



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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TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: January 8, 2020
To: Interested Person
From: Hillary Adam, Land Use Services
503-823-3581 / Hillary.Adam@portlandoregon.gov

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 19-262515 HR – PORCH REHABILITATION

GENERAL INFORMATION

Applicant: Ralph Turnbaugh
TM Rippey Consulting Engineers
7650 SW Beveland St., Ste 100
Tigard, OR 97223

Owner: Margaret St Clair & Ray St Clair
1504 SE Poplar Ave
Portland, OR 97214

Designer: Crystal Molina
Mildred Design Group P.C.
7650 SW Beveland St, Suite 120
Tigard, OR 97223

Party of Interest: Beth Holmes
OHI Construction
17255 Pilkington Rd
Lake Oswego, OR 97035

Site Address: 1504 SE POPLAR AVE

Legal Description: BLOCK 20 LOT 6, LADDS ADD
Tax Account No.: R463304460
State ID No.: 1S1E02DB 00200
Quarter Section: 3232

Neighborhood: Hosford-Abernethy, contact Michael Wade at wade.michael@comcast.net

Business District: Hawthorne Blvd. Bus. Assoc., contact at explore@hawthornepdx.com
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010 x313.

Plan District:	None
Other Designations:	Contributing resource in the Ladd’s Addition Historic District
Zoning:	CM2 (MU-U) – Commercial Mixed Use 2 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 proposes to rehabilitate the existing porch, damaged by a fallen tree. Rehabilitation is necessary because repair of the porch to its historic condition is not allowed by Building Code. Thus, the applicant proposes to raise the height of the guardrail from 26.5” to 30” and adding vertical pickets beneath the arches.

Historic Resource Review is required because the proposal is for non-exempt alterations in a historic district.

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:

- Ladd’s Addition Conservation District Guidelines

ANALYSIS

Site and Vicinity: The subject property is oriented northwest on SE Poplar and is the first residence upon entering Ladd’s Addition on SE Poplar from SE Hawthorne and is located immediately behind a 1-story brick commercial structure with another 1-story commercial structure across the street. Identified as the William A. Firebaugh Residence in the Ladd’s Addition National Register nomination, the house was constructed in the Craftsman style in 1905. The house is a 2-story building with a moderately-pitched hipped roof with projecting boxed eaves, a centered gable-roofed dormer on the front elevation and full-width hipped-roof porch with gabled entry bay, paired Tuscan columns, and an ornamental wood balustrade.

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.

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 the following prior land use reviews for this site:

- LU 97-014469 (ref. file: LUR 97-00423) – Design Review approval for a new garage/shop at the rear of the property; and
- LU 98-016308 (ref. file: LUR 98-01002) – Design Review approval for a 8.75sf sign.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **December 18, 2019**. No Bureaus have responded with issues or concerns about the proposal.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **December 18, 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.

4. Front Façade Detailing. Original entrances to buildings, front porches and projecting features, such as balconies, bays, and dormer windows should be retained or restored.

Findings for 1 and 4: The proposal is to repair damage to the front porch sustained by a fallen tree. While general repair is exempt from historic resource review, the current Building Code would not allow for the porch balustrade to be repaired as originally constructed due to the low rail height and width of openings in the balustrade. As such, in the absence of a successful Building Code appeal, the railing height must be increased by approximately 6 inches and additional pickets must be added to the balustrade to reduce the width of openings to less than 4 inches. While this does have an impact to the original design, the overall character will be preserved in that the arched motif of the balustrade will remain and is in keeping with the Craftsman style of the house. The proposed changes will be constructed of wood. In order to preserve as much historic material as possible staff has added a condition of approvability, that to the extent feasible, historic materials shall be incorporated into the new balustrade.

With the condition of approval that, to the extent feasible, historic materials shall be reincorporated into the new balustrade, 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 alterations are intended to repair damage sustained by a fallen tree while also meeting the current Building Code. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of rehabilitation of an existing porch within, damaged by a fallen tree, within the Ladd's Addition Historic District, including raising the height of the guardrail from 26.5" to 30" and adding vertical pickets beneath the arches.

This approval is per the approved site plans, Exhibits C-1 through C-3, signed and dated January 6, 2020, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through D) 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 19-262515 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.
- D. To the extent feasible, historic materials shall be reincorporated into the new balustrade.

Staff Planner: Hillary Adam

Decision rendered by:  **on January 6, 2020**
By authority of the Director of the Bureau of Development Services

Decision mailed: January 8, 2020

Procedural Information. The application for this land use review was submitted on December 9, 2019, and was determined to be complete on December 16, 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 December 9, 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: April 14, 2020.**

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 **January 8, 2020** 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:

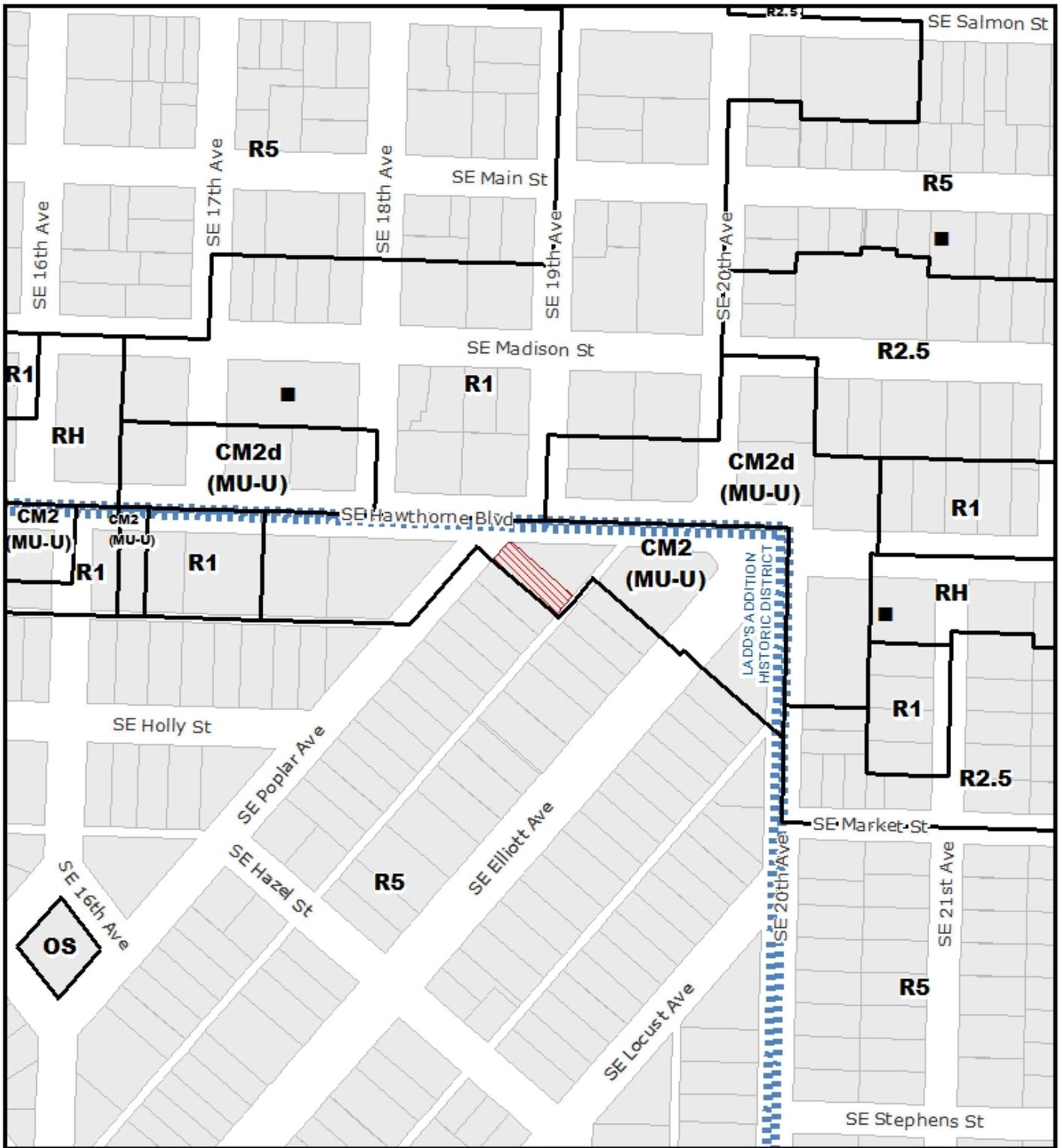
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Narrative
 - 2. Photos
 - 3. Drawing Packet
 - 4. Site Plan
 - 5. Full Size Drawing Set
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevations (attached)
 - 3. Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence: none
- G. Other:
 - 1. Original LU Application

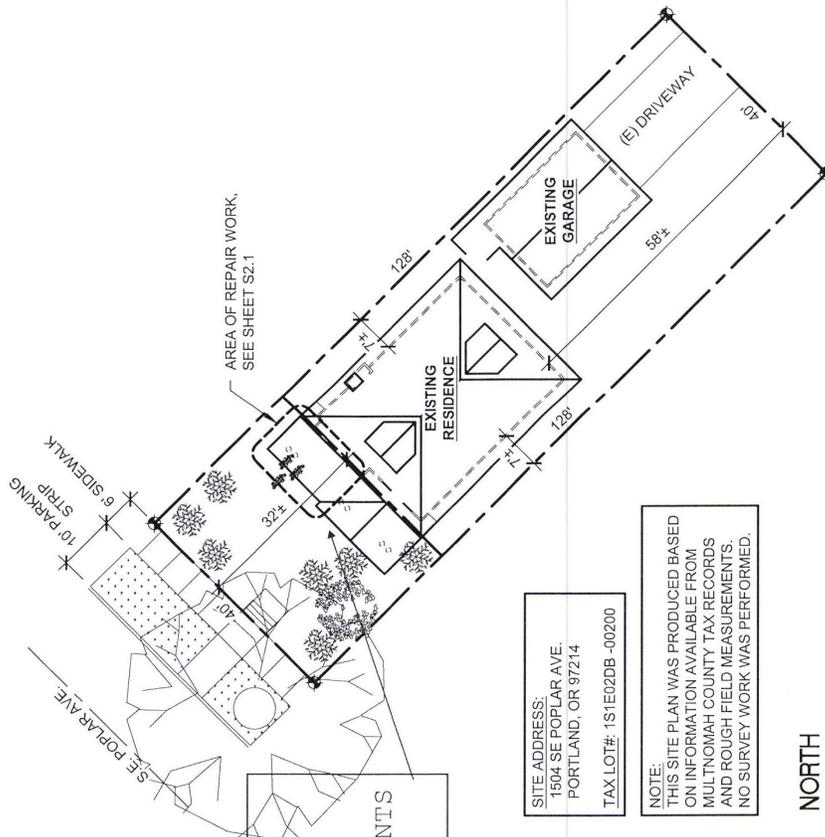
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING 
 NORTH
 LADD'S ADDITION HISTORIC DISTRICT

-  Site
-  Historic Landmark

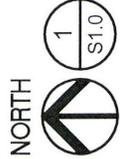
File No.	LU 19 - 262515 HR
1/4 Section	3232
Scale	1 inch = 200 feet
State ID	1S1E02DB 200
Exhibit	B Dec 11, 2019



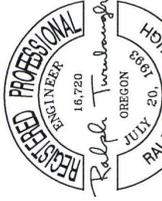
PROPOSED REPLACEMENT OF EXISTING PORCH GUARD RAIL TO MEET CURRENT CODE REQUIREMENTS FOR SAFETY.

SITE ADDRESS:
1504 SE POPLAR AVE.
PORTLAND, OR 97214
TAX LOT#: 1S1E02DB-00200

NOTE:
THIS SITE PLAN WAS PRODUCED BASED ON INFORMATION AVAILABLE FROM MULTNOMAH COUNTY TAX RECORDS AND ROUGH FIELD MEASUREMENTS. NO SURVEY WORK WAS PERFORMED.



SCALE: 1" = 20'-0"



EXP: 6/30/20

Approved
City of Portland
Bureau of Development Services
Planner: *[Signature]*
Date: *7/6/20*

* This approval applies only to the review requested and is subject to all conditions of approval. Any other use or modification may require a separate review.

DRAWING IS TO SCALE
WHEN PRINTED 11X17

TMR TM RIPPEY CONSULTING ENGINEERS
7650 SW Beveland, Suite 100
Tigard, Oregon 97223
Phone: (503) 443-3900
Fax: (503) 443-3700

St. Clair Residence
1504 SE Poplar Ave.
Portland, Or 97214
Site Plan

BY: JSC	DATE: 12-05-19
CHK BY: RNT	DATE: 12-05-19
JOB NO: 19001.15	
SHEET: 1 OF 1	

LU 19-262515 HR C-1

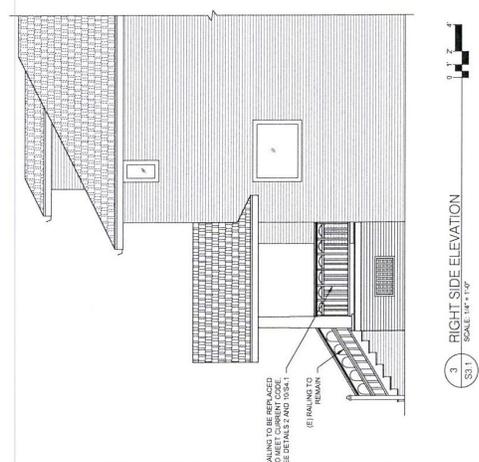
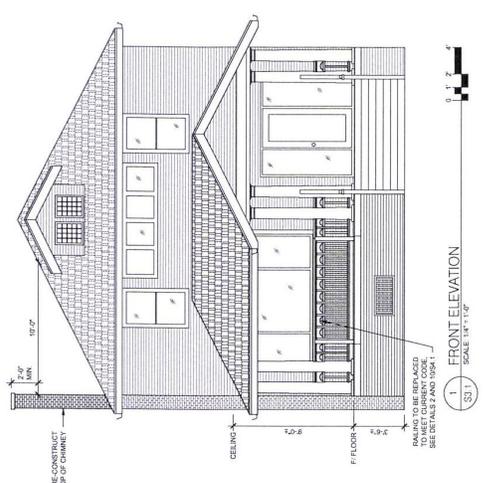
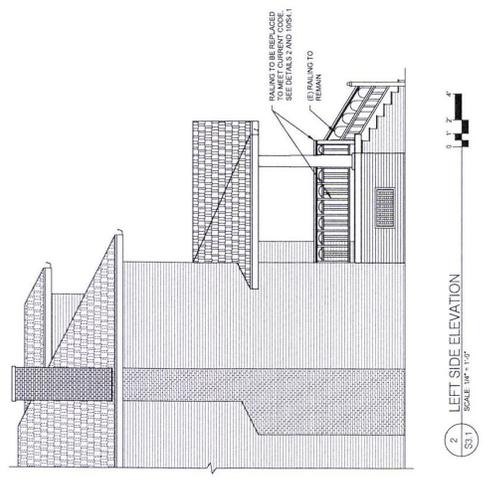
T.M. RIPPEY
CONSULTING ENGINEERS
T.M.R.
1650 SW Broadway, Suite 100
Portland, Oregon 97214
Phone: (503) 443-3900
Fax: (503) 443-1783



St. Clair Residence
1504 SE Poplar Ave.
Portland, Or 97214

OHI CONSTRUCTION
17255 PILKINGTON ROAD
LAKE OSWEGO, OR 97035
CCB# 34908

EXTERIORS
DATE: 12/28/19
DRAWN BY: JMM
CHECKED BY: JMM
SHEET
S3.1
SHEET NO. 1 OF 4
PRINT DATE: 1/15/20



Approved
City of Portland
Bureau of Development Services
Planner Adam
Date 1/16/20
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

LU 19-26292-117 C-2