



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner  
Paul L. Scarlett, Director  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** March 23, 2012  
**To:** Interested Person  
**From:** Dave Skilton, Land Use Services 503-823-0660  
[dave.skilton@portlandoregon.gov](mailto:dave.skilton@portlandoregon.gov)

## **NOTICE OF A TYPE II 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 and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

### **CASE FILE NUMBER: LU 12-110670 HDZ**

#### **GENERAL INFORMATION**

**Applicant:** Western Valley Waldorf & Association Inc  
3030 SW 2nd Ave  
Portland, OR 97201

**Representative:** Marissa White 541-322-1910  
Sunlight Solar  
50 SW Scott Street Building #13  
Bend, OR 97702

**Site Address:** 3030 SW 2<sup>nd</sup> Avenue

**Legal Description:** EXC N 5' OF W 56' LOT 7 BLOCK 77 EXC W 56' LOT 8 BLOCK 77 SW 1/4 OF BLOCK 77, CARUTHERS ADD; BLOCK 77 W 56' OF N 5' OF LOT 7 W 56' OF LOT 8, CARUTHERS ADD

**Tax Account No.:** R140907740, R140907780

**State ID No.:** 1S1E10BC 00900, 1S1E10BB 09900

**Quarter Section:** 3329

**Neighborhood:** South Portland NA., contact Jim Davis at 503-248-9820.

**Business District:** South Portland Business Association, contact Kevin Countryman at 503-750-2984.

**District Coalition:** Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.

**Other Designations:** Historic Landmark, pursuant to listing in the National Register of Historic Places as Neighborhood House, on July 10, 1979.

**Zoning:** R2, Residential 2000, with Historic Resource Protection Overlay

**Case Type:** HDZ, Historic Design Review

**Procedure:** Type II, an administrative decision with appeal to the Historic Landmarks Commission.

#### **Proposal:**

The applicant is seeking Historic Design Review approval for a proposal to install an array of 30 photovoltaic solar panels, inclined 10 degrees above level, on the roof. There will be a typical associated meter installed on the wall in the alcove at the north end of the main building. All conduit will be internal to the building and all penetrations will be at mortar joints. Historic

Design Review is required because the proposal is for a non-exempt exterior alteration on a Historic Landmark

**Relevant Approval Criteria:**

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

- Lair Hill Conservation District Historic Guidelines

**ANALYSIS**

**Site and Vicinity:** The subject property, known from its inception as Neighborhood House, is listed in the National Register of Historic Places under both Criterion A, for its association with the humanitarian work of the Portland Section of the National Council of Jewish Women, and Criterion C for its Georgian Revival architectural design, as conceived by the noted Portland architect A. E. Doyle in 1910. Currently occupied by the Cedarwood Waldorf School, the building has a history of over a century of directly serving its community.

The South Portland Historic District is significant as the remnant of an early, originally much larger, working class and immigrant neighborhood that was greatly diminished by construction of the I-5 and I-405 freeways, and by large scale clearance under the auspices of Urban Renewal, during the 1960s and 1970s. The area was originally home to concentrations of ethnic and religious minorities from southern and eastern Europe, especially Italian Catholics and Jews from Poland, the Baltic States, and the Russian Empire. The majority of the district's remaining historic resources were built as residences, but with supporting commercial buildings, religious and social institutions, and small scale industrial structures scattered throughout the neighborhood fabric. Originally associated with workers at the shipping, manufacturing, and processing enterprises dependent on the nearby Willamette River, the area today is among the best remaining examples of a late Nineteenth Century working class residential neighborhood in Portland.

**Zoning:** The multi-dwelling zones are intended to preserve land for urban housing and to provide opportunities for multi-dwelling housing. The R1 zone 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, townhouses, 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.

The Historic Resource Protection overlay 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 two applicable prior land use reviews:

- LU 03-106048 HDZ, approving a new stair tower between the Main Building and the Annex Building; and
- LU 09-123234 HDZM, approving a number of minor exterior alterations designed to accommodate re-use of the Annex Building.

**Public Notice:** A "Notice of Proposal in Your Neighborhood" was mailed **February 14, 2012**.

**Agency Review:** None of the notified Bureaus has responded with issues or concerns.

**Neighborhood Review:** One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal:

Lynn Bey wrote on March 5, 2012, with no specific objection to the proposal, but asking that the work be carried out in a manner that respects the neighbors' needs in terms of noise, dust, and disruption.

## **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 South Portland Historic District and the proposal is for a non-exempt treatment. Therefore Historic Design Review approval is required. The approval criteria are the *Lair Hill Historic Conservation District Design Guidelines*.

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

### **Lair Hill Historic Conservation District Design Guidelines**

**3. Building Shape – Height.** No building height should exceed three stories or forty-five feet.

**Findings:** Because the high point of the proposed solar array is lower than the existing parapet, the height of the existing building will not be increased. *This guideline is met.*

**5. Building Shape – Roof Shape.**

**1.** Pitched roofs should have a pitch of at least 6:12.

**2.** Flat roofs should be surrounded by a parapet.

**Findings:** The existing flat roof is surrounded by a historic parapet which will be higher than the highest point of the proposed solar array. No alternation of the parapet or additional screening will be needed in order to conceal the alteration from general public view. More distant views from uphill will be of an orderly installation in keeping with traditional roofscapes. *This guideline is 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**

Because the proposed rooftop solar panels will not be readily visible and the ground level supporting components will be located inconspicuously, Historic Design Review can accommodate alterations that would otherwise be alien to the character of the Historic Landmark and the surrounding South Portland Historic District. 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 criteria and therefore warrants approval.

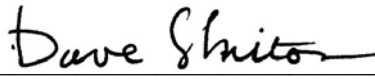
## ADMINISTRATIVE DECISION

Approval of a rooftop solar panel installation on the Historic Landmark Neighborhood House, in the South Portland Historic District;

Approval per Exhibits C-1 through C-5, signed and dated March 19, 2012, subject to the following condition:

- 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 through C-5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 12-110670 HDZ. No field changes allowed."

**Staff Planner: Dave Skilton**

**Decision rendered by:**  **on March 19, 2012.**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: March 23, 2012**

**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 7, 2012, and was determined to be complete on **February 10, 2012.**

*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 7, 2012.

*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.

**Appealing this decision.** This decision may be appealed to the Historic Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on April 6, 2012** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, 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. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. 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 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).

**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 Historic 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 Historic Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed,* The final decision may be recorded on or after **April 9, 2012**.
- A building or zoning permit will be issued only after the final decision is recorded.

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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**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:

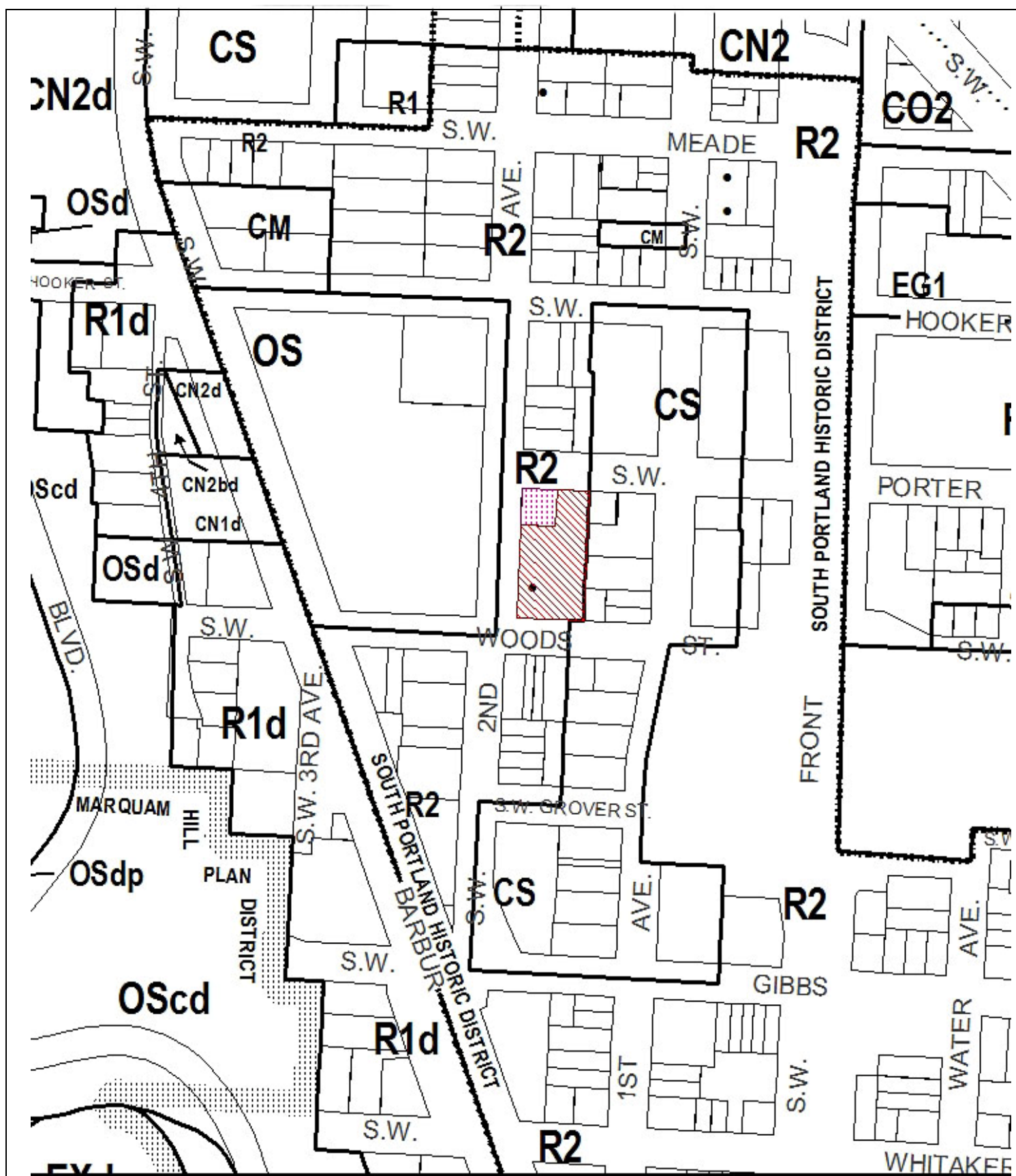
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site and Vicinity Plans (attached)
  - 2. West Photo Elevation (attached)
  - 3. Northwest Photo Elevation (attached)
  - 4. Solar Panel Information
  - 5. Solar Panel Installation Information
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Water Bureau
  - 2. Fire Bureau
  - 3. Life Safety Review Section of BDS
- F. Correspondence:
  - 1. Lynn Bey wrote on March 5, 2012, with no objection to the proposal, but asking that the work be carried out in a manner that respects the neighbors' needs in terms of noise, dust, and disruption.
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research





# ZONING

- Site
- Also Owned
- Historic Landmark



This site lies within the:  
SOUTH PORTLAND HISTORIC DISTRICT

File No. LU 12-110670 HDZ  
1/4 Section 3329  
Scale 1 inch = 200 feet  
State Id 1S1E10BC 900  
Exhibit B (Feb 09,2012)



www.sunlightsolar.com  
541-322-1910  
SUNLIGHT SOLAR ENERGY, INC.  
4 HWY FRANKLIN AVE. 97201  
CLATSOP COUNTY, OREGON 97130

Cedarwood School  
3030 SW 2nd Avenue  
Portland, Oregon 97201

#### REVISIONS

DATE DRAWN:

12.07.2011

DATE BY:

R/M/C

APPROVED BY:

DATE SIGNED:

LICENSE #:

SHEET TITLE:

SITE PLAN

SHEET:

PV1.0

© 2011

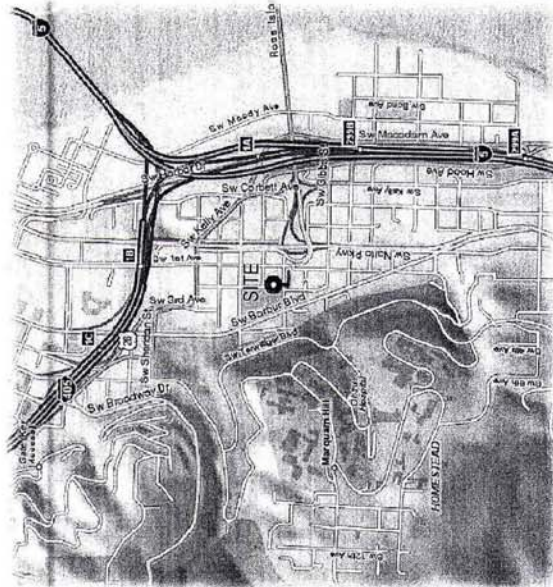
C-1

UTILITY CO./ INCENTIVE: PPL- FIT

ROOF PITCH: FLAT

PANEL ORIENTATION: 172° TRUE

VIEW: SITE PLAN



1 VICINITY MAP

#### ARRAY SPECIFICATIONS:

ARRAY TILT = 10°

ARRAY ORIENTATION = 172° TRUE

ARRAY ROOF COVERAGE

562 SQ.FT./7,629 SQ.FT. = 7.4%

#### ROOF SPECIFICATIONS:

FLAT PITCH

TPO FULLY ADHERED

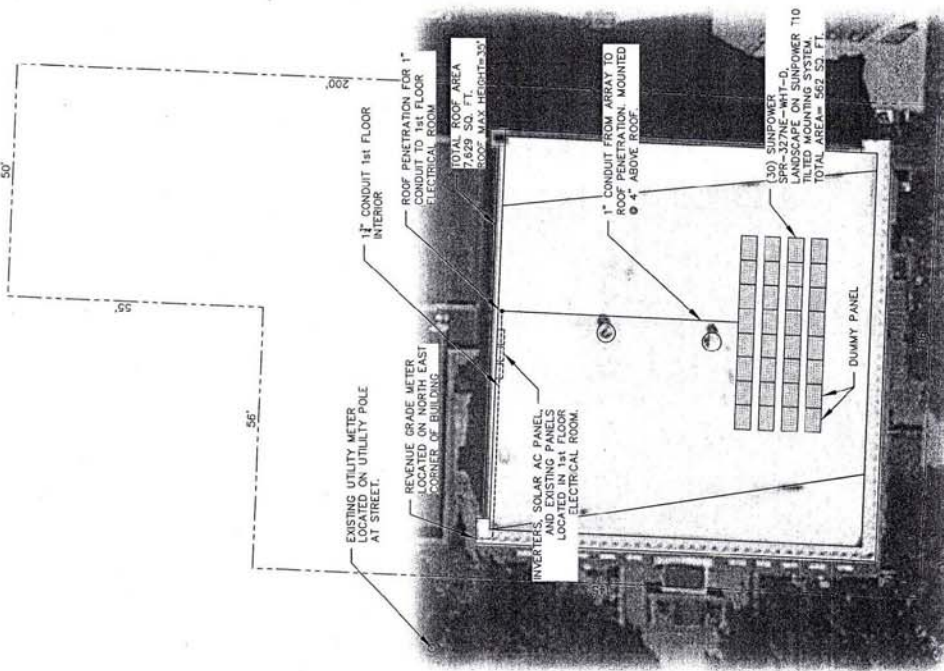
#### SYSTEM SPECS:

9.81 kW SYSTEM

(3) PVP 2800 (208V)

(30) SPR-327NE-WHT-D

\* Approved  
City of Portland - Bureau of Development Services  
Planner: *David J. Smith*  
Date: 3.9.12  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



2 SITE PLAN  
SCALE 1" = 25'





www.sunlightsolar.com  
541-322-1910  
SUNLIGHT SOLAR ENERGY, INC.  
4 NW FRANKLIN AVE., 8000, OR 97201  
CDS# 15802 UTR# 212

Cedarwood School  
3030 SW 2nd Avenue  
Portland, Oregon 97201

REVISIONS

DATE DRAWN:

02.01.2012

D.B./C.B.:

RN/MC

APPROVED BY:

LICENSE #:

DATE SIGNED:

SHEET TITLE:

ELEVATION

SHEET:

EX. A

© 2011

C-2



Planner: *Dore J. Smith*  
Date: 3-17-12  
City of Portland - Bureau of Development Services  
Approved: \_\_\_\_\_  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

1 WEST ELEVATION  
SCALE: 1/8" = 1'-0"





www.sunlightsolar.com  
541-322-1910  
SUNLIGHT SOLAR ENERGY, INC.  
4 NW FRANKLIN AVE., BEND, OR 97701  
CDB# 158622 LITE 012

Cedarwood School  
3030 SW 2nd Avenue  
Portland, Oregon 97201

REVISIONS

DATE DRAWN:

02.01.2012

D.B./C.B.:

RN/MC

APPROVED BY:

LICENSE #:

DATE SIGNED:

SHEET TITLE:

ELEVATION

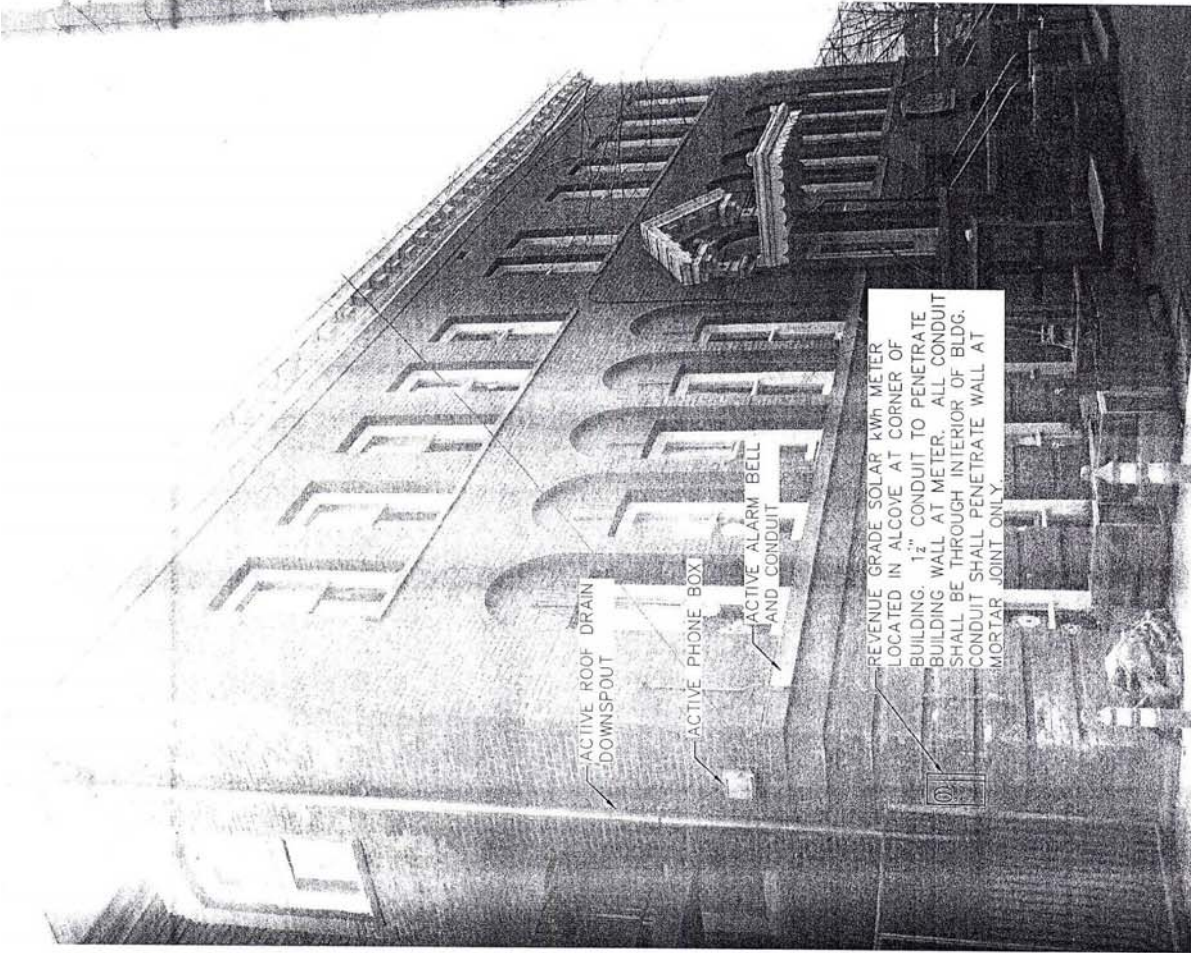
SHEET:

EX. B

© 2011

C-3

\*Approved\*  
City of Portland - Bureau of Development Services  
Planner: *Dave Smith*  
Date: 3.19.12  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



1 NORTHWEST ELEVATION

SCALE: Custom