



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

Dan Ryan, Commissioner
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Date: 12/22/21
To: Interested Person
From: Staci Monroe, Land Use Services
503-865-6516 / staci.monroe@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 21-103653 HR
EXTERIOR ALTERATIONS

GENERAL INFORMATION

Applicant: Keith Daly | Emerick Architects
321 SW 4th Ave #200 | Portland, OR 97204

Owners: Katherine Longstreth & Michael Terry
2330 NE Hancock Street | Portland, OR 97212-4751

Site Address: 2330 NE HANCOCK STREET

Legal Description: BLOCK 16 LOT 15&16, JOHN IRVINGS 1ST ADD
Tax Account No.: R430305040
State ID No.: 1N1E26DD 01500
Quarter Section: 2832
Neighborhood: Irvington, contact Dean Gisvold at deang@mcewengisvold.com
Business District: None
District Coalition: Northeast Coalition of Neighborhoods, contact at info@necoalition.org
Plan District: Albina Community
Other Designations: Contributing Resource in Irvington Historic District
Zoning: RM1- Multidwelling Residential 1000 zone
Case Type: HR – Historic Resource Review
Procedure: Type II, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicant requests Historic Resource Review for exterior alterations to the residence at 2330 NE Hancock Street, a contributing resource in the Irvington Historic District. The proposed alterations include:

- East Façade - replace door with a window, relocate a door and add a window.
- South Façade – replace existing window with a door, remove half-height wall, widen deck stairs, remove door to basement, and add new windows.

- West Façade – remove windows and replace with new door, add a concrete landing with metal railing, remove a pair of windows and add two new windows.
- Roof – new range hood vent

All new windows and doors will be wood. These alterations do not meet the exemptions of Section 33.445.320.B, therefore Historic Resource Review is required.

Relevant Approval Criteria:

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

- Section 33.846.060.G – Other Approval Criteria

ANALYSIS

Site and Vicinity: The 10,000 SF site is located at the southwest corner of the NE Hancock and 24th intersection. The 5,316 SF 2-story residence sits central on the site with a detached garage at the southern end. The Foursquare Craftsman home was built in 1908 and covered with shingle siding. The surrounding area is developed with similar period single family homes.

Zoning: The RM1 zone is a low-scale multi-dwelling zone that is generally applied in locations intended to provide a transition in scale to single-dwelling residential areas, such as the edges of mixed-use centers and civic corridors, and along or near neighborhood corridors. Allowed housing is characterized by one to three story buildings that relate to the patterns of residential neighborhoods, but at a somewhat larger scale and building coverage than allowed in the single-dwelling zones. The major types of new development will be duplexes, triplexes, rowhouses, courtyard housing, small apartment buildings, and other relatively small-scale multi-dwelling and small-lot housing types that are compatible with the characteristics of Portland’s 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.

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 there are no prior land use reviews for this site.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **November 17, 2021**. The following Bureaus have responded with no issues or concerns:

- Life Safety Plan Review Section of BDS (Exhibit E1)

- Bureau of Environmental Services (Exhibit E3)
- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- Bureau of Transportation Engineering (Exhibit E2)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on November 17, 2021. Three written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Jim Owens, 11/21/21 email, stating support for the project (Exhibit F1).
2. Fred Leeson, 11/21/21 email, stating support for the project (Exhibit F2).
3. Dean Gisvold, representing ICA, email dated 12/6/21, stating general support but some concerns with railing type, window lites and reuse/salvaging of windows (Exhibit F3).

Staff Response – See findings below.

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.

Findings: The subject property is a corner lot with two street-facing facades. No changes are proposed to the primary, front (north) facade of the house and there are no changes to the existing building footprint or form. On the side (east) facade, an existing door is being relocated slightly to improve the traditional flow into and through the house, and a new window is being added adjacent to the door to increase natural light within. There have been multiple, incongruous changes to this facade over time, and the proposed door and window will be more fitting with the historic character of the house.

The remaining proposed alterations to the building are to the back of the house, primarily out of view of the street. The interior remodel to the space is full kitchen remodel, a relocated stair to the basement, a relocated powder room, establishing a few new window locations, and two new back doors to access the backyard. New windows and doors will match the historic details and aesthetic of the existing and there are no alterations proposed to any features that are of historic significance. The new elements will match seamlessly with the existing exterior details, in material, scale, profile, details and color, such that it keeps with the historic character of the house. *This criterion is met.*

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.

Findings: Proposed features to be added will be in support of the existing architectural features that create a historical record of the building's and neighborhood's time. No new features will be added that will deteriorate the fabric of the neighborhood's historical significance. *This criterion is met.*

3. Historic changes. Most properties change over time. Those changes that have acquired historic significance will be preserved.

Findings: None of the proposed changes alter any elements of historic significance.

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.

Findings: The property does not have any deteriorated historic features that need to be repaired or replaced. The proposed alterations will match with the existing details and retain the original features of the house. *This criterion is 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: The historic materials will be protected and preserved. The windows and doors to be removed and replaced are all non-original. There are no potentially damaging chemical or physical treatments that will occur as part of this project.

7. Differentiate new from old. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.

Findings: Since neither the building footprint nor form is changing, the proposed alterations are all minor in nature. The exterior alterations will not destroy any original material, and any new windows and doors will be chosen specifically to match the existing materials. The new exterior stair and landing on the west facade is proposed to be made of concrete with a metal guardrail. This approach differentiates this new element from the old, while remaining compatible with the overall aesthetic of the historic house. The side and rear yard location and small size limits its visibility from the street and prevents it from being a primary element on the residence. *This criterion is met.*

8. Architectural compatibility. New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.

Findings: The proposed alterations will be architecturally compatible in massing, size and scale to the existing architectural features of the property. The new exterior stair and landing on the west facade has been sized and located to blend comfortably with the scale of the house and site, while improving access to the backyard. Otherwise, the primary architectural features of the proposed project are new windows and doors, which will match the existing ones in scale, material and profile. Additionally, the new

windows and doors have been located to create a more congruous facade that enhances rather than compromises the architectural integrity of the house. *This criterion is met.*

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: The integrity of the primary structure and resource will be preserved and enhanced with the proposed alterations, as there are no changes proposed to the building's footprint, form, or overall massing. *This criterion is met.*

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: The design for the alterations will primarily reflect the details of the existing house, which uses details and materials common to properties within the Irvington Historic District. *This criterion is 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

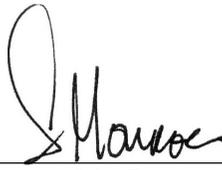
The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants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

ADMINISTRATIVE DECISION

Approval of exterior alterations, per the approved site plans, Exhibits C-1 through C-12, signed and dated 12/17/21, 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 21-103653 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: Staci Monroe



Decision rendered by: _____ **on 12/17/21**

By authority of the Director of the Bureau of Development Services

Decision mailed: 12/22/21

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 November 5, 2021, and was determined to be complete on November 15, 2021.

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 November 5, 2021.

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 3/15/22.**

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 to the Landmarks Commission, 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 1/5/22. The completed appeal application form must be emailed to LandUseIntake@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 Office of Community and Civic Life 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 this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

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 after **1/5/22** 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.

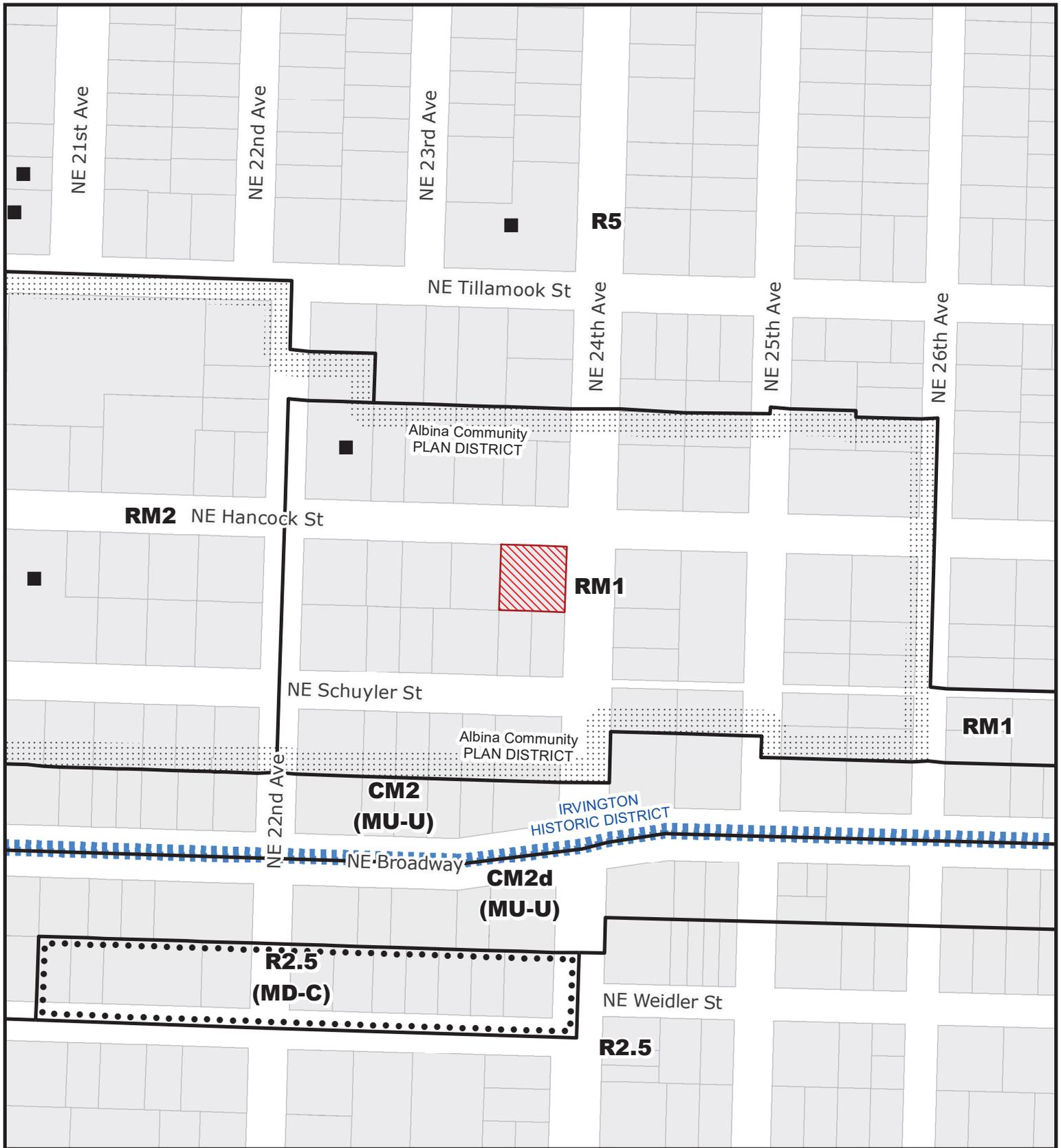
Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- 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. Project narrative and response to approval criteria
 - 2. Original drawings
 - 3. Floor plans, images, window/door inventory
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Existing East Elevation
 - 3. Existing South Elevation
 - 4. Existing West Elevation
 - 5. Proposed East Elevation (attached)
 - 6. Proposed South Elevation (attached)
 - 7. Proposed West Elevation (attached)
 - 8. Window Sections
 - 9. Door Sections
 - 10. Window & Door Schedule
 - 11. Light Fixture cutsheet
 - 12. Railing cutsheet
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Plan Review Section of BDS
 - 2. Bureau of Transportation Engineering
 - 3. Bureau of Environmental Services
- F. Correspondence:
 - 1. Jim Owens, 11/21/21 email, stating support for the project
 - 2. Fred Leeson, 11/21/21 email, stating support for the project
 - 3. Dean Gisvold, representing ICA, email dated 12/6/21, stating general support but some concerns with railing type, window lites and reuse/salvaging of windows
- G. Other:
 - 1. Original LU Application
 - 2. Staff email correspondence with 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



For Zoning Code in effect Post August 1, 2021



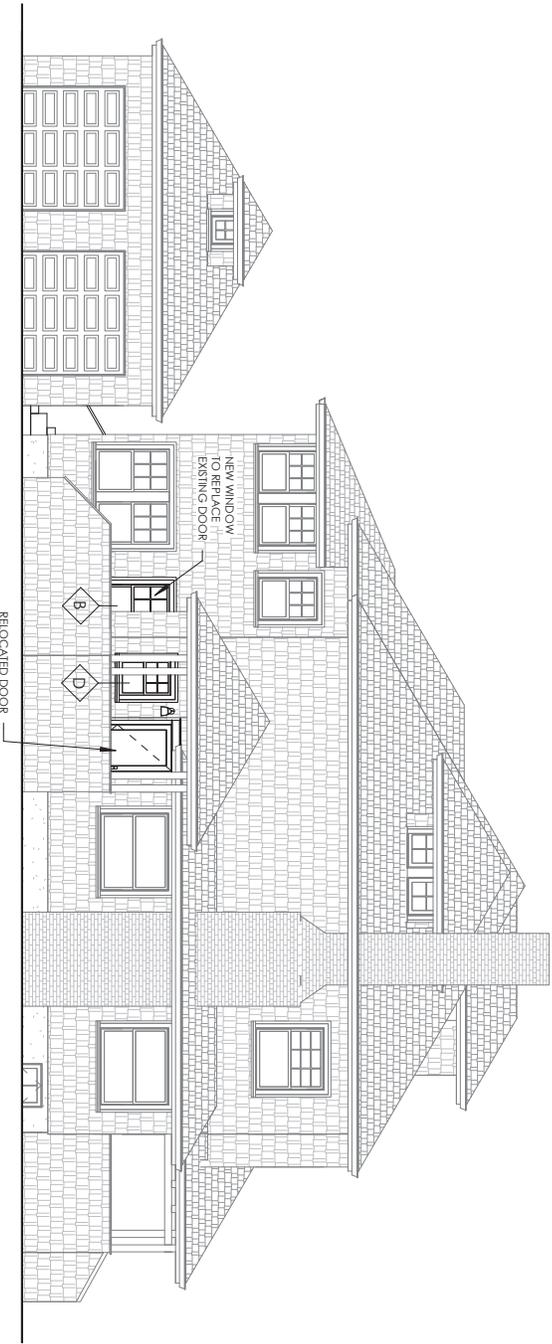
Site



Historic Landmark

ALBINA COMMUNITY PLAN DISTRICT
IRVINGTON HISTORIC DISTRICT

File No.	LU 21 - 103653 HR
1/4 Section	2832
Scale	1 inch = 200 feet
State ID	1N1E26DD 1500
Exhibit	B Nov 05, 2021



PROPOSED EAST ELEVATION

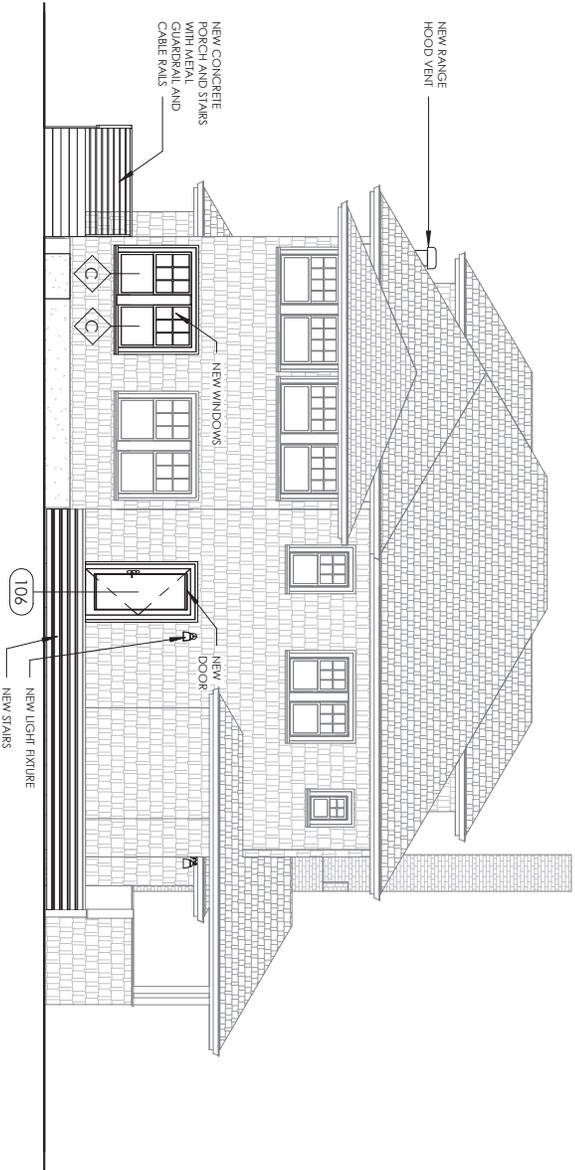
1
SCALE: 1/8" = 1'-0"

Approved
 City of Portland
 Bureau of Development Services
 Planner _____
 Date 12-17-2021
 This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

LAND USE REVIEW - REVISION 1
 2330 NE HANCOCK ST.
 PORTLAND, OR 97212
 NOT FOR CONSTRUCTION

EMERICK ARCHITECTS

LONGSTRETH -
 TERRY RESIDENCE
 LU 21-103663 HR
 JOB #: 2106 Exhibit 5E: 12/15/21
LUR-11



1
PROPOSED SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

Approved
 City of Portland
 Bureau of Development Services
 Planner *[Signature]*
 Date 12-17-2021
 *This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

LAND USE REVIEW - REVISION 1
 2330 NE HANCOCK ST.
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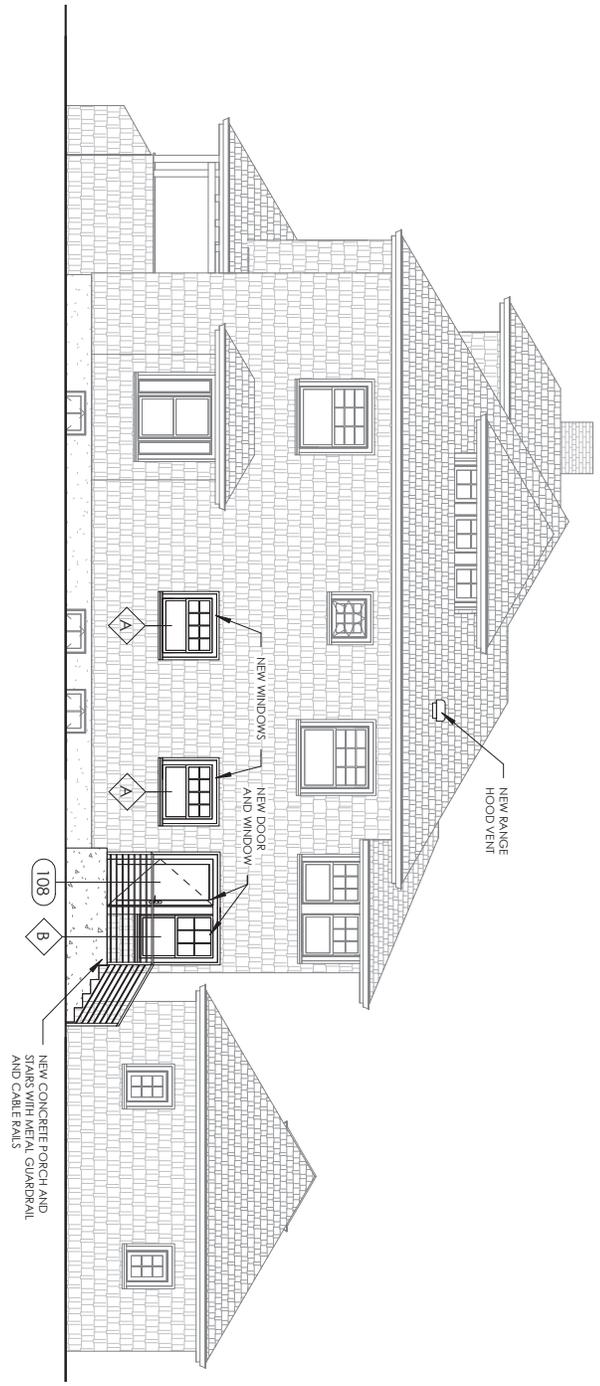
EMERICK ARCHITECTS

LONGSTRETH -
 TERRY RESIDENCE
 LU 21-103663 HR
 JOB #: 2106 Exhibit 06E: 12/15/21
LUR-1J

1

PROPOSED WEST ELEVATION

SCALE: 1/8" = 1'-0"



Approved
 City of Portland
 Bureau of Development Services

Planner *[Signature]*
 Date 12-17-2021

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

LAND USE REVIEW - REVISION 1
 2330 NE HANCOCK ST.
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EMERICK ARCHITECTS

LONGSTRETH -
 TERRY RESIDENCE
 LU 21-103663 HR
 JOB #: 2106 Exhibit #E: 12/15/21

LUR-1K