



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

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Date: June 27, 2017
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 17-139971 HR – ALPHABET DISTRICT PORCH RECONSTRUCTION

GENERAL INFORMATION

Applicant: Irie Searcy | Neil Kelly
804 N Alberta Street
Portland, OR 97217

Owners: Gordon H Depaoli & Domenico R Depaoli
1703 NW Hoyt Street
Portland, OR 97209

Site Address: **1703 NW Hoyt Street**

Legal Description: BLOCK 162 E 33 1/3' OF LOT 1 S 16 2/3' OF E 33 1/3' OF LOT 4, COUCHS ADD

Tax Account No.: R180214390
State ID No.: 1N1E33AC 03900
Quarter Section: 2928

Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: Nob Hill, contact Nob Hill at nobhillportland@gmail.com.; Pearl District Business Association, contact Carolyn Ciolkosz at 503-227-8519.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest
Other Designations: Contributing Resource in the Alphabet Historic District
Zoning: RH – High Density Residential
Case Type: HR- Historic Resource Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant seeks Historic Resource Review approval for a porch reconstruction on a contributing resource in the Alphabet Historic District. Constructed in 1902, the Hector and Susan Morrison house is a two and a half story home in the Vernacular Queen Anne style. The front porch is described in Portland's Historic Resource Inventory as a character-defining feature of the home. Supported by three Tuscan columns, with a Classic entablature and dentils, the porch spans the entire first-floor street facing façade.

The historic resource review is required for the replacement of wood bannisters and railings. The proposed bannisters and railings will match the existing in material, profile and installation. However, the proposed railings will be 36 inches tall to meet current building code requirements. This is taller than the existing railings.

Relevant Approval Criteria:

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

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

ANALYSIS

Site and Vicinity: The site is a 2,278-sf corner lot with frontage south onto NW Hoyt as well as NW 17th Avenue on its east side. The adjacent block of NW 17th forms the boundary of the Alphabet Historic District, so buildings across to the east across the street are not in the District. Constructed in 1902, the existing development is a 2 and 1/2 story wood-framed residence, which is designated a primary contributing resource within the Alphabet Historic District. The vernacular Queen Anne style home has a rectilinear plan, a concrete foundation, and a gabled roof with intersecting gables and dormers. The pedimented front gable is clad in wood shingles, with lap siding and wood shingles on the other facades. The front porch is supported by three Tuscan columns and has a classic entablature and dentils.

The home is located on a block with numerous other contributing homes of a similar era and size. Eight of the surrounding homes were constructed at the same time (1890) by Hermann Trenkmann. The immediate area historically has been a vigorous mix of commercial, institutional, light industrial, and residential uses. To the north are residential and small one and two story industrial/commercial buildings. To the east is I-405 with the 13th Avenue warehouse district beyond. To the south is a former Swedish Evangelical Church, now listed on the National Register and adapted as a brewpub/theater. Adjacent and farther south are commercial retail buildings. To the west is the Alphabet Historic District, a mixed use residential neighborhood with single-family homes, apartment buildings, churches and schools, and commercial uses.

Zoning: The High Density Residential (RH) is a high density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are regulated by floor area ratio (FAR) limits and other site development standards. Generally, the density will range from 80 to 125 units per acre. Allowed housing is characterized by medium to high height and a relatively high percentage of building coverage. The major types of new housing development will be low, medium, and high-rise apartments and condominiums. Generally, RH zones will be well served by transit facilities or be near areas with supportive commercial services. Newly created lots in the RH 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 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.

The Northwest Plan District implements the Northwest District Plan, providing for an urban level of mixed-use development including commercial, office, housing, and employment. Objectives of the plan district include strengthening the area’s role as a commercial and residential center. The regulations of this chapter: promote housing and mixed-use development; address the area’s parking scarcity while discouraging auto-oriented developments; enhance the pedestrian experience; encourage a mixed-use environment, with transit supportive levels of development and a concentration of commercial uses, along main streets and the streetcar alignment; and minimize conflicts between the mixed-uses of the plan district and the industrial uses of the adjacent Guild’s Lake Industrial Sanctuary.

Land Use History: City records indicate that prior land use reviews include the following:

- LU 15-238626 HR – Historic Resource Review for a porch enclosure. Application was canceled prior to the Public Notice.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **April 18, 2017**. The following Bureaus have responded with no issues or concerns:

- Life Safety
- Fire Bureau
- Site Development Section of BDS

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on April 18, 2017. One response was received via voicemail from a notified property owner in response to the proposal.

Stephanie Thurman, May 1, 2017 – Approves the alteration they are proposing.

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 Alphabet 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 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.
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.

Findings for 1 & 2: At the time of construction, it was typical to construct 30-32” high railings. However, current building code requires a 36” railing. The applicant proposes to raise the porch railing and stair handrail to meet current building code. New replacement wood railings will match the existing in material and finish. However, the railing will no longer butt into the wall below the window trim, but will require the introduction of a new wood post to support it, as it ends in front of the window trim. This detail is not historic, and will clearly differentiate the new railing from the original. However, its minimally-visible location, combined with the safety benefits of a code-required railing height, support the introduction of this non-historic detail. All other existing character-defining porch elements, including the stairs, porch decking, porch columns, trim and dentil detailing are proposed to remain. *These guidelines are met.*

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: This proposal is for one non-exempt component of a larger historic restoration of the existing, character-defining porch. This project is designed to restore and protect original materials and detailing after an earlier porch enclosure (since removed) resulted in damage to the original railings. Condition D specifies that any damage revealed through the removal of the existing railings will be repaired. The restoration of the porch, through preservation of original materials and replacement of the railings with a system of comparable material, profile and detailing, increases compatibility with the historic home, the surrounding landmark homes, and the historic district. *With Condition D, requiring that previous siding damage due to attached railings is repaired or replaced, this guideline is met.*

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 for P1, P2, D6, D7 and D8: Constructed in 1902, the home is constructed within the period of significance for the Alphabet Historic District, and is considered a good example of the Queen Anne Vernacular style. Restoration of the character-defining porch and its original wood columns serves to enhance the sense of place and historic identify of the home, neighborhood and district. In this style home, and particularly on this block, porches are detailed and trimmed in high-quality wood components. Restoration and replacement of the existing wood decorative porch elements on this site

will blend into the neighborhood, while maintaining architectural integrity, interest, quality and composition.

The wood replacement railings will be mounted approximately 6” higher than the existing. While this does impact the street-facing façade, the matching profile of the rails, cap and balusters will result in minimal change to the proportions or details. The most significant difference will be at the rear of the porch, where the railing meets the exterior face of the home. The taller railing will no longer butt into the wall beneath the window trim, but will require the introduction of a new, secondary post to support the railing as it ends in front of the window. This detail is clearly not the original historic construction, however, the location at the rear of the porch means it will be difficult to see from the public right-of-way and therefore does not detract from the home’s contribution to the historic district. Any holes, damage or visual evidence of the previous railing attachments will be repaired or replaced with new siding, per Condition D. *Therefore, with the inclusion of Condition D these guidelines are met.*

E3. The Sidewalk Level of Buildings. Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building features, creating effective gathering places, and differentiating street level facades.

Findings: The home is located on a tree-lined block flanked with beautiful historic homes of a similar era and scale. Every single home across the street is a historic landmark. The scope of this proposal, and the larger planned porch restoration project, serve to enhance and differentiate this street level façade. *This guideline is 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. The proposed porch renovation and increased railing height from 30” to 36” serves to protect the existing historic resource while providing a necessary safety update to facilitate its current and future use. With the proposed conditions of approval, this proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of front porch restoration and replacement of existing railing with a 4” taller railing, per the approved site plans, Exhibits C-1 through C-6, signed and dated June 23, 2017, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through D) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 17-139971 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.
- D. To patch the area below the window, where existing railings have been mounted to the wall, existing siding to be replaced with wood siding to match existing in thickness, reveal and all other dimensions. The new siding pieces shall be a minimum of 24” long, with vertical joints offset by at least 12” from all joints within three courses above and below.

Staff Planner: Hannah Bryant

Decision rendered by:  **on June 23, 2017**
By authority of the Director of the Bureau of Development Services

Decision mailed: June 27, 2017

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 23, 2017, and was determined to be complete on April 13, 2017.

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 23, 2017.

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 July 11, 2017** 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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **July 12, 2017** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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

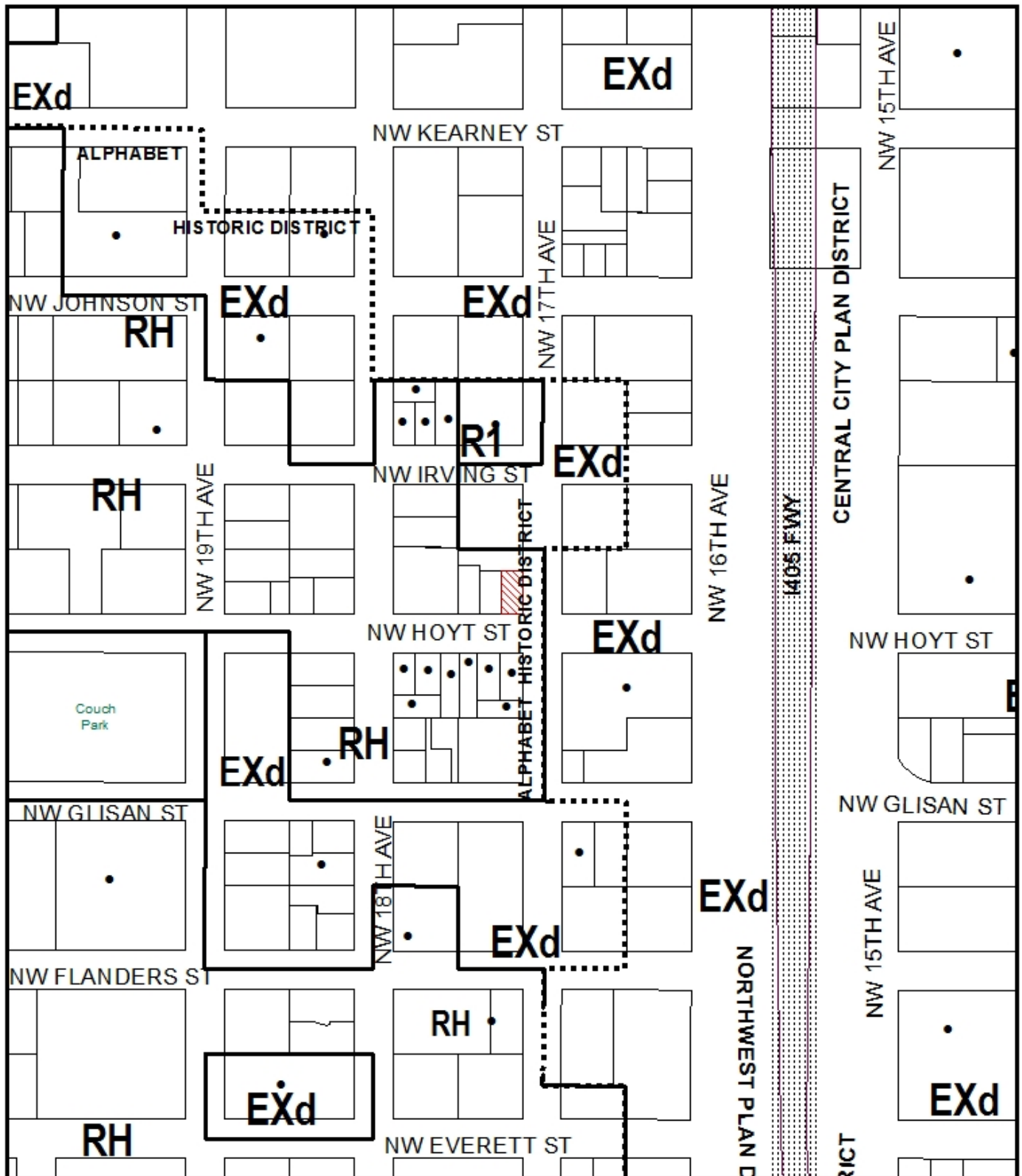
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
 1. June 2, 2017 – railing connected to wall option (3 pages)
 2. May 18, 2017 – railing post option
 3. April 30, 2017 – applicant narrative & photos
 4. March 23, 2017 – original submittal
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Porch Plan
 3. Existing Porch, West Elevation
 4. Existing Porch, South Elevation
 5. Proposed Porch, West Elevation
 6. Proposed Porch, South Elevation
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Life Safety
- F. Correspondence: None
- G. Other:
 1. Original LU Application
 2. May 12, 2017, Email from Applicant, requesting to put application on hold
 3. May 23, 2017, Email from Applicant, requesting to keep application on hold

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
 ALHABET HISTORIC DISTRICT

- Site
- Historic Landmark

File No.	LU 17-139971 HR
1/4 Section	2928
Scale	1 inch = 200 feet
State_Id	1N1E33AC 3900
Exhibit	B (Mar 28, 2017)

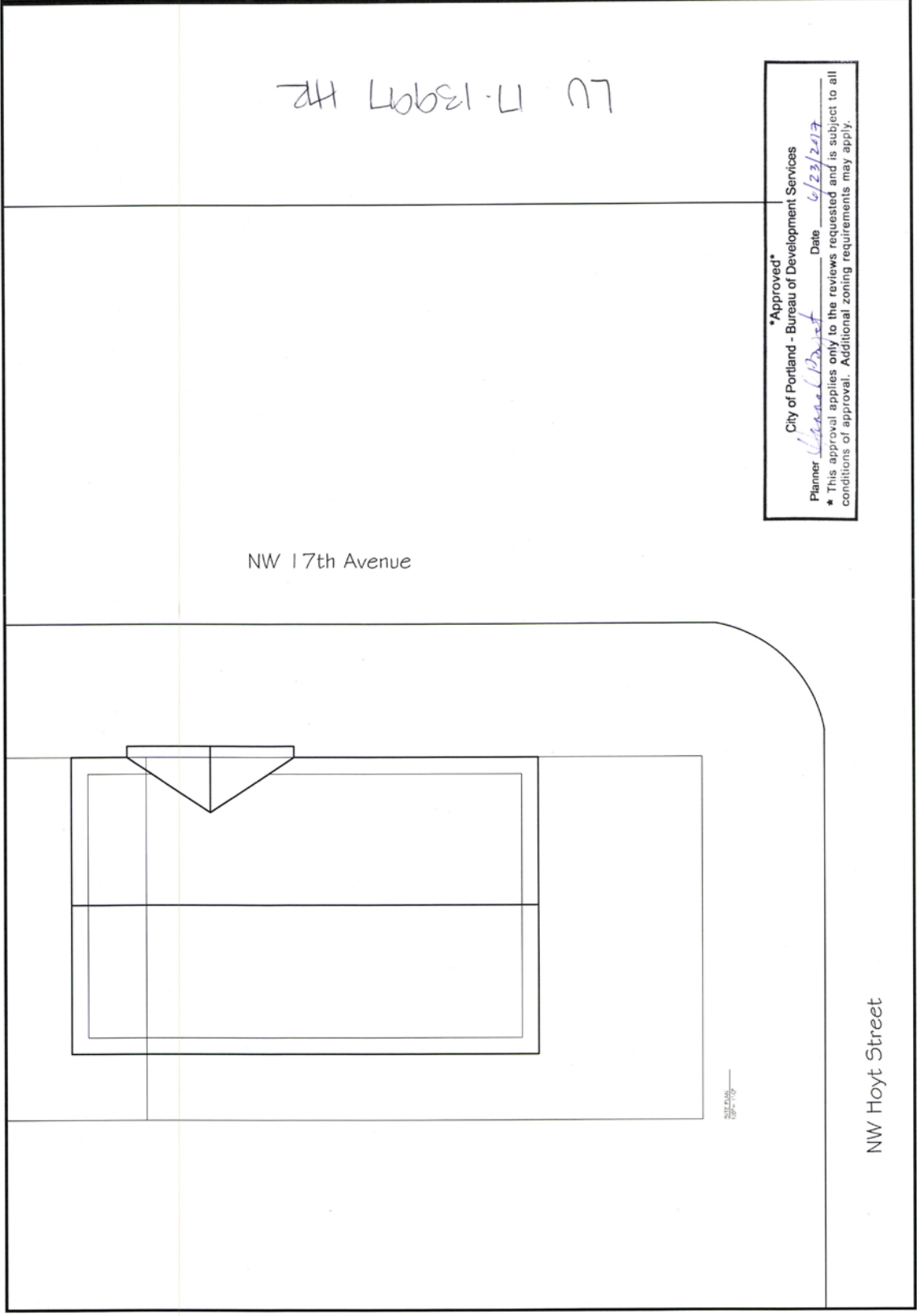
Neil Kelly
Design/Build Remodeling
804 North Alberta Street, Portland, OR 97217
(503) 288-7461
OR CCR# 001663 / WA L» NEHLKCI 18702

Drawn: 7/19/16 IS
Revised: 4/20/17 IS
Revised
Revised
Revised
Revised
Revised

Remodeling Project For:
Nico Depaoli
1703 NW Hoyt Street
Portland, OR 97209
Consultant: Rick Swedblom
Project Manager:

PAGE
1 of 6
Site Plan

19 July 2016



Approved
City of Portland - Bureau of Development Services
Planner *Christina P. ...* Date *6/23/2017*
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

C.1