



City of Portland
Bureau of Development Services
Land Use Services Division

1900 SW Fourth Ave. Suite 5000
Portland, Oregon 97201
Telephone: 503-823-7300
TDD: 503-823-6868
FAX: 503-823-5630
www.portlandonline.com/bds

Date: June 9, 2008
To: Interested Person
From: Dave Skilton, Land Use Services
503-823-0660 / dave.skilton@ci.portland.or.us

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 08-105878 HDZ – ADDITION (NEW CONSTRUCTION) TO A NON-CONTRIBUTING HOUSE

GENERAL INFORMATION

Applicant: Heidi Y. Beebe, Owner
1500 SW 11th Avenue # 2004
Portland, OR 97201-3545

Representative: Douglas A. Skidmore, Architect (503-222-6580)
1500 SW 11th Ave #2004
Portland, OR 97201-3545

Site Address: 1936 SE Hemlock Avenue

Legal Description: S 16' of Lot 14 Block 22 N 31' of Lot 15 Block 22, Ladd's Addition
Tax Account No.: R463305120
State ID No.: 1S1E02DA 20400
Quarter Section: 3232

Neighborhood: Hosford-Abernethy, contact Frank Dufay at 503-232-0204.
Business District: Division-Clinton Business Association, contact Nancy Chapin at 503-774-2832.
District Coalition: Southeast Uplift, contact Gary Berger at 503-232-0010.

Other Designations: Non-contributing resource, Ladd's Addition Historic District

Zoning: R5, Residential 5000

Case Type: HDZ, Historic Design Review
Procedure: Type II, an administrative decision with appeal to the Historic Landmarks Commission.

Proposal:

Applicant is seeking Historic Design Review for a proposal to add square footage to the first floor, and create a new second floor, on an existing, non-historic house in the Ladd's Addition Historic District. The existing house is classified as non-contributing because, although generally compatible with the neighborhood character, it was built in 1953, well outside the period of significance of the historic district (1891-1939).

The bulk of the added floor area will be at the front, bringing the house forward approximately to the setback line of its adjoining neighbors. This addition will create a new room and a covered porch at the ground floor, and will facilitate creation of a new second floor under a large, single-gable roof at the same slope (6/12) as the existing. From the street side the house will have the appearance of being a story-and-a-half structure because the front eave line will be at the level of the upper floor.

The rear slope of the roof will be shorter, creating a full two-story appearance from the back yard and alley. The verticality of the less-formal back of the house will be mitigated by the fact that the lot slopes upward substantially from front to rear.

Two wide, shallow, shed-roofed dormers, with ridges reaching the main ridge, will be incorporated into the new roof, one on each slope. The seven sash street-facing dormer will be shifted to the right of center as viewed from the street, balancing a prominent bank of windows on the first floor at the left. The six sash rear-facing dormer will abut the street facing one, aligning at the south end. A street facing wooden front door will occupy the left end of a recessed stoop at the right of the front elevation.

All new and replacement windows and doors will be wooden. The siding will be painted comb-patterned wood shingles matching those on the existing structure, and the roof will be composition shingles.

Historic Design Review is required because the property is within the Ladd's Addition Historic District.

Relevant Approval Criteria:

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

- 33.846.060 Historic Design Review
- Ladd's Addition Guidelines – New Construction

ANALYSIS

Site and Vicinity: The subject property faces west onto SE Hemlock Street within the Ladd's Addition Historic District, which was listed in the National Register of Historic Places on August 31, 1988. The Historic District, with its distinctive pattern of streets, alleys, and public gardens, is significant as an early example of planned suburban development related to the extension of streetcar lines east of the Willamette River in the late nineteenth century. The period of significance of the Ladd's Addition Historic District is 1891-1939.

The historic character of the neighborhood is one of small to medium-sized houses, set back moderately from tree-lined streets, with five public gardens incorporated into the distinctive layout of the subdivision at significant nodes. A few churches, small apartment buildings, and modest commercial properties, similar in character to the single-family housing, are sprinkled throughout the district. Denser traditional storefront commercial and apartment development is concentrated along SE Hawthorne, the northern boundary street, and SE Division at the south. These were the streets which carried the original streetcar lines.

The existing house at 1936 SE Hemlock Avenue is classified as non-contributing to the historic character of the district by virtue of its construction in 1956, outside the period of significance. It is set somewhat deeper on its lot than was historically typical.

Zoning: R5 The single dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the Comprehensive Plan policies and designations for single-dwelling housing.

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 **March 3, 2008**. The following Bureaus have responded with no significant issues or concerns:

- Bureau of Transportation
- Water Bureau
- Fire Bureau

The Site Development Section of the Bureau of Development Services responded with the following comments:

Stormwater:

Site Development does not have immediate concerns for the stormwater management for the proposed addition, as long as the applicant ensures an overflow connection for the proposed rain barrels off of the new porch and existing garage. If draining the new porch only, you could direct the overflow water onto a splashblock that is 2ft away from any foundation, 6ft from a basement, 5ft from all property lines, and 3ft from the closest sidewalk edge. For the rain barrels along the garage, the overflow should tie back into the existing rain drain system that presumably drains into the combined sewer pipe in the alley. If an existing connection is not available on this side of the garage, the rain barrels must be relocated where an existing system can manage the overflow safely.

Sanitary:

There are no immediate concerns for this addition, however, as a benefit to the applicant; our plumbing records show this building’s sewer line to run directly under the proposed 30sf addition on the east side and continues straight, under the garage to the combined sewer in the alley. Since this line is cement and is not a material that is allowed to have a structure built on top of it, the potential for a collapse in the line is increased. This is intended to be informative and to advise caution and attentiveness while performing this work.

The Bureau of Environmental Services responded with the following comment:

The stormwater runoff generated from the proposed development must meet the requirements of the City of Portland’s Stormwater Management Manual current at the time of building plan review. For all projects, the Stormwater Destination/Disposal Hierarchy must be addressed (pages 1-18 and 1-19 of the Stormwater Management Manual). Free CD-ROM discs of the 2004 Stormwater Management Manual are available at the City of Portland Development Services Center, 1900 SW 4th Avenue or on the internet at www.portlandonline.com/bes/. The applicant may also contact BES with any questions or for additional information.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 3, 2008. 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, Historic Reviews

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. Therefore the proposal requires historic design review approval. The relevant approval criteria are the Ladd’s Addition Conservation District Design Guidelines.

Ladd’s Addition Conservation District Guidelines

The revised Ladd’s Addition guidelines were adopted in 1988, with both the Ladd’s Addition Conservation District Advisory Council and the Landmarks Commission and staff participating in their formulation. The basic intent of the guidelines is to ensure that new development in the district is compatible with the character and the architecture, which distinguish Ladd’s Addition. The guidelines document is organized around three general topic areas: Community Design, New Construction, and Exterior Remodeling.

This proposal is reviewed under the New Construction Guidelines because they apply to “building additions which require a foundation.”

New Construction Guidelines

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.

Findings: The existing house is set further back on its lot than the historic norm, at approximately twenty-five feet from the front property line. The proposed setback of approximately sixteen feet will roughly align the front of the addition with the setback of the houses on the adjoining lots. This creates the desired traditional setback pattern, reinforcing district character. *This Guideline is therefore met.*

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 1910s and 1920s are encouraged.

Findings: The proposal includes preservation of a large tree in the front yard and conversion of some front yard area currently planted in groundcover, back to lawn. *This Guideline is therefore met.*

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: No fences, walls, or hedges are proposed. *This Guideline is therefore not applicable.*

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.

Findings: No new parking area is proposed. *This Guideline is therefore not applicable.*

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.

Findings: The proposed addition will convert the existing house from a single story to a one-and-a-half story structure. The height to the top of the ridge will be approximately twenty-two feet. These alterations bring the structure closer to the desired norm for the district. *This Guideline is therefore met.*

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

Findings: The proposal significantly increases the vertical proportions of the front face of the house by raising the building's ridgeline significantly and introducing vertically oriented windows. This is especially true when the house is viewed obliquely and the taller end walls are more visible. *This Guideline is therefore met.*

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.

Findings: In order for the floor levels of the existing building and the new front addition to align properly the tops of the old and new foundations must be at the same level. Because the lot slopes downward to the sidewalk, the new front foundation will be somewhat taller than the existing. *This Guideline is therefore met.*

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.

Findings: The proposal is to match the existing comb-patterned shingle siding. *This Guideline is therefore met.*

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.

Findings: The proposed new gable roof will have the same medium pitch as that of the existing house, 6/12. Two shed dormers, a form common throughout the district, are proposed. *This Guideline is therefore met.*

10. Building Additions. Building additions should be in keeping with the original architectural character, color, mass, scale, and materials. Additions should be designed to have the least impact upon character-defining features and should be located inconspicuously when viewed from the street.

Findings: The new addition will use the same material, color scheme, and roof pitch as the original house and will continue its single story appearance at the street face. *This Guideline is therefore met.*

11. Development Impacts. All new development should be designed and operated to minimize potential adverse impacts upon surrounding residences and to reduce conflicts with residential uses. Factors to be considered are traffic generation, deliveries, parking, noise, lighting, crime prevention, hours of operation and activity, visual effects and buffering.

Findings: This proposal is for a modest addition to a single family dwelling, continuing the existing use of the site. It will not generate additional traffic, parking, noise, lighting, etc., as envisioned in the Guideline. *This Guideline is therefore met.*

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: The proposed primary entrance faces the street. A new, recessed front porch and a new street-facing shed dormer are also included in the proposal. *This Guideline is therefore met.*

13. Windows and Doors. Window sashes and doors should be wood frames 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.

Findings: New, vertically-oriented wood casement windows with traditionally detailed wooden trims are proposed throughout the project. Where windows are paired at corners, the style of trim is one practiced within the period of significance. *This Guideline is therefore met.*

14. Awnings. On commercial structures, retractable fabric awnings, which are architecturally compatible with the historic integrity of the structure are encouraged. Awnings should fit within window bays. Existing traditional awnings should be rehabilitated.

Findings: No awnings are proposed and the property is not a commercial structure. *This Guideline is therefore not applicable.*

15. Color. Restoration of original colors, or colors appropriate to the style and era of the building, is encouraged.

Findings: The existing house is painted a very pale charcoal gray with white trim. This color scheme will be used to repaint the house after the addition is completed. The pallet and color pattern are ones commonly used in the historic district during the period of significance. *This Guideline is therefore met.*

16. Signs. Whenever possible retention or restoration of original pre-1940 signs is encouraged. For commercial buildings, wall signs, window signs, canopy, and projecting signs attached to the building are encouraged; freestanding signs are discouraged. Sign materials and design and letters appropriate to pre-1940 buildings, such as painted wood and neon are encouraged. Plastic sign faces are discouraged. Signs should not be the dominant feature of a building or site.

Findings: No signs are proposed. *This Guideline is therefore not applicable.*

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on January 30, 2008, and was determined to be complete on **February 28, 2008**.

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 30, 2008.

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 waived the 120-day review period, as stated with Exhibit A-2.

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.

Appealing this decision. This decision may be appealed to the Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on June 23, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. Recognized neighborhood associations are not subject to the appeal fee. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 503-823-7967 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.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Landmarks Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **June 24, 2008**.
- A building or zoning permit will be issued only after the final decision is recorded.

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 503-823-0625.

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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

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

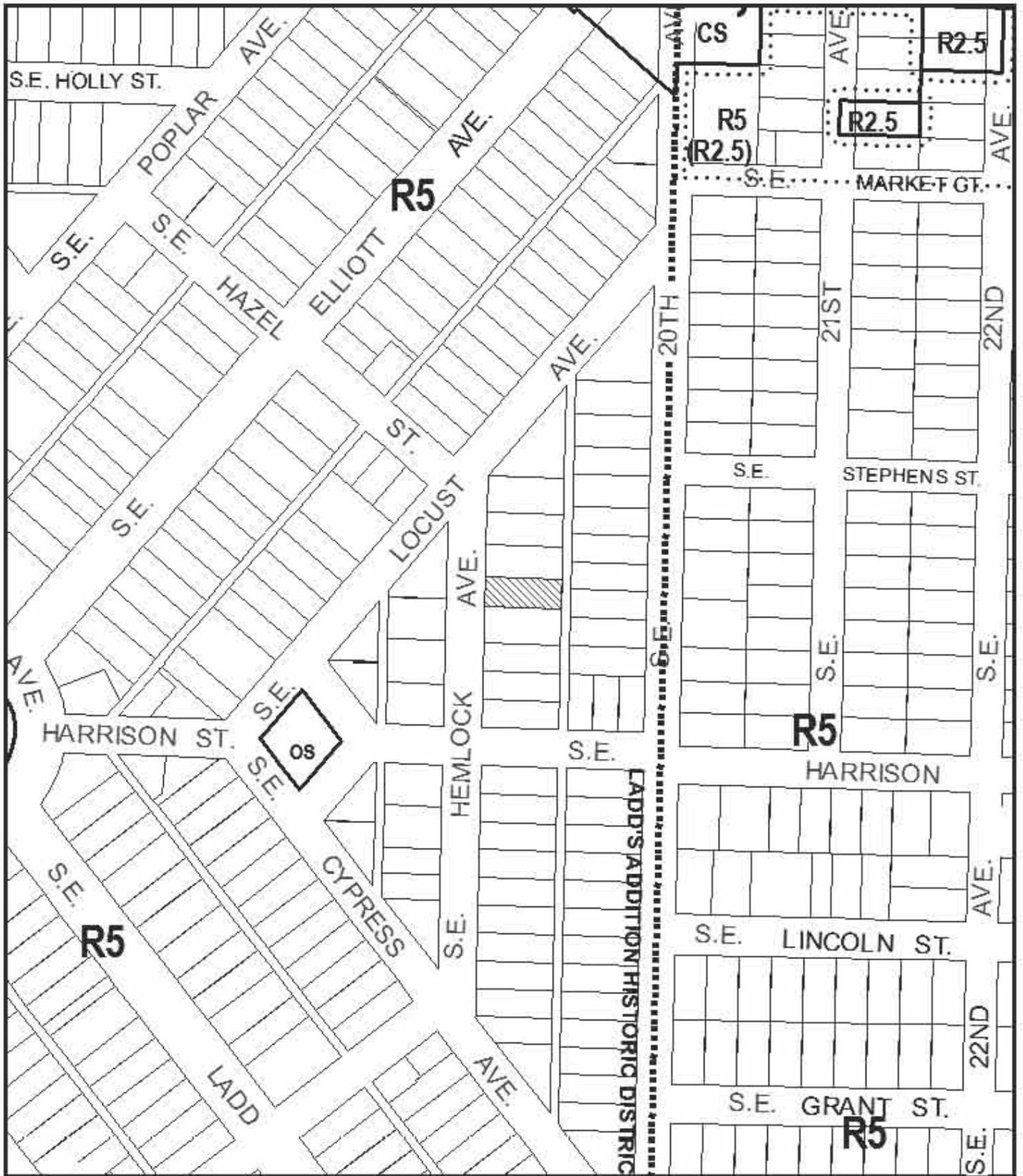
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Applicant's Analysis
 - 2. Waiver of Right to a Decision within 120 Days
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. West Elevation (attached)
 - 3. North Elevation (attached)
 - 4. East Elevation (attached)
 - 5. South Elevation (attached)
 - 6. Window Specification – Option 1
 - 7. Window Specification – Option 2
 - 8. Window Specification – Option 3
 - 9. Window Trim Detail 1
 - 10. Window Trim Detail 2
 - 11. Window Trim Detail 3
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Site Development Review Section of BDS
- F. Correspondence: (None)
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



ZONING



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

File No.	LU 08-105878 HDZ
1/4 Section	3232
Scale	1 inch = 200 feet
State_Id	1S1E02DA 20400
Exhibit	B (Feb 01, 2008)

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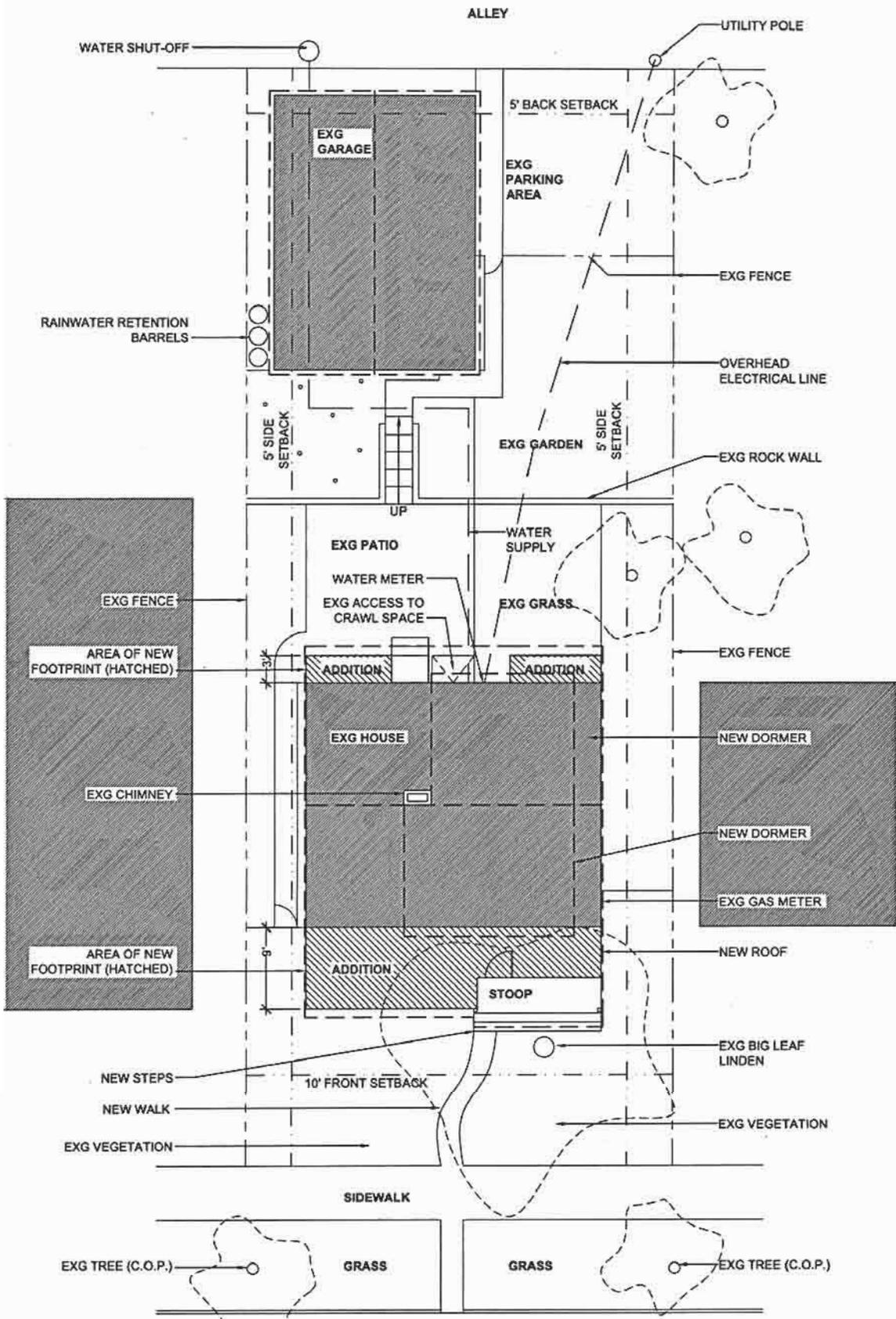
Ladd's Addition Addition

1936 SE Hemlock Avenue
Portland, Oregon
97214

Issued:
May 29, 2008

Revised:

2



HEMLOCK ST
Approved

City of Portland - Bureau of Development Services

SITE PLAN (R463305120)

Planner *Dave Zilten*

Date *6.5.8*

scale: 1/16" = 1'-0"



* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

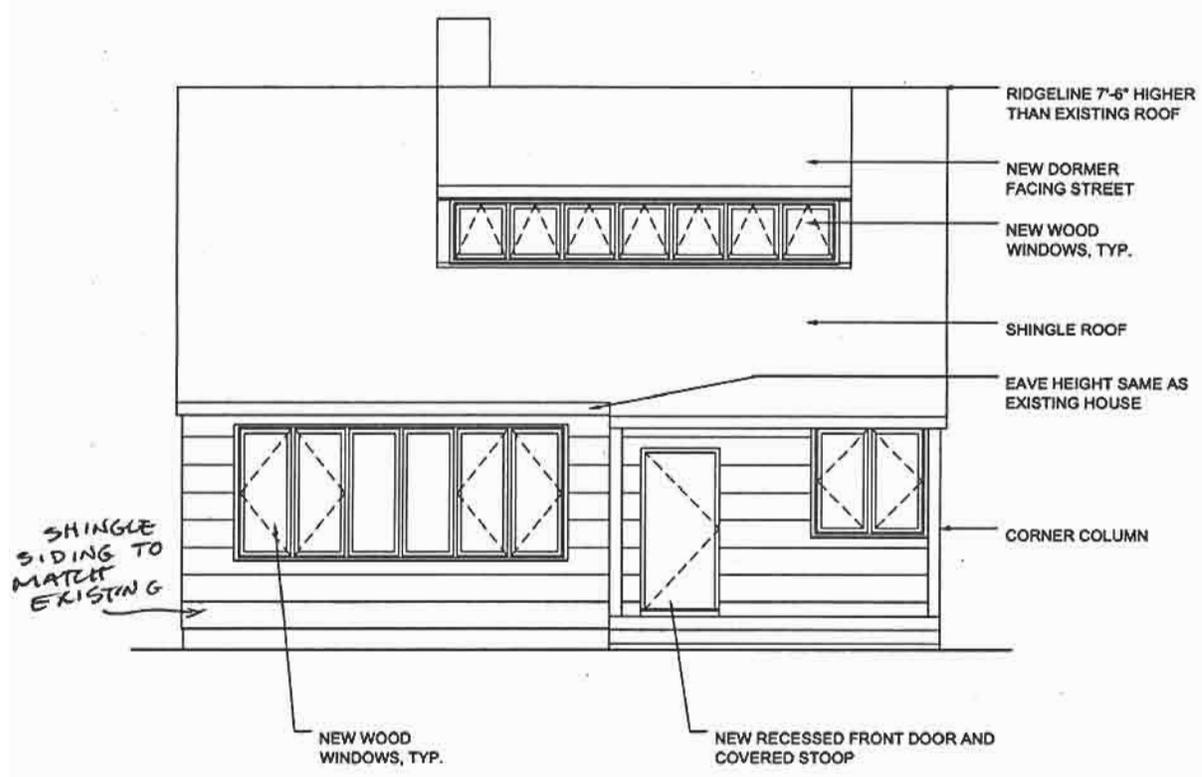
EXHIBIT C-1

LU 08-105878 HDZ

1500 SW 11th Avenue
No 2004
Portland Oregon
97201
beebeskidmore.com

(503) 222-6580

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Approved
 City of Portland - Bureau of Development Services
 Planner David Smith Date 6.5.8
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

Ladd's Addition Addition

1936 SE Hemlock Avenue
Portland, Oregon
97214

Issued:
May 29, 2008

Revised:

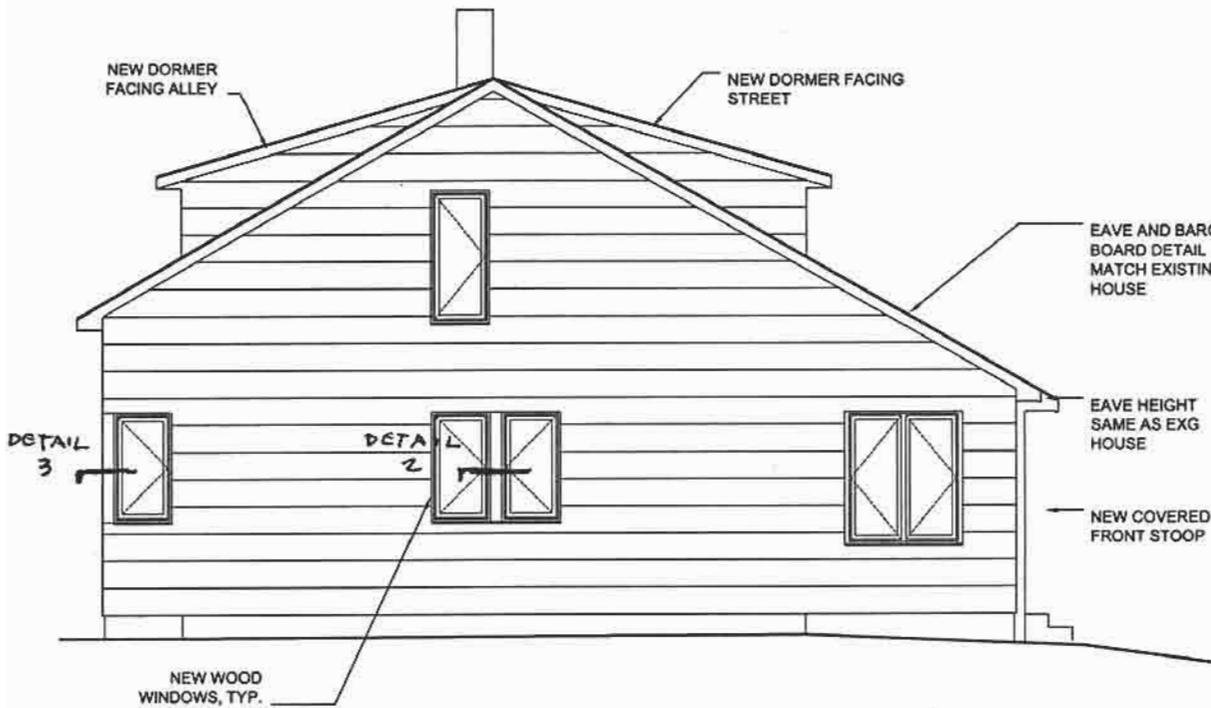
FRONT YARD / WEST ELEVATION

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

7

EXHIBIT C-2
LU 08-105 878 HDZ

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Approved
 City of Portland - Bureau of Development Services
 Planner Dave Miller Date 6.5.8
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

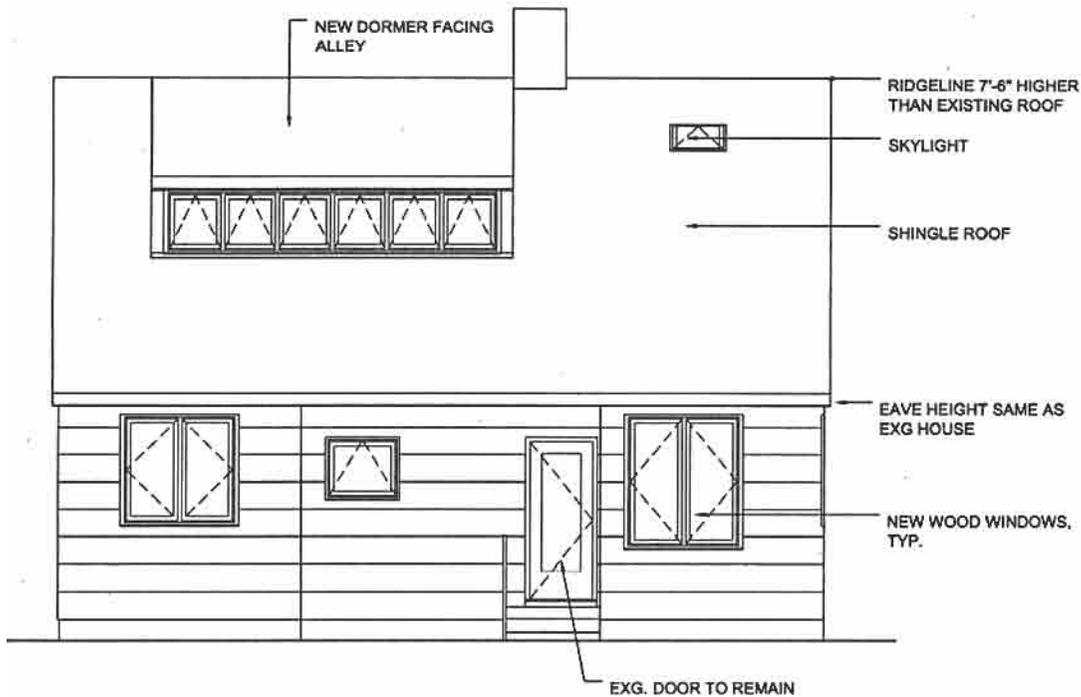
Ladd's Addition Addition
 1936 SE Hemlock Avenue
 Portland, Oregon
 97214

Issued:
 May 29, 2008
 Revised:

SIDE OF HOUSE / NORTH ELEVATION
 scale: 1/8" = 1'-0"

EXHIBIT C-3
 LY 08-105878 HDZ

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Ladd's Addition Addition

1936 SE Hemlock Avenue
Portland, Oregon
97214

Issued:
May 29, 2008

Revised:

Approved
City of Portland - Bureau of Development Services
Planner Dave Skilton Date 6.5.08
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

BACK YARD / EAST ELEVATION

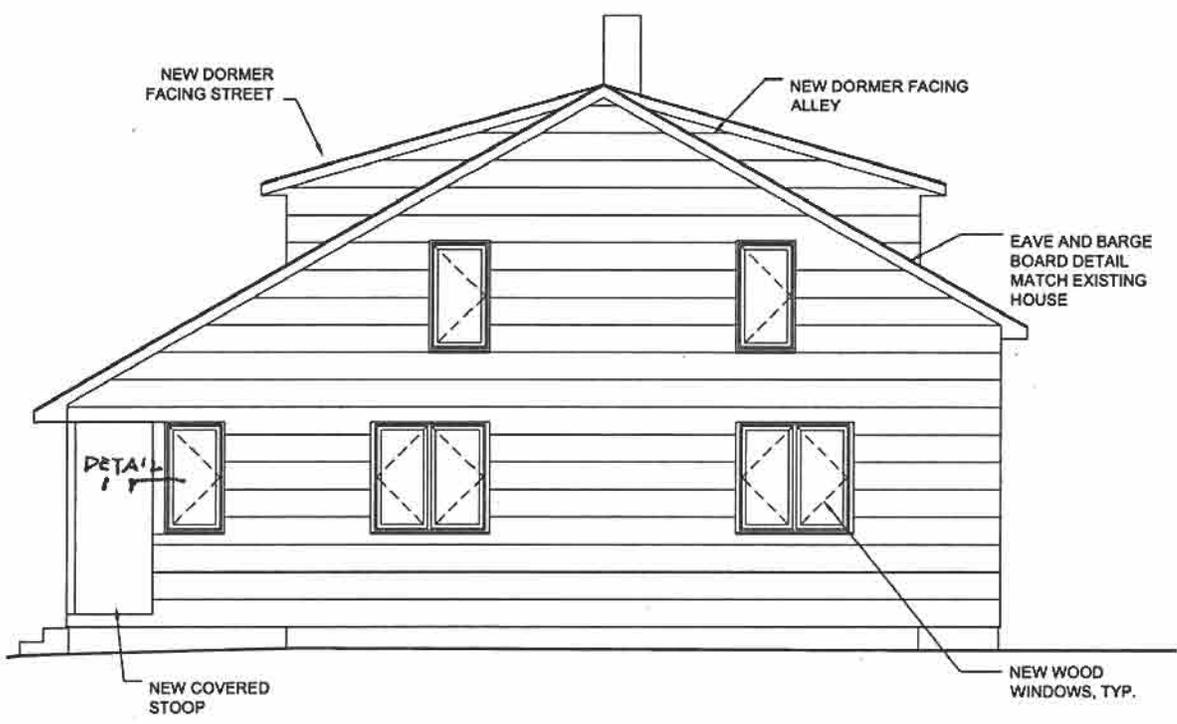
scale: 1/8" = 1'-0"

EXHIBIT C-4
LU 08-105878 HDZ

1500 SW 11th Avenue
No 2004
Portland Oregon
97201
beebeskidmore.com

(503) 222-6580

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Ladd's Addition Addition
1936 SE Hemlock Avenue
Portland, Oregon
97214

Issued:
May 29, 2008

Revised:

10

Approved
City of Portland - Bureau of Development Services
Planner Dave Shilton Date 6.5.8
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

SIDE OF HOUSE / SOUTH ELEVATION
scale: 1/8" = 1'-0"

EXHIBIT C-5
LU 08-105 878 HDZ