



P395

Portland City Auditor

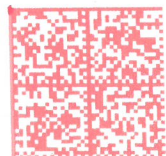


Office of the City Auditor
Council Clerk/Contracts Division
1221 SW 4th Avenue, Room 130
Portland, OR 97204-1900

ADDRESS SERVICE REQUESTED

GREG VIK
VIK CONSTRUCTION CO
3011 NORTH DELTA HWY STE 101
EUGENE OR 97408

NMR
974088708018815



U.S. POSTAGE PITNEY BOWES
ZIP 97204 \$ 000.46⁰
02 1W
0001392790 SEP 07 2017

974-2017
Antenay
LU 16-184524

NIXIE 970 DE 1 0009/20/17

RETURN TO SENDER
NO MAIL RECEIPT
UNABLE TO FORWARD

BC: 97204198799 *0329-05285-07-41



974-2017

Ankeny.

P395



Portland City Auditor



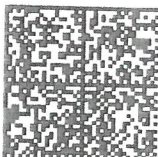
Office of the City Auditor

Council Clerk/Contracts Division
1221 SW 4th Avenue, Room 130
Portland, OR 97204-1900

ADDRESS SERVICE REQUESTED

HA need Jfe #

K C SABLEY
1211 SW 5TH AVE Suite 1900
PORTLAND OR 97204



U.S. POSTAGE

ZIP 97204 \$000.46⁰
02 1W
0001392790 SEP 07 2017

5720483735 0001



BRIAN DURBAN
YGH ARCHITECTURE
707 SW WASHINGTON ST #1200
PORTLAND OR 97205

LANDON K CROWELL
1122 SE ANKENY ST
PORTLAND OR 97214

BUREAU OF DEVELOPMENT SVCS
CASE FILE GRACE JEFFREYS
1900 SW 4TH AVE #5000
PORTLAND OR 97201

TEAM OREGONIAN
1500 SW 1ST AVE STE 400
PORTLAND OR 97201-5828

TIM RAMIS
JORDAN RAMIS PC
2 CENTERPOINTE DR #600
LAKE OSWEGO OR 97035

JERRY L WATERS AIA
YOST GRUBE HALL ARCHITEC
707 SW WASHINGTON ST #1200
PORTLAND OR 97205

BILL PHILLIPS AND
JOY LEWIS
113 SE 12TH AVE
PORTLAND OR 97214

GARRETT STEPHENSON
SCHWABE WILLIAMSON & WYATT
1211 SW 5TH AVE STE 1900
PORTLAND OR 97204

KRISTIN MALONE
9408 N EDISON ST
PORTLAND OR 97203

RESOLUTIONS NORTHWEST
THERESA LOGAN
2538 NE BROADWAY ST STE A
PORTLAND OR 97232

GREG VIK
VIK CONSTRUCTION CO
3011 NORTH DELTA HWY STE 101
EUGENE OR 97408

DESIGN COMMISSION
C/O BUREAU OF DEVELOPMENT
SERVICES
1900 SW 4TH AVE SUITE 5000
PORTLAND OR 97201

K C SAFLEY
1211 SW 5TH AVE
PORTLAND OR 97204

MARY E ROBERTS AND
MICHAEL BEGLAN
121 SE 12TH AVE
PORTLAND OR 97214

JEFF BURNS
1336 SE 20TH AVE
PORTLAND OR 97214

PRISCILLA STURGES
1906 BIRCH LANE
NEWBERG OR 97132

CAROLYN EASTERLY
2837 NE 9TH AVE
PORTLAND OR 97212

LISA KARVER
2630 SW ALTA VISTA PL
PORTLAND OR 97201

ANTHONY CROWELL
924 N SUMNER ST
PORTLAND OR 97217

CHARLES MORTON
3006 NE 155TH AVE
PORTLAND OR 97230

JERRY WATERS
4814 SW HUMPRHEY PARK CREST
PORTLAND OR 97221

BOB ZIMMERMAN
1716 SE ASH ST
PORTLAND OR 97214

BRIAN DURBAN
2330 N KILPATRICK ST
PORTLAND OR 97217

DOUG KLOTZ
1908 SE 35TH PL
PORTLAND OR 97214

ZAC PADGET
9408 N EDISON ST
PORTLAND OR 97203

LANBIN REN
JON PENNEMAN
1466 OKSANNA ST
EUGENE OR 97477

DR STEVEN HOLT
PO BOX 30418
PORTLAND OR 97294

ELIZABETH O'BRIEN
HISTORIC PRESERVATION
CONSULTANT (RET)
17035 SW 108TH AVE
PORTLAND OR 97062

AUDREY MCNAMARA
MYHRE GROUP ARCHITECTS
620 SW 5TH AVE SUITE 500
PORTLAND OR 97204

AUDREY MCNAMARA
ARCHITECTURAL JOB CAPTAIN
1250 E BURNSIDE ST
PORTLAND OR 97214



SUSAN LINDSAY
625 SE 17TH AVE
PORTLAND OR 97214

KIMBERLY BRANAM EXEC DIR
PROSPER PORTLAND
222 NW 5TH AVE
PORTLAND OR 97209-3859

CARY NOVOTNY
ATTORNEY AT LAW
2109 SW HARTLEY AVE
GRESHAM OR 97080

EMAILED: Grace Jeffreys, Linly
Rees, Lauren King, Maja Haium, BDS
Hearings Clerk; Tim Heron, Douglas
Morgan, Kurt Krueger, Dawn Krantz,
Robert Haley, Dawn Uchiyama,
Elisabeth Reese Cadigan, Mari Moore,
Sara Drake, Meghaan Davis, Toni
Anderson

LU 16-184524 DZM
ORDER MAILED: 09/07/17

bn

**APPEAL OF LANDON CROWELL AGAINST THE
DESIGN COMMISSION'S DECISION OF DENIAL FOR DESIGN REVIEW
OF A NEW 5-6 STORY APPROXIMATELY 70' TALL 17-UNIT APARTMENT BUILDING
IN THE CENTRAL EASTSIDE SUBDISTRICT OF THE CENTRAL CITY PLAN DISTRICT
AT 1122 SE ANKENY ST.
(LAND USE CASE NO.: 16-184524 DZM)**

Applicant: Brian Durban, YGH Architecture
707 SW Washington St., Suite 1200
Portland OR 97205

Owner: Landon K Crowell
1122 SE Ankeny St.
Portland, OR 97214

Owner's Representative: Tim Ramis, Jordan Ramis PC
2 Centerpointe Dr. #600
Lake Oswego, OR 97035

Site Address: **1122 SE ANKENY ST**

Legal Description: BLOCK 238 W 34' OF LOT 7&8, EAST PORTLAND; BLOCK 238 S 30' OF E 66' OF LOT 7, EAST PORTLAND

Zoning: **EXd**, Central Employment (EX) with Design (d) overlay

Case Type: **DZM**, Design Review (DZ) with Modification (M) requests

Procedure: **Type III.** The decision of the Design Commission was appealed to City Council.

Original Proposal: The applicant sought **Design Review** approval for a new 5- to 6-story, approximately 70' tall, seventeen (17) unit apartment building in the Central Eastside Subdistrict of the Central City Plan District. Located on a unique "L" shaped, 5,380 SF site, the ground floor contains retail and service spaces fronting SE Ankeny, and a residential unit fronting SE 12th. Design review is necessary because the project proposes new development within a design overlay zone, per section 33.420.041 of the Portland Zoning Code.

Fifteen (15) long-term bike parking spaces are proposed in two secure rooms on the ground floor; the remaining thirteen (13) required long-term bike spaces will be located within the units. Flow-through stormwater planters are proposed at ground and second levels. Proposed materials considered by the Design Commission included: white textured plaster skim coat and steel panels at the ground floor, flat-lock zinc panels in two sizes and 3-coat plaster render above, stainless steel cable mesh, aluminum-clad windows, and solar panels. The following additional reviews were requested:

A **Modification** was requested to *Long-term Bike Parking Standards* (33.266.220):

- To reduce the required bike parking spacing from 2'-0" to 1'-6" for the vertically hung spaces in the ground floor secure rooms; and,
- To reduce the rack requirement of a high security, U-shaped shackle lock spanning the frame and one wheel, to allow the u-lock to reach just one wheel for the in-unit racks.

An **Exception** was requested to *Window Projections into the Right-of-Way* (OSSC/32/#1)

- To increase the maximum width of the oriel projections from 12' to: 15'-9.5" on SE Ankeny, and 14'-8" on SE 12th.

This proposal received a decision of denial from the Design Commission. As discussed below under *Procedural History - Revisions made during the review and appeal process* below, the applicant revised certain design elements and materials during the City Council appeal hearing process, culminating in a revised proposal.

Revised Proposal: The applicant/ appellant now seeks **approval from the City Council** for a new 5- to 6-story, approximately 70' tall, sixteen (16) unit apartment building in the Central Eastside Subdistrict of the Central City Plan District. Located on a unique "L" shaped, 5,380 SF site, the ground floor contains retail and service spaces fronting SE Ankeny, and a residential unit fronting SE 12th.

Fifteen (15) long-term bike parking spaces are proposed in two secure rooms on the ground floor; the remaining eleven (11) required long-term bike spaces will be located within the units. Flow-through stormwater planters are proposed at ground and second levels. Proposed materials include stained Cedar rain-screen, flat-lock zinc panels in two sizes, stainless steel cable mesh at external stairways, aluminum-clad windows, solar panels, and steel panels at the ground floor. The following additional reviews are requested:

A **Modification** is requested to *Long-term Bike Parking Standards* (33.266.220):

- To reduce the required bike parking spacing from 2'-0" to 1'-6" for the vertically hung spaces in the ground floor secure rooms; and,
- To reduce the rack requirement of a high security, U-shaped shackle lock spanning the frame and one wheel, to allow the u-lock to reach just one wheel for the in-unit racks.

An **Exception** is requested to *Window Projections into the Right-of-Way* (OSSC/32/#1)

- To increase the maximum width of the oriel projections from 12' to 16'-2" on SE Ankeny.

Design review is necessary because the project proposes new development within a design overlay zone, per section 33.420.041 of the Portland Zoning Code.

The City Council appeal hearing was opened in the Council Chambers, 1221 SW 4th Avenue on April 12, 2017 at approximately 2:00 p.m. After hearing public testimony and considering the evidence in the record, Council voted 4-0 to continue the hearing to May 11, 2017 at 2:00 p.m. and kept the record open for 30 days; asked for submissions from representatives of each side to be no more than 4 pages, requested the appellant conduct two meetings, one with the Neighborhood Association and one with immediate homes on that block. On May 11, 2017 at approximately 2:00 p.m. Council continued the hearing to June 8, 2017 at 3:30 p.m. On June 8, 2017 at approximately 1:30 p.m., Council rescheduled the hearing to June 8, 2017 at 2:00 p.m. On June 8, 2017 at approximately 2:00 p.m., Council rescheduled the hearing to June 21, 2017 at 2:00 p.m. On June 21, 2017 at approximately 2:00 p.m., Council reopened the record and

after hearing testimony continued the hearing to August 9, 2017 at 2:00 p.m. On August 9, 2017 at approximately 2:00 p.m., Council tentatively voted 4-0 to grant approval of the appeal against Design Commission's decision based upon the revised design and a condition requiring a construction management plan and ordered final findings to be prepared for Council consideration and adoption on August 31, 2017 at 3:00 p.m. On August 31, 2017 at approximately 3:00 p.m. Council voted 3-0 to uphold the appeal and overturn Design Commission's decision and adopt findings.

DECISION

Based on evidence in the record and adoption of the Council's Findings and Decision in **Case File LU 16-184524 DZM** and by this reference made a part of this Order, **it is the decision of Council** to: approve the appeal based on the revised drawings, and thereby approve the **Design Review** for a new 5- to 6-story, approximately 70' tall, sixteen (16) unit apartment building in the Central Eastside Subdistrict of the Central City Plan District. Located on a unique "L" shaped, 5,380 SF site, the ground floor contains retail and service spaces fronting SE Ankeny, and a residential unit fronting SE 12th.

Fifteen (15) long-term bike parking spaces are proposed in two secure rooms on the ground floor; the remaining eleven (11) required long-term bike spaces will be located within the units. Flow-through stormwater planters are proposed at ground and second levels. Proposed materials include stained Cedar rain-screen, flat-lock zinc panels in two sizes, stainless steel cable mesh at external stairways, aluminum-clad windows, solar panels, and steel panels at the ground floor.

Approval of the following **Modification** request:

- Long-term Bike Parking Standards (33.266.220):
 - To reduce the required bike parking spacing from 2'-0" to 1'-6" for the vertically hung spaces in the ground floor secure rooms; and,
 - To reduce the rack requirement of a high security, U-shaped shackle lock spanning the frame and one wheel, to allow the u-lock to reach just one wheel for the in-unit racks.

Approval of the following **Exception** request:

- Window Projections into the Right-of-Way (OSSC/32/#1): To increase the maximum width of the oriel projections from 12' to 16'-2" on SE Ankeny.

Approvals per Exhibits C.1-C.51, signed, stamped, and dated August 29, 2017, subject to the following **Conditions of Approval**:

- A. As part of the building permit application submittal, the following development-related conditions (B through D) 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 16-184524 DZM." 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.

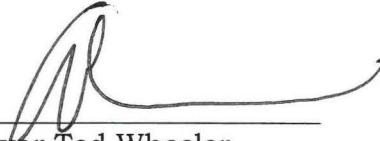
C. No field changes allowed.

D. Provide a signed statement for building permit review confirming that the Construction Management Plan (Exhibit C.51) will be complied with.

IT IS SO ORDERED:

SEP 07 2017

Date

A handwritten signature in black ink, appearing to be 'Ted Wheeler', written over a horizontal line.

Mayor Ted Wheeler
Presiding Officer at Hearing of
August 31, 2017
3:00 p.m. Session



Portland City Auditor
Council Clerk/Contracts Division

Auditor Mary Hull Caballero
Council Clerk Karla Moore-Love

September 7, 2017

Brian Durban, YGH Architecture
707 SW Washington St., Suite 1200
Portland OR 97205

Landon K Crowell
122 SE Ankeny St.
Portland, OR 97214

RE: LU 16-184524 DZM

Appeal of Landon Crowell against Design Commission's decision of denial for design review of a new 5 to 6 story, approximately 70' tall, 17-unit apartment building in the Central Eastside Subdistrict of the Central City Plan District, at 1122 SE Ankeny Street (Hearing; LU 16-184524 DZM)

To Whom It May Concern:

Enclosed is a copy of the Order of Council on LU 16-184524 DZM. This Order must be recorded with the Multnomah County Recorder within 10 days of receipt of this letter. **Please send a check for \$56.00 made payable to the Multnomah County Recorder, indicating the file number on your check and SEND TO: The City of Portland, Office of the City Auditor, 1221 SW 4th Ave. Room 130, Portland, OR 97204-1900**

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with LUBA within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. LUBA's address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call LUBA at 1-503-373-1265 or visit LUBA's website (www.oregon.gov/LUBA) for further information on filing an appeal.

Yours sincerely,
Mary Hull Caballero
Auditor of the City of Portland
By:

Karla Moore-Love, Council Clerk

Cc Tim Ramis, Jordan Ramis PC
Encl.



City of Portland
1221 SW 4th Avenue, Room 130 | Portland, OR 97204 | (503) 823-4086



NOTICE OF FINAL DECISION

TO: All Interested Persons
DATE: September 7, 2017
RE: LU 16-184524 DZM

Appeal of Landon Crowell against Design Commission's decision of denial for design review of a new 5 to 6 story, approximately 70' tall, 17-unit apartment building in the Central Eastside Subdistrict of the Central City Plan District, at 1122 SE Ankeny Street (Hearing; LU 16-184524 DZM)

Enclosed is a copy of the Order of Council on LU 16-184524 DZM to approve the appeal based on the revised drawings, and thereby approve the Design Review for a new 5- to 6-story, approximately 70' tall, sixteen (16) unit apartment building in the Central Eastside Subdistrict of the Central City Plan District. If you wish to obtain a copy of the City Council's findings and decision, please contact Karla Moore-Love, Council Clerk by email at: Karla.Moore-Love@portlandoregon.gov or at (503) 823-4086.

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with LUBA within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. LUBA's address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call LUBA at 1-503-373-1265 or visit LUBA's website (www.oregon.gov/LUBA) for further information on filing an appeal.

Yours sincerely,
Mary Hull Caballero
Auditor of the City of Portland

By:

Karla Moore-Love, Council Clerk

Encl.

