



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

Ted Wheeler, Mayor
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: December 31, 2018
To: Interested Person
From: Puja Bhutani, Land Use Services
503-823-7226 / Puja.Bhutani@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 18-259997 HR – NEW ACCESSORY DWELLING UNIT (ADU)

GENERAL INFORMATION

Applicant: Doug Chambers | Golden Bungalows, Inc
6715 NE 63rd Street, #308 | Vancouver, WA 98661
doug@goldenbungalows.com

Owner: Jennifer J. Rosoff
1553 SE Maple Avenue | Portland, OR 97214-4740

Site Address: **1553 SE Maple Avenue**

Legal Description: BLOCK 13 LOT 18, LADDS ADD
Tax Account No.: R463303040
State ID No.: 1S1E02CA 00300
Quarter Section: 3231, 3232

Neighborhood: Hosford-Abernethy, contact Chris Eykamp at chris@eykamp.com.
Business District: Hawthorne Blvd. Bus. Assoc., contact at explore@hawthornepdx.com
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.

Plan District: None
Other Designations: Contributing Resource in the Ladd's Addition Historic District
Zoning: **R5** – Residential 5,000 with Historic Resource Protection Overlay
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 is seeking Historic Resource Review approval for a proposal to build a new Accessory Dwelling Unit (ADU). The primary house, *the Charles and Julia Schwind Residence*, is a 1909-built, contributing structure in the Ladd's Addition Historic District. It

is a two-story Craftsman style house with a moderately-pitched hip roof, narrow beveled siding with wide corner boards and will not be altered as part of the project. The proposed Accessory Dwelling Unit (ADU) will be a new 417 square foot structure located behind the house in the northwest corner of the site far from the property's street frontage along SE Maple Ave. The only elevation of the ADU visible from the street is the front façade (east elevation). It will have wood lap siding with a 2.5" reveal, corner trim boards to match the primary house, a shingled hip roof, and operable double hung windows with wood trim to match the primary house.

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 Title 33, Portland Zoning Code. The relevant approval criteria are:

- Ladd's Addition Conservation District Guidelines

ANALYSIS

Site and Vicinity: The subject lot is approximately 5,120 sq.ft. and fronts onto SE Maple Avenue. The primary house, *the Charles and Julia Schwind Residence*, is a 1909-built, contributing structure in the Ladd's Addition Historic District. It is a two-story Craftsman style house with a moderately-pitched hip roof, narrow beveled siding with wide corner boards.

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 **December 11, 2018**. There is no Bureau response required for a Type I review.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **December 11, 2018**. No written response has 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

- 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.
- 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.
- 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.
- 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.
- 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. Detailing of the parapets with cornices and stepping is encouraged.
- 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.
- 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.
- 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.
- 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 for 1, 5, 7,8, 9, 10, 12, 13 & 15: The new ADU will be located and accessed from the rear alley and hence will be minimally visible from the street. There are no changes proposed to the existing residence, which is the primary contributing resource, and hence existing historic front entrances, setbacks and landscaping will be maintained.

The ADU has been designed to be compatible with the architectural character of the main residence. It is also designed as a secondary structure on the site and has a smaller footprint and lower height than the main residence. The simple single-story structure has a medium pitch roof, similar to the roof pitch, style, scale and massing of the existing residence. The proposed vertical window proportions and orientations are also consistent with that of the main house. The eave return detail of the ADU replicate that of the adjacent garage for a more consistent expression from the rear alley. Similarly, the ADU sits on a masonry foundation, the height of which is consistent with the adjacent garage.

The proposed materials consist of painted wood lap siding with a 2.5-inch reveal, corner trim boards and asphalt shingle roofing, similar to the main house. Wood double-hung windows and wood two lite doors are being proposed. The wood window and door trims will closely match the original surround details on the primary residence. Exterior colors will be match that of the main residence. *These guidelines are met.*

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: There are no changes proposed to the existing one-car garage that is located at the rear of the property and accessed from the rear alleyway. No new parking areas are being proposed to be added. *This guideline is 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.

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 for 11 & 17: The existing single car parking space is enclosed and is therefore adequately screened from the neighboring residences. Hence, it will not generate additional traffic or result in adverse impacts for the neighborhood. Two large windows looking into the interior studio living spaces face the alleyway, providing more “eyes on the street”. Traditional outdoor sconce lighting fixture, is proposed above the entrance door to the ADU. The existing rear fence and entrance from the alleyway will remain and hence maintain the alleyway setback condition. The alley facing windows, residential use, landscaping and lighting will add to the safety of the rear alley. *These guidelines are 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 1910’s and 1920’s are encouraged.

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.

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

Findings for 2, 3 & 6: The new ADU will be located and accessed from the rear alley and hence does not have a street facing façade. It will also be minimally visible from the street. There are no changes proposed to the existing residence, which is the primary contributing resource, and hence existing historic front façade proportions, entrances, setbacks and landscaping will be maintained. *These guidelines are met.*

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

16. Signs. For commercial buildings, freestanding signs are discouraged; wall signs, window signs, canopy, and projecting signs attached to the building are encouraged. Sign materials appropriate to the 1910's and 1920's, 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 for 14 & 16: The proposed ADU is not a commercial structure and hence these guidelines do not apply. *These guidelines are therefore 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. The proposed accessory dwelling unit is compatible with the architectural character, mass, scale, and materials of the primary residence. It will not cause any adverse development impacts and is consistent with the function and development patterns of existing alleys in Ladd's Historic District. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

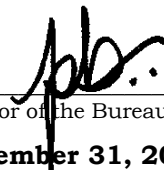
Approval of a new Accessory Dwelling Unit (ADU) located behind the house, in the northwest corner of the site. It will have wood lap siding with a 2.5" reveal, corner trim boards to match the primary house, a shingled hip roof, and operable double hung windows with wood trim to match the primary house.

Approved per the approved site plans, Exhibits C-1 through C-8, signed and dated 12/28/2018, 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 18-259997 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: Puja Bhutani

Decision rendered by:  on (12/28/18.)
By authority of the Director of the Bureau of Development Services

Decision mailed (within 5 days of dec.) December 31, 2018

Procedural Information. The application for this land use review was submitted on October 30, 2018, and was determined to be complete on November 30, 2018.

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 30, 2018.

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: 4/2/19.**

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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **December 31, 2018** 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:

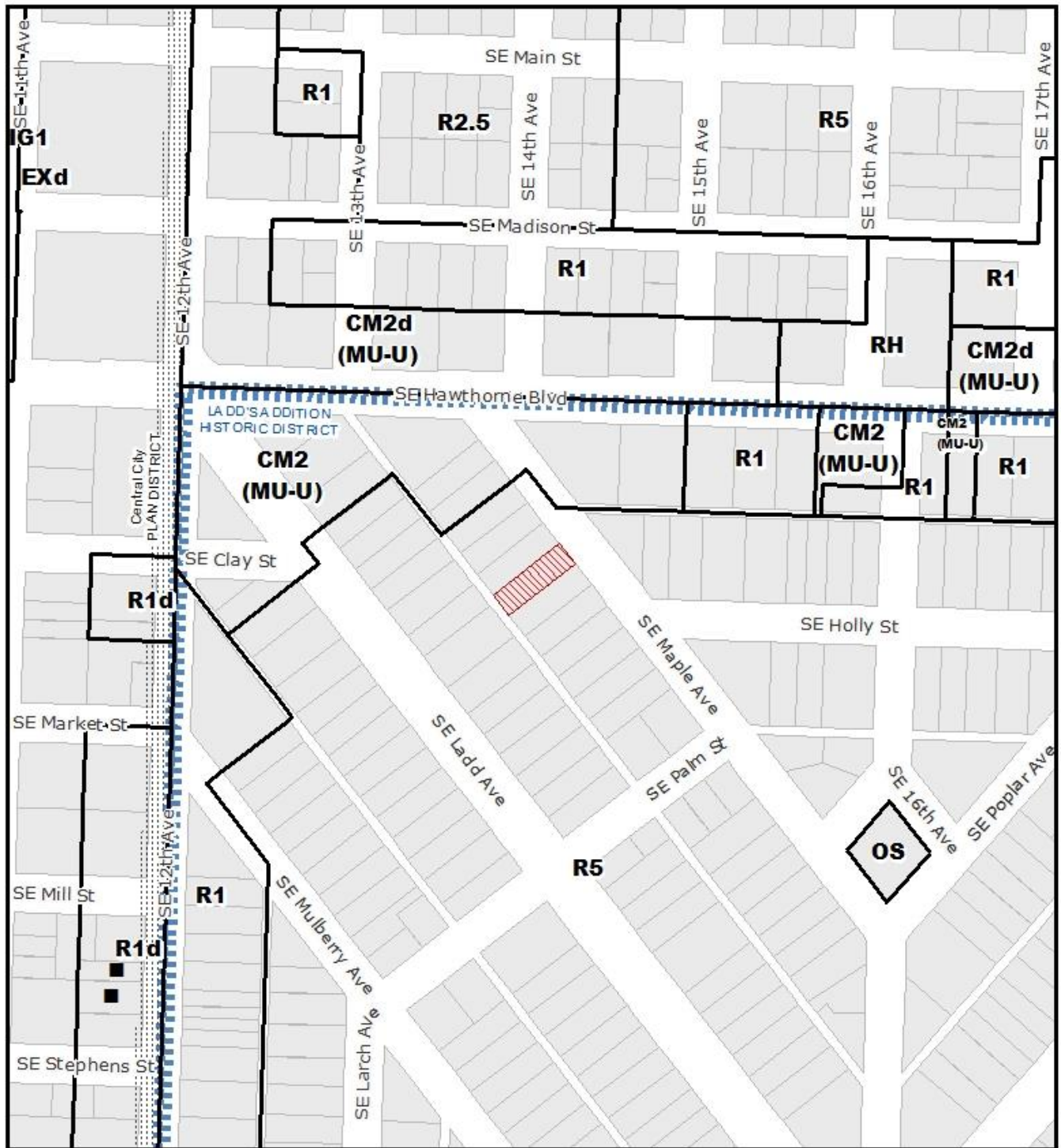
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 1. Narrative
 2. Original drawing set, not approved- for reference only.
 3. Revised drawing set, 12/3/18, not approved- for reference only.
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Cover sheet
 2. Site Plan (attached)
 3. Existing northeast & southeast elevations
 4. Existing southwest & northwest elevations
 5. Proposed southeast, northeast, southwest elevations (attached)
 6. Proposed northwest elevation, sections
 7. Window and Door details
 8. Manufacturers cutsheets
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses: None required
- F. Correspondence: None received
- G. Other:
 1. Original LU Application
 2. Incomplete letter

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



THIS SITE LIES WITHIN THE:
LADD'S ADDITION HISTORIC DISTRICT

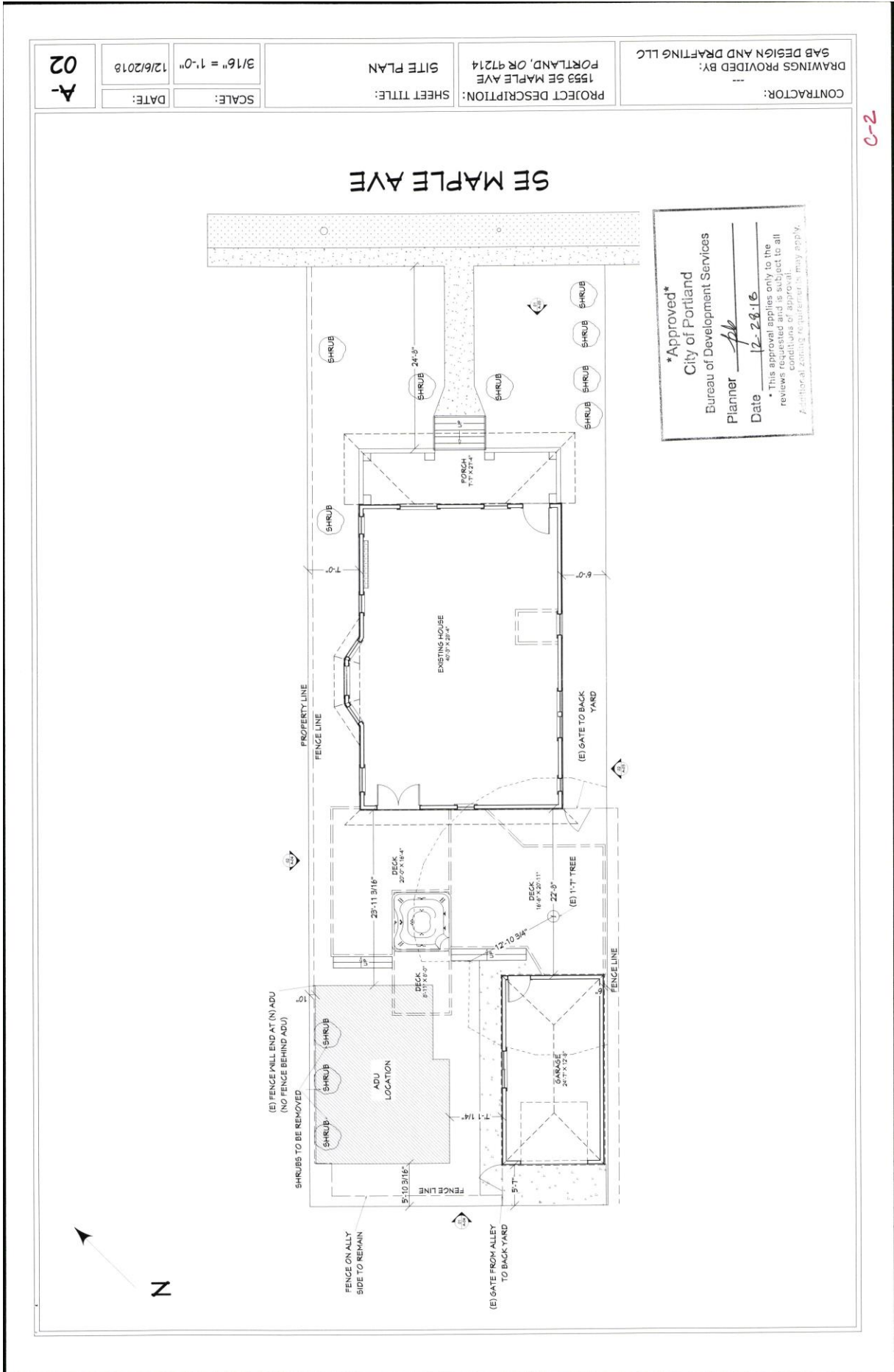


Site



Historic Landmark

File No.	LU 18-259997 HR
1/4 Section	3231,3232
Scale	1 inch = 200 feet
State ID	1S1E02CA 300
Exhibit	B Oct 31, 2018



Approved
 City of Portland
 Bureau of Development Services
 Planner *[Signature]*
 Date **12-28-16**

* This approval applies only to the reviews requested and is subject to all applicable rules and regulations. Additional zoning requirements may apply.

2-2

CONTRACTOR:	S&B DESIGN AND DRAFTING LLC
DRAWINGS PROVIDED BY:	...
PROJECT DESCRIPTION:	1553 SE MAPLE AVE PORTLAND, OR 97214
SHEET TITLE:	SITE PLAN
SCALE:	3/16" = 1'-0"
DATE:	12/16/2018
	A-02

05 A-	SCALE: 1/4" = 1'-0" DATE: 12/6/2018	PROPOSED: EXTERIOR ELEVATIONS SHEET TITLE: PROPOSED: PROJECT DESCRIPTION: 1553 SE MAPLE AVE PORTLAND, OR 97214 CONTRACTOR: SAB DESIGN AND DRAFTING LLC
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01 PROPOSED: SOUTHEAST EXTERIOR ELEVATION
A-05 SCALE: 1/4" = 1'-0"

PITCH TO MATCH (E) HOUSE
 ASPHALT SHINGLE ROOFING TO MATCH AS CLOSE AS POSSIBLE TO (E) HOUSES ROOF W/ (N) MATERIAL (THIS MATERIAL WILL BE USED TO RE ROOF THE (E) HOUSE IN SPRING OF 2019)
 OPERABLE WINDOWS TO BE SING HOUSE HUNG WINDOWS TO MATCH (E) HOUSE
 2.5" REVEAL WOOD SIDING TO MATCH (E) HOUSE
 10" W X 1" DEEP TRIM BOARD ABOVE
 16" X 8" METAL
 WINDOW AND DOOR TRIM TO MATCH (E) HOUSE AS CLOSE AS POSSIBLE TYP. SEE 011A-07 FOR DETAILS
 DOOR TO MATCH AS CLOSE AS POSSIBLE TO (E) FRONT DOOR

02 PROPOSED: NORTHEAST EXTERIOR ELEVATION
A-05 SCALE: 1/4" = 1'-0"

PITCH TO MATCH (E) HOUSE
 16" X 8" METAL
 * Approved*
 City of Portland
 Bureau of Development Services
 Planner: *APB*
 Date: 12-28-18
 * This approval applies only to the revision requested and is subject to all conditions of approval.

03 PROPOSED: SOUTHEAST EXTERIOR ELEVATION
A-05 SCALE: 1/4" = 1'-0"

FENCE STOP AT ADU
 STUDIO 25'-11" X 9'-4"
 DECK 20'-0" X 16'-4"
 DECK 16'-6" X 25'-11"
 GARAGE 24'-0" X 12'-11"
 HALL
 BATH
 KITCHEN
 BREAKFAST ROOM
 LIVING ROOM
 PORCH
 N
 9'-10 3/8"

04 PROPOSED: SOUTHWEST EXTERIOR ELEVATION
A-05 SCALE: 1/4" = 1'-0"

PITCH TO MATCH (E) HOUSE
 16" X 8" METAL
 * Approved*
 City of Portland
 Bureau of Development Services
 Planner: *APB*
 Date: 12-28-18
 * This approval applies only to the revision requested and is subject to all conditions of approval.

C-5