



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

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Date: April 9, 2009
To: Interested Person
From: Dave Skilton, Land Use Services (503-823-0660)
dave.skilton@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 09-111342 DZ – ROOFTOP TRELLIS

GENERAL INFORMATION

Applicant: Jeffrey and Barbara Scapa, and William Silverman, Owners
18376 Ventura Blvd #201
Tarzana, CA 91356

Representative: David Rodeback, Architect (503-238-2162)
David Rodeback Architect LLC
1001 SE Water Ave Suite # 260
Portland, OR 97214

Site Address: 2020 SW Salmon Street

Legal Description: TL 9100 Block 11, Amos N Kings
Tax Account No.: R024401950
State ID No.: 1N1E33CD 09100
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.

Plan District: Central City - Goose Hollow
Zoning: RHds, High Density Residential, with Design and Scenic Resource Overlays

Case Type: DZ, Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant is seeking Design Review for a proposal to erect a painted wooden trellis over an existing deck on the rooftop of a seven-story apartment building. The trellis will be attached to

an existing chimney and an existing storage room. A woven-wire clad gate is also proposed at the ground level exit from a stair tower in the service alley. Exterior alterations within the Design Overlay zone require 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:

- 33.825 Design Review
- 33.480 Scenic Resource Zone
- Central City Fundamental Design Guidelines
- Goose Hollow District Design Guidelines

ANALYSIS

Site and Vicinity: The subject property is a simple, seven story, International Style, concrete apartment building. It was built in 1963, at a time when zoning and economic circumstances were combining to encourage higher density development in the Goose Hollow area and especially on Kings Hill. The building stands just outside the Kings Hill Historic District and almost entirely within a protected scenic corridor relating to views of Mount Hood from the entrance to Washington Park. SW Salmon Street, adjoining the property to the northeast, is designated as a Traffic Street, a Transit Street, a City Bikeway, and a City Walkway. SW 20th Avenue is the boundary of the Goose Hollow Pedestrian District with this property lying just outside the area.

Zoning: The High Density Residential (RH) zone is a high density multi-dwelling zone. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use is 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.

The Design Overlay Zone (d) promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Scenic Resource Zone (s) is intended to:

- Protect Portland's significant scenic resources as identified in the *Scenic Resources Protection Plan*;
- Enhance the appearance of Portland to make it a better place to live and work;
- Create attractive entrance ways to Portland and its districts;
- Improve Portland's economic vitality by enhancing the City's attractiveness to its citizens and to visitors;
- Implement the scenic resource policies and objectives of Portland's Comprehensive Plan.

The purposes of the Scenic Resource zone are achieved by establishing height limits within view corridors to protect significant views and by establishing additional landscaping and screening standards to preserve and enhance identified scenic resources.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **March 12, 2009**. The following Bureaus have responded with no issues or concerns:

- Water Bureau
- Life Safety Review Section of the Bureau of Development Services

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 12, 2009. 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 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design district guidelines.

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site’s location, the applicable design guidelines are the Central City Fundamental and Goose Hollow Special Design Guidelines.

Goose Hollow District Design Guidelines and Central City Fundamental Design Guidelines

The Goose Hollow District is envisioned to be a predominantly urban residential, transit-oriented community located on the western edge of the Central City between Washington Park and Downtown Portland. When riding light rail through the West Hills tunnel to the Central City, it is the first neighborhood experienced before entering downtown Portland. The Urban Design Vision celebrates the sense of arrival from the west at Jefferson Street Station and Collins Circle, and from the north at the Civic Stadium Station and Fire Fighter’s Park. This is done by integrating the history of the community with its special natural and formal (man-made) characteristics.

The Central City Fundamental Design Guidelines and the River District Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland’s character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

Goose Hollow District Design Goals

The Goose Hollow District Design Goals are specific to the Goose Hollow District. These urban design goals and objectives are to:

- Enhance mixed-use, transit-oriented development around the light rail stations to make it a pedestrian-friendly station community.
- Provide open spaces to accommodate active public life.

- Strengthen connections to adjacent neighborhoods through light rail, bike and pedestrian access and assure a safe and pleasant bike/pedestrian environment.
- Preserve and enhance the community's history and architectural character.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within the River District as well as to the other seven Central City policy areas. The nine goals for design review within the Central City are as follows:

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

A1. Integrate the River. Orient architectural and landscape elements including, but not limited to lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and Greenway. Develop access ways for pedestrians that provide connections to the Willamette River and Greenway.

Findings: The proposed rooftop trellis is oriented to the Willamette River in the sense that it affords a sheltered viewing platform oriented toward the north and east. The fact that the structure occurs unobtrusively within an identified view corridor supports this concept. *This guideline is therefore met.*

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

Findings: The proposed trellis structure and gate at the base of the stairwell will be constructed of durable materials, wood and steel respectively, and are detailed for durability. *This guideline is therefore met.*

C11. Integrate Roofs and Use Rooftops. Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

Findings: The rooftop trellis, which is proposed within a scenic overlay zone, is proposed as an open, lightweight, wood construction, integrated with an existing chimney and a storage room for structural stability. The trellis fits well into the existing roofscape and improves its appearance by providing an indication of human presence and use. *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

This proposal, for a rooftop trellis and a security gate, is modest in scope but provides positive improvements to the property and the neighborhood by better integrating the rooftop into the overall design of building. It meets the applicable guidelines and therefore merits approval.

ADMINISTRATIVE DECISION

Approval of a rooftop trellis and a parking area security gate, in the Goose Hollow subdistrict of the Central City Plan Area, per the approved site plans, Exhibits C-1 through C-4, signed and dated April 3, 2009, 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-4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 09-111342 DZ. No field changes allowed."

Staff Planner: Dave Skilton

Decision rendered by:  **on April 3, 2009.**
By authority of the Director of the Bureau of Development Services

Decision mailed: April 8, 2009

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 27, 2009, and was determined to be complete on **March 9, 2009**.

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 27, 2009.

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 Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on April 23, 2009** 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.

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 Design 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 Design 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 24, 2009 – (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/Drawings:
 1. Site Plan (attached)
 2. Building Elevations (attached)
 3. Trellis Elevation and Details (attached)
 4. Security Gate Elevation and Plan
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Water Bureau
 2. Life Safety Review Section of BDS
- F. Correspondence: None
- G. Other:
 1. Original LU Application
 2. Case Communication Log

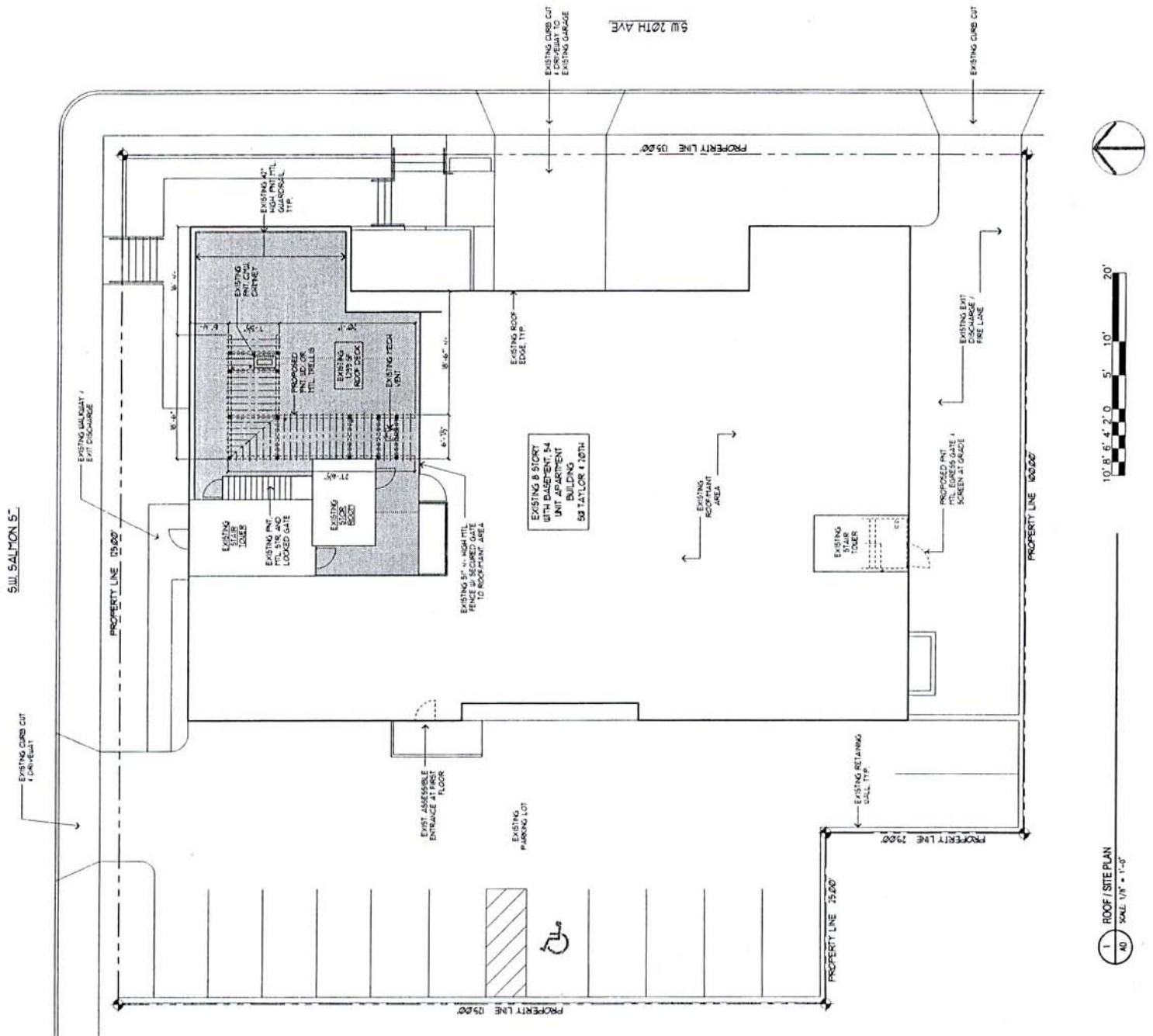
DAVID RODEBACK ARCHITECT, LLC 1815 LE WATER AVENUE PORTLAND, OREGON 97205 503.281.1212 david@rodeback.com	REHAM 7 LLC & DECEHC III INVESTMENTS, LLC THE MADLEY HOUSE APARTMENTS FOR PROPOSED ROOF DECK & MISC. IMPROVEMENTS AT 53 TAYLOR 4.10TH	ISSUES: LAND USE 02-27-09	DATE: DATE 02/17/09	REVISIONS:	SITE / ROOF PLAN A0
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Approved

City of Portland - Bureau of Development Services

Planner Dave Philton Date 4.3.09

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



LU 09-111342 DZ
 EXHIBIT C-1

DAVID RODRIGUEZ
ARCHITECT, LLC

UNILE WATER SYSTEM
BUSINESS DEVELOPMENT
500 15th Street
Portland, Oregon 97205

PROPOSED ROOF DECK & MISC. IMPROVEMENTS AT
THE HADLEY HOUSE APARTMENTS FOR
REHAM 7 LLC & DECEHC III INVESTMENTS, LLC

2020 SW SALMON ST
PORTLAND, OREGON 97205

ISSUES:
LAND USE 02-27-09

DATE JUNE
07/27/09

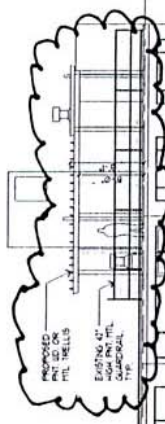
REVISIONS:

BUILDING
ELEVATIONS

A1

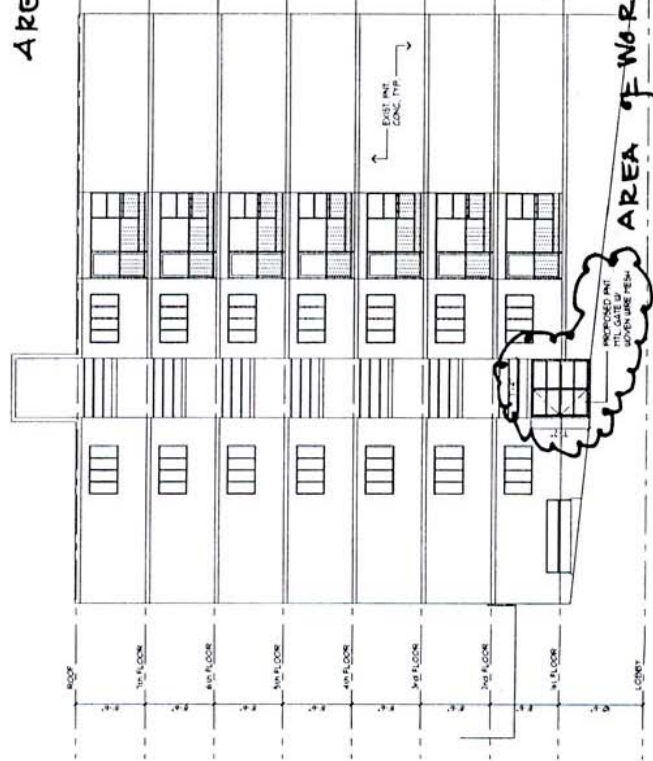
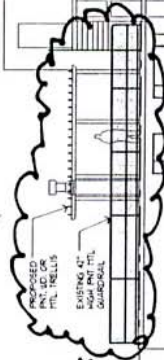
*Approval applies only to the reviews requested and its subject.
Conditions of approval. Additional zoning requirements may apply.
Planner *Dave Miller*
Date *4.3.9*
City of Portland - Bureau of Development Services
Approved

AREA OF WORK



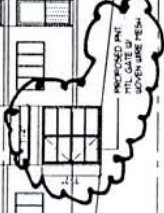
2 EAST ELEVATION (EXISTING)
SCALE 1/8" = 1'-0"

AREA OF WORK



1 SOUTH ELEVATION (EXISTING)
SCALE 1/8" = 1'-0"

AREA OF WORK

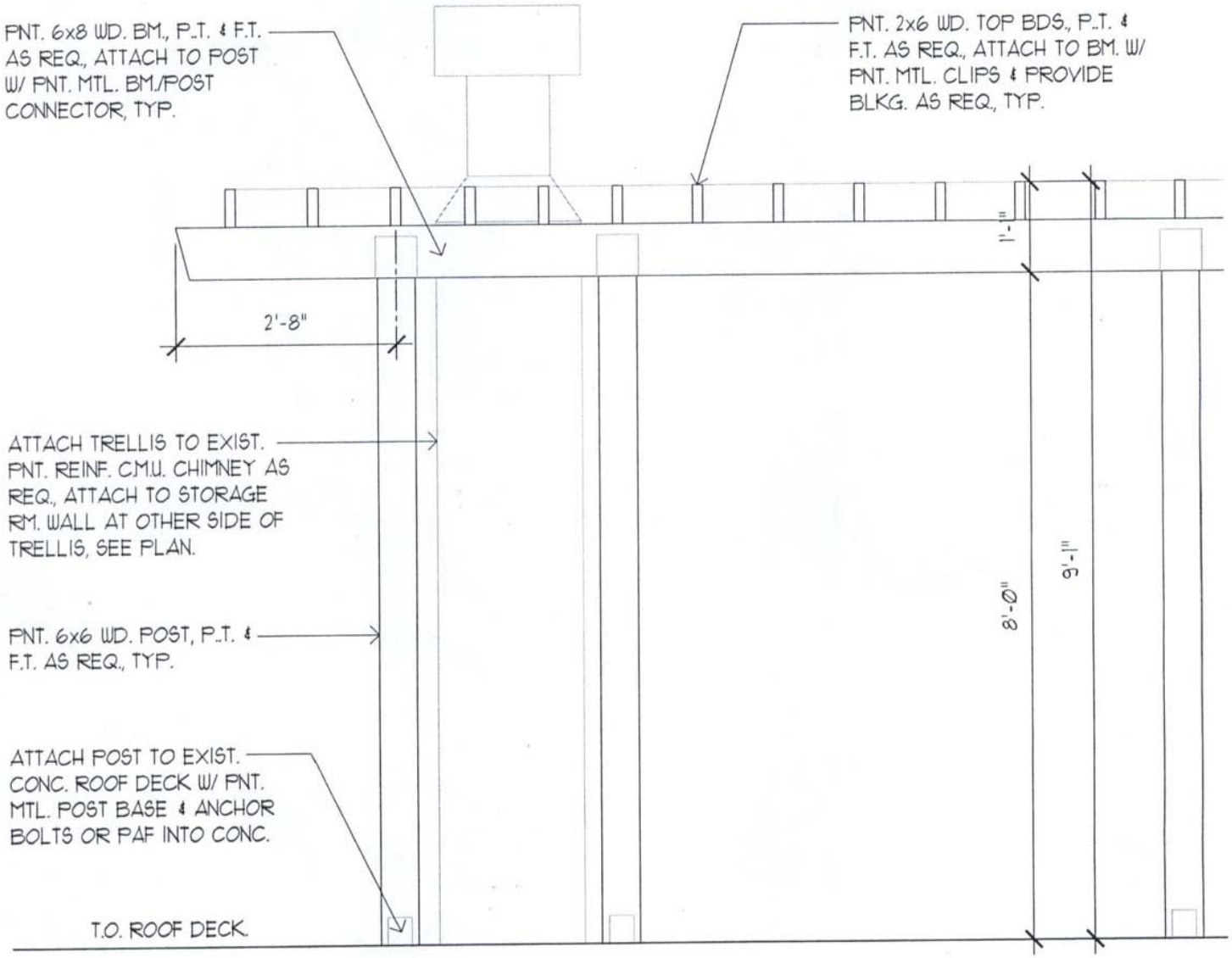


3 NORTH ELEVATION (EXISTING)
SCALE 1/8" = 1'-0"



LU 09-111342 DZ
EXHIBIT C-2

Approved
City of Portland - Bureau of Development Services
 Planner Dave Skilton Date 4.3.9
 * This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.



ELEVATION DETAIL @ ROOF DECK TRELLIS
 1/2" = 1'-0"

DAVID RODEBACK ARCHITECT LLC
 1001 SE Water Ave. #260
 Portland, Oregon 97214
 503.238.2162 o 503.238.2187 f

**IMPROVEMENTS AT 2020 SW SALMON APTS.
 PORTLAND, OREGON**
 FOR:
 REHAM 7 LLC & DECEHC III INVESTMENTS, LLC
 PORTLAND, OREGON
 MARCH 6, 2009

LU 09-111342 DZ EXHIBIT C-3