



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: February 11, 2015
To: Interested Person
From: Chris Caruso, Land Use Services
503-823-5747 / Chris.Caruso@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, including the written response to the approval criteria and to public comments received on this application, 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 14-249828 HR REPLACEMENT WINDOWS AND REAR DOOR

GENERAL INFORMATION

Applicant: Paul Coppock/Olson & Jones Construction
9442 SW Barbur Blvd / Portland OR 97219

Owners: Masaharu & Janet Ellis
2728 NE 26th Ave/Portland OR 97212-3501

Site Address: 2728 NE 26TH AVE

Legal Description: BLOCK 3 LOT 6, GLENEYRIE
Tax Account No.: R324000770
State ID No.: 1N1E25BC 11000
Quarter Section: 2733
Neighborhood: Alameda, contact Jim Brown at 503-284-6455.
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-841-5032.

District Coalition: Northeast Coalition of Neighborhoods, contact Claire Adamsick at 503-388-9030.

Plan District: None

Other Designations: Contributing resource in the Irvington Historic District
Zoning: R5 – Single-Dwelling Residential with Historic Resource overlay
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 seeks Historic Resource Review approval for exterior alterations to a 1911 Craftsman-style house listed as a contributing resource in the Irvington Historic District. The proposed work includes the following:

- Removing four non-original 2nd story windows, 2 in the south gable and 2 in the west

gable, and installing four new wood double-hung window inserts in the existing openings;

- Removing two windows on the 2nd story south elevation and replacing them with 2 new wood double-hung window inserts in the existing openings;
- Removing one window on the 2nd story north elevation and replacing it with 1 new wood double-hung window insert in the existing opening;
- Removing one window on the 1st story south elevation and replacing it with 1 new wood awning window insert in the existing opening;
- Removing four windows on the 2nd story east elevation and replacing them with 4 new wood double-hung window inserts in the existing openings;
- Removing one vinyl sliding glass door on the 1st story east (rear) elevation and replacing it with a new wood sliding glass door in the existing opening; and
- Existing trim around the windows and door to remain in place.

Historic Resource Review is required for exterior alterations to structures within historic districts.

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 Reviews
- 33.846.060 Other Approval Criteria

ANALYSIS

Site and Vicinity: The subject resource, a two-story Craftsman style house on a standard 50' x 100' city lot, was built in 1911 and is listed as a contributing resource in the National Register of Historic Places documentation of the Irvington Historic District. No owner, designer, or builder's names are listed in the documentation but the house is a fine example of the Craftsman style.

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 after original construction, but still within the historic period, were sometimes built at the sidewalk and/or out of architectural character with the house.

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. Single-family residential uses are allowed by right in this zone.

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 there are no prior land use reviews for this site.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **January 20, 2015**. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Judy Steinberger, January 26, 2015 email – In support of the proposal.
2. Dean Gisvold, Irvington Land Use Committee, February 3, 2015 email – No objections.

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 & 10: The new wood window inserts proposed for this contributing house will not alter the original character of the property as they will be located within existing window openings and will retain the original window trim and siding. The new wood window inserts will match existing original windows on the house in form and type, making them compatible with the size, scale, and architectural features present in this 1911 Craftsman-style house. The new wood windows are compatible with the original structure, with adjacent residential properties, and with the rest of the Historic District by the matching of typical historic profiles and materials. The new wood sliding door on the rear façade will also match materials and details present around other door openings on the exterior of the house, including trim profiles and detailing. The new door replaces a modern vinyl sliding door which will improve the overall historic character of the house. *These criteria are therefore 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 proposed new wood window inserts around the building, and the new wood sliding door on the rear facade will match existing features on the house in style, profile and composition, but will all be fabricated out of new material. This will give them a less weathered appearance which will differentiate them from older elements on the building. *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 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. The proposed new wood double-hung insert windows and new wood sliding glass door are sensitive alterations front façade that maintain the historic form of the house so as to not compromise the historic character of Irvington Historic District. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

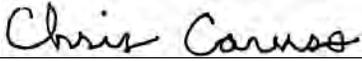
Approval of Historic Resource Review for exterior alterations to a 1911 Craftsman-style house listed as a contributing resource in the Irvington Historic District, including the following:

- Removing four non-original 2nd story windows, 2 in the south gable and 2 in the west gable, and installing four new wood double-hung window inserts in the existing openings;
- Removing two windows on the 2nd story south elevation and replacing them with 2 new wood double-hung window inserts in the existing openings;
- Removing one window on the 2nd story north elevation and replacing it with 1 new wood double-hung window insert in the existing opening;
- Removing one window on the 1st story south elevation and replacing it with 1 new wood awning window insert in the existing opening;
- Removing four windows on the 2nd story east elevation and replacing them with 4 new wood double-hung window inserts in the existing openings;
- Removing one vinyl sliding glass door on the 1st story east (rear) elevation and replacing it with a new wood sliding glass door in the existing opening; and
- Existing trim around the windows and door to remain in place.

Approved, per the approved site plans Exhibits C-1 through C-8 signed and dated February 10, 2015, 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.8. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 14-249828 HR."

Staff Planner: Chris Caruso

Decision rendered by:  **on February 10, 2015.**

By authority of the Director of the Bureau of Development Services

Decision mailed (within 5 days of dec.) February 11, 2015

Procedural Information. The application for this land use review was submitted on December 16, 2014, and was determined to be complete on **January 14, 2015**.

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 16, 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: May 14, 2015.**

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 11, 2015**. 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:

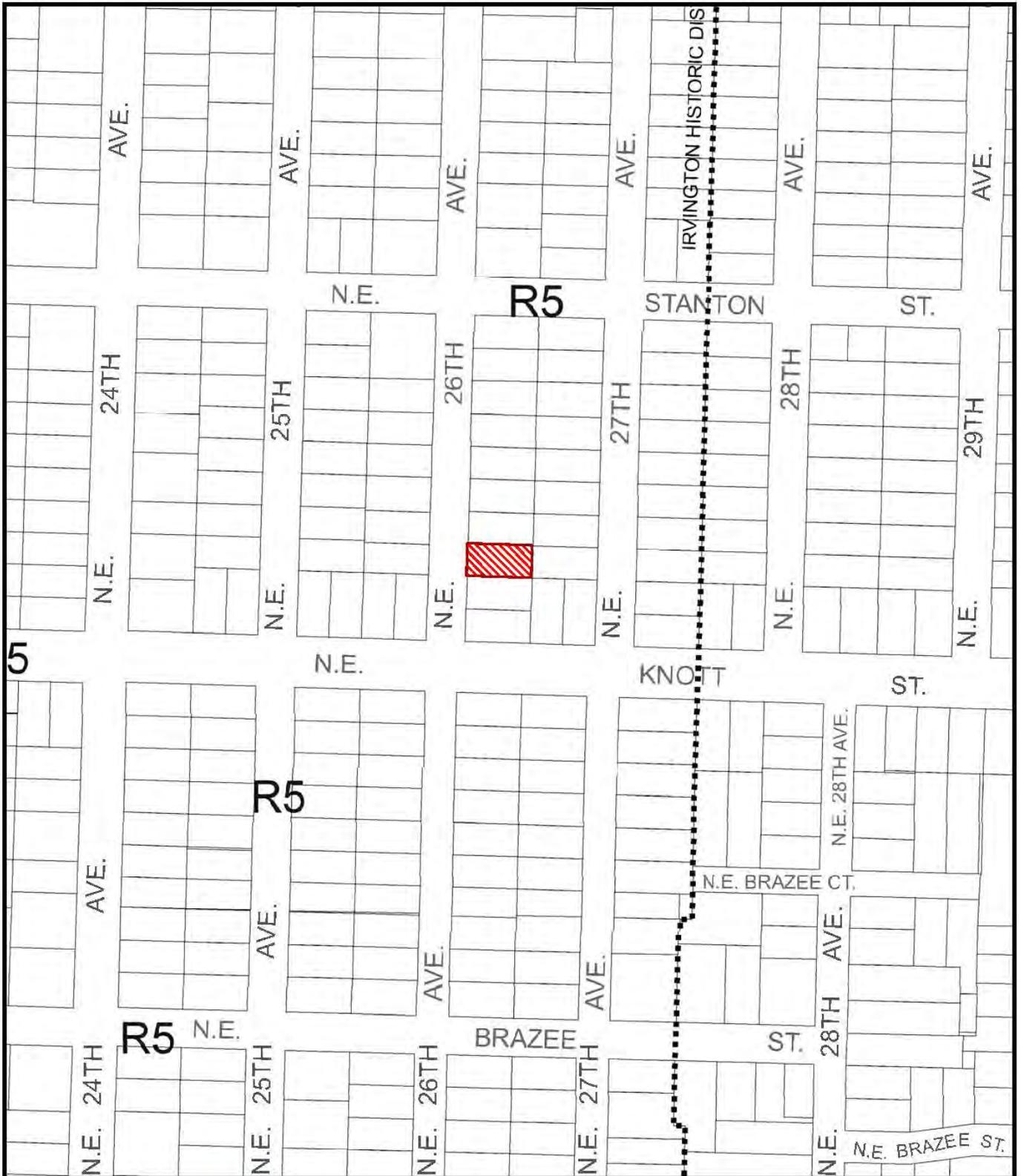
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- | | |
|---|---|
| <ul style="list-style-type: none"> A. Applicant's Statement & Photos B. Zoning Map (attached) C. Plans/Drawings: <ul style="list-style-type: none"> 1. Site Plan (attached) 2. Main Floor Plan 3. Upper Floor Plan 4. East & West Elevations (attached) 5. North Elevation (attached) 6. South Elevation (attached) 7. Window Details 8. Marvin Wood Ultimate Insert Double Hung Details D. Notification information: <ul style="list-style-type: none"> 1. Mailing list 2. Mailed notice | <ul style="list-style-type: none"> E. Agency Responses: <ul style="list-style-type: none"> 1. Site Development Review Section of BDS 2. Bureau of Parks, Forestry Division F. Correspondence: <ul style="list-style-type: none"> 1. Judy Steinberger, January 26, 2015 – in support. 2. Dean Gisvold, Irvington Land Use Committee, February 3, 2015 email – no objections G. Other: <ul style="list-style-type: none"> 1. Original LU Application 2. Incomplete Letter |
|---|---|

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

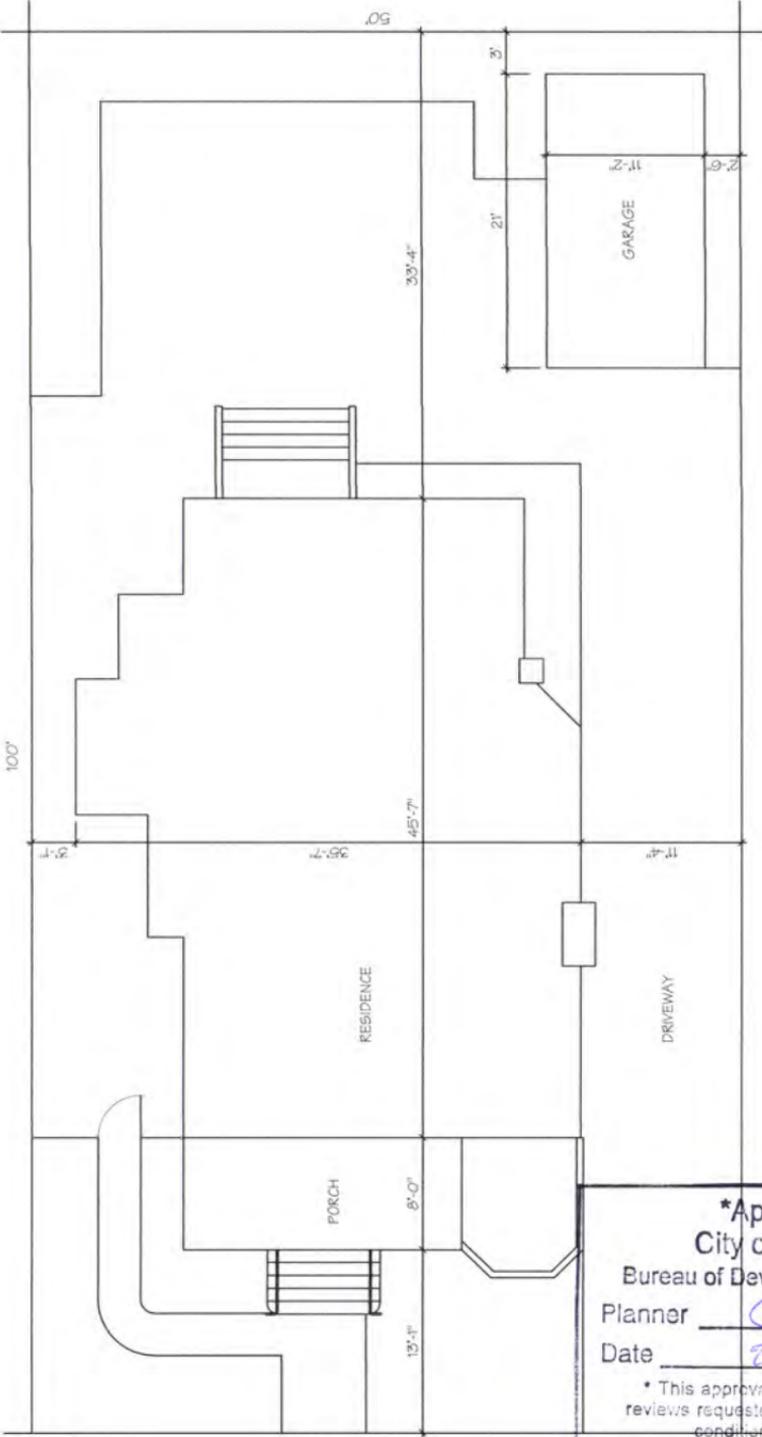


Site



This site lies within the:
IRVINGTON HISTORIC DISTRICT

File No. LU 14-249828 HR
 1/4 Section 2733
 Scale 1 inch = 200 feet
 State_Id 1N1E25BC 11000
 Exhibit B (Dec 17, 2014)



SITE PLAN

3/32" = 1'-0"

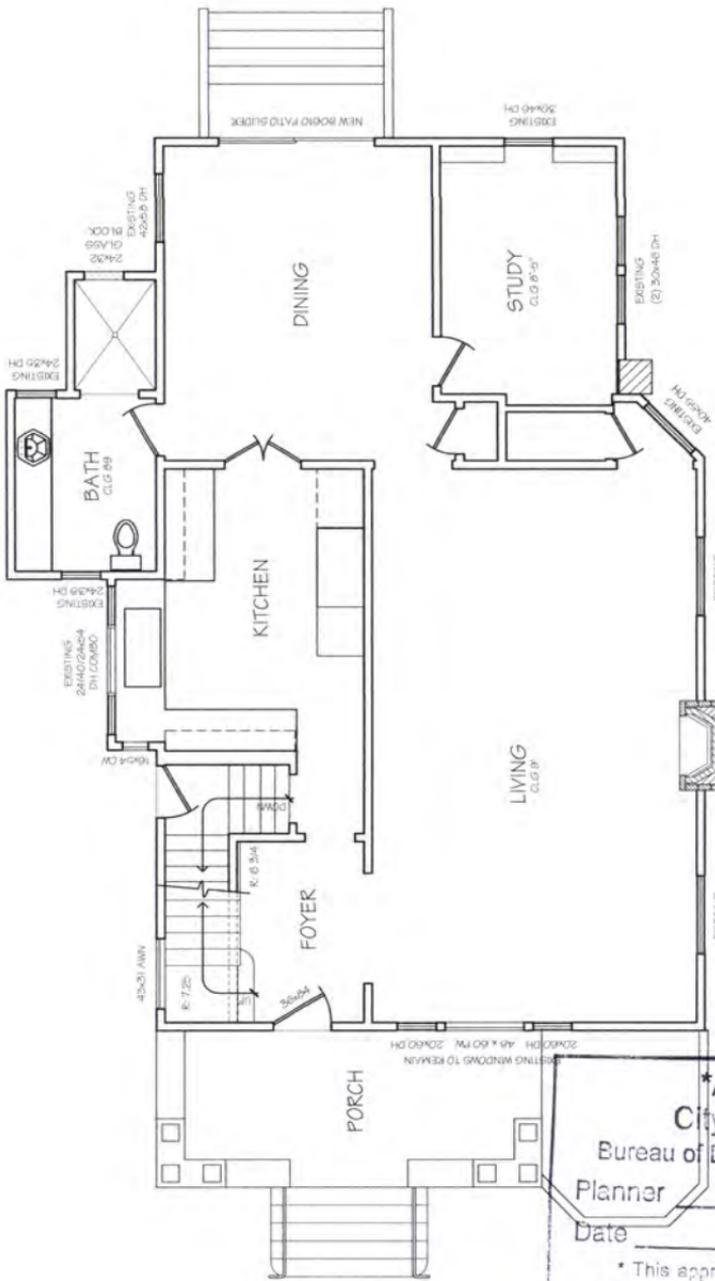
Approved
City of Portland
 Bureau of Development Services
 Planner CS
 Date 2/10/15

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

N.E. 26th Avenue

228864-249828HR

EXH.C-1



MAIN FLOOR PLAN

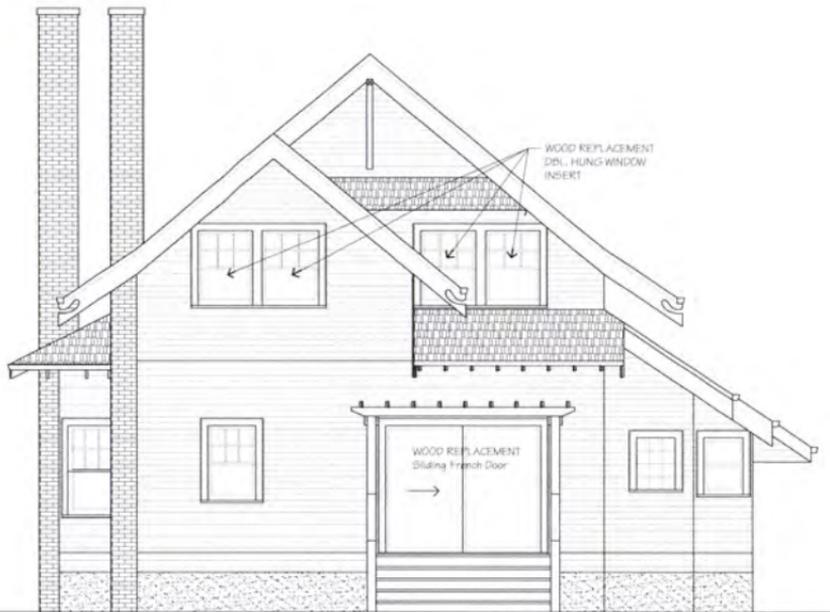
1/8" = 1'-0"

Approved
 City of Portland
 Bureau of Development Services
 Planner *[Signature]*
 Date 2/10/15

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

LV14-249828 *HR*

EXH. C-2



EAST ELEV.

1/4" = 1'-0"



Approved
 City of Portland
 Bureau of Development Services
 Planner: *[Signature]*
 Date: 2/10/15
 This approval is only to the
 reviews required and is subject to all
 conditions of approval.
 Additional zoning requirements may apply

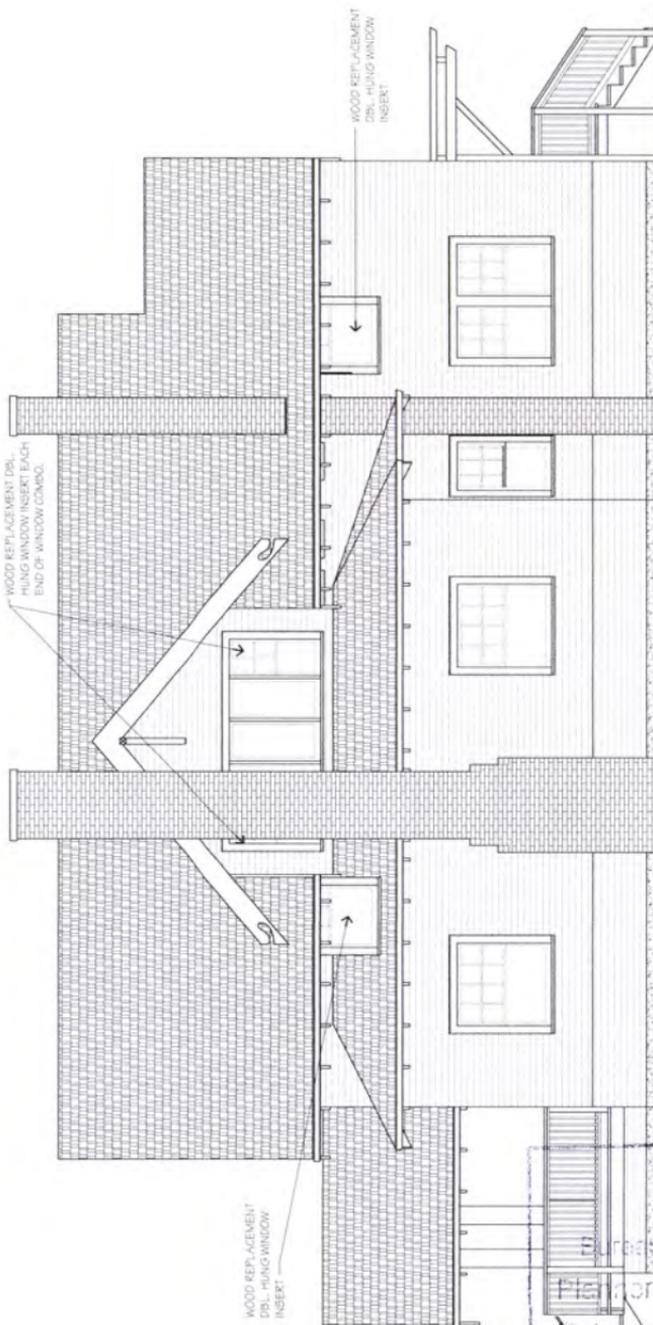
WEST ELEV.

1/4" = 1'-0"

2728 NE 26th

LV 14 - 249828HL

EXHC-A



SOUTH ELEV.
1/4" = 1'-0"

Approved
 City of Portland
 Bureau of Development Services
 Date: 2/10/15
 This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

LU14-249828HR

EXA.C-6

5-part window
AS BUILT
1" = 1"

double-hungs

Exterior

Window Sill

1"

$\frac{3}{4}$ " x 5" trim

existing window
frame $\frac{3}{4}$ "
deep. Actual
window dimensions
approximate.

Trim

$\frac{1}{2}$ " x $\frac{1}{4}$ " stop

$\frac{3}{4}$ " x $4\frac{3}{8}$ " trim

Approved

City of Portland
Bureau of Development Services

Planner

Date 2/10/15

* This approval applies only to the
review proposed and is subject to all
conditions of approval.
Additional permit requirements may apply.

Interior

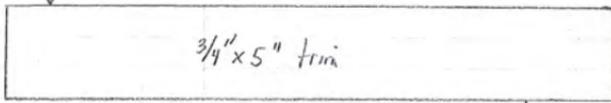
LV14-249828HR EXH C-7

5-part window
PROPOSED INSTALL
1" = 1"

double-hungs

Exterior

Window Sill

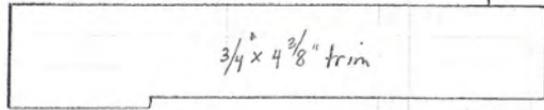


$\frac{3}{4}'' \times 5''$ trim

Marvin Ultimate
Wood Double-Hung
window

Trim

frame @ $\frac{49}{16}''$



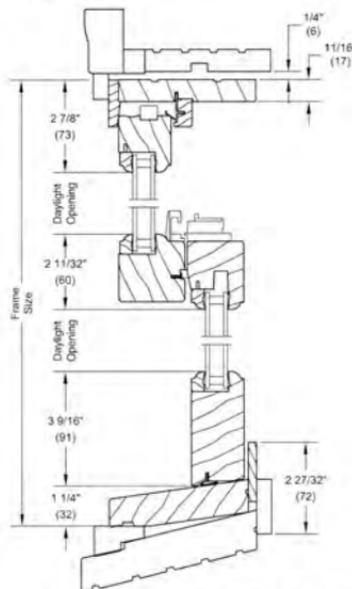
$\frac{3}{4}'' \times 4 \frac{3}{8}''$ trim

Interior

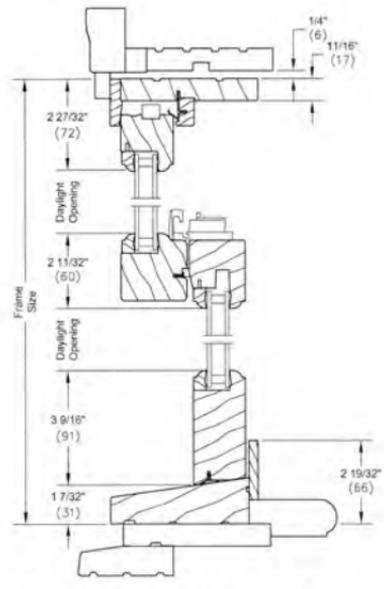
Wood Ultimate Insert Double Hung

Section Details: Operator

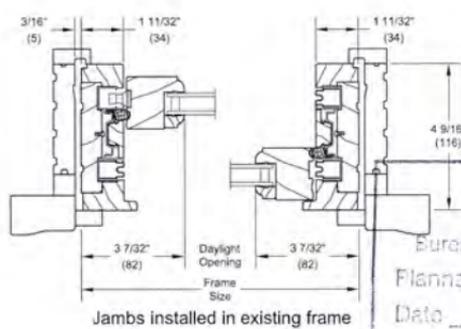
Scale: 3" = 1' 0"



Head Jamb, Checkrail, with Beveled Sill installed in existing frame



Head Jamb, Checkrail, with Flat Sill Option installed in existing frame



Jambs installed in existing frame

Approved
City of Portland
 Bureau of Development Services
 Planner *[Signature]*
 Date 2/10/15

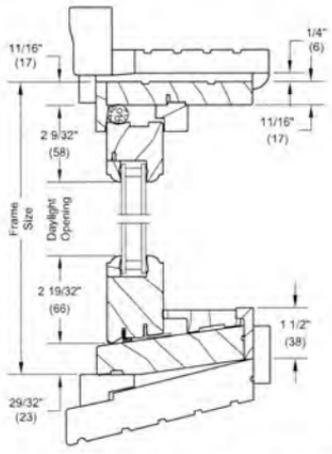
* This structural approval only applies to the reviewed project. It does not constitute an approval of the project. Additional safety requirements may apply.

LV14-249828HR EXHC-8

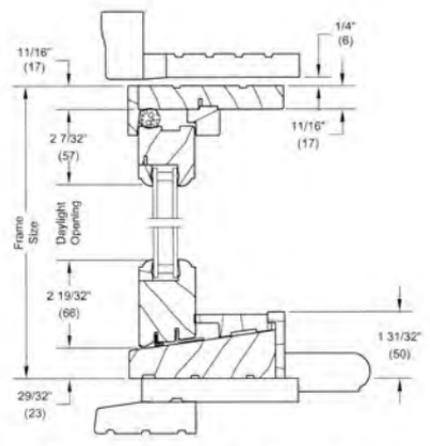
Wood Ultimate Insert Double Hung

Section Details: Transom

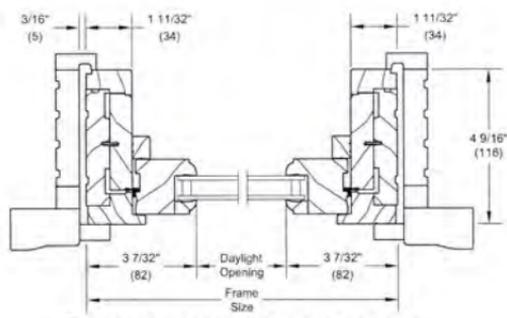
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Transom Head Jamb with Beveled Sill installed in existing frame



Transom Head Jamb with Flat Sill Option installed in existing frame



Transom Jamb installed in existing frame

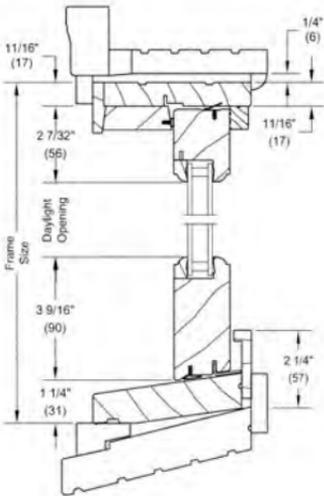
LU14-249828HR

EXHC-8

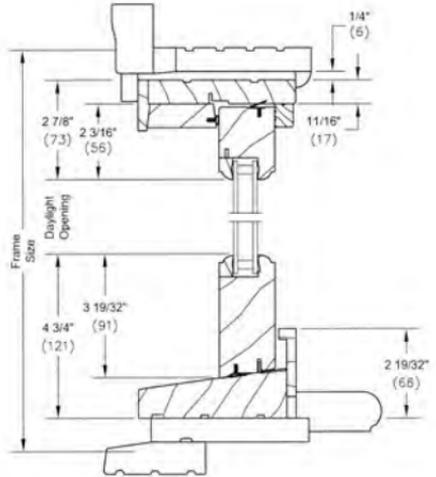
Wood Ultimate Insert Double Hung

Section Details: Picture

Scale: 3" = 1' 0"



Picture Head Jamb with Beveled Sill installed in existing frame



Picture Head Jamb with Flat Sill Option installed in existing frame

