



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: January 2, 2015
To: Interested Person
From: Staci Monroe, Land Use Services
503-823-0624 / staci.monroe@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 mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 14-210008 HR *EXTERIOR ALTERATIONS TO A RESIDENCE*

GENERAL INFORMATION

Applicant: Yianni Doulis / Yianni Doulis Architecture Studio
112 SW 1st / Portland, OR 97204

Owner: Jeremy Fields & Marjorie Dial
3115 NW Thurman Street / Portland, OR 97210

Site Address: 3115 NW THURMAN STREET

Legal Description: BLOCK 17 LOT 1&2, WILLAMETTE HTS ADD
Tax Account No.: R913402360
State ID No.: 1N1E29CD 03900
Quarter Section: 2825
Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: None
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Northwest Hills - Forest Park
Other Designations: National Register of Historic Places – Historic Landmark Melinda E. Morgan House

Zoning: R5 – Residential 5,000 Single Dwelling zone
Case Type: HR – Historic Resource Review
Procedure: Type II, an administrative decision with appeal to the Landmarks Commission.

PROPOSAL:

The applicant seeks Historic Resource approval for exterior alterations to a residence that is listed on the National Register of Historic Places, known as the Melinda E. Morgan House. The proposed alterations affect the 3rd floor on the rear (north) elevation and include:

- Removing two existing (non-original) windows and a door;

- Adding new wood windows, both fixed and casement; and
- Adjusting the existing roof line at the peak and creating a new shed roof on a portion of the upper floor.

Historic Resource Review is required for exterior alterations to historic landmarks per Section 33.445.140.A.1.

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:

- Other Approval Criteria - Section 33.846.060.G

ANALYSIS

Site and Vicinity: The 9,900 SF site is located at the northwest corner of NW Thurman Street and 31st Avenue. The property is developed with 2-1/2 story residence in the Colonial Revival style with some Queen Anne features constructed in 1893 or 1894. The property was designated as a National Historic Landmark in 1990. The area proposed for alteration is on the north elevation. The surrounding area consists of single-dwelling residences.

Zoning: The Residential 5,000 (R5) single-dwelling zone is intended to preserve land for housing and to provide housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing. Minimum lot size is 3,000 square feet, with minimum width and depth dimensions of 36 and 50 feet, respectively. Minimum densities are based on lot size and street configuration. Maximum densities are 1 lot per 5,000 square feet of site area.

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.

The Northwest Hills Plan District protects sites with sensitive and highly valued resources and functional values. The portions of the plan district that include the Balch Creek Watershed and the Forest Park subdistrict contain unique, high quality resources and functional values that require additional protection beyond that of the Environmental overlay zone. The Linnton Hillside subarea within the Forest Park subdistrict contains a residential area that is constrained by natural conditions and limited existing infrastructure. The development standards for this subarea are intended to protect the public health and safety by limiting the potential number of new housing units consistent with these constraints. The plan district also promotes the orderly development of the Skyline subdistrict while assuring that adequate services are available to support development. The transfer of development rights option reduces development pressure on protected sites while containing safeguards to protect receiving sites. The site is within the Forest Park Subarea of this plan district.

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 **October 22, 2014**. Given the scope of the proposal, no bureau responses were provided.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on October 22, 2014. 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 Resource Review

Purpose of Historic Resource Review

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

Historic Resource Review Approval Criteria

Requests for Historic Resource 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 outside the Central City Plan District and not within in a Historic or Conservation District, and the proposal is for non-exempt treatments. Therefore the proposal requires Historic Resource Review approval. The approval criteria are those listed in *33.846.060 G – Other Approval Criteria*.

Staff has considered all of the approval criteria and addressed only those applicable to this proposal.

33.846.060 G - Other Approval Criteria

- 1. Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.
- 3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.
- 8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.
- 9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.
- 10. 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.

Findings for 1, 3, 8, 9 and 10: The proposal consists of removing non-original materials (plywood paneling and salvaged windows and door) on the rear upper façade of the residence, none of which have acquired historic significance. The new materials (wood windows, both fixed and casement) will match the existing windows in terms of material, proportions, profile, division of lites, placement within the wall, and trim. The type of window (casement) is unique to the rear façade and matches the windows in the sleeping porch below. The alteration to the structure is limited to the roofline, which reinforces the impression of a bay window similar in character and scale to other bays and projections on the residence. These changes are compatible with the materials and forms of the Colonial Revival and Queen Anne styles of the house, as well other properties in the area with traditional elements. As such, the integrity of the

resource will not be adversely affected and the historic character of the landmark building will be maintained. *These criteria are 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 Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of exterior alteration on the rear (north) façade of a residence that is listed on the National Register of Historic Places, known as the Melinda E. Morgan House, per the approved site plans, Exhibits C-1 through C-8, signed and dated 12/30/14, 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.8. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 14-210008 HR. No field changes allowed."

Staff Planner: Staci Monroe



Decision rendered by: _____ **on December 30, 2014**
By authority of the Director of the Bureau of Development Services

Decision mailed: January 2, 2015

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 September 9, 2014, and was determined to be complete on **October 17, 2014.**

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on September 9, 2014.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant requested that the 120-day review period be extended 10 days as stated with Exhibit G.2 Unless further extended by the applicant, **the 120 days will expire on: February 24, 2015**

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 January 16, 2015** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Landmarks Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed,* The final decision may be recorded on or after **January 20, 2015**
- 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.

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:

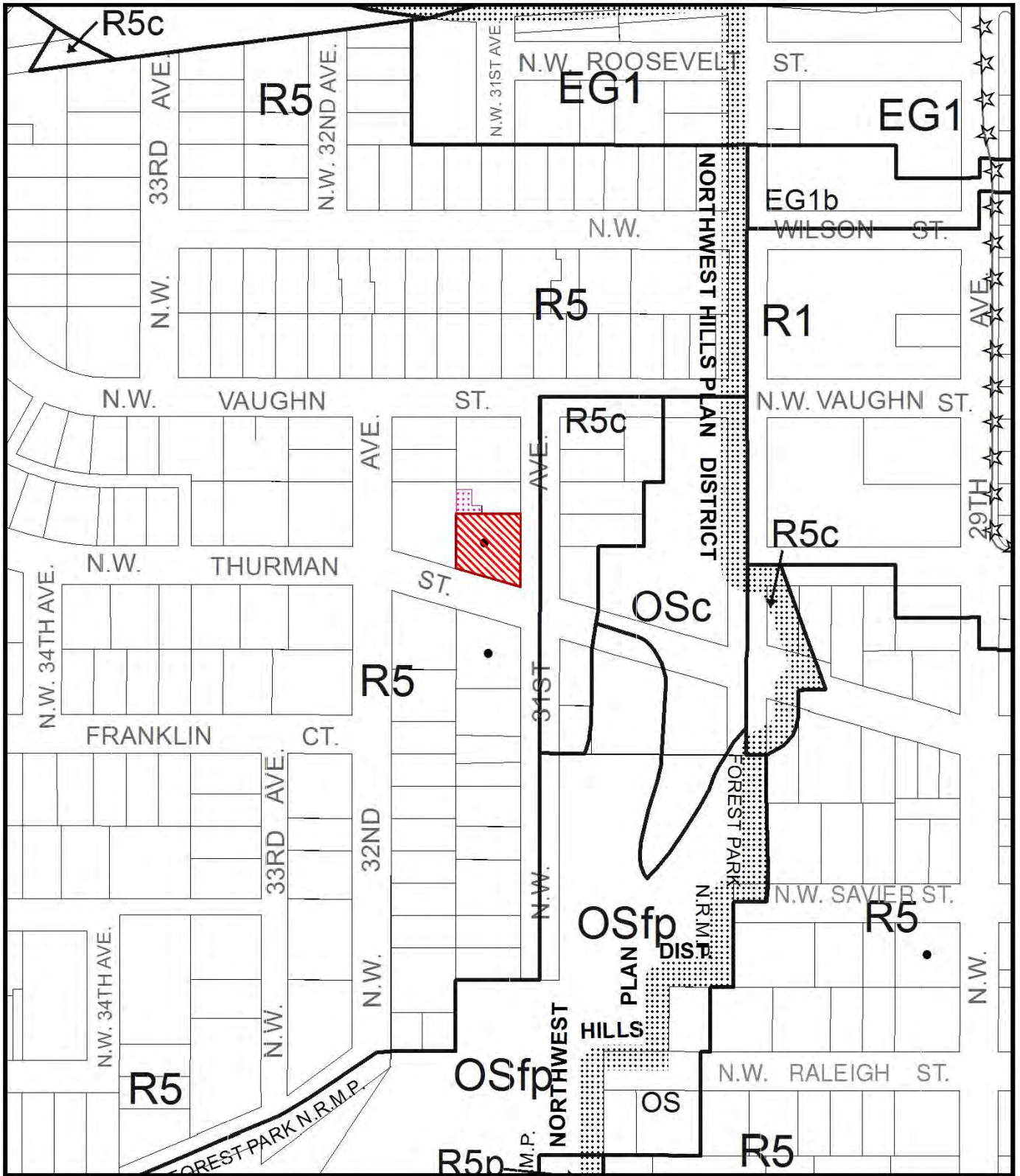
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- | | |
|--|---|
| <ul style="list-style-type: none"> A. Applicant's Statement <ul style="list-style-type: none"> 1. Applicant's Project Narrative & Responses to Approval Criteria 2. Applicant's Response to Staff Incomplete Letter 3. Photo of house 4. 2nd & 3rd floor plans B. Zoning Map (attached) C. Plans/Drawings: <ul style="list-style-type: none"> 1. Site Plan (attached) 2. Existing North Elevation 3. Proposed North Elevation (attached) 4. Enlarged Proposed North Elevation 5. Enlarged Proposed East Elevation (attached) | <ul style="list-style-type: none"> 6. Building Section 7. Window Details/Sections (Proposed & Existing) 8. Roofline Modification Perspective (attached) D. Notification information: <ul style="list-style-type: none"> 1. Mailing list 2. Mailed notice E. Agency Responses: none. F. Correspondence: none G. Other: <ul style="list-style-type: none"> 1. Original LU Application 2. 120 Day Extension Form (signed) 3. Incomplete Letter dated 9/18/14 |
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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).



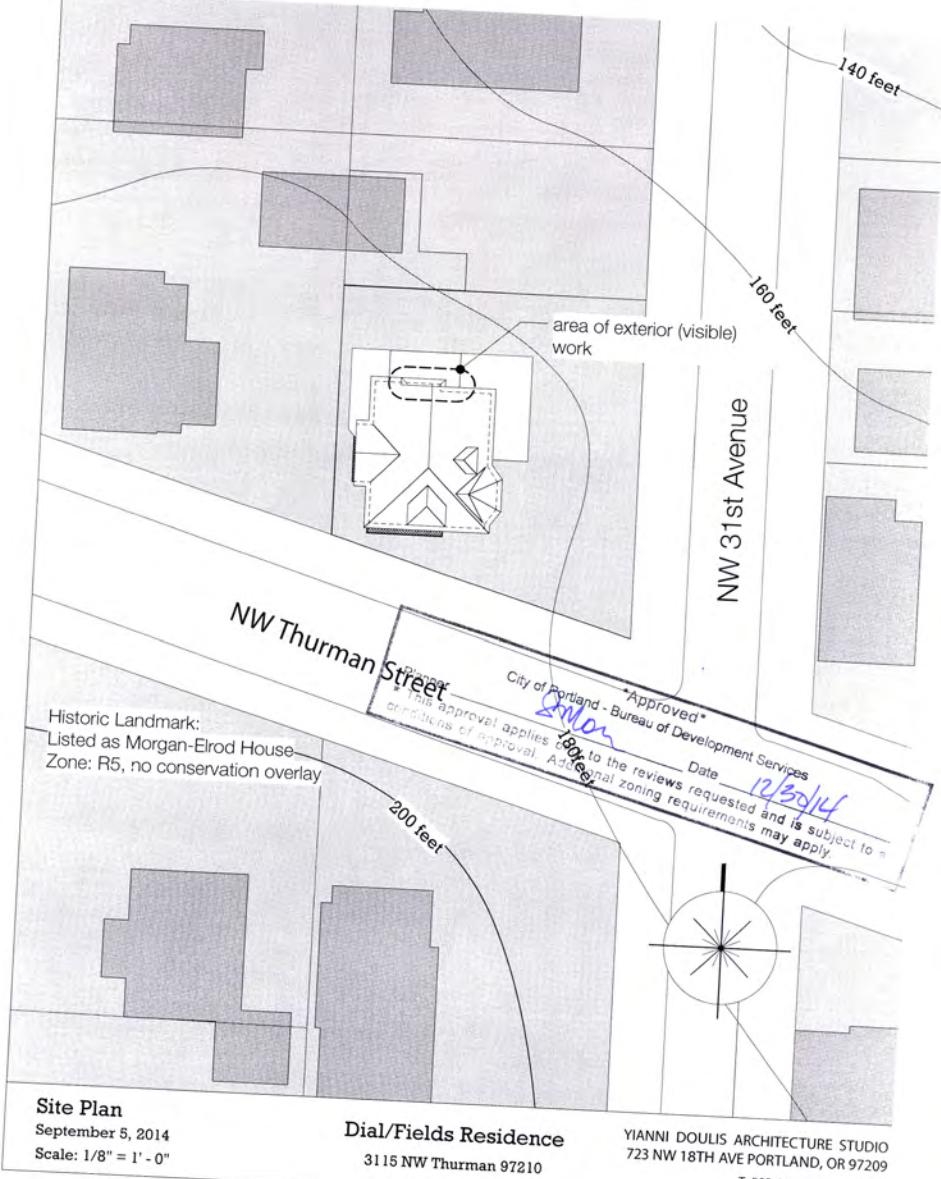
ZONING

-  Site
-  Also Owned
-  Historic Landmark
-  Recreational Trail



This site lies within the:
NORTHWEST HILLS PLAN DISTRICT
FOREST PARK SUBDISTRICT

File No.	<u>LU 14-210008 HR</u>
1/4 Section	<u>2825</u>
Scale	<u>1 inch = 200 feet</u>
State Id	<u>1N1E29CD 3900</u>
Exhibit	<u>B (Sep 10, 2014)</u>



Historic Landmark:
 Listed as Morgan-Eirod House
 Zone: R5, no conservation overlay

NW Thurman Street

NW 31st Avenue

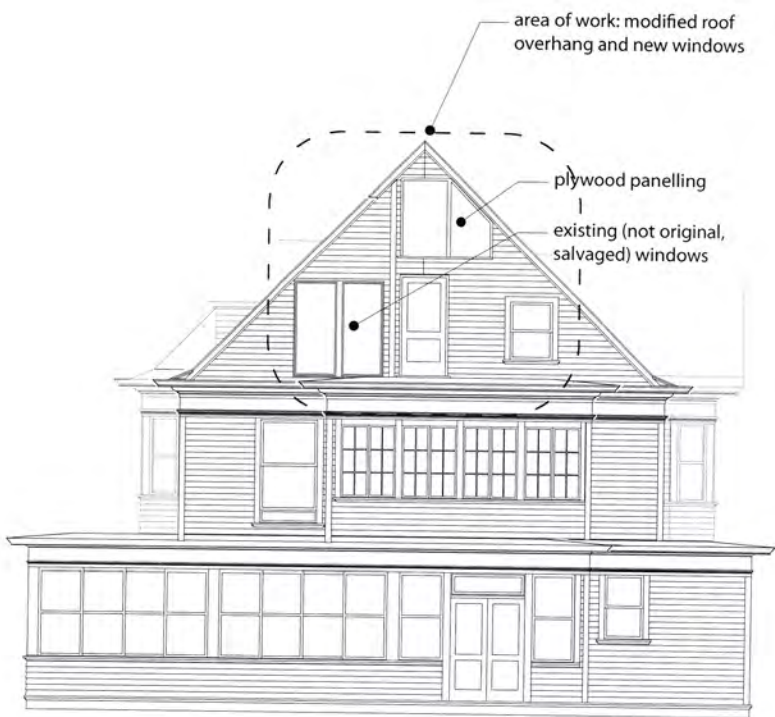
City of Portland - Bureau of Development Services
 Approved
 This approval applies to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.
 Date 12/5/14
 [Signature]

Site Plan
 September 5, 2014
 Scale: 1/8" = 1' - 0"

Dial/Fields Residence
 3115 NW Thurman 97210

YIANNI DOULIS ARCHITECTURE STUDIO
 723 NW 18TH AVE PORTLAND, OR 97209
 T 503.467.4826 F.4830

14-210008-14 EXC-1



Approved

City of Portland - Bureau of Development Services

Planner *Silva* Date *12/30/14*

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

Existing North Elev
 September 5, 2014
 Scale: 1/8" = 1' - 0"

Dial/Fields Residence
 3115 NW Thurman 97210

YIANNI DOULIS ARCHITECTURE STUDIO
 723 NW 18TH AVE PORTLAND, OR 97209
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LU 14-210008 HR EX. C-2

area of work: modified roof
overhang and new windows



Approved

City of Portland - Bureau of Development Services

Planner Simon Date 12/30/14

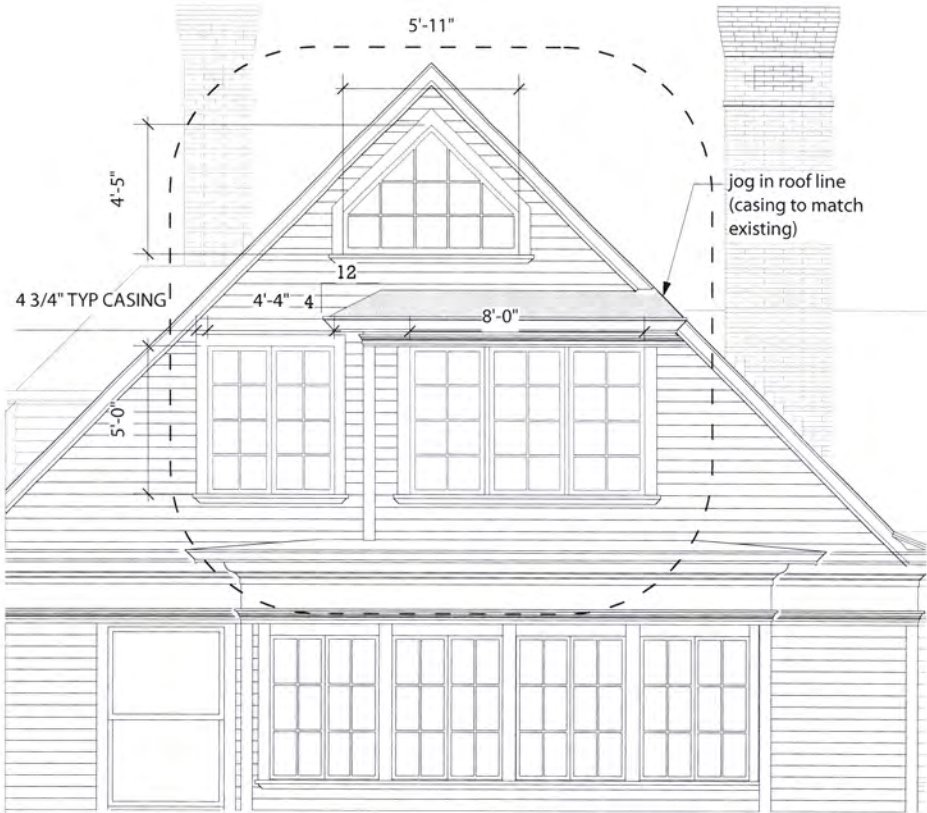
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

Proposed North Elev
September 5, 2014
Scale: 1/8" = 1' - 0"

Dial/Fields Residence
3115 NW Thurman 97210

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723 NW 18TH AVE PORTLAND, OR 97209
T 503.467.4826 F.4830

LU 14-210008 HR EX. C-3



Approved

City of Portland - Bureau of Development Services

Planner Salon Date 12/30/14

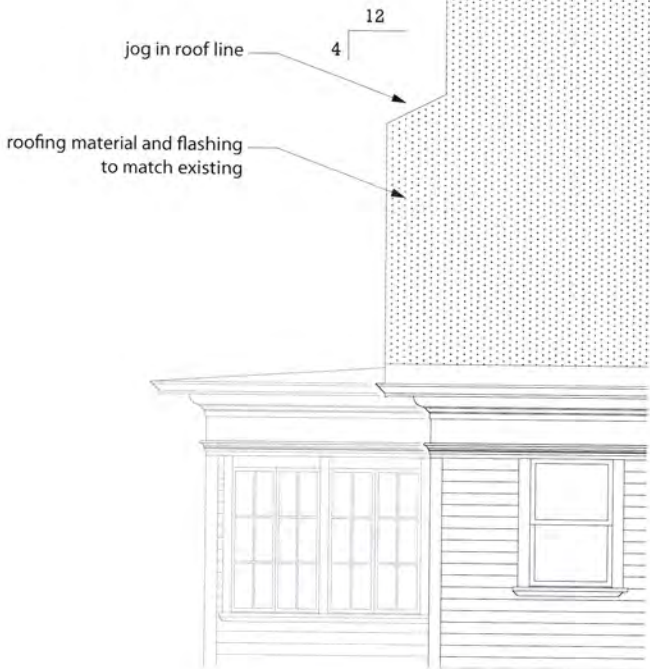
* This approval applies only to the reviews requested and is subject to all conditions of a permit. Additional zoning requirements may apply.

A: Enlarged North Elev
 October 14, 2014
 Scale: 1/4" = 1' - 0"

Dial/Fields Residence
 3115 NW Thurman 97210

YIANNI DOULIS ARCHITECTURE STUDIO
 723 NW 18TH AVE PORTLAND, OR 97209
 T 503.467.4826 F.4830

LW 14-21008 HR EX. C-4



Approved

City of Portland - Bureau of Development Services

Planner *Enlan* Date 12/30/14

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

B: Partial East Elevation

October 14, 2014

Scale: 1/4" = 1' - 0"

Dial/Fields Residence

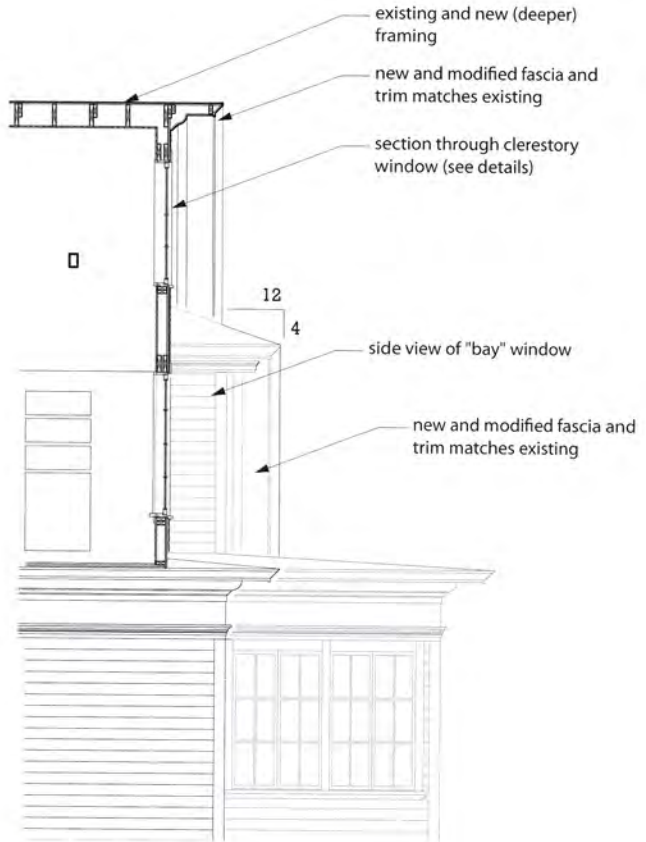
3115 NW Thurman 97210

YIANNI DOULIS ARCHITECTURE STUDIO

723 NW 18TH AVE PORTLAND, OR 97209

T 503.467.4826 F.4830

W14-210008-401 EX. C-5



Approved

City of Portland - Bureau of Development Services

Planner *S. Khan* Date 12/30/14

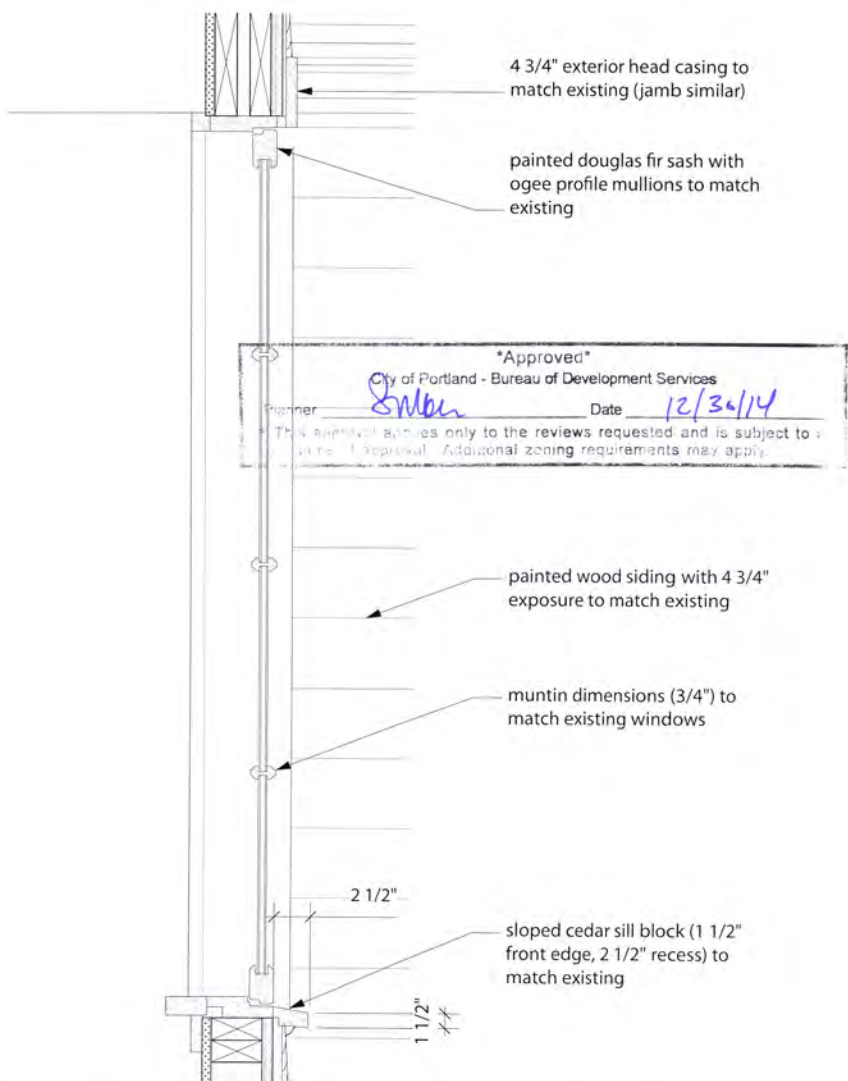
*This approval applies only to the reviews requested and is subject to all applicable zoning requirements that may apply.

C: Partial West Elev/Section
 October 14, 2014
 Scale: 1/4" = 1' - 0"

Dial/Fields Residence
 3115 NW Thurman 97210

YIANNI DOULIS ARCHITECTURE STUDIO
 723 NW 18TH AVE PORTLAND, OR 97209
 T 503.467.4826 F 4830

W14-21008+1R EX. C-6



Approved

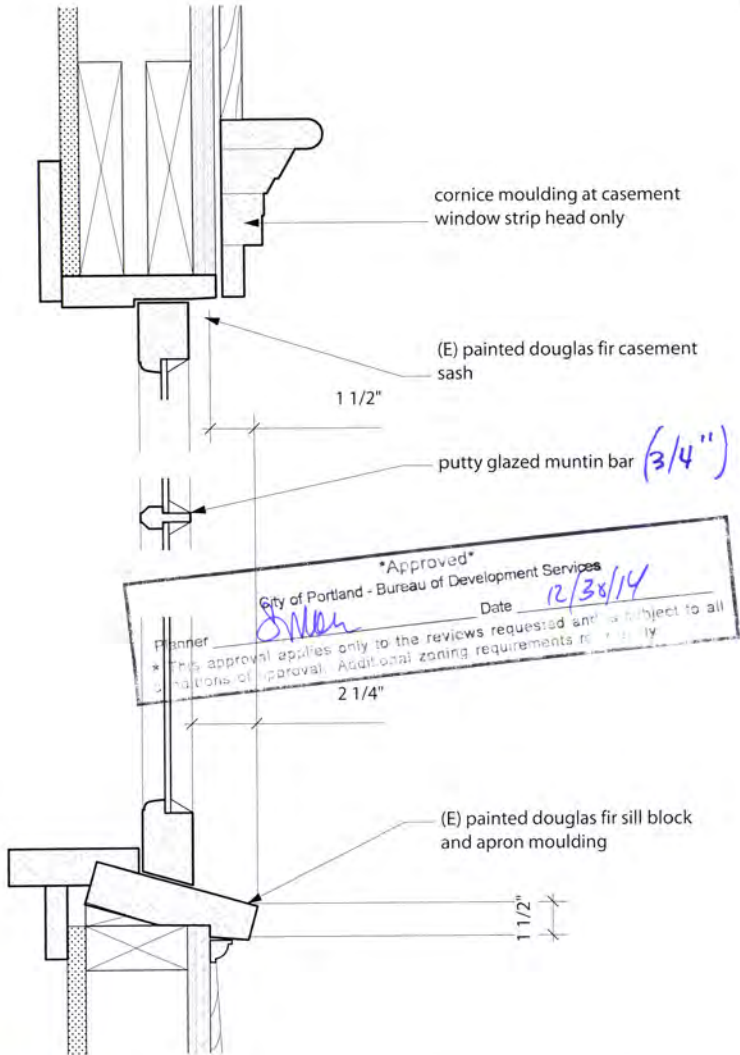
City of Portland - Bureau of Development Services

Permitter Smber Date 12/30/14

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

<p>New Window Head/Sill Detail</p> <p>October 14, 2014</p> <p>Scale: 1 1/2" = 1' - 0"</p>	<p>Dial/Fields Residence</p> <p>3115 NW Thurman 97210</p>	<p>YIANNI DOULIS ARCHITECTURE STUDIO</p> <p>723 NW 18TH AVE PORTLAND, OR 97209</p> <p>T 503.467.4826 F.4830</p>
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W14-21008HR EX.C-7a



Approved

City of Portland - Bureau of Development Services

Planner S. Miller Date 12/30/14

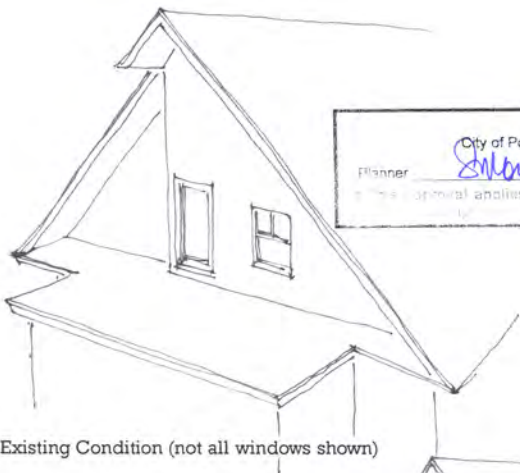
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

Existing Casement
 December 18, 2014
 Scale: 3" = 1' - 0"

Dial/Fields Residence
 3115 NW Thurman 97210

YIANNI DOULIS ARCHITECTURE STUDIO
 723 NW 18TH AVE PORTLAND, OR 97209
 T 503.467.4826 F 4830

L014-210008-HLR EX, C-76



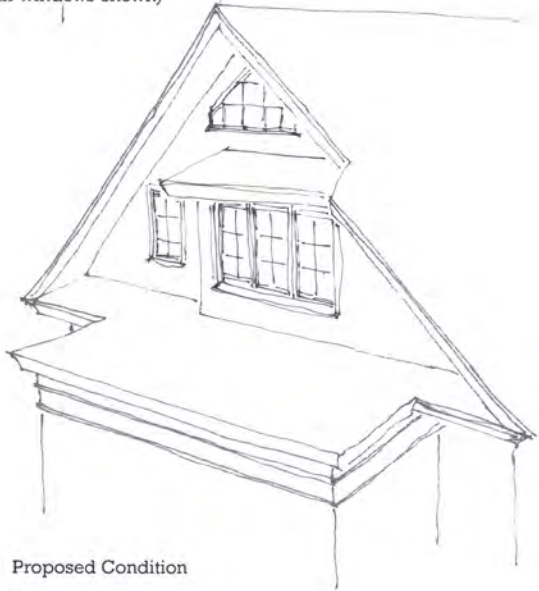
Existing Condition (not all windows shown)

Approved

City of Portland - Bureau of Development Services

Planner Sullivan Date 12/30/14

This approval applies only to the reviews requested and is subject to all additional zoning requirements that apply.



Proposed Condition

Roofline Modifications
September 5, 2014
Scale: NOT TO SCALE

Dial/Fields Residence
3115 NW Thurman 97210

YIANNI DOULIS ARCHITECTURE STUDIO
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LU 14-210008 HR EX.C-8