



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

Dan Ryan, Commissioner  
Rebecca Esau, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portland.gov/bds](http://www.portland.gov/bds)

**Date:** February 1, 2022  
**To:** Interested Person  
**From:** Megan Sita Walker, Land Use Services  
503-865-6515 / [MeganSita.Walker@portlandoregon.gov](mailto:MeganSita.Walker@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 21-110398 HR – NEW COVERED PORCH**

#### **GENERAL INFORMATION**

**Applicant:** Ean Eldred | Rhiza A+D Architecture + Design  
2516 NW 29th Ave #4  
Portland, OR 97210  
(503) 484-5495

**Owner:** Janet Hinkamp  
2041 NE Tillamook St  
Portland, OR 97212-4634

**Site Address:** 2041 NE TILLAMOOK ST

**Legal Description:** BLOCK 22 LOT 11&12, IRVINGTON  
**Tax Account No.:** R420404740  
**State ID No.:** 1N1E26DA 14100  
**Quarter Section:** 2832

**Neighborhood:** Irvington, contact Dean Gisvold at [deang@mcewengisvold.com](mailto:deang@mcewengisvold.com)  
**Business District:** Soul District Business Association, contact at [Info@nnebaportland.org](mailto:Info@nnebaportland.org)  
**District Coalition:** Northeast Coalition of Neighborhoods, contact at [info@necoalition.org](mailto:info@necoalition.org)

**Plan District:** None  
**Other Designations:** Non-contributing resource in the Irvington Historic District

**Zoning:** R5 – Residnetial 5,000 with Historic Resource Protection Overlay 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 approval for alterations associated with installing a new covered porch over the area of an existing uncovered deck on the (west) side of an existing non-contributing resource in the Irvington Historic District. The subject property is located at the corner of NE Tillamook Street and NE 20<sup>th</sup> Avenue and the single story proposed porch is designed to relate to the existing stucco building with arched openings. Wood decking and trim are proposed with metal railings and a tile roof to match the existing condition on the building.

Historic resource review is required because the proposal includes non-exempt exterior alterations in the Irvington 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 site is a 10,000 square foot lot located at the northeast corner of NE 20<sup>th</sup> and NE Tillamook in the Irvington Historic District. The existing structure on the property was constructed in 1990 in the Mediterranean Revival style and is listed as noncontributing (Not Eligible/ Out-of-Period) in the National Register Nomination for the Irvington Historic District. The building is 1½ stories and is a stucco clad building with prominent arched window openings and a clay tile roof.

**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 there are no prior land use reviews for this site.

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

1. Bureau of Environmental Services (See Exhibit E-1)
2. Urban Forestry (See Exhibit E-2)
3. Life safety Division of BDS (See Exhibit E-3)
4. Site Development Section of BDS (See Exhibit E-4)
5. Water Bureau (See Exhibit E-5)
6. Fire Bureau (See Exhibit E-6)

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on December 17, 2021. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, on January 6, 2022, wrote with no objections 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 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.
- 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 for 1, 2, 3, 4, and 5:** The existing structure on the subject property – built in 1990 – was not constructed during the period of significance of the Irvington Historic District, and is listed as a non-contributing resource in the District due to being constructed outside of the period of significance of the District. Seeing as the property has a noncontributing status, the resource in this case is the Irvington Historic District as a whole. As such, the proposal does not include alteration to historically significant

material, architectural features, or spaces contributing to the significance of the District.

*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:** Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. The proposal does not include significant excavation of previously undisturbed soil, as such, the potential that archaeological resources could be impacted is limited. *This criterion is met.*

**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 8 and 10:** The proposed alterations address the abovementioned approval criteria in the following ways:

- The covered porch attached to the West Elevation of the existing structure will be located where an existing 370sf deck exists. The mass of the porch will remain secondary to the main house.
- The scale of the porch will remain secondary to the volume of the main house as the new roof will nest underneath the existing eave.
- The north facing roof slope of the porch will also match the roof slope of the existing north mudroom addition which will help achieve overall coherency with the existing conditions.
- The roof of the new porch is proposed match the existing house's concrete-ceramic roof tiles and the proposed eaves and gutters are proposed to match the existing profile and finish of the existing conditions.
- The South and West (street-facing) Elevations of the proposed covered porch include large arched openings to match the proportion and width of the prominent arched windows on the main house.
- The proposed wooden elements, including the proposed wood wrapped column and exposed beams will be painted to match the walls, adding scale and texture.
- The proposed arched openings will include wood trim painted to match the existing window trim and will provide an edge to terminate the stucco finish in a manner consistent with the quality detailing of the house. In addition, the texture and color of the proposed stucco are designed to match the existing house.
- The proposed railings are metal railings that are designed to relate to wrought-iron railings seen in Mediterranean style resources in the District. Although wood railings are more typical to contributing resources in the District, the proposed railings relate to the existing front entry condition for this property and

reference the scale of the existing arched window mullions on the existing house.

- The alterations associated with the proposed covered porch do not alter the form and integrity of the historic resource (the District).
- Many of the larger contributing resources in the District utilize secondary additions to the main structure as a way to visually break up their larger scale. These secondary additions often reflect the architectural articulation (arches, trim work, window proportions, railings etc.) to relate to the main volume and integrate compatible scale and detailing in a manner to better integrate the additional with the main structure.
- The thoughtful design with consideration to scale, proportion, detailing, and materiality allows the proposed porch to be compatible with the District as a whole.

*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 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 approval criteria and therefore warrants approval.

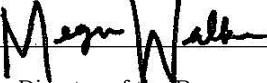
## **ADMINISTRATIVE DECISION**

Historic Resource Review approval for exterior alterations to a noncontributing resource in the Irvington Historic District to include the installation of a new covered porch over the area of an existing uncovered deck on the West (side) Elevation.

Approved per site plans, Exhibits C-1 through C-11, signed and dated January 27, 2022, 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 21-110398 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

**Staff Planner: Megan Sita Walker**

**Decision rendered by:**  **on January 27, 2022**

By authority of the Director of the Bureau of Development Services

**Decision mailed: February 1, 2022**

**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 30, 2021, and was determined to be complete on December 14, 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 30, 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 further extended by the applicant, **the 120 days will expire on: April 13, 2022.**

**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 February 15, 2022. The completed appeal application form must be emailed to [LandUseIntake@portlandoregon.gov](mailto: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 on or after **February 16, 2022** 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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**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 Project Description & Response to Approval Criteria
  - 2. Original Drawing Set & Renderings
  - 3. Site Photos
  - 4. Additional Drawings, Rec'd December 27, 2021
  - 5. Specifications, Rec'd December 27, 2021
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Cover with Vicinity Plan
  - 2. Site Plan (attached)
  - 3. Existing Deck Plan
  - 4. Proposed Porch Plan (attached)
  - 5. Proposed Roof Plan
  - 6. Proposed West Elevation (attached)
  - 7. Proposed South Elevation (attached)
  - 8. Proposed North Elevation (attached)
  - 9. Section Looking North
  - 10. Wall Section & Section Details
  - 11. Specifications (9 pages) – Roofing
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Urban Forestry
  - 3. Life safety Division of BDS
  - 4. Site Development Section of BDS
  - 5. Water Bureau
  - 6. Fire Bureau
- F. Correspondence:
  - 1. Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, on January 6, 2022, wrote with no objections to the proposal.
- G. Other:
  - 1. Original LU Application
  - 2. Irvington Historic District National Register Nomination, Page 239 of 324
  - 3. Email Correspondence between staff and the applicant

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