



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

1900 SW 4th Avenue, Suite 5000
Portland, Oregon 97201
503-823-7300
Fax 503-823-5630
TTY 503-823-6868
www.portlandonline.com/bds

Date: March 22, 2011
To: Interested Person
From: Mark Bello, Land Use Services
503-823-7810 / Mark.Bello@portlandoregon.gov

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 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 11-110353 HDZ **DAVIS BLOCK EXTERIOR ALTERATION - LOUVERS**

GENERAL INFORMATION

Applicant

Rolland Waltar
Bulldog Mechanical
3307 NE 39th
Vancouver, Wa

Owners

William S Wright
Janet C Wright
809 N Russell St #201
Portland, OR 97227

Site Address: 801-813 N RUSSELL ST

Legal Description: PROEBSTELS ADD, BLOCK 8, INC STRIP S OF & ADJ E

Tax Account No.: R678302730

State ID No.: 1N1E27BD 07600

Quarter Section: 2729

Neighborhood: Eliot, contact Mike Warwick at 503-284-7010.

Business District: None

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

Plan District: Central City Plan District; Lower Albina Sub-district

Other Designations: Davis Block Building; on the National Register of Historic Places

Zoning: Central Employment base zone; Design overlay zone

Case Type: Historic Design Review (HDZ)

Procedure: Type I, an administrative decision

Proposal: The Davis Block is an 1890 High Victorian commercial building listed on the National Register. It orients to NE Russell with three storefronts. The middle storefront is being upgraded to allow an existing tenant to expand culinary instruction. At the rear of this space (north elevation of this building) are three windows and a door with a window above. The windows each have two lights. The applicant proposes to replace two glazed windows

with exhaust louvers. One metal louver will be located above the existing door. The other louver will replace the top pane of one of three matching windows.

Because the site is within the Russell Street Conservation District, historic design review is required.

RELEVANT APPROVAL CRITERIA:

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

- 33.846 Historic Reviews;
- 33.846.060.G Other Approval Criteria; and
- *Community Design Guidelines*.

ANALYSIS

Site and Vicinity: The Davis Block is a two-story brick commercial building with a rectangular plan. It is located at the northwest corner of N. Russell Street and N. Albina Avenue. The building is designed in a simplified Romanesque Revival style and retains sufficient architectural integrity to convey its architectural character.

The building orients to N. Russell Street; and the area of proposed work is at the rear of the building adjacent to a surface parking lot. The rear elevation is unadorned. A variety of doors provide access to the first floor. Above one door is a fixed pane window that would be replaced with a metal louver. There are additional doors on the ground floor and simple double hung windows on the ground floor and second floor. An upper sash of one of these ground floor windows will be replaced by a second louver. (The two louvers work together to take in and vent air for evaporative coolers.)

The Davis block is located in the Russell Street Conservation District in Lower Albina. It is located at the east end of the two-block-long district. Russell Street extends approximately five blocks east from Interstate before rising up a gentle grade past I-5 and Emmanuel Hospital. Historically, Russell Street was the original main street of the City of Albina. Typical buildings were built to the sidewalk and primarily constructed of brick, with ornate detailing and arched windows. Notable restored buildings include the White Eagle Café/Hrysyko Brothers Building on the south side of the street and the Widmer Brewery/Smithson and McKay Building at the northwest corner of N. Russell and Interstate.

Zoning:

The Central Employment (EX) zone allows mixed-uses and is intended for areas in the center of the City that have predominantly industrial-type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area. The development standards are intended to allow new development which is similar in character to existing development.

The Design “d” overlay promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **February 15, 2011**. The following Bureaus have responded with no issues or concerns about the proposal:

- Bureau of Environmental Services
- Water Bureau
- Fire Bureau
- Site Development Review Section of BDS
- Bureau of Parks, Forestry Division
- Life Safety, BDS

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **February 15, 2011**. The State Historic Preservation Office responds that the louvers should be placed in the same plane as the existing windows and that the windows to be removed, if original, should be stored, preferably on-site. The Eliot Neighborhood Association Land Use Committee also requests that the windows be retained. No written responses have been received from notified property owners in response to the proposal.

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 Russell 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

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.

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.

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 P2, D6 and D8: The proposed louvers will be fitted into two window openings at that same plane as the existing sash. The louvers will be painted to match existing sash and so reduce the prominence of these metal louvers. The windows will be stored on-site and can be retrieved in the future if a different tenant occupies the building, thereby allowing the building to be returned to its original condition. The windows are at the rear elevation and do not impact the historic features listed in the National Register form. *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

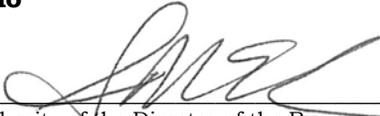
The Davis Block historic value will not be compromised by this alteration. The louvers will fit within the existing elevation and articulation of the plain rear wall. The louvers will be painted to match the existing sash. At any time, the louver may be replaced by the existing window.

ADMINISTRATIVE DECISION

Historic Design Review Approval of two louvers to replace existing glazed opening in the Russell Street conservation District, per the approved site plans, Exhibits C-1 through C-4, signed and dated March 18, 2011, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B and 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 11-110353 HDZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The louvers shall be painted to match existing surrounding sash.
- C. Windows that are removed shall be stored on-site.

Staff Planner: Mark Bello

Decision rendered by:  **on March 18, 2011**
By authority of the Director of the Bureau of Development Services

Decision mailed (within 5 days of dec.) March 22, 2011

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 February 3, 2011, and was determined to be complete on February 9, 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 February 3, 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. Unless further extended by the applicant, **the 120 days will expire on: June 9, 2011.**

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.

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 23, 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:

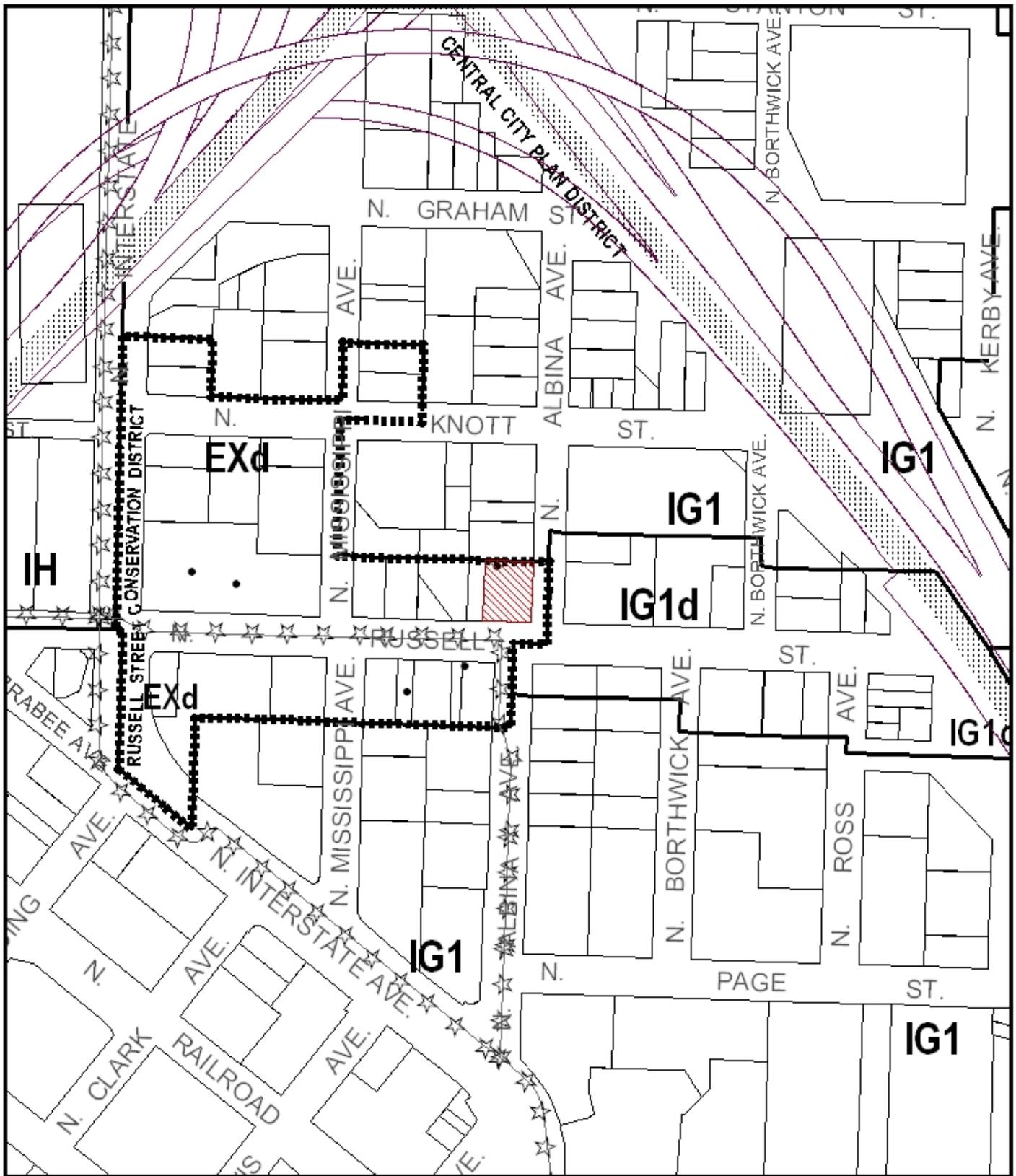
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement (none)
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevation (attached)
 - 3. Equipment Specification and Drawing
 - 4. Window Sections (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review (none)
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Bureau of Parks, Forestry Division
 - 7. Life Safety, BDS
- F. Correspondence:
 - 1. Susan Haylock, State Historic Preservation Office, February 17, 2011
 - 2. Mike Warwick, Eliot Neighborhood Association Land Use Committee, March 2, 2011
- G. Other:
Original LU Application
 - 1. Original Land Use Application
 - 2. Site History Research
 - 3. Davis Block, Eliot Neighborhood National Register Multiple Listing
 - 4. Historic Resource Inventory

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

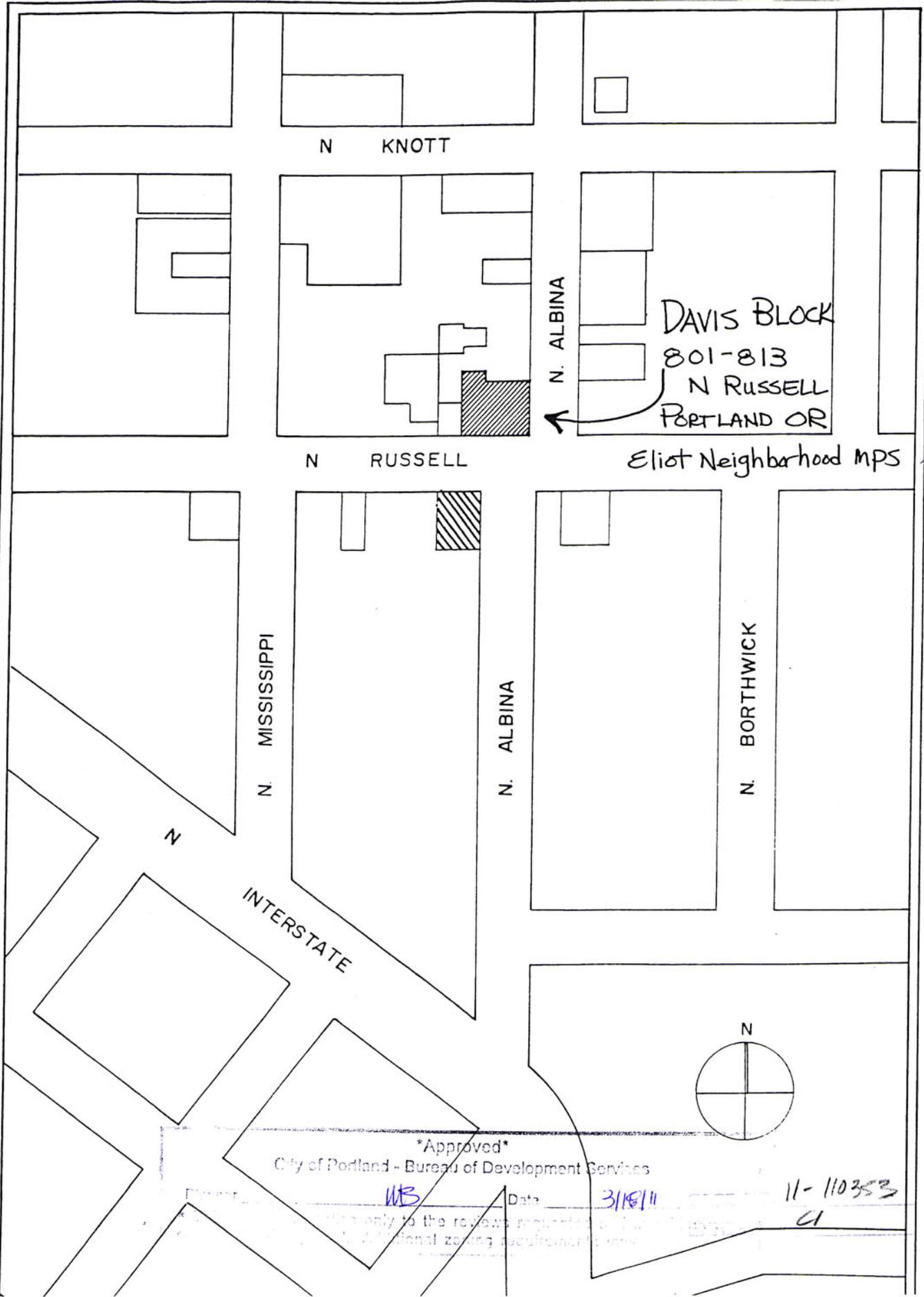


NORTH

This site lies within the:
CENTRAL CITY PLAN DISTRICT
RUSSELL CONSERVATION DISTRICT

File No.	LU 11-110353 HDZ
1/4 Section	2729
Scale	1 inch = 417 feet
State_Id	1N1E27BD 7600
Exhibit	B (Mar 18, 2011)

2011 11-110353 HDR



DAVIS BLOCK
 801-813
 N RUSSELL
 PORTLAND OR

Eliot Neighborhood MPS

Approved
 City of Portland - Bureau of Development Services

WB Date 3/18/11

11-110353
 CI

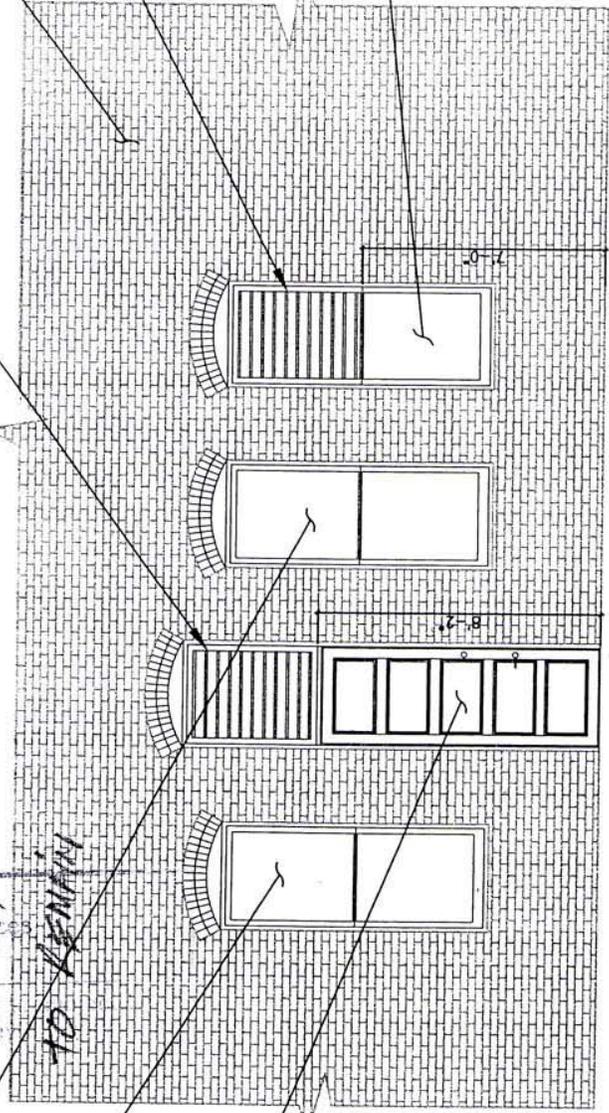
Approved
 City of Portland - Bureau of Development Services
 Date 3/16/11
 This approval is only to the reviews requested
 and does not constitute approval of any other zoning requirements.

Remove existing window in
 casement and replace with
~~METAL~~ intake louver installed
 flush with outside of building.
 Paint to match existing
 casement.

Existing Brick
 Masonry wall

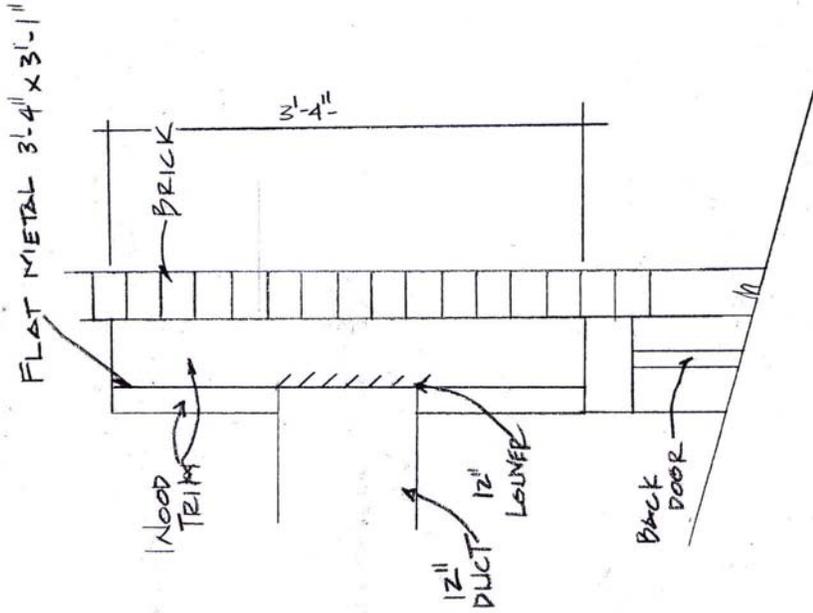
Remove existing window and
 install ~~METAL~~ exhaust louver
 flush with outside of building.
 Paint to match existing
 casement.

Existing window to
 remain

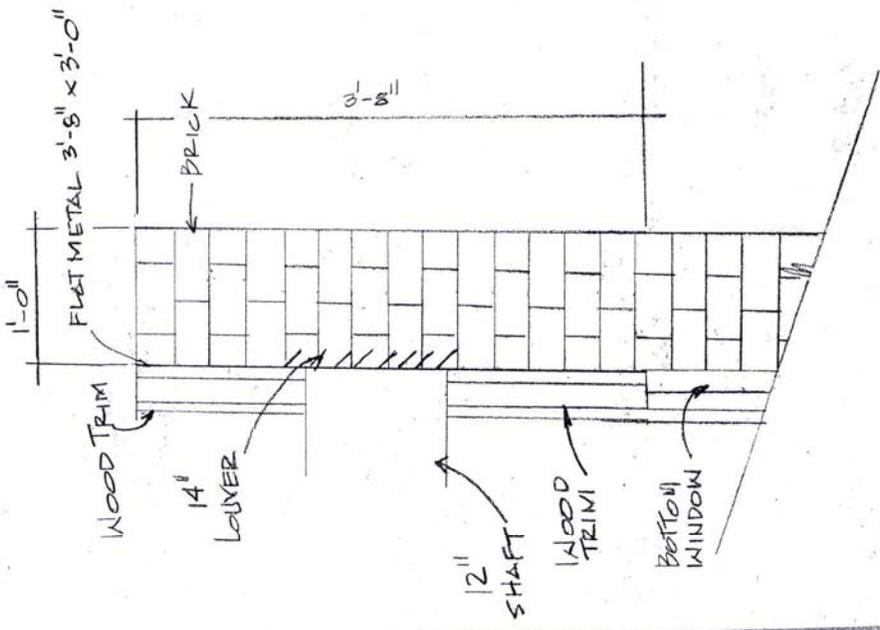


CASE NO. 11-110353
 PERMIT 22

South Elevation (rear of building)



2
DETAIL WINDOW FOR MAKEUP AIR
SCALE 1/8" = 1'-0"



1
DETAIL WINDOW SECTION
SCALE 1/8" = 1'-0"

CASE NO. 11-110353
EXHIBIT C4

Approved
City of Portland - Bureau of Development Services

Planner WBS Date 3/18/11
* This drawing applies only to the reviews requested and is subject to change at any level. Additional zoning requirements may apply.