



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

Dan Saltzman, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** April 18, 2016  
**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 15-281182 HR – EGRESS WINDOW INSTALLATION**

### **GENERAL INFORMATION**

**Applicant:** Omar Martinez Barrera, Applicant  
Casa Bonita LLC  
1631 NE Broadway, Suite 721  
Portland, OR 97232  
  
James E Mccandlish and Yunhua Y Mccandlish, Owners  
1903 SE Elliott Ave  
Portland, OR 97214

**Site Address:** 1903 SE ELLIOTT AVE

**Legal Description:** BLOCK 17 SWLY 33 1/3' OF NELY 36 2/3' OF LOT 17, LADDS ADD  
**Tax Account No.:** R463303830  
**State ID No.:** 1S1E02DB 07800  
**Quarter Section:** 3232

**Neighborhood:** Hosford-Abernethy, contact Michael Wieteki at [mjwietecki@gmail.com](mailto:mjwietecki@gmail.com)  
**Business District:** Division-Clinton Business Association, contact 503-706-3730.  
Hawthorne Blvd. Bus. Assoc., contact Hilda Stevens at 503-774-2832.  
**District Coalition:** Southeast Uplift, contact Anne Dufay at 503-232-0010.

**Plan District:** None  
**Other Designations:** Non-contributing house with contributing detached garage in the Ladd's Addition Historic District

**Zoning:** R5 – Residential 5,000  
**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 requests Historic Resource Review approval for a proposal to alter an existing single-family home located within the Ladd's Addition Historic District. The applicant proposes to install one all wood egress window and concrete wet well on the side (south west) facade of an existing house fronting SE Elliott Avenue. The framed area of the proposed egress window is approximately 3'-0" by 4'-0" (extending roughly 2' above grade) with a 3' by 5'-6" wet well that extends 5 inches above grade. The existing basement window to be replaced and converted to an egress window is approximately 1'-6" by 3'-0". The location of the proposed window is on the side (south west) setback 4'-8" from front of the house, roughly 30 feet from the front property line and is screened by existing landscaping, with additional landscaping proposed.

Historic resource review is required because the proposal is for non-exempt exterior alterations in the Ladd's Addition Historic District.

**Relevant Approval Criteria:**

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

- *Ladd's Addition Conservation District Guidelines*

## ANALYSIS

**Site and Vicinity:** Ladd's Addition Historic District is listed in the National Register of Historic Places for its unique contribution to the practice of community planning and landscape architecture. Its pattern of streets, alleys, and public gardens, skewed diagonally to the compass, was virtually without precedent when it was laid out by William Sergeant Ladd in 1891. Several circumstances, including Ladd's untimely death in 1893 and a general economic downturn beginning at about the same time, contributed to a significant delay in the building up of the platted subdivision. Hence, the mean construction date for contributing buildings in the district is 1924.

The Peter & Katherine Krieger House was designed and built by architect Albert Brugger in 1925. The subject property is located in the north east section of Ladd's Addition and fronts SE Elliott Avenue to the south east, with alley access off of SE 16<sup>th</sup> Avenue. The existing house is a one-and-one-half story rectangular building has a steeply-pitched gable roof with a clipped end and minimal boxed eaves. The single-bay pedimented gabled porch is partially enclosed, with a segmental-arched entry and concrete stairs with a wrought-iron railing. Windows are typically eight-over-one double-hung sashes; the front elevation windows have been replaced with aluminum sliders. The building has been sided with asbestos shingles, altering the window trim. It has a concrete foundation and basement and a typical mid-block setback; the lot has a number of flowering shrubs and hedges, including a rose garden in the north side yard. Given previous alterations noted above, this house has been inventoried in the National Register as non-contributing.

**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 there are no prior land use reviews for this site.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on **February 18, 2016**. No responses were received.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **February 18, 2016**. 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 Design Review**

#### **Purpose of Historic Design Review**

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

#### **Historic Design Review Approval Criteria**

Requests for historic design 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 Design Review approval is required. The approval criteria are the *Ladd's Addition Conservation District Design Guidelines – Exterior Rehabilitation*.

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

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

**1. Façades Oriented to a Street.** In rehabilitating existing buildings, the architectural integrity of street-oriented façades should be maintained. Additions and structural alterations should be limited to the rear and side yard façades and be minimally visible from the street.

**Findings:** The proposal includes the conversion of an existing basement window into an egress window. The existing window is No alterations are proposed to the front façade of the structure. All proposed work will occur on the side (south-west) façade and will not impact the integrity of the street facing façade. *This Guideline is therefore met.*

**2. Foundations.** Changes to the foundation should match or be compatible with the original foundation in height and materials.

**Findings:** The proposal includes the conversion of an existing 1'-6" by 3'-0" basement window into a 3'-0" by 4'-0" egress window. In addition to the removal of a portion of the concrete foundation wall to accommodate the proposed window, a concrete wet well will be installed to match the foundation wall. *This Guideline is therefore met.*

**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.

**Findings:** The proposed alterations will not impact the siding material, as all alterations are to occur at or below the concrete foundation wall. The proposal will not impact. *This Guideline is therefore met.*

**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.

**Findings:** As mentioned above, this property is currently listed as a non-contributing property in the Ladd's Addition Historic District due to previous alterations that included alterations to the street facing façade, and the installation of aluminum sliders and asbestos shingles. The proposed window will be an all wood window (as specified in Exhibit C-5), and thus will be more compatible with the original resource and the district as a whole. In order to ensure that the proposed window is an all wood window, a condition of approval has been added. *With the condition of approval that the proposed window is an all wood window, this Guideline is 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 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 alterations to convert an existing basement window on the side (south west) elevation to an egress window with a concrete wet well, are architecturally compatible with the existing building.

The purpose of the historic resource review process is to ensure that exterior alterations to existing buildings protect the integrity of the special characteristics of the historic resources. The proposal employs durable, architecturally compatible materials, respects the original character of the subject building, and allows it to remain a coherent composition. The proposal meets the applicable design guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

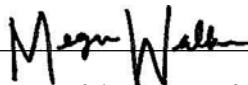
Approval of exterior alterations to an existing building in the Ladd's Addition Historic District, to include the following:

- The replacement of an existing 1'-6" by 3'-0" basement window with a wood framed 3'-0" by 4'-0" egress window (extending roughly 2' above grade) with a 3' by 5'-6" wet well that extends 5 inches above grade.

Approved per Exhibits C-1 through C-5, signed and dated April 13, 2016, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B-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 15-281182 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The proposed egress window shall be an all wood window.
- C. No field changes allowed.

**Staff Planner: Megan Sita Walker**

**Decision rendered by:**  **on April 13, 2016**

By authority of the Director of the Bureau of Development Services

**Decision mailed April 18, 2016**

**Procedural Information.** The application for this land use review was submitted on December 23, 2015, and was determined to be complete on February 1, 2016.

*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 23, 2015.

*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: May 31, 2016.**

**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 must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **April 18, 2016**. The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034. For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-7617.

**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.

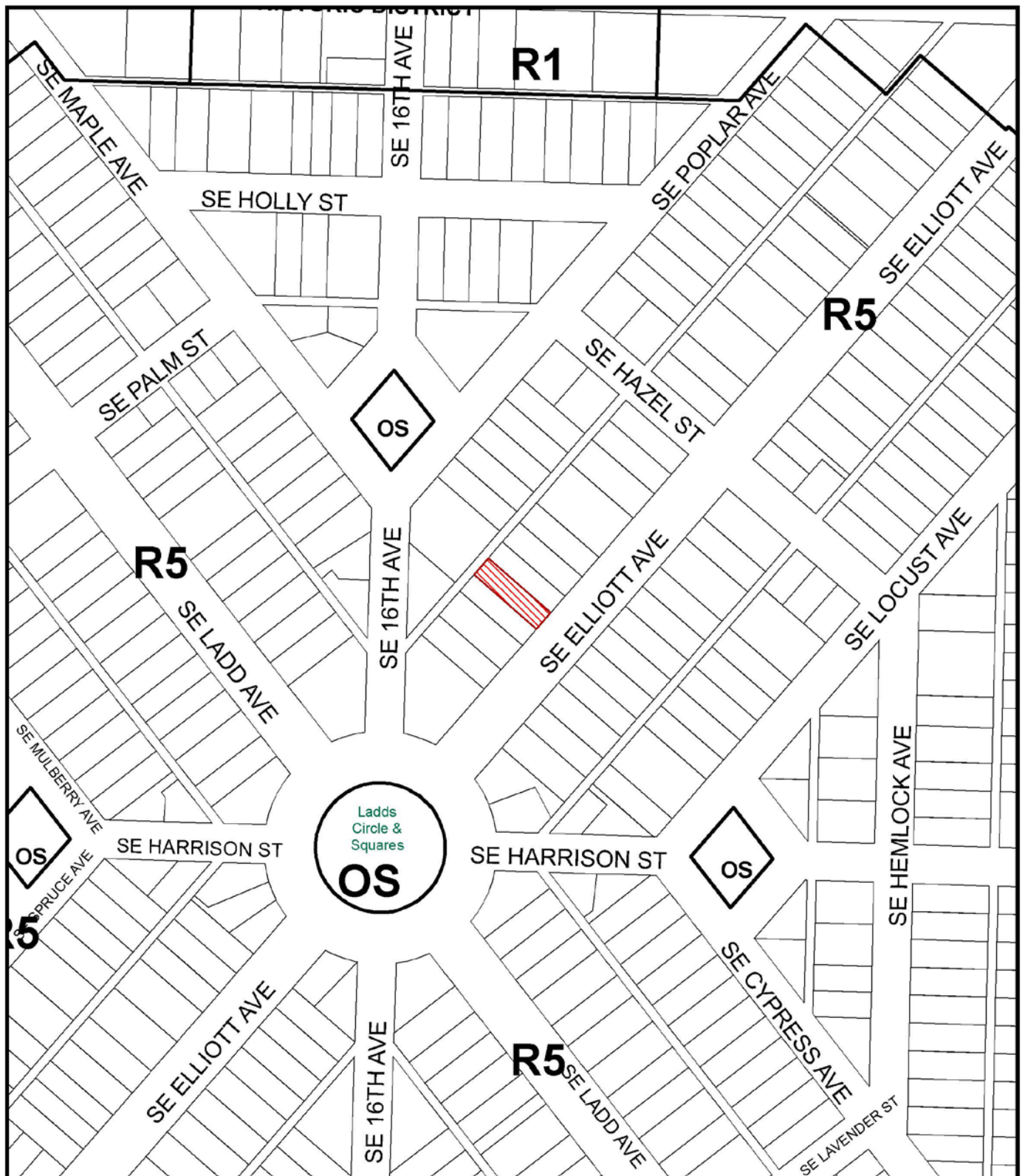
**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Original Project Description & Response to Approval Criteria
  - 2. Site Photos
  - 3. Original Drawings – NOT APPROVED/ For Reference Only
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Existing Elevations & Proposed Elevation (attached)
  - 3. Existing & Proposed Main Floor Plan
  - 4. Existing & Proposed Basement Plan and Wall Sections (attached)
  - 5. Window Specification
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence: none
- G. Other:
  - 1. Original LU Application
  - 2. Oregon Historic Site Record
  - 3. Ladd's Addition Historic District National Register Nomination, Section 7, Page 7,199

**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

 Site



This site lies within the:  
LADD'S ADDITION HISTORIC DISTRICT

File No. LU 15-281182 HR  
 1/4 Section 3232  
 Scale 1 inch = 200 feet  
 State\_Id 1S1E02DB 7800  
 Exhibit B (Dec 28, 2015)



**\*Approved\***  
**City of Portland - Bureau of Development Services**  
 Planner Morgan Date 04.13.16  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

**GENERAL NOTES:**

1. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CITY OF PORTLAND ZONING ORDINANCES, CITY ENGINEERING DEPARTMENT STANDARDS, AND/OR BUILDING DEPARTMENT CODES OF ANY APPLICABLE STATE, FEDERAL OR LOCAL JURISDICTION.
2. THE DESIGNER SHALL BE RESPONSIBLE TO OBTAIN THE PLANS AND IS THE START OF CONSTRUCTION.
3. EXISTING UTILITIES SHALL HAVE PRECEDENCE OVER SCALDS.
4. THE DESIGNER SHALL BE RESPONSIBLE TO OBTAIN THE PLANS AND IS THE START OF CONSTRUCTION.
5. DESIGN 11000:

**SPAN TABLES**

TABLE 1: JOIST SPAN TABLES

JOIST TYPE	SPAN (ft)	LOAD (psf)	SPAN (ft)	LOAD (psf)
2 x 8	12	10	12	10
2 x 10	14	10	14	10
2 x 12	16	10	16	10

TABLE 2: RAILROAD SPAN TABLES

RAILROAD TYPE	SPAN (ft)	LOAD (psf)	SPAN (ft)	LOAD (psf)
2 x 8	12	10	12	10
2 x 10	14	10	14	10
2 x 12	16	10	16	10

**\*APPROVED**  
**PER CONDITIONS**  
**B-C**

**SPIN TABLES**

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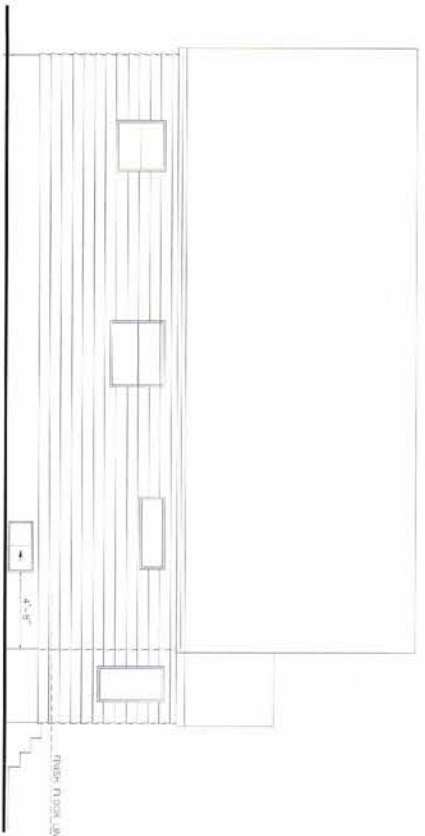
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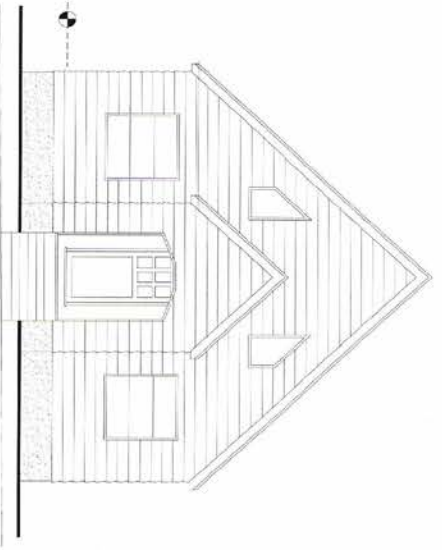


**GAERLAN HOME DESIGNS**  
 12230 NW HYBRIDORE ST  
 PORTLAND, OR 97229  
 (503) 255-1234

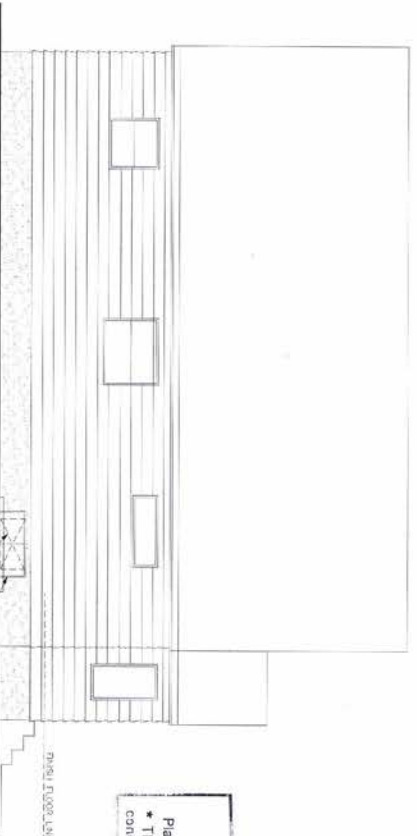
JMJA



EXISTING  
LEFT SIDE ELEVATION  
SCALE 1/4" = 1'-0"



EXISTING  
FRONT ELEVATION  
SCALE 1/4" = 1'-0"



PROPOSED  
LEFT SIDE ELEVATION

EXIST. S. TR. (NEW)  
INDOOR WELL SITE  
CONCRETE CASING LINE INDICATE  
BE REF. ACOS.

\*APPROVED PER  
CONDITIONS B-C

\*Approved\*  
City of Portland - Bureau of Development Services  
Planner Helen Vele  
Date 04.13.16  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

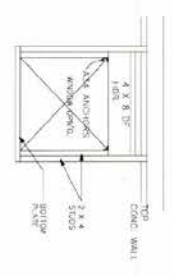
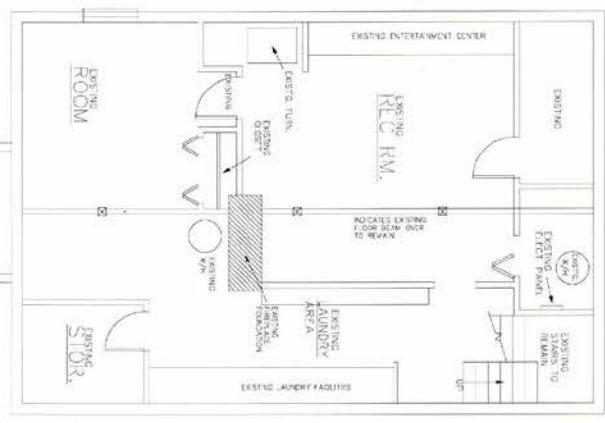
LV 15-281162-HR  
EXT C-2



Approved\*  
 City of Portland - Bureau of Development Services  
 Planner Heide Date 04.13.16  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

# EXISTING BASEMENT PLAN

SCALE: 1/8"=1'-0"

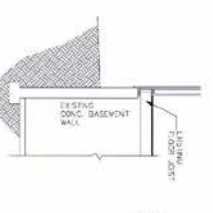


## OPEN'G. CONC. WALL

PROPOSED WINDOW WELL SECTION  
 SCALE: 1/4"=1'-0"  
 \* APPROXIMATE CONDITION OF THE PROPOSED WINDOW SIMILAR TO AS SHOWN  
 WINDOW, + CONDITION C  
 NO FIELD CHANGES ALLOWED  
 MIN. CLEARANCE IS MORE THAN 44\"/>

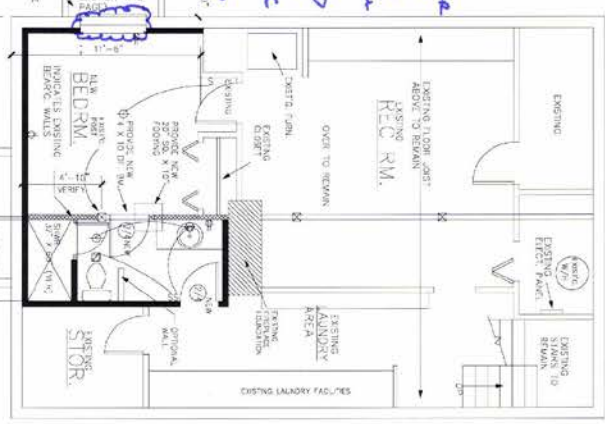
## EXISTING WALL SECTION

SCALE: 1/4"=1'-0"



# REVISED BASEMENT PLAN

SCALE: 1/8"=1'-0"



INDICATES NEW STD. WALLS  
 2" x 4" STUDS @ 16" O.C. W/ 1/2" INSUL.  
 INDICATES EXISTING WALLS TO BE REMOVED  
 INDICATES EXISTING WALLS TO REMAIN  
 INDICATES EXISTING BEARING WALLS  
 INDICATES EXISTING BEARING WALLS

LU 15-28102 MR  
 EXT C-4

McANLISH Remodel  
 1000 SE 10TH AVE. PORTLAND, OREGON 97214  
 503.255.1111  
 REMODELINGCASA.BONITA.LLC  
 831 SE BUCKLEWY ST. #121 PORTLAND OREGON

GAERLAN HOME DESIGNS  
 17230 NW WYNDHURST ST.  
 PORTLAND OREGON 97229  
 (503) 372