



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

FROM CONCEPT TO CONSTRUCTION

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Date: June 16, 2014
To: Interested Person
From: Jennifer Kenny, 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 a **approved** 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 14-153011 HR - WINDOW REPLACEMENT

GENERAL INFORMATION

Applicant: Scott Jaworski, Mosaik Design LLC
0112 SW Hamilton
Portland, OR 97239

Owner: Todd L Galle
1025 SW Ardmere Ave
Portland, OR 97205-1002

Site Address: 1025 SW ARDMORE AVE

Legal Description: BLOCK 2 LOT 22, ARDMORE
Tax Account No.: R035200500
State ID No.: 1N1E33CC 04200
Quarter Section: 3027
Neighborhood: Goose Hollow, contact Greg Wimmer at 503-222-7173.
Business District: Goose Hollow Business Association, contact Angela Crawford at 503-223-6376.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Other Designations: Contributing property within the King's Hill Historic District
Zoning: R5, a single-dwelling zone
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 to replace a non-historic window with a wood tripartite double hung window with divided-light style upper sashes, at the south elevation of a Contributing property within the King's Hill Historic District. Historic Resource Review approval is required for non-exempt exterior alterations within a historic district.

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are: *King's Hill Historic District Design Guidelines*.

ANALYSIS

Site and Vicinity: The subject property is a Contributing resource in the King's Hill Historic District and is known historically as the Goldsmith Residence. It was built in 1925 in the Arts and Crafts style of the late 19th and early 20th century American architectural movements. The District contains a significant concentration of historic upper middle-class houses and apartment buildings from the period 1882 to 1942. A few working class residential properties and converted houses are concentrated in the southeastern corner of the district. The majority of the contributing resources in the district were built during the great upswing in population and construction following the successful Lewis & Clark Exposition of 1905. Many of the surviving houses are the work of prominent early local architects, representing a broad spectrum of styles from Italianate to Moderne. Toward the north end of the district the noncontributing resources include large modernist concrete apartment towers from the late mid-twentieth century that are distinctly out of character within the historic district.

As the name "King's Hill" implies, topography plays a significant role in the character of this neighborhood. Because of the relatively steep grade of the land, buildable lots had to be created by terracing, which resulted in historic retaining walls along many street frontages and property lines. The area also includes several independent plats, so that some streets misalign and others are separated by blocks of only a single lot's depth. Streets throughout the entire historic district tend to be lined with mature deciduous street trees.

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.

Agency Review: No responses were required.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **May 16, 2014**. 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 King's Hill Historic District and the proposal is for a non-exempt alteration. Therefore, Historic Resource Review approval is required. The approval criteria are the *King's Hill Historic District Guidelines*.

Staff has considered all guidelines and addressed only those applicable to this proposal.

King's Hill Historic District Guidelines

A1. Historic Character. Retain and preserve the diverse historic character of the King's Hill Historic District.

A2. Architectural Styles. Maintain the architectural integrity of historic building façades. Respect the essential forms and styles of the historic buildings in the district.

A3. Historic Materials, Features, and Color. During exterior rehabilitation, protect, maintain, and preserve historic materials, color, and architectural features.

Findings for A1, A2 and A3: The house is a Contributing property within the King's Hill Historic District, and as such, it retains a high degree of historic integrity. The proposed window replacement includes removal of a non-historic window that is incompatible with the era of the house. The new window will better reflect the home's original character by closely matching the material, style and profile of the historic windows. The new window is proposed to be a wood tripartite, double hung with divided-light style upper sashes. This will be similar to existing historic windows throughout the house, thereby preserving the historic character of the home.

This 1925 home was built in the Arts and Crafts style, a movement of American architecture in the late 19th and early 20th centuries. The style is marked by simple forms, handcrafted features and quality material. Wood, divided-light windows are common in homes of this era. The proposed new window will be made of wood and include a divided-light style pattern similar to historic windows in the house. Also, it will replace an incompatible window added in the 1970s, thus maintaining and enhancing the architectural style of the house.

The historic siding and original windows will be protected during the proposed project. The new window and trim will integrate with the architectural style of the home by closely matching the form, design, color and material of existing historic windows. *These guidelines are therefore met.*

D1. Exterior Alterations. Exterior alterations should complement the resource's massing, size, scale, and architectural features.

D8. Exterior Materials and Features. Retain or restore original exterior finishing materials. Use materials and design features that promote permanence, quality, and visual interest. Use materials and design features that are consistent with the building's style and with the existing vocabulary of the historic district.

D9. Window Features. Retain and preserve window features that are important in defining the building's historic character. Replace, in kind, extensively deteriorated or missing parts of the window casement when surviving prototypes exist. When in-kind replacement is not practical, replace with elements that recreate the window's historic character.

Findings for D1, D8 and D9: The window will be placed in an existing opening so that there will be no change to the home's historic scale and massing. It will be double hung, divided-light style, and made of wood to closely match the historic windows in style, material, and size. Thus, it is compatible with the existing architecture of the home.

The home is a Contributing property within the Historic District and the replacement window will enhance the character by replacing an incompatible window with a historically-appropriate one. The material and style of the window will be consistent with the existing vocabulary of the historic district because wood divided-light windows are architecturally appropriate for a home of this era.

Because the new window will replace a previously installed non-historic window, there are no historic materials to be retained in this location. However, the new window will closely match the home's original windows in terms of material, style, size and profile and thus restore the historic character. *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 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

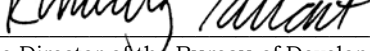
Approval of exterior alterations on a Contributing property in the King's Hill Historic District. Alterations include:

- Removal of a non-historic window at the south elevation
- Installation of a wood tripartite, double hung window with divided-light style upper sashes at the south elevation

Approval per the approved site plans, Exhibits C-1 through C-5, signed and dated June 9, 2014, 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 14-153011 HR."

Staff Planner: Jennifer Kenny

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

Decision mailed June 16, 2014.

Procedural Information. The application for this land use review was submitted on May 6, 2014, and was determined to be complete on **May 12, 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 May 6, 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. Unless extended by the applicant, **the 120 days will expire on: September 8, 2014.**

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 16, 2104**.

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:

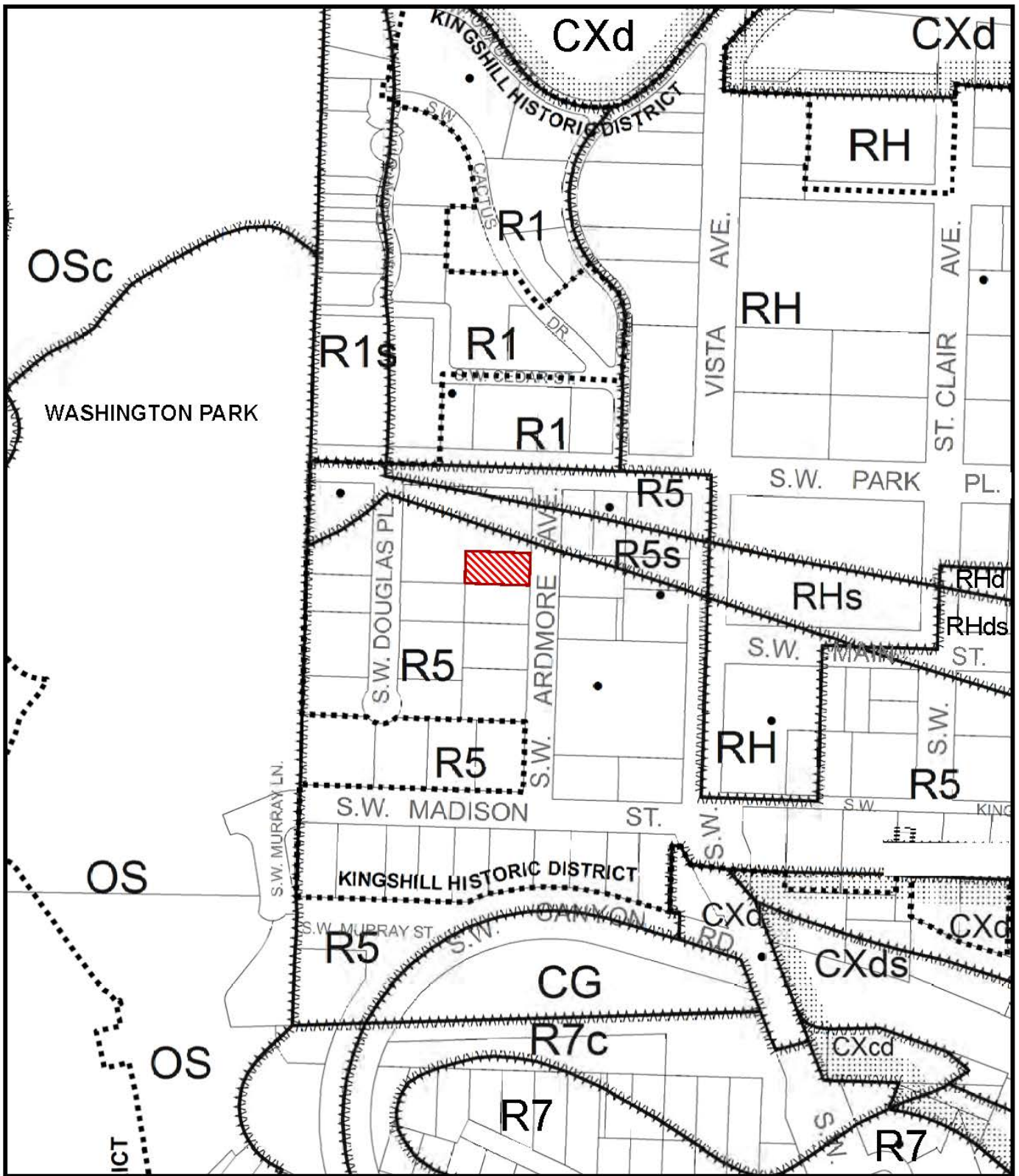
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. East and South Elevations (attached)
 - 3. Existing and Proposed Window Details
 - 4. Proposed Window Section Details
 - 5. Manufacturer Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: No responses were required.
- F. Correspondence: No responses were received.
- 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).



ZONING



Site



Historic Landmark



This site lies within the:
KING'S HILL HISTORIC DISTRICT

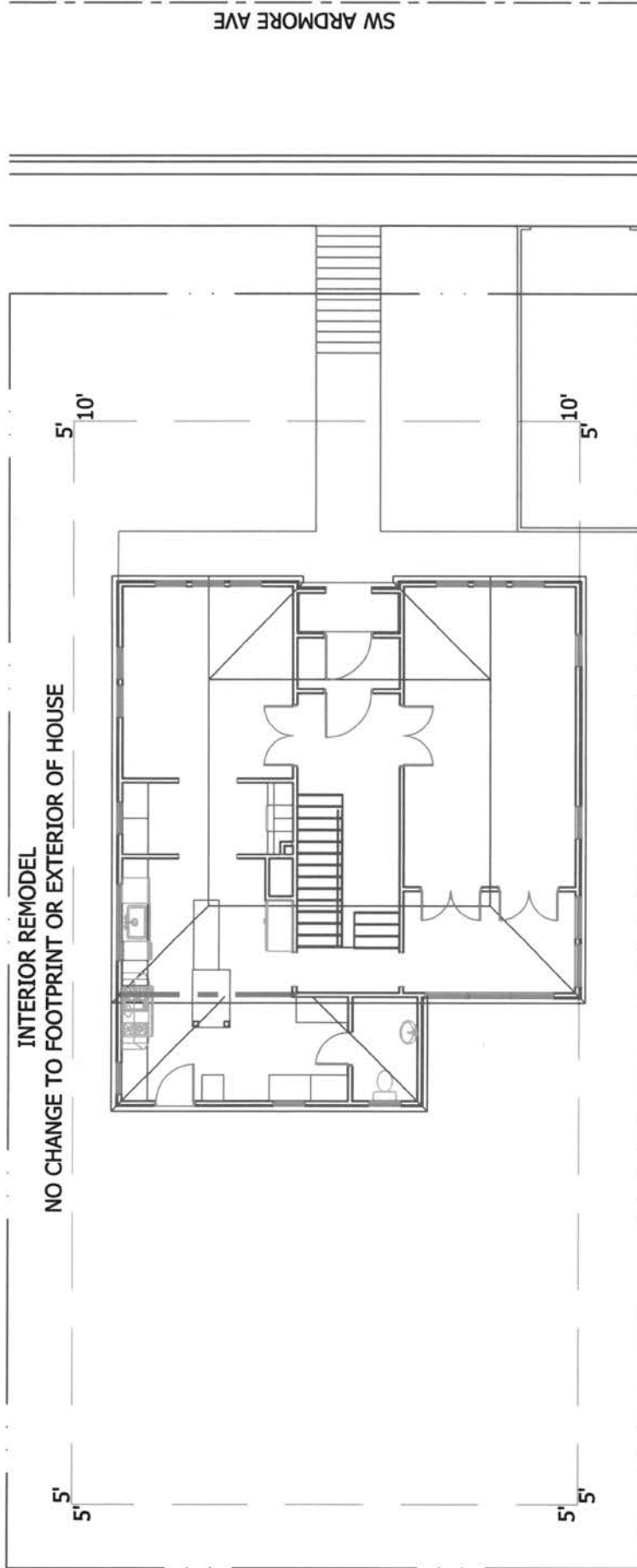
| | |
|-------------|-------------------|
| File No. | LU 14-153011 HR |
| 1/4 Section | 3027 |
| Scale | 1 inch = 200 feet |
| State_Id | 1N1E33CC 4200 |
| Exhibit | B (May 07, 2014) |

Approved

City of Portland - Bureau of Development Services

Planner *Shirley Terry* Date *6/9/14*

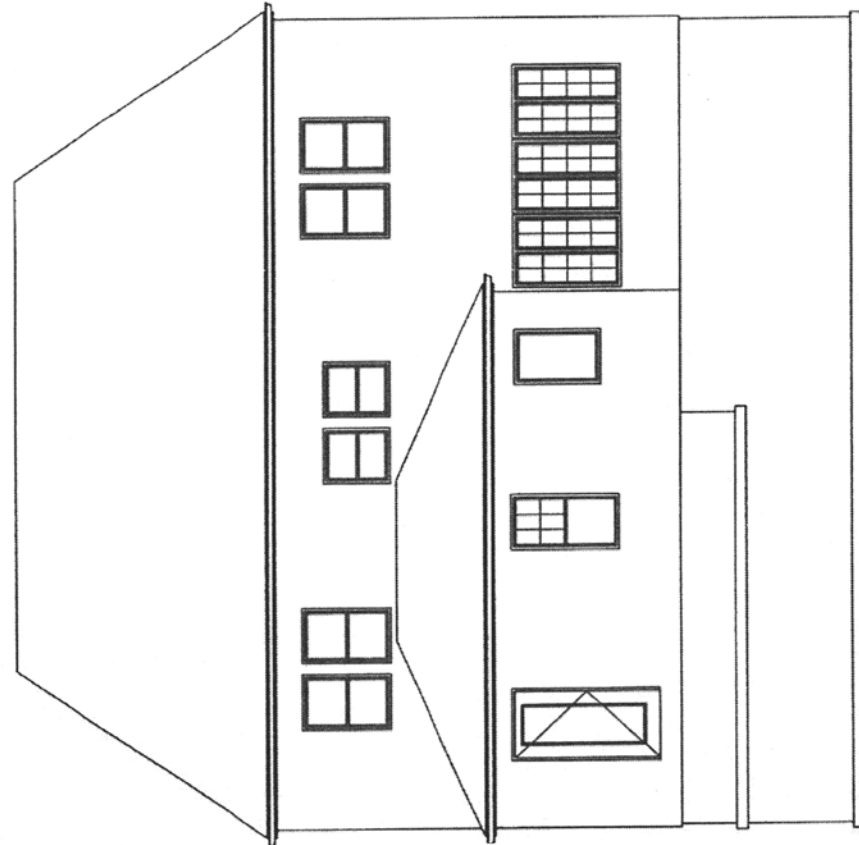
* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.



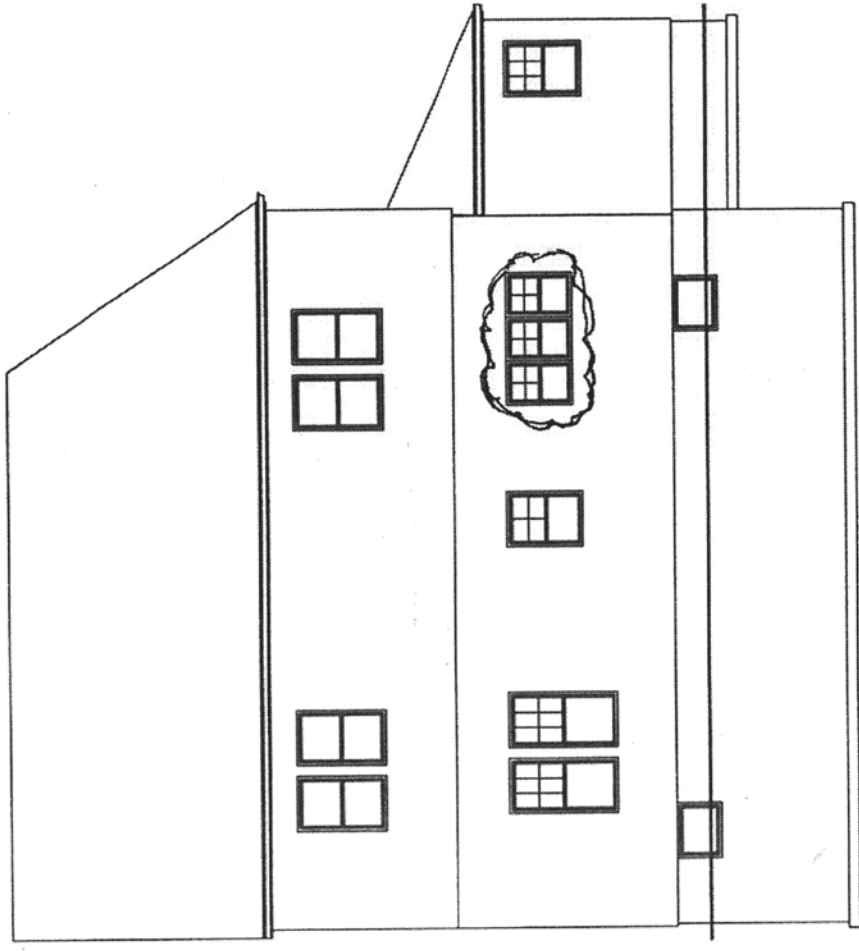
SITE PLAN
NTS

LO 14 - 153 011 HR

EXHIBIT C-1



EAST ELEVATION
1/8" = 10'



SOUTH ELEVATION
1/8" = 10'

☁ = AREA OF WORK

Approved
City of Portland - Bureau of Development Services
Planner *Jennifer Kelly* Date *6/9/14*
This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.