



CITY OF PORTLAND  
Bureau of Development Services  
1900 SW Fourth Avenue, Suite 5000  
Portland, OR 97201 **P524**  
**Land Use Decision Enclosed**  
**Case # LU 14-152200 HR**

16

**Return Service Requested**



**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](http://www.portlandoregon.gov/bds)

**Date:** July 30, 2014  
**To:** Interested Person  
**From:** Tim Heron, Land Use Services  
503-823-7726 / [tim.heron@portlandoregon.gov](mailto:tim.heron@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 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 - 152200 HR – NEW ROOF DECK**

#### **GENERAL INFORMATION**

**Applicant:** Travis Sowerby / Barry R Smith, PC Architect  
715 SW Morrison St., Suite 909 / Portland, Oregon 97205

**Site Address:** 715 NW 17TH AVENUE

**Legal Description:** LOT 715, CAMPBELL TWNHSE CONDOMINIUMS  
**Tax Account No.:** R130500050  
**State ID No.:** 1N1E33AC 90002 **Quarter Section:** 2928  
**Neighborhood:** Northwest District, contact John Bradley at 503-313-7574.  
**Business District:** Nob Hill, contact Mike Conklin at 503-226-6126. Pearl District Business Association, contact Adele Nofield at 503-223-0070.  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Northwest  
**Other Designations:** A Contributing property in the Alphabet Historic District  
**Zoning:** R1, a multi-dwelling residential zone  
**Case Type:** HR, Historic Resource Review  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

**Proposal:** The applicant seeks Historic Resource Review approval to add a rooftop deck with 3'-6" wooden guardrails on a Contributing property in the Alphabet Historic District. The proposal includes a 31" x 94-1/2" metal roof hatch and removal of a non-historic skylight. The hatch will not be visible from the street. Historic Resource Review approval is required because the proposal is for non-exempt alterations on a Contributing property in the Alphabet Historic District.

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

- Community Design Guidelines
- Historic Alphabet District Community Design Guidelines Addendum

### **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 and therefore warrants approval.

**ADMINISTRATIVE DECISION**

Approval of alterations to a Contributing property in the Alphabet Historic District, including:

- A wooden rooftop deck with 3'-6" wooden guardrails
- A 31" x 94-1/2" painted sheet metal roof hatch with a 3:12 slope
- Removal of a non-historic skylight

Approval per the approved site plans, Exhibits C-1 through C-7, signed and dated June 30, 2014, 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.7. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 14-152200 HR. No field changes allowed."

**Staff Planner: Tim Heron**

**Decision rendered by:**  **on July 28, 2014.**

By authority of the Director of the Bureau of Development Services

**Decision mailed: July 30, 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 May 2, 2014, and was determined to be complete on May 23, 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 May 2, 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 extended by the applicant, **the 120 days will expire on: September 19, 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 Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on August 13, 2014** 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 5<sup>th</sup> 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](http://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 **August 14, 2014**
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034.

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun. Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development,

subject to the Zoning Code in effect at that time. Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

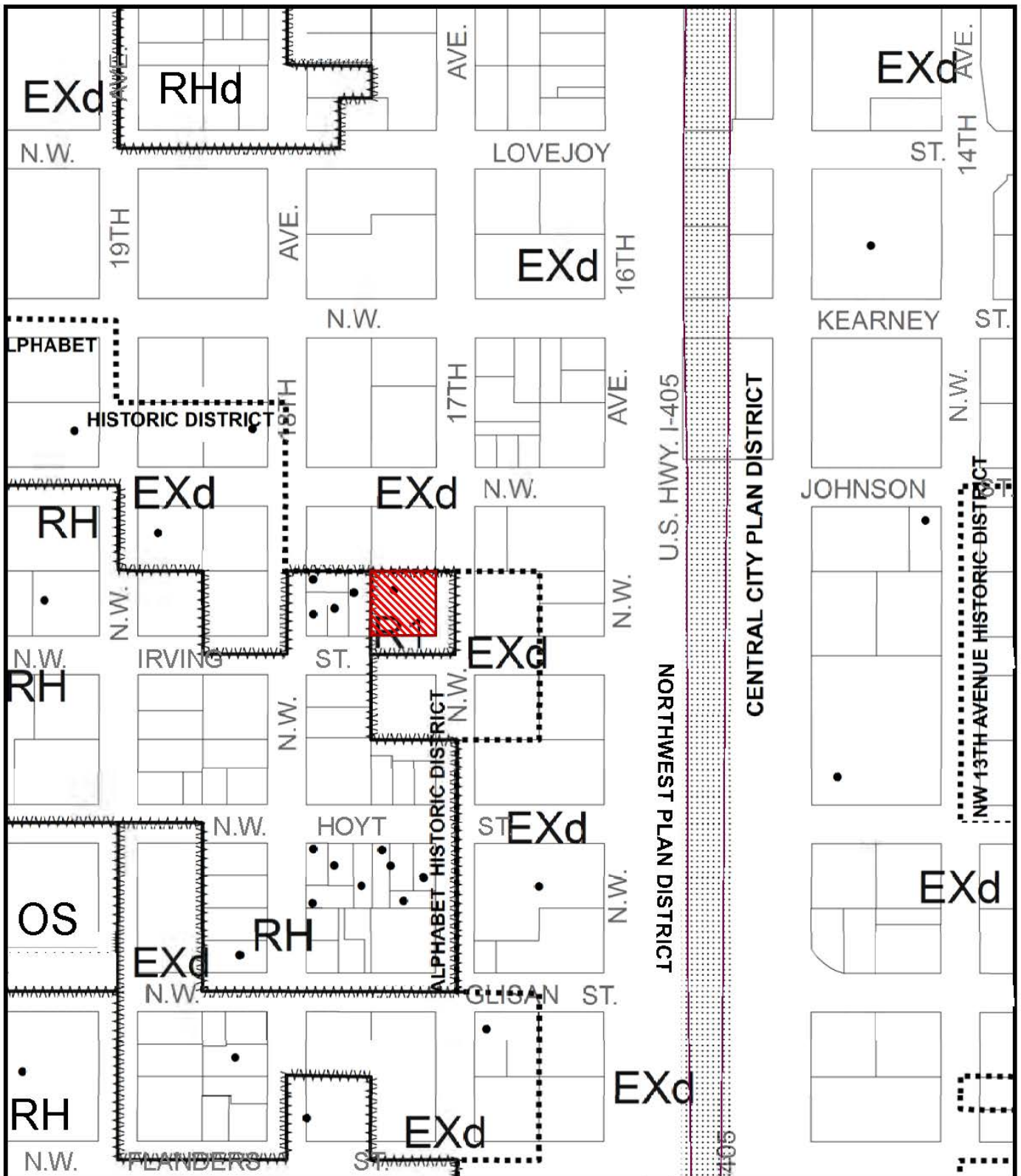
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Elevations (attached)
  - 3. Partial Section (attached)
  - 4. Section Details
  - 5. Deck and Guardrail Details
  - 6. Materials List
  - 7. Roof Plan
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Nauman Quraishi, a Life Safety Plans Examiner, June 16, 2014, building permit is required and the proposal must meet applicable codes.
- F. Correspondence: No written responses 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

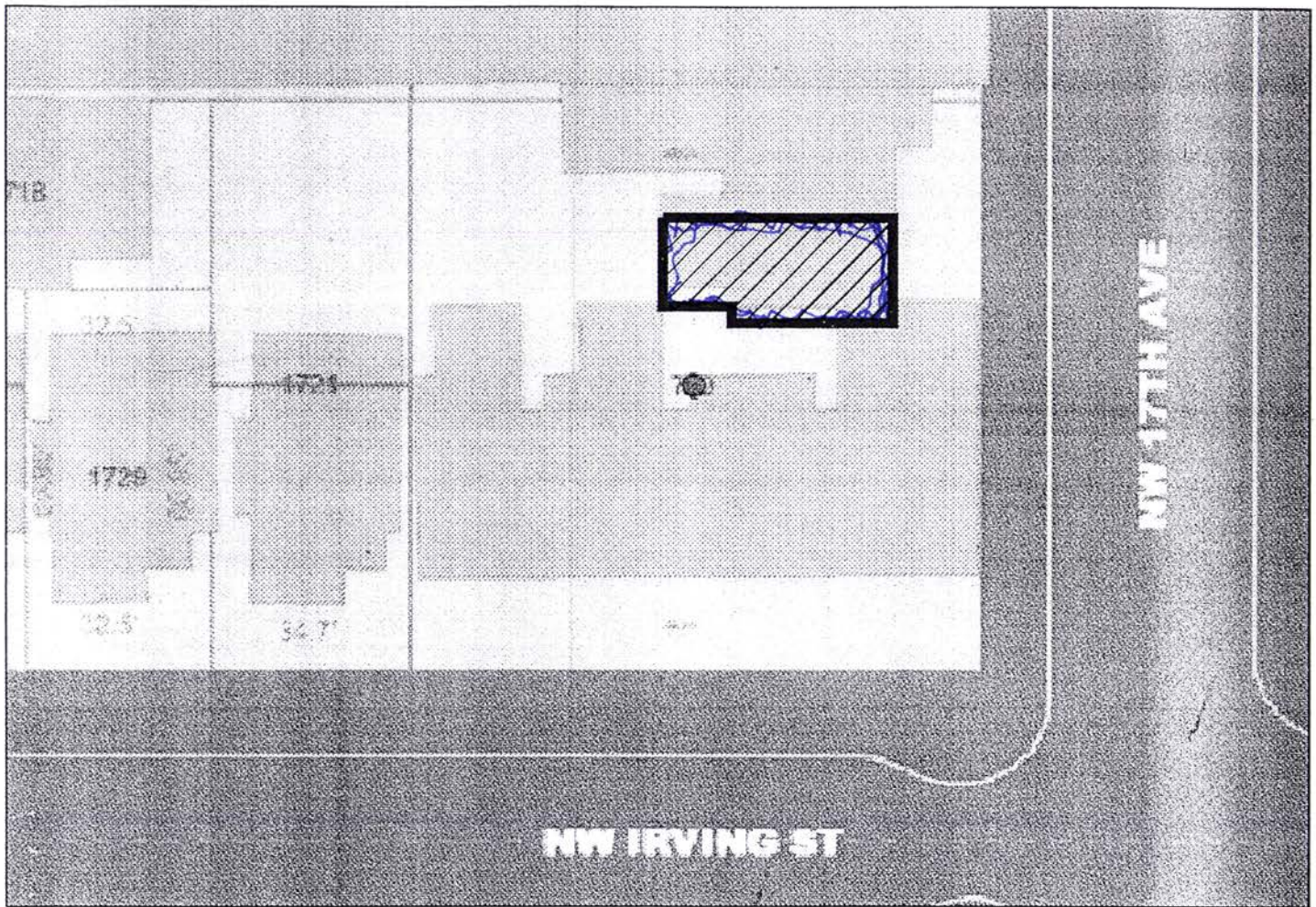
This site lies within the:  
NORTHWEST PLAN DISTRICT  
ALPHABET HISTORIC DISTRICT



NORTH

File No.	LU 14-152200 HR
1/4 Section	2928
Scale	1 inch = 417 feet
State_Id	1N1E33AC 90000
Exhibit	B (May 06, 2014)





26  
A0.0

# SITE PLAN

SCALE: N.T.S.



10  
AREA OF WORK

\*Approved\*

City of Portland - Bureau of Development Services

Planner TIM HERON Date 7/28/14

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

LU14-152200 HR  
EXHIBIT C-1

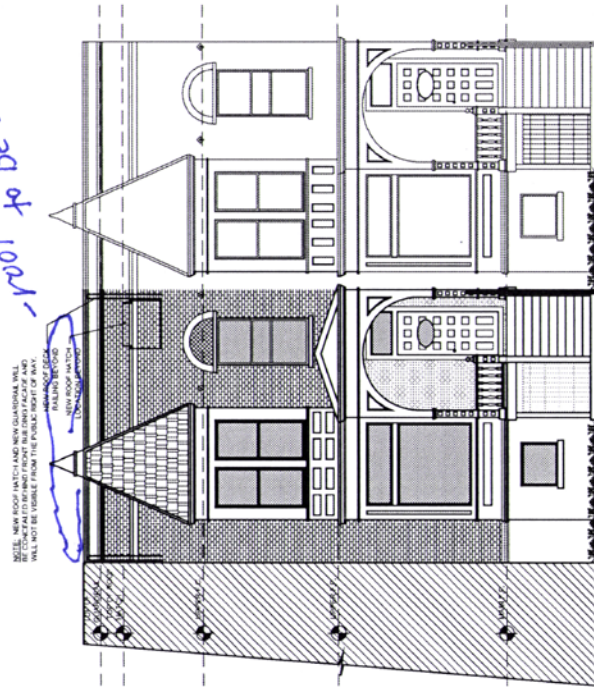




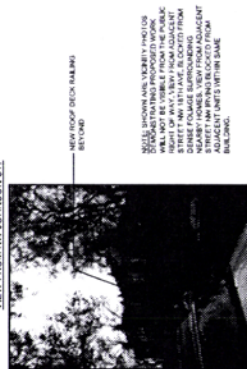
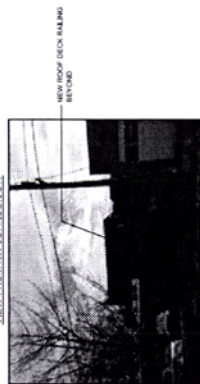
STAIR AND ROOF DECK ADDITION  
for TANYA KAPKA  
PORTLAND, OR  
EXTERIOR ELEVATIONS & R.O.W. SITE LINE PHOTOS

715 NW 17TH  
A5.0  
06.01.2014

 = AREA OF WORK <sup>railing</sup>  
- roof deck 3'6"



46 FRONT ELEVATION  
SCALE: 1/4" = 1'-0"



NOTES SHOWN ARE VICINITY PHOTOS  
OF DEMONSTRATING PROPOSED WORK  
WILL NOT BE VISIBLE FROM THE PUBLIC  
RIGHT OF WAY. VIEW FROM ADJACENT  
STREET NW 18TH AVE. BLOCKED FROM  
DENSE FOLIAGE SURROUNDING  
NEARBY HOMES. VIEW FROM ADJACENT  
STREET NW 17TH AVE. BLOCKED FROM  
ADJACENT UNITS WITHIN SAME  
BLOCK.

66 R.O.W. VICINITY PHOTOS  
A5.0 SCALE: N.T.S.

\*Approved\*

City of Portland - Bureau of Development Services

Planner TIM HERON Date 7/28/14

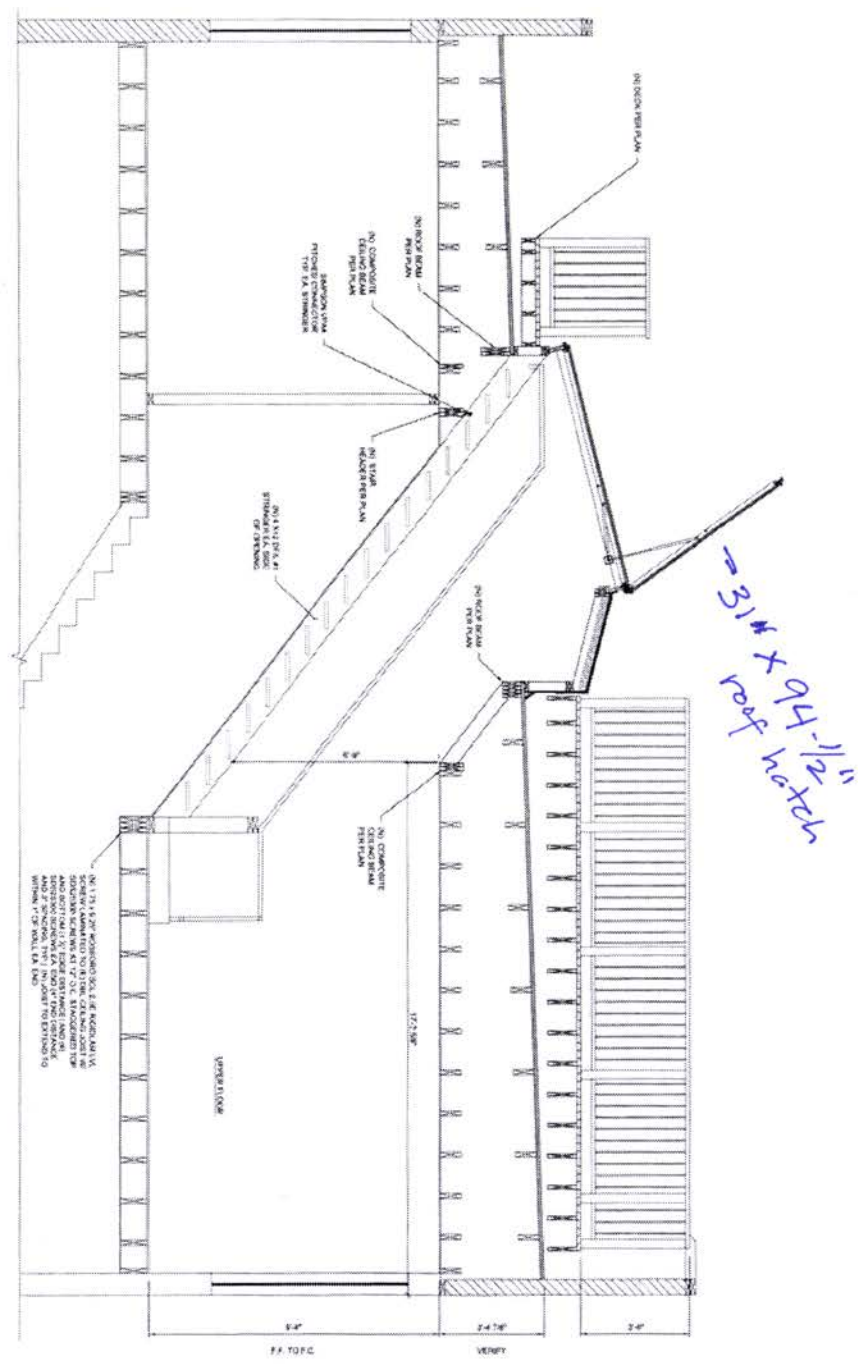
This approval applies only to the reviews requested and is subject to future change of approval. Additional zoning requirements may apply.

EXHIBIT. C-2

LN14-152200 HR



1 PARTIAL SECTION  
S4.01



= 31'4" x 9'4-1/2" hatch



\*Approved\*

City of Portland - Bureau of Development Services

Planner TIM HERON Date 7/20/14

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

LINE IS 3/16" THICK  
AT FULL SCALE  
OF 1/8" = 1'-0"

SHEET <b>S4.01</b>	NEW ROOF DECK	<b>TANYA KAPKA</b> 715 NW 17TH AVENUE PORTLAND, OREGON	<b>MILLER</b> CONSULTING ENGINEERS 2015 SW 10th Ave Suite 200 Portland, OR 97210 Tel: 503.246.1300 Fax: 503.246.1305 www.miller-engineers.com	 MILLER CONSULTING ENGINEERS	
	DRAWN BY: <u>SKS</u>				
	CHECKED BY: <u>SKS</u>				
	DATE: <u>04.17.2014</u>				

LU14-152200 HR

EXHIBIT C-3