



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

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

**Date:** June 9, 2020  
**To:** Interested Person  
**From:** Megan Sita Walker, Land Use Services  
503-823-7294 / [MeganSita.Walker@portlandoregon.gov](mailto:MeganSita.Walker@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 20-101240 HR – NEW 4-CAR GARAGE**

#### **GENERAL INFORMATION**

**Applicant:** Daniel Hundley | Studio 45 North LLC  
4744 NE Mason St, Unit B  
Portland, OR 97477  
(541) 294-9835

**Owner:** Rob Laird | Laird 2043 SPE LLC  
Po Box 1781  
Los Gatos, CA 95031

**Site Address:** 2055 SE 16TH AVE

**Legal Description:** BLOCK 1 LOT 19, LADDS ADD  
**Tax Account No.:** R463300250  
**State ID No.:** 1S1E02DC 16300  
**Quarter Section:** 3232

**Neighborhood:** Hosford-Abernethy, contact Michael Wade at [wade.michael@comcast.net](mailto:wade.michael@comcast.net)

**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 x313

**Plan District:** None

**Other Designations:** The property includes contributing and noncontributing resources in the Ladd's Addition Historic District.

**Zoning:** R5 – Residential 5,000 with the 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 alterations to a contributing property in the Ladd's Addition Historic District. The proposed alterations are limited to the demolition and replacement of an existing detached 3-car garage that was recently reclassified as a noncontributing resource in the Ladd's Addition Historic District. The replacement detached 4-car garage is proposed to be located in approximately the same location as the existing garage along the rear alley frontage. The proposal also includes the relocation of an existing path and a new concrete retaining wall interior to the lot. The materials proposed for the new 4-car garage include wood beveled lap siding with a 5" reveal, wood trim, four (4) steel garage doors on the north-west elevation fronting onto the alley, and four (4) steel person doors on the south-east elevation facing the two contributing resources on the property.

Historic Resource Review is required for non-exempt exterior alterations within 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 Design Guidelines*

## ANALYSIS

**Site and Vicinity:** The subject properties are "twin" duplexes known as the Sadler, Matthew & Clara Duplexes, and are listed as "Eligible/Contributing" in the Ladd's Addition Historic District. The site is a triangular parcel at the northeast end of the block. The primary structures have a shallow setback along their SE 16<sup>th</sup> Avenue frontage, and the existing detached 3-car garage, proposed to be replaced, is located along the rear alley frontage. Both duplexes were constructed in the 20<sup>th</sup> Century Colonial Revival Style in 1924 and were designed by Matthew Sadler. Both units are square one-and-one half story duplexes with moderately-pitched, side facing gabled roves, boxed eaves and composition shingles. The contributing duplexes share an existing detached 3-car garage that was reclassified as a non-contributing accessory structure by the National Parks Service earlier this year. The proposal includes the removal of the existing detached 3-car garage and the proposed replacement detached 4-car garage to be located in the same general footprint along the rear alley frontage.

Ladd's Addition is characterized by its unique layout of diagonal streets, the circular public garden in the center of the district, and four smaller diamond-shaped public gardens. Platted in 1891, Ladd's Addition is one of the first planned suburban communities in Portland, and also one of the only subdivisions with rear alleys. With the vehicle access at the rear, there are few curb cuts on the street side of the blocks, making for a pleasant pedestrian environment along the heavily canopied avenues. The majority of the buildings are residences constructed during the years 1905-1939, primarily in Bungalow, Craftsman, and Period-Revival styles with a typical front-yard setback, front porches and rear garages. Multi-dwelling buildings and commercial properties are located at the edges of the district along SE Division, SE 12<sup>th</sup> Avenue and SE Hawthorne, with the exception of a sprinkling of churches and a school, and the Ladd Circle Grocery, since converted, at the center of the district. Ladd's Addition is unique among planned communities on the west coast, primarily due to its diagonal street pattern, and was listed on the National Register in 1988.

**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 that prior land use reviews include the following:

- HR 50-82: No information in city file.
- LU 15-245795 HR: Historic Resource Review approval of exterior alterations to the two duplexes to include replacement of siding, doors and windows.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on April 27, 2020. The no Bureaus responded with issues or concerns about the proposal.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on April 27, 2020. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Joanne Stainbrook on behalf of the Hosford Abernethy Neighborhood District (HAND) Historic Resource Subcommittee, wrote in on May 10, 2020 noting no concerns with the siting and form of the proposed structure. Concern was raised regarding the design of the proposed steel person doors on the structure and simpler doors (with less paneling) were requested. Concern over the condition of the concrete around the water meter covers in the alley were noted, and questions regarding the process for reclassifying the detached accessory structure were also raised. See Exhibit F-1 for additional information.

*Staff Response:* Staff worked with the applicant to discuss concerns raised over the person doors and the applicate provide revised cut sheets to respond to the request for simpler doors with less paneling. Regarding the request to let PBOT know about the condition of the concrete around the water meters in the alley, staff suggests reaching out to PBOT directly via the PBOT information and referral line at (503) 823-5185. Regarding the reclassification of the existing detached 3-car garage from contributing to non-contributing, the owner of the property initiated the reclassification process with the State Historic Perseveration Office (SHPO), with support of the Portland Historic Landmarks Commission, due to loss of integrity of the structure. Please see the attached letter from the SHPO confirming the reclassification of the detached accessory structure from a contributing to a noncontributing in the Ladd's Addition Historic District for additional information (Exhibit A-5). Staff notes that the process to request the SHPO to amend the National Register Nomination is not common, especially for primary structures in the District.

## **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.*

**Ladd's Addition Conservation District Guidelines - New Construction**

**1. Siting.** All new buildings should face the street. Commercial buildings should be pedestrian oriented and have a zero front yard setback. All other buildings should maintain the historical front yard setback on the block, usually fifteen to twenty feet. The original topography and grade of building sites should be maintained.

**2. Landscaping.** On the site of non-commercial structures, the retention of front lawns and mature trees is encouraged. The predominant use of ground covers, such as bark mulch and broadleaf evergreens, is discouraged. Plants popular in the 1910's and 1920's are encouraged.

**3. Fences and Retaining Walls.** Front and side yards which abut a street should be visually open to the street. Hedges retaining walls and fences, which visually obscure front yards are discouraged. Fences should be kept behind the building lines, as viewed from the street.

**Findings for 1, 2, and 3:** The proposal adequately addresses the above-mentioned guidelines in the following ways:

- The proposed detached garage will be in approximately the same location with a slightly larger footprint as the existing noncontributing garage that is being removed.
- The proposed structure will be located immediately adjacent to the existing alley at the rear of the property.
- The topography and grade of the building site will not be altered.
- No alterations to front lawns or mature trees are proposed.
- The proposed concrete retaining walls are relatively low at 2'-3" and located in the rear of the property.

*These guidelines are therefore met.*

**4. Parking.** Parking areas and driveways are discouraged in the front yard. Required on-site parking should be located in the rear yard or beneath new construction. Parking areas, providing space for three or more cars, should be screened from adjacent properties: hedges and canopy trees are recommended as screens. No lot within the district should be converted solely for parking use.

**5. Building Height.** In areas zoned for single family residential use, new buildings should not be less than one and one-half stories or more than two and one-half stories or thirty-five feet in height. In all other areas, new buildings should not exceed three stories or forty-five feet in height.

**7. Foundations.** Non-commercial structures should have foundations which are three or four feet in height and constructed of masonry materials, such as ornamental concrete block, poured concrete with a stucco wash, or stone. Commercial buildings should have foundations which are within six inches of the sidewalk elevation.

**8. Exterior Siding Materials.** Materials used on new buildings should be consistent with predominant materials used on buildings of a similar use within the district. On single family residences and duplexes: stucco, horizontal wood siding, wood shingles, brick, or a combination of these materials. On commercial and multi-family residences: stucco and brick. The following materials are discouraged: plywood, used brick, shakes, exposed concrete block and metal.

**9. Roof Form.** Non-commercial buildings should have gable or hip roofs with medium to steep pitch. Dormers and gable roof projections are encouraged. Commercial buildings should have flat roofs with parapets or false fronts. Detailing of the parapets with cornices and stepping is encouraged.

**13. Windows and Doors.** Window sashes and doors should be wood frame and detailed with wood trim. For commercial buildings, storefront windows with large fixed panes below and smaller frames above are encouraged. For other buildings, vertical, double-hung windows, as well as groups of vertical windows which may be horizontal in overall expression, are encouraged.

**15. Color.** Earth tones and muted colors which are derived from natural materials, such as stone, brick and soil are encouraged. Use of bright colors is discouraged.

**17. 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 4, 5, 7, 8, 9, 13, 15, and 17:** The proposal adequately addresses the above-mentioned guidelines in the following ways:

- The proposed replacement detached garage will be in approximately the same location with a slightly larger footprint as the existing noncontributing garage and will maintain frontage along the rear alley, typical for detached garages in the district.
- The single-story detached garage with a simple gabled roof with a medium pitch relates the contributing structures on the property and is an appropriate height and roof form for a detached accessory structure in the district.
- The proposed concrete foundation is minimal and appropriately sized for a detached utilitarian structure in the district.
- The proposed siding is clear vertical grain cedar bevel siding with a 5” reveal and the proposed trim is 1”x6” cedar trim to match the primary contributing structures.
- While the proposed person doors facing into the property and the proposed garage doors along the alley frontage are steel doors, the siding and trim of the proposed structure is wood to relate the primary contributing structures and the proposed application is appropriate of an accessory structures with a purely utilitarian program along the site’s rear service alley frontage.
- The proposed structure will be located immediately adjacent to the existing alley at the rear of the property.
- The proposed wood bevel siding and wood trim will be painted to match the existing, contributing resources.
- As the placement of the detached structure is remaining largely the same, the relationship of the garage to the primary structures and to alley frontage will remain largely the same with attention to crime prevention elements such as walkway location and clear visibility between the structures as well as visibility out to the alley frontage.

*These guidelines are therefore met.*

**6. Building Façade Proportions.** The front façades of non-commercial buildings should be vertical, i.e., higher than they are wide.

**12. Front Façade Detailing.** Primary entrances to buildings should be oriented to the street rather than to a rear yard or interior side yard. Front porches and projecting features such as balconies, bays and dormer windows are encouraged. Blank façades with no windows are discouraged.

**Findings for 6 and 12:** The proposal is limited to the removal and replacement of a detached garage at the rear of the property. *These guidelines are not applicable.*

## 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. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

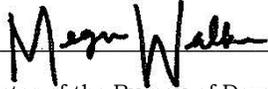
## ADMINISTRATIVE DECISION

Approval of exterior alterations to a contributing resource in the Ladd's Addition Historic District to include the removal of an existing detached 3-car garage recently reclassified as a non-contributing garage, and the installation of the proposed replacement detached 4-car garage with painted wood siding and trim and steel garage and person doors.

Approved per Exhibits C-1 through C-12, signed and dated June 4, 2020, 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 20-101240 HRC." 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: Megan Sita Walker**

**Decision rendered by:** \_\_\_\_\_  \_\_\_\_\_ **on June 4, 2020**

By authority of the Director of the Bureau of Development Services

**Decision mailed June 9, 2020**

**Procedural Information.** The application for this land use review was submitted on January 3, 2020, and was determined to be complete April 10, 2020.

*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 January 3, 2020.

*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 extended by the applicant, **the 120 days will expire on: August 8, 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.

If you are interested in viewing information in the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note that due to COVID-19 and limited accessibility to files, only digital copies of material in the file are available for viewing. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

**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 on or after **June 10, 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:

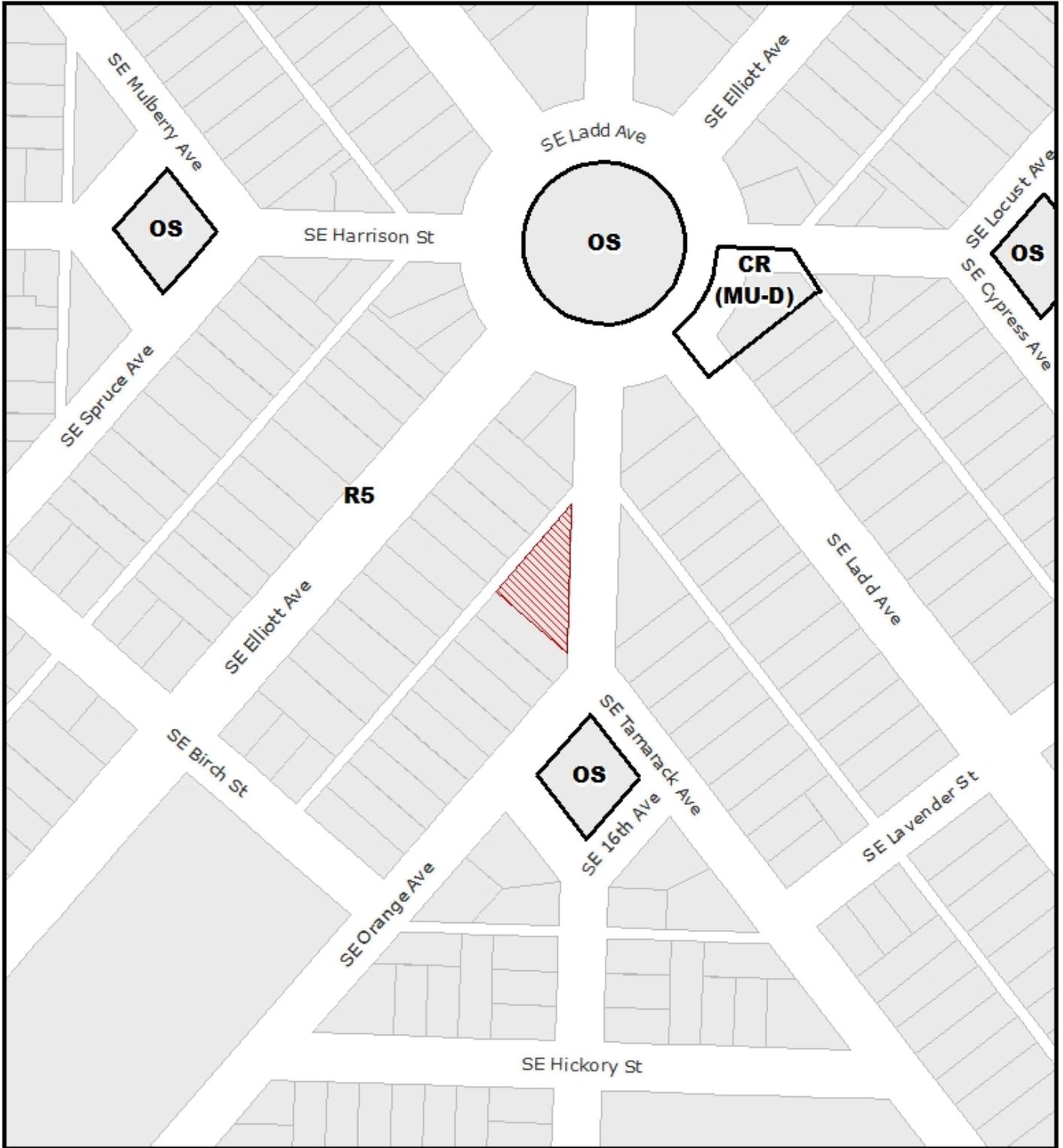
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement:
  - 1. Original Project Description & Response to Approval Criteria
  - 2. Original Drawing Set
  - 3. Updated Information, Rec'd January 22, 2020
  - 4. Confirmation of Incomplete status, Rec'd February 10, 2020
  - 5. Letter from the State Historic Preservation Office confirming reclassification of the detached garage, Rec'd April 10, 2020
  - 6. Updated Door Specification, Rec'd May 21, 2020
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Floor Plan
  - 3. Foundation Plan
  - 4. Foundation & Retaining Wall Details
  - 5. Elevations (attached)
  - 6. Framing Plan
  - 7. Details
  - 8. Wall Sections
  - 9. Specifications – Trim
  - 10. Specifications – Siding
  - 11. Specifications – Garage Door
  - 12. Specifications – Person Doors
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence:
  - 1. Joanne Stainbrook on behalf of the Hosford Abernethy Neighborhood District (HAND) Historic Resource Subcommittee, wrote in on May 10, 2020
- G. Other:
  - 1. Updated LU Application
  - 2. Original LU Application
  - 3. Incomplete Letter, January 16, 2020
  - 4. Oregon Historic Site Record
  - 5. Page from Ladd's Nomination
  - 6. Email Correspondence between staff and the applicant

**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

File No.	LU 20 - 101240 HR
1/4 Section	3232
Scale	1 inch = 163 feet
State ID	1S1E02DC 16300
Exhibit	B Jan 07, 2020



Studio 45 North LLC

4724 NE Mason St, Unit B  
Portland, OR 97218  
daniel@studio45north.com  
541.294.9835

Project Name

Ladd's Project

Client  
Ladd 2043 SPE LLC

Project Address  
2043-2055 SE 16th Ave,  
Portland, OR 97214

Zone  
Portland, R-5

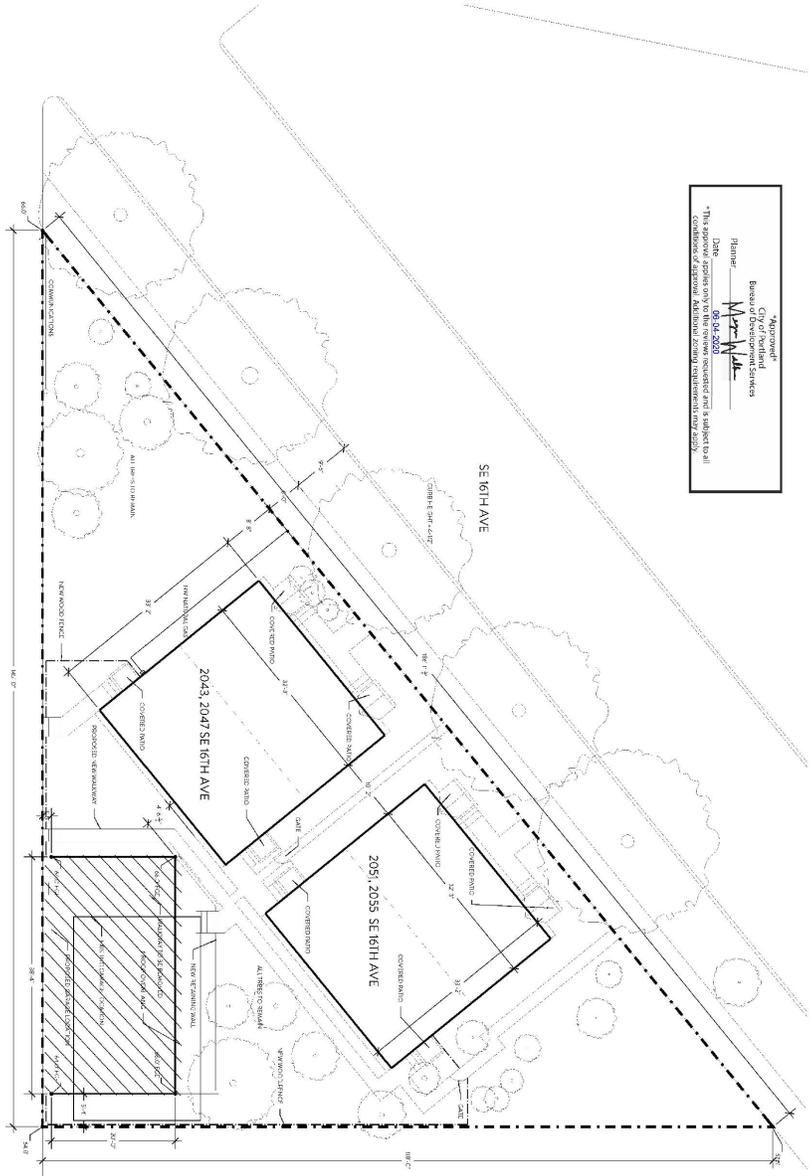
Property ID  
R200132

Parcel  
Ladd's Addl Block 1(Lot 19)

Site Name  
SITE PLAN

Site Number  
A01

Lot Area  
8,018 sqft  
Ratio - 121.6 FT2  
Walkway - 623.2 FT2  
Roof Area (incl overhang) - 3122.6  
Total - 3867.4 FT2  
Building Coverage  
Building Footprint - 766.6 FT2



Approved  
City of Portland  
Bureau of Development Services  
Planner: *M. N. M.*  
Date: 08.04.2023  
\*This approval applies only to the review requested and is subject to all conditions of approval. Additional zoning requirements may apply.

01 SITE PLAN  
1"=10'

