



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: April 8, 2020
To: Interested Person
From: Hillary Adam, Land Use Services
503-823-3581 / Hillary.Adam@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 20-123374 HR – REAR ADDITION

GENERAL INFORMATION

Applicant: Lynn Harritt
517 NE 30th
Portland, OR 97232

Owner: Paul Gaulke
Emily Porter
2627 NE Siskiyou St
Portland, OR 97212-2556

Site Address: 2627 NE SISKIYOU ST

Legal Description: BLOCK 2 E 46.42' OF LOT 9&10, EDGEMONT
Tax Account No.: R237500770
State ID No.: 1N1E25BB 12300
Quarter Section: 2733

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 II, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicant proposes a small addition at the rear of the existing resource in the Irvington Historic District. The proposed addition is 12'-4" x 11'-11" and proposed to be constructed in line with the existing inset wall on the east façade. More than 60% of the existing east wall is located within the 5'-0" setback, at 4'-9", which allows the eave of the new addition to be located within the setback (at 3'-0"), in line with the existing eave of the inset wall, per 33.110.220.D.5. The proposed addition will feature wood lap siding to match the existing, trim, jerkinhead gable, and exposed rafters and soffit to match the existing resource. New windows will be wood with interior and exterior muntins and spacer bars. Also proposed at the rear is the revision from four casement windows to a pair of French doors with sidelights to allow access to a new wood deck (exempt from review). A new wood pergola is proposed to be mounted to the wood deck and extend over the eave of the new addition. No changes are proposed to the south (front) elevation.

Historic Resource Review is required because the proposal is 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. The relevant criteria are:

- 33.846.060.G *Other approval criteria*

ANALYSIS

Site and Vicinity: The subject property is a 1-story single dwelling oriented south on NE Siskiyou. It is a contributing resource, constructed in 1925 in the Bungalow style.

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.

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.

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

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **March 11, 2020**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Bureau of Transportation Engineering
- Water Bureau
- Fire Bureau
- Bureau of Parks-Forestry Division

The Life Safety Division of BDS responded with the following comment: Please see Exhibit E-1 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 11, 2020. 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 Community Association Land Use Committee, on April 1, 2020, wrote with comments suggesting replacement of the four casement windows with French doors at the rear could be revised to keep two casements and replace the other two with a single door and suggesting a more typical window on the east elevation of the addition.

Staff Response: Staff inquired about the potential to reuse the four casement windows on the addition. The applicant noted that larger windows are required for egress, making their reuse infeasible at that location. Additional comments are in the findings below.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846, Historic Reviews

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 a designated Historic Landmark. Therefore the proposal requires Historic Resource Review approval. The relevant approval criteria are listed in 33.846.060 G. 1.-10. In addition, because the site is located within the Central City Plan District, the relevant approval criteria are the Central City Fundamental Design Guidelines.

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

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.

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.

Findings for 1, 2, 3, 4, 5, and 9: The essential form and integrity of the resource will be retained, particularly as it is viewed from the public realm. The proposed addition and other alterations, located at the rear, will preserve the majority of the historic resource and its historic character, allowing it to remain a record of its time. No known changes to the resource have acquired additional historic significance. The windows proposed for removal will accommodate introduction of a pair of French doors to provide access to a new rear deck in the back yard and will have minimal impact to this historic resource due to its lack of visibility from the public realm. Reuse of the existing windows is infeasible as egress is required from the new bedroom addition and the existing windows do not meet egress requirements. All other historic materials will be preserved and protected. *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: While a new foundation will be poured, the earthwork required is relatively minimal and is not expected to produce significant archaeological resources. *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.

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, and 10: The proposed addition is modest and will blend relatively seamlessly with the existing resource in that siding, trim, rafters and soffit are designed to match the existing conditions. New windows are wood with muntin patterns to match existing windows, but will be distinguished with dual-pane construction and simulated divided lights with interior and exterior muntins with spacer bars, rather than true divided lights on single pane windows. The horizontal window on the east façade is differentiated in its orientation and placement but designed to be compatible with the other windows in its materiality and muntin pattern; due to its location at the rear of the side façade, it will be minimally visible from the public realm. Overall, the proposed addition is designed to be compatible with the historic resource, adjacent properties, and the larger historic district in its modesty and proposed materials. In addition, the proposed pergola is a modest structure that could easily be removed without significant impact to the historic resource in that it primarily attaches to the new addition and the new deck. *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 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 are modest, compatible with the historic resource, located at the rear of the property, and will facilitate continued use and enjoyment of the resource with minimal impact. 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 modification criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of a small addition at the rear of the existing resource in the Irvington Historic District. The proposed addition is 12'-4" x 11'-11" and proposed to be constructed in line with the existing inset wall on the east façade. More than 60% of the existing east wall is located within the 5'-0" setback, at 4'-9", which allows the eave of the new addition to be located within the setback (at 3'-0"), in line with the existing eave of the inset wall, per 33.110.220.D.5. The proposed addition will feature wood lap siding to match the existing, trim, jerkinhead gable, and exposed rafters and soffit to match the existing resource. New windows will be wood with interior and exterior muntins and spacer bars. Also proposed at the rear is the revision from four casement windows to a pair of French doors with sidelights to allow access to a new wood deck (exempt from review). A new wood pergola is proposed to be mounted to the wood deck and extend over the eave of the new addition. No changes are proposed to the south (front) elevation.

This approval is per the approved site plans, Exhibits C-1 through C-7, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 20-123374 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: Hillary Adam

Decision rendered by:  **on April 3, 2020**

By authority of the Director of the Bureau of Development Services

Decision mailed: April 8, 2020

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 February 26, 2020, and was determined to be complete on March 6, 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 26, 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 further extended by the applicant, **the 120 days will expire on: July 4, 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.

Appealing this decision. This decision may be appealed, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received by 4:30 PM on April 22, 2020 **Towards promoting social distancing during the COVID-19 pandemic, the completed appeal application form must be e-mailed to BDSLUSTeamTech@portlandoregon.gov and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. An appeal fee of \$250 will be charged. Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations for the appeal of Type II and IIX decisions on property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional 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 limited 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 <https://www.portlandoregon.gov/citycode/28197>.

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 **April 23, 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 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 Submittal
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. South Elevation
 - 3. East Elevation (attached)
 - 4. North Elevation (attached)
 - 5. West Elevation (attached)
 - 6. Window Details
 - 7. Door Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Division of BDS
 - 2. Bureau of Environmental Services
 - 3. Bureau of Transportation Engineering and Development Review
 - 4. Water Bureau
 - 5. Fire Bureau
 - 6. Site Development Review Section of BDS
 - 7. Bureau of Parks, Forestry Division
- F. Correspondence:
 - 1. Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, on April 1, 2020, wrote with comments.
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter, dated March 5, 2020

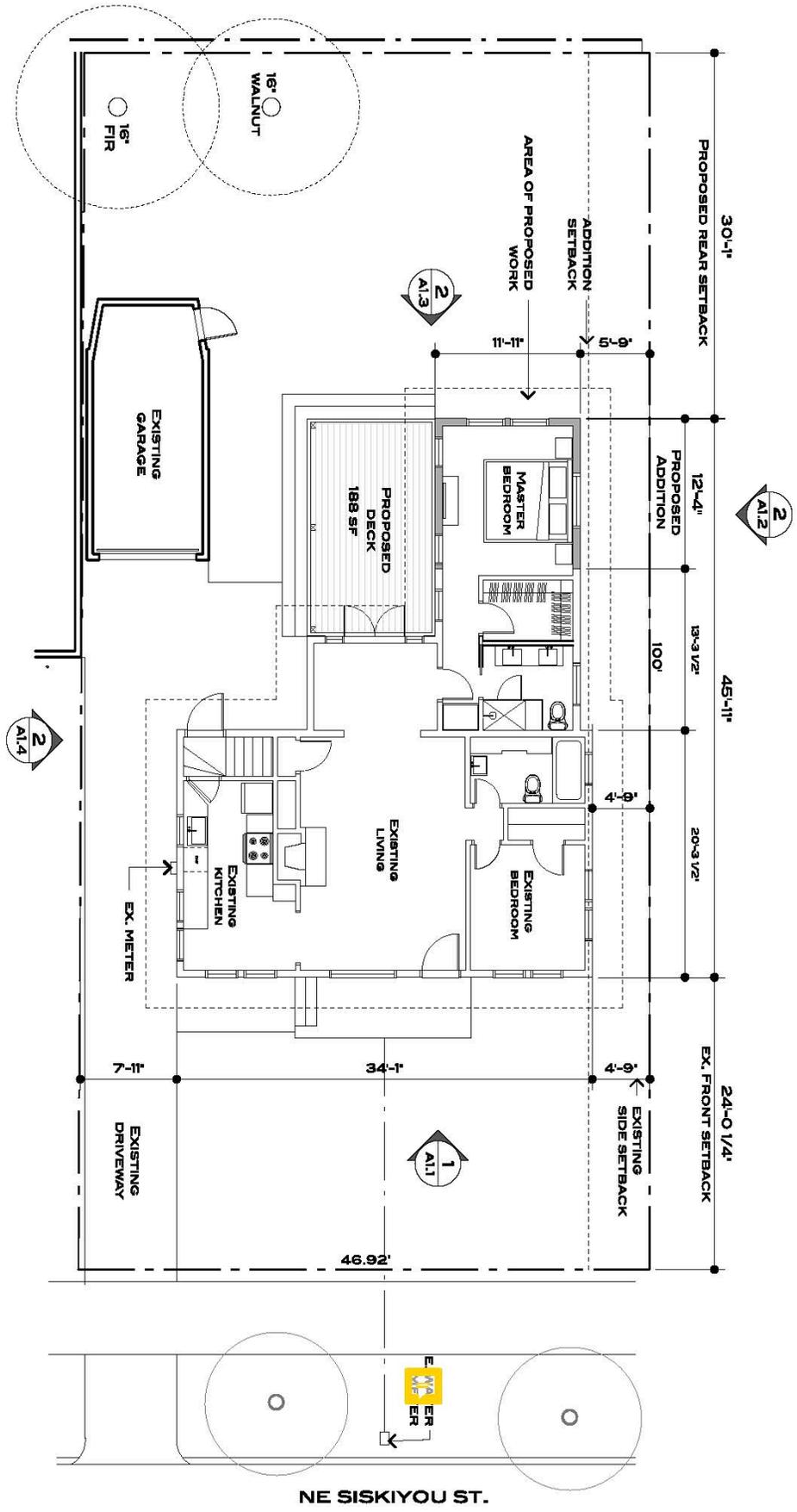
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



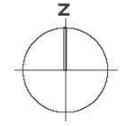
ZONING 
 NORTH
 IRVINGTON HISTORIC DISTRICT

 Site

File No.	LU 20 - 123374 HR
1/4 Section	2733
Scale	1 inch = 163 feet
State ID	1N1E25BB 12300
Exhibit	B Mar 02, 2020



1. SITE PLAN
1/8" = 1'

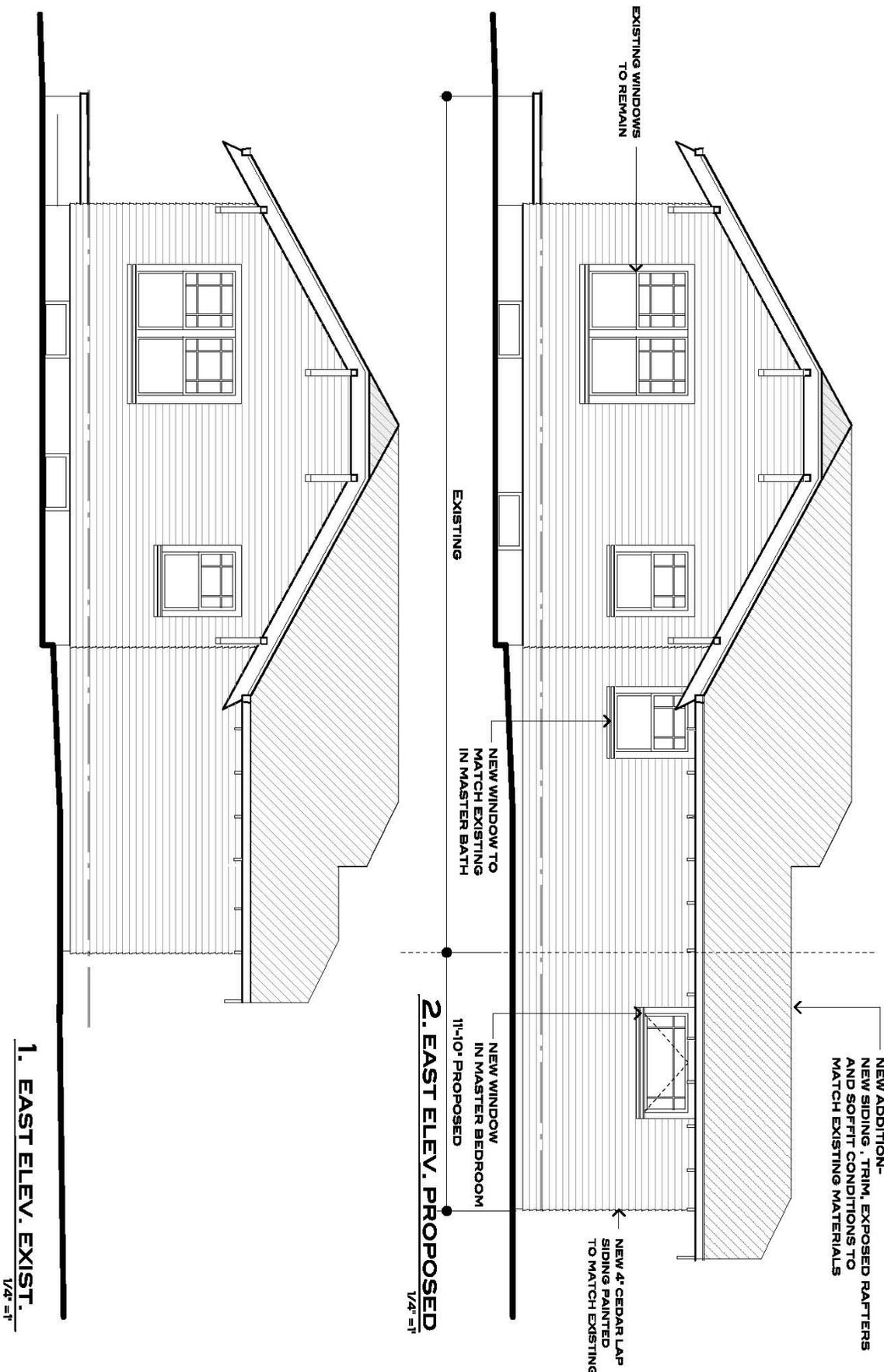


A1.0

PORTER GAULK RESIDENCE
2627 NE SISKIYOU ST.
PORTLAND, OR 97212

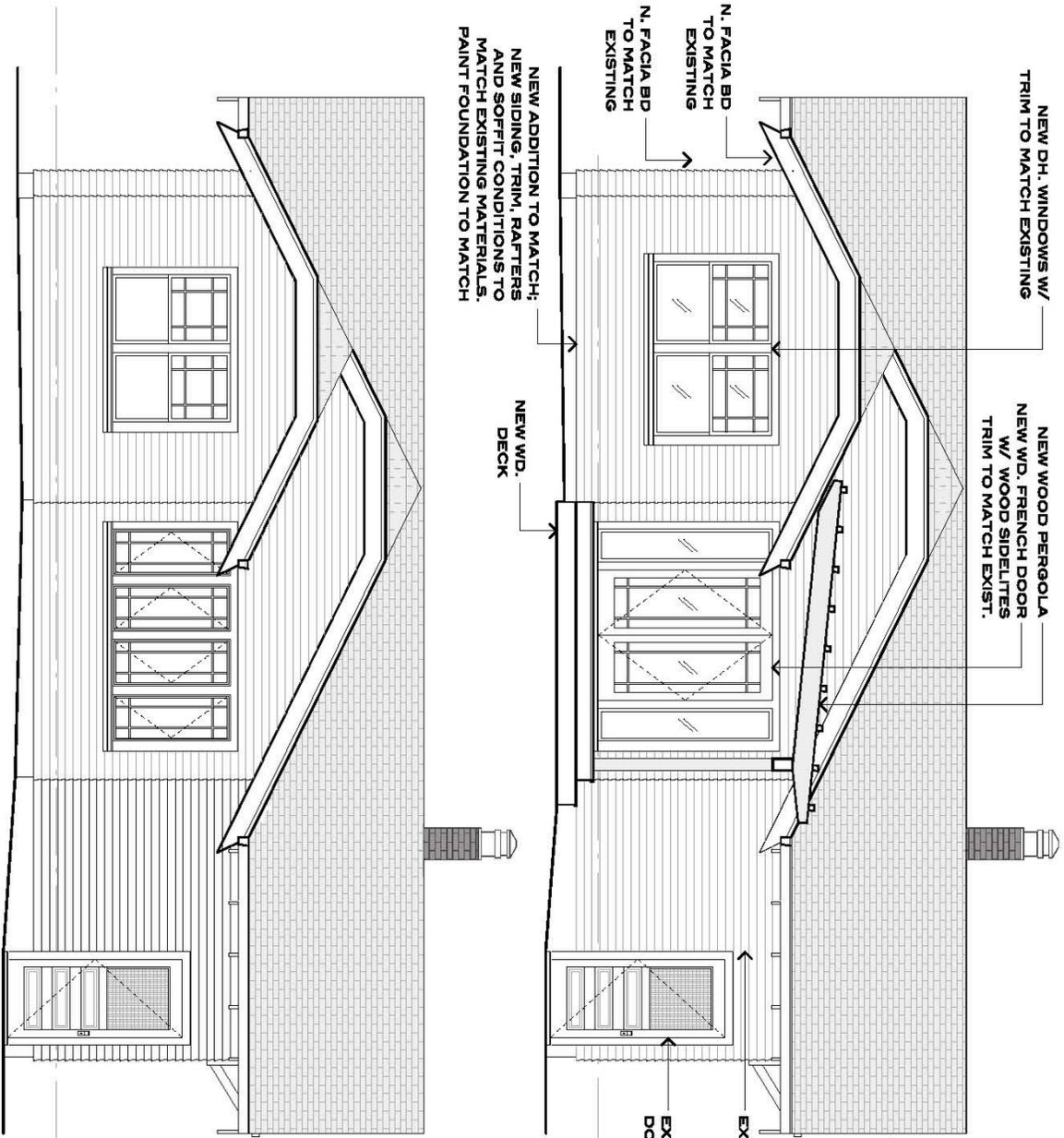
LUR SET
3.06.20

LYNN HARRITT DESIGN
1620 SE HAWTHORNE
PORTLAND, OR 97214
503.729.8530



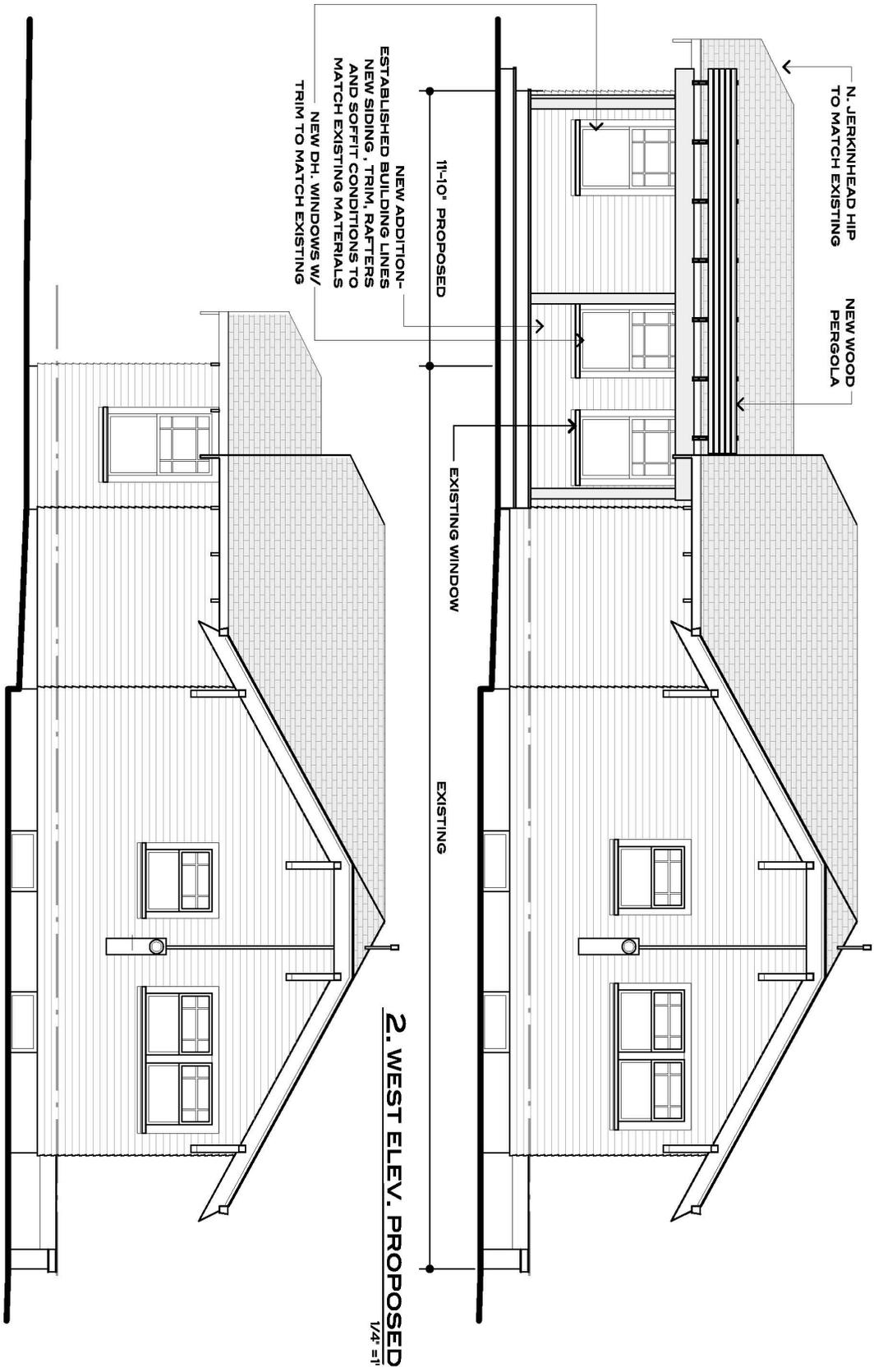
1. EAST ELEV. EXIST.
1/4" = 1'

2. EAST ELEV. PROPOSED
1/4" = 1'



2. NORTH ELEV. PROPOSED
(BACK OF HOUSE) 1/4" = 1'

1. NORTH ELEV. EXIST.
(BACK OF HOUSE) 1/4" = 1'



1. WEST ELEV. EXIST.
1/4" = 1'

2. WEST ELEV. PROPOSED
1/4" = 1'