



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

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Date: September 15, 2017
To: Interested Person
From: Emily Hays, 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 17-217583 HR – NEW ROOF

GENERAL INFORMATION

Applicant/Owner: Aaron R Crane
2527 NE Brazee Street
Portland, OR 97212
503-779-4769
ac92163@gmail.com

Site Address: **2527 NE Brazee Street**

Legal Description: BLOCK 4 LOT 7&8, BRAZEE ST ADD
Tax Account No.: R098900920
State ID No.: 1N1E25CB 03200
Quarter Section: 2833

Neighborhood: Irvington, contact Dean Gisvold at 503-284-3885.
Business District: Soul District Business Assoc (formerly N/NE), contact at outreach@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Jessica Rojas at 503-388-5030.

Plan District: None
Other Designations: Contributing Resource in the Irvington Historic District

Zoning: **R5** – Residential 5,000 Single Dwelling Zone
Case Type: **HR** – Historic Resource Review
Procedure: **Type II**, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicant is seeking Historic Resource Review approval for alterations to a contributing structure in the Irvington Historic District. The proposal includes replacement of non-original bar tile roofing with a composite shingle product. Existing bar tiles have been significantly damaged, allowing moisture to penetrate the roof.

Historic Resource Review is required because the proposal is for non-exempt exterior alterations on a resource in the Irvington Historic District.

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:

- Section 33.846.060.G, *Other Approval Criteria*

ANALYSIS

Site and Vicinity: The subject property is a contributing resource in the Irvington Historic District. The three-story house was built in 1911 in the Craftsman style. Based on the roof structure beneath the existing bar tile, it is likely the house originally had a cedar shake roof. The current bar tile is damaged, allowing multiple points of entry for water intrusion. The product was manufactured by a company started after the period of significance and is no longer produced.

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. 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.

Irvington Historic District Platted in the late Nineteenth Century as the first addition to Portland that employed restrictive covenants, the Irvington area developed intensely with a mix of middle class housing types and sizes during the first two decades of the Twentieth Century. 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. These patterns help to lend the neighborhood the distinctive and homogeneous historic character.

Land Use History: City records indicate no prior land use reviews for this site.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **August 21, 2017**. The following Bureaus have responded with no issues or concerns:

- Life Safety Section of BDS, See Exhibit E-1

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on August 21, 2017. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Dean Gisvold, Chair of the Irvington Land Use Committee, on August 28, 2017 wrote that the ICA land use committee has no objections 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.
- 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.

Findings: The proposed roof alteration will not damage or negatively affect the historic character of the 1911 contributing resource. No changes are being proposed to the house's overall form, roofline, or building footprint. Proposed alterations will not unnecessarily remove or cause damage to previous historic changes that have acquired historic significance. The damaged bar tiles were installed after the period of significance, are non-original, and are no longer manufactured. The owner requested assessments from two roofing companies who independently confirmed the original roofing material was cedar. None of the original material remains; the proposed composite shingle provides a lower maintenance cost, better weather protection, and will not detract from the integrity of this historic home.

The proposed alteration is consistent with the architectural character of the resource, ensuring that the contributing resource will remain a record of its time. *These guidelines have been met.*

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: Historic features will not be damaged and historic materials will be protected; chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used. *This guideline has been 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.

Findings: The new roof will replace non-original elements; the applicant provided information to confirm that the bar tile is not original to the structure. The new roof is differentiated from original elements by material, fabrication, and installation, yet is harmonious with the existing architectural vocabulary of the house and district. *This guideline has been met.*

8. Architectural compatibility. New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.

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: The proposed alterations will not destroy or negatively impact historic materials or features true to the contributing resource; if removed in the future, the essential form and integrity of the resource would be unimpaired. The new roof will be consistent in material and proportion to similar structures in the neighborhood. The proposed alteration to the resource will not interrupt the architectural organization of the house and will ensure that the structure continues to be a valuable contributing resource to the immediate adjacent neighborhood and the Irvington Historic District as a whole. *These guidelines have been 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. For the reasons stated in the findings above, this proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of Historic Resource Review for alterations to a contributing structure in the Irvington Historic District, including replacement of non-original bar tile roofing with a composite shingle product, per the approved site plans, Exhibits C-1 through C-3, signed and dated September 12, 2017, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) 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 17-217583 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.

Staff Planner: Emily Hays

Decision rendered by:  **on September 12, 2017**
By authority of the Director of the Bureau of Development Services

Decision mailed: September 15, 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 August 7, 2017, and was determined to be complete on August 15, 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 August 7, 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. Unless further extended by the applicant, **the 120 days will expire on: December 13, 2017.**

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 September 29, 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 **October 2, 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:

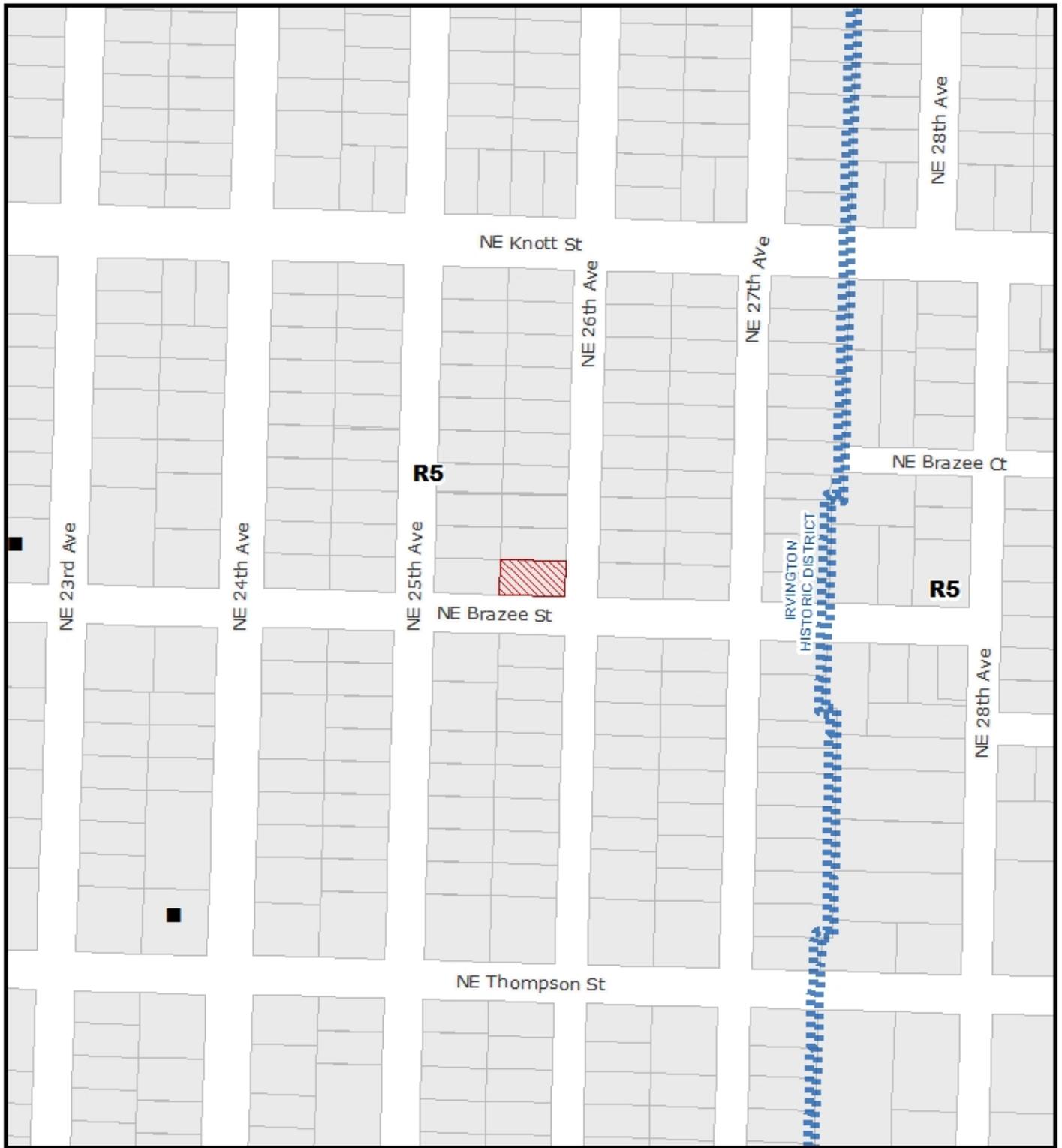
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 - 1. Memo to the Irvington Land Use Committee
 - 2. Project Description
 - 3. Aerial Photo
 - 4. Applicant's Photos
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Roof Plan
 - 3. Roof Shingle Specifications
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Site Development Review Section of BDS
- F. Correspondence:
 - 1. Dean Gisvold, August 17, 2017, ICA Land Use Committee – The ICA land use committee has reviewed this application and has no objections.
- G. Other:
 - 1. Original LU Application
 - 2. Email Correspondence, dated 9/7/17

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 17-217583 HR
1/4 Section	2833
Scale	1 inch = 200 feet
State ID	1N1E25CB 3200
Exhibit	B Aug 07, 2017

07-155742-R
N

Approved*
City of Portland
Bureau of Development Services
Planner Emily Huns
Date 9/12/17
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

City of Portland
Bureau of
Development Services
Date
Approved by
Planning and Zoning Review

2527 NE BRAZEE STREET
PORTLAND, OREGON 97212



1 EXISTING SITE PLAN PLAN
1/8" = 1'-0"

Case # 17-217583-000-00-LU

Applicant Aaron Crane

LV17-217583 HR

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