



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

Ted Wheeler, Mayor
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Date: October 24, 2019
To: Interested Person
From: Arthur Graves, 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 19-188489 HR – CHANGES TO BACK OF HOUSE IN LADD’S HISTORIC DISTRICT

GENERAL INFORMATION

Applicant: Alan Armstrong | Strongwork Architecture, LLC
3309 SE Sherrett, Unit A | Portland, OR 97222

Owner: Nanette Marie Laufik + Raymond Francis Phelan
2221 SE Elliott Ave | Portland, OR 97214

Site Address: **2221 SE ELLIOTT AVE**

Legal Description: BLOCK 5 LOT 25 SLY 20' OF LOT 28, LADDS ADD
Tax Account No.: R463301000
State ID No.: 1S1E02CD 06400
Quarter Section: 3231

Neighborhood: Hosford-Abernethy, contact chair@handpdx.org.
Business District: Division-Clinton Business Association, contact at info@divisionclinton.com

District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.
Plan District: None
Other Designations: Contributing resource in the Ladd’s Addition Historic District, listed in the National Register of Historic Places on August 31, 1988.

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 seeks Historic Resource Review for exterior alterations to a “contributing resource” in the Ladd’s Addition Historic District.

The proposal includes removing a non-original window (2’-6” x 5’-4”) on the enclosed rear porch at the west corner, to be replaced with an all wood window (2’-0” x 3’-3”) in approximately the same location. Where the enclosed porch window is proposed to be removed, new siding will match the appearance of existing siding.

Historic Resource Review is required for non-exempt exterior alterations in Ladd’s Historic District.

Relevant Approval Criteria:

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

- Ladd’s Addition Conservation District Guidelines

ANALYSIS**Site and Vicinity:**

The 7,680 square foot property located in the southwest quadrant of the historic district includes a two and a half story Craftsman Style residence historically known as the Clinton Wood House. Constructed in 1910, the Clinton Wood Residence is noted in the National Register Nomination for its one-over-one double-hung wood sashes. The Nomination notes that asphalt shingle siding, a concrete foundation and alterations to the rear porch were present at the time of evaluation. The existing garage on site is a non-contributing resource within the Ladd’s Addition Historic District.

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.

Within a quarter-mile (roughly a five-minute walk) from the site, there are a numerous restaurants, cafes and shops within this range both to the west along SE 11th and 12th Avenues, and to the south along SE Division Street. Open space amenities can be found in the Ladd’s Rose Gardens Circle and Square as well as the nearby Abernethy Elementary School. Transportation amenities adjacent to the site include frequent bus service on SE 11th, SE 12th and along SE Division Street. These streets are also designated as City Bikeways in the Transportation System Plan (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.

Ladd’s Addition is Portland’s oldest planned residential 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 the showpieces of the community. Parking strips are lines with mature street trees, green archways of elms and maples. The architectural character of Ladd’s Addition was established in the three decades following the turn of the century. Although the individual structures represent a variety of styles, including Bungalow, Mission, Tudor and Colonial Revival, they have a continuity of materials, scale, detailing, orientation and setback which creates a sense of architectural uniformity.

Land Use History: City records indicate one prior land use review for this site.

- LU 16-209787 HR: Historic Resource review approval for a new accessory dwelling unit.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **August 21, 2019**. No Bureaus have responded with concerns about the proposal.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **August 21, 2019**. 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.
- 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.

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.

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 for 1, 3, 6 and 13:

The proposed window alterations to the contributing resource are exclusively to the rear of the building, located at the west corner area of the porch addition that is inset 2’ from the original house footprint. The alterations are south-facing and will not be visible from the street, or the alley (due primarily to the structure approved through LU 16-209787 HR). The window to be removed (2’-6” x 5’-4”) is non-original and awkwardly located tight to the adjacent west corner of the existing porch addition. In contrast, the proposed window (2’-0” x 3’-3”) is all-wood construction, double hung, and pulled away from the adjacent corner allowing siding to be installed between the window trim and the corner of the building. The window is also smaller than the existing non-original window to be removed, which is more consistent with the style, size and design of existing original windows on the resource. The reduced size is also more consistent with windows found in similar interior pantry use situations where light and visibility are needed and balanced with the premium for shelf and storage space. Collectively, the proposed all-wood double hung window will be of a style, design and construction that is more in keeping with the original windows found on the house. The window will continue to allow this portion of the interior to be day lit while providing clear visual connection to the rear of the property.

Trim will be wood and will match existing original window trim on the contributing resource. Siding will be repaired and match existing.

Therefore, these guidelines have been 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 window alterations to the contributing resource maintains the architectural integrity of the building through the removal of non-original features from the building to be replaced with an all-wood window that is compatible in scale, style, and architectural character to the building.

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

Historic Resource Review approval of exterior alterations to the 1910 contributing resource in the Ladd’s Addition Historic District.

Approval, per the approved site plans, Exhibits C-1 through C-4, signed and dated October 21, 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 19-188489 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 October 21, 2019.**

By authority of the Director of the Bureau of Development Services

Decision mailed (within 5 days of dec.) October 24, 2019.

Procedural Information. The application for this land use review was submitted on July 3, 2019, and was determined to be complete on August 15, 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 July 3, 2019.

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: December 13, 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.

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 **October 24, 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:

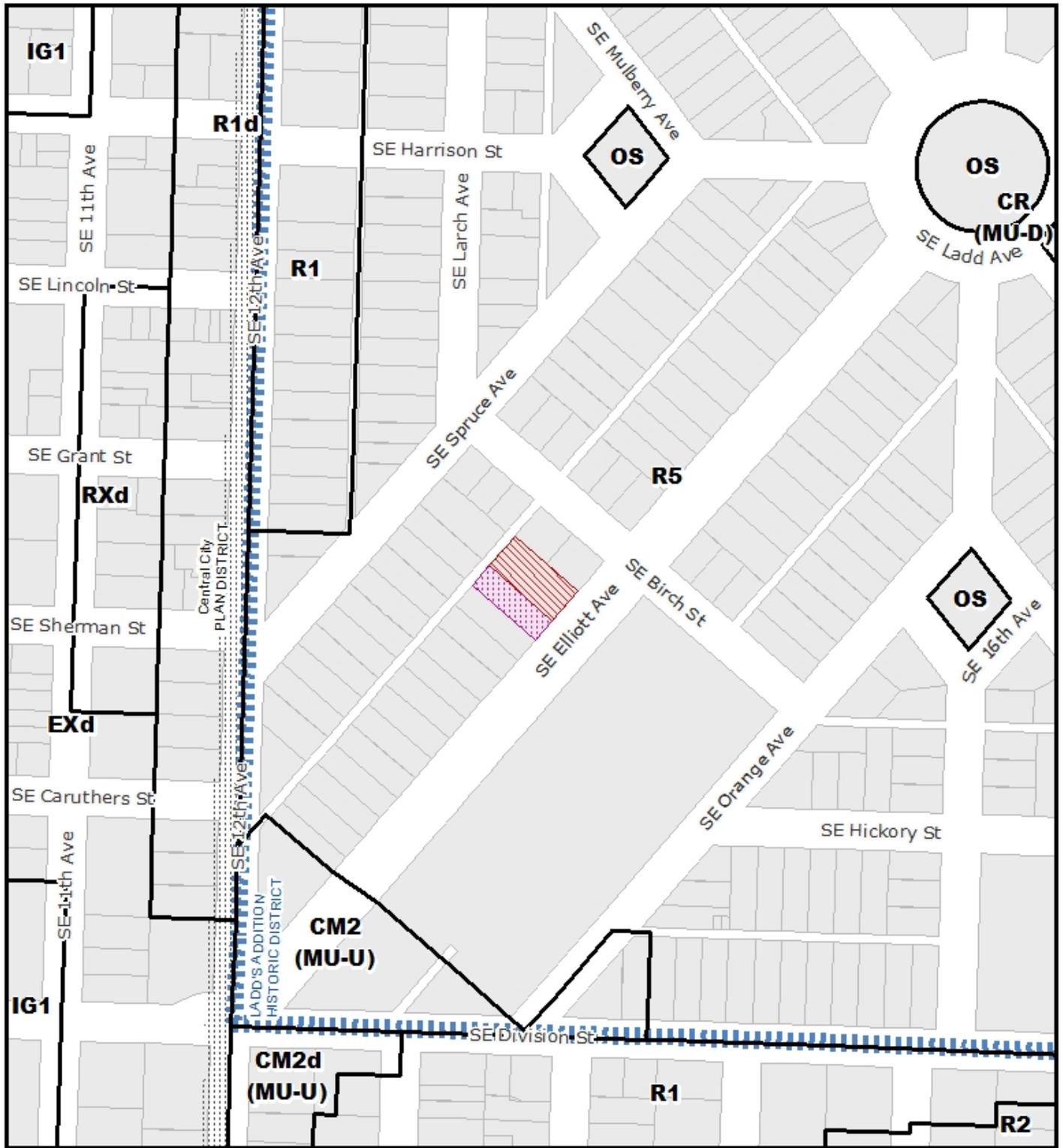
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant’s Submittal
 - 1. Applicant’s Initial Statement: July 03, 2019 (superseded)
 - 2. Initial Drawings: July 03, 2019 (superseded)
 - 3. Siding Cut-sheet
 - 4. Applicant’s Revised Statement: July 30, 2019 (superseded)
 - 5. Precedent Image: for kitchen window (see G-7)
 - 6. Applicant’s Revised Statement: October 16, 2019
 - 7. Revised Drawings: October 16, 2019
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Floor Plan (attached)
 - 3. Elevation: (attached)
 - 4. Manufactures cutsheets
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence: No responses were received.
- G. Other:
 - 1. Original LU Application
 - 2. Receipt for Submittal
 - 3. Incomplete Letter: July 18, 2019
 - 4. Historic Information
 - 5. Sanborn Map 1924
 - 6. Redlined sheets
 - 7. LU 06-139214 HR (adjacent house, referenced by applicant for large kitchen window)
 - 8. Email: October 08, 2019 reducing the project scope

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).

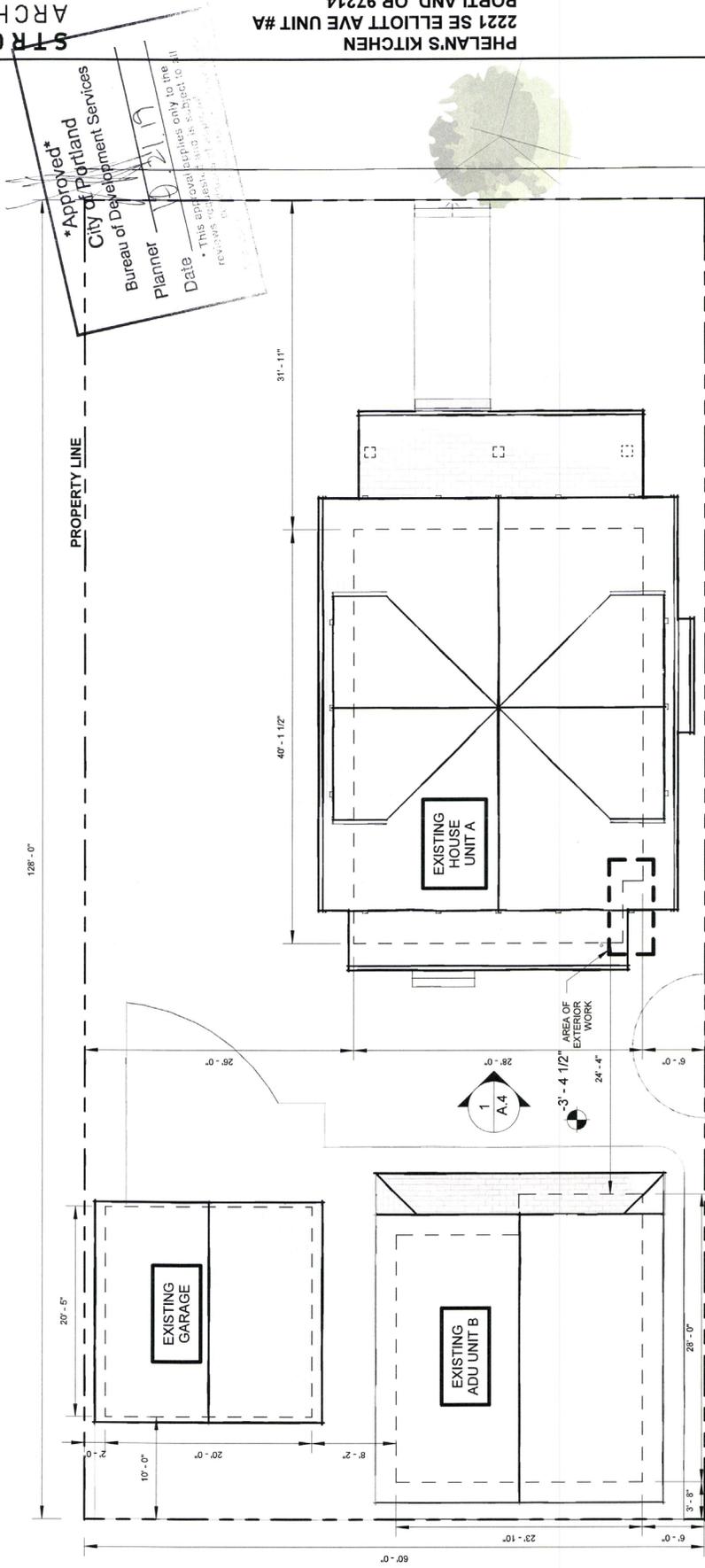


ZONING  NORTH

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

-  Site
-  Also Owned Parcels

File No.	LU 19-188489 HR
1/4 Section	3231
Scale	1 inch = 200 feet
State ID	1S1E02CD 6400
Exhibit	B Jul 08, 2019



* Approved*
 City of Portland
 Bureau of Development Services
 Planner: [Signature]
 Date: 11/19
 • This approval applies only to the reviewer's signature and is subject to all applicable rules and regulations.

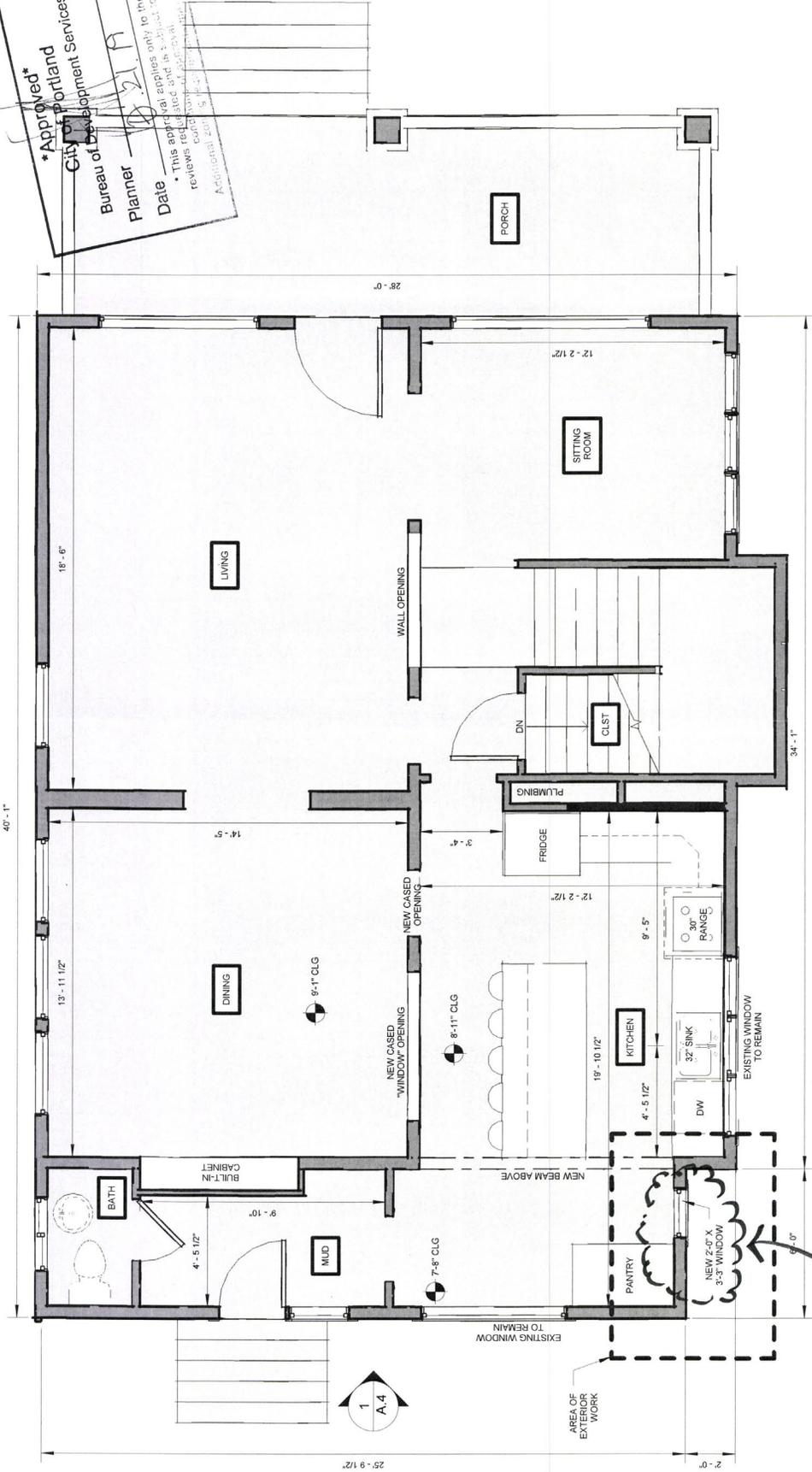
DXH 5-1
 10/19/18 18487 Hz

1 SITE
 1" = 10'-0"



Approved
 City of Portland
 Bureau of Development Services
 Planner: *[Signature]*
 Date: *10/21/19*
 This approval applies only to the conditions and details stated on this permit. Additional conditions may be required.

EXH C-2
17.188467 MC



1 FLOOR PLAN
 1/4" = 1'-0"



AREA OF EXTERIOR WORK

PH 19-1848874
2019-10-14
2019-10-14



I, **PLANNING**, hereby certify that the information furnished on this form is true and correct to the best of my knowledge and belief, and that I am a duly licensed professional planner in the State of Oregon.
 Date: **10/14/19**
 Planner: **PLANNING**
 Bureau of Development Services
 City of Portland
 Applied

1 SIDE ELEVATION
1/4" = 1'-0"

AREA OF WORK

NEW WINDOW TRIM TO MATCH EXISTING
 NEW DOUBLE HUNG WOOD WINDOW TO MATCH EXISTING WINDOW
 PATCH AND REPAIR SIDING IN LOCATION OF REMOVED WINDOW