



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

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

**Date:** January 5, 2018  
**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 I 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 17-278952 HR – EXTERIOR ALTERATIONS**

#### **GENERAL INFORMATION**

**Applicant:** Chris Davis | Chris Davis Design Architecture & Interiors  
4605 NE Fremont Street, Suite 202  
Portland, OR 97213  
[chris@chrisdavisdesign.com](mailto:chris@chrisdavisdesign.com)

**Owner:** David K Smith & Julie T Smith  
2615 NE 27th Avenue  
Portland, OR 97212-4856

**Site Address:** **2615 NE 27<sup>th</sup> Avenue**

**Legal Description:** BLOCK 3 LOT 4, KNOTT ST ADD  
**Tax Account No.:** R458800630  
**State ID No.:** 1N1E25BC 19500  
**Quarter Section:** 2733  
**Neighborhood:** Grant Park, contact Ken Peterson at [gpnalanduse@gmail.com](mailto:gpnalanduse@gmail.com).  
**Business District:** Soul District Business Association, contact at [outreach@nnebaportland.org](mailto:outreach@nnebaportland.org)  
**District Coalition:** Central Northeast Neighbors, contact Sandra Lefrancois at 503- 823-2780.

**Plan District:** None  
**Other Designations:** Contributing Resource in the Irvington Historic District  
**Zoning:** **R5** – Residential 5,000, Single-Dwelling Zone & Historic Resource Protection Overlay  
**Case Type:** **HR** - Historic Review  
**Procedure:** **Type I** - an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The applicant is seeking Historic Resource Review approval for alterations to a contributing resource in the Irvington Historic District. Proposed alterations include:

- Replace a non-original picture window on the north elevation with two new double hung wood windows, with casing to match original existing
- Replace a non-original picture window on the west elevation with a new double hung wood window, with casing to match original existing
- Replace a non-original full-lite door on the west elevation; the opening will be shifted slightly to the left
- Replace one original west facing double hung window with a pair of full-lite doors

Historic Resource Review is required for non-exempt exterior alterations 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:

- 33.846.060 - *Other Approval Criteria*

**ANALYSIS**

**Site and Vicinity:** The existing home is a 1 ½ story bungalow built in 1922. The contributing resource sits at the easternmost edge of the Irvington Historic District. A dormer was added in 1933 facing the back yard to the west. Prior to 1987, a kitchen remodel resulted in a full-lite door to the west facing wall and picture windows to the northeast corner of the main floor. These windows and the door do not have casing to match the rest of 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 on **December 18, 2017**. No written responses have been received.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **December 18, 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 December 26, 2017 wrote with 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.

**Findings for 1, 2, 3 & 4:** All new elements, including double hung windows and wood beveled siding will match or echo existing features on the house to tie the design language of the existing structure and the new work together. The proposal includes historically compatible, high quality materials.

Collectively, the proposed alterations are in character with the architectural aesthetic of the contributing resource and help to ensure that the site remain a record of its time. There are no evident changes to the resource which have acquired additional historic significance. *These guidelines have been met.*

- 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.

- 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 for 5 & 6:** No deteriorated historic features are proposed to be replaced. Non-original picture windows, proposed to be removed, were installed on the north and west façades prior to the designation of the historic district. These features have not acquired historic significance. The proposal includes replacement of the non-original picture windows with double hung wood windows that relate to the architecture of the house and are compatible with elements and materials found elsewhere in the district.

New features will generally match existing in design and visual quality; the proposed construction is intended to preserve and protect historic materials to the extent practicable. There are no known archaeological resources on this site. *These guidelines have 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 proposed alterations will not destroy historic materials that characterize the property, and the new work will be differentiated by the relatively contemporary products and materials proposed. New exterior doors will feature 7/8” wood simulated divided lites with spacer bar, which will be visually compatible but identifiably differentiated from historic features. *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 for 8, 9& 10:** The proposed alterations are compatible with the existing structure and will not compromise the architectural integrity of the property or the Irvington Historic District.

The new double hung windows are a high quality, all-wood product with sash details to closely match original conditions. The materials affected by the proposed work are not historic. No conjectural features or features foreign to the architectural style will be added to the resource.

The scale and mass of the building will not be impacted; the overall form of the resource will be preserved. The new door and double hung windows, while not attempting to create a false sense of historic development, are consistent and compatible with the architecture of the contributing resource and the district as a whole.

Collectively, the proposed alterations to the resource will ensure that it remain an accurate record of its time and continue 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**

Collectively, the proposal is compatible and complementary to this site, the adjacent properties, and the neighborhood as a whole. 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 exterior alterations to a contributing resource in the Irvington Historic District including:

- Replace a non-original picture window on the north elevation with two new double hung wood windows, with casing to match original existing
- Replace a non-original picture window on the west elevation with a new double hung wood window, with casing to match original existing
- Replace a non-original full-lite door on the west elevation; the opening will be shifted slightly to the left
- Replace one original west facing double hung window with a pair of full-lite doors

Approval per the approved site plans, Exhibits C-1 through C-6, signed and dated January 2, 2018, 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 four 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 17-278952 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:** Emily Hays **on January 2, 2018**

By authority of the Director of the Bureau of Development Services

**Decision mailed January 5, 2018**

**Procedural Information.** The application for this land use review was submitted on December 5, 2017, and was determined to be complete on December 14, 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 December 5, 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 13, 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.

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

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

**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 **January 8, 2018** 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 for 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 & Response to Approval Criteria
  2. Applicant's Photos
  3. Letters of Support
  4. Original Drawing Set
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Site Plan (attached)
  2. Proposed Main Floor Plan
  3. Proposed North Exterior Elevation (attached)
  4. Proposed West Exterior Elevation (attached)
  5. Window & Door Details
  6. Window & Door Specifications
- D. Notification information:
  1. Mailing list
  2. Mailed notice
- E. Agency Responses: None.
- F. Correspondence:
  1. Dean Gisvold, December 26, 2017, ICA Land Use Committee – The ICA land use committee has reviewed this application and has no objections.
- G. Other:
  1. Original LU Application

**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**



# ZONING



THIS SITE LIES WITHIN THE:  
IRVINGTON HISTORIC DISTRICT



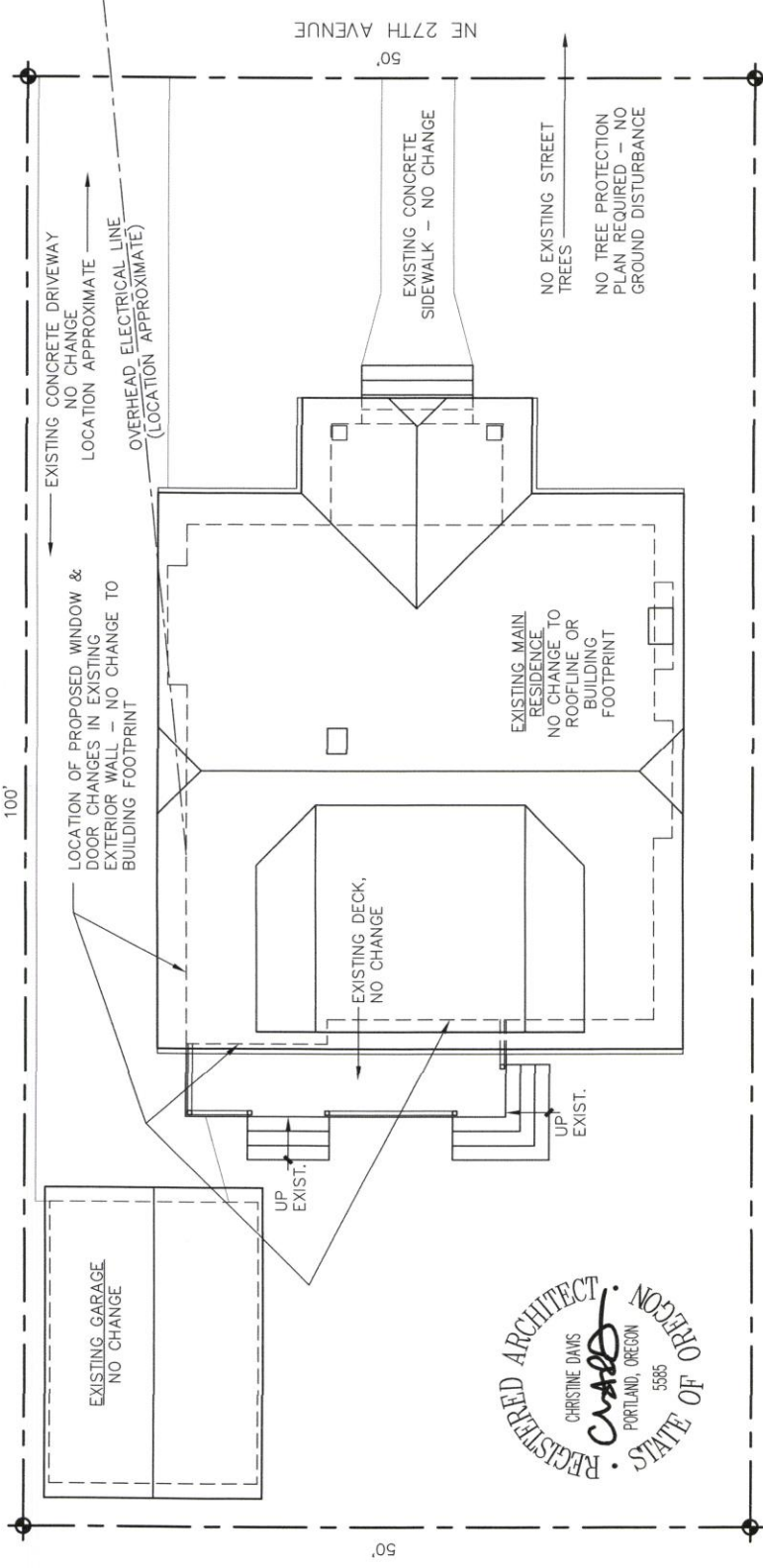
Site



Historic Landmark

File No.	LU 17-278952 HR
1/4 Section	2733
Scale	1 inch = 200 feet
State ID	1N1E25BC 19500
Exhibit	B Dec 08, 2017





**DRAWING 1**

CHRIS DAVIS DESIGN  
ARCHITECTURE & INTERIORS

4605 NE FREMONT ST. SUITE 202  
PORTLAND, OR 97213  
503-281-5282  
chris@chrisdavisdesign.com

SITE PLAN / ROOF PLAN  
SCALE: 1/4" = 1'-0"  
2615 NE 27TH AVE.  
HISTORIC RESOURCE REVIEW

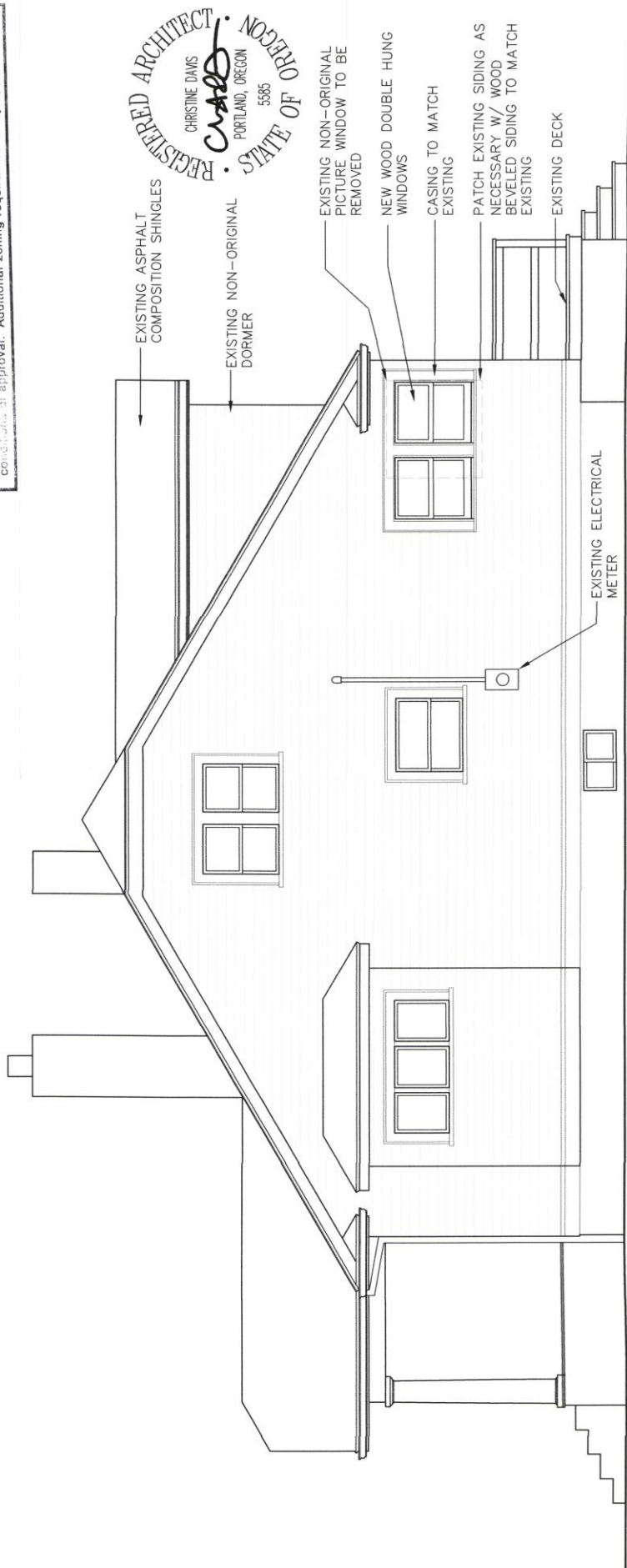
\*Approved\* - Bureau of Development Services

Planner: Emma Hume Date: 11/21/18

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

LU 17 - 2 78952 HR 01

\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner: Emma Huff Date: 11/21/19  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



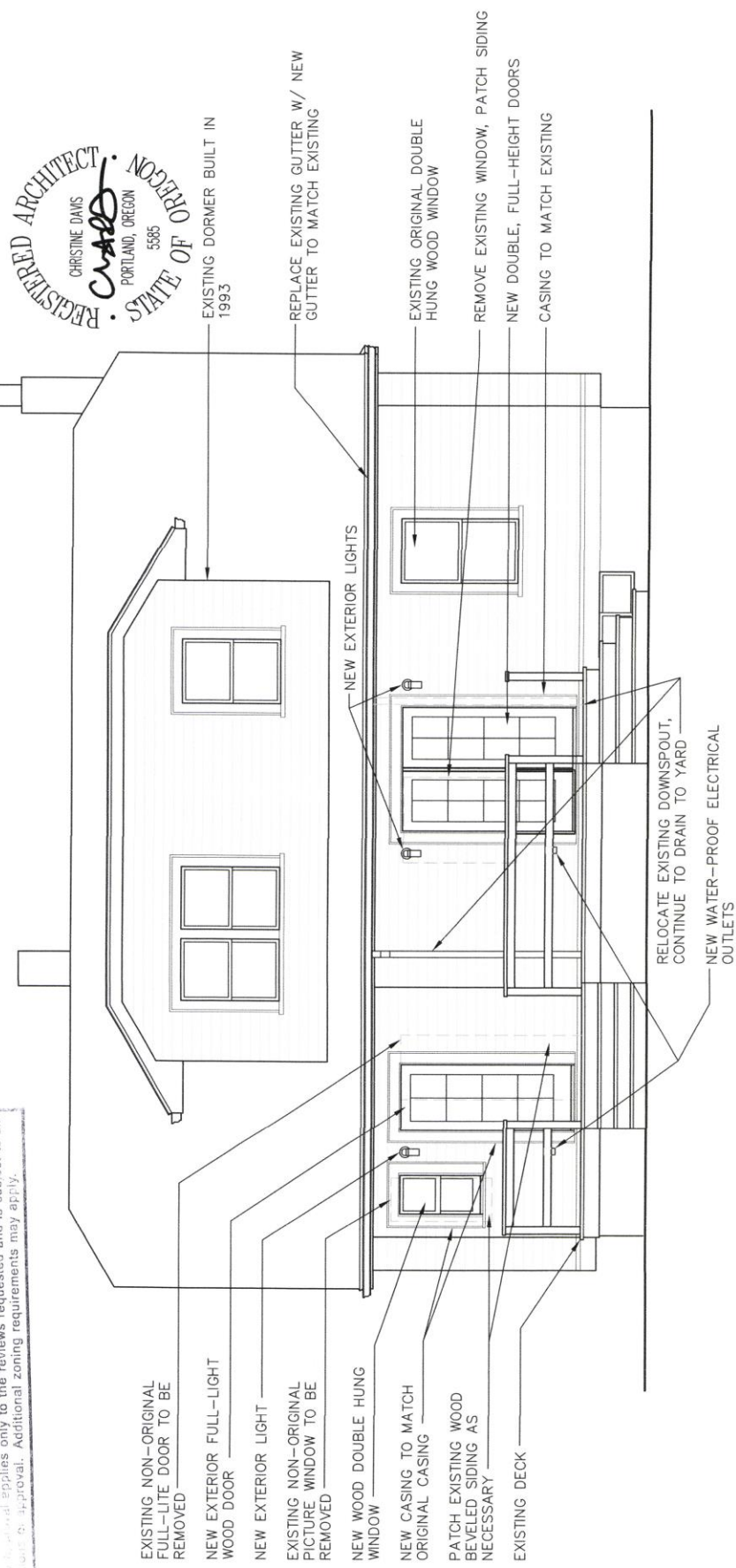
CHRIS DAVIS DESIGN  
 ARCHITECTURE & INTERIORS  
 4605 NE FREMONT ST., SUITE 202  
 PORTLAND, OR 97213  
 503-281-5282  
 chris@chrisdavisdesign.com

PROPOSED NORTH EXTERIOR ELEVATION  
 SCALE:  $\frac{1}{4}'' = 1'-0''$   
 2615 NE 27TH AVE.  
 HISTORIC RESOURCE REVIEW

DRAWING 7  
 12-5-2017

LD17-278952 HR 03

City of Portland - Bureau of Development Services  
 Approved\*  
 Planner: EMMA HANIS Date: 12/13  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



PROPOSED WEST EXTERIOR ELEVATION  
 SCALE: 1/4" = 1'-0"  
 2615 NE 27TH AVE.  
 HISTORIC RESOURCE REVIEW

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 ARCHITECTURE & INTERIORS  
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DRAWING 9  
 12-5-2017