



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

Ted Wheeler, Mayor
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Date: May 21, 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 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 20-129457 HR – ALTERATIONS TO FRONT STAIR

GENERAL INFORMATION

Applicant: Asmund Tweto
3727 NE 7th Ave
Portland OR 97212
(503) 953-0742

Owner(s): Amanda Norwood & Andrew Norwood
2126 NE 17th Ave
Portland, OR 97212

Site Address: 2126 NE 17TH AVE

Legal Description: BLOCK 49 LOT 13, IRVINGTON
Tax Account No.: R420410780
State ID No.: 1N1E26DB 13800
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: R5a – Residential 5,000 with the Alternate Design Density and Historic Resource Protection Overlays
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 and replacement of the existing, seemingly non-original front porch stairs with iron railing to be replaced with new painted wood stairs with minimal painted fiber cement skirting under the stairs, painted wood railings, and painted steel guardrails.

Note: The scope of work also includes the replacement of a door within the original opening that is considered exempt from review per PZC, 33.445.320.B.2.

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 house is a single-family, two and a half-story Craftsman that is a contributing resource in the Irvington Historic District. The resource is identified in the National Register documentation as the L W White House. It was built in 1907 and features shake siding, an M-shaped/double-gable roof, and a front balcony. The house sits back from the street on a 5,000 SF lot facing west onto NE 17th Ave. This house is attributed to the architectural firm of McNaughton, Raymond and Lawrence partly through the architectural design and partly through the first owner's connection to Ellis Lawrence who built another house for him. The builder was John G. Killgreen.

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 the following land use reviews for the subject site;

- LU 19-116933 HR – Historic Resource Review approval for alterations to the second level front balcony.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on April 8, 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 April 8, 2020. Two written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Elaine Hamilton, wrote in on April 14, 2020 in support of the proposal. See Exhibit F-1 for additional information.
2. Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, on April 21, 2020, wrote in noting no concerns with the proposal. See Exhibit F-2 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.
- 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 alterations include the removal and replacement of the existing, seemingly non-original front porch stairs with iron railing to be replaced with new painted wood stairs with minimal painted fiber cement skirting under the stairs, painted wood railings, and painted steel guardrails.

The proposed alterations will not result in a loss of historic character of the resource or impact the record of its time, place or use, and therefore continue to preserve the historic character and integrity of the resource. Additionally, the proposed painted wood stairs are designed to relate to the historic detailing of the resource, and the use of painted fiber cement is limited to a small area under the stairs. Fiber cement products are not typically approved for application on a contributing resource in the District due to the irregularities that are apparent when this contemporary, non-wood product is used in close proximity to historic material and detailing. However, due to the limited, utilitarian application of this board product under the stairs, located away from and not competing with historic material, and with the added Condition of Approval 'C' that the proposed fiber cement boards have a minimum thickness of 5/8" thick to ensure rigidity and the ability to detailed similarly to a wooden product, this application achieves architectural compatibility with the resource and District.

Additionally, the painted wood stair and railings and the painted steel guardrail are adequately detailed to relate to the resource and will be successfully differentiated from the resource through the use of contemporary materials and construction methods. As such, the proposal is architecturally compatibility with the resource, and the District.

With Condition of Approval 'C', that the proposed fiber cement boards have a minimum thickness of 5/8", these criteria are 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 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.

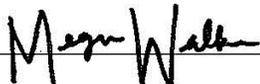
ADMINISTRATIVE DECISION

Approval of exterior alterations to a contributing resource in the Irvington Historic District, to include the removal and replacement of the existing, seemingly non-original front porch stairs with iron railing to be replaced with new painted wood stairs with minimal painted fiber cement skirting under the stairs, painted wood railings, and painted steel guardrails.

Approved per attached Exhibits C-1 through C-4, signed and dated May 18, 2020, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through D) 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 20-129457 HRB." 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 proposed fiber cement boards shall have a minimum thickness of 5/8".
- D. No field changes allowed.

Staff Planner: Megan Sita Walker

Decision rendered by:  **on May 18, 2020**

By authority of the Director of the Bureau of Development Services

Decision mailed May 21, 2020

Procedural Information. The application for this land use review was submitted on March 12, 2020, and was determined to be complete on April 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 March 12, 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: August 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.

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

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

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 **May 22, 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
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Existing West & South Elevations
 - 3. Proposed West & South Elevations (attached)
 - 4. Section Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence:
 - 1. Elaine Hamilton, wrote in on April 14, 2020
 - 2. Dean Gisvold, Chair of the ICA, wrote in on April 21, 2020
- G. Other:
 - 1. Original LU Application

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



ZONING

↑ NORTH

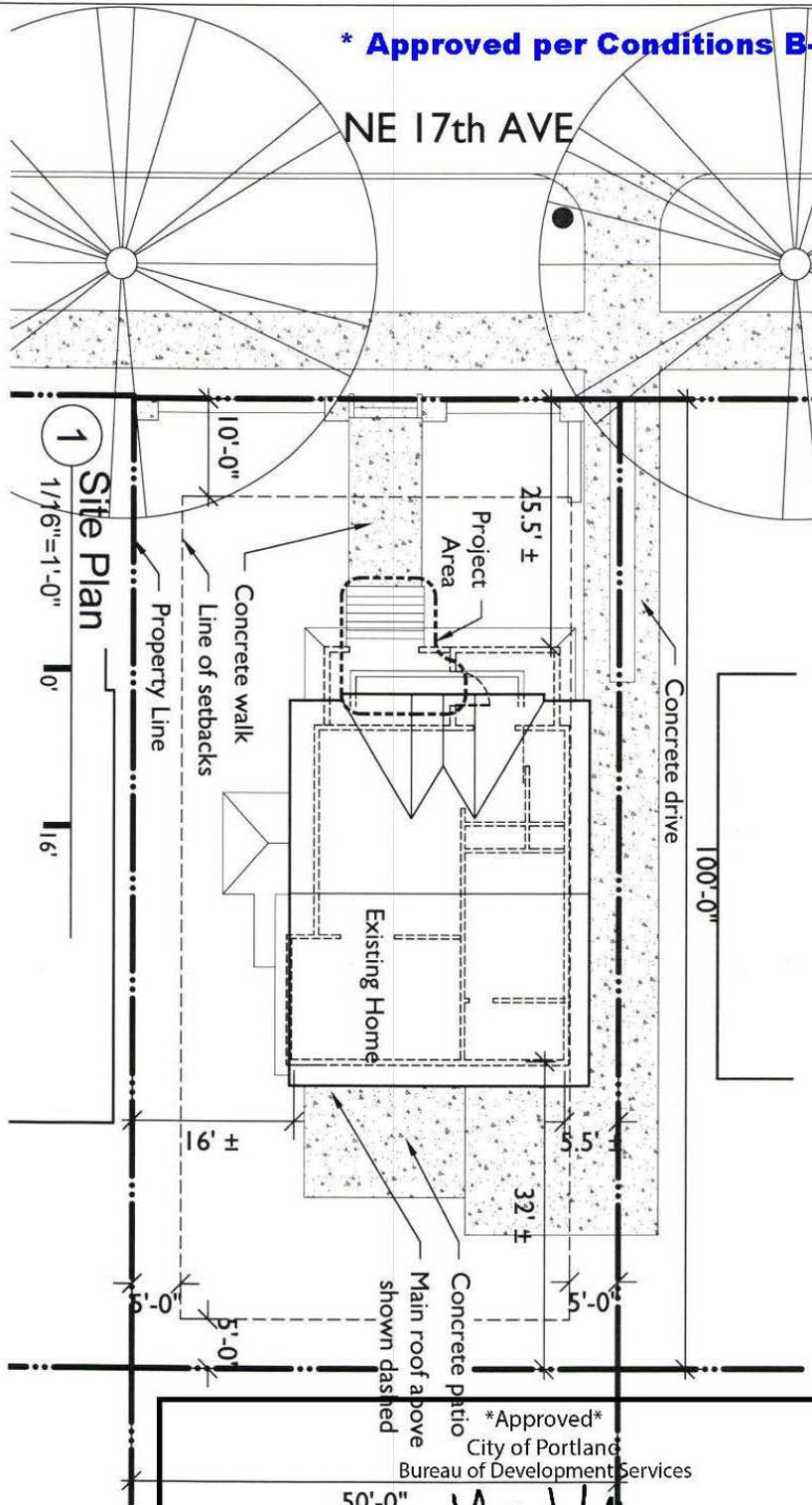
IRVINGTON HISTORIC DISTRICT

-  Site
-  Historic Landmark

File No.	LU 20 - 129457 HR
1/4 Section	2832
Scale	1 inch = 200 feet
State ID	1N1E26DB 13800
Exhibit	B Mar 31, 2020

*** Approved per Conditions B-D**

NE 17th AVE



1
1/16"=1'-0"

Site Plan

Asmund Tweto architect	3727 NE 7th Ave Portland OR 97212 503.953.0742 asmundt@gmail.com	Norwood Porch 2126 NE 17th Portland OR	Design Review 3-9-2020	C.1
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4420-129457 MR

Approved
City of Portland
Bureau of Development Services
Planner 50'-0" *Megan Walker*
Date 05-18-2020
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

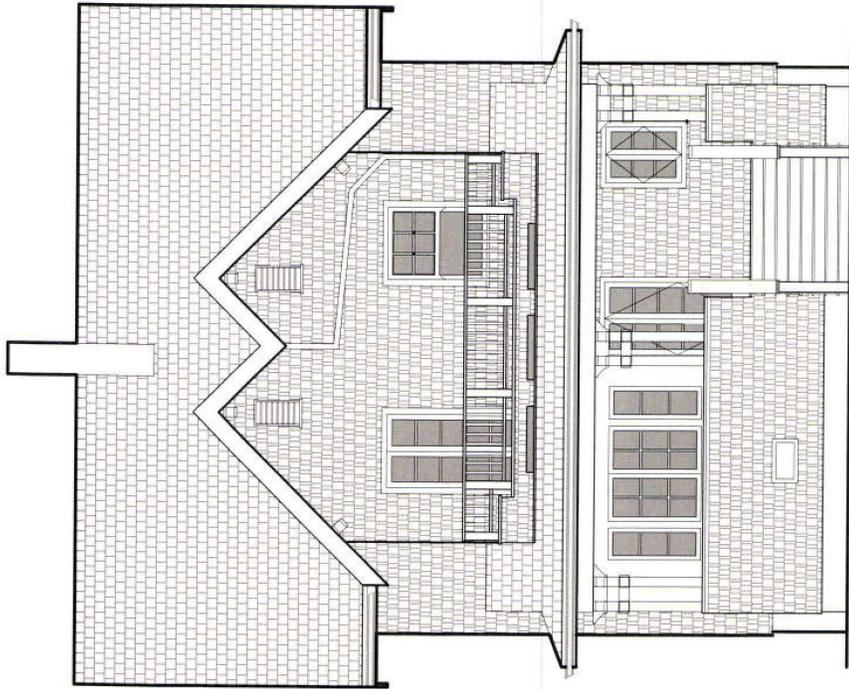
Approved

City of Portland
Bureau of Development Services

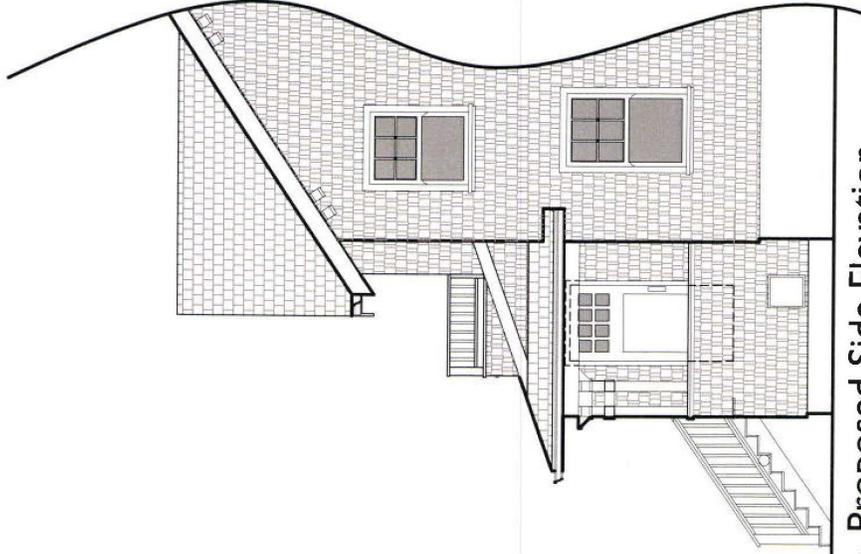
Planner Megan Walker

Date 05-18-2020

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



1 Proposed Front Elevation
1/8"=1'-0"



2 Proposed Side Elevation
1/8"=1'-0"

Asmund Tweto
architect

3727 NE 7th Ave
Portland OR 97212
503.953.0742
asmundt@gmail.com

Norwood Porch
2126 NE 17th
Portland OR

Design Review

3-9-2020

C.3

44 20 - 1 2 9 4 5 7 HR