. Correspondence: *(none received at time of decision mailing)*

G. Other:

1. Original LU Application Form and Receipt
2. Incomplete Letter from staff to applicant, sent 3/13/14

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
-  Recreational Trail

This site lies within the:
ST. JOHNS PLAN DISTRICT



File No.	<u>LU 14-120841 DZ</u>
1/4 Section	<u>2121</u>
Scale	<u>1 inch = 200 feet</u>
State Id	<u>1N1W12BA 5800</u>
Exhibit	<u>B (Feb 28, 2014)</u>



ST. JOHNS IVANHOE
ANKROM MOISAN

TOTAL LOT AREA 99,741.9

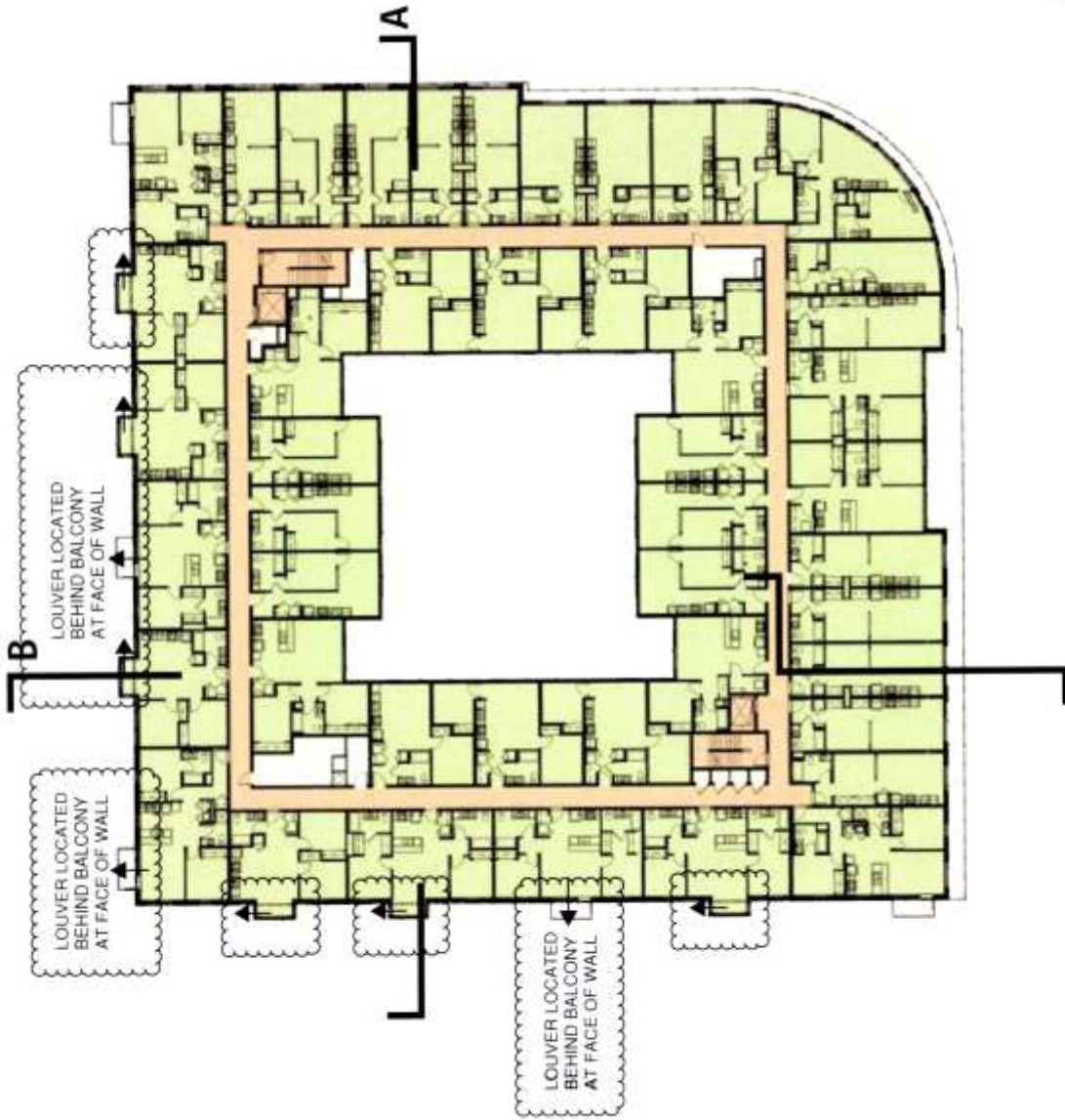
APPROXIMATE LOUVER
LOCATION AT GROUND FLOOR,
SEE EXTERIOR ELEVATIONS
FOR MORE INFORMATION

Approved
City of Portland - Bureau of Development Services
Planner MARK WALWOOD Date MAY 7, 2014
This approval applies only to the reviews requested and is subject to the conditions of approval. Additional zoning requirements may apply

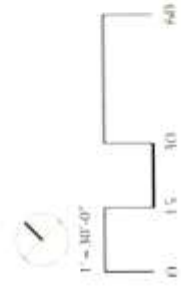


CASE NO. W 14-120841 02
EXHIBIT C.1

LOCATION OF LOUVERS
FLOORS 2-4, AT N ALTA & N
SYRACUSE ONLY



ST. JOHNS WANNHOE
ANKROM MOISAN



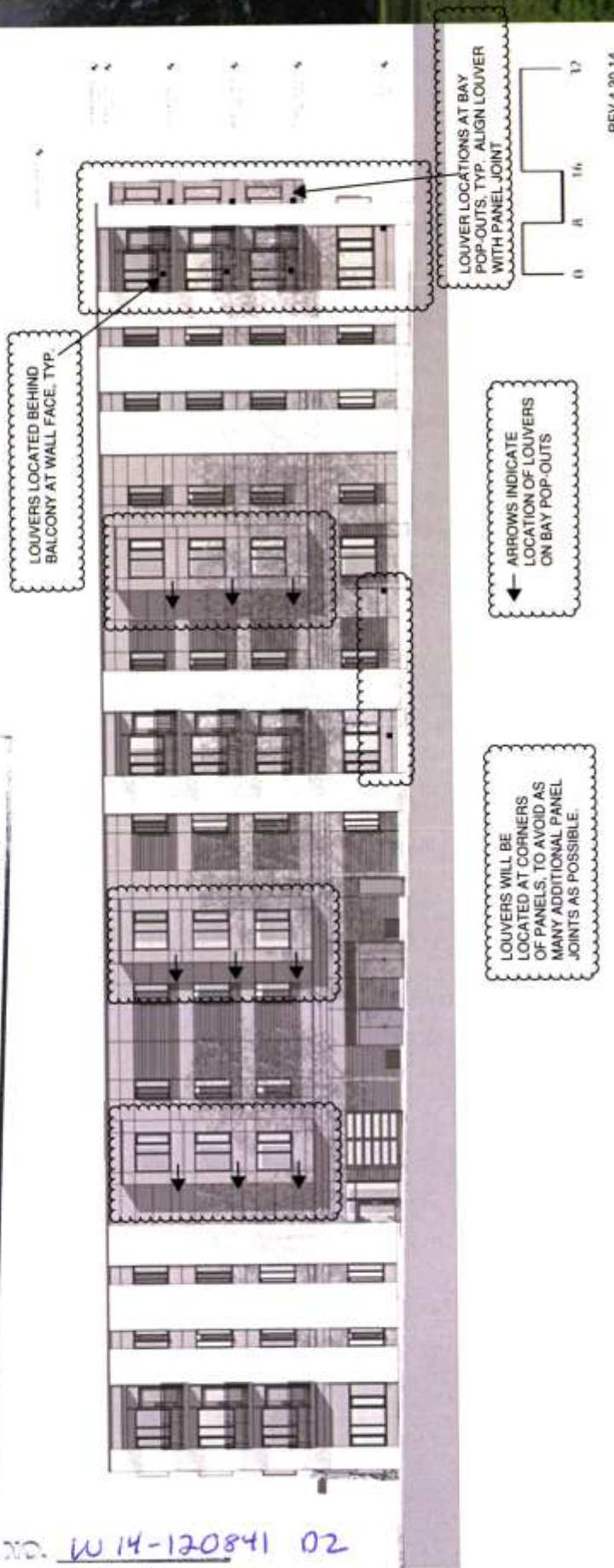
Approved
City of Portland - Bureau of Development Services
Approved by MARK WALHOOD Date MAY 7 2014
This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

CASE NO. W 14-120841 02
EXHIBIT C.3

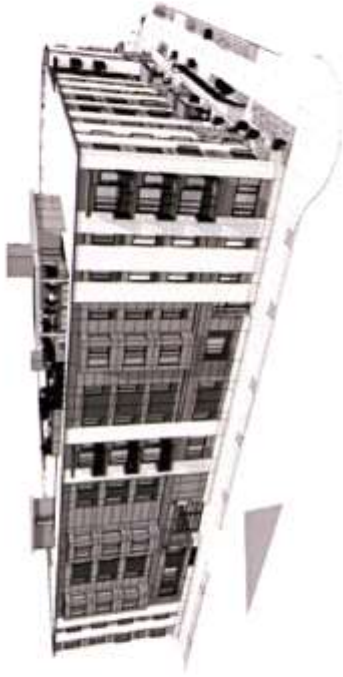


Approved
 City of Portland - Bureau of Development Services
 Planner MARK WALHOOD Date MAY 7, 2014
 This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

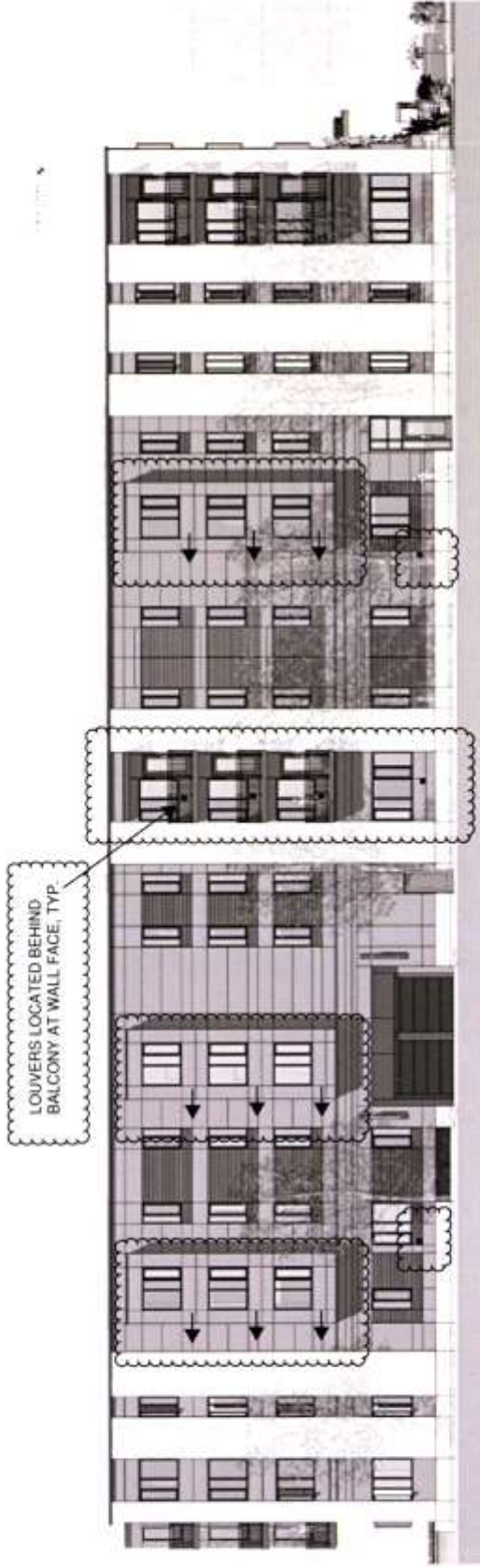
CASE NO. W 14-120841 02
 EXHIBIT C.4



ST. JOHNS IVANHOE
 ANKROM MOISAN

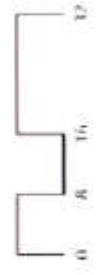


Approved
 City of Portland - Bureau of Development Services
 Examiner MARK WALTON Date MAY 7, 2014
 This approval applies only to the reviews requested and is subject to the conditions of approval. Additional zoning requirements may apply.



ARROWS INDICATE LOCATION OF LOWERS ON BAY POP-OUTS

LOWERS WILL BE LOCATED AT CORNERS OF PANELS, TO AVOID AS MANY ADDITIONAL PANEL JOINTS AS POSSIBLE.



REV 4.30.14

CASE NO. LU 14-120841 02
 EXHIBIT C.5

