



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

Date: August 19, 2011
To: Interested Person
From: Chris Caruso, Land Use Services
503-823-5747 / Chris.Caruso@portlandoregon.gov

NOTICE OF A TYPE II 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 this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 11-143300 HDZ
2387 NW KEARNEY RENOVATION

GENERAL INFORMATION

Applicant: Dale Hardesty/Rare Quality Inc
7140 SW Oleson Rd, Ste 241/Portland, OR 97223

Owner: 2387 NW Kearney, LLC
6312 SW Capitol Hwy #505/Portland, OR 97239

Site Address: 2387 NW KEARNEY ST

Legal Description: BLOCK 25 W 1/2 OF LOT 18, KINGS 2ND ADD
Tax Account No.: R452304100
State ID No.: 1N1E33BC 10800
Quarter Section: 2927
Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: Nob Hill, contact Kay Wolfe at 503-227-0898.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Other Designations: Alphabet Historic District
Zoning: R1, Multi-Family Residential
Case Type: HDZ, Historic Design Review
Procedure: Type II, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicant seeks historic design review approval for exterior alterations to the Charles H. Korell House #3, a local landmark built in 1894 which is a compatible non-contributing resource in the Alphabet Historic District. The proposal includes the following:

- Re-installing original, repaired roof cresting;
- Rebuilding existing chimneys from the roofline up to match existing profiles with reused and new brick and finishing them with a parge coat;
- Replacing all non-original window sashes with new wood window sashes in existing openings;
- Refinishing the front door and installing a stained glass panel;

- Installing a new wood window and trim to match existing in an existing boarded up opening on the east wall at the kitchen;
- Rebuilding one of the brick basement stairwell walls using original brick and new brick that matches in color and texture;
- New composite roof shingles to match the existing color; and
- Replacing the basement egress window with a new wood casement egress window.

All original stained glass windows, window trim, and building trim will remain in place. Exterior alterations to landmarks buildings in historic districts require historic design review.

Relevant Approval Criteria:

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

- 33.846 Historic Reviews
- Alphabet Design Guidelines
- Community Design Guidelines

ANALYSIS

Site and Vicinity: The subject property is a compatible non-contributing resource within the Alphabet Historic District, a two-and-a-half story Queen Anne style structure originally called the Charles H. Korell House #3, and built in 1894. The house is part of a pair of houses constructed in the same era. The exterior of the house remains largely intact in terms of its historic character although a number of the windows were replaced at some point. The site is a corner lot located in the midst of the dense Alphabet Historic District. The 2,500 square foot site is developed with a large Queen-Anne style residence with surface parking on its eastern portion. Mature vegetation exists amongst the streets and on this particular lot a mature plantings are located on both the west and south yards, facing both streets.

The Alphabet Historic District is an area of Portland significant for its concentration of intact late 19th and early 20th Century middle class housing stock and small-scale commercial buildings. Of special note are the many mid-sized apartment and institutional buildings. Many of these are in the various Period Revival styles, e.g. Tudor, Spanish Colonial, Byzantine, etc. The area is also characterized by a grid work of narrower, tree-lined, residential streets crossed by occasional more robust commercial avenues.

The City of Portland Transportation System Plan (TSP) designates NW 23rd Avenue as a City Walkway and City Bikeway and NW Kearney Street is designated as a City Walkway and Local Service Bikeway. The site is also located within the Northwest Pedestrian District

Zoning: The Residential 1,000 (R1) is a medium density multi-dwelling zone. It allows approximately 43 units per acre. Density may be as high as 65 units per acre if amenity bonus provisions are used. Allowed housing is characterized by one to four story buildings and a higher percentage of building coverage than in the R2 zone. The major type of new housing development will be multi-dwelling structures (condominiums and apartments), duplexes, townhouse, and rowhouses. Generally, R1 zoning will be applied near Neighborhood Collector and District Collector streets, and local streets adjacent to commercial areas and transit streets. Newly created lots in the R1 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 proposed residential use is 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 that would affect development on this site.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **July 26, 2011**. The following Bureaus have responded with no issues or concerns:

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

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on July 26, 2011. 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 Design Review

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Design Review Approval Criteria

Requests for historic design 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 Design 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.

Findings: The original ornamental roof cresting was removed at some time and was stored on the property. The proposal shows this historic architectural feature reinstalled on top of the existing roof. This preserves an element that had acquired historic significance. *This criterion is therefore met.*

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 2 & 3: The proposed replacement windows, rebuilt chimneys and basement wall are all reasonable facsimiles of historic features and will match the original materials and finish treatments. All surrounding historic material, including the stained glass windows will be retained and protected from damage. The proposed front basement egress window and stained glass front door panel, while new, will match the frame details, construction materials, and exterior trim of historic windows and doors elsewhere on the building, making these new elements compatible with the resource itself, with adjacent properties, and with the rest of the District. The features will also be readily identifiable as new construction due to their materials. The existing chimneys and basement wall are structurally failing and must be rebuilt. The proposal shows both of these elements repaired and reconstructed to match the existing forms. This allows retention of the overall architectural design of the building. *These criteria are therefore met.*

Community Design Guidelines

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.

D7. Blending into the Neighborhood. Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

Findings for P2, D3 & D7: The proposed exterior alterations and repairs to the building are detailed at a fine scale to match the characteristic Queen Anne style house with which they are associated. The proposed building design features of wood windows, roof cresting, composite roof material, brick retaining walls, stained glass door panels, and parged brick chimneys are all elements featured within the Historic District. *These guidelines are therefore met.*

D2. Main Entrances. Make the main entrances to houses and buildings prominent, interesting, pedestrian-accessible, and transit-oriented.

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.

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings for D2, D6 & D8: The proposed refinished front door with its new stained glass panel creates a prominent and architecturally interesting main entrance to the house that is oriented to the street, making it accessible to the public right-of-way. All elements of the proposed renovation are of long-lasting quality. The elements are compatible with the style of the house, matching historic materials, details, and forms to create a cohesive composition. *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 Design 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 renovation of the house will bring the building closer to its original look with historically accurate and refurbished original features, which will in turn enhance the historic district. This proposal meets the applicable Historic Design Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of historic design review for exterior alterations to the Charles H. Korell House #3 in the Alphabet Historic District. Alterations to include the following:

- Re-installing original, repaired roof cresting;
- Rebuilding existing chimneys from the roofline up to match existing profiles with reused and new brick and finishing them with a parge coat;
- Replacing all non-original window sashes with new wood window sashes in existing openings;
- Refinishing the front door and installing a stained glass panel;
- Installing a new wood window and trim to match existing in an existing boarded up opening on the east wall at the kitchen;
- Rebuilding one of the brick basement stairwell walls using original brick and new brick that matches the original in color and texture;
- New composite roof shingles to match the existing color;
- Replacing the front basement egress window with a new wood casement egress window; and
- Original stained glass windows, window trim, and building trim will remain in place.

Approved per the approved site plans, Exhibits C-1 through C-4 signed and dated August 16, 2011, 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.4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 11-143300 HDZ. No field changes allowed."

Staff Planner: Chris Caruso

Decision rendered by:  **on August 16, 2011.**
By authority of the Director of the Bureau of Development Services

Decision mailed: August 19, 2011

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on May 26, 2011, and was determined to be complete on **July 21, 2011.**

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 May 26, 2011.

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: November 18, 2011.**

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.

Appealing this decision. This decision may be appealed to the Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on September 2, 2011** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional 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.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Landmarks Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **September 6, 2011**.
- A building or zoning permit will be issued only after the final decision is recorded.

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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

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 of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

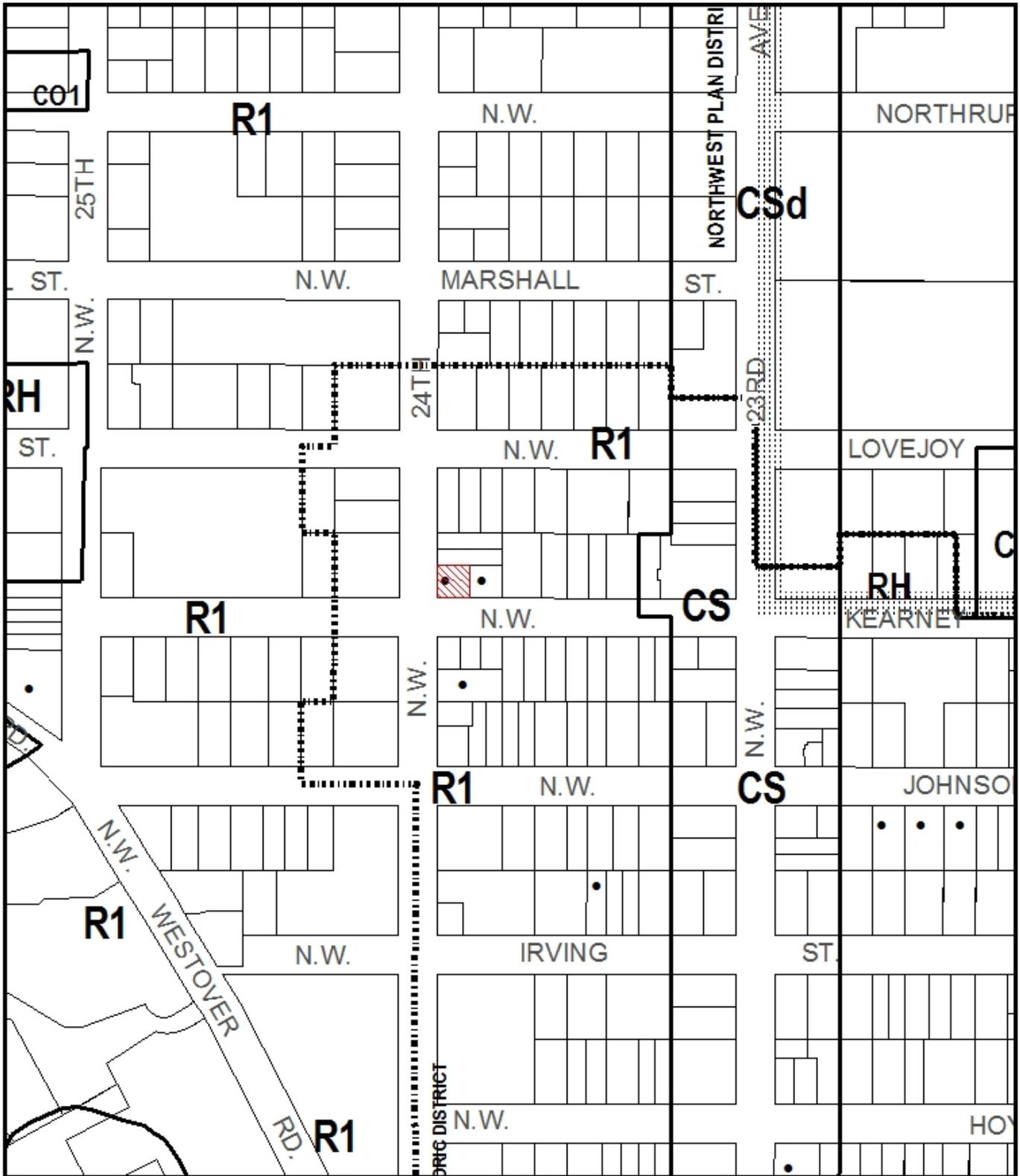
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Elevations (attached)
 3. Roof Cresting Mounting Detail
 4. Existing Elevations/Vicinity Plan
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses: no concerns
 1. Fire Bureau
 2. Life Safety Review Section of BDS
- F. Correspondence: none received

G. Other:

1. Original LU Application
2. Site History Research
3. 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

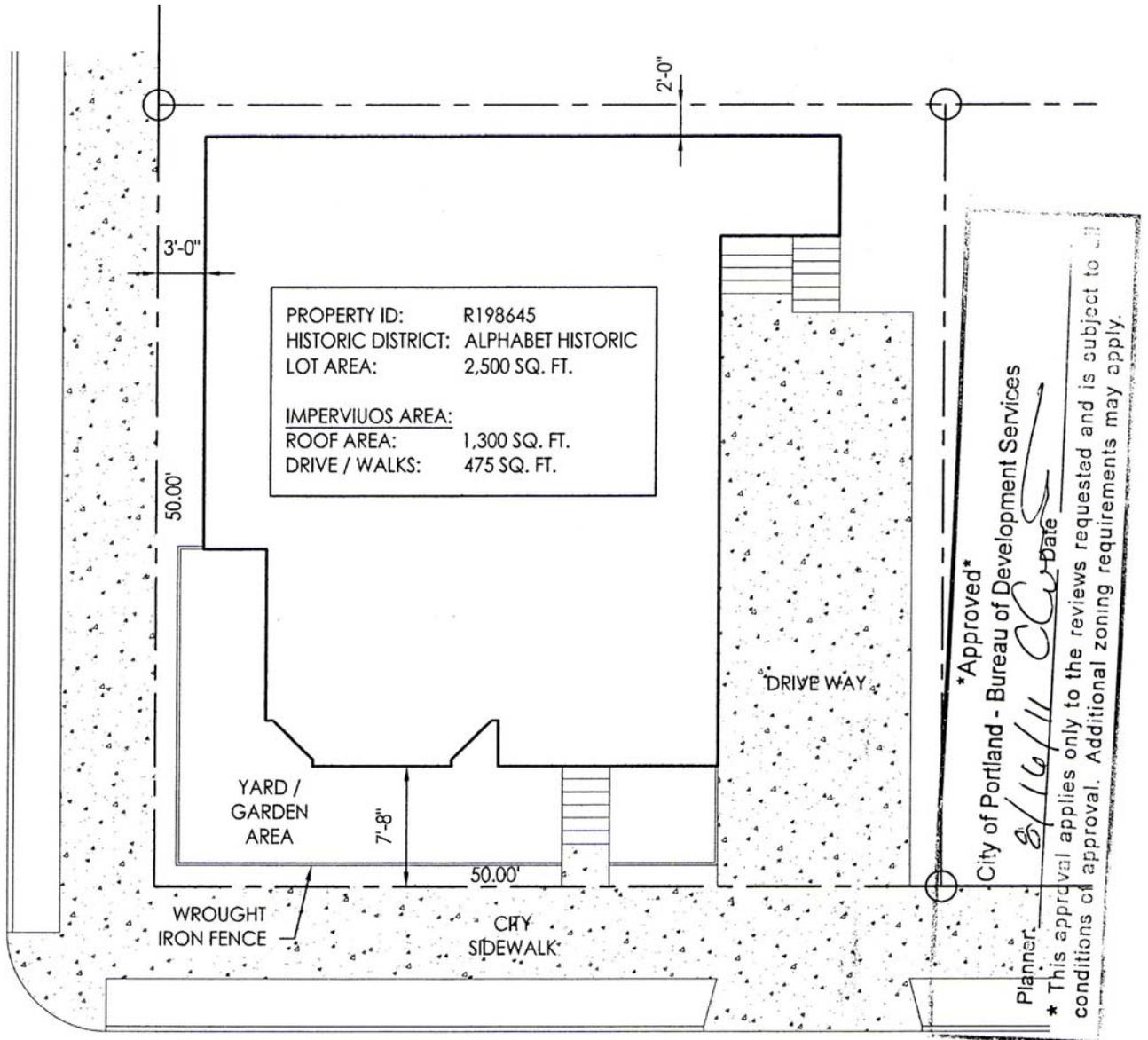
 Historic Landmark



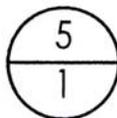
This site lies within the:
ALPHABET HISTORIC DISTRICT

| | |
|-------------|-------------------|
| File No. | LU 11-143300 HDZ |
| 1/4 Section | 2927 |
| Scale | 1 inch = 200 feet |
| State Id | 1N1E33BC 10800 |
| Exhibit | B (Jun 01,2011) |

NW 14TH. AVE



NW KERNEY ST.



SITE PLAN

KERNEY SITE.DWG

SCALE: 1"=10'-0"



HAYDEN
 Consulting Engineers
 STRUCTURAL ENGINEERING

12480 SW 68th. Ave., Tigard, Oregon 97223
 Phone: (503) 968-9994 / Fax: (503) 968-8444
 WWW.HAYDEN-ENGINEERS.COM

WINDOW REPLACEMENT

BY _____ DATE 06.21.2011

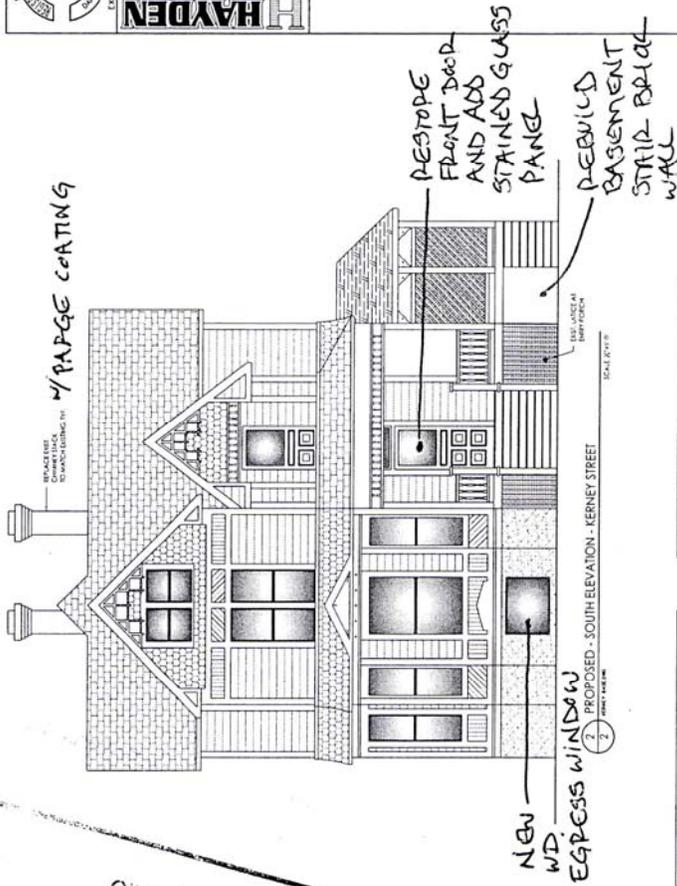
REV BY _____ DATE _____

2387 NW KEARNEY
 PORTLAND, OREGON

JOB NO 11093

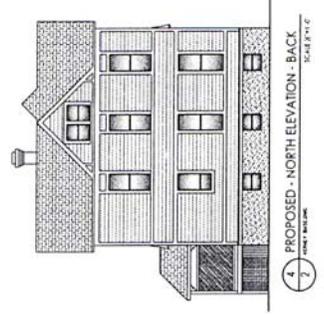
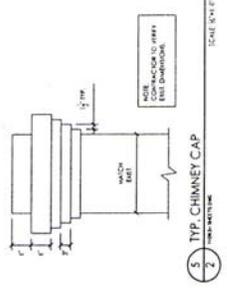
SHEET 1 OF 1

EXH. C-1

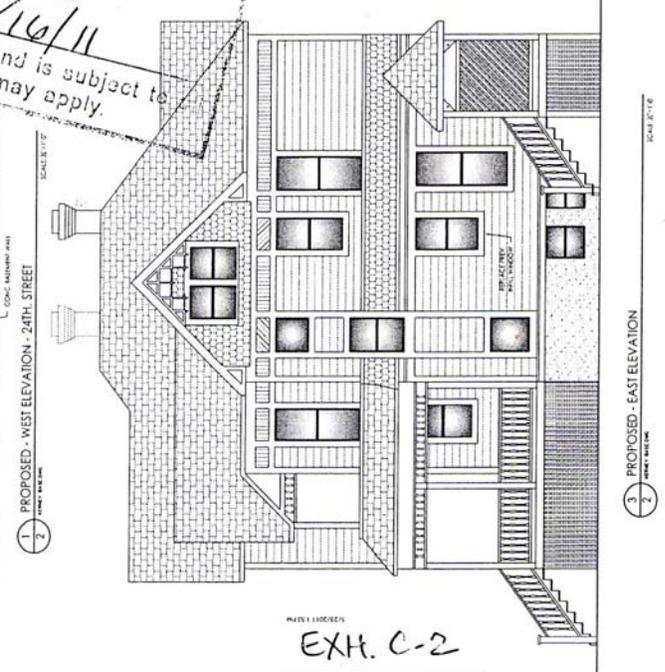
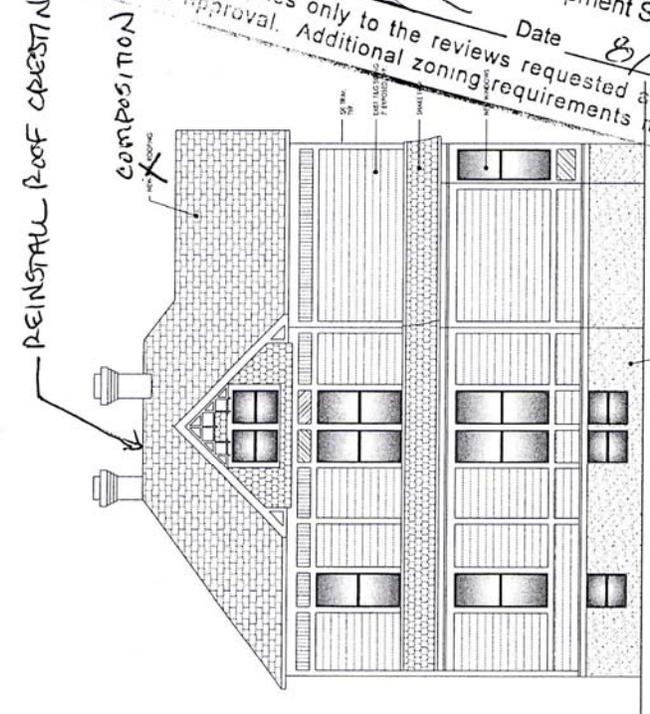


PROPOSED ROOFING:
COMPOSITION ROOFING
1/2\"/>

PROPOSED WINDOWS:
ALL ORIGINAL STAINED GLASS TO REMAIN IN EXISTING WINDOW SASHES
1/2\"/>



Approved
City of Portland - Bureau of Development Services
Planner _____ Date 8/16/11
* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.



EXH. C-2