



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

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Date: March 07, 2019
To: Interested Person
From: Arthur Graves, Land Use Services
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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 18-276033 HR - NEW REAR SHED DORMER

GENERAL INFORMATION

Applicant: Laura Migliori | Laura Migliori Architect | 503.228.4921
812 NW 17th Avenue | Portland, OR 97209

Owner: Mary K Thompson
2925 NE 11th Ave | Portland, OR 97212-3245

Site Address: **2925 NE 11th Avenue**

Legal Description: BLOCK 96 LOT 8, IRVINGTON
Tax Account No.: R420421700
State ID No.: 1N1E26BD 03900
Quarter Section: 2731
Neighborhood: Irvington, contact Dean Gisvold at 503-284-3885.
Business District: Soul District Business Association, contact at info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Laura Becker at 503-388-6088.

Plan District: None
Other Designations: Contributing Resource in the Irvington Historic District, listed in the National Register of Historic Places on October 22, 2010.

Zoning: **R5** – Residential 5,000 with Historic Resource Protection Overlay
Case Type: **HR** – Historic Resource Review
Procedure: **Type II**, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicant seeks Historic Resource Review approval for alterations to the rear of a contributing resource in the Irvington Historic District. The proposal is for the removal of a door, a new 2nd floor shed dormer that will house a bathroom and closet, and a roof extension of an existing shed to cover the rear entry door.

Historic resource review is required because the proposal is for non-exempt exterior alterations on a resource 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 approval criteria are:

- *33.846.060.G Other Approval Criteria*

ANALYSIS**Site and Vicinity:**

The subject property is located in the northwest quadrant of the Historic District, at the southern end of the block defined by NE Siskiyou Street to the north, NE Stanton Street to the south, NE 10th Avenue to the west, and NE 11th Avenue to the east. The 1933 “contributing resource”, historically known as the George and Lillian Lockwood House, is built in the English Cottage Style, is one and a half stories and is set slightly above grade.

Platted in the late Nineteenth Century, today's Irvington Historic District represents the first additions to Portland that employed restrictive covenants from the outset. These included the exclusion of most non-residential uses from the interior of the neighborhood, and where non-residential uses were allowed, such as the fire station and the telephone exchange, the buildings were purposely disguised to appear more residential in character. Other deed restrictions excluded minority groups, established uniform front setbacks, and required minimum expenditure on new buildings. The area developed generally from southwest to northeast and its growth was greatly influenced by the installation of streetcar lines that introduced an easy commuting option to downtown.

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 address. 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. Original development in many cases included garages or other accessory structures, typically facing side streets on corner lots and accessed by a variety of driveway types on mid-block sites. Garages that were added after original construction, but still within the historic period, were sometimes built at the sidewalk and/or out of architectural character with the house.

Regarding surrounding amenities, the following resource is located within a quarter mile (approximately a 5-minute walk) distance from the site: Irving Park (to the north), Irvington Elementary School (to the south), as well as restaurants, cafes, and various other retailers to the north and west.

Regarding transportation surrounding the site: the closest bus service to the site is located on NE 15th Avenue to the east with the #08 bus. Designated City Bikeways include NE Stanton Street to the south, NE Siskiyou Street to the north, and NE 9th Avenue is a designated “Major City Bikeway” (per the TSP).

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 **January 15, 2019**. The following Bureaus have responded with no issues or concerns:

- Life Safety – Bureau of Development Services: Geoffrey Harker: February 01, 2019 (Exhibit E-1)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on January 15, 2019. One written response has been received from the Neighborhood Association in response to the proposal.

1. Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, on February 5, 2019, wrote to confirm that the top of the roof of the proposed dormer will be at least 6” below the top of the existing roof, and that the existing siding is in fact shake siding as indicated on the drawings. (Exhibit F-1)

Staff Response: Yes, staff agrees. The proposed dormer will be at least 6” below the top of the existing roof, and the existing siding is to be shake siding as indicated on the drawings, per Exhibit C-3.

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.

Findings for 1 and 2:

Proposed alterations to the contributing resource including: a new 13-foot-wide dormer addition, a 7-foot extension to the existing shed roof over existing French doors, and the removal of one door of the French doors, are consistent with the character of the structure while being limited to the rear (west elevation) of the resource. The proposed door to be removed is not original to the house and will be infilled with siding that matches existing. The proposed shed roof to be extended over the remaining French door maintains the form and pitch of the existing roof while providing enclosure for the remaining door. The dormer addition mimics the shed roof form found on this elevation of the house, is pulled down from the existing roofline by a minimum of 6 inches, includes two all wood casement windows that are consistent with existing original windows on the resource, and will have cedar sidewall shake siding that matches existing siding on the resource. Collectively, the proposed alterations are consistent in scale, style and massing with existing conditions on the resource. The proposed alterations allow for improved use and utility of the residence while maintaining the overall character, mass and style of the contributing resource.

Therefore, these criteria are met.

- 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 3, 4, and 5:

The proposed door to be removed (one door of the existing French door) was a part of a number of alterations made to the house in the early 2000's. The area will be infilled with siding to match existing. New windows on the proposed dormer are similar in size and construction to existing original windows on the house (most notably on the south elevation). No historic changes to the resource have been discovered or noted and so no historic changes have acquired historic significance requiring preservation. Historic materials will be protected and no chemical or physical treatments are proposed.

Therefore, these criteria are 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 7, 8, 9, and 10:

Proposed alterations are consistent and compatible with the existing contributing resource and will not negatively impact the overall form and integrity of the building. All proposed alterations are also limited to the rear of the house and so will be largely unnoticed when viewing the resource from the public right-of-way. The removal of one door of the existing French doors is an alteration to a non-original feature on the building which effectively brings the rear elevation of the building into increase conformance with the building's original design. The proposed dormer addition is modest in size, roughly centered on the elevation, (located approximately 11 feet in from the south elevation and 15 feet in from the north elevation), 13-feet in width, with the peak of the proposed shed dormer pulled down from the existing roofline by a minimum of 6 inches. Collectively, the dormer's location (on the rear elevation), modest size (13' width), and integration of deferential details (similar roof form found on rear elevation, pulled down a minimum of 6" from the existing roofline, use of matching sidewall shake siding, and use of similar all wood windows as existing on the house) to the original resource integrate the proposed dormer to be compatible with the existing architecture while maintaining the hierarchy and form of the building. In addition, extending the existing ground floor shed roof to the south helps to integrate the proposed alterations with the existing form of the building by enclosing what will be a singular door and providing a visual base for the proposed new dormer.

Therefore, 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 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 resource historically known as the George and Lillian Lockwood House maintains the original 1933 English Cottage structure and architectural integrity of the building while adding square footage to the second floor (at the rear) of the resource.

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 proposed alterations including the addition of a rear dormer to the contributing resource in the Irvington Historic District, per the approved site plans, Exhibits C-1 through C-6, signed and dated March 04, 2019, 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 18-276033 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 March 04, 2019.**

By authority of the Director of the Bureau of Development Services

Decision mailed: March 07, 2019.

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 December 10, 2018, and was determined to be complete on January 11, 2019.

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 December 10, 2018.

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: May 11, 2019.**

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, which will hold a public hearing. Appeals must be filed **by 4:30 PM on March 21, 2019** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional 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.

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 **March 22, 2019** 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:

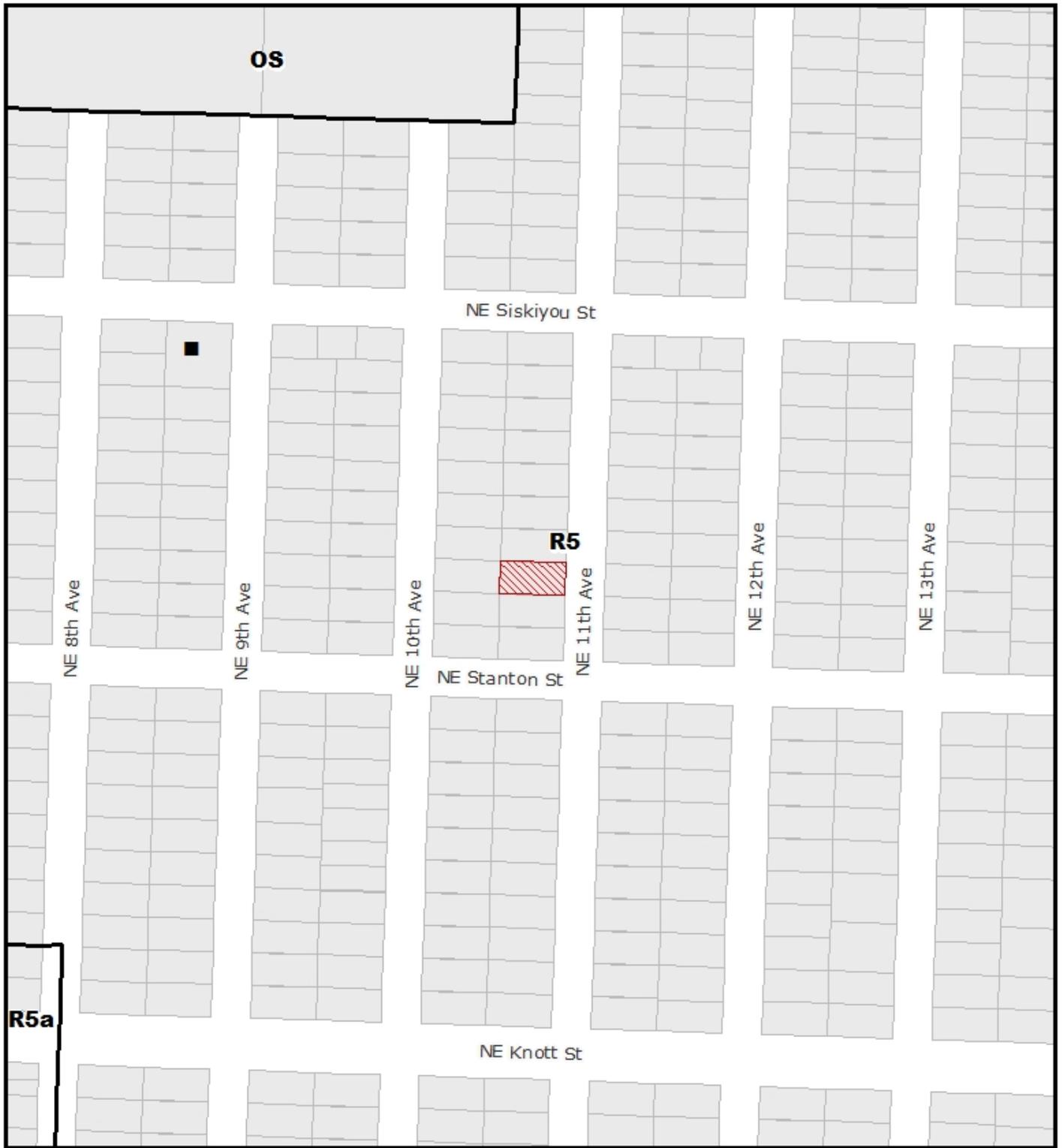
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 1. Initial Submittal and Applicant's Statement: December 10, 2018 (superseded)
 2. Existing Elevations
 3. Revised Drawings
 4. Site Photos
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Elevations: West, South and North (attached)
 3. Section
 4. Floor Plans: Second Floor
 5. Details
 6. Manufactures Cut Sheets
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Life Safety – Bureau of Development Services: Geoffrey Harker: February 01, 2019.
- F. Correspondence:
 1. Dean P. Gisvold, on behalf of the Irvington Neighborhood Association: February 05, 2019.
- G. Other:
 1. Original LU Application
 2. Historic Information
 3. Site Pictures
 4. Incomplete Letter: December 24, 2018

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



THIS SITE LIES WITHIN THE:
IRVINGTON HISTORIC DISTRICT



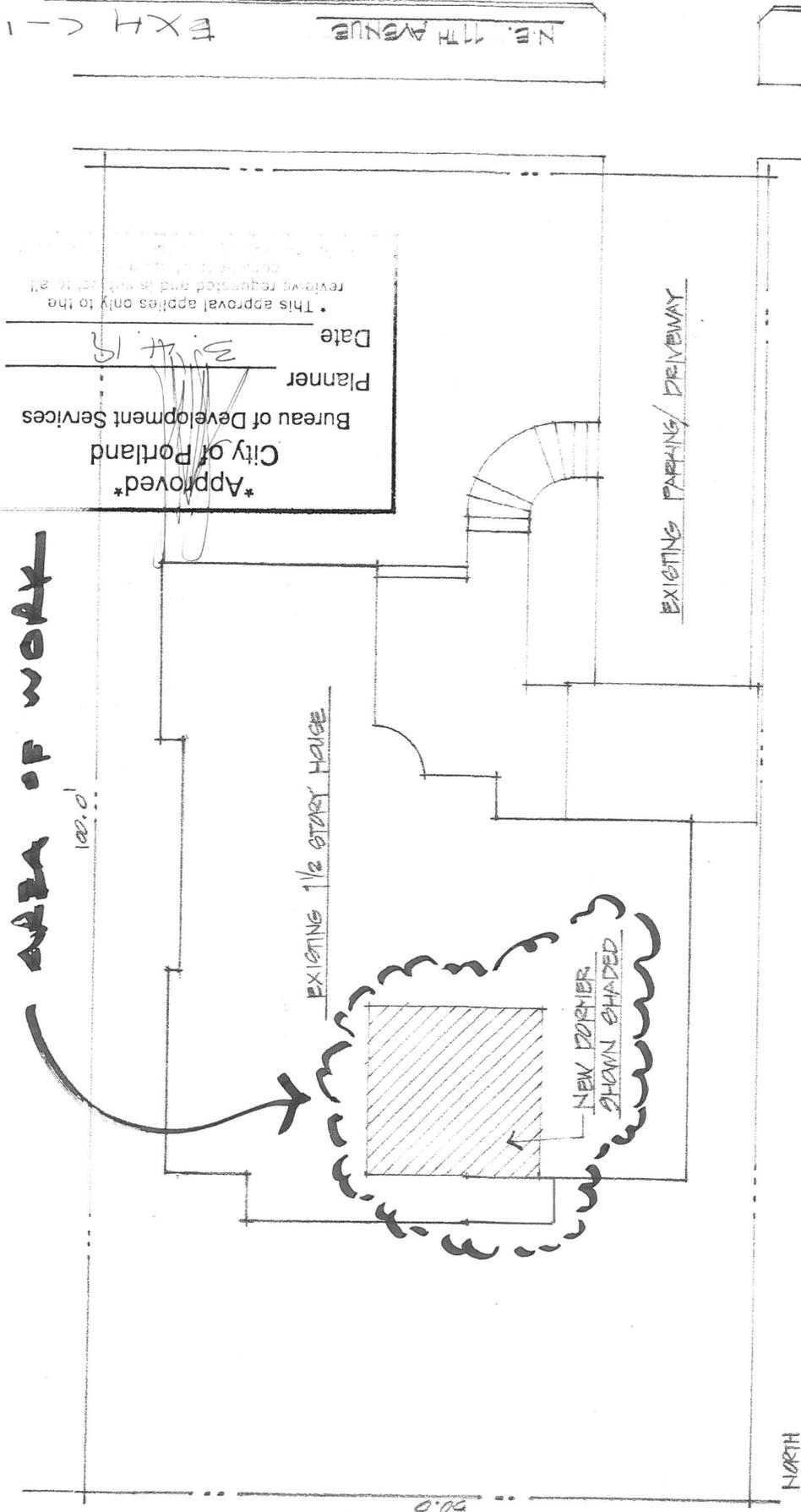
Site



Historic Landmark

File No.	LU 18-276033 HR
1/4 Section	2731
Scale	1 inch = 200 feet
State ID	1N1E26BD 3900
Exhibit	B Dec 11, 2018

18-276033 HR



AREA OF WORK

Approved
 City of Portland
 Bureau of Development Services

Planner Eric H. [Signature]
 Date 3/14/19

* This approval applies only to the review requested and is subject to all applicable codes and regulations.

N.E. 11TH AVENUE
EXH C-1

NORTH

SITE PLAN • 1" = 10'-0" • THOMPSON RESIDENCE • 2925 N.E. 11TH AVE.

18-276033 HR