



CITY OF PORTLAND
 Bureau of Development Services
 1900 SW Fourth Avenue, Suite 5000
 Portland, OR 97201 P524
Decision of a Land Use Appeal
Case # LU 15-257970 HR

16



U.S. POSTAGE . . . BOWES

 ZIP 97204 \$ 000.67⁰
 02 1W
 0001392790 MAR 08 2017

Return Service Requested

REC'D MAR 13 2017

SABIN CA
 %NECN
 RACHEL LEE
 4815 NE 7TH AVE
 PORTLAND OR 97211

9721183999 0022



City of Portland, Oregon | Bureau of Development Services | 1900 SW Fourth Avenue, Portland, Oregon 97201 | www.portlandoregon.gov/bds



The City of Portland is committed to providing meaningful access. For accommodations, modifications, translation, interpretation or other services, please call 503-823-7300, the TTY at 503-823-6868 or the Oregon Relay Service at 711.

503-823-7300 BDS@PortlandOregon.gov www.PortlandOregon.gov/bds/translated

Traducción e interpretación | Chuyen Ngủ hoặc Phiên Dịch | 翻译或传译
 Turjumida ama Fasiraadda | 翻譯または通訳 | Письменные или устный перевод
 Traducere sau Interpretare | 번역 및 통역 | الترجمة الشفهية أو المكتوبة
 Translating and Interpreting Services | Письмовий або усний переклад



**Bureau of
Development Services
Land Use Services Division**

1900 SW Fourth Ave., Suite 5000
Portland, Oregon 97201
Telephone: (503) 823-7300
TDD: (503) 823-6868
FAX: (503) 823-5630
www.portlandonline.com/bds

**NOTICE OF FINAL
FINDINGS, CONCLUSIONS AND DECISION
OF THE CITY OF PORTLAND LANDMARKS COMMISSION
ON AN
APPEALED ADMINISTRATIVE DECISION
(Type II Process)**

**CASE FILE: LU 15-257970 HR - NEW SINGLE FAMILY RESIDENTIAL
LOCATION: 2011 NE SISKIYOU STREET**

The administrative decision of approval for this case, published on November 23, 2016 was appealed to the Landmarks Commission by the Irvington Community Association.

A public hearing was held on January 30, 2017, and February 27, 2017. At the February 27, 2017 hearing, the Landmarks Commission modified the administrative decision of approval and granted the appeal, following design revisions to the original proposal. The original analysis, findings and conclusion have been revised by the Landmarks Commission and follow. This decision is available on line:
<http://www.portlandonline.com/bds/index.cfm?c=46429&>

GENERAL INFORMATION

Applicant: Jack Barnes, Applicant
Jack Barnes Architect
615 SE Alder Street, #304
Portland, OR 97214

Christopher D Dawkins, Owner
2011 NE Siskiyou Street
Portland, OR 97212-2466

Site Address: 2011 NE SISKIYOU STREET
Legal Description: BLOCK 27 LOT 11&12, IRVINGTON
Tax Account No.: R420405840
State ID No.: 1N1E26AA 10900
Quarter Section: 2732

Neighborhood: Irvington, contact Dean Gisvold at 503-284-3885.
Business District: North-Northeast Business Assoc, contact at
chair@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Jessica Rojas at
503-388-5030.

Zoning: R5, Single Family Residential 5000
Case Type: HR, Historic Resource Review
Procedure: Type II, an administrative decision with appeal to the
Landmarks Commission.

Proposal: The proposal is for the construction of a single family residence and a rear detached garage on a newly created lot fronting on NE 20th Avenue. The lot will be created through a separate application for a Property Line Adjustment, with the Case File Number, LU 15-260654 PR. The house is proposed to be setback 20 feet from the front property line, on an elevated site, above the sidewalk grade. It has a total building coverage of 1,939 SF inclusive of the garage.

An accessory dwelling unit (ADU), with a total area of 731 SF is also being proposed in the basement. This programming has been added since the public notice of proposal was mailed out. The ADU complies with all code requirements, per Chapter 33.205 PZC, and will result in no exterior alterations to the elevations that were included in the original proposal.

The proposed residence is 2 stories high with a basement and a partial front porch. The total height is 26.5'. The originally proposed roof form was a moderately-pitched front facing gable with a nested gable for approximately 40% of the façade. It features deep 2.5' eave overhangs with painted wood brackets, painted wood trim band, and exposed rafter tail detailing. Traditional detailing and materials are proposed including painted cedar lap siding, painted cedar shakes at gable ends and dormer walls, architectural composite shingle roof and painted wood corner boards. Simpson wood doors and aluminum clad wood windows with wood surrounds and a brick chimney are also proposed. The covered front porch includes wooden posts and columns accessed by wooden steps and a concrete sidewalk.

The proposed detached garage is located in the north east corner of the lot, and will be built partly on the foundation of an existing non-contributing garage. The existing non contributing garage serves the adjacent house on the south at 2011 NE Siskiyou Street, and will be demolished. The proposed garage is 24' x 16', 11'-4" high and will be located within the side and rear setbacks. It complies with all the development standards that allow detached structures within the setbacks. The materials and detailing will match that of the primary residence.

Historic Resource Review is required because the proposal is for non exempt new construction in the Irvington Historic District.

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 Other Approval Criteria

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. This application was submitted on October 29, 2015 and determined to be complete on April 25, 2016.

III. REVIEW BODY CONCLUSIONS

The subject property is a new lot, approximately 5000 sf, which is being created through a 2 lot subdivision of an existing double corner lot. The proposed subdivision is consistent with the neighborhood character, given that all remaining lots are standard single lots on this block and intersection. The existing house, which is a contributing resource in the historic district, will be retained.

The design has undergone significant revisions in order to address compatibility concerns regarding the location, bulk and scale of the house, and the new garage. 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 revised, the Commission finds that this proposal now meets all the applicable Historic Resource Review approval criteria.

IV. REVIEW BODY DECISION

Grant the appeal and modify the administrative decision of approval.

Approval of the construction of a single family residence in the Irvington Historic District. This includes an accessory dwelling unit (ADU) in the basement, and a detached garage in the north east corner of the lot. The proposed residence is 2 stories high with a total height of 26.11'. Materials include painted cedar lap siding, painted cedar shakes at gable ends and dormer walls, architectural composite shingle roof and painted wood corner boards. Simpson wood doors and aluminum clad wood windows with wood surrounds and a brick chimney are also proposed.

Approved as per the approved site plans, Exhibits C-1 through C-12, signed and dated February 13, 2017, 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 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 15-257970 HRM." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The Property Line Adjustment shall be approved prior to approval of the building permit.
- C. 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.
- D. No field changes allowed.

The appellants prevailed, but with a new proposal that could meet the approval criteria. Thus, no refund will be issued.

Staff Planner: Puja Bhutani


Date Decision Rendered: February 27, 2017

First hearing date: January 30, 2017

Second hearing date: February 27, 2017

These findings and conclusions were adopted by the REVIEW BODY on February 27, 2017

By _____



Portland Historic Landmarks Commission
Kirk Ranzetta, Chair

Date Final Decision Rendered/Mailed: March 8, 2017

Appeal of this decision. This decision is final and becomes effective the day the notice of decision is mailed (noted above). This decision may not be appealed to City Council; however, it may be challenged by filing a "Notice of Intent to Appeal" with the State Land Use Board of Appeals (LUBA) within 21 days of the date the decision is mailed, pursuant to ORS 197.620 and 197.830. A fee is required, and the issue being appealed must have been raised by the close of the record and with sufficient specificity to afford the review body an opportunity to respond to the issue. For further information, contact LUBA at the Public Utility Commission Building, 550 Capitol Street NE, Salem, OR 97310 [Telephone: (503) 373-1265].

Recording the final decision. This is the final local decision on this application. You may record this decision the day following the mailed/filed date shown above.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: **Send** the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at (503) 988-3034.

Expiration of this approval. This decision expires 3 years from the date it is recorded unless:

- A building permit has been issued, or
- The approved activity has begun, or
- In situations involving only the creation of lots, the land division has been recorded.

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

- All conditions imposed here.
- All applicable development standards, unless specifically exempted as part of this land use review.
- All requirements of the building code.
- 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 Narrative
2. Original Drawing Set, Not Approved- For Reference only
3. Original Manufacturers Cut sheets, Not Approved- For Reference only
4. Site Survey
5. Arborist Report
6. Request for extension of 120 day review period, received 5/5/2016
7. Request for extension of 120 day review period, received 10/10/2016
8. Revised Narrative, 4/25/2016
9. Revised Drawing Set, 4/25/2016, Not Approved- For Reference only
10. Original Manufacturers Cut sheets, 4/25/2016, Not Approved- For Reference only
11. Revised Drawing Set, 7/27/2016, Not Approved- For Reference only
12. Support photographs
13. Revised Drawing Set, 8/9/2016, Not Approved- For Reference only
14. Revised Drawing Set, 8/22/2016, Not Approved- For Reference only
15. Original Manufacturers Cut sheets, 8/22/2016, Not Approved- For Reference only
16. Final narrative, 8/26/2016
17. Revised Drawing Set, 8/26/2016, Not Approved- For Reference only
18. Revised Manufacturers Cut sheets, 8/26/2016, Not Approved- For Reference only
19. FAR calculations
20. Infiltration Testing Results
21. Applicant response to public comments
22. Revised Drawing Set 10/18/2016, Not Approved- For Reference only

B. Zoning Map (attached)

C. Plans/Drawings:

1. Site Plan (attached)
2. Basement/First Floor Plans
3. Second Floor / Roof Plans
4. West Elevation / Streetscape Sections and Setbacks (attached)
5. South and East Elevation (attached)
6. North Elevation and Garage Elevations (attached)
7. Renderings
8. Details
9. Window Details
10. Double Hung Window Details
11. Typical window detail
12. Manufacturers cutsheets

D. Notification information:

1. Mailing list- Notice of Proposal
2. Mailed notice- Notice of Proposal
3. Mailing list- Notice of Decision
4. Mailed notice- Notice of Decision.

E. Agency Responses:

1. Bureau of Environmental Services
2. Bureau of Transportation Engineering and Development Review
3. Water Bureau
4. Fire Bureau
5. Site Development Review Section of BDS
6. Life Safety Review Section of BDS

F. Correspondence:

1. Lawrence Geib, 9/19/2016, wrote with concerns about a potential new garage on the lot to the south of the subject property.
2. Kathy Craig and Jeff Frase, 9/27/2016, wrote with concerns regarding the removal of an existing fir tree, the garage and retaining wall. They were also concerned about neighborhood compatibility, size of the house and the new property line.
3. Dean Gisvold, 10/5/2016, wrote with concerns regarding the incompatible setbacks, use of aluminum clad windows and preserving the existing Fir tree on site.

G. Other:

1. Original LU Application
2. Incomplete letter, send by staff on 11/30/2015
3. Oregon Historic Site Record
4. Google site photographs

H. **(Received before the 1st Hearing)**

1. Appealed Administrative Type II Decision
2. Appellants Appeal Statement and Narrative
3. Applicants Response to appeal
4. Appeal Mailing List
5. Notice of Appeal Hearing
6. Staff memorandum to the Portland Landmarks Commission, 3/14/2016
7. C Exhibits

- C1 Site Plan (attached)
- C2 Basement/First Floor Plans
- C3 Second Floor / Roof Plans
- C4 West Elevation / Streetscape Sections and Setbacks (attached)
- C5 South and East Elevation (attached)
- C6 North Elevation and Garage Elevations (attached)
- C7 Renderings
- C8 Details
- C9 Window Details
- C10 Double Hung Window Details
- C11 Typical window detail
- C12 Manufacturers cut sheets

(Received at the 1st Hearing)

8. Staff PowerPoint Presentation to Hearing Body
9. Appellant PowerPoint Presentation to Hearing Body
10. Applicants PowerPoint Presentation to Hearing Body
11. Exhibits received during hearing, as provided by the appellant
12. List of testimony

(Received before the 2nd Hearing)

13. Staff memorandum to the Portland Landmarks Commission
14. Redlined tentative final findings and decision.

(Received at the 2nd Hearing)

15. Staff PowerPoint Presentation to Hearing Body
16. Applicants PowerPoint Presentation to Hearing Body
17. List of testimony
18. Monica Taylor, 2/27/2017, wrote opposing the proposal.

Copies

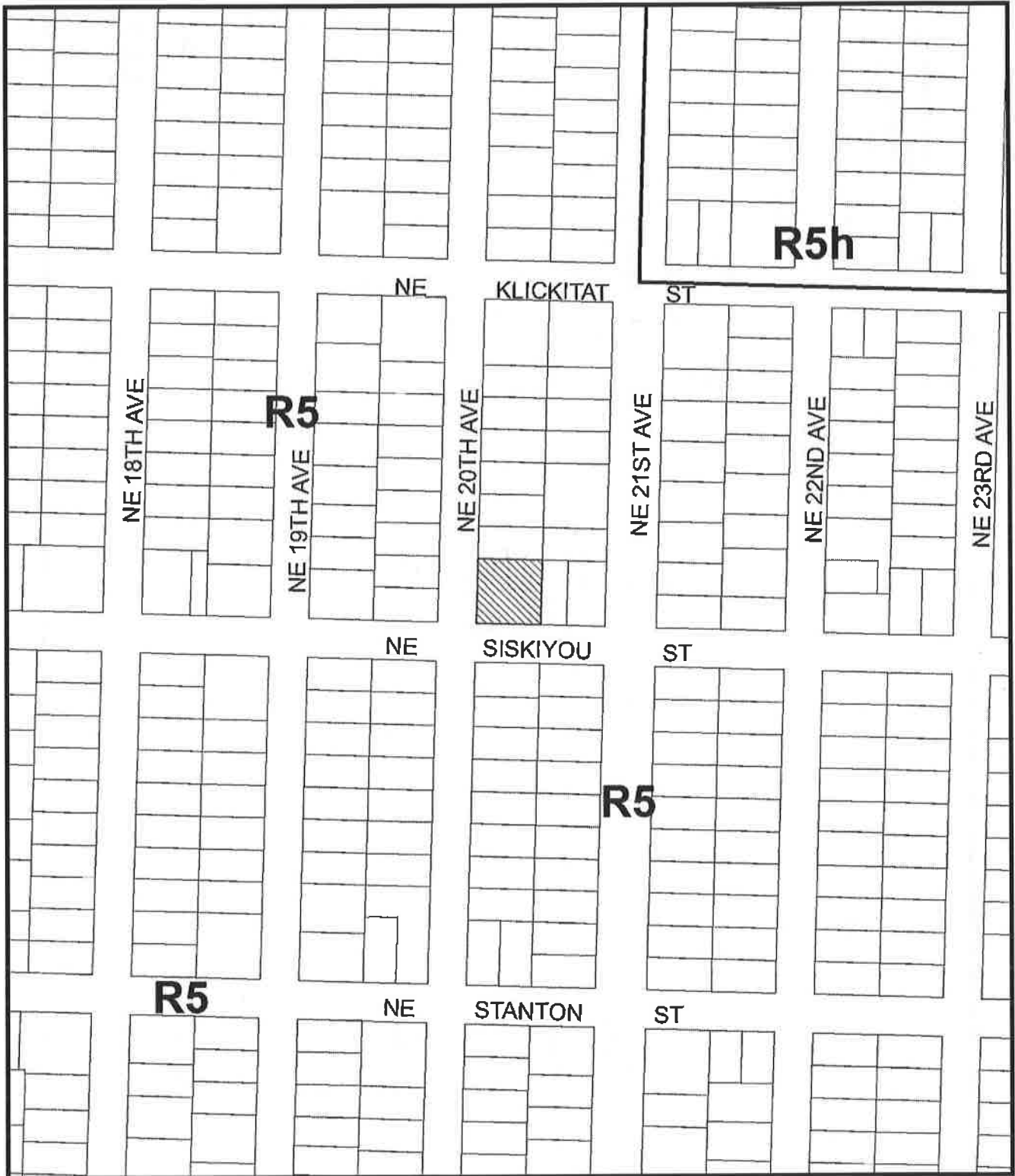
1. Applicants
2. Representatives

All Parties who wrote or Submitted Testimony at the Public Hearing
 Neighborhood and/or Business Association(s)
 Auditor's Office

Planning and Zoning **(remember to include a revised signed site plan with new date and info)**

Planner initial and date

plb.
March 2, 2017



ZONING



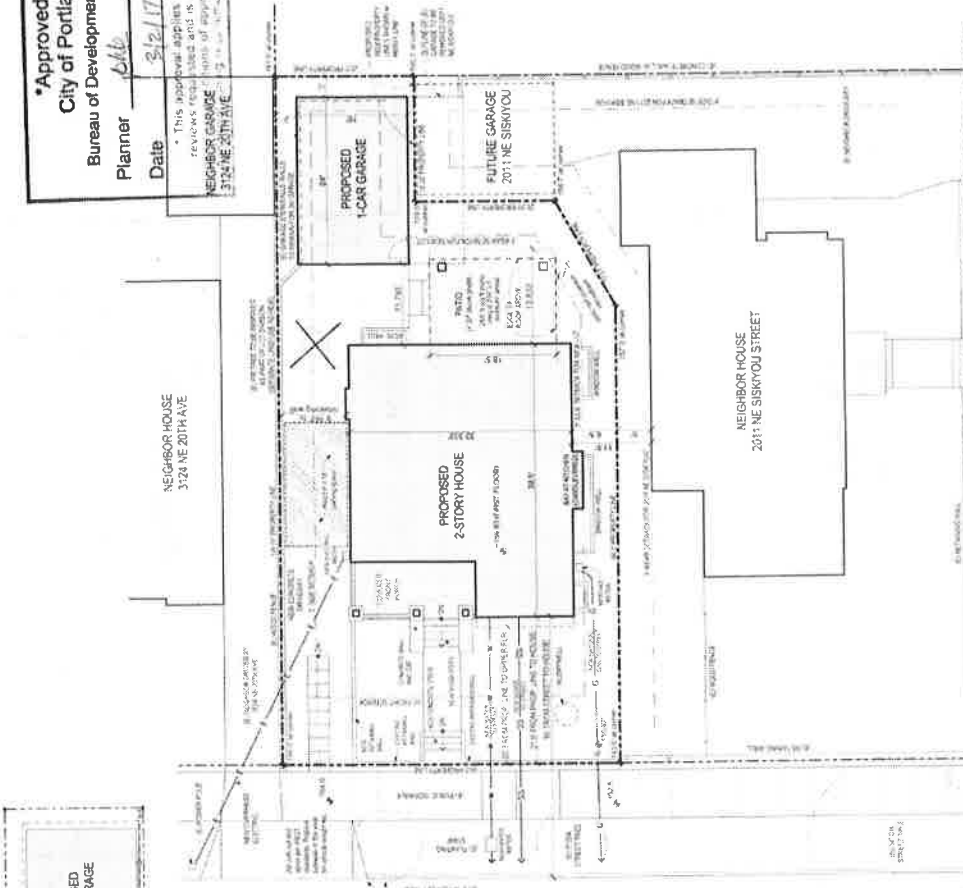
This site lies within the:
IRVINGTON HISTORIC DISTRICT

 Site

File No. LU 15-257970 HR
 1/4 Section 2732
 Scale 1 inch = 200 feet
 State_Id 1N1E26AA 10900
 Exhibit B (Dec 7, 2016)

Approved
 City of Portland
 Bureau of Development Services
 Planner: *blb*
 Date: *3/2/17*
 *This approval applies only to the reviews required and is subject to all NEIGHBOR GARAGE rules. Other rules may apply.

Siskiyou House
 2011 NE SISKIYOU STREET
 PORTLAND, OR 97212



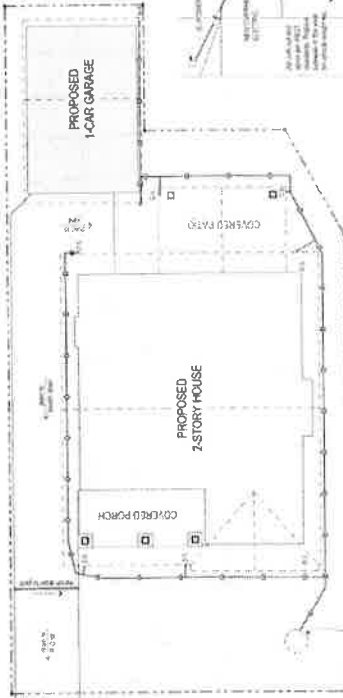
Site Plans

HR-1

EXHIBIT C4

NE SISKIYOU STREET

1 SITE AND UTILITY PLAN
 SCALE: 1/8" = 1'-0"



2 STORMWATER PLAN
 SCALE: 1/8" = 1'-0"

SITE & ZONING DATA	
Client:	Chris Stiles & Son, Inc./Burrell
Project Address:	Area 14 (1000-1201 NE Siskiyou St) Portland, OR 97212
Property ID:	8157342
Tax Roll:	IRRETRACTABLE BLOCK 27 1317 1112
Zoning:	OS 2.5
Lot Area:	5346 S.F.
Setbacks:	12' Front 5' Side 5' Rear
Height Limit:	30' Max

BUILDING COVERAGE	
Site Area:	4,229 sf
Allowable Building Coverage:	4,526 sf + 21.5% of area over 3,066 sf
	= 11,530 sf + (3,775 x 1.25) sf
	= 11,530 sf + 4,719 sf
	= 16,249 sf
Actual Building Coverage:	1,525 sf of 16,249
	= 10.15% of 16,249
	= 844 sf
Proposed Garage Coverage:	307 sf
Proposed Building Coverage:	1,238 sf
Proposed Garage Coverage:	307 sf
Total Proposed Coverage:	1,544 + 307 = 1,851 sf

IMPERVIOUS AREA	
Proposed Structure:	1860 sq ft
Garage:	454 sq ft
Driveway:	533 sq ft
Concrete Walkway/Patio:	140 sq ft
Total:	3115 sq ft

UTILITY CONTACT INFO

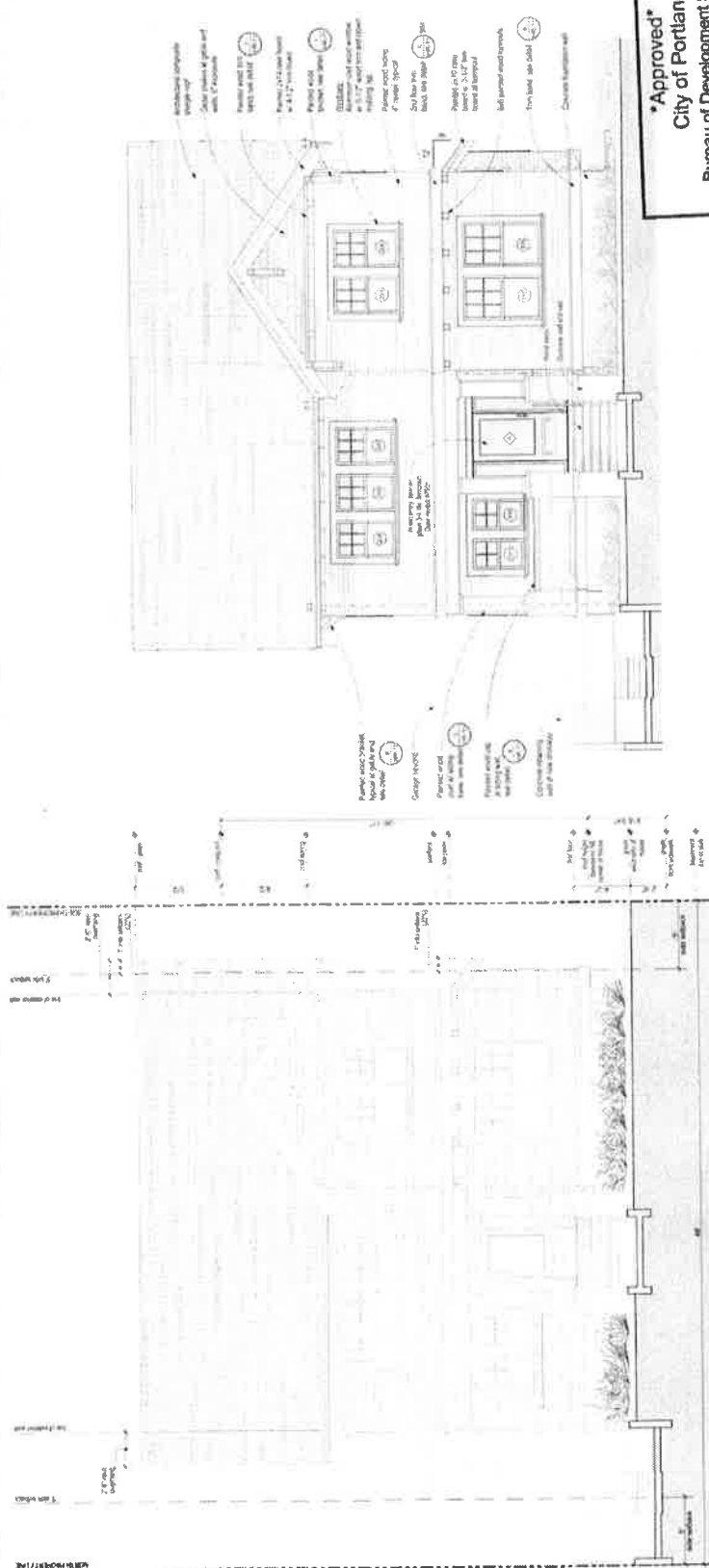
NRW Natural Gas
 1000 NE Oregon St
 Portland, OR 97232
 503-271-5860
trish.hendrix@nwnatural.com

Portland General Electric
 Andrew Schuyler
 LEOCAD (P) Eng. Customer Manager
 503-884-2553 (cell) 503-255-4853



JAZZ BECKETT ARCHITECT
 615 SE. Main Street, Suite 104
 Portland, Oregon 97214
 T 503.233.1030
 jbz@jazzbeckett.com
 www.jazzbeckett.com

Siskiyou House
 located at 2701 NE Siskiyou St.
 Portland, OR 97212
 client: Chris Oestery & Arjuna Rivers

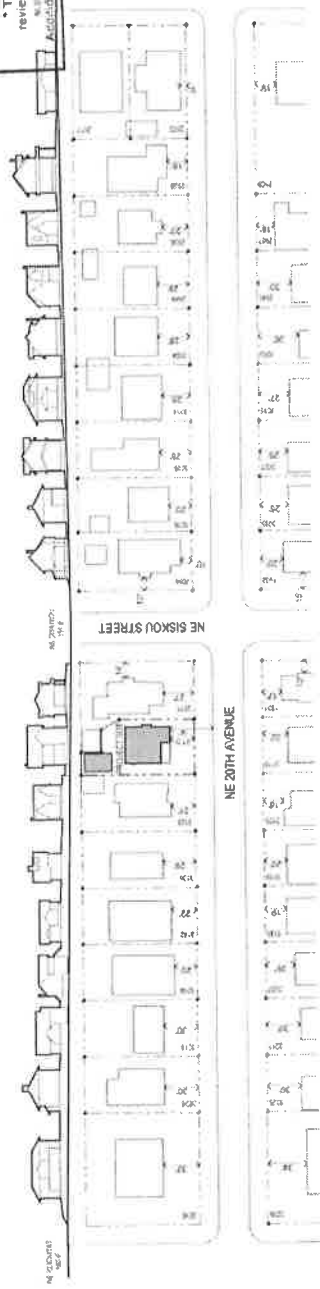


1 WEST ELEVATION: HEIGHTS & SETBACKS
 SCALE: 1/8" = 1'-0"

2 WEST ELEVATION
 SCALE: 1/8" = 1'-0"

Approved
City of Portland
Bureau of Development Services
 Planner *pklt*
 Date *2.2.17*

* This approval applies only to the reviewer requested and is subject to all applicable zoning, zoning requirements may apply.



3 STREETScape - NE 20TH AVENUE
 SCALE: 1/8" = 1'-0"

West Elevation

HR-4

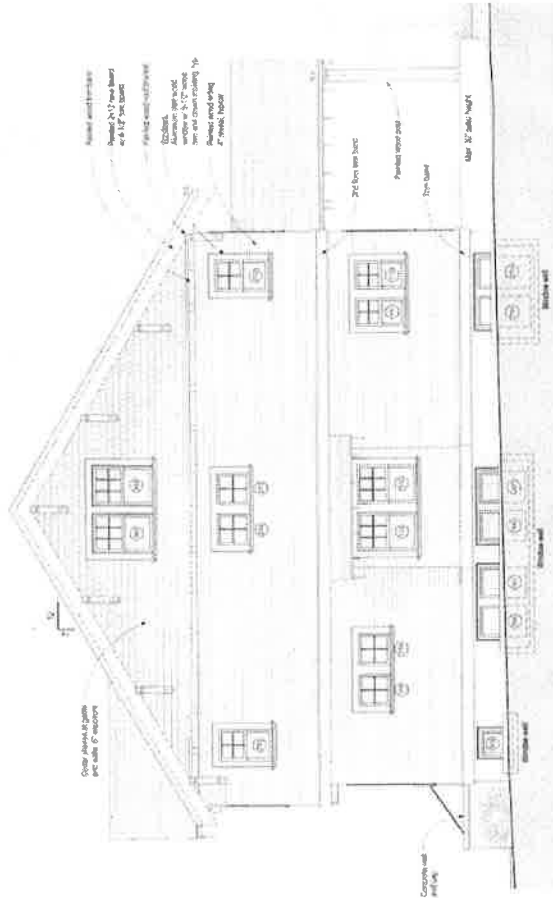
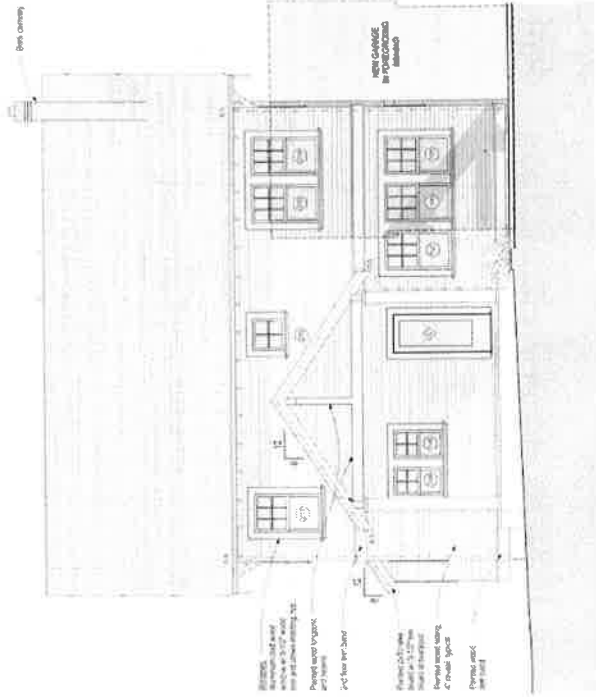
EXHIBIT CH

Sheet No. 0070

JACK SLOPES ARCHITECT
 815 NE Main Street, Suite 204
 Portland, Oregon 97214
 503.232.1820
 jack@jackslopesarchitect.com
 www.jackslopesarchitect.com

Siskiyou House
 1100 NE Oregon Street
 Portland, OR 97232

Client: Chris Jensen & Allison Burns



2 EAST ELEVATION
 SCALE: 1/8" = 1'-0"

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



South / East
 Elevation

HR-5

Approved
 City of Portland
 Bureau of Development Services
 Planner: *[Signature]*
 Date: 3-2-11
 *This approval applies only to the reviews requested and is subject to all applicable codes and regulations that may apply.

EXHIBIT C9

