



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
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Date: November 10, 2016
To: Interested Person
From: Hannah Bryant, Land Use Services
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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 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 16-217728 HR
ENCLOSED REAR PORCH

GENERAL INFORMATION

Applicant: Shane Patrick | Neil Kelly Design
804 N. Alberta Street
Portland, OR 97217

Owner: Paul & Andrea Cedfeldt
2408 NE 18th Avenue
Portland, OR 97212-4244

Representative: Barbara Miller | Neil Kelly Company
15573 SW Bangy Road
Lake Oswego, OR 97035

Site Address: **2408 NE 18TH AVE**

Legal Description: BLOCK 37 LOT 16, IRVINGTON
Tax Account No.: R420408020
State ID No.: 1N1E26DB 09500
Quarter Section: 2832
Neighborhood: Irvington, contact Dean Gisvold at 503-284-3885.
Business District: North-Northeast Business Assoc, contact at chair@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Zena Rockowitz at 503-388-5070.

Plan District: None
Other Designations: Contributing resource in the Irvington Historic District
Zoning: R5, Residential 5000 – 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 the proposal to enclose the north and east openings of the rear porch under the existing single story roof. The subject property is the 1909 Louis Carnaham house on NE 18th Avenue, a contributing property in the Irvington Historic District. The rear elevation of the home has previous modifications including enclosing the original second story sleeping porch, and a two-story addition that projects into the original porch footprint.

The proposal is to enclose the porch with a low wall the height of the existing north knee wall, topped with a band of wood, double-hung windows. The existing corner column will still be legible from the street, contrasting with the band of windows. These original features: the knee wall height, the columns, and the existing roof, are proposed to be retained so this area will read from the street as a former porch, and not as part of the original enclosed footprint of the house.

Historic Resource Review is required because the proposal is for non-exempt exterior alterations on a primary structure in a historic district.

Relevant Approval Criteria:

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

- 33.846 Historic Resource Review
- ~~33.846.060 G Other Approval Criteria~~

ANALYSIS

Site and Vicinity: The subject resource is identified in the National Register documentation as the Louis Carnaham house, a 1909 Craftsman style residence on a 7,500 sq. ft. lot. The house is a contributing resource to the Irvington Historic District. The house features a hip roof with front and rear dormers, and a porch across the front elevation along NE 18th Ave. A rear upstairs sleeping porch and main level porch were previously enclosed in 2010. The remaining open rear porch is proposed to be enclosed. The site is on the east side of NE 18th Ave, north of NE Thompson St and south of NE Brazee St. The Portland Transportation System Plan designates NE 19th Ave as a Local Service Walkway and a Local Service Bikeway. There are no Transit or Traffic designations for NE 18th Ave and the site is not within a Pedestrian District.

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. 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.

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 no prior land use reviews, however prior to the historic district nomination on October 22, 2010:

- RS 10-186797 – Residential permit issued to enclose rear sleeping porch; relocate upper hall and bathroom; create new master bath; relocate main staircase.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **October 21, 2016**. The following Bureaus have responded with no issues or concerns:

- Bureau of Transportation: Molly Awram, October 26, 2016. No concerns (Exhibit E-1)
- Bureau of Environmental Services: Staff, October 24, 2016. No concerns (Exhibit E-2)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on October 21, 2016. No written responses have been received 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 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.
- 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.
- 3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.

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.

Findings for 1, 2, 3 and 8: The proposed project will enclose the remaining open portion of the original rear deck. A previous 2010 addition and remodel enclosed the southern half of the deck, which cut off access from the garage and driveway to the rear door. While the previous alterations enclosed the porch utilizing the material palette and architectural expression of the house, the proposed porch enclosure will be a band of windows, infilling the existing space between the house envelope and columns. The original porch will be legible through the alterations, and will continue to serve as a record of its time. The historic character of the property will be evident, and the scale and style of the proposed changes are consistent with a typology of enclosed porches that is frequently found in the neighborhood. *Therefore, these criteria are met.*

4. Historic features. Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.

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.

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 for 4, 5 and 7: Historic materials will be protected and no chemical or physical treatments will be used. The new features are proposed to be of wood construction and will be consistent with the existing wood windows, trim, moulding and siding found on the adjacent house walls. While the proposed alterations will match the existing features in material, design and color, it will read as being of this time due to its modern construction, materials and glazing. *Therefore, these criteria are met.*

9. Preserve the form and integrity of historic resources. New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.

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 9 and 10: The proposed alterations do not significantly impact the overall form and integrity of the historic contributing resource. The enclosure of the rear porch can be removed in the future to return to the original roofline and massing of the resource. In addition, the proposed alterations to the rear elevation are compatible with the architecture, size and scale of the resources, ensuring that this resource remains contributing and an asset to adjacent neighbors as well as the Irvington Historic District as a whole. *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

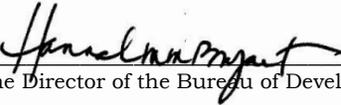
The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. With the proposed conditions of approval, this proposal meets the applicable Historic Resource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

ADMINISTRATIVE DECISION

Approval of proposal to enclose open rear porch with band of windows and new exterior door, per the approved site plans, Exhibits C-1 through C-6, signed and dated 11/8/2016, 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.6. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-217728 HR. No field changes allowed."

Staff Planner: Hannah Bryant

Decision rendered by:  **on November 8, 2016**
By authority of the Director of the Bureau of Development Services

Decision mailed: November 10, 2016

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 August 5, 2016, and was determined to be complete on October 13, 2016.

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 August 5, 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.

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 November 28, 2016** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **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 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 **November 29, 2016.**
- 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:

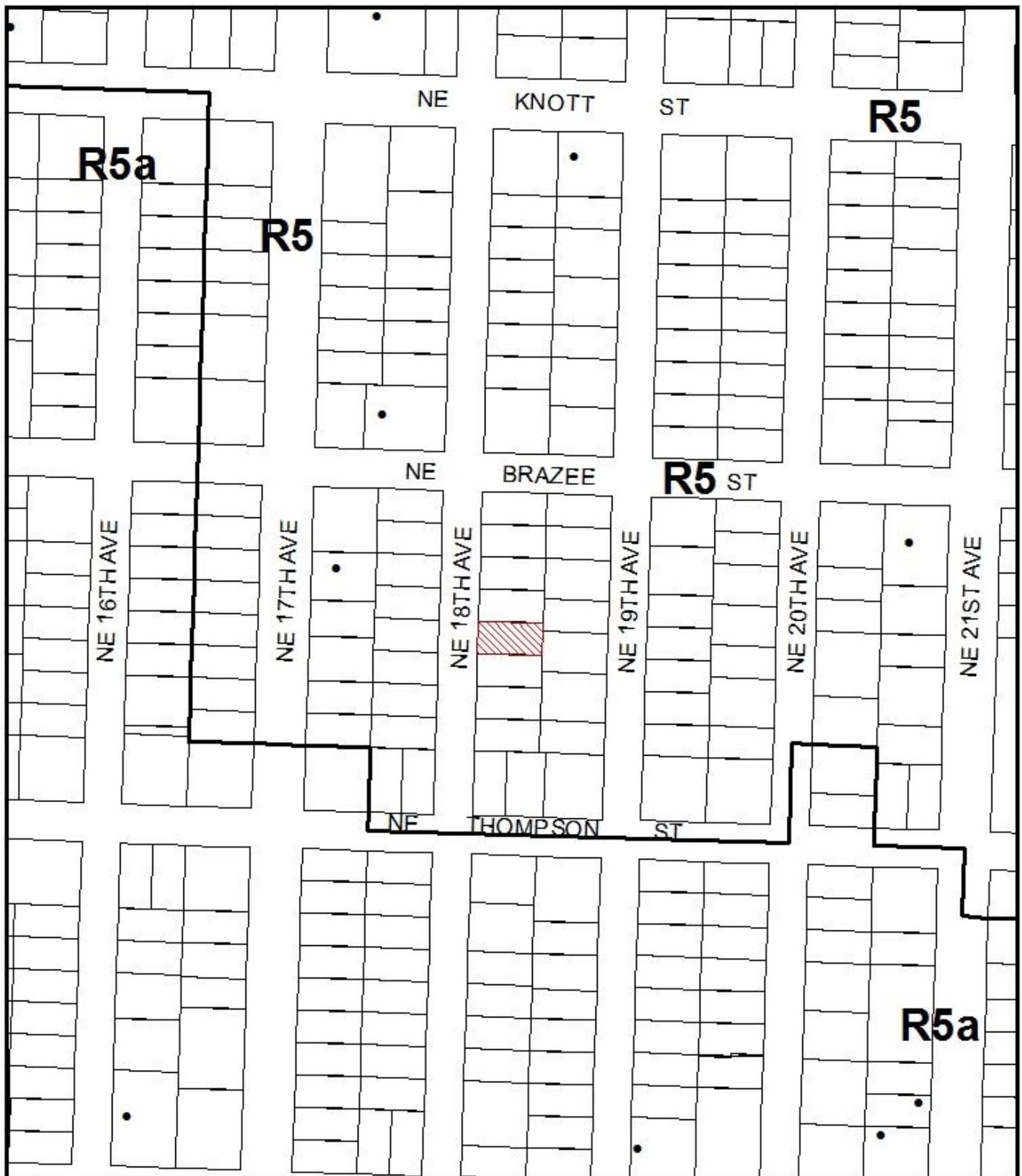
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 1. Final Submittal, October 13, 2016
 2. Revised Submittal, September 13, 2016
 3. Wood Door Cutsheet
 4. Original Submittal
 5. Applicant's Narrative
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Proposed North Elevation
 3. As-Built and Proposed East Elevation
 4. Proposed Kitchen Plan
 5. Window Details
 6. Trim Details
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Bureau of Transportation
 2. Bureau of Environmental Services
- F. Correspondence: None
- G. Other:
 1. Original LU Application
 2. Site Photos
 3. Historic Site Record

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)



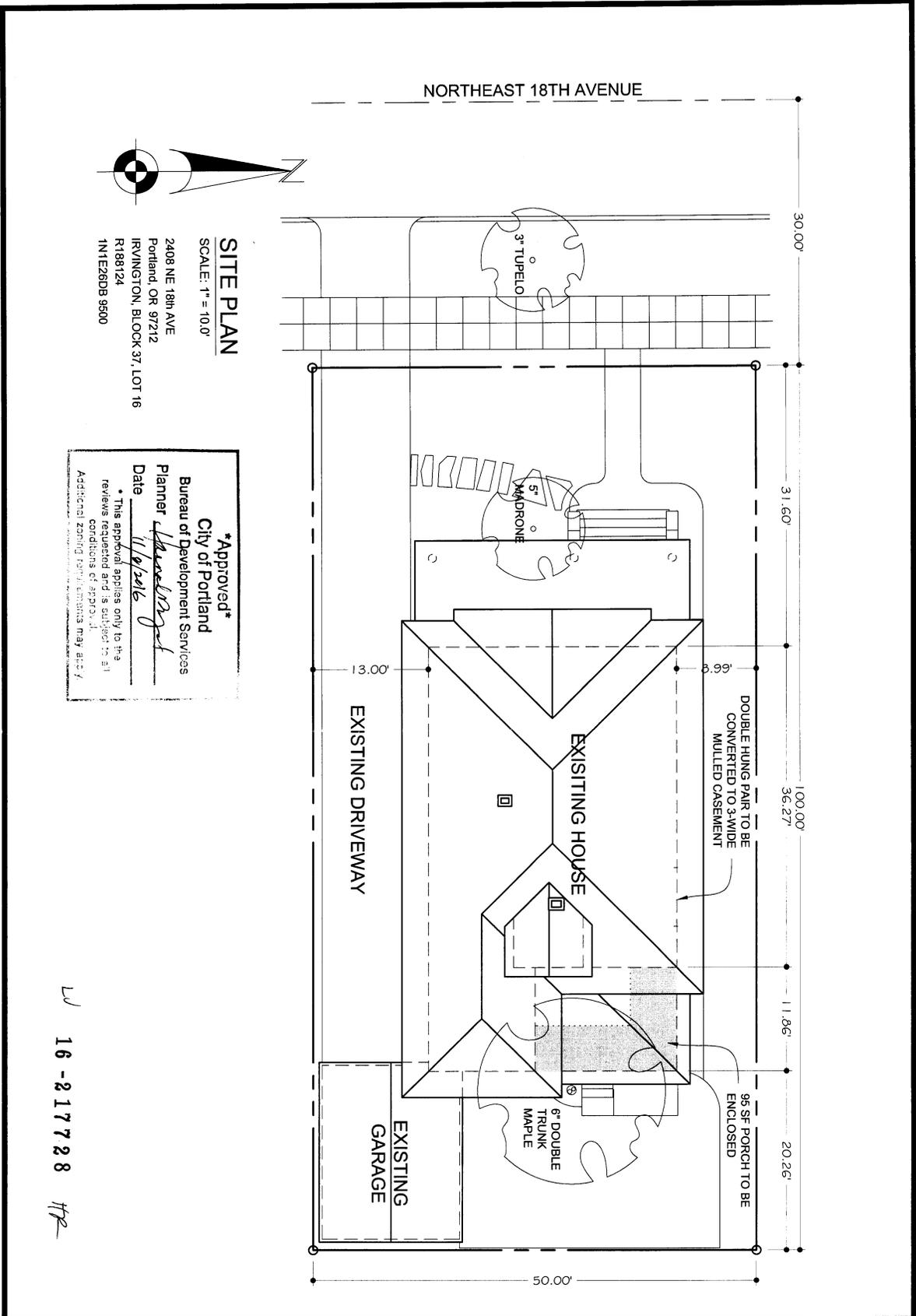
ZONING



This site lies within the:
IRVINGTON HISTORIC DISTRICT

-  Site
-  Historic Landmark

File No. LU 16-217728 HR
 1/4 Section 2832
 Scale 1 inch = 200 feet
 State_Id 1N1E26DB 9500
 Exhibit B (Aug 08, 2016)



SITE PLAN
 SCALE: 1" = 10.0'

2408 NE 18th AVE
 Portland, OR 97212
 IRVINGTON, BLOCK 37, LOT 16
 R188124
 1N1E26DB 9500



Approved
 City of Portland
 Bureau of Development Services
 Planner *Handwritten Signature*
 Date *11/9/2016*

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

LD
 16-217728 *HP*

04 August 2016

PAGE
1 of 8
 SITE PLAN
5-1

LUR - Historic Resource Review for:
Paul & Andrea Cedefeldt
 2408 NE 18th Ave
 Portland, Oregon 97212
 Consultant: Barbara Miller
 Building Design Specialist: Shane Patrick

Drawn: 04 AUG 16 3P
 Revised:
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 Revised:

Neil Kelly
 Design/Build Remodeling
 804 North Alberta Street; Portland, OR 97217
 (503) 288-7461
 OR CCB# 001663 / WA L&J# NEILKCI 18702