



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: March 6, 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 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 14-108414 HR – REPLACE REAR WINDOWS AND DOORS

GENERAL INFORMATION

Applicant/Rep: Holly Moore
117 NE 17th Ave
Portland, OR 97232

Site Address: 2815 NE 15TH AVE

Legal Description: BLOCK 67 LOT 4, IRVINGTON
Tax Account No.: R420414430
State ID No.: 1N1E26AC 07200
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: A Contributing resource in the Irvington 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 exterior modifications to a Contributing resource in the Irvington Historic District, built in 1912 in the Colonial Revival style. The proposal is to replace two non-original rear doors with one wood, divided light door; and to replace two non-original rear windows with two wood, divided light double hung

windows; and to add a new wood, divided light double hung window. 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:

- 33.846.060.G – Other Approval Criteria

ANALYSIS

Site and Vicinity: The subject property is a Contributing resource in the Irvington Historic District. It was built in 1912 in the Colonial Revival style, and known as the A.J. Worchester House.

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 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.

Agency Review: A "Notice of Proposal in your Neighborhood" was mailed on **February 13, 2014**. No written comments were received.

Neighborhood Review: A "Notice of Proposal in Your Neighborhood" was mailed on **February 13, 2014**. One written response has been received from the Neighborhood Association. Jim Barta, on behalf of the Irvington Community Association Land Use Committee, wrote on February 26, 2014, with no objections 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.

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 1, 8, and 10: The elements of the building proposed for alteration are non-historic features, and are on the rear elevation which is largely protected from view. The proposed replacement windows and door will be compatible with the home in terms of material and design; utilizing wood divided light windows and a wood divided light door to match the existing, historic ones. The proposed alteration will be sited at an existing opening, on a secondary elevation, and does not compromise the character-defining features of the rest of the house. 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. Compatibility with the historic district is achieved by the inconspicuousness of this alteration. *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

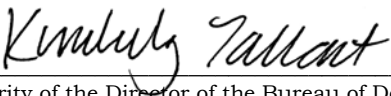
The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval to replace two non-original rear doors with one wood, divided light door; and to replace two non-original rear windows with two wood, divided light double hung windows; and to add a new wood, divided light double hung window on a Contributing property in the Irvington Historic District, per the approved site plans, Exhibits C-1 through C-3, signed and dated March 3, 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 14-108414 HR."

Staff Planner: Jennifer Kenny

Decision rendered by:  **on March 3, 2014.**

By authority of the Director of the Bureau of Development Services

Decision mailed March 6, 2014.

Procedural Information. The application for this land use review was submitted on January 22, 2014, and was determined to be complete on February 10, 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 January 22, 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. Unless further extended by the applicant, **the 120 days will expire on: July 4, 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 **March 6, 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: Jim Barta, 2/26/14, no objections.
- 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

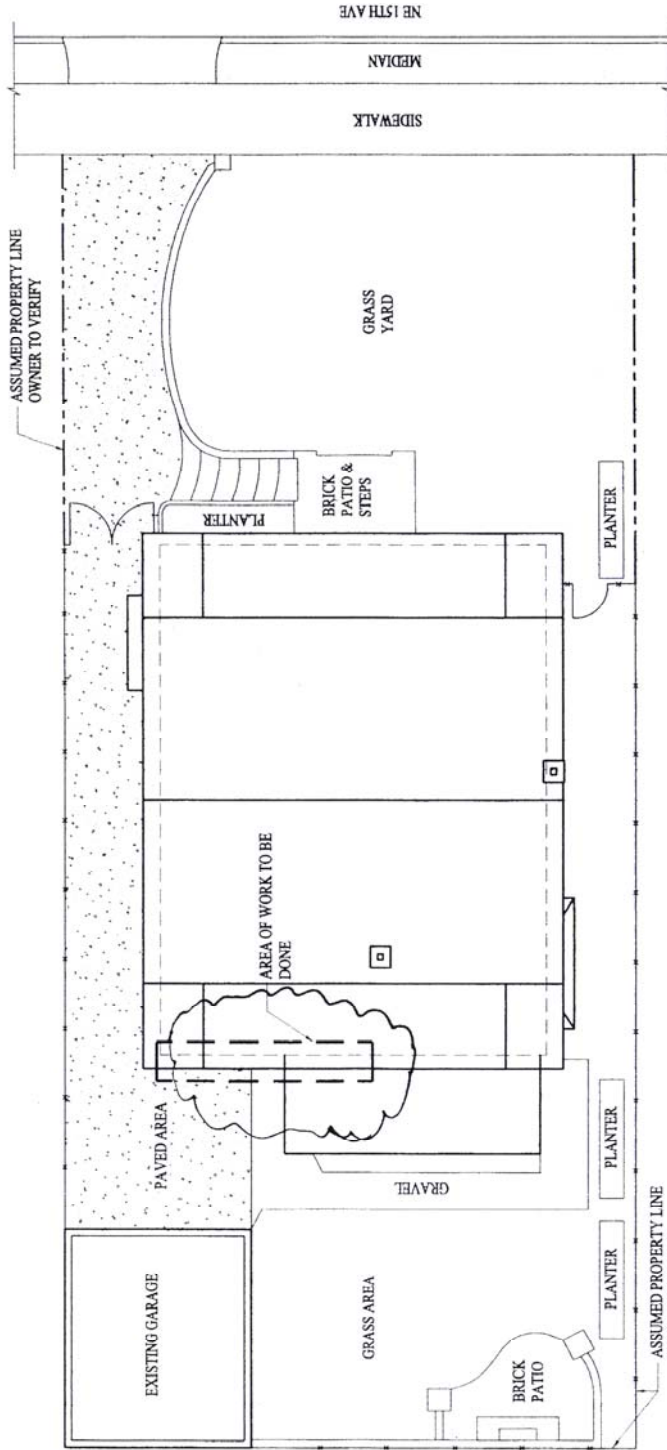
 Site

 Historic Landmark



This site lies within the:
IRVINGTON HISTORIC DISTRICT

File No. LU 14-108414 HR
 1/4 Section 2732
 Scale 1 inch = 200 feet
 State_Id 1N1E26AC 7200
 Exhibit B (Jan 23, 2014)



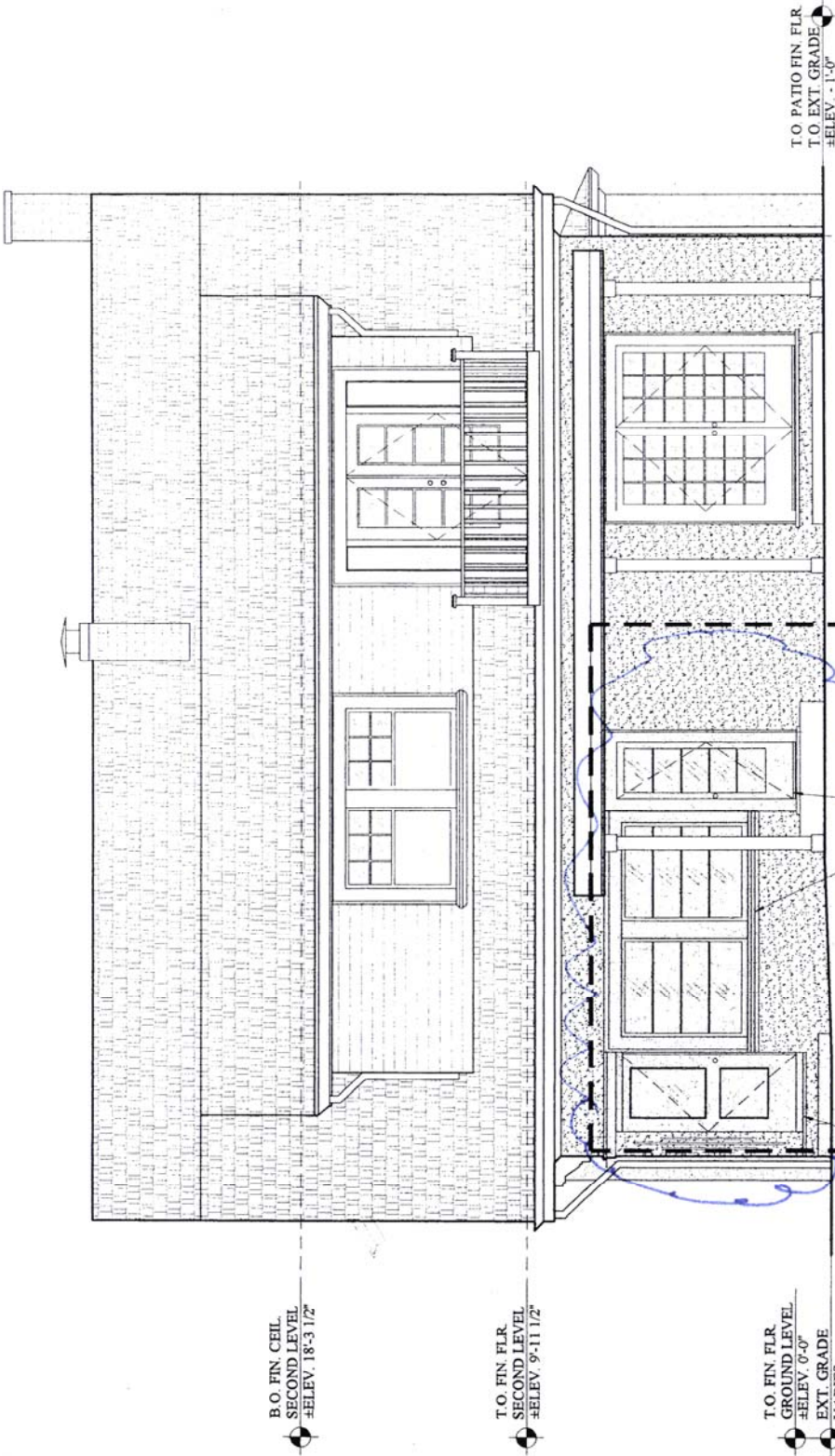
☁ = AREA OF WORK TO BE DONE

Approved
 City of Portland
 Bureau of Development Services
 Planner Jennifer Kenny
 Date 3/3/14

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

EXHIBIT C-1

LU-14-108414-HR



T.O. PATIO FIN. FLR
 T.O. EXT. GRADE
 #ELEV. 1'-0"

TOTAL AREA OF REMODEL
 ON EXT ELEVATION = 148 SF

REMOVE NON-ORIGINAL
 DOOR

REMOVE NON-ORIGINAL
 DOOR

REMOVE NON-ORIGINAL (3'-3" X 4'-4")
 ALUMINUM WINDOWS & REPLACE WITH
 3'-4" X 2'-10" ALL WOOD PAINTED DBL
 HUNG WINDOW WITH DIVIDED LITES TO
 MATCH (E) ORIGINAL WOOD WINDOWS,
 TRIM & DETAIL, TYP

B.O. FIN. CEIL.
 SECOND LEVEL
 #ELEV. 18'-3 1/2"

T.O. FIN. FLR.
 SECOND LEVEL
 #ELEV. 9'-11 1/2"

T.O. FIN. FLR.
 GROUND LEVEL
 #ELEV. 0'-0"
 EXT. GRADE
 VARIES

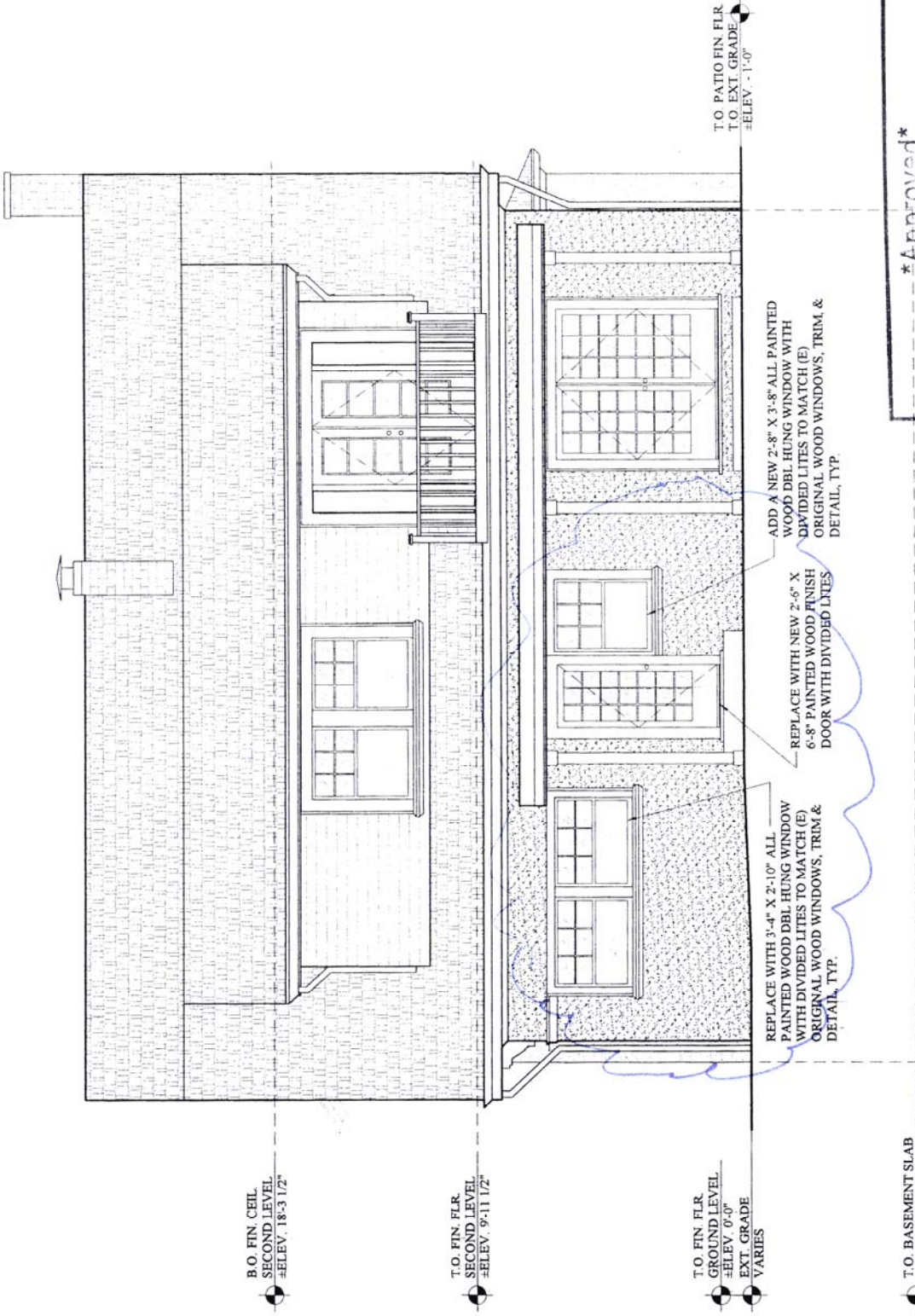
T.O. BASEMENT SLAB
 #ELEV. -7'-11 1/2"

Approved*
 City of Portland
 Bureau of Development Services
 Planner: *Erin Kenney*
 Date: *3/3/14*

* This approval applies only to the
 revisions noted and is subject to all
 building code approval.
 All other requirements may apply.

☁ = AREA OF WORK

EXHIBIT C-2a.



Approved
City of Portland
Bureau of Development Services
Planner *Jennifer Kenney*
Date *3/3/14*

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

AREA OF WORK

EXHIBIT G-2b.