



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

Dan Ryan, Commissioner
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Date: April 29, 2022
To: Interested Person
From: Grace Jeffreys, Land Use Services
503-865-6521 / Grace.Jeffreys@portlandoregon.gov

NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has 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 22-119348 HR – 2915 NE 27TH AVENUE, GARAGE CONVERSION

GENERAL INFORMATION

Applicant: Tara Doherty, Tara Doherty Architect
1831 SE Knapp St., Portland OR 97202
tara.n.doherty@gmail.com 503-413-0500

Owners: Jennifer Green and Margaret Yuan
2915 NE 27th Ave., Portland, OR 97212-3550

Site Address: 2915 NE 27TH AVE

Legal Description: BLOCK 8 S 2' OF LOT 5 LOT 6, GLENEYRIE
Tax Account No.: R324002530
State ID No.: 1N1E25BC 03400
Quarter Section: 2733

Neighborhood: Alameda, contact at stevebacker@gmail.com or alamedapdx@gmail.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: House and Garage are considered contributing resources to the Irvington Historic District

Zoning: R5, Residential 5,000 with a historic resource overlay
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 seeks Historic Resource Review approval for exterior alterations to a contributing garage in the Irvington Historic District. The proposal is to convert the existing detached single car garage into an outdoor space by adding a new door and a large new opening to the south elevation and two new skylights to the south side of the roof. The street facing elevation will not change, and the overall massing, siding, roofing and existing garage doors will all remain.

Historic Resource Review is required for non-exempt exterior alterations in a Historic District per Portland Zoning Code Section 33.445.320.A.

Relevant Approval Criteria:

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

- *Portland Zoning Code Section 33.846.060.G*

ANALYSIS

Site and Vicinity: The subject property sits on the west side of NE 27th, one lot north of NE Stanton Street. The house and the garage are both considered contributing resources to the historic district (Exhibit G.2). The 1925 house is a Colonial Style bungalow with horizontal board siding. The single-car garage to the north and rear of the house also has horizontal board siding with a gabled roof and partially glazed carriage doors facing the street.

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.

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.

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 **March 23, 2022**.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **March 23, 2022**. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Tony Greiner, tony_greiner@hotmail.com for the Irvington Community Association (ICA), on April 6, 2021, wrote with ICA's support for 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 located within the Ladd's Addition Historic District and the proposal is for a non-exempt treatment requiring a new foundation. Therefore, Historic Resource Review approval is required. The approval criteria are the *Ladd's Addition Conservation District Design Guidelines – New Construction*.

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 project proposes exterior alterations to a single-car garage, which is considered a contributing resource to the historic district. The garage sits to the rear of the 1925 contributing house, which is a Colonial style bungalow with horizontal board siding.

The proposal includes removing an existing window and adding a new door and a large new opening to the south (side facing) elevation of the garage, and adding two new skylights to the south facing side of the roof. The new door will be a traditional paneled, solid wood exterior door and will have wood trims matching existing. The new opening will also have wood trims matching existing. The new skylights will be Velux or similar. These changes will all be to the side elevation of the garage, which is not visible from the street. The street facing elevation of the garage and its overall form, massing and roofline will remain unchanged. No change is proposed to the primary residence.

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: The historic resource will remain a physical record of its time, place, and use. The existing contributing house will not be affected by this proposal. The new door, opening and skylights are all on the side facing elevation of the existing contributing garage, and will not be visible from the street. These changes will fit with the architectural character of the garage, and would not be considered

conjectural and would not create a false sense of historic development. *This criterion is met.*

3. Historic changes. Most properties change over time. Those changes that have acquired historic significance will be preserved.

Findings: There is no indication that the existing garage structure has changed at all since it was built. *This criterion is not applicable.*

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: This project doesn't propose the removal or replacement of any existing historic features. *This criterion is not applicable.*

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: Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used. *This criterion is 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: No excavation is proposed, therefore there is no potential for archaeological resources to be disturbed. *This criterion is not applicable.*

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.

Findings: While the proposed new door, opening and skylights shall match the existing garage, they will be differentiated from the historic materials in that they will be of new materials. *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 new door, opening and skylights will be compatible with the existing garage architectural features by not affecting the street-facing elevation, and by matching the details of the existing trims. *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 new door and opening in the garage could easily be closed up again if future owners want to use the garage for parking a car in the future. *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 new door, opening and skylights have been designed to be compatible with the original house in character and form. These alterations are also in keeping with the overall architectural character of the adjacent properties and 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. As indicated in the findings above, this proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval to add a new door and a large new opening to the south elevation and two new skylights to the south side of the roof to convert the existing detached single car garage into an outdoor living space.

Approval per the approved site plans, Exhibits C-1 through C-6, signed and dated April 26, 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 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 22-119348 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: Grace Jeffreys

Decision rendered by:  **on April 26, 2022**
By authority of the Director of the Bureau of Development Services

Decision mailed April 29, 2022

Procedural Information. The application for this land use review was submitted on March 4, 2022, and was determined to be complete on March 16, 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 March 4, 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 further extended by the applicant, **the 120 days will expire on: July 14, 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.

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 **April 29, 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.

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:

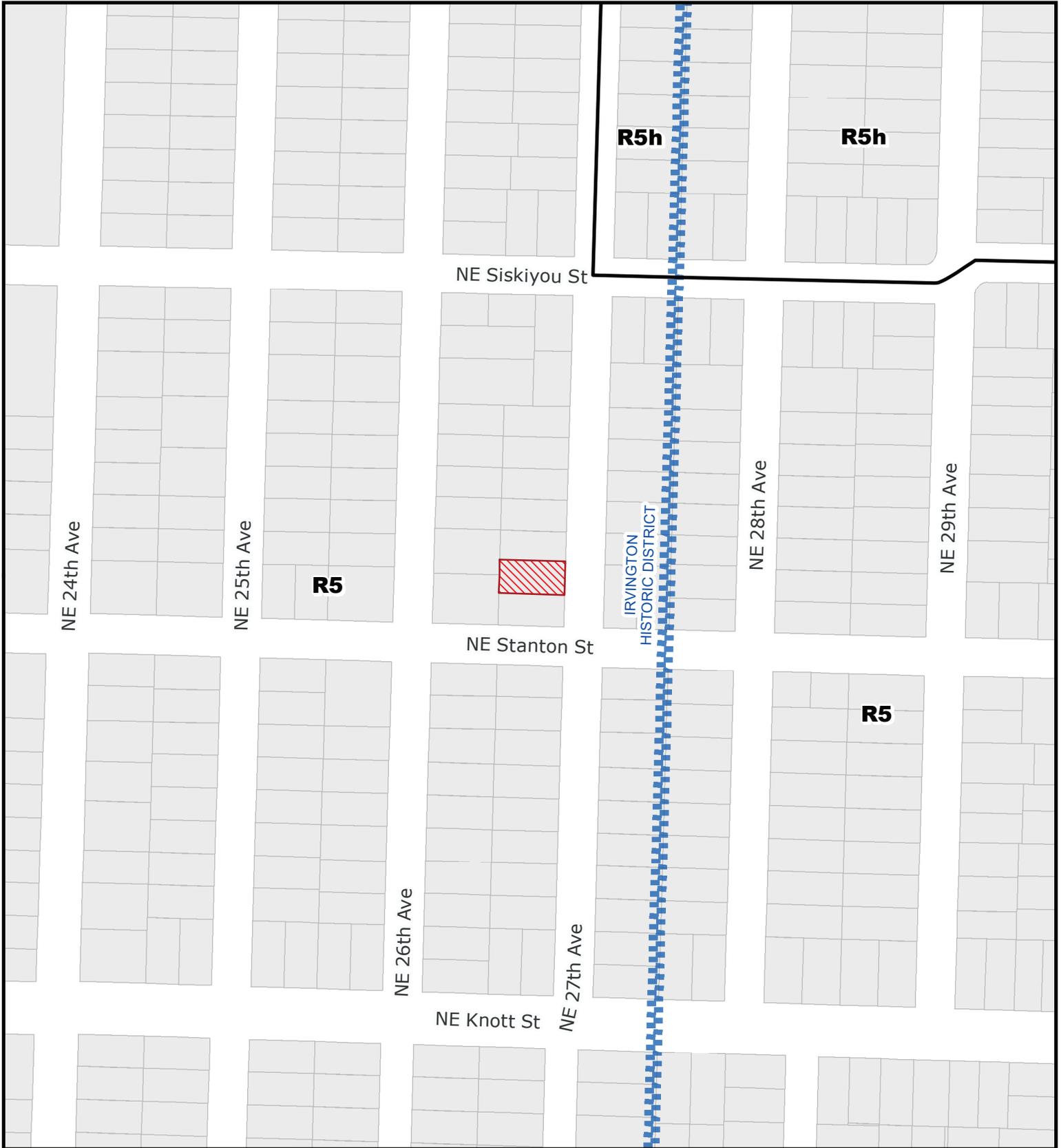
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 1. Original submittal – Narrative
 2. Original submittal - Drawings
 3. Cutsheets for doors, 3-16-2022
 4. Skylight Cutsheet
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Existing Elevations (attached)
 3. Plans
 4. Proposed Elevations (attached)
 5. Door cutsheet, or similar
 6. Skylight Cutsheet
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence:
 1. Tony Greiner, tony_greiner@hotmail.com for the Irvington Community Association (ICA), 4-6-2022, wrote with ICA's support for the proposal.
- G. Other:
 1. Original LU Application
 2. Excerpt from the Irvington National Register Nomination, page 220.

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

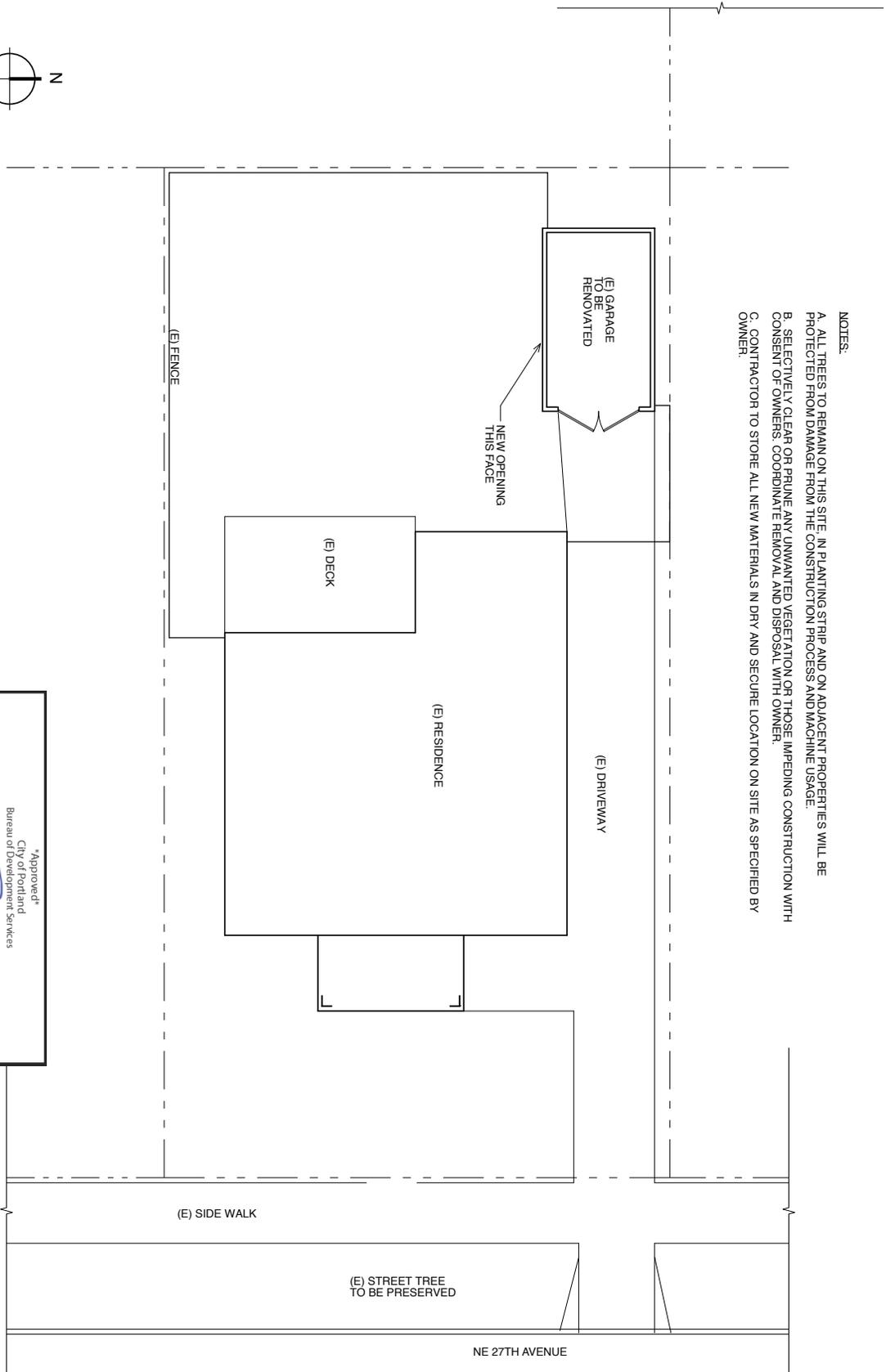


For Zoning Code in effect Post August 1, 2021

THIS SITE LIES WITHIN THE:
IRVINGTON HISTORIC DISTRICT

File No.	LU 22 - 119348 HR
1/4 Section	2733
Scale	1 inch = 200 feet
State ID	1N1E25BC 3400
Exhibit	B Mar 04, 2022

- NOTES:
- A. ALL TREES TO REMAIN ON THIS SITE IN PLANTING STRIP AND ON ADJACENT PROPERTIES WILL BE PROTECTED FROM DAMAGE FROM THE CONSTRUCTION PROCESS AND MACHINE USAGE.
 - B. SELECTIVELY CLEAR OR PRUNE ANY UNWANTED VEGETATION OR THOSE IMPEDING CONSTRUCTION WITH CONSENT OF OWNERS. COORDINATE REMOVAL AND DISPOSAL WITH OWNER.
 - C. CONTRACTOR TO STORE ALL NEW MATERIALS IN DRY AND SECURE LOCATION ON SITE AS SPECIFIED BY OWNER.



1 SITE PLAN
SCALE: 1" = 10'-0"

Approved
City of Portland
Bureau of Development Services
Planner _____
Date 04-26-2022
*This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



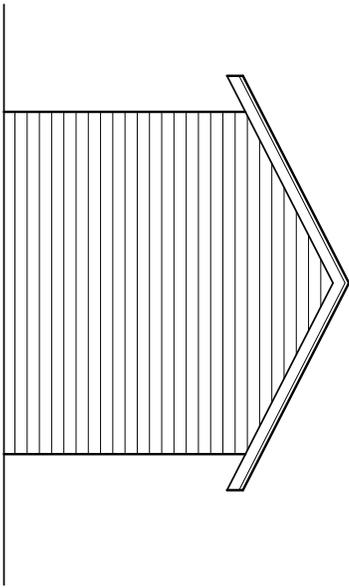
NE 27TH AVE RESIDENCE
2915 NE 27TH AVENUE
PORTLAND, OREGON

ISSUE DATE:
03.03.2022

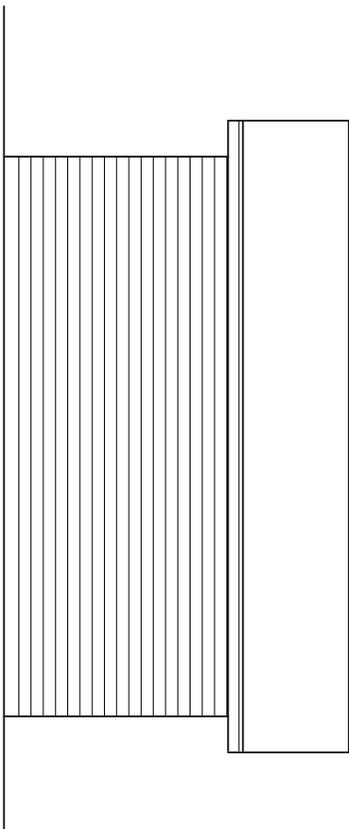
LUR SET

TARA DOHERTY ARCHITECT LLC
1831 SE Knapp
Portland Oregon 97202
503.413.0500

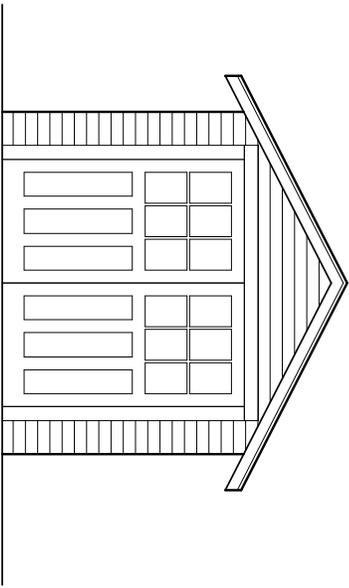
SITE PLAN
DRAWING NO.:
A1.0



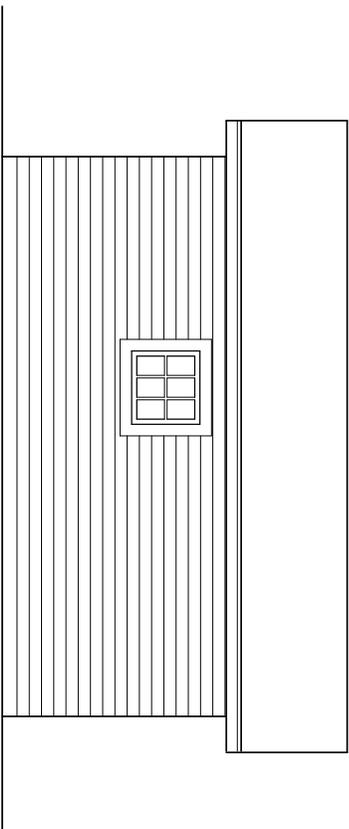
WEST ELEVATION



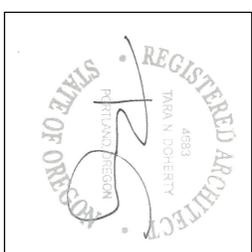
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



**NE 27TH AVE
RESIDENCE**
2915 NE 27TH AVENUE
PORTLAND, OREGON

ISSUE DATE:
03.03.2022

LUR SET

**TARA DOHERTY
ARCHITECT LLC**
1831 SE Knapp
Portland Oregon 97202
503.413.0500

ELEVATIONS

DRAWING NO. :
A2.0

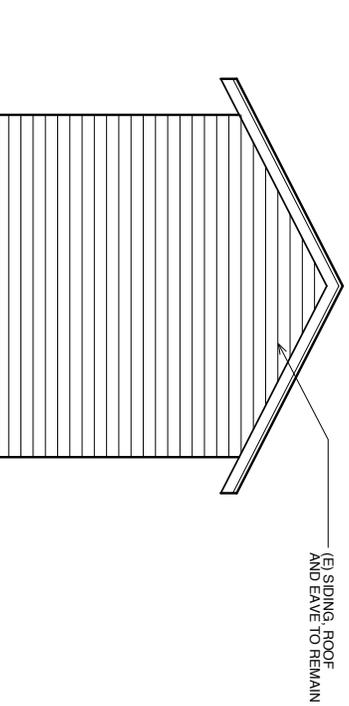
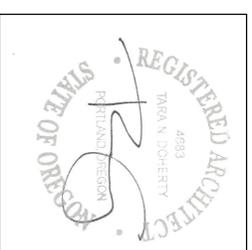
**EXISTING
GARAGE ELEVATIONS**

1
SCALE: 1/4" = 1'-0"

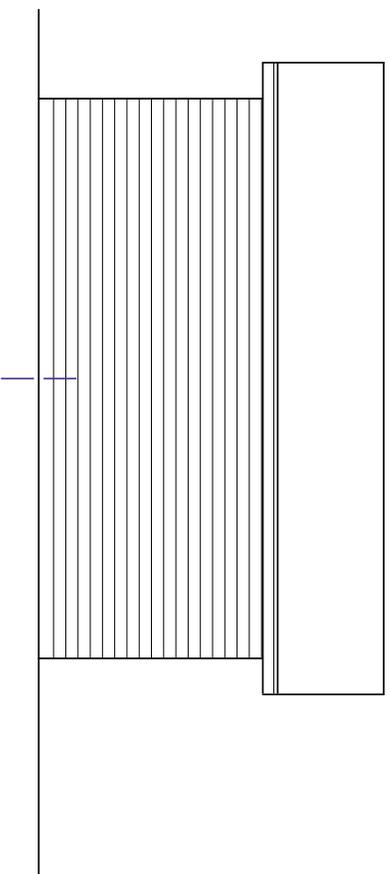
Approved
City of Portland
Bureau of Development Services

Date: 04-26-2022
Planner: [Signature]

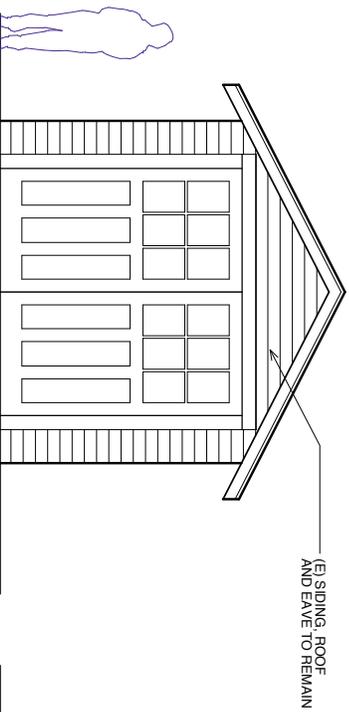
*This approval is valid only as requested and is subject to all conditions of approval. Additional zoning requirements may apply.



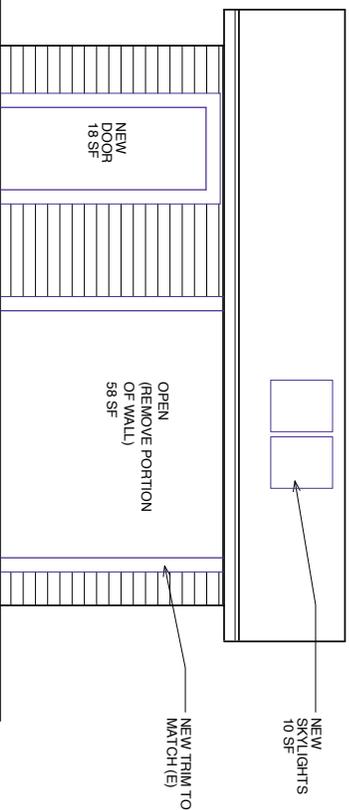
WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION

Approved
 City of Portland
 Bureau of Development Services
 Planner: [Signature]
 Date: 04-26-2022
 This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

PROPOSED GARAGE ELEVATIONS
 1 SCALE: 1/4" = 1'-0"

NE 27TH AVE RESIDENCE
 2915 NE 27TH AVENUE
 PORTLAND, OREGON

ISSUE DATE:
 03.03.2022

LUR SET

TARA DOHERTY ARCHITECT LLC
 1831 SE Knapp
 Portland Oregon 97202
 503.413.0500

ELEVATIONS

DRAWING NO.:

A2.1