



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

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FINAL FINDINGS AND DECISION BY THE LANDMARKS COMMISSION RENDERED ON January 7, 2019

CASE FILE NUMBER: LU 18-263653 HL
EA # 18-210168 PC

Alberta Abbey Landmark Designation

BUREAU OF DEVELOPMENT SERVICES STAFF: Cassandra Ballew 503-823-7252 / Cassandra.Ballew@portlandoregon.gov

The Historic Landmarks Commission has **approved** a proposal in your neighborhood. This document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

GENERAL INFORMATION

Applicant: Ian Flood | MWA Architects
70 NW Couch St., #401 | Portland, OR 97209
(503) 973-5151 | iflood@mwaarchitects.com

Owner/Agents Representative: Eric Paine | Alberta Abbey LLC
3416 Via Oporto, Suite 301 | Newport Beach, CA 92633

Party of Interest: Jessica Engeman | Venerable Group LLC
1111 NE Flanders St., Suite 206 | Portland, OR 97232

Site Address: 126 NE ALBERTA ST
Legal Description: BLOCK 3, LOT 1&2, MAEGLY HIGHLAND; BLOCK 23, LOT 10&11, WALNUT PARK

Tax Account No.: R526700780; R298093
State ID No.: 1N1E22AD 03400; 1N1E22AA 13800
Quarter Section: 2530
Neighborhood: King, contact at info@kingneighborhood.org.
Business District: Soul District Business Association, contact at info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Laura Becker at 503-388-6088.

Zoning: R1 – Residential 1,000
Case Type: HL – Historic Landmark Designation
Procedure: Type III, with a public hearing before the Landmarks Commission. The decision of the Landmarks Commission can be appealed to City Council.

Proposal:
The applicant is seeking designation of the Mallory Avenue Christian Church (MACC), also known as the Alberta Abbey, as a Portland Historic Landmark. Historic Designation review is required in order to obtain this status. No other work is proposed as part of this review.

Relevant Approval Criteria:

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

33.846.030.C *Approval criteria*

ANALYSIS

Site and Vicinity: The Mallory Avenue Christian Church is a modern church located at the corner of NE Alberta Street and NE Mallory Avenue in Portland’s Albina Community Plan Area neighborhood. The church has an associated surface parking lot across the street to the north on Alberta, which is not included in the proposed historic boundary.

The church sits on a square-shaped 10,000 square-foot lot that is 100 feet in each direction. This is double the typical 50x100’ residential lot size in Portland. The building is primarily two stories tall, with the corner tower having three levels. It sits on a seven-foot-tall daylight concrete basement foundation that was constructed in 1925. The predominant exterior material is brick in a brown-orange-beige palette. The south wall of the church, which was originally specified to be stucco, has been sided with painted corrugated aluminum siding. All of the windows on the building’s primary elevation are original metal “Trim-Set” windows, many with original wavy colored glass.

While the building is generally square-shaped in plan, it has a complex roof form and many changes in the wall plane that disguise the square form. The primary roof form is a north-south gable roof with an east-facing cross gable and corner tower. There is a smaller west-facing gable extension at the northwest corner of the building. All of the gable roofs have a 12-7 roof pitch. A small shed roof extends from the southwest corner at the back of the property at the location of a chimney stack. There are solar panels on the south-facing slopes of the east and west-facing gable extensions and other rooftop equipment on the flat section of roof at the southeast corner of the building. The building retains its original copper gutters, downspouts, and rake moldings that feature verdigris.

The character of the surrounding blocks is primarily single-family residential with some multi-family buildings. Nonresidential, including both commercial and institutional uses are located within a couple of blocks, to the west along North Williams Avenue, and to the east along NE Martin Luther King Boulevard. At this location, NE Alberta is classified as a Transit Access Street, City Bikeway and Local Service Walkway. Northeast Mallory is designated as a Local Service Street for all transportation modes.

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.

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

- **EA 17-238516 APPT** – Early Assistance Appointment, held on October 4, 2017, to explore the Conditional Use history of the Alberta Abbey building. The discussion centered around the redevelopment of an accessory parking lot into Group Living housing, as well as the allowance of Community Service Uses onsite.

- **EA 18-210168 PC** – Pre-Application Conference to discuss the designation of the existing church as a Historic Landmark and conversion of the interior to commercial uses. Requires a Type III Historic Landmark Designation review and a Type III Historic Preservation Incentive review.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **December 4, 2018**. The following Bureaus have responded with no issue or concerns:

- Bureau of Environmental Services (Development, Watershed & Source Control) (Exhibit E-1)
- Bureau of Transportation Engineering and Development Review (Exhibit E-2)
- Water Bureau (Exhibit E-3)
- Fire Bureau (Exhibit E-4)
- Bureau of Parks, Forestry Division (Exhibit E-5)
- Site Development Review Section of BDS (Exhibit E-6)
- Life Safety Plan Review Section of BDS (Exhibit E-7)

The Bureau of Transportation Engineering responded with comments related to the future Historic Preservation Incentive Review. Please see Exhibit E-2 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **December 4, 2018**. Five written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Jacquie Walton, Neighbor, December 6, 2018, wrote with questions about process for feedback and the subject of the review.
2. Jacquie Walton, Neighbor, December 7, 2018, wrote with questions about notice process for future Historic Preservation Incentive Review.
3. Norman Porter Bey, Neighbor, December 17, 2018 (Received December 24, 2018), wrote in opposition to the Landmark Designation and stated an official notice to lien the property. See Exhibit F-3 for more details.
4. Libby Deal, Neighbor, December 22, 2018, wrote with questions about notice process for future Historic Preservation Incentive Review.
5. Jessica Rojas, Neighbor, December 27, 2018, wrote with questions about notice process for future Historic Preservation Incentive Review.

Staff Response: In regard to the comments from Norman Porter Bey, staff consulted with the City Attorney’s office to seek legal counsel on how to address this issue. After further review of the issue, staff determined that this is a civil matter and not pertinent to the applicable review criteria.

ZONING CODE APPROVAL CRITERIA

33.846.030 Historic Designation Review

Purpose. The Historic Designation Review is a process for the City of Portland to designate Historic Landmarks, Conservation Landmarks, Historic Districts, or Conservation Districts. This review does not affect a property or district’s listing on the National Register of Historic Places. These provisions promote the protection of historic resources by:

- Enhancing the city’s identity through the protection of the region’s significant historic resources;
- Fostering preservation and reuse of historic artifacts as part of the region’s fabric; and
- Encouraging new development to sensitively incorporate historic structures and artifacts.

Approval criteria. Proposals to designate a historic resource as a Historic Landmark, Conservation Landmark, Historic District, or Conservation District will be approved if the review body finds that all of the following approval criteria are met:

1. Significant value. The resource has significant historical or architectural value, demonstrated by meeting at least three of the following:
 - a. The resource represents a significant example of a development, architectural style, or structural type once common or among the last examples in the region;
 - b. The resource represents a significant work of a developer, architect, builder, or engineer noted in the history or architecture of the region;
 - c. The resource represents a particular material, method of construction, quality of composition, or craft work which is either associated with the region's history or which enriches the region's character;
 - d. The resource is associated with culture, activities, events, persons, groups, organizations, trends, or values that are a significant part of history;
 - e. The resource is associated with broad patterns of cultural, social, political, economic, or transportation history of the region, state, or nation;
 - f. The resource significantly contributes to the historic or cultural development of the area or neighborhood;
 - g. The resource symbolizes a significant idea, institution, political entity, or period;
 - h. The resource retains sufficient original design characteristics, craft work, or material to serve as an example of a significant architectural period, building type, or style;
 - i. The resource significantly contributes to the character and identity of the neighborhood district or city;
 - j. The resource includes significant site development or landscape features that make a contribution to the historic character of a resource, neighborhood, district, or the city as a whole;
 - k. The resource represents a style or type of development which is, or was, characteristic of an area and which makes a significant contribution to the area's historic value; or
 - l. The resource contributes to the character of a grouping of resources that together share a significant, distinct, and intact historic identity.

Findings for 1: The applicant has provided responses to the approval criteria suggesting that the subject property meets the significant value criteria listed under “a”, “b”, “f”, and “h”. The Commission believes that the property meets these criteria and agreed with staff that it also meets criterion “d” and “e”. As noted in the nomination description provided by Jessica Engeman, the Mallory Avenue Christian Church is one of the earliest known churches in Portland to be executed in a purer interpretation of modernism, which can be seen on the exterior which focused more on the treatment of brick than applied ornamentation. Additionally, the windows continue this modern approach by referencing minimalist, industrial character through the use of metal “trim-set” windows for the building. Not only does the design remove any revival style references on the exterior, but it does so even more clearly, in the building's massing design.

The massing emphasizes the primary programming elements of the building (i.e. the tower, sanctuary, parlor/assembly hall and chapel) by locating them closest to the property line and utilizing shifts in building plane to break up the façade massing. As noted in the nomination, this “in and out” articulation makes the building's functions easily discerned from the exterior. This detail is in keeping with an essential principle of modernist architecture and industrial design which says that form follows function. Over the years, minimal alterations including the addition of solar panels, canopies,

replacement of original glass and metal cladding over original stucco, have been made to the building's exterior. However, these alterations still leave the exterior of the original form intact. This responds to criterion "h".

The Postwar Ecclesiastical Architecture movement in America occurred in the decades following WWII (1945-1965) but decades of earlier architectural change, and the modernist movement, laid the foundation for this major change in American ecclesiastical architecture. As noted in the nomination, the movement was a result of postwar prosperity, in which the generation who fought in WWII began to start families and the demand for services, like churches, grew.

The increase in new churches sparked great debate between traditionalists and modernists. Traditionalists asserted that historic styles aided the worshiper in experiencing God, while Modernists argued that Christianity's universal message should be expressed in contemporary architectural language, reinforcing its relevance in the modern period. Carrying forward themes from the modernist movement, churches featuring a modern design rejected traditional ornament and aesthetics such as the typical church tower and steeple. Instead there was an emphasis on quality of materials, function, and most featured clean lines with masonry and stucco being the primary materials. Such is the case with the churches built in and around Portland during this period, which is home to several examples of postwar churches, including St. Philip Neri Catholic church, designed by Pietro Belluschi. This responds to criterion "a".

The story of how the design of the Mallory Avenue Christian Church evolved, is a microcosm of the development of this movement in Portland and across America. The original design by Robert Hall Orr, dated 1922 featured classical forms and aesthetics, which were more traditional of churches during the early decades of the 20th century. As church leadership changed, the Great Depression took its toll, the congregation shelved this idea and returned in the mid 1940's with Walter E. Kelly's very modern interpretation. This first design went through another round of changes, which ended with the final and current design approved in 1948. As noted in the nomination, compared with his earlier reimagining of the Orr design, the church that was constructed demonstrates a significantly higher level of design resolution and harmony. This responds to criterion "b".

As noted in the applicant's response to approval criteria 33.846.030.f, the Mallory Avenue Christian Church has been a fixture in the Albina Neighborhood for over 90 years, particularly during the Civil Rights Movement of the 1960s. Although this information is not covered in the National Register nomination, staff believes the association with local African-American history is relevant to the approval criteria 'd' and 'e' in this review since this church held a special role during a period of national cultural significance. Particularly since one of the congregation members, Robert E. Cochran, and leader of the youth outreach program during the late 1960's, was a vocal and highly active community advocate for African American Social Issues. As noted in the approval criteria response, Cochran was an important figure in Portland's African American community and served as a representative of the NAACP at a Civil Rights Conference in 1966. During these years, under the leadership of Pastor Clifford Trout and Robert Cochran, the church developed a series of youth programs and activities, as well as social and outreach programs for women after the closure of the YWCA which primarily served African American women. In addition to "d" and "e", this responds to criterion "f".

Because the subject property is a unique example of a postwar modern church design with a high level of integrity and given its importance to the African American community of Portland during a period of national cultural significance in American history, this criterion is met.

2. Appropriate level of protection. The proposed designation is appropriate, considering the historical or architectural value of the resource and other conflicting values. Levels of protection are Historic Landmark designation, Conservation Landmark designation, Historic District designation, Conservation District designation, and no designation; and

Findings for 2: The historic landmark designation will allow greater flexibility toward the adaptive reuse of the structure while ensuring that all future proposed exterior alterations are subject to Historic Resource Review. *Therefore, this criterion is met.*

3. Owner consent.
 - a. For Historic Landmark or Conservation Landmark designation, the property owner must consent, in writing, to the Historic Landmark or Conservation Landmark designation;
 - b. For Historic District or Conservation District designation, all owners of property in the district must consent, in writing, to the Historic District or Conservation District designation at the time of designation.

Findings for 3: The Alberta Abbey LLC, the current owner of the property, has consented to this designation. *This criterion 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 requirements of Title 11 can be met, and that all development standards of Title 33 can be met or have received an Adjustment or Modification via a land use review, prior to the approval of a building or zoning permit.

CONCLUSIONS

As described above, the property is representative of social and development patterns in Portland, is architecturally significant, and has a high level of integrity, making it worthy of Local Landmark designation. The Landmarks Commission was particularly impressed with the quality of the interior and appreciated the applicant's inclusion of this detail in the review. Commission also encouraged the applicant to find a way to incorporate detail which encouraged the retention of existing materials and details within the National Register nomination in order to encourage proper restoration of the exterior and interior of the building. In addition, the Commission encouraged the applicant to add details of the property's connection with the local African American history to a future addendum to the National Register nomination due to this additional significance.

The purpose of Historic Designation Review is to designate Historic Landmarks, Conservation Landmarks, Historic Districts, or Conservation Districts. This review does not affect a property or district's listing on the National Register of Historic Places. This proposal meets the applicable Historic Designation Review approval criteria and therefore warrants approval.

LANDMARKS COMMISSION DECISION

It is the decision of the Landmarks Commission to approve Landmark Designation for the Alberta Abbey.

Approvals per Exhibits C.1-C.3, signed, stamped, and January 11, 2019, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B – C) must be noted on each of the 4 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 18-263653 HL. All requirements must

be graphically represented on the site plan, landscape, or other required plan and must be labeled “REQUIRED.”

- B.** At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C.** No field changes allowed.

By: _____

Kristen Minor, Landmarks Commission Chair

Application Filed: November 7, 2019
Decision Filed: January 8, 2019

Decision Rendered: January 7, 2019
Decision Mailed: January 15, 2019

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 November 7, 2018, and was determined to be complete on November 28, 2018.

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 November 7, 2018.

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. The **120 days expire on: March 28, 2019**

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. This report is the final decision of the Landmarks Commission with input from other City and public agencies.

Conditions of Approval. This approval 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.

Appeal of this decision. This decision is final unless appealed to City Council, who will hold a public hearing. Appeals must be filed by 4:30 pm on January 29, 2019 at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. Information and assistance in filing an appeal is available from the Bureau of Development Services in the Development Services Center or the staff planner on this case. You may review the file on this case by appointment at, 1900

SW Fourth Avenue, Suite 5000, Portland, Oregon 97201. Please call the file review line at 503-823-7617 for an appointment.

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 City Council is final; any further appeal is to the Oregon Land Use Board of Appeals (LUBA).

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 City Council on that issue. Also, if you do not raise an issue with enough specificity to give City Council an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Who can appeal: You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$1086.00 will be charged (one-half of the application fee for this case).**

Neighborhood associations may qualify for a waiver of the appeal fee. Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

Recording the final decision.

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **January 29, 2019** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Applying for your permits. A building permit, occupancy permit, or development permit must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

Cassandra Ballew
January 11, 2019

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).

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Original Submittal
 - 2. Copy of Email Correspondence regarding posting notice, December 7, 2018
 - 3. Copy of Email Correspondence regarding posting notice, December 11, 2018
 - 4. Copy of Email Correspondence regarding posting notice, December 11, 2018
 - 5. Copy of Email Correspondence regarding posting notice, December 12, 2018
 - 6. Copy of Email Correspondence regarding posting notice, December 17, 2018
- B. Zoning Map (attached)
- C. Plan & Drawings
 - 1. Site Plan (attached)
 - 2. National Register of Historic Places Registration Form
 - 3. Applicant's Response to Approval Criteria 33.846.030.A, B, F and H.
- D. Notification information:
 - 1. Request for response
 - 2. Posting letter sent to applicant
 - 3. Notice to be posted
 - 4. Applicant's statement certifying posting
 - 5. Mailed notice
 - 6. Mailing list
- E. Agency Responses:
 - 1. Bureau of Environmental Services (Development, Watershed & Source Control)
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Bureau of Parks, Forestry Division
 - 6. Site Development Review Section of BDS
 - 7. Life Safety Plan Review Section of BDS
- F. Letters
 - 1. Jacquie Walton, Neighbor, December 6, 2018, wrote with questions about process for feedback and the subject of the review.
 - 2. Jacquie Walton, Neighbor, December 7, 2018, wrote with questions about notice process for future Historic Preservation Incentive Review.
 - 3. Norman Porter Bey, Neighbor, December 24, 2018, wrote in opposition to the Landmark Designation and stated an official notice to lien the property.
 - 4. Libby Deal, Neighbor, December 22, 2018, wrote with questions about notice process for future Historic Preservation Incentive Review.
 - 5. Jessica Rojas, Neighbor, December 27, 2018, wrote with questions about notice process for future Historic Preservation Incentive Review.
- G. Other
 - 1. Original LUR Application
 - 2. Site Research
 - 3. Copy of Email Correspondence regarding setting hearing date, November 30, 2018
 - 4. Copy of Email Correspondence regarding hearing, November 30, 2018
 - 5. Copy of Email Correspondence regarding neighbor comments, December 7, 2018
 - 6. Copy of Email Correspondence regarding neighbor comments, December 7, 2018
 - 7. Copy of Email Correspondence regarding neighbor comments, December 7, 2018
 - 8. Copy of Email Correspondence regarding posting notice, December 7, 2018
 - 9. Copy of Email Correspondence regarding posting notice, December 7, 2018

10. Copy of Email Correspondence regarding neighbor comments, December 7, 2018
11. Copy of Email Correspondence regarding posting notice, December 11, 2018
12. Copy of Email Correspondence regarding posting notice, December 12, 2018
13. Copy of Email Correspondence regarding posting notice, December 17, 2018
14. RFC Responses from PBOT, BES and Site Development, November 27, 2018
15. Staff Presentation
16. Applicant Presentation



ZONING



Site



Also Owned Parcels



Historic Landmark

File No.	LU 18-263653 HL
1/4 Section	2530
Scale	1 inch = 200 feet
State ID	1N1E22AD 3400
Exhibit	B Dec 19, 2018

