

BDS  
ATTN: YVONNE POELWIJK  
1900 SW 4<sup>TH</sup> AVE, STE 5000  
PORTLAND, OR 97201

MARTIN KEHOE  
PORTLAND LEEDS LIVING LLC  
6650 SW MACADAM AVE  
PORTLAND, OR 97239

PORTLAND SCHOOL DIST #1  
JUSTIN DOLLARD/PAUL CATHCART  
501 N DIXON ST  
PORTLAND, OR 97227

STEVEN SPENCE  
1932 NW OVERTON ST.  
PORTLAND, OR 97209

OVERTON STREET LLC  
35530 SUNNYHILL LN  
PLEASANT HILL, OR 97455-9643

TRIMET  
GRANT O'CONNELL  
1800 SW FIRST AVE STE 300  
PORTLAND, OR 97201

RONALD H. FOREHAND  
1420 NW 20<sup>TH</sup> AVE #103  
PORTLAND, OR 97209

AIA URBAN DESIGN COMMITTEE  
SAUNDRA STEVENS  
403 NW 11<sup>TH</sup> AVE  
PORTLAND, OR 97209

TEAM OREGONION  
1320 SW BROADWAY  
PORTLAND, OR 97201

KATE WASHINGTON  
1550 NW 14<sup>TH</sup> AVE #520  
PORTLAND, OR 97209

METRO  
SUSTAINABILITY CENTER  
600 NE GRAND AVE  
PORTLAND, OR 97232

JASON LARSON  
2710 NW SHERLOCK  
PORTLAND OR 97210

RON WALTER  
NW DISTRICT ASSOCIATION  
2057 NW OVERTON ST.  
PORTLAND, OR 97209

NEIGHBORS WEST/WEST  
MARK SEIBER  
2257 NW RALEIGH ST.  
PORTLAND, OR 97210

PDC B129  
TONI ANDERSON 131/130  
GAYLA JENNINGS 131/130

RON WALTERS  
NW DISTRICT ASSOCIATION  
2252 NW RALEIGH ST.  
PORTLAND, OR 97210

NORTHWEST DISTRICT ASSOC.  
JOHN BRADLEY  
2350 NW JOHNSON ST.  
PORTLAND, OR 97210

TAVO CRUZ, NWDA PRESIDENT  
c/o NEIGHBORS WEST/NORTHWEST  
2257 NW RALEIGH ST  
PORTLAND, OR 97210

KADEE & JOHN W. ACREE  
1420 NW 20<sup>TH</sup> AVE #504  
PORTLAND, OR 97209

NOB HILL BUSINESS ASSOC  
MIKE CONKLIN  
25 NW 23<sup>RD</sup> PL #6-PMB 217  
PORTLAND, OR 97210

GUSTAVO CRUZ  
NWDA  
2224 NW JOHNSON ST  
PORTLAND OR 97210

SHERRY C. FOX  
2034 NW OVERTON ST. #E  
PORTLAND, OR 97204

OREGON WALKS  
C/O DOUG KLOTZ  
1908 SE 35<sup>TH</sup> PLACE  
PORTLAND, OR 97214

STEVE PINGER  
2669 NW SAVIER ST  
PORTLAND OR 97210

BARBARA & STEVEN SPENCE  
P.O. BOX 374  
DEER HARBOR, WA 98243

PEARL DIST BA  
ADELE NOFIELD  
P.O. BOX 6767  
PORTLAND, OR 97228-6767

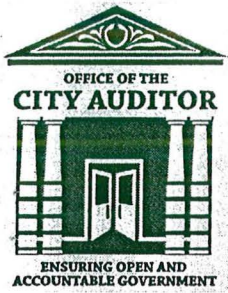
EMAILED: KATHRYN BEAUMONT, STACI  
MONROE, SARAH DRAKE, BRIAN  
HALL, YVONNE POELWIJK, DOUGLAS  
MORGAN, KURT KRUEGER, DAWN KRANTZ, BOI  
HALEY, DAWN UCHIYAMA, ELISABETH REESI  
CADIGAN, MARI MOORE, TIM HERON,

PHILLIP CHUBB  
FFA ARCHITECTURE & INTERIORS  
520 SW YAMHILL ST #900  
PORTLAND, OR 97204

PEARL DIST NA  
PAT GARDNER  
1200 NW MARSHALL ST STE 1307  
PORTLAND, OR 97209

LU 14-220722 DZ AD  
ORDER MAILED: 3/30/2015  
*pm*





## CITY OF PORTLAND

Office of City Auditor Mary Hull Caballero

Council / Contracts

1221 S.W. 4th Avenue, Room 130, Portland, Oregon 97204

web: [www.portlandonline.com/auditor/](http://www.portlandonline.com/auditor/)

Email: [Karla.Moore-Love@portlandoregon.gov](mailto:Karla.Moore-Love@portlandoregon.gov)

Phone: (503) 823-4086 Fax: (503) 823-4571



March 30, 2015

Phillip Chubb  
FFA Architecture & Interiors Inc.  
520 SW Yamhill Street Suite 900  
Portland, OR 97204

**RE: LU 14-220722 DZ AD**

Appeal of Northwest District Association against Design Commission's decision to approve with conditions the Tess O'Brien Apartments at 1953 NW Overton and 1950 NW Pettygrove Streets (Hearing; LU 14-220722 DZ AD)

To Whom It May Concern:

Enclosed is a copy of the Order of Council on LU 14-220722 DZ AD. This Order must be recorded with the Multnomah County Recorder within 10 days of receipt of this letter. **Please send a check for \$46.00 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 SE 4<sup>th</sup> 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](http://www.oregon.gov/LUBA)) for further information on filing an appeal.

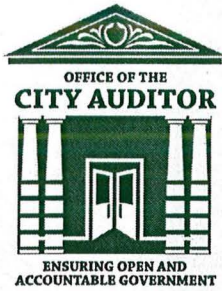
Yours sincerely,  
Mary Hull Caballero  
Auditor of the City of Portland

By:

Karla Moore-Love, Council Clerk

Encl.

cc: Martin Kehoe, Portland LEEDS Living, LLC



# CITY OF PORTLAND

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web: [www.portlandonline.com/auditor/](http://www.portlandonline.com/auditor/)

Email: [Karla.Moore-Love@portlandoregon.gov](mailto:Karla.Moore-Love@portlandoregon.gov)

Phone: (503) 823-4086 Fax: (503) 823-4571



## NOTICE OF FINAL DECISION

TO: All Interested Persons

DATE: March 30, 2015

RE: LU 14-220722 DZ AD

Appeal of Northwest District Association against Design Commission's decision to approve with conditions the Tess O'Brien Apartments at 1953 NW Overton and 1950 NW Pettygrove Streets (Hearing; LU 14-220722 DZ AD)

Enclosed is a copy of the Order of Council on LU 14-220722 DZ AD denying the appeal of the Northwest District Association and upholding Design Commission's conditional approval. 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](mailto: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](http://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.

**APPEAL OF NORTHWEST DISTRICT ASSOCIATION AGAINST DESIGN COMMISSION'S  
DECISION TO APPROVE WITH CONDITIONS THE TESS O'BRIEN APARTMENTS AT 1953  
NW OVERTON AND 1950 NW PETTYGROVE STREETS (HEARING: LU 14-220722 DZ AD)**

- Applicants:** Phillip Chubb  
FFA Architecture & Interiors Inc.  
520 SW Yamhill Street Suite 900  
Portland, OR 97204
- Owner:** Martin Kehoe  
Portland LEEDS Living, LLC  
6605 SW Macadam Avenue  
Portland, OR 97239
- Site Address:** 1953 NW Overton & 1950 NW Pettygrove Streets
- Legal Description:** BLOCK 265 LOT 12&13, COUCHS ADD and BLOCK 265, W 1/2 OF LOT 10, LOT 11  
COUCHS ADD
- Zoning:** EXd: Central Employment (EX) base zone; Design (d) overlay zone
- Procedure:** Type III, with a public hearing before the Design Commission. The decision of the  
Design Commission can be appealed to City Council.

**Original Proposal:**

The applicant applied for Design Review approval for two, 6-story apartment buildings with an interior courtyard containing a total of 123 residential units (51 units in the Pettygrove building on NW Pettygrove Street and 72 units in the Overton building on NW Overton Street). The ground level of the buildings include lobbies, live-work and residential units, and areas for bike storage and trash. Apartment units will occupy the upper floors of both buildings. The 67' tall structures will be comprised of red brick, black aluminum and black vinyl windows, steel canopies, and stucco. A large outdoor courtyard is proposed between the buildings that will include landscaping, outdoor seating areas, a pergola, stormwater planters and covered bike storage. The 153 required long-term bike spaces will be dispersed throughout the project both in the buildings and courtyard. The project will pay into the Bike Fund for the 7 short-term bike spaces required. A Type 3 Design Review is required for new development in a Design overlay where the project value exceeds \$2,087,400, per Zoning Code Section 33.825.025.A.1.e.

The applicant also requested the following Adjustment:

1. To not provide the two 9' x 18' loading spaces required on the site (Section 33.266.310.C.1.a).

After notice and public hearings on November 6, December 4, and December 18, 2014 and January 15, 2015, the Design Commission adopted a decision approving the applicant's request for Design Review and Adjustment at the conclusion of the January 15<sup>th</sup> hearing. The Northwest District Association filed a timely appeal of the Design Commission's decision on February 4, 2015 and an on-the-record appeal hearing before the City Council was scheduled for March 4, 2015.

The City Council appeal hearing was opened in the Council Chambers, 1221 SW 4<sup>th</sup> Avenue on March 4, 2015 at approximately 2:00 p.m. After hearing public testimony and considering the evidence in the record, the Council voted 4-0 to tentatively deny the appeal of the Northwest District Association and uphold Design Commission's decision and ordered staff to prepare Council final findings for consideration and adoption on March 25, 2015 at 10:45 a.m. On March 25, 2015 at approximately 10:45 a.m. Council voted 4-0 to adopt findings and a final decision to deny the appeal and uphold the Design Commission's decision approving two 6-story apartment buildings in the Northwest Plan District.

## DECISION

Based on evidence in the record and adoption of the Council's Findings and Conclusions in **Case File LU 14-220722 DZ AD** and by this reference made a part of this Order, **it is the decision of Council to Deny the appeal of the Northwest District Association and uphold Design Commission's conditional approval as noted below:**

Approval of a Design Review for two 6-story apartment buildings containing 123 residential units (51 units in the Pettygrove building and 72 units in the Overton building) in the Northwest Plan District.

Approval of the following Adjustment:

1. To not provide the two 9' x 18' loading spaces required on the site (Section 33.266.310.C.1.a).

Conditions of Approval:

- A.** As part of the building permit application submittal, the following development-related conditions (A – E) 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 14-220722 DZ. All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B.** No field changes allowed.
- C.** A minimum of two coats of the stucco finish must be applied to the cementitious panels for the "Senenergy 1000" rain screen system.
- D.** The canopies along the ground level of both buildings that face the courtyard must match the design and materials of the steel canopies on the street-facades of both buildings as shown in detail A3 of Exhibit C.21 and depicted on Exhibit C.31.
- E.** The non-street facades of both buildings shall be all of the same dark color stucco and the banding that aligns with the cornice of the brick façade shall be removed as depicted in Exhibit C.32

**IT IS SO ORDERED:**

MAR 30 2015

Date



Mayor Charlie Hales  
Presiding Officer at Hearing of  
March 25, 2015  
9:30 a.m. Session