



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

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**Date:** July 24, 2015  
**To:** Interested Person  
**From:** Puja Bhutani, 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 **approved** a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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 15-147141 HR – NEW BASEMENT DOOR GENERAL INFORMATION**

**Applicant/Owners:** Joseph E Mann 1531 SE Holly St Portland, OR 97214-4727  
Susan R Shugerman 1531 SE Holly St Portland, OR 97214-4727

**Site Address:** 1531 SE HOLLY STREET

**Legal Description:** BLOCK 14 E 5' OF LOT 13 LOT 14 W 20' OF LOT 17; HISTORIC PROPERTY 15 YR 2005; POTENTIAL ADDITIONAL TAX, LADDS ADD

**Tax Account No.:** R463303340

**State ID No.:** 1S1E02DB 12800

**Quarter Section:** 3232

**Neighborhood:** Hosford-Abernethy, contact Joanne Stainbrook at 503-231-9245.

**Business District:** Hawthorne Blvd. Bus. Assoc., contact Hilda Stevens at 503-774-2832.

**District Coalition:** Southeast Uplift, contact Bob Kellett at 503-232-0010.

**Other Designations:** Contributing Structure, in the Ladd's Addition Historic District

**Zoning:** R5, Single Dwelling Residential 5000

**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 is proposing to replace an existing basement window with a new wood half-lite door on the east elevation. The door will provide access to a new accessory dwelling unit in the basement. The door will be protected by a new concrete retaining wall enclosure with metal safety rail to matching that on the front porch.

Historic Resource Review is required because the proposal is for non-exempt exterior alteration and new construction on a contributing resource in an 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 Historic Resource Review
- Ladd's Addition Conservation District Guidelines

## ANALYSIS

**Site and Vicinity:** The site is located within the Ladd's Addition Historic District. Ladd's Addition is Portland's oldest planned community (1891) and one of the oldest in the western United States. Ladd's radial street plan marked a dramatic break in Portland's typical grid street pattern. With a formal symmetry echoing Renaissance cities and gardens, the radial streets converge at five formal gardens, which are showpieces of the Ladd's Addition community. The street plan is arranged in a hierarchy of street types that range from two broad central boulevards (SE Ladd Ave. and SE Elliott) to narrower minor streets and service alleys, all with a central focus on SE Ladd Circle. Historic development in the District occurred between approximately 1891 and 1930. Detached garages in the district are typical located directly abutting side and rear lot lines.

The 8,320 square feet site includes the Frank and Stella LeGrand Residence, a Colonial Revival style house built in 1910. This two-story rectangular building has a composition shingle, pedimented, cross-gambrel roof with boxed, projecting eaves. The front veranda has a wide cornice, slender Tuscan columns, a vertical slat balustrade, a concrete founding and porch stairs with a pipe railing. Windows are typically three-over-one double-hung wood sashes, with some one-over-one windows. There are hip-roofed bay windows on the side elevations, with consoles below; a large slipdash double-hung window on the front elevation has leaded glass in the upper sash. It has a typical mid-block setback with shaped hedges and shrubs on the front elevation, and a paved path to the porch stairs.

**Zoning:** The R5 zone is a single-dwelling zone allowing development on lots of 5000 sq. feet minimum. Housing types are limited in the single-dwelling zones to maintain the overall image and character of the City's single-dwelling neighborhoods. However, the regulations allow options to increase housing variety and opportunities, and to promote affordable and energy efficient housing.

The Historic Resource Overlay Zone protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes

**Land Use History:** City records indicate that there are prior land use reviews for this site as listed below:

- LU07-120614: historic design review approval of an alteration and addition to the rear of the residence.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on **June 30, 2015**. The bureaus were not required to comment.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **June 30, 2015**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## ZONING CODE APPROVAL CRITERIA

### Chapter 33.846, Historic Reviews

#### Purpose of Historic Design Review

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

#### Historic Design Review Approval Criteria

Requests for historic design 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. Therefore the proposal requires historic design review approval. *The relevant approval criteria are the Ladd’s Addition Conservation District Design Guidelines.*

### **Ladd’s Addition Conservation District Guidelines**

The revised Ladd’s Addition guidelines were adopted in 1988, with the Ladd’s Addition Conservation District Advisory Council, the Landmarks Commission and staff participating in their formulation. The basic intent of the guidelines is to ensure that new development in the district is compatible with the character and the architecture, which distinguish Ladd’s Addition. The guidelines document is organized around three general topic areas: community design, new construction, and exterior remodeling.

*Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.*

### **Exterior Rehabilitation Guidelines**

- 1 Façades Oriented to a Street.** In rehabilitating existing buildings, the architectural integrity of street-oriented façades should be maintained. Additions and structural alterations should be limited to the rear and side yard façades and be minimally visible from the street.

**Findings:** The street-oriented front façade will be maintained. The proposal for the new door and associated steps is limited to the side/east elevation of the house. *This guideline is therefore met.*

- 3 Exterior Siding Material.** Restoration and maintenance of original siding materials is encouraged. Materials used on additions should match or be compatible with the predominant materials used on the original structure. Most single family residences and duplexes in Ladd’s Addition feature stucco, horizontal wood siding, wood shingles, brick or a combination of these materials. Most commercial and multi-family structures feature stucco or brick. The following materials are discouraged: plywood, used brick, shakes, exposed concrete block and metal.

**Findings:** The proposed door will replace an existing basement window and will not disturb the original siding material of the house. *This guideline is therefore met*

- 6 Windows and Doors.** Original windows and doors, including trim, should be retained or restored. If repair is not feasible, new windows or windows on additions should match or be compatible with original windows in form, materials, type, pattern and placement of openings. On residences, the removal of original wood sash windows and replacement with aluminum sash is especially discouraged. Restoration of commercial storefront windows with large fixed glass panes below and smaller glass panes above is especially encouraged.

**Findings:** The proposed new wood windows will be consistent with the existing wood windows in profile and installation. Matching materials and profiles for the new door elements allows these changes to fit into the historic architecture of this contributing resource. *This guideline is therefore met*

- 13 Crime Prevention.** Crime prevention elements should be included in the design with specific attention to landscaping, parking areas, walkways, lighting, entries, and visibility. Windows and entries should not be obscured. Parking areas, walkways, and entries should be adequately illuminated for visibility.

**Findings:** No changes are proposed for the existing landscaping, parking areas, entries, walkways, or lighting. The new access pathway to the basement door is in the front yard and clearly visible. The half lite new door will have clear glazing in them that will allow for views of activity happening in the rear and side yards. *This guideline is therefore 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 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. The proposed door does not negatively impact the style and form of the house as seen from the adjacent streets. By relating to its historic context, the exterior alterations are a well-considered contribution to the historic district. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

## ADMINISTRATIVE DECISION

Historic Design Review Approval of the following exterior alterations to the east elevation of the Frank and Stella LeGrand Residence, in the Ladd's Historic District:

1. New wood half-lite door, and
2. A new concrete retaining wall enclosure with metal safety rail to match that on the front porch.

These are as per the approved site plans, floor plans, elevations, and sections, Exhibits C-1 through C-9, signed and dated 7/16/15. These are subject to the following condition:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.9. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-147141 HR. No field changes allowed."

**Staff Planner: Puja Bhutani**

**Decision rendered by:**  **on July 16, 2015.**

By authority of the Director of the Bureau of Development Services

**Decision mailed: July 24, 2015**

**Procedural Information.** The application for this land use review was submitted on April 9, 2015, and was determined to be complete on **June 24, 2015**.

*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 April 9, 2015.

*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.

**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](http://www.portlandonline.com).

**Recording the final decision.**

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **July 24, 2015**. 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. For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-7617.

**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.

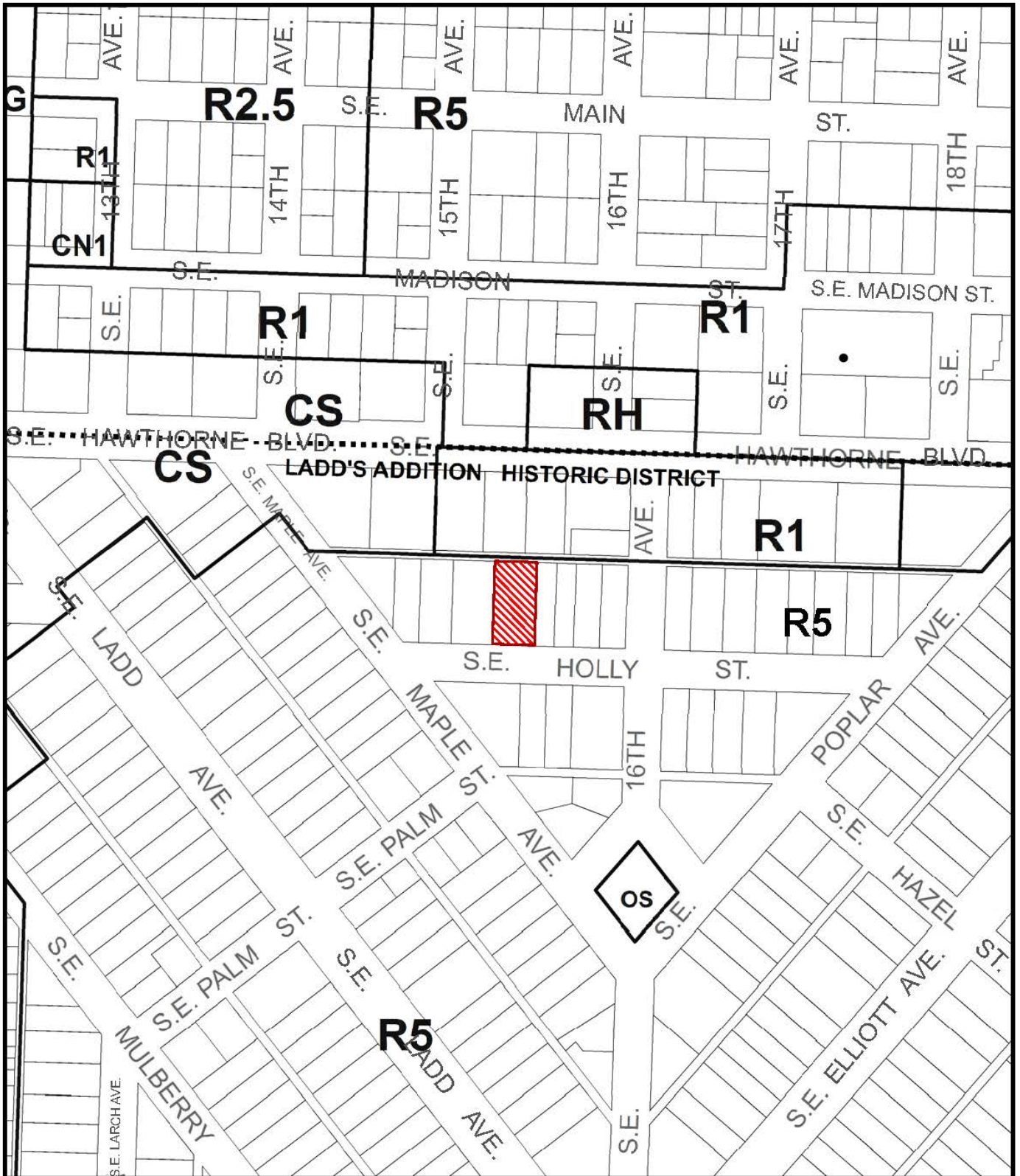
#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Narrative
  - 2. Photographs
  - 3. Original plan set before revisions- Not approved/ referenced only
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Existing Basement Floor Plan
  - 3. Existing Floor Plans
  - 4. Proposed Basement ADU Floor Plan
  - 5. Existing Elevations
  - 6. Proposed East Elevation showing New ADU entrance (attached)
  - 7. Typical wall and concrete stair details
  - 8. Exterior wall sections at new door and window
  - 9. Manufacturers cut sheets for the proposed door.
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence: No comments received
- G. Other:
  - 1. Original LU Application
  - 2. Incomplete letter from staff to applicant, sent 4/21/15

**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



Site



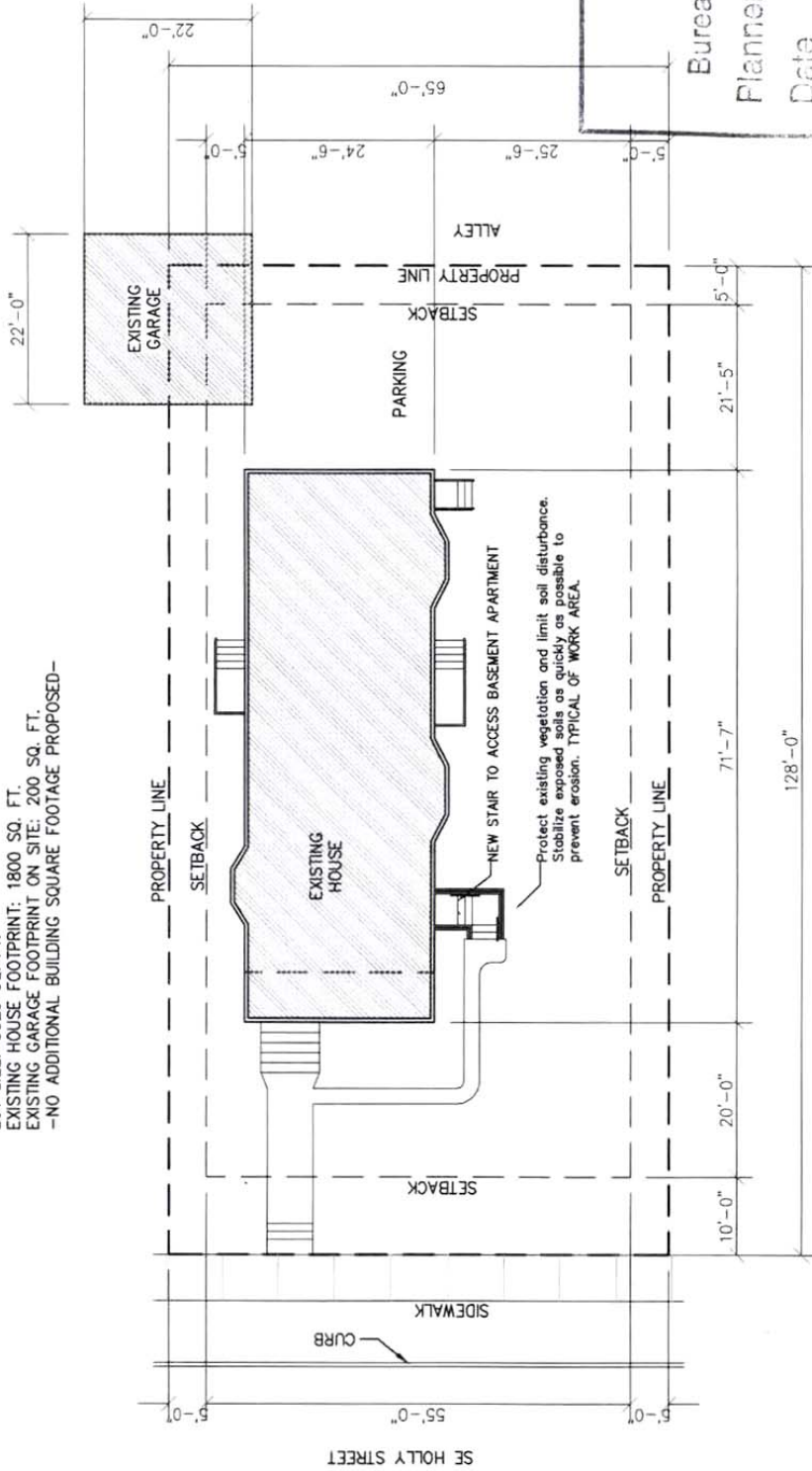
Historic Landmark



This site lies within the:  
LADD'S ADDITION HISTORIC DISTRICT

File No. LU 15-147141 HR  
 1/4 Section 3232  
 Scale 1 inch = 200 feet  
 State\_Id 1S1E02DB 12800  
 Exhibit B (Apr 13, 2015)

LOT SIZE: 8320 SQ. FT.  
 EXISTING HOUSE FOOTPRINT: 1800 SQ. FT.  
 EXISTING GARAGE FOOTPRINT ON SITE: 200 SQ. FT.  
 -NO ADDITIONAL BUILDING SQUARE FOOTAGE PROPOSED-



**\*Approved\***  
 City of Portland  
 Bureau of Development Services  
 Planner **P. Bhulani**  
 Date **7-16-15**

\* This approval applies only to the  
 recipient of this permit.

**1531 SE HOLLY STREET  
 PORTLAND, OR 97214**



06/23/15

**1 SITE PLAN**  
 SCALE: 1/16" = 1'-0"



**\*Approved**  
 City of Portland  
 Planning & Permit Services  
*P. Bluhm*  
 7-16-15

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



1531 SE HOLLY STREET  
 PORTLAND, OR 97214

06/23/15

**PROPOSED EAST ELEVATION SHOWING NEW APARTMENT ENTRANCE**

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

**6**