



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

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**Date:** October 15, 2020  
**To:** Interested Person  
**From:** Arthur Graves, Land Use Services  
503.865.6517 | [Arthur.Graves@portlandoregon.gov](mailto:Arthur.Graves@portlandoregon.gov)

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

The Bureau of Development Services has a 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 20-174129 HR: WINDOW ALTERATIONS**

#### **GENERAL INFORMATION**

**Applicant:** Brian Stevenson | Brian Stevenson Construction LLC | 503.789.9590  
3123 NE Knott | Portland, OR 97212

**Owners:** Maureen and John Bradley  
2350 NW Johnson St | Portland, OR 97210-3232

**Site Address:** 2350 NW Johnson Street

**Legal Description:** BLOCK 7 W 1/2 OF LOT 10, KINGS 2ND ADD  
**Tax Account No.:** R452301270  
**State ID No.:** 1N1E33BC 07600  
**Quarter Section:** 2927  
**Neighborhood:** Northwest District, contact Greg Theisen at 503-227-5430.  
**Business District:** Nob Hill, contact at [nobhillportland@gmail.com](mailto:nobhillportland@gmail.com).  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** None  
**Other Designations:** Contributing Resource in the Alphabet Historic District, listed in the National Register of Historic Places on November 16, 2000.

**Zoning:** RM2: Residential Mutli-Dwelling 2 (Base Zone), 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 requests Historic Resource Review approval for alterations to the structure historically known as the C.F. Cooper House, a "contributing" resource within the Alphabet Historic District.

The alterations to the 1904 structure include the removal of an existing non-original double-hung window on the second floor of the east elevation, and the installation of two new all wood windows in approximately the same location of the second floor of the east façade. Of the two new windows, one will be a 36" x 51" double-hung wood window, the other is proposed to be a 36" x 21" all-wood awning window. The installation of the new windows will match existing trim and detailing of other windows on the contributing resource. New windows will also be set within the wall plane consistent with that of the original windows on the contributing resource.

The proposal includes non-exempt exterior alterations to a contributing building within the Alphabet Historic District therefore prompting Historic Resource Review prior to the issuance of building permits.

**Relevant Approval Criteria:**

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

- *The Community Design Guidelines*, and
- *Historic Alphabet District: Community Design Guidelines Addendum*.

## ANALYSIS

**Site and Vicinity:**

The 3,000 square foot site is located on the south side of NW Johnson Street, four lots west of NW 23<sup>rd</sup> Avenue. The site is developed with a single-dwelling residential home, known as the C. F. Cooper House, built in 1904 and is a contributing resource within the Alphabet Historic District.

**Zoning:**

The RM2 Base Zone is a medium-scale multi-dwelling zone that is generally applied in and around a variety of centers and corridors that are well-served by transit. Allowed housing is characterized by buildings of up to three or four stories with a higher percentage of building coverage than in the RM1 zone, while still providing opportunities for landscaping and outdoor spaces that integrate with residential neighborhood characteristics. The major types of new housing development will be a diverse range of multi-dwelling structures and other compact housing that contribute to the intended urban scale of centers and corridors, while providing transitions in scale and characteristics to lower-scale residential neighborhoods.

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 the following prior land use reviews:

- LU 02-118177 HDZM – Approval of an L-shaped deck at the rear elevation, and approval of Modifications to the west and east side setbacks.
- LU 18-155737 HR – Approval of window alterations on the east, south, and west elevations, and relocation of one door on the south elevation.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on **September 21, 2020**. No Bureau comments were received.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **September 21, 2020**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## 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 located within the Alphabet Historic District and the proposal is for a non-exempt treatment. Therefore, Historic Resource Review approval is required. The approval criteria are the *Community Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*.

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

### Historic Alphabet District - Community Design Guidelines Addendum

**1. Historic Changes.** Most properties change over time; those changes that have acquired historic significance will be preserved.

**Findings:** The window being removed is non-original and has not acquired historic significance.

*Therefore, this guideline is met.*

**2. Differentiate New from Old.** New additions, exterior alterations, or related new construction will retain historic materials that characterize a property to the extent practicable. Replacement materials should be reasonable facsimiles of the historic materials they replace. The design of new construction will be compatible with the historic qualities of the district as identified in the Historic Context Statement.

**Findings:** Of the two new windows, one will replace an existing non-original window while the other (the awning window) is new to the elevation. Both new windows are all wood construction. The new window profiles and trim will match the existing original window profiles.

*Therefore, this guideline is met.*

**3. 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. New development will seek to incorporate design themes characteristic of similar buildings in the Historic Alphabet District.

**Findings:** The new windows will resemble the existing original windows on the house in material (all-wood construction) and proportion. Proposed windows will also be located consistent with other existing second story windows on the house and will complement the historic character of the home. Specifically, the upper trim of each window will be directly below, but abutting, the upper horizontal banding that is below the house eaves. Because the proposed new windows maintain the architectural integrity of the house, the property will also remain compatible with the surrounding homes and neighborhood. Additionally, the proposed new windows will be located at the side of the home, with limited visibility from the street. This further minimizes the impact these changes will have on the character of the neighborhood.

*Therefore, this guideline is met.*

### **Community Design Guidelines**

**P1. Plan Area Character.** Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and traditions.

**P2. Historic and Conservation Districts.** Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area's historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

**D7. Blending into the Neighborhood.** Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

**Findings for P1, P2 and D7:** The new windows will resemble the existing original windows on the house in: proportion; trim; and inset installation, and will complement the historic character of the home. Because the proposed new windows maintain the architectural integrity of the house, the property will also remain compatible with the surrounding homes and neighborhood. Additionally, the proposed new windows will be located at the side (east elevation) of the home, with limited visibility from the street. This further minimizes the impact these changes will have on the character of the neighborhood.

*Therefore, these guidelines are met.*

**D6. Architectural Integrity.** Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

**D8. Interest, Quality, and Composition.** All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

**Findings for D6 and D8:** The proposal does not significantly change the composition or appearance of the existing building façade. The two proposed windows will be all wood construction to match the existing original windows on the home.

*Therefore, these guidelines are met.*

### **DEVELOPMENT STANDARDS**

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all requirements of Title 11 can be met, and that all development standards of Title 33 can be met or have received an Adjustment or Modification via a land use review, prior to the approval of a building or zoning permit.

### **CONCLUSIONS**

The proposed alterations to the structure historically known as the C. F. Cooper House preserves and maintains the architectural integrity of the contributing resource within the Alphabet Historic District.

The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. As indicated in detail in the findings above, this proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of two new all-wood windows to the second story of the east elevation, per the approved site plans, Exhibits C-1 through C-7 signed and dated 10.12.2020, 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 20-174129 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: Arthur Graves**



**Decision rendered by:** \_\_\_\_\_ **on 10.12.2020.**

By authority of the Director of the Bureau of Development Services

**Decision mailed 10.15.2020.**

**Procedural Information.** The application for this land use review was submitted on August 3, 2020, and was determined to be complete on September 15, 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 August 3, 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: January 13, 2021.**

**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](http://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 **October 15, 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:

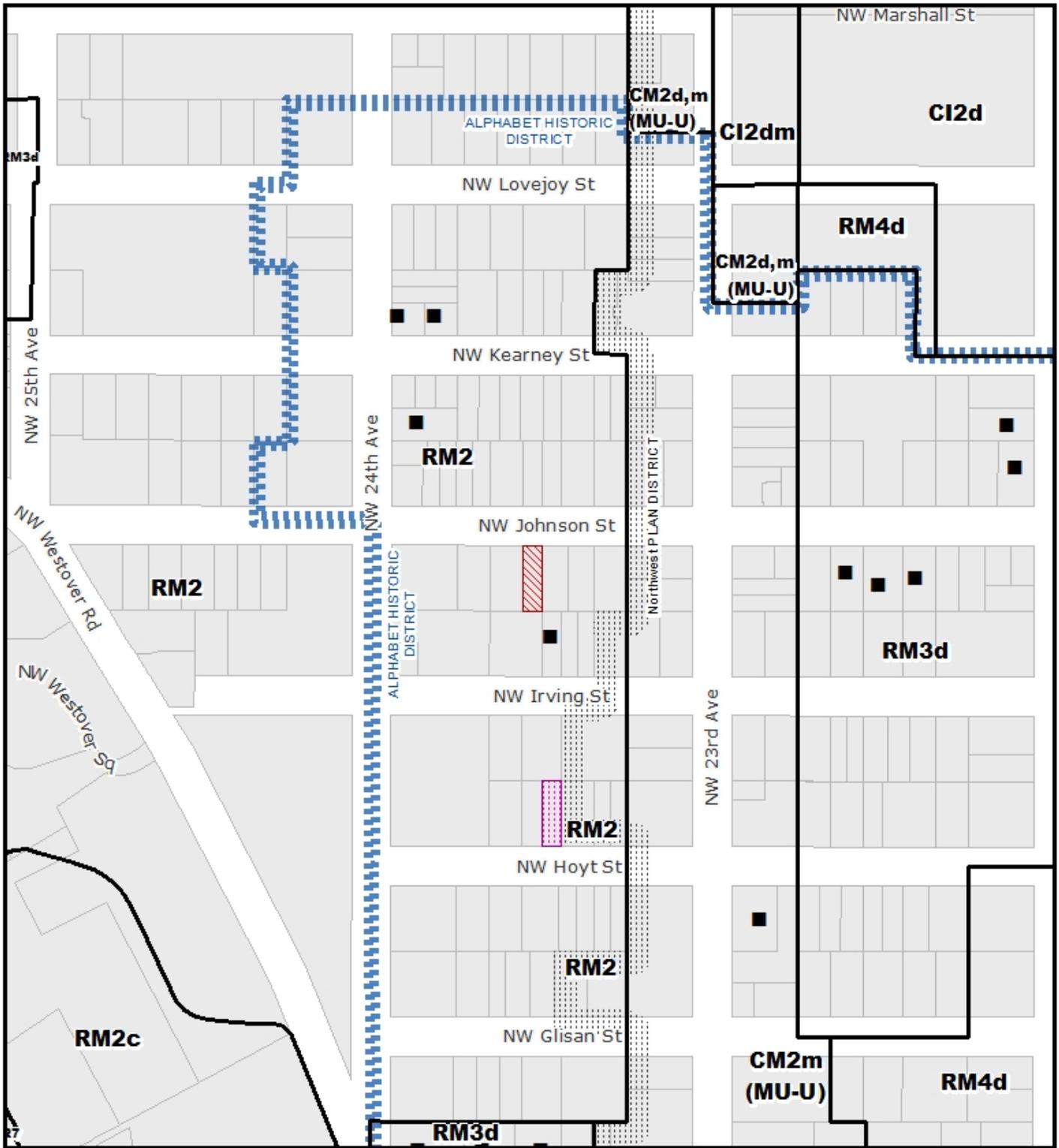
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
  - 1. Initial Drawings: 08.03.2020 (superseded)
  - 2. Revised Drawings: 09.14.2020
  - 3. Revised Drawings: 10.09.2020
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Plan: First Floor
  - 3. Plan: Second Floor
  - 4. Plan: Attic
  - 5. Elevation: East (attached)
  - 6. Details: Awning Window
  - 7. Details: Double Hung Window
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence: No responses were received.
- G. Other:
  - 1. Original LU Application
  - 2. Historic Information
  - 3. Site Pictures

**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).**



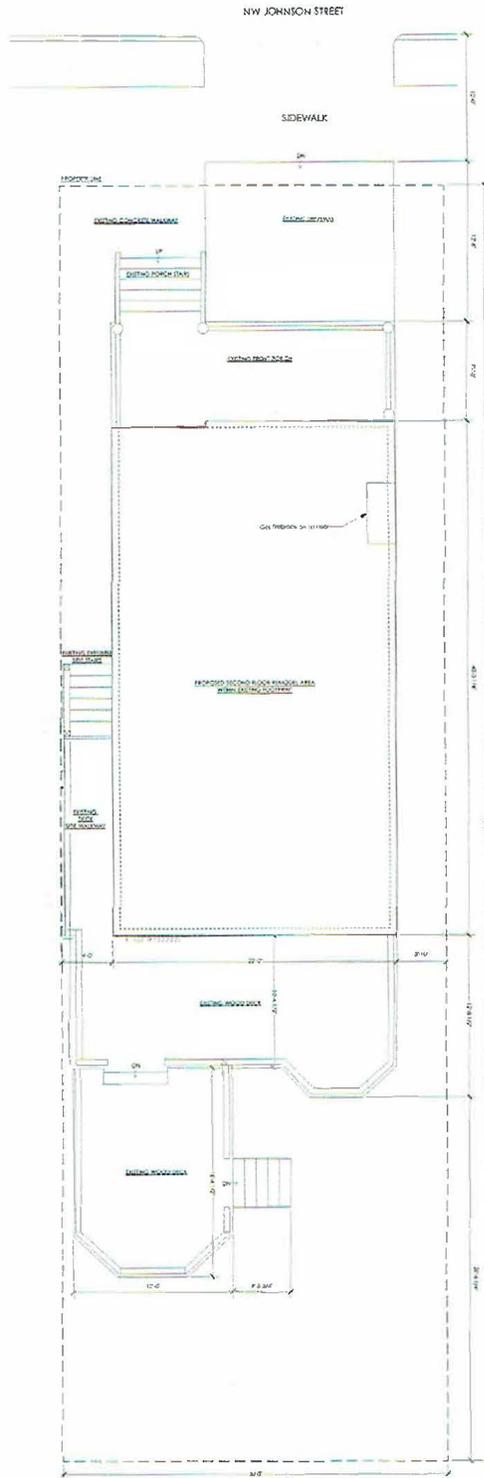
# ZONING

ALPHABET HISTORIC DISTRICT



- Site
- Also Owned Parcels
- Historic Landmark

File No.	LU 20 - 174129 HR
1/4 Section	2927
Scale	1 inch = 200 feet
State ID	1N1E33BC 7600
Exhibit	B Aug 05, 2020



1 Site Plan

\*Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planner \_\_\_\_\_  
 Date 10-12-2020  
 \*This approval applies only to the project requested and is subject to all conditional approval. Additional zoning requirements may apply.

 Jenini Lettsie Design 849 NW Oregon St. Suite 1015 Portland, OR 97209 503.426.1301	Maureen Bradley 2350 NW Johnson Rd. Portland, OR 97210	Site Plan	SR-12
			7-02-20

LU 20-174129 HR  
 EXHIBIT C-1

