



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
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Date: May 6, 2014
To: Interested Person
From: Chris Caruso, Land Use Services 503-823-5747
Chris.Caruso@portlandoregon.gov

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

The Bureau of Development Services has a **approved** proposal in your neighborhood. The reasons for the decision 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 14-128550 HR – WINDOW CHANGES

GENERAL INFORMATION

Owner: Adrienne C Feldstein
1730 NE Siskiyou Street/Portland, OR 97212-2375

Applicant: Israel Rodriguez/Fulcrum Construction & Building Services LLC
PO Box 706/Beaverton, OR 97075

Representative: Emmanuel D Ikejiani/Flow Design Studios
3515 NE 67th Avenue/Portland OR, 97213

Site Address: 1730 NE Siskiyou Street

Legal Description: BLOCK 45 LOT 1, IRVINGTON
Tax Account No.: R420409590
State ID No.: 1N1E26AB 19200
Quarter Section: 2732
Neighborhood: Irvington, contact Dean Gisvold at 503-284-3885.
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321.
District Coalition: Northeast Coalition of Neighborhoods, contact Claire Adamsick at 503-388-9030.
Other Designations: Contributing resource in the Irvington Historic District, which was listed in the National Register of Historic Places on October 22, 2010.
Zoning: R5, Single Dwelling Residential 5000, with Historic Resource Overlay
Case Type: HR, Historic Resource Review
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant is seeking Historic Resource Review approval for a proposal to:

- Remove a door on the south facade, and install a basement window at its location;
- Replace four wood windows on the south facade with four smaller, fiberglass-clad wood windows;
- Replace existing multi-light French doors on the east facade with new wood doors in

- the same opening and with the same glazing pattern;
- Replace two wood ground floor windows and two basement windows on the east facade with a single-leaf multi-light glazed door and a fiberglass clad wood window;
- Repair existing aluminum siding at all altered locations; and
- Remove an existing exhaust flue chimney.

Historic Resource Review is required because the proposal is for non-exempt exterior alterations in a historic district.

Approval Criteria:

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

- 33.846 Historic Resource Review
- 33.846.060 G Other Approval Criteria

ANALYSIS

Site and Vicinity: The subject property is a story-and-a-half English Cottage Style house. It was built in 1921 and is identified as the Byron Stubblefield House, probably after its first owner. The house evaluated as a contributing resource in the National Register of Historic Places documentation for the Irvington Historic District.

Platted in the late Nineteenth Century, today's Irvington Historic District represents the first additions to Portland that employed restrictive covenants from the outset. These included the exclusion of most non-residential uses from the interior of the neighborhood, and where non-residential uses were allowed, such as the fire station and the telephone exchange, the buildings were purposely disguised to appear more residential in character. Other deed restrictions excluded minority groups, established uniform front setbacks, and required minimum expenditure on new buildings. The area developed generally from southwest to northeast and its growth was greatly influenced by the installation of streetcar lines that introduced an easy commuting option to downtown.

The contributing resources in Irvington range in design character from expressions of the late Victorian Era styles, especially Queen Anne, through the many Period Revival modes of the early decades of the Twentieth Century, to a few early modernist examples. There is also a wide diversity in the sizes of lots and houses. In terms of the streetscape, the numbered north-south avenues in Irvington vary dramatically in width, and they mostly form rather long block faces which the houses generally face. The named east-west street block faces are more consistent in length, almost all being traditional 200' Portland blocks. All are lined with mature street trees. Original development in many cases included garages or other accessory structures, typically facing side streets on corner lots and accessed by a variety of driveway types on mid-block sites. Garages that were added within the historic period, were sometimes built at the sidewalk and/or out of architectural character with the house.

Zoning: The single-dwelling zones, including R5, are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing.

The Historic Resource Overlay zone protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

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

Public Notice: A "Notice of Proposal in Your Neighborhood" was mailed April 17, 2014.

Neighborhood Review: No written responses were 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 within the Irvington Historic District and the proposal is for non-exempt treatment. Therefore Historic Resource Review approval is required. The approval criteria are those listed in *33.846.060 G – Other Approval Criteria*.

Staff has considered all guidelines 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.

Findings: The proposal will affect historic materials in the form of windows on two facades that do not face but are nonetheless visible from the street. Because the subject house is located on a corner lot it does not have a true "rear" yard where alterations could be made most unobtrusively. The two street-facing facades will be unaffected. On balance the proposal meets the intent of the regulation because the listed resource is the historic district (as opposed to this individual property, and the changes are minor in character. *This criterion is met.*

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.

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 8 & 10: Compatibility at all levels is achieved through three factors: the relatively small impact of the changes on historic fabric (less than 150 square feet); the location of changes only on side/rear facades; and the similarity of the material, sectional, and installation characteristics of the proposed windows as compared to the historic windows on the house. *These criteria are 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 window alterations on a contributing resource in the Irvington Historic District that include the following:

- Removing a door on the south facade, and installing a basement window at its location;
- Replacing four wood windows on the south facade with four smaller, fiberglass-clad wood windows;
- Replacing existing multi-light French doors on the east facade with new wood doors in the same opening and with the same glazing pattern;
- Replacing two wood ground floor windows and two basement windows on the east facade with a single-leaf multi-light glazed door and a fiberglass clad wood window;
- Repairing existing aluminum siding at all altered locations; and
- Removing an existing exhaust flue chimney.

Approval is per Exhibits C-1 through C-18, signed and dated May 2, 2014, 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-18. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 14-128550 HR."

Staff Planner: Chris Caruso

Decision rendered by: Chris Caruso on **May 2, 2014.**

By authority of the Director of the Bureau of Development Services

Decision mailed (within 5 days of dec.) May 6, 2014

Procedural Information. The application for this land use review was submitted on March 19, 2014, and was determined to be complete on **April 15, 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 March 19, 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 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.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further 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.

Recording the final decision.

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **May 20, 2014**.

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:

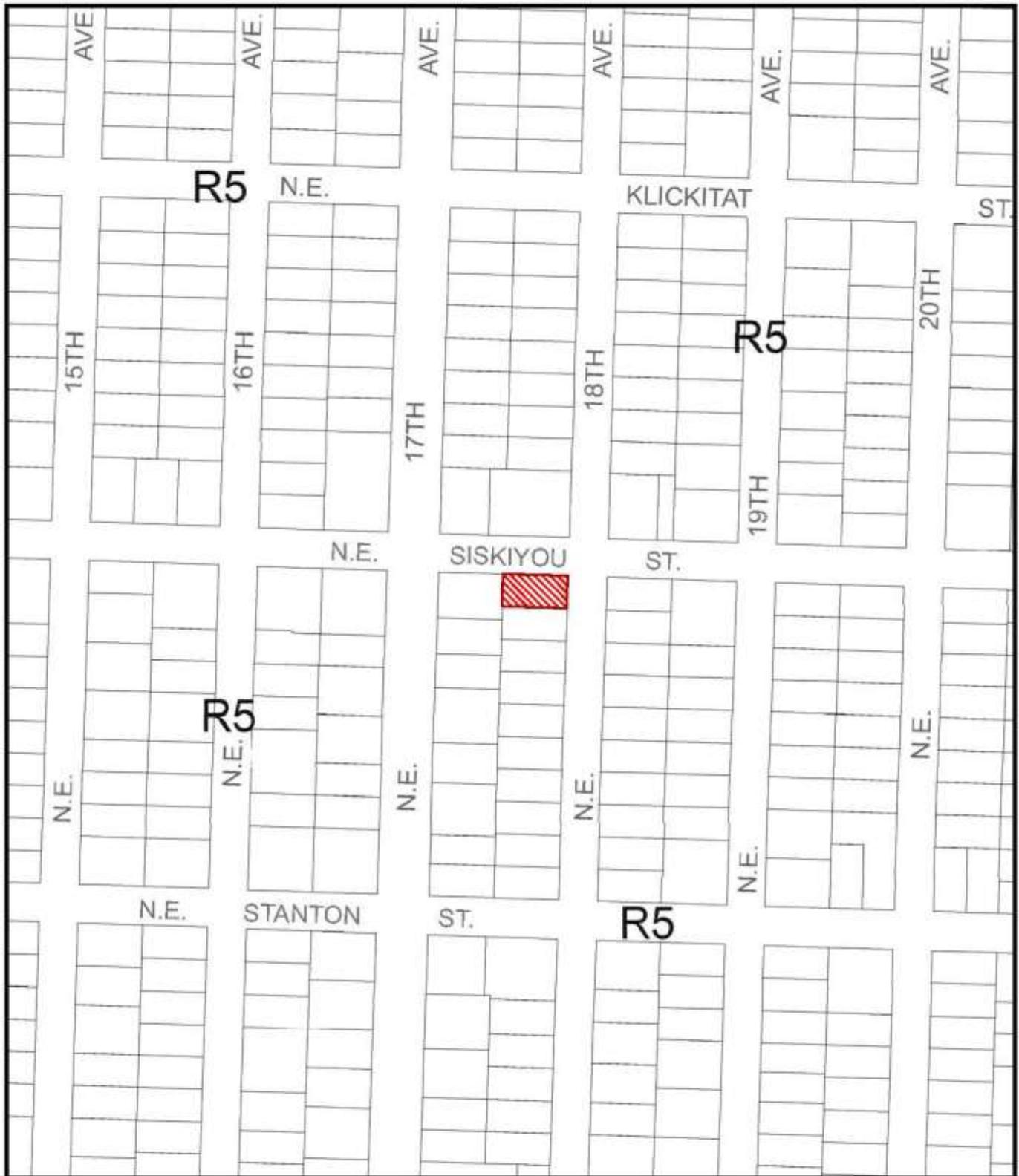
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Existing North Elevation
 - 3. Proposed North Elevation
 - 4. Existing South Elevation
 - 5. Proposed South Elevation (attached)
 - 6. Existing West Elevation
 - 7. Proposed West Elevation (attached)
 - 8. Existing East Elevation
 - 9. Proposed East Elevation
 - 10. First Floor Plan
 - 11. Second Floor Plan
 - 12. Enlarged Kitchen Plan
 - 13. Enlarged Second Floor Bathroom Plan
 - 14. Door and Window Details
 - 15. Door and Window Details
 - 16. Affected Facade Area Calculations
 - 17. French Door Product Information
 - 18. Window Product Information
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence: none received
- G. Other:
 - 1. Original LU Application

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



NORTH

This site lies within the:
IRVINGTON HISTORIC DISTRICT

File No. LU 14-128550 HR
 1/4 Section 2732
 Scale 1 inch = 200 feet
 State_Id 1N1E26AB 19200
 Exhibit B (Mar 20, 2014)

REMODEL at 1730 NE SISKIYOU
Ms. Adrienne Feldstein and Mr. Russ Ratto
1730 NE Siskiyou Street
Portland, OR 97212

PROJECT NO:
120669

DATE:
7/16/2014

BY:
EDI

SITE PLAN

SITE PLAN LEGEND	
	EXISTING FENCE
	PROPERTY LINE
	CENTER LINE

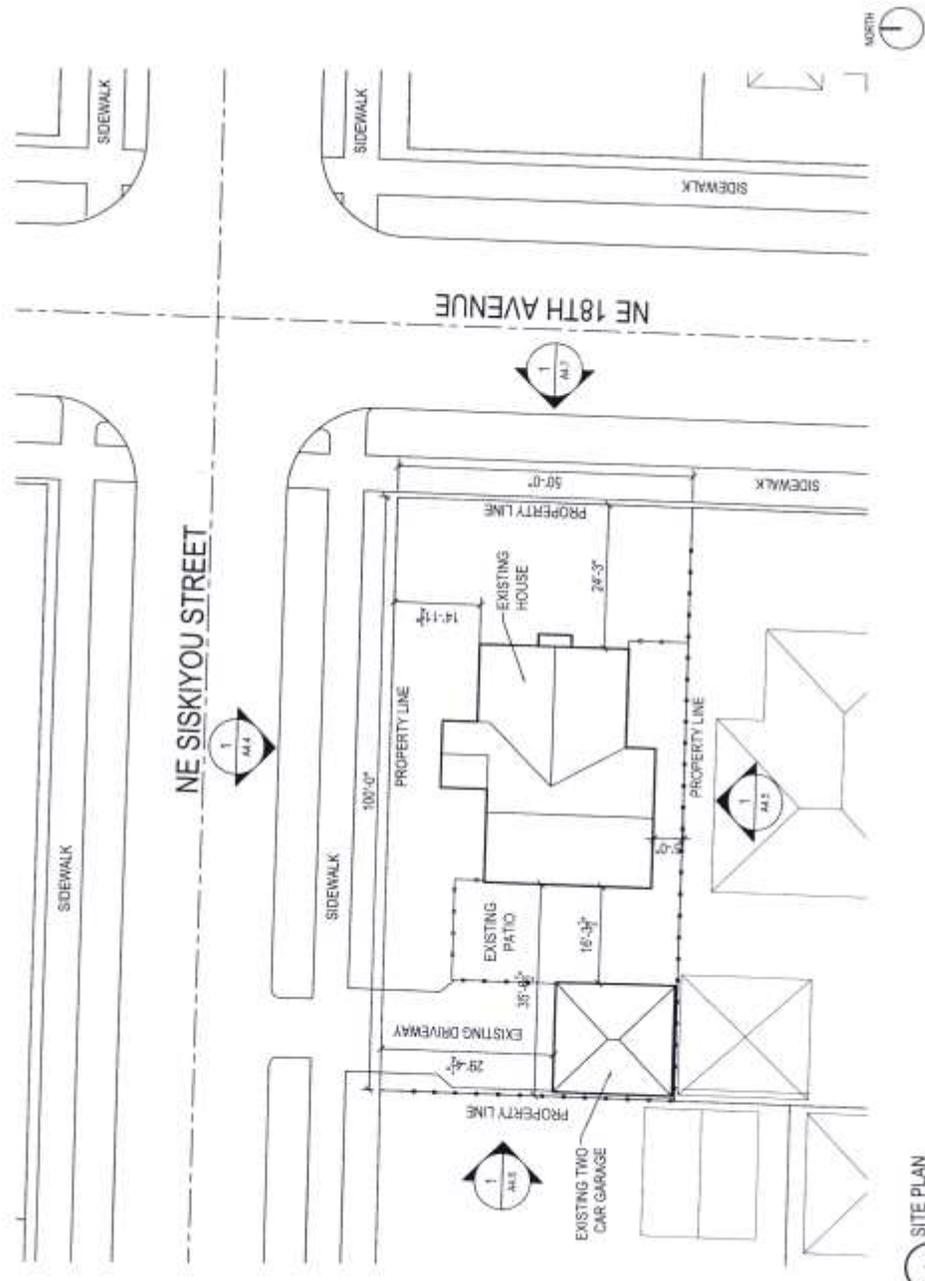
GENERAL NOTES	
1.	THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE CONSULTANT/ARCHITECT.
2.	ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH ALL CODES, REGULATIONS AND BY-LAWS.
3.	DO NOT SCALE DRAWINGS.
4.	DIMENSIONS ARE TO FACE OF WOOD STUD FRAMING, FACE OF CONCRETE, CENTERLINE OF REINFORCING, CENTERLINE OF BUILDING COLUMNS, AND FACE OF CASING UNLESS OTHERWISE NOTED ON PLANS.

HISTORIC BUILDING DATA	
PROPERTY LOCATION AND ADDRESS:	1730 NE SISKIYOU, PORTLAND, OR 97212
CITY:	PORTLAND, OREGON
COUNTY:	CLATSOP COUNTY, OREGON
PLANNING DISTRICT:	1730 NE SISKIYOU
PLANNING ZONE:	PLANNING ZONE 1730 NE SISKIYOU
PLANNING DISTRICT:	PLANNING DISTRICT 1730 NE SISKIYOU
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PLANNING ZONE:	PLANNING ZONE 1730 NE SISKIYOU

HISTORIC DESIGN REVIEW NOTES	
1.	ALL CHANGES TO THE EXTERIOR DESIGN SHALL CONFIRM TO HISTORIC DESIGN INVESTIGATOR SET BY THE COMMUNITY DESIGN BOARD.
2.	WHEN REPLACING EXTERIOR DOORS AND WINDOWS, ALL ATTEMPTS SHALL BE MADE SUCH AS THE FRAME BEING REPLACED SHALL RESEMBLE THE ITEMS BEING REMOVED.
3.	NO ADDITIONAL SIGNAGE FOOTAGE IS BEING ALLOWED TO THE BUILDING.
4.	CHANGES ONLY OCCURRING ON THE APPROVED PLANS THESE PLANS DO NOT HAVE THE APPROVAL OF THE CITY OF PORTLAND.

Bureau of Development Services
City of Portland
Planner: *[Signature]*
Date: 5/2/14
APP: A0.4
PERMIT SET

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



14-128550HR C-1

1 SITE PLAN

PROJECT NO. 200813

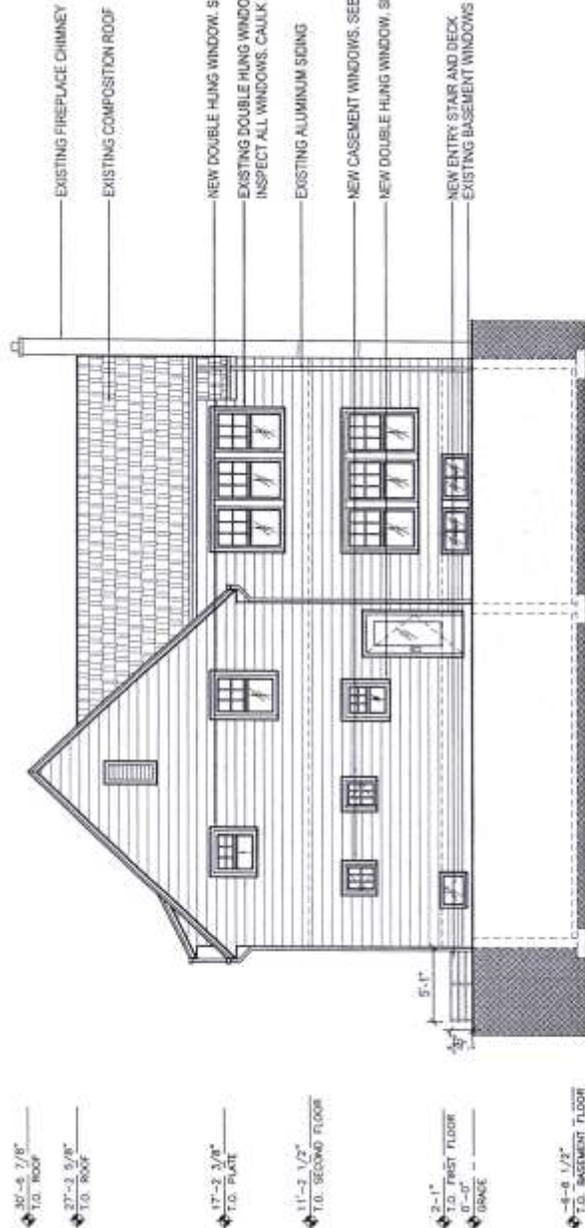
DATE: 2/15/2014

FILE: NEW SOUTH EXTERIOR ELEVATION

DATE: 2/15/2014

PERMIT SET
 A4.5

HISTORIC DESIGN REVIEW NOTES	GENERAL NOTES
<ol style="list-style-type: none"> ALL CHANGES TO THE EXTERIOR DESIGNER SHALL CONFORM TO HISTORIC DESIGN GUIDELINES SET BY THE COMMUNITY DESIGN SURVEILLANCE. WHICH REPAIRS/REPLACES EXISTING AND REMAINS. ALL ATTEMPTS SHALL BE MADE SUCH AS THE FIXING BEING REPLACED SHALL RESEMBLE THE ORIGINAL REPAIRS. NO ADDITIONAL SQUARE FOOTAGE IS BEING ADDED TO THE BUILDING. CHANGES ONLY OCCUR ON THE SOUTH AND WEST FACADES. THESE CHANGES DO NOT FACE THE PUBLIC RIGHT OF WAY. 	<ol style="list-style-type: none"> THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE CONSULTANT/DESIGNER. ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH ALL CODES, REGULATIONS AND BY LAWS. DO NOT SCALE DRAWINGS. DIMENSIONS ARE TO FACE OF WOOD STUD FRAMING, FACE OF CONCRETE, CENTERLINE OF INSULATED CURTAIN WALL OR BALCONY COLUMNS, AND FACE OF CASING/FRAMING (WHERE NOTED ON PLANS).



Approved
 City of Portland
 Bureau of Development Services
 Planner: [Signature]
 Date: 5/2/14
 * This approval applies only to the review requested and is subject to all conditions of approval.
 All other applicable requirements may apply.

1 SOUTH ELEVATION (NEW)
 36" x 42"

5-3

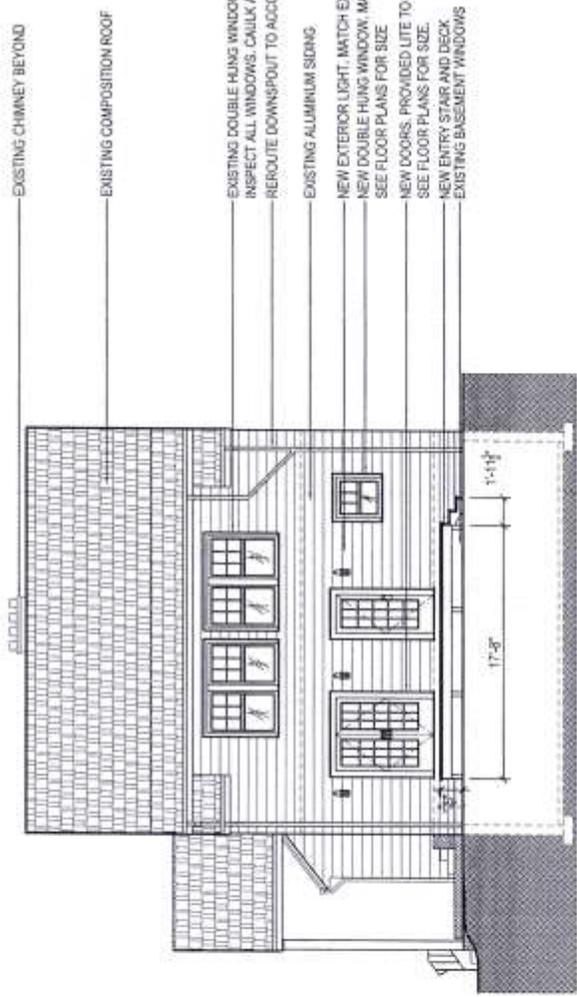
Ms. Adrienne Feldstein and Mr. Russ Ratto

PROJECT NO. 120863
 DRAWN EDI
 DATE 2/16/2014

TITLE NEW WEST EXTERIOR ELEVATION

DATE A4.6 PERMIT SET

HISTORIC DESIGN REVIEW NOTES	GENERAL NOTES
<ol style="list-style-type: none"> ALL CHANGES TO THE EXTERIOR DESIGN SHALL CONFORM TO HISTORIC DESIGN GUIDELINES SET BY THE COMMUNITY DESIGN COMMISSION. WHEN REPLACING EXTERIOR DOORS AND WINDOWS, ALL ATTEMPTS SHALL BE MADE SUCH AS THE FITTING BEING REPLACED SHALL RESEMBLE THE OTHER BEING REPLACED. NO ADDITIONAL SQUARE FOOTAGE IS BEING ADDED TO THE BUILDING. CHANGES ONLY OCCUR ON THE SOUTH AND WEST FACADES. THESE FACADES DO NOT FACE THE PUBLIC RIGHT OF WAY. 	<ol style="list-style-type: none"> THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE CONSULTANT(S) IMMEDIATELY. ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH ALL CODES, REGULATIONS AND BY-LAWS. DO NOT SCALE DRAWINGS. SMOKELOGS ARE TO FACE OF BLOCK/STUD FRAMING. FACE OF CONCRETE/STAIRWELL OR REINFORCED CONCRETE/STAIRWELL COLUMN. NOT FACE OF CASING/WORK UNLESS OTHERWISE NOTED ON PLANS.



- 30'-8 3/4" T.O. ROOF
- 20'-2 5/8" T.O. ROOF
- 17'-2 3/4" T.O. PLATE
- 11'-2 1/2" T.O. SECOND FLOOR
- 2'-1" T.O. FIRST FLOOR
- 0'-0" GRADE
- 4'-8 1/2" T.O. BASEMENT FLOOR

Approved
 City of Portland
 Bureau of Development Services
 Planner *[Signature]*
 Date 5/2/14

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

1 WEST ELEVATION (NEW)
 1/8" = 1'-0"