



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

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Date: 3/16/22
To: Interested Person
From: Staci Monroe, Land Use Services
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NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has a approved 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 22-107382 HR - *DORMER ADDITION*

GENERAL INFORMATION

Applicants/Owners: Joshua Lewis & Shannon Mcmenamin
2010 NE Thompson Street | Portland, OR 97212

Site Address: 2010 NE THOMPSON STREET

Legal Description: BLOCK 22 LOT 20, IRVINGTON
Tax Account No.: R420404840
State ID No.: 1N1E26DA 14700
Quarter Section: 2832
Neighborhood: Irvington, contact Dean Gisvold at deang@mcewengisvold.com
Business District: Soul District Business Association, contact at Info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact at info@necoalition.org
Plan District: None
Other Designations: Contributing Resource in Irvington Historic District
Zoning: R5 – Single Dwelling Residential 5,000
Case Type: HR – Historic Resource Review
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant requests Historic Resource Review to a contributing resource in the Irvington Historic District. A 3rd floor dormer is proposed on the south façade, with roofing, cladding and windows to match the existing residence.

Historic Resource Review is required for exterior alterations that do not meet the exemptions in Section 33.445.320.B

Relevant Approval Criteria:

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

- Other Approval Criteria – Section 3.846.060.G

ANALYSIS

Site and Vicinity: The 5,000 SF lot is located at the southeast corner of NE Thompson and 20th intersection. The 3 level Mediterranean Revival house built in 1926 sits central on the lot with a detached garage at the southeast corner of the site. Single dwelling residences exist in the surrounding area.

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 on **February 25, 2022**. No Bureaus provided comments given the small scope of the proposal.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **February 25, 2022**. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Tony Greiner, email dated 3/2/22, stating support for 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.

Findings: The subject property is a corner lot with two street-facing facades. No changes are proposed to either the front, north facade or the west façade of the house and there are no changes to the existing building footprint. The new small dormer is proposed on the side (south) façade. It includes new window, stucco finish and composition roofing, which 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 (wood multi-lite window, stucco exterior and small dormer) 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. *This criterion is met.*

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. There are no potentially damaging chemical or physical treatments that will occur as part of this project. *This criterion is met.*

- 6. 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 the building footprint is not changing and a dormer is on the side and small, the proposed alterations are all minor in nature and will not be a primary element on the residence. It will be differentiated as a newer element, however, given its location within two intersecting roofs. While the window will be custom to match the existing windows it will be of new construction providing further differentiation. *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. Otherwise, the primary architectural features of the proposed project, new windows and dormer which will match the existing ones in scale, material and profile. *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 with the proposed alterations, as there are no changes proposed to the building's footprint. In addition, the small size and location of the dormer will not adversely impact its 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 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 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 a dormer addition, per the approved site plans, Exhibits C-1 through C-9 signed and dated 3/14/22, 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 four 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 22-107382 HRB." 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 3/14/22**

By authority of the Director of the Bureau of Development Services

Decision mailed 3/16/22

Procedural Information. The application for this land use review was submitted on January 26, 2022, and was determined to be complete on February 23, 2022.

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 January 26, 2022.

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 6/23/22.**

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.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further 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.

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 **3/16/22** 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 for 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. Photos of existing house & window
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. South Elevation (attached)
 - 3. Enlarged South Elevation (attached)
 - 4. Building Section
 - 5. West Elevation
 - 6. Window Head Section
 - 7. Window Sill Section
 - 8. Window specs
 - 9. Window specs
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence:
 - 1. Tony Greiner, email dated 3/2/22, stating support for proposal.
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter dated 2/8/22

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

IRVINGTON HISTORIC DISTRICT



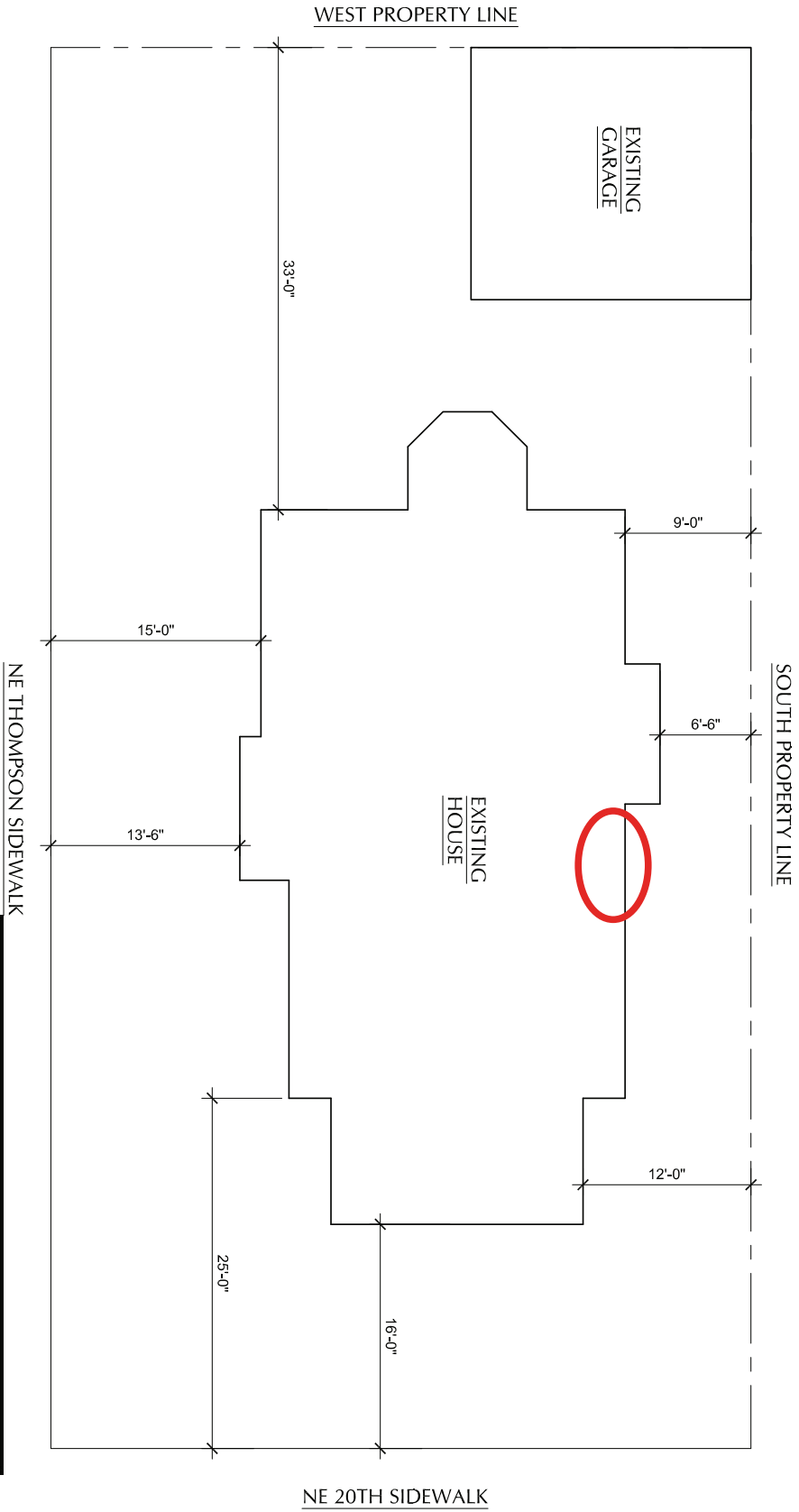
Site



Historic Landmark

File No.	LU 22 - 107382 HR
1/4 Section	2832
Scale	1 inch = 200 feet
State ID	1N1E26DA 14700
Exhibit	B Jan 27, 2022

2010 NE Thompson St.
Distance of house to property line.



Approved
City of Portland
Bureau of Development Services
Planner [Signature]
Date 03-14-2022
This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

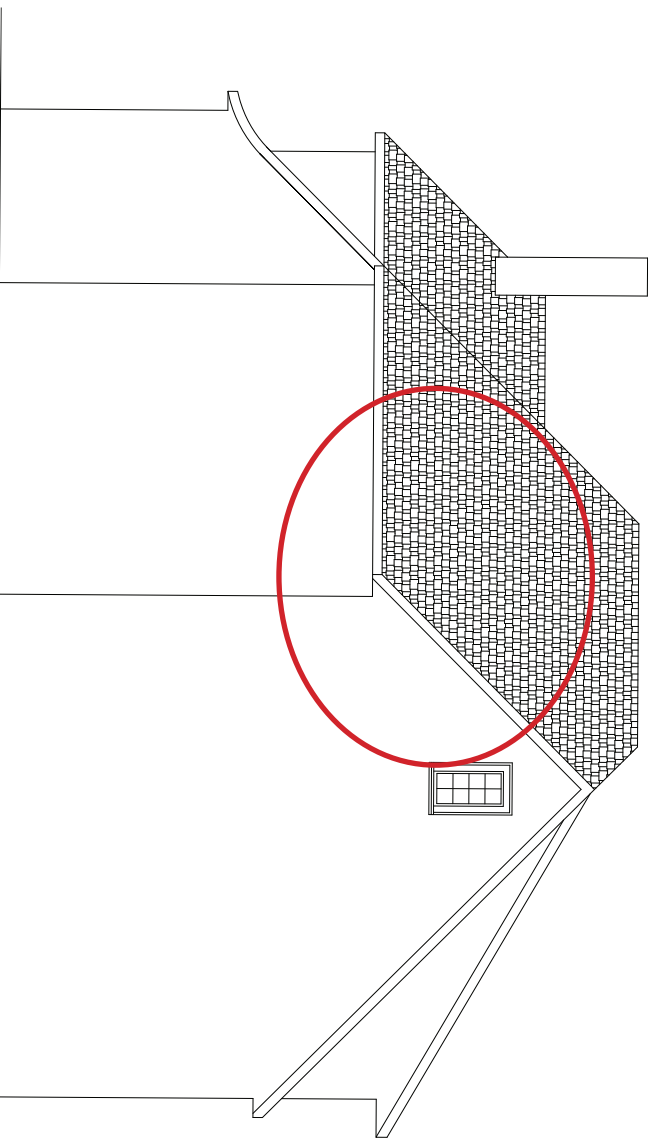
1) PROPOSED ALTERATIONS

Add a dormer to the top floor roof line.

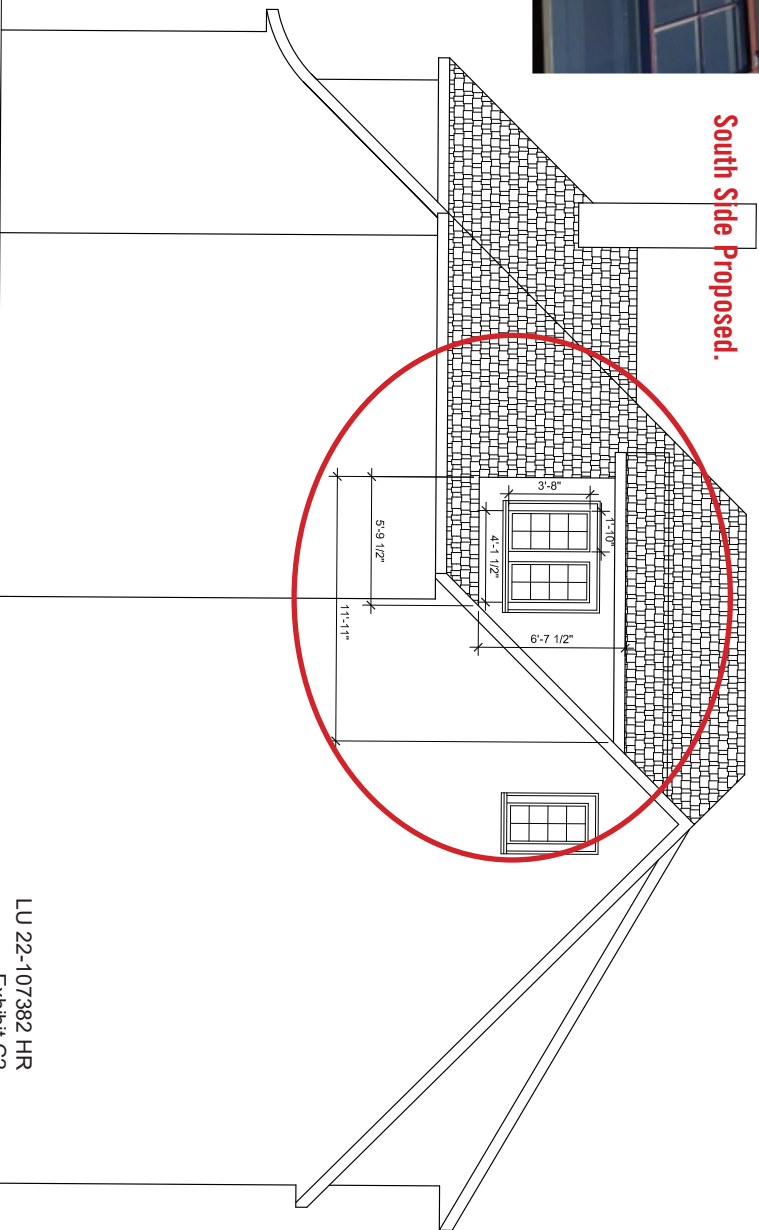
South Side of Home.



South Side Existing.



South Side Proposed.



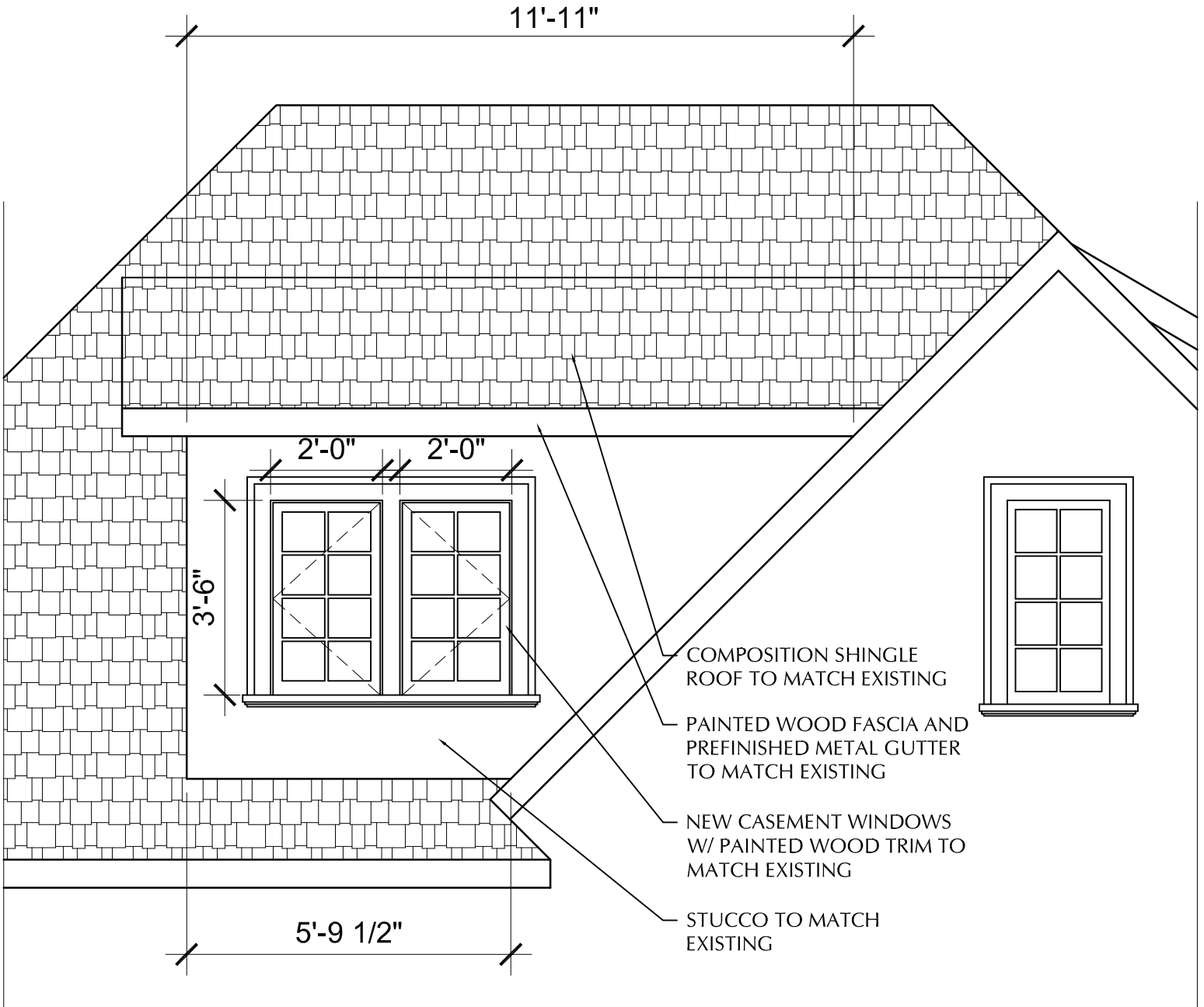
* Approved *

City of Portland
Bureau of Development Services

Planner 

Date 03-14-2022

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



ELEVATION @ DORMER

3/8" = 1'-0"

DETAILS-01

Approved

City of Portland
Bureau of Development Services

Planner *[Signature]*

Date 03-14-2022

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

LU 22-107382 HR
Exhibit C3