



City of Portland
Bureau of Development Services
Land Use Services Division

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Date: November 17, 2008
To: Interested Person
From: Tim Heron, Land Use Services
503-823-7726 / theron@ci.portland.or.us

**NOTICE OF A TYPE II DECISION ON A PROPOSAL IN
YOUR NEIGHBORHOOD**

The Bureau of Development Services has **denied** a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice. ***If an appeal is filed a public hearing will held be as noted below.***

AND

**NOTICE OF A POTENTIAL APPEAL HEARING TO THE
PORTLAND HISTORIC LANDMARKS COMMISSION**

DATE: Monday, December 8, 2008
TIME: 1:30 pm
PLACE: 1900 SW 4th Avenue Room 2500a, Second Floor,
Portland, Oregon 97201.

**CASE FILE NUMBER: LU 08-106382 HDZM –
MORNING STAR MISSIONARY BAPTIST CHURCH**

GENERAL INFORMATION

Applicant: Pastor Albert Wayne Johnson
Morning Star Missionary Baptist Church
106 NE Ivy Street
PO Box 12530
Portland OR 97212 Telephone: 503-284-0200

Representatives: Derwin Broughton
Ron Hobbs Architects
614 W Main St, Ste 200
Garland, TX 75040 Telephone: 972-494-0174

Donna Merrill, local liaison
1630 SW Harbor Way Apt 203
Portland, OR 97201 Telephone: 503-680-0533

Site Address: 106 NE IVY Street

Legal Description: W 65' OF LOT 1&2; LOT 1-6 21&22; E 1/2 OF LOT 3&4; W 1/2 OF LOT 3&4; LOT 5&6; BLOCK 14, CANCEL INTO R308816 / WILLIAMS AVE
ADD

Tax Account No.: R916405360, R916405380, R916405440, R916405450, R916405470
State ID No.: 1N1E27AA 05600, 1N1E27AA 05500, 1N1E27AA 08900, 1N1E27AA 08800, 1N1E27AA 09000

Quarter Section: 2730

Neighborhood: Eliot, contact Mike Warwick at 503-284-7010.
Business District: North-Northeast Business Assoc, contact Joyce Taylor at 503-445-1321.
District Coalition: NE Coalition of Neighborhoods, contact Willie Brown at 503-253-7811.

Plan District: Albina Community, Eliot Conservation District
Zoning: R2a: Multi-Dwelling Residential 2,000 with 'a' Alternative Design Density overlay zone

Case Type: HDZM, Historic Design Review with a Modification requests
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

Morning Star Missionary Baptist Church proposes to build a new church on the site of the former church and school that was destroyed by fire in February 2007. The church building will be generally in the same location as the former one, at the Rodney Ave/Ivy St corner. The sanctuary area is approximately 4,000 square-feet, which will accommodate 400 people. The two-story school and offices occupy a previously undeveloped portion of the site at the Rodney Ave/Cook St corner. Each floor occupies approximately 5,500 square-feet.

The sanctuary and two-story school building are proposed with a concrete base, wood board and batten siding, aluminum storefront tinted window system, and preformed metal roof. Pedestrian connections to the three main entrances to the church are provided directly to the adjacent streets. Parking for 35 vehicles is proposed on the east side of the site, with two-way access at both NE Ivy and Cook Streets.

The site is in the Eliot Conservation District. New development in conservation districts requires Historic Design Review. Additionally, as the new church use and site will be larger than before, a Type 3 Conditional Use Review is required. The applicant submitted an application for that review (LU 07-146177 CU), processed separately from this Historic Design Review, and was approved by the Hearings Officer on August 18, 2008.

Modification considering during Historic Design Review:

- PZC 33.120.275, Setbacks – the applicant requests to reduce the setback requirement for the 73-foot tall steeple from 36'-6" to 12'-6" from both NE Ivy Street and NE Rodney Avenue. The requirement states that a structure must be setback 1-foot for every 2-feet of height.

Relevant Approval Criteria:

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

- 33.846 – Historic Design Review
- 33.846.070 Modifications Considered During Historic Design Review
- Community Design Guidelines

ANALYSIS

Site and Vicinity: The site is within the Eliot Conservation District, one of seven Historic Design Zone/ Conservation Districts in the Albina Community Plan Area. The Albina Community is one of the oldest urban areas in the Portland Metropolitan area. The majority of historic-contributing properties in the Eliot Conservation District are nearly all built between the period of 1880 and 1910.

The site is 40,000 square-feet in area, with 200 feet of frontage on each of the three adjacent streets of Ivy Street to the north, Cook Street to the south, and Rodney Avenue to the west. The full block on which the site is situated extends to Martin Luther King Jr Blvd, 370 feet to the east of the site's eastern property line. The streets adjacent to the site are all developed primarily with older houses featuring prominent front porches and entries, predominantly Queen Anne and Colonial Revival Styles as typical within the Eliot Conservation District. There are houses abutting the site on the east side oriented to both Cook and Ivy Streets. Between the site and the Mid-K Beauty Supply site, which is at the east end of the block oriented to Martin Luther King Jr Blvd, are three lots with detached houses on each frontage.

The National Register Landmark Trinity Lutheran Church and School which previously occupied the site was destroyed by fire in February 2007. The site is presently vacant and enclosed with a chain-link fence.

Zoning: The site is in the R2 zone in the Eliot Conservation District and the Albina Community Plan District. The R2 zone is a medium-density multi-dwelling zone, allowing detached, attached and multi-unit structures at a maximum density of one unit per 2,000 square-feet of site area. Institutional uses such as churches are allowed in residential zones if approved through the Conditional Use process.

The 'a' represents the Alternative Design Density overlay zone, which allows options for additional density if standards are met. This proposal will not utilize the options of the overlay zone.

There are several Conservation districts within the City, in neighborhoods with special architectural and historic significance. In these districts, proposals for new development or alterations to existing development are subject to the Historic Design Review process, which ensures that the special qualities and characteristics of these districts are preserved.

The Albina Community Plan District is generally intended to ensure compatibility between commercial and industrial development and nearby residential neighborhoods, and to encourage compatible residential infill.

Land Use History: City records indicate that prior land use reviews include:

- LUR 94-011517 DZ/LUR 94-00615 CU: approval of a Conditional Use with Design Review for a play area on the site of Christian Women Against Crime School; and approval of a modification through Design Review to increase the fence height in the front setbacks along Cook, Rodney and Ivy Streets from 3½ feet to 5 feet, and to reduce the required landscaping.
- LU 07-146177 CU: approval of a Conditional Use Review for the new Morning Star Church, school and 35-space surface parking lot.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **July 28, 2008**. The following Bureaus have responded with no issues or concerns:

- Portland Fire & Rescue;
 - Portland Water Bureau;
 - Urban Forestry Division of Portland Parks & Recreation;
 - Bureau of Transportation Engineering & Development Review.
- The Site Development Section of the Bureau of Development Services responded with the following comment: "Site Development has no objection to the proposed Historic Design Review with Modifications. The proposed site design is consistent with the plans and Preliminary Stormwater Management Report submitted for Conditional Use Review LU 07-146177-CU which is acceptable to Site Development. For additional comments regarding requirements pertaining to this project, please refer to Land Use Review Responses and Addendum's from Site Development and BES for the Conditional Use Review."
Please see Exhibit E.1 for additional details.
- The Bureau of Environmental Services responded with the following comment: "BES has no objections to the proposed Historic Design Review. Further development of the property would be subject to the Bureau of Environmental Services' standards and requirements during the building plan review process."
Please see Exhibit E.2 for additional details.
- The Life Safety (Building Code) Section of the Bureau of Development Services responded with the following comment: "Based on the information provided, there appears to be no conflicts between the proposal and applicable building codes... A separate Building Permit is required for the work proposed and the proposal must be designed to meet all applicable building codes and ordinances... It is recommended the applicant contact the plan review section at (503) 823-7301 to request a Preliminary Life Safety Meeting to verify building code requirements."
Please see Exhibit E.3 for additional details.

Neighborhood Review: A "Notice of Proposal in Your Neighborhood" was mailed on **July 28, 2008**. One letter was received from notified property owners in response to the proposal.

- A response was received on August 15, 2008, which is signed by 34 neighbors of the subject site (Exhibit F.1). The response states that the neighbors support the rebuilding of the church; however, they feel that the proposed design does not adhere to the *Community Design Guidelines*. The response identifies a number of concerns with the proposal:
 1. Building Orientation: The response states that it appears as though the rear of the building is facing the neighborhood and that the main church entrance seems to face the parking lot. The neighbors believe that a "grand entrance" should face the neighborhood. Furthermore, the neighbors take issue with the lack of windows at the sidewalk level, and feel that the building's overall lack of street presence will not deter criminal activity at this corner.
 2. Roof Form: The neighbors feel the proposed roof form is not consistent with neighborhood churches and that the low-sloped roof produces an "awkward scale, large tall walls with little roof profile, which gives the perception of a larger than life building which may appear too large for the surrounding homes."
 3. Cladding Materials: The response states that the proposed vertical cement siding isn't compatible with the neighborhood.
 4. Window Type and Form: The neighbors feel that the proposed aluminum windows are not consistent with those in the original church or those in other neighborhood churches.
 5. Steeple Design: The neighbors believe the steeple "should have additional architectural interest similar to other neighborhood steeples."

ZONING CODE APPROVAL CRITERIA

I. Chapter 33.846, Historic Design Review

Purpose of Historic Design Review

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Design Review Approval Criteria

Requests for historic design 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 Eliot Conservation District. Therefore the proposal for new structures and site improvements requires Historic Design Review approval. The relevant approval criteria are the Community Design Guidelines.

Community Design Guidelines

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

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

P1. Community Plan Area Character. Enhance the sense of place and identity by incorporating site and building design features that respond to the area's unique characteristics and neighborhood traditions;

P2. Historic and Conservation Districts. Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area's historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

D7. Blending into the Neighborhood. Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings: P1, P2, D7 & D8: The site is located within the Eliot Conservation District, one of seven Historic Design Zones/Neighborhood Conservation Districts located within the Albina Community Plan Area. The Albina Community is one of the oldest urban areas in the Portland Metropolitan area. The majority of properties in the Eliot Conservation District are considered historic-contributing, nearly all built between the period of 1880 and 1910. Notable historic properties include a National Register property: the Lewis and Elizabeth Van Vleet House built in 1894; and a Portland Historic Landmark: the Immaculate Heart Church Catholic Church built in 1890.

Before the National Register Landmark Trinity Lutheran Church was tragically destroyed by fire in February 2007, it occupied the NW corner of the site at the

intersection of NE Ivy Street and NE Rodney Avenue. The new proposal faithfully restores this fundamental aspect by locating the church at this same corner of the site, also locating the new steeple at nearly the exact same location as the previous historic church's main steeple held for nearly 100 years. The sense of place and identity both within the Albina Plan District and the Eliot Conservation Districts is successfully maintained through these appropriate placements.

The sanctuary and two-story school building have been designed to be visually separate buildings, though physically connected by a one-story entry hall that provides a main entrance facing NE Rodney Street. The school structure is setback from NE Rodney Street further than the sanctuary, which, combined with the reduced setback of the entrance at this street front, improved the original proposal's design of single building wall extending the entire 200-foot length of the site's NE Rodney Avenue frontage. These setback and massing moves help to reduce this large-scale development proposal's impact on the neighboring residential properties, advancing its design to better blend into the neighborhood.

The development is proposed with a concrete base, painted hardi-board and batten siding, a vertically oriented white aluminum storefront window system, and preformed metal roof material with a dark gray, matte finish. This combination of materials reflects some material characteristics of residential structures in the district [concrete base, board and batten siding], but also utilizes some modern material applications [white aluminum storefront system, dark gray metal roofing with a matte finish] that incorporate newer building system technologies of this reestablished institutional use with the intent of respecting the historic integrity of the Conservation District. All the materials proposed are long lasting and durable when installed properly should maintain a good quality appearance over the life of the building and will positively contribute to blending the new development into the neighborhood.

However, while the building placement and material aspects of the proposal contribute positively to these Design Guidelines, the overall articulation of the roof forms – predominantly low-sloped and multiple-style roof designs – negatively contributes to the overall appearance of this large-scale development in a historic-zoned residential neighborhood. The varied roof treatments contribute to a more typically suburban roof form ensemble. The result does not create a coherent composition that blends with the neighborhood, nor does it reflect the historic or desired character of new development in the Albina Community Plan Area or Eliot Conservation District.

In a recent written response by the applicant's architect [October 30, 2008, Exhibit A.11], the applicant maintains that the multiple styled low-slope roof forms presented are the only solution that allows the Baptist Church interior to be arranged in a fashion that allows a hierarchical placement of three tiered "tables" of worship and no center congregation aisle. The critical aspect that these tables have to one another is their increase in height from one another, culminating in the Baptistry being at the highest point. The applicant also claims, through this letter, and a letter from their legal council [October 30, 2008, Exhibit A.12], that the City's request to use more compatible roof forms and slopes imposes a substantial burden on the Morning Star Missionary Baptist Church ability to practice in their "liturgically prescribed sanctuary space." This has certainly never been the City's intent, nor is the requirement to meet all the Design Guideline based approval criteria in this historic design zone of the Eliot Conservation District.

In the course of City's review of the proposal, the applicant has been presented with multiple local examples of institutional uses similar in site area, historic relevance, and

project scope that reflect the desired character in these special historic neighborhoods [April 25, 2008, Exhibit G.8]. Additionally, the City also presented specific options incorporating a more consistently applied steeper slope in concert with roof forms that would be more compositionally compatible, that would better reflect the character of the historic district, and would not impede the church's programmatic needs [August 21, 2008, Exhibit G.9].

All of the examples presented, both in existing structures and conceptually, reflect a steeper roof pitch of 6:12 slope or greater, consistently matched through the roof structure such as gable or hipped ends, and/or dormers, which also reflect the roof form, slope and design of other structures in the surrounding historic neighborhoods. These roof forms offer various opportunities in design, as evidenced in the multiple examples in and around the district, that could better meet these design guidelines and support the desired arrangement of Baptist Church's needs. With these changes incorporated into the design, all the approval criteria would be met, and a decision of approval for this Historic Design Review application could be issued.

*For the above-stated reasons, the proposal's use of multiple styles of low-sloped roof forms does not enhance the Albina Community Plan Area or the Eliot Conservation District, nor do they blend with the neighborhood or form a cohesive composition. Therefore these guidelines are **not** met.*

E1. The Pedestrian Network. Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.

E3. The Sidewalk Level of Buildings. Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.

E5. Light, Wind, and Rain. Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

Findings for E1, E3 and E5: The proposed pedestrian system will efficiently link destination points on the site. Covered breezeways connect the adjacent public sidewalks to the main entrances of the buildings and will protect pedestrians from the elements. Other architectural features that contribute positively to meeting these guidelines include glazing interspersed with buttresses and other façade elements ensure a form that modulates along the street frontages, offering visual interest at a pedestrian scale.

The landscaping planned for the building setbacks will contribute interest and diversity to the pedestrian environment and create a sense of enclosure along the sidewalk. New street trees along NE Cook Street and NE Rodney Avenue will buffer pedestrians from traffic and pedestrian-oriented lighting systems will contribute to the safety of the pedestrian environment surrounding the site. *These guidelines are therefore met.*

E2. Stopping Places. New large-scale projects should provide comfortable places along pedestrian circulation routes where people may stop, visit, meet, and rest.

Findings: The wide sidewalks surrounding the site will provide opportunities for people to stop and socialize. The proposal will include seating areas along the pedestrian path, according to the applicant's statement dated October 30, 2008 (Exhibit A.11) "there will be various pedestrian benches in the landscaped areas adjacent to the church facility." The inclusion of seating opportunities along the pedestrian network would contribute to

the success of the pedestrian system on the site and would result in a more social, interesting and safer sidewalk environment. *This guideline is therefore met.*

E4. Corners that Build Active Intersections. Create intersections that are active, unified, and have a clear identity through careful scaling detail and location of buildings, outdoor areas, and entrances.

Findings: Before the National Register Landmark Trinity Lutheran Church was tragically destroyed by fire in February 2007, it occupied the NW corner of the site at the intersection of NE Ivy Street and NE Rodney Avenue. In addition, the main entrance steps to the church sanctuary were located near the base of the steeple. The new proposal dutifully reestablishes the sanctuary and the new steeple at the corner of site, maintaining the tradition of corner churches, while also providing two main entrances to the facility, one facing NE Ivy Street and one facing NE Rodney Avenue, which “straddle” the steeple’s corner placement. As such, the intersection is activated by the prominent architectural feature of the 73-foot tall steeple reestablishing the lost identity of this important corner, and the adjacency of two entry points to the project. These aspects enhance the sense of place and identity both within the Albina Plan District and the Eliot Conservation District. *This guideline is therefore met.*

D1. Outdoor Areas. When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;

D3. Landscape Features. Enhance site and building design through appropriate placement, scale, and variety of landscape features.

D4. Parking Areas and Garages. Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

D5. Crime Prevention. Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

Findings for D1, D3, D4 and D5: Institutional uses such as this one are found in neighborhoods throughout the city, and are generally centers of activity that generate a degree of noise from outdoor play and vehicle parking and unloading. The proposed layout provides a fairly substantial separation of the buildings to the abutting residential properties to the east, and landscape buffering will effectively minimize glare from vehicle lights. No late-night operations are proposed. The daily activities are typical for a religious institution and church, with meetings and programs ending at hours reasonable for families participating in them, thus not affecting the surrounding neighbors.

The surface parking area is well screened with landscaping along the street and abutting properties, but is open to the extent that the interior of the site will be visible to neighbors and passers-by. Thus, privacy will be ensured by the separation of use and natural landscape buffering, but activities on the exterior will be visible from the surrounding area, minimizing the types of illicit activities that can occur in parking lots. The fairly open quality of the site and the steady, daily uses that occur there also ensure safety and visibility for the users and neighbors.

The proposal creates sizable, usable outdoor areas on the site. A large lawn with trees and shrubs is proposed between the buildings and the parking area, and generous amounts of landscaping are proposed within the building setbacks. Additional

landscaped buffers around the perimeter of the parking area will minimize potential negative impacts on adjacent properties as well as the surrounding public sidewalks. The addition of pedestrian-scaled lighting along areas of the sidewalk system, at the building entrances and within the parking areas, will reduce the likelihood of criminal activity at the site. *These guidelines are therefore met.*

D2. Main Entrances. Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

Findings: The site's pedestrian system will lead directly to the buildings' entrances. All entries will be distinguished by a roof overhang and will be adequately illuminated. This ease of access will help encourage use of the nearby transit facilities when travelling to and from this development. *This guideline is therefore met.*

II. Modification request through Historic Design Review

Section 33.445.050, Modifications that Enhance Historic Resources: The review body may grant modifications to site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the historic design review process. However, modification to a parking and loading regulation within the Central City plan district may not be considered through the historic design review process. Modifications made as part of historic design review are not required to through a separate adjustment process. To obtain approval of a modification to site-related development standards, the applicant must show that the proposal meets the approval criteria stated in Section 33.846.070, Modifications Considered During Historic Design Review. Modifications to all other standards are subject to the adjustment process. Modifications that are denied through historic design review may be requested through the adjustment process.

Section 33.846.070 Modifications Considered During Historic Design Review: The approval criteria for modifications considered during historic design review are:

[A] Better meets historic design review approval criteria. The resulting development will better meet the approval criteria for historic design review than would a design that meets the standard being modified, and

[B] Purpose of the standard. The resulting development will meet the purpose of the standard being modified; or the preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.

The following modification is requested:

1. PZC 33.120.275, Setbacks – the applicant requests to reduce the setback requirement for the 73-foot tall steeple from 36'-6" to 12'-6" from both NE Ivy Street and NE Rodney Avenue. The requirement states that a structure must be setback 1-foot for every 2-feet of height.

The purpose of the standard:

The general base zone development standards in the R3 through RX zones are designed for residential buildings. Different development standards are needed for institutional uses which may be allowed in multi-dwelling zones. The intent is to maintain compatibility with and limit the negative impacts on surrounding residential areas.

Findings: The reduced setback at NE Ivy Street and NE Rodney will be more compatible with the surrounding residential neighborhood and will support the historic pattern of

corner churches in the Eliot Conservation District than if the standard were met. While the total height of the steeple is under the allowed height limit of 75-feet, the standard would still require the steeple to be setback over 36-feet from both street property lines. The National Register Landmark Trinity Lutheran Church originally occupied the NW corner of the site it, with the main steeple located directly at the street property within little or no setback from NE Ivy Street and NE Rodney Avenue.

The new proposal dutifully retains this fundamental aspect of the earlier historic church by locating the new church at this same corner of the site, also locating the new steeple at nearly the exact same location as the previous main steeple. As the new proposal is still subject to new Zoning Code standards however, a modest landscape setback of 12'-6" is still maintained [after PDOT dedications additional sidewalk area requirements], meeting the intent of the standard.

The modest 12'-6" setback of the 73-foot steeple from Rodney and Ivy will still allow the element to engage the corner by its mass and height, a character-defining feature of the site's original Landmark structure presence is reestablished. As such, Community Design Guideline P1 –Community Plan Area Character and P2 – Historic and Conservation Districts are better met.

This modification therefore merits approval.

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

There are several Conservation districts within the City, in neighborhoods with special architectural and historic significance. In these districts, proposals for new development or alterations to existing development are subject to the Historic Design Review process, which ensures that the special qualities and characteristics of these districts are preserved.

The proposal for the Morning Star Missionary Baptist Church contributes positively to the Albina Plan Area and the Eliot Conservation District in a number of aspects. The visual appearance of two separate structures along a 200-foot frontage, similar siding material and detailing to the residential area, a well landscaped surface parking area with ample landscaped setbacks from adjacent properties and the streets combine to help mitigate this large-scale development proposal's impact in this historic zoned residential neighborhood. Additionally, the modification request to reduce the setback requirement for the steeple is a reasonable and appropriate request, reestablishing a character-defining feature in the district at the same location previously held for nearly 100 years.

However, a critical massing and architectural feature, the proposed design of the various low-slope roof-form styles, remains in contradiction to the historic patterns of the Eliot Conservation District. Multiple local examples have been presented of institutional uses similar in site area, historic relevance, and project scope that reflect the historic and desired character in these special historic neighborhoods. Alternative approaches have been suggested and encouraged that would be more compositionally coherent, reflect the character of the

historic district, and would not impede on the church's programmatic needs. Had such changes have been incorporated into the design, all the approval criteria would be met, and a decision of approval for this Historic Design Review application would have been issued.

The proposal's use of multiple styles of low-sloped roof forms does not enhance the Albina Community Plan Area or the Eliot Conservation District, nor do they blend with the neighborhood or form a cohesive composition. As these aspects of the design do not meet four of the Community Design Guidelines, the proposal does not yet merit approval.

ADMINISTRATIVE DECISION

Denial.

Decision rendered by:  on November 14, 2008.

By authority of the Director of the Bureau of Development Services

Decision mailed: November 17, 2008

Staff Planner: Tim Heron

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 December 26, 2007, and was determined to be complete on **January 9, 2008**.

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 December 26, 2007.

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 waived the 120-day review period, as stated with Exhibit A.6.

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 Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on December 1, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., 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. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. 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 contact the receptionist at 503-823-7967 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 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 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, 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 Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

EXHIBITS

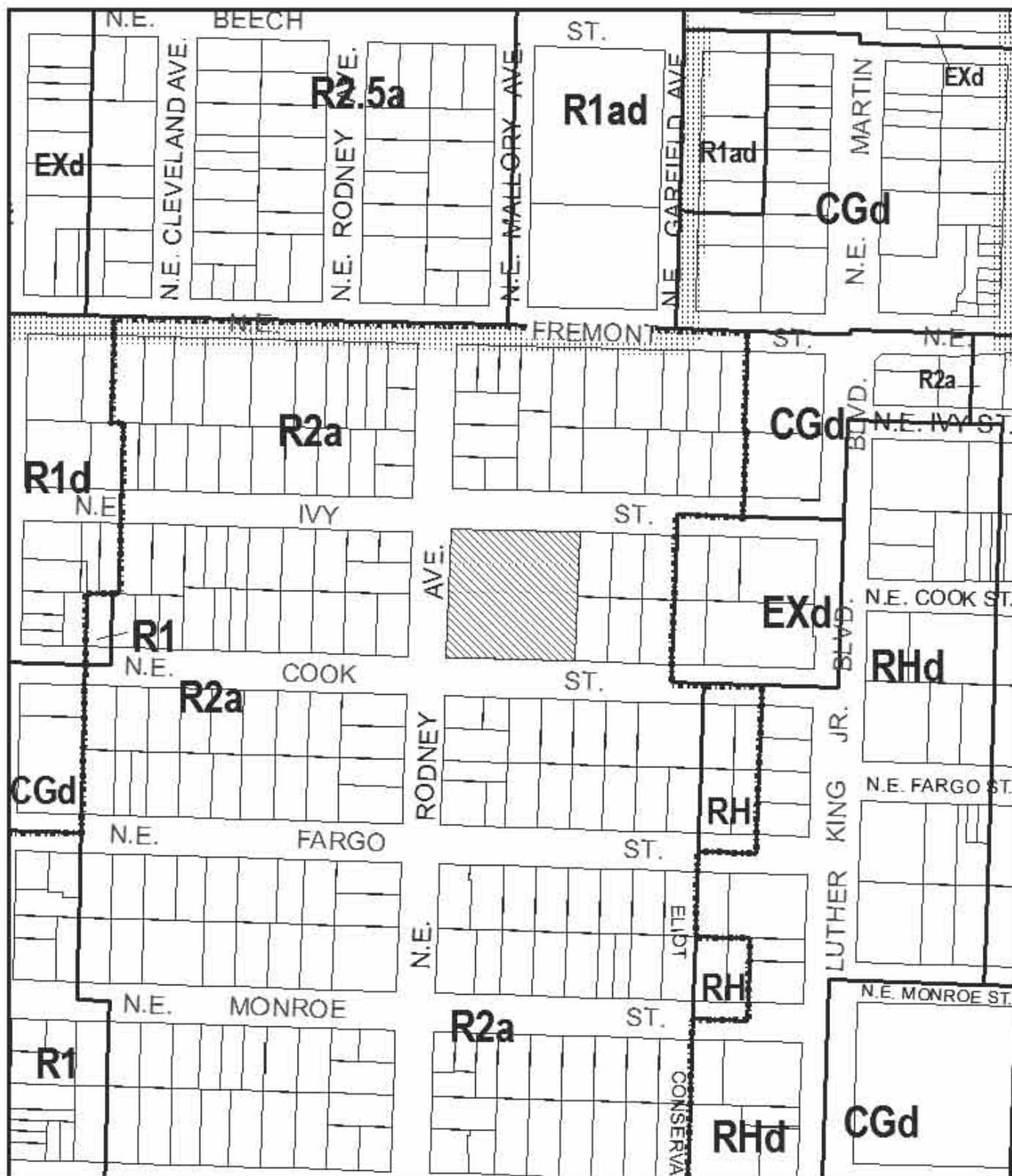
NOT ATTACHED UNLESS INDICATED

A. Applicant’s Statement and Drawings

1. August 10, 2007 revised drawings and response
2. August 27, 2007 revised square footage calculations
3. September 11, 2007 revised site plan and response
4. September 18, 2007 revised elevations and response
5. December 26, 2007 revised application
6. January 30, 2008 120-day waiver
7. February 7, 2008 additional drawings and revisions

8. May 19, 2008 revised site plan
9. June 11, 2008 revised drawings
10. June 16, 2008 Preliminary Stormwater Management Report
11. October 30, 2008 applicant's statement
12. October 30, 2008 Miller Nash, LLP letter
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Coversheet [attached]
 2. Pre-existing conditions
 3. First floor plan [attached]
 4. Basement level
 5. Second floor plan
 6. Roof plan [attached]
 7. Building elevations (East and Ivy) [attached]
 8. Building elevations (Cook and Rodney) [attached]
 9. Building elevations (from courtyard and corner of Ivy and Rodney)
 10. Elevations and window details [attached]
 11. Window elevations
 12. Planting plan [attached]
 13. Plant schedule
 14. Illustrative planting plan
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Site Development Review Section of BDS
 2. Bureau of Environmental Services
 3. Life Safety (Building Code) Section of the Bureau of Development Services
- F. Correspondence:
 1. Letter signed by 34 neighbors, August 15, 2008, with objections to the proposed design
- G. Other:
 1. Original LU Application and Fee Waiver
 2. Site History Research
 3. Contacts, phone, email history
 4. July 26, 2007 Incomplete Letter
 5. September 11, 2008 Preapplication Conference
 6. December 7, 2007 Incomplete Letter update
 7. March 26, 2008 Memorandum of concerns
 8. April 25, 2008 Email and local institutional examples
 9. August 21, 2008 Email and roof suggestions

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



ZONING



This site lies within the:
ALBINA COMMUNITY PLAN DISTRICT
ELIOT CONSERVATION DISTRICT

File No.	LU 08-106382 HDZM
1/4 Section	2730
Scale	1 inch = 200 feet
State_Id	1N1E27AA 5500
Exhibit	B (Feb 01,2008)

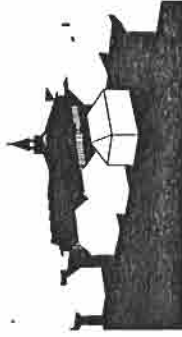
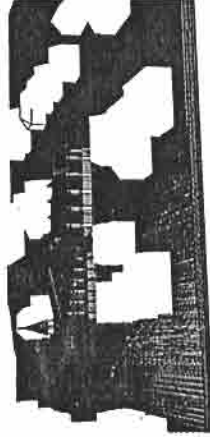
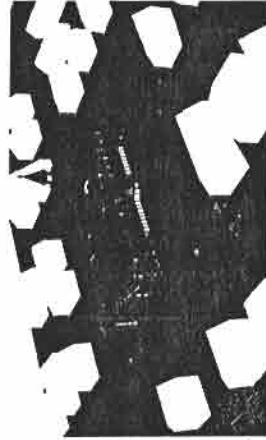
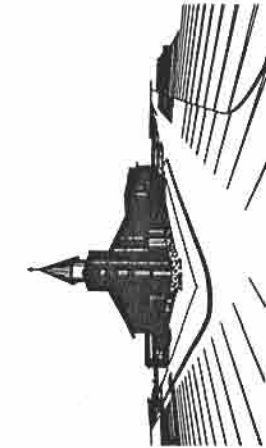
OCT 30 2008

HISTORIC (TYPE II) & CONDITIONAL USE (TYPE III) REVIEW PACKAGE FOR

MORNING STAR MISSIONARY BAPTIST CHURCH - DD

106 NE IVY STREET
PORTLAND, OREGON 97212

PROJECT MANAGER: Derwin Broughton
dbroughton@ronhobbsarchitects.net



INDEX OF DRAWINGS:

CODE INFORMATION

BUILDING CODE: 2007 Oregon Structural Specialty Code
FACILITY TYPE: A3
TYPE: II
CONSTRUCTION TO BE: 100% SPRINKLED
BUILDING AREA: 11,141 SQ. FT.
1ST FLOOR: 6,981 SQ. FT.
2ND FLOOR: 6,981 SQ. FT.
BASEMENT: 11,096 SQ. FT. (Occupied Space)
(Basement has been placed 4'-0" below finish grade and shall not be included in the total building area.)

ZONING: R2
PLAN DISTRICT: ALBINA COMMUNITY PLAN
CONSERVATION DISTRICT: ELLIOT CONSERVATION DISTRICT

ARCHITECTURAL

A000 - COVER SHEET
A101 - PREEXISTING CONDITIONS
E101 - FIRST FLOOR PLAN & DETAILS
E103 - SUBSURFACE PARKING LEVEL PLAN
E104 - SECOND FLOOR PLAN
E105 - ROOF PLAN
A301 - BUILDING ELEVATIONS
A302 - BUILDING ELEVATIONS
A303 - BUILDING ELEVATIONS
A304 - ELEVATIONS & WINDOW DETAILS
A305 - WINDOW DETAILS

ARCHITECTS JOB NO.: 0712

October 28, 2008

DEVELOPMENT STANDARDS

STANDARD	REQUIREMENT	REMARKS
1. Building Height	Not to exceed 35 feet.	Not applicable.
2. Building Footprint	Not to exceed 10,000 sq. ft.	Not applicable.
3. Building Setback	Not to exceed 10 feet.	Not applicable.
4. Building Spacing	Not to exceed 10 feet.	Not applicable.
5. Building Orientation	Not to exceed 10 feet.	Not applicable.
6. Building Materials	Not to exceed 10 feet.	Not applicable.
7. Building Color	Not to exceed 10 feet.	Not applicable.
8. Building Landscaping	Not to exceed 10 feet.	Not applicable.
9. Building Lighting	Not to exceed 10 feet.	Not applicable.
10. Building Signage	Not to exceed 10 feet.	Not applicable.
11. Building Access	Not to exceed 10 feet.	Not applicable.
12. Building Parking	Not to exceed 10 feet.	Not applicable.
13. Building Driveway	Not to exceed 10 feet.	Not applicable.
14. Building Fencing	Not to exceed 10 feet.	Not applicable.
15. Building Walls	Not to exceed 10 feet.	Not applicable.
16. Building Roofs	Not to exceed 10 feet.	Not applicable.
17. Building Foundations	Not to exceed 10 feet.	Not applicable.
18. Building Utilities	Not to exceed 10 feet.	Not applicable.
19. Building Security	Not to exceed 10 feet.	Not applicable.
20. Building Maintenance	Not to exceed 10 feet.	Not applicable.



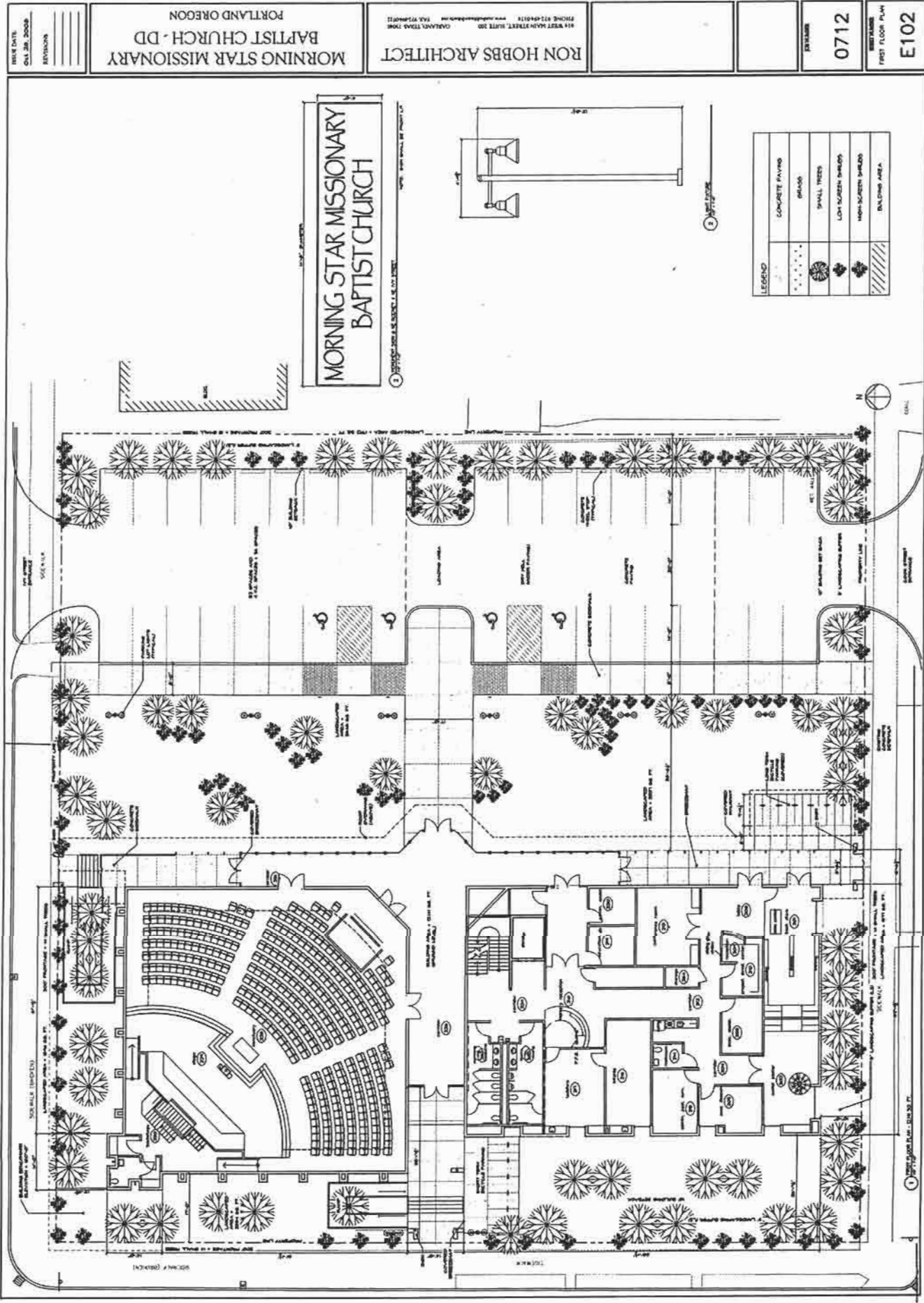
MORNING STAR MISSIONARY BAPTIST CHURCH

(Owner)
PO BOX 12590
PORTLAND, OREGON 97212

RON HOBBS ARCHITECT
(ARCHITECTURE)
614 W. MAIN ST., STE. 200
GARLAND, TEXAS 75040
PHONE(972) 494-0174
FAX(972) 494-0122

C.1

C-3



MORNING STAR MISSIONARY
BAPTIST CHURCH - DD
PORTLAND OREGON

RON HOBBS ARCHITECT
1111 WEST MAIN STREET, SUITE 100
PORTLAND, OREGON 97201
PHONE 503-444-0011 FAX 503-444-0012

0712
E102
FIRST FLOOR PLAN

C-7

A201
NOT BUILDING
ELEVATIONS

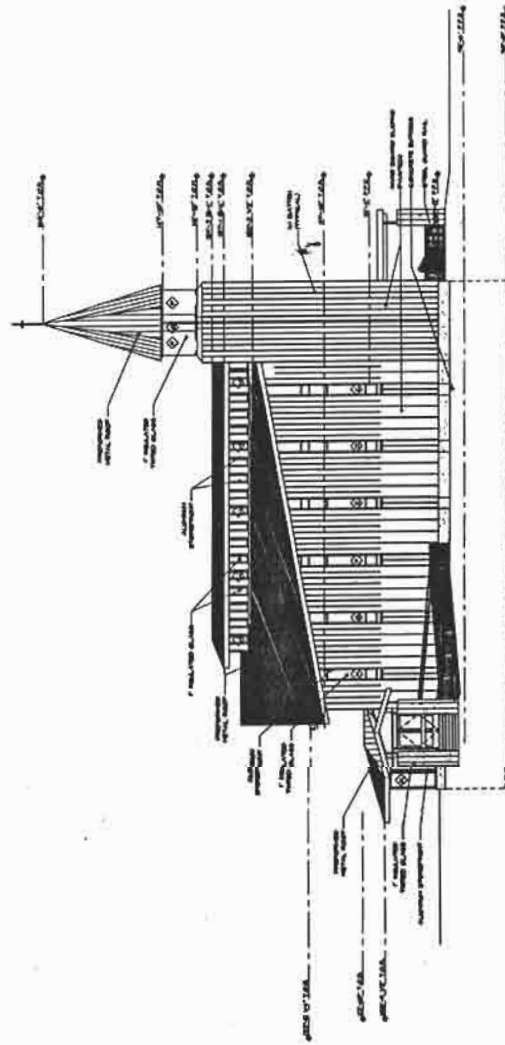
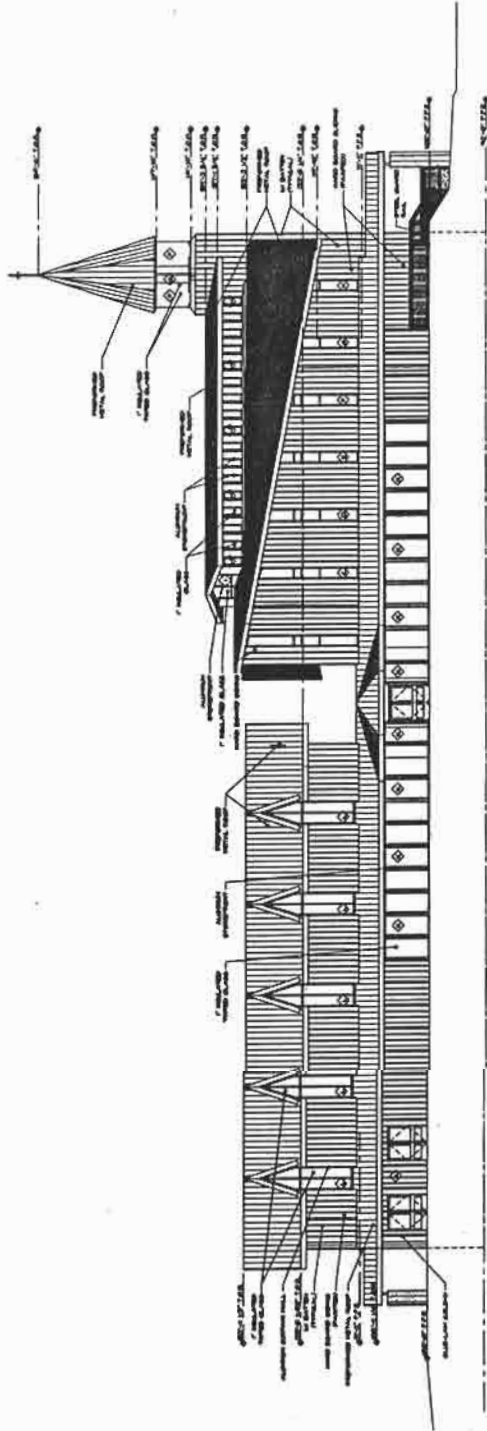
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2011.08.10

RON HOBBS ARCHITECT
114 WEST MAIN STREET, SUITE 200
PORTLAND, OREGON 97204
PHONE: 503.444.0112 FAX: 503.444.0112

MORNING STAR MISSIONARY
BAPTIST CHURCH - DD
PORTLAND OREGON

REVISIONS:	
DATE:	01.28.2008
BY:	
CHECKED BY:	
DESIGNED BY:	
DATE:	



1. MORNING STAR MISSIONARY BAPTIST CHURCH - DD

2. MORNING STAR MISSIONARY BAPTIST CHURCH - DD

C.8

A202

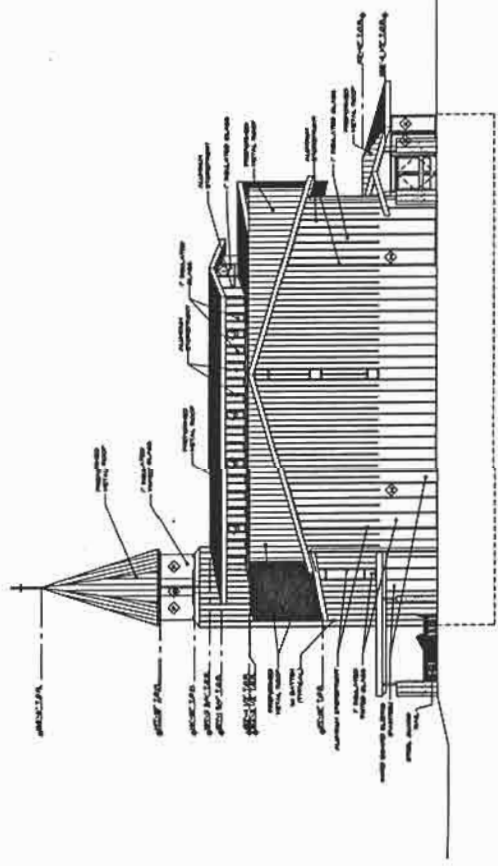
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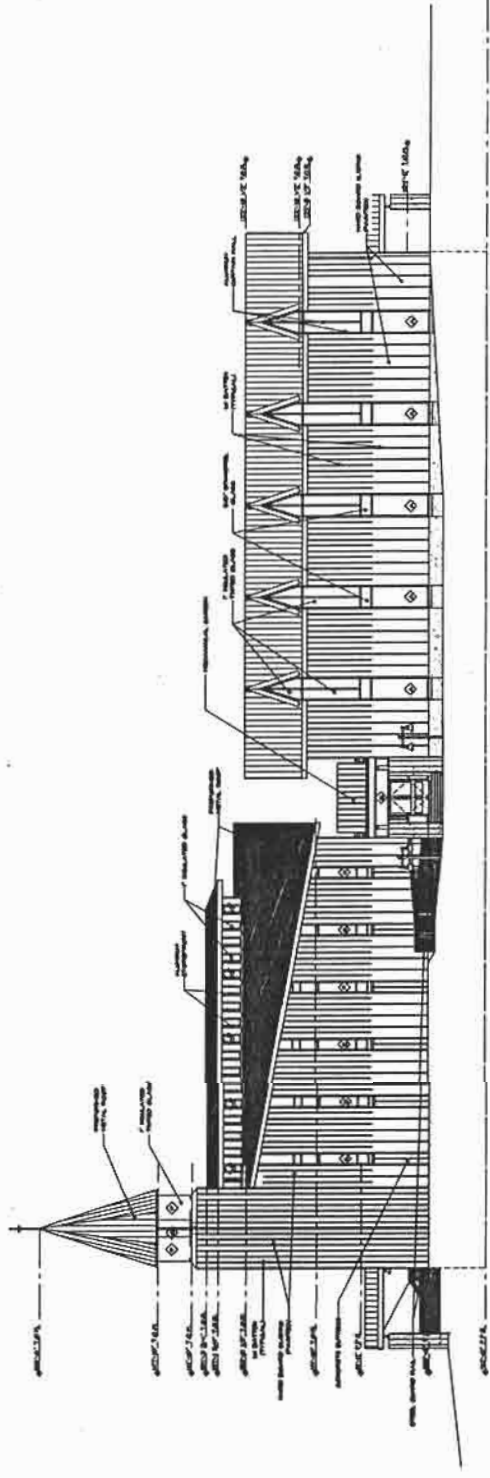
RON HOBBS ARCHITECT
400 WEST MAIN STREET, SUITE 300
PORTLAND, OREGON 97204
PHONE: 503.241.1111 FAX: 503.241.1112

MORNING STAR MISSIONARY
BAPTIST CHURCH - DD
PORTLAND OREGON

DATE: 07/12/00
BY: R.H.
REVISED:
BY: R.H.



SECTION 1



SECTION 2

C-10

A204

0712

RON HOBBS ARCHITECT
111 WEST MAIN STREET, SUITE 100
PORTLAND, OREGON 97204
PHONE: 503.494.0111 FAX: 503.494.0111

MORNING STAR MISSIONARY
BAPTIST CHURCH - DD
PORTLAND OREGON

DATE: 01.28.2009
BY: [Signature]
REVISIONS:

1. SECTIONAL DETAILS

1. MATERIALS

