



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

FROM CONCEPT TO CONSTRUCTION

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**Date:** June 25, 2014  
**To:** Interested Person  
**From:** Jennifer Kenny, 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 **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 - 151486 HR – NEW WINDOW**

**GENERAL INFORMATION**

**Applicant:** Gregg S Snyder  
2926 NE 9th Ave  
Portland, OR 97212-3147

**Site Address:** 707 NE TILLAMOOK STREET

**Legal Description:** LOT 1, IRVINGTON CORNER  
**Tax Account No.:** R420800050  
**State ID No.:** 1N1E26CB 16101  
**Quarter Section:** 2831  
**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 Claire Adamsick at 503-388-9030.  
**Plan District:** Albina Community  
**Other Designations:** A Contributing property within the Irvington Historic District  
**Zoning:** R1a, a multi-dwelling residential zone with an “a” 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 is seeking Historic Resource Review approval to install a new wood, divided light style awning window on the rear of a Contributing property within the Irvington Historic District. The proposed window is 36” x 24”. The original window was removed and sided over prior to the formation of the historic district and it is not known what style of window it was. No original windows remain in the house. Historic Resource Review approval is required for non-exempt exterior alterations in the Irvington Historic District.

**Relevant Approval Criteria:** In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are: *33.846.060 G – Other Approval Criteria.*

## ANALYSIS

**Site and Vicinity:** The subject house, a duplex, was built in 1899 and is known historically as the Reginald Hastings House. It is a Contributing property within the Irvington Historic District. Its type is noted as a Foursquare in the late 19<sup>th</sup> and early 20<sup>th</sup> century periods of American architecture. It has had non-historic alterations including vinyl windows, new siding and a porch replacement.

Platted in the late nineteenth century, today's Irvington Historic District represents the first additions to Portland that employed restrictive covenants from the outset. These included the exclusion of most non-residential uses from the interior of the neighborhood, and where non-residential uses were allowed, such as the fire station and the telephone exchange, the buildings were purposely disguised to appear more residential in character. Other deed restrictions excluded minority groups, established uniform front setbacks, and required minimum expenditure on new buildings. The area developed generally from southwest to northeast and its growth was greatly influenced by the installation of streetcar lines that introduced an easy commuting option to downtown.

The contributing resources in Irvington range in design character from expressions of the late Victorian Era styles, especially Queen Anne, through the many Period Revival modes of the early decades of the Twentieth Century, to a few early modernist examples. There is also a wide diversity in the sizes of lots and houses. In terms of the streetscape, the numbered north-south avenues in Irvington vary dramatically in width, and they mostly form rather long block faces which the houses generally face. The named east-west street block faces are more consistent in length, almost all being traditional 200' Portland blocks. All are lined with mature street trees.

**Zoning:** The R1 zone 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, townhouses, 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.

The purpose of the Alternative Design Density Overlay Zone is 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.

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 prior land use reviews for this site:

- LU 00-00537 HDZM, SU, AD: Installation of fire sprinkler system
- LU 02- 128165 HDZ: Installation of Hardiplank lap siding, new windows and porch
- LU 12-172254 HDZ: Installation of new deck, window and door

**Agency Review:** No review was required.

**Neighborhood Review:** A “Notice of Proposal in Your Neighborhood” was mailed on **June 6, 2014**. Dean Gisvold, on behalf of the Irvington Community Association Land Use Committee, wrote on June 18, 2014 to express no objections to the project so long as the new window is installed as presented in the proposal.

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.846.060 - Historic Resource Review**

#### **Purpose of Historic Resource Review**

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

#### **Historic Resource Review Approval Criteria**

Requests for Historic Resource Review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

**Findings:** The site is within the Irvington Historic District and the proposal is for non-exempt treatment. Therefore, Historic Resource Review approval is required. The approval criteria are in City Code *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.

**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.

**Findings for 1, 5 and 6:** Although the house is listed as a Contributing property in the District, many of the original features have been replaced, including replacement of historic windows with vinyl windows. This proposal is to install a window where one had previously been removed and sided over. While the style and size of the original window are not known, the replacement will be appropriate because it will be made of wood, the most compatible material for the age of the home. The window will be a divided light style, which is common in homes of this era and within the Historic District. The siding and trim around the new window will be patched to match the existing siding. In this way, some of the historic character of the home will be restored.

No historic materials will be removed or altered as a result of this project, thus preserving the remaining character-defining features of the historic property. There will be no ground disturbance and therefore, no risk to potential underground archeological resources. *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.

**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 7, 8 and 10:** The proposed window will be differentiated from the historic home by virtue of its new materials that are distinctive but compatible with the era of the home in material and style. No original materials will be destroyed as part of this project.

The new window will be installed in an area that previously had a window, thus restoring a missing architectural feature. Further, the proposed window will be compatible with the existing architecture by closely matching the style and material of windows commonly found in a home of this type and era.

In terms of compatibility with the neighboring properties and the historic district, the subject resource will retain its original setbacks, height, massing, materials, site coverage, and orientation to the street, thereby maintaining the existing compatibility with adjacent properties and the district. *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**

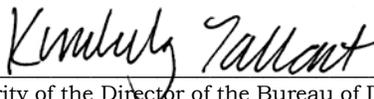
The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review guidelines and therefore warrants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

### **ADMINISTRATIVE DECISION**

Approval to install a 36" x 24" divided light style wood awning window on the north side of a Contributing property in the Irvington Historic District, per the approved site plans, Exhibits C-1 through C-4, signed and dated June 23, 2014, subject to the following condition:

- 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 14-151486 HR."

**Staff Planner: Jennifer Kenny**

**Decision rendered by:**  **on June 23, 2014.**

By authority of the Director of the Bureau of Development Services

**Decision mailed June 25, 2014**

**Procedural Information.** The application for this land use review was submitted on May 1, 2014, and was determined to be complete on May 23, 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 May 1, 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 extended by the applicant, **the 120 days will expire on September 19, 2014.**

**Some of the information contained in this report was provided by the applicant.** As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**This decision, and any conditions associated with it, is final.** It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandonline.com](http://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 **June 25, 2014.**

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder’s office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034  
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun. Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

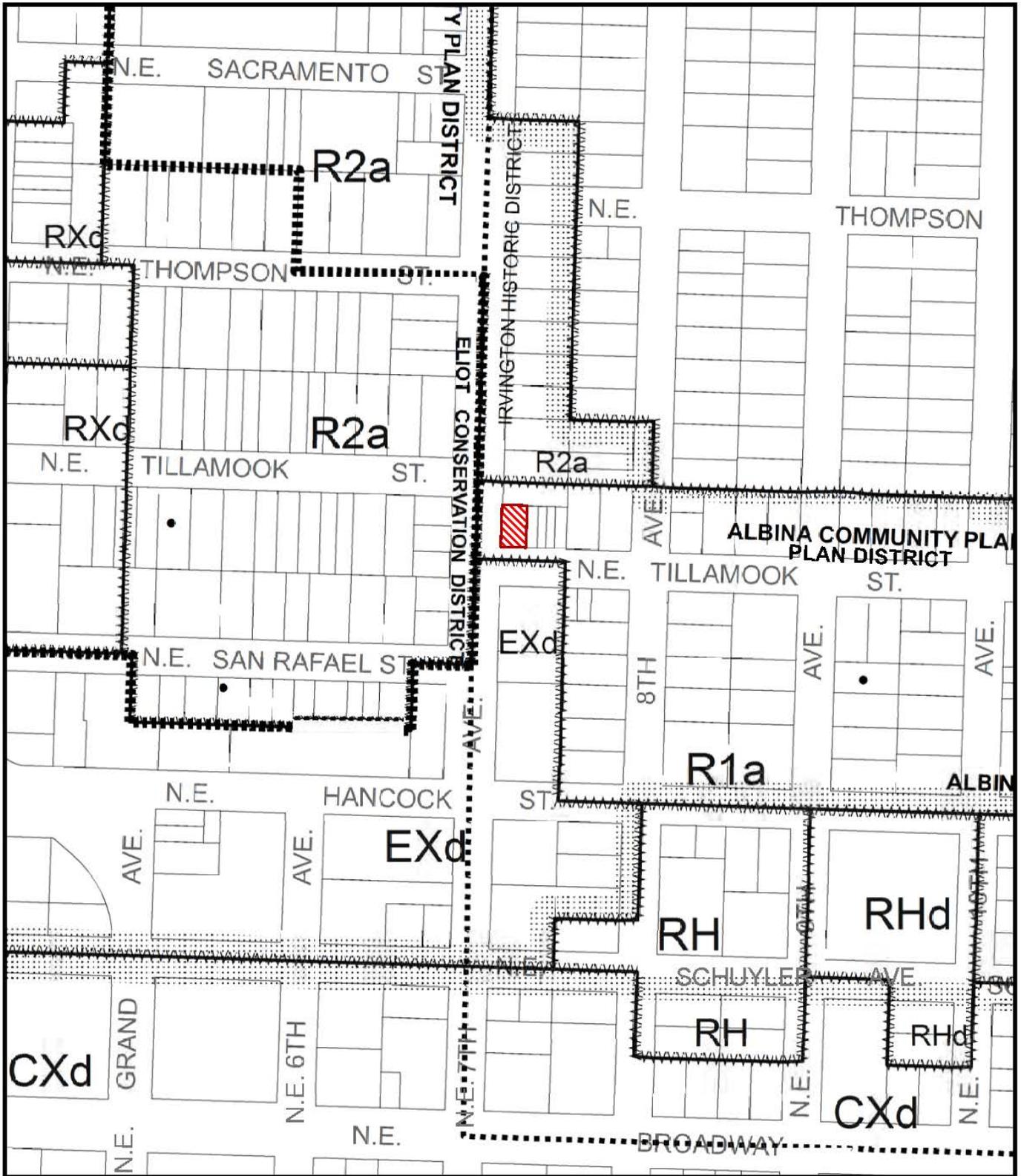
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Elevations (attached)
  - 3. Details
  - 4. Manufacturer's Cut Sheet
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: No responses were required.
- F. Correspondence: Dean Gisvold, on behalf of the Irvington Community Association Land Use Committee, June 18, 2014, no objections to the project so long as the new window is installed as presented in the elevations.
- 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

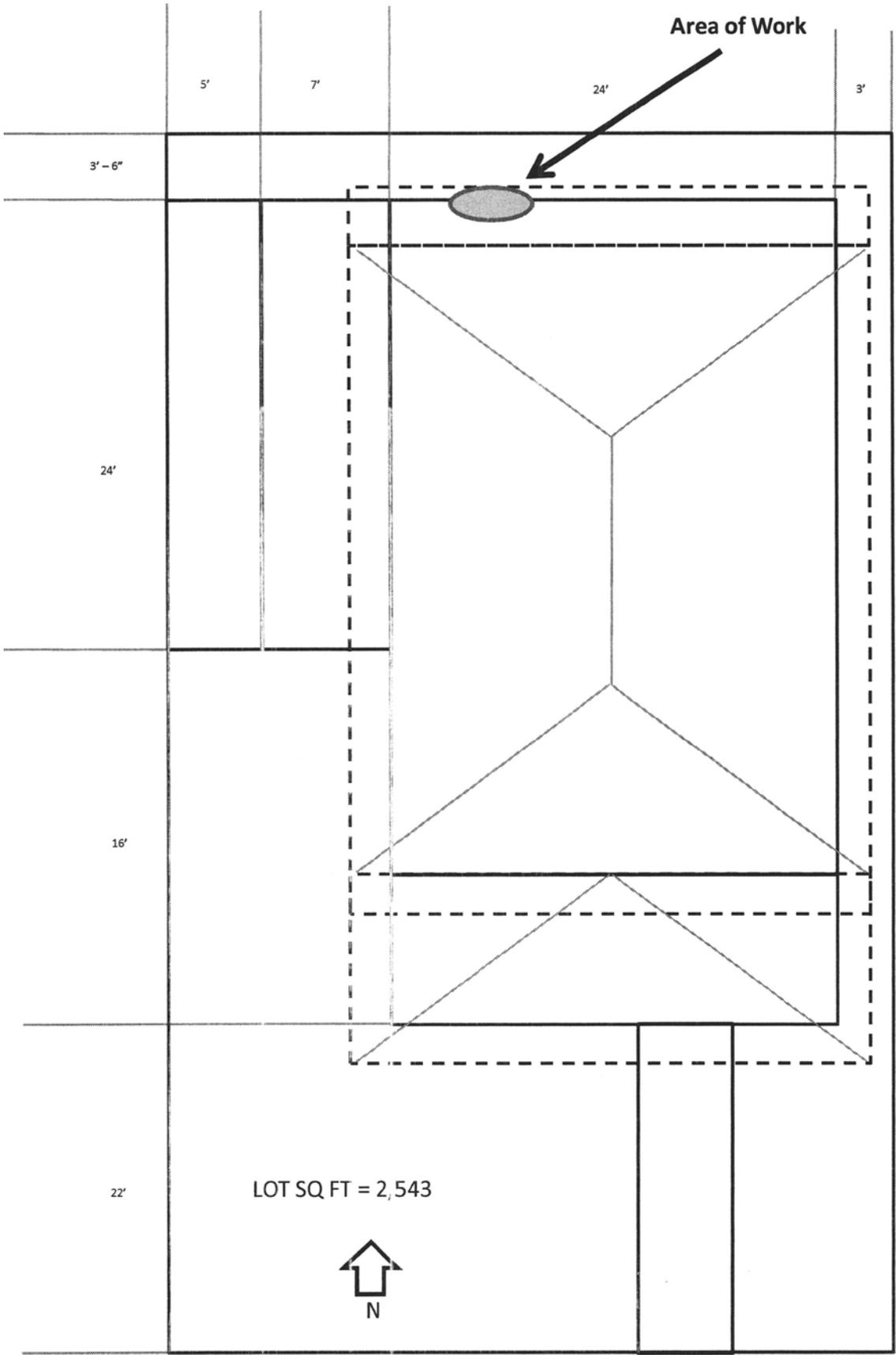


Historic Landmark

This site lies within the:  
**IRVINGTON HISTORIC DISTRICT**  
**ALBINA COMMUNITY PLAN DISTRICT**



File No.	LU 14-151486 HR
1/4 Section	2831
Scale	1 inch = 200 feet
State_Id	1N1E26CB 16101
Exhibit	B (May 05, 2014)



LOT SQ FT = 2,543



703 NE TILLAMOOK ST  
 PROJECT SITE PLAN  
 Scale 1/8" = 1 Foot

**\*Approved\***  
 City of Portland - Bureau of Development Services

Planner *Janette Kinn* Date 6/23/14

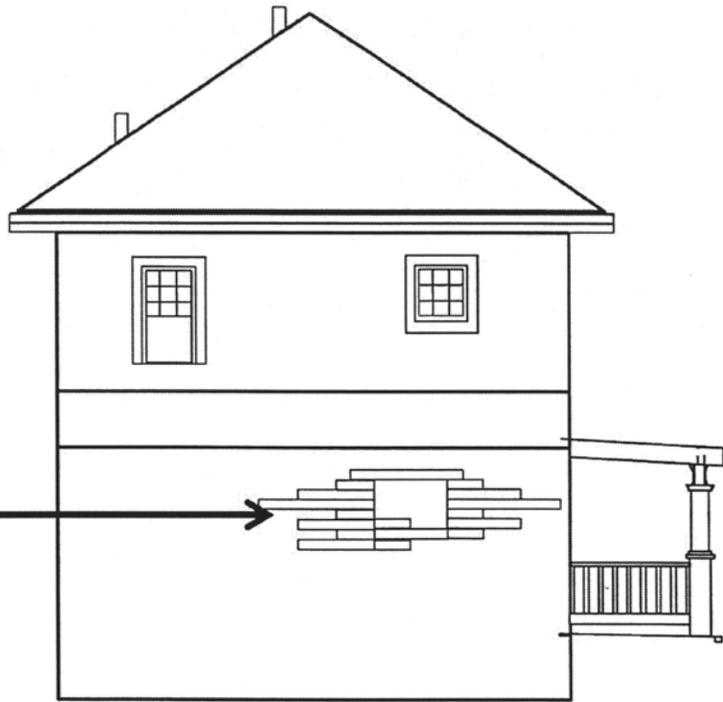
This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

EXHIBIT C-1  
 LU14-151486HR

EXISTING  
703 NE TILLAMOOK

NORTH ELEVATION  
Scale 1/8" = 1 Foot

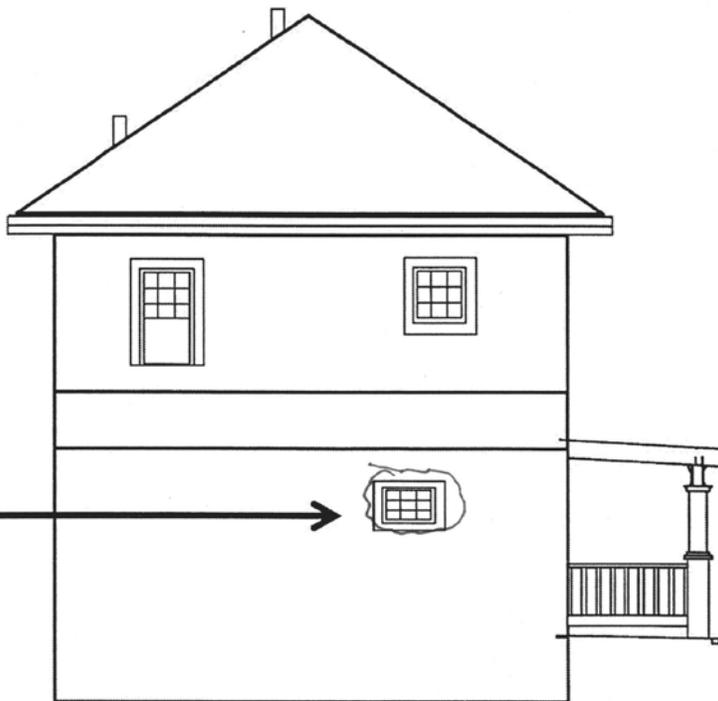
Area of Work



PROPOSED  
703 NE TILLAMOOK

NORTH ELEVATION  
Scale 1/8" = 1 Foot

Area of Work



\*Approved\*

City of Portland - Bureau of Development Services

Planner *Shirley K. K...* Date *6/23/14*

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

LU14-151486HR  
EXHIBIT C-2