



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

Ted Wheeler, Mayor
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Date: May 8, 2017
To: Interested Person
From: Mike Gushard, Land Use Services
503-823-5091 / Mike.Gushard@portlandoregon.gov

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 mailed copy of this document is only a summary of the decision. 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 17-136934 HR – SEISMIC REINFORCEMENT OF A HISTORIC LANDMARK

GENERAL INFORMATION

Applicant: Brian Emerick, Emerick Architects
321 SW 4th Ave #200
Portland, OR 97204

Jeanne Manor Apartments LLC
601 SW 2nd Ave #1800
Portland, OR 97204

Wade Younie, DCI Engineers
400 SW 6th Ave., Suite 605
Portland, OR 97204

Karen Czopek, KBC Management Inc
2107 NW 23rd Ave
Portland, OR 97210

Site Address: 1431 SW PARK AVE

Legal Description: BLOCK 225 LOT 3&4, PORTLAND
Tax Account No.: R667724080
State ID No.: 1S1E04AD 03000
Quarter Section: 3128

Neighborhood: Portland Downtown, contact Rani Boyle at 503-725-9979.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - Downtown
Other Designations: Historic Landmark, Listed on the National Register of Historic Places

Zoning: RXd – Central Residential with Design Overlay with Historic Resource Review

Case Type: HR – Historic Resource Review

Procedure: Type II, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicant proposes to reinforce the veneer elements of the building with seismic anchors. Their proposal includes drilling and anchoring holes into the cast stone elements on the facades. The resulting 3/8 inch holes would be filled with dust collected from the drilling in order to conceal them. The brick veneer of the building is not proposed to be altered. The project would also include four inch square steel plates along the north and west elevations and within the buildings light well. This project requires historic resource review because the proposal is for exterior alterations to a historic landmark.

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:

- 33.846060G – Historic Resource Review
- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The subject property is the Jeanne Manor Apartments building, a seven-story U-shaped apartment building constructed in 1931 in the Art Deco style by Harry Herzog for developer Harry Mittleman. Herzog and Mittleman constructed several apartment buildings together during the 1930s. The Jeanne Manor is located on the west side of the South Park Blocks, at the northwest corner of SW Park Avenue and SW Clay Street. To the north is a 1995 apartment building which responds to the vocabulary of the historic apartment buildings on either side of it. To the west, and seemingly out-of-place but representative of the neighborhood a century ago, is a 1905 single family Foursquare residence, with the 1905 Portland Korean Church, originally the First German Evangelical Church, further west. To the east, across SW Park Avenue, are the Park Blocks and to the south, across SW Clay Street, is South Park Square, a 1988 14-story brick mixed-use development. To the northwest of the property is a surface parking lot.

The Jeanne Manor Apartments lie within the Central City Plan District and the Downtown Pedestrian District. The City's Transportation System Plan has designated SW Park Avenue as a City Walkway and SW Clay Street as a Community Corridor. The South Park Blocks, generally, is an area of multi-dwelling and mixed-use development with a number of cultural institutions nearby.

Zoning: The Central Residential (RX) zone is a high-density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will be 100 or more units per acre. Allowed housing developments are characterized by a very high percentage of building coverage. The major types of housing development will be medium and high rise apartments and condominiums, often with allowed retail, institutional, or other service oriented uses. Generally, RX zones will be located near the center of the city where transit is readily available and where commercial and employment opportunities are nearby. RX zones will usually be applied in combination with the Central City plan district.

The "d" Design 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.

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

- LU 82-004833 (ref. file # DZ 5-82) – Design Review approval of a new office and coffee shop, which were not constructed;
- LU 85-002958 (ref. file # CU 076-85) – Conditional Use approval of a deli and coffeehouse on the ground floor;
- LU 85-004452 (ref. file #DZ 171-85) – Design Review approval of a new canopy over the entry at the north end of the building, an entry and canopy along the south façade, and Denial of proposed entries, canopies and new windows on the east façade;
- LU 90-003749 (ref. file # CU 113-90) – Conditional Use approval of a deli-type coffeehouse;
- LU 90-004291 (ref. file # DZ 122-90) – Design Review approval of new aluminum windows and door at coffeehouse;
- LU 98-016225 (ref. file # LUR 98-00919) – Design Review approval of a new fences and gates to the side yards, a new corner projecting retail sign, and reconstruction of stairs leading from SW Clay to the west side yard; and
- LU 05-138376 – Conditional Use and design review approval for four new panel antennas, related radio equipment and screen walls at the roof.
- LU 12-204610 CU HDZ – Conditional Use and Historic Design Review approval for 6 new/replacement antennas and associated equipment with a condition to paint the new shroud to match the stucco of the building.
- LU 15-201244 HR Replacement of antennae on the roof of th historic Jeanne Manor

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **April 6, 2017**. The following Bureaus have responded with no issues or concerns:

- Fire Bureau
- Site Development Section of BDS
- Life Safety Section of BDS

The applicant provided a comment from the State Historic Preservation Office after the comment period. It is dated April 26, 2017 and explains that the project meets the Secretary of the Interior Standards for the Rehabilitation of Historic Places. See Exhibit: E1 for more.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on April 6, 2017. No written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846, Historic 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.
- 2. Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.
- 4. Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.
- 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.
- 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.
- 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.

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.

- A2. Emphasize Portland Themes.** When provided, integrate Portland-related themes with the development's overall design concept.
- A4. Use Unifying Elements.** Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.
- 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.
- D1. Park Blocks.** Orient building entrances, lobbies, balconies, terraces, windows, and active use areas to the Park Blocks. In the South Park Blocks, strengthen the area's emphasis on history, education, and the arts by integrating special building elements, such as water features or public art. In the Midtown Park Blocks, strengthen the connection between the North and South Park Blocks by using a related system of right-of-way elements, materials, and patterns. In the North Park Blocks, strengthen the area's role as a binding element between New China/Japantown and the Pearl District.

Findings for 1,2,4,5,9, 10 A2, A4, A6, C2, C3, C5 and D1: The proposal meets the goals of seismically reinforcing the veneer elements of the historic Jeanne Manor in the least disruptive manner possible. By filling all holes with dust from the drilling process the project will ensure that their historic character is minimally disrupted and the coherent historic design of the building's original design will be preserved. The building will remain a record of its time because its character defining art deco detailing will be minimally disrupted by the process. This project will help to ensure the landmark building's quality design is made more permanent and will allow its continued safe enjoyment for generation to come. By rehabilitating an existing Portland landmark in a way that makes it safer and preserves its form and integrity it emphasizes Portland themes and strengthens the sense of historic in the South Park Blocks. The brick veneer of the buildings is not proposed to be altered. *Therefore these criteria 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 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 because it rehabilitates the building in a manner that preserves its essential form and integrity and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of reinforcement of the veneer elements of the building with seismic anchors including drilling and anchoring holes into the cast stone elements on the facades. The resulting 3/8 inch holes to be filled with dust collected from the drilling in order to conceal them per the approved site plans, Exhibits C-1 through C10, signed and dated May 3, 2017, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 17-136934 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

Staff Planner: Mike Gushard



Decision rendered by: _____ **on (May 3, 2017.)**

By authority of the Director of the Bureau of Development Services

Decision mailed: May 8, 2017

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 March 17, 2017, and was determined to be complete on March 27, 2017.

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 March 17, 2017.

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 25, 2017.**

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 Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on May 22, 2017** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **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 Landmarks 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 Landmarks

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 23, 2017** –
- **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:

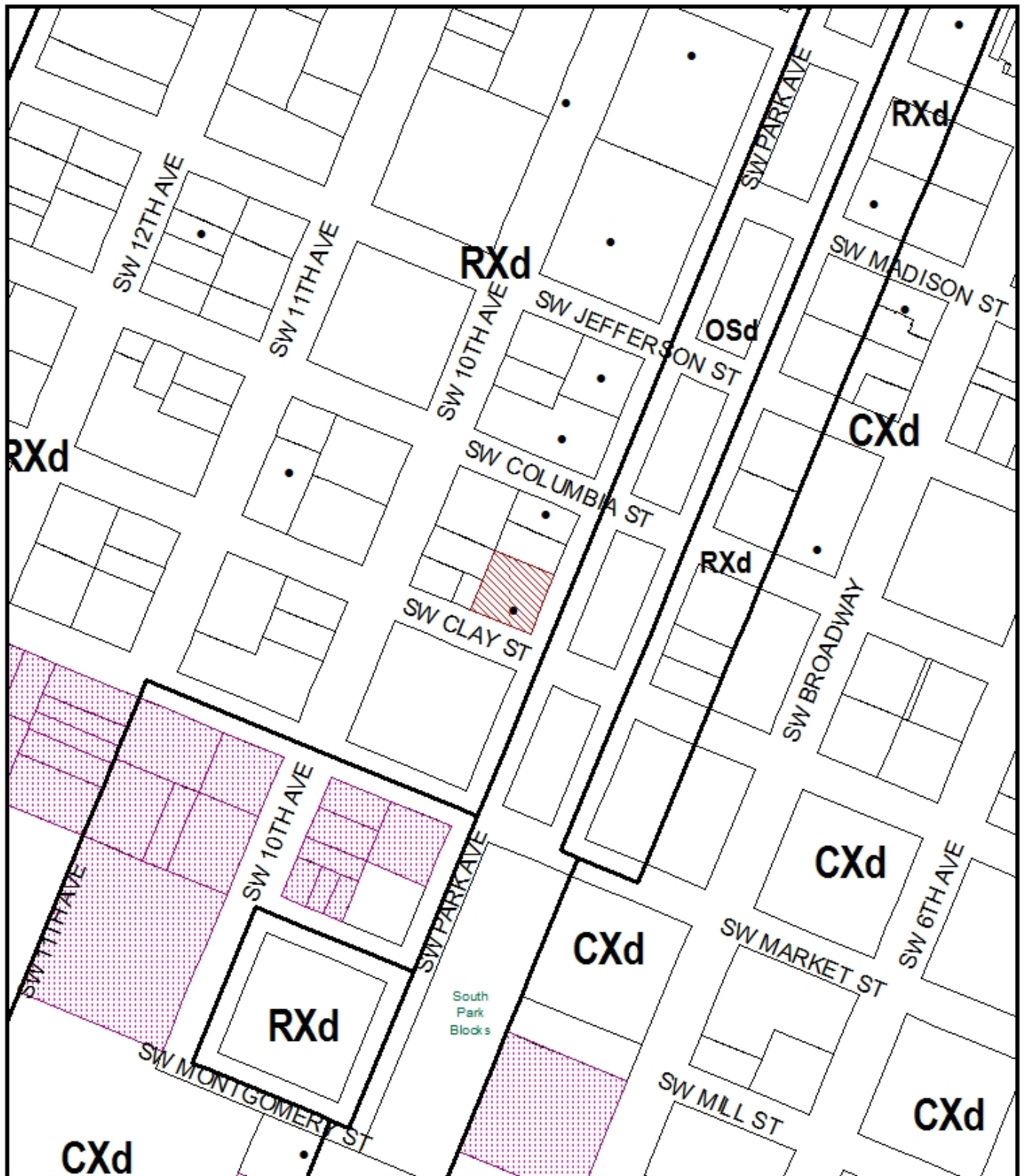
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Response to Central City Fundamental Design Guidelines
 - 2. Response to Historic Resource Review Criteria
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Vicinity Plan
 - 2. Site Plan (attached)
 - 3. Roof Plan
 - 4. Elevations
 - 5. Elevations
 - 6. Enlarged Elevations (attached)
 - 7. Details
 - 8. Anchor Cut Sheet
 - 8. Photograph of Conditions
 - 9. Example of Seismic Anchors
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. State Historic Preservation Office
 - 2. Life Safety Section of BDS
 - 3. TRACS printout
- F. Correspondence: (none 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).



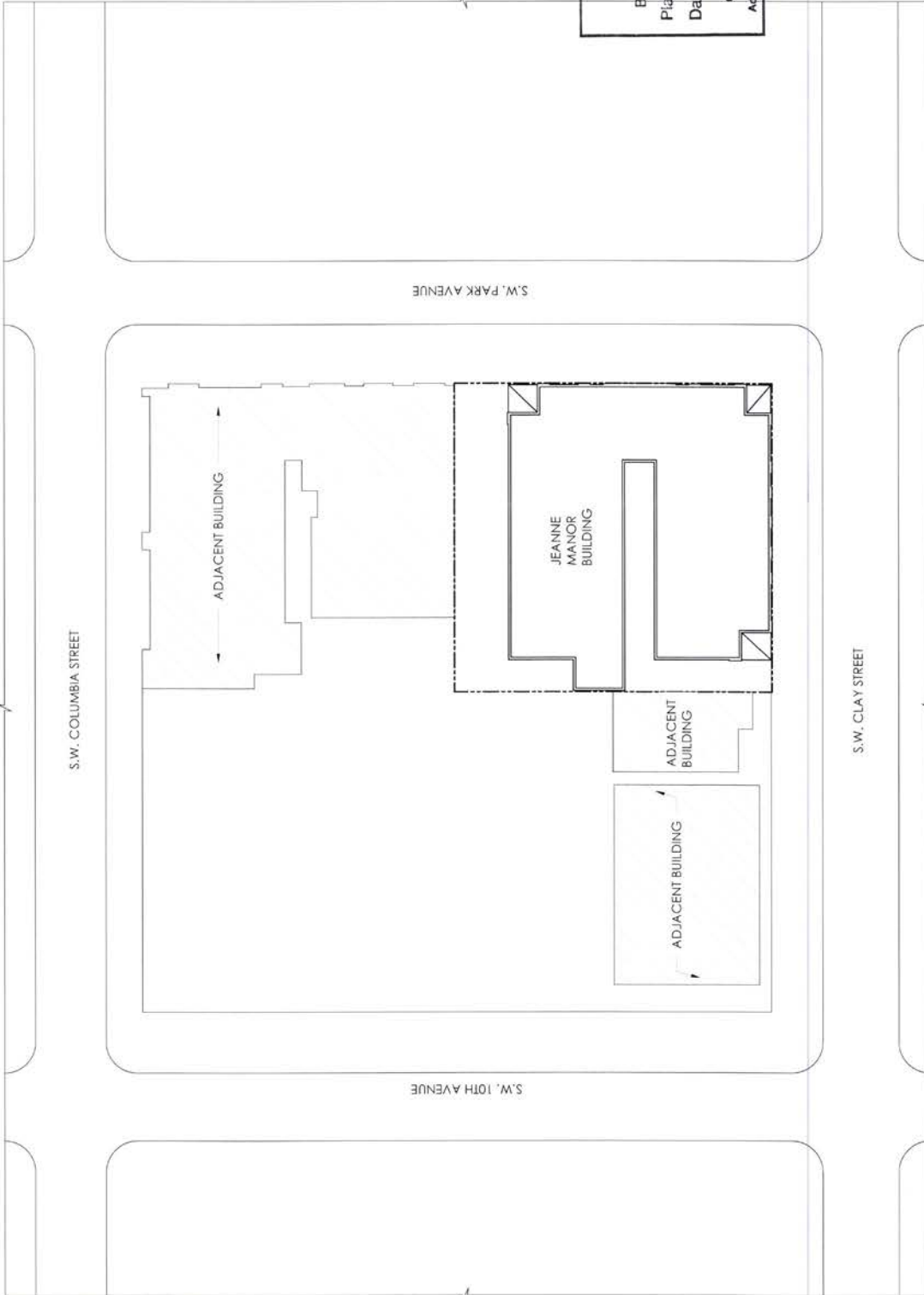
ZONING

This site lies within the:
 CENTRAL CITY PLAN DISTRICT
 DOWNTOWN SUBDISTRICT
 WEST END SUB-AREA



- Site
- Also Owned Parcels
- Historic Landmark

File No.	<u>LU 17-136934 DZ</u>
1/4 Section	<u>3128</u>
Scale	<u>1 inch = 200 feet</u>
State Id	<u>1S1E04AD 3000</u>
Exhibit	<u>B</u> (Mar 23, 2017)



Approved
 City of Portland
 Bureau of Development Services
 Planner [Signature]
 Date 5/3/17
 * This approval applies only to the reviews requested and is subject to all conditions of approval.
 Additional zoning requirements may apply.

CZ

LU 17-136934 HR

JEANNE MANOR
 JOB #: 1712

LUR-2

DATE: 03.17.17

EMERICK ARCHITECTS

JEANNE MANOR
 HISTORIC REVIEW (LUR)

NOT FOR CONSTRUCTION



1
 SITE PLAN
 1/32" = 1'-0"

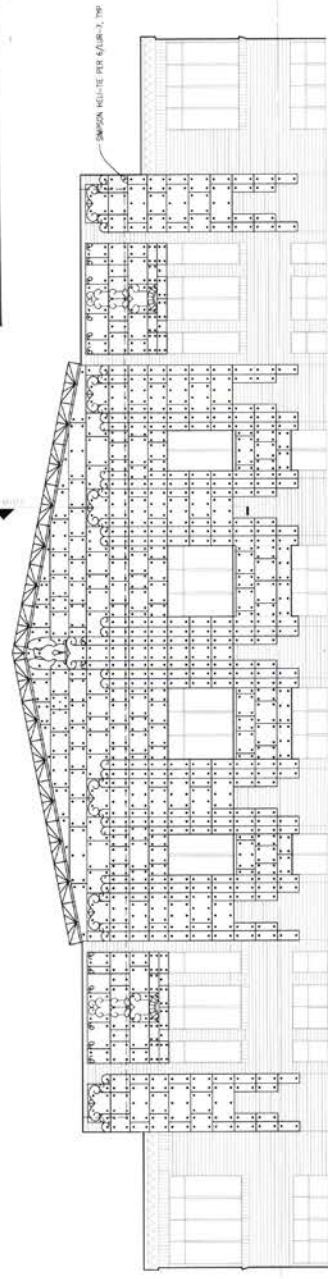
Approved
City of Portland
 Bureau of Development Services
 Planner _____
 Date 5/2/17

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

NOTE:
 CONTRACTOR TO VERIFY EXISTING CONDITIONS OF EAST STONE PROVIDED TO METALIZATION OF SIMPSON HULL-TE PER E/LUR-7, TYP. FOR THE AMOUNT OF SIMPSON HULL-TE TO BE INSTALLED ON EAST STONE PER E/LUR-7, TYP.

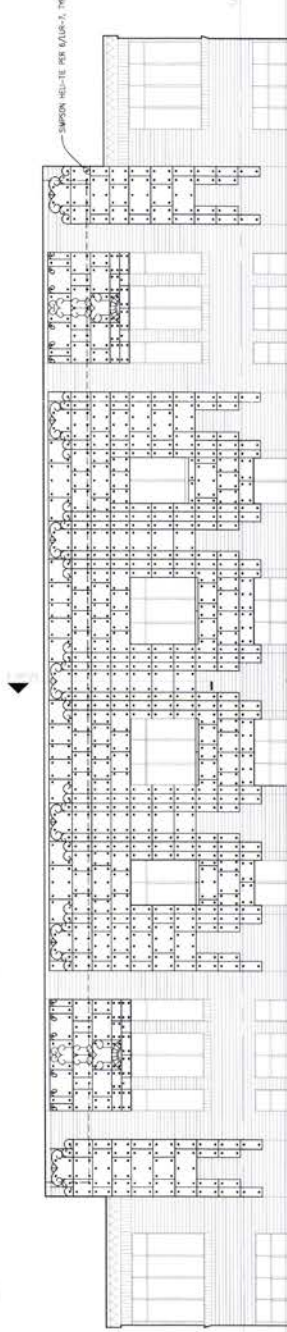
ON TOP OF BRICK

SMALL MEDIUM LARGE



1 EAST EXTERIOR ELEVATION
 1/8" = 1'-0"

2 PARTIAL NORTH EXTERIOR ELEVATION
 1/8" = 1'-0"



3 SOUTH EXTERIOR ELEVATION
 1/8" = 1'-0"

4 PARTIAL EXTERIOR ELEVATION ABOVE EAST DOORS
 1/8" = 1'-0"

JEANNE MANOR
 HISTORIC REVIEW (LUR)

ENLARGED EXTERIOR ELEVATIONS

EMERICK ARCHITECTS

C6
 LU 17-136934 HP-
 JEANNE MANOR
 JOB #: 1712
 LUR-6
 DATE: 03.17.17