



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
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Date: June 30, 2016
To: Interested Person
From: Mike Gushard, Land Use Services
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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 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 16-127030 HR - EXPANDED DORMER AND NEW DOOR

GENERAL INFORMATION

Applicant: John J Soy,
2627 NE 8th Ave
Portland, OR 97212

Jo Landefeld,
3145 NE 21st
Portland, OR 97212

Site Address: 2627 NE 8TH AVE

Legal Description: BLOCK 117 LOT 3, IRVINGTON
Tax Account No.: R420425480
State ID No.: 1N1E26BC 16100
Quarter Section: 2731

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 Zena Rockowitz at 503-388-5070.

Other Designations: Contributing Resource in the Irvington Historic District

Zoning: R5a – Residential 5,000 with alternative density overlay and Historic Resource review

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 proposes the expansion of a dormer feature to enclose a new interior stair. The dormer will include three new wood windows with divided light. The dormer will be clad in the same aluminum lap siding as the rest of the home. The application also proposes to remove windows and replace them with a new wood and glass door. The proposal affects 77.3 square feet of façade area. The façade area affected by the proposal requires that the application is reviewed using a Type I procedure. The house is a contributing resource in the Irvington Historic District. Proposals to alter the exterior of contributing resources must be reviewed against the approval criteria listed in Chapter 33.846.060G of the zoning code.

Relevant Approval Criteria:

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

- Historic Resource Review - 33.846.060G
Other Approval Criteria

ANALYSIS

Site and Vicinity:

The house sits in the middle of a long lot atop a small berm. It is a small side-gable bungalow with clipped gable ends on its reddish roof. It has horizontal cladding and a symmetrical street face with two large windows on either side of a central door. An oversized stoop with distyle paired columns; a front gable with prominent eave returns marks the entry. On the left side of the street face is a concrete drive that travels back to a detached garage. The rear of the house has a small shed dormer. The houses on either side and behind the house are located very close to the property line. These properties are the only places in the Irvington Historic District where the rear of the subject house is visible.

today's Irvington Historic District is significant for its collection of period architecture and for being the first neighborhood to use restrictive covenants from construction. The covenants 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 are very diverse in style ranging from Queen Anne houses, to the myriad period twentieth century and even some early examples of modernist architecture. There is also a wide diversity in the sizes of lots and houses. 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. Most are lined with mature street trees.

Zoning:

The Residential 5,000 (R5) single-dwelling zone is 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. Minimum lot size is 3,000 square feet, with minimum width and depth dimensions of 36 and 50 feet, respectively. Minimum densities are based on lot size and street configuration. Maximum densities are 1 lot per 5,000 square feet of site area.

The Alternative Design Density Overlay Zone exists 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.

Historic Resource Review 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.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **May 19, 2016**. The following Bureaus have did not response with issues or concerns about the proposal:

- Bureau of Environmental Services
- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- Bureau of Transportation Engineering
- Bureau of Parks – Forestry Division

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **May 19, 2016**. One written response has been received from either the Neighborhood Association. The Irvington Community Association generally supported the project. They wrote to say they believe the dormer was subordinate though one committee member thought the outside wall should be pulled in slightly.

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 a 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.
- 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.

3. **Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.
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.
5. **Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.
6. **Archaeological resources.** Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. When such resources are disturbed, mitigation measures will be undertaken.
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.
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.
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.
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 1-10

The proposed dormer and door additions are small and subordinate to the rest of the resource. The changes do not drastically alter the form or integrity of the subject house and leave it a contributing resource. The building remains a record and recognizable example of an early twentieth-century bungalow. Because the changes are only visible from three surrounding properties, they affect the district minimally. No features that have become historic in their own right, separate from the original construction of the property, are going to be affected. The proposed windows and door are high-quality wood windows that are similar to what the house would have been constructed with and are compatible with the traditional building materials that mark the Irvington Historic District. No excavation is proposed as part of the property leaving potential below ground archaeological resources undisturbed. *Therefore, all guidelines 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

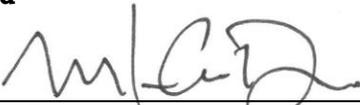
The applicant proposes a small extension to an existing dormer and the placement of a new door at the rear of the property. The changes affect less than 150 square feet of the rear façade and are minimally visible. The changes are subordinate to the existing house and meet the guidelines in Portland Zoning Code Chapter 33.856.060G. *For these reasons this project warrants approval.*

ADMINISTRATIVE DECISION

Approval of the expansion of a dormer and installation of a new door per the approved site plans, Exhibits C-1 through C-13 signed and dated June, 16, 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.13. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-127030 HR."

Staff Planner: Mike Gushard

Decision rendered by:  on (June 30, 2016.)

By authority of the Director of the Bureau of Development Services

Decision mailed June 30th, 2016

Procedural Information. The application for this land use review was submitted on February 26, 2016, and was determined to be complete on May 13, 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 February 26, 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: September 10, 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.

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 **7/1/2016**. 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:

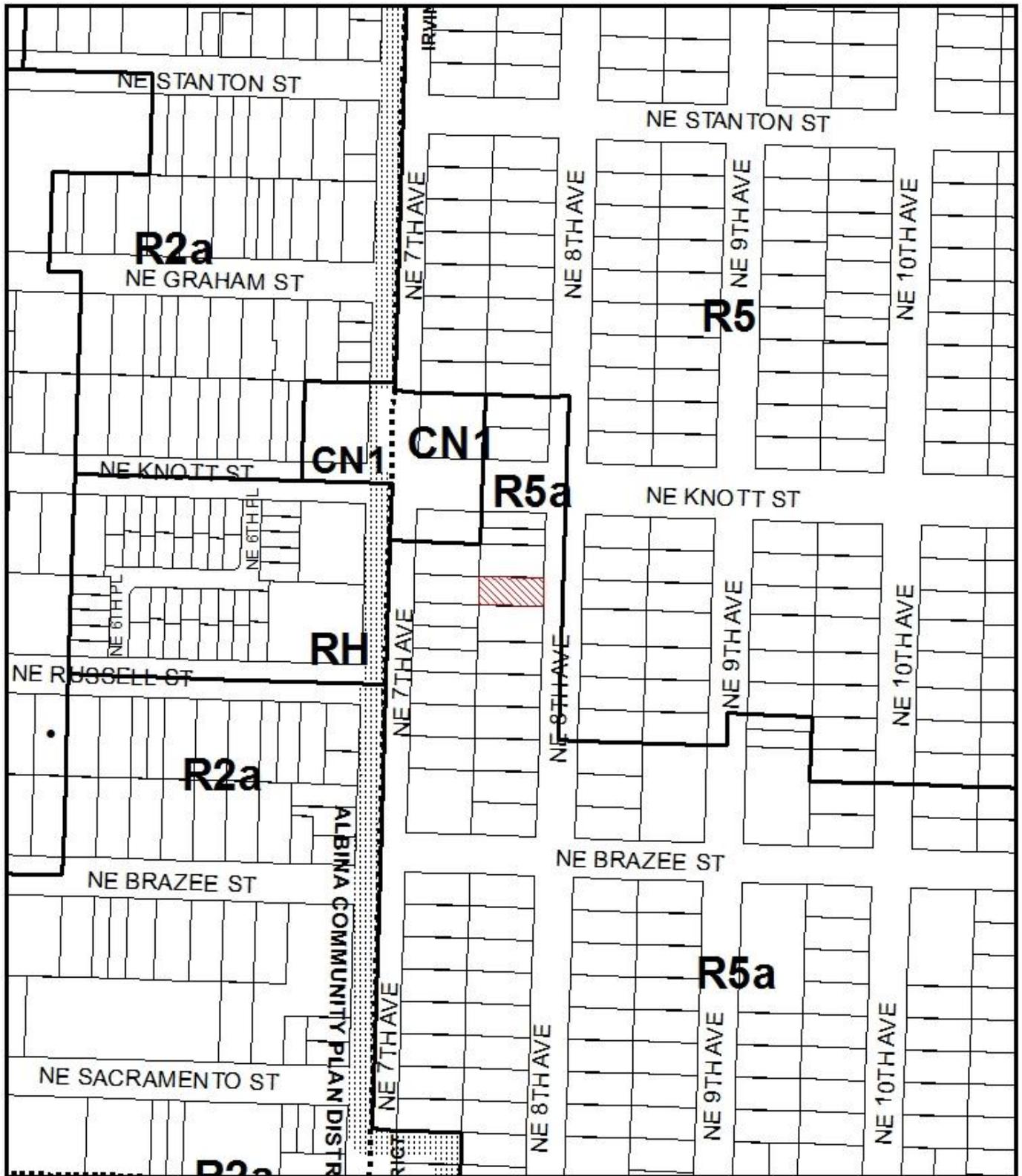
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Narrative Letter
 - 2. Site Photos
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. New Back Elevation (Attached)
 - 3. New North Side Elevation (Attached)
 - 4. New South Side Elevation
 - 5. Section at New Stair/Dormer
 - 6. Simpson Door Drawing
 - 7. Simpson Door Spec Sheet
 - 8. Existing Windows Section
 - 9. Existing Window Jamb
 - 10. Marvin Ultimate Double Hung Magnum Sections Picture
 - 11. Marvin Double Hung Magnum Sections; Operating
 - 12. Door and Hardware Schedule
 - 13. Window Schedule
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: None received
- F. Correspondence:
 - 1. Dean Gisvold of Irvington Community Association, May 24, 2016, ICA generally thought the changes were subordinate to the architecture of the home.
- 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



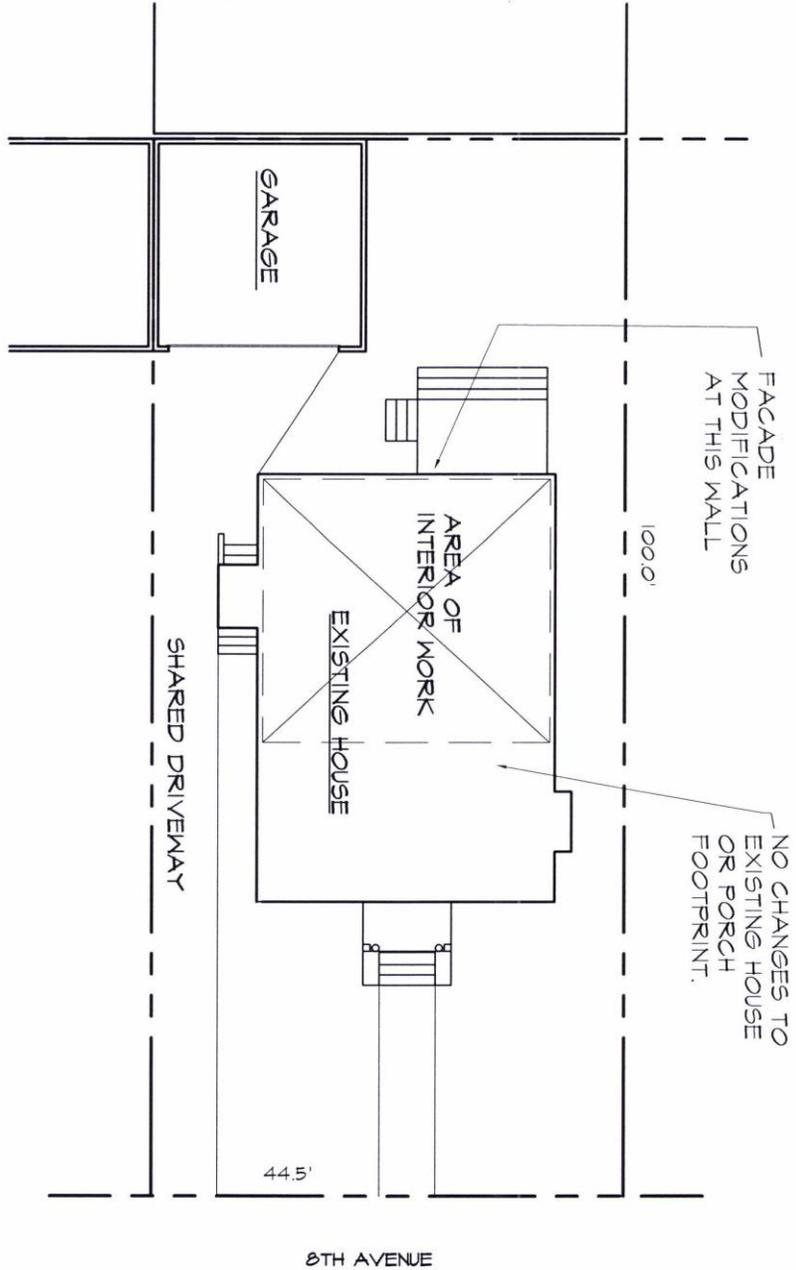
File No.	<u>LU 16-127030 HR</u>
1/4 Section	<u>2731</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E26BC 16100</u>
Exhibit	<u>B</u> (Feb 29, 2016)

* Approved *

City of Portland Bureau of Development Services

Planner W. J. [Signature] Date 6/16/16

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



SITE PLAN

NORTH

CI

LV 16-127030HR



Drawing No.:
Date: 2/23/2016
Scale: 1/16" = 1'-0"
Job No.: 1502
Drawn by: JL

SOY HOUSE RENOVATIONS
2627 NE 8TH AVENUE PORTLAND, OR
SITE PLAN

JO LANDEFELD ARCHITECT, LLC
3145 NE 21 AVENUE
PORTLAND, OR 97212
(503) 222-3010

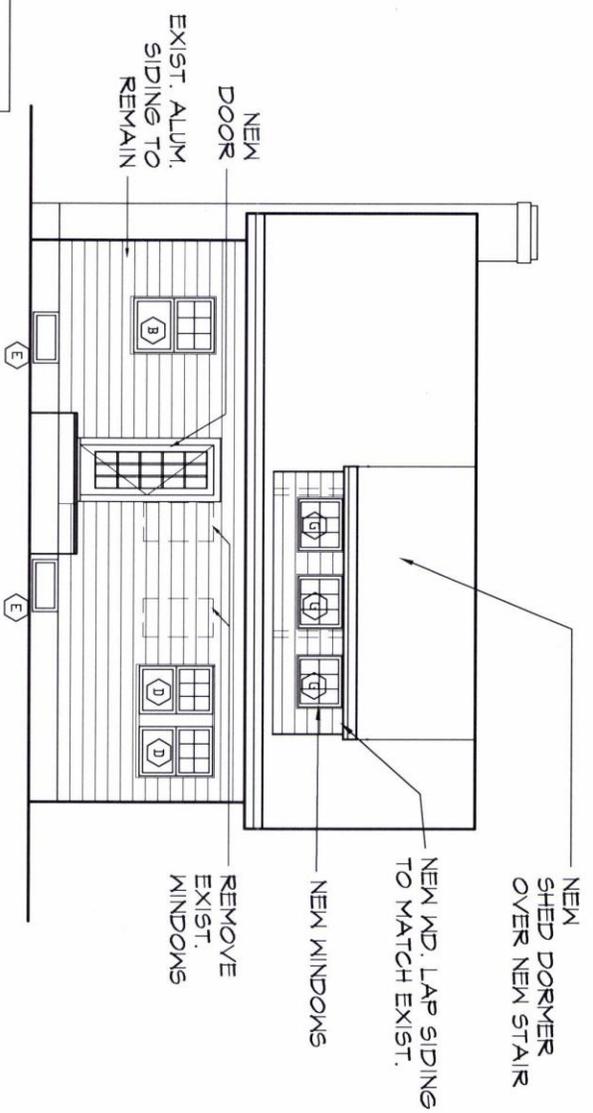


Approved

City of Portland - Bureau of Development Services

Planner [Signature] Date 6/16/16

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FACADE MODIFICATION AREAS:

-DORMER FRONT	47.1 SF
-WINDOW DEMO	6.7 SF
-WINDOW DEMO	6.7 SF
-NEW DOOR	16.8 SF
TOTAL SF	77.3 SF

NEW BACK ELEVATION

C2



Drawing No.: **HR2**

Date: **5/5/2016**

Scale: **1/8"=1'-0"**

Job No.: **1502**

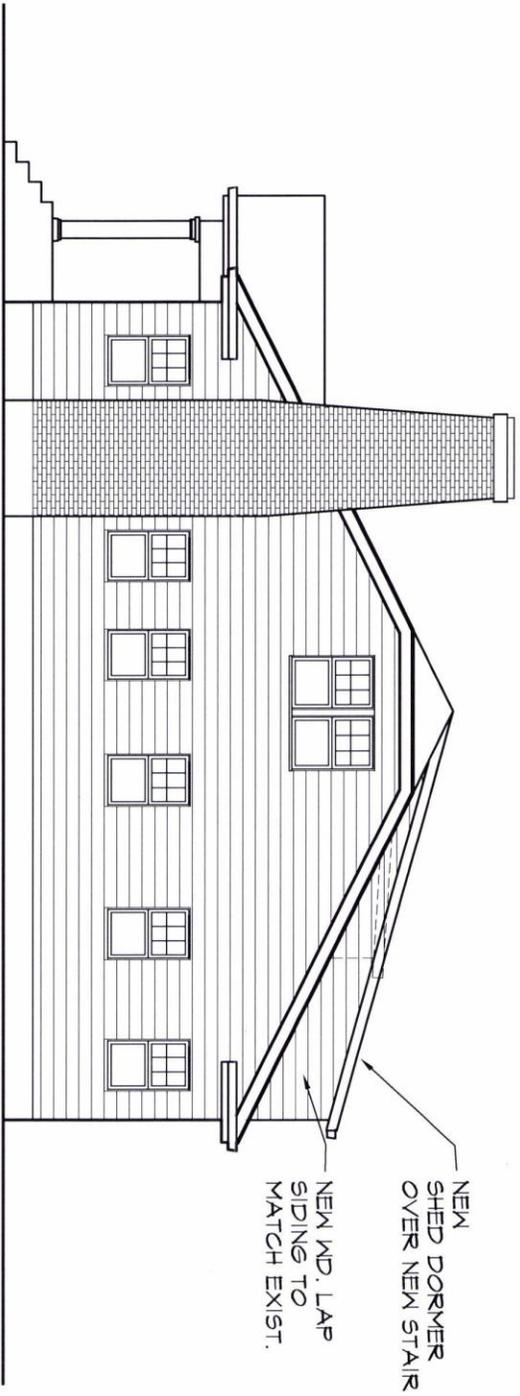
Drawn by: **JL**

SOY HOUSE RENOVATIONS
 2627 NE 8TH AVENUE PORTLAND, OR
BACK ELEVATION- NEW

JO LANDEFELD ARCHITECT, LLC
 3145 NE 21 AVENUE
 PORTLAND, OR 97212
 (503) 222-3010



* Approved*
 City of Portland - Bureau of Development Services
 Planner [Signature] Date 6/16/16
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



NEW NORTH SIDE ELEVATION

EXISTING ELEVATION TO REMAIN

C3



Drawing No.:
 Date: 4/27/2016
 Scale: 1/8"=1'-0"
 Job No.: 1502
 Drawn by: JL

SOY HOUSE RENOVATIONS
 2627 NE 8TH AVENUE PORTLAND, OR
 NORTH ELEVATION- NEW

JO LANDEFELD ARCHITECT, LLC
 3145 NE 21 AVENUE
 PORTLAND, OR 97212
 (503) 222-3010

