



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

FROM CONCEPT TO CONSTRUCTION

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Date: June 12, 2015
To: Interested Person
From: Chris Caruso, Land Use Services
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NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has **approved** a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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 15-165780 HR – NEW BASEMENT WINDOWS AND WINDOW WELLS

GENERAL INFORMATION

Applicant: Jack Barnes / Jack Barnes Architect
615 SE Alder St Suite 304 / Portland OR 97214-2253

Owners: Terence Barr & Marilyn Beach
1559 SE Maple Ave / Portland OR 97214

Site Address: 1559 SE MAPLE AVE

Legal Description: BLOCK 13 LOT 21, LADDS ADD
Tax Account No.: R463303050
State ID No.: 1S1E02CA 00200
Quarter Section: 3231
Neighborhood: Hosford-Abernethy, contact Joanne Stainbrook at 503-231-9245.
Business District: Hawthorne Blvd. Bus. Assoc., contact Hilda Stevens at 503-774-2832.
District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.
Plan District: None
Other Designations: Contributing resource in Ladd's Addition Historic District
Zoning: R5 – Single-dwelling Residential 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 seeks Historic Resource Review approval for exterior alterations to the John & Anna Bellew Residence, a contributing 1900 Craftsman house in the Irvington Historic District. The proposed work includes the following:

- 3 basement egress aluminum-clad wood windows with concrete window wells on the northwest façade; and

- 2 basement egress aluminum-clad wood windows with concrete window wells on the northeast façade.

Historic resource review is required for basement windows and exterior alterations in historic districts that are not otherwise exempt from review.

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:

- 33.846 Historic Reviews
- Ladd's Addition Guidelines

ANALYSIS

Site and Vicinity: The 5,120 square foot site is located on a fully developed block that is on SE Maple Street, about one block south of SE Hawthorne. Houses face SE Maple Street with a central alley providing access to the rear of the lots. Southeast Maple Street is categorized in the Transportation Element of the Comprehensive Plan as Local Service Street. This house, named the John & Anna Bellew Residence, is identified in the Ladd's Addition Historic District as a 'Primary Contributing' structure. It was built around 1900 but moved into Ladd's only in 1949. The style is identified as Craftsman with narrow beveled siding and massing, form, and details that are compatible with the district. The Ladd's Addition Historic District is on the National Register of Historic Places.

Zoning: The Residential 5,000 (R5) base zone is intended to preserve land for housing, and to provide housing opportunities for individual households. The development standards of the R5 zone seek to promote desirable residential areas by addressing aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities. The Ladd's Addition Historic District designation triggers a Historic Design Review process for most exterior alterations within the district. Historic preservation beautifies the city, enhances the city's economic health, and protects significant elements of the city's and region's heritage.

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 lined 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 prior land use reviews for this site:

- LU 04-011142 HDZ – Approval for additions and alterations to the house.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **May 26, 2015**. 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 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

1. Façades Oriented to a Street. In rehabilitating existing buildings, the architectural integrity of street-oriented façades should be maintained. Additions and structural alterations should be limited to the rear and side yard façades and be minimally visible from the street.

10. Front Lawn. On sites of non-commercial structures, retention of front lawns, mature trees, and older shrubs and perennials are encouraged. Plants popular in the 1910's and 1920's are encouraged. The predominant use of ground covers, such as bark mulch and broadleaf evergreens, is discouraged. Original grades should be retained; berms and excavations are discouraged

Findings for 1 & 10: The existing front façade and front lawn landscaping will not be affected by the proposed enlarged basement window and window well locations as they are on the sides of the house. The new basement windows and window wells are located mostly below grade and will be minimally visible from SE Maple Street and sidewalks. *These guidelines are therefore met.*

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.

Findings: No exterior siding will be impacted by the enlarged basement windows and window wells. The windows are all being installed below the line lowest wood trim and below any existing lap siding. *This guideline is therefore met.*

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: The new basement windows are aluminum-clad wood to match the profile and look of existing windows around the house. These new windows will have no

mullions dividers so that they remain a secondary decorative feature as is appropriate for basement windows in this historic district. The new windows will also be set into the enlarged basement wall openings to match the historic inset of other windows around the house. New windows trim will be wood but will also be simplified to be secondary to the more decorative trim on main level windows, as is typical of basement windows in this district. The window wells will be constructed of plain concrete which will match and blend in with the existing concrete basement walls. *This guideline is therefore met.*

- 12. Parking.** Required on-site parking should be located in the rear yard and within original garages, if possible. Original garages should be maintained for vehicle storage and parking and not converted to other uses. Parking areas, providing space for three or more cars, should be screened from adjacent properties; hedges and canopy trees are recommended for screening. Parking areas and driveways should not be placed in the front yard.

Findings: Existing on-site parking will remain and will not be affected by the locations of the enlarged and new basement windows or window wells. *This guideline is therefore met.*

- 13. 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 proposal will aid in crime prevention by providing additional windows in the basement level with views up into the side yards. *This guideline is 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 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 new and enlarged basement windows and window wells fit into the overall design of resources which includes the house itself, neighboring properties, and the historic district. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION


Approval of Historic Resource Review for exterior alterations to the John & Anna Bellew Residence, a contributing 1900 Craftsman house in the Irvington Historic District, to include the following:

- 3 basement aluminum-clad wood egress windows with concrete window wells on the northwest façade; and
- 2 basement aluminum-clad wood egress windows with concrete window wells on the northeast façade.

Approved, per the approved site plans, Exhibits C-1 through C-5, signed and dated June 11, 2015, 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.5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-165780 HR."

Staff Planner: Chris Caruso



Decision rendered by: _____ **on June 10, 2015.**

By authority of the Director of the Bureau of Development Services

Decision mailed June 12, 2015

Procedural Information. The application for this land use review was submitted on May 6, 2015, and was determined to be complete on **May 21, 2015.**

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 May 6, 2015.

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: September 18, 2015.**

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 **June 12, 2015**.

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 for the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

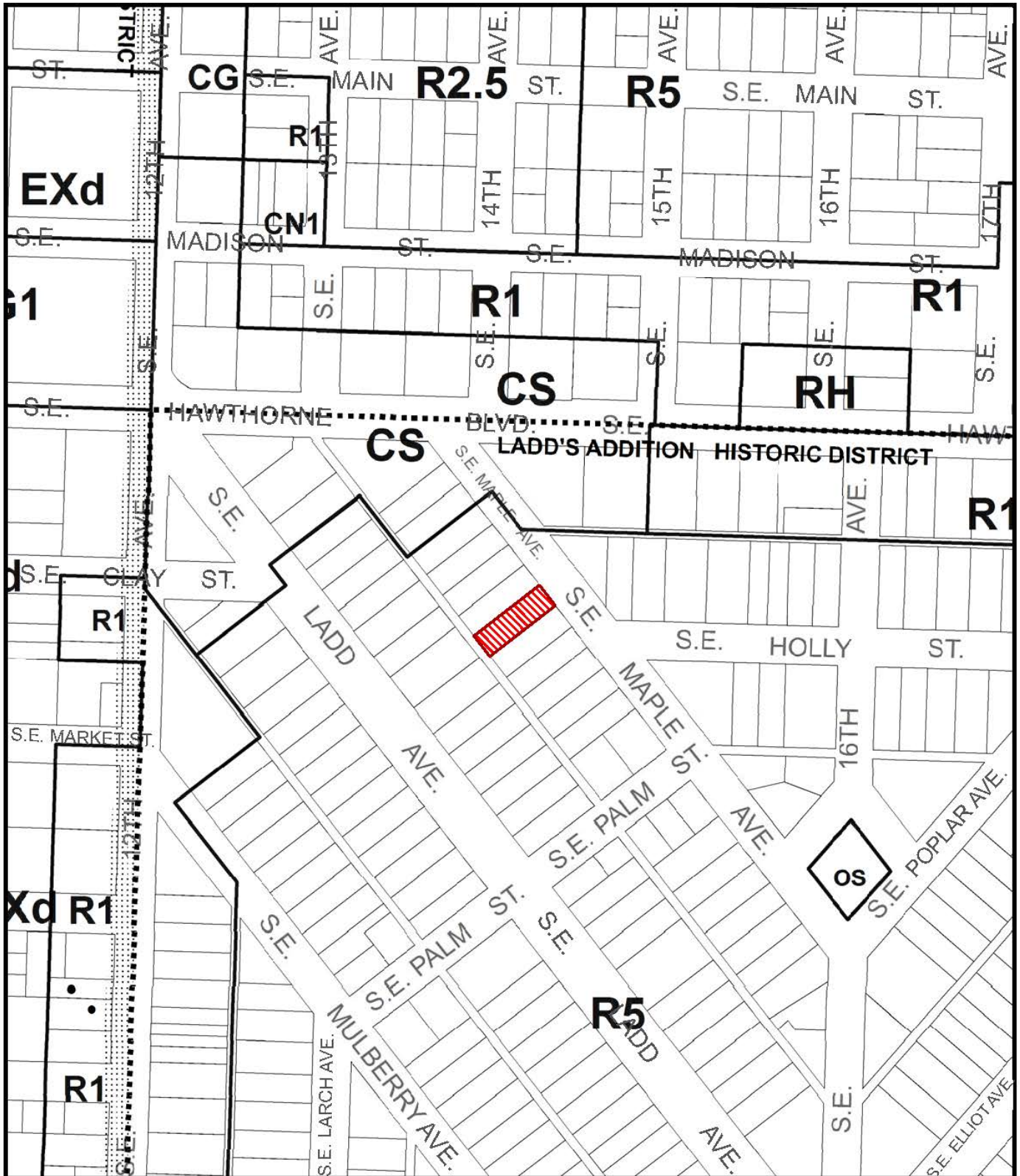
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Basement Plan & Window Details
 - 3. Elevation (attached)
 - 4. Elevation (attached)
 - 5. Window Information Sheets
- 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



Site



Historic Landmark



NORTH

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

File No. LU 15-165780 HR

1/4 Section 3231,3232

Scale 1 inch = 200 feet

State_Id 1S1E02CA 200

Exhibit B (May 07, 2015)

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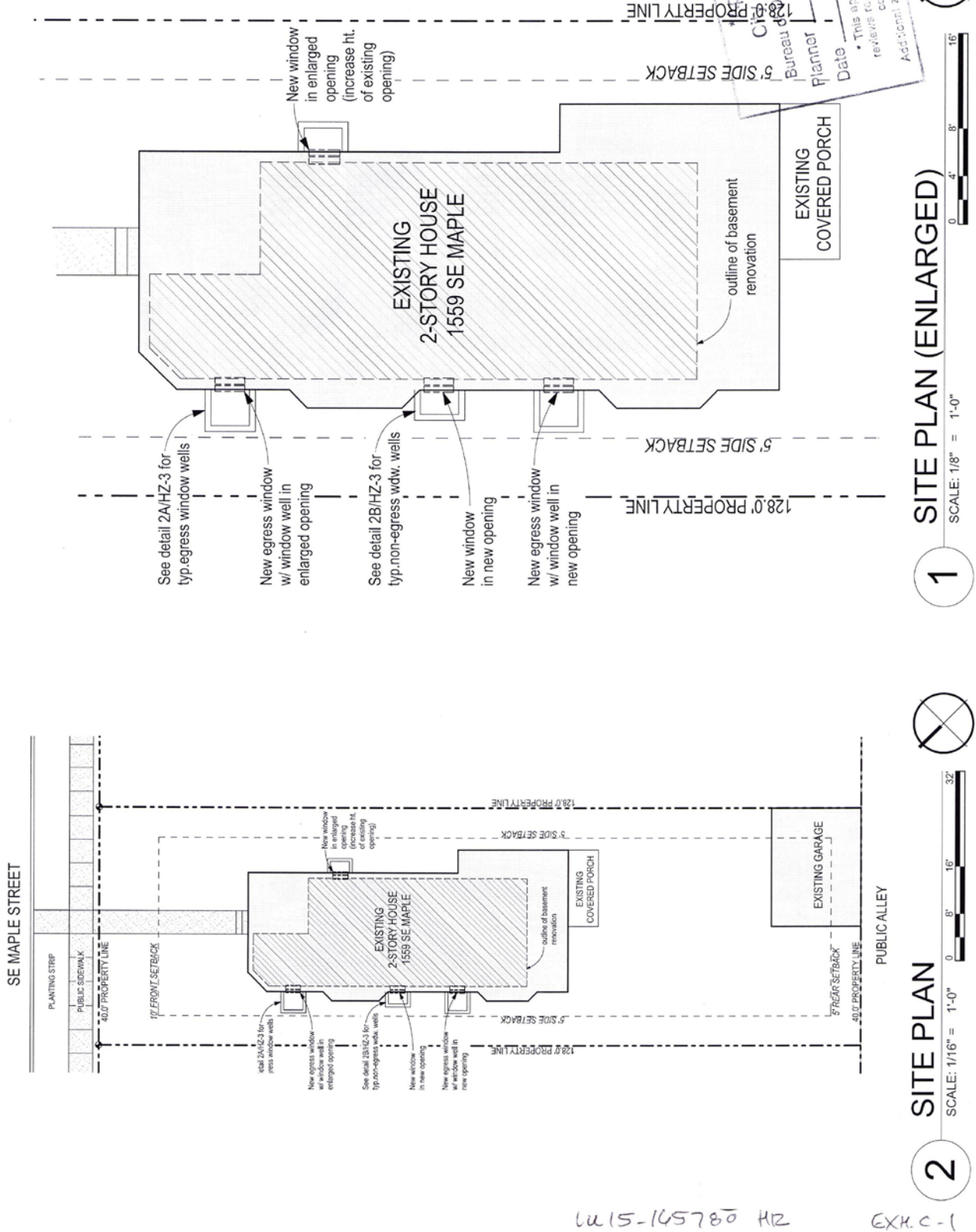
client:
Terrence Barr & Marilyn Beach

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HDZ-1

Plotted On: 5/20/15



15-165780 H12

EXH. C-1

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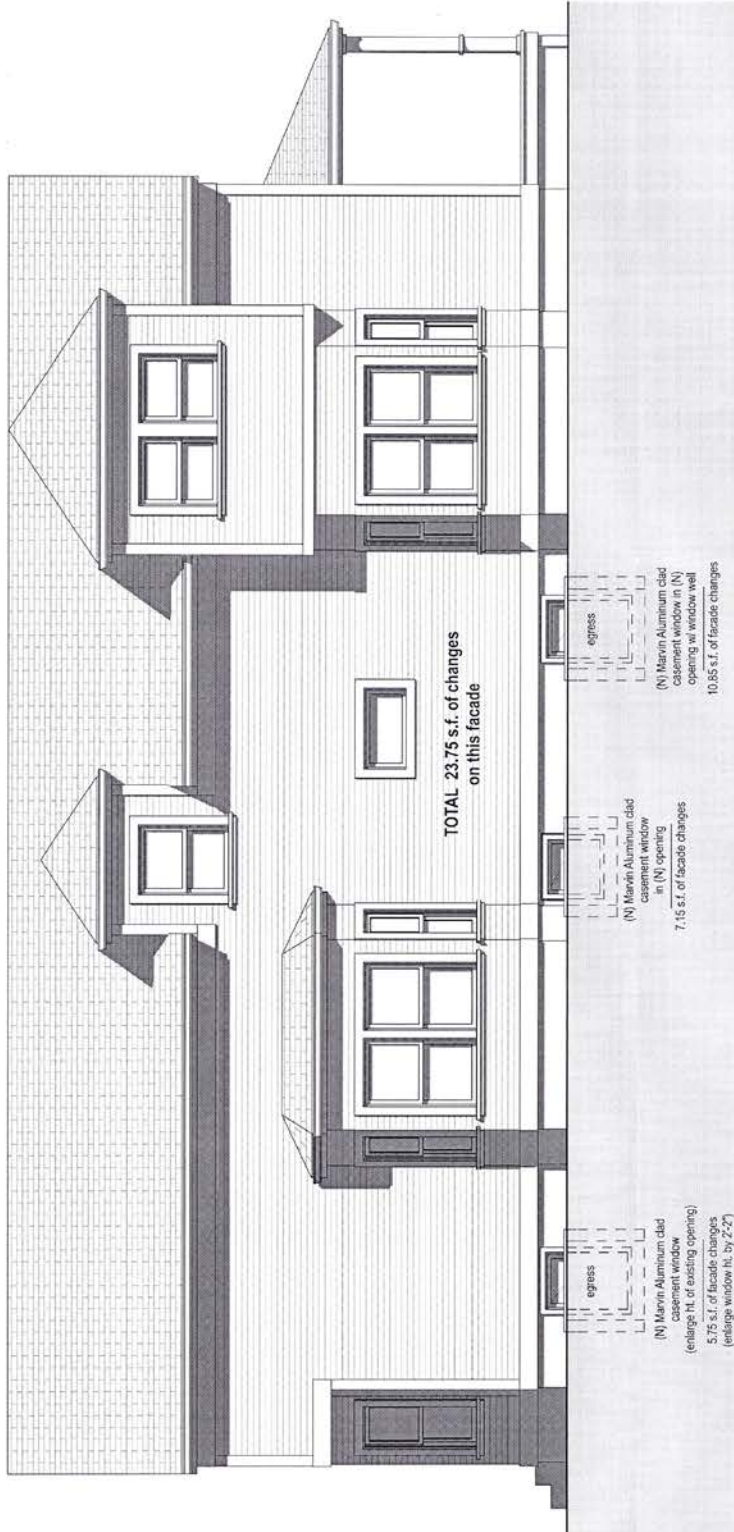
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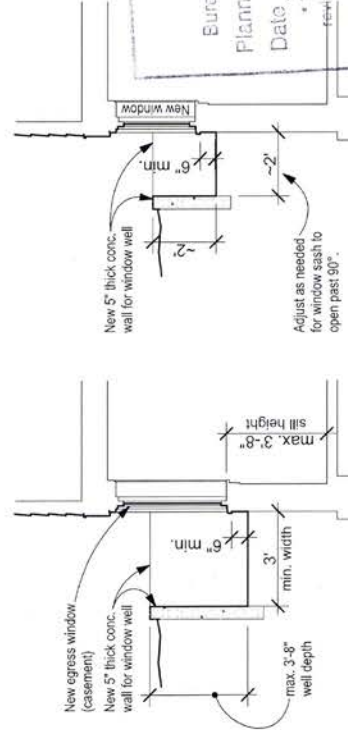
HDZ-3

Plotted On: 5/20/15



1 NORTHWEST ELEVATION

SCALE: 3/16" = 1'-0"



**A. WINDOW WELL
AT EGRESS WINDOWS**

**B. WINDOW WELL
AT NON-EGRESS WINDOWS**

2 WINDOW WELL DETAILS

SCALE: 1/4" = 1'-0"



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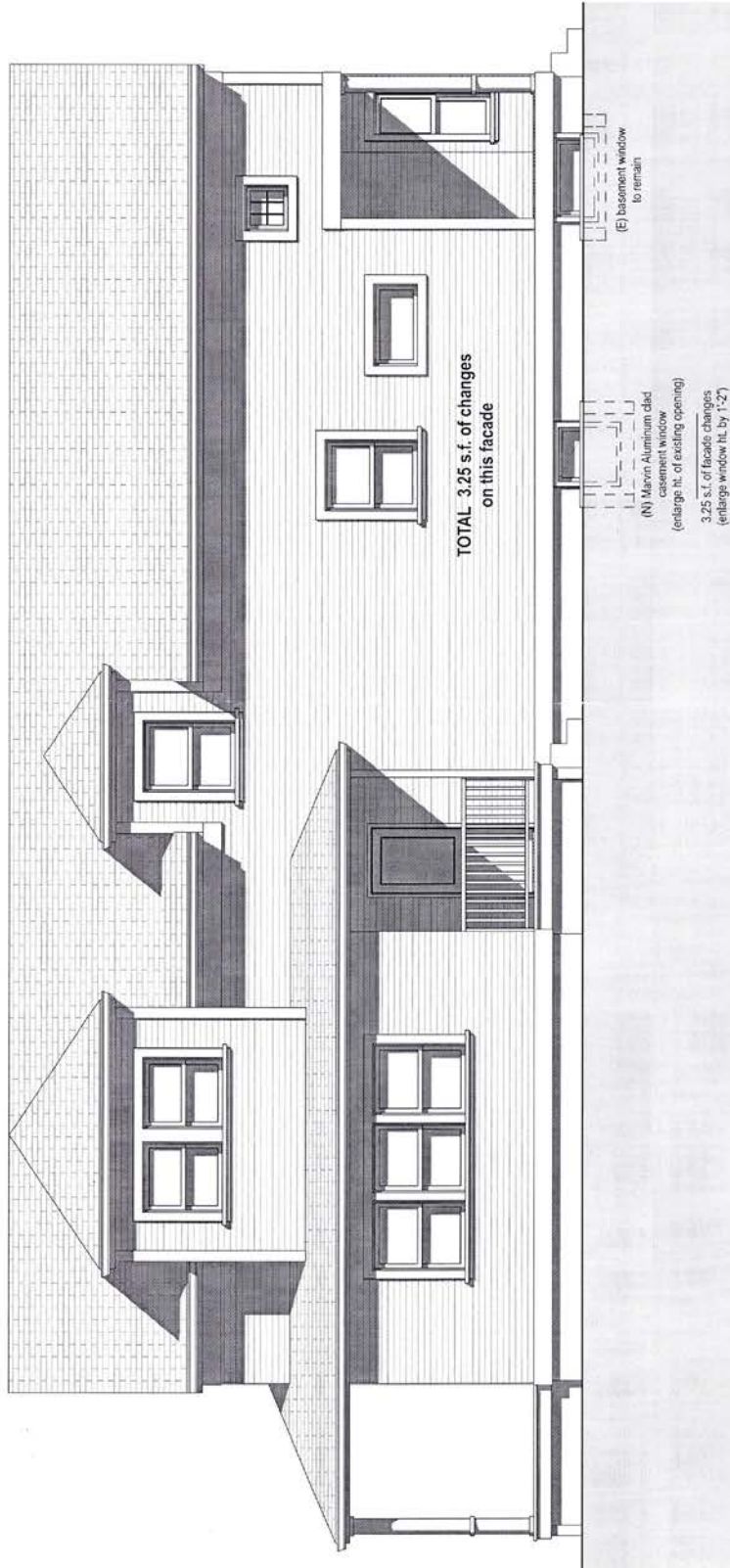
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HDZ-4

Plotted On: 5/20/15



1 SOUTHEAST ELEVATION

SCALE: 3/16" = 1'-0"



15-165780 HR

EXH.C-4