



## City of Portland Historic Landmarks Commission

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August 26, 2015

Portland City Council  
1221 SW 4<sup>th</sup> Avenue  
Portland, OR 97204

**RE: LU 14-210073 DM—Type IV Demolition Review  
Samuel Jager Residence (Garage only), Ladd's Addition Historic District**

Mayor Hales and City Commissioners,

The Portland Historic Landmarks Commission (PHLC) held a public hearing on July 27, 2015 where the application for the demolition of the garage situated at 1609 SE 16<sup>th</sup> Avenue was presented. Garages are part of the unique historical development of Ladd's Addition and those that are classified as contributing (including the subject garage) are therefore subject to Demolition Review under Portland's Zoning Code.

In a May 2012 Type 2 land use review, the reconstruction of the garage with its historic materials at a new location on the property was part of the approved scope of exterior renovations for the property. At an unknown date, the garage collapsed due to unspecified causes that may have been accidental, intentional, or forces of nature. At that time, BDS stated that the roof structure, which included unique architectural detailing that matched the historic house, should be incorporated into a new one-story garage. The applicant has stated that because of a miscommunication with the contractor as to what materials were to be removed during the renovation process, all of the garage pieces were hauled away. Had the materials not been disposed of and if the Applicant had incorporated them into a new replica garage, Demolition Review would not have been required. However, because the historic materials are gone and the Applicant now wishes to build a new garage as a larger ADU structure, the Demolition Review process is needed *ex-post-facto* to formalize the loss of the contributing structure.

During our deliberations at the July 27<sup>th</sup> hearing, the PHLC considered the merits of the demolition, the merits of the development that could replace the demolished resource, the effect the demolition upon the area's desired character, the merits of preserving the resource, and proposed mitigation. The PHLC reviewed the proposal as if the garage was still standing. If the proposal was not approvable, the Applicant would need to rebuild the garage. However, the PHLC has found that, *on balance*, the merits of the replacement with a new compatible ADU/garage better met the goals of the Comprehensive Plan and the Commission is recommending approval of the demolition request.

This particular property's large lot size allows for an accessory structure that, when appropriately-scaled and detailed, can accommodate an ADU without negatively affecting the historic home or the larger district. That said, there are many historic properties in this district and other historic districts where this approach would not be appropriate. As such, this decision would not be broadly applicable to historic garages in Portland and reuse of existing accessory structures is a priority.

To be clear, we are not recommending approval of this application solely because of the deteriorated state of the garage when the current owner's bought the property in 2012 or the fact that it was removed by the Applicant's contractor. Approving this demolition solely on the basis of the garage's condition (particularly when we do not know how or why it collapsed), rather than on the merits of the proposal as a whole, condones demolition-by-neglect. Owners of historic properties assume stewardship of these resources at their time of purchase. However, the garage's documented condition issues and the impracticality of moving and reconstructing the structure or reusing the roof, were certainly facts that we considered in the context of the entire proposal. Additionally, the accessory nature of the structure was also taken into consideration, finding that a non-replica garage/ADU had lower impact to the district than, for instance, a similar request for a primary resource such as a historic house or commercial building. We ask that City Council narrowly tailor its findings so that this case does

not set a broad precedent that incentivizes owners of historic properties to intentionally allow these resources to fall into disrepair so that they may be approved for replacement with more lucrative developments.


Finally, Council should note that the preliminary design for the new ADU that accompanied the demolition application appeared to be too large in scale for an accessory building within the context of the property and Ladd's Addition in general. The PHLC provided staff and the Applicant with direction on how to improve the new structure's compatibility so that it could be approved. The Applicant should continue to work BDS Staff and the HAND Land Use Committee's Historic Resources Subcommittee to reduce the scale of the proposed building while meeting the Applicant's desire for an ADU. Ensuring the compatibility of the new structure will help mitigate for the loss of the historic garage.

The PHLC has greatly appreciated Council's deliberation, thought, and consideration on previous demolition requests. We ask City Council to continue to reinforce the message that historic preservation is a value our City stands behind.

Sincerely,

A handwritten signature in dark ink, appearing to read "Brian Emerick", with a long horizontal stroke extending to the right.

Brian Emerick  
Chair

A handwritten signature in dark ink, appearing to read "Jessica Engeman", written in a cursive style.

Jessica Engeman  
Vice Chair