



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: March 23, 2016
To: Interested Person
From: Sheila Frugoli, Land Use Services
503-823-7817 / Sheila.Frugoli@portlandoregon.gov

NOTICE OF A TYPE I 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 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 16-109289 HR

GENERAL INFORMATION

Applicant: Bill Myles, Architect
Craftsman Design & Renovation
837 SE 27th Ave
Portland, OR 97214

Owner: Dustin Conrad
2134 NE 7th Ave
Portland, OR 97212-3810

Site Address: 2134 NE 7TH AVE

Legal Description: BLOCK 119 LOT 14, WEST IRVINGTON
Tax Account No.: R893602650
State ID No.: 1N1E26CB 16400
Quarter Section: 2831
Neighborhood: Irvington, contact Dean Gisvold at 503-284-3885.
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-841-5032.
District Coalition: Northeast Coalition of Neighborhoods, contact Lokyee Au at 503-388-9030.
Plan District: Albina Community
Other Designations: Contributing Resource in the Irvington Historic District which was listed in the National Register of Historic Places on October 22, 2010.
Zoning: R2a – Multi-Dwelling Residential 2,000 zone with the “a” Alternative Design Density overlay zone.
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 alterations to the

west façade and north side of roof of a 2-story house listed as a contributing resource structure in the Irvington Historic District. The applicant proposes to install 2 new deck-mounted skylights on the south-facing roof plane. The approximate size of each skylight is 2 feet by 4 feet.

Also, proposed is the replacement of two windows on the west (street-facing) upper dormer. The application notes that the existing window sashes are rotted through at the frame and muntins. They will be replaced with new wood casement windows with a 3x 3 divided light pattern.

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

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria specified in the Portland Zoning Code. The relevant approval criteria are:

- 33.846 Historic Resource Review
- 33.846.060 G Other Approval Criteria

ANALYSIS

Site and Vicinity: The subject site sits on a 5,000-square-foot lot near the southwest corner of the Irvington Historic District. It is listed as the George W Tabler House, a foursquare style and is a contributing resource. The 2-story home is elevated above the street with a tuck-under, one-car garage that is located at the northwest corner of the property. The garage is set back approximately 9 feet from the right-of-way.

Platted in the late Nineteenth Century, today's Irvington Historic District 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 subject site is within the R2, Multi-Dwelling Residential 2,000 zone, the "a" Alternative Design Density overlay zone and is within the Irvington Historic District.

The R2 zone is a low density multi-dwelling zone. Allowed housing is characterized by one to three story buildings. The multi-dwelling zones are intended to preserve land for urban housing and to provide housing opportunities for multi-dwelling housing. The zones implement the comprehensive plan policies and designations for multi-dwelling housing.

The purpose of the Alternative Design Density Overlay Zone is to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The concept for the zone is to allow increased density for development that meets additional design compatibility requirements.

The Historic Resource Protection 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.

Neighborhood Review: The first "Notice of Proposal in Your Neighborhood" was mailed on February 11, 2016. Staff was alerted that the notice did not include relevant elevations showing the proposed changes. To comply with notification requirements and to accommodate a request by the applicant to make a slight modification to the proposal, another notice was mailed on **March 1, 2016**. The following written response was received:

- Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, on March 15, 2016, wrote that his committee has reviewed the application and has no objections (Exhibit F.1)

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;
- 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: The proposal is to install 2 new deck-mounted skylights on the south-facing roof plane. The approximate size of each skylight is 2 feet by 4 feet. Also, proposed is the replacement of two windows on the west (street-facing) upper dormer with new wood casement windows with a 3x3 divided light pattern. The application notes that the existing window sashes are rotted through at the frame and muntins.

The skylights will be low-profile, deck-mounted and not be prominent from street views. They will not alter the roof pitch or profile. Roof asphalt shingles will be patched and repaired to match the existing shingles. Staff cannot determine if the west-facing windows are original to the home. However, evidence has been submitted that documents significant weather damage that precludes repair to the windows and frames. The replacement windows will match the existing in that they will be wood, double hung and recessed to the same depth in the wall. The new and replacement building elements are not altering the existing historic character and will be compatible with the original resource, adjacent properties and the Irvington Historic District. *Therefore these criteria are met.*

2. **Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided;

Findings: The skylights are not historic in nature but will not lessen the prominent historic elements of the home. Further, the new wood windows will not change the opening or the horizontal and vertical proportions of the other existing windows as well as the overall style seen on the house today. The new windows will match the existing in function, general proportions, materials and depth and will not be conjectural additions of elements from other buildings. The proposed alterations do not affect the resource's physical record of its time, place or use as the structure will remain a single-family home. *This criterion is therefore met.*

4. **Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.

Findings: Two historic windows on the street-facing dormer are proposed to be replaced. The applicant has submitted pictorial evidence substantiating that these windows are significantly deteriorated. The replacement windows will match the existing in that they will be wood, have a divided light pattern and be recessed to the same depth in the wall. The new and replacement building elements are not altering the existing historic character or adding false conjectural features to the contributing resource. *Therefore these criteria are met.*

7. **Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old;

Findings: The new skylights are inherently different. The proposed new windows will match existing features on the house in style, profile and composition, but will be fabricated out of new material, giving them a less weathered appearance. This will differentiate them from older elements on the building. Additionally, the double glazing and modern window assembly, and the weather stripped door and hardware will differentiate the new construction from the old. Existing historic features that characterize the property will not be destroyed. *This criterion is therefore met.*

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; and

Findings: The new south-facing skylights and replacement windows are minimal changes that will not impact the original contributing resource, and its

environment. *This criterion 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

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 in that the new side door will be compatible in design and materials to the resource and the district and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of the following exterior alterations to the subject house in the Irvington Historic District:

South Elevation:

Install two new deck-mounted skylights.

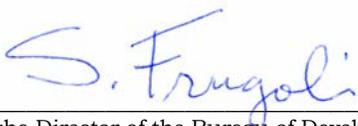
West Elevation:

Replace two deteriorated wood windows on the dormer with new wood casement windows with a 3x3 divided light pattern.

Approved as per the approved plans, Exhibits C.1–C.6, signed and dated March 21, 2016, subject to the following condition:

- A. As part of the building permit application submittal, each of the required site plans and additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.6. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-109289 HR."

Staff Planner: Sheila Frugoli

Decision rendered by:  **on March 21, 2016**

By authority of the Director of the Bureau of Development Services

Decision mailed (within 5 days of dec.) March 23, 2016

Procedural Information. The application for this land use review was submitted on January 22, 2016, and was determined to be complete on February 8, 2016.

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 January 22, 2016.

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 **March 23, 2016**.

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 503-823-7617.

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:

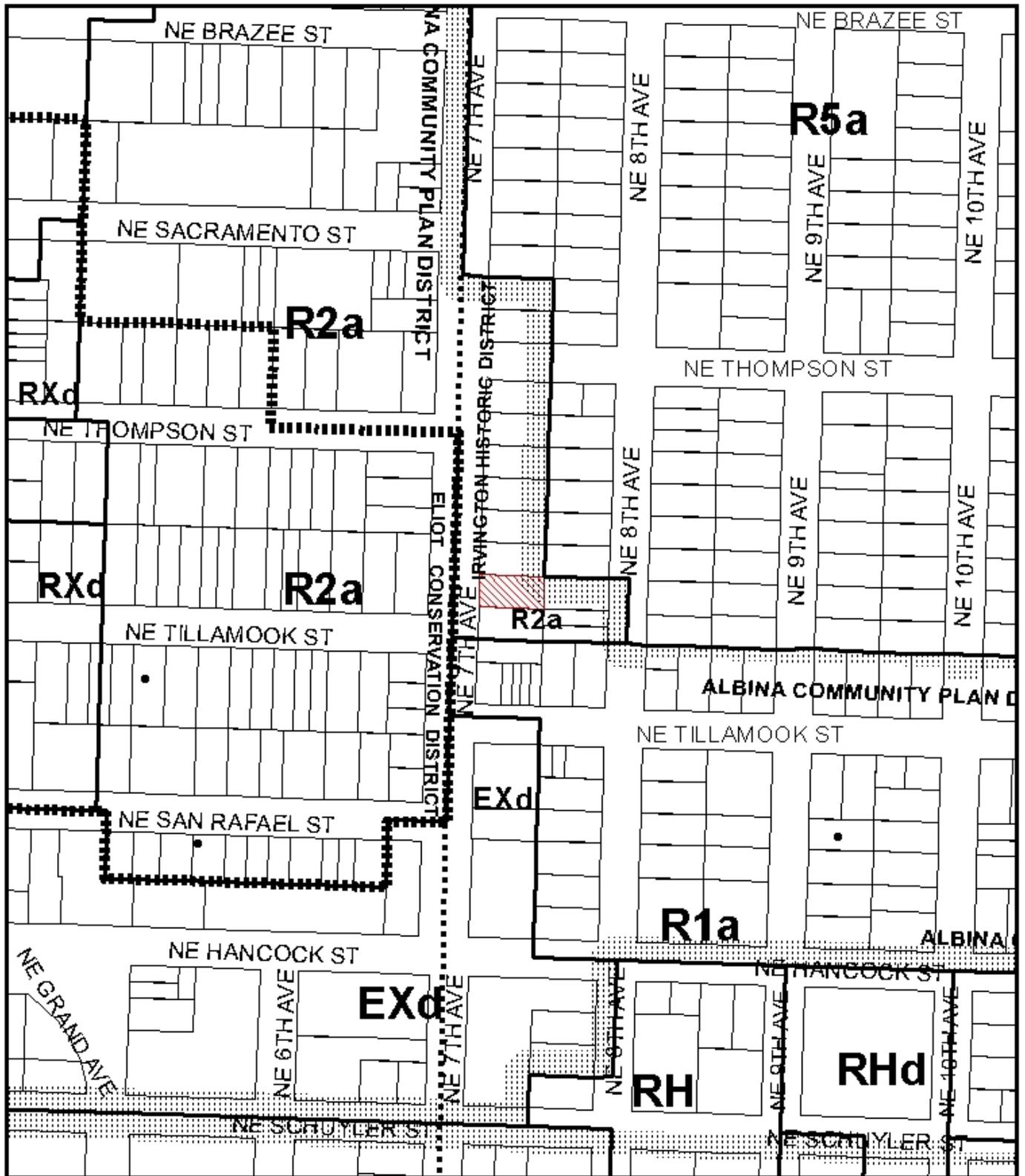
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 1. Project Description and Response to Approval Criteria
 2. Photo of Street-Facing Façade
 3. Photo of Upper Window Sashes
 4. Map Identifying Other Nearby Homes with Skylights
 5. Close-Up Photos- Exterior and Interior of Upper Dormer Windows
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan, Submitted Feb. 25, 2016(attached)
 2. Front (West) Elevation, Submitted Feb. 25, 2016(attached)
 3. Side (South) Elevation, Submitted Feb. 25, 2016(attached)
 4. Skylight Details (attached)
 5. Wall/Window – Existing and Proposed Sections (attached)
 6. Side (North) Elevation, Submitted Feb. 25, 2016(attached)
 7. Original Site Plan and Elevations
 8. Original Wood Casement Window Details
- D. Notification information:
 1. Revised Notice Mailing List, Mailed March 1, 2016
 2. Revised Mailed Notice, Mailed March 1, 2016
 3. Original Mailing List
 4. Original Mailed Notice
- E. Agency Responses: None
- F. Correspondence:
 1. Dean Gisvold, Irvington Land Use Committee Chair, March 15, 2016
- G. Other:
 1. Original LU Application
 2. Incomplete Application Letter to Applicant
 3. Oregon Historic Site Record

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

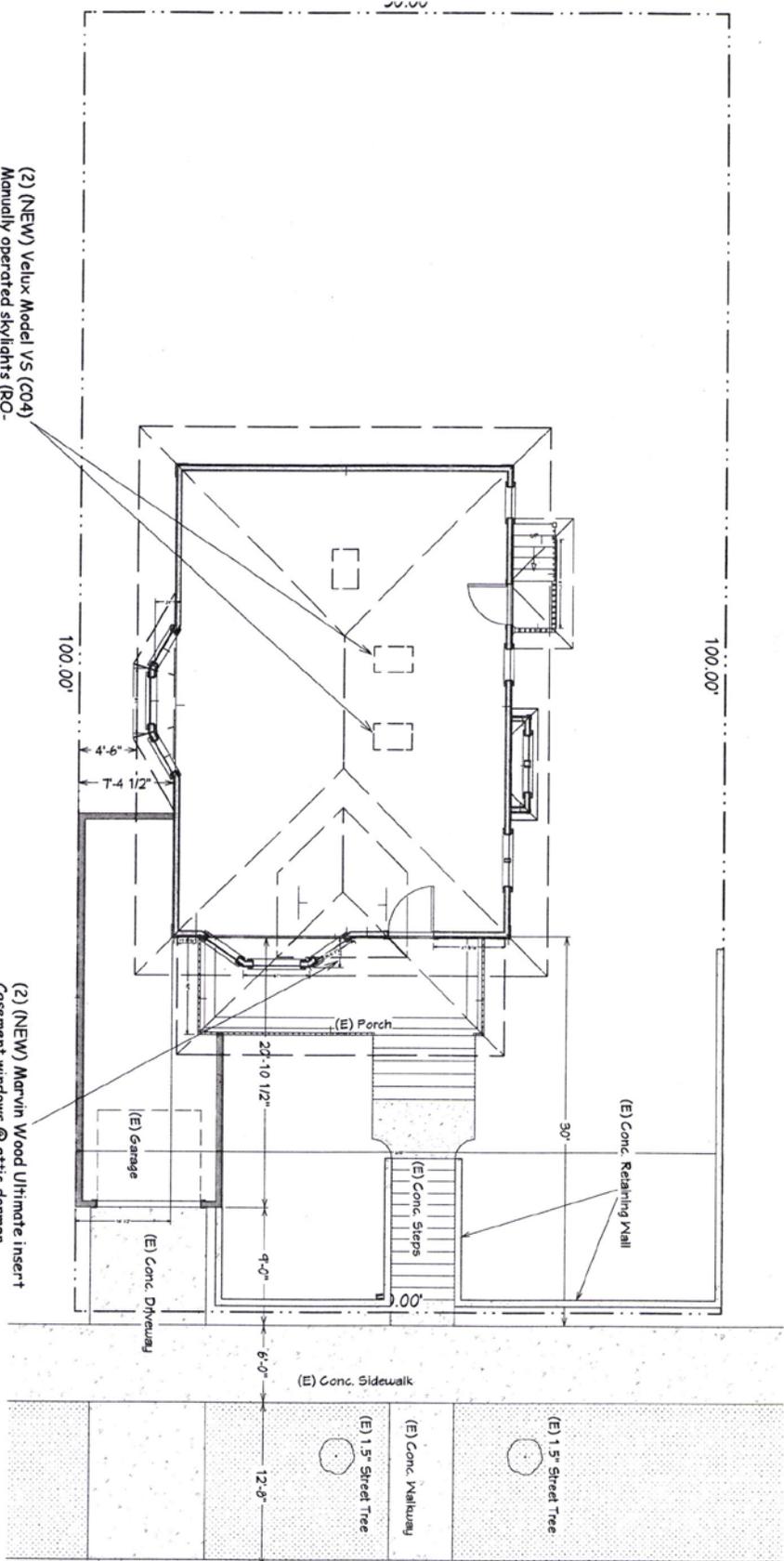
This site lies within the:
 ALBINA COMMUNITY PLAN DISTRICT
 IRVINGTON HISTORIC DISTRICT



File No.	LU 16-109289 HR
1/4 Section	2831
Scale	1 inch = 200 feet
State_Id	1N1E26CB 16400
Exhibit	B (Jan 25, 2016)

Construction Plans
 Affected Area (TOTAL): 29 s.f.

Approved:
 City of Portland - Bureau of Development Services
 Planner: *S. Fungel*
 Date: *3-21-16*
 * This approval is for the project as shown and is subject to all applicable codes and regulations. All work shall comply with applicable codes and regulations.



1 Site Plan
 Scale: 1/8" = 1'-0"



Drawings reviewed and approved by client(s):

(initial)

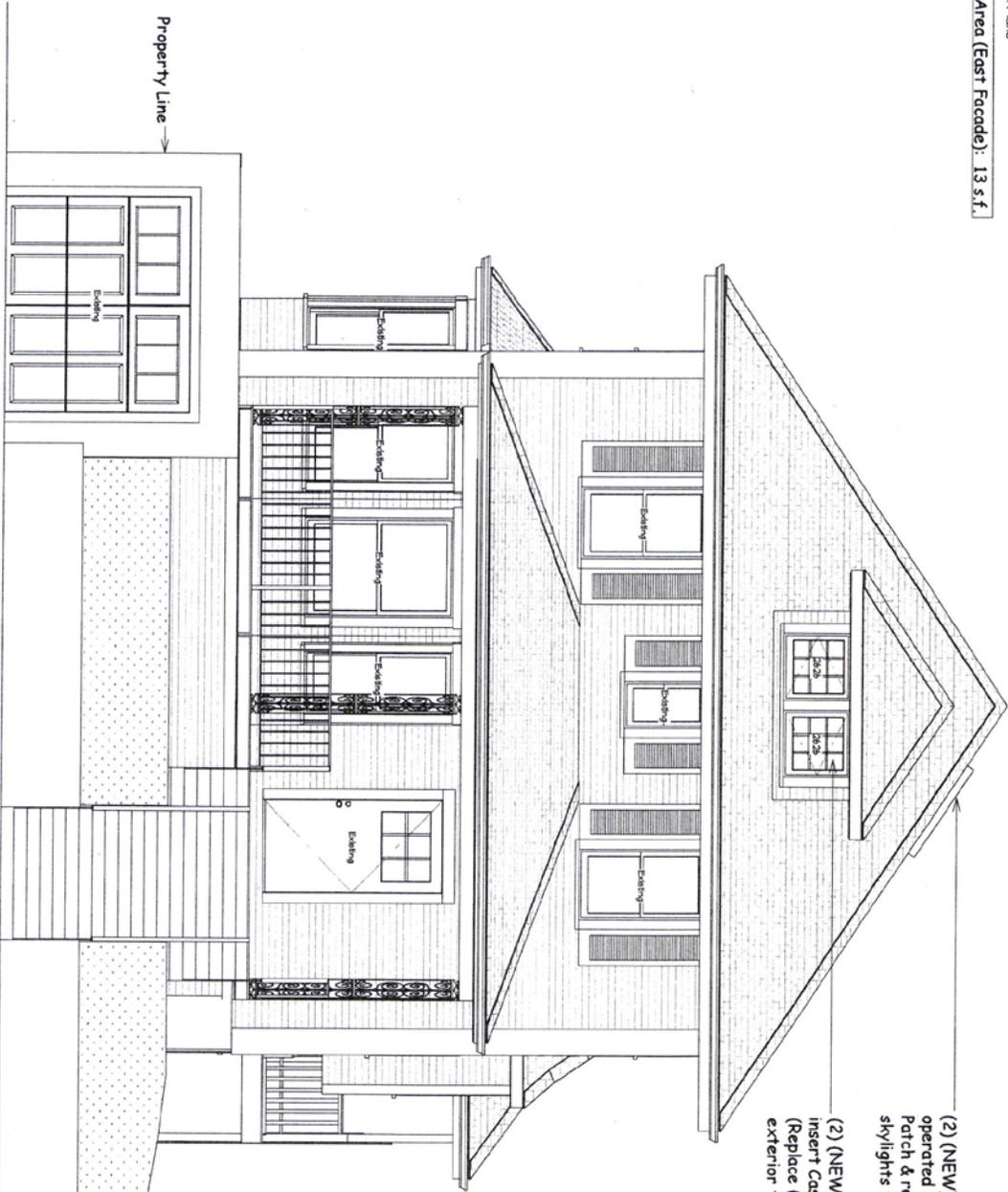
NE 7th Ave.

LU 16-109289 HR

Drawing Number 2	Created: 12/23/2014	Drawn By: BM / KR/ WF	CONRAD MASTER SUITE RENOVATION Dustin Conrad 2134 NE 7th Ave. Portland, Oregon 97212	 837 SE 27th Avenue Portland, Oregon 97214 Ph. 503.239.6200 www.craftsmandesign.com
	Printed: 02/25/2016	Revisions:		

Exh. C.1

Affected Area (East Facade): 13 s.f.



1 Front (West) Elevation
Scale: 1/4" = 1'-0"

- (2) (NEW) Velux Model VS (G04) Manually operated skylights (RO- 21" x 37-7/8"). Patch & repair asphalt roofing adjacent to skylights to match existing.
- (2) (NEW) Marvin Wood Ultimate Insert Casement windows @ dormer (Replace (E) damaged sashes, exterior trim to remain as it is)

Drawings reviewed and approved by client

Approved

City of Portland - Bureau of Development Services

Planner: S. Frugoli Date: 3-21-16

This approval is subject to the City's reviews and is subject to all conditions of the permit.

LU 16-109289 HR
Exh. C.2

Drawing Number 3	Created: 12/23/2014	Drawn By: BM / KR/ WF	CONRAD MASTER SUITE RENOVATION Dustin Conrad 2134 NE 7th Ave. Portland, Oregon 97212	
	Printed: 02/25/2016	Revisions:		

Affected Area (North Facade): 16 s.f.

(2) (NEW) Velux Model VS (C04) Manually operated skylights (RO- 21" x 37-7/8"), Patch & repair asphalt roofing adjacent to skylights to match existing.

(2) (NEW) Marvin Wood Ultimate Inset Casement windows @ dormer (Replace (E) damaged sashes, exterior trim to remain as it is)



Approved
 City of Portland - Bureau of Development Services
 Planner S. Frugoli Date 3-21-16
 * This approval applies only to the reviews referenced and is subject to conditions of approval. Additional reviews may apply.

1 Side (South) Elevation
 Scale: 1/4" = 1'-0"

Drawings reviewed and approved by client(s):

(initial)

Drawing Number 4	Created: 12/23/2014	Drawn By: BM / KR/ WF	CONRAD MASTER SUITE RENOVATION Dustin Conrad 2134 NE 7th Ave. Portland, Oregon 97212	 837 SE 27th Avenue Portland, Oregon 97214 Ph. 503.239.6200 www.craftsmandesign.com
	Printed: 02/25/2016	Revisions:		

* Approved *

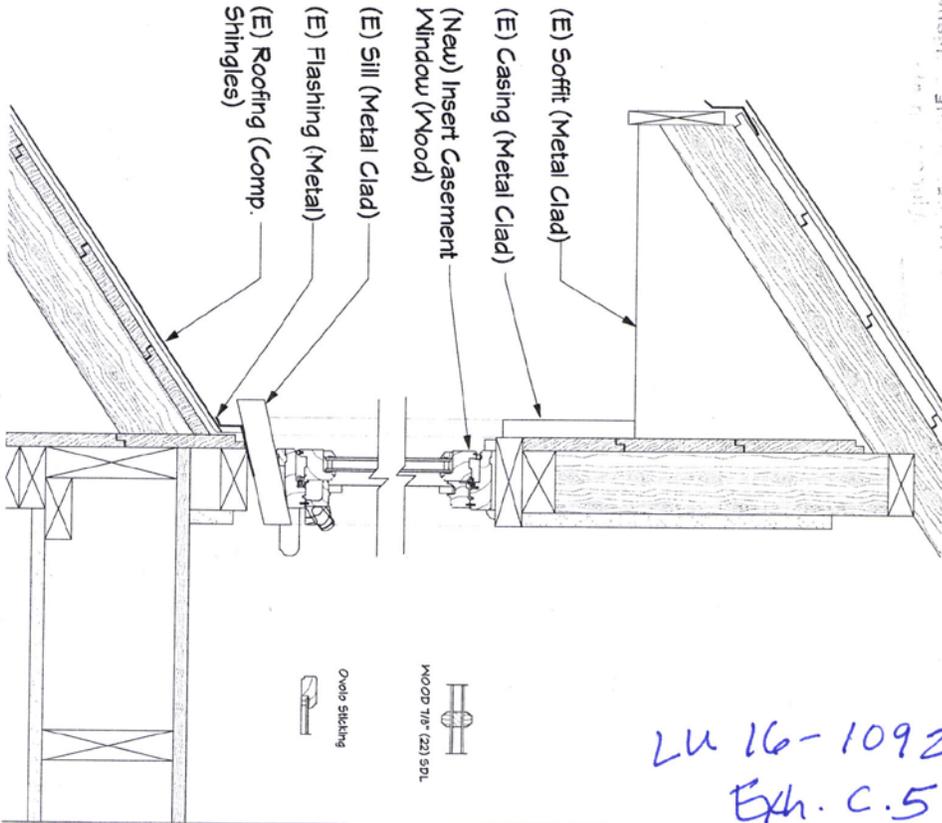
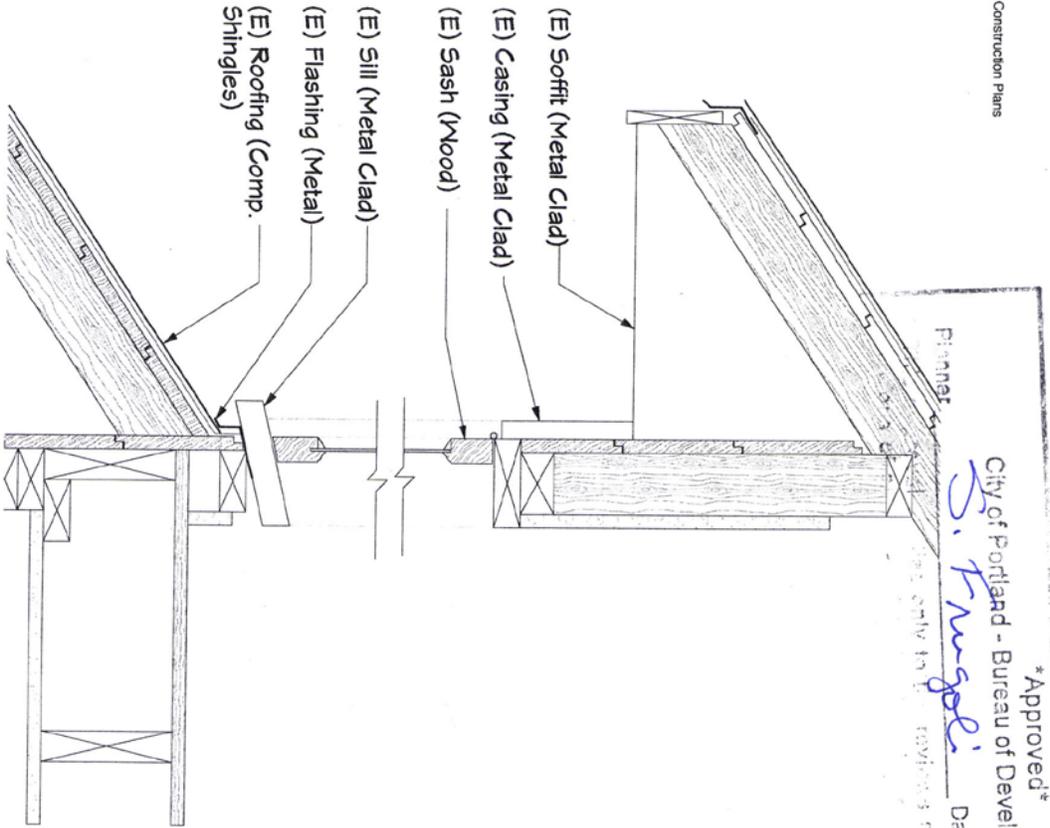
City of Portland - Bureau of Development Services

Planner

S. Frings

Date

3-21-16



*LU 16-109289 HR
Exh. C.5*

1 Wall / Window Section @ Dormer - Existing
Scale: N/A

1 Wall / Window Section @ Dormer - Proposed
Scale: N/A

Drawings reviewed and approved by client(s):

(initial)

Drawing Number 7	Created: 12/23/2014	Drawn By: BM / KR / WF	CONRAD MASTER SUITE RENOVATION Dustin Conrad 2134 NE 7th Ave. Portland, Oregon 97212	CRAFTSMAN DESIGN AND RENOVATION 837 SE 27th Avenue Portland, Oregon 97214 Ph. 503.239.6200 www.craftsmandesign.com
	Printed: 02/25/2016	Revisions:		

Affected Area (North Facade): 0 s.f.



1 Side (North) Elevation

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

Drawings reviewed and approved by client(s):

(initial)

Drawing Number 5	Created: 12/23/2014	Drawn By: BM / KR/ WF	CONRAD MASTER SUITE RENOVATION Dustin Conrad 2134 NE 7th Ave. Portland, Oregon 97212	 837 SE 27th Avenue Portland, Oregon 97214 Ph. 503.239.6200 www.craftsmansdesign.com
	Printed: 02/25/2016	Revisions:		