



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

Ted Wheeler, Mayor  
Rebecca Esau, Director  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** January 17, 2019  
**To:** Interested Person  
**From:** Grace Jeffreys, Land Use Services  
503-823-7840 / [Grace.Jeffreys@portlandoregon.gov](mailto:Grace.Jeffreys@portlandoregon.gov)

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

The Bureau of Development Services has an 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 18-273808 HR** **2107 SE HEMLOCK, NEW DORMER**

#### **GENERAL INFORMATION**

**Applicant/Owner:** Gregor Mitchell | Mitchell Inc. dba The Works Inc.  
1303 SE 6th Avenue | Portland, OR 97214  
(503) 331-0103 | [gregor@theworkspdx.com](mailto:gregor@theworkspdx.com)

**Site Address:** 2107 SE HEMLOCK AVE

**Legal Description:** BLOCK 26 LOT 1 EXC N 15', LADDS ADD  
**Tax Account No.:** R463305800  
**State ID No.:** 1S1E02DC 00500  
**Quarter Section:** 3232  
**Neighborhood:** Hosford-Abernethy, contact Chris Eykamp at [chair@handpdx.org](mailto:chair@handpdx.org).  
**Business District:** Division-Clinton Business Association, contact at [info@divisionclinton.com](mailto:info@divisionclinton.com)  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.

**Plan District:** None

**Other Designations:** Non-contributing Resource in the Ladd's Addition Historic District

**Zoning:** **R5** – Residential 5,000 with Historic Resource Protection 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 is seeking Historic Resource Review approval for a proposal to build a new dormer on a non-contributing building located in the Ladd's Addition Historic District. The proposed dormer is to be built on a non-front (side) street facing roof facing SE Cypress. It

will be constructed to match the house, with cement stucco cladding, wood windows and casings and architectural composition roofing.

Historic Resource Review is required because the proposal is for non-exempt exterior alterations in the Ladd's Addition 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:

- Ladd's Addition Conservation District Design Guidelines

## ANALYSIS

**Site and Vicinity:** The site is a 4,450 square foot triangular parcel in the southeast quadrant of the historic district, at the intersection of SE Hemlock Avenue and SE Cypress Avenue. The site is developed with an existing one- and one-half story house with hipped roofs and a gabled side elevation facing north. The house was constructed in 1926, and while not considered a contributing resource to the district, the design is in keeping with the character of the historic district. The front of the house is oriented east facing SE Hemlock Avenue, with a walkway and entry porch. The west side of the house faces SE Cypress Avenue at an angle. The surrounding area is mainly residential in nature.

The City's Transportation System Plan (TSP) considers SE Hemlock Avenue and SE Cypress Avenue *Local Service Streets* for all modes of transportation.

Ladd's Addition, established in 1988, is Portland's oldest planned community 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. The street plan is arranged in a hierarchy of street types that range from broad central boulevards to narrow minor streets and service alleys. The alley system encourages residential development of garages that are accessible from the rear lot line, thereby preserving the streetscape of the main boulevards in Ladd's Addition.

The Ladd's Historic District, with its distinctive pattern of streets, alleys, and public gardens, is significant as an early example of planned suburban development related to the extension of streetcar lines east of the Willamette River in the late nineteenth century. Ladd's Addition Historic District was listed in the National Register of Historic Places on August 31, 1988, with a period of significance of 1891-1939.

The historic character of the Ladd's Addition neighborhood is one of small to medium-sized houses, set back moderately from tree-lined streets, with five public gardens incorporated into the distinctive layout of the subdivision at significant nodes. A few larger houses, churches, small apartment buildings, and modest commercial properties, similar in character to the single-family housing, are sprinkled throughout the district. Denser traditional storefront commercial and apartment development is concentrated along SE Hawthorne, the northern boundary street, and SE Division at the south. These were the streets that were originally designed to accommodate the streetcar lines.

**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 no prior land use reviews.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on **December 21, 2018**. No responses have been received from Bureaus with issues or concerns about the proposal:

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **December 21, 2018**. 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 33.846.060 - 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 not requiring a new foundation. Therefore, Historic Resource Review approval is required. The approval criteria are the *Ladd's Addition Conservation District Design Guidelines – Exterior Rehabilitation*.

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

### **Ladd's Addition Conservation District Guidelines – Exterior Rehabilitation**

**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:** This proposal is to build a new dormer on a non-contributing resource in the historic district. The proposal is on the western roof facing a side lot-line on SE Cypress Avenue. No work is proposed on the front façade, which faces SE Hemlock Avenue. The proposed 11'-5" wide dormer has been set back from the side walls, and will be constructed to match the house, with cement stucco cladding, wood windows and casings, and architectural composition roofing.

The proposed dormer is a very modest exterior alteration to the house, and through careful placement, size and design, maintains the architectural integrity of the street-oriented façades.

*This guideline is met.*

**2. 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.

- 3. Roof Form.** Repair and alteration of roofs should retain:
  - a. The original roof shape and pitch;
  - b. Original structural and decorative features such as gables, dormers, chimneys, cornices, parapets, pediments, frieze boards, exposed rafters and other ornamental details; and,
  - c. Whenever possible the original type, size, color, and pattern of roofing materials. New roof features including roof additions and new dormers should be compatible in size, scale, materials, and color with the original building. Skylights, solar, mechanical and service equipment, and new roof features should be inconspicuous from the street.
- 4. 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.
- 5. Color.** Restoration of original colors, or colors appropriate to the style and era of the building, is encouraged.

**Findings:** As noted above, this proposal is to build a new dormer on a non-contributing resource, facing a side lot-line. The design of the proposed new 11'-5" wide dormer maintains the architectural form of the existing house by setting back from the side walls, and matching the existing hipped roof form, materials and detailing, including:

- Matching window design with all-wood construction, including matching sash, sill, sticking and casing details;
- Matching architectural details, including fascia and eave finish, with boxed soffits and tongue-and-groove bead-board finish; and,
- Matching roofing and gutters to existing structure.

The proposed dormer matches the exterior siding material, roof forms, windows and doors and colors, maintaining the architectural integrity of the existing house.

*These guidelines 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 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 dormer is a very modest exterior alteration to the house, and through careful placement, size and design, maintains the architectural integrity of the house. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

**ADMINISTRATIVE DECISION**

Approval of a new dormer on the west facing roof facing SE Cypress, per the approved site plans, Exhibits C-1 through C-6, signed and dated January 14, 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 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 18-273808 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 January 14, 2019**  
By authority of the Director of the Bureau of Development Services

**Decision mailed January 17, 2019**

**Procedural Information.** The application for this land use review was submitted on December 5, 2018 and was determined to be complete on **December 18, 2018**.

*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 5, 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: April 4, 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.

**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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **January 17, 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.

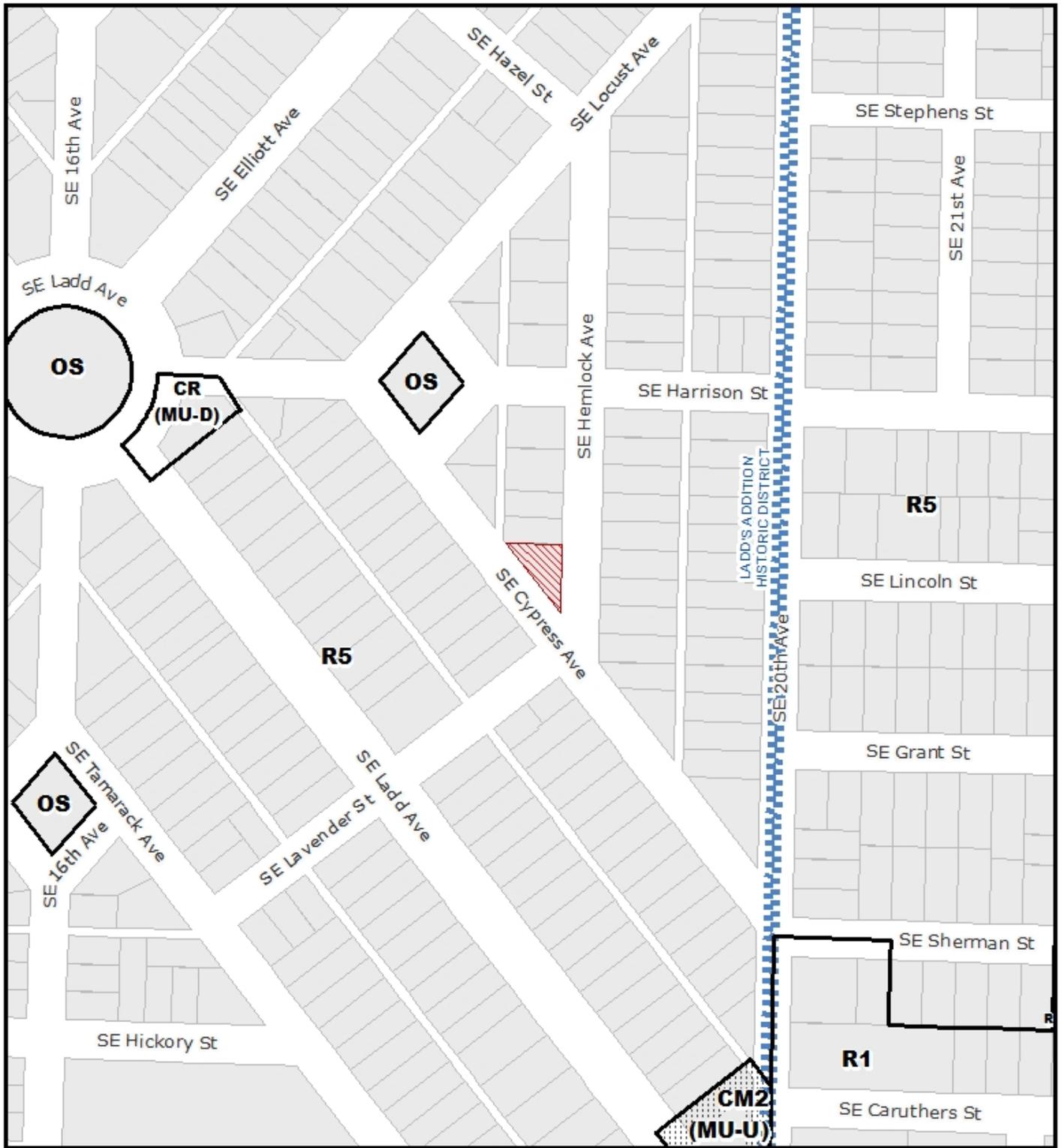
**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- 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, drawings and photos, 12/5/18
  - 2. Closing statement for Proof of ownership, 1/3/19
  - 3. Window details, 1/14/19
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site and Roof Plans (attached)
  - 2. Floor Plans
  - 3. Proposed Elevations (attached)
  - 4. Existing Elevations
  - 5. Sections
  - 6. Window details
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: None received
- F. Correspondence: None received
- G. Other:
  - 1. Original LU Application

**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).**

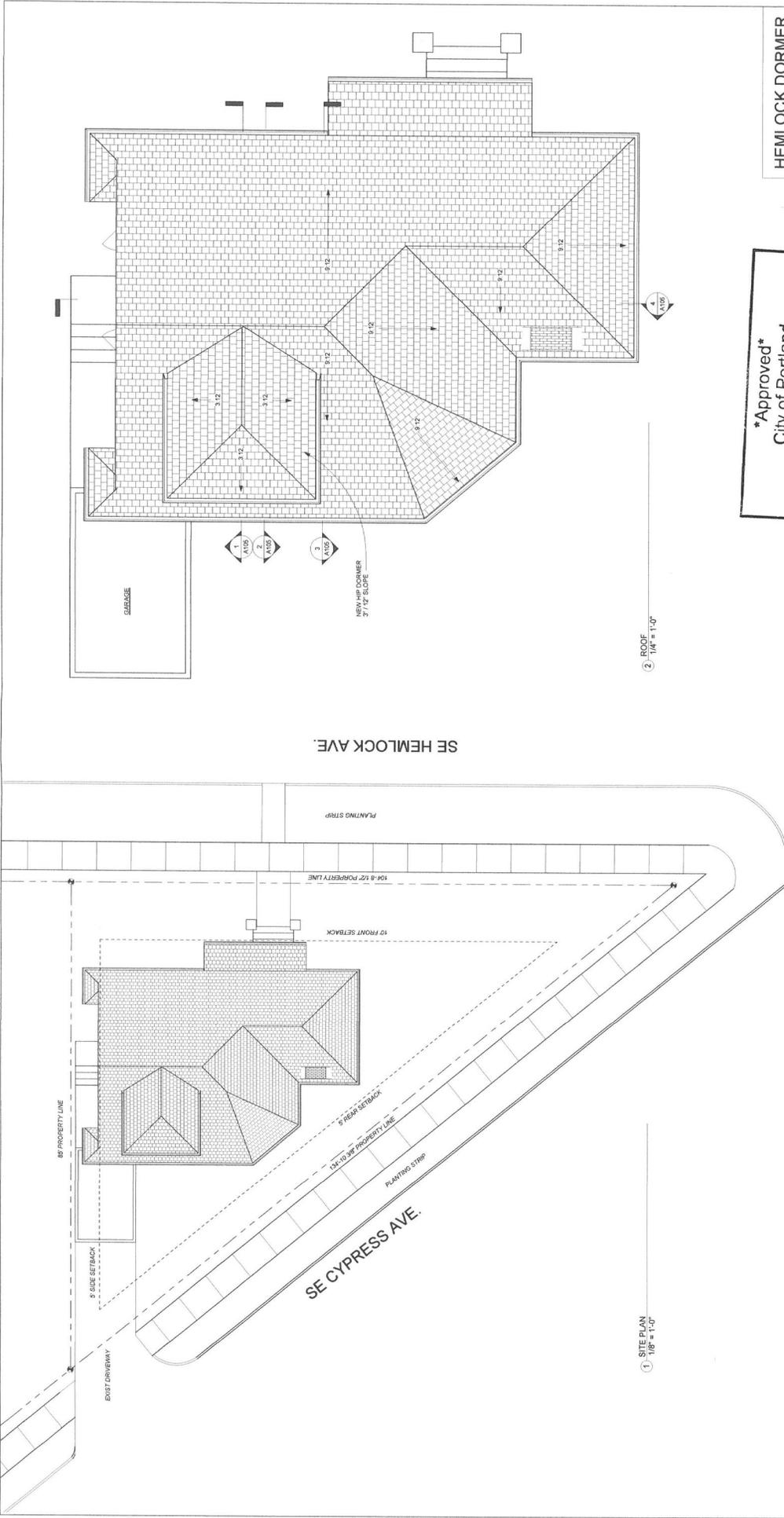


**ZONING**   
 NORTH  
 THIS SITE LIES WITHIN THE:  
 LADD'S ADDITION HISTORIC DISTRICT



Site

File No.	LU 18-273808 HR
1/4 Section	3232
Scale	1 inch = 200 feet
State ID	1S1E02DC 500
Exhibit	B Dec 06, 2018



**HEMLOCK DORMER**  
 2107 SE Hemlock Ave  
 Portland, OR 97214

**SITE AND ROOF PLAN**

**A101**

Date: 11/25/18  
 Scale: As indicated



LV18-273808HA

**\*Approved\***  
 City of Portland  
 Bureau of Development Services  
 Planner \_\_\_\_\_  
 Date 1/14/19

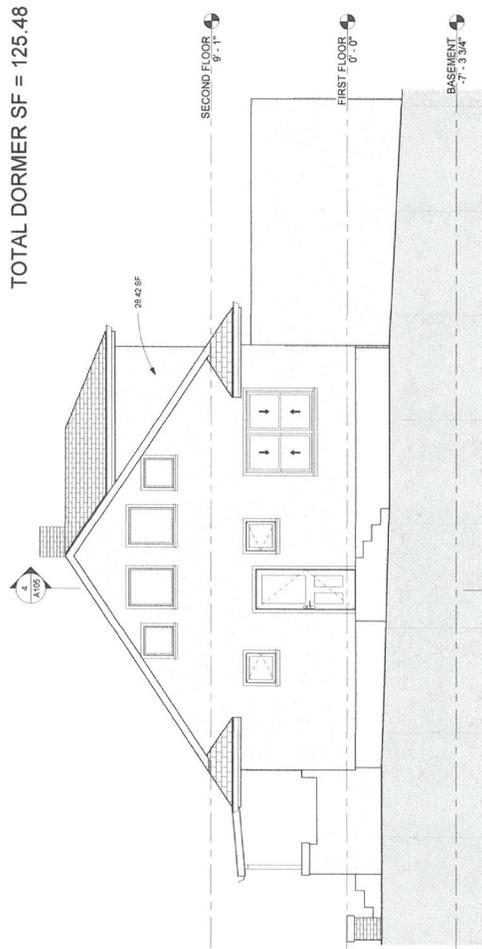
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning restrictions may apply.

EXH. C1

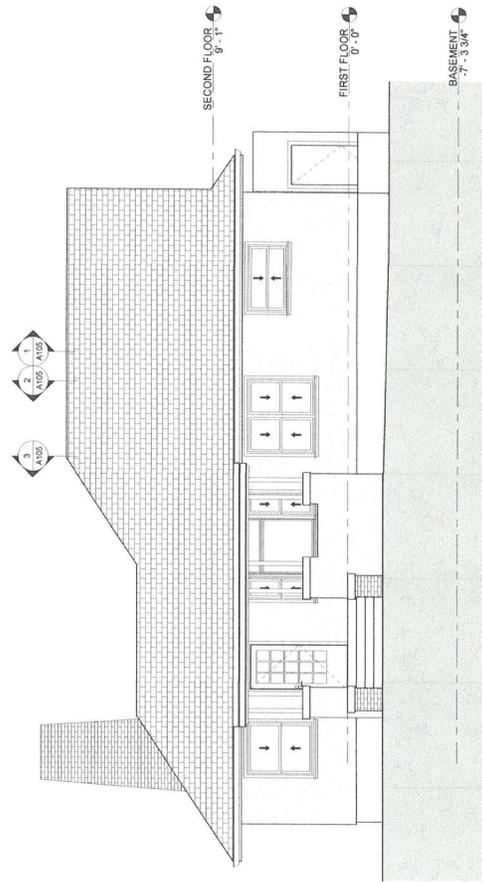
2 ROOF  
 1/4" = 1'-0"

1 SITE PLAN  
 3/8" = 1'-0"

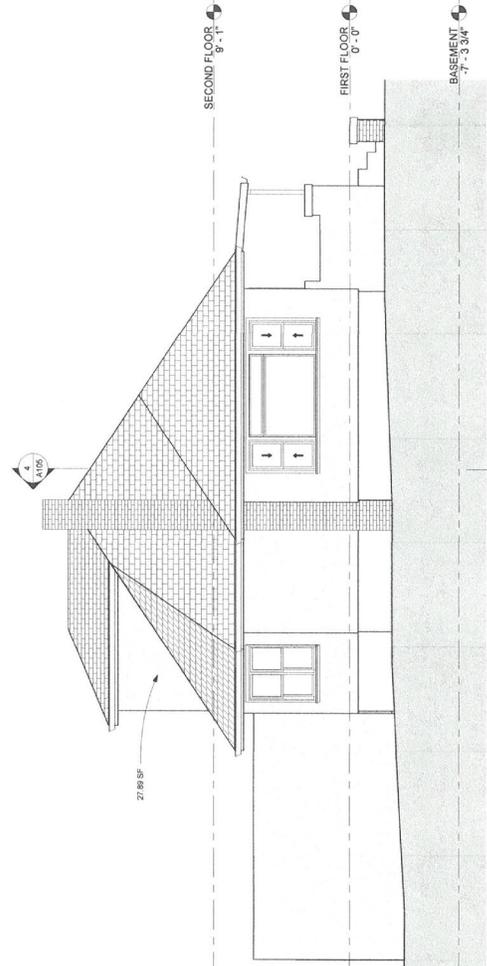
TOTAL DORMER SF = 125.48



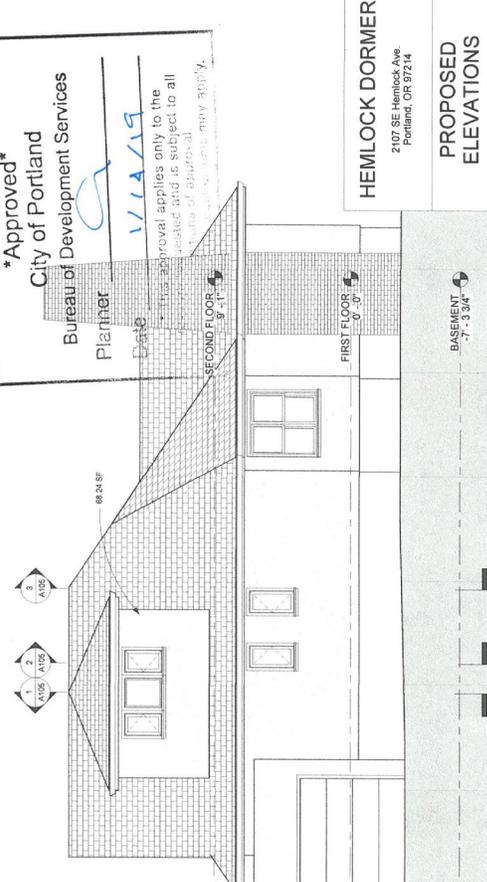
1 NORTH PROPOSED  
1/4" = 1'-0"



2 EAST PROPOSED- EXISTING IDENTICAL  
1/4" = 1'-0"



3 SOUTH PROPOSED  
1/4" = 1'-0"



4 WEST PROPOSED  
1/4" = 1'-0"

\*Approved\*  
City of Portland  
Bureau of Development Services  
Planner  
Date: 11/14/19  
This approval applies only to the project as presented and is subject to all applicable codes and rules of approval. Conditions may apply.

**HEMLOCK DORMER**  
2107 SE Hemlock Ave.  
Portland, OR 97214

**PROPOSED ELEVATIONS**

**A103**

Date: 11/25/19  
Scale: 1/4" = 1'-0"

**SLIPSHUTZ**

EXH. C.3

LU18 - 273808 HA