

City of Portland, Oregon - Bureau of Development Services



1900 SW Fourth Avenue - Portland, Oregon 97201 | 503-823-7300 | www.portlandoregon.gov/bds

Type III Decision Appeal Form	LU Number: LU 18-187493 HRM AD
FOR INTAKE, STAFF USE ONLY	
Date/Time Received 10/22/18 @ 4:09pm	M Astion Attached
Received By Emily Wilson	Action Attached
Appeal Deadline Date 10/22/18 4:30 pm	Fee Amount \$ 5,000
Entered in Appeal Lea	[Y] N Fee Waived
Entered in Appeal Log	
Notice to Auditor	[Y] [N] Unincorporated MC
Notice to Dev. Review	
APPELLANT: Complete all sections below. Please	print legibly.
PROPOSAL SITE ADDRESS 1727 NW Hoy + 81	Sel /62 DEADLINE OF APPEAL /0.22.18
Name Tony Schwartz	
Address 520 SW 615 Ave, # 600 City Day Phone 503 505 4674 Email for year Interest in proposal (applicant, neighbor, etc.)	PDX State/Zip Code 97204
Day Phone 503 505 4674 Fmail tones	hunds law com
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Interest in proposal (applicant, neighbor, etc.)	eighbor / testilier
Identify the specific approval criteria at the source	e of the appeal:
Zoning Code Section 33. 846 . 060	Zoning Code Section 33. 700 . 070 E
	Zoning Code Section 33. 73 060.C.2
Describe how the proposal does or does not meet	
I affect any	own letter and
other austrain	1.
9/7/2019	
loc	
Appellant's Signature 425	
FILE THE APPEAL - Submit the following:	
This completed appeal form	
A copy of the Type III Decision being appealed	
An appeal fee as follows: Appeal fee as stated in the Decision, payable to City or	f Portland
Fee waiver for ONI Recognized Organizations approve	
Fee waiver request letter for low income individual is si	
	ah County recognized organizations is signed and attached
The City must receive the appeal by 4:30 pm on the deadline	listed in the Decision in order for the appeal to be valid. To file

The City must receive the appeal by 4:30 pm on the deadline listed in the Decision in order for the appeal to be valid. To file the appeal, submit the completed appeal application and fee (or fee waiver request as applicable) at the Reception Desk on the 5th Floor of 1900 SW 4th Ave, Portland, Oregon, between 8:00 am and 4:30 pm Monday through Friday.

The Portland City Council will hold a hearing on this appeal. The land use review applicant, those who testified and everyone who received notice of the initial hearing will receive notice of the appeal hearing date.

Information about the appeal hearing procedure and fee waivers is on the back of this form.

The Schwartz Law Firm

520 SW 6th Avenue, Suite 600 Portland, Oregon 97204 503 505 4674 tonyschwartz.law@gmail.com

October 22, 2018

City of Portland, Oregon BDS 1900 SW 4th Avenue Portland, Oregon 97201

Re: LU 18-187493 Buck-Prager - Appeal of LU decision

Dear City of Portland:

I appeal the decision listed above. The proposal fails to meet Historic Alphabet District Guideline #3 "Hierarchy of Compatibility" and Community Design Guideline D7. I also attach additional approval criteria not met and procedural errors.

The PHLC **final findings** fail to meet the Hierarchy of Compatibility in the ABC Addendum listed on pages 194-195 of the Community Design Guidelines. The North Building is too big in scale and size and will loom over the Couch Investment houses and the Campbell Townhomes on 17th and Irving. HAD Guideline #3 reads:

"Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a historic district, with the rest of the district. Where practical, compatibility will be pursued on all three levels. New development will seek to incorporate design themes characteristic of similar buildings in the Historic Alphabet District."

The **final findings** misinterpret Historic Alphabet Guideline #3 by concluding that new development <u>only</u> has to "incorporate design themes characteristic of similar buildings in the Historic Alphabet District" and that there is to be no consideration of the (1) the original resource, or (2) adjacent properties. See **final findings** pages 10-11.

The **final findings** state that the North Building is "new development" and that it only must respond to the proportions of similar buildings within the District. This makes no sense. Guideline #3 is titled "Hierarchy of Compatability" and there were would be no "hierarchy" if new development only had to meet a single criterion – in this case, "incorporate design themes characteristic of similar buildings" in the District. New development, is subject to the other two criteria – that it is responsive to an original resource on the site, assuming there is one, and adjacent properties. See HAD Interim Design Guidelines 39-40. There has to be a hierarchy - not just one consideration, but more than one.

In this case, there is an original resource on the site: the Buck-Prager Building. In addition, there are 13 individually listed homes adjacent to the site. The final findings fail to address the actual "hierarchy." The **final findings** makes no argument that the North Building is responsive in a compatible way to the original resource, or the adjacent historic properties. Therefore this LU decision is flawed from the beginning. It must fail for that reason alone.

Second, the proposed North Building is a big rectangle. The period of significance for the Historic Alphabet District is 1900-1920. Multi-family buildings built during that period ranged in height from 1-5 stories, and had "conventional U-Shaped or H-shaped" plans. See HAD Interim Design Guidelines pages 27-28.

Similar buildings cited by the applicant as precedent have U-shapes. For example, the Wickersham is U-shaped, as is the Worthington Apartments, as is the American Apartments, which were all built during the early 1900s, and which are all the most similar to the proposed North Building.

The proposed North Building as a rectangle fails to incorporate that design theme as required by HAD Guideline #3, and the Community Design Guideline D7 that requires "new development" to incorporate building details, massing, proportions and materials. As noted, the massing and proportions of the proposal are not in keeping with the construction during the period of significance. And, of course, the massing and proportions are not in keeping with the nearby buildings – particularly the small grain footprints of the listed landmarks and the other 1-2-3 story buildings surrounding the site.

In addition, regarding D7 of the Community Design Guidelines (**Blending into the Neighborhood**) which reads:

"reduce the impact of new development on established neighborhoods by incorporating elements of **nearby**, quality buildings such as building details, **massing**, **proportions**, and materials"

the **final findings** discuss similar buildings in the District, not nearby, when discussing the North Building. In addition, the **final findings** do not discuss how the North Building incorporates massing and proportions of nearby buildings. As noted, the typical larger building in this District are U or H shaped, not rectangular. As noted the Historic Alphabet District Guideline D7 may be accomplished by ... "encouraging infill to complement the scale and proportions of surrounding buildings." See page 134 of the Community Design Guidelines. In this case, there is no complement to the scale and proportions of surrounding buildings.

- The North Building is 5 ½ stories, 58 feet high, and likely has a FAR of 4:1.
- The Couch Investment Houses, that are identical, on 17th and Irving have a FAR of 1.08. They are 30 feet high. And NW Irving Street is just 28 feet wide!

Given that this proposal involves an original resource on site, that there are multiple individually listed and other contributing properties surrounding the site, and that the application fails to address, much less, meet Historic Alphabet District Guideline #3 or Community Design Guideline D7, or PCC 33.846.060, or PCC 33.846.070, the final findings should be rejected. Otherwise, it fails its legal requirements as noted in this letter

The proposal is too big for the site. The site is surrounded by three one-lane roads. NW Hoyt and NW Irving were designated in the 1970s as pedestrian friendly streets and were narrowed to encourage development of the Trenkman Homes, the Campbell Townhouses, and the Couch Family Investment Houses. They are two of the narrowest streets in all of Northwest Portland. The proposal anticipates 148 units in a program that is radically big for the area and the immediate surrounding areas. The size of the proposal will overwhelm the neighborhood. I support development on that site, and hope that it will result in additional housing, but I ask City Council to be sensitive to this neighborhood and this site. The site is surrounded by 13 individually listed Landmark houses that have been preserved and maintained since near-demolition in the 1970s. Many say the preservation of these properties sparked the revitalization of all Northwest Portland.

The neighborhood is a community with an active street life of neighbors and visitors and pedestrians with residences and businesses throughout the area. The bigger the building the less likely it is to become a part of the neighborhood fabric as tenants quickly retreat into their building and into their unit. Despite the towers in The Pearl District, and all those people, it is usually quiet on the streets most hours, most days. Not so in this neighborhood as we know each other and our neighbors.

I therefore ask that City Council reject the LU decision in its entirety or reduce the size of the North Building so that is compatible with the Buck-Prager original resource, the adjacent properties, and the District as a whole. Whatever is built there will likely last past all of our lives. We must be sensitive to the development at this site to make sure it works for future generations.

Sincerely, s/ Tony Schwartz Tony Schwartz

Attachment to Tony Schwartz Appeal of LU 18-187493 Approval Criteria Not Met and Procedural Errors

- A. Many approval criteria were not met, including:
 - 1. Historic Alphabet District (HAD) Guideline #2 Differentiate new from old. New additions, exterior alterations, or related new construction will retain historic materials that characterize a property to the extent practicable . . . The design of new construction will be compatible with the historic qualities of the district as identified in the Historic Context Statement. South Addition has insufficient relation to Buck-Prager; doesn't complement scale and pick up design elements. Both new structures grossly overwhelm Buck-Prager, and are incompatible with historic context of immediately surrounding area, which is primarily small structures described in historic context statement (13 are individually listed on National Register). Decision makes no mention of these historic structures.
 - 2. HAD Guideline #3 Hierarchy of Compatibility. Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a historic or conservation district, with the rest of the District. Where practical, compatibility will be pursued on all three levels. New development will seek to incorporate design themes characteristic of similar buildings in the Historic District. While a clear hierarchy is outlined, decision emphasizes reverse order of compatibility: first with wider district, ignores compatibility with adjacent properties, and barely mentions Buck-Prager. No consideration given to differences in height, scale, setbacks, major articulation, roof shapes, compatible window design. Large buildings distant from site used to show compatibility; they are not similar to Buck-Prager or adjacent structures.
 - 3. Community Design Guideline (CDG) 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. Immediate area's desired characteristics are typified by "middle-class Victorian houses, primarily in the Italianate and Queen Anne styles", "Portland's only nineteenth-century brick rowhouses" and "occasional small wood-frame apartment buildings" and similarly scaled historic churches. Large, block-like buildings break up sense of place and identity of this area.
 - 4. <u>CDG P2 Historic and Conservation Districts</u>. 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. Identity of the Historic Alphabet District not reinforced when a unique and distinct urban character area is disrupted by placing incompatibly large new development in the middle of a nearly intact cluster of late 19th century houses. Demolition Review decision (2015) recognized special character of area, emphasized that proposed 4-6 story building was grossly out of scale. This decision makes no such reference.
 - 5. CDG 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. South Addition and North Building overwhelm Buck-Prager in height and mass, while obscuring distinctive quoins at corners of historic building. Both new structures overpower adjacent historic structures. New structures not compatible in scale, color, window details, entrances, cornices, setbacks, material, and character with Buck-Prager or adjacent structures.
 - CDG 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. This decision does not consider elements of nearby buildings, but

rather accepts incorporating elements of buildings many blocks away from the site. The design and scale of these buildings differ significantly from those close to the site, particularly those adjacent to and on the site. Example: structures adjacent to site almost all have FARs in the 0.00 to 2.00 range; proposed development FAR is 3.6.

- B. There were multiple errors in the review process, including:
 - 1. The application was declared complete when Community Design Guideline P1 had not been addressed. Staff erroneously determined that CDG P1 did not apply to proposal, and declared application complete July 5, 2018. BDS staff informed neighbors, without sufficient explanation, that P1 did not apply. After letter from neighbors, BDS staff determined that P1 did apply. However, response to the guideline from applicant was not received until August 14, only 12 days before the hearing.
 - The City's hierarchy of regulations [Section 33.700.070.E], which says that the regulations of the
 Historic Overlay Zone supersede those of the base zone, was not followed. Discussion by Landmarks
 Commission at DARs and hearing indicated more reliance on base zone allowances than approval criteria
 for Historic Review.
 - Incomplete history of site. Previous case on this site—Demolition Review (LU 14-210073 DM)—was
 mentioned, but no information about Council's findings and recommendations related to design included
 in staff report or discussed by Commission. History and design of adjacent structures are also important,
 but no information in staff report or discussion by Commission.
 - 4. <u>Public comments addressing approval criteria were not acknowledged or evaluated.</u> Concerns raised in letters summarized with the briefest of words, no evaluation.
 - 5. Harassment of one Historic Landmarks Commissioner adversely affected the proceedings. In addition to causing one Commissioner to take a leave of absence, the harassment created a chilling effect on public comment and likely had a chilling effect on discussion by the Commission, ultimately affecting their decision. City failed to create a safe and comfortable environment for all members of public to comment, and for Landmarks Commissioners to freely deliberate.



CITY OF PORTLAND **Bureau of Development Services** 1900 SW Fourth Avenue, Suite 5000 Portland, OR 97201 Land Use Decision Enclosed Case # LU 18-187493 HRM AD



RETURN SERVICE REQUESTED

TESTIFIER SCHWARTZ TONY 520 SW 6TH AVE #600 PORTLAND OR 97204

City of Portland, Oregon | Bureau of Development Services | 1900 SW Fourth Avenue, Portland, Oregon 97201 | www.portlandoregon.gov/bds

the TTY at 503-823-6868 or the Oregon Relay Service at 711. For accommodations, modifications, translation, interpretation or other services, please call 503-823-7300. The City of Portland is committed to providing meaningful access.

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

Land Use Services

FROM CONCEPT TO CONSTRUCTION

Ted Wheeler, Mayor Rebecca Esau, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

FINAL FINDINGS AND DECISION BY THE LANDMARKS COMMISSION RENDERED ON September 24, 2018 - Approval

CASE FILE NUMBER: LU 18-187493 HRM, AD PC # 17-272429

Block 162 Apartments, 1727 NW Hoyt

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.

BUREAU OF DEVELOPMENT SERVICES STAFF: Grace Jeffreys 503-823-7840 / Grace.Jeffreys@portlandoregon.gov

GENERAL INFORMATION

Architect:

Applicant: Stephen McMurtrey, Northwest Housing Alternatives

> 13819 SE Mclaughlin Blvd., Milwaukie OR 97222 mcmurtrey@nwhousing.org, (503) 654-1007

Michelle Black, Carleton Hart Architecture

830 SW 10th Ave Suite 200, Portland OR 97205 michelle.black@carletonhart.com, (503) 206-3192

Mark P O'Donnell, Jane Enterprises LLC Owner:

8680 SW Bohmann Pkwy, Portland, OR 97223

1727 NW HOYT ST Site Address:

Legal Description: BLOCK 162 LOT 2&3 S 1' OF LOT 6, COUCHS ADD; BLOCK 162 N

49' 11' OF LOT 6, COUCHS ADD; BLOCK 162 LOT 7, COUCHS ADD

R180214490, R180214510, R180214530 Tax Account No.:

1N1E33AC 04200, 1N1E33AC 04300, 1N1E33AC 04400 State ID No.:

Quarter Section: 2928

Neighborhood: Northwest District, contact John Bradley at 503-313-7574.

Business District: Nob Hill, contact Nob Hill at nobhillportland@gmail.com., Pearl District

Business Association, contact at info@explorethepearl.com

Neighbors West/Northwest, contact Mark Sieber at 503-823-4212. District Coalition:

Plan District: Northwest.

Other Designations: The Buck, Carsten & Carrie Prager Building, located at 1727 NW Hoyt

> Street, is considered a Contributing Resource in the Alphabet Historic District, which was listed in the National Register of Historic Places on

November 16, 2000.

RH, High Density Residential. Zoning:

HRM, AD, Historic Resource Review with Modification and Adjustment Case Type:

Reviews.

Procedure:

Type III, with a public hearing before the Landmarks Commission. The decision of the review body can be appealed to City Council.

Proposal:

Applicant seeks **Historic Resource Review** approval for 148 new affordable housing units across three buildings located in the Alphabet Historic District and the Northwest Plan District.

 The first structure, the Buck-Prager Building (BP), is an existing 3-story Contributing Resource, and will be adaptive reused and seismically upgraded.

 The second structure, the South Addition (SA), will be a 4-story addition to the Buck-Prager and together they will house 48 senior units.

• The third structure, the "North Building (NB), will be a 5-story plus basement containing 100 units of affordable work-force housing.

One loading space and no car parking is proposed. Long term bike parking spaces will be in common areas and in units. Short-term bike parking requirements will be met by paying into the bike parking fund.

Exterior materials include brick, parge coating over brick, painted fiber cement panels and trim, metal trim, wood and fiberglass doors and windows, steel canopies and aluminum storefronts.

Additional reviews are requested:

Two (2) Modifications [PZC 33.846.070]:

 Standards for all Bicycle Parking (33.266.220.C.B). To reduce the required spacing between long-term bike parking spaces in the bike areas from 2'-0" to 1'-6" and to provide nonlockable bike racks in dwelling units; and,

 Loading, Screening (33.266.310.E). To omit the required 5' of L2 or 10' of L1 landscape screening buffer at the loading space off NW Irving.

One (1) Adjustment [PZC 33.805]:

1. <u>Loading</u>, Number of Spaces (33.266.310.C). To reduce the required number of loading spaces from two (2) Standard B spaces to one (1) Standard B space.

Non-standard development in the rights-of-way are proposed on NW Hoyt and NW Irving. This includes brick pavers, planting in the furnishing zone adjacent to the streets and planting in the frontage zone adjacent to the buildings.

Historic Resource Review is required for this proposed development because the site has a Historic Resource Protection overlay (33.846.060).

Relevant Approval Criteria:

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

- Community Design Guidelines and the Historic Alphabet District Community Design Guidelines Addendum (Appendix I).
- 33.846.070, Modifications Considered During Historic Resource Review
- 33.805.040, Adjustments

CONCLUSIONS

The purpose of the Historic Resource 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 proposed development meets the applicable Historic Resource Review criteria, modification criteria, and adjustment criteria, and therefore warrants approval.

Previous attempts to redevelop this site include a proposal in 2014 for the demolition of the Buck-Prager building, a contributing resource on the site. Ultimately, that Type IV Demolition application was denied by City Council, and the Buck-Prager building remained standing.

This proposed half-block development will renovate and seismically upgrade the Buck-Prager, and add two more structures, South Addition and the North Building. The multiple building frontages created by these three structures fronting NW 18th will add a fine-grained scale to this block face which is characteristic of historic development in the district.

The majority of the Landmarks Commission felt that, with conditions listed, the proposal met the applicable approval criteria. They commended the preservation of the Buck-Prager, the contemporary and simplified approach to the South Addition, which makes it a successful addition to this contributing resource, and the articulation of the massing and the responsive design of the North Building, which help it respond to the district. During the design process, the applicant responded to feedback with changes to massing, design, materials, colors and details. The proposal now better emphasizes the Buck-Prager, the surrounding area and the district. The modification to the long-term bike parking spaces, the landscape screening buffer at the loading space and the adjustment to the number of loading spaces will preserve a pedestrian friendly environment and contribute to improving building and site design. A minority of the Commissioners felt that that the design of the North Building misused historic design themes of the district by overtly mimicking other buildings in the district, and a more contemporary and simplified approach that responded to the historic district would have been a better strategy for this new construction.

The proposed development was ultimately approved with a 5 to 1 vote. By taking cues from the existing contributing resource, adjacent properties, and the rest of the district for the site, the massing, the material palette, and the details, Block 162 apartments will successfully fit into and enrich the Alphabet Historic District.

LANDMARKS COMMISSION DECISION

It is the decision of the Landmarks Commission to approve Historic Design Review for 148 new affordable housing units across three buildings:

 The adaptive reuse and seismic upgrading of the existing 3-story Contributing Resource, the "Buck-Prager Building";

 The "South Addition", a 4-story addition to the Buck-Prager, which together will house 48 senior units; and,

 The "North Building", a 5-story plus basement building containing 100 units of affordable work-force housing.

Approval for two (2) Modification requests:

- 1. To reduce the required spacing between long-term bike parking spaces in the bike areas from 2'-0" to 1'-6" and to provide non-lockable bike racks in dwelling units (33.266.220.C.B); and,
- 2. To omit the required 5' of L2 or 10' of L1 landscape screening buffer at the loading space off NW Irving (33.266.310.E).

Approval for one (1) Adjustment request:

1. To reduce the required number of loading spaces from two (2) Standard B spaces to one (1) Standard B space (33.266.310.C).

Approval for **non-standard development in the ROW**'s on NW 18th, NW Hoyt, and NW Irving. Approvals per Exhibits C.1-C-73, signed, stamped, and dated October 3, 2018, subject to the following conditions:

A. As part of the building permit application submittal, the following development-related conditions (B - I) 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 18-187493 HRM, AD. 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.
- **D.** The main entries of the North Building and the South Addition shall be custom wood storefronts, as shown in Exhibits C.68 and C.69.
- **E.** The fiber cement detailing of the North Building recesses shall match bays, as shown in Exhibit C.70.
- **F.** The glazing of the South Addition patios shall have both faces operable and lie flush when closed, as shown in Exhibit C.67.
- **G.** If proposed non-standard improvements in the Right-of-Ways, as shown in Exhibit C.48, are not approved by PBOT, standard improvements are acceptable. For non-standard development that differs from Exhibit C.48, additional reviews may be required.
- H. Irrigation shall be provided for the street frontage landscaping, as shown in Exhibit C.48.
- Applicant shall work with Urban Forestry and BDS staff to maximize the number and size
 of street trees on all three frontages.

By:

Kirk Ranzetta, Landmarks Commission Chair

Application Filed: June 15, 2018 Decision Filed: September 25, 2018 Decision Rendered: September 24, 2018 Decision Mailed: October 8, 2018

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 June 15, 2018 and was determined to be complete on **July 5, 2018**.

A Historic Resource Review hearing was held on **August 27**, **2018**. At that hearing, the record was requested to be held open for further information. The Commission agreed to hold it open as follows:

- New information, due in by 5pm on September 4, 2018.
- Response to new information, due in by 5pm on September 11, 2018.
- Final Applicant rebuttal, due in by 5pm on September 18, 2018.

A second hearing was held on September 24, 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 **June 15, 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: November 2, 2018

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 October 22, 2018 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 \$5,000.00 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 on October 23, 2018 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.

Grace Jeffreys October 3, 2018

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 INICATED

- A. Applicant's Statement:
 - 1. Original Submittal, 6.9.18
 - 2. Response to staff email, 6/25/18
 - 3. 100-day timeline not applicable, 7/3/18
 - 4. Request to deem application complete, 3/7/18
 - 5. FAR diagrams, 7/9/19
 - 6. Revised FAR diagram, 7/10/18
 - 7. Geotech report & other SB issues, 7/13/18
 - 8. LP siding and Fiber Cement option, 7/24/18
 - 9. Prelim Site Utility Plan, 7/24/18
 - 10. Response to staff concerns, 8/1/18
 - 11. Draft set, 8/1/18
- B. Zoning Map (attached):
- C. Plans & Drawings:
 - 1. EXISTING SITE PLAN
 - 2. PROPOSED SITE PLAN (attached)
 - 3. BUILDING PLANS
 - 4. BUILDING PLANS
 - 5. BUILDING PLANS
 - 6. BUILDING PLANS
 - 7. BUILDING PLANS
 - 8. BUILDING PLANS
 - 9. BUILDING PLANS
 - 10. BUILDING ELEVATIONS
 - 11. BUILDING ELEVATIONS (attached)
 - 12. BUILDING ELEVATIONS
 - 13. BUILDING ELEVATIONS (attached)
 - 14. BUILDING ELEVATIONS (attached)

- 15. BUILDING ELEVATIONS
- 16. BUILDING ELEVATIONS (attached)
- 17. BUILDING SECTIONS
- 18. BUILDING SECTIONS
- 19. BUILDING SECTIONS
- 20. SITE SECTION LOOKING EAST
- 21. BUILDING ELEVATION BUCK-PRAGER/ SOUTH ADDITION ANALYSIS
- 22. EXTERIOR MATERIAL PALETTES
- 23. EXTERIOR MATERIAL PALETTES
- 24. EXTERIOR MATERIAL PALETTES
- 25. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS SOUTH ADDITION
- 26. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS SOUTH ADDITION
- 27. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS SOUTH ADDITION
- 28. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS SOUTH ADDITION
- 29. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS SOUTH ADDITION
- 30. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS SOUTH ADDITION
- 31. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS SOUTH ADDITION
- 32. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS BUCK-PRAGER
- 33. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS BUCK-PRAGER
- 34. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS BUCK-PRAGER
- 35. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS BUCK-PRAGER
- 36. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS NORTH BUILDING
- 37. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS NORTH BUILDING
- 38. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS NORTH BUILDING
- 39. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS NORTH BUILDING
- A BUILDING BELLEVATIONS, SECTIONS, AND DETAILS NORTH DUILDING
- 40. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS NORTH BUILDING 41. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS NORTH BUILDING
- 42. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS NORTH BUILDING
- 43. ENLARGED ELEVATIONS, SECTIONS, AND DETAILS NORTH BUILDING

44. Not Used

- 45. CIVIL GRADING PLAN
- 46. CIVIL UTILITY PLAN
- 47. TREE PLAN
- 48. SITE LANDSCAPE PLAN
- 49. PLANT SCHEDULE
- 50. LANDSCAPE DETAILS
- 51. LANDSCAPE PLANT PALETTE

52. Not Used

- 53. BIKE PARKING LONG TERM
- 54. BIKE PARKING ELEVATIONS, DETAILS AND COUNT
- 55. EXTERIOR LIGHTING PLAN AND FIXTURES
- 56. SIGNAGE PLAN
- 57. CUT SHEETS
- 58. CUT SHEETS
- 59. CUT SHEETS
- 60. CUT SHEETS
- 61. CUT SHEETS
- 62. CUT SHEETS
- 63. CUT SHEETS
- 64. CUT SHEETS
- 65. CUT SHEETS
- 66. CUT SHEETS
- 67. In-swinging French Doors
- 68. North Building Storefront Entry Alternate Custom wood system (APP.2-12)
- 69. South Addition Storefront Entry Alternate Custom wood system (APP.2-14)

- 70. Enlarged Details North Building Recess (APP.2-15)
- 71. Preliminary Street Trees, NW Irving
- 72. Preliminary Street Trees, NW 18th
- 73. Preliminary Street Trees, NW Hoyt

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 Mailing list
- 6. Mailed notice

E. Agency Responses:

- 1. Bureau of Environmental Services
- 2. Bureau of Transportation Engineering and Development Review
- 3. Water Bureau
- 4. Life Safety Review Section of Bureau of Development Services
- 5. Bureau of Parks, Forestry Division

F. Letters:

- 1. Lucas Gray, on 8/3/18, wrote in support of proposal.
- 2. Tim Davis, on 8/3/18, wrote in support of proposal.
- Leon Porter, on 8/4/18, wrote in support of proposal.
- 4. Stephen Judkins, on 8/4/18, wrote in support of proposal.
- 5. Alan Kessler, on 8/7/18, wrote in support of proposal.
- 6. Holly Balcom, on 8/7/18, wrote in support of proposal.
- 7. Paul Del Vecchio, on 8/7/18, wrote in support of proposal.
- 8. Tony Jordan, on 8/7/18, wrote in support of proposal.
- 9. Aaron Brown, on 8/7/18, wrote in support of proposal.
- 10. Josh Baker, on 8/8/18, wrote in support of proposal.
- 11. Eric Lindsay, on 8/9/18, wrote in support of proposal.
- 12. Brad Baker, on 8/9/18, wrote in support of proposal.
- 13. Josh Mahar, on 8/9/18, wrote in support of proposal.
- 14. Thomas Craig, on 8.9.18, wrote in support of proposal.
- 15. Hannah Penfield, on 8/9/18, wrote in support of proposal.
- 16. Isaac Byrd, on 8/9/18, wrote in support of proposal.
- 17. Doug Klotz, 8/9/18, wrote in support of proposal.
- 18. Blake Goud, on 8/9/18, wrote in support of proposal.
- 19. Aaron Ilika, on 8/10/18, wrote in support of proposal.
- 20. Suzy Elbow, on 8/10/18, wrote in support of proposal.
- 21. Henry Kraemer, on 8/10/18, wrote in support of proposal.
- 22. Mark Workman, on 8/13/18, wrote in support of proposal.
- 23. Madeline Kovacs, on 8/13/18, wrote in support of proposal.
- 24. Iain Mackenzie, on 8/13/18, wrote in support of proposal.
- 25. Annette Suchy, on 8/15/18, wrote with concerns about proposal.
- 26. Richard U'Ren and Annette Jolin, on 8/15/18, wrote with concerns about proposal.
- 27. Tony Schwartz, on 8/15/18, wrote with concerns about proposal.
- 28. Dragana Milosevic, on 8/15/18, wrote with concerns about proposal.
- 29. Allen Buller, on 8/15/18, wrote with concerns about proposal.
- 30. Vicki Skryha, on 8/15/18, wrote with concerns about proposal.
- 31. Steve Connolly, on 8/15/18, wrote with concerns about proposal.

G. Other:

- 1. Original LUR Application
- Pre-Application Conference Summary Memo, 12/26/17
- 3. Design Advice Request Summary Memos, 5/16/18
- Request for Completeness with BES response, 6/9/18
- Incomplete Letter, 6/29/18

- 6. Staff mail with SB issues, 7/3/18
- 7. Email chain regarding P1, 8/2/18
- 8. Alphabet Historic District National Register nomination excerpt (by reference)
- Alphabet Historic District: Community Design Guidelines: Addendum, September 5, 2000

H. Commission exhibits

(Received before first Hearing)

- 1. Drawing Set for hearing, 8/2/18
- 2. Staff Report for first hearing, 8/2/18
- 3. Staff Memo for first hearing, 8/2/18
- 4. Letter, Rob Fullmer, 8/16/18, wrote with concerns about proposal.
- 5. Letter, Jill Warren, 8/16/18, wrote with concerns about proposal.
- 6. Letter, Jenny Mosbacher, 8/16/18, wrote with support for proposal.
- 7. Letter, Jim Heuer, 8/16/18, wrote with concerns about proposal.
- 8. Letter, Vicki Skryha, 8/16/18, wrote with concerns about proposal.
- 9. Letter, Daniel Anderson, 8/17/18, wrote with concerns about proposal.
- 10. Letter, Brad Hochhalter, 8/19/18, wrote with concerns about proposal.
- 11. Letter, Dennis Harper, 8/20/18, wrote with concerns about proposal.
- 12. Letter, Carolyn Cosgriff, 8/21/18, wrote with concerns about proposal.
- 13. Letter, Braden Bernards, 8/21/18, wrote with concerns about proposal.
- 14. Letter, NWDA, 8/22/18, wrote with concerns about proposal.
- 15. Letter, Jill Warren, 8/22/18, wrote with concerns about proposal.
- 16. Letter, Sandra Moreland, 8/22/18, wrote with concerns about proposal.
- 17. Letter, Steve & Laurie Caldwell, 8/22/18, wrote with concerns about proposal.
- 18. Letter, Erich Austin & Tanya Loucks, 8/22/18, wrote with concerns about proposal.
- 19. Letter, Carolyn Sheldon, 8/22/18, wrote with concerns about proposal.
- 20. Letter, JoZell Johnson, 8/22/18, wrote with concerns about proposal.
- 21. Letter, Jessica Richman, 8/22/18, wrote with concerns about proposal.
- 22. Letter, Page Stockwell, 8/24/18, wrote with concerns about proposal.
- 23. Letter, Jessica Richman, 8/26/18, request to hold case open.
- 24. Letter, JoZell Johnson, 8/26/18, wrote with concerns about proposal.
- 25. Letter, Jessica Richman, 8/26/18, wrote with concerns about proposal.
- 26. Letter, Geoff Rogers, 8/26/18, wrote with concerns about proposal.
- 27. Letter, Vicki Skryha, 8/27/18, wrote with concerns about proposal.
- 28. Letter, Page Stockwell, 8/27/18, wrote with concerns about proposal.
- 29. Letter, Mark Hails & Peg King, 8/27/18, wrote with concerns about proposal.

(Received at first Hearing on 8/27/18)

- 30. Staff presentation, 8/27/18
- 31a. Applicant presentation (full document), 8/27/18
- 31b. Applicant presentation (extract), 8/27/18
- 32. Public testimony Sign-in sheet, 8/27/18
- 33. Letter, Allen Buller, 8/27/18, wrote with concerns about proposal.
- 34. Letter, Vicki Skryha, 8/27/18, wrote with concerns about proposal.
- 35. Letter, Tony Schwartz, 8/27/18, wrote with concerns about proposal.
- 36. Standards for Rehabilitation for Historic Buildings, 8/27/18
- 37. Letter, Brooke Best, AHC, 8/27/18, wrote with concerns about proposal.
- 38. Letter, Daniel Anderson, 8/27/18, wrote with concerns about proposal.
- 39. Letter, Bill Welch, 8/27/18, wrote with concerns about proposal.
- 40. Letter, Wendy Rahm, 8/27/18, wrote with concerns about proposal.
- 41. Letter, Sarah Stevenson, Innovative Housing, 8/27/18, wrote in support of proposal.

(New Evidence, received before 5pm on September 4, 2018)

- 42. Memo from CHA regarding height, received 8/30/18
- 43. Memo from CHA with revisions list, received 8/30/18
- 44. Revised "C" drawings, 8/30/18
- 45. Revised "Appendix" drawings, 8/30/18

Case Number LU 18-187493 HRM AD - Block 162 Apartments, 1727 NW Hoyt

- 46. Letter, Mary Ann Pastene, 8/30/18, wrote with concerns about proposal.
- 47. Memo from CHA with revisions list, 8/31/18
- 48. Revised "C" drawings, 8/31/18
- 49. Revised "Appendix" drawings, 8/31/18
- 50. Letter, Wendy Rahm, 9/1/18, wrote with concerns about proposal.
- 51. Letter, Margaret King, 9/4/18, wrote with concerns about proposal.
- 52. Letter, Mark Hails and Peg King, 9/4/18, wrote with concerns about proposal.
- 53. Letter, Jessica Richman, 9/4/18, wrote with concerns about proposal.
- 54. Memo from CHA regarding Parge Coating, 9/4/18
- 55. Memo from CHA regarding Street trees, 9/4/18
- 56. Memo from CHA with revisions list, 8/31/18
- 57. Letter, Verlena Orr, 9/4/18, wrote with concerns about proposal.
- 58. Letter, JoZell Johnson, 9/4/18, wrote with concerns about proposal.

(Response to New Evidence, received before 5pm on September 11, 2018)

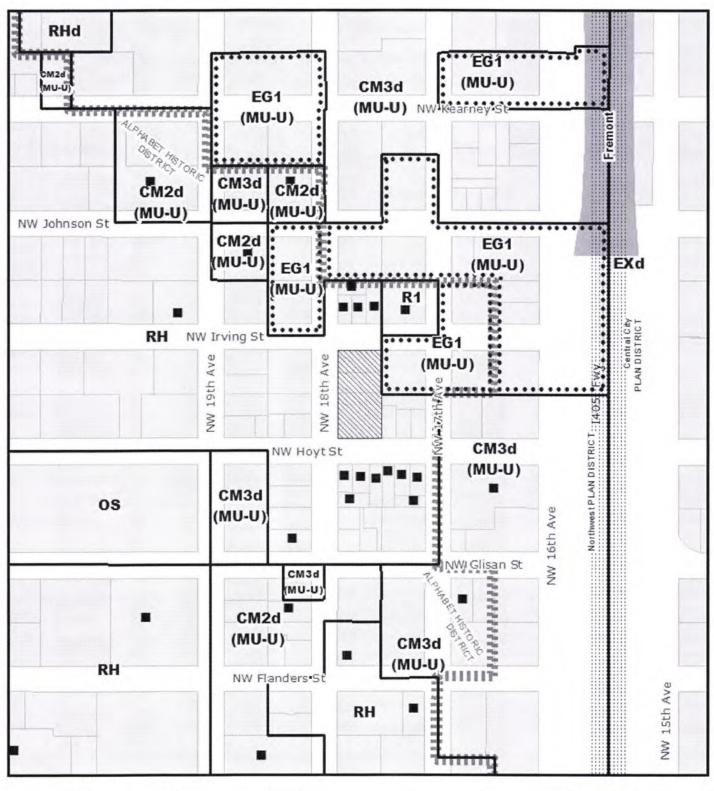
- 59. Memo from CHA with revisions list, 9/11/18
- 60. Letter from Tim Ramis, 9/11/18

(Applicant Final Rebuttal, received before 5pm on September 18, 2018)

61. Memo from CHA with final rebuttal, 9/18/18

(Staff information after 5pm on September 18, 2018)

- 62. Tentative Final Findings, 9/20/2018
- 63. Memo to Commission, 9/20/18
- 64. Staff PPT for second hearing, 9/24/18





NORTH

THIS SITE LIES WITHIN THE: NORTHWEST PLAN DISTRICT ALPHABET HISTORIC DISTRICT



Site

Historic Landmark



File No.

LU 18-187493 HRM AD

1/4 Section 2928

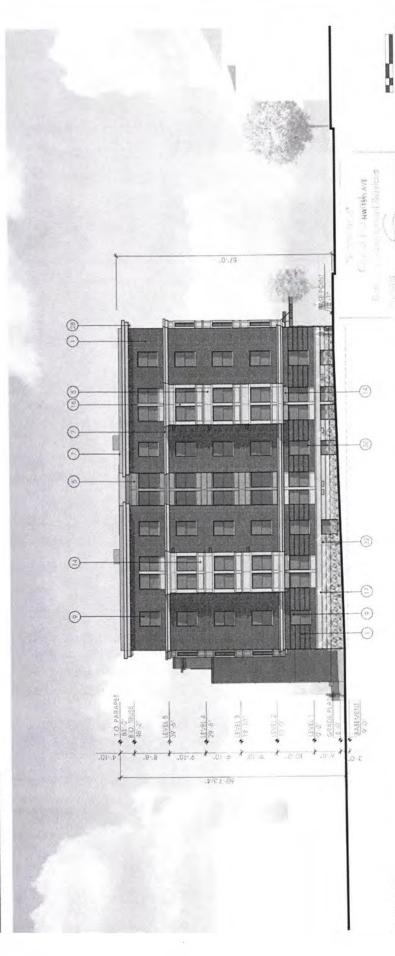
Scale _ State ID

1 inch = 200 feet 1N1E33AC 4200

Exhibit

B Jun 19, 2018

BUILDING ELEVATION - NORTH



KEYNOTES

- Madular brick, running bond, color 1 Madular brick, running bond, color 2 Modular brick, stacked bond, color 3 Evisting modular brick, running band, color 4.
- Restore and repoint
- Riber cement panel siding, white Meral panel siding, white Meral panel siding, dark bronze Meral tim/flashing, while Meral tim/flashing, dark bronze Fleeglass window, while Fleeglass window, dark bronze Custom wood window, painted
- Reconstructed rough opening with custom wood
- Steel entrance canopy
- Fiberglass parto door, dark bronze
 Alcinectual media gille, white
 Architectual media gille, white
 Composite trim, while
 Farige coot over brick, while
 Parige coot over brick, light gray
 Restore and repaint existing parige coaling, dark gray
- Metal parabet evebrow, based on historic photo Wood entionce door and sdellnes, pained Aluminum storefront with sidelities, white Aluminum storefront with sidelities, dark bronze Aluminum storefront with sidelities, dark bronze

34 33

Decorative metal guardrall, losercut and painted



KEY PLAS

10/3/18

0

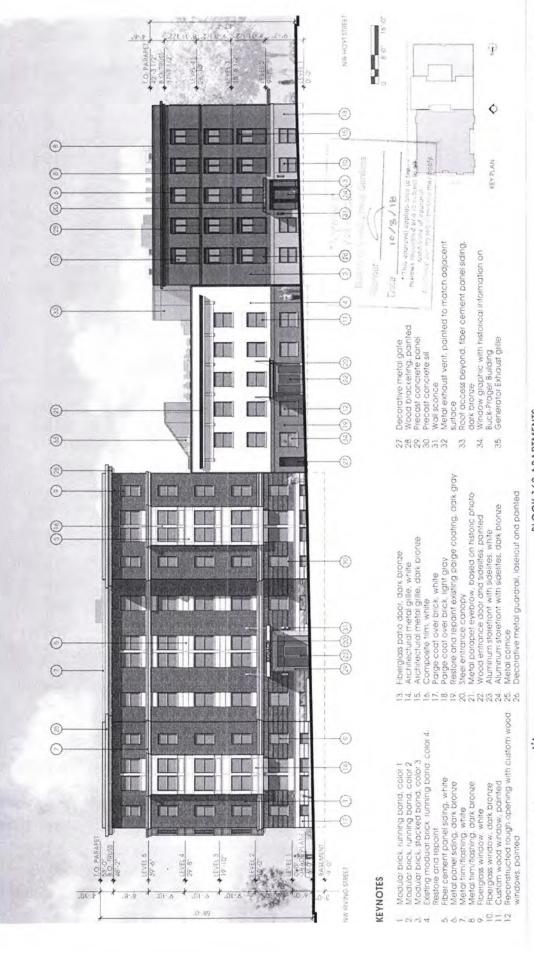
Wall sconce Metal exhaust vent, painted to match adjacent Raot access beyond, fiber cement panel siding. Window graphic with historical information on Buck-Prager Building Generator Exhaust grille

Decorptive metal gate Wood bracketing, painted Precast concrete panel Precast concrete sil

33.30.23

LU 18-187493 HRM

BUILDING ELEVATION - WEST



CARLETON HART

BLOCK 162 APARTMENTS

Metal cornice Decarative metal guardial laserant and painted

Aluminum statefrant with sidelites, white Aluminum statefrant with sidelites, dark branze

KEYPLAN

Roof access beyond, fiber cement panel siding, dark bronze Metal exhaust vent, painted to match adjacent

Restore and repaint existing parge coating, dark gray

Floar Cement Donel siding, white Metal panel siding, white Metal panel siding, donk bronze Metal timi/lashing, white Floerglass window, white Floerglass window, and bronze Designass window, and bronze 2 Laustom wood window, parititled its constructed tough opening with custom wood 2. Reconstructed tough opening with custom wood 2.

21109705

CARLETON HART ARCHITECTURE

Parge coat over brick, white Parge coat over brick, light gray

Existing modular brick, running bond, color 4

Restore and repoint

Modular brick, running bond, color 1 Modular brick, running bond, color 2 Modular brick, stacked bond, color 3

-000

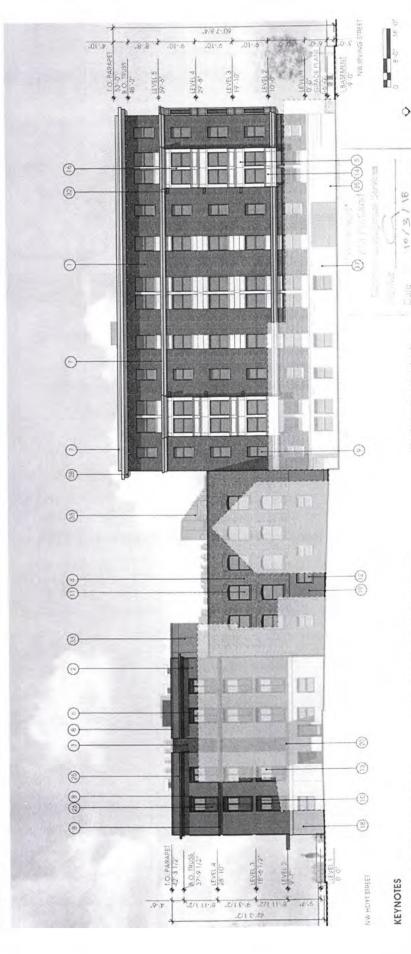
chiectural metal grille, white chiectural metal grille, dark bionze Piberglass patto door, dark bronze

Steel entrance danopy Metal parapet eyebrow, based on historic photo

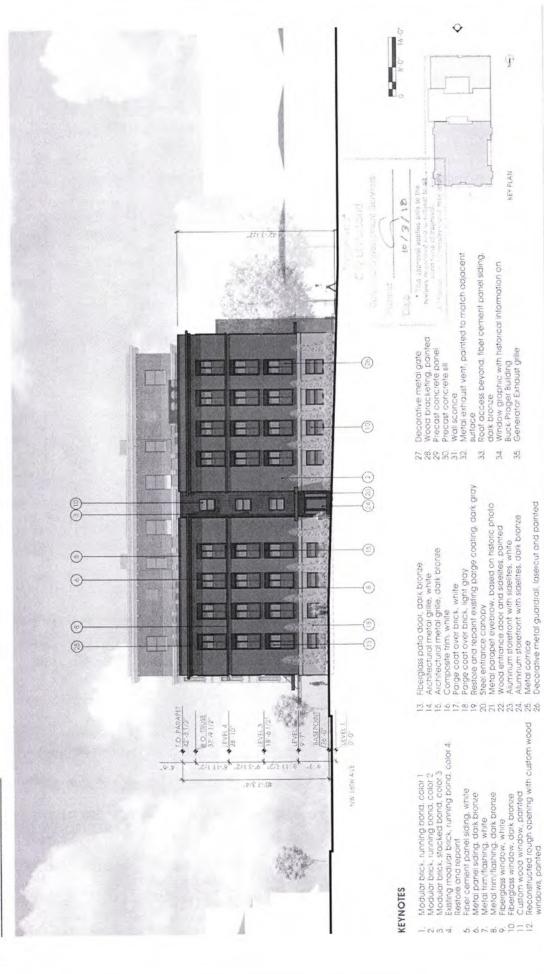
Wood entrance door and sidelites, painted

Decorative metal gate
Wood brackering, bamled
Precast concrete panel
Precast concrete sill
Wall sconce

Window graphic with historical information on Buck-Proger Building Generator Exhaust grille



BUILDING ELEVATION - SOUTH



CARLETON HART ARCHITECTURE

BLOCK 162 APARTMENTS

LU 18-187493 HRM

KEV PLAN

C.16

