

- a. The decision in the demolition review is final;
 - b. At least 120 days have passed since the date the Director of the Bureau of Development Services determined that the application was complete; and
 - c. A permit for a new building on the site has been issued. The demolition and building permits may be issued simultaneously.
- B. Demolition delay review.** Unless addressed by Subsection A, above, or exempted by Subsection C, below, Rank I, II, or III resources listed in the City's Historic Resource Inventory are subject to demolition delay review.
- C. Exempt from demolition review and demolition delay review.** Rank I, II, or III resources listed in the City's Historic Resource Inventory that are required to be demolished because of the following are exempt from demolition review and demolition delay review:
1. The Bureau of Development Services requires demolition due to an immediate danger to the health, safety, or welfare of the occupants, the owner, or that of the general public, as stated in Section 29.40.030 of Title 29, Property Maintenance Regulations; or
 2. The Code Hearings Officer requires demolition, as provided for in Section 29.60.080 of Title 29, Property Maintenance Regulations.

Historic Preservation Agreements and Historic Preservation Incentives

33.445.600 Preservation Agreements

- A. Purpose.** Preservation agreements increase the potential for historic resources to be used, protected, renovated, and preserved. They provide a mechanism for owners to commit to good stewardship of their historic resources.
- B. Eligibility for preservation agreements.** All historic resources are eligible to use the preservation agreement described in this Section.
- C. Covenant.** Owners who wish to enter into a preservation agreement must execute a covenant with the City. The covenant may not be revoked or rescinded. The covenant must:
1. State that the owner agrees that the historic resource is subject to demolition review, and the owner will not demolish the historic resource unless the City approves the demolition or relocation through demolition review;
 2. State that the owner agrees that the historic resource may be relocated only if the City approves the relocation through the following reviews:
 - a. Sending site. The sending site is subject to Section 33.846.080, Demolition Review; and
 - b. Receiving site. The receiving site is subject to both Section 33.846.060, Historic Resource Review and Section 33.846.030, Historic Designation Review; and
 3. Meet the requirements of Section 33.700.060, Covenants with the City.

33.445.610 Historic Preservation Incentives

- A. Purpose.** Historic preservation incentives increase the potential for historic resources to be used, protected, renovated, and preserved. Incentives make preservation more attractive to owners of historic resources because they provide flexibility and economic opportunities.
- B. Eligibility for historic preservation incentives.** Conservation Landmarks and Historic Landmarks are eligible to use the historic preservation incentives in Subsection C if the requirements of Subsection D are met. Sites with resources identified as contributing to the historic significance of a Historic District or a Conservation District are eligible to use the incentives in Paragraphs C.3 through C.8 if the requirements of Subsection D are met.
- C. Incentives.** The following incentives are allowed if the requirements of Subsection D, Covenant, are met. The incentives are:
1. Transfer of density and floor area ratio (FAR). Transfer of density from a landmark to another location is allowed in Multi-Dwelling, Commercial, and Employment zones. In Multi-Dwelling zones, the transfer is regulated by Subsection 33.120.205.E, Transfer of Density. In Commercial and Employment zones, the transfer of FAR is regulated by Subsections 33.130.205.C and 33.140.205.C.
 2. Additional density in Single-Dwelling zones. Landmarks in Single-Dwelling zones may be used as multi-dwelling structures, up to a maximum of one dwelling unit for each 1,000 square feet of site area. No additional off-street parking is required, but the existing number of off-street parking spaces must be retained. The landmark may be expanded and the new net building area used for additional dwelling units only if the expansion is approved through historic resource review.
 3. Additional density in Multi-Dwelling zones. Structures located in multi-dwelling zones may be used as multi-dwelling structures, with no maximum density. No additional off-street parking is required, but the existing number of off-street parking spaces must be retained. The building may be expanded and the new net building area used for additional dwelling units only if the expansion is approved through historic resource review.
 4. Daycare in residential zones. Daycare is an allowed use in residential zones.
 5. Conditional uses in R, C, and E zones. In R, C, and E zones, applications for conditional uses are processed through a Type II procedure.
 6. Exemption from minimum density. Minimum housing density regulations do not apply.
 7. Nonresidential uses in the RX zone. In the RX zone, except on sites which front on the Park Blocks frontages shown on Map 510-12, up to 100 percent of the net building area of a structure may be approved for Retail Sales And Service, Office, Major Event Entertainment, or Manufacturing And Production through Historic Preservation Incentive Review.

8. Nonresidential uses in the RH, R1 and R2 zones. In the RH, R1 and R2 zones, up to 100 percent of the net building area of a structure may be approved for Retail Sales And Service, Office, or Manufacturing And Production as follows:
 - a. Review required. The nonresidential uses must be approved through Historic Preservation Incentive Review; and
 - b. Previous nonresidential use required. The last use in the structure must have been in a nonresidential use category and have been allowed when established; if part of the structure was in residential use, the proposal must include at least as many dwelling units as were part of the last allowed use or uses. If the last allowed use was residential only, the structure is not eligible for this incentive.

D. Covenant. The owner must execute a covenant with the City. The covenant may not be revoked or rescinded. The covenant must:

1. State that the owner agrees that the historic resource is subject to demolition review, and the owner will not demolish or relocate the historic resource unless the City approves the demolition or relocation through demolition review; and
2. Meet the requirements of Section 33.700.060, Covenants with the City.

Community Design Standards

33.445.700 Purpose

The Community Design Standards provide an alternative process to historic resource review for some proposals. For some proposals, the applicant may choose to go through the historic resource review process set out in Chapter 33.846, Historic Resource Reviews, or to meet the objective standards of Chapter 33.218, Community Design Standards. The standards for signs are stated in Title 32, Signs and Related Regulations. Proposals that do not meet the Community Design Standards—or where the applicant prefers more flexibility—must go through historic resource review.

33.445.710 When Community Design Standards May Be Used.

Unless excluded by Section 33.445.720, When Community Design Standards May Not Be Used, proposals that meet all of the requirements of this section may use the Community Design Standards as an alternative to historic resource review.

A. Location. The proposal is:

1. A Conservation Landmark located outside of the Central City plan district;
2. In a Conservation District; or
3. In the Albina Community plan district shown on Map 505-1.

B. Maximum limits. The proposal is within the maximum limits of Table 445-1.



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

Chloe Eudaly, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

MEMORANDUM

Date: February 17, 2017
To: Portland Landmarks Commission
From: Mike Gushard, Land Use Services
503-823-5091 – mike.gushard@portlandoregon.gov
Re: 16-262033 DA – Tillamook Apartments
Design Advice Request Summary Memo February 27, 2017

Attached is a drawing set for the Design Advice Request for an apartment addition to a contributing resource in Irvington Historic District. The proposed apartment addition is attached to the historic William Andersen House, a two-story vernacular Queen Anne style duplex at the corner of NE Tillamook and NE 13th Avenue. The proposed addition is 3-stories with a standing seam metal roof, stucco, and stained vertical wood. The proposal also includes a concrete stair entering the lot and a small hyphen with a side-gable roof that connects the new construction to the historic building. The review criteria are the Portland Zoning Code's other review criteria for Historic Resources Review Chapter 33.846.060.G. They are included with this memo.

Areas for discussion on February 27, 2017:

- 1) **Differentiation versus Compatibility.** The proposal sits in a section of Irvington that is mostly single family homes and duplexes from the District's period of significance. These homes generally have varied, but traditional expression and detailing in the Queen Anne and Foursquare style. The proposal is for a new apartment building with large windows, vertical boards, and a very contemporary expression. The approval criteria for this site includes requirements that the development "Differentiate new from old" (Criterion 7) while not destroying materials that characterize the property. There are other Criteria that emphasize compatibility (Criteria 1, 8, and 10). Staff requests the Commission's advice on whether historic detailing and compatibility or a more contemporary expression are preferred for the site.
- 2) **Alterations and Additions to the Historic Building.** The proposal is an addition to a contributing resource. This choice was made to achieve access to a Historic Preservation Incentive [33.445.610] that allows for additional density with no maximum in multi-dwelling zones. A previous iteration of the proposal was for a detached building that added density but because the incentive language explains that a building, as opposed to a site, can be expanded to achieve more density the applicant opted to propose an addition. Staff requests the Commission's advice as to how or if the project should alter the historic building. Currently, the attachment of the addition eliminates elements of the rear of the house. If an addition is allowable what is the appropriate relationship to the size and character of the historic building.
- 3) **Height, Mass, and Scale.** The proposed addition is roughly the same height as the historic house on the site and only slightly narrower. Staff has previously advised the applicant that additions should be visibly subordinate to historic buildings. We request specific comments on how appropriate the proposed height, mass and scale are with regard to the historic house and the district. We also ask what the appropriate response would be for a new detached building on the site.
- 4) **Materials.**
 - a) **Stucco.** Stucco is proposed as a primary material. For a land use application, the applicant will have to demonstrate the quality of this material with more information about the type of stucco and detailing of the joints. According to the Oregon Historic Sites Database 10% of the properties in the district include stucco. Staff requests guidance on the compatibility of this

Design Commission Memo

material with the existing resource and, if approvable the Commission's opinion on what type of stucco and detailing would be approvable for the project.

- b) **Vertical Wood.** The proposal includes vertical T&G stained gray as a major façade material. Staff requests commission's input on whether this material is compatible with the historic building and the district.
 - c) **Metal Roof.** Staff encourages the commission to provide guidance on the compatibility of a standing seam metal roof in the district.
- 5) **Street-side expression.** The site is in the the Residential 2,000 zone which requires a 10ft front-setback. This proposal technically faces the side of the lot which has lower setback requirements. The front wall plane is 6ft removed from the sidewalk but concrete walls that create planters face much of the NE Tillamook sidewalk. The summary description of the Irvington Historic District Nomination describes the neighborhood as "exemplified by tree-lined streets, uniform setbacks and similarity of scale and design in-house stock." Staff would like the Commission to discuss how the proposal addresses the streetscape.

Please contact me with any questions or concerns.

Enclosures

Historic Resource Review

Correspondence from the neighbors

Dean P. Gisvold

From: Gushard, Mike <Mike.Gushard@portlandoregon.gov>
Sent: Friday, February 17, 2017 3:18 PM
To: Dean P. Gisvold
Cc: leebmontgomery@gmail.com; Barb Christopher; Bob Dobrich; Ed Abrahamson; James Heuer; Jeff Jones; Jim Barta; Meryl Logue; Nathan Corser; Nikki Johnston; Peter O'Neil; Sean; Stephen Doubleday; Steven Cole; Tony Greiner
Subject: RE: Apartments 13th and Tillamook
Attachments: EA 16-262033 Tillamook Apts Memo.pdf

Dean,

Attached to this email is my memo framing some discussion items for the February 27th Design Advice Request to the Landmarks Commission

If you have any questions about the project, the DAR process, or my memo please do not hesitate to give me a call or send an email.

Hope you get to enjoy the sun today,

Mike Gushard | city planner

Historic Resource Review | Design Review

City of Portland | Bureau of Development Services

1900 SW 4th Avenue, Suite 5000, Portland, OR 97201

p: 503.823.5091

f: 503.823.5630

e: mike.gushard@portlandoregon.gov

w: www.portlandoregon.gov/bds

From: Dean P. Gisvold [<mailto:deang@mcewengisvold.com>]
Sent: Friday, February 17, 2017 1:52 PM
To: Gushard, Mike <Mike.Gushard@portlandoregon.gov>
Cc: leebmontgomery@gmail.com; Barb Christopher <barbfc@comcast.net>; Bob Dobrich <bobdobrich@gmail.com>; Dean P. Gisvold <deang@mcewengisvold.com>; Ed Abrahamson <endanseur@comcast.net>; James Heuer <jsheuer@easystreet.net>; Jeff Jones <jjones@pacifier.com>; Jim Barta <jim.barta@yahoo.com>; Meryl Logue <meryllogue@comcast.net>; Nathan Corser <nathan.corser@ch2m.com>; Nikki Johnston <ndjz@yahoo.com>; Peter O'Neil <poneil@realtytrust.com>; Sean <saetas@me.com>; Stephen Doubleday <stephendoubleday@me.com>; Steven Cole <stevencole86@gmail.com>; Tony Greiner <anthony.greiner@pcc.edu>
Subject: Apartments 13th and Tillamook

Mike

Just checking in to see if you will be submitting a staff report on the DAR scheduled for Feb 27th. I have copied other interested folks.

If there is a report, please send copies to participants in this email. Thanks.