



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

Ted Wheeler, Mayor  
Rebecca Esau, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** June 8, 2018  
**To:** Interested Person  
**From:** Megan Sita Walker, Land Use Services  
503-823-7294 / [MeganSita.Walker@portlandoregon.gov](mailto:MeganSita.Walker@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 18-150983 HR – REAR DOOR REPLACEMENTS AND ALTERATIONS**

#### **GENERAL INFORMATION**

**Applicant:** Michael Howells | Howells Architecture  
3820 SE Bybee Boulevard  
Portland, OR 97202  
(503) 869-3715

**Owner:** Brian Lindstrom  
2440 NE 25th Avenue  
Portland, OR 97212

**Site Address:** **2440 NE 25<sup>th</sup> Avenue**

**Legal Description:** BLOCK 3 LOT 1-3, BRAZEE ST ADD  
**Tax Account No.:** R098900500  
**State ID No.:** 1N1E25CB 06000  
**Quarter Section:** 2833

**Neighborhood:** Irvington, contact Dean Gisvold at 503-284-3885.  
**Business District:** Soul District Business Association, contact at [info@nnebaportland.org](mailto:info@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 with Historic Resource Protection 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 the proposed alterations to rear and side elevations of a contributing resource in the Irvington Historic District. The proposed alterations include:

**On the East (rear) Elevation**

- The removal of a non-original set of wooden terrace doors to be replaced with three (3) wooden casement windows with stucco infill and trim to match existing; and
- The removal of a potentially original set of inset wooden terrace doors to be replaced with an all-wood divided lite door with all-wood divided lite sidelites on either side.

**On the South (side) Elevation**

- The removal of one (1) existing window to be patched with stucco to match the existing condition; and
- The removal of one (1) existing window to be replaced with a new wood casement window in a slightly modified opening.

Historic Resource Review is required for non-exempt exterior alterations within a 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 criteria are:

- 33.846.060.G *Other approval criteria*

**ANALYSIS**

**Site and Vicinity:** The subject property, a two-and-a-half story stucco-clad Craftsman Style house with Italian Renaissance influences, was built in 1913. It is centered on a 100' x 75' lot. The National Register of Historic Places documentation for the Irvington Historic District lists the building as a contributing resource within the Irvington Historic District.

**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 that prior land use reviews include the following:

- LU 14-126176 HR: Historic Resource Review approval for the installation of new, wood guardrail in the three openings of a roofed, street-facing balcony structure.
- LU 14-167086 HR: Historic Resource Review approval for a new dormer on the east (rear) sloping roof.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **May 8, 2018**. The following Bureaus have responded with no issues or concerns:

- Fire Bureau (Exhibit E-1)
- Site Development Section of BDS (Exhibit E-2)
- Life Safety Division of BDS (Exhibit E-3)

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on May 8, 2018. 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 May 29, 2018, wrote, that the ICA has no objections to the proposal. See Exhibit F-1 for additional information.

## 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 for 1, 2, 3, 4, and 5:** The proposal includes the replacement of an existing/non-original pair of divided lite doors, and an assumed original pair of inset divided lite doors on the east (rear-facing) elevation of the resource. The southernmost pair of doors are proposed to be replaced within the existing opening with a set of three casement windows with trim to match existing conditions. The remainder of this area within the existing opening will be patched with stucco to match the existing/adjacent siding. The pair of assumed original doors are noted to be in disrepair and are located

within an inset of the rear elevation of the resource, setback approximately 4'-2" from the rear façade. The replacement door is a single all-wood divided lite door with divided sidelight on either side.

The proposal also includes alterations to two existing/ historic windows on the south (side) elevation of the resource. The window located farthest from the street is a small window that is proposed to be removed and patched with stucco to match the existing condition. The center existing/historic window on this elevation is proposed to be relocated slightly. Staff has added a condition of approval that either the existing (center) window be retained in place or reused/ reinstalled to match the existing condition and relocated as drawn. The condition added by Staff ensures that this historic window that is visible from the street, while potentially being slightly relocated, will be retained rather than replaced. As such, the alterations proposed will not negatively impact the ability of the resource to remain a physical record of its time, place, and use and the proposed alterations are compatible with the resource and the District. *With a condition of approval that the historc center window on the south elevation indicated on Exhibit C-2 shall either remain in place or be reused and relocated as drawn to match the existing inset and trim detailing, these criteria are 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:** No ground disturbance is proposed. *This criterion is not applicable.*

**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.

**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 7, 8, 9, and 10:** The proposed alterations are compatible with the massing of the subject house and neighboring houses. Staff has added a condition of approval that the divided lite door and sidelites shall either be true divided lites or simulated divided lites comprised of interior and exterior muntins with a spacer between the panes of glazing. The condition of approval ensures that the proposed new all-wood door with sidelites on the south (rear) elevation are compatible with the resource in terms of material, proportion, and detailing. Additionally, the proposal limits the replacement of non-original and original elements (noted to be in disrepair) to the rear of the resource to be replaced with compatible elements, and proposes to reuse and slightly relocate an existing window on the south (side). As such, the proposal respects the architectural integrity and architectural features of the resource. The new all-wood windows, door, and sidelites will be differentiated from the resource through the use of contemporary materials and construction methods. The proposal is compatible with the resource, adjacent properties, and the District as a whole and will not negatively impact how the resource is perceived in the District. *With a condition of approval that the divided lite door and sidelites shall either be true divided lites or simulated divided lites comprised of interior and exterior muntins with a spacer between the panes of glazing, these criteria are met.*

## DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all requirements of Title 11 can be met, and 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

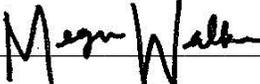
The proposed alterations include the replacement of one pair of non-original doors and one pair of assumed original doors: both on the east (rear) façade with three all-wood casement windows and a single divided lite door with sidelites, respectively. The proposal also includes the reuse and slight relocation of a historic window and the removal and patching of a small historic window on the south (side) facade. The proposed alterations will not negatively impact the resource or how it is perceived in the District. 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. Approved per Exhibits C-1 through C-5, signed and dated June 5, 2018, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through E) 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 18-150983 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. The historic center window on the south elevation shall either remain in place or be reused and relocated as drawn on Exhibit C-2, and reinstalled to match the existing inset and trim detailing.
- D. The divided lite door and sidelites shall either be true divided lites or simulated divided lites comprised of interior and exterior muntins with a spacer between the panes of glazing.
- E. No field changes allowed.

**Staff Planner: Megan Sita Walker**

**Decision rendered by:**  **on June 5, 2018**

By authority of the Director of the Bureau of Development Services

**Decision mailed: June 8, 2018**

**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 April 12, 2018, and was determined to be complete on May 3, 2018.

*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 April 12, 2018.

*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 extended by the applicant, **the 120 days will expire on: August 31, 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 Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on June 22, 2018** 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 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 on or after **June 25, 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:

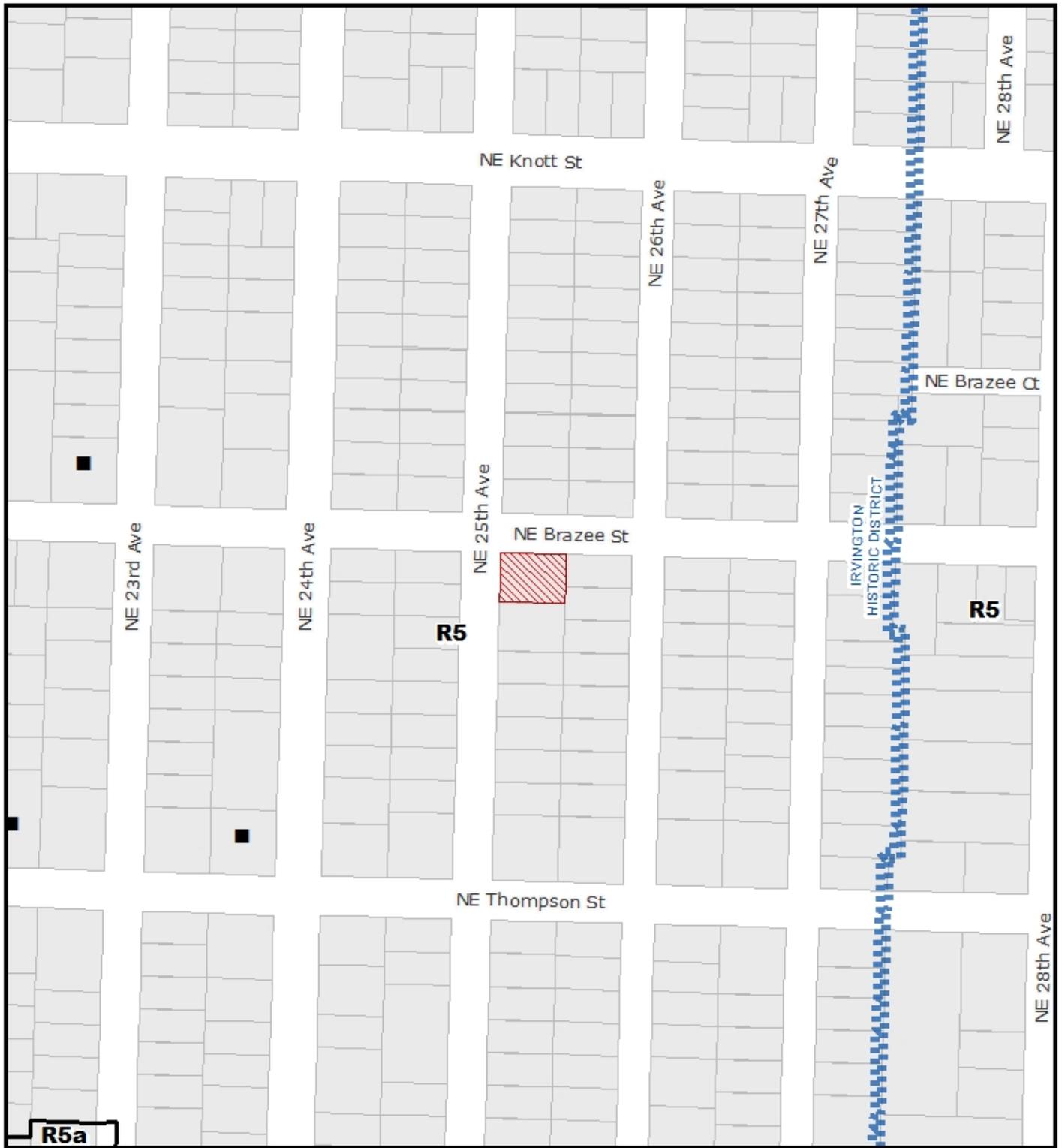
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Original Project Description
  - 2. Original Drawing Set
  - 3. Revised Drawings, Rec'd 05/24/2018
  - 4. Corrected Sheet, Rec'd 05/29/2018
  - 5. Revised Project Description, Rec'd 05/29/2018
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan/South Elevation (attached)
  - 2. Existing & Proposed East (Rear) Elevations w/ Existing & Proposed Details (attached)
  - 3. Existing & Proposed Partial Floor Plans
  - 4. Specifications – Casement Windows
  - 5. Specifications – Door & Sidelites
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Fire Bureau
  - 2. Site Development Section of BDS
  - 3. Life safety Division of BDS
- F. Correspondence:
  - 1. Dean Gisvold, Chair of the Irvington Land Use Committee, on May 29, 2018, wrote in with no objections to the proposal.
- G. Other:
  - 1. Original LU Application
  - 2. Oregon Historic Site Record
  - 3. HRI Form
  - 4. Email correspondence between Staff and 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).**

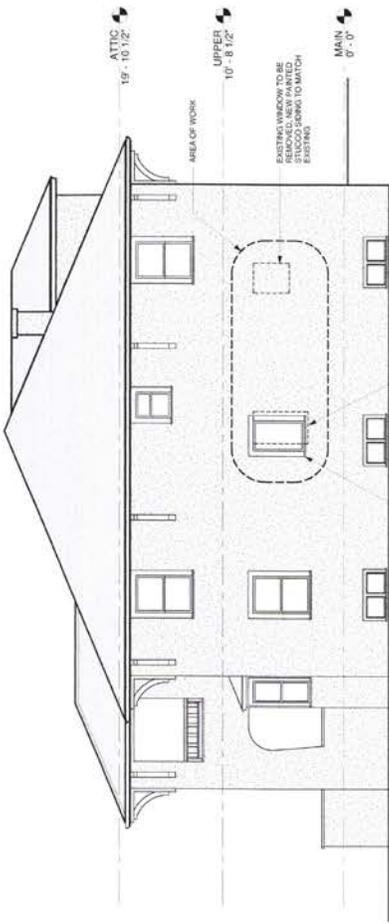


# ZONING

THIS SITE LIES WITHIN THE:  
IRVINGTON HISTORIC DISTRICT

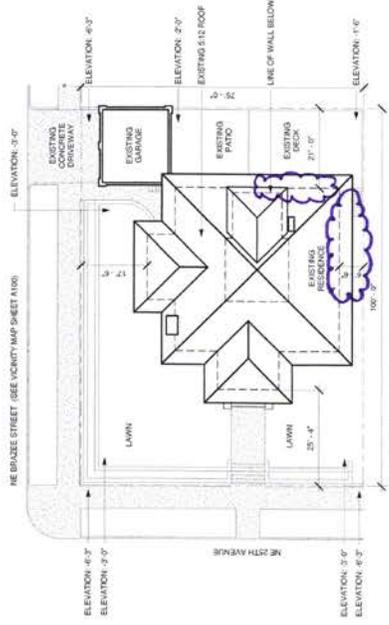
-  Site
-  Historic Landmark

|             |                   |
|-------------|-------------------|
| File No.    | LU 18-150983 HR   |
| 1/4 Section | 2833              |
| Scale       | 1 inch = 200 feet |
| State ID    | 1N1E25CB 6000     |
| Exhibit     | B Apr 13, 2018    |

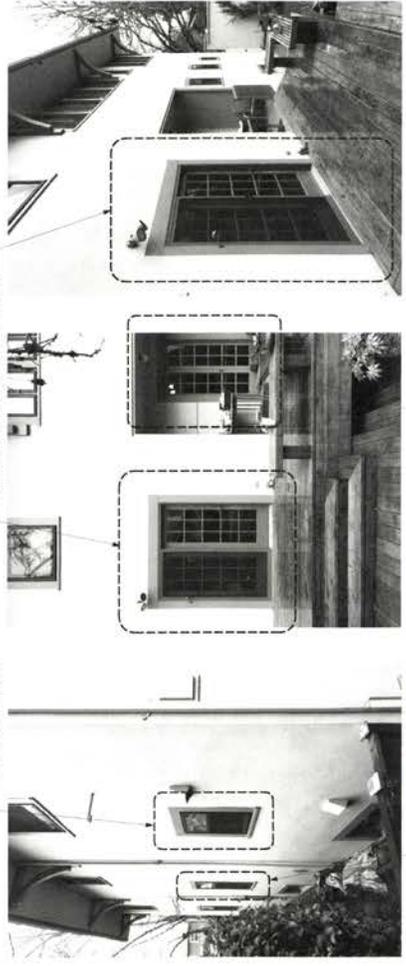


**\* THE HISTORIC CENTER WINDOW SEE CONDITION 'C' ON THE SOUTH ELEVATION SHALL EITHER REMAIN IN PLACE OR BE REUSED + RELOCATED AS DEMED ON EXH C-2, + REINSTALLED TO MATCH THE EXISTING INSET + TRIM DETAILING**

1 SOUTH ELEVATION - NEW  
3/16" = 1'-0"



2 SITE / ROOF PLAN  
1/16" = 1'-0"

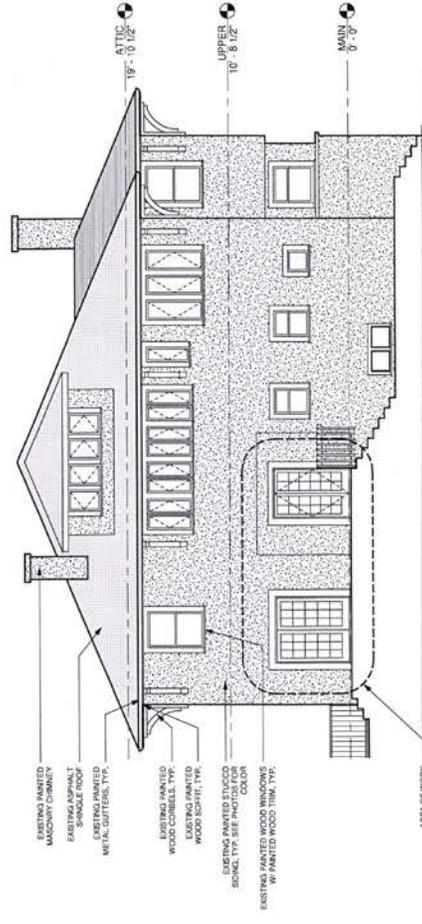


**\*Approved\***  
City of Portland - Bureau of Development Services  
Planner *[Signature]* Date **06.05.18**  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

**\*APPROVED PER CONDITIONS B-E**

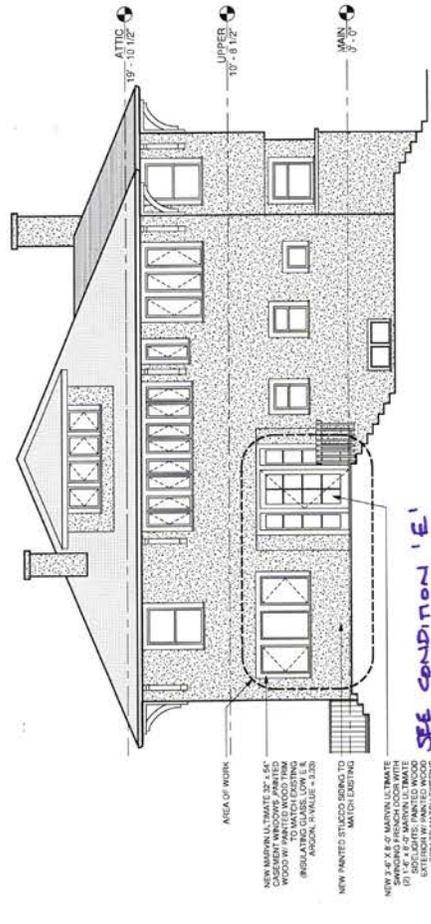
|  |                                   |
|--|-----------------------------------|
| HOWELLS ARCHITECTURE + DESIGN LLC  | BRIAN + CHERYL<br>KITCHEN REMODEL |
| 3820 SE BYBEE BOULEVARD PORTLAND OR 97202<br>TEL: 503.255.8800<br>WWW.HOWELLSARC.COM | LAND USE REVIEW                   |
| DATE: 05.22.2018   | SCALE: LU - 01                    |
| EXH C-1  | As indicated                      |

1-10-18-15099-3-ME

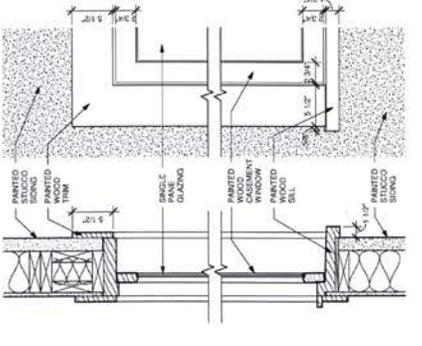


\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner *Helen* Date *06.05.18*  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

6 EAST ELEVATION - EXISTING  
 3/16" = 1'-0"

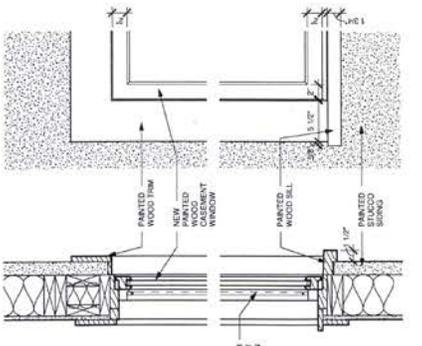


7 EAST ELEVATION - NEW  
 3/16" = 1'-0"



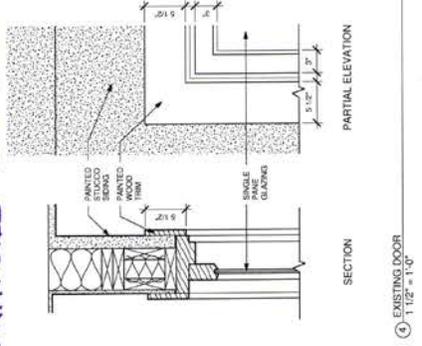
SECTION  
 1/12" = 1'-0"

1 EXISTING CASEMENT WINDOW  
 1/12" = 1'-0"



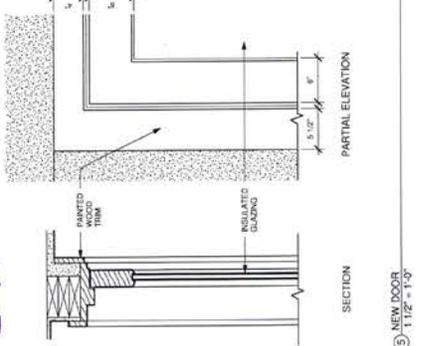
SECTION  
 1/12" = 1'-0"

2 NEW CASEMENT WINDOW  
 1/12" = 1'-0"



SECTION  
 1/12" = 1'-0"

4 EXISTING DOOR  
 1/12" = 1'-0"



SECTION  
 1/12" = 1'-0"

5 NEW DOOR  
 1/12" = 1'-0"

\* APPROVED PER CONDITIONS B-E

HOWELLS ARCHITECTURE + DESIGN LLC  
 3820 SE BYBEE BOULEVARD PORTLAND OR 97202  
 TELEPHONE 503 885 3078  
 WWW.HOWELLSARC.COM

BRIAN + CHERYL  
 KITCHEN REMODEL  
 LAND USE REVIEW  
 DATE 05.29.2018  
 SCALE EXH C-2 LU - 02  
 AS PER C&B

LV 18-150983 HR