



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

1900 SW 4th Avenue, Suite 5000  
Portland, Oregon 97201  
503-823-7300  
Fax 503-823-5630  
TTY 503-823-6868  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** April 4, 2011  
**To:** Interested Person  
**From:** Chris Caruso, Land Use Services  
503-823-5747 / [Christine.Caruso@portlandoregon.gov](mailto:Christine.Caruso@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 this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 11-113270 HDZ**  
**CHARMAIN MANOR ROOFING**

**GENERAL INFORMATION**

**Applicant:** Charlotte Tevet  
SLS Properties, Inc.  
834 SW St. Clair Ave., #206  
Portland, OR 97205

**Representative:** John Karas  
Riverview Asset Management  
900 Washington St., #900  
Vancouver, WA 98660

**Site Address:** 805 SW VISTA AVE

**Legal Description:** LOT 29&35 30&34, CEDAR HILL  
**Tax Account No.:** R144800320  
**State ID No.:** 1N1E33CC 00800  
**Quarter Section:** 3027  
**Neighborhood:** Goose Hollow, contact Jerry Powell at 503-222-7173.  
**Business District:** Goose Hollow Business Association, contact Angela Crawford at 503-223-6376.  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Historic District:** King's Hill  
**Other Designations:** Secondary Contributing Resource  
**Zoning:** RH with historic resource overlay  
**Case Type:** HDZ, Historic Design Review  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

**Proposal:**

The applicant requests historic design review approval to replace the existing original clay tile mansard roof on Charmain Manor, a secondary contributing resource in the King's Hill Historic

District built in 1929 by Harry Mittleman. The proposed roof material is a pre-formed and pre-finished metal roofing system that will match the original clay roof tiles in shape, scale, and color. The original mansard roof shape will remain. All surrounding materials including gutters, downspouts, and parapet trim plus all surrounding wall finishes will be retained. Exterior alterations to buildings in historic districts require historic design review.

**Relevant Approval Criteria:**

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

- 33.846 Historic Reviews
- King’s Hill Historic District Guidelines

## ANALYSIS

**Site and Vicinity:** The 18,700 SF site is a through-block bounded on the east by SW Vista Avenue and on the west by SW Green Avenue and is located within the King’s Hill Historic District. The site is developed with two multi-story apartment buildings. The proposed work is on the southernmost of the two buildings which is a secondary contributing resource in the King’s Hill Historic District. The site is located just south, up a hill from the commercial developments along West Burnside Street. Medium-density single dwellings, high-density multi-dwelling residences, and commercial development characterize the surrounding neighborhood. SW Vista Ave is a designated Transit Access Street, District Collector, City Bikeway, and City Walkway. SW Green Avenue is a designated Local Service Bikeway, and Local Service Walkway.

**Zoning:** The High Density Residential (RH) 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 range from 80 to 125 units per acre. Allowed housing is characterized by medium to high height and a relatively high percentage of building coverage. The major types of new housing development will be low, medium, and high-rise apartments and condominiums. Generally, RH zones will be well served by transit facilities or be near areas with supportive commercial services. Newly created lots in the RH zone must be at least 10,000 square feet in area for multi-dwelling development. There is no minimum lot area for development with detached or attached houses or for development with duplexes. Minimum lot width and depth standards may apply.

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 there are no prior land use reviews for this site.

**Summary of Applicant’s Statement:** use at your discretion to further explain proposal and/or how they propose to mitigate for impacts or meet approval criteria.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **March 10, 2011**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Bureau of Parks-Forestry Division

- Bureau of Transportation Engineering
- Water Bureau (Exhibit E-1)
- Site Development Section of BDS
- Fire Bureau
- Life Safety Review Section of BDS

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on March 10, 2011. 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 33.846.060 - Historic Design Review**

#### **Purpose of Historic Design Review**

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

#### **Historic Design Review Approval Criteria**

Requests for historic design 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 located within the King's Hill Historic District and the proposal is for a non-exempt treatment. Therefore Historic Design Review approval is required. The approval criteria are the *King's Hill Historic District Guidelines*.

*Staff has considered all guidelines and addressed only those applicable to this proposal.*

#### **King's Hill Historic District Guidelines**

**A1. Historic Character.** Retain and preserve the diverse historic character of the King's Hill Historic District.

**Findings:** The character of this portion of the district is one of older multifamily buildings placed close to the street edge with idiosyncratic architectural features, individual punched window openings, distinctive entries, and courtyards or light wells. There are also a multitude of architectural styles in the area, most of which are some type of revival. The character of the district will be retained as the new metal roof tiles will match the existing clay roof tiles in shape and scale and the existing roof line will not change, thereby maintaining Charmain Manor's profile and visual contribution to the City skyline. *This guideline is therefore met.*

**A2. Architectural Styles.** Maintain the architectural integrity of historic building façades. Respect the essential forms and styles of the historic buildings in the district.

**A3. Historic Material, Features, and Color.** During exterior rehabilitation, protect, maintain, and preserve historic materials, color, and architectural features.

**Findings:** The form of the building will not be altered, since the existing roofline will be maintained and the new roof tiles match the existing ones in shape and scale. The building style will be maintained by using roof tiles that match the existing tiles in shape and scale. The new roof tiles will be of a reddish-brown color that matches the weathered look of the existing clay tiles. Existing historic features will be preserved including the exterior wall surface, the cornice and gutter system. *These guidelines are therefore met.*

**A5. Historic Change to Buildings.** Alterations may take on historical significance over time. Preserve those portions or features of a building that define its historical, cultural, or architectural value.

**Findings:** No alterations of historic significance are being changed with this proposal. All adjacent historic materials will be protected and no damaging treatments will be used. *This guideline is therefore met.*

**D1. Exterior Alterations.** Exterior alterations should complement the resource’s massing, size, scale, and architectural features.

**D5. Building Context and Composition.** In new construction, complement the characteristics of the site and architectural features of contextual building by borrowing from, and building on, the design vocabulary of the district’s historic buildings. When adding to or altering the exterior of existing development, respect the character of the original structure as well as adjacent structures.

**D8. Exterior Materials and Features.** Retain or restore original exterior finishing materials. Use materials and design features that promote permanence, quality, and visual interest. Use materials and design features that are consistent with the building’s style and with the existing vocabulary of the historic district.

**Findings:** The exterior alteration of the new roofing material complements the resource’s massing, size, and architectural features by retaining the existing roof framing and finished building height and by recreating the look of a clay tile roof which is an integral part of Charmain Manor’s Mediterranean Revival style. The new roof material has a vertical pattern that provides visual interest similar to the existing clay tiles it is replacing. All work will be compatible with the original structure as well as adjacent structures by replicating a material already present in the district. *This guideline is therefore met.*

**D10. Roof Features.** Design roof features to be compatible with the detailing, scale, and pitch of historic roofs, consistent with the respective building’s style. Retain and preserve roof features that are important in defining the building’s historic character. Replace, in kind, extensively deteriorated or missing parts of the roof and/or roof line when surviving prototypes exist. When in-kind replacement is not practical, replace with elements that recreate the roof’s historic character.

**Findings:** The existing clay roof tiles which have a modulated vertical surface are no longer available and curved clay tiles are not a good match, so an in-kind replacement is not practical. The proposed stamped metal roofing is a very close match to the existing clay tiles in scale and patterning and will recreate the roof’s historic character. The new roofing will be placed on the existing roof framing which will preserve the scale and pitch of the roof which is a defining feature of Charmain Manor. *This guideline is therefore 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 Design Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. The proposed alterations to Charmain Manor will replicate material already present on the building and will retain the overall form and design of the structure within the Kings Hill Historic District. This proposal meets the applicable Historic Design Review guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

Historic Design Review approval to replace the original clay tile roof material on Charmain Manor, a secondary contributing resource in the King's Hill Historic District built in 1929 by Harry Mittleman. The work includes the following:

- Pre-formed and pre-finished metal roofing system in color "Terracotta"; and
- Retention of the original roof framing and form.

Approved per the approved site plans, Exhibits C-1 through C-7 signed and dated April 4, 2011, 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-C.7. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 11-113270 HDZ. No field changes allowed."

**Staff Planner: Chris Caruso**

**Decision rendered by:**  **on April 1, 2011**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: April 4, 2011**

**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 15, 2011, and was determined to be complete on **March 8, 2011**.

*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 15, 2011.

*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 7, 2011.**

**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 April 18, 2011** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth 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 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 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, 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 **April 19, 2011 – (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.

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:

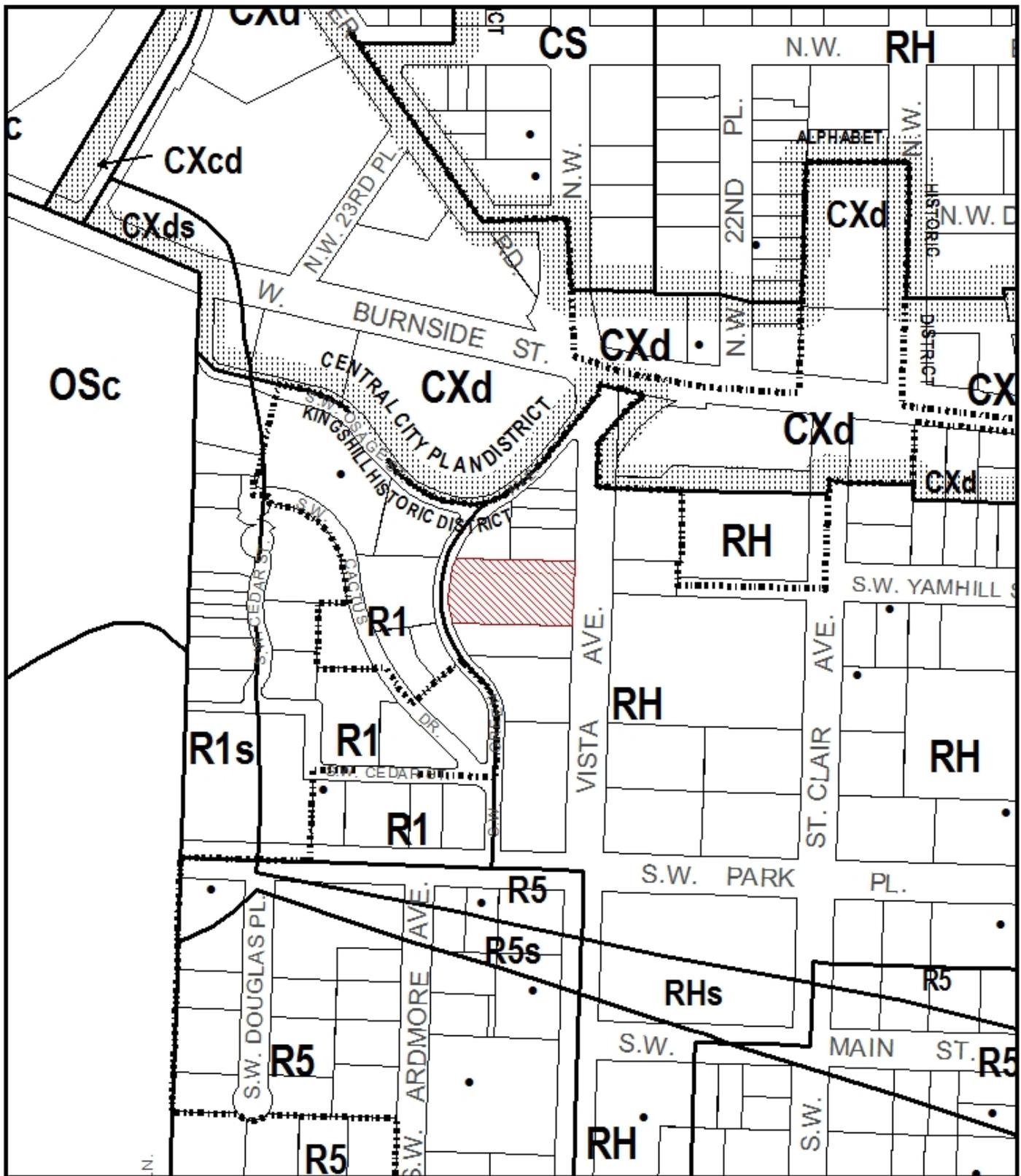
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Information:
  - 1. Narrative
  - 2. Photos
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Front Elevation (attached)
  - 3. Side Elevation (attached)
  - 4. Partial Site Plan
  - 5. Overhead Photo
  - 6. Manufacturer's Specifications
  - 7. Photo with sample in place
  - 8. Terracotta color sample
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Water Bureau
- F. Correspondence: none received
- G. Other:
  - 1. Original LU Application
  - 2. Incomplete Letter

**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

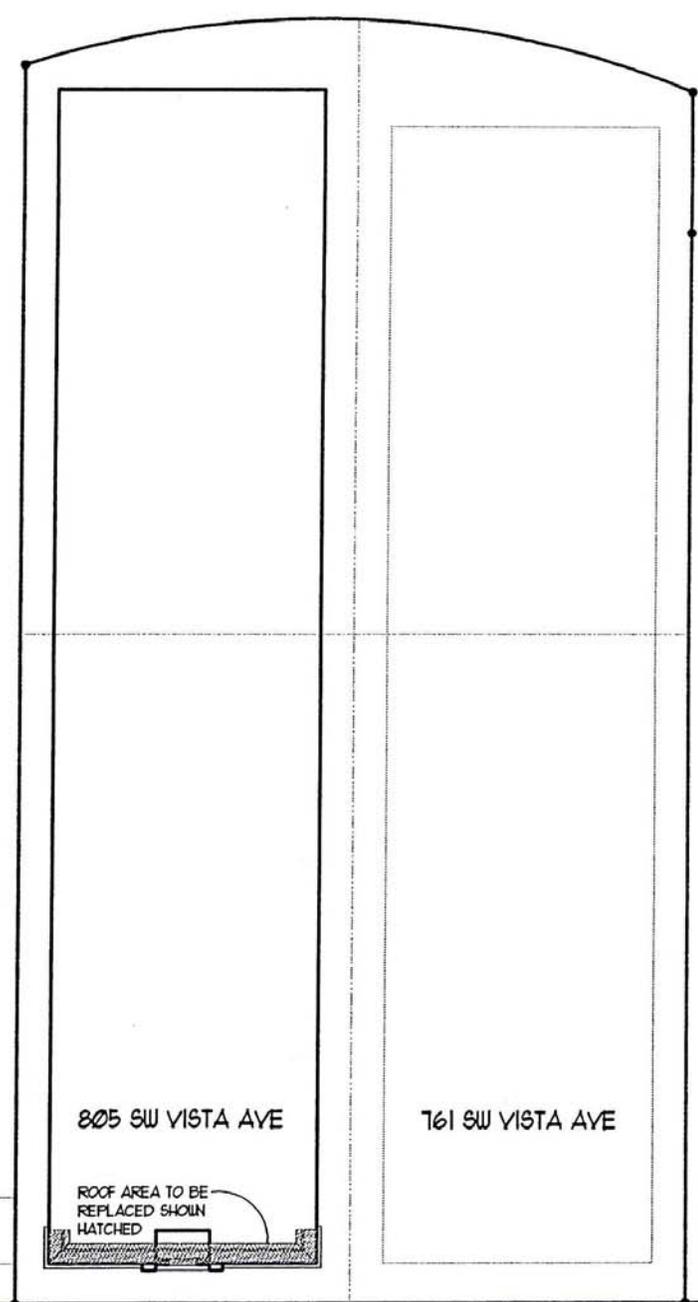
 Site



This site lies within the:  
KING'S HILL HISTORIC DISTRICT

|             |                   |
|-------------|-------------------|
| File No.    | LU 11-113270 HDZ  |
| 1/4 Section | 3027              |
| Scale       | 1 inch = 417 feet |
| State_Id    | 1N1E33CC 800      |
| Exhibit     | B (Apr 01,2011)   |

EXH. C-1  
LW11-113270 HDZ



\*Approved\*

City of Portland - Bureau of Development Services

Planner C. [Signature] Date 4/11/11

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

SW VISTA AVENUE

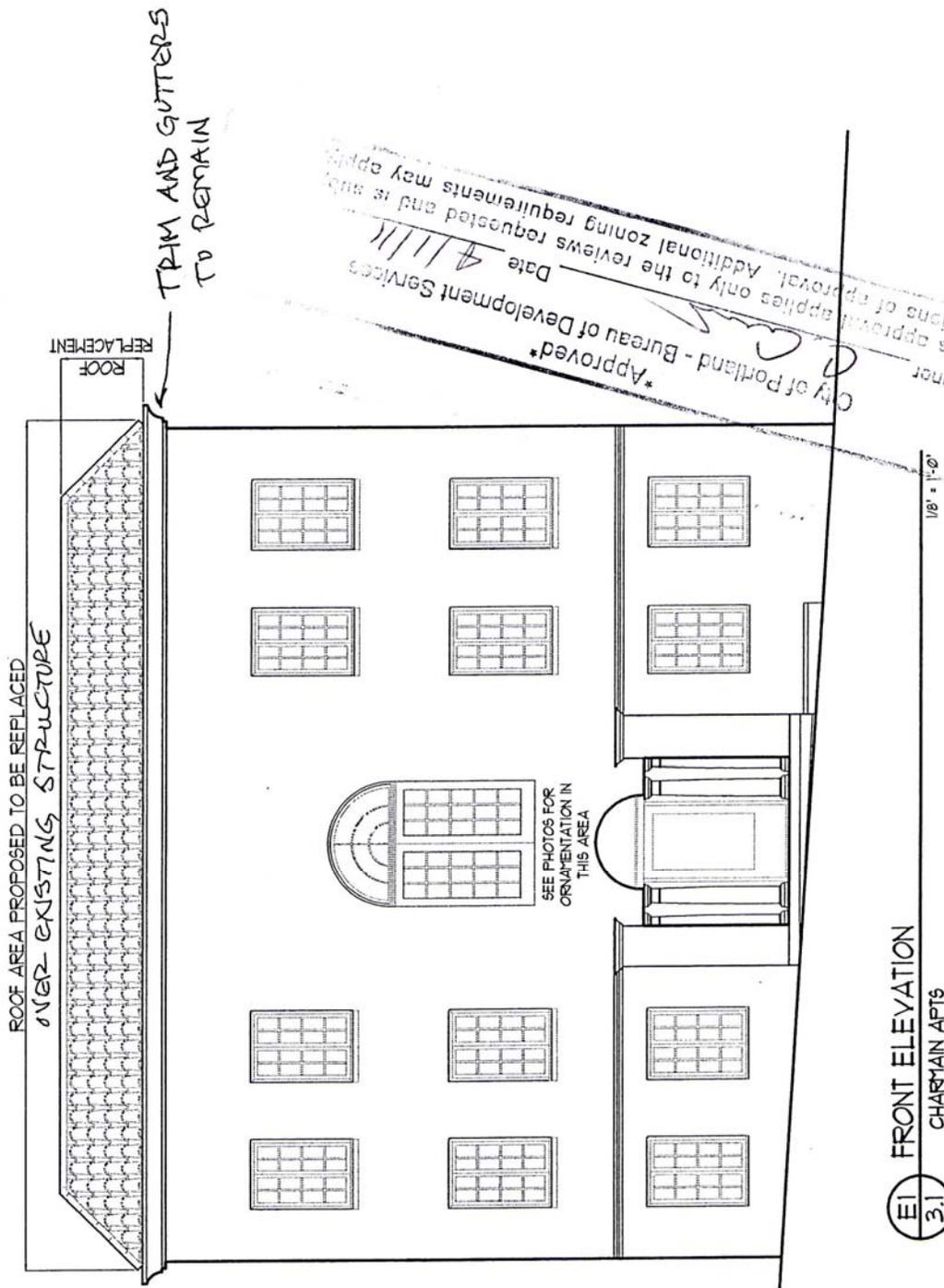


**SITE PLAN (SHOWING ENTIRE SITE)**  
SOME ELEMENTS SHOWN ARE APPROXIMATE

1" = 30.0'

|   |   |
|---|---|
| <b>JEFFREY L. MILLER</b><br>ARCHITECT, P.C.<br><small>804 S.W. 24th Ave. # 201, Portland, Oregon 97205<br/>         PH: (503) 222-2224 FAX: (503) 222-4124<br/>         CONTACT: WILLIAM ODELL PULLINOCK<br/>         EMAIL: jlm@jlmllm.com</small> | <b>CHARMAIN APTS</b><br>805 SW VISTA AVE<br>FOR DESIGN REVIEW ONLY<br>DATED:<br>2-11-2011 |
|---|---|

NOTE:  
 ROOFING HATCH SHOWN IS  
 APPROXIMATE. SEE SUBMITTED  
 MANUFACTURER'S PHOTOS FOR  
 ACCURATE DEPICTION OF  
 PROPOSED ROOFING  
 APPEARANCE.



City of Portland - Bureau of Development Services  
 Approved\*  
 Planner: [Signature]  
 Date: 4/11/11  
 \* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

(E1) FRONT ELEVATION  
 (3.1) CHARMAIN APTS

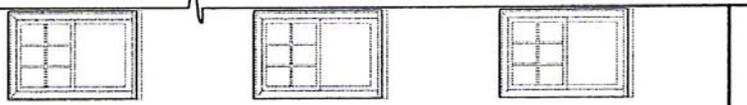
L111-113270 HDZ  
 EXH. C-2

|   |   |
|---|---|
| <b>JEFFREY L. MILLER</b><br>ARCHITECT, P.C.<br>834 S.W. ST. CLAIR AVE. # 202, PORTLAND, OREGON 97205<br>PH. (503) 222-2234 FAX (503) 222-6134<br>CONTACT: WILLIAM (BILL) VILLWOCK<br>EMAIL: bill@jlmarchitect.com | <b>CHARMAIN APTS</b><br>805 SW VISTA AVE.<br>FOR DESIGN REVIEW ONLY<br>DATED: 2-11-2011 |
|---|---|

ROOF REPLACEMENT OVER  
EXISTING STRUCTURE

ROOF REPLACEMENT OVER  
EXISTING STRUCTURE

TRIM AND GUTTERS  
TO REMAIN



E3 PARTIAL NORTH SIDE ELEVATION  
3.1 CHARMAIN APTS  
1/8" = 1'-0"

E2 PARTIAL SOUTH SIDE ELEVATION  
3.1 CHARMAIN APTS  
1/8" = 1'-0"

Planner  
\* This approval applies only to the review requirements and is subject to all conditions of approval. Additional zoning requirements may apply.  
Date: 4/7/11  
City of Portland - Bureau of Development Services  
Approved: [Signature]

NOTE:  
ROOFING HATCH SHOWN IS APPROXIMATE. SEE SUBMITTED MANUFACTURER'S PHOTOS FOR ACCURATE DEPICTION OF PROPOSED ROOFING APPEARANCE.

LU11-113270 HDZ

EXH. C-3

|  |   |
|--|---|
| <b>JEFFREY L. MILLER</b><br>ARCHITECT, P.C.<br>834 S.W. ST. CLAIR AVE. # 202, PORTLAND, OREGON 97205<br>PH. (503) 222-2234 FAX (503) 222-6134<br>CONTACT: WILLIAM (BILLY) VILLWOCK<br>EMAIL: bill@jlmarchitect.com | <b>CHARMAIN APTS</b><br>805 SW VISTA AVE.<br>FOR DESIGN REVIEW ONLY |
|  | DATED:<br>2-11-2011   |