



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

Chloe Eudaly, Commissioner  
Rebecca Esau, Director  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** December 4, 2017  
**To:** Interested Person  
**From:** Emily Hays, Land Use Services  
503-823-5676 / [Emily.Hays@portlandoregon.gov](mailto:Emily.Hays@portlandoregon.gov)

## **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 17-257715 HR – REAR PORCH REMOVAL**

#### **GENERAL INFORMATION**

**Applicant:** Josh Patrick | Columbia Pacific Homes LLC  
919 NE 19th Avenue #160 N | Portland OR, 97232  
[josh@vnhar.net](mailto:josh@vnhar.net)

**Owner:** Ron Forrester  
7649 N Brandon Avenue | Portland, OR 97217

**Site Address:** **7649 N Brandon Avenue**

**Legal Description:** BLOCK 1 LOT 23&24, GRAYBROOK  
**Tax Account No.:** R339500240  
**State ID No.:** 1N1E09DC 21000  
**Quarter Section:** 2228  
**Neighborhood:** Kenton, contact Webly Bowles at [weblybowles@gmail.com](mailto:weblybowles@gmail.com).  
**Business District:** Kenton Business Association, contact Mo Bachmann at [info@kentonbusiness.com](mailto:info@kentonbusiness.com).  
**District Coalition:** North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.  
**Plan District:** None  
**Other Designations:** Contributing Resource in the Kenton Conservation District  
**Zoning:** **R5a** – Residential 5,000 with Alternative Design Density Overlay  
**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 Kenton Conservation District. The proposal is to remove the rear porch and add a landing and steps down from the door at the rear. Additionally, the door to the basement from the exterior will be removed and filled to match the foundation. The rear façade will be re-sided with 4" horizontal wood siding to match the original that remains. Original siding will be retained where possible.

Historic Resource Review is required for non-exempt alterations in the Kenton Conservation 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:

- Community Design Guidelines

**ANALYSIS**

**Site and Vicinity:** The subject property is a contributing resource in the Kenton Conservation District. The bungalow style house was built in 1925, originally sided with 4 ½” clapboard. Current cladding on the rear facade includes original clapboard material, 12’ composite shingle, and stucco.

Kenton originated as a company town. With the purchase of a local meat packing company, Swift and Company developed a meat packaging plant and the Union Stockyards near the Columbia Slough. The company also bought adjacent land for a company town. This area was developed as Kenton. The town was platted so that the prevailing winds blew the stockyard and manufacturing odors away from the residential area. Housing for laborers was generally located west of N Lombard in small houses or apartment buildings. Housing built for company executives was built east of N Denver.

The streetcar commercial buildings which line N Denver remain the center of this historic area. Many of the buildings and houses to the south consist wholly or partially of cast stone and have a storefront and streetcar character. The architectural styles are represented in California Mission, Egyptian and typical streetcar commercial. On the west side of Denver Avenue the small houses, primarily in a simple bungalow style, were built for the workers.

**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 Alternative Design Density “a” overlay is in place to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The concept for the zone is to allow increased density for development that meets additional design compatibility requirements.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region’s heritage. The regulations implement Portland’s Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region’s citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city’s economic health, and helps to preserve and enhance the value of historic properties.

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

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed on November 1, 2017. The following Bureaus have responded with no issues or concerns:

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

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on November 1, 2017. 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 Kenton Conservation 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*.

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

### **Community Design Guidelines**

**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.

**D2. Main Entrances.** Make the main entrances to houses and buildings prominent, interesting, pedestrian-accessible, and transit-oriented.

**Findings:** The subject house is a bungalow style structure with a front porch and overhanging roof eaves, found commonly on residential structures in the Kenton Conservation District. These historically significant elements, including the prominent main entrance on the front façade, will remain. The rear porch is a non-original element, as evidenced by the original siding on the rear façade within the porch enclosure. Although not necessary to meet these criteria, there is a significant amount of landscaping above a stone retaining wall along the north property line that effectively obscures views of the rear façade from the public right of way. *These guidelines have been met.*

**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:** The proposal will not significantly impact the original character of the building. Proposed materials are consistent with and respect the character of the surrounding area. The proposal attempts to unify the cladding material on the rear façade; remaining original siding will be preserved to the extent practicable, with new cedar siding to match the profile of the original clapboard. The basement door will be filled in with concrete block to match the existing foundation, with an exterior skim coat concrete veneer. New fascia and gutter will match the existing. The new wood stairs and handrail proposed at the rear stair are simply designed and appropriately scaled to the secondary entry. *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. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

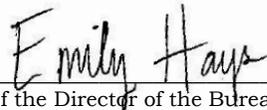
## ADMINISTRATIVE DECISION

Approval of Historic Resource Review for alterations to a contributing structure in the Kenton Conservation District, including removal of the rear porch to add a landing and steps down from the door at the rear. Additionally, the door to the basement from the exterior will be removed and filled to match the foundation. The rear façade will be re-sided with 4" horizontal wood siding to match the original that remains.

Approval per the approved site plans, Exhibits C-1 through C-4, signed and dated November 29, 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 17-257715 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 November 29, 2017**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: December 4, 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 October 18, 2017, and was determined to be complete on October 27, 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 October 18, 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: April 25, 2018.**

**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 Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on December 18, 2017** at 1900 SW Fourth Ave. Appeals can be filed at the 5<sup>th</sup> floor reception desk of 1900 SW 4<sup>th</sup> 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](http://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 Design 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 Design 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 December 18, 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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**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;

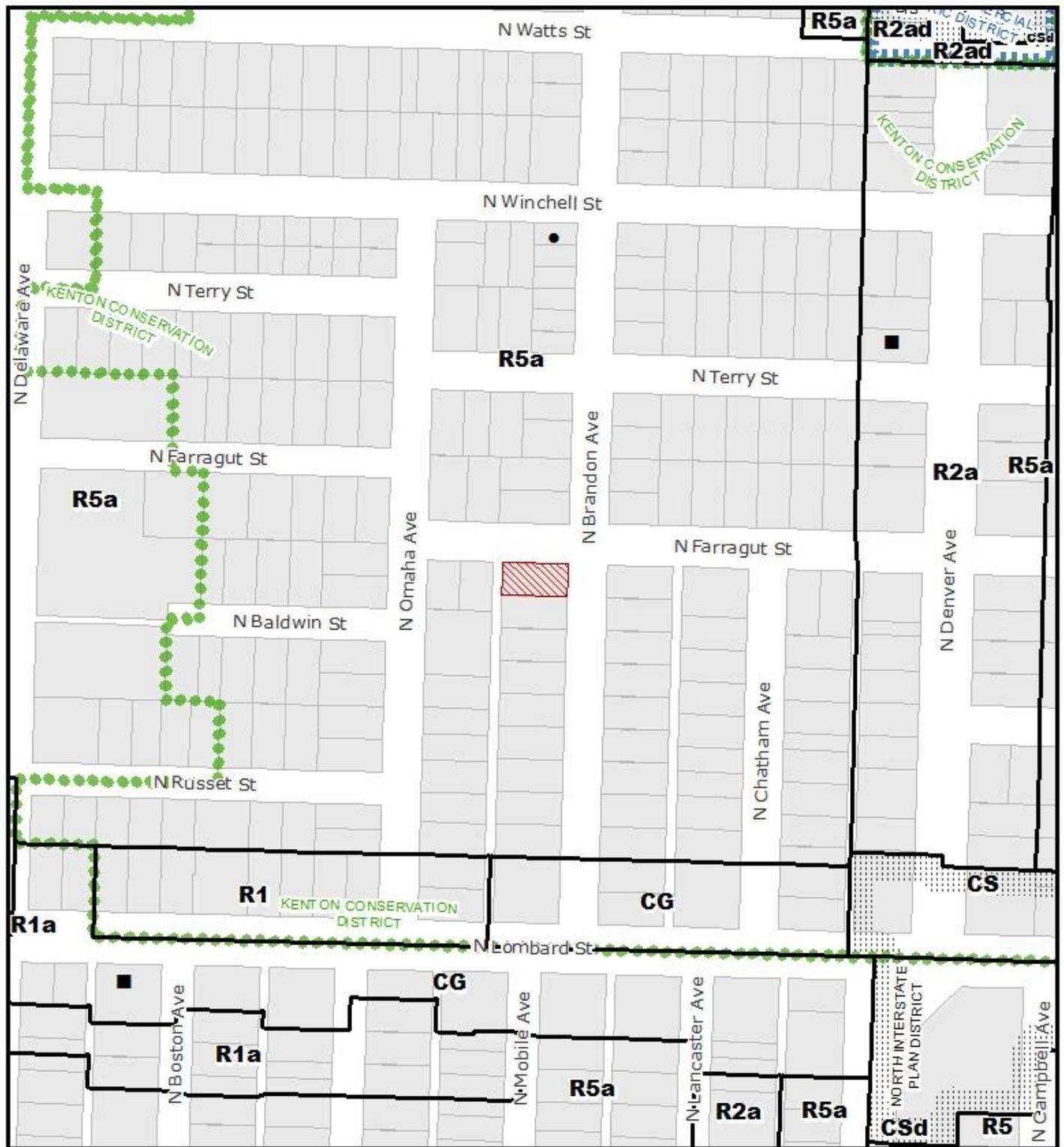
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
  - 1. Project Description
  - 2. Original Drawing Set
  - 3. Applicant's Photos
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Elevations (attached)
  - 3. Handrail Bracket s
  - 4. Handrail
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Life Safety Review Section of BDS
- F. Correspondence: None
- G. Other:
  - 1. Original LU Application
  - 2. Record of Survey for a Property Line Adjustment (PLA)
  - 3. Supplemental Plan for Associated Property Line Adjustment (PLA)
  - 4. Email Correspondence with PLA Planner
  - 5. Email Correspondence with Applicant

**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:  
 KENTON CONSERVATION DISTRICT

-  Site
-  Conservation Landmarks
-  Historic Landmark

File No.	LU 17-257715 HR
	2228
Scale	1 inch = 200 feet
State ID	1N1E09DC 21000
Exhibit	B Oct 20, 2017

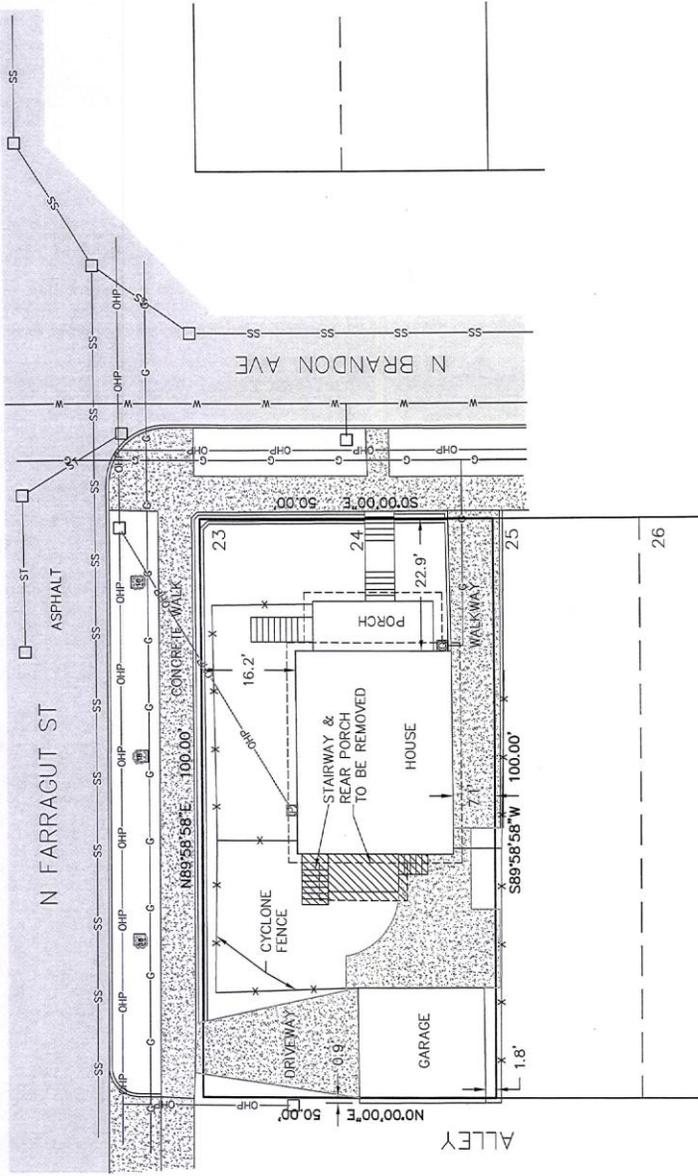
1/4 Section

NS



LEGEND SCALE 1" = 20'

- EXISTING DECIDUOUS TREE W/ TRUNK DIAMETER (INCHES)(CL=CLUSTER)
- EXISTING ELECTRIC METER
- EXISTING POWER POLE
- EXISTING OVERHEAD POWER LINES
- EXISTING WATER METER
- EXISTING UNDERGROUND WATER
- EXISTING GAS METER
- EXISTING UNDERGROUND GAS LINE
- EXISTING CATCH BASIN
- EXISTING COMBINED SEWER MANHOLE
- EXISTING STORM MANHOLE
- EXISTING COMBINED SEWER LINE
- EXISTING STORM SEWER LINE
- EXISTING FENCE
- EXISTING CONCRETE
- EXISTING ASPHALT
- TO BE REMOVED



**\*Approved\***  
 City of Portland  
 Bureau of Development Services  
 Planner EMM HMM  
 Date 11/24/17  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval.  
 Additional zoning requirements may apply.

<b>ALTERATION SITE</b>	
7649 N BRANDON AVE	
SE 1/4 SEC 9, T1N, R1E, W.M.	
CITY OF PORTLAND	
MULTNOMAH COUNTY, OREGON	
SEPTEMBER 20, 2017	
DRAWN: DMR	CHECKED: SPF
SCALE 1"=20' ACCOUNT # 196	
Z:\196-076\DWG\196076BASE	



919 NE 19TH AVE., SUITE 160, PORTLAND, OR 97232  
 P. (503) 384-2153 F. (503) 384-2177  
 CGB# 208524

W 17-257715HR

PROJECT LOCATION  
 7644 N BRANDON  
 PORTLAND, OREGON

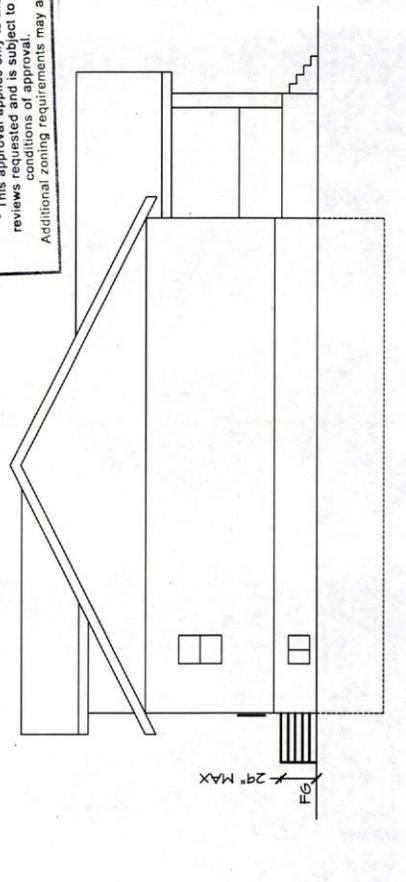
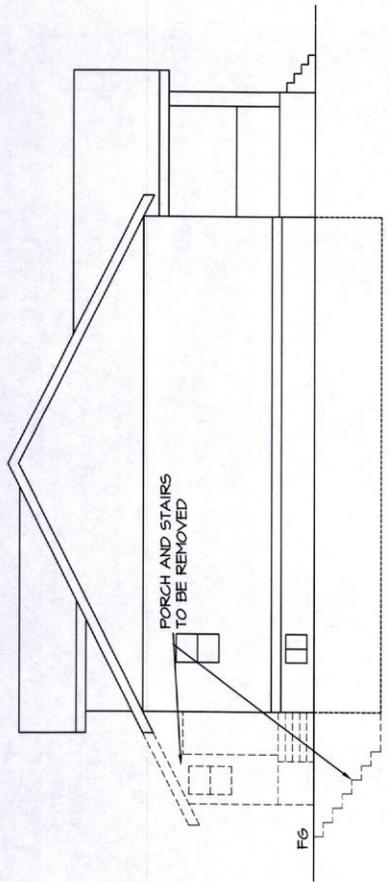
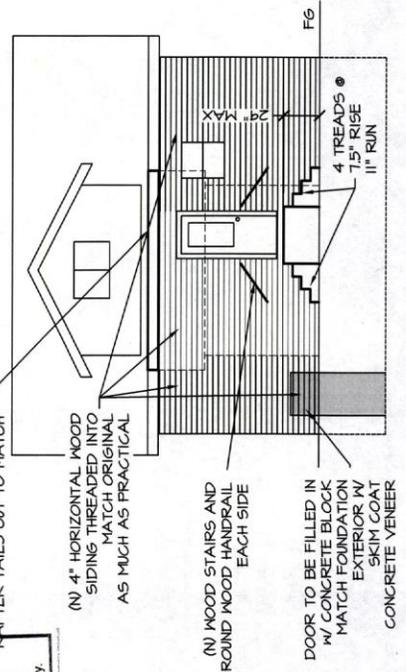
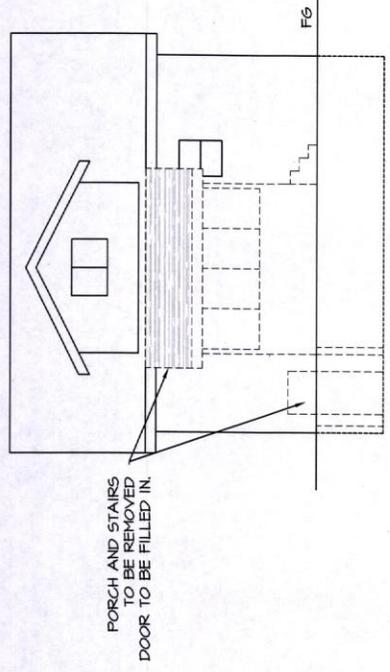
COLUMBIA PACIFIC HOMES, LLC  
 9310 NE 157th Ave., Suite 100, Portland, OR 97230  
 P: 503.944.2157 F: 503.944.2177

CONSTRUCTION DRAWINGS

DATE: 11/24/17  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]

2.1

LU 17-25715 RH 02



**\*Approved\***  
 City of Portland  
 Bureau of Development Services  
 Planner: [Signature]  
 Date: 11/24/17

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