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2019-000699



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CITY OF PORTLAND
Office of the City Auditor
1221 SW Fourth Avenue, Room 130
Portland, OR 97204-1900

I hereby certify this Land Use Document No. LU 18-187493 HRM AD – Order of Council to be a complete and exact copy of the original as the same appears on file and of record in my office and in my care and custody on January 2, 2019.

MARY HULL CABALLERO
Auditor of the City Of Portland

By Meghan Davis
Deputy

RETURN TO CITY AUDITOR
131/130/Auditor's Office

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:

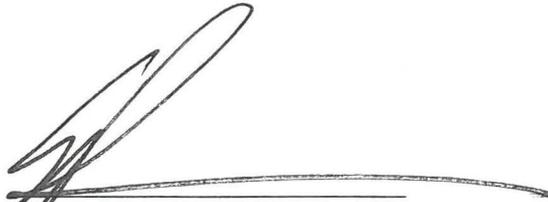
- A. As part of the building permit application submittal, the following development-related conditions (B – I) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE- 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