



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

FROM CONCEPT TO CONSTRUCTION

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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** May 1, 2014  
**To:** Interested Person  
**From:** Jennifer Kenny, Land Use Services  
503-823-7011 / [Jennifer.Kenny@portlandoregon.gov](mailto:Jennifer.Kenny@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 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 14-128190 HR – NEW WINDOW AND DOOR**

#### **GENERAL INFORMATION**

**Applicant:** Jeffrey Kelly / Arciform LLC  
2303 N Randolph Ave / Portland, OR 97227

**Site Address:** 2606 NW LOVEJOY ST

**Legal Description:** TL 4300 0.17 ACRES, SECTION 32 1N 1E  
**Tax Account No.:** R941320170  
**State ID No.:** 1N1E32AD 04300  
**Quarter Section:** 2926  
**Neighborhood:** Hillside, contact Peter Stark at 503-274-4331. Northwest District, contact John Bradley at 503-313-7574.

**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Other Designations:** Resource listed in the National Register of Historic Places as the Frank Stettler Hous

**Zoning:** R7, a single-dwelling zone  
**Case Type:** Historic Resource Review  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

**Proposal:** The applicant seeks Historic Resource Review approval for alterations to the Frank Stettler House, listed in the National Register of Historic Places. The proposal is to:

- Replace an existing window on the south elevation with wood divided light French doors, with profile, design and proportions to match existing historic door.
- Replace a door on the west elevation with two double hung wood windows, with divided light upper sashes to match the profile and proportions of existing historic windows.

Historic Resource Review is required because the property is listed in the National Register of Historic Places.

#### **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 was built in 1914 primarily in the Craftsman style, and listed in the National Register of Historic Places in 1990. It is known historically as the Frank Stettler House, and is located in a residential area within the Hillside Neighborhood. This part of Northwest Portland lies upon a portion of the Tualatin Mountains that overlook downtown Portland, with the 5,000-acre plus Forest Park immediately to the west and the shops and restaurants of Northwest Portland at the foot of the neighborhood immediately to the east. Houses are of a variety of styles, including English Tudor, Queen Ann Victorian, Colonial, and Foursquare, as well as contemporary infill homes.

**Zoning:** R7, a single-dwelling zone intended to preserve land for housing and to provide housing opportunities for individual households. The single-dwelling zones implement the comprehensive plan policies and designations for single-dwelling housing.

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 is one prior land use review for this site:

- LU 89-006446 – Designation in the National Register of Historic Places

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **April 1, 2014**. No written responses were received.

**Neighborhood Review:** A "Notice of Proposal in Your Neighborhood" was mailed on April 1, 2014. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## ZONING CODE APPROVAL CRITERIA

### **Chapter 33.846.060 - Historic 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 a landmark listed in the National Register of Historic Places 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 criteria and addressed only those applicable to this proposal.*

**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;

**Findings for 1 and 2:** The proposed changes are on secondary facades and largely shielded from view due to the rear and side locations. The changes will affect existing openings, and as such, will not alter the architectural form or historic character of the structure. The replacement windows and doors will mimic the material, profile and style of the existing historic windows and doors, thus maintaining the character-defining features of the home. No conjectural elements will be added. *These criteria are therefore met.*

**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 8 and 10:** Wood windows and doors are the most compatible material for this property, as those are the materials noted in the National Register Nomination. The new windows and doors will mimic the pattern, profile and materials of the historic windows and doors, and be placed in existing openings in order to ensure architectural compatibility with the original resource.

There is no change to the existing compatibility with the neighboring properties because the subject resource will retain its original setbacks, height, massing, materials, site coverage, and orientation to the street. *These criteria 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 of exterior alterations to the Frank Stettler House, a property listed in the National Register of Historic Places. Approved alterations include:

- Replacement of an existing window on the south elevation with wood divided light French doors; with profile, design and proportions to match existing historic door.
- Replace a door on the west elevation with two double hung wood windows, with divided light upper sashes to match the profile and proportions of existing historic windows.

Approval per the approved site plans, Exhibits C-1 through C-3, signed and dated April 25, 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 14-128190 HR. No field changes allowed."

**Staff Planner: Jennifer Kenny**

**Decision rendered by:**  **on April 25, 2014.**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: May 1, 2014**

**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 March 18, 2014, and was determined to be complete on **March 27, 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 March 18, 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: August 30, 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.

**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 May 14, 2014** 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](http://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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 May 14, 2014.
- 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.

**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

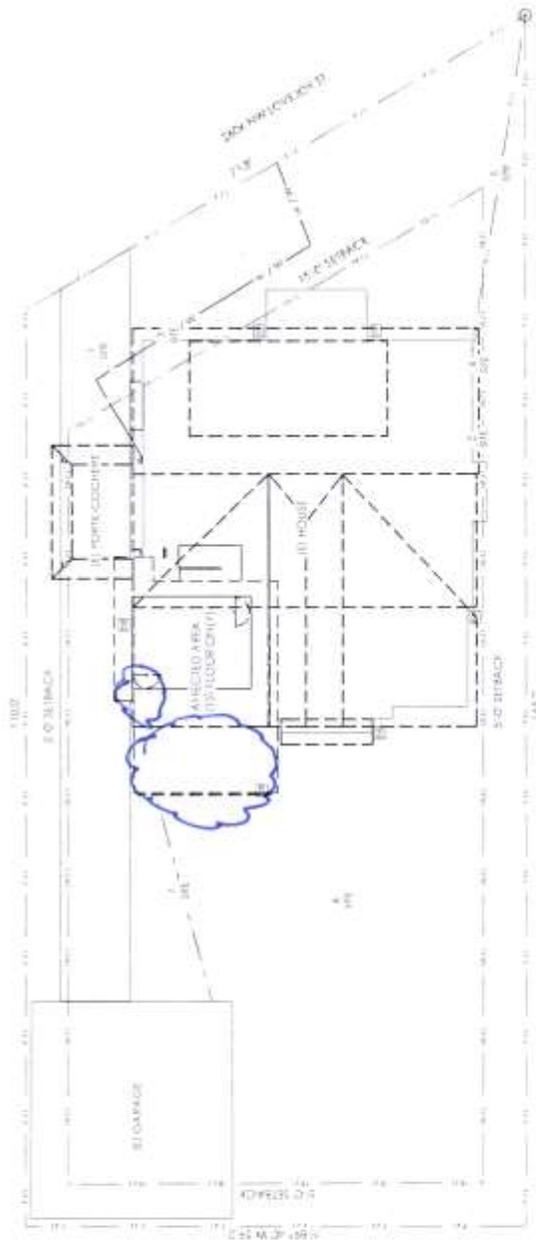
- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Elevations (attached)
  - 3. Details
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence: No responses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

**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**



\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner Jennifer Kenney Date 4/25/14  
 \* This approval is only to the reviews requested and is subject to all conditions of approval. Conditional zoning requirements may apply.

LU14-128190 HR  
 EXHIBIT C-1



☁ = AREA OF WORK

A SITE PLAN  
 SCALE: 1" = 10'-0"



**SITE LEGEND**

PR	PROPERTY LINE
ST	STREET LINE
MA	MAJOR ROAD
STW	STOWER LINE
DL	DECK LINE
CA	CLEAR AREA (SEE PLAN)
DN	DOWN (SLOPE)

**NOTES**

1. EXISTING DRIVEWAY
2. ALLOWED LOT COVERAGE
3. EXISTING DRIVEWAY
4. WATER MAIN OFF
5. GAS METER
6. ELECTRICAL PANEL
7. OVERHEAD CONDUIT (PERMANENT)
8. FLOOR FINISH
9. FLOOR FINISH

**ARCIFORM**  
 2800 N. BROADWAY  
 PORTLAND, OR 97217  
 MAIN: 503.281.7281  
 FAX: 503.281.7281  
 WWW.ARCIFORM.COM

JUNG & ANNE YOO  
 2505 NW LOVEJOY  
 PORTLAND, OR 97210

PLANT TREE  
**SITE PLAN**  
 JOB NO. 111000P  
 PROJECT: 128190 HR  
 DESIGNER: JUNG & ANNE YOO  
 DATE: BID SET 1.31.2014  
 CONSTRUCTION SET 3.13.14

**SITE**  
 FRONT FAC.

\* Approved \*

City of Portland - Bureau of Development Services

Planner Yannick Vermy Date 4/25/14

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

**GENERAL NOTES**

1. SEE PLAN

2. SEE SPEC

**MILLWORK**

3. MILLWORK TO MATCH EXISTING MILLWORK

**FINISHES**

4. SEE SPEC

**PAINT**

5. SEE SPEC

**DOORS & WINDOWS**

6. SEE SPEC



**JUNG & ANNE YOO**  
2805 NW LOVEJOY  
PORTLAND, OR 97210

PAGE TITLE:  
**(N) EXTERIOR ELEVATIONS**

PROJECT NO.: 1103370

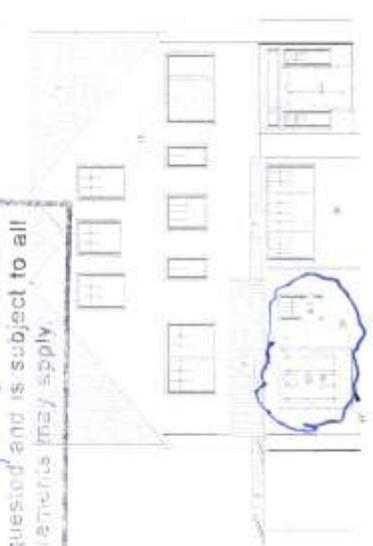
DESIGNER:  
KRYSTYA REITER  
ARCHITECTURE  
STUBBS VIELLY

DATE:  
8/01/13  
3/31/2014  
CONSTRUCTION SET  
3/13/14

REVISIONS:

PAGE NO.:

**A3.1**

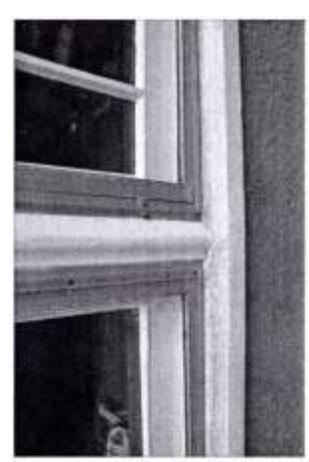
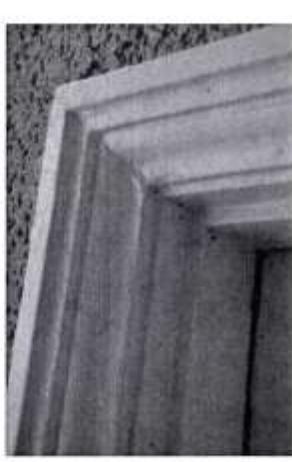


**B EXTERIOR ELEVATION - SOUTH FACING**  
SCALE: 1/8" = 1'-0"

☁ = AREA OF WORK



**A EXTERIOR ELEVATION - WEST FACING**  
SCALE: 1/8" = 1'-0"



**C (E) MILLWORK DETAILS**  
SCALE: NTS



**D PHOTO OF (E) EXTERIOR ELEVATION - SOUTH FACING**  
SCALE: NTS

LU 14-128190HR  
EXHIBIT C-2