



City of Portland  
**Bureau of Development Services**  
Land Use Services Division

1900 SW Fourth Ave. Suite 5000  
Portland, Oregon 97201  
Telephone: 503-823-7300  
TDD: 503-823-6868  
FAX: 503-823-5630  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** November 12, 2008  
**To:** Interested Person  
**From:** Kate Marcello, Land Use Services  
503-823-9162 / [kate.marcello@ci.portland.or.us](mailto:kate.marcello@ci.portland.or.us)

## **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 08-149811 HDZ PORCH IMPROVEMENTS AT HISTORIC W.G. FURNELL HOUSE**

#### **GENERAL INFORMATION**

**Applicant:** Gregory Palin (General Contractor)  
2616 NE 34th Ave / Portland, OR 97212-5229  
(503) 473-7516

**Owner:** David Kabat  
2233 NE 11th Ave / Portland, OR 97212-4031

**Site Address:** 2335-2337 NW Johnson Street

**Legal Description:** LOT 8 BLOCK 3, KINGS 2ND ADD  
**Tax Account No.:** R452300490  
**State ID No.:** 1N1E33BC 08900  
**Quarter Section:** 2927  
**Neighborhood:** Northwest District, contact John Bradley at 503-227-7484.  
**Business District:** Nob Hill, contact Kay Wolfe at 503-227-0898.  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** None  
**Other Designations:** W.G. Furnell House (Primary Contributing Structure in Alphabet Historic District)

**Zoning:** Multi-dwelling Residential with maximum density of one unit per 1,000 sq ft of site area; minimum density of one unit per 1,450 sq ft of site area (R1)

**Case Type:** Historic Design Review (HDZ)  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

**Proposal:** The applicant requests Historic Design Review approval for a new porch roof, posts, and railing on the front (south) façade of the W.G. Furnell House, a duplex that is listed as a Contributing Structure in the Alphabet Historic District. The proposed roof, posts, and railing would be located at the entry doors to the building, where a concrete landing and stair are

currently located. The porch roof would have wood framing, asphalt shingles, wood trim, and metal gutters. Its pitch would be 4:12. (The pitch of the roof on the house is 6:12.) The two posts would be wood 4 x 4's with ¾" face trim at all sides. The railing would also be composed of wood.

Because the proposal is for exterior alterations to an existing building in a designated historic district, Historic Design Review is required.

**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 Reviews
- Oregon Statewide Planning Goals\*
- *Community Design Guidelines*
- *Historic Alphabet District: Community Design Guidelines Addendum*

**\*Note:** *The Northwest Plan District is a post-acknowledgment Comprehensive Plan amendment under ORS 197.625 and is currently on appeal to Land Use Board of Appeals [LUBA]. Under ORS 197.625(3)(a) prior to acknowledgment, the amendment is effective at the time specified by the local ordinance and is applicable to all land use decisions. Under Subsection (3)(b), approval of land use decisions subject to an unacknowledged amendment must include findings in compliance with the Statewide Planning Goals applicable to the amendment.*

## ANALYSIS

**Site and Vicinity:** The site is located on the block bounded by NW Johnson Street, 23<sup>rd</sup> Avenue, Kearney Street, and 24<sup>th</sup> Avenue in the Alphabet Historic District. The subject building, whose historic name is the W.G. Furnell House, was constructed in 1898. The building is classified as a Primary Contributing structure in the Historic District. The building, originally constructed as a single-family home, was converted into a duplex at some point during the latter half of the 20<sup>th</sup> century. The building has two and a half stories in a rectilinear plan. It is a wood-frame structure with a concrete foundation. The gabled roof has flared eaves, modillions, and metal coping. The original wood siding has been covered by asbestos shingle siding. The main entrances to the two apartments are located on the south façade facing NW Johnson Street. Each entrance has a multi-light wood door. The doors are reached via a concrete stoop with an iron railing. On the west façade, there is a secondary covered entrance for one of the apartments at the ground floor, and at the second floor there is a covered balcony. The hipped dormer on the street-facing façade has a pair of multi-light windows. The building has undergone significant alterations over the years, including the aforementioned conversion to a duplex and addition of asbestos shingle siding, as well as the replacement of original wood windows with vinyl and/or aluminum windows and the replacement of the original covered front porch with a concrete stoop. The removal of the front porch occurred in 1953. The building is classified as a Primary Contributing structure in the Alphabet Historic District because it is considered to be a “fair example of a Craftsman-style residence.” Also according to the National Register nomination file for the District, the building “would be a better example if the front porch were restored to the original configuration and the asbestos shingles were replaced with historically appropriate siding.”

The oldest building on the block was constructed in 1885, and the newest building was constructed in 1927. There is one building on the block that is individually listed as a landmark on the National Register of Historic Places. It is Portland Fire Station #17, built in 1912, located on the NW 24<sup>th</sup> Avenue side of the block. With the exception of two one-story commercial buildings and one mixed-use commercial-residential structure – all on the NW 23<sup>rd</sup> Avenue side of the block – the block is solidly residential. Most buildings are single-family homes, but there are also a few multi-family structures.

The vicinity contains a mixture of residential structures, retail storefronts, and small offices. NW 23<sup>rd</sup> and 21<sup>st</sup> Avenues are the nearest commercial corridors, containing mostly small boutiques, restaurants, bars, and coffee shops.

**Zoning:** The R1 zone is a medium-density multi-dwelling zone. It allows a minimum density of one unit per 1,450 sq ft of site area and a maximum density of one unit per 1,000 square feet of site area. Allowed housing is characterized by one- to four-story buildings and a higher percentage of building coverage than in the R2 zone. The major type of new housing development is multi-dwelling structures (condominiums and apartments), duplexes, townhouses, and rowhouses. Generally, R1 zoning is applied near Neighborhood and District Collector streets and local streets adjacent to commercial areas and transit streets.

The Historic Resource Protection overlay zone is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks. The regulations that pertain to these properties protect certain historic resources in the region and preserve significant parts of the region's 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 one prior land use review for this site: LU 95-012411 AD (reference file # LUR 95-00518 AD): Approval for an Adjustment to allow increased paving in the front yard from the allowed 20% to 28%, subject to the conditions that the driveway be paved with bricks and vehicles not be parked within the first ten feet of the property line.

**Agency Review:** A *Notice of Proposal in Your Neighborhood* was mailed on August 11, 2008. The following Bureaus have responded with no issues or concerns:

- Portland Fire & Rescue;
- Portland Water Bureau;
- Urban Forestry Division of Portland Parks & Recreation; and
- Bureau of Transportation Engineering & Development Review.

The Life Safety (Building Code) Section of the Bureau of Development Services responded with the following comment. Please see Exhibit E-1 for additional details.

*A separate Building Permit is required for the New porch and guard rail, and the proposal must be designed to meet all applicable building codes and ordinances. More information regarding building code requirements can be obtained by visiting the Bureau of Development Services Development Services Center -1900 SW 4<sup>th</sup> Ave, 1<sup>st</sup> floor, between the hours of 7:30 AM and 3:00 PM Monday through Friday and also 5:00 PM to 7:30 PM Thursday evening (no appointment necessary.) Building Code information is also available online at: <http://www.portlandonline.com/bds/>, or by calling (503) 823-1456.*

The Site Development Section of the Bureau of Development Services responded with the following comment. Please see Exhibit E-2 for additional details.

*Site Development does not object to the new porch roof, posts, railing and rain gutters proposed in this Design Review. At the time of building permit review, plans must include a utility plan that includes existing and proposed stormwater facilities. Please note that a plumbing permit (02-123365-PT) was issued in 1992 for sewer line replacement but no inspections were requested and the permit was never finalized. Please refer to the response from BES regarding any additional comments or requirements pertaining to this proposal.*

*Questions regarding stormwater requirements may be directed to Jame Hyatt, (503) 823-7979.*

The Bureau of Environmental Services responded with the following comment. Please see Exhibit E-3 for additional details.

*BES has no objections to the proposed project. Further development of the property would be subject to the Bureau of Environmental Services' standards and requirements during the building plan review process. Building plans for this project must include a detailed site utility plan, which shows proposed and existing sanitary connections and stormwater management that meets City requirements (refer to BDS Site Development).*

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on August 11, 2008. No written comments in response to the proposal have been received from the neighborhood association (Northwest District Association) or notified property owners.

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.846, Historic Reviews**

#### **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 a designated Historic Landmark. Therefore the proposal requires historic design review approval. Because the site is located within the Alphabet Historic District, the relevant approval criteria include the Community Design Guidelines and the Historic Alphabet District Community Design Guidelines Addendum [33.846.060 E.1.c]. Because the Northwest Plan District is a post-acknowledgment Comprehensive Plan amendment under ORS 197.625 and is currently on appeal to the Land Use Board of Appeals (LUBA), relevant approval criteria also include the Oregon Statewide Planning Goals applicable to the Comprehensive Plan amendment.

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

These guidelines were adopted on September 5, 2000 and were developed to work with the Community Design Guidelines to provide a set of guidelines specific to the district. Staff has considered all guidelines and will hereby address only those considered applicable to this proposal.

#### **Community Design Guidelines**

These guidelines provide the constitutional framework for all design review areas outside the Central City that are not covered by their own specific area design guidelines. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other transportation systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city. Staff has considered all guidelines and will hereby address only those considered applicable to this proposal.

*The Historic Alphabet District Guidelines and Community Design Guidelines are addressed first, followed by the Oregon Statewide Planning Goals.*

### **1. HISTORIC ALPHABET DISTRICT APPROVAL CRITERIA**

#### **1. Historic Changes.**

Most properties change over time; those changes that have acquired historic significance will be preserved.

**Findings for 1:** The proposal does not affect any changes that have acquired historic significance. In fact, no changes made to the W.G. Furnell House have acquired historic

significance. *Therefore this criterion is met.*

## **2. Differentiate New from Old.**

New additions, exterior alterations, or related new construction will retain historic materials that characterize a property to the extent practicable. Replacement materials should be reasonable facsimiles of the historic materials they replace. The design of new construction will be compatible with the historic qualities of the district as identified in the Historic Context Statement.

## **3. 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. New development will seek to incorporate design themes characteristic of similar buildings in the Historic Alphabet District.

**Findings for 2, 3:** The proposal will not result in the removal or damage of historic materials; only non-historic materials will be affected. The existing flat roof over the entry doors is non-historic and will be removed to accommodate the new porch roof. Small sections of asbestos shingle siding, also non-historic, will be removed to attach the new roof to the building façade. The existing metal railing at the perimeter of the concrete landing is non-historic as well, and will be replaced with wood posts and railing. The proposed alterations will retain historic materials on the building. The new porch roof and wood posts and railing are compatible in scale, proportions, and materials with the historic qualities of the house, surrounding houses, and the larger Alphabet District. *Therefore these criteria are met.*

## **2. COMMUNITY DESIGN GUIDELINES**

### **P1. Community Plan Area Character.**

Enhance the sense of place and identity of community plan areas by incorporating site and building design features that respond to the area's unique characteristics and neighborhood traditions.

**Findings for P1:** According to the *Community Design Guidelines*, guideline P1 can be accomplished on residential streets in the Northwest Plan District with “façade articulation created by elements such as porches and other entrance treatments, bay windows, balconies, and vertically divided building volumes.” The proposal meets this guideline by increasing articulation of the house’s street-facing facade. The new porch roof will have the same form as the roof on the existing dormer window and the roof of the house. This unifying element will introduce a layer of articulation to the front facade that supports the established residential character of NW Johnson Street. *Therefore these guidelines are met.*

### **P2. Historic and Conservation Districts.**

Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area’s historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

### **D7. Blending into the Neighborhood.**

Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

**Findings for P2, D7:** The proposal helps the house to blend into its surroundings. Single-family homes on this block of NW Johnson Street were all built around the same time, from 1888 to 1906, and they all have covered front porches. The roofs of the front porches are typically consistent with the form of the house roofs. They also typically have wooden posts and railings. The proposed alterations to the W.G. Furnell House will make

the existing concrete landing into a veritable front porch, with appropriate details, massing, proportions, and materials. The proposal will make front porches a continuous condition of the single-family homes along this street. There will be a cohesive pattern of articulated ground-level outdoor spaces along the edges of the pedestrian realm, supporting an interesting, engaging streetscape in the Alphabet District. *Therefore these guidelines are met.*

**E1. The Pedestrian Network.**

Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.

**D5. Crime Prevention.**

Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

**Findings for E1, D5:** The new roof over the front porch will make it a comfortable, inviting outdoor space for the residents of the house to survey the surrounding area. This increases “eyes on the street” that help to prevent street crime, enhancing the safety of the pedestrian network on NW Johnson Street. By providing residents with an inviting front porch that can act as a gathering and viewing area, the proposal will break down the barrier between the interior of the house and the outside environment. This makes adjacent sidewalks more interesting to traverse. Additionally, the pedestrian network is made more pleasant by the enhanced appearance of the house’s front façade. The new porch roof will have the same form as the roof on the existing dormer window and the roof on the house, rendering a more unified appearance for the front façade. *Therefore these guidelines are met.*

**E3. The Sidewalk Level of Buildings.**

Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building features, creating effective gathering places, and differentiating street level facades.

**D1. Outdoor Areas.**

When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians.

**Findings for E3, D1:** The street-level façade is differentiated by the existing concrete landing. The proposed alterations will enhance this differentiation by highlighting the existence and location of the porch. Whereas currently there is simply a concrete landing with a shallow, deteriorated flat roof, thin metal railing, and no posts, the proposal will result in veritable front porch that adds stronger definition to the sidewalk level from the second floor.

The new wooden posts and railing, which will be located at the perimeter of the porch and the steps leading to it, will add definition to the front façade of the house, increasing the property’s sense of enclosure along the sidewalk of NW Johnson Street. The railing will also create a sense of rhythm that increases visual interest of the building.

The porch will provide an outdoor area that is an “effective gathering space.” This gathering space is intended for use by the home’s residents and their visitors; nevertheless the porch ensures that the act of gathering at a private home, which might otherwise occur on the home’s interior, also has some indirect public benefit. People’s gathering on the porch contributes vitality to the sidewalk environment, increases the potential for interaction with passersby, and provides “eyes on the street” that enhance pedestrians’ sense of security. *Therefore these guidelines are met.*

**E5. Light, Wind, and Rain.**

Enhance the comfort of pedestrians by locating and designing buildings and outdoor

areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

**Findings for E5:** The comfort of the home's residents and visitors will be enhanced by the proposed alterations. Whereas the existing roof at the concrete landing is extremely shallow and offers little protection, the new roof will be about four feet deep. This will offer ample protection from adverse weather, making the home's entry and exit experience more enjoyable. *Therefore this guideline is met.*

**D2. Main Entrances.**

Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

**Findings for D2:** The main entrances to the house are provided by the two doors located at the existing concrete landing on the front façade. The landing is easy to overlook and does an inadequate job of highlighting the entrances due to its small, deteriorating roof, its thin, deteriorated metal railing, the lack of posts, and the lack of any railing along the steps to the landing. The proposal will transform the landing into a true front porch with a proper roof, posts, and railings. It will be easily recognizable as a front porch, thereby giving the entry doors the prominence they deserve as the building's chief points of entry.

Additionally, the new railing along the existing steps will increase the accessibility of the entrances for people with physical disabilities. *Therefore this guideline is met.*

**D6. Architectural Integrity.**

Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

**D8. Interest, Quality, and Composition.**

All parts of a building should be interesting to view, of long-lasting quality, and designed to form a cohesive composition.

**Findings for D6, D8:** The proposal respects the original character of the W.G. Furnell House. The new wood posts will be 4x4's with 3/4" face trim at all sides, which is compatible with the scale and proportions of the existing landing and the house. Each of the two posts will have molding near the top and a base at the bottom, making them consistent with the Craftsman style of the subject building. The posts and railing will be made of wood, which corresponds to the wood materials of the house. The new porch roof will have the same form as the existing roof on the dormer and the roof on the house. The new porch roof will be made of wood with asphalt shingles. These are durable, architecturally compatible materials that respect the Craftsman style of the home. The house will remain a cohesive composition that is interesting to view. *Therefore these guidelines are met.*

**3. OREGON STATEWIDE PLANNING GOALS**

*Complete text of the Oregon Statewide Planning Goals can be found online at:  
<http://www.lcd.state.or.us/goalhtml/goals.html>.*

**1. Citizen Involvement**

Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local Governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

**2. Land Use Planning**

Goal 2 outlines the basic procedures of Oregon's statewide planning program. It states the ways that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be

adopted. It requires that plans be based on “factual information”; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed.

**Findings for 1, 2:** The City of Portland’s land use planning process allows for and actively seeks the involvement of citizens in all types of land use review processes, whether legislative or quasi-judicial. The Type II Historic Design Review process most closely follows these goals at the City and community level. In the design of individual buildings or the alteration of existing ones, citizen involvement is achieved through mailed public notices, neighborhood association meetings, exchange of comments, and opportunities for appeal. Projects that address the concerns of citizens and the broad community are therefore achieved through the review process. Because the designated zoning on the subject site was adopted to comply with the Comprehensive Plan, the process described here implements Portland’s Comprehensive Plan. *Therefore Goals 1 and 2 are met.*

3. **Agricultural Lands**

Goal 3 defines “agricultural lands.” It then requires counties to inventory such lands and to “preserve and maintain” them through farm zoning.

4. **Forest Lands**

This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will “conserve forest lands for forest uses.”

**Findings for 3, 4:** The subject site is not classified as agricultural or forested land. It is developed urban land with a zoning designation of R1, which is a medium-density residential zone. *Therefore Goals 3 and 4 are not applicable.*

5. **Open Spaces, Scenic and Historic Areas and Natural Resources**

Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands.

**Findings for 5:** The subject site is within the boundaries of the Northwest Plan District and the Historic Alphabet District, so the proposal must meet specific approval criteria. These criteria were designed to conserve and enhance the special characteristics of historic resources. No designated scenic or natural resources are located on the site. *Therefore Goal 5 is met.*

6. **Air, Water, and Land Resources Quality**

This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

**Findings for 6:** The proposed porch improvements do not affect the subject site’s ability to contribute to air, water, and land resource quality. The proposal does not increase impervious area on the site. The site’s existing stormwater management methods will remain unaffected. *Therefore Goal 6 is met.*

7. **Areas Subject to Natural Disasters and Hazards**

Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply “appropriate safeguards” (floodplain zoning, for example) when planning for development there.

8. **Recreational Needs**

This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them.

**Findings for 7, 8:** The site is not located in an area subject to natural disasters or hazards, nor is the site designated or zoned to provide recreational opportunities. *Therefore Goals 7 and 8 are not applicable.*

9. **Economy of the State**



Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

**Findings for 9:** The subject site is duplex on residentially zoned land. The building has been used as a residential structure since it was constructed in 1898. *Therefore Goal 9 is not applicable.*

#### 10. **Housing**

This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing.

**Findings for 10:** The proposal contributes to the continued use of the building as a duplex residential structure. The building has been used as a residential structure since it was constructed in 1898. *Therefore Goal 10 is met.*

#### 11. **Public Facilities and Services**

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs

**Findings for 11:** All applicable building and fire codes will be addressed and met as part of the work proposed. The site's central location will allow it to continue taking advantage of the existing urban infrastructure, including public services such as utilities, trash and recycling, and police and fire protection. *Therefore Goal 11 is met.*

#### 12. **Transportation**

The goal aims to provide a "safe, convenient, and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."

**Findings for 12:** The subject site is served well by Portland's multi-modal public transportation system. The nearest transit service is provided at the intersection of NW Irving Street and 23<sup>rd</sup> Avenue. TriMet bus #15, which runs along NW 23<sup>rd</sup> Avenue and provides service to Montgomery Park, downtown Portland, and SE Belmont Street, has both a northbound and southbound stop at this intersection. Additionally, north- and southbound stops for TriMet bus #17 are located on NW 21<sup>st</sup> Avenue at Irving Street, providing service to Sauvie Island, downtown Portland, and SE Holgate Boulevard. TriMet bus #77 is also located nearby on NW Lovejoy Street, with an eastbound stop at 22<sup>nd</sup> Avenue that provides service to NE Portland and the City of Troutdale. The Portland Streetcar stops at NW Lovejoy and 22<sup>nd</sup> as well, providing eastbound service to Portland State University and the South Waterfront neighborhood. Residents of the subject building do not have to rely on automobiles, thanks to the location of the site and the abundant transit service available to it. *Therefore Goal 12 is met.*

#### 13. **Energy**

Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

**Findings for 13:** The subject site's central location encourages walking and bicycling rather than automobile use. The location of housing in close proximity to the Central City also supports the economy of the urban core and maintains its viability in the region. This conserves energy by keeping economic activity within the existing urbanized area, thus efficiently using the energy embodied in the developed landscape of the urban core. *Therefore Goal 13 is met.*

#### 14. **Urbanization**

This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an “urban growth boundary” to “identify and separate urbanizable land from rural land.”

**Findings for 14:** The City of Portland has an established Urban Growth Boundary (UGB). The subject site is not near the UGB. The subject site’s zoning designation is R1, which is a medium-density residential zone. This is consistent with the objective of providing an adequate amount of residentially zoned land within the UGB. *Therefore Goal 14 is met.*

**15. Willamette Greenway**

Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

**16. Estuarine Resources**

This goal requires local governments to classify Oregon’s 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those “management units.”

**17. Coastal Shorelands**

The goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed.

**18. Beaches and Dunes**

Goal 18 sets planning standards for development on various types of dunes.

**19. Ocean Resources**

Goal 19 aims to “conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf.”

**Findings for Goals 15, 16, 17, 18, 19:** The site is not located at or near the Willamette River, any estuaries, or any coastal or marine habitat or resources. *Therefore Goals 15, 16, 17, 18, and 19 are not applicable.*

## 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 exterior alterations to existing buildings protect the integrity of the special characteristics of the historic resources. The proposed alterations employ high-quality, architecturally appropriate materials that are compatible with the Craftsman style of the W.G. Furnell House. The proposal meets the applicable design guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of a new porch roof made of wood with asphalt shingles and metal gutters, with a pitch of 4:12; new wooden 4x4 posts with ¾” face trim at all sides; and new wooden railing around the porch and at the existing steps leading to the porch.

Approval per the approved site plans, Exhibits C-1 through C-6, signed and dated 11/07/08, 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-6. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-149811 HDZ. No field changes allowed."



**Decision rendered by:** \_\_\_\_\_ **on November 7, 2008**

By authority of the Director of the Bureau of Development Services

**Decision mailed: November 12, 2008**

**Staff Planner: Kate Marcello**

**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 July 28, 2008, and was determined to be complete on August 11, 2008.

*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 July 28, 2008.

*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.

**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 November 26, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., 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. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. 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 contact the receptionist at 503-823-7967 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 **November 28, 2008 – (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:

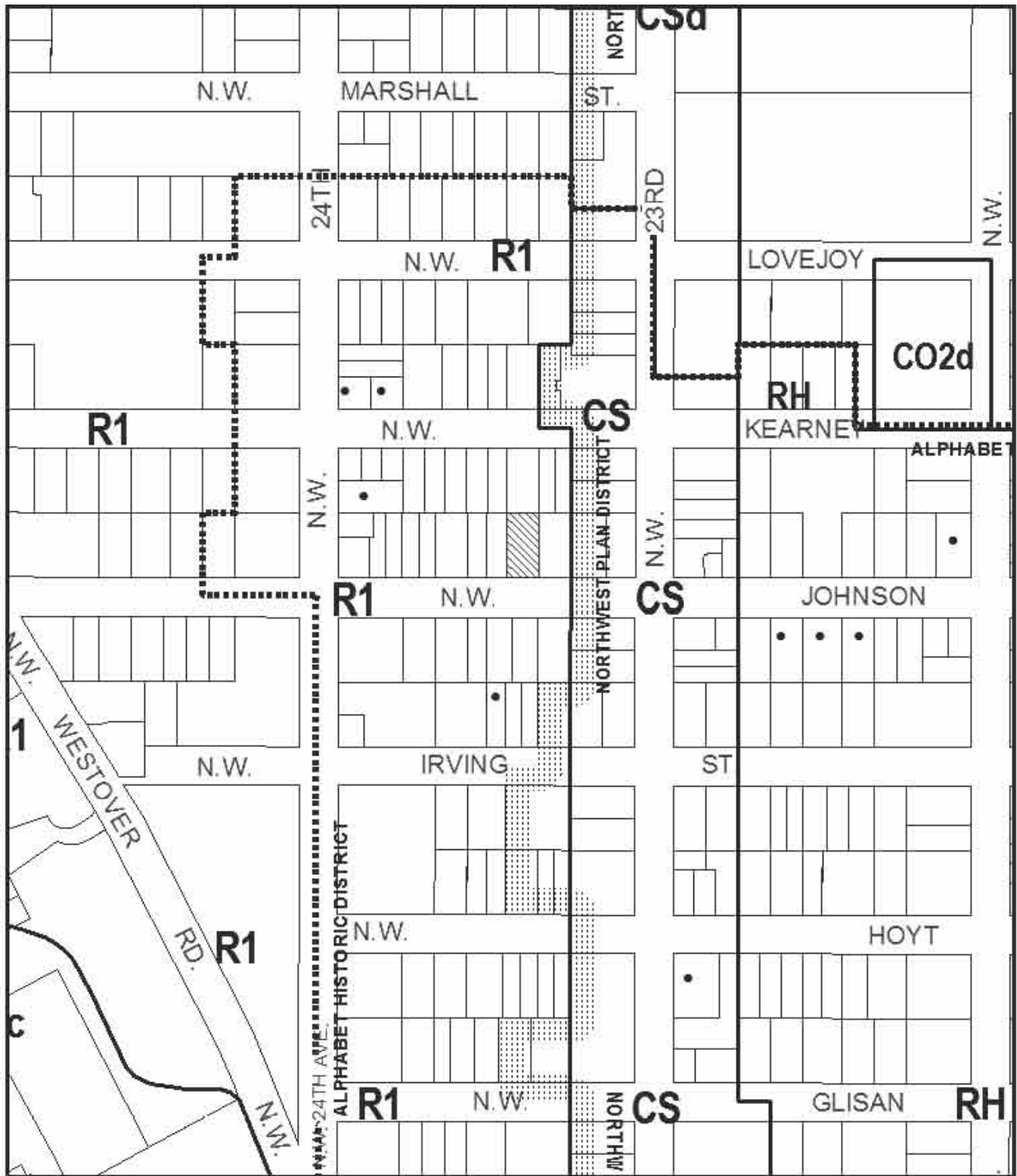
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans and Drawings:
  - 1. Site Plan (attached)
  - 2. Plan View of Porch and Framing Plan (attached)
  - 3. South Elevation Drawing (attached)
  - 4. East Elevation Drawing (attached)
  - 5. West Elevation Drawing (attached)
  - 6. Detail Drawing of Post (attached)
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Life Safety (Building Code) Section of the Bureau of Development Services
  - 2. Site Development Section of the Bureau of Development Services
  - 3. Bureau of Environmental Services
- F. Correspondence: None received.
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research

**The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).**



# ZONING

 Site

 Historic Landmark



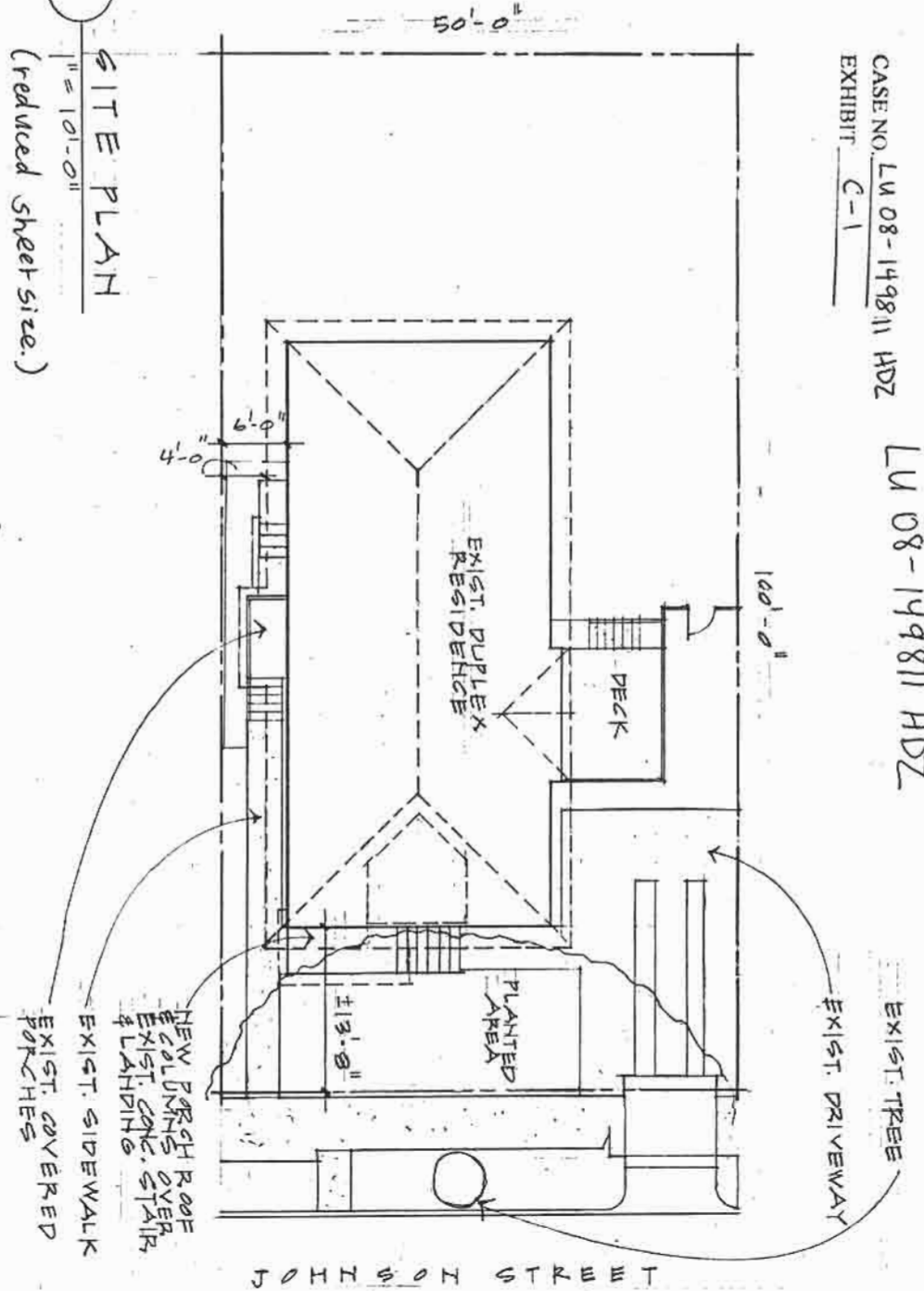
This site lies within the:  
ALPHABET HISTORIC DISTRICT

File No.	LU 08-149811 HDZ
1/4 Section	2927
Scale	1 inch = 200 feet
State_Id	1N1E33BC 8900
Exhibit	B (Jul 29, 2008)

CASE NO. LU 08-149811 HDZ  
EXHIBIT C-1

LU 08-149811 HDZ

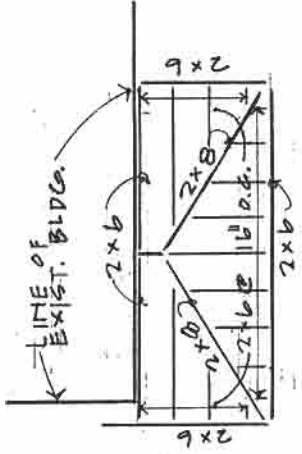
① SITE PLAN  
1" = 10'-0"  
(reduced sheet size.)  
(Scale shown is for 11x17-size paper.)



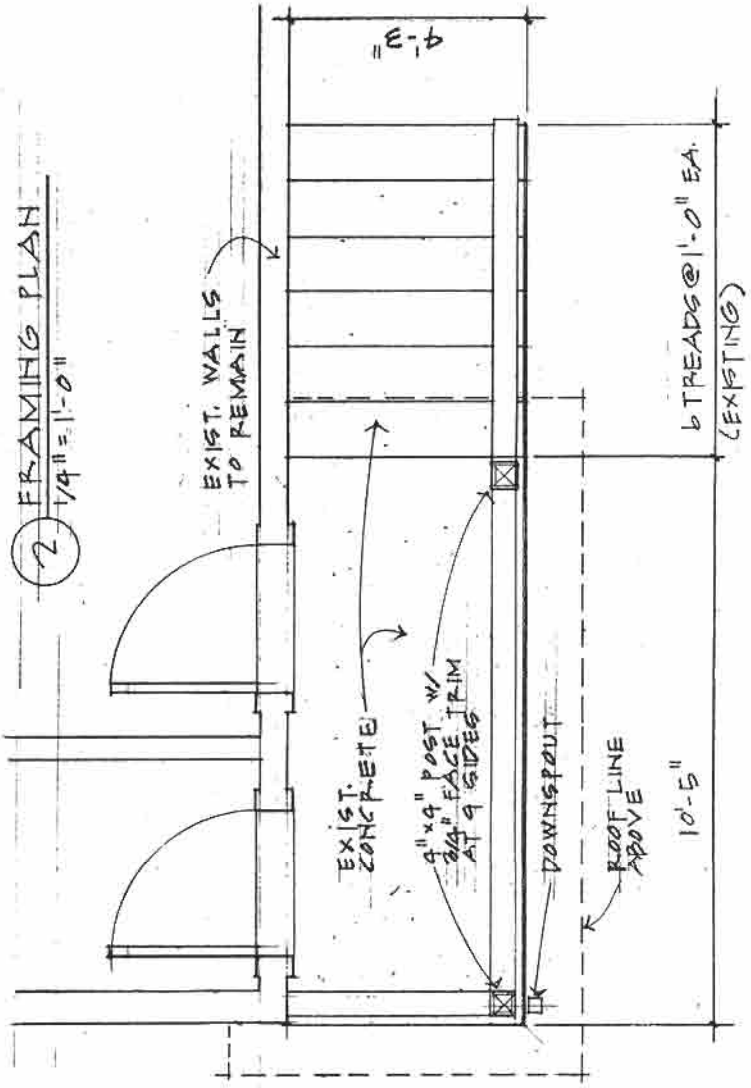
7-25-08

\*Approved\*  
City of Portland - Bureau of Development Services  
Planner Kathleen Mel Date 11-7-08  
\* This approval applies only to the reviews requested and is subject to conditions. Additional zoning requirements may apply.

LU 08-149811 HDZ



2 FRAMING PLAN  
1/4" = 1'-0"



1 PLAN  
1/2" = 1'-0"

(Reduced sheet size.)

(Scale shown is for 11 x 17-size paper.)

2  
1-25-08

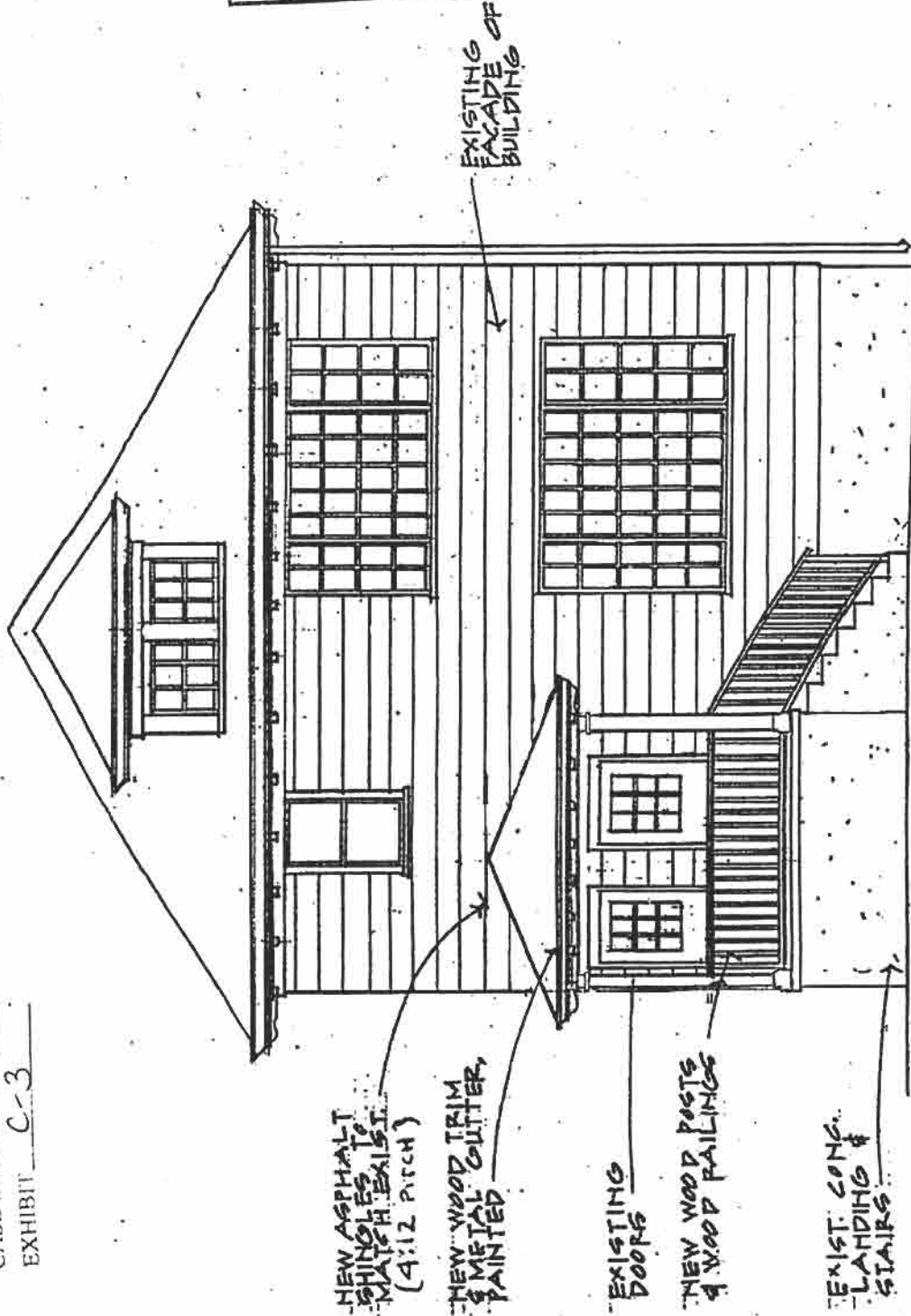
\*Approved\*  
 City of Portland Bureau of Development Services  
 Planner Kathleen [Signature] Date 11-7-08  
 \* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

CASE NO LU 08-149811 HDZ  
 EXHIBIT C-2



CASE NO. LU 08-14981 HDZ  
EXHIBIT C-3

LU 08-14981 HDZ



\*Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planner *Kathleen Newell*  
 Date 11-7-08

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

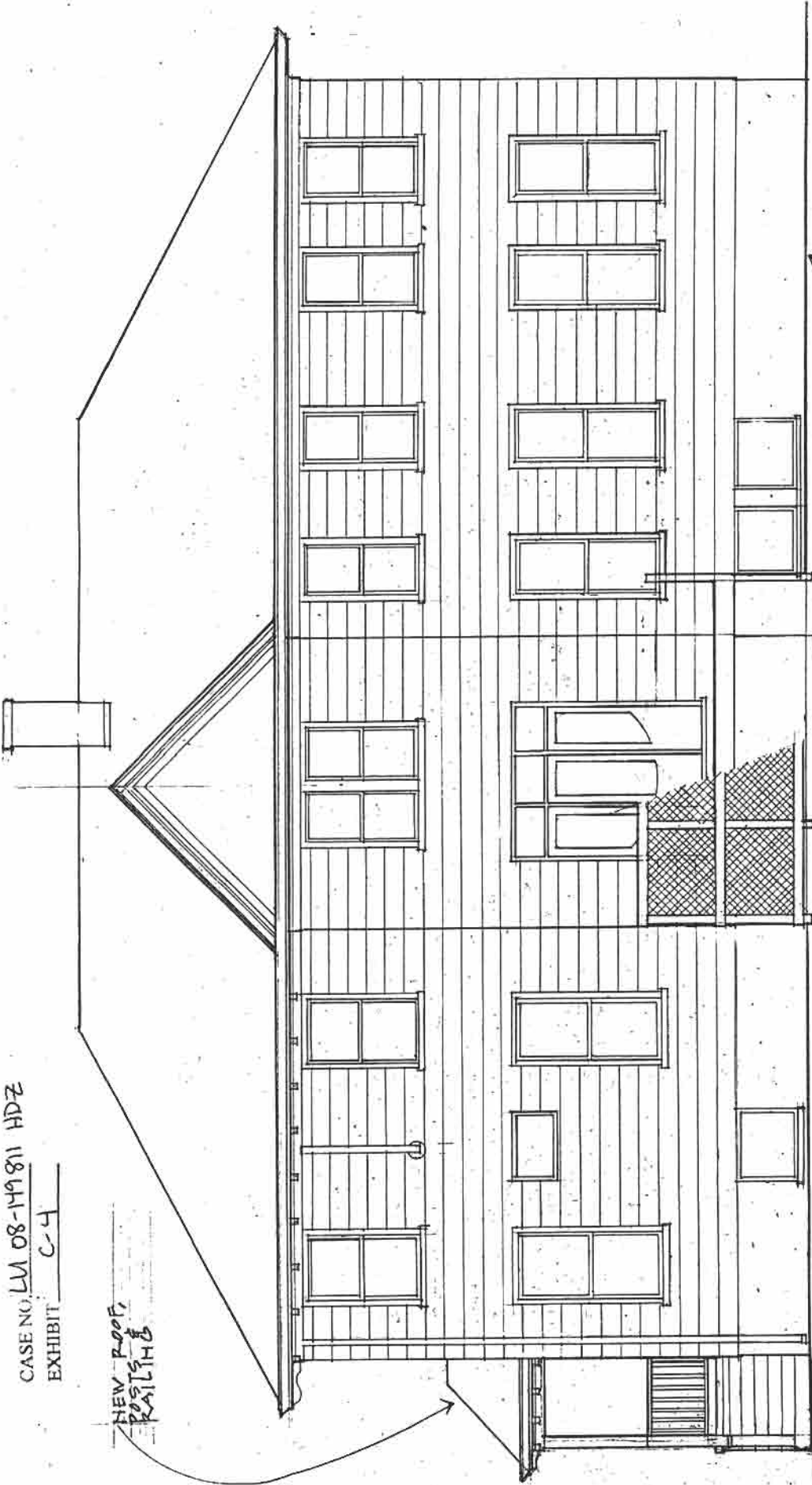
7-25-08  
*3*

1 SOUTH ELEVATION  
 1/4" = 1'-0"  
 (front facade)

(reduced sheet size.)  
 (scale shown is for 11x17-size paper.)

CASE NO. LU 08-149811 HDZ  
EXHIBIT C-4

NEW ROOF,  
POSTS  
& RAFTERS



① EAST ELEVATION  
1/4" = 1'-0"

(reduced sheet size)  
(Scale shown is for 11x17-size paper.)

EXISTING BUILDING

4

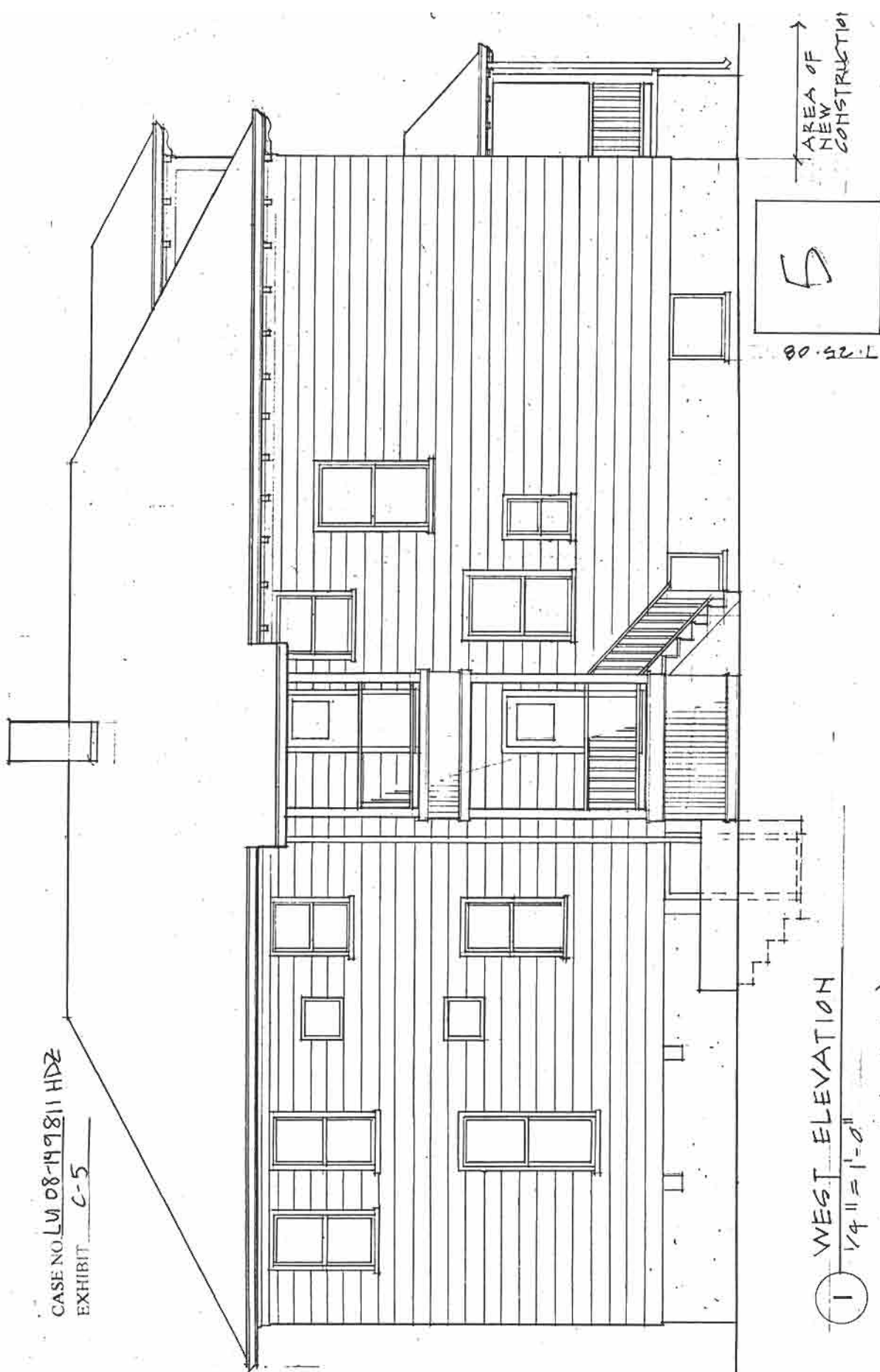
1-25-08

\*Approved\*  
City of Portland - Bureau of Development Services  
Planner *Katherine Newell* Date 11-7-08  
This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

08-149811 HDZ

CASE NO. LM 08-149811 HDZ

EXHIBIT C-5



WEST ELEVATION

1/4" = 1'-0"

(reduced sheet size)

(Scale shown is for 11x17-size paper.)

08-149811 HDZ

5  
7.25.08

AREA OF NEW CONSTRUCTION

\*Approved\*

City of Portland - Bureau of Development Services

Planner *Katherine Mavel* Date 11-7-08

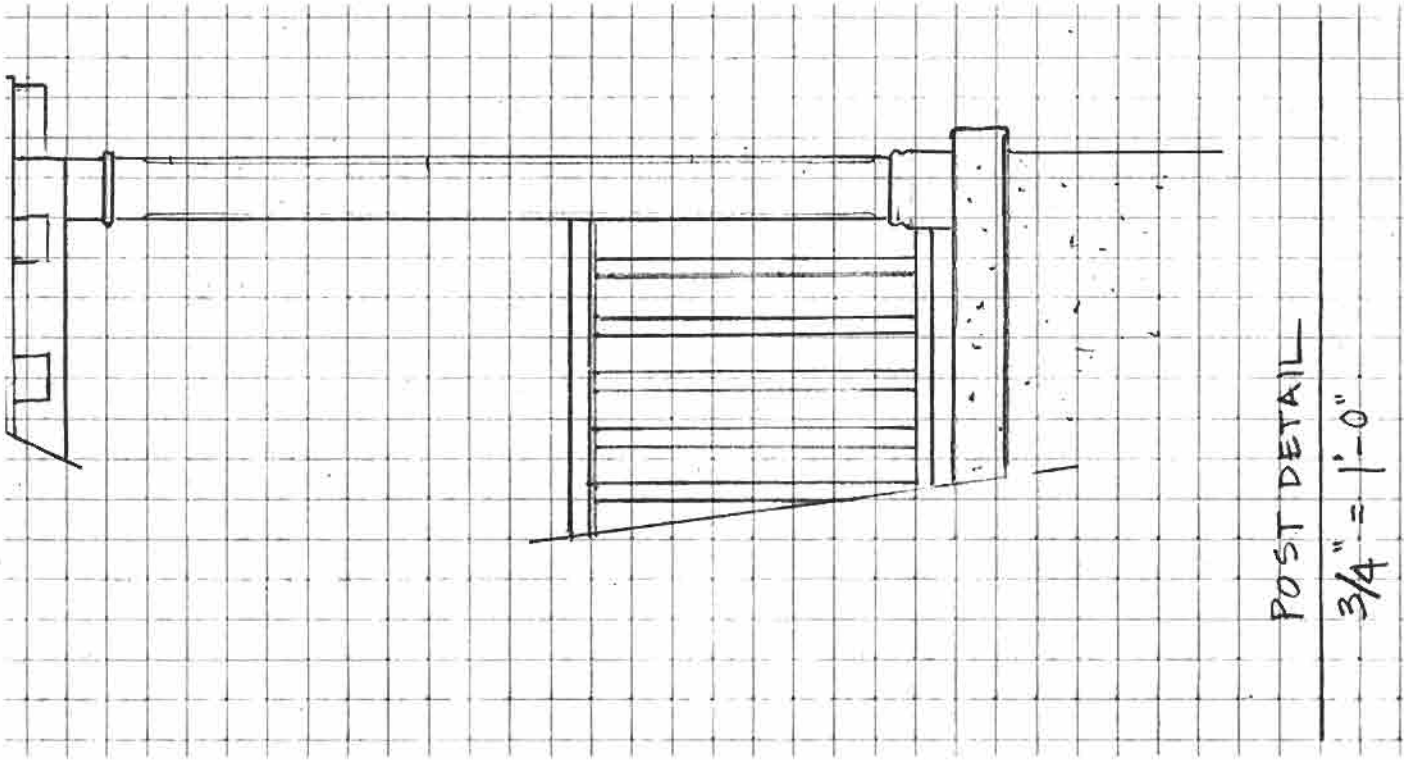
\* This approval applies only to the reviews requested and is subject to conditions on OVS. Additional zoning requirements may apply.

\*Approved\*

City of Portland - Bureau of Development Services

Planner Karen Maxwell Date 11-7-08

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



CASE NO. LU 08-14811 HDZ  
EXHIBIT C-6