



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
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: April 18, 2016
To: Interested Person
From: Arthur Graves, Land Use Services
503-823-7803 | Arthur.Graves@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 16-104212 HR: EXTERIOR ALTERATIONS

GENERAL INFORMATION

Applicant: Bob Schatz | Allusa Architecture | 503.235.8585
2118 SE Division Street | Portland, OR 97202

Owner: Jessica G Rivers | 2204 SE Ladd Ave | Portland, OR 97214-5423

Site Address: 2204 SE Ladd Avenue

Legal Description: BLOCK 28 LOT 29, LADDS ADD
Tax Account No.: R463306280
State ID No.: 1S1E02DC 03600
Quarter Section: 3232
Neighborhood: Hosford-Abernethy, contact Michael Wietecki at mjwietecki@gmail.com
Business District: Division-Clinton Business Association, contact 503-706-3730.
District Coalition: Southeast Uplift, contact Anne Dufay at 503-232-0010.
Plan District: None
Other Designations: Non-contributing resource in the Ladd's Addition Historic District, listed in the National Register of Historic Places on August 31, 1988.

Zoning: R5: Single-Dwelling Residential with Historic Resource overlay
Case Type: HR: Historic Review
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant seeks Historic Resource Review approval for an alteration to the 1922 non-contributing Bungalow residence in the Ladd's Addition Historic District. The proposed alterations include the following:

- The removal of the existing northwest facing door (facing Lavender Street) to be replaced with wood siding and concrete, and painted, to match existing. This door is to be relocated to the rear of the residence (northeast corner).

- Installation of a new, approximately 6 foot by 8 foot wood porch and steps to the back yard.

Historic resource review is required for exterior alterations to non-contributing structures such as this one 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:

The subject property is a one and a half story, Bungalow Style, residence on a corner lot at the intersection of SE Lavender Street and SE Ladd Avenue. The house, known as the Mary Bercovich House, was built by the carpenter Nels Lundgren in 1922 and is a noncontributing resource within the Ladd's Addition Historic District.

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. Ladd's Addition Historic District was listed in the National Register of Historic Places on August 31, 1988, with a period of significance of 1891-1939.

The historic character of the Ladd's Addition 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 larger houses, 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 that were originally designed to accommodate the streetcar lines.

Regarding area amenities within a quarter-mile (roughly a five-minute walk) from the site, there are a numerous restaurants, cafes and shops within this range, most of which are located south of the site on Division Street. New Seasons Market, Double Barrel, Nuestra Cocina and Pastini Pastaria are a few of the amenities within this walking distance. Open space amenities can be found in the Ladd's Rose Gardens Circle and Square as well as the nearby Abernethy Elementary School.

Transpiration amenities adjacent to the site include a number of options. SE Ladd is designated as a Community Transit Street in the Transportation Service Plan (TSP). The 10 bus line provides service along SE Ladd Avenue and the #4 bus provides frequent service along Division Street. SE Ladd Avenue and SE Harrison Street to the north are designated as City Bikeways.

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 there are no prior land use reviews for this site.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **March 15, 2016**. No Bureaus have responded about the proposal.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **March 15, 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 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

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 existing siding on the structure is Douglas Fir horizontal lap. The siding will not change and the area where the existing door is being removed will be replaced with Douglas Fir siding, and painted, to match existing. *This guideline is 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 proposed alterations to the rear of the structure, including a new 6 foot by 8 foot wood porch, as well as the reuse and relocation of the existing door from the northeast elevation (SE Lavender Street), are in keeping with the architectural character, color, mass, scale, and materials of the noncontributing resource. The proposed porch is modest in scale and mass and does not adversely affect or obscure existing features on this elevation. The proposed porch and door are to be located in an area of the façade where there are currently no other features and so their construction does not remove or diminish existing features on this elevation. Materials proposed for the deck addition

including wood steps, deck and balustrades are consistent with materials found on the primary noncontributing resource.

In addition, the area left from the removal of the door from the SE Lavender Avenue elevation will be repaired to match existing in regards to the concrete foundation wall, wood siding and paint color. The collective alterations will be minimal on the noncontributing resource and will allow the resource to remain an asset within the greater Ladd's Addition Historic District. *This guideline is met.*

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.

Findings: The proposed alterations will not add any new windows or impact any existing windows on the noncontributing structure. The proposed door to be removed on the northeast elevation (SE Lavender Street) will be relocated and reused on the rear of the structure as a part of the new wood porch addition. In the event that the door to be reused is not allowed due to energy requirements, a new door will be installed. The new door will be wood construction with 9 lites above and solid panel below, and so similar to the current door to be relocated. See Exhibit C-4. *This guideline is met.*

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.

Findings: The area where the existing door is being removed will be replaced with siding and concrete foundation wall to match. Colors will match existing for both. *This guideline is met.*

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: The side door is being moved from the side of the house, which is immediately adjacent to the sidewalk right-of-way, to the rear of the house, which will increase the security to the home. *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 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 following exterior alterations to the noncontributing 1922 residence in the Ladd's Addition Historic District:

- The removal of the existing northwest facing door (facing Lavender Street) to be replaced with wood siding and concrete, and paint to match existing. This door is to be relocated to the rear of the residence (northeast corner).
- Installation of a new, approximately 6 foot by 8 foot wood porch and steps to the back yard.
- In the event that the existing door to be removed from the SE Lavender Street elevation (for reuse on the rear elevation of the existing house) is not allowed due to energy requirements, a new door will be installed. The new door will be wood construction with 9 true lites above and solid panel below, and so similar to the current door to be relocated. See Exhibit C-4.

Approval, per the approved site plans, Exhibits C-1 through C-4, signed and dated Wednesday, April 13, 2016, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-104212 HR. No field changes allowed."

Staff Planner: Arthur Graves



Decision rendered by: _____ **on Wednesday, April 13, 2016.**

By authority of the Director of the Bureau of Development Services

Decision mailed (within 5 days of dec.) Monday, April 18, 2016.

Procedural Information. The application for this land use review was submitted on January 12, 2016, and was determined to be complete on **March 11, 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 January 12, 2016.

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: Friday, July 8, 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.

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 **Monday, 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:

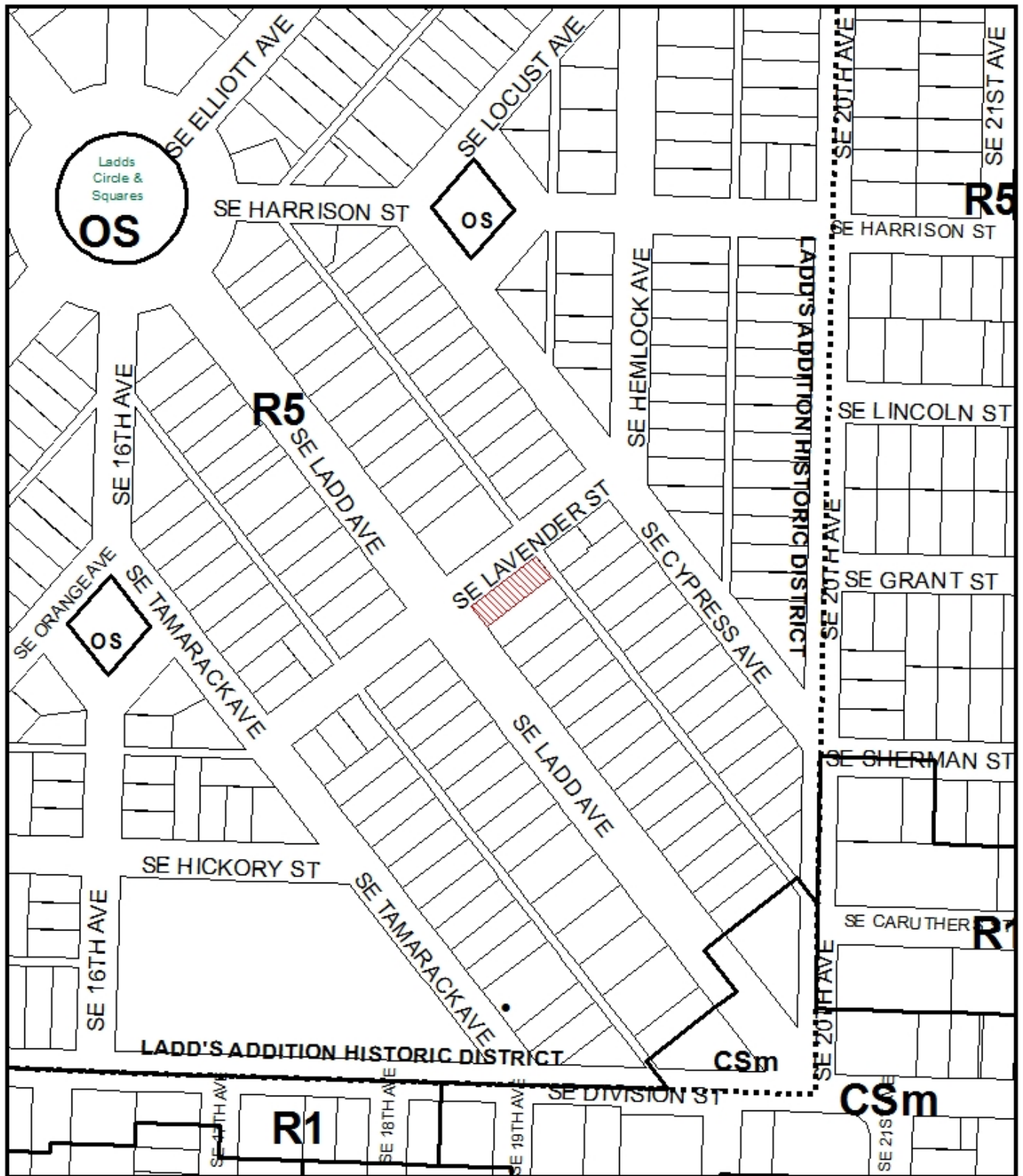
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
 - 1. Applicant's Statement
 - 2. Site Photograph
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan: (attached)
 - 2. Elevations: Lavender Street Frontage and Rear Elevation (attached)
 - 3. Elevation, Section, Detail: Porch and Railing
 - 4. Manufacture's cut sheet of Pre-approved Wood Door
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: None received.
- F. Correspondence: None received.
- G. Other:
 - 1. Original LU Application
 - 2. Historic Information.
 - 3. Incomplete Letter: February 08, 2016.
 - 4. Site Photographs

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
- Historic Landmark

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



File No. LU 16-104212 HR
 1/4 Section 3232
 Scale 1 inch = 200 feet
 State_Id 1S1E02DC 3600
 Exhibit B (Jan 14, 2016)



1. FRONT ELEVATION NO CHANGE

REMOVE DOOR @ SIDE OF RESIDENCE. PATCH AND REPAIR TO MATCH EXISTING



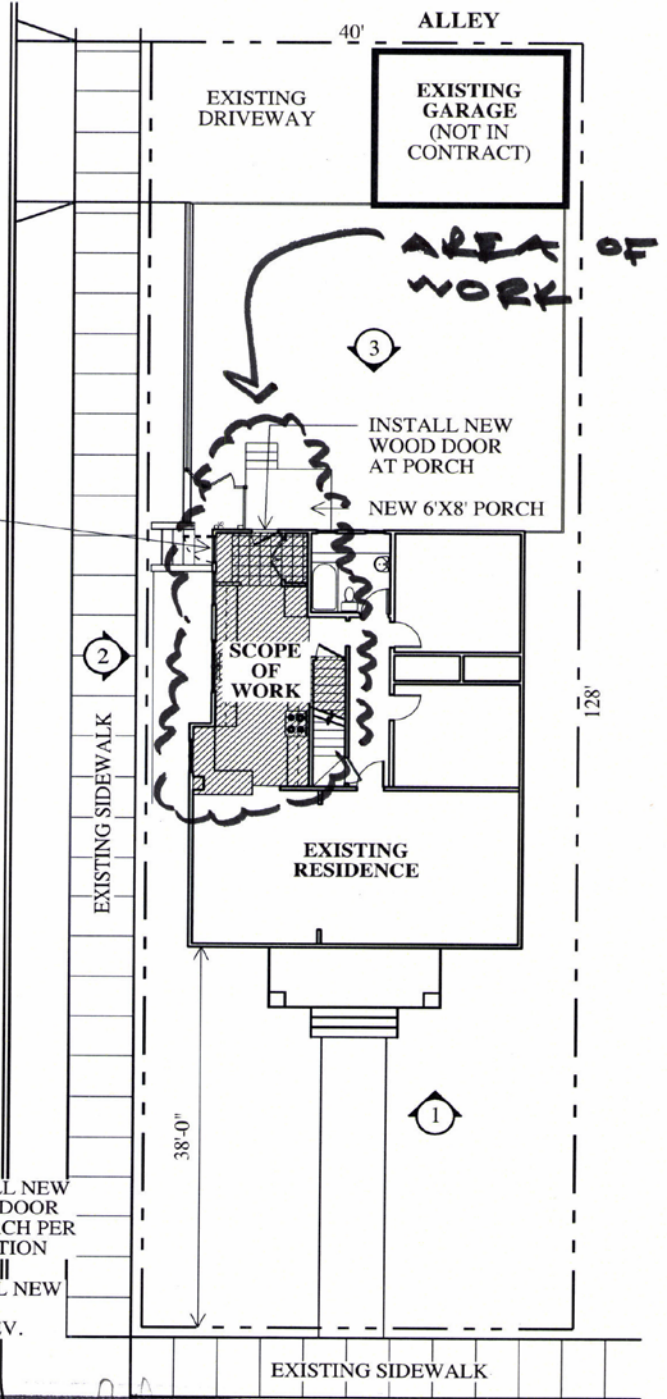
2. SIDE ELEVATION



3. REAR ELEVATION



2118 SE Division street Portland, OR 97202
Phone (503) 235-8585 Fax (503) 235-0835



INSTALL NEW WOOD DOOR AT PORCH PER ELEVATION
INSTALL NEW PORCH PER ELEV.

Approved
City of Portland
Bureau of Development Services
Planner _____
Date 4.13.16

RIVERS RESIDENCE
2204 SE Ladd

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

EXH C-1
2016-104212 HR

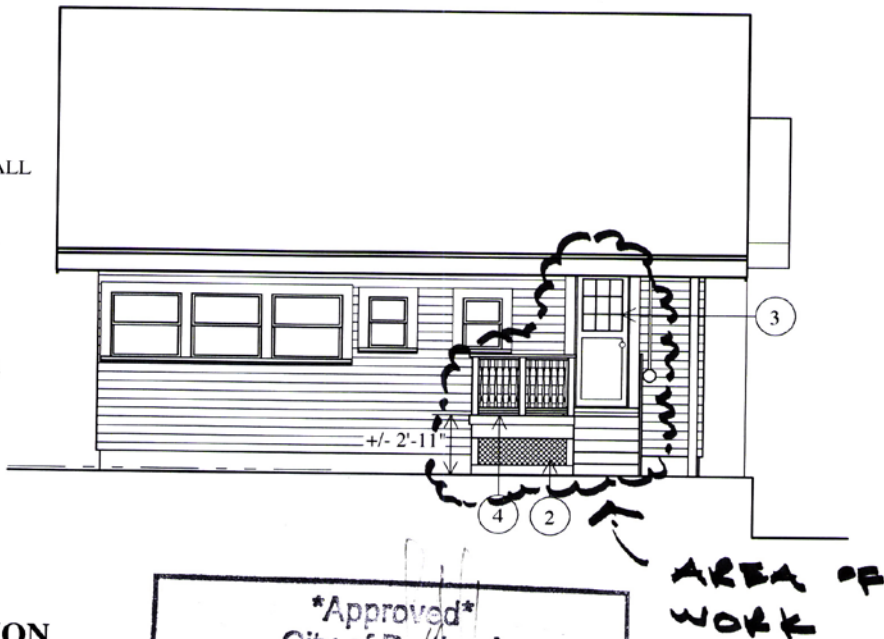
3.10.2016



ELEVATION @ LAVENDER STREET

1/8" = 1'-0"

- ① REMOVE DOOR, PATCH AND REPAIR WALL TO MATCH ADJACENT
- ② WOOD LATTICE BELOW DECK
- ③ RELOCATED WOOD DOOR WITH DIVIDED LIGHTS @ THE TOP
- ④ NEW WOOD PORCH WITH WOODEN GUARDRAIL PER DETAIL 'A'



REAR ELEVATION

1/8" = 1'-0"

Approved
 City of Portland
 Bureau of Development Services
 Planner _____
 Date 4.13.16

* This approval applies only to the reviews requested and is subject to all conditions of approval.



2118 SE Division street Portland, OR 97202
 Phone (503) 235-8585 Fax (503) 235-0835

RIVERS RESIDENCE

2204 SE Ladd

3.10.2016

EXH C-2
 2016-104212 HR