



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

Dan Saltzman, Commissioner  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** September 29, 2016.  
**To:** Interested Person  
**From:** Arthur Graves, Land Use Services  
503-823-7803 | [Arthur.Graves@portlandoregon.gov](mailto:Arthur.Graves@portlandoregon.gov)

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

The Bureau of Development Services has an approved 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 16-129323 HR: ALTERATIONS TO EAST AND WEST FIRE ESCAPES**

#### **GENERAL INFORMATION**

**Primary Contact:** Leon Porter  
2127 NW Irving St #205 | Portland OR 97210

**Applicant:** Judie Divine  
The Irving Classic Condominium Association  
2127 NW Irving St. #B1 | Portland OR 97210

**Condo Association Manager:** Emma Beach | Community Management, Inc.  
2105 SE 9th Ave. | Portland OR 97214

**Site Address:** 2127 NW Irving Street

**Legal Description:** GENERAL COMMON ELEMENTS, IRVING CLASSIC CONDOMINIUMS  
**Tax Account No.:** R419600010, R419600010  
**State ID No.:** 1N1E33BD 90000, 1N1E33BD 90000  
**Quarter Section:** 2927  
**Neighborhood:** Northwest District, contact John Bradley at 503-313-7574.  
**Business District:** Nob Hill, contact Nob Hill at [nobhillportland@gmail.com](mailto:nobhillportland@gmail.com).  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Northwest  
**Other Designations:** Contributing resource in the Alphabet Historic District, listed in the National Register of Historic Places on November 16, 2000.

**Zoning:** RH: High Density Residential  
**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 requests Historic Resource Review approval for alterations to the structure of the Irving Apartments, a “contributing” resource within the Alphabet Historic District. The alterations to the 1907 structure includes:

- Structural reinforcement to the existing east and west fire escapes including new exterior supports to allow for increased loads.

The proposal includes non-exempt exterior alterations to a contributing building within the Alphabet Historic District therefore prompting Historic Resource Review prior to the issuance of building permits.

**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:

- *The Community Design Guidelines*, and
- *Historic Alphabet District: Community Design Guidelines Addendum*.

**ANALYSIS****Site and Vicinity:**

The 13,000 SF site is located in the Alphabet Historic District on the north side of NW Irving Street and a lot away from the intersection with NW 21<sup>st</sup> Street to the east. The site is occupied by a three story building, historically known as the Irving Apartments, which was constructed in the Craftsman style in 1907. The resource is a contributing structure within the district and is mentioned in the National Register of Historic Places to be a, “good example of a Craftsman style multi-family residence” within the district.

The surrounding buildings are primarily multi-dwelling structures along NW Irving Street, and mixed-use and commercial along NW 21<sup>st</sup> Avenue. Early 20th century large single-family and multi-family dwellings characterize the neighborhood, with mixed-use and commercial structures along the primary transit streets.

Regarding area context and amenities, the site is situated in a location that has access to a number of the amenities that typify what many consider the essence of Portland livability. Within a comfortable (meaning level grade) 5 minute or quarter-mile walk from the site are scores of restaurants, retail outlets, galleries and eclectic shops that line NW 21<sup>rd</sup> Avenue to the east and NW 23<sup>rd</sup> Avenue to the west. Also within this walkable distance are Legacy Good Samaritan Hospital, Metropolitan Learning Center, Congregation Beth Israel and Couch Park to the south-east.

Regarding public transportation, the site is well served with a number of options and alternatives. The street car runs three blocks to the north, on Lovejoy, continuing east to the Pearl District, Downtown and the University District. Frequent bus transit service operates on 21<sup>st</sup> Avenue through the #77 and with the #15 on NW 23<sup>rd</sup> Avenue. Both NW Johnson Street to the south and NW Lovejoy Street to the north are designated as City Bikeways within the City’s Transportation Service Plan (TSP). The area is also within the Northwest Pedestrian District.

**Zoning:**

The High Density Residential (RH) is a high density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are 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. Newly created lots in the RH zone

must be at least 10,000 square feet in area for multi-dwelling development. There is no minimum lot area for development with detached or attached houses or for development with duplexes. Minimum lot width and depth standards may apply.

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.

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

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on **August 10, 2016**. No Bureau responses have been received.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **August 10, 2016**. 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 located within the Alphabet Historic District and the proposal is for a non-exempt treatment. Therefore Historic Resource 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**

- 1. Historic Changes.** Most properties change over time; those changes that have acquired historic significance will be preserved.
- 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 1, 2 and 3:** The proposed fire escape alterations to the east and west elevations (both non-street facing) of the 1907 Irving Apartments include the

installation of new metal columns to support the existing fire escape structures as a means to be in compliance with current loading requirements per the Portland Fire Bureau. The proposed alterations do not remove or replace features on the existing fire escapes but rather are integrated to provide support for the two emergency structures. Specific alterations to both fire escapes include the use of 4 inch by 4 inch Hollow Structural Sections (HSS) steel framing to be used between the first floor and second floor levels for the vertical columns and the horizontal beams. Between the second and third floors 2 inch by 2 inch HSS steel framing will be used as the vertical supports. While on close inspection the proposed steel supports will read as being new additions to the fire escapes in terms of the size, shape and location of the material, the proposed alterations continue to be compatible with, and relate to, the original fire escapes regarding material and design. No changes that have acquired historic significance will be impacted. Collectively, the proposed alterations will allow the Irving Apartments building to remain a contributing resource and asset to the Alphabet Historic District. *Therefore these criteria are met.*

### **Community Design Guidelines**

**P1. Plan Area Character.** Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and traditions.

**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 for P1 and P2:** The proposed alterations to the Irving Apartments building, a contributing resource in the Alphabet Historic District, are limited to the existing east and west fire escapes on the building and will not impact features on the building that help it to contribute to the character of the Northwest Plan District or the Alphabet Historic District. *Therefore these criteria are met.*

**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.

**Findings:** The proposed alterations to the 1907 Irving Apartments building will allow the existing fire escapes on the east and west facades to be maintained and preserved while not impacting key historic features of the building. To this end, the differences in the locations between the first floor sections of the two fire escapes are deliberate so that features of the building will not be impacted and can be better preserved. The west fire escape first floor vertical supports are located to the "outside" of the adjacent first floor windows and extend down from the west side of the fire escape due to the locations of existing basement window wells and existing exterior conduit on this side of the building. The east elevation alterations are located to the "inside" of the adjacent first floor windows. This is also due to existing basement window wells. However, the HSS 4" x 4" vertical columns on this elevation are located next to the building as there is no obstructing existing conduit needing to be avoided.

Alterations to both fire escapes will not impact key architectural features on the building such as the Italianate brackets at the cornice, third story projecting curvilinear balcony, or any of the existing windows. The proposed alterations will be constructed of materials that are of similar size, scale and material composition to the existing fire escapes. In addition, corbel details are proposed on both fire escapes at all points where proposed columns connect with horizontal members. This detail is drawn from existing ornamentation found on the building and is intended as a way of using design themes from the building to better incorporate the proposed alterations. All materials will be painted to match the existing fire escapes as an

additional measure to integrate the proposed alterations and reduce the impact of the new construction. *Therefore this criteria is 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 Historic Resource Review for alterations to the existing west and east façade fire escapes on the Irving Apartments building, a contributing resource in the Alphabet Historic District.

Approval, per the approved site plans, Exhibits C-1 through C-6, signed and dated Monday, September 26, 2016, 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.6. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-129323 HR." No field changes allowed.

**Staff Planner: Arthur Graves**



**Decision rendered by:** \_\_\_\_\_ **on Monday, September 26, 2016.**

By authority of the Director of the Bureau of Development Services

**Decision mailed (within 5 days of dec.) Thursday, September 29, 2016.**

**Procedural Information.** The application for this land use review was submitted on March 2, 2016, and was determined to be complete on August 3, 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 March 2, 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. Unless further extended by the applicant, **the 120 days will expire on: Thursday, December 01, 2016.**

**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](http://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 **Thursday, September 29, 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:

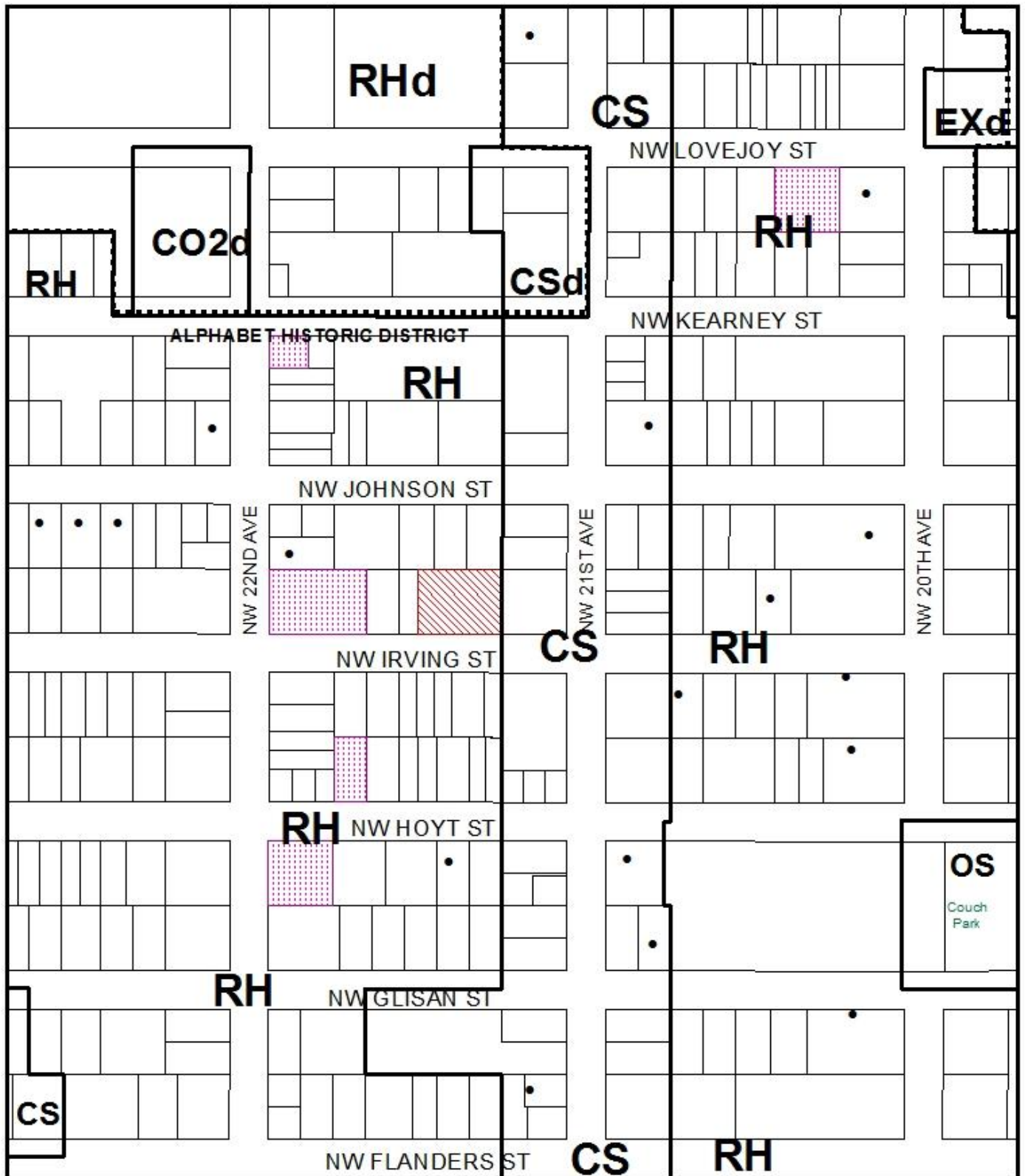
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
  - 1. Applicant's Statement
  - 2. Pictures and Photo renderings
  - 3. Response to Incomplete Letter
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Elevations: Existing – East and West (attached)
  - 3. Elevations: Proposed – East and West (attached)
  - 4. Elevations: Proposed Detail – East and West
  - 5. Sections: Proposed – East and West
  - 6. Details: Proposed – East and West
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: None Received
- F. Correspondence: None Received
- G. Other:
  - 1. Original LU Application
  - 2. Historic Information
  - 3. Staff site pictures
  - 4. Incomplete Letter: March 31, 2016

**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

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

- ↑ NORTH
- Site
- Also Owned Parcels
- Historic Landmark

File No.	LU 16-129323 HR
1/4 Section	2927
Scale	1 inch = 200 feet
State_Id	1N1E33BD 90000
Exhibit	B (Mar 03, 2016)



**IRVING CLASSIC CONDOMINIUMS**  
BEING LOTS 5 AND 8 AND THE EAST ONE-HALF  
OF LOT 9, IN BLOCK 9, KINGS SECOND  
ADDITION TO THE CITY OF PORTLAND  
IN THE NW 1/4 OF SECTION 33, T.1N., R.1E., W.M.  
IN THE CITY OF PORTLAND,  
MULTNOMAH COUNTY, OREGON

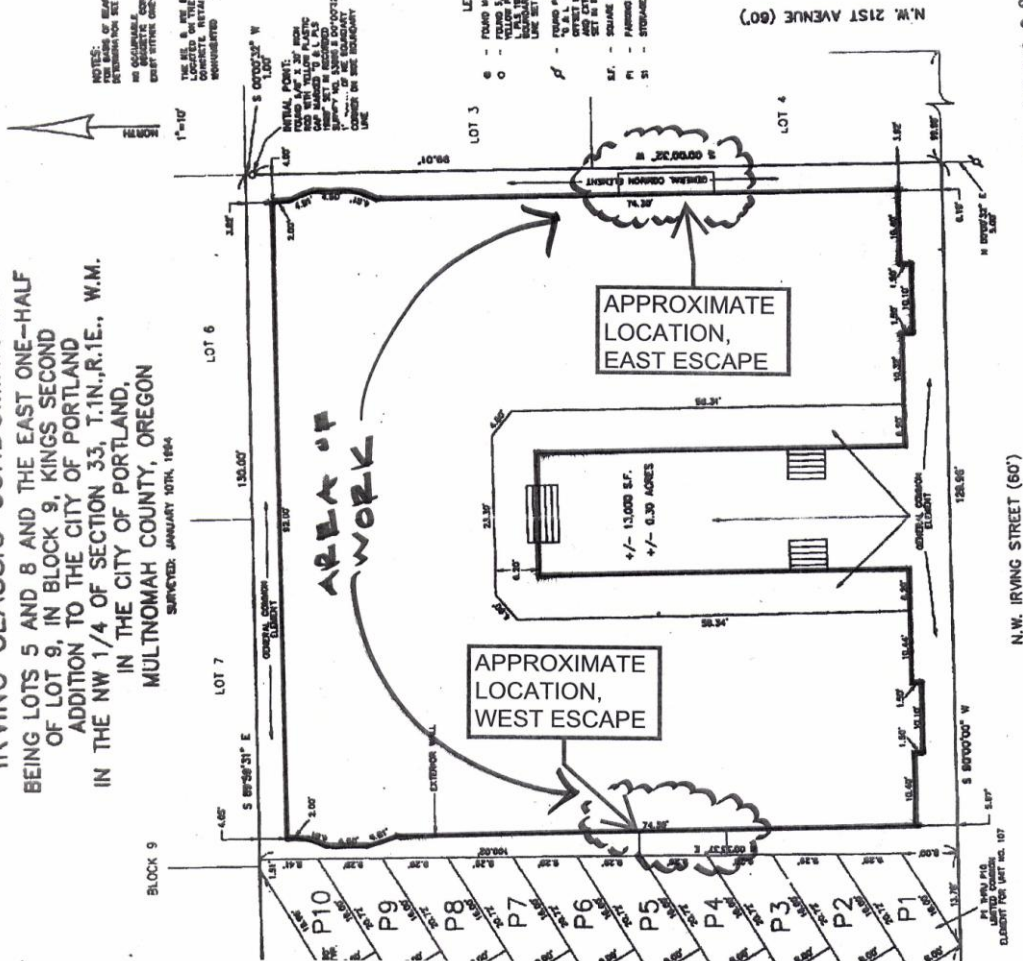
SURVEYED: JANUARY 10TH, 1994

BENCHMARK: BENCHMARK 1988  
GIVEN: 4'-0" FEET NORTH OF THE NOTICED  
CORNERS OF 22ND AVE AND IRVING ST.  
ELEVATION: 114.25

SK  
6

PARTIAL SITE PLAN

**PRELIMINARY**  
Not for Construction



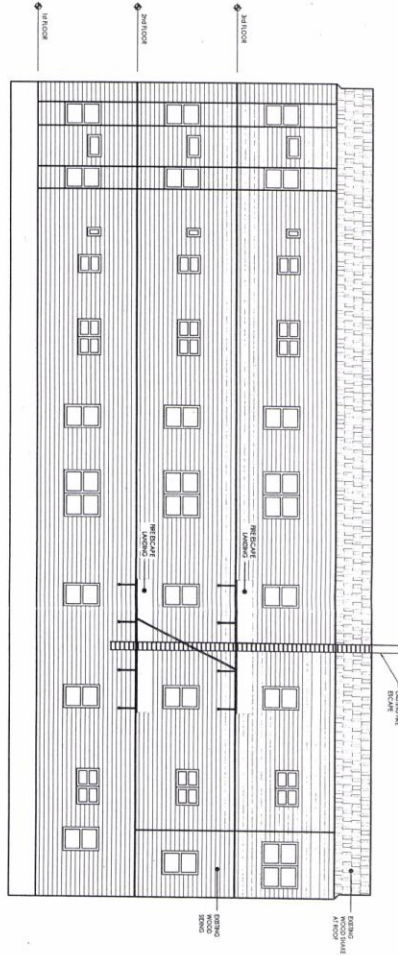
\*Approved\*  
City of Portland  
Bureau of Development Services  
Planner \_\_\_\_\_  
Date 9.27.16  
\* This approval applies only to the  
reviews requested and is subject to all  
conditions of approval.

- LEGEND:
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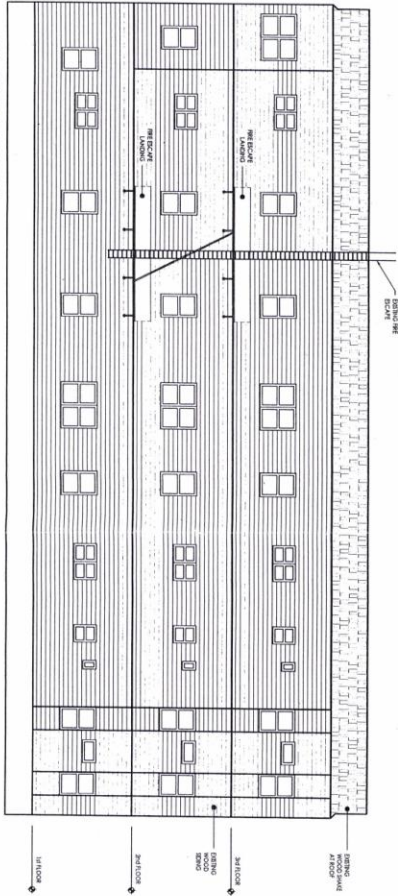
\*Approved\*  
City of Portland  
Bureau of Development Services  
Planner \_\_\_\_\_  
Date 9.29.16  
\* This approval applies only to the  
revisions requested and is subject to all  
conditions of approval.  
Approved zoning requirements may apply.

1 EXISTING WEST ELEVATION



EXISTING WEST ELEVATION


2 EXISTING EAST ELEVATION



EXISTING EAST ELEVATION

# DESIGN DEVELOPMENT SET

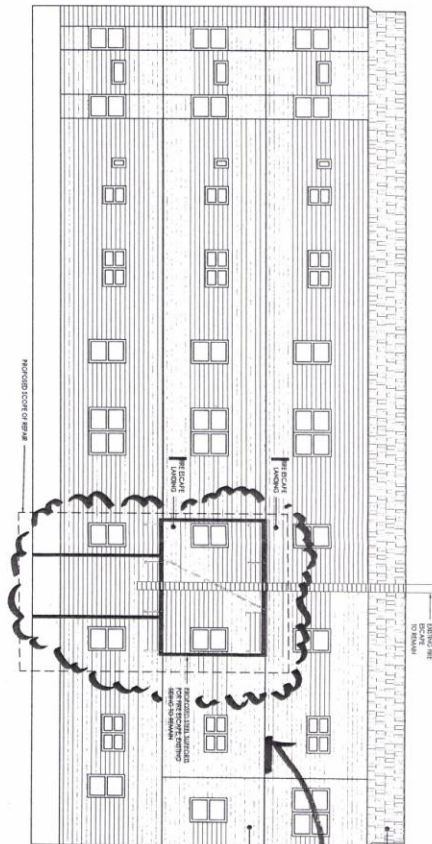
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16-129323  
HP

SHEET S1.0 of 4	DATE 06.28.16 BY AG CHECKED AG 14343.01	SHEET CONTENT EXISTING EXTERIOR ELEVATIONS	PROJECT: FIRE ESCAPE TESTING / REPAIR IRVING CLASSIC CONDOS 2127 NW IRVING PORTLAND, OREGON 97210	 <b>HAYDEN ENGINEERS</b> STRUCTURAL / CIVIL 12480 NW 48th Ave, Beaverton, Oregon 97005 (503) 644-8811 or (503) 644-8441 www.hayden-engineers.com
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**\*Approved\***  
**City of Portland**  
 Bureau of Development Services

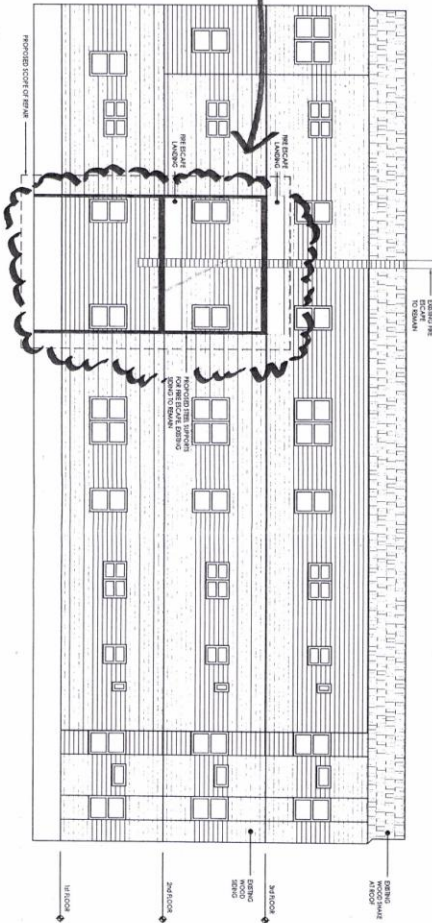
Plan No. 9.27.16  
 Date 9.27.16

This approval applies only to the  
 conditions of approval.  
 Additional conditions may apply.



**PROPOSED WEST ELEVATION**

11 PROPOSED SCHEMATIC REPAIR - WEST ELEVATION  
 SCALE: 3/4" = 1'-0"



**PROPOSED EAST ELEVATION**

12 PROPOSED SCHEMATIC REPAIR - EAST ELEVATION  
 SCALE: 3/4" = 1'-0"

# DESIGN DEVELOPMENT SET

<b>HAYDEN ENGINEERS</b> STRUCTURAL / CIVIL 12485 NE 48th Ave., Portland, Oregon 97223 (503) 281-7777 • (503) 281-6441 www.hayden-eng.com	<b>PROJECT:</b> FIRE ESCAPE TESTING / REPAIR IRVING CLASSIC CONDOS 2127 NW IRVING PORTLAND, OREGON 97210	<b>SHEET CONTENT</b> PROPOSED REPAIRS FIRE ESCAPES EXTERIOR ELEVATIONS	JOB NO. 14343.01 DRAWN AG CHECKED ARDH DATE 06.28.16 REVISIONS
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EXH C-3  
 1016-129528-H2