



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: January 27, 2012
To: Interested Person
From: Dave Skilton, Land Use Services 503-823-0660
dave.skilton@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has **approved** a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 11-197125 HDZM - NEW GARAGE ENTRY

GENERAL INFORMATION

Applicant: Virgil and Jacqueline Traynor
2125 NW Flanders Street
Portland, OR 97210

Representative: Steve Ewoldt
Colab Architecture
421 SW 6th Avenue, Suite 1250
Portland, OR 97204

Site Address: 2125 NW Flanders Street

Legal Description: BLOCK 38 TL 10000, KINGS 2ND ADD
Tax Account No.: R452306520
State ID No.: 1N1E33CA 10000
Quarter Section: 3027
Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
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: Northwest
Other Designations: Contributing resource in the Alphabet Historic District, which was listed in the National Register of Historic Places on August 24, 2000.

Zoning: RH, Residential High Density with Historic Resource Protection overlay.
Case Type: HDZ, Historic Design Review
Procedure: Type II, an administrative decision with appeal to the Historic Landmarks Commission.

Proposal:

The applicant is seeking Historic Design Review approval for a proposal to raise the subject building's foundation by two feet, expand the front porch to accommodate the increased height, and install a new driveway and garage door on the front, to serve a new basement parking area. Historic Design Review is required because the proposal includes non-exempt exterior alterations in a historic district.

Modification:

The applicant is seeking approval of a modification to 33.266.130 F 1 to allow a drive aisle less than 20 feet wide and backward motion entry or exiting.

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:

- Community Design Guidelines
- Historic Alphabet District Community Design Guidelines Addendum
- 33.846.070 Modifications Considered in Historic Design Review

ANALYSIS

Site and Vicinity: The subject site is occupied by a substantial, two-and-a-half story frame structure featuring a truncated hip roof with a large front porch and a street facing, full height bay surmounted by an ornamented gable. Built in 1905, the house is in the a modified Classical Revival style. It is evaluated as "contributing" in the National Register of Historic Places documentation for the Alphabet Historic District.

The Alphabet Historic District is an area of Portland significant for its concentration of intact late 19th and early 20th Century middle class housing stock and small-scale commercial buildings. Of special note are the many mid-sized apartment and institutional buildings. Many of these are in the various Period Revival styles, e.g. Tudor, Spanish Colonial, Byzantine, etc. The area is also characterized by a grid work of narrower, tree-lined, residential streets crossed by occasional more robust commercial avenues.

Zoning: The multi-dwelling zones, including RH, are intended to preserve land for urban housing and to provide opportunities for multi-dwelling housing. The 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 Historic Resource Protection chapter protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

Land Use History: City records indicate that prior land use reviews include the following:

- LU 07-117874 HDZ, which was withdrawn before a decision was issued.

Public Notice: A "Notice of Proposal in Your Neighborhood" was mailed December 16, 2012.

Agency Review: None of the notified Bureaus has responded with issues or concerns.

Neighborhood Review: No written responses have been received from either the Neighborhood Association or notified parties in response to the proposal.

ZONING CODE APPROVAL CRITERIA

(1) **33.846.060 - Historic Design Review**

Purpose of Historic Design Review

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

Historic Design Review Approval Criteria

Requests for historic design review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is located within the Alphabet Historic District and the proposal is for a non-exempt treatment. Therefore Historic Design Review approval is required. The approval criteria are the *Community Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*.

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

Historic Alphabet District - Community Design Guidelines Addendum

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 and 3: The proposal is to raise the house several feet and install a new, below grade, garage entry to the left of the front porch. While they are not commonplace in the Alphabet Historic District, basement level garages are present, and the proposed one is compatible with both the individual resource and the historic district because of its modest single-car width, subdued finish, partial coverage by a bay window, and below grade location. *These guidelines are met.*

Community Design Guidelines

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.

Findings: As noted above, while below grade garages are not commonplace in the Alphabet Historic District, some are present, and the proposed one is compatible with both the individual resource and the historic district because of its modest single-car width, subdued finish, partial coverage by a bay window, and below grade location. *This guideline is 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.

Findings: Even though some rear motion exiting will probably be required, the proposed below grade garage and driveway respect pedestrian safety by providing ample sightlines in both directions and for both the driver and pedestrians on the public sidewalk. *This guideline is met.*

D4. Parking Areas and Garages. Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

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.

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 D4, D6, and D7: In its response the Bureau of Transportation noted that, while the proposed parking spaces and drive aisles are quite constrained, that condition is acceptable because no on-site parking is required. The garage door, being below grade, finished traditionally and to blend with the basement walls, and modest in size, integrates well with the character of both the house and the historic district. *These guidelines are met.*

(2) 33.846.070 - Modifications Considered During Historic Design Review

The approval criteria for modifications considered during historic design review are:

- A. Better meets historic design review approval criteria.** The resulting development will better meet the approval criteria for historic design review than would a design that meets the standard being modified; and
- B. Purpose of the standard.**
 - 1. The resulting development will meet the purpose of the standard being modified; or
 - 2. The preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.

33.266.130 Development Standards for All Other Uses

A. Purpose. The development standards promote vehicle areas which are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones. Together with the transit street building setback standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian Districts:

- Provide a pedestrian access that is protected from auto traffic; and
- Create an environment that is inviting to pedestrians and transit users.
- The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles.

Modification Request: The applicant is seeking approval of a modification to 33.266.130 F 1 to allow a drive aisle less than 20 feet wide and backward motion entry or exiting.

Findings for A: As evidenced in the findings under Guidelines 2, 3, and P2 above, the resulting development will better meet the approval criteria because an uncharacteristically wide garage door would be required to accommodate the prescribed drive aisle width.

Findings for B: The purpose of the regulation is met because no on-site parking is required, the number of spaces is small, the design of the driveway provides good sightlines for drivers and pedestrians, and the constrained parking area will in itself require careful maneuvering.

The proposed Modification meets the approval criteria and the purpose of the standard and therefore merits approval.

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

Provision of on-site parking, while not required by the Zoning Code, will somewhat improve the economic viability of the property, and undertaken as proposed, will blend well with its surroundings in the Alphabet Historic District. The purpose of the Historic Design Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Design Review criteria and modification criteria and therefore warrants approval.

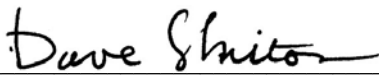
ADMINISTRATIVE DECISION

Approval of raising a contributing resource 2'-0" and installing a new basement-level garage door, in the Alphabet Historic District;

Approval per Exhibits C-1 through C-16, signed and dated January 24, 2012, subject to the following condition:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-16. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 11-197125 HDZ . No field changes allowed."

Staff Planner: Dave Skilton

Decision rendered by:  on January 24, 2012.
By authority of the Director of the Bureau of Development Services

Decision mailed: January 27, 2012

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 November 29, 2011, and was determined to be complete on **December 13, 2011**.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the

application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on November 29, 2011.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period.

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 Historic Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on February 10, 2012** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal 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 Historic 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 Historic 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 **February 13, 2012**.
- 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.

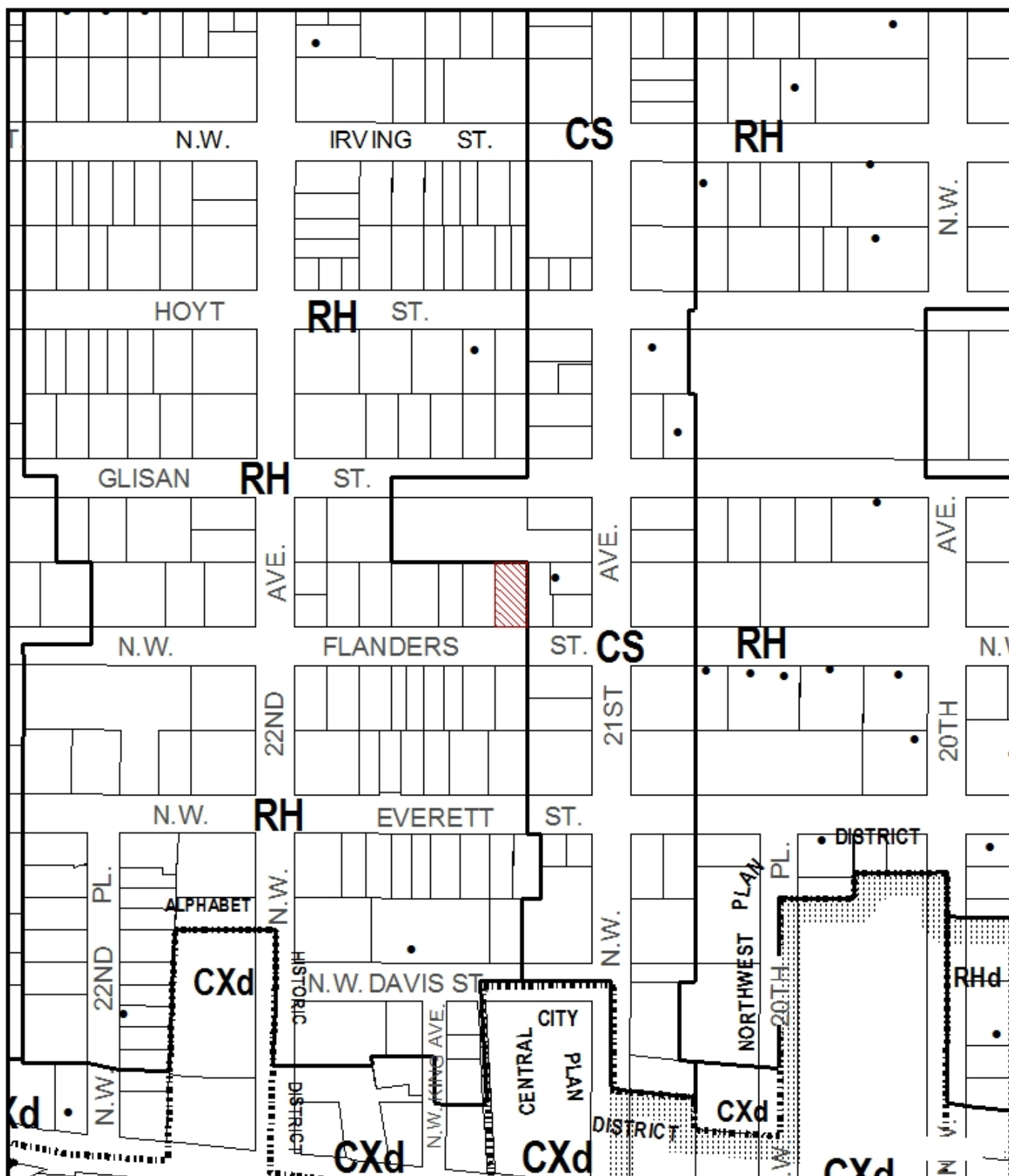
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site and Vicinity Plans (attached)
 - 2. Existing and Proposed Basement Plans
 - 3. Existing and Proposed First Floor Plans
 - 4. Existing and Proposed Second Floor Plans

5. Existing and Proposed Attic Plans
 6. Existing and Proposed South Elevations (attached)
 7. Existing and Proposed East Elevations
 8. Existing and Proposed North Elevations
 9. Existing and Proposed West Elevations
 10. Existing Section Through Entry
 11. Proposed Section Through Entry
 12. Proposed Section Through Garage Door (attached)
 13. Existing Condition Photographs
 14. Existing Condition Photographs
 15. Existing Condition Photographs
 16. Sightline Study (attached)
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses:
1. Bureau of Transportation Engineering and Development Review
 2. Water Bureau
 3. Life Safety Review Section of BDS
- F. Correspondence: none
- 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. 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



Historic Landmark



NORTH

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

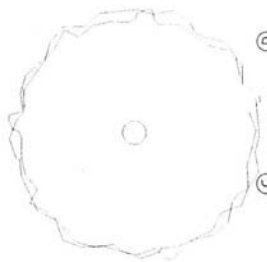
File No.	LU 11-197125 HDZM
1/4 Section	3027
Scale	1 inch = 200 feet
State_Id	1N1E33CA 10000
Exhibit	B (Dec 14, 2011)

ADJACENT BUILDING

ADJACENT BUILDING

EXISTING FOOTPRINT

ADJACENT BUILDING



NW FLANDERS AVE

1 SITE PLAN: Main Level

2 VICINITY PLAN

LU11-197125HD2

A1.00

2125 Flanders
Portland, OR

LAB
ARCHITECTURE + URBAN DESIGN
PORTLAND
421 SW 6TH AVE SUITE 1250
PORTLAND, OR 97204 USA
F 503.827.5339
WWW.COLABARCHITECTURE.COM

2125 NW FLANDERS
Portland, OR 97210

REVISIONS

DRAWING TITLE:

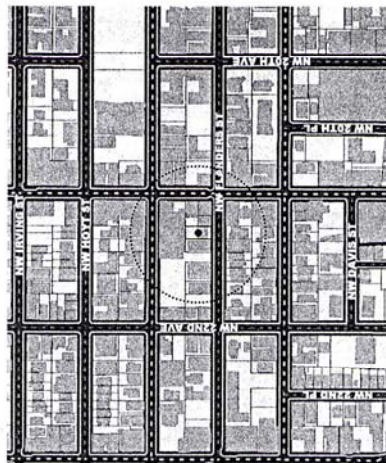
SITE PLANS

DATE: _____

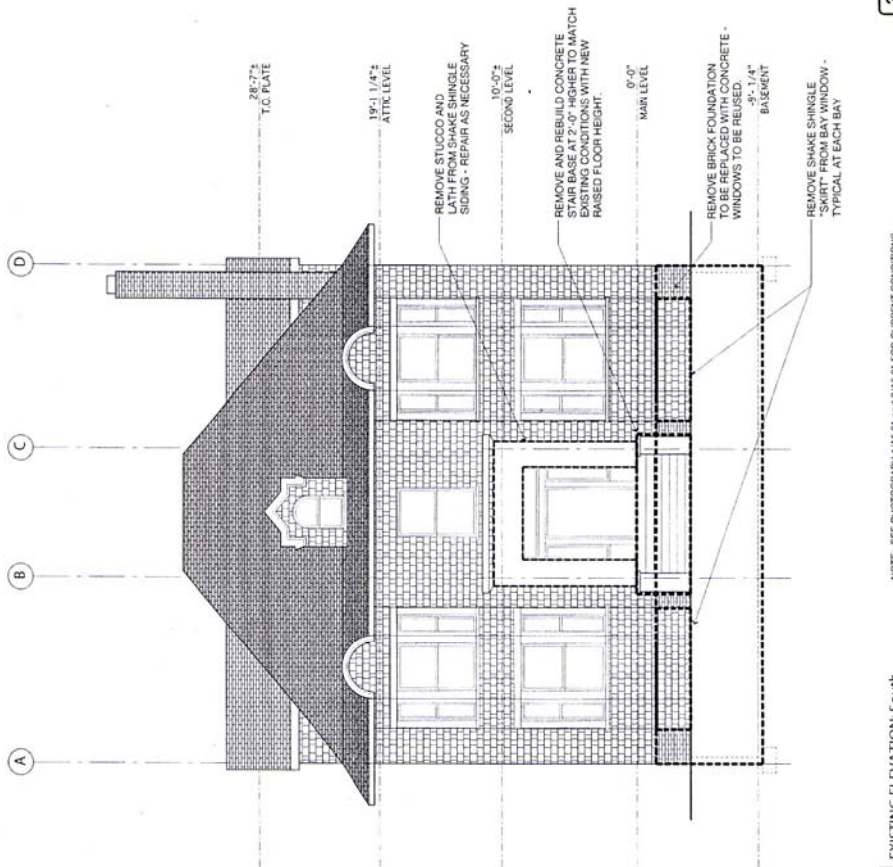
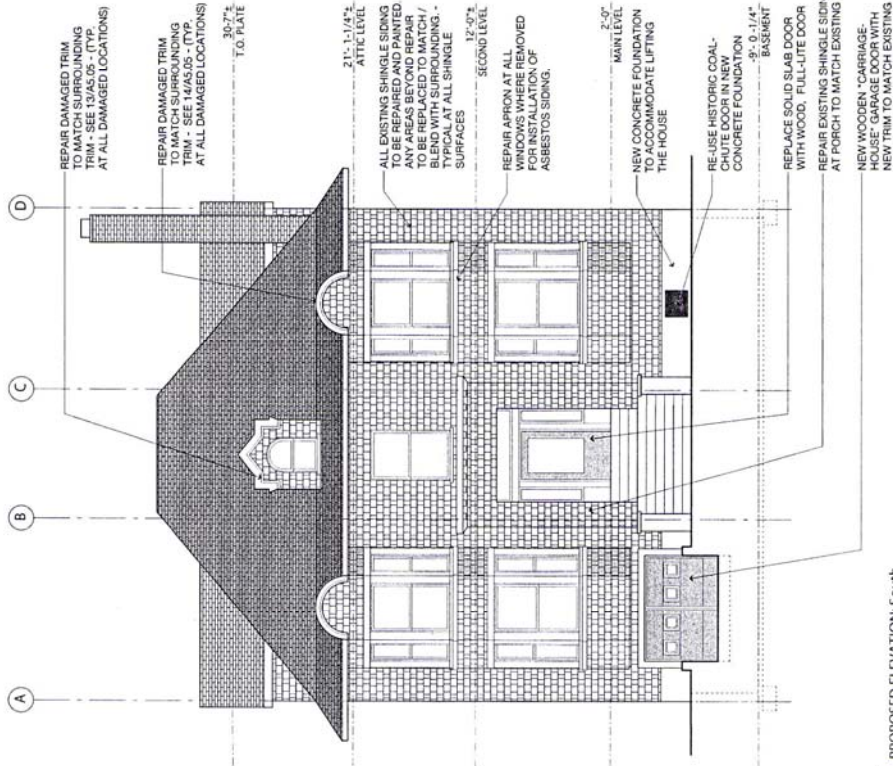
SCALE:

$$1/M^2 = 1/Q^2$$

City of Portland - Bureau of Development Services
Approved: *Dore J. Fisher*
1-24-12
* This application is subject to all conditions of the General Ordinance and the rules and regulations of the Bureau of Development Services.



C-1

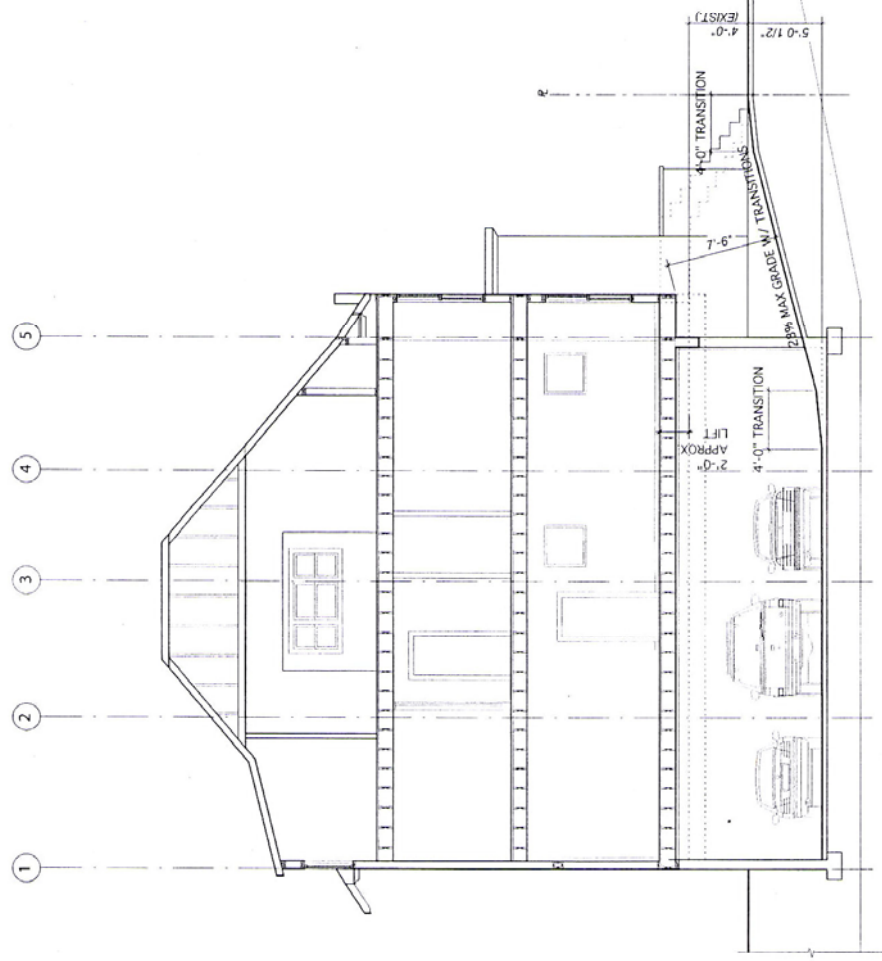


A4.03

24H-197125 H47

1 PROPOSED SECTION: Through New Garage

C-1/2

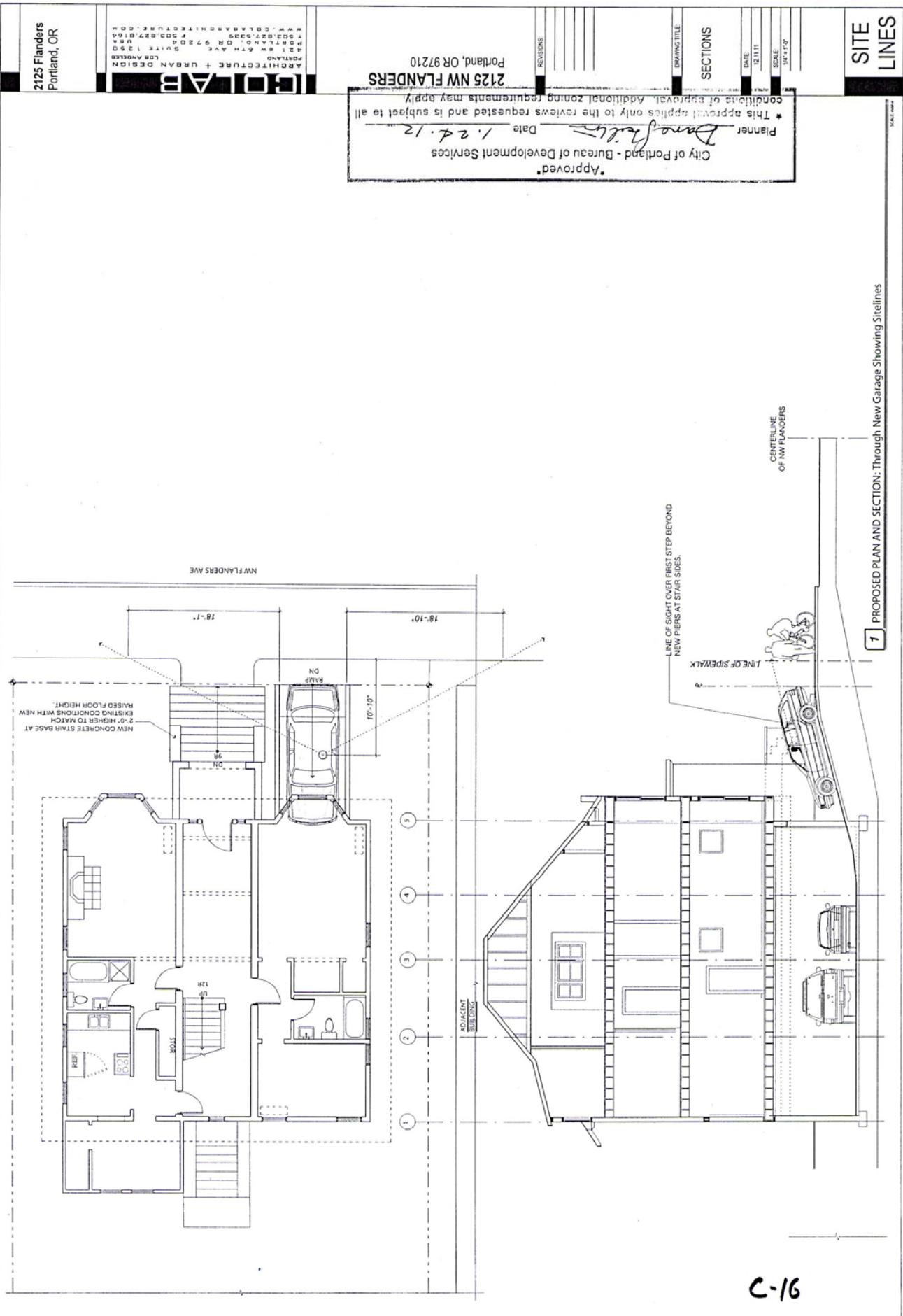


Planner *Dave Miller*
City of Portland - Bureau of Development Services
Date: 1.24.12
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

2125 NW FLANDERS
Portland, OR 97210

ICOLAB
ARCHITECTURE + URBAN DESIGN
PORTLAND
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SUITE 1250
PORTLAND, OR 97204
P 503.827.8164
WWW.ICOLABARCHITECTURE.COM

2125 Flanders
Portland, OR



C-16

1 PROPOSED PLAN AND SECTION: Through New Garage Showing Sightlines

Approved*
 City of Portland - Bureau of Development Services
 Planner: *Doreen Kelly* Date: 1.24.12
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

2125 NW FLANDERS
 Portland, OR 97210

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2125 Flanders
 Portland, OR

SITE
 LINES

SECTIONS

DRAWING TITLE

DATE
 12/11/11

SCALE
 1/8" = 1'-0"

REVISIONS