



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

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Date: 2/8/2022
To: Interested Person
From: Tanya Paglia, 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 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 21-095749 HR – REPLACEMENT OF ATTIC WINDOWS

GENERAL INFORMATION

Applicant: Kate Barbaria | Polymath Studio
2505 SE 11th Ave #342 | Portland, OR 97202
kate@polymathstudio.com

Owners: Leela Joshi and Ryan M J Ivie
1542 SE Poplar Ave | Portland, OR 97214

Site Address: 1542 SE POPLAR AVE

Legal Description: BLOCK 20 LOT 17, LADDS ADD
Tax Account No.: R463304510
State ID No.: 1S1E02DB 00700
Quarter Section: 3232

Neighborhood: Hosford-Abernethy, contact Michael Wade at wade.michael@comcast.net
Business District: Hawthorne Blvd. Bus. Assoc., contact at explore@hawthornepdx.com
District Coalition: Southeast Uplift, contact Matchu Williams at matchu@seuplift.org

Plan District: None
Other Designations: Contributing Resource in the Ladd's Addition Historic District (garage non-contributing)

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 make exterior alterations on a contributing resource in the Ladd's Addition Historic District. The project

consists of window alterations to accompany an interior renovation of the existing attic to allow it to be finished and occupiable space. The project will remove four windows, located at the attic level on non-street-facing north and south elevations, and replace them with six new wood windows. The three new windows on the north elevation will be in a different configuration than the existing two windows, and the three new windows on the south elevation will also be a different configuration than the existing two. Thus, some sections of shingle cladding around the new window configurations will need to be infilled. These patched areas will be with new wood shingle will match existing. Additionally, four existing fixed wood windows at the attic level on the street facing facade (west, onto Poplar Place), will be repaired and repainted to match the existing paint color.

Historic Resource Review is required because the proposal is for non-exempt exterior alterations to a home in the Ladd's Addition Historic District.

RELEVANT APPROVAL CRITERIA:

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

- Ladd's Addition Conservation District Guidelines

ANALYSIS

Site and Vicinity: The subject single-family house is a contributing resource in the Ladd's Addition Historic District. The house is a two-story Craftsman built in 1905 featuring horizontal narrow beveled board siding with corner boards. The historic name is the *F D Smith House*, built by R.L. Cate. The house's garage is non-contributing and was built in 1970. The house sits back from the street on a 5,120 SF lot facing northwest onto SE Poplar Ave. Per the Ladd's Addition National Register Nomination:

This two-story rectangular building has a side-facing, moderately-pitched gable roof with projecting eaves and composition shingles; there are two small gable-roofed dormers with projecting eaves and small dentil-like blocks below the molded bargeboards. The full-width hip-roofed porch has truncated boxed wood columns with simple capitals on an enclosed balustrade with an ornamental wood cap; the center bay of the porch is gabled, with large dentil-like blocks below the molded bargeboard, and an enclosed pediment; the porch stairs are concrete. The windows are primarily one-over-one double-hung wood sash windows with eared cornice trim; the first floor front elevation has a bank of narrow double-hung wood sashes; the second story front elevation has a projecting polygonal bay with a double-hung window; the glazed and paneled entry door is flanked by sidelights. The building has narrow beveled siding with cornerboards and a horizontal band board two feet below the eave line on the front elevation. It has a concrete foundation and basement, and a typical mid-block setback with rhododendrons along the front elevation.

Cultural Data: The house was built by R.L. Gate, a realtor who lived in Ladd's Addition and built several of the earliest houses here, for F.D. Smith, a clerk for Selling Company. In 1907 the house was sold to Eugene Kester, a Canadian-born physician, and his wife, Irene, who apparently had some work done on it in that year by an A.G. Herald. The Kesters had two daughters: Katherine and Minnie.

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.

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. 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.

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 inner southeast streetcar lines. 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.

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 that prior land use reviews for this site include:

- LU 13-201722 HR – Window alterations on the north (front), south (rear), and west (side) elevations of the house.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on 11/10/2021. No agency review was provided given the scope of work.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on 11/10/2021. 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.

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.

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 1, 3, and 6: The proposed attic window replacements on the *F D Smith House* will not detract from the architectural integrity of this contributing resource in the Ladd's Addition Historic District. The project consists of window alterations to accompany an interior renovation of the existing attic to allow it to be finished and occupiable space while making little impact on the house's historic character. Both window replacement locations are on third floor side elevations with extremely limited visibility from the public right-of-way, and the project will make no changes to the street-facing façade.

The project will remove four windows, located at the attic level on non-street-facing north and south elevations, and replace them with six new wood windows. The new windows will match the old in design, material, grid pattern, and trim, thus the visual impact of the alterations will be negligible. The new all-wood windows will be similar in character to the existing wood windows, with custom simulated divided lites to match the existing windows. The simulated lites will include interior and exterior muntins in addition to spacer bars to effectively simulate the originals. The size of the new windows will be approximately 1" in width and height larger than the ones they are replacing to accommodate code-specified egress requirements. The new sill height will match the existing sill height.

The existing window groupings are configured with two windows ganged together under a single curved trim piece on each side of the house. The replacement windows will be three casement windows ganged together and each grouping of three will also sit below a single curved trim piece to invoke the historic character of the originals. The new painted wood trim will closely follow the design of the existing trim, with minor modifications to accommodate the new window spacing. Painted wood shingle siding demolished in the process of installing the new windows will be replaced with matching wood shingles and painted to match existing.

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 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

In the two locations where new windows are proposed they will be wooden with simulated divided lites ganged together under a curved trim piece, in keeping with the general window vocabulary of the house. In both cases the changes are on side elevations and will be inconspicuous from the public view. The project will not detract from the historic aesthetic of the *F D Smith House*, a contributing resource in the Ladd's Addition Historic District. 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 replacement wood windows with matching detailing on the north and south elevations, and repair of existing windows on the west (street-facing) elevation on a contributing resource in the Ladd's Addition Historic District, per the approved site plans, Exhibits C-1 through C-6, signed and dated 2/1/2022, 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 21-095749 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: Tanya Paglia



Decision rendered by: _____ **on 2/1/2022**
By authority of the Director of the Bureau of Development Services

Decision mailed: 2/8/2022

Procedural Information. The application for this land use review was submitted on October 13, 2021, and was determined to be complete on 11/5/2021.

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 13, 2021.

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: 3/5/2022.**

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 **2/8/2022** 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:

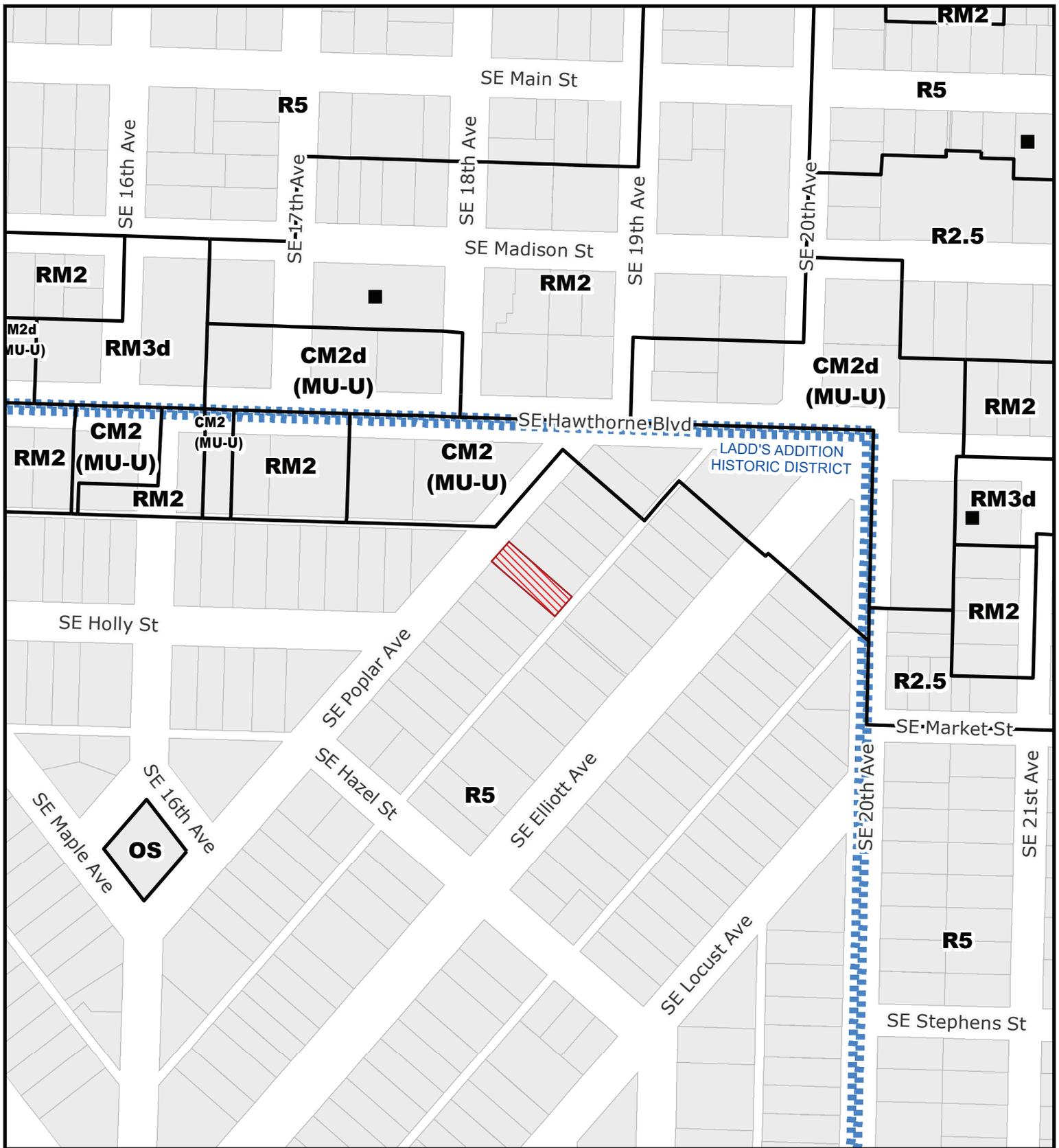
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 - 1. Applicant's Project Description and Window Cut Sheets
 - 2. Applicant's Original Plan Set – NOT APPROVED/reference only
 - 3. Window Configuration Studies – NOT APPROVED/reference only
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Cover Sheet
 - 2. Site Plan (attached)
 - 3. Attic Floor Plan
 - 4. Elevations – Proposed (attached)
 - 5. Proposed Window Section – Typical
 - 6. Elevations – Existing (attached)
- 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. Oregon Historic Site Record

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



For Zoning Code in effect Post August 1, 2021

LADD'S ADDITION HISTORIC DISTRICT



Site



Historic Landmark

File No.	LU 21 - 095749 HR
1/4 Section	3232
Scale	1 inch = 200 feet
State ID	1S1E02DB 700
Exhibit	B Oct 13, 2021

DEMOTION ELEVATION LEGEND

EXISTING MATERIAL TO REMAIN

DEMOLITION COMPONENT TO REMAIN

DEMOLITION COMPONENT TO BE DEMOLISHED

DEMOLITION COMPONENT TO BE RECONSTRUCTED



Polymath Studio Architecture, LLC
 1535 SE Holladay Street
 Portland, Oregon 97214
 503.539.0954 © 2019

**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

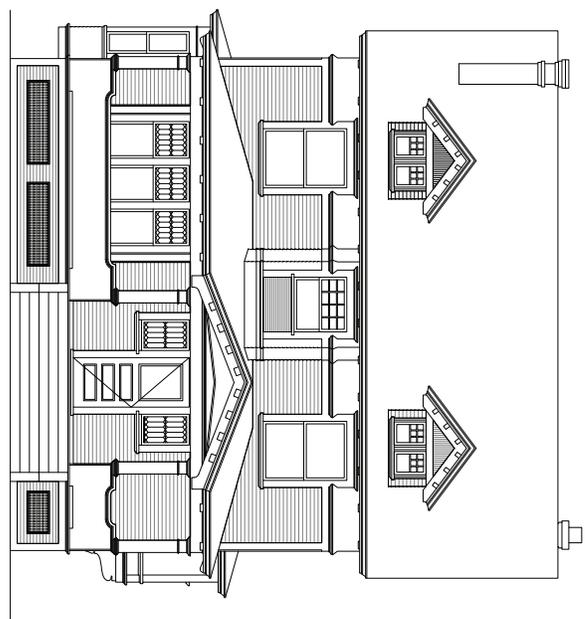
IVIE-JOSHI ATTIC
 Project # 2118
 1542 SE Poplar Avenue
 Portland, Oregon 97214
 Client: Leela Ivie Joshi & Ryan Joshi Ivie

Approved
 Bureau of Development Services
 City of Portland
 Planner: *[Signature]*
 Date: **2/1/2022**
 This approval applies only to the review requested and is subject to all conditions of approval. Additional zoning requirements may apply.

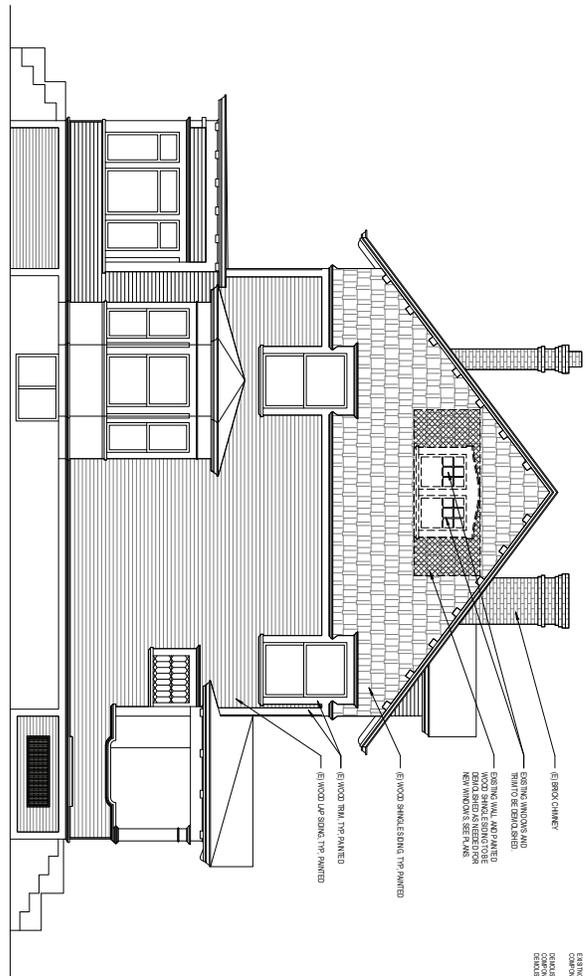
REVISIONS	REVISION DATE	REVISION BY

Historic Resource Review
 This Drawing Formatted for 22" x 34" Paper
D3.1
 Demo Exterior Elevations
 1/4" = 1'-0"
 18 October 2021

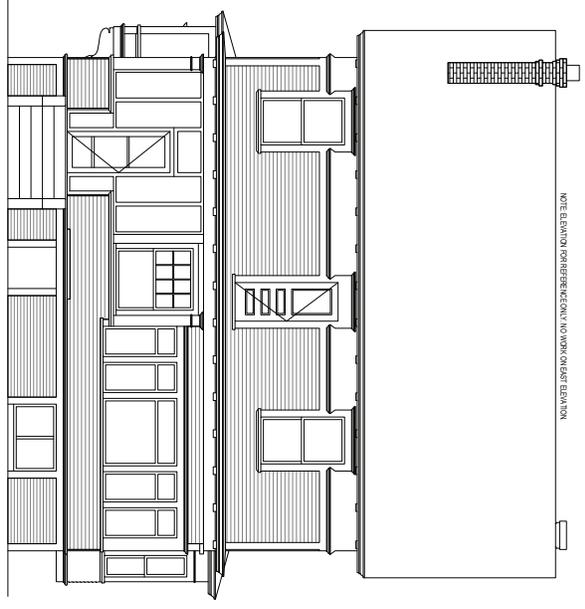
LU 21-095749 HR C-6



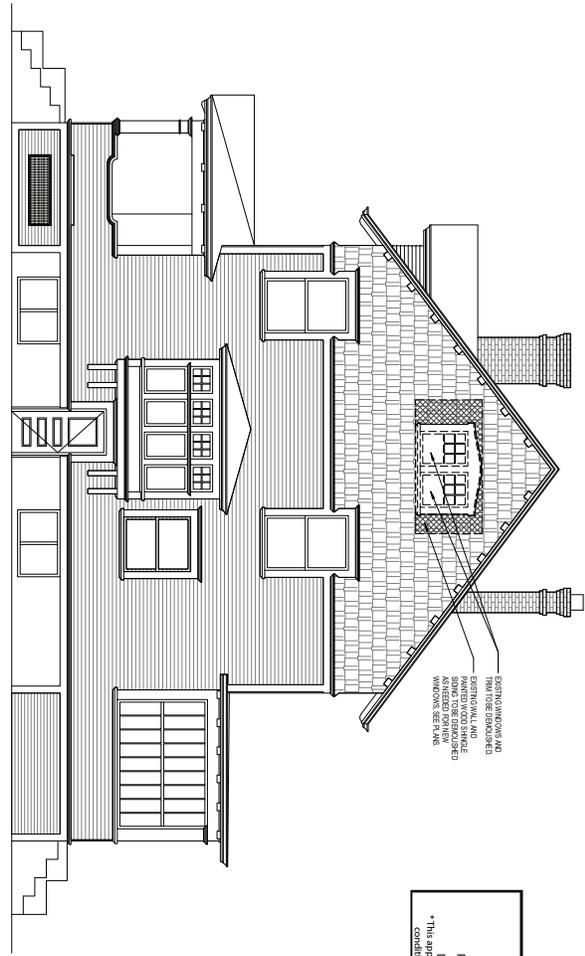
3 Exterior Elevations - Existing West
 1/4" = 1'-0"



1 Exterior Elevations - Existing North
 1/4" = 1'-0"



4 Exterior Elevations - Existing East
 1/4" = 1'-0"



2 Exterior Elevations - Existing South
 1/4" = 1'-0"

NOTE: ELEVATION FOR REFERENCE ONLY. NO WORK ON EAST ELEVATION.