



City of Portland, Oregon
Bureau of Development Services
Land Use Services

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
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Date: April 11, 2014
To: Interested Person
From: Dave Skilton, Land Use Services 503-823-0660
dave.skilton@portlandoregon.gov

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 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 14-119694 HR – GARAGE COVERSION TO ACCESSORY DWELLING UNIT

GENERAL INFORMATION

Applicant: Bob Schatz 503-235-8585
Allusa Architecture
2118 SE Division Street
Portland, OR 97202

Owner: Mia Meyer
1518 SE Hickory Street
Portland, OR 97214-5347

Site Address: 1518 SE Hickory Street

Legal Description: BLOCK 3 LOT 10, LADDS ADD
Tax Account No.: R463300570
State ID No.: 1S1E02DC 13500
Quarter Section: 3232
Neighborhood: Hosford-Abernethy, contact Joanne Stainbrook at 503-231-9245.
Business District: Division-Clinton Business Association, contact Darice Robinson at 503-233-1888.

District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.
Other Designations: Contributing resource in the Ladd's Addition Historic District, which was listed in the National Register of Historic Places on August 31, 1988.

Zoning: R5, Single-dwelling Residential 5000, with Historic Resource Overlay
Case Type: HR, Historic Resource Review
Procedure: Type II, an administrative decision with appeal to the Historic Landmarks Commission.

Proposal:

The applicant is seeking Historic Resource Review approval for a proposal to make the following exterior alterations to a non-contributing garage in the Ladd's addition Historic District:

- exchange the existing overhead garage door for a pair of swinging doors;
- add four windows, in two pairings, to the west side of the garage;
- add two skylights to the west slope of the garage roof; and
- replace an existing person door with a new wood door.

The proposed alterations are in support of conversion of the garage into an accessory dwelling unit. Historic Resource Review is required because the proposal is for non-exempt exterior alterations in a historic district.

Approval Criteria:

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

- Ladd's Addition Conservation District Guidelines – Exterior Rehabilitation

ANALYSIS

Site and Vicinity: The subject property is a single story story, bungalow form, house. It was built on speculation in 1923 by local contractor G. C. Goldenberg, and purchased by Thomas and Ida Loughlin in 1925. The house is evaluated as a contributing resource in the Ladd's Addition Historic District, due to its high level of historic integrity. Although compatible with the historic context, the garage which is the subject of this proposal is considered non-contributing because it was built in 1963.

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.

Zoning: The single-dwelling zones, including R5, 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.

The Historic Resource Overlay zone 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.

Public Notice: A "Notice of Proposal in Your Neighborhood" was mailed **March 18, 2014**.

Agency Review: None of the notified Bureaus has responded with issues or concerns.

Neighborhood Review: One written responses was received from either the Neighborhood Association or notified property owners in response to the proposal.

- Joanne Stainbrook, on behalf of HAND Land Use Committee, wrote on April 8, 2014, with no objection to the proposal, but encouraging the owner to continue using the alley for trash and recycling services.

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 not requiring a new foundation. Therefore Historic Resource 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

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.

4. Roof Form. Repair and alteration of roofs should retain:

- a. The original roof shape and pitch;
- b. Original structural and decorative features such as gables , dormers, chimneys, cornices, parapets, pediments, frieze boards , exposed rafters and other ornamental details; and,
- c. Whenever possible the original type, size, color, and pattern of roofing materials. New roof features including roof additions and new dormers should be compatible in size, scale, materials, and color with the original building. Skylights, solar, mechanical and service equipment, and new roof features should be inconspicuous from the street.

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 for 3, 4, and 6: The garage that is the subject of the proposed conversion to an accessory dwelling unit is evaluated as a non-contributing resource in the Ladd's Addition Historic District. Although it was built outside the period of significance, in 1962, it does share many of the qualities of the historic garages in the neighborhood because it is small, sited in a rear corner, and opens to the alley. The proposed exterior

siding material is cedar shingles, which matches the house, as do the roof slope and composition shingles, and the window and trim proportions, as required by the Zoning Code in Chapter 33.205 Accessory Dwelling Units. The proposed new windows are fiberglass-clad wood units installed in the traditional manner within the depth of the wall. The doors are to be wooden, and in the case of the existing garage opening will retain the existing characteristic vehicle opening while introducing so-called side swinging "carriage doors". Two proposed skylights facing into the rear yard are modest in size, low in profile, and aligned with windows on the wall below. They will not be visible from the street. *These guidelines are 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.

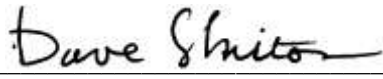
ADMINISTRATIVE DECISION

Approval of conversion of an existing, non-contributing garage into an accessory dwelling unit in Ladd's Addition Historic District;

Approval is per Exhibits C-1 through C-10, signed and dated April 9, 2014, subject to the following condition:

- 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 through C-10. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 14-119694 HR. No field changes allowed."

Staff Planner: Dave Skilton

Decision rendered by:  **on April 9, 2014.**
By authority of the Director of the Bureau of Development Services

Decision mailed: April 11, 2014.

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 February 21, 2014, and was determined to be complete on **March 14, 2014.**

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 February 21, 2014.

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.

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 Historic Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on April 25, 2014** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, 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. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. 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 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.

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 Historic 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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 Historic 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 **April 28, 2014**.
- 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.

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
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Floor Plan
 - 3. Section at Doors
 - 4. Section at Fixed Window
 - 5. Section at Double Hung Window
 - 6. Proposed North and South Elevations (attached)
 - 7. Proposed East and West Elevations (attached)

- 8. Section at Skylights
- 9. Garage Door Information
- 10. Window Information
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Review Section of BDS
- F. Correspondence:
 - 1. Joanne Stainbrook, on behalf of HAND Land Use Committee, wrote on April 8, 2014, with no objection to the proposal, but encouraging the owner to continue using the alley for trash and recycling services.
- G. Other:
 - 1. Original LU Application

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).

 Site

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

File No. LU 14-119694 HR
1/4 Section 3232
Scale 1 inch = 200 feet
State_Id 1S1E02DC 13500
Exhibit B (Feb 24, 2014)

Approved

City of Portland - Bureau of Development Services

Planner Dave Peterson Date 4.9.14

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



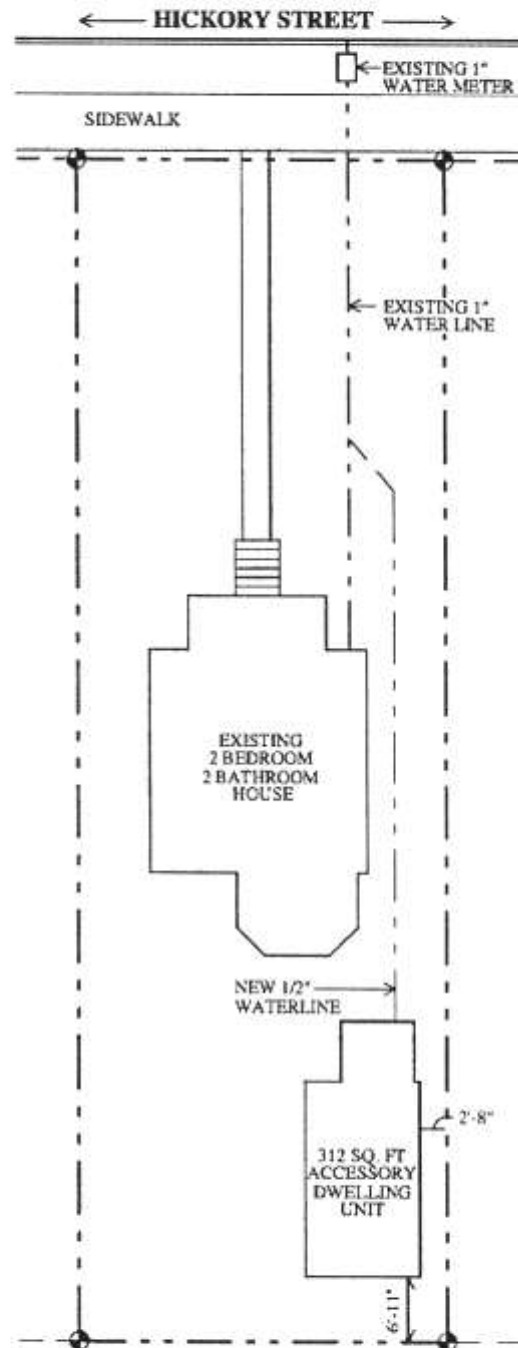
EXISTING FRONT FACADE OF MAIN HOUSE



EXISTING BACK FACADE OF MAIN HOUSE



EXISTING STRUCTURE TO BE CONVERTED TO ADU



SITE PLAN

← ALLEY →

1/16" = 1'-0"



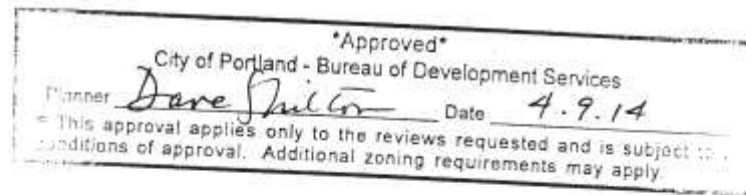
**MEYER ACCESSORY DWELLING UNIT
1518 SE HICKORY**



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

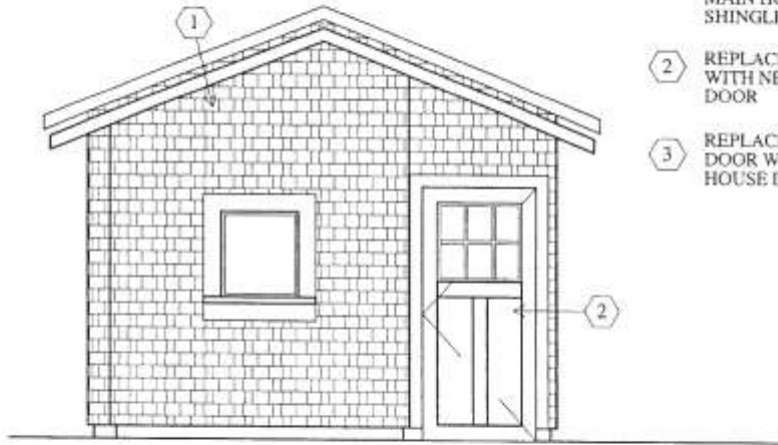
3.6.14

C-1



KEYNOTES

- 1 EXISTING SHAKE SHINGLES WITH TO BE REUSED OVER NEW RAINTHREEN AND SHEATHING, STAIN SHINGLES TO MATCH MAIN HOUSE. PROVIDE WOVEN SHINGLE CORNERS
- 2 REPLACE EXISTING MAN DOOR WITH NEW CARRIAGE HOUSE DOOR
- 3 REPLACE EXISTING GARAGE DOOR WITH (2) NEW CARRIAGE HOUSE DOORS



NORTH ELEVATION

1/4" = 1'-0"



SOUTH ELEVATION

1/4" = 1'-0"



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

MEYER ACCESSORY DWELLING UNIT
1518 SE HICKORY

3.6.14

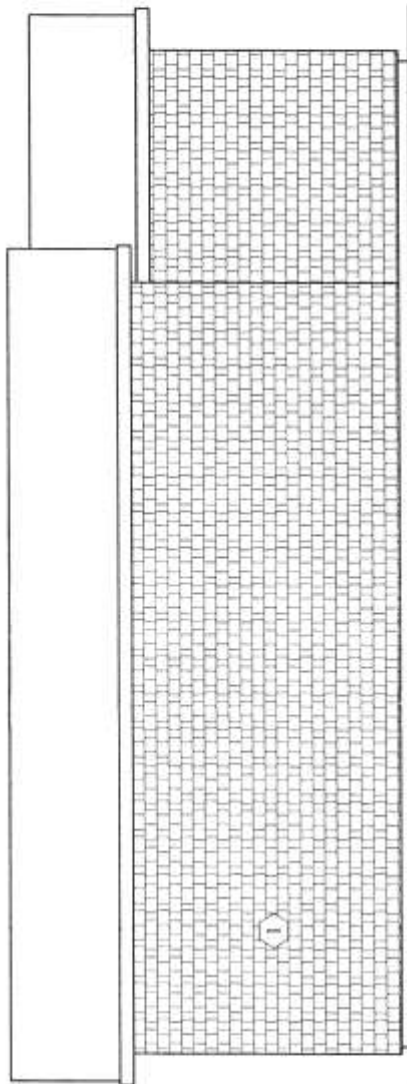
C-6

Approved

City of Portland - Bureau of Development Services

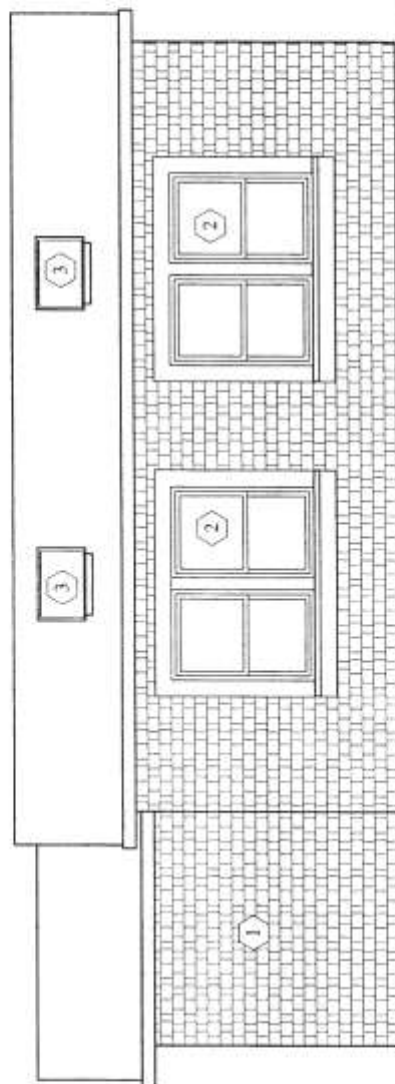
Planner Dane Sullivan Date 4.9.14

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



EAST ELEVATION

1/4" = 1'-0"



WEST ELEVATION

1/4" = 1'-0"

KEYNOTES

- 1 EXISTING SHAKE SHINGLES TO BE REUSED OVER NEW RAINGREEN AND SHEATHING. STAIN SHINGLES TO MATCH MAIN HOUSE. PROVIDE WOVEN SHINGLE CORNERS
- 2 NEW MILGUARD ESSENCE SERIES WINDOWS
- 3 NEW LOW PROFILE VELUX SKYLIGHTS PER MANUFACTURER'S SPECIFICATIONS



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

**MEYER ACCESSORY DWELLING UNIT
1518 SE HICKORY**

3.6.14

C-7