



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

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**Date:** March 3, 2011  
**To:** Interested Person  
**From:** Staci Monroe, Land Use Services  
503-823-5361 / [staci.monroe@portlandoregon.gov](mailto:staci.monroe@portlandoregon.gov)

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

*This project was inadvertently noticed as a Type II Proposal, which was mailed on January 28, 2011. The 30-day comment period required by the Type I process has since occurred and no concerns were received by the Neighborhood Association or the properties within 150 feet of the site.*

The Bureau of Development Services has 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 to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 11-103813 HDZ – NEW STEEL  
CANOPY WITH SIGNAGE**

**GENERAL INFORMATION**

**Applicant:** James Ragsdale  
The Port City, Project Crow  
2124 N Williams Avenue  
Portland, OR 97212

**Representative:** Laurie Simpson, 503-287-2300  
Mosi Architecture  
4072 N Williams Street  
Portland, OR 97227

**Site Address:** 2156 N WILLIAMS AVENUE

**Legal Description:** BLOCK 24 W 70' OF LOT 1 N 17' OF W 70' OF LOT 2, ALBINA  
**Tax Account No.:** R009608270  
**State ID No.:** 1N1E27DA 13400  
**Quarter Section:** 2830  
**Neighborhood:** Eliot, contact Mike Warwick at 503-284-7010.  
**Business District:** North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321.

**District Coalition:** Northeast Coalition of Neighborhoods, contact Shoshana Cohen at 503-823-4575.

**Plan District:** Albina Community  
**Other Designations:** Eliot Conservation District  
**Zoning:** R1 – Multidwelling Residential 1,000 zone  
**Case Type:** HDZ - Historic Design Review

**Procedure:** Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**PROPOSAL:**

The applicant seeks a Historic Design Review to install a new 4'-0" deep by 20'-6" wide canopy at the main entrance of the building at 2156 N. Williams within the Eliot Conservation District. The canopy would sit above the storefront system at the building's main entrance facing Williams Street. The 0'-8" tall canopy would be comprised of steel with a wood soffit and recessed down lights and be affixed to the building with 3 metal rod tie-backs. Signage would be provided on top of the canopy in the form of 0'-8" tall steel cut letters. The sign area on the canopy would 0'-8" in height by 16'-0" in length.

Exterior alterations to a building within a Conservation District require a Historic Design Review per Section 33.445.420.A. The project is not eligible to use the Community Design Standards in lieu of a Historic Design Review because there is a nonconforming use on the site (commercial use in residential zone) per Section 33.445.720.B.

**RELEVANT APPROVAL CRITERIA:**

In order to be approved, this proposal must comply with the approval criteria of Chapter 33.846.060.E.2.b. The relevant approval criteria are:

- Community Design Guidelines

## ANALYSIS

**Site and Vicinity:** The 4,690 square foot site is located at the southeast corner of N. Williams and NE Thompson. The site is developed with a one-story warehouse building constructed in 1937, which is a non-contributing structuring in the Eliot Conservation District. The storefront at the northwest corner was recently replaced with a mahogany window and door system with glazing. The exterior of the building consists of concrete with a plaster skim coat. The new steel and wood canopy is proposed to sit above the storefront entrance facing N. Williams.

**Zoning:** The Residential 1,000 (R1) is a medium density multi-dwelling zone. It allows approximately 43 units per acre. Density may be as high as 65 units per acre if amenity bonus provisions are used. Allowed housing is characterized by one to four story buildings and a higher percentage of building coverage than in the R2 zone. The major type of new housing development will be multi-dwelling structures (condominiums and apartments), duplexes, townhouse, and rowhouses. Generally, R1 zoning will be applied near Neighborhood Collector and District Collector streets, and local streets adjacent to commercial areas and transit streets. Newly created lots in the R1 zone must be at least 10,000 square feet in area for multi-dwelling development. There is no minimum lot area for development with detached or attached houses or for development with duplexes. Minimum lot width and depth standards may apply.

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.

The Albina Community Plan District implements the Albina Community Plan. The plan district's provisions are intended to ensure that new higher density commercial and industrial developments do not overwhelm nearby residential areas. Infill housing compatibility and affordability is encouraged by eliminating off-street parking requirements

for small multi-dwelling projects. The plan district's provisions also encourage the development of new housing along Martin Luther King Jr. Boulevard by allowing new housing projects to include ground level commercial uses that orient to King Boulevard.

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

- **LUR 99-00322:** A 1999 land use review approval for a Conditional Use for a community service use on a site zoned R1 and R2, Design Review for the new building with 5 units of housing (in a single residence and two duplexes), and a 16-space surface parking lot, Adjustments to reduce the required parking from 42 to 22 spaces, increase the housing density in the R2 zone from 3 to 4 units and decrease the density in the R1 zone from the minimum 2 units to one unit, and two Modifications to reduce the number of standard parking spaces from 26 to 14, and to allow a building 190 feet long within 30 feet of a street.

**Public Notice:** A "Notice of Proposal in Your Neighborhood" was mailed **January 28, 2011**.

**Agency Review:** The following Bureaus have responded with no issues or concerns:

- Water Bureau (see Exhibit E.1)
- Bureau of Transportation (see Exhibit E.2)
- Fire Bureau (see Exhibit E.3)

**Neighborhood Review:** One written response has been received from the Neighborhood Association with no concerns regarding the proposal (see Exhibit F.1).

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.846.060 - 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 and the proposal is for a non-exempt treatment. Therefore Historic Design Review approval is required. The approval criteria are the *Community Design Guidelines*.

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

#### **Community Design Guidelines**

**P1. Plan Area Character.** Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and 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.

**Findings:** The new canopy, lighting and signage at the main entrance are reminiscent of the pedestrian-oriented commercial building features found on early streetcar era development within both the Albina Community Plan Area and the Eliot Conservation District. *These guidelines are therefore met.*

**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:** The new canopy at the main entrance will provide shelter from the weather elements for those accessing the building as well as pedestrians. It will also provide some shading for the interior spaces adjacent to the entrance. The can lights in the soffit of the canopy will focus the entry lighting downward reducing any glare or spill over illumination. *This guideline is therefore met.*

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

**Findings:** The building has two entrances, one on N. Williams and one on NE Thompson. The mostly solid, double door entry on NE Thompson is more of a secondary entrance that is ADA accessible and does not contain a surrounding storefront. Locating the canopy with signage above the entry on N. Williams helps to further announce this entry as the main point of access to the building in conjunction with the surrounding storefront glazing and the prominent corner location. The steel and wood canopy provides additional architectural interest on this simple warehouse style façade. *This guideline is therefore met.*

**D6. Architectural Integrity.** Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

**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 for D6, D7 and D8:** The design and location of the canopy is compatible with the scale and character of the existing building. The 20'-6" long canopy will be centered above the storefront bay of the same length on the west façade. This location, above the glazing, strengthens the horizontality of the upper portion of the building created by two decorative concrete reveals as well as the parapet. In addition, the low 0'-8" height of the canopy is of similar thickness as the decorative banding. The sign letters atop the canopy will be appropriately located within these two decorative bands and centered above the canopy and storefront. Both the canopy and signage are balanced with the existing façade features thus maintaining the architectural integrity of the building.

The steel frame of the canopy and sign letters result in a durable structure that will maintain its physical integrity and appearance over time. The wood soffit on the underside of the canopy will not be directly exposed to sun or rain and should therefore retain its natural finish which provides detailing and interest on this simple canopy structure and building. Both of these materials can be found on older and newer commercial and industrial development in the neighborhood. In addition, entry canopies and affixed signage are common features found throughout the street-car era development in the Eliot commercial area.

*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 Design 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 Design Review guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of a 4'-0" deep by 20'-6" wide steel and wood canopy on the west building façade with 0'-8" tall steel cut letters totaling 12.8 SF in sign area in the Eliot Conservation District per the approved site plans, Exhibits C-1 through C-4, signed and dated 3/1/2011, 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.4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 11-103813 HDZ."

**Staff Planner: Staci Monroe**



**Decision rendered by:** \_\_\_\_\_ **on March 1, 2011**

By authority of the Director of the Bureau of Development Services

**Decision mailed March 3, 2011**

**About this Decision.** This land use decision is **not a permit** for development. A Final Plat must be completed and recorded before the proposed lots can be sold or developed. 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 January 14, 2011, and was determined to be complete on January 26, 2011.

*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 January 14, 2011.

*ORS 227.178* states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period.

**Some of the information contained in this report was provided by the applicant.**

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**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. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

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](http://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 **March 3, 2011**.

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:

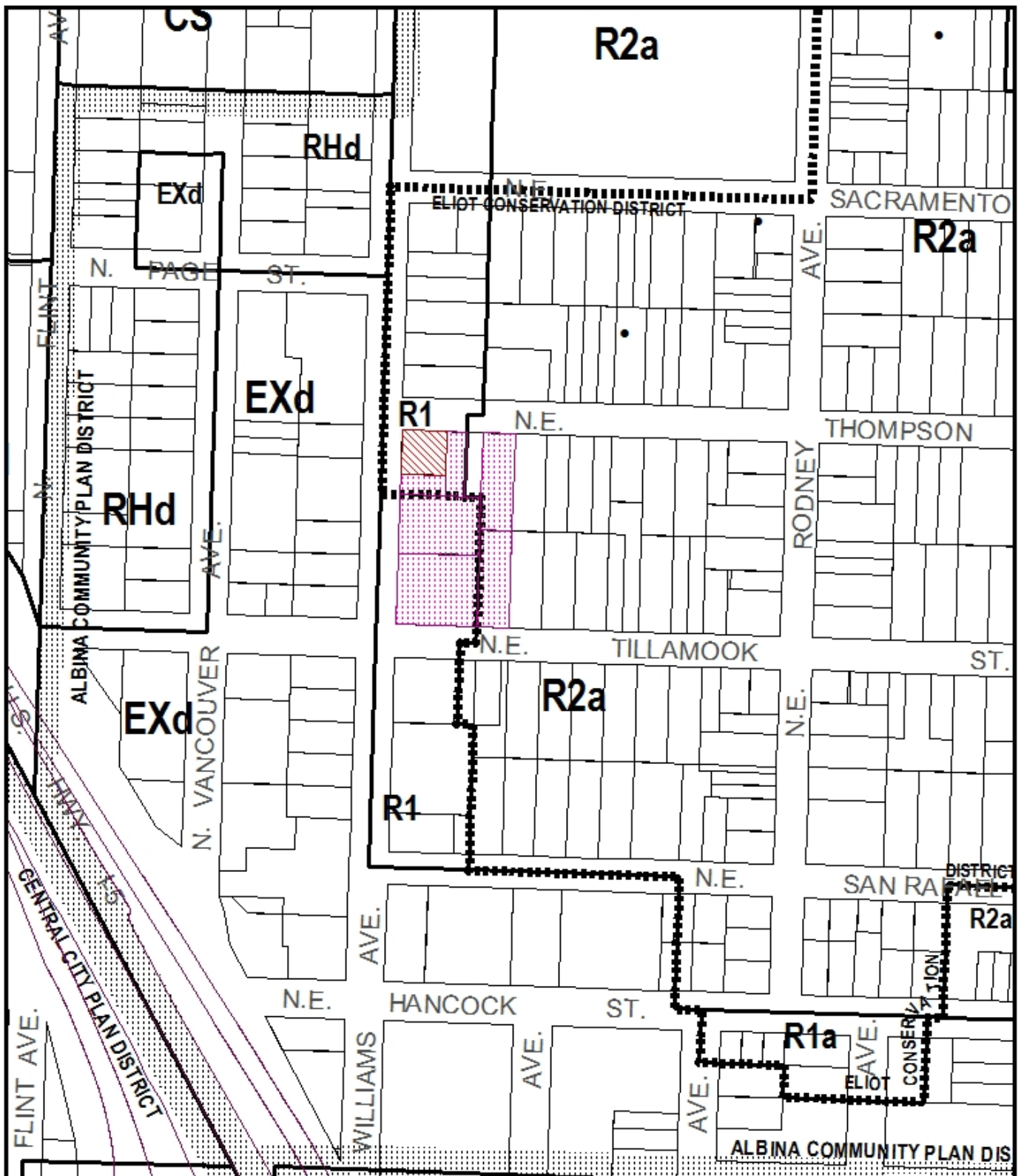
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Floor and Site Plan (attached)
  - 2. West Elevation (attached)
  - 3. North Elevation
  - 4. Canopy Section (attached)
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Water Bureau
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Fire Bureau
- F. Correspondence:
  - 1. Mike Warwick, Eliot Neighborhood Association, February 18, 2011, no concerns with the proposal.
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research

**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



Also Owned



Historic Landmark



NORTH

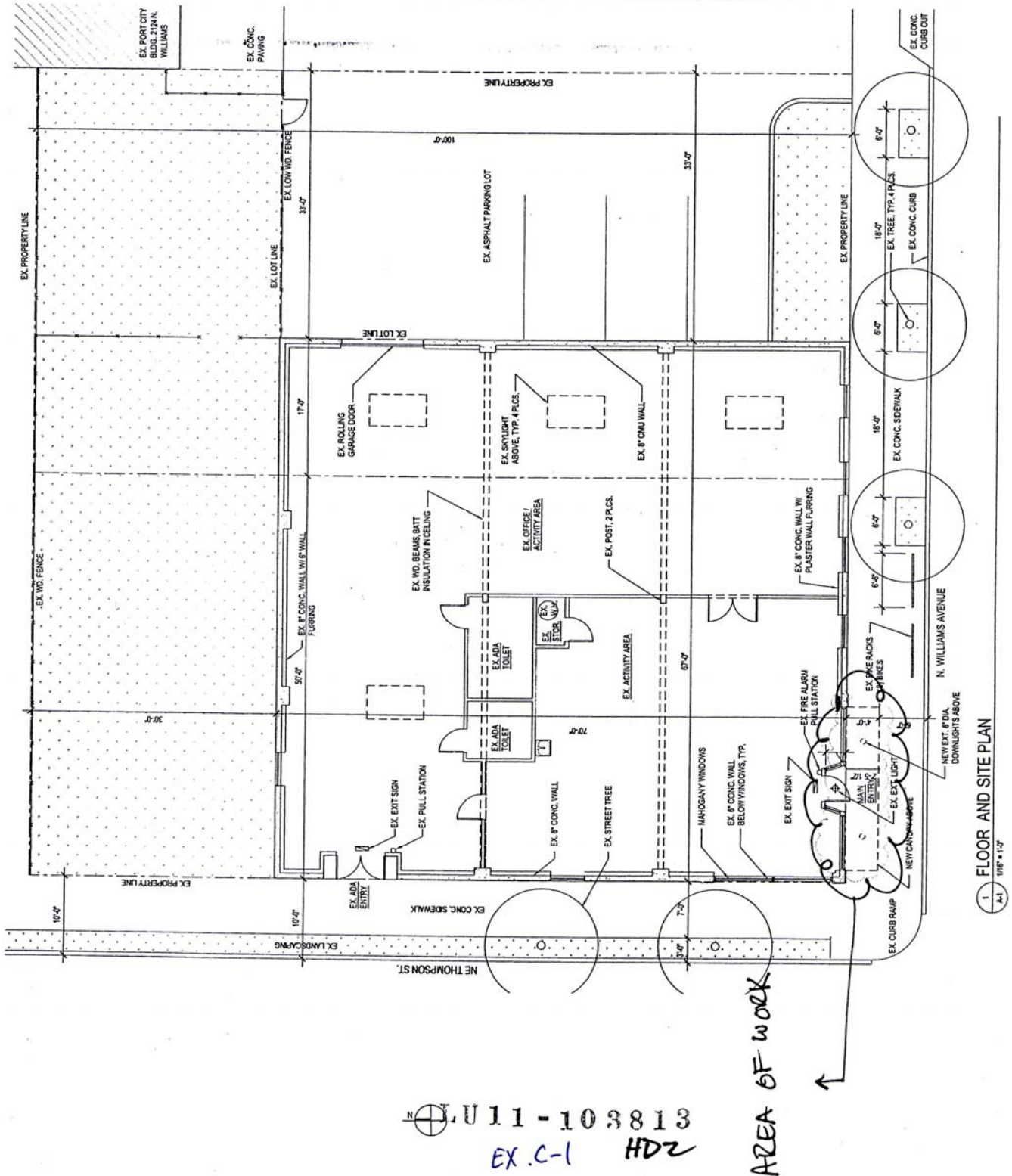
This site lies within the:  
ALBINA COMMUNITY PLAN DISTRICT  
ELIOT CONSERVATION DISTRICT

File No.	LU 11-103813 HDZ
1/4 Section	2830
Scale	1 inch = 200 feet
State_Id	1N1E27DA 13400
Exhibit	B (Jan 18, 2011)

City of Portland - Bureau of Development Services

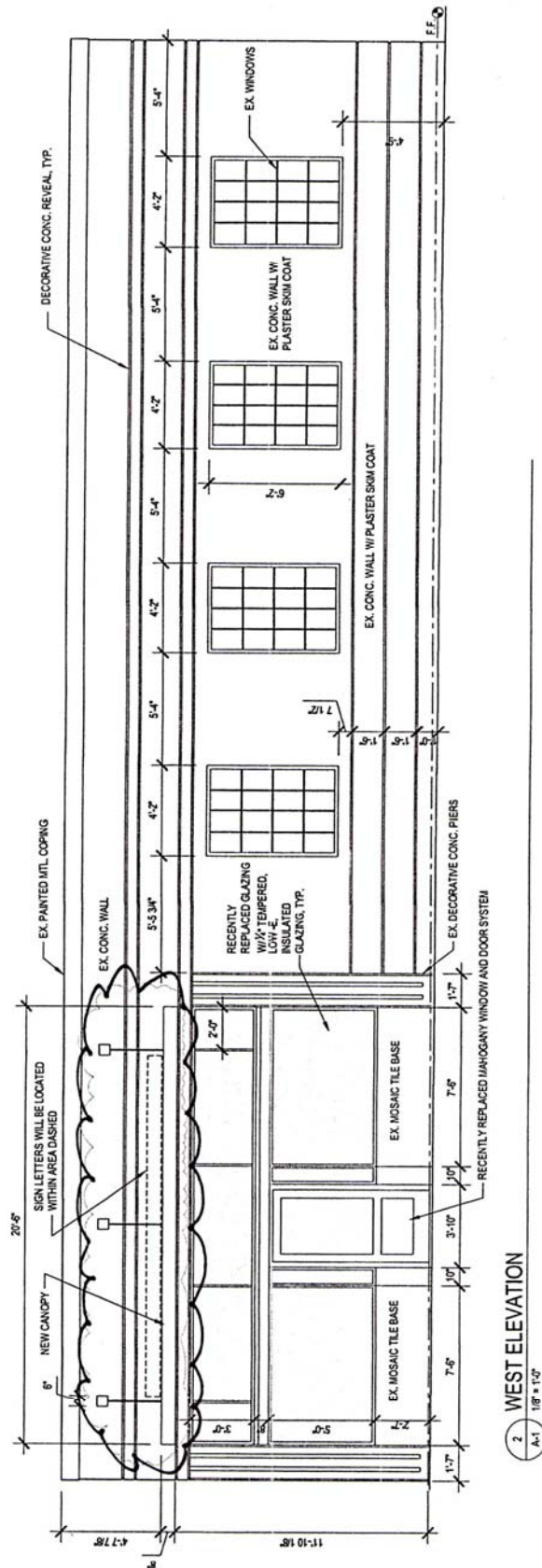
Planner Allen Date 3/1/2011

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



## FROM CONCEPT TO CONSTRUCTION

\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner Sulan Date 3/1/2011  
 This approval applies only to the reviews requested and is subject to all  
 conditions of approval. Additional zoning requirements may apply.



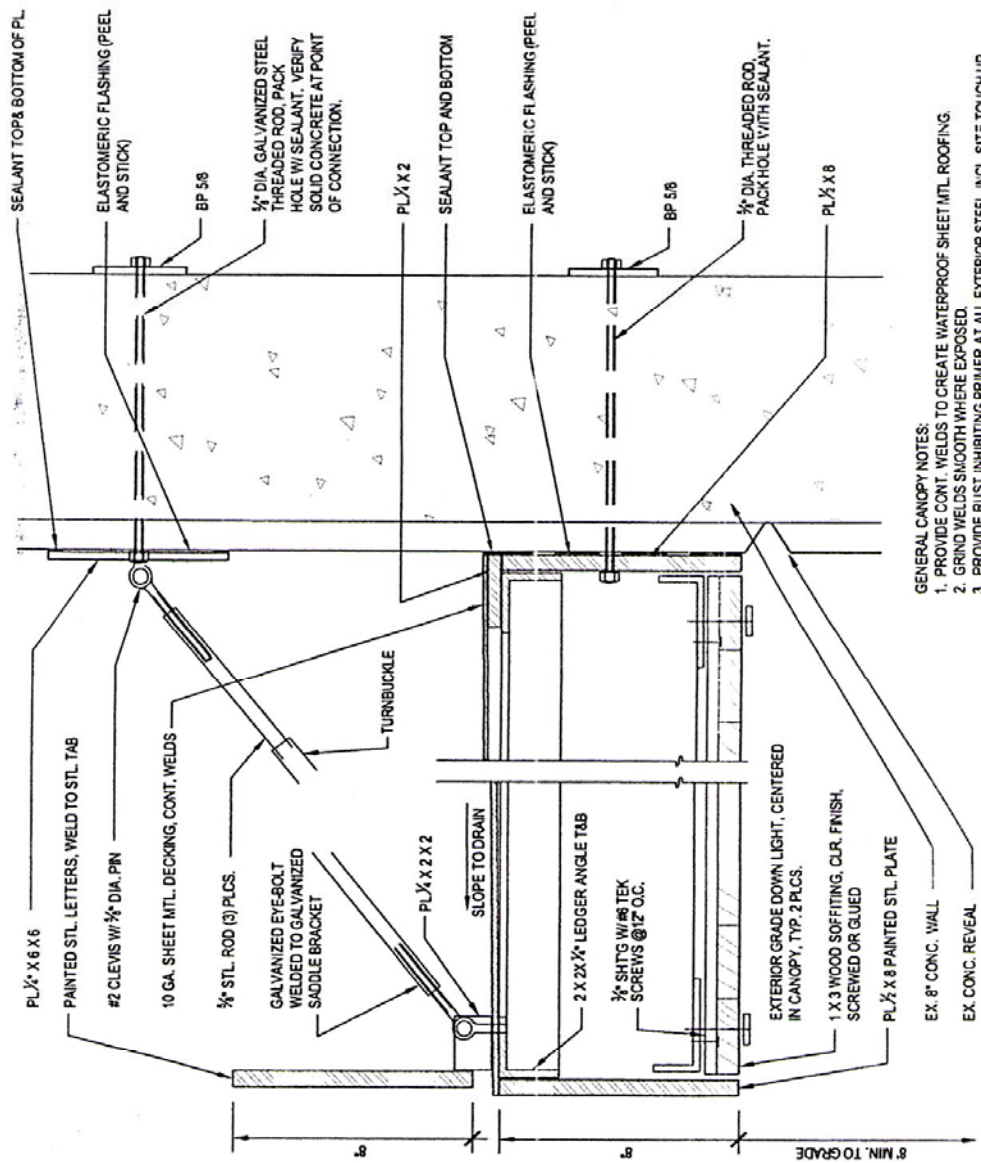
LU11-103813HD2  
 EX. C-2

\*Approved\*

City of Portland - Bureau of Development Services

Date 3/1/2011

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



- GENERAL CANOPY NOTES:
1. PROVIDE CONT. WELDS TO CREATE WATERPROOF SHEET MTL. ROOFING.
  2. GRIND WELDS SMOOTH WHERE EXPOSED.
  3. PROVIDE RUST INHIBITING PRIMER AT ALL EXTERIOR STEEL INCL. SITE TOUCH UP
  4. COMPLY W/ CH. 16 AND 3105.3 OF THE OCSG FOR WIND/LATERAL LOADS
  5. CANOPY COVERING MATERIAL SHALL MEET NFPA 701 OR FLAME SPREAD INDEX NOT GREATER THAN 25, ASTM E 84

SECTION @ FUTURE CANOPY

5  
A-1  
1 1/2" = 1'-0"

LU11-103813#D2  
EX.C-4