



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

FROM CONCEPT TO CONSTRUCTION

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

Date: February 27, 2014
To: Interested Person
From: Jennifer Kenny, Land Use Services
503-823-7011 / Jennifer.Kenny@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 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 13-240481 HR – WINDOW REPLACEMENT

GENERAL INFORMATION

Applicant/Rep: Clint Preston
1485 NW Bergeron Ct. / Gresham, OR 97030-5331

Site Address: 2226 SW MAIN ST.

Legal Description: BLOCK 2 W 37.5' OF LOT 10, JOHNSONS ADD
Tax Account No.: R431600220
State ID No.: 1N1E33CD 06200 **Quarter Section:** 3027
Neighborhood: Goose Hollow, contact Greg Wimmer at 503-222-7173.
Business District: Goose Hollow Business Assoc, Angela Crawford at 503-223-6376.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Other Designations: King's Hill Historic District
Zoning: R5, a single dwelling zone
Case Type: Historic Resource Review
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant seeks Historic Resource Review approval for a proposal for exterior alterations to a Contributing property in the King's Hill Historic District. Known as the "Lowenson Residence," the house was built in 1906 in the Arts and Crafts style. On the west wall, the proposal is to replace an original window with a replica wood window and retain the existing jamb, and add two new historic replica windows where no windows currently exist. On the east wall, the proposal is to remove a non-historic window, cover the site with siding that matches existing siding, and add a new historic replica window where one had previously been removed. Historic Resource Review is required for non-exempt exterior alterations within the historic district.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are:

- King's Hill Historic District Guidelines
- 33.846 Historic Resource Reviews

ANALYSIS

Site and Vicinity: The King's Hill Historic District, within which the subject property is located, contains a significant concentration of historic upper middle-class houses and apartment buildings from the period 1882 to 1942. A few working class residential properties and converted houses are concentrated in the southeastern corner of the district. The majority of the contributing resources in the district were built during the great upswing in population and construction following the successful Lewis & Clark Exposition of 1905. Many of the surviving houses are the work of prominent early local architects, representing a broad spectrum of styles from Italianate to Moderne. Toward the north end of the district the noncontributing resources include large modernist concrete apartment towers from the late mid-Twentieth Century that are distinctly out of character with the historic district.

As the name King's Hill implies, topography plays a significant role in the character of this neighborhood. Because of the relatively steep grade of the land, buildable lots had to be created by terracing, which resulted in historic retaining walls along many street frontages and property lines. The area also includes several independent plats, so that some streets misalign and others are separated by blocks of only a single lot's depth. Streets throughout the entire historic district tend to be lined with mature deciduous street trees

Zoning: R5, a single-dwelling zone intended to preserve land for housing and to provide housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing.

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

Agency Review: No bureaus provided comments.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **February 4, 2014**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846.060 - Historic Design 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 King's Hill Historic District and the proposal is for new construction. Therefore Historic Resource Review approval is required. The approval criteria are the *King's Hill Historic District Guidelines*.

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

King's Hill Historic District Guidelines

A2. Maintain the architectural integrity of historic building façades. Respect the essential forms and styles of the historic buildings in the district.

D2. Use siting, mass, scale, proportion, color, and material to achieve a coherent composition that adds to or builds on the characteristics of historic buildings in the immediate vicinity and the character of the Kings Hill Historic District as a whole.

D8. Retain or restore original exterior finishing materials. Use materials and design features that promote permanence, quality, and visual interest. Use materials and design features that are consistent with the building's style and with the existing vocabulary of the historic district.

D9. Retain and preserve window features that are important in defining the buildings historic character. Replace, in kind, extensively deteriorated or missing parts of the window casement when surviving prototypes exist. When in-kind replacement is not practical, replace with elements that recreate the window's historic character.

Findings for A2, D2, D8 and D9: The alterations are proposed on side faces of the house will not have a significant impact on the character-defining features of the resource. The proposed wood windows will be in character with the architecture of the house in vertical alignment, window profile and compatible materials. Part of the proposal is to restore a window to its original location, with a compatible profile and material, and to remove a non-historic window.

In terms of compatibility with the neighboring properties, the subject resource will retain its original setbacks, height, massing, materials, site coverage, and orientation to the street. Thus, there is no change to the existing compatibility with adjacent properties. *These guidelines are therefore met.*

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

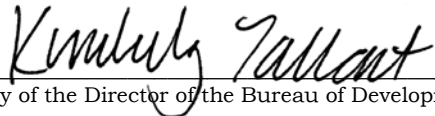
The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. Because the proposed alteration is primarily located out of public view and does not alter significant historic features of the building, it will not have an adverse effect on the resource or the King's Hill Historic District. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of three new windows and one relocated new window for a Contributing property in the King's Hill Historic District, per the approved site plans, Exhibits C-1 through C-3, signed and dated February 20, 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-C.3. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 13-240481 HR."

Staff Planner: Jennifer Kenny

Decision rendered by:  **on February 21, 2014.**

By authority of the Director of the Bureau of Development Services

Decision mailed: February 27, 2014

Procedural Information. The application for this land use review was submitted on December 20, 2013, and was determined to be complete on January 29, 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 December 20, 2013.

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: June 26, 2014.**

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 February 28, 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:

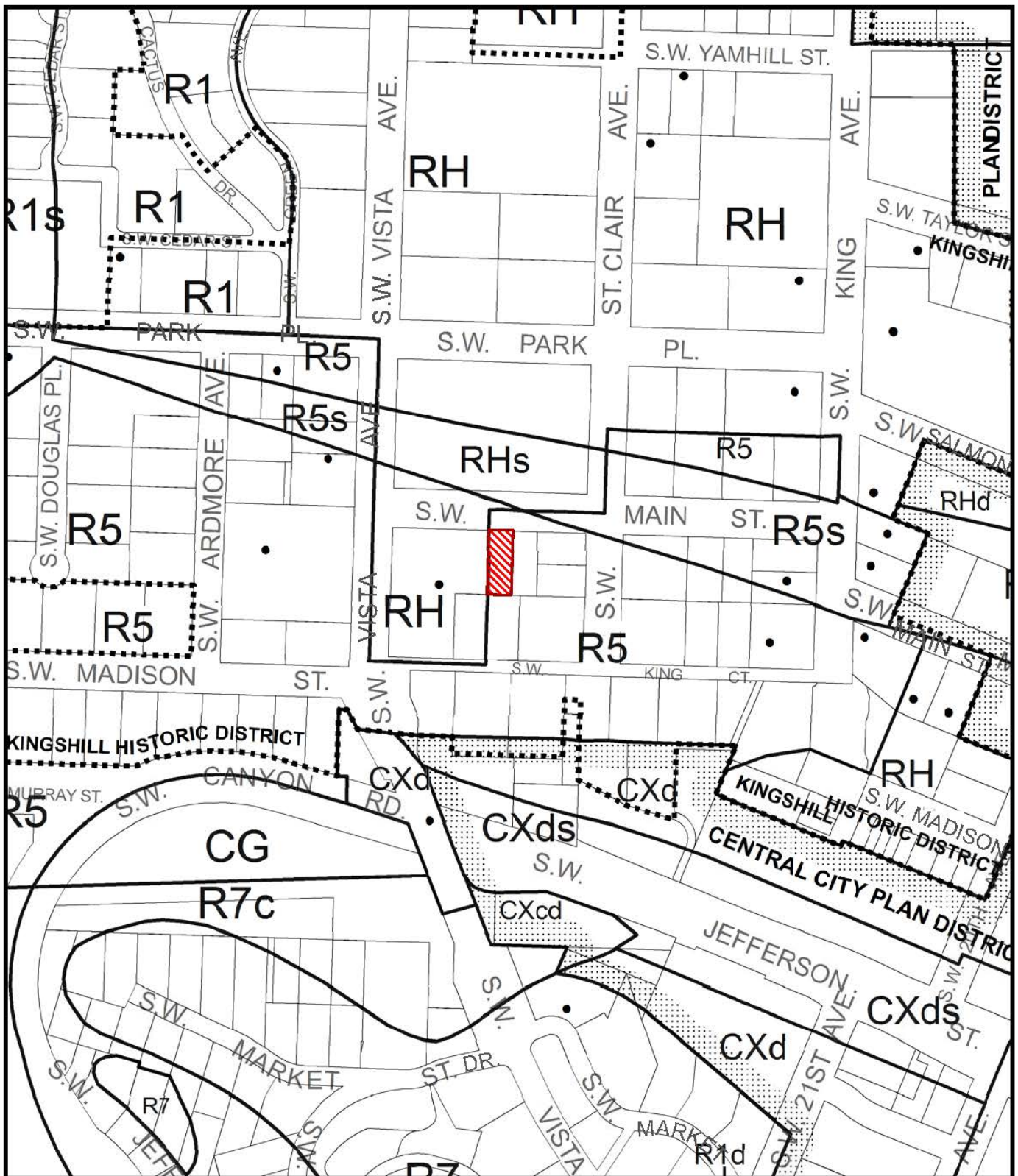
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevations (attached)
 - 3. Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence: No responses were 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



Historic Landmark



NORTH

This site lies within the:
KING'S HILL HISTORIC DISTRICT

File No. LU 13-240481 HR
1/4 Section 3027
Scale 1 inch = 200 feet
State_Id 1N1E33CD 6200
Exhibit B (Dec 23, 2013)

BRUICH / MOORE

King's Hill Historical Property

(Proposed window alterations)

LU13-240481 HR EXHIBIT C-1

INDEX:	
Pg. 1	COVER PAGE & SITE PLAN
Pg. 2	EXISTING & PROPOSED PLANS
Pg. 3	PROPOSED ALTERATIONS
Pg. 4	PROPOSED ALTERATIONS
Pg. 5	PROPOSED ALTERATIONS

GENERAL NOTES:	
MILL WINDHAM COUNTY	
Lot Area 3,300 sq. ft.	
Existing Living 3,300 sq. ft.	
ZONE R8	
PROPERTY ID: R193310	
STATE ID: INED3C00200	
ENGINEER:	VERITAS REX INC.
DATE:	08/10/2011
PROJECT:	PROPOSED WINDOW ALTERATIONS
SCALE:	1/4" = 1'-0"
DATE:	08/10/2011
CHK BY:	PGC BY
DATE:	08/10/2011
PROJECT:	PROPOSED WINDOW ALTERATIONS

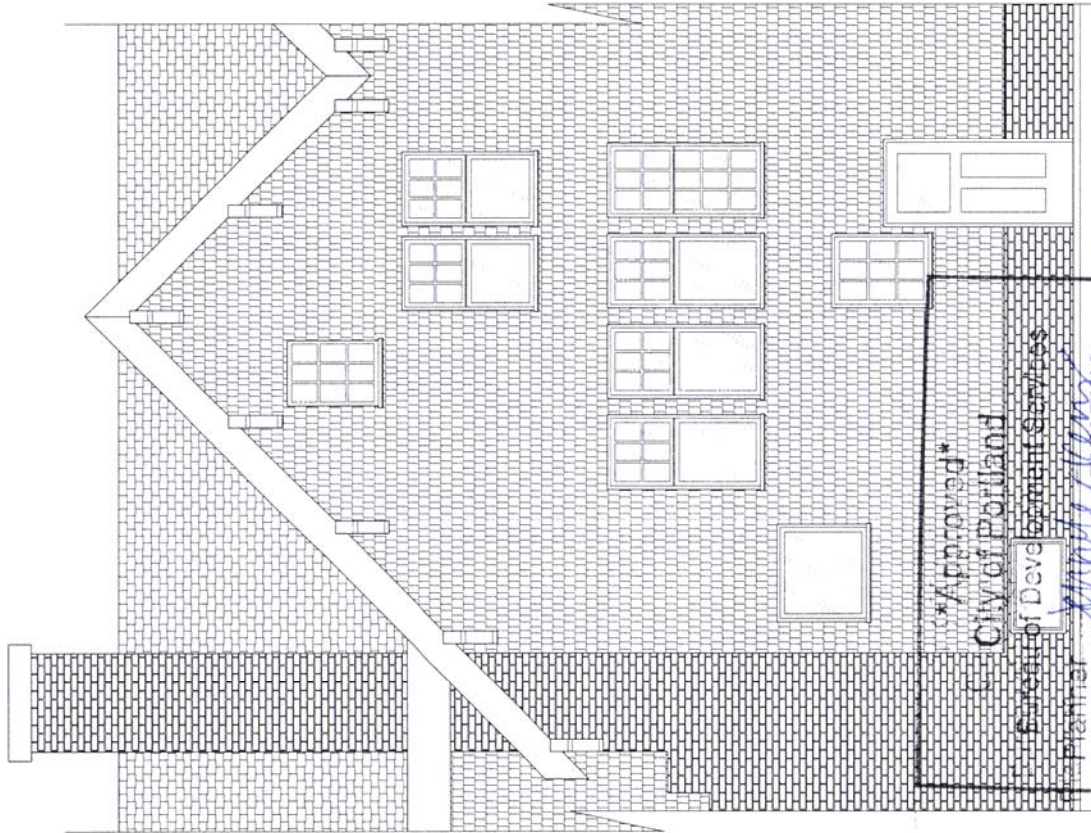
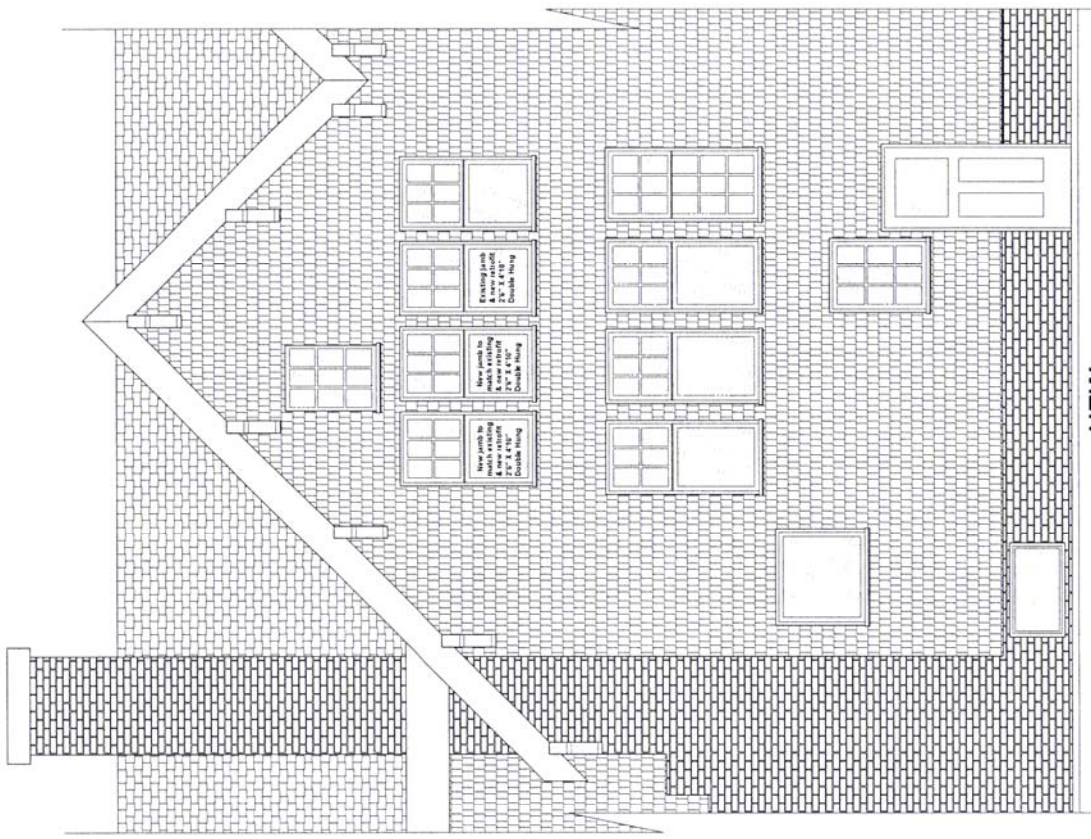
PROJECT NAME AND ADDRESS:	
BRUICH / MOORE HISTORICAL RESIDENCE	
PORTLAND, OREGON 97209	
SCALE: 1/4" = 1'-0"	
DATE:	08/10/2011
CHK BY:	PGC BY
DATE:	08/10/2011
PROJECT:	PROPOSED WINDOW ALTERATIONS

VERITAS REX INC.	
827 S.E. BUSINESS WAY SUITE A	
BEND, OR 97702 (503) 491-9552	

COVER PAGE & SITE PLAN

Scale 1/4" = 1'-0"

Page 1



NEW

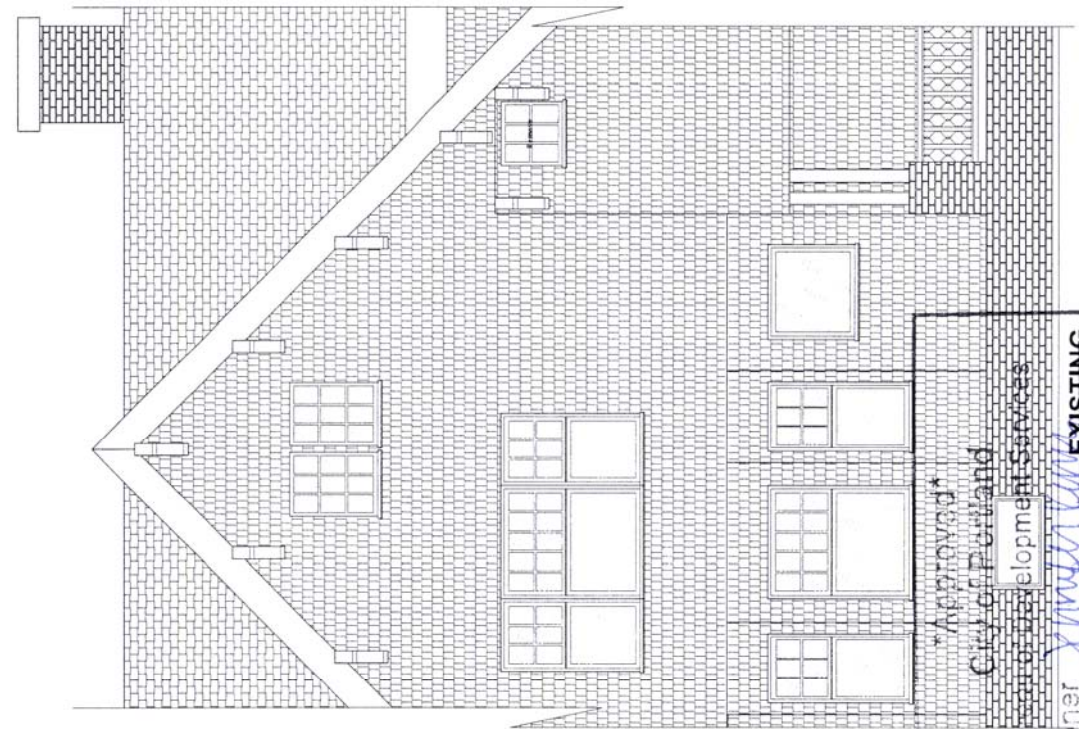
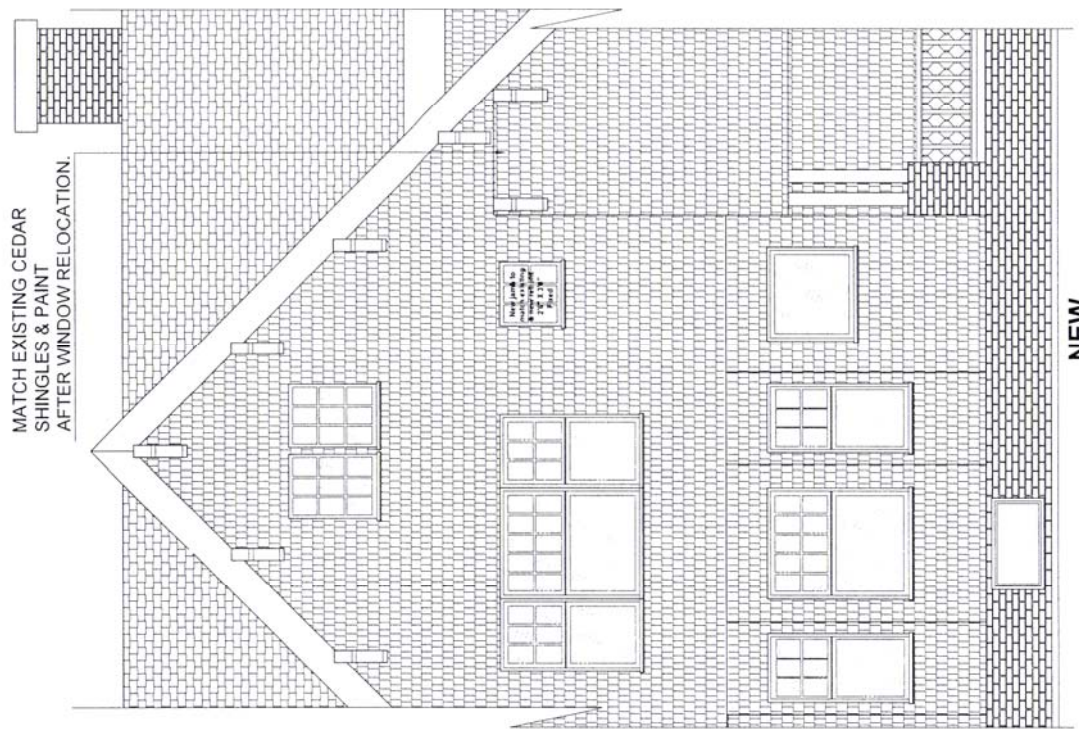
WEST ELEVATION PLANS BRUICH / MOORE

Scale 1/2" = 1'-0"

Approved
City of Portland
Director of Development Services
Planner: Shirley H. H. H.
Date: 2/20/14
EXISTING
* This approval applies only to the reviews requested and is subject to all conditions of approval.
Additional zoning requirements may apply.

LU 13-240481 HR

EXHIBIT C-2a.



NEW

EAST ELEVATION PLANS BRUICH / MOORE



Scale 1/2" = 1'-0"

<p>*Approved*</p> <p>City of Portland</p> <p>Bureau of Development Services</p> <p>Planner <i>J. M. [Signature]</i></p> <p>Date <i>2/20/14</i></p>	<p>EXISTING</p> <p>This approval applies only to the revisions requested and is subject to all conditions of approval. Additional zoning requirements may apply.</p>
--	--

LU13-240481 HR

EXHIBIT C-2b.