



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

Date: March 27, 2020
To: Interested Person
From: Megan Sita Walker, Land Use Services
503-823-7294 / MeganSita.Walker@portlandoregon.gov

NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has an approved 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 20-118811 HR - WINDOW TO DOORS

GENERAL INFORMATION

Applicant: Wes Haas | Cooper Design Builders, Inc.
720 NE Flanders St, Ste 200
Portland, OR 97232-2763
(503) 740-3344

Owner(s): Keri Wepler & Mark Thompson
2428 NE 20th Ave
Portland, OR 97212

Site Address: 2428 NE 20TH AVE

Legal Description: BLOCK 23 LOT 18, IRVINGTON
Tax Account No.: R420405050
State ID No.: 1N1E26DA 04100
Quarter Section: 2832

Neighborhood: Irvington, contact Dean Gisvold at deang@mcewengisvold.com
Business District: Soul District Business Association, contact at info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Jessica Rojas at jessica@necoalition.org .

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 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. The proposed alterations include the removal of a seemingly non-original picture window on the rear (East) Elevation and the installation of a pair of all-wood French doors within the width of the existing opening. The proposed French doors are all-wood with simulated divided lites that include interior and exterior muntins with a spacer bar between the panes of glass.

Note: The scope of work also includes the removal of a secondary chimney (located towards the North Elevation) that is exterior from above the roof only and is therefore exempt from review per PZC, 33.445.320.B.7.

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 specified in Title 33, Portland Zoning Code. The relevant approval criteria are:

- 33.846.060.G *Other approval criteria*

ANALYSIS

Site and Vicinity: The subject property is located on an approximately 5,000 square foot lot fronting onto NE 20th Avenue in the Irvington Historic District. The 1-½ story resource, built in 1909 in the Craftsman style, is listed as a contributing resource in the Irvington Historic District.

Zoning: The Residential 5,000 (R5). The single-dwelling zones, including R5, are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing.

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 13-185302 HR – Historic Resource Review approval in 2013 for exterior alterations to the north (side) and east (rear) elevations. Based on the proposed scope of the current proposal and photos provided with the application, it appears that the majority of the work proposed in this previous review was not completed.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **March 4, 2020**. No responses were received given the relatively small scope of the proposal.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **March 4, 2020**. One written response was received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, on March 18, 2020, wrote with concerns regarding exempt work in the scope of the project. See Exhibit F-1 for additional information.

Staff Response: The scope of work also includes the removal of an interior/ secondary chimney (located towards the North Elevation) that is exterior from above the roof only and is therefore the alterations associated with the removal of this element are limited to patching the hole in the roof and is therefore exempt from review per PZC, 33.445.320.B.7. The proposal does not include alterations to the exterior fireplace chimney that is located on the south elevation. See findings for additional information on aspects of the proposal subject to review.

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.
- 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 1, 2, 3, 4, 7, 8, 9 and 10: The proposed replacement of what appears to be a non-original fixed window on the rear (east) elevation with a pair of all-wood French doors set within the same width of opening does not impact historic material, will not impact the ability of the resource to remain a physical record of its time, place, and use, and continues to preserve the integrity of the resource. Additionally, the proposed doors will be set into the wall plane by 4", a similar distance as original doors on the resource to ensure adequate depth of detailing to produce shadow lines consistent with the rich detailing of the resource. The proposed all-wood French doors will also have simulated divided lites with interior and exterior muntins with spacers between the panes of glass to better relate to the detailing of the resource and the District as a whole. As such, the proposal is architecturally compatibility with the resource, and the District.

While the detailing of the proposed doors is deigned to relate to the historic detailing of the resource, the proposed alterations will be differentiated from the resource by contemporary materials and construction methods.

These criteria are therefore 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.

Findings: No chemical treatments are proposed. *This criterion is not applicable.*

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 surfaces will be disturbed. *This criterion is not applicable.*

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 pair of all-wood French doors are compatible with the resource in terms of material, style, detailing. As such the proposal is compatible the subject resource, and the district 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. The 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, to include the removal of one (1) window on the rear (east) elevation to be replaced with a pair all-wood French doors with simulated divided lites.

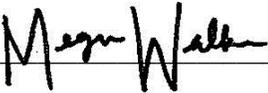
Approved per attached Exhibits C-1 through C-3, subject to the following conditions:

- 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 20-118811 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: Megan Sita Walker

Decision rendered by:  **on March 24, 2020**
By authority of the Director of the Bureau of Development Services

Decision mailed March 27, 2020

Procedural Information. The application for this land use review was submitted on February 14, 2020, and was determined to be complete on February 28, 2020.

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 February 14, 2020.

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: June 27, 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 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.

If you are interested in viewing information in the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note that due to COVID-19 and accessibility to files, only digital copies of material in the file are available for viewing. 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.

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 **March 30, 2020** 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 Statement:
 - 1. Original Project Description & Response to Approval Criteria
 - 2. Original Drawings
 - 3. Original Specifications
 - 4. Updated Drawings, Rec'd March 5, 2020
 - 5. Updated Drawings, Rec'd March 23, 2020
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Proposed East Elevation (attached)
 - 3. Wall Sections & Specifications (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence:
 - 1. Dean Gisvold, Chair of the ICA, on March 18, 2020
- G. Other:
 - 1. Original LU Application
 - 2. Reference Photo
 - 3. Email Correspondence between staff and the 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).

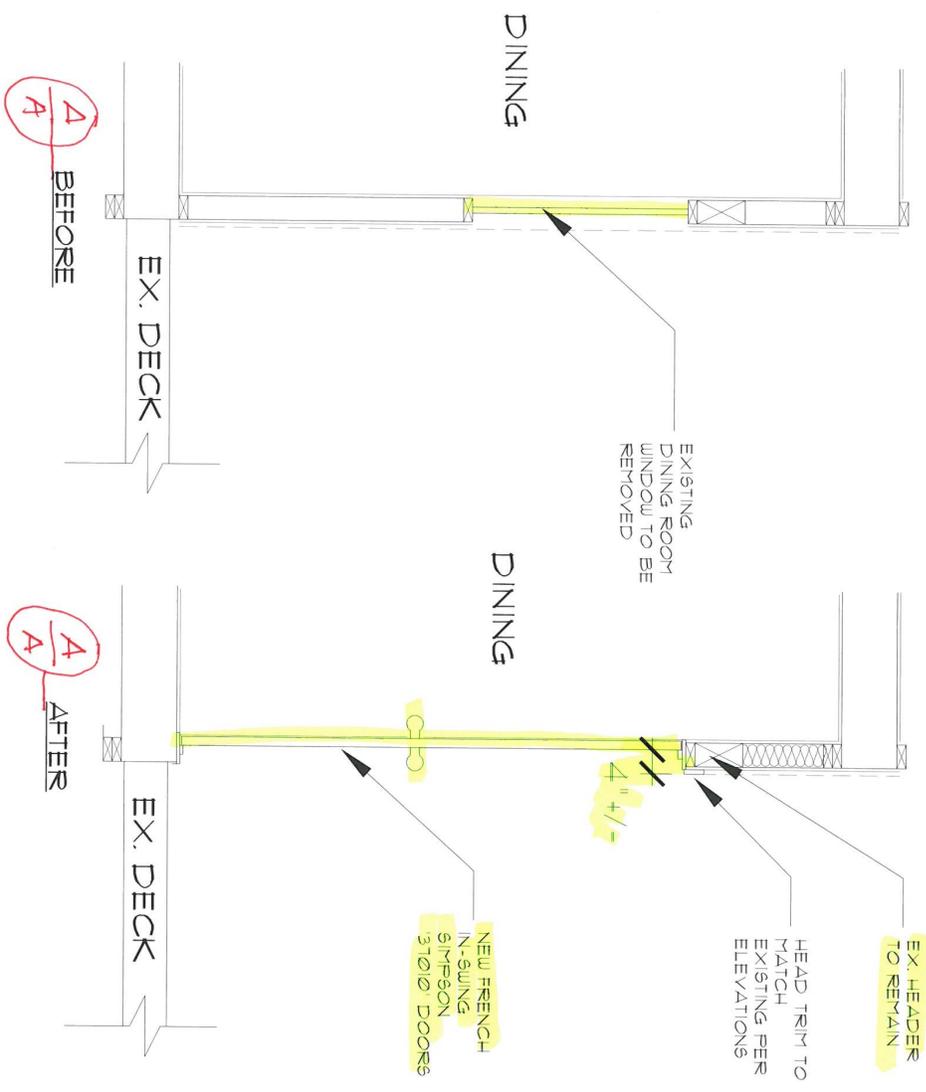


ZONING

THIS SITE LIES WITHIN THE:
IRVINGTON HISTORIC DISTRICT

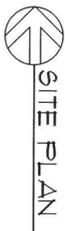
-  Site
-  Historic Landmark

File No.	LU 20 - 118811 HR
1/4 Section	2832
Scale	1 inch = 163 feet
State ID	1N1E26DA 4100
Exhibit	B Feb 19, 2020



SECTION AT AREA OF WORK

1/2" = 1'-0"



SITE PLAN

1/8" = 1'-0"

LU-20-118811 HR [C1]



COOPER
DESIGN BUILD

720 NE Flanders St. Suite 200 Portland, OR 97232
office: 503.282.0545 fax: 503.282.0541
www.cooperdesignbuilders.com - ccb 77239

UPDATED:
03-23-20

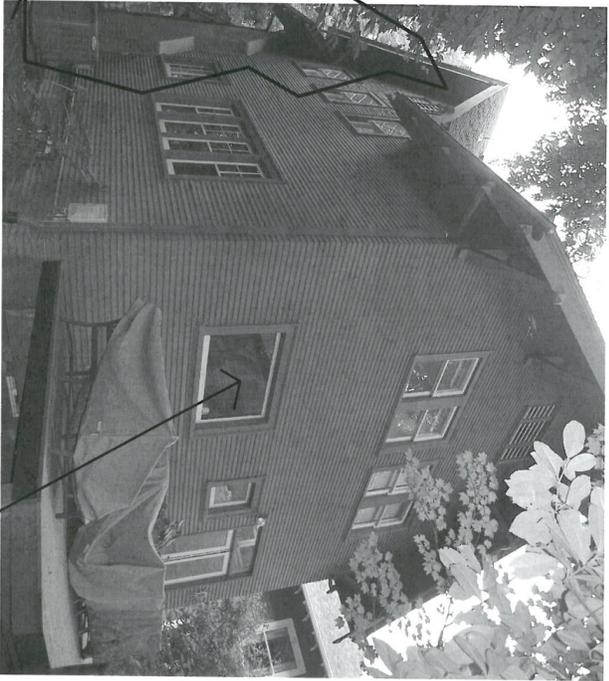
REMODEL FOR:
MARK THOMPSON & KERI WEPLER

2428 NE 20TH AVE
PORTLAND, OR 97212
10.13.19 AS-BUILTS DWG
10.15.19 INTERIOR DETAILS DWG

SITE PLAN & CROSS SECTION

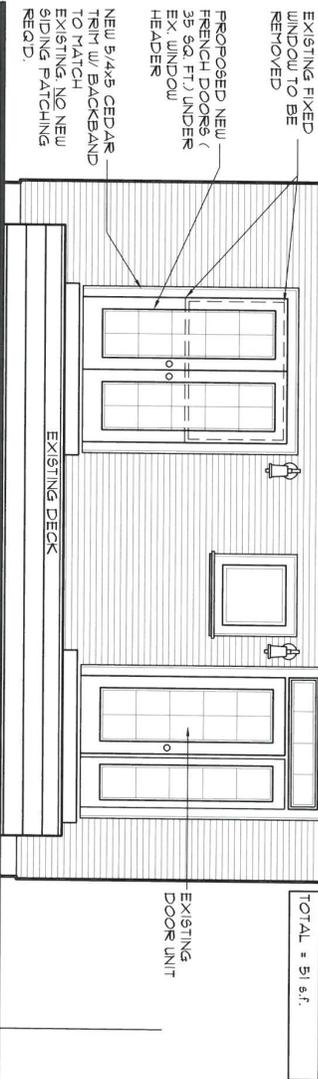
S

19THOM0729



EXISTING REAR VIEW

PROPOSE REPLACE WINDOW WITH FRENCH DOORS
EXISTING CHIMNEY TO REMAIN



REAR ELEVATION

(1/4" = 1'-0")

LU-20-118811 HR

C2

19THOM0729

X

REAR ELEVATION



COOPER
DESIGN BUILD

720 NE Flanders St. Suite 200 Portland, OR 97232
office: 503.282.0545 fax: 503.282.0541
www.cooperdesignbuilders.com - ccb 77239

UPDATED:
03-23-20

REMODEL FOR:
MARK
THOMPSON
&
KERI
WEPLER

2428 NE 20TH AVE
PORTLAND, OR 97212
10139 - AS-BUILTS - DWG
101519 INTERIOR DETAILS (REV)

THOMPSON

7.12

Simpson
Door Company

INSPIRATION
AT YOUR DOOR

CERTIFIED DOOR QUOTE
Cooper Thompson
Mackenzie Gearheart
Medallion Industries, Inc. - Portland, OR

QUOTE #: 236114-400
DATE: 11/7/2019
QUOTE VALID FOR 30 DAYS

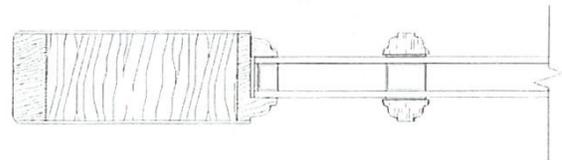
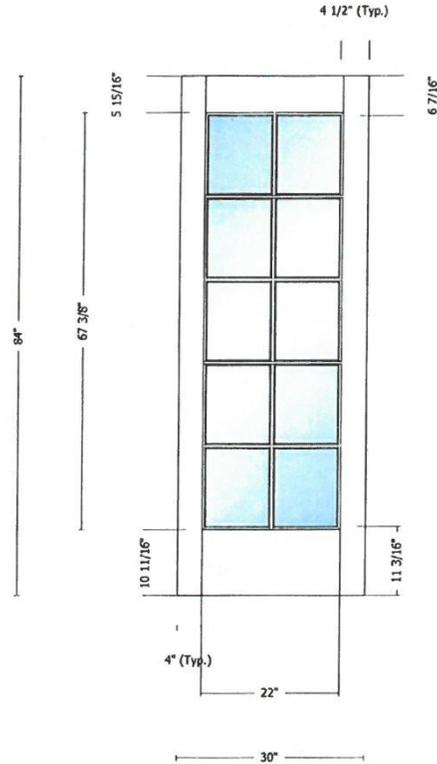
37010 Thermal French (SDL)

SERIES: Exterior French & Sash Doors
DOOR DESIGN: 37010

QUANTITY: 1

DOOR SPECIFICATIONS

SPECIES: Fir
WOOD GRADE: Select
WIDTH: 2-6"
HEIGHT: 7-0"
THICKNESS: 1 3/4"
PROFILE: Ovolo Sticking
GLASS: Clear / Clear
GRILLE: 7/8" Ovolo SDL
ADDITIONAL OPTIONS:
UltraBlock® Technology
WaterBarrier® Technology
Cartoned



@ Dining

Approved _____

Date _____

LU-20-118811 HR

C3