



STAFF REPORT AND RECOMMENDATION TO THE LANDMARKS COMMISSION

CASE FILE: LU 19-207837 HR
PC # 18-279927
New Duplex in Irvington
REVIEW BY: Landmarks Commission
WHEN: November 18, 2019; 1:30pm
WHERE: 1900 SW Fourth Ave., Room 2500A
Portland, OR 97201

Bureau of Development Services Staff: Hannah Bryant 503-823-5353 /
Hannah.Bryant@portlandoregon.gov

This staff report recommends denial of the proposal at this time.

GENERAL INFORMATION

Applicant: THOMAS JOHNSON ARCHITECT
821 NW Flanders St, Suite 210
Portland, OR 97209
(503) 679-3047

Owner: Robert Ambes
PO Box 12601
Portland, OR 97212-0601

Site Address: **NE 15th & NE Fremont (SE Corner)**

Legal Description: BLOCK 17 LOT 9, DIXON PL
Tax Account No.: R210502476
State ID No.: 1N1E26AB 07501
Quarter Section: 2732
Neighborhood: Irvington, contact Dean Gisvold at 503-284-3885, Sabin
Community Assoc., contact Rachel Lee at 503-964-8417.

Business District: Soul District Business Association, contact at
info@nnebaportland.org

District Coalition: Northeast Coalition of Neighborhoods, contact Laura Becker at
503-388-6088.

Plan District: None

Other Designations: Vacant non-contributing lot in the Irvington Historic District

Zoning: R5, Residential 5,000

Case Type: HR, Historic Resource Review

Procedure: Type III, with a public hearing before the Landmarks
Commission. The decision of the Landmarks Commission can be
appealed to City Council.

Proposal:

Type III Historic Review for a proposed duplex on a 5,000 square foot corner lot in the Irvington Historic District. Both units are two stories with a second-story roof deck on the garage at the south end of the site. The driveway and two car garages are proposed to be accessed from NE 15th. Proposed materials include wood lap siding, wood clad windows, wood trim and wood garage doors.

Historic Resource Review is required for non-exempt development in the Irvington Historic District.

Relevant Approval Criteria:

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

- 33.846.060.G, *Other Approval Criteria*

ANALYSIS

Site and Vicinity: The site is a 5,000 square foot lot at the southeast corner of the intersection of NE 15th and NE Fremont. The site is within the overlapping boundaries of both the Irvington Historic District and the Sabin Neighborhood Association. It is currently a vacant lot, with large, mature trees at the corner closest to the street intersection. At this location, NE 15th is classified by the Transportation System Plan (TSP) as a Neighborhood Collector for traffic, Major Transit Priority Street, City Walkway, City Bikeway, Community Corridor, Major Emergency Response Street, and a Local Service Street for freight. NE Fremont at this location is classified as a Neighborhood Collector, City Walkway, Community Corridor, a Major Emergency Response Street, and a Local Service Street.

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 **October 17, 2019**. The following Bureaus have responded with no issue or concerns:

- Fire Bureau (exhibit E.3)
- Site Development Section of BDS (exhibit E.4)
- Urban Forestry (exhibit E.5)
- Water Bureau (exhibit E.6)

The Bureau of Environmental Services responded with the following comment: A stamped stormwater management plan has not yet been received. Please see Exhibit E-1 for additional details.

The Bureau of Transportation Engineering responded with the following comment: At time of building permit the plans shall demonstrate a low retaining wall, between 24-30 inches in height, located at the northwest corner of the driveway mirroring that constructed on the north side of the pedestrian entrance for the southern unit, and an open metal railing (if a fence is proposed) on the north side of the driveway. Please see Exhibit E-2 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **October 17, 2019**.

Three written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Gisvold, Dean – Irvington Community Association. November 6, 2019. The ICA sent a long memo outlining concerns and comments, as exhibited in F.1. Concerns include the entry, trim details, garage height and proportions and the gasket element between units.
- Lee, Rachel – Sabin Neighborhood Association. November 7, 2019. The Sabin Neighborhood Association has concerns about the location of the driveway and associated safety issues.
- McGrath, Teresa. October 22, 2019. A neighbor opposes the duplex due to its height and the loss of the large trees at the intersection.

PROCEDURAL HISTORY

The applicant requested a voluntary Design Advice Request (DAR). A DAR meeting was held on June 24, 2019. Summary notes from that DAR are in Exhibit G.2. The land use application was submitted on August 9, 2019. It was deemed complete by the applicant on October 8, 2019, with a written statement that no further revisions would be made (Exhibit A.3).

A hearing date was set for November 18, 2019 - 41 days after the applicant deemed the submittal complete. Staff provided written comments with concerns about approvability and recommendations on October 18, 2019 (Exhibit G.4). The applicant reiterated that no additional revisions would be made in response to Staff comments (Exhibit A.4). Due to a lack of details and concerns about contextual response, the staff report for the November 18, 2019 hearing recommends denial. Additional construction detail drawings and contextual response is needed to verify compatibility.

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

- 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 6: While some excavation is proposed to allow for a new driveway and street-level garage, as well as finished basements and egress windows, the chance of a significant archaeological discovery is unlikely since the work is proposed on a parcel that has previously had a driveway and below grade plumbing infrastructure. To address this approval criteria, Staff recommends the applicant note on the plans that if significant archaeological resources are discovered during excavation, work will be stopped, and the State Archaeologist will be notified.

- 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 for 7: While differentiation of new from old is one criterion to meet, it must be on balance with criterion #8, Architectural Compatibility. The proposed duplex does not subscribe to a specific architectural style or try to replicate the houses of the surrounding neighborhood. The materials proposed, proportions, siding reveal, lack of chimneys, decorative brackets, trim detailing or front porches cumulatively result in a proposal that is too differentiated from the architecture that characterizes this historic district. *Therefore, this criterion is not 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.
- 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 and 10:

District Context

The site's location is currently one of the most significant, busy intersections in Irvington, serving as a northern gateway into the neighborhood. Both NE 15th Avenue and NE Fremont Street are transit streets, and some of the most trafficked streets in the neighborhood. However, there is no land use history or evidence of previous development on this vacant lot. At this gateway location, at the northern boundary of the Irvington Historic District, it is critical that the architecture of the new development is compatible with its historic district context.

This parcel is located in a small area of overlap between both the Irvington Historic District and the Sabin Neighborhood. The surrounding residential context is primarily modest 1 - 1 ½ story single family homes on lots that average 5,000 square feet. This parcel is one of 9 non-contributing resources (out of 56 total parcels) in the three-block radius between NE 14th and NE 16th, south of NE Fremont and north of NE Klickitat. In this zone, duplexes are allowed on corners, provided they meet some design standards intended to help maintain the single-family massing, setbacks and architectural patterns of the zone. The historic multi-dwelling buildings in Irvington are primarily at its south end, closer to NE Broadway, and not in this northern edge of the district.

Gasket

The proposed duplex is intended to look like two separate homes. The front doors face different streets. The masses each have separate gable roof forms. A recessed, flat-roofed gasket element is intended to minimize the appearance of a connection between the two masses. This element is not yet successful. Its narrow-lap siding, multiple windows, window well, light color and downspouts result in significant eye-catching complexity in a small space. To ensure the distinct separation of the two masses, and to achieve a discreet gasket effect from this complex wall plane, the applicant could consider a redesign to the gasket. A deeper, darker recessed space in this location could differentiate the two units into separate masses that would be more compatible with the scale of the character of surrounding residential homes. It also would reduce the appearance of street-facing window wells fronting NE 15th Avenue by moving the entire window well into the recessed space between the two units. A darker paint color in this location could help the space visually recede and enhance the perception of depth from the public realm.

North Façade Bay

The two duplexes share a common design language. Both have 10:12 gable rooflines, with 18" eaves, and are clad in a mix of narrow and wide lap fiber cement siding. The northern unit is proposed to have a two-story projecting bay with a flat roof. The proposal does not include a dimension for the projection of the bay element, but it appears to be projecting from the front façade by approximately 18". This type of two-story bay element is neither typical of the rural vernacular style that this duplex most closely resembles, nor of the surrounding historic context. Two-story projecting masses in this historic district are most commonly utilized to achieve additional light while breaking down the scale of the facade, with windows on all three sides and a lower roofline of the same pitch, eave depth and detailing as the primary roofline. Windows on the front façade are typically larger picture-windows, which serves

to reinforce the hierarchy of front of the house. This is especially important on a duplex with two compressed front entry doors that are proportionally small for the scale of the building.

This proposed bay is neither compatible with the style of the duplex, nor with the surrounding historic context. It adds discordant complexity, with narrow lap siding and extensive horizontal and vertical trim, without providing enough depth to allow windows on all façades or a meaningful roofline to reduce the perceived height of the façade. To enhance the compatibility with the district, the north façade bay could be removed and the paired windows at the ground floor replaced with a single picture window.

Garage

The Irvington Community Association noted concerns with the tall proportions of the southern garage – exacerbated by the exposed metal railing on top – as well as the disproportionate amount of blank wall above the north garage bay. Staff agrees that historic garages in this historic district are typically very small, simple, and utilitarian. These awkward garage conditions are being driven by desired floor heights. The south garage height is a result of trying to align its roof with the interior second floor to create a roof deck. Staff suggests that the roof deck could be eliminated, or if it is critical to keep, a lower height could be addressed through the addition of a few steps outside the bedroom door.

Windows

It is unclear from the elevations if there is a single regulating datum for the tops of the second story windows. It appears the windows in the north bay are higher than other second story windows. This irregularity is exacerbated by the narrow horizontal belly band level with the top of the second story window casing. In this historic district, street facing façades are typically very balanced, with a consistent header height and consistent window size and style. Reducing the number of disparate window sizes and aligning them all beneath a consistent header height would enhance the compatibility with the neighborhood.

The Irvington Community Association (ICA) noted in a letter (E.1) that the oblique view of the proposal is significant, and that the north end of the east façade and the south façade are both highly visible, despite not being street facing. The ICA noted, and staff agrees, that it is atypical to have a single paired set of windows at the ground floor of north end of the east façade (exhibit C.14), without any windows above. The result is a large expanse of windowless wall that is highly visible from the public realm. Adding a second pair of upper story windows, vertically aligned above the lower windows, would be a stronger contextual response.

Entrances

Front entrances in this district are typically designed to be of grand proportions. It is common for wide stairs to lead from the street to covered front porches that span the full width of the house, and a wide entrance flanked by side lights. Even on the smaller 1 – 1 ½ story homes nearby, front entrance porches typically extend in front of the home and have their own gable roofs to enhance the scale of the entry. The proposed front entrances to both units on the duplex are recessed within the primary mass of the units. The recessed areas are narrow, and not much wider than the entry door. The sidewalls of these recesses are solid, which will exacerbate the dark, compressed entrance. To mitigate this impact, the applicant could eliminate the exterior sidewalls of the entries, with a front corner column supporting the upper story mass instead of a solid wall.

This is a common strategy in historic homes with recessed entries and allows more light and air into the entries. Alternatively, the front door could align with the front wall plane and a small entry roof could be added above it.

At both the west façade of the north unit, and the south façade of the south unit, sliding glass doors are proposed. No additional information is proposed beyond a note indicating ‘divided lite entry doors.’ Consistent with previous Historic Resource Reviews, these doors should be a swing “French” door rather than sliding doors to better ensure compatibility of all doors proposed.

Materials + Details

The proposed materials include wood clad windows with wood trim, aluminum corner trim, fiberglass doors, and fiber cement lap siding, sliding glass doors and metal railings. Eaves are proposed to be 18” deep. Basement level window wells are proposed on three facades, including both street-facing facades. Wood windows are common in this historic district. Many contributing resources have retained their original wood windows, and when alterations are proposed to existing resources, new windows are consistently anticipated to be wood.

Siding

Fiber cement siding is not typical of the district, where lap siding is almost exclusively wood. The original submittals for this proposal included wood siding, and the public notice mailed to neighbors and neighborhood organizations specifically stated that wood siding was proposed. The switch to proposed fiber cement siding in the final submittal was not publicly noticed and therefore no comments were received regarding the material.

In this gateway corner location, surrounded by contributing resources that are primarily wood lap siding, wood siding on this duplex will enhance the compatibility of the highly visible street-facing facades. The lap siding proposed is described as ‘wide’ or ‘narrow’, but the reveal is not dimensioned. Wood lap siding would better ensure compatibility with the historic district, with a maximum 5” reveal between courses.

Trim

5 ½ inch wood trim is proposed around all windows and doors. Corner trim is proposed to be prefabricated aluminum with a wood grain. Additionally, a narrow wood ‘belly band’ is proposed above the second story windows on some facades of both units. This horizontal band is not dimensioned but appears to be of the same 5 ½ inch material as the window trim and is level with the top casing of some second-story windows. Analysis of photos of all properties in the district reveals that flat horizontal trim between the second story and a windowless attic level on a gable end wall is very uncommon in Irvington. Additionally, Staff did not note any instances of a street-facing third story wall without windows in this historic district. When horizontal ‘belly bands’ are applied in Irvington, they are typically between the first and second levels. If any horizontal element is applied above the second story on a gable façade, it is typically more ornate, such as a dentil shelf or layered trim elements, and are utilized in conjunction with brackets, cornice trim above windows, attic level windows and front porches to add rich detailing.

This band is applied inconsistently and is both lower and narrower than comparable horizontal trim elements at this location on nearby neighborhood homes of this scale. The result is that on some facades, a thin band of narrow lap siding wraps around above the horizontal trim band. This is an unresolved

detail that reduces the compatibility of this new development with its surrounding historic district.

To improve the proportionality of this element, which is intended to separate cladding of two different reveals and to provide some fine-grain detailing to the façade, the applicant could revise the horizontal trim band above the second story to be an 8-10” tall and aligned so the top of the band abuts the top of the wall beneath the horizontal eaves. Additional improvements may include shifting the band down to separate the first and second stories instead of locating it above the second story windows or replacing this flat band above the second story with a dentil shelf or more decorative layered trim and adding attic-level windows.

The ICA noted that flat window casing on all sides of the window is not typical of this historic district. This is particularly noticeable at the sill and at the top of the window. Additional details to demonstrate a sill detail that is appropriate for the historic context, and the addition of a cornice element above the top of the window casing would enhance the façade, adding richness and detailing more consistent with the surrounding historic district.

Staff notes that the absence of exposed brackets at the gable ends is atypical of tall, gable roofed homes in Irvington and surrounding neighborhoods. Deeper eaves at the gable ends, and inclusion of exposed brackets, would offer deep shadow lines and visual detailing that would help break up the large expanse of flat façade above the second story windows.

Eaves

In this district, eaves are often very deep. Two- and three-story homes in Irvington may have eaves up to three feet deep, with decorative exposed rafter tails. For a building of this height and scale, deep eaves are appropriate and help to enhance the compatibility of this new development with its historic neighbors. Staff supports the proposed 18” eaves. However, current code only allows projections, such as eaves, to extend 20% into the required 5’ side setbacks, and the applicant has not requested a Modification to this standard. To maintain the eave depth as proposed while meeting code requirements, a Modification could be added or the entire building could be shifted 6” to the west, to allow for an 18” eave that only extends one foot into the required setbacks on the east and south sides.

Window Wells

Three window wells are proposed – one on each of the east, north and west facades. The north and west facades are both street-facing. Because deep egress window wells are not typical of the historic context, previous historic resource reviews have approved basement level window wells on non-street facing facades. While the grade at this window wells is somewhat elevated above the sidewalk, these window wells will be highly visible and are not mitigated by landscape screening.

The eastern window well provides code-required egress from the basement-level sleeping area in the northern unit. Therefore, the north window well beside the front door of that unit is not required. To increase the compatibility of the north front façade with its surrounding context, and to avoid locating a non-contextual window well where it is visible from a prominent corner, this window well could be eliminated without reducing livability of the finished basement.

The west window well, at the base of the gasket element, is partially screened by the massing of the two duplex units. If the recessed gasket element is deepened as suggested earlier, this window well would also be shifted to the east, further reducing its visibility.

Details

Both the ICA and Staff note that the submittal lacks sufficient construction detail drawings to determine compatibility. More detail drawings and detailed cutsheets are needed to understand the proposal. Details should demonstrate the conditions where materials meet, and include all dimensions, finishes and material call outs. Cutsheets should demonstrate dimension, gauge, finish, fasteners and be site-verifiable. Printed websites may not offer an adequate level of detail.

Trees

The site is currently a vacant lot, notable for its tall trees at the northwest corner, close to the intersection of NE 15th and NE Fremont. Numerous neighbors have called and written letters to express support for retaining these mature trees. While Staff and the ICA understand that retention of the trees may be impossible, the applicant could consider replanting a large canopy tree at this corner location after construction. As noted earlier, this site serves as a northern gateway into Irvington, where large canopy trees are a significant contributor to the character of the neighborhood. The corner location of these particular trees is especially helpful in balancing the monumental traffic signal pole, which is proposed to be replaced as part of this development. Staff notes that since excavation equipment will be on site, the tree roots for the existing trees will likely be removed and therefore will not impede replanting of a new tree at that location after construction.

For the reasons stated above, this proposal needs further refinement and contextual analysis to demonstrate architectural compatibility with the adjacent properties and the Historic District. *These criteria are not 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. The submitted drawings lack sufficient detail to determine compliance with all Title 33 standards. Therefore, it may be likely another land use review to consider an Adjustment or Modification to a development standard will be needed prior to any permit submittal.

CONCLUSIONS

The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. The proposal to add two new dwelling units to a vacant non-contributing parcel will provide additional needed housing without displacement or demolition of existing structures. A duplex proposal at this site could meet the applicable Historic Resource Review criteria and therefore warrant approval.

TENTATIVE STAFF RECOMMENDATION

(May be revised upon receipt of new information at any time to the Landmarks Commission decision)

Staff recommends denial based on insufficient drawings and unresolved design issues. With resolution of the design issues and additional information, staff could support a duplex that meets the approval criteria at this site.

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Procedural Information. The application for this land use review was submitted on August 9, 2019 and was determined to be complete on October 8, 2019.

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 9, 2019.

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 waived the 120-day review period, as stated with Exhibit A.2. Unless further extended by the applicant, **the 120 days will expire on: October 7, 2020.**

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 recommendation of the Bureau of Development Services with input from other City and public agencies.

This report is not a decision. The review body for this proposal is the Landmarks Commission who will make the decision on this case. This report is a recommendation to the Landmarks Commission by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Landmarks Commission will make a decision about this proposal at the hearing or will grant a continuance. Your comments to the Landmarks Commission can be mailed, c/o the Landmarks Commission, 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201 or faxed to 503-823-5630.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. You may review the file on this case by appointment at our office at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201. Please call the file review line at 503-823-7617 to schedule an appointment.

Appeal of the decision. The decision of the Landmarks Commission may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Landmarks Commission, City Council will hold an evidentiary hearing, one in which new evidence can be submitted to them. Upon submission of their application, the applicant for this land use review chose to waive the 120-day time

frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing.

Who can appeal: You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. **Appeals must be filed within 14 days of the decision. An appeal fee of \$5000.00 will be charged.**

Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

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 3, 2019** 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 must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed here.
- All applicable development standards, unless specifically exempted as part of this land use review.

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

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).

Hannah Bryant
October 17, 2019

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
 1. Original Drawings
 2. Extension Request
 3. Response to Incomplete
 4. Note to staff that no additional revisions would be made.
- B. Zoning Map (attached)
- C. Plan & Drawings
 1. Site Plan (attached)
 2. Zoning Data Plan
 3. Basement Plan + Window Detail
 4. Ground Floor Plan
 5. Second Floor Plan
 6. Roof Plan
 7. North Elevation
 8. West Elevation
 9. East Elevation
 10. South Elevation + Eave Detail + Building Section
 11. Landscape Plan
 12. Planting Plan
- D. Notification information:
 1. Request for response
 2. Posting letter sent to applicant
 3. Notice to be posted
 4. Applicant's statement certifying posting
 5. Mailed notice
 6. Mailing list
- E. Agency Responses:
 1. Bureau of Environmental Services
 2. Bureau of Transportation Engineering and Development Review
 3. Fire Bureau
 4. Site Development Review Section of BDS
 5. Urban Forestry
 6. Water Bureau
- F. Letters
 1. Gisvold, Dean – Irvington Community Association. November 6, 2019. The ICA sent a long memo outlining concerns and comments, as exhibited in F.1. Concerns include the entry, trim details, garage height and proportions and the gasket element between units.
 2. Lee, Rachel – Sabin Neighborhood Association. November 7, 2019. The Sabin Neighborhood Association has concerns about the location of the driveway and associated safety issues.

3. McGrath, Teresa. October 22, 2019. A neighbor opposes the duplex due to its height and the loss of the large trees at the intersection.

G. Other

1. Original LUR Application
2. DAR Summary Notes
3. Incomplete Letter
4. Staff Email outlining outstanding issues

H.