



City of Portland, Oregon
Bureau of Development Services
Inspection Services - Land Use Services
FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
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www.portlandoregon.gov/bds

Date: August 25, 2015
To: Interested Person
From: Benjamin Nielsen, Land Use Services
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NOTICE OF A TYPE Ix DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has **approved** a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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 15-192048 HR – EXHAUST VENT IN LANDMARK AMBASSADOR APARTMENTS

GENERAL INFORMATION

Applicant /

Representative: Bill Myles | Craftsman Design & Renovation
837 SE 27th Ave | Portland, OR 97214

Owners: James E & Ginger Hanson
1209 SW 6th Ave #205 | Portland, OR 97204-1023

Site Address: 1209 SW 6TH AVE

Legal Description: LOT 205, AMBASSADOR CONDOMINIUM

Tax Account No.: R022320230

State ID No.: 1S1E03BC 90007

Quarter Section: 3129

Neighborhood: Portland Downtown, contact Rani Boyle at 503-725-9979.

Business District: None

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - Downtown

Other Designations: Historic Landmark

Zoning: CXd – Central Commercial with Design Overlay

Case Type: HR – Historic Resource Review

Procedure: Type Ix – an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant seeks a historic resource review to add a new 8"x8" exhaust vent cap to the stucco-clad south elevation of the historic landmark Ambassador Apartments. The vent cap will protrude approximately 3" from the building façade. The proposed vent will be located

on the second floor approximately 3 feet below an existing window and will be painted to match the existing stucco color. This vent is required to meet exhaust requirements in the building code due to interior renovations taking place in the kitchen of this unit.

Exterior alterations to historic landmark structures require historic resource reviews.

Relevant Approval Criteria:

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

- 33.846 Historic Resource Review
- Central City Fundamental Design Guidelines
- 33.846.060.G Other Approval Criteria

ANALYSIS

Site and Vicinity: The site is the Ambassador Apartments (converted to Condominiums), built in 1922 by Architect Carl L. Linde. The building is Period Architecture in style, with projecting tiers of bay windows and crenellated parapet on the east recess recalling the Jacobethan Revival style as well. The building is a nine-story structure H-shaped in plan with approximately 6,000 SF per floor. Many decorative features such as a roof balustrade, token balconies with brackets and newels, brickwork, stone sills and divided light wood windows all combine to create a Historic Landmark jewel within Downtown Portland.

Zoning: The Central Commercial (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. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

The “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

The Central City Plan District implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the Downtown Subdistrict of this plan district.

The Historic Landmark designation protects certain Portland historic resources and preserves significant parts of Portland's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and

its heritage. Historic preservation beautifies the city, promotes the city’s economic health, and helps to preserve and enhance the value of historic properties. Proposed alterations to Historic Landmarks must go through a Historic Resource Review process (Chapter 33.846) and proposed demolition is subject to certain demolition protections (Section 33.445.150).

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

- LU 79-006041 (Ref. # HL 37-79): Type III land use approval for a proposed rooftop garden.
- LU 02-133395 HDZ – Historic Design Review approval for new aluminum clad wood windows.
- LU 06-127037 HDZ: Type II historic design review approval of new aluminum clad wood windows.
- IQ 06-162087: Inquiry about replacing exterior wired glass windows and removing existing roof garden structure.
- IQ 08-107875: Inquiry about replacing the rooftop garden and adding a new unit.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **July 14, 2015**. The following Bureaus have responded with no issues or concerns about the proposal:

- The Life Safety Section of BDS responded with about required permits and exhaust fan termination location. Please see Exhibit E-1 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **July 14, 2015**. 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 33.846, Historic Resource Reviews

Purpose of Historic Resource Review

Historic Resource Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Resource Review Approval Criteria

Requests for Historic Resource Review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is a designated Historic/Conservation Landmark. Therefore the proposal requires Historic Resource Review approval. The relevant approval criteria are listed in 33.846.060 G. 1.-10. In addition, because the site is located within the Central City, the relevant approval criteria are the Central City Fundamental Design Guidelines.

G. Other Approval Criteria:

- 1. Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.
- 5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.
- 7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.

Findings for 1, 5, & 7: The proposed hood vent is very small in scale compared to the existing landmark structure, only 8”x8” and projecting only 3” from the wall.

Only a small amount of the landmark structure’s stucco-covered masonry will be affected, and this impact will be completely covered by the new vent that will be painted to match the existing wall. The combination of the size of the hood vent and its placement on the side (south) elevation of the building, rather than the more detailed, public-facing east and north elevations, will have little to no impact on the structure’s historic significance.

Therefore, these criteria are met.

- 8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.

Findings: The new vent hood will be a relatively small, inconspicuous feature on a rather large wall. It will be painted to match the color of the existing stucco wall and will essentially blend in with the existing wall. Other hood vents are already located on the wall, as well, so this new vent will not be introducing a new, foreign element to the façade.

Therefore, this criterion is met.

- 9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.

Findings: Though the proposed new hood vent will carve a hole in the existing stucco-covered masonry wall, it will be a fairly straightforward matter to restore the wall back to its original condition, should the need or desire arise. The stucco covering of the existing wall lessens the importance of choosing a compatible brick color, upon restoration, since it would be completely covered by new stucco and painted to match.

Therefore, this criterion is met.

- 10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

Findings: The proposed new hood vent will be compatible in size, scale, and color with the existing landmark building. The hood vent will be located below an existing, higher-silled window on the south façade, which is the same type of placement that another nearby hood vent has. It will be small in scale relative to the windows—the primary architectural feature—on the south façade, and it will be painted to match the existing stucco color.

Therefore, this criterion is met.

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.

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 A6, C2, C3, & C5: The proposed addition of a new 8"x8" galvanized metal hood vent to the exterior of the south façade will allow the interior of unit #205 to meet current building codes requiring mechanical ventilation from the kitchen. The hood vent itself will have a negligible impact on the exterior façade of the building, due both to its location on the side lot line and small size. It will be painted to match the existing stucco and installed such that, aside from the vent hole itself, there will be little impact to the rest of the existing stucco. The vent hood should also be of lasting quality, being constructed of galvanized sheet metal.

Therefore, these guidelines are met.

B2. Protect the Pedestrian. Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

Findings: The proposed new hood vent will be located on the south façade of the building, which faces the side lot line rather than the street. As such, the new hood vent will have little impact on pedestrians on sidewalk of SW 6th Avenue along the

east façade.

Therefore, this guideline is 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 addition of a new galvanized metal exterior hood vent at the second floor of the south façade of the landmark Ambassador Apartments in the Central City Plan District, Downtown Subdistrict, will have little to no impact on the building's historic character due to the vent's small size, placement on the wall facing the side lot line, detailing, and its final color which will be painted to match the adjacent stucco.

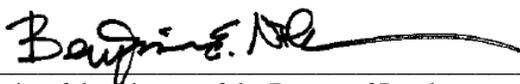
The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of the proposed new galvanized metal vent hood, approximately 8"x8" in size and projecting approximately 3" from the face of the wall, painted to match the existing stucco finish on the south façade of the landmark Ambassador Apartments in the Downtown Subdistrict of the Central City Plan District, and per the approved site plans, Exhibits C-1 through C-8, signed and dated 08/18/2015, 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 through C-8. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-192048 HR."

Staff Planner: Benjamin Nielsen

Decision rendered by:  on August 18, 2015.
By authority of the Director of the Bureau of Development Services

Decision mailed August 25, 2015

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 June 25, 2015, and was determined to be complete on **July 7, 2015**.

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 June 25, 2015.

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: November 4, 2015.**

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.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further 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.

Recording the final decision.

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **August 26, 2015**. 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 503-823-7617.

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:

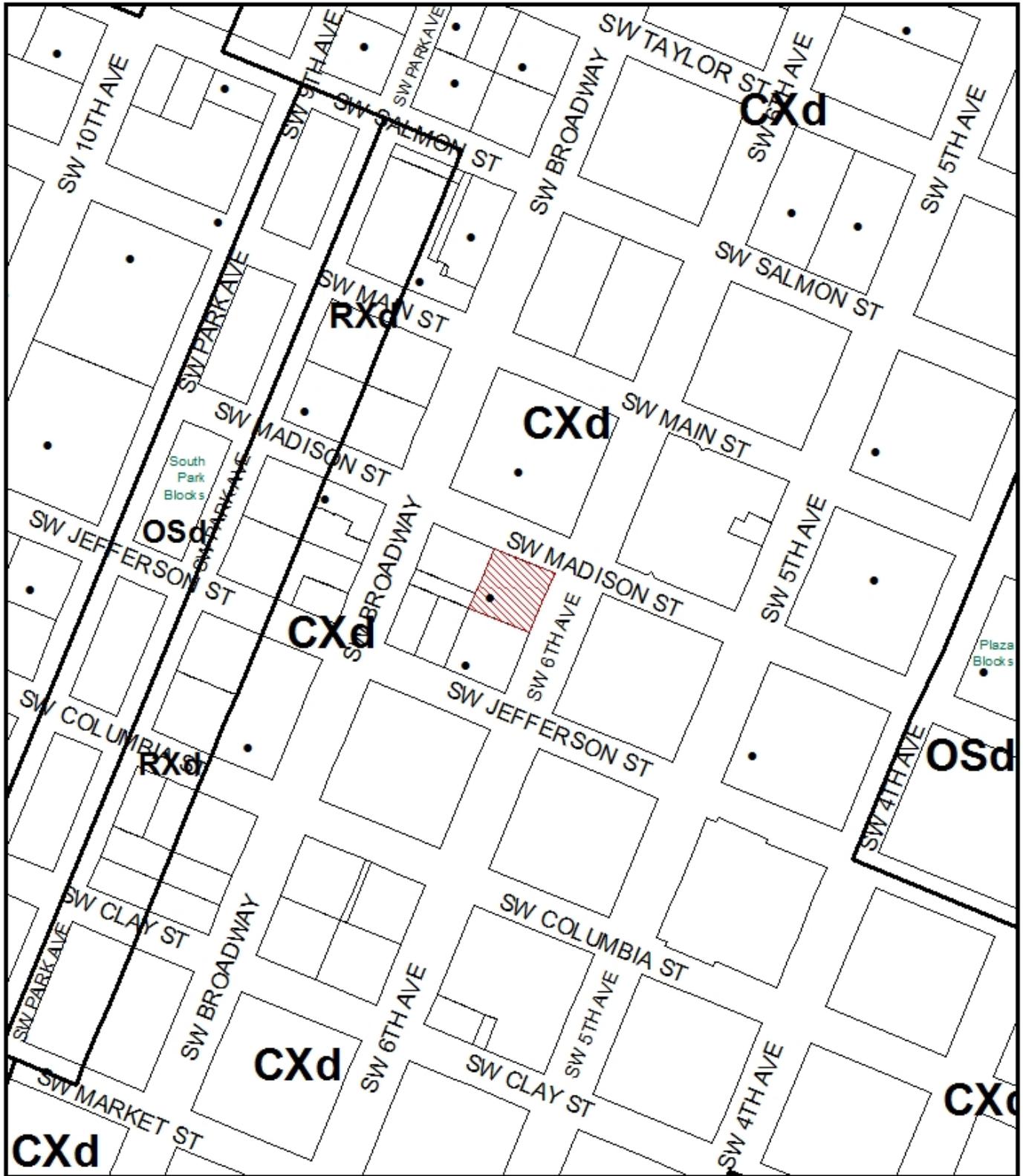
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Vent Cap Details (attached)
 - 3. Vent Cap Cutsheet
 - 4. Photo 1: East Façade
 - 5. Photo 2: East Façade
 - 6. Photo 3: South Façade
 - 7. Photo 4: South Façade (attached)
 - 8. Photo 5: South Façade
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Section of BDS
- F. Correspondence: No comments were received.
- G. Other:
 - 1. Original LU Application

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
-  Historical Landmarks

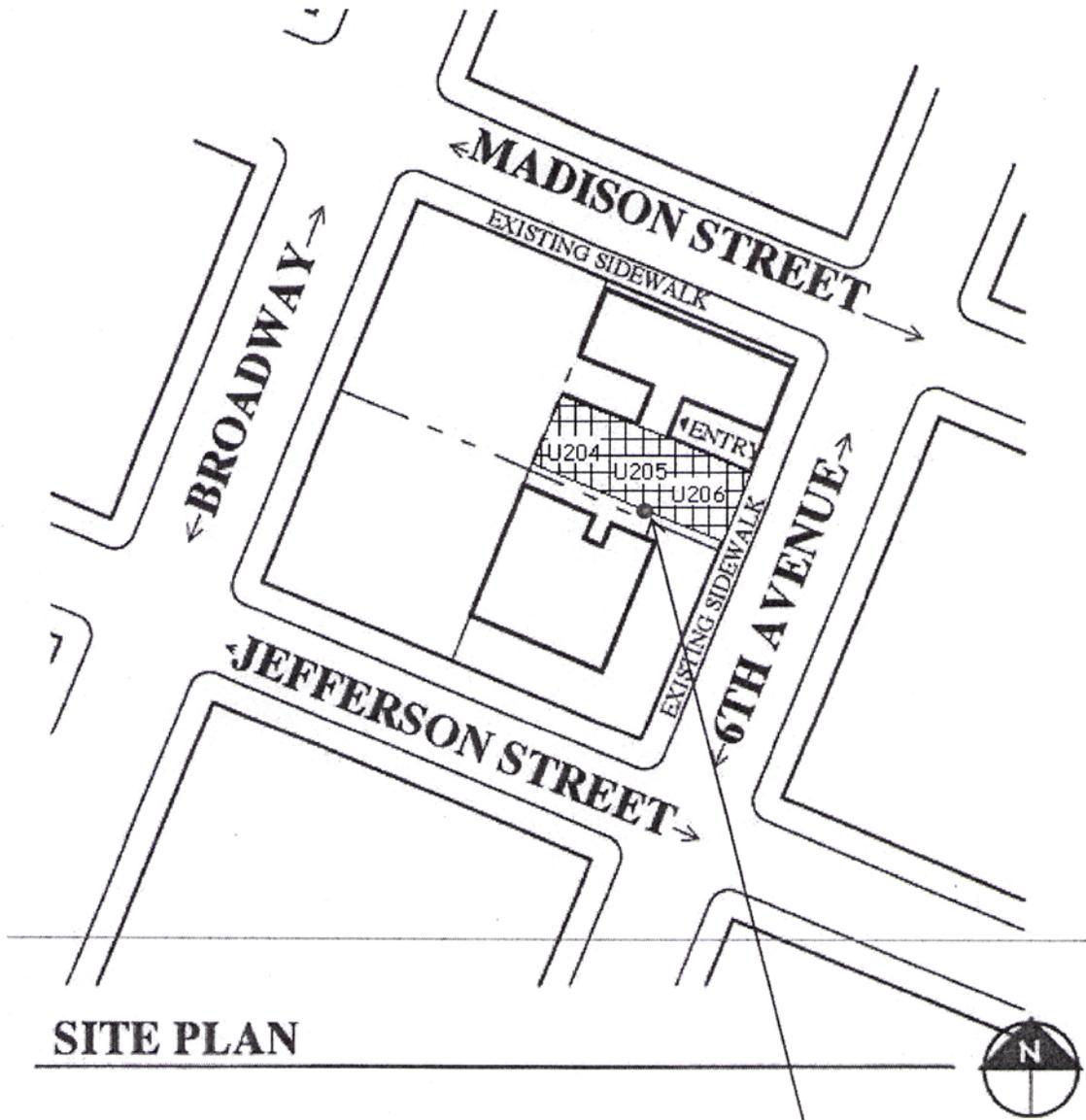
File No. LU 15-192048 HR
 1/4 Section 3129
 Scale 1 inch = 200 feet
 State_Id 1S1E03BC 90007
 Exhibit B (Jun 26, 2015)

This site lies with the:
 CENTRAL CITY PLAN DISTRICT
 DOWNTOWN SUBDISTRICT



Site plan

Permit# 15-192048-000-00-LU
IVR # 3655293



Location of new vent cap (approximately 12' above finish grade)

Approved
City of Portland
Bureau of Development Services
Planner *Benjamin E. Nick*
Date 08/18/2015

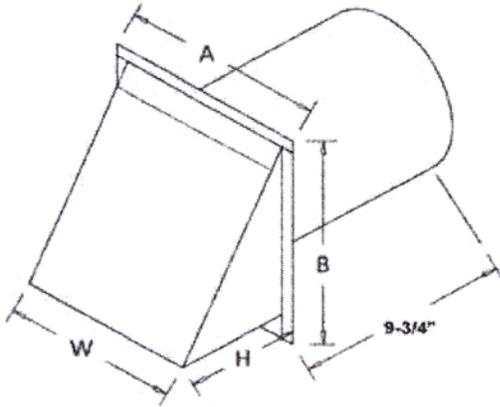
* This approval applies only to the reviews requested and is subject to all conditions of approval.
Additional zoning requirements may apply.

EXHIBIT C-1
LU 15-192048 HR

Vent Cap Details

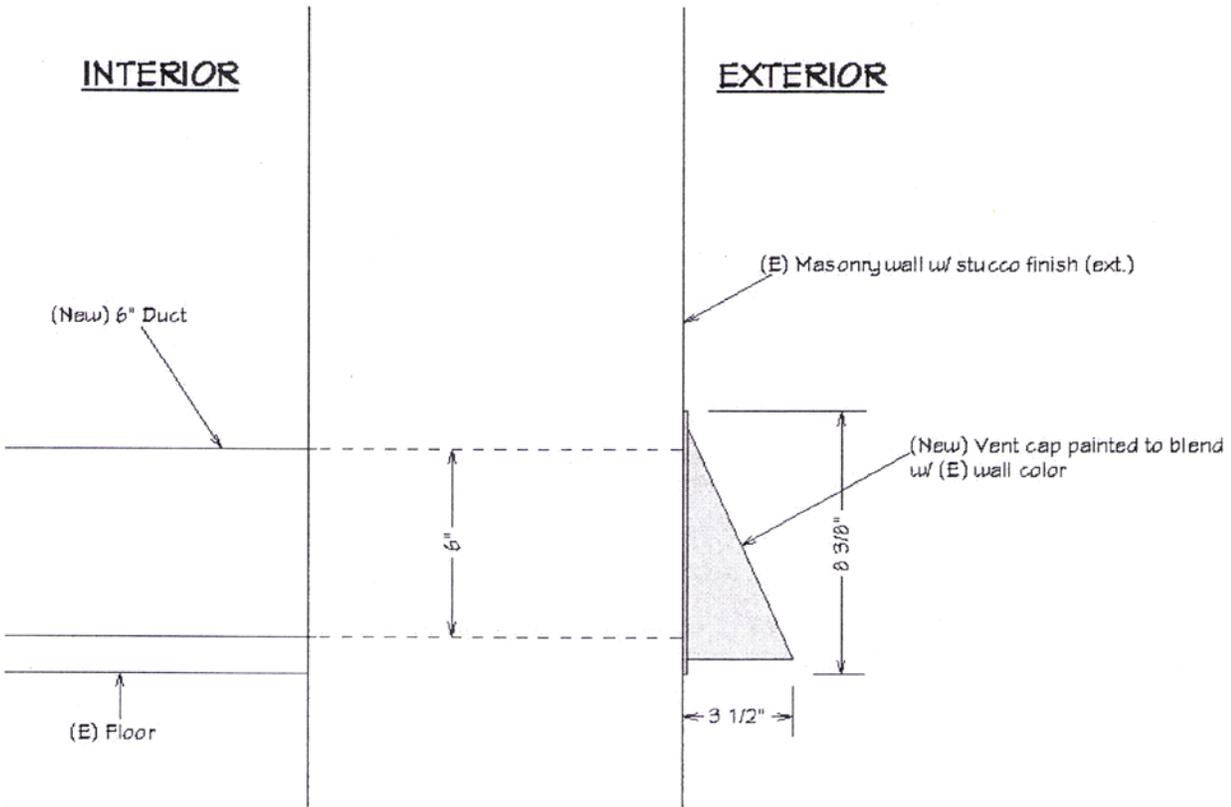
Permit# 15-192048-000-00-LU
 IVR # 3655293

SIZE	A	B	W	H
6	8-5/8	8-3/8	7	3-1/2
7	9-3/4	9-3/4	8	3-1/2
8	11-1/8	10-5/8	9-3/4	3-1/2



Approved
 City of Portland
 Bureau of Development Services
 Planner *Debra J. Wick*
 Date *08/18/2015*

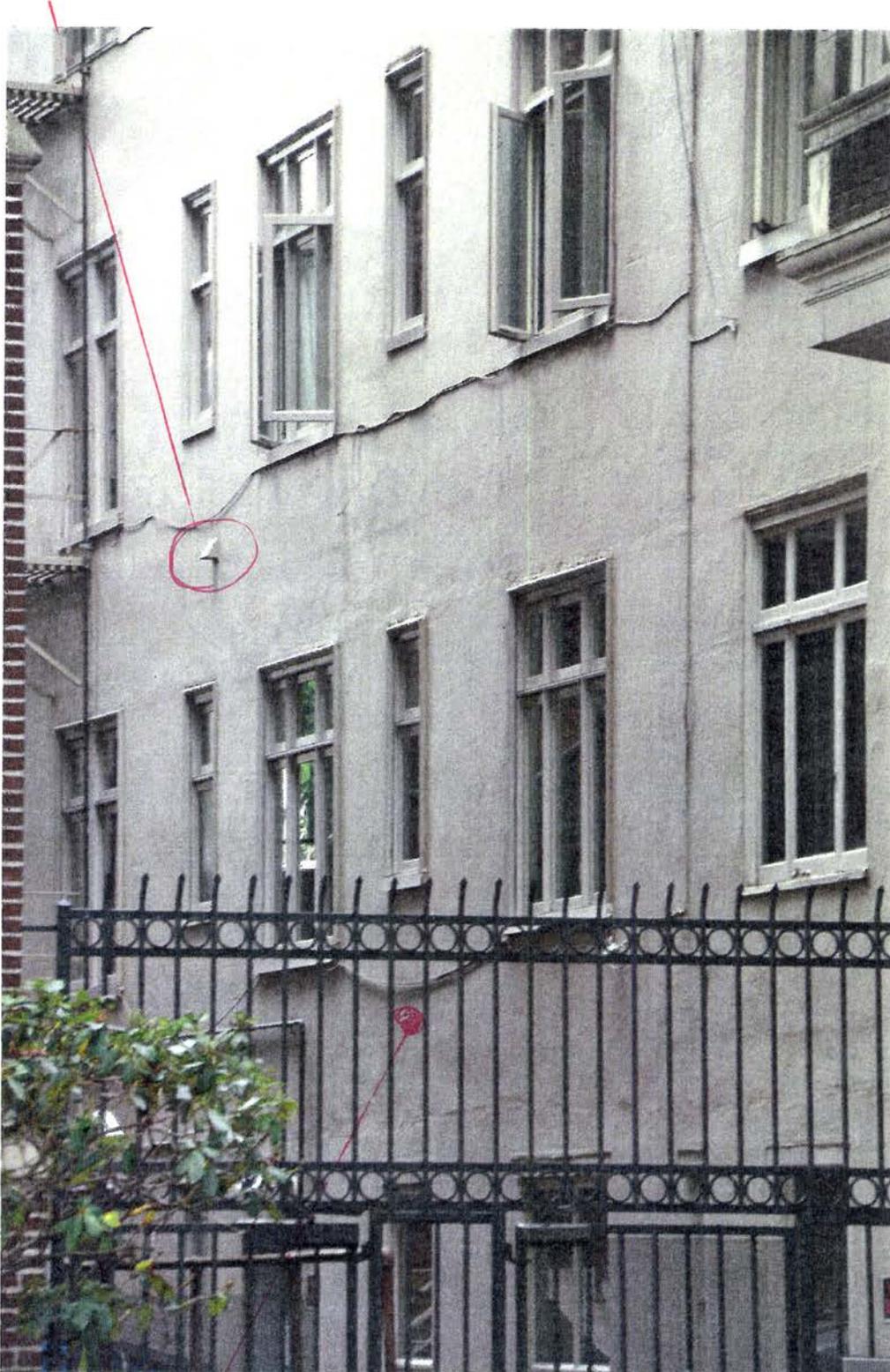
* This approval applies only to the reviews requested and is subject to the conditions of approval. Additional zoning requirements may apply.



SECTION VIEW OF VENT CAP

EXHIBIT C.2
 LU 15-192048 HR

Photo 4: South Façade
Note the existing vent from the kitchen at Unit 304.



Location of proposed vent cap

* Approved*
City of Portland
Bureau of Development Services
Planner *Brynnie Nish*
Date *08/18/2015*
* This approval applies only to the reviews requested and is subject to all conditions of approval.
Additional zoning requirements may apply.

EXHIBIT C-7
LU15-192048HR