



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

FROM CONCEPT TO CONSTRUCTION

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Date: June 3, 2016
To: Interested Person
From: Mike Gushard, Land Use Services
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NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has a approved proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 16-140713 HR – RESTORATION OF HISTORIC SLEEPING PORCH

GENERAL INFORMATION

Applicant: David Rodeback, Architect LLC
1711 SE 10th Ave #201
Portland, OR 97214

Bud Hosner
ADR Investments LLC
PO Box 1567
Lake Oswego, OR 97035-0767

Site Address: 2164 NW HOYT ST

Legal Description: BLOCK 18 LOT 11&14 TL 7200, KINGS 2ND ADD
Tax Account No.: R452303110
State ID No.: 1N1E33BD 07200
Quarter Section: 3027

Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: Nob Hill, contact Nob Hill at nobhillportland@gmail.com.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest
Other Designations: Contributing Resource to the Alphabet Historic District

Zoning: RH – Residential High Density

Case Type: HR – Historic Resource Review
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant proposes a three level wood sleeping porch structure on the rear (south) elevation of the historic Housman Apartment building. The application describes the removal of the remnant deck portions that exist on the façade currently. Following the original construction drawings of the building, the applicant proposes a deck with solid, lap clad railings and a composition shingle roof. The proposal requires Community Design Guidelines and Historic Alphabet District Design Guideline Addendum review because of its location in the Alphabet 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:

- Community Design Guidelines
- Historic Alphabet District Community Design Guideline Addendum

ANALYSIS

Site and Vicinity: The subject site is located on the south side NW Hoyt Street between NW 21st and NW 22nd Avenues within the Historic Alphabet District. The Alphabet Historic District is a densely populated neighborhood of historic mansions and apartment buildings and tree lined streets. The 8,000 square foot lot is developed with a 3-story apartment building with a full basement. The remainder of the property is landscaped with parking provided off site. The surrounding neighborhood to the north and south is also high density residential and developed mix of single family swelling and apartment buildings. To the east and west of the site along NW 23rd and NW 21st Avenues are commercial corridors lined with storefront retail businesses. NW Hoyt is primarily residential with mostly apartments on the south side of the street with the subject property.

Zoning: The RH zone is a high-density multi-dwelling residential zone. Certain retail sales and service and office uses are allowed as conditional uses to provide mixed-use development on larger sites that are close to light rail transit facilities. The maximum residential density is limited to a FAR of 2:1 on this site, and the minimum density is one unit per 1,000 square feet of site area. Newly created lots in the RH zone must be at least 10,000 square feet in area for multi-dwelling development, 3,000 square feet for development with detached houses, 800 square feet for development with attached houses, and 2,000 square feet for development with duplexes. Minimum lot width and depth standards may apply.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks. The regulations that pertain to these properties protect certain historic resources in the region and preserve significant parts of the region's 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 that prior land use reviews include the following:

LU 09-108321 HDZ – Historic Design Review for Window Infill.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **May 3, 2016**. The following Bureaus have responded with no issues or concerns about the proposal:

No agencies responded to this proposal.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **May 3, 2016**. 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 located within the Alphet Historic District and the proposal is for a non-exempt treatment. Therefore Historic Resource Review approval is required. The approval criteria are the *Community Design Guidelines* and *Historic Alphet District Community Design Guidelines Addendum*.

Staff has considered all guidelines and addressed only those applicable to this proposal.

Historic Alphet District - Community Design Guidelines Addendum

1. Historic Changes. Most properties change over time; those changes that have acquired historic significance will be preserved.

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 Alphet District.

Community Design Guidelines

P1. Plan Area Character. Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and traditions.

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.

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.

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.

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: Alphabet District Addendum 1, 2,3 and Community Design Guidelines P1, P2, D6, D7 and D8

The applicant proposes to restore the sleeping porches that once existed on the rear of the historic Housmann Apartments. Sleeping porches were common in the Alphabet Historic District and around the country in the late 19th and early twentieth century. The subject building had one that spanned each level of the property but little of that original structure is left. This project will use the original plans and quality building materials, namely wood, to recreate the porch. This will restore a key character defining feature of the building and make it a better record of its time. While this involves removing some the existing porch remnants, which may be from the historic era, a completely restored porch better fits within the original design context of the building and the neighborhood. The new porch should not be differentiated from the building since it is a historic feature. *Therefore these criteria are met.*

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

This restoration project enhances the historic character of the district and the historic building by bringing back a lost character defining feature. *For this reason and those cited in the findings this project warrants approval.*

ADMINISTRATIVE DECISION

Approval of wooden sleeping porches, following the original design drawings of the structure, on the rear elevation, per the approved site plans, Exhibits C-1 through C-5, signed and dated May, 31, 2016 subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-140713 HR ." No field changes are allowed.

Staff Planner: Mike Gushard



Decision rendered by: _____ **on May 31, 2016**

By authority of the Director of the Bureau of Development Services

Decision mailed June 3, 2016

Procedural Information. The application for this land use review was submitted on March 25, 2016, and was determined to be complete on .

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 25, 2016.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: August 31, 2016.**

Some of the information contained in this report was provided by the applicant.

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

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

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

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

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

Recording the final decision.

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **June 27, 2016**. The applicant, builder, or a representative may record the final decision as follows:

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

For further information on recording, please call the County Recorder at 503-988-3034

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-7617.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

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

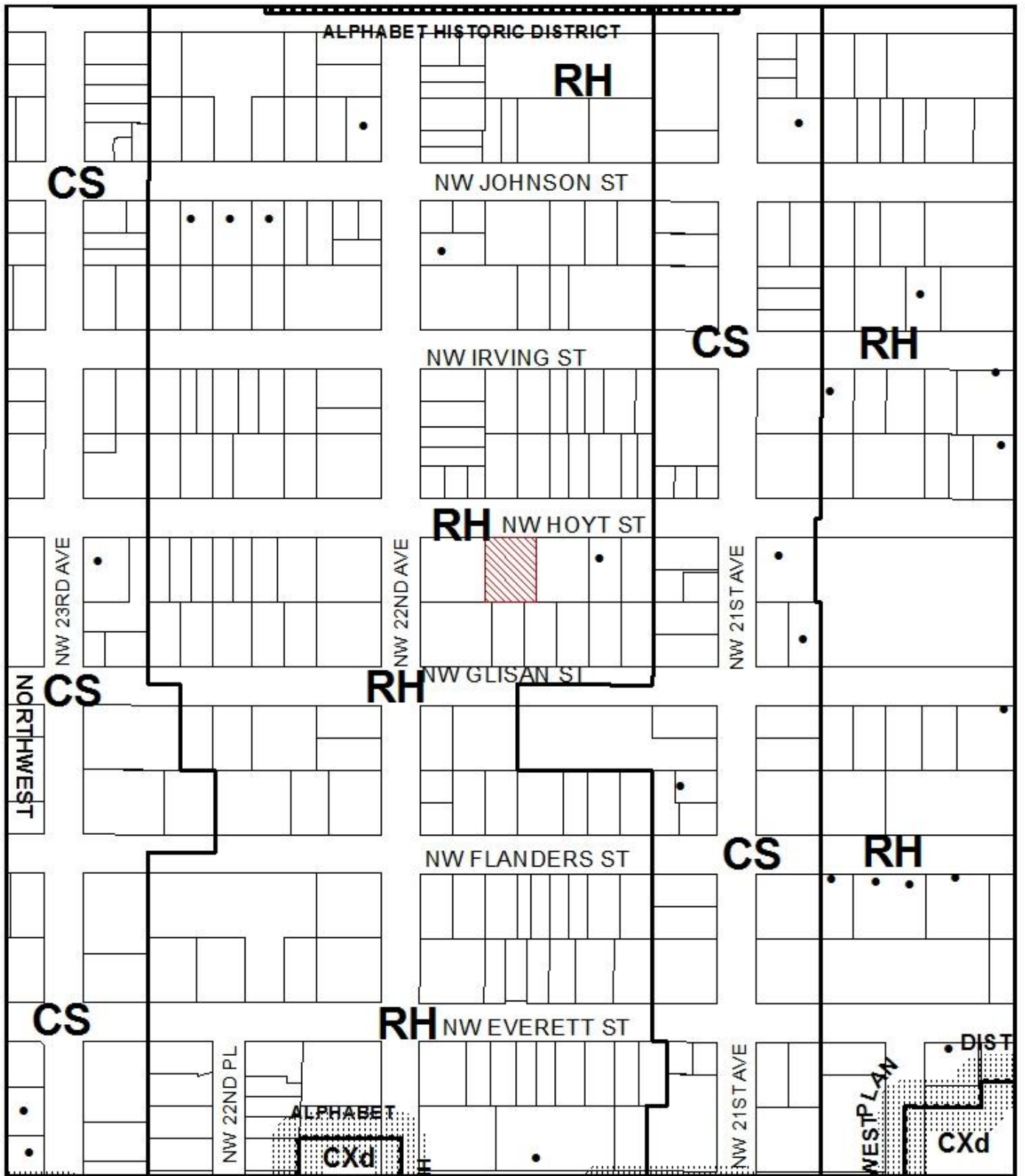
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Narrative
 - 2. Historic Construction Drawings
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Existing Elevations
 - 3. Proposed Elevations (attached)
 - 4. Floor and Deck Sections
 - 5. Wall Section
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- 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

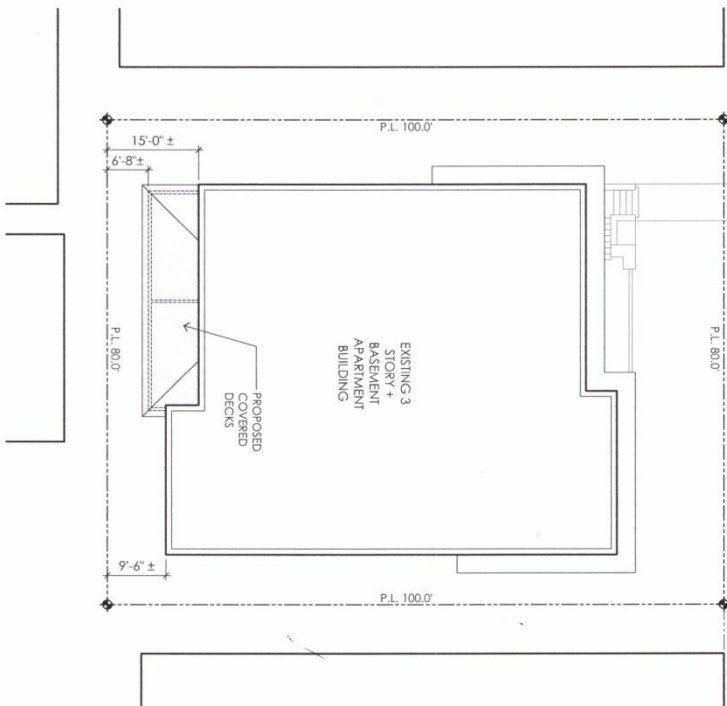
This site lies within the:
 NORTHWEST PLAN DISTRICT
 ALPHABET HISTORIC DISTRICT

-  NORTH
-  Site
-  Historic Landmark

File No.	LU 16-140713 HR
1/4 Section	3027
Scale	1 inch = 200 feet
State_Id	1N1E33BD 7200
Exhibit	B (Mar 28, 2016)



PRELIMINARY SITE PLAN



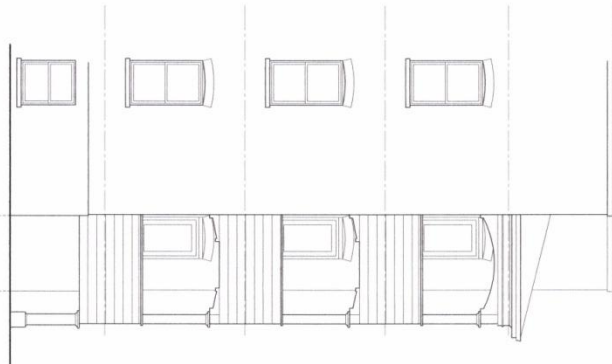
SW HOYT ST

Approved
City of Portland, Bureau of Development Services
Planner *[Signature]* 5/31/2016
* This approval, when issued, is subject to all conditions of approval and is subject to all conditions of approval and is subject to all conditions of approval.

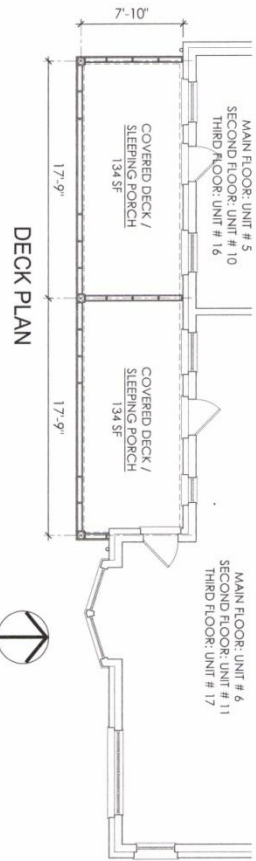
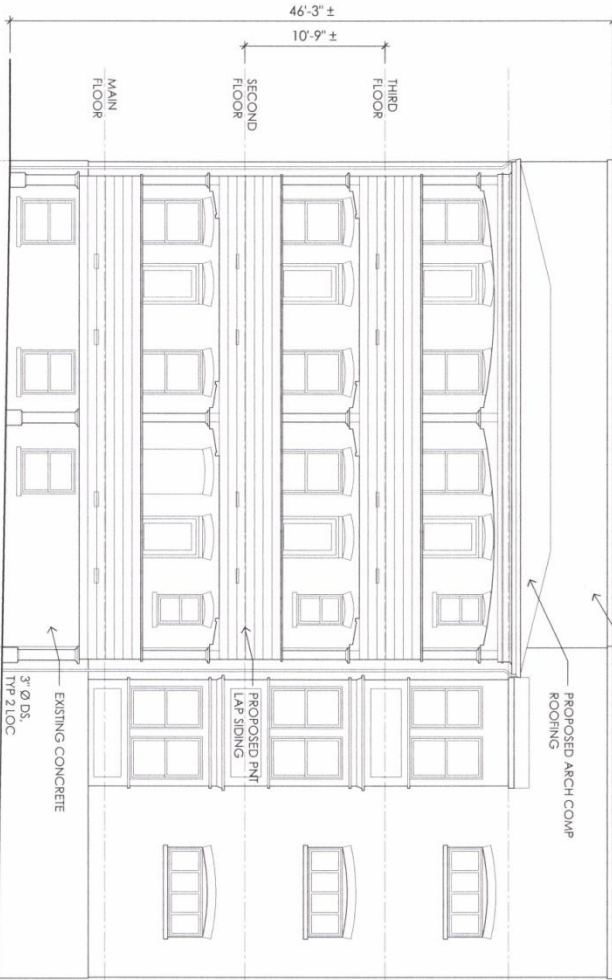
16-140713 r/c

CI

PARTIAL WEST ELEVATION



SOUTH ELEVATION



Approved
City of Portland - Bureau of Development Services
Planner [Signature] Date 5/31/2016
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

1616-140713 H&C
C3