



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

Dan Ryan, Commissioner  
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[www.portland.gov/bds](http://www.portland.gov/bds)

**Date:** December 6, 2021  
**To:** Interested Person  
**From:** Hannah Bryant, Land Use Services  
503-865-6520 / [Hannah.Bryant@portlandoregon.gov](mailto:Hannah.Bryant@portlandoregon.gov)

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

The Bureau of Development Services has 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 21-098407 HR – ADA RAMP**

#### **GENERAL INFORMATION**

**Applicant:** Daniel Hastings | DLHastings LLC  
7301 SW Brier Place  
Portland OR 97219

**Owner/Agent:** Noah Roost | Corbett Ave LLC  
3403 S Corbett Ave  
Portland, OR 97239

**Site Address:** 3407 SOUTH CORBETT AVE

**Legal Description:** BLOCK 134 LOT 1, CARUTHERS ADD  
**Tax Account No.:** R140912650  
**State ID No.:** 1S1E10BD 03500  
**Quarter Section:** 3329  
**Neighborhood:** South Portland NA., contact at [board@southportlandna.org](mailto:board@southportlandna.org)  
**Business District:** South Portland Business Association, contact [info@southportlanddba.com](mailto:info@southportlanddba.com).  
**District Coalition:** Office of Community & Civic Life, contact Shuk Arifdjanov at [shuk.arifdjanov@portlandoregon.gov](mailto:shuk.arifdjanov@portlandoregon.gov)  
**Plan District:** NONE  
**Other Designations:** *Contributing resource in the South Portland Historic District*  
**Zoning:** RM1-Residential Multidwelling 1  
**Case Type:** HR – *Historic Resource Review*

#### **Proposal:**

The applicant seeks Historic Resource Review approval to replace a small concrete stoop with a larger concrete landing, and to replace two wood columns supporting a small roof over a side façade entry. The columns are proposed to be replaced with simple wooden

brackets beneath the existing roof. The intent of the proposal is to facilitate the expansion of the existing landing to accommodate an ADA ramp.

Historic Resource Review is required because the proposal entails non-exempt exterior alterations in a Historic District.

**Relevant Approval Criteria:**

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

- 33.846.060.G – Other Approval Criteria

## ANALYSIS

**Site and Vicinity:** Constructed in 1892, the subject property is known as the MC Griffin house. The property is an example of Queen Anne Vernacular architecture and a contributing resource in the South Portland Historic District. The two-story, wood frame building has a modified rectilinear plan and a partial, above-grade basement. It has multiple gable roofs with overhanging eaves and console brackets. Shiplap siding covers the exterior, except for the clapboard siding on the north-facing gable end. Both the main entries face South Corbett Avenue (to the east), whereas the proposed area of alteration is on the South Whitaker Street (north) facing façade.

The South Portland Historic District is significant as the remnant of an early, originally much larger, working class and immigrant neighborhood that was greatly diminished by construction of the I-5 and I-405 freeways, and by large scale clearance under the auspices of Urban Renewal, during the 1960s and 1970s. The area was originally home to concentrations of ethnic and religious minorities from southern and eastern Europe, especially Italian Catholics and Jews from Poland, the Baltic States, and the Russian Empire. The majority of the district's remaining historic resources were built as residences, but with supporting commercial buildings, religious and social institutions, and small-scale industrial structures scattered throughout the neighborhood fabric. Originally associated with workers at the shipping, manufacturing, and processing enterprises dependent on the nearby Willamette River, the area today is among the best remaining examples of a late Nineteenth Century working class residential neighborhood in Portland.

**Zoning:** The RM1 zone is a low-scale multi-dwelling zone that is generally applied in locations intended to provide a transition in scale to single-dwelling residential areas, such as the edges of mixed-use centers and civic corridors, and along or near neighborhood corridors. Allowed housing is characterized by one to three story buildings that relate to the patterns of residential neighborhoods, but at a somewhat larger scale and building coverage than allowed in the single-dwelling zones. The major types of new development will be duplexes, triplexes, rowhouses, courtyard housing, small apartment buildings, and other relatively small-scale multi-dwelling and small-lot housing types that are compatible with the characteristics of Portland's residential neighborhoods.

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 there are prior land use reviews for this site including:

- LU 90-021833 – Approval of a conditional use review to convert building to office use.
- LU 79-037116 – Approval to permit the expansion of a non-conforming architect's office.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on November 11, 2021.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on November 11, 2021. 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 within the portion of the South Portland Historic District east of SW Naito Parkway and the proposal is for non-exempt treatment. Therefore, Historic Resource Review approval is required. The approval criteria are those listed in 33.846.060 G – *Other Approval Criteria*.

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

### **33.846.060 G - Other Approval Criteria**

- 1. Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.
- 2. Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.
- 3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.
- 4. Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.
- 5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.
- 7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.
- 8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.
- 9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the

future, the essential form and integrity of the historic resource and its environment would be unimpaired.

**10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

**Findings for 1, 2, 3, 4, 5, 7, 8, 9, and 10:** The proposal to install an ADA ramp to a side, street-facing door at this contributing resource requires Historic Resource Review because it will include the removal of a small, existing side stoop and the two columns that support a small roof overhang above the door. The house is located on a corner lot, so while the door faces South Whitaker Street, it is originally a service/secondary entry, and does not have the historic significance of a primary entry.

The applicant proposes replacing the small concrete stoop with a slightly larger concrete stoop and replacing the simple existing columns with roof brackets to support the existing roof above the doorway. The proposed painted wood brackets are consistent with the historic nature of the home and its surrounding context but are not overly ornate and will not appear to be conjectural features. The minimal intervention will not impact the historic character of the property or any of its character-defining historic features. It will remain a physical record of its time. While the original columns will be removed through this proposal, they are simple posts at a secondary door and lack architectural significance, and their removal facilitates the installation of a thoughtfully designed ADA ramp that will facilitate the ongoing use of the property with minimal intervention.

*Therefore, these criteria 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. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

## **ADMINISTRATIVE DECISION**

Approval of the removal of two posts and a concrete stoop at a secondary entrance and installation of two new roof brackets and a larger stoop and ADA ramp, per the approved site plans, Exhibits C-1 through C-6, signed and dated December 1, 2021, 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 21-098407 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: Hannah Bryant**

**Decision rendered by:**  **on December 1, 2021**

By authority of the Director of the Bureau of Development Services

**Decision mailed December 6, 2021**

**Procedural Information.** The application for this land use review was submitted on October 21, 2021 and was determined to be complete on November 4, 2021.

*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 October 21, 2021.

*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: March 4, 2022.**

**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 **December 6, 2021** 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:

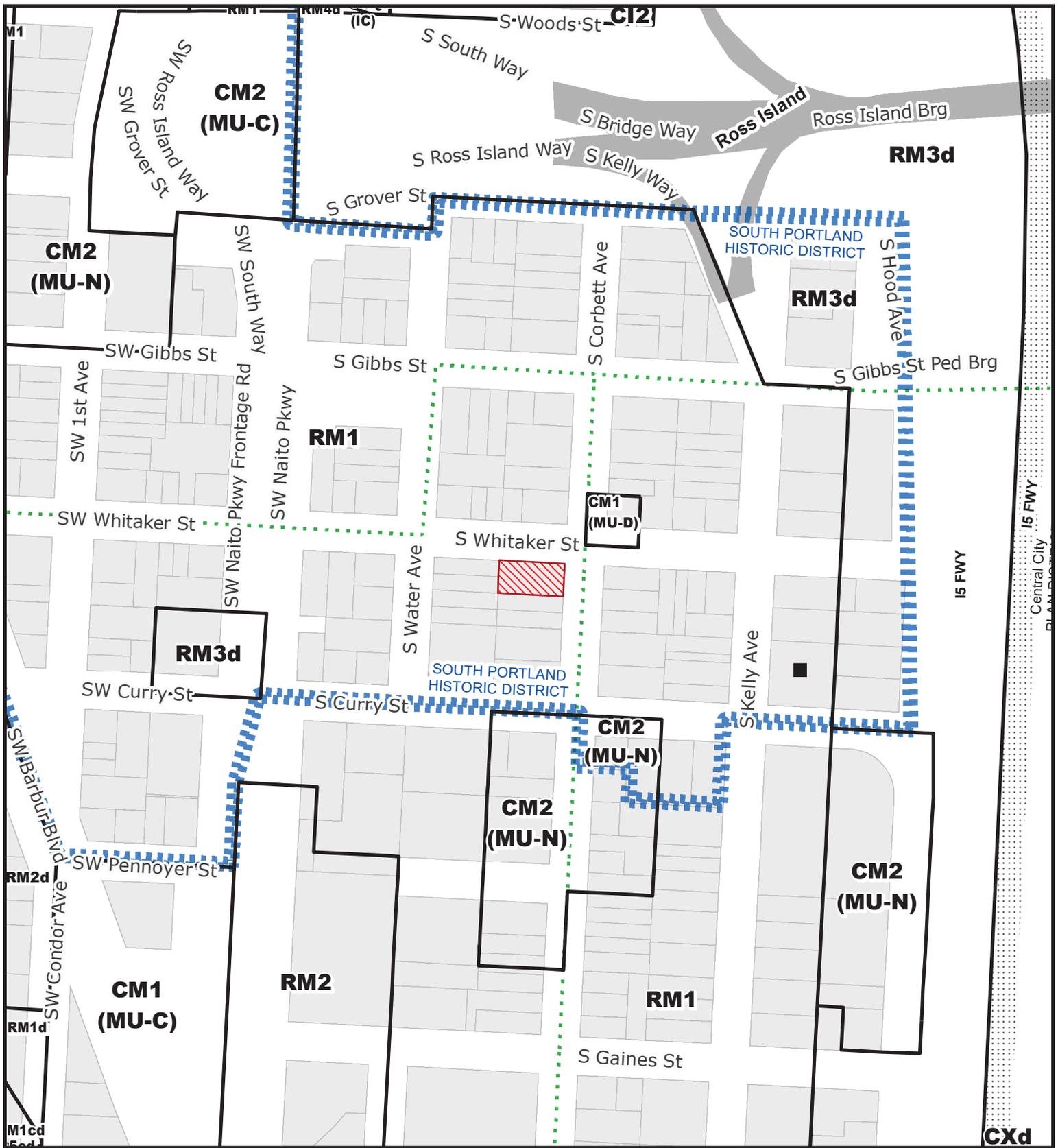
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
  - 1. Original Submittal
  - 2. Written Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. ADA ramp plan
  - 3. North Elevation
  - 4. West/East Elevation
  - 5. East Section + Roof Bracing
  - 6. North Elevation + Ramp Section
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: No responses were received.
- 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



For Zoning Code in effect Post August 1, 2021

THIS SITE LIES WITHIN THE:  
SOUTH PORTLAND HISTORIC DISTRICT



Site



Historic Landmark

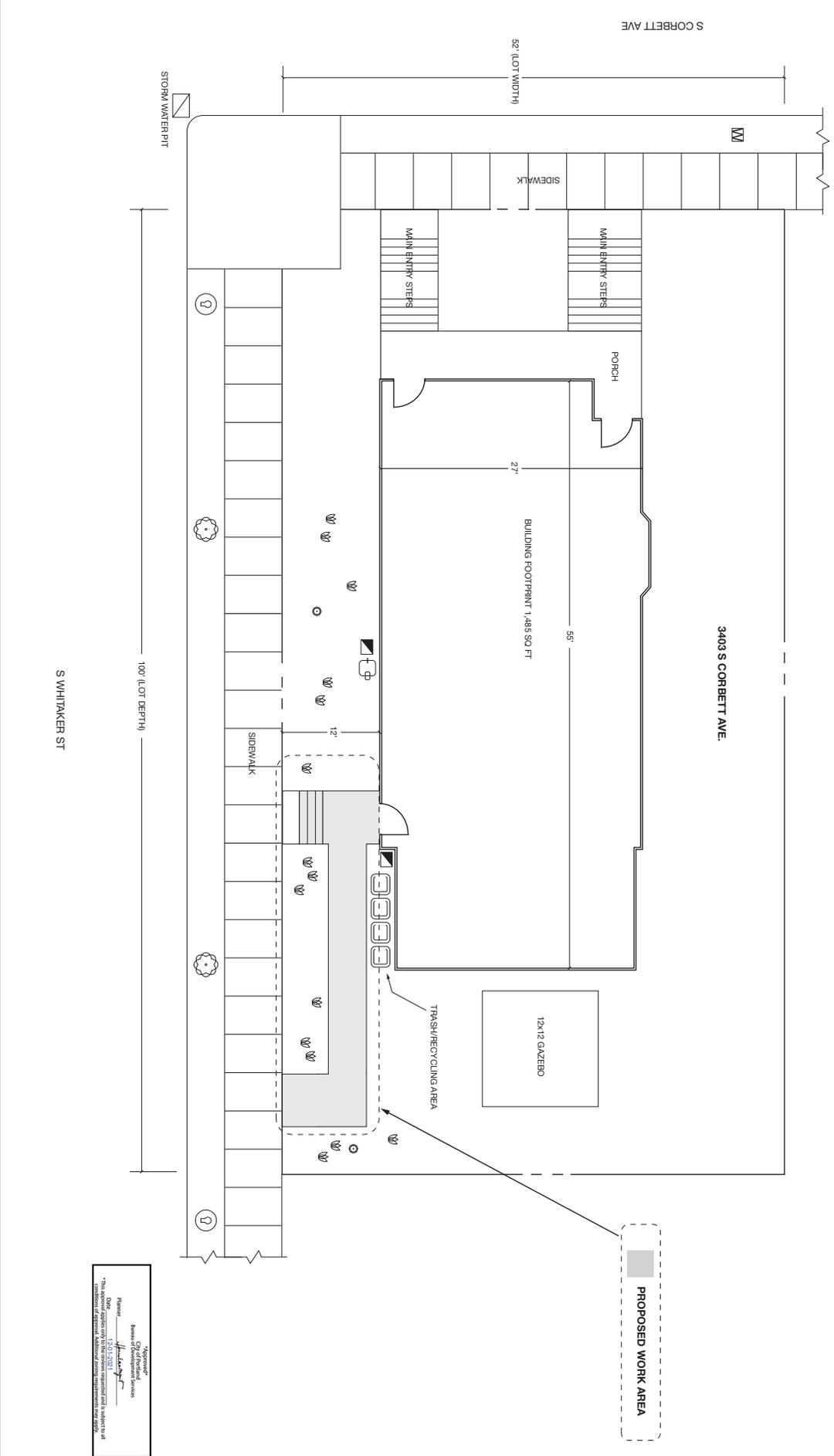


Recreational Trails

File No.	LU 21 - 098407 HR
1/4 Section	3329
Scale	1 inch = 200 feet
State ID	1S1E10BD 3500
Exhibit	B Oct 21, 2021



**SITE PLAN** SCALE 1/4" = 1'-0"  
 Notes:  
 Street Parking Only



Approved:  
 Bureau of Development Services  
 Date: 12/11/2013  
 This site plan is approved in accordance with the provisions of the Comprehensive Zoning Ordinance, Chapter 22.020, and the Comprehensive Planning Ordinance, Chapter 22.010, of the City of Portland, Oregon. All conditions of approval, additional zoning requirements, and other applicable rules and regulations shall apply.

<p><b>DLHASTINGS</b>          GENERAL CONTRACTOR          DLHASTINGS, LLC          7201 SW Bird Pl          Portland, OR 97219          (503) 941-2386  <a href="http://dlhastings.com">http://dlhastings.com</a>          OS 200907</p> <p>Prepared by:          Daniel Hastings          daniel@dlhastings.com          (503) 941-2386</p>	<p><b>PROPERTY INFO</b></p> <p>Address:          3403 S. Corbett Ave          Portland, OR 97239</p> <p>Owner:          Neat Road          neatroad@gmail.com          (503) 949-9783</p>																		
	<p><b>PROJECT</b></p> <p>ADA ACCESSIBILITY RAMP &amp;          RELATED IMPROVEMENTS</p>																		
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