

Order of Council

NORTHWEST DISTRICT
NEIGHBORHOOD ASSOC (NWDA)
C/O JOZELL JOHNSON SECRETARY
533 NW 18TH AVE
PORTLAND OR 97209

TONY SCHWARTZ
520 SW 6TH AVE #600
PORTLAND OR 9204

STEPHEN MCMURTREY
NORTHWEST HOUSING ALTERNATIVES
13819 SE MCLAUGHLIN BLVD
MILWAUKIE OR 97222

MICHELLE BLACK
CARLETON HART ARCHITECTURE
830 SW 10TH AVE SUITE 200
PORTLAND OR 97205

MARK P O'DONNELL
JANE ENTERPRISES LLC
8680 SW BOHMANN PKWY
PORTLAND OR 97223

BUREAU OF DEVELOPMENT SVCS
CASE FILE GRACE JEFFREYS
1900 SW 4TH AVE #5000
PORTLAND OR 97201

MARTHA MCLENNAN
3203 SW MITCHELL CRT
PORTLAND OR 97239

BRIAN CARLETON
CARLETON HART ARCHITECTURE PC
830 SW 10TH AVE SUITE 200
PORTLAND OR 97205

PAUL FALSETTO
1605 NE BUFFALO ST
PORTLAND OR 97211

DOUG KLOTZ
1908 SE 35TH PLACE
PORTLAND OR 97214

IAIN MACKENZIE
915 SE 35TH AVE
PORTLAND OR 97214

ALAN KESSLER
2725 SE 36TH AVE
PORTLAND OR 97202

LEON PORTES
1822 NE WASCO ST
PORTLAND OR 97232

MADELINE KOVACS
PORTLAND FOR EVERYONE
1000 FRIENDS OF OREGON
133 SW 2ND AVE SUITE 201
PORTLAND OR 97204

LAURA GOLINO DE LOVATO
NW PILOT PROJECT
1430 SW BROADWAY STE 200
PORTLAND OR 97201

JULIE GARVER
INNOVATIVE HOUSING INC
219 NW 2ND AVE
PORTLAND OR 97209

JILL WARREN
607 NW 18TH AVE
PORTLAND OR 97209

HAROLD FORMAN
1150 NW QUIMBY ST
PORTLAND OR 97209

THOMAS F MULLANEY III
1734 NW HOYT ST
PORTLAND OR 97209

STEPHANIE WHITLOCK/BROOKE BEST
BOSCO-MILLIGAN
FDN/ARCHITECTURAL HERITAGE CTR
701 SE GRAND AVE
PORTLAND OR 97214

MATT BRISCHETTO
526 NW 18TH
PORTLAND OR 97209

HEIDI STEFFENS
1150 NW QUIMBY ST
PORTLAND OR 97209

STEPHEN MCMURTREY
HOUSING AUTHORITY OF CLACKAMAS
COUNTY
13930 GAIN ST
OREGON CITY OR 97045

TOM GIHRING
3116 NE 9TH AVE
PORTLAND OR 97212

BLAINE PALMER
215 SE 24TH AVE
PORTLAND OR 97214

ERIC LINDSAY
4600 SE 33RD PL
PORTLAND OR 97202

~~DOUG KLOTZ
1908 SE 35TH PL
PORTLAND OR 97214~~

RICHARD U'REN & ANNETTE JOLIN
1735 NW IRVING ST
PORTLAND OR 97209

STEVE AND LAURIE CALDWELL
1705 NW IRVING ST
PORTLAND OR 97209

ERICH AUSTIN AND TANYA LOUCKS
1709 NW IRVING ST
PORTLAND OR 97209

CAROLYN SHELDON
20445 NW WESTOVER RD APT 204
PORTLAND OR 97210

DRAGANA MILOSEVIC
1731 NW IRVING
PORTLAND OR 97209

WAYNE MICHAEL ORANGE
ROSELYN APARTMENTS
424 NW 21ST AVE APT 202
PORTLAND OR 97209

TRAVIS PHILLIPS
1974 NW LOVEJOY ST
PORTLAND OR 97209

HOLLY BACON
2158 NE HALSEY ST
PORTLAND OR 97232

PAGE STOCKWELL
2039 NW IRVING ST
PORTLAND OR 97209

DANIEL ANDERSON
1930 NW IRVING UNIT 504
PORTLAND OR 97209

TONY JORDAN
4540 SE YAMHILL ST
PORTLAND OR 97215

JERE GRIMM
1734 NW ASPEN AVE
PORTLAND OR 97210

ROB FULLMER
1812 NW HOYT ST
PORTLAND OR 97209

RABBI BENJAMIN BARNETT
JULIA LAGER-MESULUM
KEN LERNER
HAVURAH SHALOM
825 NW 18TH AVE
PORTLAND OR 97209

VICKI SKRYHA
1728 NW HOYT ST
PORTLAND OR 97209

ALLEN W BULLER
1728 NW HOYT ST
PORTLAND OR 97209

BRAD HOCHHALTER
SIRI SHETTY
1721 NW GLISAN ST
PORTLAND OR 97209

BRAD BAKER
2301 NE RODNEY AVE
PORTLAND OR 97212

STEVE CONNOLLY
1917 NW HOYT
PORTLAND OR 97209

STEVE PINGER
NORTHWEST DISTRICT ASSOCIATION
2257 NW RALEIGH ST
PORTLAND OR 97210

Emailed: Grace Jeffreys, Linly Rees, Lauren King, Maja Haium, BDS Hearings Clerks, Douglas Morgan, Kurt Krueger, Dawn Krantz, Robert Haley, Dawn Uchiyama, Stephen Himes, Mari Moore, Tamara Burkovskaia, Toni Anderson, Meghaan Davis

LU 18-187493 HRM AD
Order mailed: DEC 21 2018





P O R T L A N D
CITY AUDITOR
Council Clerk
& Contracts

December 21, 2018

Stephen McMurtrey
Northwest Housing Alternatives
13819 SE Mclaughlin Blvd.
Milwaukie OR 97222

Michelle Black
Carleton Hart Architecture
830 SW 10th Ave Suite 200
Portland OR 97205

RE: LU 18-187493 HRM AD

Consider the appeals of Northwest District Neighborhood Association and Tony Schwartz against Historic Landmarks Commission's decision to approve Block 162 Apartments, a five-story plus residential development, at 1727 NW Hoyt Street (Hearing; LU 18-187493 HRM AD)

To Whom It May Concern:

Enclosed is a copy of the Order of Council on LU 18-187493 HRM AD. This Order must be recorded with the Multnomah County Recorder within 10 days of receipt of this letter. **Please send a check for \$96.00 made payable to the Multnomah County Recorder, indicating the file number on your check and SEND TO: The City of Portland, Office of the City Auditor, 1221 SW 4th Ave. Room 130, Portland, OR 97204-1900**

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with LUBA within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. LUBA's address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call LUBA at 1-503-373-1265 or visit LUBA's website (www.oregon.gov/LUBA) for further information on filing an appeal.

Yours sincerely,
Mary Hull Caballero
Auditor of the City of Portland

By: 

Karla Moore-Love, Council Clerk

Cc: Mark P. O'Donnell, Jane Enterprises LLC
Encl.

Karla Moore-Love, Council Clerk
City of Portland
1221 SW 4th Avenue, Room 130, Portland, OR 97204
(503) 823-4086
www.portlandoregon.gov/auditor/councilclerk





NOTICE OF FINAL DECISION

TO: All Interested Persons
DATE: December 21, 2018
RE: LU 18-187493 HRM AD

Consider the appeals of Northwest District Neighborhood Association and Tony Schwartz against Historic Landmarks Commission's decision to approve Block 162 Apartments, a five-story plus residential development, at 1727 NW Hoyt Street (Hearing; LU 18-187493 HRM AD)

To Whom It May Concern:

Enclosed is a copy of the Order of Council on LU 18-187493 HRM AD, to deny the appeals and uphold the Historic Landmarks Commission's decision; adopt findings with a minor revision to page 10 to approve Block 162 Apartments at 1727 NW Hoyt Street. If you wish to obtain a copy of the City Council's findings and decision, please contact Karla Moore-Love, Council Clerk by email at: Karla.Moore-Love@portlandoregon.gov or at (503) 823-4086.

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with LUBA within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. LUBA's address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call LUBA at 1-503-373-1265 or visit LUBA's website (www.oregon.gov/LUBA) for further information on filing an appeal.

Yours sincerely,
Mary Hull Caballero
Auditor of the City of Portland

By:

Karla Moore-Love, Council Clerk

Encl.

Karla Moore-Love, Council Clerk
City of Portland
1221 SW 4th Avenue, Room 130, Portland, OR 97204
(503) 823-4086
www.portlandoregon.gov/auditor/councilclerk



CONSIDER THE APPEALS OF NORTHWEST DISTRICT NEIGHBORHOOD ASSOCIATION AND TONY SCHWARTZ AGAINST HISTORIC LANDMARKS COMMISSION'S DECISION TO APPROVE BLOCK 162 APARTMENTS, A FIVE-STORY PLUS RESIDENTIAL DEVELOPMENT, AT 1727 NW HOYT STREET (HEARING; LU 18-187493 HRM AD)

Appellant #1: Northwest District Neighborhood Association (NWDA)
c/o JoZell Johnson, NWDA Secretary
533 NW 18th Ave., Portland, OR 97209
(503) 227-2864, secretary@northwestdistrictassociation.org

Appellant #2: Tony Schwartz
520 SW 6th Ave. #600, Portland, OR 97204
(503) 505-4674, tonyschwartz.law@gmail.com

Applicant/Rep: Stephen McMurtrey, Northwest Housing Alternatives
13819 SE Mclaughlin Blvd., Milwaukie OR 97222
(503) 654-1007, mcmurtrey@nwhousing.org

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

Owner: Mark P O'Donnell, Jane Enterprises LLC
8680 SW Bohmann Pkwy, Portland, OR 97223

Site Address: **1727 NW HOYT ST**

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

Zoning: **RH**, High Density Residential.

Case Type: **HRM, AD**, Historic Resource Review with Modification and Adjustment 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 residential housing units across three buildings located in the Alphabet Historic District and the Northwest Plan District:

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

- The second structure, the South Addition, will be a new 4-story addition to the Buck-Prager, and together they will house 48 residential housing units.
- The third structure, the “North Building, will be a new 5-story plus basement building containing 100 residential housing units.

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]:

1. 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 non-lockable bike racks in dwelling units; and,
2. 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. Loading, 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:

On NW Hoyt and NW Irving, non-standard development in the rights-of-way 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).

The City Council appeal hearing was opened in the Council Chambers, 1221 SW 4th Avenue on November 29, 2018 at approximately 2:00 p.m. After hearing public testimony and considering the evidence in the record, Council voted 4-0 to tentatively deny the appeals, and uphold the Historic Landmarks Commission's decision to approve Block 162 Apartments Historic Review with modifications and adjustment. The City Council directed staff to prepare findings for December 19, 2018 at 10:00 a.m. On December 19, 2018 at approximately 10:00 a.m. Council voted 3-0 to deny the appeals and uphold the Historic Landmarks Commission's decision; adopt findings with a minor revision to page 10 to approve Block 162 Apartments at 1727 NW Hoyt Street.

DECISION

Based on evidence in the record and adoption of the Council's Findings and Decision in **Case File LU 18-187493 HRM AD** and by this reference made a part of this Order, **it is the decision of the City Council to deny the appeals of the Historic Landmarks Commission decision (LU 18-187493 HRM AD) and thereby approve the Historic Resource Review for 148 new residential 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 new 4-story addition to the Buck-Prager, which together with the Buck-Prager, will house 48 residential housing units; and,
- The "North Building", a new 5-story plus basement building containing 100 residential housing units.

Approval for two (2) **Modification** requests:

1. 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 non-lockable bike racks in dwelling units; and,
2. Loading, Screening (33.266.310.E). To omit the required 5 feet of L2 or 10 feet of L1 landscape screening buffer at the loading space off NW Irving.

Approval for one (1) **Adjustment** request:

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

Approval for **non-standard development in the rights-of-way** on NW 18th, NW Hoyt and NW Irving.

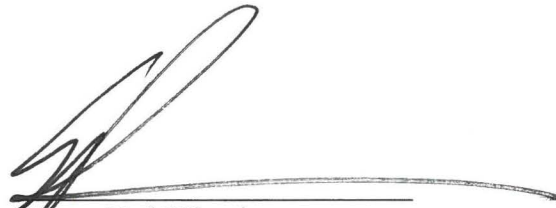
Approvals per Exhibits C.1-C-73, signed, stamped, and dated October 3, 2018, subject to the following conditions:

- 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.
- I. Applicant shall work with Urban Forestry and BDS staff to maximize the number and size of street trees on all three frontages.

IT IS SO ORDERED:

DEC 21 2018
Date



Mayor Ted Wheeler
Presiding Officer at Hearing of
December 19, 2018
9:30 a.m. Session